STATE OF INDIANA

JOURNALS

OF THE
HOUSE OF REPRESENTATIVES
AND SENATE

121ST GENERAL ASSEMBLY

SECOND REGULAR SESSION

STATE OF INDIANA

JOURNAL
OF THE
HOUSE OF REPRESENTATIVES

121ST GENERAL ASSEMBLY

SECOND REGULAR SESSION
Convening November 19, 2019
Reconvening January 6, 2020
Adjourning March 11, 2020

JOURNAL OF THE HOUSE
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OFFICERS OF THE HOUSE

BRIAN C. BOSMA, *Speaker of the House (November 19, 2019 - March 9, 2020)*

TODD M. HUSTON, *Speaker of the House (March 9, 2020 - current)*

MATTHEW S. LEHMAN, *Majority Floor Leader*

GREGORY E. STEUERWALD, *Majority Caucus Chair*

MICHAEL H. KARICKHOFF, *Speaker Pro Tempore*

TODD M. HUSTON, *Deputy Speaker Pro Tempore (November 19, 2019 - March 9, 2020)*

BOB A. HEATON, *Majority Whip*

CYNTHIA KIRCHHOFER, *Assistant Majority Floor Leader*

PEGGY M. MAYFIELD, *Assistant Majority Floor Leader*

EDMOND L. SOLDIAY, *Assistant Majority Floor Leader*

THOMAS E. SAUNDERS, *Assistant Majority Caucus Chair*

KAREN ENGLEMAN, *Assistant Majority Caucus Chair*

DOUG MILLER, *Assistant Majority Whip*

DALE R. DEVON, *Assistant Majority Whip*

SHARON K. NEGELE, *Assistant Majority Whip*

PHILIP K. GIAQUINTA, *Minority Leader*

CHERRISH S. PRYOR, *Minority Floor Leader*

MARA CANDELARIA REARDON, *Minority Caucus Chair*

JUSTIN W. MOED, *Minority Whip*

KARLEE D. MACER, *Assistant Minority Leader*

TERRI JO AUSTIN, *Assistant Minority Floor Leader*

RYAN D. HATFIELD, *Assistant Minority Floor Leader*

EDWARD O. DELANEY, *Assistant Minority Caucus Chair*

CAREY HAMILTON, *Assistant Minority Whip*

EARL HARRIS, *Assistant Minority Whip*

M. CAROLINE SPOTTS, *Principal Clerk*

TYLER CAMPBELL, *Chief of Staff to the Speaker*

JOHN COCHRAN, *Parliamentarian*

Journal of the House

State of Indiana

121st General Assembly Second Regular Session

First Day Tuesday Afternoon November 19, 2019

The members of the House of Representatives of the One Hundred Twenty-first General Assembly of the State of Indiana assembled in the House Chambers in the State House in the City of Indianapolis on Tuesday, the nineteenth day of November, 2019, A.D., at 1:00 p.m., being the day fixed by law for the convening of the second regular session of the General Assembly, viz:

"...the second regular session of each term of the general assembly shall convene on the third Tuesday after the first Monday of November of each odd-numbered year..."

The invocation was offered by Pastor Bill Turner of the Community Church of Greenwood.

The House was called to order by Speaker Brian C. Bosma.

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

FILLING VACANT LEGISLATIVE OFFICES

District 31

June 12, 2019

The Honorable Brian C. Bosma
Speaker of the House
Indiana House of Representatives
200 W. Washington Street, Room 3-7
Indianapolis, IN 46204

Dear Speaker Bosma,

It is with mixed emotions I write you today to tender my resignation as the State Representative for House District 31 here in the great state of Indiana effective Wednesday, July 31st, 2019.

lt has been a true honor to have been elected by the voters of my district in 2010 and to have been re-elected four times since then. I am very thankful for the confidence you had in me by appointing me as Chairman of the Government and Regulatory Reform committee my freshman year. My experiences have been very rewarding and the people I have met along the way are top shelf individuals. Many of the reasons l have enjoyed my tenure in the House of Representatives is because of the leadership you provided our caucus and the way you handled yourself in a bi-partisan way.

I will truly miss my colleagues in our caucus as well as the minority caucus. I am proud to say that I live, work, play, and have had the opportunity to have a small part in government in a state that knows how to treat others with respect while pushing for a conservative approach to how we lead our state.

Although my resignation was not planned, I simply was presented with a career opportunity that will allow me to enter my next chapter in life in an Executive role with a great company in the Indianapolis area, Community Health Network. This will cause me and my family to relocate to the north side of Indianapolis. Although I will surely miss all of you in my current capacity, I know my family and I are excited about this opportunity.

Please know I will continue to support our supermajority from the sidelines as a Hoosier. If I may ever be of any assistance to you or others, please feel free to contact me at any time.

Sincerely,

Kevin Mahan
State Representative
House District 31

CERTIFICATION OF APPOINTMENT TO A VACANT STATE LEGISLATIVE OFFICE

TO THE HONORABLE BRIAN C. BOSMA
SPEAKER OF THE HOUSE OF REPRESENTATIVES:

WHEREAS, A vacancy occurred in the office of Indiana State House District 31, on July 31, 2019, due to the resignation of Representative Kevin Mahan, who was elected to office as a candidate of the Indiana Republican Party;

WHEREAS, The duly elected and acting state chairman of the Indiana Republican Party set the place, date and time of a caucus comprised of the eligible precinct committeemen from Indiana House District 31 and sent a notice by first class mail to all precinct committeemen in the caucus at least ten (10) days before the date of the meeting, setting forth the purpose, place, date and time of the meeting;

WHEREAS, The state chairman or his duly appointed designee presided over the aforesaid caucus, which was conducted on July 30, 2019.

WHEREAS, The caucus, voting by secret ballot, and a majority vote of those casting a vote for the candidate, selected an individual who resides within House District 31 to fill this vacancy;

WHEREAS, The individual selected to fill the aforesaid vacancy had filed a declaration of candidacy with the chairman of the caucus, and had previously filed a statement of economic interests under Indiana Code 2-2.1-3-2 with the Principal Clerk of the House of Representatives, at least seventy-two (72) hours before the time fixed for the caucus, all as required by Indiana Code 3-13-5-3;

WHEREAS, Under Indiana Code 3-13-5-6, the state chairman is required to certify the name of the individual selected under Indiana Code 3-13-5-1 to fill this vacancy to the Speaker of the Indiana House of Representatives; and

WHEREAS, Under Indiana Code 3-13-5-6, the Speaker of the Indiana House of Representatives is required to acknowledge receipt of this certification, submit a copy of the certificate to be included in the Journal of the Indiana House of Representatives on the day when the individual is seated, (or if this certificate is received after the adjournment *sine die* of the General Assembly, on the first day that the Indiana House of Representatives is in session

following receipt of this certificate), and immediately forward the certificate to the Secretary of the State of Indiana: NOW, THEREFORE,

**AS THE DULY ELECTED
AND ACTING CHAIRMAN OF THE
INDIANA REPUBLICAN STATE COMMITTEE,**

(1) I certify that Ann Vermilion was selected by the aforesaid caucus to fill the vacancy existing in the Office of the Indiana House of Representatives, District 31;

(2) I request that the Speaker of the House of Representatives acknowledge receipt of this Certificate by his signature below as provided for by Indiana Code 3-13-5-6;

(3) I request that the Speaker of the House of Representatives include a copy of this Certificate in the Journal of the Indiana House of Representatives as provided in Indiana Code 1-3-5-6; and

(4) I request that this Certificate be immediately forwarded to the Secretary of State, as provided by Indiana Code 3-13-5-6.

CERTIFIED, THIS THE 30th DAY OF JULY, 2019:

**Kyle Hupfer,
Indiana Republican State Chairman**

**ACKNOWLEDGMENT OF RECEIPT BY THE
SPEAKER OF THE HOUSE OF REPRESENTATIVES**

I hereby acknowledge receipt of this Certificate by my signature below this thirty-first day of July, 2019.

**Signed: Brian C. Bosma
Speaker of the Indiana House of Representatives**

**NOTIFICATION TO
SECRETARY OF STATE**

July 31, 2019

**The Honorable Connie Lawson
Indiana Secretary of State
201 State House
Indianapolis, IN 46204**

Dear Secretary Lawson:

This is to officially notify you that this office has received from the Chair of the Indiana Republican Committee, a copy of the certification of the election of Ann Vermilion to represent State House District 31, filling the vacancy created by the resignation of Kevin Mahan. Representative Ann Vermilion was duly elected on July 30, 2019, in a caucus of precinct committee persons in District 31.

Sincerely,

**Brian C. Bosma
Speaker of the House**

**CERTIFICATE OF SELECTION
TO STATE LEGISLATIVE OFFICE**

**TO THE HONORABLE BRIAN C. BOSMA
SPEAKER OF THE INDIANA
HOUSE OF REPRESENTATIVES**

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 31, due to the resignation of Kevin Mahan, who was elected to that office as a candidate of the Indiana Republican Party;

WHEREAS, On July 30, 2019, a caucus composed of Republican Party precinct committeemen from Indiana House District 31 selected Ann Vermilion to fill the vacancy in Indiana House District 31;

WHEREAS, Kyle Hupfer, Chairman of the Indiana Republican Party, certified the selection of Ann Vermilion to fill the vacancy in office of Indiana State Representative, District 31, to the Speaker of the House of Representatives and the Speaker of the House Representatives acknowledged receipt of the certification;

WHEREAS, The Speaker of the House of Representatives forwarded the aforesaid certification to the Secretary of State, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office: NOW, THEREFORE,

AS THE DULY ELECTED AND ACTING INDIANA SECRETARY OF STATE, I certify that the Honorable Ann Vermilion has been selected to fill the vacancy existing in the office of Indiana State Representative, District 31.

Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this First day of August, 2019, being the 244th year of the Independence of the United States, and the 203rd year of the Statehood of Indiana.

**CONNIE LAWSON
Indiana Secretary of State**

Representative-elect Ann Vermilion was sworn into office on August 14, 2019 by Chief Justice Rush. The oath of office is: "I, Ann Vermilion do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as a member of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

Sworn before me, Chief Justice Rush, this fourteenth day of August, 2019.

District 93

April, 2019

**The Honorable Brian C. Bosma
Speaker of the House
Indiana House of Representatives
200 W. Washington Street
Indianapolis, IN 46204**

Dear Speaker Bosma,

I am officially informing you that I intend to resign my position as State Representative of House District 93 effective May 31, 2019.

Words can never express my gratitude for allowing me to be part of your leadership team for these many years. I enjoyed serving under your leadership.

Blessings to you, Brian and all the members of the House. May God grant you wisdom and compassion as you continue as our

State's Speaker of the House. Always bring glory to our Lord and Savior, Jesus Christ.

Sincerely,
David Frizzell
State Representative
House District 93

CERTIFICATION OF APPOINTMENT TO A VACANT STATE LEGISLATIVE OFFICE

**TO THE HONORABLE BRIAN C. BOSMA
SPEAKER OF THE HOUSE OF REPRESENTATIVES:**

WHEREAS, A vacancy occurred in the office of Indiana State House District 93 on May 31, 2019, due to the resignation of the Representative David Frizzell, who was elected to office as a candidate of the Indiana Republican Party;

WHEREAS, The duly elected and acting state chairman of the Indiana Republican Party set the place, date and time of a caucus comprised of the eligible precinct committeemen from Indiana House District 93 and sent a notice by first class mail to all precinct committeemen in the caucus at least ten (10) days before the date of the meeting, setting forth the purpose, place, date and time of the meeting;

WHEREAS, The state chairman or his duly appointed designee presided over the aforesaid caucus, which was conducted on June 4, 2019;

WHEREAS, The caucus, voting by secret ballot, and a majority vote of those casting a vote for the candidate, selected an individual who resides within Indiana House District 93 to fill this vacancy;

WHEREAS, The individual selected to fill the aforesaid vacancy had filed a declaration of candidacy with the chairman of the caucus, and had previously filed a statement of economic interests under Indiana Code 2-2.1-3-2 with the Principal Clerk of the House of Representatives, at least seventy-two (72) hours before the time fixed for the caucus, all as required by Indiana Code 3-13-5-3;

WHEREAS, Under Indiana Code 3-13-5-6, the state chairman is required to certify the name of the individual selected under Indiana Code 3-13-5-1 to fill this vacancy to the Speaker of the Indiana House of Representatives; and

WHEREAS, Under Indiana Code 3-13-5-6, the Speaker of the Indiana House of Representatives is required to acknowledge receipt of this certification, submit a copy of the certificate to be included in the Journal of the Indiana House of Representatives on the day when the individual is seated, (or if this certificate is received after the adjournment *sine die* of the General Assembly, on the first day that the House of Representatives is in session following receipt of this certificate), and immediately forward the certificate to the Secretary of the State of Indiana: NOW, THEREFORE,

AS THE DULY ELECTED AND ACTING CHAIRMAN OF THE INDIANA REPUBLICAN STATE COMMITTEE,

(1) I certify that Dollyne Sherman was selected by the aforesaid caucus to fill the vacancy existing in the Office of Indiana House District 93;

(2) I request that the Speaker of the House of Representatives acknowledge receipt of this Certificate by his signature below as provided for by Indiana Code 3-13-5-6;

(3) I request that the Speaker of the House of Representatives include a copy of this Certificate in the Journal of the Indiana House of Representatives as provided in Indiana Code 1-3-5-6; and

(4) I request that this Certificate be immediately forwarded to the Secretary of State, as provided by Indiana Code 3-13-5-6.

CERTIFIED, THIS 4TH DAY OF JUNE, 2019:

**Kyle Hupfer,
Indiana Republican State Chairman**

ACKNOWLEDGMENT OF RECEIPT BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES

I hereby acknowledge receipt of this Certificate by my signature below this fifth day of June 2019.

**Signed: Brian C. Bosma
Speaker of the Indiana House of Representatives**

NOTIFICATION TO SECRETARY OF STATE

June 5, 2019

**The Honorable Connie Lawson
Indiana Secretary of State
201 State House
Indianapolis, IN 46204**

Dear Secretary Lawson:

This is to officially notify you that this office has received from the Chair of the Indiana Republican Committee, a copy of the certification of the election of Dollyne Sherman to represent State House District 93, filling the vacancy created by the resignation of David Frizzell. Representative Dollyne Sherman was duly elected on June 4, 2019, in a caucus of precinct committee persons in District 93.

Sincerely,

**Brian C. Bosma
Speaker of the House**

CERTIFICATE OF SELECTION TO STATE LEGISLATIVE OFFICE

**TO THE HONORABLE BRIAN C. BOSMA
SPEAKER OF THE INDIANA
HOUSE OF REPRESENTATIVES**

WHEREAS, A vacancy occurred in the office of Indiana State Representative, District 93, due to the resignation of David Frizzell, who was elected to that office as a candidate of the Indiana Republican Party;

WHEREAS, On June 4, 2019, a caucus composed of Republican Party precinct committeemen from Indiana House District 93 selected Dollyne Sherman to fill the vacancy in Indiana House District 93;

WHEREAS, Kyle Hupfer, Chairman of the Indiana Republican Party, certified the selection of Dollyne Sherman to fill the vacancy in office of Indiana State Representative, District 93, to the Speaker of the House of Representatives and the Speaker of the House Representatives acknowledged receipt of the certification;

WHEREAS, The Speaker of the House of Representatives forwarded the aforesaid certification to the Secretary of State, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office: NOW, THEREFORE,

AS THE DULY ELECTED AND ACTING INDIANA SECRETARY OF STATE, I certify that the Honorableollyne Sherman has been selected to fill the vacancy existing in the office of Indiana State Representative, District 93.

Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this 6th day of June, 2019, being the 243rd year of the Independence of the United States, and the 203rd year of the Statehood of Indiana.

CONNIE LAWSON
Indiana Secretary of State

Representative-elect Dollyne Sherman was sworn into office on June 10, 2019 by Justice Massa. The oath of office is: "I, Dollyne Sherman, do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the State of Indiana, and that I will faithfully and impartially discharge my duties as a member of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

Sworn before me, Justice Massa, this tenth day of June, 2019.

ROLL CALL OF MEMBERS

The Secretary of State directed that the roll be called and the following members-elect answered to their names:

(R) David H. Abbott (District 82, Allen, Elkhart, LaGrange, Noble, and Whitley Counties)

(D) Terri Jo Austin (District 36, Madison County)

(R) Mike Aylesworth (District 11, Lake and Porter Counties)

(R) Ronald A. Bacon (District 75, Pike, Spencer, and Warrick Counties)

(R) Beau Baird (District 44, Clay, Morgan, Owen, Parke, Putnam Counties)

(R) Bradford J. Barrett (District 56, Wayne County)

(R) Stephen R. Bartels (District 74, Crawford, Dubois, Orange, Perry, Spencer Counties)

(D) John L. Bartlett (District 95, Marion County)

(D) B. Patrick Bauer (District 6, St. Joseph County)

(D) Lisa Beck (District 19, Lake and Porter Counties)

(R) Robert W. Behning (District 91, Hendricks and Marion Counties)

(R) Bruce Borders (District 45, Daviess, Greene, Knox, Sullivan, and Vigo Counties)

(R) Brian C. Bosma (District 88, Hamilton, Hancock, and Marion Counties)

(D) Pat Boy (District 9, LaPorte and Porter Counties)

(R) Timothy N. Brown (District 41, Boone, Montgomery, and Tippecanoe Counties)

(R) Charles W. "Woody" Burton (District 58, Johnson County)

(D) Chris Campbell (District 26, Tippecanoe County)

(D) Mara Candelaria Reardon (District 12, Lake County)

(R) Martin J. Carbaugh (District 81, Allen County)

(R) Robert W. Cherry (District 53, Hancock and Madison Counties)

(D) Chris Chyung (District 15, Lake County)

(R) Edward D. Clere (District 72, Floyd County)

(R) Steven J. Davisson (District 73, Clark, Harrison, Jackson, Lawrence, Orange, and Washington Counties)

(D) Edward O. DeLaney (District 86, Marion County)

(R) Dale R. DeVon (District 5, St. Joseph County)

(D) Ryan M. Dvorak (District 8, LaPorte and St. Joseph Counties)

(R) Sean R. Eberhart (District 57, Bartholomew, Hancock and Shelby Counties)

(R) Jeff Ellington (District 62, Daviess, Greene, Martin, and Monroe Counties)

(R) Karen Engleman (District 70, Clark, Floyd, and Harrison Counties)

(D) Sue E. Errington (District 34, Delaware County)

(D) Rita Fleming (District 71, Clark County)

(R) Randall L. Frye (District 67, Dearborn, Decatur, Jefferson, Jennings, Ohio, Ripley, and Switzerland Counties)

(D) Philip K. GiaQuinta (District 80, Allen County)

(D) Terry A. Goodin (District 66, Clark, Jefferson, and Scott Counties)

(R) Charles D. Goodrich (District 29, Hamilton County)

(R) Douglas L. Gutwein (District 16, Fulton, Jasper, Newton, Pulaski, and Starke Counties)

(D) Earl Harris (District 2, Lake County)

(D) Ragen H. Hatcher (District 3, Lake County)

(D) Ryan D. Hatfield (District 77, Vanderburgh County)

(R) Bob A. Heaton (District 46, Clay, Monroe, Owen, and Vigo Counties)

(R) Dave Heine (District 85, Allen County)

(R) Matthew D. Hostettler (District 64, Gibson, Knox, Pike, Posey, and Vanderburgh Counties)

(R) Todd M. Huston (District 37, Hamilton County)

(D) Carolyn Jackson (District 1, Lake County)

(R) Jack Jordan (District 17, Fulton and Marshall Counties)

(R) Christopher N. Judy (District 83, Allen and Whitley Counties)

(R) Michael H. Karickhoff (District 30, Grant and Howard Counties)

(R) Cynthia L. Kirchhofer (District 89, Marion County)

(D) Sheila A. Klinker (District 27, Tippecanoe County)

(R) Ryan Lauer (District 59, Bartholomew County)

(R) Donald J. Lehe (District 25, Carroll, Cass, Clinton, Tippecanoe, and White Counties)

(R) Matthew S. Lehman (District 79, Adams, Allen, and Wells Counties)

(R) Daniel J. Leonard (District 50, Allen, Huntington and Wells Counties)

(R) Shane Lindauer (District 63, Daviess, Dubois, Martin, and Pike Counties)

(R) Jim T. Lucas (District 69, Bartholomew, Jackson, Jefferson, and Jennings Counties) **(R) Randy Lyness (District 68, Dearborn, Franklin, and Union Counties)**

(D) Karlee D. Macer (District 92, Marion County)

(R) Ethan E. Manning (District 23, Cass, Fulton, and Miami Counties)

(R) Chris D. May (District 65, Brown, Jackson, Johnson, Lawrence, and Monroe Counties)

(R) Peggy M. Mayfield (District 60, Monroe and Morgan Counties)

(R) Wendy M. McNamara (District 76, Posey and Vanderburgh Counties)

(R) Doug Miller (District 48, Elkhart County)

(D) Justin W. Moed (District 97, Marion County)

(R) Robert D. Morris (District 84, Allen County)

(R) Alan P. Morrison (District 42, Clay, Fountain, Parke, Vermillion, Vigo, and Warren Counties)

(D) Charles "Chuck" A. Moseley (District 10, Porter County)

(R) Sharon K. Negele (District 13, Benton, Fountain, Jasper, Montgomery, Newton, Tippecanoe, Warren, and White Counties)

(R) Curt Nisly (District 22, Elkhart and Kosciusko Counties)

(D) Tonya Pfaff (District 43, Vigo County)

(D) Matt Pierce (District 61, Monroe County)

(D) Gregory W. Porter (District 96, Marion County)

(R) J.D. Prescott (District 33, Blackford, Delaware, Jay, and Randolph Counties)

(R) Jim Pressel (District 20, LaPorte and Starke Counties)

(D) Cherrish S. Pryor (District 94, Marion County)

(R) Thomas E. Saunders (District 54, Henry, Rush, and Wayne Counties)

(R) Donna Schaibley (District 24, Boone and Hamilton Counties)

(D) Robin C. Shackleford (District 98, Marion County)

(R) **Dollyne Sherman** (District 93, Johnson and Marion Counties)

(R) Benjamin C. Smaltz (District 52, Allen, Dekalb, and Steuben Counties)

(D) Vernon G. Smith (District 14, Lake County)

(R) Edmond L. Soliday (District 4, Porter County)

(R) Michael R. Speedy (District 90, Marion County)

(R) Gregory E. Steuerwald (District 40, Hendricks County)

(R) Christy Stutzman (District 49, Elkhart County)

(R) Holli Anne Sullivan (District 78, Vanderburgh and Warrick Counties)

(D) Vanessa J. Summers (District 99, Marion County)

(D) Joe Taylor, III (District 7, St. Joseph County)

(R) Jeffrey A. Thompson (District 28, Boone and Hendricks Counties)

(R) Jerry Torr (District 39, Hamilton County)

(R) Heath R. VanNatter (District 38, Carroll, Cass, Clinton, and Howard Counties)

(R) Ann Vermilion (District 31, Blackford, Delaware, Grant, and Wells Counties)

(R) Timothy C. Wesco (District 21, Elkhart and St. Joseph Counties)

(R) David A. Wolkins (District 18, Grant, Kosciusko, Miami, and Wabash Counties)

(D) Melanie Wright (District 35, Delaware and Madison Counties)

(R) John T. Young (District 47, Johnson and Morgan Counties)

(R) Dennis J. Zent (District 51, LaGrange and Steuben Counties)

(R) Cindy M. Ziemke (District 55, Decatur, Fayette, Franklin, Ripley, and Rush Counties)

Roll Call 1: 97 present; 3 excused -**[Tony J. Cook (District 32, Delaware, Grant, Hamilton, Howard, Madison, Tipton Counties), Dan P. Forestal (District 100, Marion County) and Carey Hamilton (District 87, Marion County)]. The Speaker announced a quorum in attendance.**

OPENING REMARKS BY SPEAKER BRIAN C. BOSMA

Thank you and good afternoon. We'll have some business to conduct in just a little bit but as is our custom here, today is my day to say a few words at the outset of the second regular session of the 121st General Assembly.

First of all, I want to welcome family and friends of the elected officials. We have many of you here. We sincerely appreciate you being here today, and know that this is a team sport – and it's not just the leader that's on the team. It's your friends, it's your family, it's your spouses, your significant others, and I just want to take a moment to recognize all of you, and recognize my own wife, Cheryl, who has been the leader of team Bosma for a long time. Thank you, dear.

I also want to give a special welcome and thanks to the teachers that are here today. However many thousands that ended up being here – it was a lot. Welcome, we appreciate you being here.

We have a lot of educators on the floor here as well. If you are or have been a teacher, on a school board, worked for a school corporation or school, would you please rise and let us recognize you as well?

Cheryl and I have 15 educators, former and current, in our family, including both of our mothers. My mother-in-law, Jean, right here, who taught for nearly 40 years at Perry Meridian Middle School. And now our daughter, Allison Ailes, who is teaching the 4th grade, and I believe she and her class in Loveland, Colorado, are watching this right now. So, Mrs. Ailes and your team, good to have you on board. I would not want to be in that classroom, I've got to tell you – strict.

I said that about the 15 teachers because many of us, especially our family, understand that you are the most important professional for our state's future, and I don't mean just in the classroom. You are closest to our greatest natural

resource – our children. You teach them daily. You inspire them, and we appreciate you truly.

I even found out that my junior prom date is now teaching and was here, and we got to say "hi" to each other just a little bit ago. Susan Johnson, wherever you are, it was great to see you again after 43 years.

We understand that the job of teachers has changed as well. It's not just unruly kids talking out of turn or maybe singing a song in class – I was known to have done this twice. You've got 21st century problems. It's kids without food. Many without parents. Many with very dysfunctional, uninvolved or destructive families, and we understand you are called upon to do a lot. We also understand the reams of bureaucratic paperwork that are required, and we have tried to address that in the past but we will again. And you have a concern that wasn't a concern when I was in school or when my mother taught school – and that's violence. And not just your students' safety but your own safety as well.

We understand these are big challenges, and I know many of you think legislators don't get it. We do. We may not get it as well as you do, but we've talked with enough of you to know.

Our constant goal over the last 10 years – and I've looked back through every speech I've given here for 12 of the last 16 years as speaker – talked about the importance of teachers. Each one talked about the need to cut red tape, and give them the resources and flexibility to inspire students, keep them safe and empower teachers to teach. We'll get back to the teachers in just a little bit because I want to talk specifically to you.

Now to the session ahead. It seems most everyone in Washington, D.C. has lost their minds. I say "most" because immediately when I said that yesterday the press asked if I was including Vice President Pence in this. Still trying to drive that wedge. I said, "No, everybody but Mike Pence is crazy in Washington, D.C." And they're ignoring critical issues, and there are important issues to Hoosiers that are languishing now while both sides are engaged in the battle they're engaged in.

The North American Free Trade Agreement or USMCA is so important to Hoosier farmers and the Ag industry. It is critical. Smart immigration reform is important, not just to our Ag community but our workforce here. And unlike us here in Indiana, the federal budget is so out of balance, and it doesn't seem anybody is doing anything about it. In contrast, here in Indiana, we are going to remain on the right track.

In my first session in 1987, I was sitting right about where Representative Jordan is sitting. A back bencher. I don't know if you knew you were a back bencher, but you are. And I clearly knew it in 1987. A few of you that were here will recall that we honored Father Theodore Hesburgh here in the chamber after his 35 years of service as the president of Notre Dame. You may not know this about me, but I write down things that are said. I have written down some of the crazier and more humorous things you all have said, too. I'll share those with you another time. But I wrote down a couple things that Father Hesburgh said that day. He said, "The very essence of leadership is that you have a vision. It's got to be a vision you articulate clearly and forcefully on every occasion. You cannot blow an uncertain trumpet." And I took that to heart, never forgetting that statement. I have tried to lead my team, our state and this chamber in a clearly articulated course ever since.

A little more than a decade ago — I am not going to go through all the details, but it is worth saying — we dragged the nation in government transparency, job creation, technology, parents' voices in their children's education, our business tax environment, road infrastructure and especially fiscal discipline.

When I made a practice of pointing these statistics out both here and in the public, a former Democrat governor was approached by the media, and going through these details they said, "What do you say about this?" He said, "I'm a half glass full kind of guy and apparently, Representative Bosma is a glass half empty kind of guy." When I was approached by the media to respond to him, my response was, "Why does Indiana have to settle for half a glass?" We have worked hard together to make Indiana's glass full ever since.

Because of the hard work and vision articulated in this chamber over the last 15 years – clearly and forcefully as Father Hesburgh would say – while we are not perfect, Indiana is really the envy of the nation on the fiscal and business front.

We are 1 of 12 states with a AAA credit rating. We have the lowest unemployment in nearly 20 years, and at 3.2 percent, it is lower than all of our surrounding states and significantly below the national average. We have strong financial reserves, our buffer against an eminent downturn. At some point in the future, it will happen.

We are rated as No. 1 in the Midwest for business, job creation, economic momentum, tax environment, and on the shortlist nationally by nearly a dozen organizations from the Tax Foundation to Business Facilities Magazine's Best Business Climate ratings, Forbes, Chief Executive Magazine, CNBC and many more.

With the Energizer battery facility that's just been announced, south of here in central Indiana, with the Salesforce move to Indianapolis, and the Infosys training center that's going to bring 10,000 technology jobs to Indiana, we are almost there.

One of the things I have been telling people is that I have checked a lot of boxes here, but one of them I am disappointed that didn't get checked over the last 20 years was making Indiana the Midwest tech hub. I heard yesterday the president of Energizer, as he was talking about the new facility in Franklin, refer to Central Indiana as the tech hub for the Midwest. We also now rank second in the nation in the growth of software jobs.

We've downsized government. We've reduced burdensome regulations. We've eliminated dozens of boards and hundreds of bureaucratic positions. And now we're rated No. 3 in regulatory environment in the nation by Forbes and No. 5 by the Cato Institute.

On the infrastructure front, we had some hard-fought battles in 2016 and 2017 to try to get, not everybody in this chamber, but especially people on the other side of the building, to look at investment in infrastructure as an investment in the future and not just an expense item. If you haven't noticed those orange barrels all over the place, I keep telling my family don't worry, it will get better. But we're the only state in the nation with a 20-year, fully funded road program with no debt on our children.

While doing all of this, unlike our neighbors, we downsized government. We eliminated waste. We paid off $2.5 billion in outstanding debt, which makes the revenue stream all the better in the future. We've cut taxes or eliminated them 14 times in the last 15 years, including the largest tax cut in our state's history, and the lowest property taxes in the Midwest. That's a record we can all be proud of.

We've also reformed this institution, and for some of you newer people, this is going to sound like a fantasyland. But let

me tell you a few of the things we've done. In my first session as speaker, I repealed lifetime, taxpayer-paid insurance for legislators. My former chief of staff, Leslie Hiner, who was by my side as we did that, it was a difficult fight. But if you could believe it, this body and that body, known or unknown to the participants, passed a provision that required the state to pay for a former legislator's insurance for the rest of their life, even when they were on Medicare. We repealed that in 2006.

In 2005, we opened the door to this chamber. I was looking through my notes and it said I wanted to open the hallways of government to the average person and put our proceedings on the internet. In 2011, the second time I served as speaker, we opened every committee room to the internet. We have microphones for people in the room to hear. We have seating outside committee rooms so the public can actually see what's going on.

We created the Office of the Inspector General to root out corruption. We changed our own rules here to eliminate wasted time and resources by limiting our bill introduction numbers and eliminating surprise floor amendments. Those were kind of the good old days, actually. There was also humor in that. We brought an end to the practice – new people, if you can believe this – the committee chair showing up to a committee with a handful of proxies and no other majority members of the committee. Two members of the minority show up, there's a quorum and votes went down like cards. Yes, yes, yes. We don't do that anymore.

We required 24 hours for the public, the press and our own members to review the budget. Now that may sound like old hat, but the first five or six budgets I voted on, I was handed a red-hot stack of 200 pages at about 11:58 p.m., and told we're going to vote on this now, Republicans and Democrats. We're going to vote on this now and figure out what's in it later. Does that sound familiar to Washington, D.C.? Because of all these reforms, our state is now ranked No. 1 in the nation for budget transparency, and we rank as the best state government in the nation by U.S. News and World Report.

Now, while this is not a budget session, I do believe it's appropriate, since we have so many educators within ear shot, that we talk a little bit about what we've done in education. In just the last several years, we've made record investment in our public schools, and I don't just mean the most money. I mean the most money added. Adding three quarters of a billion dollars to a $7 billion pie in the last budget. The state paid $150 million of local school corporation's obligations in the future. We pay $150 million out of one-time state funds – to free up $70 million at the local school corporation level, which they would have had to pay over the next half dozen or so years. And we did it with a clear message, it was private, but we told them we want this money to go to teachers and we'll be watching you report back. And we will. K-12 education funding today constitutes 50.2% of our state's general fund expenditures. That's more than every other area – public safety, prisons, every agency and our own funds – more than all of that combined now goes to K-12 schools.

We're third in the nation, behind Kansas and Vermont, for the percentage of state expenditures that go exclusively to K-12 education. In 2015, we established the Teacher Appreciation Grants with $75 million in the current budget that will go straight to teachers, no middle man, to every effective teacher in the state. We passed a teacher tax credit – wish it was more but the Senate wouldn't do it. We have a teacher tax credit because we know you all pay for supplies out of your own pocket when your school can't do it. And while nationally recognized as a school safety leader, we put $100 million in improving school security, so our students and their teachers can feel safe.

One of the items I'm proud of is we established the Next Generation Hoosier Educator Scholarship, and we now have over 600 of Indiana's top students that are receiving those grants to put them through education school and man the classrooms like many here today. We funded full-day kindergarten, preschool grants and expanded preschool grants after that. We heard teachers and administrators who said ISTEP is terrible, actually I had to clean that part up, and we replaced it with ILEARN. Well, you all asked for it, and we did it. It's shorter. It's easier to grade. You get the results back faster. We have to have accountability in testing, in schools. We'll talk in a minute about whether it should play a part.

Despite 10 years of prioritizing teacher pay and record increases in tuition support, the needle has not moved significantly for teacher pay. We realize that. Frankly, for many of you, the problem is not the General Assembly, and I'm going to give you a few statistics to back that up.

Since my first time as speaker, the Office of Management and Budget has annually tracked dollars to the classroom. We had a stated goal of 65% of all funds making it to teachers and their classroom. We're not there, and frankly, we've lost ground in this regard. Today, only 58% of the dollars received by schools make it directly to the classroom, and it's not vouchers, and it's not charter schools that are the villains here.

United States Department of Education figures show that while there are 3% fewer teachers and 3% fewer students than 10 years ago, there has been a 31% increase in administrative positions. And I'm not talking clerical. I'm not talking bus drivers. I'm not talking maintenance. These are administrators in Indiana schools. A 3% reduction in teachers, and 31% increase in administrators. We now have the third lowest share of full-time employees of our K-12 system as certified teachers. The number is 41%. So of all the employees in our public schools, only 41% are certified teachers.

We tried to address this last year. Actually, we began addressing it two years ago by dividing operating costs from other expenditures. State money goes into the operating fund. This past session, we stated to schools that we want to see 85% of that money go to teachers. And while we didn't mandate it, we mandated reporting. And I can tell you that there are a lot of people in this room that are going to keep a very close eye on the numbers reported and take appropriate action.

We have to continue to find ways as I said, and we sincerely do, to treat teachers as professional faculty and not factory workers, and we took steps on that last year as well. We worked with the state teachers association and adopted a career ladder model, which will give master teachers the opportunity to mentor the next generation of classroom leaders. We also established the teacher residency program, so teachers can have a year-long enhancement of their education experience with hands-on experience, and we funded those initiatives with $4.5 million out of the General Fund.

In short, teachers: We get it. We get that you're frustrated. We get that you're concerned about issues, and one of those issues will be our first priority in the House this session. On Oct. 23, I sent a letter to the Indiana State Board of Education and the superintendent, from Senator Bray and myself, indicating that our very first order of business in the House will be to adopt a hold harmless provision from the ILEARN testing results this year.

Because of that letter, Teacher Appreciation Grants will go to all effective teachers not based on the new results, which are

always lower for a new test and new standards, but for last year's results. We also need to take a hard look, if we can do it this session, on eliminating – separating entirely – teacher assessments and testing. There's a difference of opinion on how to do that, but hopefully we can get through that in the next short, nine and a half weeks.

That's a long list of education issues for the short session, but we're going to work through them. There will be many other things that we'll deal with as well. Hoosier health and health care have to be top priorities. I announced yesterday along with several of the members, my intent to support raising the smoking age and the vaping age to 21. Our Hoosier students need this. I've had discussions with parents of high schoolers, and believe it or not, middle schoolers, where this is now pervasive. Now is the time to move that legal age to 21.

On the health care front, several studies that we've all looked at recently have shown what many of us suspected – that Hoosiers whether you're a teacher or a lawyer or homemaker – Hoosiers spend more on health care than most of our other states, certainly those that surround us. Our summer study committees have been working hard on a comprehensive transparency portal, so that the average Hoosier, employers, insurers, corporations, can look to compare the costs of various procedures and make choices in accordance with that. I talked to physicians who had no clue, when presented with it, what a cost of a procedure is. They just don't think about it sometimes. They know the procedure, and they want it done. They're going to have that opportunity as well to see exactly what's being billed.

And teachers, we know you have too many regulations on you. We've tried to repeal some. We're going to try again this session. We're looking for a very good dialogue on exactly what you think needs to happen to remove burdensome regulations, and we'll consider it. We've actually asked this many times, and we hear there's burdensome regulations, but we don't get specifics. So there's so many of you here today, you're going to have a lot of ideas, and we're open to hearing them.

We'll continue to debate these issues and many others this session, and we're going to do it in the same bipartisan and civil way we've done it in past sessions. I want to thank specifically Representative GiaQuinta, Representative Reardon and Representative Pryor – thank you for working so closely with us last year to have a bipartisan year, even if we disagree. We really appreciate you.

One other area we have worked closely on over the last decade has been something that my team started in 2011 and that is the joint service project. Together, we've supported the Special Olympics, supplying food banks through Feeding Indiana's Hungry, the Indiana Coalition Against Domestic Violence, the Boys and Girls Clubs, the Salvation Army's efforts in the past couple years to feed children at the holiday, and we provided IARCA support for foster and adoptive care. We even built and furnished a house together on the south lawn, and that was a lot of fun, for Habitat for Humanity.

This year, our House partner will be the Indiana Chapter of the American Legion to help homeless Hoosier veterans. We've learned a lot about this issue in the last couple of months. While there has been a general downturn in homelessness for veterans in Indiana, there was actually a 6% increase for homeless veterans in the last year. We have some representatives here today with us. The American Legion Indiana Commander Allen Connelly, the Director of Rehabilitation John Hickey, and the Legislative Chair Kenny Cooper. Thank you for being with us gentlemen.

Representative GiaQuinta and I look forward to announcing all those details on our first day back and we'll keep you all posted on that.

I wrote down another quote from Father Hesburgh that same day, and it stuck with me too. He said, "My basic principle is that you don't make decisions because they are easy; you don't make them because they are cheap; you don't make them because they're popular; you make them because they're right." My team has heard many times my version of that motto, which is "just do what's right and let the politics shake out for itself."

Well, it's time for me to do what's right as well, and I'm going to close with that in mind. There's been a lot of speculation over the past six months about what is in store for the future for me, and I am going to share that with you as I close today. This coming session will be my 34th as a legislator, two prior to that as a staffer at the Department of Education, 20 prior to that as a family member of an elected legislator – my father who served both in the House and Senate. I've been around here for a long time.

In the next two weeks, our caucus will meet and select a speaker-elect, who I plan to work with throughout this session. Let them see every bit of the job – the good, the bad and the ugly, and it's all there. And then, at the end of this session I will be stepping down from the speakership and won't be running for re-election. It's my hope that whichever individual is selected from our team will be sworn in as the new speaker as session nears its closure on March 11. You should write that date down – March 11. The calendar says March 13 – NCAA finals are the 12th and 13th.

And I've accepted a new challenge. I'm going to be the national chair of the Republican Legislative Campaign Committee. From here – it's in D.C, but I'm not moving anywhere. And my goal will be to take the success – both politically and policy-wise – that we've enjoyed here in Indiana to other states in the nation. We're looking forward to that challenge.

Now, if I have any clients that are watching this, I'm not leaving my law firm – Kroger, Gardis and Regas. I'm going to continue practicing law as well, and Cheryl and I are going to have a little time together.

Cheryl, of course, has been involved in this discussion for a long time, and we've just kind of talked about some of the cherished experiences we've had during 34 years of service, 37 years of marriage. Neither of our kids were born when I was first elected, and we've had both of them not just grow up to be great kids, but watch them graduate to their respective professions, get married and have successful careers. So Mrs. Ailes, we love you. Dr. Bosma, if you are up from your overnight residency, we love you as well. And your spouses.

During that time, we've had three parents and a sibling pass. I took two trips to a remote village in Haiti, where food and water were very rare commodities, and it was really a perspective changer.

On the political side, 17 successful elections. I've had the chance to represent our state in 15 foreign countries on various trade missions. I've had the mantle of defending public prayer placed on my shoulder, both in federal court here and in the 7th Circuit Court of Appeals. I'll never forget our first balanced budget with no tax increase. It seems just like an everyday event now – it was a big deal in 2005. And I will never forget Mitch Daniels saying the only way we can do it was to raise taxes, and me giving a quick civics lesson on the power of the speaker and the power of the governor, not to raise taxes.

I'm the only speaker in our state's history that reached across the aisle and appointed members of the minority party as committee chairs. I have to tell you, I brought this up at the National Speakers Conference the year after that happened. I had the speaker from Alaska who wanted to have a discussion about issues with Republicans and Democrats there. The chair of the group, the Speaker of Alaska, said, "I would never do that in a million years." And that was the end of it.

After that, I had my now good friend, Phil Gunn from Mississippi, the Mississippi Speaker, come up to me and say, "Well, Speaker Bosma, I saw what you did and I did it, too." And I said, "Well, why didn't you say something?" And he goes, "Well, I'm not taking that kind of abuse!"

You may find this unusual, but presiding over the longest legislative walk-out in U.S. history, I will never forget, and I'm guessing some of you in the room won't forget as well. I got pretty calm after I figured out the only exit plan from Illinois was to make me "blow." So, I was very calm after that.

The large number of people that have gathered in this chamber, I'll never forget. Not just today, we had 15,000 union workers here. We had 2,000 cosmetologists here. I have to tell you that two of my favorite days in 34 years were the two days when the 15,000 union workers and the 2,000 cosmetologists were all outside. It was just such a contrast, and there was a lot of interaction. I didn't want to know anymore than that.

Together, we successfully navigated the deepest recession since the Great Depression and the slowest recovery, and it was not easy. But we did so together, and we did it responsibly.

I've spoken at about a dozen members' funerals, including Roland Stine's when he was killed in 2003 on the way home from the last night of session by a drunk driver. I've really enjoyed the Speaker's Teacher of the Year Kitchen Cabinet, which guided us three years ago on a lot of issues important to teachers.

I've had the chance to work with seven governors, and knew two more well enough to speak at their funerals, three Senate presidents and seven House Democrat leaders – all working together to make Indiana all she can be. And ultimately, I feel like we have accomplished – Cheryl and I – our original public service goal, which was to serve Hoosiers and make Indiana the best place to live, work and raise a family.

But the most memorable item of the last 34 years hasn't been the policy. It hasn't been the debate, the arguments or the votes. It's really been the people. I've got to start with my two co-elected leaders, Matt Lehman and Greg Steuerwald, thank you so much for your work. You're joined today by your predecessors, Kathy Richardson – where are you, Kathy? Right here. And Bill Friend.

We've got some staff here, people that are very special to me: Cathy Robinson and Christi Egenolf, who's hiding somewhere; my former chief of staff, Leslie Heiner; my legal assistant, Andrea Keck, who has put up with this and maybe answered as many calls as our staff has over the last 20 years.

We've got some really good friends here – Cheryl's mom, brother and sister-in-law. And then our very close friends: Pastor Bill and Sandy Turner; Dave Barnard, whose wife couldn't be here today; and Jake and Kyle Allen. I've got to tell you a quick story about how I met Bill.

I was setting a pick 30 years ago – maybe 35 years ago – at the old gym on 10th Street or thereabouts. And Bill learned the lesson of hitting an immovable object and was sprawled on the ground. And I said, "Hey, I'm sorry. What is your name?" And he said, "Bill Turner." And I said, "Well, let's be friends." And we have been ever since.

There's some special people in this room, and I'm going to get in trouble for naming some names because I'll leave somebody out. But Doc, Woody, Dave: we have been through almost 30 years of this, and you all have stood shoulder-to-shoulder with me in good times and bad. Honestly, there are so many people here I could individually pick out. I told our caucus, when I announced this to them before, and I walked down here and told Leader GiaQuinta, that this a remarkable place. Now, I may change my mind about that at the end of this session, right? But this is a remarkable place where we get along. We may disagree, we may disagree very much so, very strongly, but we cast a vote and we move on to the next item. It wasn't last session, but it wasn't too many sessions ago when 99% of the bills that passed both houses had some votes from both parties. It's been a remarkable bipartisan effort by Republicans and Democrats, and we really can't lose sight of that as we watch what's going on in D.C.

Well, you're not done with me yet. I'm going to be here until the end of this next session. But it will be a transition for this House. It will be a transition for Cheryl and I. She gave a card to me a couple of weeks ago. I'm not going to read the inside, but I am going to read the outside. It says, "All endings are also beginnings, we just don't know it at the time." To you, thank you for the honor, once again, of serving as your Speaker. To our guests, staff, others who are here, we thank you for being with us today. I want to thank the teachers one more time. We get it. You're important. We hear you, and we'll do what we can to help.

In closing, I just want to pray that God will bless each of us here and through us, all Hoosiers. Thank you very much.

ORGANIZATION OF SECOND REGULAR SESSION

HOUSE MOTION

Mr. Speaker: I move that a committee of four (4) members of this House be appointed by the Speaker to notify the Senate that the House of Representatives has met, formed a quorum, and is now prepared to proceed with the legislative business and to receive any communications which the Senate may transmit.

LEHMAN

Motion prevailed. The Speaker appointed Representatives Prescott, Vermilion, Deal and Jackson.

COMMITTEE REPORT

Mr. Speaker: Your committee which was appointed by the Speaker to notify the Senate that the House has met, has formed a quorum, and is prepared to proceed with the legislative business and to receive any communications which the Senate may transmit, respectfully reports that it has performed the duties assigned.

PRESCOTT DEAL
VERMILION JACKSON

Report adopted.

HOUSE MOTION

Mr. Speaker: I move that a committee of four (4) members of this House be appointed by the Speaker to act with a like committee of the Senate to wait upon the Governor and to notify him of the organization of both Houses of the General Assembly and to inform him that the General Assembly is ready for the transaction of legislative business.

LEHMAN

Motion prevailed. The Speaker appointed Representatives Lauer, Sherman, Bauer and Klinker.

COMMITTEE REPORT

Mr. Speaker: Your committee which was appointed to act with a like committee of the Senate to wait upon the Governor, to notify him of the organization of both Houses of the General Assembly, and to inform him that they are ready for the transaction of legislative business, begs leave to report that it has performed the duties assigned.

LAUER BAUER
SHERMAN KLINKER

Report adopted.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 1

Representatives Bosma and GiaQuinta introduced House Concurrent Resolution 1:

A CONCURRENT RESOLUTION to allow the House of Representatives and the Senate of the 121st General Assembly to adjourn and recess separately throughout the Second Regular Session for periods in excess of three consecutive days as the need, in the judgment of the Speaker of the House of Representatives and the President Pro Tempore of the Senate, respectively, may arise.

Whereas, The Indiana House of Representatives and the Senate met for the purpose of organization of each House to conduct the public business of the people of the State of Indiana;

Whereas, The House of Representatives and the Senate operate on their own respective schedules, having been separated from each other under IC 2-2.1-1-3(a)(2);

Whereas, During the consideration of legislative business, each House may, in the respective judgment of the Speaker of the House of Representatives and the President Pro Tempore of the Senate, deem it necessary to adjourn and recess for periods in excess of three (3) consecutive days and to operate on a schedule different from the other House;

Whereas, Article 4, Section 10 of the Constitution of the State of Indiana states that neither House shall, without the consent of the other, adjourn for more than three (3) consecutive days;

Whereas, Each House desires to consent to any adjournment or recess by the other House that might last more than three (3) days during the Second Regular Session of the 121st Indiana General Assembly; and

Whereas, The House of Representatives and the Senate intend to recess after November 19, 2019, to conduct legislative business: Therefore,

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

SECTION 1. That each House of the 121st Indiana General Assembly hereby consents to any adjournment or recess of the other House during the Second Regular Session of the 121st Indiana General Assembly for a period in excess of three (3) days, if such recess or adjournment is approved, in the case of the House of Representatives, by the Speaker of the House of Representatives or, in the case of the Senate, by the President Pro Tempore of the Senate.

SECTION 2. That the Principal Clerk of the House of Representatives is directed to inform the Senate of the passage of the Resolution.

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

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, January 6, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

On the motion of Representative Wolkins, the House adjourned at 2:01 p.m., this nintieth day of November, 2019, until Monday, January 6, 2020, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Second Day — **Monday Afternoon** — **January 6, 2020**

The invocation was offered by Pastor Dave Sumrall, of Itown Church, guest of Speaker-Elect Todd Huston.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Speaker-Elect, Huston.

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

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

Roll Call 2: 99 present; 1 excused. The Speaker announced a quorum in attendance. [*NOTE*: □ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, January 7, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

2020 HOUSE STANDING COMMITTEES

Agriculture and Rural Development

Lehe, Chair; Bartels, Vice Chair;

Republicans: Baird, Barrett, Gutwein, Heine, Manning, Prescott, Stutzman.

Democrats: Wright, Ranking Minority Member;

Deal, Goodin, Moed.

Commerce, Small Business and Economic Development

Morris, Chair; Miller, Vice Chair

Republicans: Bacon, Baird, Carbaugh, Davisson, Lyness, Smaltz, Stutzman.

Democrats: Fleming, Ranking Minority Member;

Beck, Hatcher, Macer.

Courts and Criminal Code

McNamara, Chair; Schaibley, Vice Chair;

Republicans: Bartels, Kirchhofer, Negele, Steuerwald, Vermilion, Young, Ziemke.

Democrats: Hatcher, Ranking Minority Member;

Beck, Dvorak, Pierce.

Education

Behning, Chair; Cook, Vice Chair;

Republicans: Burton, Clere, DeVon, Goodrich, Jordan, Lucas, Thompson.

Democrats: V. Smith, Ranking Minority Member;

DeLaney, Klinker, Pfaff.

Elections and Apportionment

Wesco, Chair; Morrison, Vice Chair;

Republicans: Cherry, Judy, Lucas, Pressel, Soliday, Thompson, Torr.

Democrats: Moseley, Ranking Minority Member;
Boy, Forestal, Pfaff.

Employment, Labor and Pensions

VanNatter, Chair; Lyness, Vice Chair;

Republicans: Abbott, Carbaugh, Goodrich, Leonard, Morris, Torr, Wesco.

Democrats: Beck, Ranking Minority Member;
Bartlett, Deal, Moseley.

Environmental Affairs

Wolkins, Chair; Aylesworth, Vice Chair;

Republicans: Baird, Eberhart, Gutwein, Lehe, Miller, Prescott, VanNatter.

Democrats: Errington, Ranking Minority Member;
Bauer, Hamilton, Jackson.

Family, Children and Human Affairs

DeVon, Chair; Saunders, Vice Chair;

Republicans: Behning, Cook, Lauer, Lindauer, Sherman, Young, Ziemke

Democrats: Summers, Ranking Minority Member;
Boy, Jackson, Wright.

Financial Institutions

Burton, Chair; Heaton, Vice Chair;

Republicans: Eberhart, Ellington, Heine, Lehman, Schaibley, Speedy,VanNatter.

Democrats: Hamilton, Ranking Minority Member;
Chyung, Forestal, Shackleford.

Government and Regulatory Reform

Pressell, Chair; Abbott, Vice Chair;

Republicans: Engleman, Lauer, Lyness, McNamara, Miller, Nisly, Vermilion.

Democrats: Campbell, Ranking Minority Member;
Bartlett, Harris, Shackleford.

Insurance

Carbaugh, Chair; Borders, Vice Chair;

Republicans: Heaton, Judy, Kirchhofer, Lehman, Mayfield, Schaibley, Vermilion.

Democrats: Austin, Ranking Minority Member;
Bauer, Campbell, Porter.

Judiciary

Torr, Chair; Young, Vice Chair;

Republicans: Burton, Cook, Engleman, Leonard, May, McNamara, Steuerwald.

Democrats: Bauer, Ranking Minority Member;
DeLaney, Dvorak, Hatfield.

Local Government

Zent, Chair; May, Vice Chair;

Republicans: Aylesworth, Borders, Ellington, Engleman, Hostettler, Lyness, Saunders.

Democrats: Chyung, Ranking Minority Member;
Moed, Pryor, V. Smith.

Natural Resources

Eberhart, Chair; Ellington, Vice Chair;

Republicans: Abbott, Aylesworth, Karickhoff, Lindauer, Morrison, Prescott, Wolkins.

Democrats: Pfaff, Ranking Minority Member;
Dvorak, Errington, Fleming.

Public Health

Kirchhofer, Chair; Lindauer, Vice Chair;

Republicans: Bacon, Barrett, Davisson, Lehe, Manning, Sherman, Zent.

Democrats: Shackleford, Ranking Minority Member;
Fleming, Hatfield, Porter.

Public Policy

Smaltz, Chair; Stutzman, Vice Chair;

Republicans: Clere, Eberhart, Hostettler, Lehman, Lucas, Mayfield, Wesco.

Democrats: Moed, Ranking Minority Member;
Austin, Forestal, Summers.

Roads and Transportation

Sullivan, Chair; Speedy, Vice Chair;

Republicans: Frye, Lindauer, Morris, Pressel, Saunders, Smaltz, Soliday.

Democrats: Forestal, Ranking Minority Member;
Candelaria Reardon, Chyung, Deal.

Rules and Legislative Procedures

Leonard, Chair; Torr, Vice Chair;

Republicans: Cherry, Huston, Smaltz, Steuerwald, Sullivan.

Democrats: Dvorak, Ranking Minority Member;
Austin, Pierce.

Select Committee on Government Reduction

Gutwein, Chair; Lucas, Vice Chair;

Republicans: Cherry, Engleman, Hostettler, Jordan, Karickhoff, Nisly, Wolkins.

Democrats: Jackson, Ranking Minority Member;
Harris, V. Smith, Summers.

Utilities, Energy and Telecommunications

Soliday, Chair; Manning, Vice Chair;

Republicans: Behning, Frye, DeVon, Morrison, Pressel, Sherman, Speedy

Democrats: Pierce, Ranking Minority Member;
Candelaria Reardon, Hatfield, Macer.

Veterans Affairs and Public Safety

Frye, Chair; Judy, Vice Chair;

Republicans: Bartels, Borders, Goodrich, Gutwein, Lauer, May, Zent.

Democrats: Macer, Ranking Minority Member;
Chyung, Klinker, Moseley.

Ways and Means

T. Brown, Chair; Co-Chair, Huston; Cherry, Vice Chair;

Republicans: Karickhoff, Chair of Budget Subcommittee;
Heaton, Chair of Higher Education Subcommittee;
Davisson, Chair of Health and Medicaid Subcommittee;
Leonard, Chair of Local Government Finance Subcommittee;
Thompson, Chair of K-12 Subcommittee;
Barrett, Clere, Heine, Jordan, Mayfield, Negele, Sullivan, Ziemke.

Democrats: Porter, Ranking Minority Member;
Campbell, DeLaney, Hamilton, Harris, Klinker, Pryor, Wright.

STATUTORY COMMITTEE ON ETHICS

Negele, Chair; Errington, Vice Chair;

Republicans: Engleman, Steuerwald.

Democrats: Austin, Pierce.

STATUTORY COMMITTEE ON INTERSTATE AND INTERNATIONAL COOPERATION

Bacon, Chair; May, Vice Chair;

Republicans: Karickhoff, Lehe, Lehman, Nisly, Saunders, Stutzman, Young.

Democrats: Candelaria Reardon, Ranking Minority Member; Bartlett, Boy, Hatcher.

COMMITTEE ON JOINT RULES

Speaker Bosma (ex officio), Chair; Torr, Vice Chair;

Republicans: Smaltz.

Democrats: GiaQuinta, Ranking Minority Member; Dvorak.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill Lists 1, 2 and 3 were read a first time by title and referred to the respective committees:

HB 1001 — DeVon, Carbaugh
Committee on Education
A BILL FOR AN ACT concerning education.

HB 1002 — Cook
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1007 — Brown T
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

HB 1021 — Torr
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1022 — Torr
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

HB 1003 — Jordan
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1004 — Smaltz
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1005 — Schaibley
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1006 — Kirchhofer
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1008 — Carbaugh
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1009 — Goodrich
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1011 — Bacon
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1013 — Saunders
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1014 — Saunders
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1017 — Prescott
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1023 — Torr
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1027 — Engleman, Pressel
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1029 — Burton
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1031 — Miller D
Committee on Judiciary

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

HB 1032 — Miller D, Frye R, Bartels
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1037— Withdrawn

HB 1038 — Schaibley
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1039 — Torr
Committee on Utilities, Energy and Telecommunications
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1040 — Leonard
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1042 — Davisson, Karickhoff
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1043 — Davisson, Bartels
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1044 — Harris
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1046 — Steuerwald
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1047 — Steuerwald
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1049 — Heaton
Committee on Financial Institutions
A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

HB 1051 — Saunders
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1055 — Thompson
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1056 — Boy
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1057 — Boy
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

HB 1059 — Miller D
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1061 — Ellington
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1065 — Thompson
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1067 — Zent
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1069 — Cook
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1071 — Schaibley
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1072 — Lindauer
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

HB 1111 — Leonard
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1120 — Steuerwald
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 2

Representatives Jackson, Shackleford, Harris, Hatcher, Bartlett, Porter, Pryor, V. Smith, Summers, Candelaria Reardon and Beck introduced House Concurrent Resolution **2**:

A CONCURRENT RESOLUTION recognizing Prom Genie, Incorporated.

Whereas, Helen Lewis founded the nonprofit, Prom Genie, Incorporated in January 2011 to help young ladies, and their families, during a cherished high school tradition;

Whereas, Prom Genie, Inc. specializes in events such as their Annual Prom Dress Give-A-Way that offers young ladies a wide selection of dresses, shoes, jewelry, and accessories;

Whereas, The Prom Dress Give-A-Way, also known as Boutique Day, provides a mentored experience through which volunteers work with attendees to create a perfect ensemble, including hair and makeup, for free;

Whereas, Prom Genie, Inc. helps young ladies fulfill their prom dreams and higher education goals every year by awarding a $2,000 scholarship to two high school girls;

Whereas, Prom Genie, Inc. has given $28,000 in scholarships since 2012 to young ladies in Indianapolis, Hammond, and surrounding areas;

Whereas, Helen Lewis, a Hammond native and proud graduate of Hammond High School, recognized a heartfelt need for young ladies in Central and Northwest Indiana when she created a nonprofit to support families in need;

Whereas, The Indiana General Assembly recognizes Prom Genie, Inc. for its contributions in Central and Northwest Indiana; and

Whereas, Prom Genie, Inc. offers young ladies the opportunity to feel beautiful and be confident in high school and higher education: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes Prom Genie, Incorporated for its support of young ladies in Central and Northwest Indiana during high school and higher education.

SECTION 2. That the Indiana General Assembly recognizes the efforts of Ms. Helen Lewis, volunteers, and area businesses for their many hours given and items donated as part of Prom Genie, Incorporated.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to State Representative Carolyn Jackson for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Randolph, Melton, Taylor and Breaux.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative McNamara be added as coauthor of House Bill 1002.

COOK

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Wolkins, the House adjourned at 1:57 p.m., this sixth day of January, 2020 until Tuesday, January 7, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Third Day — **Tuesday Morning** — **January 07, 2020**

The invocation was offered by Chaplain Matt Barnes of Public Servants Prayer.

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

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

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

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

Roll Call 3: 92 present; 8 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

The Speaker yielded the gavel to the Speaker-Elect, Representative Huston.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 4

Representatives Bosma, Macer and Frye introduced House Concurrent Resolution 4:

A CONCURRENT RESOLUTION honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.

Whereas, Terre Haute native Tony Hulman purchased the Indianapolis Motor Speedway in November 1945, beginning an ambitious post-World War II restoration project that forever altered Indiana's history and the trajectory of global motorsports;

Whereas, Since that time, members of the Hulman-George family have served as faithful stewards of the Racing Capital of the World, The Greatest Spectacle in Racing" and INDYCAR;

Whereas, 74 years of Hulman-George family leadership have produced many historic firsts and milestones, including the sold-out 100th Running of the Indianapolis 500, the inaugural Brickyard 400 and the debut of life-saving SAFER Barrier technology;

Whereas, The Indiana General Assembly recognizes a new era of leadership at the Indianapolis Motor Speedway and INDYCAR as all Hoosiers, young and old, mark the beginning of a new decade;

Whereas, Roger Penske is an individual supremely prepared to preserve and further the legacy of IMS, the Indianapolis 500 and the IndyCar Series;

Whereas, Roger Penske's track record in the world of professional motorsports is second to none, highlighted by Team Penske's 18 Indianapolis 500 victories, 16 IndyCar Series championships, two Daytona 500 victories, 545 major race wins and 37 championships across professional racing disciplines;

Whereas, Roger Penske is also the Founder and Chairman of Penske Corporation, a global industry leader that employs more than 64,000 individuals and manages more than $32 billion in global revenue;

Whereas, Roger Penske's leadership principles include a commitment to civic growth and philanthropy, highlighted by

his service as Chairman of Super Bowl XL and Penske Corporation's support of many worthy charities and causes;

Whereas, Roger Penske is also a recipient of the highest honor bestowed on an American civilian, the Presidential Medal of Freedom, and many other prestigious awards and honors, including induction in the Sports Broadcasting Hall of Fame and NASCAR Hall of Fame; and

Whereas, Roger Penske's commitment to excellence, growth, integrity and innovation in all his endeavors will now guide and serve the Racing Capital of the World, North America's pre-eminent open-wheel motorsports series and race fans everywhere: Therefore,

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

SECTION 1. That the Indiana General Assembly honors the historic contributions of the Hulman-George family and celebrates the incoming leadership of Roger Penske and the Penske Corporation.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to members of the Hulman-George family and to Roger Penske, Founder and Chairman of Penske Corporation.

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

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 1:34 p.m. with the Speaker in the Chair.

Upon request of Representative Austin, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 4: 95 present. The Speaker declared a quorum present.

Representatives Dvorak, Eberhart, Forestal, Hatcher, May, and Morris, who had been excused, are now present.

Representatives Goodin and V. Smith, who had been present, are now excused.

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Wednesday, January 8, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1002, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1002 as introduced.)

Committee Vote: Yeas 13, Nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1007, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1007 as introduced.)

Committee Vote: Yeas 13, Nays 7.

BROWN T, Chair

Report adopted.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill Lists 4 and 5 were read a first time by title and referred to the respective committees:

HB 1012 — Chyung
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1016 — Deal
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles and to make an appropriation.

HB 1018 — Harris
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning higher education.

HB 1020 — Pierce
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1033 — Jackson
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

HB 1036 — Lucas
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1058 — Boy
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1068 — Ellington
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1083 — Campbell
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1138 — Bartlett
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1141 — Fleming
Committee on Public Health

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

HB 1162 — Errington, Boy
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning civil rights.

HB 1178 — Pryor
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1227 — Hamilton
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1238 — Chyung
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1239 — Chyung
Committee on Financial Institutions
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1240 — Chyung
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1241 — Porter
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1248 — Summers
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1249 — Summers
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1250 — Summers
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

HB 1251 — Summers
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning the general assembly.

HB 1252 — Summers
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning health.

HB 1257 — Boy, Errington
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1259 — Deal
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1260 — Deal
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1268 — Candelaria Reardon
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1270 — Candelaria Reardon
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1271 — Candelaria Reardon
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1298 — Smith V
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1299 — Smith V
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HJR 1 — Chyung
Committee on Judiciary
A JOINT RESOLUTION proposing an amendment to Article 4, Section 7 of the Constitution of the State of Indiana concerning the general assembly.

HB 1073 — VanNatter
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1074 — Goodrich
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1075 — Pryor
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1076 — Pryor
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1077 — Zent
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1078 — Zent
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1079 — Barrett
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1080 — Barrett
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1081 — Gutwein
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1082 — Heaton
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

HB 1084 — Campbell
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1085 — Pressel, Burton
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1086 — Goodrich
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning higher education and to make an appropriation.

HB 1087 — Bacon
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning probate.

HB 1090 — Cook
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

HB 1091 — Cook
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1092 — Ziemke
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1093 — Ziemke, Pressel
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

HB 1094 — Ziemke
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1095 — Sullivan
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

HB 1096 — Young J, Boy, DeLaney, Engleman
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

HB 1097 — Young J
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1098 — Steuerwald
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1099 — Manning
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1100 — Manning
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1103 — Shackleford
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1104 — Clere
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1145 — Hostettler
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1221 — Wesco
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 3

Representatives Stutzman, Wesco, Miller and Nisly introduced House Concurrent Resolution 3:

A CONCURRENT RESOLUTION recognizing the Boys and Girls Clubs of Elkhart County.

Whereas, Boys and Girls Clubs are open after school and during the summer to provide children and teens with a safe place to go where they can connect with caring adults;

Whereas, Boys and Girls Clubs of Elkhart County include the Elkhart Club, Goshen Club, Middlebury Club, and Nappanee Club;

Whereas, The opening of the Goshen Boys Club in Goshen, Indiana, marked the beginning of Boys and Girls Clubs of Elkhart County in 1956;

Whereas, The Boys and Girls Clubs of Elkhart County serve more than 1,500 youth a day between the ages of six and 18;

Whereas, Professional staff and volunteers use a combination of locally developed programs, and those developed and tested nationally by Boys and Girls Clubs of

America, to address academic success, good character and citizenship, and healthy lifestyles;

Whereas, The Boys and Girls Clubs of Elkhart County have partnered with Ivy Tech Community College to provide educational opportunities in professional development and job-skills training;

Whereas, The joint program known as "etc. PROGRAM" provides club members in grades eight through 12 with experience in resume writing, interviewing, career exploration, job-shadowing, and job searching;

Whereas, Completion of the program provides club members with a portfolio that includes letters of recommendation, career evaluations, employment training certificates, and a guaranteed interview with a local business partner;

Whereas, The partnership allows children and young men and women the opportunity to explore their interests and take steps toward achieving future goals in higher education, trade schools, and full-time employment;

Whereas, The leaders of the Boys and Girls Clubs of Elkhart County use their experience and programs to inspire and help revitalize chapters around Indiana;

Whereas, More than 130,000 youth were served in Indiana during 2019 as members of a Boys and Girls Club or through community outreach sponsored by a club in their community, according to estimates provided by the Indiana Alliance of Boys and Girls Clubs; and

Whereas, The Boys and Girls Clubs of Elkhart County work tirelessly to fulfill and succeed at their mission to inspire and empower young people, especially those in need, and to help young Hoosiers reach their full potential as productive, caring, and responsible citizens: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the Boys and Girls Clubs of Elkhart County for their contributions in the local community.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the Boys and Girls Clubs of Elkhart County.

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

Senate Concurrent Resolution 3

The Speaker handed down Senate Concurrent Resolution 3, sponsored by Representative Behning:

A CONCURRENT RESOLUTION memorializing Decatur Township Firefighter Lieutenant Tracy Hayden.

Whereas, Lieutenant Tracy Hayden, a 17-year veteran of the Decatur Township Fire Department, passed away on November 9, 2019;

Whereas, Lieutenant Hayden was born January 14, 1981, in Indianapolis and graduated from Ben Davis High School;

Whereas, After studying Fire Science at Lake Superior State University, Lieutenant Hayden joined the Decatur Township Fire Department;

Whereas, Lieutenant Hayden was promoted to Merit Lieutenant in 2011, and to Division Chief of Fire and Life Safety in 2014, where he investigated fires and worked in fire education with schools and businesses;

Whereas, Involved with numerous fire organizations, Lieutenant Hayden was a member of the Marion County Arson Task Force, the International Association of Arson Investigators, and the National Association of Fire Investigators;

Whereas, When not at the firehouse, Lieutenant Hayden loved playing video games, traveling to Las Vegas, taking annual firefighter racing trips, and officiating high school football;

Whereas, Lieutenant Hayden was diagnosed with leukemia in May 2019, and the diagnosis was believed to be the result of an October 2015 fire where he was exposed to toxic chemicals;

Whereas, A devoted family man, Lieutenant Hayden is survived by his wife, Tammy, his sons, Oliver and Wyatt, and his father, Robert; and

Whereas, Though he succumbed to leukemia on November 9, 2019, Lieutenant Hayden's service to the citizens of Decatur Township and Marion County will never be forgotten: Therefore,

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

SECTION 1. That the Indiana General Assembly memorializes Decatur Township Firefighter Lieutenant Tracy Hayden.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to Lieutenant Hayden's wife, Tammy, his two sons, Oliver and Wyatt, his father, Robert, and the Decatur Township Fire Department

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

HOUSE MOTION

Mr. Speaker: I move that, pursuant to Rule 8, the below referenced House Standing Rule be changed as follows:

Concerning Rule 118, delete:

~~118. Substituting Another Bill. No bill may be amended by annexing to it or incorporating with it any other bill pending before the House.~~

Renumber accordingly.

DELANEY

Motion failed..

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1001, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 3, delete "(b)." and insert "**(b) or (c).**".

(Reference is to HB 1001 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

BEHNING, Chair

Report adopted.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative DeLaney, the House adjourned at 1:52 p.m., this seventh day of January, 2020, until Wednesday, January 8, 2020, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Fourth Day — **Wednesday Afternoon** — **January 8, 2020**

The invocation was offered by Chaplain Tim Lindsey, Indiana City County Building, of the Public Servants Prayer.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

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

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

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

Roll Call 5: 97 present; 3 excused. The Speaker announced a quorum in attendance. [*NOTE*: □ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, January 9, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1038, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1038 as introduced.)

Committee Vote: Yeas 11, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1145, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1145 as introduced.)

Committee Vote: Yeas 11, Nays 0.

MCNAMARA, Chair

Report adopted.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill Lists 6 and 7 were read a first time by title and referred to the respective committees:

HB 1105 — Bauer

Committee on Agriculture and Rural Development

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1106 — Lehe

Committee on Education

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

HB 1107 — Lehe
Committee on Agriculture and Rural Development
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1108 — Lehman
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1109 — Lehman
Committee on Utilities, Energy and Telecommunications
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1110 — Manning
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations and to make an appropriation.

HB 1112 — Leonard
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1113 — Leonard
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1114 — Thompson
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1115 — Morris
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1116 — Shackleford
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1117 — Shackleford
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1118 — Ziemke
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1119 — Lehe
Committee on Agriculture and Rural Development
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1121 — Soliday, Huston, Steuerwald, DeLaney
Committee on Commerce, Small Business and Economic Development
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1122 — Lindauer
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1123 — Jackson
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1124 — Jackson
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1125 — Davisson
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1126 — Davisson
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1127 — Schaibley
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1128 — Aylesworth
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1129 — Lauer
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1130 — Stutzman
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1131 — Pressel, Soliday
Committee on Utilities, Energy and Telecommunications
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1132 — Steuerwald
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1133 — Moed, Morris
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1134 — Moed, Pressel
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1135 — Leonard
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1136 — Barrett
Committee on Public Health

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

HB 1137 — Barrett
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1139 — Bartlett, Miller D
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1140 — Bartlett
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

HB 1142 — Bacon, Gutwein
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1143 — Morrison
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1144 — Morrison
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

HB 1146 — Hostettler
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1147 — Morrison, Wesco
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1148 — Ellington, VanNatter
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1149 — Burton
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1150 — Mayfield
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1151 — Mayfield
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1152 — Lucas
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1153 — Goodrich
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1154 — Aylesworth
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1155 — Campbell
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

HB 1156 — Campbell
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1157 — Hatfield
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1158 — Hatfield
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1159 — Schaibley, Torr
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1160 — Errington, Negele, Campbell, Schaibley
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1161 — Errington, Negele, Campbell
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1163 — Errington
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1164 — Errington
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1165 — Burton
Committee on Utilities, Energy and Telecommunications
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1166 — Mayfield
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1167 — Porter
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1168 — Porter
Committee on Courts and Criminal Code

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

HB 1169 — Pressel
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

HB 1170 — Prescott
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1171 — Prescott
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1172 — Frye R
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1173 — Frye R
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1174 — Frye R
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1175 — Frye R
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1176 — Clere
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1177 — Pryor
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1179 — Jordan
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1180 — Stutzman
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1346 — Frye R
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 5

Representatives Lehman and GiaQuinta introduced House Concurrent Resolution 5:

A CONCURRENT RESOLUTION to convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.

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

SECTION 1. That a joint convention of the Senate and House of Representatives be convened, to meet in the Chamber of the House of Representatives at 7 p.m. on Tuesday, January 14, 2020, to receive the Governor's message that will be given in compliance with Article 5, Section 13 of the Constitution of the State of Indiana and the Speaker is directed to appoint a committee of four members of this House to transmit this resolution to the Senate and report to this House such actions as the Senate may take.

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

House Concurrent Resolution 6

Representatives Lehman and GiaQuinta introduced House Concurrent Resolution 6:

A CONCURRENT RESOLUTION to convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.

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

SECTION 1. That a joint convention of the Senate and House of Representatives be convened, to meet in the Chamber of the House of Representatives at 2 p.m. on Wednesday, January 15, 2020, to receive the Chief Justice's message which will be given in compliance with Article 7, Section 3 of the Constitution of the State of Indiana and the Speaker is directed to appoint a committee of four members of this House to transmit this resolution to the Senate and report to this House such action as the Senate may take.

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

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bills 1038 and 1145 had been referred to the Committee on Ways and Means.

Reassignments

The Speaker announced the reassignment of House Bill 1249 from the Committee on Rules and Legislative Procedures to the Committee on Family, Children and Human Affairs.

HOUSE MOTION

Mr. Speaker: I move that Representative Bartels be added as coauthor of House Bill 1002.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Aylesworth be added as coauthor of House Bill 1033.

JACKSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pressel be added as coauthor of House Bill 1058.

BOY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Miller be added as coauthor of House Bill 1111.

LEONARD

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 1,2 and 4 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has adopted the following motion:

"I move that Senators Raatz, Bassler, Taylor and Melton be appointed as a committee of four members of the Senate to act with a like committee of the House of Representatives to wait upon the Governor and to notify him of the convening of both Houses of the General Assembly and to inform him that they are ready for the transaction of legislative business and to learn from him when it will suit his convenience to submit whatever communication he may have to offer to the General Assembly."

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has adopted the following motion:

"I move that Senators Houchin, Bohacek, Stoops and Breaux be appointed as a committee of four members of the Senate to notify the House of Representatives that the Senate has met, has formed a quorum, and is now prepared to proceed with legislative business and to receive any communications which the House of Representatives may transmit. Senator Houchin shall serve as Chair of the Committee."

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 3 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative VanNatter, the House adjourned at 1:51 p.m., this eighth day of January, 2020, until Thursday, January 9, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Fifth Day — **Thursday Morning** — **January 9, 2020**

The invocation was offered by Pam Russell of Public Servants Prayer.

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

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

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

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

Roll Call 6: 95 present; 5 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, January 13, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1006, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1006 as introduced.)

Committee Vote: Yeas 12, Nays 1.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1014, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1014 as introduced.)

Committee Vote: Yeas 12, Nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1027, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1027 as introduced.)

Committee Vote: Yeas 7, Nays 5.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1047, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 3 with "[EFFECTIVE UPON PASSAGE]".

Page 3, line 3, after "services," insert "**behavioral health treatment and recovery services,**".

Page 3, line 22, delete "pending".

Page 3, line 23, after "initiatives;" delete "and".

Page 3, line 25, delete "priorities." and insert "**priorities; and**".

Page 3, between lines 25 and 26, begin a new line block indented and insert:

"**(5) the office of judicial administration concerning veterans problem-solving court grants.**".

Page 3, line 26, beginning with "(e)" begin a new paragraph.

Page 5, line 22, delete "treatment;" and insert "treatment **and recovery services;**".

Page 5, after line 30, begin a new paragraph and insert:

"SECTION 4. **An emergency is declared for this act.**".

(Reference is to HB 1047 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1067, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, line 42, after "curriculum" insert "**, consisting of pharmacology, biochemistry, anatomy of nitrous oxide administration, and the mechanics of operating a nitrous unit,**".

(Reference is to HB 1067 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

Kirchhofer , Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Resolution 1

Representatives Errington, DeVon, Campbell, GiaQuinta, Karickhoff, Schaibley, Ziemke, Zent, Vermilion, Sherman, Wesco, Stutzman, Jordan, Borders, Fleming, VanNatter, Bacon, Kirchhofer, Boy, Beck, DeLaney, Mayfield, Chyung, Negele, Morris, Candelaria Reardon, Bauer, Austin, Jackson, Pfaff, Klinker, Macer, Hatfield and Bartlett introduced House Resolution 1:

A HOUSE RESOLUTION recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.

Whereas, Accomplished inventor Dean Kamen founded FIRST (For Inspiration and Recognition of Science and Technology) in 1989 to inspire an appreciation of science and technology in young people;

Whereas, Thirty years later, FIRST is a multinational organization that designs accessible and innovative programs to build self-confidence, knowledge, and life skills while motivating young people to pursue opportunities in science, technology, and engineering;

Whereas, FIRST Indiana Robotics (FIRST IN) was founded in 2001 to bring FIRST programming to students in grades K-12 and teach hands-on skills in engineering, science, and technology to promote learning in and outside of the classroom;

Whereas, FIRST IN programming inspires students across Indiana to form teams to compete in district, state, and world championship events in what is frequently called "The Super Bowl of Smarts";

Whereas, An estimated 453 school-based and community-based teams operate across Indiana;

Whereas, A sampling of these teams includes: FIRST LEGO League Jr. from Lincoln Elementary School in Perry Township; FIRST Tech Challenge Team Cyberstorm from Center Grove High School in Greenwood; FIRST Tech Challenge Team Pride Robotics in Muncie; and FIRST Robotics Competition Team 1720 PhyXTGears in Delaware County;

Whereas, PhyXTGears, a community-based team founded in 2006, advanced through the district and state championships to compete at the World Championship level in 2019;

Whereas, PhyXTGears competed with over 400 teams on the world stage in Detroit, Michigan, representing Indiana and the high quality programming available to students through FIRST IN; and

Whereas, PhyXTGears team Vice President Mike Koch was chosen as the FIRST IN regional and district Woodie Flowers Award recipient for his mentorship and skills to effectively communicate the art and science of engineering and design to students: Therefore,

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

SECTION 1. That the House of Representatives recognizes the hard work and dedication of students and the support provided by mentors, parents, teachers, and staff that make FIRST Indiana Robotics programs a success across Indiana.

SECTION 2. That the House of Representatives recognizes PhyXTGears, Team 1720 for its many achievements during the 2019 season.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Sue Errington for distribution.

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

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 11:36 a.m. with the Speaker in the Chair.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1100, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 3. IC 33-34-8-1, AS AMENDED BY P.L.39-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) The following fees and costs apply to cases in the small claims court:

(1) A township docket fee of five dollars ($5) plus forty-five percent (45%) of the infraction or ordinance violation costs fee under IC 33-37-4-2.
(2) The bailiff's service of process by registered or certified mail fee of ~~thirteen dollars ($13)~~ **fifteen dollars ($15)** for each service.
(3) The cost for the personal service of process by the bailiff or other process server of ~~thirteen dollars ($13)~~ **fifteen dollars ($15)** for each service.
(4) Witness fees, if any, in the amount provided by IC 33-37-10-3 to be taxed and charged in the circuit court.
(5) A redocketing fee, if any, of five dollars ($5).
(6) A document storage fee under IC 33-37-5-20.
(7) An automated record keeping fee under IC 33-37-5-21.
(8) A late fee, if any, under IC 33-37-5-22.
(9) A public defense administration fee under IC 33-37-5-21.2.
(10) A judicial insurance adjustment fee under IC 33-37-5-25.
(11) A judicial salaries fee under IC 33-37-5-26.
(12) A court administration fee under IC 33-37-5-27.
(13) Before July 1, 2022, a pro bono legal services fee under IC 33-37-5-31.

The docket fee and the cost for the initial service of process shall be paid at the institution of a case. The cost of service after the initial service shall be assessed and paid after service has been made. The cost of witness fees shall be paid before the witnesses are called.

(b) If the amount of the township docket fee computed under subsection (a)(1) is not equal to a whole number, the amount shall be rounded to the next highest whole number.

SECTION 4. IC 33-37-12-1, AS ADDED BY P.L.78-2014, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) This chapter applies to any amount that the clerk of a circuit court **or the clerk of a city or town court** is required to collect from a person, including:
(1) bail;
(2) a fine;
(3) a civil penalty;
(4) a court fee, court cost, or user fee imposed by the court; or
(5) a fee for the preparation, duplication, or transmission of a document.

(b) This chapter does not apply to child support funds received by the clerk of a circuit court under IC 33-32-4.".

Page 2, line 41, strike "three dollars ($3)" and insert "**five dollars ($5)**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1100 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

ZENT, Chair

Report adopted.

HOUSE BILLS ON SECOND READING

House Bill 1001

Representative DeVon called down House Bill 1001 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1002

Representative Cook called down House Bill 1002 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1002–2)

Mr. Speaker: I move that House Bill 1002 be amended to read as follows:

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

"SECTION 1. IC 20-28-9-1.5, AS AMENDED BY P.L.211-2019, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.5. (a) This subsection governs salary increases for a teacher employed by a school corporation. Compensation attributable to additional degrees or graduate credits earned before the effective date of a local compensation plan created under this chapter before July 1, 2015, shall continue for school years beginning after June 30, 2015. Compensation attributable to additional degrees for which a teacher has started course work before July 1, 2011, and completed course work before September 2, 2014, shall also continue for school years beginning after June 30, 2015. For school years beginning after June 30, 2015, a school corporation may provide a supplemental payment to a teacher in excess of the salary specified in the school corporation's compensation plan under any of the following circumstances:
(1) The teacher
~~(A)~~ teaches an advanced placement course or a Cambridge International course. ~~or~~
~~(B) has earned a master's degree from an accredited postsecondary educational institution in a content area directly related to the subject matter of:~~
~~(i) a dual credit course; or~~
~~(ii) another course;~~
~~taught by the teacher.~~
(2) Beginning after June 30, 2018, the teacher:
(A) is a special education professional; or
(B) teaches in the areas of science, technology, engineering, or mathematics.
(3) Beginning after June 30, 2019, the teacher teaches a career or technical education course.

~~In addition, a supplemental payment may be made to an elementary school teacher who earns a master's degree in math, reading, or literacy~~. A supplement provided under this subsection is not subject to collective bargaining, but a discussion of the supplement must be held. Such a supplement is in addition to any increase permitted under subsection (b).

(b) Increases or increments in a local salary range must be based upon a combination of the following factors:
(1) A combination of the following factors taken together may account for not more than fifty percent (50%) of the calculation used to determine a teacher's increase or increment:
(A) The number of years of a teacher's experience.
(B) The possession of either:
(i) **a master's degree or an** additional **degree** ~~content area degrees~~ beyond the requirements for employment; or
(ii) **a master's degree or an** additional **degree** ~~content area degrees~~ and credit hours beyond the requirements for employment, if required under an agreement bargained under IC 20-29.
(C) The attainment of professional development training beyond any training necessary to complete teacher licensing requirements.
(2) The results of an evaluation conducted under IC 20-28-11.5.
(3) The assignment of instructional leadership roles, including the responsibility for conducting evaluations under IC 20-28-11.5.
(4) The academic needs of students in the school corporation.

(c) To provide greater flexibility and options, a school corporation may differentiate the amount of salary increases or increments determined for teachers under subsection (b)(4). A school corporation shall base a differentiated amount under this subsection on any academic needs the school corporation

determines are appropriate, which may include the:

(1) subject or subjects, including the subjects described in subsection (a)(2), taught by a given teacher;

(2) importance of retaining a given teacher at the school corporation; and

(3) need to attract an individual with specific qualifications to fill a teaching vacancy.

(d) A school corporation may provide differentiated increases or increments under subsection (b), and in excess of the percentage specified in subsection (b)(1), in order to:

(1) reduce the gap between the school corporation's minimum teacher salary and the average of the school corporation's minimum and maximum teacher salaries; or

(2) allow teachers currently employed by the school corporation to receive a salary adjusted in comparison to starting base salaries of new teachers.

(e) Except as provided in subsection (f), a teacher rated ineffective or improvement necessary under IC 20-28-11.5 may not receive any raise or increment for the following year if the teacher's employment contract is continued. The amount that would otherwise have been allocated for the salary increase of teachers rated ineffective or improvement necessary shall be allocated for compensation of all teachers rated effective and highly effective based on the criteria in subsection (b).

(f) Subsection (e) does not apply to a teacher in the first two (2) full school years that the teacher provides instruction to students in elementary school or high school. If a teacher provides instruction to students in elementary school or high school in another state, any full school year, or its equivalent in the other state, that the teacher provides instruction counts toward the two (2) full school years under this subsection.

(g) A teacher who does not receive a raise or increment under subsection (e) may file a request with the superintendent or superintendent's designee not later than five (5) days after receiving notice that the teacher received a rating of ineffective. The teacher is entitled to a private conference with the superintendent or superintendent's designee.

(h) The Indiana education employment relations board established in IC 20-29-3-1 shall publish a model compensation plan with a model salary range that a school corporation may adopt.

(i) Each school corporation shall submit its local compensation plan to the Indiana education employment relations board. For a school year beginning after June 30, 2015, a local compensation plan must specify the range for teacher salaries. The Indiana education employment relations board shall publish the local compensation plans on the Indiana education employment relations board's Internet web site.

(j) The Indiana education employment relations board shall review a compensation plan for compliance with this section as part of its review under IC 20-29-6-6.1. The Indiana education employment relations board has jurisdiction to determine compliance of a compensation plan submitted under this section.

(k) This chapter may not be construed to require or allow a school corporation to decrease the salary of any teacher below the salary the teacher was earning on or before July 1, 2015, if that decrease would be made solely to conform to the new compensation plan.

(l) After June 30, 2011, all rights, duties, or obligations established under IC 20-28-9-1 before its repeal are considered rights, duties, or obligations under this section.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1002 as printed January 7, 2020.)

V. SMITH

Upon request of Representatives Pryor and GiaQuinta, the Speaker ordered the roll of the House to be called. Roll Call 7: yeas 30, nays 61. Motion failed. The bill was ordered engrossed.

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

House Bill 1007

Representative T. Brown called down House Bill 1007 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1007–12)

Mr. Speaker: I move that House Bill 1007 be amended to read as follows:

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

"SECTION 1. IC 4-12-1-21 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 21. (a) Before October 1 of each year beginning 2021 and ending 2041, the budget agency shall report to the budget committee the bond avoidance costs attributable to the appropriations for university building projects set forth in HEA 1007-2020, based on a reasonable range of bond interest rates available in 2020 and the best estimate of what the initial bond financing costs would have been in 2020.**

(b) The report required by subsection (a) must show for each cost item, the costs:

(1) unadjusted for inflation; and

(2) adjusted for inflation.

(c) The budget agency meets the requirement of subsection (a) if the budget agency sends the report or a link to the reportelectronically as a reports received submission.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1007 Digest Correction as printed January 7, 2020.)

PORTER

Upon request of Representatives Porter and GiaQuinta, the Speaker ordered the roll of the House to be called. Roll Call 8: yeas 29, nays 61. Motion failed.

HOUSE MOTION
(Amendment 1007–11)

Mr. Speaker: I move that House Bill 1007 be amended to read as follows:

Page 2, delete lines 20 through 42, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE UPON PASSAGE] **(a) The following definitions apply throughout this SECTION:**

(1) The definitions in IC 20-43-1.

(2) "Department" has the meaning set forth in IC 20-18-2-3.

(3) "Eligible school corporation" means a school corporation that was in existence on both January 1, 2010, and January 1, 2020.

(b) There is appropriated to the department two hundred ninety-six million five hundred sixty-two thousand six hundred seventy-two dollars and ninety-six cents ($296,562,672.96) from the state general fund to pay a special distribution known as the "Final resolution of the ten year tuition support delay to Indiana public schools" to eligible school corporations in the manner prescribed by this SECTION.

(c) The amount of the special distribution that an eligible school corporation is entitled to receive under this SECTION is equal to the last of the following STEPS:

STEP ONE: Divide:

(A) the amount expected to be distributed to the eligible school corporation for basic tuition support beginning July 1, 2019, and ending June 30, 2020; by

(B) the total amount expected to be distributed to all eligible school corporations for basic tuition support beginning July 1, 2019, and ending June 30, 2020.

STEP TWO: Multiply:

(A) the amount appropriated under subsection (b); by

(B) the STEP ONE result.

(d) The department shall make the special distributions determined under subsection (c) to each eligible school corporation before June 1, 2020.

(e) An eligible school corporation is encouraged to use the money received under this SECTION for teacher compensation.

(f) This SECTION expires January 1, 2021.".

Page 3, delete lines 1 through 10.

Renumber all SECTIONS consecutively.

(Reference is to HB 1007 Digest Correction as printed January 7, 2020.)

PORTER

Upon request of Representatives Porter and GiaQuinta, the Speaker ordered the roll of the House to be called. Roll Call 9: yeas 30, nays 60. Motion failed.

HOUSE MOTION
(Amendment 1007–1)

Mr. Speaker: I move that House Bill 1007 be amended to read as follows:

Page 3, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to an appropriate interim study committee the topic of increasing state support of public postsecondary educational institutions and to determine the effect of increased state support on student borrowing. The interim study committee should consider whether increasing state support would decrease costs, including room and board, for students who are Indiana residents.**

(b) The interim study committee shall include its recommendations in the interim study committee's final report.

(c) This SECTION expires January 1, 2021.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1007 Digest Correction as printed January 7, 2020.)

DELANEY

Motion withdrawn.

HOUSE MOTION
(Amendment 1007–16)

Mr. Speaker: I move that House Bill 1007 be amended to read as follows:

Page 2, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 3. IC 22-4.1-28 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 28. Paid Family and Medical Leave Program

Sec. 1. As used in this chapter, "act" refers to the federal Family and Medical Leave Act of 1993 (29 U.S.C. 2601 et seq.) as in effect on July 1, 2020.

Sec. 2. As used in this chapter, "application year" is the twelve (12) month period beginning on the first day of the calendar week during which an individual files an application for program benefits.

Sec. 3. As used in this chapter, "benefit payments" means payments to a covered individual under the program.

Sec. 4. As used in this chapter, "commissioner" refers to the commissioner of the department appointed under IC 22-4.1-3-1.

Sec. 5. As used in this chapter, "covered individual" means an individual who:

(1) is eligible for program benefit payments under section 21 of this chapter; and

(2) meets the application and other administrative requirements of this chapter.

Sec. 6. As used in this chapter, "covered service member"means one (1) of the following:

(1) A member of the armed forces, including a member of the National Guard or reserves, who is:

(A) undergoing medical treatment, recuperation, or therapy;

(B) otherwise in outpatient status; or

(C) otherwise on the temporary disability retired list;

for a serious injury or illness that was incurred by the member in the line of duty on active duty in the armed forces, or a serious injury or illness that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the armed forces.

(2) A former member of the armed forces, including a former member of the National Guard or reserves, who is undergoing medical treatment, recuperation, or therapy for a serious injury or illness that was incurred by the member in the line of duty on active duty in the armed forces, or a serious injury or illness that existed before the beginning of the member's active duty and was aggravated by service in the line of duty on active duty in the armed forces and manifested before or after the member was discharged or released from service.

Sec. 7. As used in this chapter, "department" refers to the department of workforce development established by IC 22-4.1-2-1.

Sec. 8. As used in this chapter, "employee" means an individual who works directly for an employer under an express or implied contract of hire.

Sec. 9. As used in this chapter, "employer" has the meaning set forth in IC 6-3-1-5. The term includes the following:

(1) The state.

(2) A political subdivision.

Sec. 10. As used in this chapter, "family member", with respect to a covered individual, means the following:

(1) A biological, adopted, or foster:

(A) child;

(B) stepchild; or

(C) legal ward;

of the covered individual, regardless of age.

(2) A biological, adoptive, or foster:

(A) parent;

(B) stepparent; or

(C) legal guardian;

of the covered individual or the covered individual's spouse.

(3) An individual to whom the covered individual is legally married under the laws of any state.

(4) A biological, adoptive, or foster:

(A) grandparent;

(B) stepgrandparent;

(C) grandchild;

(D) stepgrandchild;

(E) sibling; or

(F) stepsibling;

of the covered individual or the covered individual's spouse.

Sec. 11. As used in this chapter, "fund" refers to the family and medical leave fund established by section 19 of this chapter.

Sec. 12. As used in this chapter, "health care provider" means a person licensed under federal or state law to provide medical or emergency services, including a doctor, nurse, emergency room personnel, or certified midwife.

Sec. 13. As used in this chapter, "next of kin" has the

meaning set forth in 29 U.S.C. 2611(17).

Sec. 14. As used in this chapter, "program" refers to the paid family and medical leave program established under section 17 of this chapter.

Sec. 15. As used in this chapter, "qualifying exigency leave" means leave for a need arising from a covered individual's family member's active duty service or notice of an impending call or order to active duty in the armed forces, including:

(1) providing for the care or other needs of the military member's child or other family member;

(2) making financial or legal arrangements for the military member;

(3) attending counseling;

(4) attending military events or ceremonies;

(5) spending time with the military member during a rest and recuperation leave or following return from deployment; or

(6) making arrangements following the death of the military member.

Sec. 16. As used in this chapter, "serious health condition" has the meaning set forth in 29 U.S.C. 2611(11).

Sec. 17. (a) Not later than January 1, 2022, the department shall establish and administer a paid family and medical leave program through which a covered individual may receive benefit payments as described in section 21 of this chapter.

(b) The department shall do the following:

(1) Establish reasonable procedures and forms for filing:

(A) employer and employee payroll contributions to the fund under section 20 of this chapter; and

(B) claims for program benefits.

(2) Specify necessary documentation to support a claim for program benefits, including any documentation required from a health care provider for proof of a serious health condition.

(3) Notify the employer of an individual who applies for program benefits not more than five (5) business days after a claim for program benefits is filed.

(4) Use information sharing and integration technology to facilitate the disclosure of relevant information or records, as consented to by the individual under state law.

(5) Adopt rules under IC 4-22-2 to implement this chapter.

Sec. 18. (a) Information concerning an individual described in this chapter is confidential and may be used only for the purposes of this chapter.

(b) An individual described in subsection (a) or an authorized representative of the individual may review and receive information described in subsection (a) upon the presentation of the individual's signed authorization.

Sec. 19. (a) The family and medical leave fund is established for the purpose of providing family and medical leave program benefit payments to covered individuals. The fund shall be administered by the department.

(b) The fund consists of appropriations from the general assembly and payroll contributions under section 20 of this chapter.

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

(d) The treasurer of state shall invest the money in the fund not
currently needed to meet the obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

(f) Money in the fund is continually appropriated for the purpose of funding the program.

Sec. 20. (a) The department shall annually determine the amount of payroll contributions necessary to finance program benefits.

(b) Employers shall make contributions to the fund in an amount determined under subsection (a), not to exceed four-tenths of one percent (0.4%) of an employee's wage in a twelve (12) month period. Employers may deduct up to fifty percent (50%) of the contribution determined under subsection (a) from the employee's wages.

Sec. 21. An individual is eligible for program benefit payments if the individual:

(1) either:

(A) earned at least six thousand three hundred dollars ($6,300) from at least one (1) employer during the twelve (12) month period immediately preceding the date on which the individual submits an application for program benefits; or

(B) is self-employed and opted in under section 27 of this chapter; and

(2) is described in at least one (1) of the following:

(A) Is caring for a child during the first year after the birth, adoption, or foster care placement of the child.

(B) Is caring for a family member with a serious health condition.

(C) Has a serious health condition or pregnancy that makes the individual unable to perform the functions of the employment position described in subdivision (1).

(D) Is caring for a covered service member who is the individual's next of kin.

(E) Is eligible for qualifying exigency leave.

Sec. 22. Beginning July 1, 2022, the department shall make program benefit payments available to an individual who:

(1) is eligible under section 21 of this chapter; and

(2) applies for program benefits under this chapter.

Sec. 23. (a) A covered individual may receive program benefit payments for not more than six (6) weeks during an application year.

(b) A covered individual may not receive program benefit payments for less than eight (8) hours of family and medical leave taken in one (1) work week.

Sec. 24. (a) Subject to subsection (b), the weekly program benefit for family and medical leave is determined as follows:

(1) If the covered individual's average weekly wage is not more than fifty percent (50%) of the state average weekly wage, the employee's weekly benefit is ninety percent (90%) of the covered individual's average weekly wage.

(2) If the covered individual's average weekly wage is greater than fifty percent (50%) of the state average weekly wage, the covered individual's weekly benefit is the sum of:

(A) ninety percent (90%) of the covered individual's average weekly wage up to fifty percent (50%) of the state average weekly wage; plus

(B) fifty percent (50%) of the covered individual's average weekly wage that is greater than fifty percent (50%) of the state average weekly wage.

(b) The maximum weekly program benefit payment is an amount equal to the state average weekly wage.

Sec. 25. (a) A covered individual may take paid family and medical leave on an intermittent or reduced leave schedule under which all of the leave is not taken sequentially.

(b) Program benefit payments for an intermittent or reduced leave schedule must be prorated accordingly.

(c) A covered individual shall do the following:

(1) Make a reasonable effort to schedule paid family and medical leave so as not to unduly disrupt the operations of the employer.

(2) To the extent practicable, provide to the employer prior notice of the schedule on which the covered individual will take the family and medical leave.

(d) The total amount of paid family and medical leave available to a covered individual under this chapter is not reduced beyond the actual amount of paid family and medical leave taken under this section.

(e) This section does not entitle a covered individual to receive more paid family and medical leave than the amount of family and medical leave specified in section 23(a) of this chapter.

Sec. 26. (a) An employer shall:

(1) upon hiring;

(2) upon an employee's leave request;

(3) when the employer acquires knowledge that an employee's leave may be qualifying exigency leave; and

(4) annually;

provide to the employee written notice as described in subsection (b).

(b) Notice required by subsection (a) must include the following:

(1) Notice of the employee's right to program benefits and the terms under which family and medical leave may be used.

(2) The amount of program benefit payments to which the employee would be entitled.

(3) The procedure for filing a claim for program benefits.

(4) That discrimination and retaliatory personnel actions against an employee for requesting, applying for, or using program benefits is prohibited.

(5) That the employee has a right to file a complaint for violations of this chapter.

(c) An employer shall display and maintain a poster in a conspicuous place accessible to employees at the employer's place of business that contains the information required by this section.

(d) The commissioner may adopt rules under IC 4-22-2 to establish additional requirements concerning the means by which employers distribute the notice required by this section.

Sec. 27. (a) An individual who is self-employed, including a sole proprietor, partner, or joint venturer, may elect to participate in the program for an initial period of not less than three (3) years.

(b) An individual who is self-employed as described in subsection (a) shall file a notice of election in writing with the commissioner, including all information required by the department.

(c) A notice of election filed under subsection (b) is effective on the date on which the notice is filed.

(d) An individual who is self-employed who has elected to participate in the program under this chapter may withdraw from participation by filing a notice of withdrawal:

(1) less than thirty (30) days after the end of the three

(3) year period described in subsection (a); or

(2) at other times provided by the commissioner.

A withdrawal under this subsection takes effect not earlier than thirty (30) days after the notice of withdrawal is filed.

Sec. 28. (a) A person that interferes with, restrains, denies, or attempts to deny the exercise of a provision of this chapter violates this chapter.

(b) An employer, temporary help company, employment agency, employee organization, or other person shall not take retaliatory personnel action or otherwise discriminate against an individual because the individual does any of the following:

(1) Requests, files for, applies for, or uses program benefits.

(2) Communicates to the person or another person an intent to file a claim, a complaint with the department, a court action, or an appeal concerning program benefits.

(3) Testifies, intends to testify, or assists in an investigation, hearing, or proceeding concerning program benefits.

(4) Informs a person concerning an employer's alleged violation of this chapter.

(5) Informs a person of the person's rights under this chapter.

(c) An employer's absence policy may not count paid family and medical leave taken under this chapter as an absence that may lead to or result in discipline, discharge, demotion, suspension, or another adverse employment action.

(d) The protections of this section apply to an individual who in good faith alleges a violation of this chapter, regardless of whether the allegation is mistaken.

(e) The civil rights commission created by IC 22-9-1-4 shall enforce this section.

Sec. 29. Paid family and medical leave taken under this chapter that also qualifies as leave under the act runs concurrently with leave taken under the act.

Sec. 30. (a) An employer may require that program benefit payments made under this chapter be made concurrently, or otherwise coordinated, with payment made or leave allowed under the terms of disability or family care leave under a collective bargaining agreement or an employer policy.

(b) An employer shall provide to each employee written notice of a requirement described in subsection (a).

Sec. 31. This chapter does not diminish an employer's obligation to comply with any of the following that provide more generous leave:

(1) A collective bargaining agreement.

(2) An employer policy.

(3) Another law.

Sec. 32. (a) An individual's right to program benefit payments under this chapter may not be diminished by:

(1) a collective bargaining agreement that is entered into or renewed; or

(2) an employer policy adopted or retained;

after June 30, 2020.

(b) An agreement by an individual to waive the individual's rights under this chapter is void as against public policy.

Sec. 33. An individual's eligibility for program benefits under this chapter does not entitle the individual to job protection beyond the job protection required by the act.

Sec. 34. (a) This chapter does not do the following:

(1) Supersede an employer's obligation to comply with a company policy, law, or collective bargaining agreement that provides greater or additional rights to leave than provided in this chapter.

(2) Curtail the rights, privileges, or remedies of an employee under a collective bargaining agreement or employment contract.

(3) Allow an employer to compel an employee to exhaust rights to sick, vacation, or personal time before or while taking leave under this chapter.

(b) An employer may require that benefit payments under this chapter be made concurrently or otherwise coordinated with payment made or leave allowed under the terms of disability or family care leave under a collective bargaining agreement or employer policy such that the employee will receive the greater of the various benefits that are available for the covered reason.

(c) Leave provided under a collective bargaining

agreement or employer policy that is used by the employee for a covered reason and paid at the same or higher rate than leave available under this chapter counts against the allotment of leave available under this chapter.

(d) An employer shall give each employee written notice of the requirements of this section.

Sec. 35. (a) The department shall establish a process for approving a private plan to be used by the employer to meet the employer's obligations under this chapter.

(b) An employer may apply to the department for approval of a private plan described in subsection (a).

(c) The department may approve an employer's private plan described in subsection (a) if the department determines that the private plan confers all of the same rights, protections, and benefits provided to employees under this chapter, including the following:

(1) Providing paid family and medical leave to a covered individual for the reasons set forth in section 21 of this chapter, for the maximum number of weeks specified in section 23 of this chapter, in a benefit year.

(2) Providing a wage replacement rate during all family and medical leave at least equal to the amount required by section 24 of this chapter.

(3) Imposing no additional conditions or restrictions on the use of paid family or medical leave beyond the conditions or restrictions explicitly authorized by this chapter or rules adopted under this chapter.

(4) Allowing an employee covered under the private plan who is eligible to take paid family and medical leave under this chapter to take paid family or medical leave under the private plan.

Sec. 36. The department shall conduct a public education campaign to inform employees and employers regarding the availability of paid family and medical leave program benefits.

Sec. 37. The department may use state data collection and technology to the extent possible and integrate the program with existing state policies.

Sec. 38. The department shall annually report to the:

(1) legislative council in an electronic format under IC 5-14-6; and

(2) state budget committee;

concerning projected and actual program participation, categorized by purpose of the leave, gender of employee taking leave, employer and employee contributions, fund balances, outreach efforts, and family members for whom leave was taken to provide care.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1007 Digest Correction as printed January 7, 2020.)

CAMPBELL

Upon request of Representatives Pryor and GiaQuinta, the Speaker ordered the roll of the House to be called. Roll Call 10: yeas 28, nays 60. Motion failed.

HOUSE MOTION
(Amendment 1007–14)

Mr. Speaker: I move that House Bill 1007 be amended to read as follows:

Page 2, delete lines 20 through 42, begin a new a paragraph and insert:

"SECTION 3. IC 12-16-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 1.5. Hoosier Rxtra Program

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

(1) "Cohort 1" means individuals who are:

(A) Indiana residents; and

(B) sixty-five (65) years of age or older.

(2) "Cohort 2" means individuals in a taxable year:

(A) who are Indiana residents;

(B) who are greater than eighteen (18) years of age and less than sixty-five (65) years of age;

(C) whose family income for a taxable year is:

(i) at least one hundred thirty-eight percent (138%); and

(ii) at most two hundred percent (200%);

of the federal income poverty level (as defined in IC 12-15-2-1); and

(D) who are not eligible for Medicaid, including the healthy Indiana plan under IC 12-15-44.2, or any other governmental health care program.

(3) "Eligible individual" means an individual who is in cohort 1 or cohort 2.

(4) "Prescribed medication" means:

(A) a medication that may not be sold to an individual without a prescription; or

(B) an over the counter medication for which the individual receives a prescription.

(5) "Program" refers to the Hoosier Rxtra program established by section 2 of this chapter.

Sec. 2. The Hoosier Rxtra program is established to reduce the financial burden of unreimbursed prescription medications for eligible individuals.

Sec. 3. The office of the secretary shall administer the program.

Sec. 4. The office of the secretary shall design cost reduction and reimbursement procedures that effectively reduce the financial burden of unreimbursed prescription medications for eligible individuals.

SECTION 4. IC 20-51-4-13 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 13. Each state fiscal year, the department shall conduct audits of at least ten percent (10%) of the nonpublic schools that receive money for choice scholarships under this chapter in the immediately preceding state fiscal year.**

SECTION 5. [EFFECTIVE UPON PASSAGE] **(a) There is appropriated to the office of family and social services fifty million dollars ($50,000,000) from the state general fund for the early education grant pilot program under IC 12-17.2-7.2 (pre-kindergarten education pilot program) beginning July 1, 2020, and ending June 30, 2021. The appropriation in this subsection is in addition to any money appropriated for the pre-kindergarten education pilot program in P.L.108-2019 or any other law.**

(b) There is appropriated to the office of family and social services fifty million dollars ($50,000,000) from the state general fund for the Hoosier Rxtra program established by IC 12-16-1.5-2 beginning July 1, 2020, and ending June 30, 2021.

(c) There is appropriated to the department of homeland security established by IC 10-19-2-1 five million dollars ($5,000,000) from the state general fund for the Indiana secured school fund established by IC 10-21-1-2 beginning July 30, 2020, and ending July 1, 2021. The appropriation in this subsection is in addition to any money appropriated for secured school safety grants in P.L.108-2019 or any other law.

(d) There is appropriated to the lieutenant governor one hundred thousand dollars ($100,000) from the state general fund for distribution to the food banks of Indiana beginning July 1, 2020, and ending June 30, 2021.

(e) There is appropriated to the department of education established by IC 20-19-3-1 ninety thousand dollars ($90,000) from the state general fund beginning July 1, 2020, and ending June 30, 2021, for its use in performing the following:

(1) Preparing a report on where students who were once enrolled in virtual charter schools in Indiana that have now ceased operations subsequently enrolled,

including how many students:

(A) enrolled in public schools;

(B) enrolled in charter schools;

(C) enrolled in other virtual charter schools;

(D) enrolled in private schools; or

(E) began home schooling.

The department of education shall present the report to the budget committee before October 1, 2020.

(2) The conduct of audits under IC 20-51-4-13 beginning July 1, 2019, and ending June 30, 2020.

(f) This SECTION expires July 1, 2021.

SECTION 6. [EFFECTIVE UPON PASSAGE] **(a) The following definitions apply throughout this SECTION:**

(1) The definitions in IC 20-43-1.

(2) "Department" has the meaning set forth in IC 20-18-2-3.

(b) There is appropriated to the department one hundred eighty-six million dollars ($186,000,000) from the state general fund for distribution to school corporations in the manner prescribed under subsection (c) for the purpose of paying a one (1) time stipend to the teachers employed in the school corporations.

(c) The amount that a school corporation is entitled to receive under this SECTION bears the same ratio to the basic tuition support that the school corporation is entitled to receive beginning July 1, 2019, and ending July 30, 2020, as the amount appropriated under subsection (b) bears to the total amount appropriated for basic tuition support for all school corporations beginning July 1, 2019, and ending June 30, 2020.

(d) The governing body of a school corporation that receives a distribution under this SECTION shall, before June 1, 2020, pay each teacher employed by the school corporation or charter school on April 1, 2020, a one (1) time stipend equal to an amount that bears the same ratio to the distribution received by the school corporation under this SECTION as the teacher's salary for the pay period including April 1, 2020, bears to the total amount of the salaries paid by the school corporation to teachers for the pay period including April 1, 2020.

(e) The amount actually paid to a teacher under subsection (d) may be reduced accordingly to account for employer taxes, pension contributions, and similar employer paid items associated with the payment of teacher salaries.

(f) Amounts distributed under this SECTION are to be treated as special distributions and may not be used in determining teacher compensation in subsequent collective bargaining negotiations.

(g) This SECTION expires July 1, 2020.".

Page 3, delete lines 1 through 10.

(Reference is to HB 1007 Digest Correction as printed January 7, 2020.)

PORTER

Upon request of Representatives GiaQuinta and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 11: yeas 30, nays 58. Motion failed.

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

HOUSE MOTION
(Amendment 1007–3)

Mr. Speaker: I move that House Bill 1007 be amended to read as follows:

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

"SECTION 1. IC 4-12-18 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 18. University Building Projects Fund

Sec. 1. As used in this chapter, "fund" means the university building projects fund established by section 2 of this chapter.

Sec. 2. (a) The university building projects fund is established within the state treasury for the purpose of holding money before disbursement to the various state postsecondary educational institutions for the construction projects specified in this chapter as the money is needed.

(b) The fund consists of the following:

(1) Transfers from the state general fund or any other fund or account within the state treasury.

(2) Grants.

(3) Gifts.

(c) The budget agency shall administer the fund.

(d) The expenses of administering the fund shall be paid from the fund.

(e) Money in the fund that is not needed to pay the obligations of the fund may be invested in the same manner that other public money is invested. Interest or other investment income earned on money in the fund shall be held in the fund until the money is transferred periodically from the fund as provided in section 3 of this chapter.

(f) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

Sec. 3. Each calendar quarter, the administrator of the fund shall transfer any interest or other investment income earned on money in the fund to the Indiana secured school fund established by IC 10-21-1-2 to be used for the purposes of the Indiana secured school fund.

Sec. 4. (a) The administrator of the fund shall only disburse the money appropriated under this section as the money is needed for each project specified in subsections (b) through (g).

(b) There is appropriated to Purdue University, West Lafayette, seventy-three million dollars ($73,000,000) from the fund for its construction of the College of Veterinary Medicine Teaching Hospital.

(c) There is appropriated to Indiana University sixty-two million dollars ($62,000,000) from the fund for its bicentennial repair and rehabilitation plan.

(d) There is appropriated to Ball State University fifty-nine million nine hundred thousand dollars ($59,900,000) from the fund for its STEM and Health Professions Facilities Phase III.

(e) There is appropriated to Ivy Tech Community College twenty-nine million eight hundred ninety thousand dollars ($29,890,000) from the fund for its Columbus Campus Main Building Replacement.

(f) There is appropriated to Indiana State University eighteen million four hundred thousand dollars ($18,400,000) from the fund for its Academic Facility Renovation Phase Two, Dreiser Hall.

(g) There is appropriated to the University of Southern Indiana forty-eight million dollars ($48,000,000) from the fund for its Health Professions Classroom Renovation.

(h) Notwithstanding IC 21-33-3, the projects funded in subsections (b) through (g) do not require review by the commission for higher education or an advisory recommendation by the budget committee if the projects were already reviewed by the commission for higher education and recommended by the budget committee before April 1, 2020.".

Page 2, delete lines 20 through 42, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE UPON PASSAGE] **(a) Before July 1, 2020, the auditor of state shall transfer two hundred ninety-one million one hundred ninety thousand dollars ($291, 190,000) from the state general fund to the university building projects fund established by IC 4-12-18-2.**

(b) This SECTION expires July 1, 2020.".

Page 3, delete lines 1 through 10.

Renumber all SECTIONS consecutively.

(Reference is to HB 1007 Digest Correction as printed January 7, 2020.)

PORTER

Upon request of Representatives GiaQuinta and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 12: yeas 29, nays 60. Motion failed.

HOUSE MOTION
(Amendment 1007–6)

Mr. Speaker: I move that House Bill 1007 be amended to read as follows:

Page 2, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "high school" means any combination of grades 9, 10, 11, or 12 at a school maintained by a school corporation (as defined in IC 20-18-2-16(a)).**

(b) The legislative council is urged to assign to the interim study committee on education (established by IC 2-5-1.3-4) the task of studying whether the costs for comprehensive school counseling programs, including educational, career, and student assistance services, in high schools should be shifted to a department of education expenditure instead of an expenditure for a school corporation.

(c) This SECTION expires January 1, 2021.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1007 Digest Correction as printed January 7, 2020.)

DELANEY

Upon request of Representatives DeLaney and Porter, the Speaker ordered the roll of the House to be called. Roll Call 13: yeas 30, nays 58. Motion failed.

HOUSE MOTION
(Amendment 1007–7)

Mr. Speaker: I move that House Bill 1007 be amended to read as follows:

Page 2, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 1. IC 6-3.1-36 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]:

Chapter 36. Employer Contribution for Qualified Preschool Tax Credit

Sec. 1. As used in this chapter, "contribution" means an amount of money directly provided to a qualified preschool program by a taxpayer on behalf of a qualified employee for use toward the qualified employee's cost for a qualified preschool program.

Sec. 2. As used in this chapter, "employer" has the meaning set forth in Section 3401(d) of the Internal Revenue Code.

Sec. 3. As used in this chapter, "pass through entity" means a:

(1) corporation that is exempt from the adjusted gross income tax under IC 6-3-2-2.8(2);
(2) partnership;
(3) trust;
(4) limited liability company; or
(5) limited liability partnership.

Sec. 4. As used in this chapter, "qualified employee" means an individual who:

(1) is employed for consideration or who renders any other standard of service generally accepted by custom or specified by contract as employment; and
(2) has a child who:
(A) resides with the individual; and
(B) is not eligible:
(i) for payment for child care through the Child Care and Development Fund voucher program administered under 45 CFR 98 and 45 CFR 99; or
(ii) to receive a grant under the prekindergarten pilot program established under IC 12-17.2-7.2.

Sec. 5. As used in this chapter, "qualified preschool program" means a program in which a child who resides with a qualified employee is enrolled or attends that:

(1) provides an educational experience through an age appropriate written curriculum for children who:
(A) are at least thirty (30) months of age; and
(B) are not eligible to enter kindergarten; and
(2) is offered by a provider that meets the standards of quality recognized by a Level 3 or Level 4 paths to QUALITY program rating and is a:
(A) public school, including a charter school;
(B) child care center licensed under IC 12-17.2-4;
(C) child care home licensed under IC 12-17.2-5;
(D) child care ministry registered under IC 12-17.2-6; or
(E) school that is accredited by the state board of education or a national or regional accreditation agency that is recognized by the state board of education.

Sec. 6. As used in this chapter, "state tax liability" means a taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
(2) IC 27-1-18-2 (the insurance premiums tax); and
(3) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

Sec. 7. As used in this chapter, "taxpayer" means a person, corporation, partnership, or other entity that:

(1) has any state tax liability; and
(2) is the employer of a qualified employee.

Sec. 8. A taxpayer that makes a contribution toward a qualified employee's cost for a qualified preschool program during a taxable year is entitled to a credit against the taxpayer's state tax liability in the taxable year in which the taxpayer makes the contribution. The amount of a taxpayer's credit is equal to the lesser of the following:

(1) Twenty percent (20%) of the total amount of contributions that are made by the taxpayer during the taxable year.
(2) Five thousand dollars ($5,000).

Sec. 9. To apply a credit against the taxpayer's state tax liability, a taxpayer must claim the credit on the taxpayer's annual state tax return or returns in the manner prescribed by the department. The taxpayer shall submit to the department the information that the department determines is necessary for the department to determine whether the taxpayer is eligible for the credit.

Sec. 10. A taxpayer that makes a contribution to a qualified preschool program is considered to have made the contribution on the date that:

(1) the taxpayer's contribution is postmarked or accepted by a delivery service, for contributions that are submitted to a qualified preschool program by mail or delivery service; or
(2) the taxpayer's electronic funds transfer is initiated, for contributions that are submitted to a qualified preschool program by electronic funds transfer.

Sec. 11. A taxpayer is not entitled to a carryback, carryover, or refund of an unused credit.

Sec. 12. A taxpayer may not sell, assign, convey, or otherwise transfer the tax credit provided by this section.

Sec. 13. If a pass through entity is entitled to a credit under section 8 of this chapter but does not have state tax liability against which the tax credit may be applied, a shareholder, partner, or member of the pass through entity is entitled to a tax credit equal to:

(1) the tax credit determined for the pass through entity for the taxable year; multiplied by
(2) the percentage of the pass through entity's distributive income to which the shareholder, partner, or member is entitled.
Sec. 14. The department may adopt rules under IC 4-22-2 to implement this chapter.".
Renumber all SECTIONS consecutively.
(Reference is to HB 1007 Digest Correction as printed January 7, 2020.)

DELANEY

Upon request of Representatives DeLaney and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 14: yeas 30, nays 58. Motion failed. The bill was ordered engrossed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bill 1100 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representatives Kirchhofer and V. Smith be added as coauthors of House Bill 1001.

DEVON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Lauer and Jackson be added as coauthors of House Bill 1027.

ENGLEMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1032.

MILLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Goodrich and Torr be added as coauthors of House Bill 1038.

SCHAIBLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Shackelford be added as coauthor of House Bill 1042.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives McNamara and Pierce be added as coauthors of House Bill 1047.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lehman be added as coauthor of House Bill 1049.

HEATON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cherry be added as coauthor of House Bill 1059.

MILLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Miller be added as coauthor of House Bill 1061.

ELLINGTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as coauthor of House Bill 1067.

ZENT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative DeVon be added as coauthor of House Bill 1082.

HEATON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Barrett, Shackleford and Fleming be added as coauthors of House Bill 1084.

CAMPBELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ellington be added as coauthor of House Bill 1091.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Eberhart and Abbott be added as coauthors of House Bill 1099.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Karickhoff and Pryor be added as coauthors of House Bill 1100.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Porter be added as coauthor of House Bill 1108.

LEHMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative McNamara be added as coauthor of House Bill 1120.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Carbaugh be added as coauthor of House Bill 1130.

STUTZMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Barrett, Austin and Davisson be added as coauthors of House Bill 1141.

FLEMING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pfaff be added as coauthor of House Bill 1144.

MORRISON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bacon be added as coauthor of House Bill 1145.

HOSTETTLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pfaff be added as coauthor of House Bill 1147.

MORRISON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frye be added as coauthor of House Bill 1151.

MAYFIELD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Harris be added as coauthor of House Bill 1166.

MAYFIELD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Barrett and Fleming be added as coauthors of House Bill 1174.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lauer be added as coauthor of House Resolution 1.

ERRINGTON

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 3, 5 and 6 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Bacon, the House adjourned at 12:49 p.m., this ninth day of January, 2020, until Monday, January 13, 2020, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Sixth Day — **Monday Afternoon** — **January 13, 2020**

The invocation was offered by Pastor Dan Lash of Weston Street Bible Church in Rome City, a guest of Representative Abbott.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

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

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

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

Roll Call 15: 100 present; 0 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, January 14, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1022, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1022 as introduced.)

Committee Vote: Yeas 13, Nays 0.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1096, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1096 as introduced.)

Committee Vote: Yeas 13, Nays 0.

TORR, Chair

Report adopted.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill Lists 8 and 9 were read a first time by title and referred to the respective committees:

HB 1070 — Sullivan, Pressel

Committee on Roads and Transportation

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

HB 1181 — Cook

Committee on Commerce, Small Business and Economic Development

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

HB 1182 — Clere
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1183 — Ziemke
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1184 — Bartels
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1185 — Bartels
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1186 — Bartels
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1187 — Bartels
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

HB 1188 — Bartels
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1189 — Mayfield
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1190 — Lehman
Committee on Utilities, Energy and Telecommunications
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1191 — Clere
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1192 — Bartlett, Cook, Schaibley, Campbell
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

HB 1194 — Young J, Lehe, Cherry, Moed
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1196 — Judy
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1197 — Abbott
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1198 — Abbott, Frye R, Bacon
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1199 — Clere
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1200 — Abbott, Campbell
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1202 — Cherry
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1203 — Cherry
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1204 — Cherry
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1205 — Cherry
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1206 — Cherry
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1208 — Aylesworth
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1209 — Kirchhofer
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1210 — Zent
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1212 —withdrawn

HB 1213 — Beck
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1218 — Manning
Committee on Utilities, Energy and Telecommunications
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1224 — McNamara
Committee on Courts and Criminal Code

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

HB 1246 — Sullivan
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1265 — Jackson
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1309 — Wolkins
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1332 — Lehman
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1347 — Gutwein
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1372 — Carbaugh
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1214 — Beck
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1215 — Beck
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1216 — Beck
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1217 — Lauer
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1219 — Shackleford
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1220 — Wesco
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1222 — Wesco
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1223 — Wesco
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1225 — McNamara
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1226 — Hamilton, Manning
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1228 — Hamilton
Committee on Utilities, Energy and Telecommunications
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1230 — Baird
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1231 — Baird, Austin
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1232 — Baird
Statutory Committee on Interstate and International Cooperation
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1233 — Baird
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1234 — Karickhoff
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1235 — Karickhoff
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1236 — Karickhoff
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1237 — Karickhoff
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

HB 1242 — Porter
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1243 — Vermilion, Kirchhofer
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1244 — Vermilion, Leonard
Committee on Employment, Labor and Pensions

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1245 — Sullivan, Bacon, McNamara
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1247 — Morris, Judy
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1253 — Goodin
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1254 — Moed
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1255 — Moed
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

HB 1256 — Moed
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1258 — Deal
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1261 — May
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1262 — May
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

RESOLUTIONS ON FIRST READING

House Resolution 2

Representatives Macer and Leonard introduced House Resolution 2:

A HOUSE RESOLUTION remembering Joseph Dean Breedlove.

Whereas, Mr. Joseph Dean "Joe" Breedlove was born on December 20, 1958, in Lebanon to Paul W. and Anne Breedlove;

Whereas, Joe displayed his trademark "go getter" attitude from a young age at Lebanon High School where he ran a newspaper route through Northfield before school, played on the school football team, broke a school record in swimming, helped his grandfather maintain the school corporation, and participated in school functions as a self-proclaimed drummer and proud cheerleader;

Whereas, Joe was hired by the Boone County Rural Electric Municipal Cooperative upon graduation from high school in 1977 and was later initiated into the International Brotherhood of Electrical Workers (IBEW), Local 481;

Whereas, Joe found his calling in 1991 when he took on the role of business referral agent for IBEW, Local 481 serving in the union and labor movement;

Whereas, Joe was appointed to the Indiana State AFL-CIO as the secretary treasurer in 2003 where he organized numerous union events at the statehouse and always fought to make the voices of Hoosier workers heard;

Whereas, Joe will be remembered by friends and loved ones as an incredible father, loving son, protective brother, and hilarious friend; and

Whereas, Joe is survived by his parents, Paul and Anne; daughter, Whitney; son, Garrett; granddaughter, Jalynn; sisters, Terena and Paula, the mother of his children, Debbie; and special friend, Linda: Therefore,

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

SECTION 1. That the Indiana House of Representatives recognizes Mr. Joseph Dean Breedlove for his many contributions to his community as a Hoosier and as the secretary treasurer of the Indiana State AFL-CIO.

SECTION 2. That the Principle Clerk of the House of Representatives shall transmit copies of this resolution to the family of Mr. Joseph Breedlove and to the office of State Representative Karlee Macer for distribution.

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

HOUSE BILLS ON SECOND READING

House Bill 1014

Representative Saunders called down House Bill 1014 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1047

Representative Steuerwald called down House Bill 1047 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1067

Representative Zent called down House Bill 1067 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1001

Representative DeVon called down Engrossed House Bill 1001 for third reading:

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

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

Roll Call 16: yeas 100, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Raatz, Bray, Kruse and Rogers.

Engrossed House Bill 1002

Representative Cook called down Engrossed House Bill 1002 for third reading:

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

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

Roll Call 17: yeas 100, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Raatz.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 3:08 p.m. with the Speaker in the Chair.

Representatives Cook and Goodin, who had been present are now excused.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1007

Representative T. Brown called down Engrossed House Bill 1007 for third reading:

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

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

Roll Call 18: yeas 77, nays 21. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Mishler.

HOUSE BILLS ON SECOND READING

House Bill 1027

Representative Engleman called down House Bill 1027 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1027–3)

Mr. Speaker: I move that House Bill 1027 be amended to read as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 5.

Page 6, delete lines 1 through 32.

Page 10, delete lines 9 through 42, begin a new paragraph and insert:

"SECTION 5. IC 36-6-5-1, AS AMENDED BY P.L.167-2015, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Subject to subsection (g), before 2009, a township assessor shall be elected under IC 3-10-2-13 by the voters of each township:

(1) having:

(A) a population of more than eight thousand (8,000); or

(B) an elected township assessor or the authority to elect a township assessor before January 1, 1979; and

(2) in which the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000).

(b) Subject to subsection (g), before 2009, a township assessor shall be elected under IC 3-10-2-14 (repealed effective July 1, 2008) in each township:

(1) having a population of more than five thousand (5,000) but not more than eight thousand (8,000), if:

(A) the legislative body of the township, by resolution, declares that the office of township assessor is necessary; and

(B) the resolution is filed with the county election board not later than the first date that a declaration of candidacy may be filed under IC 3-8-2; and

(2) in which the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000).

(c) Subject to subsection (g), a township government that is created by merger under IC 36-6-1.5 shall elect only one (1) township assessor under this section.

(d) Subject to subsection (g), ~~after 2008~~ a township assessor shall be elected under IC 3-10-2-13 only by the voters of each township in which:

(1) the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000); and

(2) the transfer to the county assessor of the assessment duties prescribed by IC 6-1.1 is disapproved in the referendum under ~~IC 36-2-15.~~ **IC 36-2-15-8 (before its repeal) or IC 36-6-5-5.**

(e) The township assessor must reside within the township as provided in Article 6, Section 6 of the Constitution of the State of Indiana. The assessor forfeits office if the assessor ceases to be a resident of the township.

(f) The term of office of a township assessor is four (4) years, beginning January 1 after election and continuing until a successor is elected and qualified. However, the term of office of a township assessor elected at a general election in which no other township officer is elected ends on December 31 after the next election in which any other township officer is elected.

(g) To be eligible to serve as a township assessor, an individual must meet the following qualifications before taking office:

(1) If the individual has never held the office of township assessor, the individual must have attained a level two assessor-appraiser certification under IC 6-1.1-35.5.

(2) If the individual has held the office of township assessor, the individual must have attained a level three assessor-appraiser certification under IC 6-1.1-35.5.

(h) After June 30, 2008, the county assessor shall perform the assessment duties prescribed by IC 6-1.1 in a township in which the number of parcels of real property on January 1, 2008, is less than fifteen thousand (15,000).".

Delete page 11.

Page 12, delete lines 1 through 24, begin a new paragraph and insert:

"SECTION 6. IC 36-6-5-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5. (a) This section applies only to a township that has a township assessor.**

(b) The circuit court clerk of each county that has a township to which this section applies shall place the following public question on the ballot in that township at the 2020 general election:

"Shall the assessing duties of the elected township assessor of _____ (insert the name of the township) Township of _____ (insert the name of the county) County be transferred to the county assessor?".

(c) IC 3, except where inconsistent with this section, applies to a public question placed on the ballot under this section. A public question under this section must be certified in accordance with IC 3-10-9-3 and shall be placed on the ballot in accordance with IC 3-10-9.

(d) This section expires July 1, 2024.".

Page 12, line 25, delete "IC 36-6-5-5" and insert "IC 36-6-5-6".

Page 12, line 27, delete "UPON PASSAGE]:" and insert "JULY 1, 2020]:".

Page 12, line 27, delete "Sec. 5." and insert "**Sec. 6.**".

Page 12, line 27, after "(a)" insert "**This section applies to a township only if the voters of the township have approved a public question under section 5 of this chapter.**

(b)".

Page 12, line 28, delete "," and insert "**before January 1, 2023,**".

Page 12, line 42, delete "(b)" and insert "**(c)**".

Page 13, line 3, delete "(a)" and insert "**(b)**".

Page 13, line 9, delete "(c)" and insert "**(d)**".

Page 13, line 16, delete "IC 36-6-5-6" and insert "IC 36-6-5-7".

Page 13, line 18, delete "Sec. 6." and insert "**Sec. 7.**".

Page 13, line 18, delete "the office of a township" and insert "**a township only if the voters of the township have approved a public question under section 5 of this chapter.**".

Page 13, delete line 19.

Page 14, line 5, delete "IC 36-6-5-7" and insert "IC 36-6-5-8".

Page 14, line 7, delete "Sec. 7." and insert "**Sec. 8.**".

Page 14, line 7, after "(a)" insert "**This section applies to a township only if the voters of the township have approved a public question under section 5 of this chapter.**

(b)".

Page 14, line 8, delete "6" and insert "**7**".

Page 14, line 15, delete "(b)" and insert "**(c)**". Page 14, delete lines 24 through 34.

Page 16, delete lines 35 through 42.

Delete page 17.

Renumber all SECTIONS consecutively.

(Reference is to HB 1027 as printed January 10, 2020.)

MOSELEY

Motion failed.

HOUSE MOTION
(Amendment 1027–1)

Mr. Speaker: I move that House Bill 1027 be amended to read as follows:

Replace the effective dates in SECTIONS 1 through 21 with "[EFFECTIVE UPON PASSAGE]".

Page 1, delete lines 1 through 17.

Delete pages 2 through 5.

Page 6, delete lines 1 through 32, begin a new paragraph and insert:

"SECTION 1. IC 3-13-10-3, AS AMENDED BY P.L.119-2005, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. ~~(a) This section applies to a vacancy in the office of township assessor not covered by section 1 of this chapter.~~

~~(b)~~ **(a) This subsection applies to a vacancy in the office of township assessor not covered by section 1 of this chapter.** A vacancy shall be filled by the county assessor, subject to the approval of the department of local government finance. Except as provided in subsection (c), the county assessor shall make the appointment not later than thirty (30) days after the vacancy occurs. If the vacancy occurred because the elected township assessor failed to qualify or was removed, the person who is appointed must be of the same political party as the elected township assessor.

~~(c)~~ **(b) This subsection applies to a vacancy in the office of township assessor not covered by section 1 of this chapter.** If a vacancy exists because of the death of the township assessor, the county assessor shall make the appointment required by subsection (b) not later than thirty (30) days after the county assessor receives notice of the death under IC 5-8-6. The county assessor may not fill the vacancy as required by subsection (b) until the county assessor receives notice of the death under IC 5-8-6.

(c) This subsection applies to a vacancy in the office of township assessor under IC 36-6-5-8. Notwithstanding section 1 of this chapter or any other law, if the office of township assessor becomes vacant, all of the following apply:

(1) The vacancy may not be filled.

(2) The office of township assessor is abolished in that township, as provided in IC 36-6-5-8.

(3) The county assessor of the county in which the township is located shall assume the duties of the township assessor as provided in IC 36-6-5-8.".

Page 7, delete lines 39 through 42, begin a new paragraph and insert:

"SECTION 4. IC 6-1.1-18.5-4.5, AS AMENDED BY P.L.1-2010, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4.5. The department of local government finance shall adjust the maximum permissible ad valorem tax levy of each county and township to reflect any transfer of duties between assessors under IC 36-2-15-5 or ~~IC 36-6-5-2 (repealed),~~ **IC 36-6-5.**".

Delete pages 8 through 13.

Page 14, delete lines 1 through 34, begin a new paragraph and insert:

"SECTION 5. IC 36-6-5-1, AS AMENDED BY P.L.167-2015, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) Subject to subsection (g), before 2009, a township assessor shall be elected under IC 3-10-2-13 by the voters of each township:

(1) having:

(A) a population of more than eight thousand (8,000); or

(B) an elected township assessor or the authority to elect a township assessor before January 1, 1979; and

(2) in which the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000).

(b) Subject to subsection (g), before 2009, a township assessor shall be elected under IC 3-10-2-14 (repealed effective July 1, 2008) in each township:

(1) having a population of more than five thousand (5,000) but not more than eight thousand (8,000), if:

(A) the legislative body of the township, by resolution, declares that the office of township assessor is necessary; and

(B) the resolution is filed with the county election board not later than the first date that a declaration of candidacy may be filed under IC 3-8-2; and

(2) in which the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000).

(c) Subject to subsection (g), a township government that is created by merger under IC 36-6-1.5 shall elect only one (1) township assessor under this section.

(d) Subject to subsection (g), ~~after 2008~~ a township assessor shall be elected under IC 3-10-2-13 only by the voters of each township in which:

(1) the number of parcels of real property on January 1, 2008, is at least fifteen thousand (15,000); and

(2) the transfer to the county assessor of the assessment duties prescribed by IC 6-1.1 is disapproved in the referendum under ~~IC 36-2-15~~ **IC 36-2-15-8 (before its repeal) or IC 36-6-5.**

(e) The township assessor must reside within the township as provided in Article 6, Section 6 of the Constitution of the State of Indiana. The assessor forfeits office if the assessor ceases to be a resident of the township.

(f) The term of office of a township assessor is four (4) years, beginning January 1 after election and continuing until a successor is elected and qualified. However, the term of office of a township assessor elected at a general election in which no

other township officer is elected ends on December 31 after the next election in which any other township officer is elected.

(g) To be eligible to serve as a township assessor, an individual must meet the following qualifications before taking office:

(1) If the individual has never held the office of township assessor, the individual must have attained a level two assessor-appraiser certification under IC 6-1.1-35.5.

(2) If the individual has held the office of township assessor, the individual must have attained a level three assessor-appraiser certification under IC 6-1.1-35.5.

(h) After June 30, 2008, the county assessor shall perform the assessment duties prescribed by IC 6-1.1 in a township in which the number of parcels of real property on January 1, 2008, is less than fifteen thousand (15,000).

SECTION 6. IC 36-6-5-3, AS AMENDED BY P.L.146-2008, SECTION 711, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) Except as provided in subsection (b), the assessor shall perform the duties prescribed by statute, including assessment duties prescribed by IC 6-1.1.

(b) Subsection (a) does not apply if the duties of the township assessor have been transferred to the county assessor as described in IC 6-1.1-1-24, ~~or~~ IC 36-2-15, or this chapter.

SECTION 7. IC 36-6-5-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5. (a) This section applies only to a county that:**

(1) has at least one (1) township that has retained a township assessor; and

(2) adopts an ordinance under subsection (b).

(b) Beginning with the general election in November 2022 and every four (4) years thereafter, a county legislative body may adopt an ordinance to place on the ballot of the general election the question of whether to transfer the duties of all township assessors of townships within the county to the county assessor. The county legislative body must hold at least two (2) public meetings before the final vote on the adoption of the ordinance.

(c) If a county legislative body adopts an ordinance under subsection (b), the county election board shall place the following public question on the ballot at the next general election:

"Should the assessing duties of the elected township assessor in the Township(s) (insert the name of all townships within the county that have an office of township assessor) be transferred to the county assessor?".

(d) IC 3, except where inconsistent with this chapter, applies to a public question placed on the ballot under this chapter. A public question under this chapter must be certified in accordance with IC 3-10-9-3 and shall be placed on the ballot in accordance with IC 3-10-9.

(e) If a majority of the voters of a county who vote on the public question placed on the ballot under this section vote in favor of the public question, the following apply:

(1) The office of township assessor of each township in the county is abolished as provided in section 6 of this chapter.

(2) The powers, duties, property, assets, funds, and obligations of each office of township assessor in the county shall be transferred to the office of the county assessor as provided in section 6 of this chapter.

(f) If a majority of the voters of the county who vote on the public question placed on the ballot under this section vote "no" on the public question, the office of the township assessor of each township in the county is not abolished and the duties of each township assessor in the county are not transferred to the county assessor. A county in which a public question is defeated may adopt an ordinance to place a public question on the ballot at a general election not earlier than fourth year after the year of the general election in which the public question was defeated.

SECTION 8. IC 36-6-5-6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 6. (a) On the January 1 following the general election in which the county voters vote in favor of the public question under section 5 of this chapter, the following occurs:**

(1) Each office of township assessor within the county is abolished.

(2) All the powers and duties of each township assessor are transferred to the county assessor of the county in which the township is located.

(3) All of the following are transferred to the county assessor:

(A) All employment positions, as of the December 31 following the general election, of each township assessor in the county, including all of the following:

(i) The employment position of the township assessor.

(ii) The employment positions of all employees of the township assessor.

(B) The real and personal property of each township assessor in the county.

(C) The obligations outstanding on the December 31 following the general election of each township assessor in the county.

(D) The funds of each township assessor in the county.

(b) Before January 1 of the year following the year in which the general election is conducted in which a majority of county voters vote in favor of the public question, the county assessor shall interview, or give the opportunity to interview to, each individual who:

(1) is, as of October 1 of the year of the general election, an employee of a township assessor in the county; and

(2) applies before December 31 of the year of the general election for an employment position referred to in subsection (a)(3)(A).

(c) The county auditor shall transfer to the county assessor all revenue received by the township:

(1) after December 31 of the year of the general election in which a majority of county voters vote in favor of the public question; and

(2) for the purpose of carrying out property assessment duties in the amount determined by the county auditor.

(d) The term of office of both of the following expires on January 1 of the year following the general election at which a majority of the voters of a county who vote on the public question vote in favor of the public question:

(1) An incumbent who holds the office of township assessor on the December 31 following the general election at which a majority of the voters of a county who vote on the public question vote in favor of the public question; and

(2) A township-assessor elect, if an individual is elected to the office of township assessor at the same general election at which a majority of the voters of a county who vote on the public question vote in favor of the public question.

(e) An election for a township assessor shall not be held after the voters approve the public question placed on the ballot under this section.

(f) The abolition of the office of township assessor does not invalidate:

(1) any actions adopted or taken by the township assessor before; or

(2) any appointments made by the township assessor

before the date the office of township assessor is abolished.

(g) In a county in which the office of township assessor is abolished, after the dissolution date, any reference:

(1) in the Indiana Code;

(2) in the Indiana Administrative Code; or

(3) in any resolution;

to the township assessor is considered a reference to the county assessor.

SECTION 9. IC 36-6-5-7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7. (a) Each county assessor and township assessor whose duties will be transferred under sections 6 and 8 of this chapter shall:**

(1) organize the records of the assessor's office relating to the assessment of tangible property in a manner prescribed by the department of local government finance; and

(2) transfer the records as directed by the department of local government finance before January 1 of the year following the general election in which county voters vote in favor of the public question.

(b) The department of local government finance shall determine a procedure and schedule for the transfer of the records and operations. The assessors shall assist each other and coordinate their efforts to:

(1) ensure an orderly transfer of all records; and

(2) provide for an uninterrupted and professional transition of the functions of assessors consistent with this chapter, IC 6-1.1, and the directions of the department of local government finance.

SECTION 10. IC 36-6-5-8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 8. (a) This section applies if:**

(1) after the general election in which a majority of the voters of a county vote in favor of the public question under section 5 of this chapter; and

(2) before January 1 of the year following the general election under subdivision (1);

the office of a township assessor becomes vacant.

(b) The following apply on the date the office of township assessor becomes vacant under subsection (a):

(1) The office of township assessor for that township is abolished.

(2) The county assessor of the county in which the township is located shall assume the duties of the township assessor.

(3) All of the following are transferred to the county assessor:

(A) All employment positions of all employees of the township assessor.

(B) The real and personal property of the township assessor.

(C) The obligations outstanding on the date the office of township assessor becomes vacant.

(D) The funds of the township assessor.

(c) An employee of the office of the township assessor on the date the office of the township assessor becomes vacant is entitled to remain in the employee's position transferred under subsection (a) until the earlier of the following:

(1) The employee resigns from the position.

(2) The employee's employment is terminated. However, an employee described in this subsection may be terminated only in the same manner that other employees of the county assessor may be terminated.

(d) The county auditor shall transfer to the county assessor all revenue received by the township:

(1) through the date that the office of the township assessor became vacant; and

(2) for the purpose of carrying out property assessment duties;

in the amount determined by the county auditor.".

Page 17, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 14. [EFFECTIVE UPON PASSAGE] **(a) The legislative services agency shall prepare, as directed by the legislative council, legislation for introduction in the 2021 regular session of the general assembly to organize and correct statutes affected by this act, if necessary.**

(b) This SECTION expires July 1, 2022.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1027 as printed January 10, 2020.)

CAMPBELL

Upon request of Representatives GiaQuinta and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 19: yeas 38, nays 59. Motion failed. The bill was ordered engrossed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Reassignments

The Speaker announced the reassignment of House Bill 1115 from the Committee on Public Health to the Committee on Employment, Labor and Pensions.

HOUSE MOTION

Mr. Speaker: I move that Representative V.Smith be added as coauthor of House Bill 1002.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Huston and Cherry be added as coauthors of House Bill 1007.

T. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Cherry and Klinker be added as coauthors of House Bill 1014.

SAUNDERS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1018.

HARRIS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Candelaria Reardon be added as coauthor of House Bill 1020.

PIERCE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1033.

JACKSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Boy be added as coauthor of House Bill 1051.

SAUNDERS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Harris be added as coauthor of House Bill 1083.

CAMPBELL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bacon be added as coauthor of House Bill 1090.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ellington be removed as coauthor of House Bill 1091 and Representatives Lindauer, Judy and Bartels be added as coauthor.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Sherman, Candelaria Reardon and Ellington be added as coauthors of House Bill 1095.

SULLIVAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as coauthor of House Bill 1116.

SHACKLEFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as coauthor of House Bill 1126.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Fleming be added as coauthor of House Bill 1227.

HAMILTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Campbell be added as coauthor of House Bill 1228.

HAMILTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Steuerwald, DeLaney and Hatfield be added as coauthors of House Bill 1346.

FRYE

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Vermilion, the House adjourned at 3:48 p.m., this thirteenth day of January, 2020, until Tuesday, January 14, 2020, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly Second Regular Session

Seventh Day **Tuesday Afternoon** **January 14, 2020**

The invocation was offered by Reverend Randy Scott of Pentecostals of Southlake in Merrillville, a guest of Representative Beck.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

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

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

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

Roll Call 20: 98 present; 2 excused. The Speaker announced a quorum in attendance. [*NOTE*: □ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Wednesday, January 15, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1009, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 5 with "[EFFECTIVE JANUARY 1, 2021]".

Page 3, line 15, delete "a resource" and insert "**income**".

(Reference is to HB 1009 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

DeVon, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1032, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1032 as introduced.)

Committee Vote: Yeas 12, Nays 0.

FRYE R, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Financial Institutions, to which was referred House Bill 1049, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1049 as introduced.)

Committee Vote: Yeas 11, Nays 0.

BURTON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1111, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1111 as introduced.)

Committee Vote: Yeas 12, Nays 1.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1143, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1143 as introduced.)

Committee Vote: Yeas 11, Nays 0.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1148, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning professions and occupations.

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. [EFFECTIVE JUNE 1, 2020] **(a) Candidates for the certified public accountant examination may not take the examination prior to meeting the additional education requirements set forth in 872 IAC 1-1-6.1 through 872 IAC 1-1-6.6.**

(b) Except as provided in subsection (c), a candidate may not apply to take the examination until the candidate has completed all of the education requirements set forth in 872 IAC 1-1-6.1 through 872 IAC 1-1-6.6.

(c) Notwithstanding subsection (b), a candidate may apply to take the examination up to sixty (60) days prior to the candidate's completion of the education requirements set forth in 872 IAC 1-1-6.1 through 872 IAC 1-1-6.6 after the board of accountancy or the board's designee receives a certificate of enrollment from the educational institution or institutions where the candidate is completing the candidate's education. The certificate of enrollment must:

(1) identify the courses in which the candidate is currently enrolled;

(2) if applicable, state that upon completion of the courses identified in subdivision (1), it is anticipated that the candidate will receive a baccalaureate or higher degree; and

(3) bear the seal of the institution or a notary public.

(d) A candidate may be admitted to take the examination based on the information appearing on the certificate of enrollment. However, a candidate may only sit for the examination after all educational requirements set forth in 872 IAC 1-1-6.1 through 872 IAC 1-1-6.6 are completed.

(e) Not later than sixty (60) days immediately following the taking of the first four (4) examination sections, a candidate who applied to sit for the examination under subsection (c) shall submit to the board, or the board's designee, all final official transcripts and applicable supporting documentation indicating that the candidate has met all of the education requirements set forth in 872 IAC 1-1-6.1 through 872 IAC 1-1-6.6.

(f) The board may cancel any examination scores received by a candidate who fails to meet the requirements in subsection (e). If an examination score is canceled, the candidate is not entitled to credit for any passed section of the examination.

(g) The candidate must attain the uniform passing grade of at least seventy-five (75), scaled through a psychometrically acceptable standard setting procedure and approved by the board.

(h) A candidate may take the required examination sections individually and in any order. Credit for any examination section passed shall be valid for a period of eighteen (18) months, which shall be calculated from the actual date the candidate took the examination section, without having to attain a minimum score on any failed examination sections, and without regard to whether the candidate has taken other examination sections, provided the following:

(1) Candidates must pass all sections of the examination within a rolling eighteen (18) month period, which shall begin on the date that the first passed examination section is taken.

(2) If a candidate does not pass all four (4) sections of the examination within the rolling eighteen (18) month period, credit for any examination section passed outside of the eighteen (18) month period will expire and that examination section must be retaken.

(i) A candidate shall retain credit for any and all sections of the examination passed as a candidate of another state if such credit would have been given under then applicable requirements in Indiana.

(j) A candidate shall be considered to have passed the examination once the candidate simultaneously holds valid credit for passing each section of the examination. For purposes of this SECTION, credit for passing a section of the examination is valid from the actual date of the testing event for that section, regardless of the date the candidate actually receives notice of the passing grade.

(k) Notwithstanding subsection (h), the board may in particular cases extend the term of credit validity upon a showing that credit was lost by reason of circumstances beyond the candidate's control.

(l) The board shall notify eligible candidates of the time, place, and procedures for the examination, or a candidate shall independently contact the board, the board's designee, or a test center operator to schedule the time, place, and procedures for the examination at an approved test site.

(m) The board shall adopt rules under IC 4-22-2 necessary to implement this SECTION.

(n) This SECTION expires July 1, 2021.".

Delete page 2.

Page 3, delete lines 1 through 30.

Renumber all SECTIONS consecutively.

(Reference is to HB 1148 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1151, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1151 as introduced.)

Committee Vote: Yeas 12, Nays 0.

FRYE R, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1173, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, line 10, after "copies" insert "**or microfilm**".

Page 4, line 11, after "copies" insert "**or microfilm**".

(Reference is to HB 1173 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

Frye R, Chair

Report adopted.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill Lists 10 and 11 were read a first time by title and referred to the respective committees:

HB 1052 — Gutwein

Committee on Ways and Means

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

HB 1060 — Miller D

Committee on Local Government

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1263 — May

Committee on Education

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

HB 1264 — May

Committee on Family, Children and Human Affairs

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

HB 1266 — Ellington

Committee on Utilities, Energy and Telecommunications

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

HB 1267 — Hostettler

Committee on Elections and Apportionment

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

HB 1269 — Candelaria Reardon

Committee on Public Policy

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

HB 1272 — Candelaria Reardon

Committee on Insurance

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

HB 1273 — Heine

Committee on Public Policy

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

HB 1274 — Heine

Committee on Ways and Means

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

HB 1275 — Heine

Committee on Ways and Means

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

HB 1276 — Heine

Committee on Courts and Criminal Code

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

HB 1277 — Heine

Committee on Ways and Means

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

HB 1278 — Bauer, Torr

Committee on Judiciary

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

HB 1279 — Soliday

Committee on Government and Regulatory Reform

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

HB 1280 — Soliday

Committee on Roads and Transportation

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

HB 1281 — Carbaugh

Committee on Courts and Criminal Code

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1282 — Eberhart

Committee on Environmental Affairs

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

HB 1283 — DeVon

Committee on Education

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

HB 1284 — DeVon

Committee on Utilities, Energy and Telecommunications

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

HB 1285 — VanNatter

Committee on Utilities, Energy and Telecommunications

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

HB 1286 — Moseley

Committee on Roads and Transportation

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

HB 1287 — Moseley
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1288 — Moseley
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1289 — Moseley
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1290 — Moseley
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1291 — Abbott
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1292 — Bacon, Pressel, Zent
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1294 — Engleman
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1295 — DeVon
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1296 — Smith V
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1297 — Smith V
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1300 — Barrett
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1301 — Carbaugh
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1303 — Goodin, McNamara
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1304 — Prescott, Negele, Baird
Committee on Utilities, Energy and Telecommunications
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1305 — Stutzman
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1306 — DeLaney
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1307 — Wolkins
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

HB 1308 — Wolkins
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1310 — Wolkins, McNamara
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1311 — Fleming
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1312 — Young J
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1313 — Young J, Steuerwald
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1314 — VanNatter
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1315 — VanNatter
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1316 — Pryor
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1317 — Kirchhofer
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1318 — Lindauer, Bartels, Davisson, Goodin
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural resources.

HB 1319 — Lindauer
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1320 — Boy
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1321 — McNamara, Cook
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1322 — McNamara, Cook
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1323 — Borders
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1324 — Borders
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1325 — Ellington
Committee on Utilities, Energy and Telecommunications
A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

HB 1326 — Kirchhofer
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1327 — Soliday
Committee on Utilities, Energy and Telecommunications
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1328 — DeLaney
Committee on Utilities, Energy and Telecommunications
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1329 — DeLaney
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

HB 1330 — Hamilton, Karickhoff
Committee on Agriculture and Rural Development
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1333 — Lauer
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

HB 1335 — Morris
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1336 — Vermilion, Kirchhofer
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1337 — Hatfield
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1338 — Dvorak
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1339 — Dvorak
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1340 — Dvorak
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

HB 1341 — Pfaff, Clere
Committee on Education
A BILL FOR AN ACT concerning education.

HB 1342 — Lindauer
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural resources.

HB 1343 — Hostettler, McNamara
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

HB 1344 — Lyness
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1345 — Lauer
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1348 — Gutwein
Select Committee on Government Reduction
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1349 — Pfaff
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1350 — Goodin
Committee on Agriculture and Rural Development
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1351 — Vermilion
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1352 — Sullivan
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1014

Representative Saunders called down Engrossed House Bill 1014 for third reading:

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

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

Roll Call 21: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senators Gaskill.

Engrossed House Bill 1027

Representative Engleman called down Engrossed House Bill 1027 for third reading:

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

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

Roll Call 22: yeas 53, nays 44. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Bassler.

Engrossed House Bill 1047

Representative Steuerwald called down Engrossed House Bill 1047 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

Roll Call 23: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Young and Koch.

Engrossed House Bill 1067

Representative Zent called down Engrossed House Bill 1067 for third reading:

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

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

Roll Call 24: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Leising.

RESOLUTIONS ON FIRST READING

House Resolution 3

Representative Bacon introduced House Resolution Bacon:

A HOUSE RESOLUTION congratulating Maggie Speicher on her retirement.

Whereas, Maggie Speicher began a long and successful career at St. Vincent Warrick Hospital in April, 1975;

Whereas, Ms. Speicher is an original hire at St. Vincent, formerly St. Mary's Warrick, and celebrates her retirement after 45 years; and

Whereas, The House of Representatives recognizes Ms. Speicher for her many contributions to St. Vincent Warrick in supporting the many clerical tasks necessary to operate a successful hospital: Therefore,

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

SECTION 1. That the House of Representatives recognizes Ms. Maggie Speicher for her many years of service to St. Vincent Warrick Hospital and her community.

SECTION 2. That the House of Representatives congratulates Ms. Maggie Speicher on her retirement.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of Representative Ronald Bacon for distribution.

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

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that a committee of four members of this House be appointed by the Speaker, to act with a like committee of the Senate to wait upon the Governor of the State of Indiana and escort him to the Chambers of the House of Representatives to deliver his message to the General Assembly.

LEHMAN

Motion prevailed.

The Speaker appointed Representatives Burton, Wolkins, Chyung and Klinker.

HOUSE MOTION

Mr. Speaker: I move that a committee of four members of this House be appointed by the Speaker, to act with a like committee of the Senate to wait upon the Chief Justice of the Supreme Court of the State of Indiana and to escort her to the Chambers of the House of Representatives to deliver her message to the General Assembly.

LEHMAN

Motion prevailed.

The Speaker appointed Representatives Steuerwald, Young, Bauer and DeLaney.

RECESS

The House was called back to order at 6:45 p.m. by the Speaker.

JOINT CONVENTION

The members of the 121st General Assembly, meeting in Joint Convention, were called to order at 6:45 p.m. by the Speaker who introduced the Senate leadership, President Pro Tempore Rodric D. Bray, Majority Floor Leader Mark Messmer, Majority Caucus Chair James W. Merritt, Jr., Majority Whip Mike Crider, Minority Floor Leader Timothy S. Lanane, Minority Caucus Chair Karen R. Tallian, Minority Whip Lonnie M. Randolph; the House leadership, Majority Floor Leader Matt Lehman, Majority Caucus Chair Gregory E. Steuerwald, Speaker Pro Tempore Michael H. Karickhoff, Majority Whip Bob A. Heaton, Minority Leader Philip K. GiaQuinta, Minority Floor Leader Cherrish S. Pryor, Minority Caucus Chair Mara Candelaria Reardon, and Minority Whip

Justin Moed; and the honored guests as follows: Lt. Governor Suzanne Crouch and her husband Larry Downs, First Lady of Indiana, Janet Holcomb; Mrs. Cheryl Bosma; Mrs. Kelly Bray; The Honorable Auditor Tera Klutz, The Honorable Treasurer Kelly Mitchell, Attorney General Curtis Hill, Chief Justice Loretta Rush; Justice Steven H. David; Justice Christopher Goff; Justice Mark S. Massa; Justice Geoffrey Slaughter; Chief Judge Cale Bradford, Judge Robert Altice; Judge Mark Bailey; Judge John G. Baker; Judge Elaine Brown; Judge Terry Crone; Judge Paul Mathias; Judge Melissa May; Judge Rudolph Pyle; Judge Margret Robb; Judge Elizabeth Tavitas; The Honorable Kelly Mollaun, Mayor of Lawrenceburg; The Honorable Todd Barton, Mayor of Crawfordsville; The Honorable Tyler Moore, Mayor of Kokomo; The Honorable Lloyd Winnecke, Mayor of Evansville; The Honorable Bob Courtney, Mayor of Madison; Clark County Sheriff Jamey Noel; Porter County Sheriff Dave Reynolds; AMVETS - Commander Roger Williams; AMVETS - 1st Vice Commander Jay Jones; American Legion - Commander Allan Connelly; American Legion - State Adjutant John Crosby; VFW - Commander Dave Capshaw; VFW - Legislative Chairman Richard Leirer; DAV - Commander David Ashe; DAV - Kevin Coley, State Adjutant; Special guests of the Governor; Roger Penske, Indianapolis Motor Speedway; Mark Miles, Indianapolis Motor Speedway; Tim Cindric, Indianapolis Motor Speedway; Lorin and Tina Smith; Brad Clark, VP of Engine/Transmission Manufacturing, Fiat-Chrysler North America; Rich Rankin, UAW Region 2-B Director; Dominic Grote, President and CEO of Grote Industries, Madison, Indiana; Amber Belcher, former DOC inmate and Grote Industries employee; USS Indianapolis Chief Petty Officer Dan O'Connell; USS Indianapolis Petty Officer First Class Gregory Simmons; USS Indianapolis Command Senior Chief Jimmie Halleran; and USS Indianapolis Chief Petty Officer Delila Edwards.

The Speaker introduced Lieutenant Governor Suzanne Crouch, President of the Senate, and yielded the gavel to her.

Lieutenant Governor Crouch convened the joint session and presented the Governor as follows:

"Members of the Joint Assembly: Pursuant to Section 13 of Article 5 of the Indiana Constitution, the Indiana General Assembly is convened for the purpose of hearing a message from the Governor.

Ladies and Gentlemen of the House and Senate, and distinguished guests, I have the high honor of introducing our Governor, Eric Holcomb."

Governor Holcomb was escorted to the rostrum by Representatives Burton, Wolkins, boy and Kliner and Senators Ruckelshaus, Sandlin, Niezgodski and Melton.

STATE OF THE STATE

Mr. Speaker, Mr. President, Madam Chief Justice, Lt. Governor, members of the General Assembly, my fellow Hoosiers.

It's indeed an honor to stand before you to discuss the state of our state and the work we'll do to make life better for all Hoosiers.

And I'll get right to the point.

Thanks to the energy, ingenuity and hard work of Hoosiers across our state – and the work we're doing with them – the state of our state has never been stronger.

The economic numbers are compelling.

Since I first took this podium in 2017, our unemployment rate has dropped to 3.2% – a 19-year low – lower than the national average and lower than every state we
touch.

We've set all-time records in jobs commitments and capital investment. In fact, there are an additional 88,000 jobs in the IEDC's pipeline because of the work that's been done in the past three years.

And it's not just the quantity of these jobs, but the quality.

Last year's new jobs commitments averaged more than $28 an hour – another all-time high.

And we're pressing on. I'm pleased to announce tonight that Fiat-Chrysler has chosen Indiana for diversification and will invest nearly $400 million in its Kokomo facility. Brad Clark, vice president of powertrain manufacturing for Fiat-Chrysler and UAW Region 2 Director Rich Rankin are both with us tonight.

Later this week, I'll be excited to head to Princeton for a special Toyota announcement.

Congratulations and thank you for choosing Indiana.

Our strong economy didn't just happen. We earned it.

Throughout our time together, we've operated within an honestly balanced budget and protected our Triple-A credit rating.

We set aside $2.3 billion in our state's savings account, which is in stark contrast to some of our neighbors.

Others have noticed, too. In 2019, we ranked:

• #1 in the Midwest and top five nationally "for business"
• #1 in "infrastructure"
• Top two in the nation for "long-term fiscal stability"

A recent editorial in The Chicago Tribune put it this way: "What does Indiana offer that Illinois doesn't? Lower taxes, more stable home values, balanced state budgets
and funded pension systems."

36,000 people moved to our state last year, and Indiana's welcome mat is out for more who want to join us.

But I've always believed records are made to be broken and races are meant not just to be run, but to be won.

Tonight, ladies and gentlemen, we have with us two of the winningest men in all of sports, the new owner of our most globally recognized icon, the Indianapolis Motor Speedway, Roger Penske, and with him, the president of Penske Racing, a local boy who proved with a lot of hard work, Indiana dreams do come true, my lifelong pal, Tim Cindric.

Gentlemen, would you please stand up so we can fully express our Hoosier hospitality?

We look forward to many checkered flags in our future.

My friends, just like on the track, I have no intention of slowing down.

It was the great philosopher, Indiana Jones, who said, "To be a good archeologist, you gotta get out of the library."

Well, that's exactly what we're doing – canvassing the country and world, attracting talent and business to Indiana.

Last October, I met with Prime Minister Modi of India – the world's largest democracy. Population: 1.4 billion.

We talked about mutual interests in agriculture, sports and wellness, and after the meeting he tweeted out how pleased he was to his 50 million followers.

I'm convinced that because of relationships like this, our collaboration will yield more growth for both.

That's why Commerce Secretary Jim Schellinger and I recently announced that we will host the first Indiana Global Economic Summit here in April.

Not only will we bring together local economic development partners, but we'll also assemble diplomats and decision makers from around the world to discuss topics like cybersecurity, the future of mobility, and energy storage solutions.

In addition, I've set a goal to triple federal defense investment in our state and tasked Secretary Schellinger, his defense guru Clif Tooley and Brigadier General Dale Lyles at the National Guard to partner with other military, university, nonprofit and private stakeholders to implement our strategic plan to do just that.

With Crane, Muscatatuck and Atterbury, no state is better positioned to develop the future of warfare in areas like radar, sonar, hypersonics and drone technology.

Now, a booming economy requires a strong infrastructure and our growth has enabled us to make unprecedented investments into building "One Indiana," border to border.

We're completing I-69 from Evansville to Indy three years ahead of schedule, and we're making US 31 stoplight-free all the way up to South Bend.

But better roads must also mean safer roads.

That's why we must join 21 states that have already passed a "hands-free device driving law."

Distracted driving increases the risk of a crash by more than 3½ times and is a leading killer of teenagers in America.

This is unacceptable and avoidable.

Last August, Tina and Lorin Smith were riding motorcycles in a fundraising event and pulled off the road to check their mileage when they were sideswiped by a minivan whose driver was looking at her cell phone.

Both Tina and Lorin lost a leg in that accident.

Rather than ask "Why me?" they asked themselves how they could be part of a solution, and they've become advocates for reducing distracted driving ever since.

Tina and Lorin, we hear you, and we're honored to have you with us tonight.

Now, being the Crossroads of America means more than just building roads.

That's why we're cleaning up our highways, having picked up nearly 16 million pounds of litter last year, blazing the most trail friendly state in the nation, connecting thousands of unserved homes and businesses to high speed internet service, adding more nonstop flights, transforming northwest Indiana with two rail projects totaling well over a billion dollars, finishing our due diligence on a fourth water port in Lawrenceburg, and facilitating the investment of $436 million in 20 communities to improve local community water infrastructure, just part of what cities all over the state are doing to enhance their water systems.

Furthermore, Indiana has the cleanest air and water since the Clean Air & Water Acts of the 1970s passed, and we now have four times more timberland acreage than we did 100 years ago.

Recently, I learned the Central Indiana Land Trust has committed to planting one million trees throughout Indiana that will buffer some of our most iconic natural areas. I'm proud to announce tonight, that I've directed the Department of Natural Resources to plant another million trees on top of that over the next five years.

That extra timberland will perfectly complement our $100 million renovation to our incredible memory-making state parks.

There's another project that's especially close to my heart.

Last session, we exempted military pensions from state income taxes. Thank you.

Tonight I'm delighted to announce that in the spring we will open the first facility in the country to bring together everything our veterans need – from the VA, to the DAV, the Indiana Veterans Initiative, VFW, and the American Legion all under one roof.

Thank you all for helping us make this happen!

For all we're doing to make Indiana stronger, the most important investment we can make is in our most important asset – our people.

Whether it's making sure every child has access to a quality education or creating tools like the ICC phone app that shows where 92,000 open jobs are right now, everything we do is aimed at ensuring every Hoosier can take the greatest advantage of their talents, drive and aspirations.

This, of course, starts with a good education, and that means great schools filled with great teachers.

I know a little about this. My mother was a teacher, and I saw how hard she worked.

Teaching, to her, was not a job but a calling. I'd go so far as to say a gift, and from the many conversations I've had with teachers across our state, I know they feel the exact same way.

That's why I created the Teacher Compensation Commission and asked them to come up with a sustainable plan to make our teacher salaries competitive with other Midwestern states. Their report is due this spring, but we didn't wait.

Last year, we devoted an unprecedented increase of $763 million new dollars in K12 education, including paying down $150 million in the Teacher Retirement Fund, which freed up $65 million more a year for teacher pay increases.

All of our school corporations have finalized their locally bargained contracts and more Indiana school districts have raised teacher salaries this year than in any other year in recent history.

Tonight, I am recommending that in the next budget the General Assembly use an additional $250 million from our surplus and put it toward teacher retirement funds. In turn, $50 million a year will be generated to redirect to teacher pay.

Together that's $115 million more available annually to increase teacher pay with more to come after the Compensation Commission releases its recommendations.

And this year, we'll also work with the K-12 community to eliminate unfunded mandates and unnecessary paperwork. We'll make optional the requirement that teachers earn career-related professional growth points. We'll see to it that last year's ILEARN proficiency test scores don't adversely affect teacher evaluations and school letter grades. We'll make sure every school in the state has a relationship with a mental health provider. And we'll financially support educators who are working on the requirements to teach dual credit courses come 2022.

Now, our efforts to provide career opportunities to every Hoosier don't end at the classroom door.

As I've said from day one, Hoosiers can outcompete anyone, anywhere, any day.

But the vast majority of today's jobs require education and training beyond high school.

That's why our goal that 60% of all Hoosier adults have a post-secondary education and training remains critical to our collective success. This is the real game-changer to addressing income inequality, upward mobility and driving economic growth.

Thankfully, there are multiple paths to success.

It might be a two- or four-year degree or it might be a high-value credential or certificate.

The good news is the number of Hoosiers with higher education has increased by 10 percentage points since 2008.

So, we're moving in the right direction and doubling down with some homegrown training programs. When the job seeker puts in the time to train, the state will pay for it.

And over the past three years, more than 23,000 Hoosiers enrolled in our Workforce Ready Programs. As of the start of this year, 10,000 of them have completed a Next Level Jobs Workforce Ready-eligible certificate program. This is a mega milestone for the program.

Another 2,000 Hoosiers who previously started college but didn't finish came back and completed their post-secondary educations.

And more than 900 businesses have trained their employees using our Employer Training Grants, providing training for more than 9,000 members of our workforce.

This is huge progress and we won't overlook anyone who is aspiring to be successful.

That includes Hoosiers with disabilities, who seek to live and work in a safe, affordable and accessible environment. I join my partner, Lieutenant Governor Crouch, who is spearheading efforts to make that dream a reality for the 100,000 Hoosiers with an intellectual or developmental disability.

We've also dedicated resources to those who need a second chance.

I challenged our Department of Correction to graduate 1,000 inmates annually in certified programs that lead to good jobs when they get out – both to boost our economy and because they are less likely to return to prison.

I'm happy to report, that as of today the DOC has graduated more than 3,000 inmates in just two year.

I'm especially encouraged by the number of employers stepping up to offer second chances to returning citizens.

Among them is Grote Industries, a family business in Madison that designs and manufactures lighting systems for vehicles.

The company needed skilled manufacturing employees, and the DOC connected them with offenders who had received that exact training while at the Madison Women's Prison.

Grote hired its first worker from the program a year ago and today has five.

One is Amber Campbell, who spent more than five years in prison but got certified in manufacturing safety, production and maintenance.

She joined Grote in April last year and has already earned a promotion to team leader.

She says her training "gave me the confidence that I can do anything as long as I work for it."

For CEO Dominic Grote, it's a win/win. Along with Amber, he has another employee getting a degree to get a better job at Grote and two others pursuing degrees at Ivy Tech to become engineers – and, he hopes, stay with the company.

Amber, on behalf of our state, we thank you for all your hard work, and Dominic, we thank you for giving her that shot.

Because of these new programs and opportunities, our state recidivism rate has dropped 4 percent.

But in the spirit of always improving, I have a new challenge for Commissioner Carter and the DOC.

By 2022, I want 500 returning citizens annually to have validated job opportunities waiting for them before they walk out of prison, and 3,000 more formerly incarcerated individuals in jobs within five months of their release.

That's why I've proposed to redesign the way we provide education credit to inmates so they have more incentive to holistically engage in addiction recovery treatment, mental health management, and vocational development. So they can reenter our communities as engaged neighbors, forever removed from the criminal justice system.

And, finally, we're determined to improve the health of our citizens, which means tackling some of the toughest individual challenges out there.

We've taken many steps to attack the opioid epidemic, including restricting the number of prescriptions and increasing outpatient addiction treatment and the trend is finally improving.

In 2018, opioid prescriptions dropped 12% – faster than the national average – and, most importantly, deaths from drug

overdoses went down nearly 13% – twice the decline of the national average.

We also need to do more to reduce another kind of addiction.

We know that 95% of smokers start the habit before age 21, and there's been an alarming rise in e-cigarette use among Indiana's youth.

In addition to raising the age to 21, we'll also seek to increase the penalties for retailers who sell tobacco and vaping products to underage buyers.

Our message hasn't changed: If you peddle illegal substances to our kids, we're coming after you.

We're also coming after high health care costs.

That's why we'll establish an all-payer claims database as a first step to improve information about hospital pricing and insurance reimbursement, giving Hoosiers more transparency to make better choices.

We'll also require that providers give a good-faith cost estimate five days before the care is provided, and we'll require in-network facilities to ensure their patients receive care at the network cost.

Because when you're injured or ill, the last thing you need is a surprise when you receive a medical bill.

I also want to report on the progress we've made at our Department of Child Services.

In 2018, I tasked Director Terry Stigdon to right the ship, and she did just that, undertaking a total culture change, focused on supporting the frontline staff who work directly with children.

The result is a much more stable workforce. The turnover rate of family case managers has been reduced by 18%.

And now we're seeing significantly improved safety outcomes – fewer kids in the system, fewer returning to the system and a faster rate to permanency.

This is real progress, but there is always more work to do.

For example, the department facilitated nearly 2,500 adoptions in 2019, but there are 1,400 other children currently available for adoption.

For this reason, tonight I'm creating the first adoption unit within the DCS.

This unit will bring additional staff into each region whose sole focus will be assisting family case managers with finding permanent homes for children when parental rights have been terminated.

We also must cut the time it takes to adopt to under a year.

Not only will this new unit help our most precious population find a permanent home faster, but it will also enable family case managers to focus on their primary mission of protecting children in need and realize a parent's desire to start or grow their own family.

Lastly, you'll recall, I challenged us to become the best state in the Midwest for infant mortality by 2024.

There's no better person in the nation to lead this effort than our Health Commissioner Dr. Kris Box, an OB-GYN and expert in this field.

The Levels of Care program I asked you to approve ensures that the highest-risk babies are now delivered at hospitals with the necessary facilities.

And more expecting mothers are being verbally screened for substance-use-disorder and receive support and medicine when they need it.

Steps like these are making a difference.

Our infant mortality rate decreased significantly from 2017 to 2018 and is at its lowest since 2012.

Moreover, the OB Navigator program you approved last year is up and running in Allen County and is set to go live in 19 more counties by the end of this year.

And to help more moms and their babies get off to a healthier start, we're pursuing legislation that 27 other states have already adopted that will require employers to provide reasonable accommodations for pregnant workers.

My fellow Hoosiers, we've become known around the world as "A State that Works."

I want Indiana to become known as "A State that Works for All."

Where every citizen – no matter their background or age or who they love or whether they grew up here or arrived last week – has equal access and opportunity to go as far as they wish and are willing to work to get there.

That's what I'll continue to fight for.

Some said it was a mistake to take on vexing issues that had defied solutions for decades, like drug addiction or infant mortality.

But we took them on, and now we're seeing positive results.

That's what Next Level means to me.

Keeping our record-setting economy rolling. Yes!

Building an infrastructure that connects us in every way. Absolutely!

Giving Hoosiers the tools they need to live healthier lives. For sure!

But more than that, making sure the enormous bounty of this state that we all love reaches every citizen wherever they live, whatever their aspirations.

I look forward to working with you to make it happen.

May God continue to bless us and our great state!

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bill 1111 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representatives Lehman, Carbaugh and Shackleford be added as coauthors of House Bill 1005.

SCHAIBLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Huston, DeVon and Pryor be added as coauthors of House Bill 1009.

GOODRICH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1011.

BACON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Fleming and Shackleford be added as coauthors of House Bill 1067.

ZENT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Thompson and Harris be added as coauthors of House Bill 1071.

SCHAIBLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative McNamara be added as coauthor of House Bill 1076.

PRYOR

Motion prevailed.

HOUSE MOTION

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

BARRETT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative May be added as coauthor of House Bill 1082.

HEATON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1086.

GOODRICH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Barrett and Fleming be added as coauthors of House Bill 1129.

LAUER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Summers and Fleming be added as coauthors of House Bill 1130.

STUTZMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Morris, Judy and Bartlett be added as coauthors of House Bill 1143.

MORRISON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative May be added as coauthor of House Bill 1147.

MORRISON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Soliday be added as coauthor of House Bill 1169.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Judy, Zent and Macer be added as coauthors of House Bill 1173.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives DeVon, Vermilion and Summers be added as coauthors of House Bill 1176.

CLERE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Lindauer, Fleming and Bacon be added as coauthors of House Bill 1185.

BARTELS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives McNamara and Hatfield be added as coauthors of House Bill 1186.

BARTELS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Judy be added as coauthor of House Bill 1187.

BARTELS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Frye, Pressel and Forestal be added as coauthors of House Bill 1189.

MAYFIELD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Lindauer and VanNatter be added as coauthors of House Bill 1196.

JUDY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative GiaQuinta be added as coauthor of House Bill 1197.

ABBOTT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Karickhoff be added as coauthor of House Bill 1232.

BAIRD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Wolkins be added as coauthor of House Bill 1265.

JACKSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lehman be added as coauthor of House Bill 1280.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lindauer be added as coauthor of House Bill 1305.

STUTZMAN

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bill 2 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Lehman, the House adjourned at 7:40 p.m., this fourteenth day of January, 2020, until Wednesday, January 15, 2020, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Eighth Day — **Wednesday Afternoon** — **January 15, 2020**

The invocation was offered by Pastor Brock Graham of Harvest Bible Chapel - Indy South, a guest of Representative Sherman.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

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

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

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

Roll Call 25: 94 present; 6 excused. The Speaker announced a quorum in attendance. [*NOTE*: □ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, January 16, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1095, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1095 as introduced.)

Committee Vote: Yeas 12, Nays 0.

SULLIVAN, Chair

Report adopted.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 12 were read a first time by title and referred to the respective committees:

HB 1019 — Harris, Burton, Carbaugh, Moseley
Committee on Employment, Labor and Pensions

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

HB 1201 — Morris, Soliday
Committee on Roads and Transportation

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

HB 1353 — Burton
Committee on Financial Institutions

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

HB 1354 — Beck
Committee on Ways and Means

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

HB 1355 — Hatcher
Committee on Judiciary

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

HB 1356 — Hatcher
Committee on Education
A BILL FOR AN ACT concerning education.

HB 1357 — Hatcher
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1358 — Hatcher
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1359 — Hatcher
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1361 — Judy
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1362 — Judy
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1363 — DeLaney
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1364 — Sherman
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1365 — Sherman
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

HB 1366 — Lehe
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1367 — Behning, Goodin
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1368 — Behning, Porter, Kirchhofer, Clere
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1369 — Behning, Smith V, Clere
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1370 — May
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1371 — Smith V
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1373 — Gutwein
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

HB 1374 —withdrawn

HB 1375 — Speedy
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1376 — Speedy
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1377 — Speedy
Committee on Ways and Means
A BILL FOR AN ACT concerning transportation and to make an appropriation.

HB 1378 — Speedy
Committee on Ways and Means
A BILL FOR AN ACT concerning public safety and to make an appropriation.

HB 1379 — Miller D
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1380 — Negele
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1381 — Negele
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1382 — Negele
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1383 — Negele
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1385 — Eberhart, Pfaff, Prescott
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1386 — Morris
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

HB 1387 — Klinker, Wolkins
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1388 — Klinker, Stutzman
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1389 — Klinker, Wolkins
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1390 — Klinker, Wolkins, Campbell
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1391 — Klinker, Stutzman, Wolkins, Campbell
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1392 — Smaltz
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1393 — Smaltz
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1394 — Smaltz
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1395 — DeVon
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1396 — Austin
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

HB 1397 — Austin, Goodin, Manning, Thompson
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1398 — Macer
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

HB 1399 — Macer
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1400 — Macer
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1401 — Macer
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

HB 1402 — Macer
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1403 — Wolkins
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1404 — Manning
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

HB 1405 — Lauer
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1406 — Shackleford
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1407 — Forestal
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1408 — Forestal
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1409 — Forestal
Committee on Financial Institutions
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1410 — Forestal
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1411 — Wesco
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1412 — Huston
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1413 — Eberhart
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1414 — Soliday
Committee on Utilities, Energy and Telecommunications
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1415 — Hamilton
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1416 — Borders, Nisly
Committee on Judiciary
A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning civil procedure.

HB 1417 — Borders, Nisly
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1418 — Engleman
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1419 — Behning, Porter
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1420 — Porter
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1421 — Borders, Nisly
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1422 — Wright
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1423 — Wright
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1424 — Wright
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1425 — GiaQuinta
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1426 — GiaQuinta
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1427 — Campbell, Hamilton, Fleming
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1428 — Behning
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1429 — Hatfield
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1430 — Hatfield
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1431 — Smaltz
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HJR 2 — Dvorak
Committee on Ways and Means
A JOINT RESOLUTION proposing an amendment to Article 10 of the Constitution of the State of Indiana by adding a new Section concerning the Treasury.

HJR 3 — Dvorak
Committee on Rules and Legislative Procedures
A JOINT RESOLUTION proposing an amendment to Article 4, Section 2 of the Constitution of the State of Indiana concerning the general assembly.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 2:00 p.m. with the Speaker in the Chair.

JOINT CONVENTION

The Speaker introduced Governor Eric Holcomb, Lt. Governor Suzanne Crouch, President Pro Tempore Rodric Bray, Senate Minority Leader Timothy S. Lanane, and House Minority Leader Philip GiaQuinta, and the honored guests as followed: 100 judges from around the State, Former Justices of the Supreme Court Brent Dickson, Frank Sullivan and Randall Shepard; Family of current Supreme Court Justices; Jim Rush, Sarah Rush, Luke Rush, Helene Bishop, Catheryne Pully, Julia Ann Slaughter, Raquel Goff, and Isabel Goff; Elected State office holders; Secretary of State, Connie Lawson, Attorney General, Curtis Hill, and State Auditor, Tera Klutz. Other guests, Federal Court Judges: Jane Magnus-Stinson, Chief Judge of the Southern District of Indiana; Theresa Springmann, Chief Judge of the Northern District of Indiana; and Robyn Moberly, Chief Judge of the U.S. Bankruptcy Court Southern District; Trial court judges and special guests from Problem-Solving Courts.

The Speaker yielded the gavel to Lt. Governor Suzanne Crouch, President of the Senate, who convened the Joint Session and presented the Chief Justice as follows:

Members of the Joint Assembly: Pursuant to Section 3 of Article 7 of the Constitution of the State of Indiana, this joint session of the two houses of the Indiana General Assembly is now convened for the purpose of hearing a message from the Chief Justice of Indiana. It is my privilege to present to you the Distinguished Chief Justice of Indiana, the Honorable Loretta Rush.

Chief Justice Rush was escorted to the rostrum by Senators Koch, L. Brown, Tallian, and Taylor and Representatives Steuerwald, Young, Bauer and DeLaney.

Chief Justice introduced Supreme Court Justices, Steven David, Mark Massa, Geoffrey Slaughter and Christopher Goff and Court of Appeals Judge, Cale Bradford, John Baker, Edward Najam, Patricia Riley, L. Mark Bailey, Melissa May, Margret Robb, Nancy Vaidik, Paul Mathias, Terry Crone, Elaine Brown, Rudy Pyle, Robert Altice, Elizabeth Tavitas and Tax Court Judge Martha Blood Wentworth.

STATE OF THE JUDICIARY

Welcome Governor, legislators, judges, colleagues, and friends. Didn't you enjoy the pictures of our problem-solving court graduates? Each one a remarkable success. Each one a life changed. Each one a person rejoining a community. Last year, we reached a milestone by certifying Indiana's 100th problem-solving court.

Today marks the sixth occasion that I have had the high honor of standing before you to fulfill my constitutional responsibility of reporting on the state of Indiana's judiciary. In the past, I described your judiciary as strong—thanks to our commitment to pursuing justice for all Hoosiers with energy and innovation. That is still the case. This year, I want to highlight our commitment to fighting the addiction epidemic, pursuing pretrial and criminal justice reform, and supporting and strengthening families.

Because Indiana's judiciary remains committed to connecting with our communities, and because you have so willingly joined us in that collaboration, 2020 brings another report of amazing success for our State.

Problem-Solving Courts

We know problem-solving courts work. We have many types of specialized courts, among them veterans, drug, mental health, domestic violence, reentry, and family recovery courts. These courts work because judges get out from behind the bench, convene community partners, and truly connect with those standing before them in desperate need of a new path.

Pulaski County Judge Crystal Kocher developed a veterans treatment court last year after recognizing her rural community was being ravaged by methamphetamine and heroin. Judge Kocher told me, "I wanted a non-adversarial approach to treating the drug and mental health epidemic. I knew we could be effective with a team approach to making our community better."

It was the April certification of her problem-solving court that brought us to the 100 mark.

We didn't stop after certifying problem-solving court number 100. In fact, with the vital support of Governor Holcomb in providing additional funding for family recovery courts, we already have 107 certified courts, and 2020 will see the advent of many more. Thank you, Governor Holcomb, for your unwavering commitment to this proven model of success!

If there is any doubt about how our justice system serves those in need of rehabilitation, I encourage you to attend a problem-solving court graduation. Please accept this as an open invitation to witness for yourself the transformative nature of these courts.

Montgomery County Judge Peggy Lohorn says a once-lost soldier found his way back, thanks to her county's veterans court. That soldier agrees with her.

In 2008, Army Specialist Jonathan Bushong was escorting a convoy of semis through Iraq when a roadside bomb exploded. While he escaped physically unharmed, he suffered from wounds that could not be seen. He says, "I would drink. Get drunk as ever. Go sit in the church parking lot and just talk to God. Try to find answers. I didn't want to be here anymore."

Once he was admitted to the veterans treatment court, it was still a long and difficult road. But now he wasn't traveling that road alone. In addition to the court team, General Wayne Black of the Indiana National Guard stepped up to serve as Jonathan's mentor. The once-suspicious soldier began to see the program as an opportunity. Today, Jonathan is enrolled at Ivy Tech Community College and studying auto mechanics. He has reconnected with beloved family members, including his daughter, and is proud to say he is a problem-solving court graduate.

He now intends to step up himself and serve as a veterans court mentor. Specialist Bushong, his wife Constance, General Black, and his Judge Peggy Lohorn are here today.

Most of us will never serve in uniform, feel the stress from accompanying sacrifices, or face the horrors of war. But what we can say is that if a self-sacrificing military member falls on hard times, we have their back.

In 2019, Representative Dennis Zent recognized the opportunity to help connect the U.S. Department of Veterans Affairs to our court case management system. Today, this legislation helps us quickly identify veterans coming through our courts, so that our eligible Hoosier service members get the support they need.

From the first to the 107th, every problem-solving court has tremendous reach. Along with participants come spouses, parents, children, employers, friends, and community members. Let's put some faces to these success stories. We have some problem-solving court graduates, their families, and many of our problem-solving court judges here today.

Problem-solving courts are only possible with strong judicial leadership. And nowhere is this leadership more apparent than the role judges have in combating the addiction epidemic.

This devastating public health crisis, which has left families with heartbreaking loss, affects the administration of justice in courthouses throughout Indiana. The addiction epidemic is not only about criminal cases. It's also causing the removal of thousands of children from their homes, guardianship cases where grandparents are raising the next generation, divorces, evictions, and foreclosures. This is not a crisis any of us can solve alone. Every day is about turning the tide to reverse this catastrophe, and it will take the work of all three branches of government, along with our community partners, to save lives!

After three years of my co-chairing the National Judicial Opioid Task Force, three truths stand out. First, those with opioid use disorder are 13 times more likely to be involved in the criminal justice system. Second, the justice system is the single-largest referral source to get someone to treatment. And third, the justice system must treat opioid and substance abuse disorders as chronic, treatable brain diseases—and not as moral failures.

Judges must better understand addiction, treatment, and recovery. We have already pulled in Indiana's best and brightest to train our judges on the science of addiction and evidence-based treatment. Thank you, Family and Social Services Administration Director Dr. Jennifer Sullivan and Dr. Leslie Hulvershorn, for providing large doses of judicial education on what works. Together, we form a strong alliance combating the addiction epidemic.

This epidemic, in no small part, has caused our jail populations to increase. And it is one more, very pressing reason to examine and reform how we do business in our criminal justice system.

Pretrial & Criminal Justice Reform
Under pretrial and criminal justice reform, lower-risk offenders should be released without having to post bail. Our courts should make use of all available information, including evidence-based risk assessments, to ensure that fairness prevails for all Hoosiers, regardless of wealth, geography, race, or gender.

This conversation goes to the heart of our Hoosier values, a continuation of the very same reform Hoosiers aspired to nearly two centuries ago! During the 1850 Indiana Constitutional Convention, Delegate Phineas Kent said, "the present [bail] system is very expensive, and frequently operates with great hardship." Delegate Henry Thornton condemned the practice of "act[ing] upon the presumption of guilt…and refus[ing] bail."

We are in good company today by engaging in thoughtful conversations among all branches as to how we implement fairness while preserving public safety. Not a single one of us wants to release a dangerous person into the community. We all want to live in safe communities.

To this end, last October almost 800 justice partners from across Indiana convened to reform our State's pretrial release procedures. Judges, sheriffs, prosecutors, public defenders, medical professionals, elected officials, probation officers, and others joined together to work on criminal justice reform in their communities.

Representative Greg Steuerwald opened the session by stating he could think of no more important work being done in Indiana. Representative Steuerwald, just as we pay deference to the delegates who crafted this constitutional framework, history will also remember your dedication to providing solutions to fulfill that promise of justice in Indiana.

Community collaboration is the only way to make progress on this issue. Here's just one example.

In Martin County, Judge Lynne Ellis formed the Martin County Justice Coalition. Those justice leaders meet regularly to discuss pretrial reform in their county. They've developed a pretrial release matrix and are building a system that fits their own county culture. As Judge Ellis puts it, "Our Coalition's ability to work together is paramount to achieving the goals set forth in pretrial reform."

These convenings and conversations are happening in counties throughout Indiana.

As we work together on reform, we must address the reality that state incarceration rates have skyrocketed. For many nonviolent offenders, we have failed to address their underlying issues of substance abuse and mental illness. Some people need to be incarcerated. More people just need help. A strong justice system must do both.

The Jail Overcrowding Task Force was created to study the causes of, and potential solutions for, this very issue. Our own Justice Steven David chaired the group composed of all three branches of our government. Representative Randy Frye called the task force "an historic joint effort which brought an eye-opening overview of this complex issue. It illustrates that by working together we can transform the lives of incarcerated Hoosiers." Representative Frye, I agree with you. The members of the Jail Overcrowding Task Force, including Representatives Steuerwald and Ragen Hatcher, and Senators J.D. Ford and Mike Gaskill, deserve our gratitude.

Supporting & Strengthening Families
Strong families are the foundation of strong communities. Our courts focus on strengthening families who are under great stress and in many instances have endured unthinkable trauma. The following programs would not exist, much less thrive, without your support.

In 2012, our Adoption Day event began with three judges and 50 children. For Adoption Day 2019, over 40 judges participated, and over 300 children celebrated in joining their forever families.

In 2013, you established our Adult Guardianship Office. As a result, we've connected with local communities, and today, adult guardianship programs are found in 49 counties, serving 800 endangered adults.

In 2016, you increased CASA funding, and you could not have done so at a better time. As a result, Indiana's CASA programs have modernized operations, recording nearly one million hours of training and advocacy for children. Last year, over 4,500 volunteers in a record 86 counties served over 25,000 abused and neglected children.

Families are desperate for us to better respond to those with mental health challenges. This past year, we sent a team to a mental health summit so we can better address the underlying behavioral health issues that bring people to our courtrooms. Justice Christopher Goff, Senator Jack Sandlin, Sheriff Brett Clark, Doug Huntsinger, Jay Chaudhary, Justin Forkner, and Mary Kay Hudson, thank you for working together on this issue.

The Commission on Improving the Status of Children in Indiana, led by Director Julie Whitman, is in its seventh year and serves as a national model because all three branches are working together to promote the well-being of children. And that means tackling issues such as child trafficking, teen suicide, infant mortality, vaping, and school discipline, to name just a few. Now, the Commission is bringing its efforts to prevent child abuse under one umbrella, in a statewide, strategic framework.

The dedicated members of the Children's Commission, and its task forces and committees, include Senators Jean Breaux, Jon Ford, Travis Holdman, Erin Houchin, Tim Lanane, Mark Messmer, and Frank Mrvan and Representatives Ed Clere, Dale DeVon, Wendy McNamara, Vanessa Summers, and Melanie Wright.

There is a glaring area where we can do better, and it is an area that will have a direct impact on children and families, but we need your help. It has to do with legal representation. I humbly ask you again to consider our request for increased legal aid funding.

Our families must have reliable housing. I recently spent a morning in a small claims court. The morning docket included 275 eviction cases. None of the defendants/tenants had legal representation. Not one. They all faced the judge and opposing lawyer alone. That is not the model of a legal system where the poor, disadvantaged, and vulnerable are protected.

In making this request for help, we are not passing off a problem. We are already doing a great deal to ensure courts are open and fair to all. The Coalition for Court Access continues to advance indianalegalhelp.org to provide self-help forms and connections to legal service providers. Last year Indiana lawyers

contributed nearly a half-million hours of volunteer legal services. And Indiana law students are embracing a public service mindset. These budding lawyers recently logged 100,000 volunteer hours. Indiana Law Deans, including Andrew Klein and Austen Parrish, are present today and deserve our gratitude for their foresight and dedication to instilling the core values of public service, volunteerism, and access to justice in our next generation.

Court Modernization
We continue to modernize our courts by strategically leveraging technology.

Want an example? We've gone paperless!

E-filing is occurring in every county, with over a half-million documents being filed electronically each month. In the words of attorney and Senator Mike Young, "Electronic filing is the greatest event in the profession in my lifetime." Clerks, judges, and staff have done enormous work to make this cost- and time-saving process a reality.

Our statewide case management system is operating in almost 80 counties. We expect the remaining counties to be on board by the end of next year. Free, online, public access to court cases is available through mycase.in.gov with more than 27 million visits a year. Courts can now send text messages to defendants in criminal cases, reminding them of their next court hearing.

One very foresighted, persevering, and pioneering member of our Court led the charge to embrace court technology—former Justice and now Professor Frank Sullivan.

These many judicial branch successes cannot cause us to become complacent. We must be vigilant in driving ourselves, and each other, to greater successes and dreams of what may be possible.

In 1903, two brothers with Indiana roots engineered a machine to go airborne. Yes, the plane flew for only a few seconds, ten feet off the ground, and a distance about the length from here to the Senate chamber. But the Wright brothers proved that what was once considered impossible was possible, and fulfilled the dream of flight.

To release the potential of Indiana's judiciary, we created the Innovation Initiative. This Hoosier justice system's think tank is not accepting the status quo and strives to follow the Wright brothers' example.

We are already national leaders in justice reform areas such as evidence-based decision-making, pretrial release, juvenile justice, problem-solving and commercial courts, along with court technology. But opportunities must be sought to make Indiana's system of justice more efficient, less expensive, and easier to navigate, while continuing to ensure that justice is fairly administered, and the rights of all litigants are protected. I look forward to keeping you updated.

We thank all of our Innovation Initiative leaders, including Senator Eric Koch.

Civic Engagement
Staying connected with our communities is a priority of our judiciary. Our judges regularly take time to provide law-related civics education to thousands of students and community members through Constitution Day, mock trials, Statehood Day, We the People, and other civic events.

Our 15-member Court of Appeals has made civic engagement a cornerstone of their outreach.

Like the early pioneer judges who traveled the circuit, taking the court to the people, our Court of Appeals has now held oral argument in every single one of our 92 Indiana counties!

Their "Appeals on Wheels" program, which has built relationships in over 500 communities, provides students at high schools, colleges, and law schools, guests at tourist sites, and even retirement home residents an opportunity to get up close and personal with their government. The power of taking the court to the people left one Washington High School student, Macy Brandenburg, in awe. She said, "It's such an odd thing to see something so important in our high school. Like this is a big deal. This isn't something a lot of people get to experience."

Yes, Macy, it is a big deal. The value in making these community connections is incalculable. These visits put a face on our judiciary and illustrate how disputes are resolved civilly, based on the rule of law. The hard-working, circuit-riding judges on our Court of Appeals deserve our appreciation.

Making History
I would like to take note of one last historical milestone. One hundred years ago, women were finally able to vote. Last year for the first time in history the following Indiana Courts were all led by women. As Chief Justice of Indiana, I would like to introduce you to my sister chiefs: Jane Magnus-Stinson, Chief Judge of the U.S. District Court for the Southern District of Indiana; Theresa Lazar Springmann, Chief Judge of the U.S. District Court for the Northern District of Indiana; Robyn Moberly, Chief Judge of the U.S. Bankruptcy Court for the Southern District of Indiana; Martha Wentworth, Judge of the Indiana Tax Court; and Nancy Vaidik, who just completed her second term as Chief Judge of the Court of Appeals of Indiana.

In Closing
Today's address is titled "Connecting, Convening, and Collaborating with our Communities" for a carefully chosen reason. Each of us entered public service in order to make a difference. To serve whom? Well, of course, our communities. And we all have been around long enough to know we can't go it alone. Let us imagine together what your courts and our State can be as we pursue justice for all Hoosiers.

The framers of our constitution divided the power of government among three separate and co-equal branches. But that separation does not mean we should isolate ourselves from one another. Instead, it calls for us to summon the very best in ourselves to walk that tightrope of equality without isolationism. And we're doing it: listening to one another, helping one another, working toward common goals.

Our work is difficult, and even if we do it thoughtfully, with the openness and humanity it requires, there will inevitably be challenges and setbacks. But it is work that draws its sustenance from that divine spark in each of us. I commend all of you for joining us in this work.

Thank you, and may God continue to bless our great State.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Behning be added as coauthor of House Bill 1153.

GOODRICH

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 10, 16, 21, 25, 39, 69, 72, 80, 187 and 194 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 1 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Vermilion, the House adjourned at 2:40 p.m., this fifteenth day of January, 2020, until Thursday, January 16, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Ninth Day — **Thursday Morning** — **January 16, 2020**

The invocation was offered by Reverend Tom McGilliard of Oak Grove United Methodist Church in Corydon, a guest of Representative Engleman.

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

The Pledge of Allegiance to the Flag was led by ladies in white.

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

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

Roll Call 26: 100 present; 0 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, January 21, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1077, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1077 as introduced.)

Committee Vote: Yeas 13, Nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1091, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 9, line 24, after "institution" insert "**, as determined by the state educational institution,**".

(Reference is to HB 1091 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1094, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1094 as introduced.)

Committee Vote: Yeas 11, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1104, has

had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1104 as introduced.)

Committee Vote: Yeas 11, Nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred House Bill 1109, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, between lines 39 and 40, begin a new paragraph and insert:

"SECTION 5. IC 24-5-12-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 12. The registration statement must contain the following information:

(1) The name of the seller.

(2) Whether the seller is doing business as a corporation, a partnership, an individual, or ~~other~~ **another** legal entity.

(3) The names under which the seller has done, is doing, or intends to do business.

(4) The name of any parent or affiliated business that will engage in business transactions with the prospect or will take responsibility for statements made by the seller or a salesperson of the seller.

(5) The names, dates of birth, business addresses, business telephone numbers, and titles of all the seller's officers, directors, trustees, general partners, general managers, principals, executives, and any other person charged with responsibility for the seller's business activities relating to telephone sales.

(6) The length of time the seller has:

(A) solicited telephone sales; and

(B) solicited telephone sales for the items to be offered to the prospect.

(7) A statement of the amount to be paid by the prospect, or when not known, the approximate amount or range of amount to be paid.

(8) A complete and detailed description of any service that the seller proposes to undertake to perform for a prospect who purchases the item offered.

(9) An unexecuted copy of all contracts that may be offered in the transaction being solicited.

(10) The complete street address or addresses of all locations, designating the principal location from which the seller will be conducting business, and, if the principal location is outside Indiana, a designation of its principal location within Indiana.

(11) A listing of all telephone numbers to be used by the seller and the address of each location using these numbers.

(12) A copy of all sales scripts the seller requires salespersons to use when soliciting a prospect or, if no sales script is required to be used, a statement to that effect.

(13) The name and address of the seller's agent in Indiana, authorized to receive service of process in Indiana.

~~(14) A statement as to whether the seller or any of its officers, directors, trustees, general partners, managers, principals, executives, or representatives has been:~~

~~(A) held liable in a civil action for an unfair, false, misleading, or deceptive practice;~~

~~(B) convicted of a crime involving fraud, embezzlement, conversion, or theft during the most recent seven (7) year period; or~~

~~(C) declared bankrupt in any judicial proceeding during the most recent seven (7) year period.~~

~~(15) A statement containing the names of the parties, the name of the court, the cause or docket number of the lawsuit, the date the suit was filed, and the date the judgment was entered, if applicable, for each action under subdivision (14).~~

SECTION 6. IC 24-5-24.7 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Use of Consumer's Social Security Number in Credit Files).".

Renumber all SECTIONS consecutively.

(Reference is to HB 1109 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1120, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 24, begin a new paragraph and insert:

"SECTION 1. IC 35-50-6-0.5, AS ADDED BY P.L.74-2015, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.5. The following definitions apply throughout this chapter:

(1) "Accrued time" means the amount of time that a person is imprisoned or confined.

(2) "Credit time" means the sum of a person's accrued time, good time credit, and educational credit.

(3) "Educational credit" means a reduction in a person's term of imprisonment or confinement awarded for participation in an educational, vocational, rehabilitative, or other program.

(4) "Good time credit" means a reduction in a person's term of imprisonment or confinement awarded for the person's good behavior while imprisoned or confined.

(5) "Individualized case management plan" means a plan designed to address an incarcerated person's risk of recidivism, and may include:

(A) addiction recovery treatment;

(B) mental health treatment;

(C) vocational education programming;

(D) adult basic education, a high school or high school equivalency diploma, a college diploma, and any other academic educational goal; or

(E) any other programming or activity that encourages productive pursuits while a person is incarcerated and that may reduce the person's likelihood to recidivate after the person's release from incarceration.".

Page 3, delete lines 25 through 42, begin a new paragraph and insert:

"SECTION 2. IC 35-50-6-3.3, AS AMENDED BY P.L.13-2016, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.3. (a) In addition to any educational credit a person earns under subsection (b), or good time credit a person earns under section 3 or 3.1 of this chapter, a person earns educational credit if the person:

(1) is in credit Class I, Class A, or Class B;

(2) has demonstrated a pattern consistent with rehabilitation; and

(3) successfully completes requirements to obtain one (1)

of the following:

(A) A general educational development (GED) diploma under IC 20-20-6 (before its repeal) or IC 22-4.1-18, if the person has not previously obtained a high school diploma.

(B) Except as provided in subsection (o), a high school diploma, if the person has not previously obtained a general educational development (GED) diploma.

(C) An associate degree from an approved postsecondary educational institution (as defined under IC 21-7-13-6(a)) earned during the person's incarceration.

(D) A bachelor degree from an approved postsecondary educational institution (as defined under IC 21-7-13-6(a)) earned during the person's incarceration.

(b) In addition to any educational credit that a person earns under subsection (a), or good time credit a person earns under section 3 or 3.1 of this chapter, a person may earn educational credit if, while confined by the department of correction, the person:

(1) is in credit Class I, Class A, or Class B;

(2) demonstrates a pattern consistent with rehabilitation; and

(3) successfully completes requirements ~~to obtain~~ **for** at least one (1) of the following:

(A) **To obtain** a certificate of completion of a career and technical or vocational education program approved by the department of correction.

(B) **To obtain** a certificate of completion of a substance abuse program approved by the department of correction.

(C) **To obtain** a certificate of completion of a literacy and basic life skills program approved by the department of correction.

(D) **To obtain** a certificate of completion of a reformative program approved by the department of correction.

(E) An individualized case management plan approved by the department of correction.

A person may not earn educational credit for more than one (1) program under this subdivision for the same program of study.

(c) The department of correction shall establish admissions criteria and other requirements for programs available for earning educational credit under subsection (b). A person may not earn educational credit under both subsections (a) and (b) for the same program of study. The department of correction, in consultation with the department of workforce development, shall approve a program only if the program is likely to lead to an employable occupation.

(d) The amount of educational credit a person may earn under this section is the following:

(1) Six (6) months for completion of a state of Indiana general educational development (GED) diploma under IC 20-20-6 (before its repeal) or IC 22-4.1-18.

(2) One (1) year for graduation from high school.

(3) Not more than one (1) year for completion of an associate degree.

(4) Not more than two (2) years for completion of a bachelor degree.

(5) Not more than a total of one (1) year, as determined by the department of correction, for the completion of one (1) or more career and technical or vocational education programs approved by the department of correction.

(6) Not more than a total of six (6) months, as determined by the department of correction, for the completion of one (1) or more substance abuse programs approved by the department of correction.

(7) Not more than a total of six (6) months, as determined by the department of correction, for the completion of one (1) or more literacy and basic life skills programs approved by the department of correction.

(8) Not more than a total of six (6) months, as determined by the department of correction, for completion of one (1) or more reformative programs approved by the department of correction. However, a person who is serving a sentence for an offense listed under IC 11-8-8-4.5 may not earn educational credit under this subdivision.

(9) An amount determined by the department of correction under a policy adopted by the department of correction concerning the individualized case management plan.

However, a person who does not have a substance abuse problem that qualifies the person to earn educational credit in a substance abuse program may earn not more than a total of twelve (12) months of educational credit, as determined by the department of correction, for the completion of one (1) or more career and technical or vocational education programs approved by the department of correction. If a person earns more than six (6) months of educational credit for the completion of one (1) or more career and technical or vocational education programs, the person is ineligible to earn educational credit for the completion of one (1) or more substance abuse programs.

(e) Educational credit earned under this section must be directly proportional to the time served and course work completed while incarcerated. The department of correction shall adopt rules under IC 4-22-2 necessary to implement this subsection.

(f) Educational credit earned by a person under this section is subtracted from the release date that would otherwise apply to the person by the sentencing court after subtracting all other credit time earned by the person.

(g) A person does not earn educational credit under subsection (a) unless the person completes at least a portion of the degree requirements after June 30, 1993.

(h) A person does not earn educational credit under subsection (b) unless the person completes at least a portion of the program requirements after June 30, 1999.

(i) Educational credit earned by a person under subsection (a) for a diploma or degree completed before July 1, 1999, shall be subtracted from:

(1) the release date that would otherwise apply to the person after subtracting all other credit time earned by the person, if the person has not been convicted of an offense described in subdivision (2); or

(2) the period of imprisonment imposed on the person by the sentencing court, if the person has been convicted of one (1) of the following crimes:

(A) Rape (IC 35-42-4-1).

(B) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).

(C) Child molesting (IC 35-42-4-3).

(D) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).

(E) Vicarious sexual gratification (IC 35-42-4-5).

(F) Child solicitation (IC 35-42-4-6).

(G) Child seduction (IC 35-42-4-7).

(H) Sexual misconduct with a minor (IC 35-42-4-9) as a:

(i) Class A felony, Class B felony, or Class C felony for a crime committed before July 1, 2014; or

(ii) Level 1, Level 2, or Level 4 felony, for a crime committed after June 30, 2014.

(I) Incest (IC 35-46-1-3).

(J) Sexual battery (IC 35-42-4-8).

(K) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age.

(L) Criminal confinement (IC 35-42-3-3), if the victim is less than eighteen (18) years of age.

(M) An attempt or a conspiracy to commit a crime listed in clauses (A) through (L).

(j) The maximum amount of educational credit a person may earn under this section is the lesser of:

(1) two (2) years; or

(2) one-third (1/3) of the person's total applicable credit time.

(k) Educational credit earned under this section by an offender serving a sentence for stalking (IC 35-45-10-5), a felony against a person under IC 35-42, or for a crime listed in IC 11-8-8-5, shall be reduced to the extent that application of the educational credit would otherwise result in:

(1) postconviction release (as defined in IC 35-40-4-6); or

(2) assignment of the person to a community transition program;

in less than forty-five (45) days after the person earns the educational credit.

(l) A person may earn educational credit for multiple degrees at the same education level under subsection (d) only in accordance with guidelines approved by the department of correction. The department of correction may approve guidelines for proper sequence of education degrees under subsection (d).

(m) A person may not earn educational credit:

(1) for a general educational development (GED) diploma if the person has previously earned a high school diploma; or

(2) for a high school diploma if the person has previously earned a general educational development (GED) diploma.

(n) A person may not earn educational credit under this section if the person:

(1) commits an offense listed in IC 11-8-8-4.5 while the person is required to register as a sex or violent offender under IC 11-8-8-7; and

(2) is committed to the department of correction after being convicted of the offense listed in IC 11-8-8-4.5.

(o) For a person to earn educational credit under subsection (a)(3)(B) for successfully completing the requirements for a high school diploma through correspondence courses, each correspondence course must be approved by the department before the person begins the correspondence course. The department may approve a correspondence course only if the entity administering the course is recognized and accredited by the department of education in the state where the entity is located.".

Delete pages 4 through 9.

(Reference is to HB 1120 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1129, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 13, strike "Beginning January 1, 2012, and".

Page 2, line 13, delete "subject" and insert "Subject".

Page 2, line 14, strike "at the".

Page 2, line 15, strike "earliest feasible time" and insert "**in accordance with rules adopted by the department**".

(Reference is to HB 1129 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

Kirchhofer, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred House Bill 1131, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 8-1-2-101.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 101.5. (a) This section applies to an agreement for a:**

(1) water main extension; or

(2) sewer main extension;

that is entered into after June 30, 2020, by a utility and the person requesting the extension.

(b) As used in this section, "utility" means a municipally owned utility (as defined in IC 8-1-2-1(h)) that provides water service or wastewater service, or both, to the public.

(c) A utility is subject to:

(1) 170 IAC 6-1.5, in the case of a water main extension performed in connection with an agreement described in subsection (a)(1); or

(2) 170 IAC 8.5-4, in the case of a sewer main extension performed in connection with an agreement described in subsection (a)(2);

regardless of whether the utility is subject to the jurisdiction of the commission.

(Reference is to HB 1131 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1157, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, between lines 7 and 8, begin a new line block indented and insert:

"**(2) the person does not have a prior unrelated conviction in violation of IC 9-30-5 (operating a vehicle while intoxicated) or in violation of IC 35-46-9 or IC 14-15-8 (before its repeal) (operating a motorboat while intoxicated);**".

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

Page 4, line 9, delete "(3)" and insert "**(4)**".

Page 4, delete lines 24 through 30, begin a new line block indented and insert:

"**(1) the person pleads guilty;**

(2) a jury returns a guilty verdict after a jury trial, or the court returns a guilty verdict in a bench trial; or

(3) of sentencing;".

Page 4, after line 39, begin a new paragraph and insert:

"SECTION 4. IC 9-30-16-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 6.5. A court and the bureau, if applicable, shall terminate all or any part of the remaining suspension of a person's license suspension under section 1(c) of this chapter or under IC 9-30-6-9 if:**

(1) the charges against the person are dismissed;

(2) the person is acquitted; or(3) the person's conviction is vacated or reversed on appeal.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1157 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1166, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1166 as introduced.)

Committee Vote: Yeas 11, Nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1209, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 12-7-2-76.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 76.1. "Emergency medical services", for purposes of IC 12-15-5-18.5, has the meaning set forth in IC 16-18-2-110.**".

Page 1, line 9, delete "(a) As used in this section,".

Page 1, delete lines 10 through 14.

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

Page 1, line 15, after "emergency" insert "**medical**".

Page 1, run in lines 9 through 15.

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

Page 2, line 3, delete "must" and insert "**shall**".

Page 2, line 4, delete "emergency".

Page 2, line 6, after "emergency" insert "**medical**".

Page 2, line 7, delete "and".

Page 2, line 8, after "emergency" insert "**medical**".

Page 2, line 8, delete "practice." and insert "**practice; and**".

Page 2, between lines 8 and 9, begin a new line block indented and insert:

"**(3) provided during a response initiated through the 911 system regardless of whether the patient was transported.**".

Page 2, line 9, delete "(d)" and insert "**(c)**".

Page 2, line 16, delete "means the provision of emergency ambulance services or" and insert "**has the meaning set forth in IC 16-18-2-110.**".

Page 2, delete lines 17 through 20.

Page 2, line 41, delete "and".

Page 3, line 1, delete "practice." and insert "**practice; and**".

Page 3, between lines 1 and 2, begin a new line block indented and insert:

"**(3) provided during a response initiated through the 911 system regardless of whether the patient was transported.**".

Page 3, line 11, delete "means" and insert "**has the meaning set forth in IC 16-18-2-110.**".

Page 3, delete lines 12 through 16.

Page 3, line 25, delete "and".

Page 3, line 27, delete "practice." and insert "**practice; and**".

Page 3, between lines 27 and 28, begin a new line block indented and insert:

"**(3) provided during a response initiated through the 911 system regardless of whether the patient was transported.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1209 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1210, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1210 as introduced.)

Committee Vote: Yeas 13, Nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1224, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1224 as introduced.)

Committee Vote: Yeas 11, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1309, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, line 2, delete "an exemption" and insert "**a deduction**".

Page 5, line 9, delete "IC".

(Reference is to HB 1309 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

Wolkins, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 8

Representatives Negele and Pryor introduced House Concurrent Resolution 8:

A CONCURRENT RESOLUTION commemorating the centennial anniversary of Indiana ratifying the 19th Amendment.

Whereas, On January 16, 1920, Indiana ratified the 19th Amendment, which states, "The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex";

Whereas, The effort in Indiana to grant women the right to vote began almost 70 years prior, when one of the first women's rights conventions in the country was organized by Randolph County's Amanda Way, a Quaker reformer, and held in Dublin, Indiana;

Whereas, Hoosier women went on to form numerous organizations to encourage the Indiana General Assembly to take favorable action on women's suffrage, including the Equal

Suffrage Society founded by May Wright Sewall, the Woman's Franchise League founded by Grace Julian Clarke and Dr. Amelia Keller, and Branch No. 7 of the Equal Suffrage Association founded in the home of Madam C.J. Walker and chaired by Carrie Barnes Ross;

Whereas, Hoosier women almost won the right to vote in 1883, and again in 1917, but were met with obstacles along the way;

Whereas, Nevertheless, the persistence of brave women and men led to Indiana being the 26th state to ratify the 19th Amendment, with the suffrage amendment going into effect nationwide on August 26, 1920; and

Whereas, Hoosiers should continue to gather inspiration from Indiana's women's suffrage movement and celebrate this important milestone in our state's and nation's history: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes and commemorates the centennial anniversary of Indiana ratifying the 19th Amendment.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the Indiana Women's Suffrage Centennial Commission.

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

House Resolution 4

Representatives V. Smith, Shackleford, Bartlett, Harris, Hatcher, Jackson, Porter, Pryor, Summers, Nisly and Goodin introduced House Resolution 4:

A HOUSE RESOLUTION commemorating Dr. Martin Luther King, Jr. Day.

Whereas, Dr. Martin Luther King, Jr. was one of our nation's truly great leaders;

Whereas, Dr. Martin Luther King, Jr. changed our nation forever through his leadership, service, and clarity of vision;

Whereas, Dr. Martin Luther King, Jr. had many dreams: of an America where "justice rolls down like waters and righteousness like a mighty stream"; where neighbors look "beyond the external accidents and discern those inner qualities that make all men human and, therefore, brothers"; and of a time when "this nation will rise up and live out the true meaning of its creed: 'We hold these truths to be self-evident: that all men are created equal.'";

Whereas, Dr. Martin Luther King, Jr. dreamt of a better society where "the sons of former slaves and the sons of former slave owners will be able to sit down together at the table of brotherhood";

Whereas, Dr. Martin Luther King, Jr. believed that liberty, justice, and freedom were the "inalienable rights" to which all men, women, and children are entitled;

Whereas, Dr. Martin Luther King, Jr. was a spiritual man who believed that all people are created equal in the sight of God and in the dignity and self-worth of every individual;

Whereas, Dr. Martin Luther King, Jr. gave his life defending his beliefs;

Whereas, The visions of Dr. Martin Luther King, Jr. continue to bring hope and inspiration to people of all nations;

Whereas, Dr. Martin Luther King, Jr., a recipient of the Nobel Prize, is a national hero whose birthday is celebrated as a day of peace, love, and understanding by a grateful nation; and

Whereas, All Americans must continue to gather inspiration from the life of Dr. Martin Luther King, Jr. and strive to realize his dreams: Therefore,

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

SECTION 1. That it is fitting and proper that Dr. Martin Luther King, Jr. be remembered and recognized by future generations of Americans and that all citizens of Indiana honor Dr. King by living out his teachings as we continue to work toward a day when the dignity and humanity of every person are respected.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the family of Dr. Martin Luther King, Jr.

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

Senate Concurrent Resolution 7

The Speaker handed down Senate Concurrent Resolution 7, sponsored by Representative Pierce:

A CONCURRENT RESOLUTION honoring Indiana University in recognition of its Bicentennial Anniversary on January 20, 2020.

Whereas, Congress passed the Ordinance for the Government of the Northwest Territory in 1787, stating, "Religion, morality and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall be forever encouraged";

Whereas, In the legislation admitting Indiana to the State of the Union in 1816, a township of land, vested in the Indiana legislature, was reserved for a seminary of learning;

Whereas, The Indiana Constitution of 1816 stated "It shall be the duty of the General Assembly, as soon as circumstances will permit, to provide by law for a general system of education, ascending in a regular graduation from township schools to a State university, wherein tuition shall be gratis, and equally open to all";

Whereas, On January 20, 1820, the State of Indiana created the State Seminary and appointed a board of trustees to oversee its establishment at Bloomington;

Whereas, The Indiana State Seminary first opened its doors to students on April 4, 1825;

Whereas, On January 24, 1828, the Indiana General Assembly transformed the State Seminary into Indiana College at Bloomington "for the education of youth in the American, learned and foreign languages, the useful arts, Sciences and literature";

Whereas, In 1830, Indiana College observed its first commencement, granting degrees to four students;

Whereas, On February 15, 1838, the Indiana General Assembly converted Indiana College into Indiana University, the name the school still bears today;

Whereas, Starting in 1867, Indiana University began admitting women students on the same basis as men, and the University became a member of the Association of American Universities in 1909;

Whereas, Taking root in the late 19th century, the research ideal has been Indiana University's primary mission along with higher education;

Whereas, Indiana University has developed a statewide network of IU campuses and medical education centers extending from Indiana's southern to northern border, and a global learning environment;

Whereas, Well over a million students have taken courses at Indiana University, and approximately 893,000 degrees have been earned since 1830;

Whereas, Over the past 200 years, Indiana's flagship higher education institution has become one of the nation's leading research universities and made immeasurable contributions to the State of Indiana, the United States of America, and the world; and

Whereas, Indiana University enters its third century poised to continue offering a world-class education that is affordable and accessible to all Hoosiers: Therefore,

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

SECTION 1. That the Indiana General Assembly honors Indiana University in celebration of its Bicentennial Anniversary on January 20, 2020.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to Dr. Michael A. McRobbie, President of Indiana University, and the Board of Trustees of Indiana University

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

Senate Concurrent Resolution 11

The Speaker handed down Senate Concurrent Resolution 11, sponsored by Representative Soliday:

A CONCURRENT RESOLUTION memorializing Thelma Dickey.

Whereas, Thelma Dickey of Valparaiso passed away on December 11, 2019, at the age of 104 years;

Whereas, Born on August 24, 1915, to J.C. and Agatha Sherrick, Thelma graduated from Valparaiso High School and married Max Dickey in 1942;

Whereas, Thelma attended Ball State University to study education, and later earned her Masters of Education from Valparaiso University;

Whereas, Passionate about educating Indiana's youth, Thelma spent 25 years teaching at Cooks Corners and Central Elementary Schools in Valparaiso before retiring in 1970;

Whereas, Throughout her life, Thelma was very active in her community as a lifelong member of First Christian Church, past president of the Delta Theta Tau Sorority, a member of the Library Board, and numerous other organizations;

Whereas, In recognition of her service to the community, Thelma was named Valparaiso's Woman of Distinction in 1965;

Whereas, Thelma was a lifelong fan of the Valparaiso University basketball team and she never missed a Crusader's home game; and

Whereas, Attributing her good, long life to thinking happy, wonderful friends, and drinking scotch, Thelma will be missed by her family, friends, and the Valparaiso community: Therefore,

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

SECTION 1. That the Indiana General Assembly memorializes Thelma Dickey.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to the family of Thelma Dickey

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

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill Lists 13 and 14 were read a first time by title and referred to the respective committees:

HB 1015 — Pressel
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1024 — Torr
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

HB 1025 — Harris
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

HB 1026 — Harris
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1028 — Lucas
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1030 — Burton
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1034 — Jackson
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1035 — Aylesworth
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1041 — Lucas
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1045 — Abbott, Frye R, Stutzman, GiaQuinta
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

HB 1048 — VanNatter
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1050 — Saunders
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1053 — Saunders
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1054 — Thompson
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1062 — Zent
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1063 — Goodrich
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1064 — Bacon
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

HB 1066 — Thompson
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1088 — Stutzman
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1089 — Nisly
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1101 — Bauer
Committee on Commerce, Small Business and Economic Development
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1102 — Bauer
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1193 — Kirchhofer, Frye R
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1195 — Judy
Committee on Agriculture and Rural Development
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1207 — Davisson
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1211 — Nisly
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1229 — Lucas
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

HB 1293 — Lehe
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1302 — Mayfield
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1331 — Carbaugh
Committee on Commerce, Small Business and Economic Development
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1334 — Eberhart, Moed
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1360—withdrawn

HB 1384 — Eberhart, Moed, VanNatter, Bartels
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1432 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1433 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1434 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1435 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1436 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures

A BILL FOR AN ACT concerning general provisions.

HB 1437 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1438 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1439 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1440 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1441 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1442 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1443 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1444 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1445 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1446 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1447 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1448 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1449 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1450 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1451 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1452 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1453 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1454 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1455 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HB 1456 — Rules and Legislative Procedures
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning general provisions.

HOUSE BILLS ON SECOND READING

House Bill 1006

Representative Kirchhofer called down House Bill 1006 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1006–10)

Mr. Speaker: I move that House Bill 1006 be amended to read as follows:

Page 4, line 41, reset in roman "least".

Page 10, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 21. IC 7.1-6-1-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. "Tobacco" means any product containing, made of, or derived from tobacco or nicotine that is:**

(1) intended for human consumption; and

(2) likely to be consumed by inhalation, absorption, or ingestion.

The term includes a cigarette, a cigar, pipe tobacco, chewing tobacco, snuff, or snus.".

Page 10, line 25, after "Drug" insert "**,**".

Page 10, delete lines 27 through 35.

Page 12, line 11, after "(C)" insert "**shall have**".

Page 12, line 12, delete "shall be".

Page 12, line 20, after "(C)" insert "**shall have**".

Page 12, line 21, delete "shall be".

Page 12, line 30, after "(C)" insert "**shall have**".

Page 12, line 31, delete "shall be".

Page 13, reset in roman lines 23 through 28.

Page 13, line 29, reset in roman "(h)".

Page 13, line 29, delete "(g)".

Page 14, line 17, delete "that" and insert "that:".

Page 14, line 18, reset in roman "(i)".

Page 14, reset in roman lines 22 through 23.

Page 14, line 21, reset in roman "and".

Page 20, delete lines 1 through 7, begin a new paragraph and insert:

"(f) Unless the person buys or receives tobacco ~~or an electronic cigarette~~ **products** under the direction of a law enforcement officer as part of an enforcement action, a person who sells or distributes tobacco ~~or an electronic cigarette~~ **products** is not liable for a violation of this section unless the person less than ~~eighteen (18)~~ **twenty-one (21)** years of age who bought or received the tobacco ~~or electronic cigarette~~ **products** is issued a citation or summons under section 10.5 of this chapter.".

Page 20, line 8, delete "(f)" and insert "**(g)**".

Page 20, line 13, delete "(g)" and insert "**(h)**".

Page 20, line 16, delete "(h)" and insert "**(i)**".

Page 21, line 1, after "(C)" insert "**shall have**".

Page 21, line 2, delete "shall be".

Page 21, line 11, after "(C)" insert "**shall have**".

Page 21, line 12, delete "shall be".

Page 22, delete lines 20 through 26, begin a new paragraph and insert:

"(f) Unless a person buys or receives tobacco ~~or an electronic cigarette~~ **products** under the direction of a law enforcement officer as part of an enforcement action, a retail establishment that sells or distributes tobacco ~~or an electronic cigarette~~ **products** is not liable for a violation of this section unless the person less than ~~eighteen (18)~~ **twenty-one (21)** years of age who bought or received the tobacco ~~or electronic cigarette~~ **products** is issued a citation or summons under section 10.5 of this chapter.".

Page 22, line 27, reset in roman "(g)".

Page 22, line 27, delete "(f)".

Page 22, delete lines 33 through 42, begin a new paragraph and insert:

"SECTION 39. IC 35-46-1-10.5, AS AMENDED BY P.L.20-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.5. (a) A person less than ~~eighteen (18)~~ **twenty-one (21)** years of age who:

(1) purchases **a** tobacco ~~or an electronic cigarette;~~ **product;**

(2) accepts **a** tobacco ~~or an electronic cigarette~~ **product** for personal use; or

(3) possesses **a** tobacco ~~or an electronic cigarette~~ **product** on his **or her** person;

commits a Class C infraction.

(b) It is a defense under subsection (a) that the accused person acted in the ordinary course of employment in a business concerning tobacco ~~or electronic cigarettes~~ **products including the following activities:**

(1) Agriculture.

(2) Processing.

(3) Transporting.

(4) Wholesaling. ~~or~~

(5) Retailing.".

Page 23, delete lines 1 through 5.

Renumber all SECTIONS consecutively.

(Reference is to HB 1006 as printed January 10, 2020.)

KIRCHHOFER

Motion prevailed.

HOUSE MOTION
(Amendment 1006–4)

Mr. Speaker: I move that House Bill 1006 be amended to read as follows:

Page 27, after line 14, begin a new paragraph and insert:

"SECTION 45. IC 35-46-1-11.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 11.9. A person who knowingly sells a tobacco product that contains vitamin E acetate commits a Class B infraction.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1006 as printed January 10, 2020.)

PRESCOTT

Motion prevailed.

HOUSE MOTION
(Amendment 1006–8)

Mr. Speaker: I move that House Bill 1006 be amended to read as follows:

Page 27, after line 14, begin a new paragraph and insert:

"SECTION 45. IC 35-46-1-11.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 11.9. A person who knowingly sells a tobacco product that contains vitamin E acetate commits a Class A infraction.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1006 as printed January 10, 2020.)

AUSTIN

Upon request of Representatives GiaQuinta and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 28: yeas 40, nays 57. Motion failed.

HOUSE MOTION
(Amendment 1006–9)

Mr. Speaker: I move that House Bill 1006 be amended to read as follows:

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

"SECTION 1. IC 6-2.5-8-7, AS AMENDED BY P.L.80-2019, SECTION 2, AND AS AMENDED BY P.L.234-2019, SECTION 6, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) The department may, for good cause, revoke a certificate issued under section 1, 3, or 4 of this chapter. However, the department must give the certificate holder at least five (5) days notice before it revokes the certificate under this subsection. Good cause for revocation may include the following:

(1) Failure to:

(A) file a return required under this chapter or for any tax collected for the state in trust; or

(B) remit any tax collected for the state in trust.

(2) Being charged with a violation of any provision under IC 35.

(3) Being subject to a court order under IC 7.1-2-6-7, IC 32-30-6-8, IC 32-30-7, or IC 32-30-8.

(4) Being charged with a violation of IC 23-15-12.

(5) Operating as a retail merchant where the certificate issued under section 1 of this chapter could have been denied under section 1(e) of this chapter prior to its issuance.

The department may revoke a certificate before a criminal adjudication or without a criminal charge being filed. If the department gives notice of an intent to revoke based on an alleged violation of subdivision (2), the department shall hold a public hearing to determine whether good cause exists. If the department finds in a public hearing by a preponderance of the evidence that a person has committed a violation described in subdivision (2), the department shall proceed in accordance with subsection (i) (if the violation resulted in a criminal conviction) or subsection (j) (if the violation resulted in a judgment for an infraction).

(b) The department shall revoke a certificate issued under section 1, 3, or 4 of this chapter if, for a period of three (3) years, the certificate holder fails to:

(1) file the returns required by IC 6-2.5-6-1; or

(2) report the collection of any state gross retail or use tax on the returns filed under IC 6-2.5-6-1.

However, the department must give the certificate holder at least five (5) days notice before it revokes the certificate.

(c) The department may, for good cause, revoke a certificate issued under section 1 of this chapter after at least five (5) days notice to the certificate holder if:

(1) the certificate holder is subject to an innkeeper's tax under IC 6-9; and

(2) a board, bureau, or commission established under IC 6-9 files a written statement with the department.

(d) The statement filed under subsection (c) must state that:

(1) information obtained by the board, bureau, or commission under IC 6-8.1-7-1 indicates that the certificate holder has not complied with IC 6-9; and

(2) the board, bureau, or commission has determined that significant harm will result to the county from the certificate holder's failure to comply with IC 6-9.

(e) The department shall revoke or suspend a certificate issued under section 1 of this chapter after at least five (5) days notice to the certificate holder if:

(1) the certificate holder owes taxes, penalties, fines, interest, or costs due under IC 6-1.1 that remain unpaid at least sixty (60) days after the due date under IC 6-1.1; and
(2) the treasurer of the county to which the taxes are due requests the department to revoke or suspend the certificate.

(f) The department shall reinstate a certificate suspended under subsection (e) if the taxes and any penalties due under IC 6-1.1 are paid or the county treasurer requests the department to reinstate the certificate because an agreement for the payment of taxes and any penalties due under IC 6-1.1 has been reached to the satisfaction of the county treasurer.

(g) The department shall revoke a certificate issued under section 1 of this chapter after at least five (5) days notice to the certificate holder if the department finds in a public hearing by a preponderance of the evidence that the certificate holder has violated IC 35-45-5-3, IC 35-45-5-3.5, or IC 35-45-5-4.

(h) If a person makes a payment for the certificate under section 1 or 3 of this chapter with a check, credit card, debit card, or electronic funds transfer, and the department is unable to obtain payment of the check, credit card, debit card, or electronic funds transfer for its full face amount when the check, credit card, debit card, or electronic funds transfer is presented for payment through normal banking channels, the department shall notify the person by mail that the check, credit card, debit card, or electronic funds transfer was not honored and that the person has five (5) days after the notice is mailed to pay the fee in cash, by certified check, or other guaranteed payment. If the person fails to make the payment within the five (5) day period, the department shall revoke the certificate.

(i) If the department finds in a public hearing by a preponderance of the evidence that a person has a conviction for ~~*a violation of IC 35-48-4-10.5*~~ *an offense under IC 35-48-4* and the conviction involved the sale of or the offer to sell, in the normal course of business, a synthetic drug ~~*or*~~ *(as defined in IC 35-31.5-2-321),* a synthetic drug lookalike substance *(as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)), a controlled substance analog (as defined in IC 35-48-1-9.3), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6)* by a retail merchant in a place of business for which the retail merchant has been issued a registered retail merchant certificate under section 1 of this chapter, the department:
(1) shall suspend the registered retail merchant certificate for the place of business for one (1) year; and
(2) may not issue another retail merchant certificate under section 1 of this chapter for one (1) year to any person:
(A) that:
(i) applied for; or
(ii) made a retail transaction under;
the retail merchant certificate suspended under subdivision (1); or
(B) that:
(i) owned or co-owned, directly or indirectly; or
(ii) was an officer, a director, a manager, or a partner of;
the retail merchant that was issued the retail merchant certificate suspended under subdivision (1).

(j) If the department finds in a public hearing by a preponderance of the evidence that a person has a judgment for a violation of IC 35-48-4-10.5 *(before its repeal on July 1, 2019)* as an infraction and the violation involved the sale of or the offer to sell, in the normal course of business, a synthetic drug or a synthetic drug lookalike substance by a retail merchant in a place of business for which the retail merchant has been issued a registered retail merchant certificate under section 1 of this chapter, the department:
(1) may suspend the registered retail merchant certificate for the place of business for six (6) months; and
(2) may withhold issuance of another retail merchant certificate under section 1 of this chapter for six (6) months to any person:
(A) that:
(i) applied for; or
(ii) made a retail transaction under;
the retail merchant certificate suspended under subdivision (1); or
(B) that:
(i) owned or co-owned, directly or indirectly; or
(ii) was an officer, a director, a manager, or a partner of;
the retail merchant that was issued the retail merchant certificate suspended under subdivision (1).

(k) If the department finds in a public hearing by a preponderance of the evidence that a person has a conviction for a violation of IC 35-48-4-10(d)(3) and the conviction involved an offense committed by a retail merchant in a place of business for which the retail merchant has been issued a registered retail merchant certificate under section 1 of this chapter, the department:
(1) shall suspend the registered retail merchant certificate for the place of business for one (1) year; and
(2) may not issue another retail merchant certificate under section 1 of this chapter for one (1) year to any person:
(A) that:
(i) applied for; or
(ii) made a retail transaction under;
the retail merchant certificate suspended under subdivision (1); or
(B) that:
(i) owned or co-owned, directly or indirectly; or
(ii) was an officer, a director, a manager, or a partner of;
the retail merchant that was issued the retail merchant certificate suspended under subdivision (1).

(l) If the department finds in a public hearing by a preponderance of the evidence that a person has three (3) unrelated judgments within a three hundred sixty-five (365) day period for a violation of IC 35-46-1-11.9 as an infraction and the violation involved the sale of or the offer to sell, in the normal course of business, a tobacco product that contains vitamin E acetate by a retail merchant in a place of business for which the retail merchant has been issued a registered retail merchant certificate under section 1 of this chapter, the department:
(1) shall suspend the registered retail merchant certificate for the place of business for six (6) months; and
(2) shall withhold issuance of another retail merchant certificate under section 1 of this chapter for six (6) months to any person:
(A) that:
(i) applied for; or
(ii) made a retail transaction under;
the retail merchant certificate suspended under subdivision (1); or
(B) that:
(i) owned or co-owned, directly or indirectly; or
(ii) was an officer, a director, a manager, or a partner of;
the retail merchant that was issued the retail merchant certificate suspended under subdivision (1).".

Page 27, after line 14, begin a new paragraph and insert:

"SECTION 45. IC 35-46-1-11.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 11.9. A person who knowingly sells a tobacco product that contains vitamin E acetate commits a Class A infraction.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1006 as printed January 10, 2020.)

AUSTIN

Motion withdrawn. The bill was ordered engrossed.

House Bill 1022

Representative Torr called down House Bill 1022 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1032

Representative Miller called down House Bill 1032 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1049

Representative Heaton called down House Bill 1049 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1096

Representative Young called down House Bill 1096 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1143

Representative Morrison called down House Bill 1143 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1148

Representative Ellington called down House Bill 1148 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1151

Representative Mayfield called down House Bill 1151 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1151–2)

Mr. Speaker: I move that House Bill 1151 be amended to read as follows:

Page 3, line 4, after "officer." insert "**This term does not include a private security guard employed by a school corporation or charter school who does not meet the requirements described in IC 20-26-18.2-2(a)(4).**

SECTION 2. IC 20-26-18.2-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5. (a) A school corporation or charter school served by a school resource officer employed for the protection of the school corporation or charter school under section 2 of this chapter shall annually report the:**

(1) number of school resource officers serving the school corporation or charter school; and

(2) location of each school served by a school resource officer described in subdivision (1);

to the department of homeland security before September 1.

(b) The department of homeland security shall annually compile the information reported under subsection (a) and submit an annual report containing the:

(1) number of school resource officers employed in Indiana; and

(2) location of each school served by a school resource officer;

to the legislative council in an electronic format under IC 5-14-6 before October 1.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1151 as printed January 14, 2020.)

WRIGHT

Motion withdrawn. The bill was ordered engrossed.

House Bill 1173

Representative Frye called down House Bill 1173 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1090, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 12 through 13.

Page 2, line 14, delete "Sec. 6." and insert "**Sec. 5.**".

Page 2, line 21, delete "Sec. 7." and insert "**Sec. 6.**".

(Reference is to HB 1090 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 1.

Zent, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1119, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 15-16-4-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3.5. As used in this chapter, "adverse effect" has the meaning set forth in IC 15-16-5-0.5.**

SECTION 2. IC 15-16-4-3, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. As used in this chapter, "adulterated" refers to a pesticide or pesticide product if:

(1) the strength or purity of the pesticide ~~falls below~~ **does not meet** the professed standard or quality as expressed on its labeling under which it is sold;

(2) any substance has been substituted wholly or in part for the pesticide product; or

(3) any valuable constituent of the pesticide product has been wholly or in part removed.

SECTION 3. IC 15-16-4-10, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. As used in this chapter, "device" means any instrument or contrivance intended for trapping, destroying, repelling, or mitigating ~~insects or rodents or destroying, repelling, or mitigating~~ any pest. The term does not include:

(1) equipment used for the application of pesticides when sold separately from the pesticides;

(2) firearms; or

(3) simple mechanical devices, including barriers, traps, or adhesives, or other simple contrivances that are not subject to this chapter as determined by the pesticide review board.

SECTION 4. IC 15-16-4-14, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. As used in this chapter,

~~"fungi" means all nonchlorophyll-bearing thallophytes (all nonchlorophyll-bearing plants of a lower order than mosses and liverworts), including:~~

~~(1) rusts;~~

~~(2) smuts;~~

~~(3) mildews;~~

~~(4) molds;~~

~~(5) yeasts;~~

~~(6) bacteria; and~~

~~(7) viruses;~~

~~except those on or in a living human or other animal.~~ **"fungus" has the meaning set forth in IC 15-16-5-14.**

SECTION 5. IC 15-16-4-18, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. As used in this chapter, "immediate container" means the part of a container that is in direct contact with a pesticide. ~~product.~~ **In the case of a pesticide product that is a device, the term includes the device itself.**

SECTION 6. IC 15-16-4-34, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 34. As used in this chapter, "plant regulator" means any substance or mixture of substances, intended through physiological action, for:

(1) accelerating or retarding the rate of growth or rate of maturation; or

(2) altering the behavior of ornamental or crop plants or the produce of ornamental or crop plants.

The term does not include substances ~~to the extent they~~ **that** are intended **solely** as plant nutrients, trace elements, nutritional chemicals, plant inoculants, and soil amendments.

SECTION 7. IC 15-16-4-56, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 56. For more than one (1) pesticide product to be considered the same pesticide product, each pesticide product must exhibit the same:

(1) product name;

(2) registrant name;

(3) United States Environmental Protection Agency registration number, **if applicable;** ~~and~~

(4) labeling, **claims, and branding; and**

(5) ingredient statement.

SECTION 8. IC 15-16-4-61, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 61. (a) Each pesticide product that is:

(1) produced, distributed, sold, displayed, or offered for sale within Indiana; or

(2) delivered for transportation or transported:

(A) in intrastate commerce; or

(B) between points within Indiana through any point outside Indiana;

must be registered in the office of the state chemist.

(b) The application for registration must be made on a form provided by the state chemist that includes the following information:

(1) The name and address of the:

(A) applicant; and

(B) person whose name will appear on the label, if a person other than the applicant.

(2) The complete brand name of the pesticide **product.**

(3) A complete copy of the labeling accompanying the pesticide **product.**

~~(4) A statement of all claims to be made for it, including directions for use.~~

~~(5) If requested by the state chemist, a full description of the tests made and the results of the tests upon which the claims are based. In the case of renewal of registration, a statement shall be required only with respect to information that is different from that furnished when the pesticide was registered or last reregistered.~~

SECTION 9. IC 15-16-4-62, AS AMENDED BY P.L.99-2012, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 62. (a) Each registrant shall pay an annual, nonrefundable **application** fee of one hundred seventy dollars ($170) for each application for each pesticide product submitted for registration **or reregistration.**

(b) Each registration expires January 1 of each year.

(c) All fees collected by the state chemist under this chapter shall be paid to the treasurer of Purdue University, who shall deposit the fees in a special restricted account designated by the treasurer of the board of trustees of Purdue University.

(d) From the account described in subsection (c), the treasurer shall pay all expenses incurred in administering this chapter, including expenses for the following:

(1) The employment of:

(A) inspectors;

(B) investigators;

(C) researchers;

(D) analysts;

(E) administrators; and

(F) clerical and service staff.

(2) Expenses in procuring samples and printing results of inspections.

(3) Purchasing:

(A) supplies;

(B) equipment; and

(C) services.

(4) Necessary remodeling.

(5) Other expenses of the office of the state chemist.

(6) The transfer of ten dollars ($10) from each fee paid under subsection (a) on an annual basis to the office of Purdue pesticide programs to provide education about the safe and effective use of pesticides.

The treasurer is not required to use any other funds, except those collected as registration fees, to pay any expenses incurred in the administration of this chapter. The dean of agriculture shall make an annual financial report to the governor showing total receipts and expenditures of all fees received under this chapter.

(e) A registrant who registers or pays an annual fee after December 31 of any year shall pay a late fee of one hundred seventy dollars ($170) as well as the annual fee.

(f) Excess funds from the collection of fees under this chapter are subject to IC 15-16-2-36.

SECTION 10. IC 15-16-4-64, AS ADDED BY P.L.120-2008, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 64. (a) The state chemist ~~shall~~ **may** require the submission of the complete formula of any pesticide product, including the:

(1) confidential statement of formula;

(2) analytical methods for the analysis of the pesticide formulation and the analysis of residues of the pesticide product in environmental media; ~~and~~

(3) analytical standards of the pesticide product;

(4) safety data sheet;

(5) physical sample of the pesticide product; and

(6) a statement of all claims to be made for the pesticide product, including a full description of the tests made and the results of the tests upon which the claims are based.

In the case of a federally registered product, this requirement may be waived.

(b) The state chemist shall register a pesticide product if:

(1) the state chemist determines that the composition of the pesticide product warrants the proposed claims for the pesticide product;

(2) the pesticide product, its labeling, and other material required to be submitted comply with the requirements of

section 61 of this chapter; and

(3) the state chemist determines that the person submitting the application for registration has complied with the requirements of this chapter, **including satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 64.5 of this chapter.**

(c) The state chemist shall notify the applicant that the pesticide product, labeling, or other material required to be submitted fails to comply with the law if the state chemist determines:

(1) that the proposed claims for the pesticide product; or

(2) the pesticide product, its labeling, and other material required to be submitted;

does not comply with this chapter, **including satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 64.5 of this chapter.**

(d) If the state chemist notifies an applicant under subsection (c), the state chemist shall give the applicant an opportunity to make the necessary corrections. If upon receipt of notice, the applicant does not make the corrections, the state chemist may refuse to register the pesticide product.

(e) The state chemist, in accordance with the procedures specified in this section, may deny, suspend, or cancel the registration of a pesticide whenever the state chemist determines that:

(1) the pesticide product;

(2) the pesticide product's labeling; or

(3) the person submitting the application for registration of the pesticide product;

does not comply with this chapter, **including satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 64.5 of this chapter.**

(f) If:

(1) an application for registration is refused; or

(2) the state chemist proposes to deny, suspend, or cancel a registration;

notice of the action and information concerning the person's right to obtain a review under section 64.5 of this chapter must be given to the applicant or registrant.

SECTION 11. IC 15-16-4-69, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 69. (a) Subject to this section, if a person violates this chapter or a rule adopted under this chapter, the state chemist under IC 4-21.5-3-6 may warn, cite, or impose a civil penalty on the person or:

(1) deny;

(2) suspend;

(3) revoke; or

(4) amend;

the person's registration under this chapter.

(b) The state chemist may impose civil penalties **under this section** only in accordance with the schedule of civil penalties adopted by the board. The board shall establish a schedule of the civil penalties that may be imposed under subsection (a) by rule adopted under IC 4-22-2. The rule adopted under this subsection may not provide for a civil penalty that exceeds the following:

(1) ~~Two hundred fifty~~ **Five hundred** dollars ~~($250)~~ **($500)** for a person's first violation.

(2) ~~Five hundred~~ **One thousand** dollars ~~($500)~~ **($1,000)** for a person's second violation.

(3) ~~One~~ **Two** thousand **five hundred** dollars ~~($1,000)~~ **($2,500)** for a person's third violation and each subsequent violation.

~~(c) If a violation is of a continuing nature, the state chemist may impose a civil penalty for each day that the violation occurred.~~

~~(d)~~ **(c)** A proceeding under IC 4-21.5-3 that involves the imposition of a civil penalty may be consolidated with any other proceeding commenced under IC 4-21.5 to enforce this chapter or the rules adopted under this chapter.

~~(e)~~ **(d)** Money collected for civil penalties imposed under this section shall be credited to the office of Purdue pesticide programs. The money may be used only to provide education about pesticides.

SECTION 12. IC 15-16-4-73, AS ADDED BY P.L.120-2008, SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 73. (a) Except as provided in subsection (f), if the state chemist:

(1) finds any pesticide product:

(A) upon any premises; or

(B) in any means of conveyance;

where it is held for purposes of, or during or after, distribution or sale; and

(2) determines that the pesticide product:

(A) is in violation of this chapter; or

(B) has been or is intended to be:

(i) distributed;

(ii) sold; or

(iii) used;

in violation of this chapter;

the state chemist may issue an order under subsection (b).

(b) The state chemist may issue a written or printed:

(1) stop sale;

(2) use; or

(3) removal;

order to the owner or custodian of a pesticide product.

(c) Except as provided in subsection (d), after receiving an order under subsection (b), the owner or custodian of a pesticide product may not:

(1) sell;

(2) use; or

(3) remove;

the pesticide product described in the order.

(d) The owner or custodian of a pesticide product who receives an order under subsection (b) may:

(1) sell;

(2) use; or

(3) remove;

the pesticide product only in accordance with the order or until the pesticide product is released in writing by the state chemist or by order of a court.

(e) When a stop sale order is issued under subsection (b), the state chemist shall ~~immediately~~ issue a notification to the dealer or registrant of the pesticide product **within thirty (30) days** that states the following:

(1) A stop sale order has been issued on the pesticide product.

(2) A reference to the specific language of the law or rule that is believed to have been violated.

(f) Labels of pesticide devices may be submitted to the state chemist for ~~approval~~ **evaluation of the need for registration under this chapter** before the sale of the pesticide device.

SECTION 13. IC 15-16-5-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.5. As used in this chapter, "adverse effect" means a pesticide exposure to a nontarget site that results in:**

(1) pesticide residues in excess of established food or feed tolerances established by the United States Environmental Protection Agency;

(2) environmental media standards or benchmarks for pesticides established by a federal or state agency; or

(3) visible, measureable, or documented:

(A) death;

(B) illness;

(C) stunting;

(D) deformation;

(E) discoloration; or

(F) other effects;

that are detrimental to the nontarget site.

SECTION 14. IC 15-16-5-7, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. As used in this chapter, "commercial applicator" means a certified applicator, whether or not a private applicator with respect to some uses, who uses or supervises the use of ~~pesticides~~ **pesticide products** for any purpose or on any property other than as provided by section 30 of this chapter.

SECTION 15. IC 15-16-5-10, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. As used in this chapter, "device" ~~means any instrument or contrivance, other than a firearm, that is intended for trapping, destroying, repelling, or mitigating any pest or any other form of plant or animal life other than bacteria, viruses, or other microorganisms on or in living humans or other living animals. The term does not include equipment used for the application of pesticides when sold separately from the pesticides.~~ **has the meaning set forth in IC 15-16-4-10.**

SECTION 16. IC 15-16-5-14.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14.7. As used in this chapter, "immediate container" has the meaning set forth in IC 15-16-4-18.**

SECTION 17. IC 15-16-5-15.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 15.5. As used in this chapter, "label" has the meaning set forth in IC 15-16-4-23.**

SECTION 18. IC 15-16-5-16, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. As used in this chapter, "licensed applicator for hire" means any licensed certified commercial applicator who is employed by a licensed pesticide business to use or to supervise the use of any pesticide **product** on the property of another and who has assumed direct responsibility for the use or supervision of the use of ~~pesticides~~ **pesticide products** by the business.

SECTION 19. IC 15-16-5-19, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 19. As used in this chapter, "licensed pesticide business" means any licensed person that owns, operates, or manages a business that is engaged in or professes to be engaged in:

(1) using any pesticide **product,** including restricted use pesticides; or

(2) making diagnostic inspections or reports to determine infestations of wood destroying pests.

SECTION 20. IC 15-16-5-29, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 29. As used in this chapter, "plant regulator" ~~means any substance or mixture of substances intended, through physiological action, for:~~

~~(1) accelerating or retarding the rate of growth or rate of maturation; or~~

~~(2) altering the behavior of plants or the produce of plants. The term does not include substances to the extent they are intended as plant nutrients, trace elements, nutritional chemicals, plant inoculants, or soil amendments.~~ **has the meaning set forth in IC 15-16-4-34.**

SECTION 21. IC 15-16-5-34, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 34. As used in this chapter, "restricted use pesticide" ~~means:~~

~~(1) any pesticide classified as restricted by the administrator of the United States Environmental Protection Agency; or~~

~~(2) a pesticide that the board has determined to be unduly hazardous to persons, animals, plants, wildlife, waters, or lands other than the pests the pesticide is intended to prevent, destroy, control, or mitigate.~~

has the meaning set forth in IC 15-16-4-37.

SECTION 22. IC 15-16-5-45, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 45. (a) The state chemist shall adopt rules to establish categories and qualifications to certify and license persons to use pesticides and to make diagnostic inspections and reports for wood destroying pests under this chapter. Each category is subject to separate testing procedures and requirements. A person is not required to pay an additional license fee if the person desires to be licensed in more than one (1) of the license categories provided for by the state chemist under this section.

(b) The state chemist, in adopting rules under this section, shall establish **examination content and** standards for the certification of persons who use pesticides or who make diagnostic inspections and reports for wood destroying pests. The **examination content and** standards must relate to **the following:**

(1) The hazards involved in the use and handling of pesticides, or ~~to~~ the use and handling of the pesticide or class of pesticides covered by the individual's certification.

(2) The job responsibilities of the individual using pesticides that are covered by the individual's certification.

(3) Any relevant information addressed in 40 CFR Part 171.

~~and must be relative to the hazards involved. In determining standards, the state chemist shall consider the characteristics of the pesticide formulation, including the acute dermal and inhalation toxicity, the persistence, mobility, and susceptibility to biological concentration, the use experience that may reflect an inherent misuse or an unexpected good safety record that does not always follow laboratory toxicological information, the relative hazards of patterns of use, including granular soil applications, ultra-low volume or dust aerial applications, or air blast sprayer applications, and the extent of the intended use. The state chemist shall observe the relevant regulations of Section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.).~~

(c) The state chemist may require a person certified under this chapter as a commercial applicator or a private applicator to renew the person's certification, under requirements and standards established by the state chemist, to assure that the person maintains a level of competence and ability to use pesticides safely and properly.

(d) An individual who is certified and licensed under this chapter must be at least eighteen (18) years of age, as proven by a valid government issued identification or an equivalent form of identification.

SECTION 23. IC 15-16-5-47, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 47. (a) A license issued under this chapter is not transferable except in the event of disability or death of the licensee. The state chemist may transfer a license **to an individual who is a certified applicator** by issuing a temporary permit to provide for the operation of the business until the expiration of the permanent license.

(b) A ~~certificate~~ **certification** issued under this chapter is not transferable.

SECTION 24. IC 15-16-5-48, AS ADDED BY P.L.120-2008, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 48. (a) Subject to section 55 of this chapter, a person may not engage in or profess to engage in the business of:

(1) using a pesticide; or
(2) making diagnostic inspections or reports to determine infestations of wood destroying pests;
on the property of another for hire at any time without a pesticide business license issued by the state chemist. The state chemist shall require an annual license fee of forty-five dollars ($45) for each pesticide business license that is issued.

(b) A pesticide business license must be obtained for each **unique** business location **or business name** from which pesticide use or application is conducted.

(c) The application for a license must be on a form provided by the state chemist. Each application must contain information necessary for the administration of this chapter.

(d) The state chemist may not issue a pesticide business license until the applicant or a pesticide applicator in the applicant's hire who uses or supervises the use of a pesticide on the property of another is certified by passing an examination to demonstrate to the state chemist the applicant's or applicator's knowledge of the:
(1) use of pesticides under the category for which the applicant or applicator has applied; and
(2) nature and effect of pesticides the applicant or applicator may apply under the categories.
At least one (1) licensed applicator for hire must be associated with each location from which pesticides are used for hire.

(e) The state chemist may renew any pesticide business license.

(f) Subject to subsections (a), (b), (c), and (d) and section 65 of this chapter, if:
(1) the state chemist finds the applicant qualified to engage in the business of using pesticides or making diagnostic inspections or reports to determine infestations of wood destroying pests on the property of another;
(2) the applicant files evidence of financial responsibility required under section 58 of this chapter; and
(3) the applicant applying for a license involving aerial application of pesticides has met all of the requirements of:
(A) the Federal Aviation Administration;
(B) the Indiana department of transportation; and
(C) any other applicable federal or state statutes or regulations to operate the equipment described in the application;
the state chemist may issue a pesticide business license limited to the categories for which the applicant or a pesticide applicator in the applicant's hire is qualified. The license expires January 1 of the year following issue unless it has been invalidated, revoked, or suspended earlier by the state chemist. A surety bond or certificate of liability insurance in force or certificate of financial responsibility required under section 58 of this chapter must be maintained and in effect on a continuing basis.

(g) The state chemist may limit a license or the operation of a business to the use of certain pesticides, or to certain areas, or to certain types of equipment if the applicant is only so qualified.

(h) If a license is not issued as applied for, the state chemist shall inform the applicant in writing of the reasons the license was not issued.

SECTION 25. IC 15-16-5-52, AS AMENDED BY P.L.99-2012, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 52. (a) A person applying for a license described under section 49, 50, or 51 of this chapter must:
(1) submit an application to the state chemist on a form provided by the state chemist;
(2) pass the appropriate examination provided under section 45 of this chapter;
(3) except for a person who is:
(A) applying for a licensed public applicator's license; or
(B) an employee of a nonprofit organization;
submit a fee of forty-five dollars ($45) to the state chemist; and
(4) if the person will engage in the aerial application of pesticides, submit proof to the state chemist that the person has satisfied aerial application requirements under applicable state and federal laws.

(b) Subject to section 65 of this chapter, if a person meets the requirements under subsection (a), the state chemist shall issue the appropriate license to the person, **including satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 67 of this chapter.**

(c) If the state chemist does not issue a license to a person who applied for a license described under subsection (a), the state chemist shall inform the person in writing of the reason the license was not issued.

(d) A person who has been issued a license under subsection (b):
(1) shall notify the state chemist in writing within ten (10) days after a change in or termination of the person's employment as a licensed applicator for hire, a licensed applicator not for hire, or a licensed public applicator; and
(2) may apply to the state chemist to transfer or amend the person's license by submitting an updated application form described under subsection (a)(1).

(e) A license issued under subsection (b):
(1) expires January 1 of each year; and
(2) subject to section 65 of this chapter, may be renewed by the person holding the license if the person:
(A) submits a renewal application on a form provided by the state chemist; and
(B) except for a person renewing a licensed public applicator's license or an employee of a nonprofit organization, pays a forty-five dollar ($45) renewal fee;
before January 1.

SECTION 26. IC 15-16-5-54, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 54. (a) A private applicator may not be issued a permit to use a restricted use pesticide without first:
(1) complying with the certification requirements, including passing an examination, determined by the state chemist necessary to prevent unreasonable adverse effects on the environment, including injury to the applicator or other persons; **and**
(2) satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 67 of this chapter.

(b) Certification standards to determine a person's competency with respect to the use and handling of the pesticide or class of pesticides that the private applicator is to be certified to use must be relative to hazards as described in section 45 of this chapter. In determining these standards, the state chemist shall observe those standards for private applicator certification provided by the U.S. Environmental Protection Agency.

(c) A fee of twenty dollars ($20) must be paid to the state chemist by each person applying for a certification as a private applicator under this section.

(d) If the state chemist does not certify the private applicator under this section, the state chemist shall inform the applicant of the reasons the applicant was not certified and return the applicant's application fee.

(e) The state chemist may require additional knowledge to ensure that applicators continue to meet the requirements of changing technology and to assure a continuing level of competence and ability to use pesticides safely and properly.

SECTION 27. IC 15-16-5-55, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 55. Section 48 of this

chapter relating to **pesticide business** licenses and requirements for their issuance does not apply to the following:

(1) A farmer who applies pesticides for the farmer's own use or with ground equipment or manually for the farmer's neighbors if:

(A) the farmer operates farm property and operates and maintains pesticide application equipment primarily for the farmer's own use;

(B) the farmer is not engaged in the business of applying pesticides for hire and the farmer does not publicly profess to be a pesticide business;

(C) the farmer operates the farmer's pesticide application equipment only in the vicinity of the farmer's own property and for the accommodation of the farmer's neighbors **without any compensation;** and

(D) the farmer is certified as a private applicator if the farmer uses restricted use pesticides.

(2) A veterinarian who uses pesticides as an incidental part of the veterinarian's practice, if the veterinarian is not regularly engaged in or does not profess to be engaged in the business of using pesticides for hire.

(3) Research personnel applying **general use** pesticides only to bona fide experimental plots.

(4) A person who uses nonrestricted general use pesticides for purposes of disinfecting or sanitizing, unless a license is required by a rule established by the board.

SECTION 28. IC 15-16-5-59, AS ADDED BY P.L.120-2008, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 59. (a) Commercial applicators, **private applicators,** and licensed pest inspectors shall maintain records concerning:

(1) the application of restricted use pesticides;

(2) the application of pesticides for hire;

(3) the application of pesticides on golf courses;

(4) the application of pesticides on school property;

~~(2)~~ **(5)** diagnostic inspections to determine infestations of wood destroying pests; and

~~(3)~~ **(6)** any relevant information that the state chemist determines by rule is necessary for purposes of this chapter.

~~(b) The state chemist may require certified applicators to maintain records related to applications of state restricted pesticide uses.~~

~~(c)~~ **(b)** Records required under this section must be kept for:

(1) two (2) years after the date of the inspection or the application of the pesticide; or

(2) the time specified by rule.

~~(d)~~ **(c)** The state chemist shall be provided access to the records ~~by the commercial applicator or licensed pest inspector.~~ **required to be maintained under this section.**

SECTION 29. IC 15-16-5-65, AS AMENDED BY P.L.99-2012, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 65. Subject to section 66 of this chapter, the state chemist under IC 4-21.5-3-6 may warn, cite, or impose a civil penalty on a person for a violation under this chapter. The state chemist may also deny, suspend, revoke, or modify any provision of any license, permit, registration, or certification issued under this chapter if the state chemist finds that the applicant or the holder of a license, permit, registration, or certification has committed any of the following acts, each of which is a violation of this chapter:

(1) Made false or fraudulent claims either verbally or through any media misrepresenting the effect of pesticide products or methods to be used.

(2) Recommended, used, or supervised the use of any registered pesticide product in a manner inconsistent with its labeling approved by the United States Environmental Protection Agency or Indiana state registration for that pesticide, or in violation of the United States Environmental Protection Agency or Indiana state restrictions on the use of that pesticide product.

(3) Used known ineffective or improper pesticide products or known ineffective amounts of pesticides.

(4) Operated faulty or unsafe equipment.

(5) Operated in a careless or negligent manner.

(6) Neglected or, after notice, refused to comply with this chapter, the rules adopted under this chapter, or of any lawful order of the state chemist or the board.

(7) Refused or neglected to:

(A) keep and maintain the records required by this chapter; or

(B) make reports and supply information when required or requested by the state chemist in the course of an investigation or inspection.

(8) Made false or fraudulent records, invoices, or reports.

(9) Engaged in or professed to be engaged in the business of:

(A) using a pesticide or any other product regulated under this chapter or by rules adopted under this chapter; or

(B) making a diagnostic inspection to determine infestations of a wood destroying pest;

for hire on the property of another without having a business license issued by the state chemist.

(10) Used ~~a restricted use~~ **or supervised the use of a** pesticide **product that is required to be used under this chapter by a person who is certified, licensed, or permitted** without having ~~an applicator,~~ **a person** who is **certified,** licensed, or permitted under this chapter ~~in direct supervision.~~ **conducting the use.**

(11) Used fraud or misrepresentation in ~~making an application~~ **the qualification or application** for, or renewal of, a license, permit, registration, or certification.

(12) Refused or neglected to comply with any limitations or restrictions on or in a duly issued license, permit, registration, or certification.

(13) Aided or abetted a person to evade this chapter, conspired with a person to evade this chapter, or allowed a license, permit, registration, or certification to be used by another person.

(14) Made false or misleading statements during or after an inspection concerning any infestation or infection of pests.

(15) Impersonated any federal, state, county, or city inspector, investigator, or official.

(16) Knowingly purchased or used a pesticide product that was not registered under IC 15-16-4.

(17) Failed to continuously maintain financial responsibility required under section 58 of this chapter or to provide proof of financial responsibility to the state chemist when requested.

(18) Intentionally altered a duly issued license, permit, registration, or certification.

(19) Recklessly, knowingly, or intentionally impeded or prevented the state chemist or the state chemist's agent from performing a duty of the state chemist.

SECTION 30. IC 15-16-5-66, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 66. (a) The state chemist may impose civil penalties only in accordance with **this chapter and** the schedule of civil penalties adopted by the board.

(b) **Except for use violations subject to the criteria established in subsection (d),** the board shall establish a schedule of civil penalties that may be imposed under section 65 of this chapter by rule adopted under IC 4-22-2. The rule adopted under this subsection may not provide for a civil penalty that exceeds the following:

~~(1) For a violation committed by a person who is required to be certified as a private applicator, one hundred dollars~~

~~($100).~~

~~(2) For a violation by a person who is not described in subdivision (1), the following:~~

~~(A) Two~~ **(1) Five** hundred ~~fifty~~ dollars ~~($250)~~ **($500)** for a person's first violation.

~~(B) Five hundred~~ **(2) One thousand** dollars ~~($500)~~ **($1,000)** for a person's second violation.

~~(C) One~~ **(3) Two** thousand dollars ~~($1,000)~~ **($2,000)** for a person's third violation and each subsequent violation.

(c) If a violation is of a continuing nature, the state chemist may impose a civil penalty for each day that the violation occurred.

(d) The state chemist shall impose the following penalties for the following violations of this chapter:

(1) A person who:

(A) applies a pesticide without a required license, registration, certification, or permit under this chapter;

(B) makes a misrepresentation with respect to the person's status as the holder of a license, registration, certification, or permit issued under this chapter; or

(C) fails to comply with any requirements applicable to a pesticide business license;

shall be assessed a penalty of five hundred dollars ($500) for the first offense and a penalty of one thousand dollars ($1,000) for a subsequent offense.

(2) A person who sells a restricted use pesticide to an applicator who is not licensed or certified to apply a restricted use pesticide shall be assessed a penalty of one thousand dollars ($1,000).

(3) A person who sells a restricted use pesticide and who fails to register with the state chemist as a registered pesticide dealer shall be assessed a penalty of one thousand dollars ($1,000).

(4) A person who violates a stop sale order issued by the state chemist shall be assessed a penalty of one thousand five hundred dollars ($1,500) for each pesticide product that is in violation of the order.

(5) A person who violates a stop use order issued by the state chemist shall be assessed a penalty of two thousand five hundred dollars ($2,500).

(e) Subject to the criteria established in subsection (f), for a use violation of this chapter, the state chemist shall impose the following penalty in accordance with this subsection:

(1) For a violation that receives not more than eight (8) points, the state chemist shall impose no civil penalty.

(2) For a violation that receives at least nine (9) points but no more than eleven (11) points, the state chemist shall impose a penalty of two hundred fifty dollars ($250) on the person.

(3) For a violation that receives at least twelve (12) points but not more than thirteen (13) points, the state chemist shall impose a penalty of five hundred dollars ($500) on the person.

(4) For a violation that receives at least fourteen (14) points but not more than sixteen (16) points, the state chemist shall impose a penalty of seven hundred fifty dollars ($750) on the person.

(5) For a violation that receives at least seventeen (17) points but not more than nineteen (19) points, the state chemist shall impose a penalty of one thousand dollars ($1,000) on the person.

(6) For a violation that receives at least twenty (20) points but not more than twenty-one (21) points, the state chemist shall impose a penalty of two thousand five hundred dollars ($2,500) on the person.

(7) For a violation that receives at least twenty-two (22) points but not more than twenty-five (25) points, the state chemist shall impose a penalty of not more than five thousand dollars ($5,000) on the person.

(8) For a violation that receives at least twenty-six (26) points but not more than twenty-nine (29) points, the state chemist shall impose a penalty of not more than seven thousand five dollars ($7,500) on the person.

(9) For a violation that receives thirty (30) points or more, the state chemist shall impose a penalty of ten thousand dollars ($10,000) on the person.

(f) The state chemist shall use the following criteria to establish the point value for use in computing the total number of violation points for a penalty imposed under subsection (e):

(1) The following point value shall be assessed based on the adverse effect incurred:

(A) If the violation resulted in exposure to nontarget site or animals with no adverse effect, the state chemist shall assign a point value of one (1).

(B) If the violation resulted in exposure to humans with no adverse effect, the state chemist shall assign a point value of four (4).

(C) If the violation resulted in exposure to nontarget site with adverse effect, the state chemist shall assign a point value of two (2).

(D) If the violation resulted in exposure to animals with adverse effect, the state chemist shall assign a point value of four (4).

(E) If the violation resulted in exposure to humans with adverse effect, the state chemist shall assign a point value of six (6).

(2) The following point value shall be assessed based on the category of product used:

(A) If the product is general use, the state chemist shall assign a point value of one (1).

(B) If the product is restricted use, the state chemist shall assign a point value of four (4).

(3) The following point value shall be assessed based upon the following degrees of responsibility involved in the violation:

(A) If the degree of responsibility is accidental, such as an equipment malfunction, the state chemist shall assign a point value of two (2).

(B) If the degree of responsibility is negligence, the state chemist shall assign a point value of four (4).

(C) If the degree of responsibility is knowing or intentional, the state chemist shall assign a point value of ten (10).

(4) The following point value shall be assessed based upon the person's previous three (3) year history of violations:

(A) If the person has received a warning letter, the state chemist shall assign a point value of two (2).

(B) If the person has been convicted of a criminal penalty under this chapter or has committed a violation of this chapter for which the state chemist has imposed a penalty, the state chemist shall assign a point value of five (5).

(C) If the person has had the person's license, permit, certification, or registration issued under this chapter suspended or revoked, the state chemist shall assign a point value of seven (7).

(5) The following point value shall be assessed based on the following types of violations:

(A) If the person's violation is the result of inaccurate record keeping, the state chemist shall assign a point value of one (1).

(B) If the person's violation is a result of:

(i) the lack of supervision;

(ii) the use of faulty equipment; or

(iii) the use of a pesticide that is contrary to the directions printed on the label and that exposes the person to the pesticide;

the state chemist shall assign a point value of two

(2).
(C) If the person's violation is a result of:
(i) the use of a pesticide that is contrary to the directions printed on the label and that results in the pesticide's exposure to another person;
(ii) the use of a pesticide that is contrary to the directions printed on the label concerning precautionary statements, sites, rates, or other restricted use requirements applicable to the pesticide; or
(iii) the storage or disposal of a pesticide that is contrary to the directions printed on the label;
the state chemist shall assign a point value of three (3).
(D) If the person's violation results in:
(i) water contamination; or
(ii) pesticide drift;
the state chemist shall assign a point value of three (3).
(E) If the person's violation results in direct application to a nontarget site, the state chemist shall assign a point value of four (4).
(F) If the person's violation involves:
(i) the falsification of a record;
(ii) the person's failure to secure a license, permit, registration, or certification required under this chapter; or
(iii) a violation of an order issued by the state chemist with respect to a license, permit, registration, or certification issued under this chapter;
the state chemist shall assign a point value of six (6).

~~(d)~~ **(g)** A proceeding under IC 4-21.5-3 that involves a civil penalty may be consolidated with any other proceeding commenced under IC 4-21.5 to enforce this chapter or the rules adopted under this chapter.

~~(e)~~ **(h)** Money collected for civil penalties imposed under section 65 of this chapter shall be credited to the office of Purdue pesticide programs. The money may be used only to provide education about pesticides.".

Delete pages 2 through 5.

Page 6, delete lines 1 through 41.

Renumber all SECTIONS consecutively.

(Reference is to HB 1119 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

LEHE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred House Bill 1330, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 2, delete "every" and insert "**a**".

Page 2, line 5, delete "shall" and insert "**may**".

(Reference is to HB 1330 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 1.

LEHE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: The committee appointed to act with a like committee of the Senate to wait upon the Governor and to escort him to the Chamber of the House of Representatives to deliver his message to the General Assembly begs leave to report that it has performed the duties assigned to it.

BURTON
WOLKINS
CHYUNG
KLINKER

Motion prevailed.

COMMITTEE REPORT

Mr. Speaker: The committee appointed to act with a like committee of the Senate to wait upon the Chief Justice and to escort her to the Chamber of the House of Representatives to deliver her message to the General Assembly begs leave to report that it has performed the duties assigned to it.

STEUERWALD
YOUNG
BAUER
DELANEY

Motion prevailed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

[*Journal Clerk's Note: Upon the request of Representative McNamara, the Speaker requested a moment of silence for the passing of the Founding President of Southern Indiana, Dr. David L. Rice.]*

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1043.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moed be added as coauthor of House Bill 1044.

HARRIS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Ellington and Hamilton be added as coauthors of House Bill 1049.

HEATON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Karickhoff be added as coauthor of House Bill 1070.

SULLIVAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hatfield be added as coauthor of House Bill 1076.

PRYOR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pfaff be added as coauthor of House Bill 1082.

HEATON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Burton, Morris and Judy be added as coauthors of House Bill 1088.

STUTZMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Davisson and Schaibley be added as coauthors of House Bill 1090.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Miller be added as coauthor of House Bill 1093.

ZIEMKE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Boy be added as coauthor of House Bill 1099.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Ellington, Lauer and Hatfield be added as coauthors of House Bill 1109.

LEHMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives VanNatter and Judy be added as coauthors of House Bill 1115.

MORRIS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Gutwein be added as coauthor of House Bill 1129.

LAUER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1133.

MOED

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1134.

MOED

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Klinker and Moseley be added as coauthors of House Bill 1151.

MAYFIELD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Miller be added as coauthor of House Bill 1188.

BARTELS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Morris and Baird be added as coauthors of House Bill 1195.

JUDY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Gutwein be added as coauthor of House Bill 1203.

CHERRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as coauthor of House Bill 1219.

SHACKLEFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Errington be added as coauthor of House Bill 1226.

HAMILTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Schaibley and Aylesworth be added as coauthors of House Bill 1228.

HAMILTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Fleming be added as coauthor of House Bill 1232.

BAIRD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Stutzman, Pierce and Hatfield be added as coauthors of House Bill 1234.

KARICKHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Harris be added as coauthor of House Bill 1265.

JACKSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Wesco, Borders and Moseley be added as coauthors of House Bill 1267.

HOSTETTLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Pressel and Soliday be added as coauthors of House Bill 1286.

MOSELEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Morrison be added as coauthor of House Bill 1288.

MOSELEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Moed and Cook be added as coauthors of House Bill 1330.

HAMILTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Behning and Burton be added as coauthors of House Bill 1341.

PFAFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Torr be added as coauthor of House Bill 1343.

HOSTETTLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Cherry and Sullivan be added as coauthors of House Bill 1347.

GUTWEIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Gutwein and Negele be added as coauthors of House Bill 1366.

LEHE

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative V. Smith, the House adjourned at 11:46 a.m., this sixteenth day of January, 2020, until Tuesday, January 21, 2020, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Tenth Day — **Tuesday Afternoon** — **January 21, 2020**

The invocation was offered by Senior Minister Darrel Land of Redemption Christian Church in Jasper, a guest of Representative Lindauer.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

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

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

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

Roll Call 29: 98 present; 2 excused. The Speaker announced a quorum in attendance. [*NOTE*: □ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, January 23, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1059, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1059 as introduced.)

Committee Vote: Yeas 17, Nays 5.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1176, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 12, delete "A" and insert "**Subject to IC 12-12.7-2-23,** a".

Page 2, line 13, strike "shall" and insert "**may**".

Page 2, line 15, strike "shall" and insert "**may**".

Page 2, line 26, delete "prior".

Page 2, line 28, delete "adopted in accordance with 20 U.S.C. 1436." and insert "**once the individualized family service plan is signed by a physician.**".

Page 2, between lines 28 and 29, begin a new paragraph and insert:

"**(j) The department of insurance shall adopt rules under IC 4-22-2 to ensure compliance with subsection (i).**".

Page 4, line 13, delete "redesignated" and insert "**reelected**".

Page 6, line 29, delete "A service provider who" and insert "**The division, or a provider of services under this chapter, may not be paid for early intervention services provided under this chapter**".

Page 6, line 30, delete "provides early intervention services in Indiana may not be paid".

Page 6, line 37, delete "An" and insert "**Subject to IC 12-12.7-2-23,** an".

Page 6, line 38, strike "shall" and insert "**may**".

Page 6, line 40, strike "shall" and insert "**may**".
Page 7, line 1, delete "prior".
Page 7, line 3, delete "adopted in accordance with 20" and insert "**once the individualized family service plan is signed by a physician.**".
Page 7, delete line 4, begin a new paragraph and insert:
"**(c) The department of insurance shall adopt rules under IC 4-22-2 to ensure compliance with subsection (b).**".
Page 7, line 9, after "policy;" insert "**or**".
Page 7, line 10, delete "or".
Page 7, delete line 11.
Page 7, line 15, delete "A" and insert "**Subject to subsection (c), a**".
Page 7, line 17, after "policy;" insert "**or**".
Page 7, line 18, delete "plan; or" and insert "**plan.**".
Page 7, delete lines 19 through 22, begin a new paragraph and insert:
"**(c) Subsection (b) applies only to a health plan information card issued:**
(1) initially to a new insured; or
(2) to an insured at the time of the insured's policy renewal;
after June 30, 2020.
(d) The department shall adopt rules under IC 4-22-2 to ensure compliance with this section.
SECTION 1. IC 27-8-5.8-6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 6. (a) As used in this section, "insurer" means:**
(1) an issuer of an accident and sickness insurance policy; or
(2) a third party administrator of health benefits and services under an accident and sickness insurance policy.
(b) The electronic data base by which an insurer allows an insured or a provider to verify an insured's coverage or benefits under an accident and sickness insurance policy issued or administered by the insurer must include the following information for each insured:
(1) Whether health benefits and services under the accident and sickness insurance policy are provided by:
(A) the issuer of the accident and sickness insurance policy; or
(B) a third party administrator.
(2) Whether the accident and sickness insurance policy is subject to state or federal regulation.
(c) The department shall adopt rules under IC 4-22-2 to ensure compliance with this section.".
Page 7, line 25, delete "A" and insert "**Subject to IC 12-12.7-2-23,** a".
Page 7, line 26, strike "shall" and insert "**may**".
Page 7, line 28, strike "shall" and insert "**may**".
Page 7, line 30, delete "prior".
Page 7, line 32, delete "adopted in accordance with 20 U.S.C. 1436." and insert "**once the individualized family service plan is signed by a physician.**".
Page 7, after line 32, begin a new paragraph and insert:
"**(c) The department of insurance shall adopt rules under IC 4-22-2 to ensure compliance with this section.**
SECTION 2. IC 27-13-9-6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 6. (a) As used in this section, "health plan information card" means a card that:**
(1) a health maintenance organization; or
(2) a third party administrator of a self-insured plan; provides to an individual so that the individual may present the card to establish the eligibility of the individual or the individual's dependents to receive benefits or health care services.
(b) A health plan information card must indicate that the benefits and health care services are provided by:
(1) a health maintenance organization; or
(2) a third party administrator.
(c) Subsection (b) applies only to a health plan information card issued:
(1) initially to an individual as a new enrollee; or
(2) to an individual at the time of the individual's renewal of enrollment;
in a health maintenance organization after June 30, 2020.
(d) The department of insurance shall adopt rules under IC 4-22-2 to ensure compliance with this section.
SECTION 3. IC 27-13-9-7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 7. (a) The electronic data base by which a health maintenance organization or by which a third party administrator of benefits and health care services offered under a health maintenance organization contract allows an enrollee or a provider to verify an enrollee's coverage or benefits under a health maintenance organization contract must include the following information for each enrollee:**
(1) Whether benefits and health care services under the health maintenance organization contract are provided by:
(A) the health maintenance organization; or
(B) a third party administrator.
(2) Whether the health maintenance organization contract is subject to state or federal regulation.
(b) The department shall adopt rules under IC 4-22-2 to ensure compliance with this section.".
Renumber all SECTIONS consecutively.
(Reference is to HB 1176 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

DEVON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1249, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:
Page 2, line 15, delete "twelve (12)" and insert "**eight (8)**".
Page 2, line 17, delete "Four (4)" and insert "**Two (2)**".
Page 2, line 18, delete "two (2)" and insert "**one (1)**".
Page 2, line 21, delete "Four (4)" and insert "**Two (2)**".
Page 2, line 21, delete "two (2)" and insert "**one (1)**".
(Reference is to HB 1249 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

DeVon, Chair

Report adopted.

[*Journal Clerk's note:* The House recessed to hear remarks from U.S. Congresswoman Jackie Walorski (R)—District 2.]

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 8

The Speaker handed down Senate Concurrent Resolution 8, sponsored by Representatives Hatfield, McNamara and Sullivan:

A CONCURRENT RESOLUTION congratulating the Evansville Reitz Memorial High School football team on winning the 2019 Indiana High School Athletic Association ("IHSAA") Class 4A state championship title.

Whereas, The Evansville Reitz Memorial High School football team defeated East Noble 21-3 to win the 2019 IHSAA Class 4A state championship title;

Whereas, To advance to the championship game, the Tigers defeated Boonville and Evansville Central to win the sectional championship, Mooresville to win the regional championship, and Mt. Vernon to win the semi-state championship;

Whereas, After trailing 3-0 at halftime following an East Noble field goal, Evansville Reitz Memorial took command of the game in the second half, starting with an 18-play, 80-yard drive taking nearly eight minutes off the third quarter clock which resulted in a touchdown, and a strong Tigers defense held off East Noble for good;

Whereas, Brock Combs rushed for 148 yards and scored two touchdowns for the Tigers, and Alan Stepto and Logan Lively were on the receiving end of two interceptions each, tying the Class 4A state championship records for most individual interceptions and most team interceptions;

Whereas, The state championship victory was Head Coach John Hurley's 100th career win; and

Whereas, Ending the season with a stellar 13-1 record, Evansville Memorial Reitz won its second state championship title in three years: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Evansville Reitz Memorial High School football team on winning the 2019 IHSAA Class 4A state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to each member of the Evansville Reitz Memorial High School football team

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

Senate Concurrent Resolution 9

The Speaker handed down Senate Concurrent Resolution 9, sponsored by Representatives Hatfield, McNamara and Sullivan:

A CONCURRENT RESOLUTION congratulating the Evansville Reitz Memorial High School boys soccer team on winning the 2019 Indiana High School Athletic Association ("IHSAA") Class 2A state championship title.

Whereas, The Evansville Reitz Memorial High School boys soccer team defeated South Bend Saint Joseph 2-1 to win the 2019 IHSAA Class 2A state championship title;

Whereas, The Tigers defeated Evansville Bosse and Heritage Hills to win the sectional championship, Washington and Madison to win the regional championship, and Guerin Catholic to win the semi-state championship to advance to the state championship game;

Whereas, Isaac Bennett scored the Tigers' first goal after executing two give-and-go plays with teammates Evan Hudak and Stevenson Jean in the 22nd minute;

Whereas, Evansville Reitz Memorial's second score came after a Tyler Beeler pass to Garland Hall, and a Garland Hall back heel flick to Isaac Bennett to score the goal in the 34th minute;

Whereas, Though South Bend Saint Joseph out-shot the Tigers 9-7 over the final 40 minutes and scored in the 53rd minute to narrow the deficit, Evansville Reitz Memorial was resilient and never gave up the lead to win the championship;

Whereas, Following the Tigers' championship performance, Samuel Hodge was named the winner of the C. Eugene Cato Mental Attitude Award for Class 2A boys soccer;

Whereas, Evansville Reitz Memorial finished the season with a 17-3-2 record, but with a 15-0 record against Indiana teams; and

Whereas, Led by Head Coach Bill Vieth, Evansville Reitz Memorial won its fifth state championship title to remain undefeated in IHSAA boys soccer state championship game appearances: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Evansville Reitz Memorial High School boys soccer team on winning the 2019 IHSAA Class 2A state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to each member of the Evansville Reitz Memorial High School boys soccer team

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

Senate Concurrent Resolution 12

The Speaker handed down Senate Concurrent Resolution 12, sponsored by Representative Smaltz:

A CONCURRENT RESOLUTION congratulating the Fort Wayne Carroll High School girls cross country team on winning the 2019 Indiana High School Athletic Association ("IHSAA") state championship title.

Whereas, The Fort Wayne Carroll High School girls cross country team won the 2019 IHSAA state championship title with a score of 101 points, defending the team's 2018 championship;

Whereas, Continuing its 2018 success, the Chargers swept the sectional, regional, and semi-state championships to earn a spot in the state championship meet;

Whereas, Fort Wayne Carroll placed six of its seven runners in the top 50 scorers for the race;

Whereas, Scoring for the Chargers was Zoe Duffus, who placed 6th overall, followed by Rayna Fruchey in 19th, Ashlyn Minton in 25th, Mallory Clements in 32nd, and Shelby Christman finished 75th overall to cap the team's championship title;

Whereas, Following the season, Zoe Duffus, Rayna Fruchey, and Ashlyn Minton were named to the Class 4A All State 1st Team by the Indiana Track and Cross Country Coaches Association; and

Whereas, Fort Wayne Carroll, led by head coach Phil Yoder, won the school's second consecutive state championship title in girls cross country: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Fort Wayne Carroll High School girls cross country team on winning the 2019 IHSAA state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to each member of the Fort Wayne Carroll High School girls cross country team

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

House Resolution 5

Representative Judy introduced House Resolution 5:

A HOUSE RESOLUTION urging the legislative council to assign to the appropriate committee the topic of Fair Tax at the state level.

Whereas, The current tax system is considered by many to be complex, unfair, and prohibitive to saving, investment, and job creation;

Whereas, The Fair Tax plan is a sales tax proposal to replace the current income tax structure;

Whereas, A federal Fair Tax plan abolishes all personal and corporate income taxes and all taxes on gifts, estates, capital gains, alternative minimums, Social Security, Medicare, and self-employment; and

Whereas, Indiana has shown a commitment to reduce taxes in the past, so further study of a Fair Tax plan at the state level might benefit Hoosiers: Therefore,

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

SECTION 1. That the legislative council is urged to assign to the appropriate committee the topic of Fair Tax at the state level.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the office of State Representative Christopher Judy for distribution.

The resolution was read a first time and referred to the Committee on Ways and Means.

House Resolution 6

Representatives Cook and Judy introduced House Resolution 6:

A HOUSE RESOLUTION urging a study of the taxes on retirement funds for World War II veterans.

Whereas, Over 16 million Americans served during World War II and fewer than 500,000 of these veterans are alive today;

Whereas, The United States Department of Veterans Affairs estimates that over 5,000 World War II veterans live in Indiana today, based on projections from 2017;

Whereas, The United States Department of Veterans Affairs estimates 348 World War II veterans nationwide pass away each day;

Whereas, It is fitting and proper to consider offering World War II veterans greater security in retirement by reducing the tax burden on their retirement funds;

Whereas, The legislative council is urged to assign to an appropriate study committee the topic of eliminating income tax and other taxes on retirement funds for World War II veterans; and

Whereas, This study would recognize and pay tribute to the brave men and women who fought to maintain democracy and individual freedom throughout the world, thereby bettering the lives of millions of people in every country on the face of the Earth: Therefore,

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

SECTION 1. That the House of Representatives urges the legislative council to assign to an appropriate study committee the topic of eliminating income tax and other taxes on retirement funds for World War II veterans living in Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Anthony Cook for distribution.

The resolution was read a first time and referred to the Committee on Ways and Means.

House Resolution 7

Representative DeLaney introduced House Resolution 7:

A HOUSE RESOLUTION urging Congress to repeal the federal requirement on standardized testing under the Every Student Succeeds Act.

Whereas, The Every Student Succeeds Act (ESSA) replaced the No Child Left Behind Act on December 15, 2015;

Whereas, The intention of these federal mandates provides that all students in the United States have access to quality education regardless of social standing and economic status;

Whereas, Standardized testing for students in grades 3 through 12 was a requirement of No Child Left Behind and similar requirements have been implemented as part of the ESSA;

Whereas, The Indiana Learning Evaluation Assessment Readiness Network (ILEARN) replaced the Indiana Statewide Testing for Education Progress (ISTEP) program, and its later iterations, after more than 30 years in Indiana schools; and

Whereas, The House of Representatives continues to examine various forms of testing designed to assist our students and will continue that without a federal mandate in order to foster a stable and productive environment through which children can receive a quality education: Therefore,

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

SECTION 1. That the House of Representatives urges Congress to repeal the standardized testing requirement under the Every Student Succeeds Act.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Ed DeLaney for distribution.

The resolution was read a first time and referred to the Committee on Education.

House Resolution 8

Representative Campbell introduced House Resolution 8:

A HOUSE RESOLUTION recognizing the month of April each year as Genocide Awareness and Prevention Month.

Whereas, Raphael Lemkin, a Polish lawyer of Jewish descent, coined the term "genocide" during the Second World War to describe a coordinated plan of action aimed at the destruction of the foundations of the life of national groups;

Whereas, Lemkin stated that genocide aims to annihilate a group itself, for example, by disintegrating a group's political and social institutions, culture, language, national feelings, religion, and economic existence, and by destroying the personal security, liberty, health, dignity, and the lives of individuals belonging to the group;

Whereas, Following the Holocaust, on December 9, 1948, the United Nations General Assembly adopted Resolution 260 A (III), the United Nations Convention on the Prevention and Punishment of the Crime of Genocide;

Whereas, The resolution declares genocide to be a crime under international law and defines "genocide" to include the commission of certain acts including: killing members of the group; causing serious bodily or mental harm to members of the group; deliberately inflicting conditions of life calculated to bring about a group's physical destruction in whole or in part; imposing measures intended to prevent births within the group; and forcibly transferring children of the group to another group, with the intent to destroy, in whole or in part, a national, ethnic, racial, or religious group;

Whereas, The Genocide Prevention Task Force, convened by the United States Holocaust Memorial Museum, the American Academy of Diplomacy, and the United States Institute of Peace, issued a report in 2008 finding that effective measures must be implemented to hinder and prevent the possibility of future genocides and mass atrocities;

Whereas, The report found that educating the public can aid in the prevention of future genocides and help to protect individual rights and promote a culture of lawfulness in communities;

Whereas, Communities of people throughout Indiana have endured acts of genocide or human rights atrocities in their countries of origin;

Whereas, The House of Representatives condemns and desires to combat all acts of genocide and all human rights atrocities; and

Whereas, Educating the public about the evils of genocide and commemorating victims of genocide, including the adoption of a Genocide Awareness and Prevention Month, are effective tools that will further these goals: Therefore,

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

SECTION 1. That the House of Representatives recognizes the month of April each year as Genocide Awareness and Prevention Month.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Christine Campbell for distribution.

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

House Resolution 9

Representatives Carbaugh, Borders, Heaton, Judy, Kirchhofer, Lehman, Mayfield, Schaibley, Vermilion, Austin, Bauer, Campbell and Porter introduced House Resolution 9:

A HOUSE RESOLUTION honoring Ann Naughton.

Whereas, Ms. Ann Naughton retired from the Legislative Services Agency on November 1, 2019, after a long and successful career;

Whereas, Ms. Naughton attended Marian University and the Indiana University School of Nursing and became a skilled nurse at Wishard Memorial Hospital after graduation;

Whereas, Ms. Naughton's passion for health care and her experience with the insurance industry sparked an interest in law guiding her toward a new career;

Whereas, Ms. Naughton took her experience in the application and administration of health care as a nurse to the Indiana University School of Law-Indianapolis;

Whereas, Ms. Naughton was admitted to the bar in 1994 and began working at the Legislative Services Agency as a staff attorney in December 1997;

Whereas, Ms. Naughton specialized in the fields of insurance and health care for over 20 years in her career at the Legislative Services Agency;

Whereas, Ms. Naughton was known for her attention to detail and ability to draft complex legislation in her service to the general assembly and the committees on insurance;

Whereas, Ms. Naughton has devoted her time and talent to the benefit of the state of Indiana and all Hoosiers; and

Whereas, Ms. Naughton's calling as both a nurse and attorney will be remembered for years to come in the hearts and minds of those she worked with: Therefore,

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

SECTION 1. That the Indiana House of Representatives congratulates Ms. Ann Naughton on the occasion of her retirement.

SECTION 2. That the Indiana House of Representatives recognizes Ms. Ann Naughton for her many years of experience and efforts supporting the Indiana General Assembly, legislative staff, and numerous state agencies.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Martin Carbaugh for distribution.

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

House Concurrent Resolution 9

Representative Campbell introduced House Concurrent Resolution 9:

A CONCURRENT RESOLUTION recognizing Abby Mills as the 2019 All-American Soap Box Derby world champion in the rally Masters division.

Whereas, Abby Mills is a Soap Box Derby world champion after winning the 82nd All-American Soap Box Derby in Akron, Ohio, on July 20, 2019;

Whereas, Abby won the rally Masters division championship after competing in races across Indiana, Illinois, and Kentucky;

Whereas, Abby is a West Lafayette High School graduate and mechanical engineering student at Purdue University;

Whereas, Abby and her family joined more than 400 competitors at Derby Downs for the All-American Soap Box Derby for races in the Stock, Super Stock, and Masters divisions;

Whereas, Abby has raced Soap Box Derby cars since she was 10 years old and will retire from racing after 10 years;

Whereas, Abby promotes Soap Box Derby racing as an opportunity to have fun while learning the fundamentals of engineering, gaining life skills, and building friendships; and

Whereas, Abby will continue to work with the Greater Lafayette Soap Box Derby community, introducing the sport to a new generation of competitors: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes Abby Mills as the 2019 All-American Soap Box Derby world champion in the rally Masters division.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Abby Mills and her family.

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

House Concurrent Resolution 10

Representative Heaton introduced House Concurrent Resolution 10:

A CONCURRENT RESOLUTION honoring Angus J. Nicoson.

Whereas, Mr. Angus J. Nicoson was born on September 30, 1919, in the small Clay County community of Cedar Point to Henry and Nellie Jefferson;

Whereas, Mr. Nicoson grew up in Clay County and built a reputation as a strong and capable athlete while attending Ashboro High School in the 1930s;

Whereas, Mr. Nicoson's life as an athlete flourished at Indiana Central College, where he would later decline an offer from the Chicago Cubs to begin coaching at Franklin Township High School, near Indianapolis, before finding his way back to Indiana Central College as a coach and athletic director;

Whereas, Mr. Nicoson coached the Indiana Central University basketball team to 483 victories before retiring in 1977, making him the seventh winningest coach in the nation at that time;

Whereas, Indiana Central University, now University of Indianapolis, dubbed their sports arena "Nicoson Hall" in 1977, honoring Mr. Nicoson for his skills as an athlete and for his many years of service to the university;

Whereas, Mr. Nicoson's name was "synonymous with Indiana basketball" according to The Indianapolis Star in 1982 at the time of his passing; and

Whereas, The Indiana General Assembly remembers Mr. Nicoson for his many contributions to his community, the state of Indiana, and Indiana basketball: Therefore,

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

SECTION 1. That the Indiana General Assembly honors Mr. Angus J. Nicoson for his many contributions in high school and college athletics.

SECTION 2. That the Indiana General Assembly recognizes the residents of Ashboro and greater Clay County as they commemorate Mr. Angus J. Nicoson's contributions to Ashboro High School and remember his legacy in Hoosier athletics.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Robert Heaton for distribution.

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

HOUSE BILLS ON SECOND READING

Pursuant to House Rule 143.1 , the following bills which had no amendments filed, were read a second time by title and ordered engrossed: House Bills 1077, 1091, 1094, 1095, 1104, 1109, 1119, 1120, 1129, 1157, 1209, 1210, 1224 and 1309.

House Bill 1009

Representative Goodrich called down House Bill 1009 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1009–1)

Mr. Speaker: I move that House Bill 1009 be amended to read as follows:

Page 1, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 2. IC 12-14-1-1.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.4. (a) Except as otherwise provided by federal law, income that an individual earns employed at a temporary job as a census worker may not be considered as a resource, asset, or income in determining an applicant's or recipient's eligibility for assistance under TANF.**

(b) The division shall request any amendment or waiver necessary from the federal government to implement this section.".

Page 3, between lines 1 and 2, begin a new paragraph and insert:

"SECTION 6. IC 12-14-30-6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 6. (a) Except as otherwise provided by federal law, income that an individual earns employed at a temporary job as a census worker may not be considered as a resource, asset, or income in determining an applicant's or recipient's eligibility for SNAP assistance.**

(b) The division shall apply for any plan amendment, waiver, or any other federal approval necessary to implement this section. Upon approval, the division shall implement this section not later than thirty (30) days from receipt of the federal approval.".

Page 3, after line 25, begin a new paragraph and insert:

"SECTION 8. IC 12-15-2-17.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 17.7. (a) This section applies beginning on the date on which the United States Department of Health and Human Services approves the request for changes by the office under this section.**

(b) This subsection applies to applicants or recipients who are exempt from the use of modified adjusted gross income (MAGI) as described in 42 U.S.C. 1396a(e)(14)(D) in determining eligibility. The office may not consider income earned by:

(1) an applicant;

(2) a recipient; or

(3) a member of the applicant's or recipient's family;

employed at a temporary job as a census worker as a resource, asset, or income in determining the applicant's or recipient's eligibility for Medicaid.

(c) For an applicant or recipient for whom the modified adjusted gross income (MAGI) is applicable, the office shall elect to apply a reasonable method to include a prorated portion of reasonably predictable future income as a factor concerning the income earned by the applicant or recipient employed at a temporary job as a census worker, as set forth in 42 CFR 435.603(h)(3).

(d) The office shall apply for any state plan amendment or Medicaid waiver necessary to implement this section.

SECTION 9. IC 20-26-9-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 8.5. Except as otherwise provided under federal law, income that an individual earns employed at a temporary job as a census worker may not be considered as a resource, asset, or income in determining an applicant's or recipient's eligibility for a school lunch program that offers free or reduced price lunches.**

SECTION 10. IC 21-12-1.2-4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 4. Except as otherwise provided under federal law, income that an individual earns employed at a temporary job as a census worker may not be considered as a resource, asset, or income in determining an applicant's or recipient's eligibility for any scholarship, grant, or award administered by the commission.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1009 as printed January 14, 2020.)

PRYOR

Motion prevailed.

HOUSE MOTION
(Amendment 1009–3)

Mr. Speaker: I move that House Bill 1009 be amended to read as follows:

Page 1, line 4, delete "employed in a:" and insert "**for:**".

Page 1, line 5, after "(1)" insert "**employment in a**".

Page 1, line 5, delete "or".

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

Page 1, line 6, after "IC 20-43-8-0.7);" insert "**or**

(3) paid postsecondary work experience that allows the individual to apply for a related apprenticeship (as defined by IC 20-43-8-0.3);".

Page 2, line 13, delete "in" and insert "**in:**

(A)".

Page 2, line 13, delete "internship or" and insert "**internship;**

(B) a".

Page 2, line 14, after "IC 20-43-8-0.7);" insert "**or**

(C) paid postsecondary work experience that allows the individual to apply for a related apprenticeship (as defined by IC 20-43-8-0.3);".

Page 2, line 30, delete "in" and insert "**in:**

(A)".

Page 2, line 30, delete "internship or" and insert "**internship;**

(B)".

Page 2, line 31, delete "IC 20-43-8-0.7)." and insert "**IC 20-43-8-0.7); or**

(C) paid postsecondary work experience that allows the individual to apply for a related apprenticeship (as defined by IC 20-43-8-0.3).".

Page 2, line 35, delete "employed" and insert "**for:**

(1) employment".

Page 2, line 36, delete "internship or" and insert "**internship;**

(2) employment in".

Page 2, line 37, delete "IC 20-43-8-0.7)" and insert "**IC 20-43-8-0.7; or**

(3) paid postsecondary work experience that allows the individual to apply for a related apprenticeship (as defined by IC 20-43-8-0.3);".

Page 2, line 37, beginning with "may" begin a new line blocked left.

Page 3, line 11, delete "by:" and insert "**by an applicant, a recipient, or a member of the applicant's or recipient's family for**".

Page 3, delete lines 12 through 14.

Run in lines 11 through 15.

Page 3, line 15, delete "in" and insert "**in:**

(1)".

Page 3, line 16, delete "IC 20-43-8-0.7) as" and insert "**IC 20-43-8-0.7); or**

(2) paid postsecondary work experience that allows the individual to apply for a related apprenticeship (as defined by IC 20-43-8-0.3);

as".

(Reference is to HB 1009 as printed January 14, 2020.)

PRYOR

Motion prevailed. The bill was ordered engrossed.

House Bill 1090

Representative Cook called down House Bill 1090 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1090–1)

Mr. Speaker: I move that House Bill 1090 be amended to read as follows:

Page 1, delete lines 1 through 7, begin a new paragraph and insert:

"SECTION 1. IC 23-14-67-1, AS AMENDED BY P.L.42-2018, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) This chapter applies to a cemetery that:

(1) is without funds or sources of funds for reasonable maintenance;

(2) has suffered neglect and deterioration;

(3) may be the burial grounds for an Indiana pioneer leader or veteran of an American war, including the Revolutionary War; and

(4) either:

(A) was established before 1875; or

(B) is a burial ground for a veteran of the Civil War.

(b) A county cemetery commission shall determine if a cemetery is a burial ground for a veteran of the Civil War under subsection (a)(4)(B) based on evidence presented to the county cemetery commission from any of the following:

(1) The Indiana historical bureau established by IC 4-23-7.2-2.

(2) The Indiana historical society established under IC 23-6-3.

(3) A historical society (as defined in IC 36-10-13-3).

(4) ~~The~~ Indiana Landmarks.

(5) The division of historic preservation and archeology of the department of natural resources.

(6) The Indiana archives and records administration under IC 5-15-5.1-5.

(c) A county may also assume responsibility for the maintenance of a cemetery under IC 23-14-78.

SECTION 2. IC 23-14-68-1, AS AMENDED BY P.L.14-2018, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Except as provided in ~~subsection (b)~~ **subsections (b) and (d),** this chapter applies to each cemetery that:

(1) is without funds for maintenance;

(2) was in existence on February 28, 1939; and

(3) is operated by a nonprofit organization or is not managed by any viable organization.

(b) Section 4.5 of this chapter applies to a cemetery that is operated by a nonprofit organization.

(c) **Except for a cemetery for which a township assumes responsibility under subsection (d),** this chapter does not apply to a cemetery located on land on which property taxes are assessed and paid under IC 6-1.1-4.

(d) A township may assume responsibility for the maintenance of a cemetery under IC 23-14-78.".

Page 1, line 11, delete "Maintenance of Cemeteries on Private Property" and insert "**Assumption of Care of Certain Cemeteries**".

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

"**Sec. 1. This chapter does not apply to those cemeteries owned or required to be maintained by:**

(1) a person that operates and conducts the business of a cemetery;

(2) a city or town under IC 23-14-65;

(3) a county under IC 23-14-67; or

(4) a township under IC 23-14-68.".

Page 2, delete lines 1 through 18, begin a new paragraph and insert:

"**Sec. 3. As used in this chapter, "property owner" means the owner of record of a parcel of real property that contains a cemetery to which this chapter applies.**

Sec. 4. (a) A county or a township may agree to maintain a cemetery to which this chapter applies. If a county or a township agrees to maintain a cemetery to which this chapter applies, it shall maintain the cemetery as described in IC 23-14-68-3.

(b) Prior to a county or township assuming the maintenance responsibilities for a cemetery under this section, a property owner must do the following:

(1) Employ a professional surveyor to conduct a survey of the property on which the cemetery is located.

(2) Convey to the county or township, without consideration, an easement or fee simple title to the portion of the property on which the cemetery is located.

(3) If the portion of the property on which the cemetery is located is not accessible by a public road, convey to the township or county, without consideration, an easement for access to the cemetery.

(c) A property owner who transfers the maintenance responsibilities for a cemetery under this section may not file an application for the property to receive the cemetery tax assessment rate under IC 6-1.1-6.8.

(d) A property owner must make a reasonable effort to maintain a cemetery on the property owner's property. If a property owner does not reasonably maintain a cemetery, the county or the township may maintain the cemetery as described in IC 23-14-68-3. If the county or the township assumes maintenance of the cemetery under this subsection, the county or the township may file a lien on the property in the amount required to maintain the cemetery as described in IC 23-14-68-3.".

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

Page 2, line 19, delete "who is".

Page 2, line 20, delete "maintaining a cemetery under this section".

Renumber all SECTIONS consecutively.

(Reference is to HB 1090 as printed January 17, 2020.)

CLERE

Motion prevailed. The bill was ordered engrossed.

House Bill 1166

Representative Mayfield called down House Bill 1166 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1330

Representative Hamilton called down House Bill 1330 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

The Speaker yielded the gavel to the Speaker-Elect, Representative Huston.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1006

Representative Kirchhofer called down Engrossed House Bill 1006 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

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

Roll Call 30: yeas 84, nays 14. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Charbonneau.

Engrossed House Bill 1022

Representative Torr called down Engrossed House Bill 1022 for third reading:

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

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

Roll Call 31: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Messmer.

Engrossed House Bill 1032

Representative Miller called down Engrossed House Bill 1032 for third reading:

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

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

Roll Call 32: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Rogers and Crider.

Engrossed House Bill 1049

Representative Heaton called down Engrossed House Bill 1049 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

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

Roll Call 33: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Holdman.

Engrossed House Bill 1096

Representative Young called down Engrossed House Bill 1096 for third reading:

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

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

Roll Call 34: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Young.

Engrossed House Bill 1143

Representative Morrison called down Engrossed House Bill 1143 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

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

Roll Call 35: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Jon Ford.

Engrossed House Bill 1148

Representative Ellington called down Engrossed House Bill 1148 for third reading:

A BILL FOR AN ACT concerning professions and occupations.

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

Roll Call 36: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Jon Ford, J.D. Ford and Donato.

Engrossed House Bill 1151

Representative Mayfield called down Engrossed House Bill 1151 for third reading:

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

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

Roll Call 37: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Boots.

Engrossed House Bill 1173

Representative Frye called down Engrossed House Bill 1173 for third reading:

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

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

Roll Call 38: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Tomes.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 11

Representative Zent introduced House Concurrent Resolution 11:

A CONCURRENT RESOLUTION urging the creation of a Medal of Honor Memorial Highway in Indiana.

Whereas, The Medal of Honor is our nation's highest award for valor, presented to veterans of the armed forces of the United States for acting with conspicuous gallantry and intrepidity above and beyond the call of duty at risk of one's life during combat with an enemy of the United States;

Whereas, The Medal of Honor is widely recognized and respected by the military and public alike;

Whereas, Hoosier Medal of Honor recipients have close ties to Indiana;

Whereas, Indiana Medal of Honor recipients served with the United States Army, United States Marine Corps, United States Navy, and United States Air Force in wars from the time of the Civil War to the current War on Terror over a period of more than 156 years;

Whereas, The nonprofit Bend Heroes Foundation and the Oregon Legislature created a law designating all 451 miles of the border to border U.S. Highway 20 in Oregon as the Oregon Medal of Honor Highway, a first in our nation to honor all states' Medal of Honor recipients;

Whereas, The Oregon law suggested a first ever National Medal of Honor Highway would be created if all 11 states east of Oregon and through which U.S. Highway 20 traverses designated border to border Medal of Honor Highways in their states;

Whereas, Indiana has not dedicated a border highway to honor all of Indiana's Medal of Honor recipients;

Whereas, The Indiana General Assembly urges the Indiana Department of Transportation to designate U.S. Highway 20, a 163 mile border to border highway, the Indiana Medal of Honor Highway in honor of Indiana's current and future Medal of Honor recipients and facilitate a 3,365 mile National Medal of Honor Highway across America;

Whereas, U.S. Highway 20 travels through or near such towns and cities as Metz, Berlien, Angola, Brush Prairie, Plato, LaGrange, Shipshewana, Middlebury, Elkhart, Osceola, Mishawaka, South Bend, Ardmore, Lydick, Olive, New Carlisle, Rolling Prairie, Springville, Michigan City, Waterford, Trail Creek, Town of Pines, Chesterton, Porter, Portage, Dunes Harbor, Burns Harbor, Ogden Dunes, Dunes Acres, Lake Station, Gary, East Chicago, Whiting, and Hammond;

Whereas, Veterans in Indiana support the creation of a Medal of Honor Highway and have offered to pay the cost to create and install the Indiana Medal of Honor Highway signs; and

Whereas, The Indiana General Assembly deeply appreciates the service and sacrifice of its Medal of Honor recipients and the positive roles they have played in their communities and throughout the United States for more than 150 years: Therefore,

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

SECTION 1. That the Indiana General Assembly urges the Indiana Department of Transportation to rename U.S. Highway 20 beginning at the Indiana and Ohio border and ending at the Illinois and Indiana border the "Indiana Medal of Honor Highway" honoring current and future Indiana Medal of Honor recipients.

SECTION 2. That the Indiana Department of Transportation place and maintain suitable markers which include the display of the three versions of the Medal of Honor along U.S. Highway 20 when installing signs in recognition of the Indiana Medal of Honor Highway.

SECTION 3. That the Indiana Department of Transportation may accept moneys and may enter into agreements with veterans and other groups to create, install, and maintain the signs.

SECTION 4. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Dennis Zent for distribution.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Reassignments

The Speaker announced the reassignment of House Bill 1061 from the Committee on Local Government to the Committee on Commerce, Small Business and Economic Development.

HOUSE MOTION

Mr. Speaker: I move that Representatives Thompson and Cook be added as coauthors of House Bill 1003.

JORDAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representatives Bosma, Huston, Bacon, T.Brown, Cherry, Aylesworth, Abbott, Baird, Barrett, Bartlett, Bauer, Campbell, Candelaria Reardon, Clere, Cook, Deal, Engleman, Errington, Frye, Karickhoff, Leonard, Manning, McNamara, Negele, Schaibley, Shackleford, V. Smith, Soliday, Vermilion, Zent, and Ziemke be added as coauthors of House Bill 1006.

KIRCHHOFER

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

HOUSE MOTION

Mr. Speaker: I move that Representatives Morris and Wesco be added as coauthors of House Bill 1008.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frye be added as coauthor of House Bill 1015.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Jackson be added as coauthor of House Bill 1035.

AYLESWORTH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Heine be added as coauthor of House Bill 1065.

THOMPSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer and Vermilion be added as coauthor of House Bill 1094.

ZIEMKE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Frye and Pierce be added as coauthors of House Bill 1120.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hatfield be added as coauthor of House Bill 1148.

ELLINGTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as coauthor of House Bill 1153.

GOODRICH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives McNamara, Bartels and Shackleford be added as coauthors of House Bill 1157.

HATFIELD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Morris be added as coauthor of House Bill 1181.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Manning be added as coauthor of House Bill 1217.

LAUER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives DeVon and Jackson be added as coauthors of House Bill 1249.

SUMMERS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Aylesworth be added as coauthor of House Bill 1265.

JACKSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative McNamara be added as coauthor of House Bill 1283.

DEVON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Steuerwald be added as coauthor of House Bill 1306.

DELANEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Clere, Karickhoff and Austin be added as coauthors of House Bill 1311.

FLEMING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Hamilton, Miller and VanNatter be added as coauthors of House Bill 1337.

HATFIELD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Judy be added as coauthor of House Bill 1388.

KLINKER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Gutwein be added as coauthor of House Bill 1404.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lauer be added as coauthor of House Concurrent Resolution 8.

NEGELE

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 7, 8, 9 and 12 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolution 8 and the same is herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative May, the House adjourned at 3:23 p.m., this twenty-first day of January, 2020, until Thursday, January 23, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Eleventh Day — **Thursday Morning** — **January 23, 2020**

The invocation was offered by Pastor Dennis Meyer of Bethany Lutheran Church in LaPorte, a guest of Representative Pressel.

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

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

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

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

Roll Call 39: 96 present; 4 excused. The Speaker announced a quorum in attendance. [*NOTE*: □ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, January 27, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Concurrent Resolution 11, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to HC 11 as introduced.)

Committee Vote: Yeas 11, Nays 0.

SULLIVAN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1003, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, delete lines 23 through 42, begin a new paragraph and insert:

"SECTION 2. IC 20-20-8-3, AS AMENDED BY P.L.233-2015, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Not earlier than March 15 or later than March 31 of each year, the governing body of a school corporation shall publish **either:**

(1) an annual performance report of the school corporation; **or**

(2) a summary of the annual performance report with a description of how to find and view the full annual performance report on the Internet.

~~in compliance with the procedures identified in section 7 of this chapter.~~ The report **or summary** must be published one (1) time annually under IC 5-3-1.

(b) The department shall make each school corporation's report available on the department's Internet web site. The annual performance report published on the Internet for a school corporation, including a charter school, must include any additional information submitted by the school corporation under section 6(3)(A) of this chapter. The governing body of a school corporation shall make the school corporation's report

available on a prominent page of a school corporation's Internet web site.

(c) The governing body of a school corporation shall provide a copy of the report to a person who requests a copy. The governing body may not charge a fee for providing the copy.".

Delete pages 6 through 7.

Page 8, delete lines 1 through 17.

Page 9, line 1, delete "suspending all or portions of IC 20-30." and insert "**waiving any provision under this chapter.**".

Page 9, line 2, delete "suspend all or" and insert "**waive any provision under this chapter**".

Page 9, line 3, delete "portions of IC 20-30 only if the suspension" and insert "**only if the waiver request**".

Page 9, between lines 23 and 24, begin a new line block indented and insert:

"**(9) IC 20-30-5-0.5 (display of United States flag; Pledge of Allegiance).**
(10) IC 20-30-5-1 (constitutions).
(11) IC 20-30-5-3 (protected writings).
(12) IC 20-30-5-4 (American history).
(13) IC 20-30-5-4.5 (moment of silence).
(14) IC 20-30-5-5 (morals instruction).
(15) IC 20-30-5-6 (good citizenship instruction).
(16) IC 20-30-5-22 (Indiana studies).
(17) IC 20-30-5-21 (contrary student instruction not permitted).".

Page 9, line 24, delete "(9)" and insert "**(18)**".
Page 9, line 26, delete "(10)" and insert "**(19)**".
Page 9, line 27, delete "(11)" and insert "**(20)**".
Page 9, line 29, delete "(12)" and insert "**(21)**".
Page 9, line 30, delete "(13)" and insert "**(22)**".
Page 9, line 31, delete "(14)" and insert "**(23)**".
Page 9, line 32, delete "(15)" and insert "**(24)**".
Page 9, line 33, delete "(16)" and insert "**(25)**".
Page 9, line 34, delete "(17)" and insert "**(26)**".
Page 9, line 36, delete "(18)" and insert "**(27)**".
Page 9, line 37, delete "(19)" and insert "**(28)**".
Page 9, line 38, delete "(20)" and insert "**(29)**".
Page 9, line 39, delete "(21)" and insert "**(30)**".
Page 9, line 41, delete "(22)" and insert "**(31)**".
Page 9, line 42, delete "(23)" and insert "**(32)**".
Page 10, line 1, delete "(24)" and insert "**(33)**".
Page 10, line 2, delete "(25)" and insert "**(34)**".
Page 10, line 4, delete "(26)" and insert "**(35)**".
Page 10, line 5, delete "(27)" and insert "**(36)**".
Page 10, line 7, delete "(28)" and insert "**(37)**".
Page 10, line 8, delete "(29)" and insert "**(38)**".

Page 10, line 14, after "board." insert "**The report shall describe compliance waiver submissions that were approved as well as compliance waiver submissions that were denied by the state board.**".

Page 10, line 40, delete "The" and insert "**(c) In the event the state board does not require training to be completed as part of a teacher preparation program under IC 20-28-5.5-1,** the".

Page 10, line 40, reset in roman "training required under this section must be during the".

Page 10, reset in roman line 41.

Page 16, line 18, delete "Except as provided in subsection (c), the" and insert "**The**".

Page 16, line 22, after "IC 20-28-5, or" insert "**, in consultation with teacher preparation programs (as defined in IC 20-28-3-1(b)),**".

Page 16, between lines 30 and 31, begin a new line blocked left and insert:

"**However, nothing in this subsection shall be construed to authorize the state board to suspend or otherwise eliminate training requirements described in this subsection.**".

Page 16, line 31, delete "Except as provided in subsection (c) and in" and insert "**In**".

Page 17, line 13, after "or" insert "**, in consultation with teacher preparation programs (as defined in IC 20-28-3-1(b)),**".

Page 17, line 15, delete "shorter or" and insert "**more frequent and**".

Page 17, line 16, after "training" insert "**may not**".

Page 17, line 16, delete "frequent" and insert "**stringent**".

Page 17, line 17, after "2020." insert "**Nothing in this subsection shall be construed to authorize the state board to suspend or otherwise eliminate training requirements described in this subsection.**".

Page 18, line 26, after "(a)(2)(B)" insert ",".

Page 18, line 26, strike "or".

Page 18, line 26, delete ":" and insert ", **or (a)(2)(D):**".

Page 19, between lines 24 and 25, begin a new paragraph and insert:

"**(f) If a school offers a course described in subsection (a)(2)(B), (a)(2)(C), or (a)(2)(D), the parent of a student and the student who intends to enroll in the course must provide consent to the school to enroll in the course. The consent form used by the school, which shall be prescribed by the state board in collaboration with the commission for higher education, must notify the parent and the student that enrollment in the course may affect the student's ability to attend a particular postsecondary educational institution or enroll in a particular course at a particular postsecondary educational institution because the course does not align with academic requirements established by the postsecondary educational institution.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1003 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred House Bill 1004, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 16-21-2-17 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 17. (a) As used in this section, "covered individual" means an individual who is entitled to be provided health care services at a cost established according to a network plan.**

(b) As used in this section, "facility" means an institution in which health care services are provided to individuals. The term includes:

(1) hospitals and other licensed ambulatory surgical centers; and
(2) ambulatory outpatient surgical centers.

(c) As used in this section, "in network provider" means a provider that is required under a network plan to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

(d) As used in this section, "network plan" means a plan under which providers are required by contract to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

(e) As used in this section, "practitioner" means the following:

(1) An individual licensed under IC 25 who provides professional health care services to individuals in a facility.

(2) An organization:
(A) that consists of practitioners described in subdivision (1); and
(B) through which practitioners described in subdivision (1) provide health care services.
(3) An entity that:
(A) is not a facility; and
(B) employs practitioners described in subdivision (1) to provide health care services.
(f) As used in this section, "provider" means:
(1) a facility; or
(2) a practitioner.
(g) Except as provided in subsection (h), when a covered individual receives health care services in a facility that is an in network provider, neither:
(1) the facility; nor
(2) a practitioner who provides health care services in the facility;
may charge more for the health care services provided to the covered individual than allowed according to the rate or amount of compensation established by the network plan.
(h) A facility that is an in network provider or a practitioner who provides health care services in the facility may charge more for the health care services provided to the covered individual than allowed according to the rate or amount of compensation established by the network plan if all of the following conditions are met:
(1) At least five (5) days before the health care services are scheduled to be provided to the covered individual, the facility or practitioner provides to the covered individual, on a form separate from any other form provided to the covered individual by the facility or practitioner, a statement in conspicuous type at least as large as fourteen (14) point type that meets the following requirements:
(A) Includes a notice reading substantially as follows: "[Name of facility or practitioner] intends to charge you more for [name or description of health care services] than allowed according to the rate or amount of compensation established by the network plan applying to your coverage. [Name of facility or practitioner] is not entitled to charge this much for [name or description of health care services] unless you give your written consent to the charge.".
(B) Sets forth the facility's or practitioner's good faith estimate of the amount that the facility or practitioner intends to charge for the health care services provided to the covered individual.
(C) Includes a notice reading substantially as follows concerning the good faith estimate set forth under clause (B): "The estimate of our intended charge for [name or description of health care services] set forth in this statement is provided in good faith and is our best estimate of the amount we will charge.".
(2) The covered individual signs the statement provided under subdivision (1), signifying the covered individual's consent to the charge for the health care services being greater than allowed according to the rate or amount of compensation established by the network plan.
(i) If the charge of a facility or practitioner for health care services provided to a covered individual exceeds the estimate provided to the covered individual under subsection (h)(1)(B), the facility or practitioner shall explain in a writing provided to the covered individual why the charge exceeds the estimate.

SECTION 2. IC 25-1-9-23 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 23. (a) As used in this section, "covered individual" means an individual who is entitled to be provided health care services at a cost established according to a network plan.**
(b) As used in this section, "in network practitioner" means a practitioner who is required under a network plan to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.
(c) As used in this section, "network plan" means a plan under which facilities and practitioners are required by contract to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.
(d) As used in this section, "practitioner" means the following:
(1) An individual licensed under IC 25 who provides professional health care services to individuals in a facility.
(2) An organization:
(A) that consists of practitioners described in subdivision (1); and
(B) through which practitioners described in subdivision (1) provide health care services.
(3) An entity that:
(A) is not a facility; and
(B) employs practitioners described in subdivision (1) to provide health care services.
(e) Except as provided in subsection (f), an in network practitioner who provides health care services to a covered individual may not charge more for the health care services than allowed according to the rate or amount of compensation established by the network plan.
(f) An in network practitioner who provides health care services to a covered individual may charge more for the health care services than allowed according to the rate or amount of compensation established by the network plan if all of the following conditions are met:
(1) At least five (5) days before the health care services are scheduled to be provided to the covered individual, the practitioner provides to the covered individual, on a form separate from any other form provided to the covered individual by the practitioner, a statement in conspicuous type at least as large as fourteen (14) point type that meets the following requirements:
(A) Includes a notice reading substantially as follows: "[Name of practitioner] intends to charge you more for [name or description of health care services] than allowed according to the rate or amount of compensation established by the network plan applying to your coverage. [Name of practitioner] is not entitled to charge this much for [name or description of health care services] unless you give your written consent to the charge.".
(B) Sets forth the practitioner's good faith estimate of the amount that the practitioner intends to charge for the health care services provided to the covered individual.
(C) Includes a notice reading substantially as follows concerning the good faith estimate set forth under clause (B): "The estimate of our intended charge for [name or description of health care services] set forth in this statement is provided in good faith and is our best estimate of the amount we will charge. If our actual charge for [name or description of health care services] exceeds our estimate, we will explain to you why the charge exceeds the estimate.".
(2) The covered individual signs the statement provided under subdivision (1), signifying the covered individual's consent to the charge for the health care services being greater than allowed according to the rate or amount of compensation established by the network plan.

(g) If the charge of a practitioner for health care services provided to a covered individual exceeds the estimate provided to the covered individual under subsection (f)(1)(B), the facility or practitioner shall explain in a writing provided to the covered individual why the charge exceeds the estimate.

(Reference is to HB 1004 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

CARBAUGH, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1005, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 6, delete lines 19 through 23, begin a new paragraph and insert:

"SECTION 5. IC 16-18-2-163.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 163.6. "Health care services", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-1.**".

Page 6, line 26, after "163.8." insert "**(a)**".

Page 6, between lines 28 and 29, begin a new paragraph and insert:

"**(b) "Health carrier", for purposes of IC 16-51-2, has the meaning set forth in IC 16-51-2-1.**".

Page 7, delete lines 3 through 7.

Page 7, between lines 38 and 39, begin a new paragraph and insert:

"**(f) "Practitioner", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-4.**".

Page 8, between lines 40 and 41, begin a new paragraph and insert:

"**(f) "Provider", for purposes of IC 16-51-2, has the meaning set forth in IC 16-51-2-2.**".

Page 9, delete lines 4 through 40, begin a new paragraph and insert:

"SECTION 17. IC 16-18-2-328.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 328.7. "Service facility location", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-6.**

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

Page 10, line 19, after "estimate" insert "**within three (3) business days**".

Page 10, line 20, delete "or" and insert "**.**".

Page 10, delete lines 21 through 24.

Page 10, between lines 28 and 29, begin a new paragraph and insert:

"**Sec. 0.5. Nothing in this chapter prohibits:**

(1) a self-funded health benefit plan that complies with the federal Employee Retirement Income Security Act (ERISA) of 1974 (29 U.S.C. 1001 et seq.); or

(2) a self-insurance program established to provide group health coverage as described in IC 5-10-8-7(b), or a contract for health services as described in IC 5-10-8-7(c);

from providing information requested by a practitioner or provider facility under this chapter.".

Page 10, line 33, delete "realistic, honest" and insert "**reasonable**".

Page 10, line 33, delete "amount" and insert "**price**".

Page 12, line 6, after "services" insert "**ordered, scheduled, or referred by a practitioner**".

Page 12, line 6, delete "the:" and insert "**the purpose of:**".

Page 12, line 18, after "therapists);" insert "**or**".

Page 12, delete line 19.

Page 12, line 20, delete "(D)" and insert "**(C)**".

Page 12, delete line 21.

Page 12, between lines 23 and 24, begin a new paragraph and insert:

"**Sec. 8.5. As used in this chapter, "price" means the negotiated rate between the:**

(1) provider facility and practitioner; and

(2) covered individual's health carrier.".

Page 12, line 35, delete "." and insert "**, including outpatient facilities.**".

Page 12, between lines 40 and 41, begin a new line block indented and insert:

"**(8) An infusion center that administers intravenous medications.**".

Page 12, line 41, after "not" insert "**:**

(1)".

Page 12, line 42, delete "recipient." and insert "**recipient; or**

(2) limit the authority of a legal representative of the patient.".

Page 13, line 4, delete "amount" and insert "**price**".

Page 13, line 7, delete "seventy-two (72) hours" and insert "**three (3) business days**".

Page 13, line 10, delete "charge" and insert "**price**".

Page 13, line 22, delete "and" and insert "**,**".

Page 13, line 23, delete ":" and insert "**, and other persons who provide professional health services:**".

Page 13, line 39, delete "amount" and insert "**price**".

Page 14, line 4, delete "is" and insert "**and has been verified as**".

Page 14, line 27, delete "or".

Page 14, line 28, after "mail;" insert "**or**

(3) through a mobile application;".

Page 14, line 34, delete "charge" and insert "**price**".

Page 14, line 36, delete "charges" and insert "**prices**".

Page 14, after line 42, begin a new paragraph and insert:

"**(c) A health carrier must provide a provider facility with timely information needed by the provider facility to comply with the requirements under this chapter.**".

Page 15, line 2, delete "wait" and insert "**check in or register**".

Page 15, line 14, after "for a" insert "**nonemergency**".

Page 15, line 14, delete "In".

Page 15, line 15, delete "nonemergency situations, the" and insert "**The**".

Page 15, line 16, delete "72 hours." and insert "**3 business days.**".

Page 15, line 24, delete "at any time".

Page 15, line 25, after "for a" insert "**nonemergency**".

Page 15, line 26, delete "In nonemergency situations, the" and insert "**The**".

Page 15, line 27, delete "72 hours." and insert "**3 business days.**".

Page 15, delete lines 28 through 42.

Page 16, delete lines 1 through 25.

Page 16, line 33, delete "chapter." and insert "**chapter for the following:**

(1) For as many of the seventy (70) shoppable services specified in 45 CFR 180 (as published August 9, 2019, and as subsequently amended) that are provided by the hospital or ambulatory outpatient surgical center.

(2) In addition to the services specified in subdivision (1), the thirty (30) most common services that are provided by the hospital or ambulatory outpatient surgical center.".

Page 17, delete lines 3 through 5.
Page 17, line 6, delete "(E)" and insert "**(C)**".
Page 17, line 8, delete "(F)" and insert "**(D)**".
Page 17, line 8, delete "." and insert "**without charitable assistance from the hospital or ambulatory surgical center.**
(E) Self pay with charitable assistance from the hospital or ambulatory surgical center.".
Page 17, between lines 14 and 15, begin a new paragraph and insert:
"SECTION 22. IC 16-24.5 IS ADDED TO THE INDIANA CODE AS A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:
ARTICLE 24.5. OTHER HEALTH CARE FACILITIES
Chapter 1. Urgent Care Facilities
Sec. 1. (a) As used in this chapter, "urgent care facility" means a free standing health care facility that offers episodic, walk-in care for the treatment of acute, but not life-threatening, health conditions.
(b) The term does not include an emergency department of a hospital or a nonprofit or government operated health clinic.
Sec. 2. (a) Not later than March 31, 2021, an urgent care facility shall post on the Internet web site of the urgent care facility pricing and other information specified in this chapter for the fifteen (15) most common services that are provided by the urgent care facility.
(b) The following information must be included on the Internet web site by an urgent care facility for each billing code, including, if relevant, each diagnosis related group (DRG) billing code and each health care common procedure coding system (HCPCS) billing code:
(1) The number of services provided for the code.
(2) A description of the service.
(3) The weighted average prices paid per service per provider type for each of the following categories:
(A) Employer sponsored insurance.
(B) Individually purchased insurance.
(C) Medicare, including fee for service and Medicare Advantage.
(D) Self pay without charitable assistance from the hospital or ambulatory surgical center.
(E) Self pay with charitable assistance from the hospital or ambulatory surgical center.
Sec. 3. (a) The information displayed on the Internet web site must be in an easy to read, understandable format, and include the prices for each billing code by provider type.
(b) An urgent care facility shall update the information on the Internet web site on a quarterly basis.
SECTION 23. IC 16-51 IS ADDED TO THE INDIANA CODE AS A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:
ARTICLE 51. HEALTH CARE REQUIREMENTS
Chapter 1. Health Care Billing
Sec. 1. (a) As used in this chapter, "health care services" means health care related services or products rendered or sold by a provider within the scope of the provider's license or legal authorization.
(b) The term includes hospital, medical, surgical, dental, vision, and pharmaceutical services or products.
Sec. 2. As used in this chapter, "health maintenance organization" has the meaning set forth in IC 27-13-1-19.
Sec. 3. As used in this chapter, "insurer" has the meaning set forth in IC 27-8-11-1(e).
Sec. 4. As used in this chapter, "practitioner" means an individual or entity duly licensed or legally authorized to provide health care services.
Sec. 5. As used in this chapter, "provider facility" means any of the following:
(1) A hospital.
(2) A skilled nursing facility.
(3) An end stage renal disease provider.
(4) A home health agency.
(5) A hospice organization.
(6) An outpatient physical therapy, occupational therapy, or speech pathology service provider.
(7) A comprehensive outpatient rehabilitation facility.
(8) A community mental health center.
(9) A critical access hospital.
(10) A federally qualified health center.
(11) A histocompatibility laboratory.
(12) An Indian health service facility.
(13) An organ procurement organization.
(14) A religious nonmedical health care institution.
(15) A rural health clinic.
Sec. 6. As used in this chapter, "service facility location" means the address where the services of a provider facility or practitioner were provided. The term consists of exact address and place of service codes as required on CMS forms 1500 and 1450, including an office, on-campus location of a hospital, and off-campus location of a hospital.
Sec. 7. (a) A provider facility or practitioner shall include the address of the service facility location in order to obtain reimbursement for a commercial claim for health care services from an insurer, health maintenance organization, employer, or other person responsible for the payment of the cost of health care services.
(b) An insurer, health maintenance organization, employer, or other person responsible for the payment of the cost of health care services is not required to accept a bill for health care services that does not contain the service facility location.
Sec. 8. A patient is not liable for any additional payment that is the result of a practitioner or provider facility filing an incorrect form or not including the correct service facility location as required under this chapter.
Chapter 2. Centralized Credentialing
Sec. 1. (a) As used in this chapter, "health carrier" means an entity:
(1) that is subject to IC 27 and the administrative rules adopted under IC 27; and
(2) that enters into a contract to:
(A) provide health care services;
(B) deliver health care services;
(C) arrange for health care services; or
(D) pay for or reimburse any of the costs of health care services.
(b) The term includes the following:
(1) An insurer, as defined in IC 27-1-2-3(x), that issues a policy of accident and sickness insurance, as defined in IC 27-8-5-1(a).
(2) A health maintenance organization, as defined in IC 27-13-1-19.
(3) An administrator (as defined in IC 27-1-25-1(a)) that is licensed under IC 27-1-25.
(4) Any other entity that provides a plan of health insurance, health benefits, or health care services.
Sec. 2. As used in this chapter, "provider" has the meaning set forth in IC 16-18-2-295(c)(1).
Sec. 3. (a) The department shall implement a centralized credentials verification organization and credentialing process that:
(1) uses a common application, as determined by provider type;
(2) issues a single credentialing decision applicable to all health carriers, except as determined by the department;
(3) recredentials and revalidates provider information not less than once every three (3) years;
(4) requires attestation of enrollment and credentialing information every six (6) months; and
(5) is certificated or accredited by the National Committee for Quality Assurance or its successor

organization.

(b) A health carrier may not require additional credentialing requirements in order to participate in a health carrier's network. However, a health carrier may collect additional information from the provider in order to complete a contract or provider agreement.

(c) A health carrier is not required to contract with a provider. However, if a provider is employed by a health care facility that is covered by the health carrier or in the health carrier's network and the provider meets the credentialing requirements under this chapter, the health carrier shall reimburse the provider for any reimbursable services from the date that the provider was employed by the health care facility.

(d) A credentialed provider may be employed by multiple health care facilities.

(e) Except when a provider's professional license is no longer valid, a credential acquired under this chapter is valid until recredentialing is required.

(f) An adverse action under this section is subject to IC 4-21.5.

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

(h) The department may adopt emergency rules to implement this section. However, an emergency rule adopted under this section expires the earlier of:

(1) one (1) year after the rule was accepted for filing under IC 4-22-2-37.1(e); or

(2) June 30, 2021.

This subsection expires July 1, 2021.".

Page 17, line 23, delete "realistic, honest" and insert "**reasonable**".

Page 17, line 23, delete "amount" and insert "**price**".

Page 18, line 41, after "services" insert "**ordered, scheduled, or referred by a practitioner**".

Page 19, line 11, after "therapists);" insert "**or**".

Page 19, delete line 12.

Page 19, line 13, delete "(D)" and insert "**(C)**".

Page 19, delete line 14.

Page 19, between lines 16 and 17, begin a new paragraph and insert:

"**Sec. 8.5. As used in this chapter, "price" means the negotiated rate between the:**

(1) provider facility and practitioner; and

(2) covered individual's health carrier.".

Page 19, between lines 33 and 34, begin a new line block indented and insert:

"**(8) An infusion center that administers intravenous medications.**".

Page 19, line 39, delete "amount" and insert "**price**".

Page 19, line 42, delete "seventy-two (72) hours" and insert "**three (3) business days**".

Page 20, line 2, after "total" insert "**price**".

Page 20, line 37, delete "or".

Page 20, line 38, after "mail;" insert "**or**

(3) through a mobile application;".

Page 21, line 2, delete "charge" and insert "**price**".

Page 21, line 4, delete "charges" and insert "**prices**".

Page 21, between lines 10 and 11, begin a new paragraph and insert:

"**(c) A health carrier must provide a practitioner with timely information needed by the practitioner to comply with the requirements under this chapter.**".

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

"**Sec. 16. (a) A practitioner that has ordered, scheduled, or referred the individual for a nonemergency health care service shall provide to the individual an electronic or paper copy of a written notice that states the following, or words to the same effect: "A patient may at any time ask a practitioner for an estimate of the amount the practitioner will charge for providing a nonemergency medical service. The law requires that the estimate be provided within 3 business days.".**

(b) The state department may adopt rules under IC 4-22-2 to establish requirements for practitioners to provide additional charging information under this section.".

Page 22, delete lines 1 through 2.

Page 22, line 18, after "13.5." insert "**(a)**".

Page 22, between lines 28 and 29, begin a new paragraph and insert:

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

Page 22, line 31, after "to" insert "**:**

(1)".

Page 22, line 31, after "contracts" insert "**; and**

(2) contracts between a provider and a pharmacy benefits manager;".

Page 22, line 32, after "renewed" insert "**, including contracts that automatically renew after the expiry date,**".

Page 23, delete lines 3 through 4.

Page 23, line 5, delete "2." and insert "**1.**".

Page 23, line 6, delete "established under section 4 of" and insert "**created under**".

Page 23, line 7, delete "3." and insert "**2.**".

Page 23, delete lines 24 through 31.

Page 23, line 32, delete "5." and insert "**3.**".

Page 24, line 36, delete "6. (a) Before May 30, 2021," and insert "**4. (a) After May 30, 2021, but before June 15, 2021,**".

Page 24, line 41, delete "5" and insert "**3**".

Page 25, line 2, delete "forming" and insert "**informing**".

Page 25, line 21, delete "7." and insert "**5.**".

Page 25, line 37, after "carrier's" insert "**reasonable**".

Page 27, line 13, after "services" insert "**ordered, scheduled, or referred by a practitioner**".

Page 27, line 25, after "therapists);" insert "**or**".

Page 27, delete line 26.

Page 27, line 27, delete "(D)" and insert "**(C)**".

Page 27, delete line 28.

Page 27, between lines 30 and 31, begin a new paragraph and insert:

"**Sec. 9.5. As used in this chapter, "price" means the negotiated rate between the:**

(1) provider facility and practitioner; and

(2) covered individual's health carrier;

minus the amount that the health carrier will pay.".

Page 28, between lines 5 and 6, begin a new line block indented and insert:

"**(8) An infusion center that administers intravenous medications.**".

Page 28, line 25, after "each" insert "**scheduled**".

Page 28, line 29, delete "twenty-four (24) hours" and insert "**three (3) business days**".

Page 29, between lines 3 and 4, begin a new paragraph and insert:

"**(f) A practitioner and provider facility must provide a health carrier with timely information needed by the health carrier to comply with the requirements under this chapter.**".

Page 29, line 9, after "14." insert "**(a)**".

Page 29, between lines 32 and 33, begin a new paragraph and insert:

"**(b) A practitioner and provider facility must provide a health carrier with timely information needed by the health carrier comply to with the requirements under this chapter.**".

Page 29, line 34, delete "include on the Internet web" and insert "**ensure that the Internet web site includes a printed notice that:**

(1) is designed, lettered, and featured on the Internet web site so as to be conspicuous to and readable by any individual with normal vision who visits the Internet web site; and

(2) states the following, or words to the same effect: "A covered individual may at any time ask the health carrier for an estimate of the amount the health carrier will pay for or reimburse to a covered individual for nonemergency health care services that have been ordered for the covered individual or the nature and extent of the ordered nonemergency health care services a covered individual is entitled to receive from the health carrier. The law requires that an estimate be provided within 3 business days.".".

Page 29, delete lines 35 through 42.

Page 30, delete lines 1 through 4.

Renumber all SECTIONS consecutively.

(Reference is to HB 1005 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1066, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 2. IC 20-19-3-21 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 21. The department shall publish the following information on the department's Internet web site:**

(1) The information reported under IC 20-29-3-15(b)(20), IC 20-29-3-15(b)(25), and IC 20-29-3-15(b)(27) in the most recent report prepared under IC 20-29-3-15.

(2) The number of emergency permits granted by each school corporation, categorized by content area, during the school year or collective bargaining period covered by the most recent report prepared under IC 20-29-3-15.

SECTION 3. IC 20-25-4-20, AS ADDED BY P.L.1-2005, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20. **(a)** The general school laws of Indiana and all laws and parts of laws applicable to the general system of common schools in school cities, so far as not inconsistent with this chapter and other provisions of this article, and unless made inapplicable by this article, are in full force and effect in a school city to which this chapter applies.

(b) Notwithstanding IC 20-25-13, staff performance evaluation plans in a school city shall be developed and implemented as provided in IC 20-28-11.5-4.

SECTION 4. IC 20-25.7-5-5, AS AMENDED BY P.L.130-2018, SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) IC 20-24-5-5 (with the exception of IC 20-24-5-5(f)) does not apply to a participating innovation network charter school that enters into an agreement with the board to reconstitute or establish an eligible school.

(b) Except as provided in subsections (c) and (d), a participating innovation network charter school must enroll any eligible student who submits a timely application for enrollment.

(c) A participating innovation network charter school that reconstitutes or establishes an eligible school may limit new admissions to the participating innovation network charter school to:

(1) ensure that any student with legal settlement in the attendance area, or in the school corporation if the school does not have a defined attendance area, may attend the charter school;

(2) ensure that a student who attends the participating innovation network charter school during a school year may continue to attend the charter school in subsequent years;

(3) allow the siblings of a student **alumnus or a current student** who attends the participating innovation network charter school to attend the charter school; ~~and~~

(4) allow preschool students who attend a Level 3 or Level 4 Paths to QUALITY program preschool to attend kindergarten at the participating innovation network charter school if the participating innovation network charter school and the school corporation or preschool provider have entered into an agreement to share services or facilities; **and**

(5) allow each student who qualifies for free or reduced price lunch under the national school lunch program to receive preference for admission to the participating innovation network charter school if the preference is specifically provided for in the charter and is approved by the authorizer.

(d) A participating innovation network charter school with a curriculum that includes study in a foreign country may deny admission to a student if:

(1) the student:

(A) has completed fewer than twenty-two (22) academic credits required for graduation; and

(B) will be in the grade 11 cohort during the school year in which the student seeks to enroll in the participating innovation network charter school; or

(2) the student has been suspended (as defined in IC 20-33-8-7) or expelled (as defined in IC 20-33-8-3) during the twelve (12) months immediately preceding the student's application for enrollment for:

(A) ten (10) or more school days;

(B) a violation under IC 20-33-8-16;

(C) causing physical injury to a student, a school employee, or a visitor to the school; or

(D) a violation of a school corporation's drug or alcohol rules.

For purposes of subdivision (2)(A), student discipline received under IC 20-33-8-25(b)(7) for a violation described in subdivision (2)(B) through (2)(D) must be included in the calculation of the number of school days that a student has been suspended.

(e) A participating innovation network charter school may give enrollment preferences to children of the participating innovation network charter school's founders, governing board members, and participating innovation network charter school employees, as long as the enrollment preference under this subsection is not given to more than ten percent (10%) of the participating innovation charter school's total population and there is sufficient capacity for a program, class, grade level, or building to ensure that any student with legal settlement in the attendance area may attend the school.

(f) This subsection applies to an existing charter school that enters into an innovation network agreement with the board. During the charter school's first year of operation as a participating innovation network charter school, the charter school may limit admission to:

(1) those students who were enrolled in the charter school on the date it entered into the innovation network agreement; and

(2) siblings of students described in subdivision (1).

~~(f)~~ **(g)** This subsection applies if the number of applications for a program, class, grade level, or building exceeds the capacity of the program, class, grade level, or building. If a

participating innovation network charter school receives a greater number of applications than there are spaces for students, each timely applicant must be given an equal chance of admission. The participating innovation network charter school that is not in a county containing a consolidated city must determine which of the applicants will be admitted to the participating innovation network charter school or the program, class, grade level, or building by random drawing in a public meeting with each timely applicant limited to one (1) entry in the drawing. However, the participating innovation network charter school located in a county with a consolidated city shall determine which of the applicants will be admitted to the participating innovation network charter school or the program, class, grade level, or building by using a publicly verifiable random selection process.".

Page 7, delete lines 40 through 42, begin a new line blocked left and insert:

"**However, the school corporation, charter school, or entity may consider the circumstances relating to the substantiated report of child abuse or neglect, including, but not limited to:**

(1) the amount of time that has elapsed since the substantiated report of child abuse or neglect occurred;

(2) whether charges were filed; or

(3) positions held by the individual;

before using the information obtained under section 10 of this chapter as grounds not to employ or contract with the individual. Nothing in this subsection may be construed to contradict federal law.".

Page 8, delete lines 1 through 4.

Page 8, delete lines 39 through 42, begin a new paragraph and insert:

"**(c) Notwithstanding this chapter and IC 20-43, if a school corporation has adopted a policy of not accepting the transfer of any student who does not have legal settlement within the school corporation, the school corporation may not enroll and may not report for purposes of state tuition support a student under this section whose parent does not meet the requirements described in subsection (a).**".

Page 9, delete lines 1 through 4.

Page 10, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 8. IC 20-29-3-15, AS ADDED BY P.L.161-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. (a) The board shall prepare an annual report covering the previous school year or collective bargaining period that includes at least the information described in subsection (b). Before November 15 each year, the board shall:

(1) submit the report to the budget committee, department of education, state board, and legislative council in an electronic format under IC 5-14-6; and

(2) publish the report on the state's interactive and searchable Internet web site containing local government information (the Indiana gateway for governmental units).

(b) The report must cover at least the following information:

(1) The total number of full-time public school teachers and the number of nonteaching full-time district level administrators.

(2) The average tenure of all full-time public school teachers.

(3) The number of first-year, full-time teachers hired during the previous calendar year.

(4) The number of full-time teachers who retired during the interval between the immediately preceding collective bargaining period and the previous calendar year's collective bargaining period.

(5) The overall average salary of nonteaching full-time district level administrators.

(6) The overall average salary of full-time public school teachers.

(7) The statewide average total compensation of full-time public school teachers, the statewide average daily teacher salary rate, and the statewide average annual teacher contract days.

(8) The statewide average total compensation of full-time public school administrators, the statewide average daily nonteaching, full-time, district level administrator salary rate, and the statewide average annual administrator contract days.

(9) The average salary and total compensation of full-time public school teachers for each school corporation.

(10) The average salary and total compensation of nonteaching, full-time district level administrators, including separately the superintendent, for each school corporation.

(11) The minimum full-time public school teacher salary.

(12) The maximum full-time public school teacher salary.

(13) The minimum nonteaching full-time district level administrative salary.

(14) The maximum nonteaching full-time district level administrative salary.

(15) The number of full-time public school teachers earning a salary under the statewide average.

(16) The number of full-time public school teachers earning a salary in excess of the statewide average.

(17) For each school corporation, the average salary paid to full-time public school teachers in each of the following tenure benchmarks:

(A) First year.

(B) Fifth year.

(C) Tenth year.

(D) Fifteenth year.

(E) Twentieth year.

(F) Twenty-fifth year.

(G) Thirty (30) or more years of service.

(18) For each school corporation, the nominal dollar figures for subdivisions (5), (6), (11), (12), (13), (14), and (17) in nationally recognized, open-source, state-specific cost of living index-adjusted dollars to compare to the figures described in subdivision (19).

(19) Comparative data on overall full-time public school teacher salary averages and by each of the tenure benchmarks listed in subdivision (17) in both nominal dollars and nationally recognized, open-source, state-specific cost of living index-adjusted dollars for each of the following states:

(A) Illinois.

(B) Kentucky.

(C) Michigan.

(D) Ohio.

(E) Wisconsin.

(20) The total number of full-time teachers retained from the previous year.

(21) The total number of newly hired teachers with previous work experience in teaching.

(22) The total number of teaching candidates who:

(A) are currently enrolled in a teacher preparation program; or

(B) have recently completed a teacher preparation program.

(23) The increase or decrease in kindergarten through grade 12 student enrollments.

(24) The total number of teachers in Indiana.

(25) The teacher workforce growth.

(26) The administrator workforce growth.

(27) For each school corporation, the number of vacant teaching positions by:

(A) grade;

(B) subject; and
(C) required credential;
with critical shortage areas, as determined by unfilled vacancies, highlighted for each school corporation.

As used in this subsection, total compensation includes the monetary value of salary, wages, bonuses, stipends, supplemental payments, commissions, employment benefits, and any other form of remuneration paid for personal services.

(c) The board may require schools to submit any school corporation specific information needed to complete the report. Parties to a collective bargaining agreement shall comply with the board's requests for information necessary to complete the report.

SECTION 9. IC 20-30-5-18, AS ADDED BY P.L.76-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) The chief administrative officer of each:

(1) public school (including a charter school as defined in IC 20-24-1-4); and
(2) nonpublic school;

shall ensure that information concerning meningococcal disease and its ~~vaccines~~ **immunizations** is provided to students and parents or guardians of students at the beginning of each school year.

(b) The information provided under subsection (a) must include ~~information concerning~~ the **following:**

~~(1) causes;~~
~~(2) symptoms; and~~
~~(3) spread;~~
~~of meningococcal disease and the places where parents and guardians of students may obtain additional information and vaccinations for their children.~~

(1) Information concerning:
(A) the causes of meningococcal disease;
(B) the risk factors of meningococcal disease;
(C) the symptoms of meningococcal disease;
(D) the spread and transmission of meningococcal disease;
(E) the diagnosis of meningococcal disease;
(F) the possible consequences of meningococcal disease if left untreated;
(G) the latest scientific information concerning meningococcal immunizations and effectiveness of the immunizations, including information on all meningococcal immunizations receiving a category A or B recommendation from the Advisory Committee on Immunization Practices of the United States Centers for Disease Control and Prevention; and
(H) the places where parents and guardians of students may obtain additional information and immunizations for their children.

(2) A statement that any questions or concerns regarding immunizations against meningococcal disease may be answered by contacting a health care provider.

(3) A statement recommending that the current student or entering student receive meningococcal immunizations in accordance with current guidelines from the Advisory Committee on Immunization Practices of the United States Centers for Disease Control and Prevention.

(c) ~~The chief administrative officers and~~ The department shall, in consultation with the state department of health, ~~or any other appropriate entity,~~ develop materials ~~to be made~~ **and make these materials** available to schools ~~to assist schools in providing the information described in this section.~~ **in the most cost effective and efficient manner available as determined by the department. The department shall post the information on the department's Internet web site.**

(d) The department shall enforce this section.".

Page 11, line 20, delete "as prescribed by the department".

Page 12, delete lines 10 through 42, begin a new paragraph and insert:

"SECTION 10. IC 20-43-4-6, AS AMENDED BY P.L.169-2016, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) In determining ADM, each pupil enrolled in a public school, including a charter school, and a nonpublic school is to be counted on a full-time equivalency basis if the pupil:

(1) is enrolled in a public school and a nonpublic school;
(2) has legal settlement in a school corporation; and
(3) receives instructional services from ~~the~~ **a** school corporation.

(b) For purposes of this section, full-time equivalency is calculated as follows:

STEP ONE: Determine the result of:
(A) the number of days instructional services will be provided to the pupil, not to exceed one hundred eighty (180); divided by
(B) one hundred eighty (180).

STEP TWO: Determine the result of:
(A) the pupil's public school instructional time (as defined in IC 20-30-2-1); divided by
(B) the actual public school regular instructional day (as defined in IC 20-30-2-2).

STEP THREE: Determine the result of:
(A) the STEP ONE result; multiplied by
(B) the STEP TWO result.

STEP FOUR: Determine the lesser of one (1) or the result of:
(A) the STEP THREE result; multiplied by
(B) one and five hundredths (1.05).

However, the state board may, by rules adopted under IC 4-22-2, specify an equivalent formula if the state board determines that the equivalent formula would more accurately reflect the instructional services provided by a school corporation during a period that a particular ADM count is in effect for the school corporation.".

Page 13, delete lines 1 through 5.

Page 15, delete lines 22 through 42.

Delete pages 16 through 18.

Renumber all SECTIONS consecutively.

(Reference is to HB 1066 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

Behning, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1070, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1070 as introduced.)

Committee Vote: Yeas 13, Nays 0.

SULLIVAN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1076, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 40, delete "Except as provided in subsection (g), in" and insert "In".

Page 3, line 1, reset in roman "may" and delete "shall".
Page 3, line 4, delete "two (2)" and insert "**seven (7)**".
Page 3, delete lines 15 through 20.
Page 3, line 21, reset in roman "(g)".
Page 3, line 21, delete "(h)".
Page 4, line 13, reset in roman "(h)".
Page 4, line 13, delete "(i)".
(Reference is to HB 1076 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred House Bill 1080, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:
Page 1, delete lines 1 through 17.
Delete page 2.
Page 3, delete lines 1 through 4.
Page 3, line 19, delete "individual," and insert "individual.".
Page 3, line 20, strike "in accordance with the".
Page 3, line 20, strike "American Cancer Society guidelines.".
Page 3, reset in roman line 21.
Page 3, line 22, reset in roman "(1) at least".
Page 3, line 22, after "fifty (50)" insert "**forty-five (45)**".
Page 3, line 22, reset in roman "years of age; or".
Page 3, line 23, reset in roman "(2) less than".
Page 3, line 23, after "fifty (50)" insert "**forty-five (45)**".
Page 3, line 23, reset in roman "years of age and at high risk for colorectal".
Page 3, line 24, delete "cancer" and insert "cancer;".
Page 3, reset in roman lines 26 through 27.
Page 3, line 28, reset in roman "(d)".
Page 3, line 28, delete "(c)".
Page 3, delete lines 39 through 42.
Page 4, delete line 1.
Page 4, line 4, reset in roman "(d),".
Page 4, line 4, delete "(c),".
Page 4, line 6, delete "insured," and insert "insured".
Page 4, line 6, strike "in".
Page 4, line 7, strike "accordance with the American Cancer Society guidelines,".
Page 4, reset in roman line 10.
Page 4, line 11, reset in roman "(1) at least".
Page 4, line 11, after "fifty (50)" insert "**forty-five (45)**".
Page 4, line 11, reset in roman "years of age; or".
Page 4, line 12, reset in roman "(2) less than".
Page 4, line 12, after "fifty (50)" insert "**forty-five (45)**".
Page 4, line 12, reset in roman "years of age and at high risk for colorectal".
Page 4, line 13, delete "cancer" and insert "cancer;".
Page 4, reset in roman lines 14 through 15.
Page 4, line 16, reset in roman "(c)".
Page 4, line 16, delete "(b)".
Page 4, line 27, reset in roman "(d)".
Page 4, line 27, delete "(c)".
Page 4, line 29, reset in roman "this section.".
Page 4, line 29, delete "subsection (a).".
Page 4, line 34, delete "enrollee" and insert "enrollee.".
Page 4, line 34, delete "provided".
Page 4, line 34, strike "in accordance with the American".
Page 4, line 35, strike "Cancer Society guidelines".
Page 4, line 35, after "guidelines" insert ".".
Page 4, line 35, after "guidelines" strike ".".
Page 4, line 35, delete "that are in effect on January 1, 2020.".
Page 4, line 36, reset in roman "(e),".
Page 4, line 36, delete "(d),".
Page 4, reset in roman line 40.
Page 4, line 41, reset in roman "(1) at least".
Page 4, line 41, after "fifty (50)" insert "**forty-five (45)**".
Page 4, line 41, reset in roman "years of age; or".
Page 4, line 42, reset in roman "(2) less than".
Page 4, line 42, after "fifty (50)" insert "**forty-five (45)**".
Page 4, line 42, reset in roman "years of age and at high risk for colorectal".
Page 5, line 1, delete "cancer" and insert "cancer;".
Page 5, reset in roman lines 2 through 3.
Page 5, line 4, reset in roman "(d)".
Page 5, line 4, delete "(c)".
Page 5, line 10, delete "examination and laboratory".
Page 5, line 13, reset in roman "(e)".
Page 5, line 13, delete "(d)".
Renumber all SECTIONS consecutively.
(Reference is to HB 1080 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

CARBAUGH, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1081, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1081 as introduced.)

Committee Vote: Yeas 9, Nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1082, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:
Page 2, delete lines 22 through 28.
Page 3, between lines 12 and 13, begin a new paragraph and insert:
"SECTION 6. IC 21-18-14-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. The commission, in partnership with postsecondary educational institutions, shall administer a project to encourage project students to complete an associate or baccalaureate degree or a technical certificate.**".
Page 3, line 19, after "data" insert "**and coordinated messaging**".
Renumber all SECTIONS consecutively.
(Reference is to HB 1082 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1092, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1092 as introduced.)

Committee Vote: Yeas 9, Nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1093, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "Electronic Submission of State Agency Documents" and insert "**Electronic Submission of Documents to a State Agency**".

Page 1, delete lines 5 through 17, begin a new paragraph and insert:

"**Sec. 1. As used in this chapter, "electronically file or submit," includes delivery of a document by electronic mail, text, or any other means of delivering a document electronically, except by facsimile (fax) machine.**".

Page 2, delete lines 1 and 2.

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

Page 2, delete lines 5 through 22, begin a new paragraph and insert:

"**Sec. 3. A state agency may allow a person to electronically file or submit a document to the state agency, even if a state statute or rule:**

(1) requires a person to use a different means of filing or submitting the document; or

(2) does not expressly authorize a person to electronically file or submit a document;

to the state agency.

Sec. 4. This chapter authorizes a state agency to allow electronic filing or submission of documents as an additional available option for filing and submitting documents. Any other means of filing or submitting documents to the state agency that is required or allowed by state statute or rule must still be made available to the public as an option.".

(Reference is to HB 1093 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1099, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 15, after "or" insert "**owned by**".

Page 2, delete line 1.

Page 2, line 2, delete "watercourse that" and insert "**manmade in-channel structure in a watercourse that is capable of generating hazardous recirculating currents that pose a risk to public health and safety and**".

Page 3, line 20, delete "one hundred (100)" and insert "**fifty (50)**".

(Reference is to HB 1099 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

EBERHART, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1132, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 4.

Page 5, delete lines 1 through 23.

Page 6, delete lines 26 through 42.

Page 7, delete lines 1 through 13.

Page 7, delete lines 24 through 42.

Delete pages 8 through 9.

Page 10, delete lines 1 through 27.

Renumber all SECTIONS consecutively.

(Reference is to HB 1132 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1145, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective date in SECTION 1 with "[EFFECTIVE JULY 1, 2021]".

Page 1, line 4, delete "judge" and insert "**judges**".

Page 1, line 4, after "court" insert "**and Gibson circuit court**".

Page 1, line 5, delete "the superior court." and insert "**both courts.**".

Page 1, line 7, delete "court." and insert "**court and the judge of the Gibson circuit court.**".

Page 1, after line 7, begin a new paragraph and insert:

"SECTION 2. IC 33-33-29-6, AS AMENDED BY P.L.12-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 6. (a) The judge of the Hamilton circuit court and the judges of the Hamilton superior courts may jointly appoint ~~three (3)~~ **four (4)** full-time magistrates under IC 33-23-5 to serve the circuit and superior courts.

(b) A magistrate continues in office until jointly removed by the judge of the Hamilton circuit court and the judges of the Hamilton superior courts.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1145 as printed January 9, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 20, nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1153, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 18, after "Indiana's" insert "**early childhood,**".

Page 3, line 23, after "Indiana's" insert "**early childhood,**".

(Reference is to HB 1153 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

Behning, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1159, has had the same under

consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 3. IC 33-24-6-3, AS AMENDED BY P.L.207-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 3. (a) The office of judicial administration shall do the following:

(1) Examine the administrative and business methods and systems employed in the offices of the clerks of court and other offices related to and serving the courts and make recommendations for necessary improvement.

(2) Collect and compile statistical data and other information on the judicial work of the courts in Indiana. All justices of the supreme court, judges of the court of appeals, judges of all trial courts, and any city or town courts, whether having general or special jurisdiction, court clerks, court reporters, and other officers and employees of the courts shall, upon notice by the chief administrative officer and in compliance with procedures prescribed by the chief administrative officer, furnish the chief administrative officer the information as is requested concerning the nature and volume of judicial business. The information must include the following:

(A) The volume, condition, and type of business conducted by the courts.

(B) The methods of procedure in the courts.

(C) The work accomplished by the courts.

(D) The receipt and expenditure of public money by and for the operation of the courts.

(E) The methods of disposition or termination of cases.

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

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

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

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

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

(A) between the protective order registry, established by IC 5-2-9-5.5, and county court case management systems;

(B) at the option of the county prosecuting attorney, for:

(i) a prosecuting attorney's case management system;

(ii) a county court case management system; and

(iii) a county court case management system developed and operated by the office of judicial administration;

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

(C) between county court case management systems and the case management system developed and operated by the office of judicial administration.

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

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

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

(B) collecting, monitoring, and publishing certain statistics related to the confiscation and retention of firearms as described under section 14 of this chapter.

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

(A) Provide NPLEx with the following information:

(i) The convicted individual's full name.

(ii) The convicted individual's date of birth.

(iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.

(iv) The date the individual was convicted of the felony.

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

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

(i) set aside;

(ii) reversed;

(iii) expunged; or

(iv) vacated.

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

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

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

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

(i) The convicted individual's full name.

(ii) The convicted individual's date of birth.

(iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.

(iv) The date the individual was convicted of the felony.

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

(i) set aside;

(ii) reversed; or

(iii) vacated.

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

(13) Provide staff support for the judicial conference of Indiana established in IC 33-38-9.

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

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

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

SECTION 4. IC 33-24-6-14 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS

[EFFECTIVE JULY 1, 2020]: **Sec. 14. (a) The following terms are defined for this section:**

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

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

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

(b) The office shall track and record the following information:

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

(2) The number of:

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

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

for each county, as applicable, each year.

(3) The total number of:

(A) handguns; and

(B) long guns;

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

(4) The:

(A) county;

(B) court of origin; and

(C) judge;

responsible for each written court order that finds or does not find an individual to be dangerous under IC 35-47-14-6.

(5) The:

(A) county;

(B) court of origin; and

(C) judge;

for each appeal of or reversal of a written court order that finds an individual to be dangerous under IC 35-47-14-6.

(6) The:

(A) county;

(B) court of origin; and

(C) judge;

responsible for enacting or enforcing an agreed entry.

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

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

(1) The:

(A) name;

(B) date of birth;

(C) Social Security number;

(D) address; or

(E) other unique identifier;

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

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

(e) Information:

(1) collected by the office; or

(2) used by the office;

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

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

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

Page 3, after line 42, begin a new paragraph and insert:

"SECTION 5. IC 35-44.1-2-3, AS AMENDED BY P.L.107-2016, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) As used in this section, "consumer product" has the meaning set forth in IC 35-45-8-1.

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

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

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

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

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

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

(d) A person who:

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

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

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

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

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

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

(B) knowing the complaint to be false;

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

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

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

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

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

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

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

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

"SECTION 8. IC 35-47-14-2, AS AMENDED BY P.L.289-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 2. (a) A circuit or superior court may issue a warrant to search for and seize a firearm in the possession of an individual who is

dangerous if:

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

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

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

(i) the individual who is alleged to be dangerous; or

(ii) another individual, if the law enforcement officer believes that information obtained from this individual is credible and reliable;

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

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

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

(A) dangerous; and

(B) in possession of a firearm.

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

(1) quantity; and

(2) type;

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

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

(b) An affidavit described in subsection (a) shall be submitted to a circuit or superior court having jurisdiction over the individual believed to be dangerous not later than forty-eight (48) hours after the seizure of the firearm.

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

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

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

(1) quantity; and

(2) type;

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

(f) If the court finds that there is no probable cause to believe that the individual is dangerous, the court shall order the law enforcement agency having custody of the firearm to return the firearm to the individual as quickly as practicable, but not later than five (5) days after the date of the order.

SECTION 10. IC 35-47-14-6, AS AMENDED BY P.L.289-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) The court shall conduct a hearing as required under this chapter.

(b) The state has the burden of proving all material facts by clear and convincing evidence.

(c) If the court determines that the state has proved by clear and convincing evidence that the individual is dangerous, the court shall issue a written order:

(1) finding the individual is dangerous (as defined in section 1 of this chapter);

(2) ordering the law enforcement agency having custody of the seized firearm to retain the firearm;

(3) ordering the individual's license to carry a handgun, if applicable, suspended; and

(4) enjoining the individual from:

(A) renting;

(B) receiving transfer of;

(C) owning; or

(D) possessing;

a firearm; and

determine whether the individual should be referred to further proceedings to consider whether the individual should be involuntarily detained or committed under IC 12-26-6-2(a)(2)(B).

(d) If the court finds that the individual is dangerous under subsection (c), the clerk shall transmit the order of the court to the office of judicial administration for transmission to NICS (as defined in IC 35-47-2.5-2.5) **and for the collection of certain data related to the confiscation and retention of firearms taken from dangerous individuals** in accordance with IC 33-24-6-3.

(e) If the court orders a law enforcement agency to retain a firearm, the law enforcement agency shall retain the firearm until the court orders the firearm returned or otherwise disposed of.

(f) If the court determines that the state has failed to prove by clear and convincing evidence that the individual is dangerous, the court shall issue a written order that:

(1) the individual is not dangerous (as defined in section 1 of this chapter); and

(2) the law enforcement agency having custody of the firearm shall return the firearm as quickly as practicable, but not later than five (5) days after the date of the order, to the individual from whom it was seized.

SECTION 11. IC 35-47-14-8, AS AMENDED BY P.L.289-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) At least one hundred eighty (180) days after the date on which a court orders a law enforcement agency to retain an individual's firearm under section 6(c) of this chapter, the individual may petition the court for a finding that the individual is no longer dangerous.

(b) Upon receipt of a petition described in subsection (a), the court shall:

(1) enter an order setting a date for a hearing on the petition; and

(2) inform the prosecuting attorney of the date, time, and location of the hearing.

(c) The prosecuting attorney shall represent the state at the hearing on a petition under this section.

(d) In a hearing on a petition under this section, the individual may be represented by an attorney.

(e) In a hearing on a petition under this section filed:

(1) not later than one (1) year after the date of the order issued under section 6(c) of this chapter, the individual must prove by a preponderance of the evidence that the individual is no longer dangerous; and

(2) later than one (1) year after the date of the order issued under section 6(c) of this chapter, the state must prove by clear and convincing evidence that the individual is still dangerous.

(f) If, upon the completion of the hearing and consideration of the record, the court finds that the individual is no longer dangerous, the court shall:

(1) issue a court order that finds that the individual is no

longer dangerous;

(2) order the law enforcement agency having custody of any firearm to return the firearm as quickly as practicable, but not later than five (5) days after the date of the order, to the individual;

(3) terminate any injunction issued under section 6 of this chapter; and

(4) terminate the suspension of the individual's license to carry a handgun so that the individual may reapply for a license.

(g) If the court denies an individual's petition under this section, the individual may not file a subsequent petition until at least one hundred eighty (180) days after the date on which the court denied the petition.

(h) If a court issues an order described under subsection (f), the court's order shall be transmitted, as soon as practicable, to the office of judicial administration for transmission to the NICS (as defined in IC 35-47-2.5-2.5) **and for the collection of certain data related to the confiscation and retention of firearms taken from dangerous individuals** in accordance with IC 33-24-6-3.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1159 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred House Bill 1165, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 8-1.5-3-8, AS AMENDED BY P.L.105-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) A municipality owning a utility under this chapter shall furnish reasonably adequate services and facilities.

(b) The rates and charges made by a municipality for a service rendered or to be rendered, either directly or in connection therewith, must be nondiscriminatory, reasonable, and just.

(c) "Reasonable and just rates and charges for services" means rates and charges that produce sufficient revenue to:

(1) pay all the legal and other necessary expenses incident to the operation of the utility, including:

(A) maintenance costs;

(B) operating charges;

(C) upkeep;

(D) repairs;

(E) depreciation;

(F) interest charges on bonds or other obligations, including leases; and

(G) costs associated with the acquisition of utility property under IC 8-1.5-2;

(2) provide a sinking fund for the liquidation of bonds or other obligations, including leases;

(3) provide a debt service reserve for bonds or other obligations, including leases, in an amount established by the municipality, not to exceed the maximum annual debt service on the bonds or obligations or the maximum annual lease rentals;

(4) provide adequate money for working capital;

(5) provide adequate money for making extensions and replacements to the extent not provided for through depreciation in subdivision (1); and

(6) provide money for the payment of any taxes that may be assessed against the utility.

(d) It is the intent of this section that the rates and charges produce an income sufficient to maintain the utility property in a sound physical and financial condition to render adequate and efficient service. Rates and charges too low to meet these requirements are unlawful.

(e) The board may recommend to the municipal legislative body rates and charges sufficient to include a reasonable return on the utility plant of the municipality.

(f) Rates and charges established under this section are subject to the approval of:

(1) the municipal legislative body by ordinance; and

(2) the commission, in accordance with the procedures set forth in IC 8-1-2.

The commission shall approve rates and charges that are sufficient, in addition to the cash revenue requirements set forth in subsection (c), to include a reasonable return on the utility plant of the municipality if the legislative body so elects.

(g) Except for a municipally owned utility taxed under IC 6-1.1-8-3, the commission shall approve rates and charges sufficient to compensate the municipality for taxes that would be due the municipality on the utility property were it privately owned. These rates and charges in lieu of taxes may be transferred to the municipal general fund, if the legislative body so elects.

(h) The commission shall grant a request that an increase in rates and charges not be effective until after the occurrence of a future event if the legislative body so requests.

(i) A municipality that acquires and operates a utility under IC 8-1.5-2 by exercising the power of eminent domain may not impose a special rate, charge, surcharge, or other fee, other than rates and charges approved under this section or otherwise authorized by law, on the customers of the utility in order to pay for the costs associated with acquiring the utility through the exercise of the power of eminent domain.

(j) **Except as provided in subsection (l),** this subsection ~~does~~ **and subsection (k) do** not apply to services rendered by a sewage works that is subject to IC 36-9-23 or to IC 36-9-25. This subsection ~~also does~~ **and subsections (k) and (l) do** not apply to services rendered by a department of public utilities created by IC 8-1-11.1 or to services rendered by a utility company owned, operated, or held in trust by a consolidated city. This subsection applies to property that is served by a municipally owned utility and that is occupied by someone other than the owner of the property. Upon applying for utility service from a municipally owned utility for property subject to this subsection, the person occupying the property shall provide the municipally owned utility with the name and contact information of the owner or manager of the property. Subject to subsection (k), all rates, charges, and other fees for services rendered by a municipally owned utility to a property that is subject to this subsection are payable by the person occupying the property if **either:**

(1) the municipally owned utility has received the name and contact information of the owner or manager of the property from the person occupying the property, as required by this subsection; or

(2) the account or other customer or billing records maintained by the municipally owned utility for the property **otherwise** indicate that ~~(1)~~ the property is occupied by someone other than the owner. ~~and (2) the person occupying the property is responsible for paying the rates, charges, and fees assessed for the services rendered by the municipally owned utility with respect to the property.~~

Rates, charges, and fees assessed for services rendered by a municipally owned utility with respect to property occupied by someone other than the owner of the property do not constitute a lien against the property.

(k) **The following apply** with respect to property that is served by a municipally owned utility and that is occupied by someone other than the owner of the property: ~~subsection (j) does not:~~

(1) **Subsection (j) does not** prohibit a municipal legislative body from imposing any:

(A) requirement for a deposit ~~to ensure payment by~~ **from** the person occupying the property **to ensure payment by the person** of the rates, charges, and fees assessed for the services rendered by the municipally owned utility with respect to the property; or

(B) **subject to subdivision (3),** other requirement to ensure the creditworthiness of the person occupying the property as the account holder or customer with respect to the property;

that the municipal legislative body may lawfully impose. ~~or~~

(2) **Subsection (j) does not** abrogate or limit the authority of the owner of a multi-unit building to engage in electrical submetering under IC 8-1-2-36.5, subject to:

(A) the owner's qualification to engage in submetering under IC 8-1-2-36.5 and 170 IAC 4-5; and

(B) the owner's compliance with the requirements for submetering set forth in IC 8-1-2-36.5 and 170 IAC 4-5.

(3) A municipally owned utility or a municipal legislative body may not, as a condition of providing one (1) or more utility services to the property or otherwise, require the owner of the property to:

(A) ensure the creditworthiness of the person occupying the property, including by requiring the property owner to accept responsibility for the payment of a deposit on behalf of the person occupying the property; or

(B) assume:

(i) responsibility for payment of any rates, charges, or other fees for services rendered by the municipally owned utility to the property; or

(ii) joint and several liability with respect to unpaid bills invoiced to the person occupying the property;

by signing an agreement with the municipality or the municipally owned utility, by cosigning an agreement between the person occupying the property and the municipality or the municipally owned utility, or by any other means.

(l) This subsection applies to a municipality that provides:

(1) sewer service through a sewage works subject to IC 36-9-23 or IC 36-9-25; and

(2) one (1) or more other utility services under this article;

to a property that is occupied by someone other than the owner of the property. All rates, charges, and other fees for utility services described in subdivision (2) are payable by the person occupying the property if subsection (j)(1) or (j)(2) applies, regardless of whether the municipality combines billing for sewer service and the utility services described in subdivision (2). If the municipality combines billing for sewer service and the utility services described in subdivision (2), the municipality shall clearly identify as separate line items on each customer bill the amounts charged for sewer services and the amounts charged for each utility service described in subdivision (2). Rates, charges, and fees assessed for utility services described in subdivision (2) do not constitute a lien against the property regardless of whether the municipality combines billing for sewer service and the utility services described in subdivision (2). A municipality shall not attempt to circumvent, through the use of combined billing or by any other means, the application of subsection (j) to property subject to this subsection with respect to any utility services described in subdivision (2).

(m) If a property owner aggrieved by a municipality's or a municipally owned utility's violation of subsection (j), (k), or (l) obtains a judgment in an action brought against the municipality or the municipally owned utility, the court shall award the property owner:

(1) reasonable attorney's fees, court costs, and other reasonable expenses of litigation;

(2) prejudgment and postjudgment interest at a rate of eight percent (8%); and

(3) other relief that the court determines appropriate.

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

(Reference is to HB 1165 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 2.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Small Business and Economic Development, to which was referred House Bill 1181, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 10, after line 16, begin a new paragraph and insert:

"SECTION 3. IC 34-55-8-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 7.5. (a) If a judgment debtor voluntarily or involuntarily leaves employment with an employer that is garnishing the judgment debtor's wages or salary pursuant to a garnishment order, the judgment debtor shall not later than thirty (30) days after the judgment debtor's last day of employment notify the court and the judgment creditor of the following:**

(1) That the judgment debtor is no longer employed with the employer.

(2) That the employer will no longer have access to the judgment debtor's income.

(3) The name, address, and telephone number of the judgment debtor's new employer, if any.

(4) Information regarding any other wages, salary, or other income being received by the judgment debtor.

(b) A judgment debtor described in subsection (a) shall immediately notify the judgment debtor's new employer, if any, of any garnishment described in subsection (a). (c) If:

(1) a judgment debtor leaves employment with an employer that is garnishing the judgment debtor's wages or salary pursuant to a garnishment order;

(2) the judgment debtor subsequently becomes employed with a new employer or returns to employment with the employer that was previously garnishing the judgment debtor's wages or salary; and

(3) the obligation that is the subject of the garnishment has not been satisfied;

the judgment creditor must obtain a new garnishment order before the employer of the judgment debtor is required to begin or resume garnishment of the wages of the judgment debtor.

(d) A judgment debtor who knowingly or intentionally fails to comply with subsection (a) or (b) commits a Class C infraction.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1181 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 1.

MORRIS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1182, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 7, line 35, delete "(a) A physician or the physician's authorized".

Page 7, delete lines 36 through 38.

Page 7, line 39, reset in roman "(a)".

Page 7, line 39, delete "(b)".

Page 7, run in lines 35 through 39.

Page 8, line 4, reset in roman "(b)".

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

Page 8, line 10, delete "test." and insert "test, **orally or in writing.**".

Page 8, line 11, delete ":".

Page 8, line 12, delete "(A)".

Page 8, line 12, delete "that includes information" and insert "**orally, in writing, by video, or by a combination of these methods.**".

Page 8, delete line 13.

Page 8, line 14, delete "statutory requirements concerning disclosure;".

Page 8, line 14, strike "and".

Page 8, run in lines 11 through 14.

Page 8, delete line 15.

Page 8, between lines 20 and 21, begin a new paragraph and insert:

"**(c) Unless it is clearly not feasible, the information delivered to the patient who is to be tested under subsection (b) must be provided in the native language or other communication used by the patient. If the patient is unable to read written materials, the materials must be translated or read to the patient in a language the patient understands.**".

Page 8, line 30, delete "in person and orally".

Page 34, line 24, delete "A" and insert "**(a) Except as provided in subsection (b),** a".

Page 34, line 26, reset in roman "HIV antibody."

Page 34, line 26, delete "human immunodeficiency virus".

Page 34, line 27, delete "(HIV).".

Page 34, between lines 28 and 29, begin a new paragraph and insert:

"**(b) Subsection (a) does not apply to a donation of semen that:**

(1) indicates the presence of the HIV antibody; and

(2) is used according to safer conception practices endorsed by the federal Centers for Disease Control and Prevention or other generally accepted medical experts.".

Page 35, delete lines 7 through 42, begin a new paragraph and insert:

"SECTION 48. IC 16-51 IS ADDED TO THE INDIANA CODE AS A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

ARTICLE 51. SUICIDE AND OVERDOSE FATALITY REVIEW TEAMS

Chapter 1. Definitions

Sec. 1. The definitions in this chapter apply throughout this article.

Sec. 2. As used in this chapter, "SOFR team" refers to:

(1) a county SOFR team; or

(2) a regional SOFR team formed by multiple counties; established under IC 16-51-2-1.

Sec. 3. As used in this chapter, "SOFR" means suicide and overdose fatality review.

Chapter 2. Suicide and Overdose Fatality Review Teams

Sec. 1. (a) A:

(1) local health department; or

(2) person or entity approved by the state department; may establish through a written agreement a SOFR team to review suicides and overdose fatalities for the purpose of gathering information concerning suicides and overdose fatalities and to use the information gathered to improve community resources and systems of care to reduce suicides and overdose fatalities.

(b) A SOFR team may be established in a county or multiple counties in Indiana.

(c) Upon the establishment of a SOFR team under this section, the SOFR team shall notify the state department of the establishment of the SOFR team.

Sec. 2. (a) A SOFR team shall do the following:

(1) Identify similarities, trends, and factual patterns concerning suicides and overdose fatalities in the area served by the SOFR team.

(2) Identify reasons for any higher minority suicide and overdose fatality rate in the area served by the SOFR team.

(3) Create strategies and make recommendations for the prevention and reduction of suicides and overdose fatalities, including minority suicides and overdose fatalities, in the area served by the SOFR team.

(b) A SOFR team may do any of the following:

(1) Determine factors contributing to suicides and overdose fatalities.

(2) Identify public health and clinical interventions to improve systems of care and enhance coordination.

(3) Develop strategies for the prevention of suicides and overdose fatalities.

Sec. 3. (a) A SOFR team must be multidisciplinary and culturally diverse. The SOFR team should include professionals and representatives of agencies that provide services or community resources for families in the community.

(b) Members of a SOFR team must be appointed by the county health officer or another entity approved by the state department and may include representatives from the following disciplines:

(1) Primary health care.

(2) Mental health.

(3) Law enforcement.

(4) Behavioral health.

(5) Parole or probation.

(6) Addiction medicine.

(7) Emergency medical services.

(8) Social work.

(c) Members may also include any of the following:

(1) A coroner or deputy coroner.

(2) An epidemiologist.

(3) A pathologist.

(d) The SOFR team shall meet at least quarterly.

Sec. 4. (a) The first SOFR team meeting shall convene at the call of the county health officer, the county health administrator, or their designees, as applicable.

(b) The SOFR team members shall elect a chairperson at the first SOFR team meeting and whenever there is a chairperson vacancy.

(c) After the election of a team chairperson, the SOFR team shall meet upon the call of the elected chairperson or upon the call of the county health officer in the event that there is a chairperson vacancy.

Sec. 5. (a) Before a member of the SOFR team may participate in the review of a suicide or overdose fatality, the member must:

(1) sign a confidentiality form prepared by the state department;

(2) review the purpose and goal of the SOFR team; and

(3) review, for accuracy and comprehensiveness, any data collection form developed by the state

department, if applicable.

(b) Individuals who are invited by the SOFR team chairperson to attend a SOFR team meeting must sign a confidentiality form before attending or participating in a SOFR team meeting.

(c) The state department shall create and make available a standardized confidentiality form to be used by members of all SOFR teams.

(d) The chairperson of a SOFR team is responsible for the safekeeping of all confidentiality agreements signed under this section.

Sec. 6. (a) The SOFR team shall review the death of each person whose death occurred in the area served by the SOFR team if one (1) or more of the following conditions are met:

(1) The person's cause of death is listed as one (1) or more of the following:
(A) Poisoning.
(B) Intoxication.
(C) Toxicity.
(D) Inhalation.
(E) Ingestion.
(F) Overdose.
(G) Exposure.
(H) Chemical use.
(I) Neonatal abstinence syndrome (NAS) effects.

(2) The person's manner of death is classified as one (1) of the following:
(A) Accident.
(B) Suicide.
(C) Undetermined.

(3) The person's manner of death is classified as natural but drug intoxication or exposure is listed as a contributing factor.

(b) When conducting a SOFR fatality review under subsection (a), the SOFR team may review the following records if the records pertain to a person or incident within the scope of the SOFR team's review:

(1) Records held by the:
(A) local or state health department;
(B) INSPECT program (as described under IC 25-26-24); or
(C) department of child services.

(2) Medical records.
(3) Law enforcement records.
(4) Autopsy reports.
(5) Coroner records.
(6) Mental health reports.
(7) Emergency medical services provider records.
(8) Fire department run reports.
(9) Disciplinary or health records generated by a local school system.
(10) Any other record concerning the assessment, care, fatality, diagnosis, near fatality, if applicable, or treatment of the person subject to a SOFR team review.

(c) Except as otherwise provided, information and records acquired by a SOFR team during the execution of the SOFR team's duties are confidential and exempt from disclosure.

(d) Subject to subsection (e), records, information, documents, and reports acquired or produced by a SOFR team are not:

(1) subject to subpoena or discovery; or
(2) admissible as evidence;

in any administrative or judicial proceeding.

(e) Records, information, documents, and reports that are admissible and otherwise discoverable from alternate sources do not become immune from discovery or use in any administrative or judicial proceeding because of their use by a SOFR team.

Sec. 7. A SOFR team shall review the death certificate of a decedent received from the county health officer in order to determine whether the fatality qualifies for a SOFR team review under section 6 of this chapter.

Sec. 8. (a) Subject to IC 34-30-15, the following persons or entities shall comply with a records request by a SOFR team:

(1) A coroner.
(2) An emergency medical services provider.
(3) A fire department.
(4) A health system.
(5) A hospital.
(6) A law enforcement officer.
(7) A local or state governmental agency, including the department of child services.
(8) A mental health professional.
(9) A physician.
(10) A school.
(11) A social services provider.

(b) A person or entity that complies, in good faith, with a record request issued under subsection (a) may not be:

(1) disciplined;
(2) criminally prosecuted; or
(3) held administratively or civilly liable;

for any disclosure related to the person's or entity's compliance with subsection (a).

(c) A person or entity subject to a records request by a SOFR team under subsection (a) may charge a reasonable fee for the service of duplicating any records requested by the SOFR team.

Sec. 9. If a fatality qualifies for a SOFR team review, the SOFR team shall:

(1) identify the factors that contributed to the fatality of the decedent;
(2) determine whether similar fatalities may be prevented in the future;
(3) if applicable, identify other:
(A) agencies or entities; and
(B) resources;
that may be used to assist in the prevention of a similar fatality; and
(4) if applicable, identify solutions to:
(A) improve practice and policy; and
(B) enhance coordination;
between the agencies, entities, and resources described in subdivision (3).

Sec. 10. (a) Except as provided in subsection (b), SOFR team meetings are open to the public.

(b) A SOFR team meeting that requires the use or discussion of confidential records or confidential identifying information must be closed to the public for the portion of the team meeting that uses or discusses confidential information.

Sec. 11. (a) Members of a SOFR team and individuals who attend a SOFR team meeting as invitees of the team chairperson:

(1) may discuss, among themselves, confidential matters that are before the SOFR team;
(2) are bound by all applicable laws concerning the confidentiality of the matters reviewed by the SOFR team; and
(3) except as provided in subsection (b), may not be:
(A) disciplined;
(B) criminally prosecuted; or
(C) held administratively or civilly liable;
for the sharing or discussion of any confidential matter before the SOFR team during a SOFR team meeting.

(b) The immunity described in subsection (a)(3) does not apply to a SOFR team member or a SOFR team invitee who discloses confidential information:

(1) with malice;

(2) in bad faith; or
(3) negligently.

Sec. 12. The chairperson of a SOFR team or the chairperson's designee shall do the following for each SOFR team meeting:

(1) Prepare the agenda for the scheduled SOFR team meeting.
(2) Provide meeting notices to all members of the SOFR team.
(3) Ensure that all:
(A) members of the SOFR team; and
(B) SOFR team invitees;
sign confidentiality forms as required under this chapter.
(4) Maintain all confidentiality forms signed under this chapter.
(5) Enter and record all data reviewed by the SOFR team by using:
(A) data collection tools provided to the SOFR team by the state department, if applicable; and
(B) any other appropriate data collection system.
(6) Attend pertinent training concerning the use of the data collection tools employed by the SOFR team.
(7) Serve as a liaison for the SOFR team as necessary.
(8) Destroy all records, information, and documents obtained by the SOFR team under section 6 of this chapter upon the conclusion of the SOFR team's review of a specific suicide or overdose fatality.

Sec. 13. Records held or maintained by a SOFR team are subject to the confidentiality provisions of IC 31-33-18.

Sec. 14. (a) Before July 1 of each year, a SOFR team shall submit a report to the state department that includes the following information:

(1) A summary of the data collected concerning the reviews conducted by the SOFR team for the previous calendar year.
(2) Actions recommended by the SOFR team to improve systems of care and community resources to reduce suicides and overdose fatalities in the area served by the SOFR team.
(3) Solutions proposed for any system inadequacies.

(b) The report described in subsection (a) may not contain identifying information relating to the deaths reviewed by the SOFR team.

(c) Review data concerning a suicide or overdose fatality is confidential and may not be released.

(d) The SOFR team may provide the state department with data concerning the reviews of a death under this chapter.

Sec. 15. Nothing in this chapter shall preclude any death, illness, or injury investigation or review to the extent authorized by other laws.".

Delete pages 36 through 49.

Page 50, delete lines 1 through 4.

Page 54, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 54. IC 31-33-18-2, AS AMENDED BY P.L.31-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. The reports and other material described in section 1(a) of this chapter and the unredacted reports and other material described in section 1(b) of this chapter shall be made available only to the following:

(1) Persons authorized by this article.
(2) A legally mandated public or private child protective agency investigating a report of child abuse or neglect or treating a child or family that is the subject of a report or record.
(3) Any of the following who are investigating a report of a child who may be a victim of child abuse or neglect:
(A) A police officer or other law enforcement agency.
(B) A prosecuting attorney.
(C) A coroner, in the case of the death of a child.
(4) A physician who has before the physician a child whom the physician reasonably suspects may be a victim of child abuse or neglect.
(5) An individual legally authorized to place a child in protective custody if:
(A) the individual has before the individual a child whom the individual reasonably suspects may be a victim of abuse or neglect; and
(B) the individual requires the information in the report or record to determine whether to place the child in protective custody.
(6) An agency having the legal responsibility or authorization to care for, treat, or supervise a child who is the subject of a report or record or a parent, guardian, custodian, or other person who is responsible for the child's welfare.
(7) An individual named in the report or record who is alleged to be abused or neglected or, if the individual named in the report is a child or is otherwise incompetent, the individual's guardian ad litem or the individual's court appointed special advocate, or both.
(8) Each parent, guardian, custodian, or other person responsible for the welfare of a child named in a report or record and an attorney of the person described under this subdivision, with protection for the identity of reporters and other appropriate individuals.
(9) A court, for redaction of the record in accordance with section 1.5 of this chapter, or upon the court's finding that access to the records may be necessary for determination of an issue before the court. However, except for disclosure of a redacted record in accordance with section 1.5 of this chapter, access is limited to in camera inspection unless the court determines that public disclosure of the information contained in the records is necessary for the resolution of an issue then pending before the court.
(10) A grand jury upon the grand jury's determination that access to the records is necessary in the conduct of the grand jury's official business.
(11) An appropriate state or local official responsible for child protection services or legislation carrying out the official's official functions.
(12) The community child protection team appointed under IC 31-33-3 (or IC 31-6-11-14 before its repeal), upon request, to enable the team to carry out the team's purpose under IC 31-33-3.
(13) A person about whom a report has been made, with protection for the identity of:
(A) any person reporting known or suspected child abuse or neglect; and
(B) any other person if the person or agency making the information available finds that disclosure of the information would be likely to endanger the life or safety of the person.
(14) An employee of the department, a caseworker, or a juvenile probation officer conducting a criminal history check under IC 31-26-5, IC 31-34, or IC 31-37 to determine the appropriateness of an out-of-home placement for a:
(A) child at imminent risk of placement;
(B) child in need of services; or
(C) delinquent child.
The results of a criminal history check conducted under this subdivision must be disclosed to a court determining the placement of a child described in clauses (A) through (C).
(15) A local child fatality review team established under IC 16-49-2.

(16) The statewide child fatality review committee established by IC 16-49-4.
(17) The department.
(18) The division of family resources, if the investigation report:
(A) is classified as substantiated; and
(B) concerns:
(i) an applicant for a license to operate;
(ii) a person licensed to operate;
(iii) an employee of; or
(iv) a volunteer providing services at;
a child care center licensed under IC 12-17.2-4 or a child care home licensed under IC 12-17.2-5.
(19) A citizen review panel established under IC 31-25-2-20.4.
(20) The department of child services ombudsman established by IC 4-13-19-3.
(21) The state superintendent of public instruction with protection for the identity of:
(A) any person reporting known or suspected child abuse or neglect; and
(B) any other person if the person or agency making the information available finds that disclosure of the information would be likely to endanger the life or safety of the person.
(22) The state child fatality review coordinator employed by the state department of health under IC 16-49-5-1.
(23) A person who operates a child caring institution, group home, or secure private facility if all the following apply:
(A) The child caring institution, group home, or secure private facility is licensed under IC 31-27.
(B) The report or other materials concern:
(i) an employee of;
(ii) a volunteer providing services at; or
(iii) a child placed at;
the child caring institution, group home, or secure private facility.
(C) The allegation in the report occurred at the child caring institution, group home, or secure private facility.
(24) A person who operates a child placing agency if all the following apply:
(A) The child placing agency is licensed under IC 31-27.
(B) The report or other materials concern:
(i) a child placed in a foster home licensed by the child placing agency;
(ii) a person licensed by the child placing agency to operate a foster family home;
(iii) an employee of the child placing agency or a foster family home licensed by the child placing agency; or
(iv) a volunteer providing services at the child placing agency or a foster family home licensed by the child placing agency.
(C) The allegations in the report occurred in the foster family home or in the course of employment or volunteering at the child placing agency or foster family home.
(25) The National Center for Missing and Exploited Children.
(26) A local domestic violence fatality review team established under IC 12-18-8, as determined by the department to be relevant to the death or near fatality that the local domestic violence fatality review team is reviewing.
(27) The statewide domestic violence fatality review committee established under IC 12-18-9-3, as determined by the department to be relevant to the death or near fatality that the statewide domestic violence fatality review committee is reviewing.
(28) The statewide maternal mortality review committee established under IC 16-50-1-3, as determined by the department to be relevant to the case of maternal morbidity or maternal mortality that the statewide maternal mortality review committee is reviewing.
(29) A local fetal-infant mortality review team established under IC 16-49-6, as determined by the department to be relevant to the case of fetal or infant fatality that the local fetal-infant mortality review team is reviewing.
(30) A suicide and overdose fatality review team established under IC 16-51-2, as determined by the department to be relevant to the case of a suicide or overdose fatality that the suicide and overdose fatality review team is reviewing.".

Page 55, delete lines 5 through 16, begin a new paragraph and insert:

"SECTION 58. IC 34-30-2-83.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 83.9. (a) IC 16-51-2-8 (Concerning certain persons and entities complying with a records request related to a suicide or overdose fatality review).**

(b) IC 16-51-2-11 (Concerning the substance of a suicide or overdose fatality review team meeting).".

Renumber all SECTIONS consecutively.

(Reference is to HB 1182 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 1.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1189, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 7, after "fixed" insert "**and mobile**".

(Reference is to HB 1189 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

Frye R, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1198, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 18, after "answers" insert "**or dispatches**".

Page 3, after line 4, begin a new paragraph and insert:

"SECTION 2. IC 16-31-6-1, AS AMENDED BY P.L.77-2012, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A certified emergency medical technician who provides emergency medical services to an emergency patient is not liable for an act or omission in providing those services unless the act or omission constitutes negligence or willful misconduct. If the emergency medical technician is not liable for an act or omission, no other person incurs liability by reason of an agency relationship with the emergency medical technician.

(b) This section does not affect the liability of a driver of an ambulance for negligent operation of the ambulance.

(c) Except as provided in subsections (a) and (b), a certified emergency medical technician or a licensed

paramedic who provides emergency medical services is not liable for transporting any person to an appropriate health care facility when the emergency medical technician or the licensed paramedic makes a good faith judgment that the emergency patient or the emergency patient's primary caregiver lacks the capacity to make an informed decision about the patient's:

(1) safety; or

(2) need for medical attention;

and the emergency patient is reasonably likely to suffer disability or death without the medical intervention available at the facility.

SECTION 3. IC 34-30-2-68 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 68. IC 16-31-6-1 (Concerning ambulance attendants and certified emergency medical technicians who render emergency ambulance services **and certified emergency medical technicians or licensed paramedics who provide emergency medical services).**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1198 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

Frye R, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1199, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 11 through 17.

Page 2, delete lines 1 through 5.

Page 2, line 32, delete "and who".

Page 2, delete line 33.

Page 2, line 34, delete "an organization approved by the state department".

Page 2, line 35, delete "noneligible hospice patients" and insert "**a patient who is not eligible for hospice**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1199 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

Kirchhofer, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1207, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 2. IC 16-18-2-338.3, AS ADDED BY P.L.32-2015, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 338.3. **(a)** "Standing order", for purposes of IC 16-31 and IC 16-42-27, means:

(1) a written order; or

(2) an order transmitted by other means of communication;

that is prepared by a person authorized to write a prescription for the distribution and administration of an overdose intervention drug, including any actions and interventions to be used in order to ensure timely access to treatment.

(b) "Standing order", for purposes of IC 16-41-43, means:

(1) a written order; or

(2) an order transmitted by other means of communication;

that is prepared by a person authorized to write a prescription for the distribution and administration of auto-injectable epinephrine, including any actions and interventions to be used in order to ensure timely access to treatment.

SECTION 3. IC 16-41-43-2.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.3. (a) A pharmacist may, by standing order, dispense auto-injectable epinephrine without examining the individual to whom it may be administered if all of the following conditions are met:**

(1) The auto-injectable epinephrine is dispensed to a person who:

(A) presents a certificate of completion issued under section 2.5(c) of this chapter to the pharmacist before the auto-injectable epinephrine is dispensed; and

(B) is an individual who is or may be in a position to assist an individual who is at risk of experiencing anaphylaxis.

(2) The pharmacist provides instruction concerning how to properly administer auto-injectable epinephrine from the specific device being dispensed at the time of the device's dispensing.

(3) The pharmacist instructs the individual receiving the auto-injectable epinephrine to summon emergency medical services either immediately before or immediately after administering the auto-injectable epinephrine to an individual experiencing anaphylaxis.

(b) A person wishing to receive auto-injectable epinephrine by standing order must do the following:

(1) Successfully complete the course described in section 2.5(a) of this chapter.

(2) Present a certificate of completion issued under section 2.5(c) of this chapter to a pharmacist at the time the auto-injectable epinephrine is requested.

(c) An individual described in subsection (a)(1) may administer auto-injectable epinephrine to an individual that the person reasonably believes is experiencing anaphylaxis.

(d) An individual described in subsection (a)(1) may not be considered to be practicing medicine without a license in violation of IC 25-22.5-8-2 if the individual, acting in good faith:

(1) obtains auto-injectable epinephrine from a pharmacist by standing order;

(2) administers auto-injectable epinephrine to an individual that the person reasonably believes is experiencing anaphylaxis in a manner that is consistent with:

(A) the training provided during the course described in section 2.5(a) of this chapter; or

(B) the instruction provided to the person by a pharmacist at the time the auto-injectable epinephrine was dispensed; and

(3) attempts to summon emergency medical services either immediately before or immediately after administering the auto-injectable epinephrine.

(e) The state department shall ensure that a statewide standing order for the dispensing of auto-injectable epinephrine in Indiana is issued under this section. The state health commissioner may, as part of the individual's official capacity, issue a statewide standing order that may be used for the dispensing of auto-injectable epinephrine under this section. The immunity provided in IC 34-13-3-3 applies to an individual described in this subsection.

SECTION 4. IC 16-41-43-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. (a) The state department shall approve courses concerning allergies and the administration of auto-injectable epinephrine that are offered by an approved organization (as defined in IC 25-1-4-0.2).**

(b) The state department shall do the following:

(1) Maintain, on the agency's Internet web site, a list of all approved courses.

(2) Prescribe the certification process for the course described in subsection (a).

(3) Revoke the certification of an organization that fails to comply with any certification prerequisite specified by the state department.

(c) A person who successfully completes a certified course shall receive a certificate of completion. The state department may contract with a third party for the purpose of creating or manufacturing the certificate of completion, which must meet the requirements set forth in subsection (d).

(d) A certificate of completion issued under subsection (c) must:

(1) have dimensions that permit the certificate of completion to be carried in a wallet; and

(2) display the following information:

(A) The first and last name of the person.

(B) The first and last name of the course instructor.

(C) The name of the entity responsible for providing the course, if applicable.

(D) The date the course described in subsection (a) was completed.

(E) Any other information required by the state department.

(e) The state department may adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to implement this section.

SECTION 5. IC 16-41-43-3.5, AS ADDED BY P.L.117-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. Injectable epinephrine that is filled and used in accordance with this chapter must have an expiration date of not less than twelve (12) months from the date that the pharmacy dispenses the injectable epinephrine to the entity **or person, as applicable.**

SECTION 6. IC 16-41-43-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5.5. (a) This chapter does not apply to a person who is eligible for immunity specified in one (1) or more of the following sections:**

(1) Section 6 of this chapter.

(2) IC 20-34-4.5-4.

(3) IC 21-44.5-2-6.

(b) Except as provided in subsection (d), a person who meets all of the following criteria is not liable for civil damages for any act or omission related to the administration of auto-injectable epinephrine:

(1) The person has successfully completed a course described in section 2.5(a) of this chapter before administering auto-injectable epinephrine to a person.

(2) The person administered the auto-injectable epinephrine in a manner that was consistent with:

(A) the training provided during the course described in section 2.5(a) of this chapter; or

(B) the instruction provided to the person by the pharmacist at the time the auto-injectable epinephrine was dispensed to the person.

(3) The person reasonably believed that the recipient of the auto-injectable epinephrine was suffering from anaphylaxis at the time the auto-injectable epinephrine was administered.

(c) A pharmacist who complies with section 2.3(a) of this chapter is not liable for civil damages resulting from the administration of auto-injectable epinephrine.

(d) The immunity described in subsection (b) or (c) does not apply to any act or omission that constitutes gross negligence or willful and wanton misconduct.

SECTION 7. IC 25-1-9.3-8, AS ADDED BY P.L.28-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. A prescriber may issue a prescription for a controlled substance in a written format, a faxed format, or an oral order if any of the following apply:

(1) The prescriber cannot transmit an electronically transmitted prescription due to:

(A) temporary technological or electrical failure; **or**

(B) the technological inability to issue a prescription electronically.

(2) The prescriber issues a prescription to be dispensed by a pharmacy located outside Indiana.

(3) The prescriber and the pharmacist are the same entity.

(4) The prescriber issues a prescription that meets any of the following:

(A) The prescription contains elements that are not supported by the technical standards developed by the National Council for Prescription Drug Programs for electronically transmitted prescriptions (NCPDP SCRIPT).

(B) The federal Food and Drug Administration requires the prescription to contain certain elements that cannot be supported in an electronically transmitted prescription.

(C) The prescription is a non-patient specific prescription in response to a public health emergency or another instance allowable under state law and that requires a non-patient specific prescription under:

(i) a standing order;

(ii) approved protocol for drug therapy;

(iii) collaborative drug management; or

(iv) comprehensive medication management.

(D) The prescription is issued under a research protocol.

(5) The prescriber has received a waiver or a renewal of a previously received waiver from the board in accordance with rules adopted under section 9 of this chapter.

(6) The board, in accordance with rules adopted under section 9 of this chapter, has determined that issuing an electronically transmitted prescription would be impractical and cause delay, adversely impacting the patient's medical condition.

(7) The prescriber reasonably determines that it would be impractical for the patient to obtain an electronic prescription in a timely manner and the delay would adversely affect the patient's medical condition.

(8) The prescriber provides notice to the board that the prescriber does not use an electronic medical record.

SECTION 8. IC 25-1-9.3-9, AS ADDED BY P.L.28-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) The board shall, in consultation with the medical licensing board, adopt rules under IC 4-22-2 to implement this chapter, including:

(1) a process to grant or deny waivers or renewals of waivers from the requirement to issue electronically transmitted prescriptions for controlled substances due to:

(A) economic hardship;

(B) technological limitations outside the control of the prescriber; or

(C) other circumstances determined by the board; and

(2) a list of circumstances in which issuing an electronically transmitted prescription would be impractical and cause delay that would adversely impact the user's medical condition.

(b) Any rules adopted under this chapter must be

substantially similar to the requirements and exceptions under 42 U.S.C. 1395w-104.

(c) The board, in consultation with the medical licensing board, may adopt emergency rules in the manner provided in IC 4-22-2-37.1. A rule adopted under this section expires on the earlier of the following:

(1) The date that the rule is superseded, amended, or repealed by a permanent rule adopted under IC 4-22-2.

(2) July 1, 2023.".

Page 6, delete lines 9 through 32, begin a new paragraph and insert:

"SECTION 18. IC 34-30-2-83.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 83.6. IC 16-41-43-5.5 (Concerning the administration of auto-injectable epinephrine by laypersons and the dispensing of auto-injectable epinephrine by pharmacists).**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1207 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred House Bill 1218, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "that an operator installs or" and insert "**that:**

(1) an operator installs or causes to be installed after June 30, 2020, in any public right-of-way or on any private property; or

(2) a person installs or causes to be installed after June 30, 2020, on real property that the person owns or occupies.".

Page 1, delete line 5.

Page 1, line 7, delete "and except as provided in subsection (d),".

Page 1, line 8, after "operator" insert "**described in subsection (a)(1) or a person described in subsection (a)(2)**".

Page 1, line 9, after "operator" insert "**or person**".

Page 1, line 13, delete "equipment," and insert "**equipment and**".

Page 1, line 14, delete "surveys, and ground penetrating" and insert "**surveys; or**".

Page 1, delete line 15.

Page 1, line 16, delete "subject to subsection (c),".

Page 2, delete lines 6 through 12.

Page 2, line 13, delete "(e)" and insert "**(c)**".

(Reference is to HB 1218 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1225, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1225 as introduced.)

Committee Vote: Yeas 10, Nays 1.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1243, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1243 as introduced.)

Committee Vote: Yeas 9, Nays 1.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1246, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1246 as introduced.)

Committee Vote: Yeas 11, Nays 0.

SULLIVAN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1265, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 3.

Page 2, line 7, delete "or (c)".

Page 2, line 7, delete "every:" and insert "**every school building**".

Page 2, delete lines 8 through 13.

Page 2, run in lines 7 through 14.

Page 2, delete lines 28 through 40.

Page 2, line 41, delete "(d)" and insert "**(c)**".

Page 3, line 3, delete "the:" and insert "**the school building**".

Page 3, delete lines 4 through 9.

Page 3, run in lines 3 through 10.

Page 3, line 24, delete "and child care facilities".

Renumber all SECTIONS consecutively.

(Reference is to HB 1265 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

WOLKINS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1279, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 5-1.3-3-11, AS ADDED BY P.L.189-2018, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. **(a)** The IFA, the NWIRDA, or the NICTD may:

(1) in the manner provided by IC 32-24; or

(2) as otherwise required for a railroad federal aid project funded in any part under 49 U.S.C. 103, et seq.;

acquire by appropriation any land, rights-of-way, property, rights, easements, or other legal or equitable interests necessary or convenient for the construction or the efficient operation of any rail project. However, compensation for the property taken shall first be made in money as provided by IC 32-24 or as otherwise required for a railroad federal aid project funded in any part under 49 U.S.C. 103, et seq.

(b) The IFA, the NWIRDA, or the NICTD:

(1) may enter upon land to conduct a survey or investigation by manual or mechanical means for the construction or operation of a rail project; and

(2) shall, when acting under subdivision (1), have all the same powers and duties that the Indiana department of transportation has under IC 8-23-7-26 through IC 8-23-7-28.".

Page 15, after line 42, begin a new paragraph and insert:

"SECTION 5. IC 36-7-14-0.5, AS AMENDED BY P.L.235-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.5. (a) The definitions in this section apply throughout this chapter.

(b) "Obligation" means any bond, note, warrant, lease, or other instrument under which money is borrowed.

(c) "Public funds" means all fees, payments, tax receipts, and funds of whatever kind or character coming into the possession of a:

(1) redevelopment commission; or

(2) department of redevelopment.

(d) "Residential housing" means housing or workforce housing that consists of single family dwelling units sufficient to secure quality housing in reasonable proximity to employment. **The term includes condominiums and townhouses located within an economic development target area that is designated under IC 6-1.1-12.1-7.**

(e) "Residential housing development program" means a residential housing development program for the:

(1) construction of new residential housing; or

(2) renovation of existing residential housing;

established by a commission under section 53 of this chapter.

(f) "Workforce housing" means housing that is affordable for households with earned income that is sufficient to secure quality housing in reasonable proximity to employment.

SECTION 6. IC 36-7-14-53, AS ADDED BY P.L.235-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 53. (a) Subject to subsection (g), a commission may establish a residential housing development program by resolution for the construction of new residential housing or the renovation of existing residential housing if:

(1) for a commission established by a county, the average of new, single family residential houses constructed in the unincorporated area of the county during the preceding three (3) calendar years is less than one percent (1%) of the total number of single family residential houses within the unincorporated area of the county on January 1 of the year in which the resolution is adopted; or

(2) for a commission established by a municipality, the average of new, single family residential houses constructed within the municipal boundaries during the preceding three (3) calendar years is less than one percent (1%) of the total number of single family residential houses within the boundaries of the municipality on January 1 of the year in which the resolution is adopted.

However, the calculations described in subdivisions (1) and (2) and the provisions of subsection (f) do not apply for purposes of establishing a residential housing development program within an economic development target area designated under IC 6-1.1-12.1-7.

(b) The program, which may include any relevant elements the commission considers appropriate, may be adopted as part of a redevelopment plan or amendment to a redevelopment plan, and must establish an allocation area for purposes of sections 39 and 56 of this chapter for the accomplishment of the program. The program must be approved by the municipal legislative body or county executive as specified in section 17 of this chapter.

(c) The notice and hearing provisions of sections 17 and 17.5 of this chapter, including notice under section 17(c) of this chapter to a taxing unit that is wholly or partly located within an allocation area, apply to the resolution adopted under subsection (b). Judicial review of the resolution may be made under section 18 of this chapter.

(d) Before formal submission of any residential housing development program to the commission, the department of redevelopment shall:

(1) consult with persons interested in or affected by the proposed program;

(2) provide the affected neighborhood associations, residents, and township assessors with an adequate opportunity to participate in an advisory role in planning, implementing, and evaluating the proposed program; and

(3) hold public meetings in the affected neighborhood to obtain the views of neighborhood associations and residents.

(e) A residential housing development program established under this section must terminate not later than twenty (20) years after the date the program is established under subsection (b).

(f) The department of local government finance, in cooperation with either the appropriate county agency or the appropriate municipal agency, or both, shall determine whether a county or municipality meets the requirements under subsection (a). A county or municipality may request from the department of local government finance a report, if it exists, describing the effect of current assessed value allocated to tax increment financing allocation areas on the amount of the tax levy or proceeds and the credit for excessive property taxes under IC 6-1.1-20.6 for the taxing units within the boundaries of the residential housing development program.

(g) A program established under subsection (a) may not take effect **in any part of the program allocation area that lies outside an economic development target area designated under IC 6-1.1-12.1-7** until the governing body of each school corporation affected by the program passes a resolution approving the program. **A program established under subsection (a) takes effect in the part of a program allocation area that lies within an economic development target area when the program is established, without additional approval under this subsection.**".

Page 18, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 11. IC 36-7.5-2-3, AS AMENDED BY P.L.248-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The development authority is governed by the development board appointed under this section.

(b) Except as provided in subsections (e), (f), and (h), the development board is composed of the following ~~seven (7)~~ **eleven (11)** members:

(1) Two (2) members appointed by the governor. One (1) of the members appointed by the governor under this subdivision must be an individual nominated under subsection (d). The members appointed by the governor under this subdivision serve at the pleasure of the governor.

(2) The following members from a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):

(A) One (1) member appointed by the mayor of the largest city in the county in which a riverboat is located.

(B) One (1) member appointed by the mayor of the second largest city in the county in which a riverboat is located.

(C) One (1) member appointed by the mayor of the third largest city in the county in which a riverboat is located.

(D) One (1) member appointed jointly by the county executive and the county fiscal body. A member appointed under this clause may not reside in a city described in clause (A), (B), or (C).

(3) One (1) member appointed jointly by the county executive and county fiscal body of a county having a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000).

(4) The following four (4) members appointed under subsection (j):

(A) One (1) member appointed from Lake County.

(B) One (1) member appointed from Porter County.

(C) One (1) member appointed from LaPorte County.

(D) One (1) member appointed from St. Joseph County.

The members appointed under clauses (C) and (D) may only vote on matters that pertain strictly to the transit development district within LaPorte County and St. Joseph County.

(c) A member appointed to the development board must have knowledge and at least five (5) years professional work experience in at least one (1) of the following:

(1) Rail transportation or air transportation.

(2) Regional economic development.

(3) Business or finance.

(d) The mayor of the largest city in a county having a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000) shall nominate three (3) residents of the county for appointment to the development board. One (1) of the governor's initial appointments under subsection (b)(1) must be an individual nominated by the mayor. At the expiration of the member's term, the mayor of the second largest city in the county shall nominate three (3) residents of the county for appointment to the development board. One (1) of the governor's appointments under subsection (b)(1) must be an individual nominated by the mayor. Thereafter, the authority to nominate the three (3) individuals from among whom the governor shall make an appointment under subsection (b)(1) shall alternate between the mayors of the largest and the second largest city in the county at the expiration of a member's term.

(e) A county having a population of more than one hundred eleven thousand (111,000) but less than one hundred fifteen thousand (115,000) shall be an eligible county participating in the development authority if the fiscal body of the county adopts an ordinance providing that the county is joining the development authority and the fiscal body of a city that is located in the county and that has a population of more than thirty-one thousand (31,000) but less than thirty-one thousand five hundred (31,500) adopts an ordinance providing that the city is joining the development authority. Notwithstanding subsection (b), if ordinances are adopted under this subsection and the county becomes an eligible county participating in the development authority:

(1) the development board shall be composed of ~~nine (9)~~ **thirteen (13)** members rather than ~~seven (7)~~ **eleven (11)** members; and

(2) the additional two (2) members shall be appointed in the following manner:

(A) One (1) additional member shall be appointed by the governor and shall serve at the pleasure of the governor. The member appointed under this clause must be an individual nominated under subsection (f).

(B) One (1) additional member shall be appointed jointly by the county executive and county fiscal body.

(f) This subsection applies only if the county described in subsection (e) is an eligible county participating in the development authority. The mayor of the largest city in the county described in subsection (e) shall nominate three (3) residents of the county for appointment to the development board. The governor's initial appointment under subsection (e)(2)(A) must be an individual nominated by the mayor. At the expiration of the member's term, the mayor of the second largest city in the county described in subsection (e) shall nominate three (3) residents of the county for appointment to the development board. The governor's second appointment under subsection (e)(2)(A) must be an individual nominated by the mayor. Thereafter, the authority to nominate the three (3) individuals from among whom the governor shall make an appointment under subsection (e)(2)(A) shall alternate between the mayors of the largest and the second largest city in the county at the expiration of a member's term.

(g) An individual or entity required to make an appointment under subsection (b) or nominations under subsection (d) must make the initial appointment before September 1, 2005, or the initial nomination before August 15, 2005. If an individual or entity does not make an initial appointment under subsection (b) before September 1, 2005, or the initial nominations required under subsection (d) before September 1, 2005, the governor shall instead make the initial appointment.

(h) Subsection (i) applies only to municipalities located in a county that:

(1) has a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000); and

(2) was a member of the development authority on January 1, 2009, and subsequently ceases to be a member of the development authority.

(i) If the fiscal bodies of at least two (2) municipalities subject to this subsection adopt ordinances to become members of the development authority, those municipalities shall become members of the development authority. If two (2) or more municipalities become members of the development authority under this subsection, the fiscal bodies of the municipalities that become members of the development authority shall jointly appoint one (1) member of the development board who shall serve in place of the member described in subsection (b)(3). A municipality that becomes a member of the development authority under this subsection is considered an eligible municipality for purposes of this article.

(j) The governor shall appoint four (4) members to the development board as follows:

(1) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the county executive of Lake County. The nominations shall be transmitted to the governor not later than July 1, 2020. If the entity does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the initial appointment, the governor shall appoint a resident of Lake County.

(2) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the county executive of Porter County. The nominations shall be transmitted to the governor not later than July 1, 2020. If the entity does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the initial appointment, the governor shall appoint a resident of Porter County.

(3) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the

county executive of LaPorte County. The nominations shall be transmitted to the governor not later than July 1, 2020. If the entity does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the initial appointment, the governor shall appoint a resident of LaPorte County.

(4) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the county executive of St. Joseph County. The nominations shall be transmitted to the governor not later than July 1, 2020. If the entity does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the initial appointment, the governor shall appoint a resident of St. Joseph County.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1279 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 1.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1282, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1282 as introduced.)

Committee Vote: Yeas 7, Nays 4.

WOLKINS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1283, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 34.

Page 3, line 42, delete "content must provide information" and insert "**teacher preparation program should consider using curricula**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1283 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1301, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 9-22-1-4, AS AMENDED BY P.L.157-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) Except as provided in subsection ~~(c),~~ **(d),** the owner of an abandoned vehicle or parts is:

(1) responsible for the abandonment; and

(2) liable for all of the costs incidental to the removal, storage, and disposal;

of the vehicle or the parts under this chapter.

(b) **Except as provided in subsection (c),** the costs for storage of an abandoned vehicle may not exceed two thousand dollars ($2,000).

(c) Notwithstanding subsection (b), the costs for storage of an abandoned vehicle that has a gross vehicle weight rating of eleven thousand (11,000) pounds or more may not exceed five thousand dollars ($5,000).

~~(c)~~ **(d)** If an abandoned vehicle is sold by a person who removed, towed, or stored the vehicle, the person who previously owned the vehicle is not responsible for storage fees.

~~(d)~~ **(e)** If an abandoned vehicle is sold by a person who removed, towed, or stored the vehicle, and proceeds from the sale of the vehicle covered the removal, towing, sale disposal, and storage expenses, any remaining proceeds from the sale of the vehicle shall be returned as described in this chapter or IC 9-22-6, whichever is applicable.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1301 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

SULLIVAN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred House Bill 1305, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, delete lines 30 through 42.

Delete page 5.

(Reference is to HB 1305 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

Behning, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1313, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 6, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 9. IC 33-33-49-14, AS AMENDED BY P.L.142-2007, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) Not more than thirty (30) days after taking the oath of office, the judges shall meet and designate four (4) of the judges as the executive committee for administrative purposes. The executive committee shall be selected by a vote of two-thirds (2/3) of the judges sitting at the time the vote is taken. If all vacancies cannot be filled by a two-thirds (2/3) vote, vacancies may be filled by such other method as provided by court rule. The executive committee is responsible for the operation and conduct of the court. The executive committee shall operate and maintain the juvenile detention facilities in the county. A member of the executive committee shall serve in the capacity provided by rules adopted by the court under section 11 of this chapter. A member of the executive committee serves for a term of two (2) years beginning on the date of the member's election. Except for the rotation of the presiding judge as provided in subsection (b), any or all of the members elected to the executive committee may be reelected. Of the four (4) judges elected to the executive committee, not more than two (2) may be members of the same political party.

(b) One (1) of the four (4) judges elected to the executive committee shall be elected as presiding judge, and three (3) of the four (4) judges elected to the executive committee shall be elected as associate presiding judges. Beginning with the election of the executive committee in 2007, a presiding judge may not be elected from the same political party as the presiding judge who served the previous term. Each judge who is a member of the executive committee has an equal vote in all matters pertaining to the business of the court when an action requires a majority vote. If a tie vote occurs, the presiding judge shall cast the tiebreaking vote. Any action taken by the executive committee may be overruled by a vote of two-thirds (2/3) of all the judges sitting at the time the vote is taken. The physical reassignment of a judge to a different courtroom requires a unanimous vote of the executive committee. The executive committee shall assign cases, offices, and courtrooms for trial judges or reassignment of newly filed cases in the interests of the speedy, economical, and uniform disposition of cases. All matters of trial dates, continuances, and subpoenas used for trial shall be determined by the trial judge in accordance with rules of the superior court. The executive committee shall perform other duties as determined by rules of the court.

(c) The court shall, by rules of the court, divide the work of the court into various divisions, including but not limited to the following:

(1) Civil.

(2) Criminal.

(3) ~~Probate.~~ **Family.**

~~(4) Juvenile.~~

(d) The work of each division shall be allocated by the rules of the court.

(e) The judges shall be assigned to various divisions or rooms as provided by rules of the court. Whenever possible, an incumbent judge shall be allowed the option of remaining in a particular room or division. Whenever any action of the court is required, the judges of the court shall act in concert, by a vote under section 11 of this chapter. The court shall keep appropriate records of rules, orders, and assignments of the court.".

Page 8, after line 1, begin a new paragraph and insert:

"SECTION 11. IC 33-33-49-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. (a) The court shall hold sessions in:

(1) the ~~city-county building~~ **community justice campus** in Indianapolis; and

(2) other places in Marion County as the court determines.

(b) The city-county council shall:

(1) provide and maintain in the ~~building~~ **community justice campus** and at other places in Marion County as the court may determine suitable and convenient courtrooms for the holding of the court, suitable and convenient jury rooms, and offices for the judges, other court officers and personnel, and other facilities as are necessary; and

(2) provide all necessary furniture and equipment for rooms and offices of the court.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1313 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Small Business and Economic Development, to which was referred House Bill 1331, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1331 as introduced.)

Committee Vote: Yeas 9, Nays 4.

MORRIS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1334, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1334 as introduced.)

Committee Vote: Yeas 8, Nays 0.

WOLKINS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1336, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 16, strike "interactive audio-using".

Page 3, delete lines 21 through 42.

Delete page 4.

(Reference is to HB 1336 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1337, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 13-11-2-264.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 264.3. "Water utility", for purposes of IC 13-13-8-16, has the meaning set forth in IC 13-13-8-16(a).**".

Page 1, line 3, after "16." insert "**(a) As used in this section, "water utility" has the meaning set forth in IC 8-1-30.8-4.**

(b)".

Page 1, line 4, delete "notification by" and insert "**notification**".

Page 1, line 5, delete "a responsible party".

Page 1, line 5, delete "(as defined in IC 8-1-30.8-4)".

Page 1, line 6, delete "facility" and insert "**plant**".

Page 1, line 6, delete "case" and insert "**event**".

Page 1, line 6, delete "permit".

Page 1, line 7, delete "exceedance that may:" and insert "**release of any substance to a water that may cause a threat to the operation of a water utility or water treatment plant.**".

Page 1, delete lines 8 through 10.

Renumber all SECTIONS consecutively.

(Reference is to HB 1337 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

WOLKINS, Chair

Report adopted.

COMMITTEE REPORT

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

Page 1, between lines 11 and 12, begin a new line triple block indented and insert:

"**(ii) a plan developed under Section 504 of the federal Rehabilitation Act, 29 U.S.C. 794;**".

Page 1, line 12, delete "(ii)" and insert "**(iii)**".

Page 1, line 13, delete "(iii)" and insert "**(iv)**".

(Reference is to HB 1341 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred House Bill 1346, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 5-2-6-3, AS AMENDED BY P.L.239-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. The institute is established to do the following:

(1) Evaluate state and local programs associated with:
(A) the prevention, detection, and solution of criminal offenses;
(B) law enforcement; and
(C) the administration of criminal and juvenile justice.

(2) Participate in statewide collaborative efforts to improve all aspects of law enforcement, juvenile justice, and criminal justice in this state.

(3) Stimulate criminal and juvenile justice research.

(4) Develop new methods for the prevention and reduction of crime.

(5) Prepare applications for funds under the Omnibus Act and the Juvenile Justice Act.

(6) Administer victim and witness assistance funds.

(7) Administer the traffic safety functions assigned to the institute under IC 9-27-2.

(8) Compile and analyze information and disseminate the information to persons who make criminal justice decisions in this state.

(9) Serve as the criminal justice statistical analysis center for this state.

(10) Identify grants and other funds that can be used by the department of correction to carry out its responsibilities concerning sex or violent offender registration under IC 11-8-8.

(11) Administer the application and approval process for designating an area of a consolidated or second class city as a public safety improvement area under IC 36-8-19.5.

(12) Administer funds for the support of any sexual offense services.

(13) Administer funds for the support of domestic violence programs.

(14) Administer funds to support assistance to victims of human sexual trafficking offenses as provided in IC 35-42-3.5-4.

(15) Administer the domestic violence prevention and treatment fund under IC 5-2-6.7.

(16) Administer the family violence and victim assistance fund under IC 5-2-6.8.

(17) Monitor and evaluate criminal code reform under IC 5-2-6-24.

(18) Administer the enhanced enforcement drug mitigation area fund and pilot program established under IC 5-2-11.5.

(19) Administer the ignition interlock inspection account established under IC 9-30-8-7.

(20) Identify any federal, state, or local grants that can be used to assist in the funding and operation of regional holding facilities under IC 11-12-6.5.

(21) Receive data from sheriffs concerning jail:
(A) populations; and
(B) statistics;
for the purpose of providing jail data to the management performance hub established by IC 4-3-26-8.".

Page 2, delete lines 1 through 26.

Page 2, delete lines 29 through 42, begin a new paragraph and insert:

"SECTION 3. IC 33-38-9.5-2, AS AMENDED BY P.L.108-2019, SECTION 240, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) The justice reinvestment advisory council is established. The advisory council consists of the following members:

(1) The executive director of the Indiana public defender council or the executive director's designee.

(2) The executive director of the Indiana prosecuting attorneys council or the executive director's designee.

(3) The director of the division of mental health and addiction or the director's designee.

(4) The president of the Indiana Sheriffs' Association or the president's designee.

(5) The commissioner of the Indiana department of correction or the commissioner's designee.

(6) The chief administrative officer of the office of judicial administration or the chief administrative officer's designee.

(7) The executive director of the Indiana criminal justice institute or the executive director's designee.

(8) The president of the Indiana Association of Community Corrections Act Counties or the president's designee.

(9) The president of the Probation Officers Professional Association of Indiana or the president's designee.

(10) The budget director or the budget director's designee.

(b) The chief administrative officer of the office of judicial administration shall serve as chairperson of the advisory council.

(c) The purpose of the advisory council is to conduct a state level review and evaluation of:

(1) local corrections programs, including community corrections, county jails, and probation services; ~~and~~

(2) the processes used by the department of correction and the division of mental health and addiction in awarding grants; **and**

(3) jail overcrowding to identify a range of possible solutions.

(d) The advisory council may make a recommendation to:

(1) the department of correction, community corrections advisory boards, and the division of mental health and addiction concerning the award of grants; **and**

(2) the county sheriffs concerning strategies to address jail overcrowding and implementing evidence based practices for reducing recidivism for individuals in county jails.

(e) The office of judicial administration shall staff the advisory council.

(f) The expenses of the advisory council shall be paid by the office of judicial administration from funds appropriated to the office of judicial administration for the administrative costs of the justice reinvestment advisory council.

(g) A member of the advisory council is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(h) The affirmative votes of a majority of the voting members appointed to the advisory council are required for the advisory council to take action on any measure.

(i) The advisory council shall meet as necessary to:

(1) work with the department of correction and the division of mental health and addiction to establish the grant criteria and grant reporting requirements described in subsection (l);

(2) review grant applications;

(3) make recommendations and provide feedback to the department of correction and the division of mental health and addiction concerning grants to be awarded;

(4) review grants awarded by the department of correction and the division of mental health and addiction; and

(5) suggest areas and programs in which the award of future grants might be beneficial.

(j) The advisory council, in conjunction with the Indiana criminal justice institute, shall jointly issue an annual report under IC 5-2-6-24.

(k) Any entity that receives funds:

(1) recommended by the advisory council; and

(2) appropriated by the department of correction;

for the purpose of providing additional treatment or supervision services shall provide the information described in subsection (l) to the department of correction to aid in the compilation of the report described in subsection (j).

(l) The department of correction shall provide the advisory council with the following information:

(1) The total number of participants, categorized by level of most serious offense, who were served by the entity through funds described in subsection (k).

(2) The percentage of participants, categorized by level of most serious offense, who completed a treatment program, service, or level of supervision.

(3) The percentage of participants, categorized by level of most serious offense, who were discharged from a treatment program, service, or level of supervision.

(4) The percentage of participants, categorized by level of most serious offense, who:

(A) completed a funded treatment program, service, or level of supervision; and

(B) were subsequently committed to the department of correction;

within twenty-four (24) months after completing the funded treatment program, service, or level of supervision.

(5) The percentage of participants, categorized by level of most serious offense, who were:

(A) discharged from a funded treatment program, service, or level of supervision; and

(B) subsequently committed to the department of correction;

within twenty-four (24) months after being discharged from the funded treatment program, service, or level of supervision.

(6) The total number of participants who completed a funded treatment program, service, or level of supervision.

(7) The total number of participants who:

(A) completed a funded treatment program, service, or level of supervision; and

(B) were legally employed.

(8) Any other information relevant to the funding of the entity as described in subsection (k).".

Delete page 3.

Page 4, delete lines 1 through 22.

Page 4, delete lines 41 through 42.

Delete pages 5 through 6.

Renumber all SECTIONS consecutively.

(Reference is to HB 1346 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

McNamara, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Bill 1347, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning motor vehicles.

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

"SECTION 1. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "bureau" refers to the bureau of motor vehicles created by IC 9-14-7-1.**

(b) The bureau shall submit a report to the legislative council before August 1, 2020, in an electronic format under IC 5-14-6 that recommends to the general assembly any statutory changes that must be enacted to permit the elimination of physical certificates of registration or physical proofs of registration (except for a license plate) for any person applying for registration under IC 9-18.1. The report must include any recommendations for statutory changes that would permit the bureau to issue electronic certificates of registration and electronic proofs of registration.

(c) All other state agencies shall cooperate with the bureau as necessary for the bureau to complete the report required by this SECTION.

(d) This SECTION expires January 1, 2021.

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

(Reference is to HB 1347 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 1.

SULLIVAN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred House Bill 1372, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 5-10-8-2.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.8. (a) This section:**

(1) applies to local unit public employers and their employees; and

(2) does not apply to public safety employees, surviving spouses, and dependents covered by section 2.2 of this chapter.

(b) A local unit public employer may do the following:

(1) Establish and maintain an individual self-insurance program to provide authorized health care benefits, including:

(A) health care;

(B) prescription drugs;

(C) dental care; and

(D) vision care;

for employees and officers of the local unit.

(2) Establish and maintain a health savings account program under which employees and officers of the local unit may establish and maintain health savings accounts in accordance with Section 223 of the Internal Revenue Code.

A health savings account program established under subdivision (2) may be a part of a self-insurance program established under subdivision (1).

(c) A local unit may use public funds (as defined in IC 5-22-2-23) to:

(1) pay for or fund federally qualified high deductible health plans that are linked to health savings accounts established under subsection (b)(2); or

(2) make contributions to health savings accounts established under subsection (b)(2).

(d) Two (2) or more local units that have established individual self-insurance programs under subsection (b) may agree for their individual self-insurance programs to be administered jointly in a manner specified in the agreement between the local units.

(e) Two (2) or more local units may, under a written agreement between the local units, establish and maintain a joint self-insurance program.

(f) Two (2) or more local units, under a written agreement between the local units, may do the following:

(1) Purchase or contract for the services of providers of medical or health services for employees and officers of the local units.

(2) Purchase policies, enter into contracts, and establish plans of insurance to provide health care benefits for employees and officers of the local units, which may include a health savings account program described in subsection (b)(2).

(g) A local unit public employer may use any of the programs, contracts, policies, or plans authorized under subsections (b) through (f) in any combination.

(h) Any agreement entered into by local units under subsection (d), (e), (f), or (g) must:

(1) be in writing;

(2) comply with the requirements of section 2.9 of this chapter; and

(3) incorporate best practices established in consultation with and approved by the department of administration.

The best practices to be incorporated under subdivision (3) may be reviewed and amended by the local units in consultation with the department of administration. A local unit that enters into an agreement under subsection (d), (e), (f), or (g) shall provide detailed information about the best practices incorporated under subdivision (3) to any employee of the local unit upon the employee's request.

SECTION 2. IC 5-10-8-2.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.9. (a) This section:**

(1) applies to local unit public employers and their employees; and

(2) does not apply to public safety employees, surviving spouses, and dependents covered by section 2.2 of this chapter.

(b) The following apply to a self-insurance program established under section 2.8 of this chapter, whether established by a single local unit or by two (2) or more local units acting jointly under section 2.8(e) of this chapter:

(1) The local unit or local units shall reserve for purposes of the individual self-insurance program an amount of public funds (as defined in IC 5-22-2-23) necessary, in the exercise of sound and prudent actuarial judgment, to cover the potential cost of health care benefits for the officers and employees of the local unit who are provided benefits under the individual self-insurance program.

(2) A local unit shall keep the public funds reserved under subdivision (1) in a special fund established by the local unit or its administrator.

(3) Within ninety (90) days after the last day of each fiscal year of a local unit, the local unit shall issue a financial statement and report concerning the individual self-insurance program that sets forth:

(A) the aggregate amounts reserved under subdivision (1);

(B) the aggregate disbursements made from the funds reserved under subdivision (1);

(C) a written report of a member of the American Academy of Actuaries certifying whether the amounts reserved under subdivision (1):

(i) conform to the requirements of subdivision (1);

(ii) are computed in accordance with accepted loss reserving standards; and

(iii) are fairly stated in accordance with sound loss reserving principles; and

(D) the aggregate of disbursements made for the administration of the individual self-insurance program, including:

(i) claims paid;

(ii) the costs of the legal representation of the local unit or local units; and

(iii) fees paid to consultants.

(4) A financial statement and report issued under subdivision (3) must be:

(A) made available for inspection and copying under IC 5-14-3; and

(B) provided to the auditor of state.

(c) A local unit may allocate the costs of:

(1) an individual self-insurance program established under section 2.8 of this chapter;

(2) insurance purchased under section 2.6 or 2.8 of this chapter; or

(3) both an individual self-insurance program and insurance;

among the funds or accounts established under this section on the basis of relative exposure and loss experience.

(d) A local unit may, without competitive bidding, award a contract to any person for purposes of the administration of an individual self-insurance program established under section 2.8 of this chapter by a single local unit or by two (2) or more local units acting jointly. Before a contract is entered into under this subsection, there must be full, prior, public disclosure of all terms and conditions of the contract, including:

(1) a statement listing all representations made in connection with any possible:

(A) savings; and

(B) losses;

resulting from the contract; and

(2) the potential liability of any local unit or employee of a local unit under the contract;

at a meeting of the executive (as defined in IC 36-1-2-5) of the local unit held not less than one (1) week before the meeting at which the executive of the local unit authorizes the contract.

(e) A local unit that establishes an individual self-insurance program under section 2.8 of this chapter or two (2) or more local units that jointly establish an individual self-insurance program under section 2.8(e) of this chapter shall enter into a contract with a certified public accountant and a member of the American Academy of Actuaries for the preparation of the written report required by subsection (b)(3)(C).

(f) A local unit that establishes an individual

self-insurance program under section 2.8 of this chapter may allocate the costs of funding the program among the funds or accounts established under this section.

(g) Two (2) or more local units that jointly establish a self-insurance program under section 2.8(e) of this chapter may allocate the costs of funding the program among the funds or accounts that are established by the local units under this section on the basis of the relative exposure and loss experience of the local units.

(h) Two (2) or more local units may authorize the establishment and maintenance of a joint health care cost containment program that includes the employment of:

(1) risk managers or an administrator;

(2) health care cost containment specialists; and

(3) consultants;

for the purpose of preventing and reducing health care costs covered under section 2.6 or 2.8 of this chapter or this section by insurance, an individual self-insurance program, or a joint self-insurance program.

(i) A local unit that, with one (1) or more other local units, jointly establishes a self-insurance program under section 2.8(e) of this chapter is not liable in connection with the joint self-insurance program for any amount exceeding the amounts payable under the written agreement under which the joint self-insurance program was established. A local unit that enters into a written agreement establishing a joint self-insurance program under section 2.8(e) of this chapter may, to the extent permitted under the written agreement, assume the risks of any other local unit. A joint self-insurance program established under section 2.8(e) of this chapter:

(1) is deemed a separate legal entity for the public purpose of enabling the local units to obtain insurance or to provide for a formalized, jointly administered self-insurance fund providing coverage for the officers and employees of the local units of the joint self-insurance program; and

(2) is exempt from all state and local taxes.

(j) A local unit:

(1) may issue:

(A) general obligation bonds; or

(B) special obligation bonds that are not payable from real or personal property taxes; and

(2) may also issue notes in anticipation of bonds issued under subdivision (1);

pursuant to an ordinance or resolution of the legislative body (as defined in IC 36-1-2-9) of the local unit for the purpose of providing funds to pay expenses associated with the settlement of claims, whether by way of a reserve or otherwise, and to pay the local unit's portion of the cost of establishing and maintaining an individual self-insurance program or joint self-insurance program or to provide for the reserve in the special fund authorized by subsection (b)(2).

(k) A joint self-insurance program established under section 2.8(e) of this chapter is not an insurance company. The operation of a joint self-insurance program established under section 2.8(e) of this chapter does not constitute engaging in an insurance business and is not subject to IC 27 or the rules adopted under IC 27.

(l) If:

(1) a local unit terminates its participation in a joint self-insurance program established under section 2.8(e) of this chapter; and

(2) the local unit has accumulated funds in the reserves of the joint self-insurance program for incurred but not reported claims;

the joint self-insurance program shall pay the run-off expenses of the local unit terminating its participation in the joint self-insurance program. The run-off payment, at minimum, shall be limited to an actuarially determined cap or sixty (60) days, whichever is reached first. However, this subsection does not apply during the term of a specific, separate agreement under which the local unit is entitled to maintain its participation in the joint self-insurance program for a specified period, which may not exceed three (3) years.

(m) A local unit may, under section 2.6 of this chapter, procure group life insurance for its officers and employees in conjunction with providing coverage under an individual self-insurance program or joint self-insurance program under section 2.8 of this chapter and this section. However, a local unit may not provide group life insurance on a self-insured basis under this subsection.

SECTION 3. IC 16-31-1-4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 4. (a) As used in this section, "covered individual" means an individual who is entitled to be provided health care services at a cost established according to a network plan.**

(b) As used in this section, "facility" means an institution in which health care services are provided to individuals. The term includes:

(1) hospitals and other licensed ambulatory surgical centers; and

(2) ambulatory outpatient surgical centers.

(c) As used in this section, "in network facility" means a facility that is required under a network plan to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

(d) As used in this section, "network plan" means a plan under which providers of health care services are required by contract to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

(e) A provider of ambulance service that transports a covered individual in an ambulance:

(1) to an in network facility; or

(2) from an in network facility to a facility that is not an in network facility;

shall not charge more for the transportation of the covered individual than the amount allowed by the maximum rate or amount established for ambulance transportation by the network plan applying to the covered individual's coverage, regardless of whether the provider of ambulance service to the covered individual is a party to the network plan.".

Page 37, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 7. IC 27-1-25-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. All claims paid by an administrator from funds collected on behalf of an insurer shall ~~only~~ be paid: ~~on~~

(1) by ~~drafts~~ **draft** or ~~checks~~ **check; or**

(2) via electronic payment;

as authorized by the insurer.

SECTION 8. IC 27-1-28-15, AS ADDED BY P.L.11-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. (a) Except as provided in section 16 of this chapter **and in subsection (e),** an individual who applies for an independent adjuster license under this chapter must pass a written examination that is:

(1) developed and conducted according to rules adopted by the commissioner under IC 4-22-2; and

(2) intended to test the knowledge of the individual concerning:

(A) the lines of authority in which the individual has applied for licensing under this chapter;

(B) the duties and responsibilities of an independent adjuster; and

(C) Indiana insurance law.

(b) The commissioner may contract with a nongovernmental

entity to administer the written examination required by this section.

(c) An individual described in subsection (a) shall remit, with the application to take the written examination required by this section, a nonrefundable examination fee in an amount set by the commissioner or the organization administering the examination.

(d) If an individual:

(1) fails to appear for or to pass an examination; and

(2) desires to reschedule the examination;

the individual shall reapply for the written examination and remit all fees and forms before scheduling an examination date.

(e) An individual who holds a current claims certification issued by a national or state claims association whose certification program includes:

(1) a precertification course for new adjusters that is approved by the department;

(2) an examination for new adjusters that is approved by the department; and

(3) a continuing education program that is approved by the department;

is not required to complete a prelicensing course described in section 12(b)(5) of this chapter or pass a written examination described in subsection (a) to be issued an independent adjuster license under this chapter.

SECTION 9. IC 27-1-28-16, AS ADDED BY P.L.11-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) An individual who applies for an independent adjuster license under this chapter and who:

(1) possesses an independent adjuster license for the same line of authority in which the individual has applied for licensing under this chapter in a state in which a prelicensing independent adjuster licensure examination is required;

(2) possessed an independent adjuster license that:

(A) was for the same line of authority in which the individual has applied for licensing under this chapter in a state in which a prelicensing independent adjuster licensure examination is required; and

(B) expired less than ninety (90) days before the date the commissioner receives the application; or

(3) provides proof from contracting insurers that the individual has participated in claims adjudication in the same line of authority during the five (5) years immediately preceding the date of application;

is not required to complete a prelicensing course as described in section 12(b)(5) of this chapter or pass a written examination under section 15 of this chapter before being licensed under this chapter.

(b) An applicant who meets the criteria set forth in subsection (a)(1) or (a)(2) must provide certification from the other state that the applicant's independent adjuster license:

(1) is currently in good standing; or

(2) was in good standing at the time of expiration.

(c) A person:

(1) ~~that:~~ **who:**

~~(1)~~ **(A)** is licensed as an independent adjuster in another state where a prelicensing independent adjuster licensure examination is required;

~~(2)~~ **(B)** establishes legal residency in Indiana; and

~~(3)~~ **(C)** applies for a resident independent adjuster license under this chapter less than ninety (90) days after the person establishes legal residency in Indiana; **or**

(2) who holds a current claims certification issued by a national or state claims association whose certification program includes:

(A) a precertification course for new adjusters that is approved by the department;

(B) an examination for new adjusters that is approved by the department; and

(C) a continuing education program that is approved by the department;

is not required to complete a prelicensing course as described in section 12(b)(5) of this chapter or pass a written examination under section 15 of this chapter before being licensed under this chapter.

SECTION 10. IC 27-1-28-19, AS ADDED BY P.L.11-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 19. (a) Except as provided in subsection (b), an individual who holds a license under this chapter shall, every two (2) years, satisfactorily complete a minimum of twenty-four (24) hours of continuing education courses and report the completion of the courses to the commissioner.

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

(1) An individual who is licensed for less than twelve (12) months before the end of the applicable continuing education biennium.

(2) A licensed nonresident independent adjuster who has met the continuing education requirements of the licensed nonresident independent adjuster's designated home state.

(3) An individual holding a current claims certification if:

(A) the claims certification is issued by a national or state claims association whose certification program is approved by the department for purposes of this section;

(B) the number of hours of study required to complete the certification program described in clause (A) is not less than the number of hours of continuing education that an individual is required to complete every two (2) years under subsection (a);

(C) the content of the certification program described in clause (A):

(i) includes the content of the prelicensing course of study required by section 12(b)(5) of this chapter for the line of authority in which the individual has applied for or obtained licensing under this chapter; and

(ii) is made available for review and audit by the commissioner through an electronic portal maintained by the association;

(D) the claims association referred to in clause (A) is approved as a continuing education provider in Indiana;

(E) the claims association referred to in clause (A) reports the individual's completion of the certification program described in clause (A) to the commissioner through an electronic portal maintained by the commissioner; and

(F) the association, through an electronic portal maintained by the association, provides the commissioner access to the individual's transcript showing the individual's completion of the certification program described in clause (A).

SECTION 11. IC 27-1-46 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 46. Coverage of Emergency Services

Sec. 1. As used in this chapter, "covered individual" means an individual entitled to coverage under a health insurance plan.

Sec. 2. As used in this chapter, "emergency services" has the meaning set forth in 45 CFR 147.138(b)(4)(ii) as in effect on January 1, 2020.

Sec. 3. As used in this chapter, "facility" means an institution in which health care services are provided to individuals. The term includes:

(1) hospitals and other licensed ambulatory surgical centers; and

(2) ambulatory outpatient surgical centers.

Sec. 4. As used in this chapter, "health insurance plan" means any:

(1) policy of accident and sickness insurance (as described in IC 27-8-5-1), whether written on an individual basis, a group basis, a franchise basis, or a blanket basis or under a preferred provider plan (as defined in IC 27-8-11-1); or

(2) group contract (as defined in IC 27-13-1-16) or individual contract (as defined in IC 27-13-1-21) through which a health maintenance organization furnishes health care services.

Sec. 5. As used in this chapter, "in network provider" means a provider that is required under a network plan to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

Sec. 6. As used in this chapter, "network plan" means a plan under which providers are required by contract to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

Sec. 7. For the purposes of this chapter, emergency services are "provided out of network" if the provider that provides the emergency services is not an in network provider with respect to the network plan applying to the health insurance plan under which the covered individual receiving the emergency services is covered.

Sec. 8. As used in this chapter, "practitioner" means the following:

(1) An individual licensed under IC 25 who provides professional health care services to individuals in a facility.

(2) An organization:

(A) that consists of practitioners described in subdivision (1); and

(B) through which practitioners described in subdivision (1) provide health care services.

(3) An entity that:

(A) is not a facility; and

(B) employs practitioners described in subdivision (1) to provide health care services.

Sec. 9. As used in this chapter, "provider" means:

(1) a facility; or

(2) a practitioner.

Sec. 10. If a health insurance plan provides coverage of emergency services, the coverage must be consistent with the following:

(1) The coverage must not require any prior authorization determination, even if the emergency services are provided out of network.

(2) The coverage must be provided without regard to whether the provider furnishing the emergency services is an in network provider.

(3) If the emergency services are provided out of network, the coverage must not impose any administrative requirement or limitation on coverage that is more restrictive than the requirements or limitations that apply under the health insurance plan to emergency services received from in network providers.

(4) A covered individual who receives emergency services provided out of network shall not be required to pay more for the emergency services than:

(A) the amount of compensation that would be allowed according to the preestablished rate or amount of compensation established by the network plan for emergency services that are:

(i) of the type provided to the covered individual; and

(ii) provided by an in network provider of the same type as the provider that provided the emergency services to the covered individual; minus

(B) any copayment, deductible, or coinsurance amounts applicable to the emergency services under the coverage provided to the covered individual by the health insurance plan.".

Page 39, line 5, delete "is:" and insert "**is described in either of the following subdivisions:**".

Page 39, line 6, delete "any" and insert "**Any**".

Page 39, line 7, delete "used" and insert "**used, in combination with any one (1) or more of the following data elements,**".

Page 39, line 8, delete "consumer; or" and insert "**consumer:**

(A) Social Security number.

(B) Driver's license number or nondriver identification card number.

(C) Financial account number, credit card number, or debit card number.

(D) Any security code, access code, or password that would permit access to a consumer's financial account.

(E) Biometric records.".

Page 39, line 9, after "(2)" delete "any" and insert "**Any**".

Page 41, line 27, delete "person" and insert "**employees**".

Page 43, line 10, delete "February" and insert "**April**".

Page 49, between lines 10 and 11, begin a new paragraph and insert:

"**(d) A licensee shall be considered to have complied with sections 16 through 20 of this chapter if:**

(1) the licensee is affiliated with a depository institution that maintains an information security program in compliance with the Interagency Guidelines Establishing Standards for Safeguarding Customer Information adopted under Sections 501 and 505(b) of the Gramm-Leach-Bliley Act (15 U.S.C. 6801 and 6805(b)); and

(2) upon request, the licensee produces documentation satisfactory to the commissioner that independently validates the depository institution's adoption of an information security program that satisfies the Guidelines referred to in subdivision (1).".

Page 49, line 11, delete "(d)" and insert "**(e)**".

Page 49, line 12, delete "or (c)," and insert "**(c), or (d),**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1372 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

Carbaugh, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred House Bill 1403, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 16 through 17.

Page 2, delete lines 1 through 5.

Renumber all SECTIONS consecutively.

(Reference is to HB 1403 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

WOLKINS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred House Bill 1414, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 8-1-8.5-11 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 11. (a) As used in this section, "annual availability factor", with respect to a reliable capacity resource, means the number of hours the reliable capacity resource is able to produce electricity in a calendar year divided by the number of hours in the calendar year.**

(b) As used in this section, "annual capacity factor", with respect to a reliable capacity resource, means the product of:

(1) the annual electric generation in megawatt hours of the reliable capacity resource divided by the number of hours in the calendar year; multiplied by

(2) the reliable capacity resource's nameplate capacity.

(c) As used in this section, "legacy generation resource" means an electric generating facility owned directly or indirectly by a corporation that was formed for the original purpose of providing power to the federal government for use in the nation's defense or in furtherance of national interests, including the Ohio Valley Electric Corporation.

(d) As used in this section, "reliable capacity resource" means an electric generating unit:

(1) that is located in Indiana;

(2) the capacity of which is valued by a regional transmission organization at a minimum of eighty percent (80%) of the unit's nameplate capacity; and

(3) that maintains an annual average onsite fuel inventory of at least thirty (30) days of average fuel consumption.

(e) The general assembly finds that it is in the public interest to support the reliability, availability, fuel security, and diversity of electric generating capacity in Indiana for the purpose of providing reliable and stable electric service to customers of public utilities.

(f) A public utility that owns and operates a reliable capacity resource shall operate and maintain the unit in a manner reasonably intended to secure the availability of the unit for dispatch and for providing reliable service to customers of the public utility.

(g) The commission may authorize a public utility that operates during a given calendar year a reliable capacity resource with:

(1) an annual availability factor of at least seventy percent (70%); and

(2) an annual capacity factor of at least fifty percent (50%);

to receive an additional one hundred (100) basis points of return on the investment in the unit, as determined in the public utility's most recent base rate case. The additional return on investment may be requested by the public utility annually in a fuel adjustment charge proceeding under IC 8-1-2-42 during the subsequent calendar year. Any additional return on investment authorized under this subsection shall be excluded from the calculation required under IC 8-1-2-42(d)(3).

(h) A public utility may not terminate a power agreement with a legacy generation resource in which the public utility has an ownership interest unless the public utility provides the commission with at least three (3) years advance notice of the termination. The commission shall determine the reasonable costs incurred by the public utility under the power agreement and allow the public utility to recover those costs in a fuel adjustment charge proceeding under IC 8-1-2-42. For purposes of this subsection, a public utility's reasonable costs related to a legacy generation resource means those costs, including deferred costs, allocated under a power agreement approved by the Federal Energy Regulatory Commission and relating to a legacy generation resource.

(i) A public utility shall provide the commission with at least six (6) months advance notice of the public utility's intention to retire, sell, or transfer a reliable capacity resource with a capacity exceeding eighty (80) megawatts if such intention is not set forth in the public utility's most recent integrated resource plan. The public utility shall provide the reasons for the proposed retirement, sale, or transfer in the notice required under this subsection.

(j) A public utility may not retire, sell, or transfer an electric generation facility having a capacity of at least eighty (80) megawatts unless the public utility first obtains from the commission a determination that the public convenience and necessity will be served by the planned retirement, sale, or transfer. The public utility may apply to the commission for a determination under this subsection at any time before the planned retirement, sale, or transfer. The commission shall issue its determination under this subsection not later than one hundred twenty (120) days after receipt of the public utility's request. If the commission determines that the public convenience and necessity will not be served by the planned action, the public utility may submit a new request under this subsection not earlier than one hundred eighty (180) days after the commission's most recent determination under this subsection.

(k) If a public utility that seeks to retire, sell, or transfer an electric generating facility under subsection (j) cites a federal mandate as the basis, in whole or in part, for the planned retirement, sale, or transfer of the facility, the commission may not consider the cited federal mandate in making the commission's required determination under subsection (j) unless the cited federal mandate:

(1) is in force;

(2) has not expired or been revoked; and

(3) is not merely anticipated to be enacted;

at the time of the public utility's petition under subsection (j).

(l) A public utility is entitled to recover in a fuel adjustment charge proceeding under IC 8-1-2-42 the cost of not more than ninety (90) days of reserve fuel supply, with up to sixty (60) days of such reserve stored at any location that provides availability of the fuel supply upon not more than forty-eight (48) hours notice. Costs associated with a reserve fuel supply described in this subsection shall be considered reasonable by the commission, and are eligible for recovery in the public utility's fuel charge, if the commission finds that the public utility has otherwise made every reasonable effort to acquire the reserve supply at the lowest cost reasonably possible, giving due regard to considerations of fuel assurance, fuel security, and reliability with respect to the electricity supplied by the public utility to its customers and the wholesale market.

(m) This section expires July 1, 2021.

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

(Reference is to HB 1414 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 4.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred House Bill 1419, has

had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 40, delete "thirty (30)" and insert "**thirty-two (32)**".

Page 4, line 10, delete "." and insert "**or the president's designee.**".

Page 4, line 11, delete "." and insert "**or the president's designee.**".

Page 4, between lines 20 and 21, begin a new line block indented and insert:

"**(13) A member representing the Indiana Chamber of Commerce, selected by the Indiana Chamber of Commerce and appointed by the governor.**

(14) A member representing the Indiana Manufacturers Association, selected by the Indiana Manufacturers Association and appointed by the governor.".

Page 4, line 21, delete "(13)" and insert "**(15)**".
Page 4, line 24, delete "(14)" and insert "**(16)**".
Page 4, line 26, delete "(15)" and insert "**(17)**".
Page 4, line 28, delete "(16)" and insert "**(18)**".
Page 4, line 30, delete "(17)" and insert "**(19)**".
Page 4, line 34, delete "(18)" and insert "**(20)**".
Page 4, line 36, delete "(19)" and insert "**(21)**".
Page 4, line 39, delete "(20)" and insert "**(22)**".
Page 4, line 41, delete "(21)" and insert "**(23)**".

Page 5, line 1, after "employees." insert "**One (1) member shall be appointed under this subdivision in consultation with the Indiana Technology and Innovation Association. The member shall be appointed to fill the first vacancy in the membership under this subdivision that occurs after June 30, 2020.**".

Page 5, line 2, delete "(22)" and insert "**(24)**".
Page 5, line 3, delete "(23)" and insert "**(25)**".
Page 5, line 4, delete "(24)" and insert "**(26)**".
Page 5, line 7, delete "(25)" and insert "**(27)**".
Page 5, line 11, delete "(26)" and insert "**(28)**".
Page 5, line 15, delete "(27)" and insert "**(29)**".
Page 5, line 17, delete "(a)(13)" and insert "**(a)(15)**".
Page 5, line 18, delete "(a)(21)" and insert "**(a)(23)**".

(Reference is to HB 1419 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

PRESSEL, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 14

Representatives Abbott and Prescott introduced House Concurrent Resolution 14:

A CONCURRENT RESOLUTION honoring and recognizing the 2018 to 2019 winners of the Student Soybean Product Innovation Competition.

Whereas, The Indiana Soybean Alliance and Purdue University sponsor a yearly competition encouraging Purdue students to develop novel applications for soybeans that meet a market need;

Whereas, Team Stroy received the 2018 to 2019 honors and a $20,000 prize for their biodegradable and environmentally friendly drinking straws;

Whereas, Team Stroy developed soy-based straws, which offer the consistency of a plastic straw, but will outperform commercialized alternative paper straws in quality, price, and material;

Whereas, Team Stroy includes: Morgan Malm, a graduate research assistant pursuing a doctoral degree in food science; Natalie Stephenson, a recent graduate with a bachelor of science degree in marketing and concentration in data analytics; and Ruth Zhong, a recent graduate with a bachelor of science degree in electrical engineering; and

Whereas, The use of soybean-based straws, developed by these young women, in restaurants across Indiana may increase demand for soybeans, generate Hoosier jobs, and improve the overall agricultural economy: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes Morgan Malm of Fort Wayne, Natalie Stephenson of Fairland, and Ruth Zhong of Carmel for their product innovation based on soybeans.

SECTION 2. That the Indiana General Assembly congratulates Team Stroy on winning the Student Soybean Product Innovation Competition sponsored by the Indiana Soybean Alliance and Purdue University.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative David Abbott for distribution.

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

HOUSE BILLS ON SECOND READING

House Bill 1059

Representative Miller called down House Bill 1059 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1059–1)

Mr. Speaker: I move that House Bill 1059 be amended to read as follows:

Page 1, delete lines 1 through 16.
Delete page 2.
Page 3, delete lines 1 through 11.

Page 3, line 12, delete "IC 6-2.5-2-6" and insert "IC 6-2.5-10-7".

Page 3, line 14, delete "6" and insert "**7**".

Page 3, line 18, delete "section 5(d) of this chapter." and insert "**subsection (d) of SECTION 1 of House Bill 1059-2020, as introduced.**".

Page 4, delete lines 34 through 42.
Delete page 5.
Renumber all SECTIONS consecutively.

(Reference is to HB 1059 as printed January 21, 2020.)

PORTER

Motion failed.

HOUSE MOTION
(Amendment 1059–2)

Mr. Speaker: I move that House Bill 1059 be amended to read as follows:

Page 5, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 4. IC 6-3-3-11 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 11. (a) Each taxable year, an individual who is eligible to claim the federal child and dependent care tax credit under Section 21 of the Internal Revenue Code is entitled to a credit against the individual's (and the individual's spouse's in the case of a joint return) adjusted gross income tax liability equal to:**

(1) the allowable amount of the federal child and dependent care tax credit that the taxpayer claimed on the taxpayer's federal income tax return for the taxable year under Section 21 of the Internal Revenue Code; multiplied by

(2) the following percentage:

(A) If the adjusted gross income of the individual, and the individual's spouse in the case of a joint return, is forty thousand dollars ($40,000) or less, one hundred percent (100%).

(B) If the adjusted gross income of the individual, and the individual's spouse in the case of a joint return, is greater than forty thousand dollars ($40,000) and not more than sixty thousand dollars ($60,000), seventy-five percent (75%).

(C) If the adjusted gross income of the individual, and the individual's spouse in the case of a joint return, is greater than sixty thousand dollars ($60,000) and not more than eighty thousand dollars ($80,000), fifty percent (50%).

(D) If the adjusted gross income of the individual, and the individual's spouse in the case of a joint return, is greater than eighty thousand dollars ($80,000) and not more than one hundred thousand dollars ($100,000), twenty-five percent (25%).

If the adjusted gross income of the individual, and the individual's spouse in the case of a joint return, is greater than one hundred thousand dollars ($100,000), the individual is not entitled to a credit against the individual's adjusted gross income tax liability.

(b) If the credit provided by this section exceeds the amount of the taxpayer's adjusted gross income tax liability for the taxable year, reduced by the sum of all credits for the taxable year that are applied before the application of the credit provided by this section, the excess shall be refunded to the taxpayer.".

Page 5, after line 21, begin a new paragraph and insert:

"SECTION 6. [EFFECTIVE JANUARY 1, 2021] **(a) IC 6-3-3-11, as added by this act, applies to taxable years beginning after December 31, 2020.**

(b) This SECTION expires June 30, 2023.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1059 as printed January 21, 2020.)

PORTER

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

HOUSE MOTION
(Amendment 1059–3)

Mr. Speaker: I move that House Bill 1059 be amended to read as follows:

Page 4, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 1. IC 6-2.5-5-55 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 55. (a) As used in this section, "breastfeeding items" means breast pumps, breast pump kits, breast pump repair and replacement parts, and breast pump collection and storage supplies.**

(b) Sales of breastfeeding items are exempt from the state gross retail tax.".

Page 5, between lines 5 and 6, begin a new paragraph and insert: "SECTION 2. [EFFECTIVE JULY 1, 2020] **(a) IC 6-2.5-5-55, as added by this act, applies only to retail transactions occurring after June 30, 2020.**

(b) Except as provided in subsection (c), a retail transaction is considered to have occurred after June 30, 2020, if the property whose transfer constitutes selling at retail is delivered to the purchaser or to the place of delivery designated by the purchaser after June 30, 2020.

(c) Notwithstanding the delivery of the property constituting selling at retail after June 30, 2020, a transaction is considered to have occurred before July 1, 2020, to the extent that:

(1) the agreement of the parties to the transaction is entered into before July 1, 2020; and

(2) payment for the property furnished in the transaction is made before July 1, 2020.

(d) This SECTION expires January 1, 2023.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1059 as printed January 21, 2020.)

MACER

Upon request of Representatives Macer and GiaQuinta, the Speaker ordered the roll of the House to be called. Roll Call 40: yeas 41, nays 51. Motion failed. The bill was ordered engrossed.

House Bill 1176

Representative Clere called down House Bill 1176 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1249

Representative Summers called down House Bill 1249 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1009

Representative Goodrich called down Engrossed House Bill 1009 for third reading:

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

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

Roll Call 41: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Messmer.

Engrossed House Bill 1077

Representative Zent called down Engrossed House Bill 1077 for third reading:

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

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

Roll Call 42: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Perfect.

Engrossed House Bill 1091

Representative Cook called down Engrossed House Bill 1091 for third reading:

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

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

Roll Call 43: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the

act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Kruse.

Engrossed House Bill 1094

Representative Ziemke called down Engrossed House Bill 1094 for third reading:

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

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

Roll Call 44: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Glick.

Engrossed House Bill 1104

Representative Clere called down Engrossed House Bill 1104 for third reading:

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

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

Roll Call 45: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Garten, Messmer, Rogers and Taylor.

Engrossed House Bill 1109

Representative Lehman called down Engrossed House Bill 1109 for third reading:

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

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

Roll Call 46: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Walker.

Engrossed House Bill 1119

Representative Lehe called down Engrossed House Bill 1119 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

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

Roll Call 47: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Leising.

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

Engrossed House Bill 1120

Representative Steuerwald called down Engrossed House Bill 1120 for third reading:

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

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

Roll Call 48: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Koch, Young, Gaskill and Taylor.

Engrossed House Bill 1129

Representative Lauer called down Engrossed House Bill 1129 for third reading:

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

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

Roll Call 49: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Brown, Walker, Bohacek and Tomes.

Engrossed House Bill 1157

Representative Hatfield called down Engrossed House Bill 1157 for third reading:

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

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

Roll Call 50: yeas 93, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senator Tallian and Freeman.

Engrossed House Bill 1166

Representative Mayfield called down Engrossed House Bill 1166 for third reading:

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

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

Roll Call 51: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Niemeyer and Tomes.

Representatives Lauer and Wesco, who had been present, are now excused.

Engrossed House Bill 1209

Representative Kirchhofer called down Engrossed House Bill 1209 for third reading:

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

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

Roll Call 52: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Crider.

Engrossed House Bill 1210

Representative Zent called down Engrossed House Bill 1210 for third reading:

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

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

Roll Call 53: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Charbonneau.

Engrossed House Bill 1224

Representative McNamara called down Engrossed House Bill 1224 for third reading:

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

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

Roll Call 54: yeas 91, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Crider.

Engrossed House Bill 1309

Representative Wolkins called down Engrossed House Bill 1309 for third reading:

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

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

Roll Call 55: yeas 91, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Messmer.

Engrossed House Bill 1330

Representative Hamilton called down Engrossed House Bill 1330 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

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

Roll Call 56: yeas 91, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Busch.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1060, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 17, delete "subdivision before" and insert "**subdivision.**".

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

"**(6) A structure that is located on the property of a state educational institution (as defined in IC 21-7-13-32).**".

Page 2, delete lines 2 through 7, begin a new paragraph and insert:

"**(b) As used in this section, "state building code" refers to the code adopted by the commission that applies to the construction or maintenance of a Class 1 or Class 2 structure.**".

Page 2, line 8, delete "provision and except as" and insert "**provision,**".

Page 2, line 9, delete "provided in subsection (f),".

Page 2, line 16, delete "a national" and insert "**the state building**".

Page 2, line 17, delete "provision and except as" and insert "**provision,**".

Page 2, line 18, delete "provided in subsection (f),".

Page 2, line 25, delete "in a" and insert "**in**".

Page 2, line 26, delete "national" and insert "**the state building**".

Page 2, delete lines 32 through 36.

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

Page 2, line 41, delete "(h)" and insert "**(g)**".

Delete pages 3 through 4.

(Reference is to HB 1060 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 5.

Zent, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1147, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete line 9, begin a new line single block indented and insert:

"**(2) A city with a population of less than three thousand five hundred (3,500).**".

(Reference is to HB 1147 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

WESCO, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1222, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 34 through 39.

Page 4, delete lines 36 through 42.

Page 5, delete lines 1 through 37.

Page 19, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 32. IC 3-11-1.5-3.1, AS ADDED BY P.L.278-2019, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.1. (a) Except as provided in subsection (b), after June 30, 2019, a county may not establish a precinct under this chapter so that any precinct has less than six hundred (600) active voters.

(b) A county may establish a precinct having less than six hundred (600) active voters if ~~either~~ **any** of the following apply:

(1) The precinct to be established would consist of an entire:

(A) county commissioner district;

(B) county council district;

(C) township;

(D) city;

(E) town;

(F) city common council district; or

(G) town council district.

(2) Establishing the precinct is required so that a boundary of a governmental entity or election district described in section 4 of this chapter is not crossed.

(3) This subdivision only applies to the establishment of precincts necessary because of the annexation of territory into a municipality. If a precinct is divided to assign some of the territory of the precinct to a municipality because of an annexation, any part of the divided precinct may form a separate precinct that does not comply with the requirement of subsection (a).

SECTION 33. IC 3-11-1.5-3.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.2. (a) A county executive may file a petition with the election division requesting the commission to waive the requirements imposed by section 3 **or 3.1(a)** of this chapter. The petition must:

(1) identify each precinct to be subject to the waiver;

(2) state the number of voters that would be included in each precinct described in subdivision (1) if the waiver is granted; and

(3) state the reasons why the waiver should be granted.

(b) If the commission determines that compliance with the requirements of section 3 **or 3.1(a)** of this chapter would result in unnecessary expense and inconvenience for the county, the commission may grant a waiver exempting some or all of the precincts identified in the petition from section 3 **or 3.1(a)** of this chapter.

(c) A waiver granted for a precinct under this section expires when the county executive submits a subsequent proposed precinct establishment order for that precinct.".

Page 20, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 36. IC 3-11-18.1-3, AS AMENDED BY P.L.170-2019, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 3. (a) A county must comply with this section to become a vote center county.

(b) As used in this section, "board" refers to any of the following:

(1) The county election board.

(2) The board of elections and registration.

(c) The board shall hold a public hearing to present a draft plan for administration of vote centers in the county.

(d) After presentation of the draft plan under subsection (c), the board shall accept written public comments on the draft plan.

(e) At least thirty (30) days after the hearing held under subsection (c), the board shall hold a public hearing to consider the following:

(1) The draft plan.

(2) The written public comments.

(3) Any other public comment that the board may permit on the draft plan.

(f) After consideration of the draft plan and the public comments, the board may do the following:

(1) Adopt an order approving the draft plan.

(2) Amend the draft plan and adopt an order approving the amended draft plan.

Subject to section 16 of this chapter, the board may adopt the order to approve a plan only by **a** unanimous vote of the entire membership of the board.

~~(g) All members of the board must sign the order adopting the plan.~~

~~(h)~~ **(g)** The order and the adopted plan must be filed with the election division and must include a copy of:

(1) a resolution adopted by the county executive; and

(2) a resolution adopted by the county fiscal body;

approving the designation of the county as a vote center county.".

Page 21, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 38. IC 3-11-18.1-8, AS AMENDED BY P.L.258-2013, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 8. (a) Except as provided in subsection (b), the designation of a county as a vote center county takes effect immediately upon the filing of the order with the election division, unless otherwise specified by the county election board.

(b) An order filed with the election division during the final sixty (60) days before an election becomes effective on the day following the election.

(c) **Subject to section 16 of this chapter,** the designation of a county as a vote center county remains in effect until the county election board, by unanimous vote of its entire membership:

(1) rescinds the order designating the county as a vote center county; and

(2) files a copy of the document rescinding the order with the election division.".

Page 21, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 40. IC 3-11-18.1-15, AS AMENDED BY P.L.170-2019, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 15. (a) A county may amend a plan adopted with a county election board's order under section 3 of this chapter.

(b) For a county to amend its plan:

(1) **subject to section 16 of this chapter,** the county election board or board of elections and registration, by unanimous vote of the entire membership of the board, must approve the plan amendment;

~~(2) all members of the board must sign the amendment;~~ and

~~(3)~~ **(2)** the amendment must be filed with the election division.

(c) A plan amendment takes effect immediately upon filing with the election division, unless otherwise specified by the county election board.

SECTION 41. IC 3-11-18.1-16 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 16. (a) This section applies to the adoption, rescission, or amendment of a vote center plan under this chapter.**

(b) Notwithstanding section 3, 8, or 15 of this chapter, the adoption, rescission, or amendment of a vote center plan may be done if both of the following apply:

(1) A majority vote of the entire membership of the board votes to adopt, rescind, or amend the vote center plan.

(2) At least two (2) of the members of the board voting to adopt, rescind, or amend the vote center plan are members of different political parties.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1222 as introduced.)

and when so amended that said bill do pass

Committee Vote: yeas 9, nays 0.

Wesco, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1267, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 3-8-2-20, AS AMENDED BY P.L.225-2011, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20. (a) A

person who files a declaration of candidacy under this chapter may, at any time not later than noon ~~eighty-five (85)~~ **eighty-one (81)** days before the date set for holding the primary election, file a statement with the same office where the person filed the declaration of candidacy, stating that the person is no longer a candidate and does not wish the person's name to appear on the primary election ballot as a candidate.

(b) A candidate who is disqualified from being a candidate under IC 3-8-1-5 must file a notice of withdrawal immediately upon becoming disqualified. The filing requirements of subsection (a) do not apply to a notice of withdrawal filed under this subsection.

(c) A candidate who has moved from the election district the candidate sought to represent must file a notice of withdrawal immediately after changing the candidate's residence. The filing requirements of subsection (a) do not apply to a notice of withdrawal filed under this subsection.".

Delete page 2.

(Reference is to HB 1267 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

WESCO, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred House Bill 1288, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1288 as introduced.)

Committee Vote: Yeas 10, Nays 0.

WESCO, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1308, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 1, delete "Except as provided in section".

Page 2, line 2, delete "2(b) of this chapter, an" and insert "An".

(Reference is to HB 1308 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 4.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred House Bill 1370, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1370 as introduced.)

Committee Vote: Yeas 13, Nays 0.

ZENT, Chair

Report adopted.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that House Bill 1282 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representative DeLaney be added as coauthor of House Bill 1003.

JORDAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative DeLaney be added as coauthor of House Bill 1021.

TORR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Porter be added as coauthor of House Bill 1022.

TORR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as coauthor of House Bill 1042.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Cherry and Klinker be added as coauthors of House Bill 1052.

GUTWEIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Jordan be added as coauthor of House Bill 1059.

MILLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives VanNatter and Harris be added as coauthors of House Bill 1063.

GOODRICH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as coauthor of House Bill 1065.

THOMPSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Barrett, Fleming and Shackleford be added as coauthors of House Bill 1077.

ZENT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Negele be added as coauthor of House Bill 1081.

GUTWEIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representative DeLaney be added as coauthor of House Bill 1091.

COOK

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

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representatives Fleming and Forestal be added as coauthors of House Bill 1094.

ZIEMKE

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

HOUSE MOTION

Mr. Speaker: I move that Representatives Pressel, Miller and Bartlett be added as coauthors of House Bill 1104.

CLERE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pryor be added as coauthor of House Bill 1113.

LEONARD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere and Davisson be added as coauthor of House Bill 1116.

SHACKLEFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Abbott, Bacon and Beck be added as coauthor of House Bill 1128.

AYLESWORTH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives McNamara and Hatfield be added as coauthors of House Bill 1132.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lucas be added as coauthor of House Bill 1153.

GOODRICH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hostettler be added as coauthor of House Bill 1171.

PRESCOTT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Goodrich, Cook and Goodin be added as coauthors of House Bill 1175.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Cook, Barrett, and Fleming be added as coauthors of House Bill 1182.

CLERE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moed be added as coauthor of House Bill 1195.

JUDY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1198.

ABBOTT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Lindauer, Bacon and Fleming be added as coauthors of House Bill 1199.

CLERE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Barrett be added as coauthor of House Bill 1207.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Fleming, Shackleford and Barrett be added as coauthors of House Bill 1209.

KIRCHHOFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Fleming, Barrett and Shackleford be added as coauthors of House Bill 1210.

ZENT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1278.

BAUER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Thompson and Pfaff be added as coauthors of House Bill 1283.

DEVON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1286.

MOSELEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1289.

MOSELEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Dvorak be added as coauthor of House Bill 1306.

DELANEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Baird, Errington and Hamilton be added as coauthors of House Bill 1309.

WOLKINS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hatfield be added as coauthor of House Bill 1317.

KIRCHHOFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moed be removed as coauthor of House Bill 1330 and Representative Wright be added as coauthor.

HAMILTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hamilton be added as coauthor of House Bill 1338.

DVORAK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as coauthor of House Bill 1340.

DVORAK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as coauthor of House Bill 1373.

GUTWEIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hamilton be added as coauthor of House Bill 1425.

GIAQUINTA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lauer be added as coauthor of House Resolution 4.

V.SMITH

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 9, 10 and 14 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 4, 6 and 10 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate BillS 61, 67, 78, 132, 144, 192, 226, 229, 246 and 267 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Borders, the House adjourned at 12:34 p.m., this twenty-third day of January, 2020, until Monday, January 27, 2020, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Twelfth Day — **Monday Afternoon** — **January 27, 2020**

The invocation was offered by Pastor Tommy Beatley of Delaware & Osgood United Methodist Churchs in Milan, a guest of Representative Frye.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

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

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

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

Roll Call 57: 97 present; 3 excused. The Speaker announced a quorum in attendance. [*NOTE*: □ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, January 28, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

RESOLUTIONS ELIGIBLE FOR ADOPTION

House Concurrent Resolution 11

The Speaker handed down on its passage House Concurrent Resolution 11, introduced by Representative Zent:

A CONCURRENT RESOLUTION urging the creation of the Medal of Honor Memorial Highway in Indiana.

The resolution was read a second time and adopted. Roll Call 58: yeas 93, nays 0. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Glick, Tomes and Niezgodski.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 12

Representatives Bartlett and Zent introduced House Concurrent Resolution 12:

A CONCURRENT RESOLUTION honoring the inductees of the Indiana Military Veterans Hall of Fame.

Whereas, The Indiana Military Veterans Hall of Fame (IMVHOF) was founded in 2013;

Whereas, The mission of the IMVHOF is to publicly "emphasize the honor brought to our state and nation by the sacrifice of Indiana military veterans and their families";

Whereas, The first Hoosiers were inducted into the IMVHOF on November 7, 2014;

Whereas, The 2019 inductees are Irvin Alexander, Dennis A. Beals, Donald E. Bolner, Jay A. Collars, Charles H. DeBow, Jr., David W. Eberly, Roland W. Henry, Maurice W. Kendall, Charles W. Lewis, Fred S. Lindsey, Henry C. Marshall, Ivan Moreman, Forrest E. Myers, Frank H. Ono, Conrad A. Sipple, and Gary C. Steinhardt;

Whereas, Nominations came from all over the state and represented military veterans from World War I through the current engagements in the Middle East and elsewhere;

Whereas, Each inductee receives a medallion representing the IMVHOF and its relationship to Indiana;

Whereas, The medallion's front side depicts Indiana and the name of the organization while the back side displays the state flag and the engraved name of the inductee encircled by the names of the five branches of the United States armed forces;

Whereas, Throughout the history of our great nation, hundreds of thousands of men and women have served their country with honor and pride in time of war and peace; and

Whereas, The Indiana Military Veterans Hall of Fame honors these brave Hoosier veterans for their service and shares their stories of sacrifice with the people of our state: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the inductees into the Indiana Military Veterans Hall of Fame for their great bravery and dedication to duty. Without brave men and women like these, our state and nation could not exist.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Board of Directors of the Indiana Military Veterans Hall of Fame.

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

House Concurrent Resolution 15

Representatives GiaQuinta, Leonard, Judy, Lehman, Morris, Heine, Carbaugh, Abbott and Smaltz introduced House Concurrent Resolution 15:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename a bridge on U.S. Route 27 in Fort Wayne as the "Fort Wayne Veterans Memorial Bridge".

Whereas, The Indiana Department of Transportation has jurisdiction over highways in the state system, including those located in municipalities;

Whereas, The Indiana Department of Transportation has jurisdiction over a bridge that spans the St. Marys River and is located on U.S. Route 27, known locally as Spy Run Avenue;

Whereas, The bridge provides a northern entrance to the Old Fort, a point of destination recognizing the historic settlement of the City of Fort Wayne;

Whereas, The bridge is currently known as the Governor Samuel Bigger Memorial Bridge, recognizing Indiana's governor who served from December 9, 1840, to December 6, 1843, and who is buried in Fort Wayne;

Whereas, The City of Fort Wayne plans to rename a section in McCulloch Park, where Governor Bigger is buried, to honor him and increase awareness of his contributions to the state of Indiana;

Whereas, The bridge would become known as the Fort Wayne Veterans Memorial Bridge, honoring and recognizing those who have served in any branch of the military; and

Whereas, Plans to upgrade the bridge include focal points that will recognize all branches of the military: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the many contributions of Indiana veterans, including those who made the ultimate sacrifice to ensure the freedoms held by citizens.

SECTION 2. That the Indiana General Assembly urges the Department of Transportation to rename the state highway bridge over the St. Marys River that is located on U.S. Route 27 near the Old Fort as the Fort Wayne Veterans Memorial Bridge.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the office of State Representative Phil GiaQuinta and to the commissioner of the Indiana Department of Transportation.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

House Concurrent Resolution 16

Representative Frye introduced House Concurrent Resolution 16:

A CONCURRENT RESOLUTION memorializing Marine Corporal John C. Bishop.

Whereas, Cpl. John C. Bishop was born on October 17, 1984, in Batesville, Indiana, to Eugene and Sarah Bishop;

Whereas, John Bishop knew as a child that he wanted to become a Marine, and he enlisted soon after graduating from Southwestern Shelby High School in 2003;

Whereas, Cpl. Bishop was stationed at Camp Lejeune, North Carolina, and assigned to the 2nd Battalion, 9th Marine Regiment, 2nd Marine Division, Marine Expeditionary Force;

Whereas, Cpl. Bishop was on his third tour of duty, having served previously in Iraq for two tours, when he was shot and killed while on patrol in Helmand province, Afghanistan, in 2010 at the age of 25;

Whereas, Cpl. Bishop was survived by his wife, son, unborn daughter, mother, and siblings;

Whereas, It is fitting that the Indiana General Assembly recognize and remember Cpl. Bishop as a born-and-raised Hoosier, a proud Marine, and a loving husband, father, son, and brother; and

Whereas, The Indiana General Assembly urges the Indiana Department of Transportation to rename a portion of U.S. 50 in Ripley County the "Marine Corporal John C. Bishop Memorial Highway" in memory of Cpl. Bishop's service and sacrifice on behalf of the United States of America: Therefore,

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

SECTION 1. The Indiana General Assembly urges the Indiana Department of Transportation to rename a portion of U.S. 50 from Versailles to State Road 129 in Ripley County the "Marine Corporal John C. Bishop Memorial Highway" in memory of Marine Corporal Bishop's service to the state of Indiana and the United States of America.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the family of Marine Corporal John C. Bishop and the Commissioner of the Indiana Department of Transportation.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

House Concurrent Resolution 17

Representatives Mayfield, Ellington, Heaton, May and Pierce introduced House Concurrent Resolution 17:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename the State Road 45 and 2nd Street bridge over I-69 the "Sarah Irene Haylett-Jones Memorial Bridge".

Whereas, Deputy Sarah Irene Haylett-Jones displayed passion for public safety, law enforcement, and a need to help others throughout her life;

Whereas, Deputy Haylett-Jones was born on April 2, 1981, to Wayne and Kimalee Haylett;

Whereas, In her youth, she was active in the 4-H and Big Brothers and Big Sisters, and had become a captain in the Michigan State Police Explorers program;

Whereas, Deputy Haylett-Jones was a veteran of the United States Air Force, serving from 2001 to 2006 and becoming the president of the Airman's Association;

Whereas, Deputy Haylett-Jones continued her life in public service, earning a position with the Montgomery, Alabama, Police Department and serving for one and one half years before moving to Indiana to join the Monroe County Sheriff's Office;

Whereas, Deputy Haylett-Jones suffered injuries that she sustained on October 17, 2008, after being struck by a vehicle while directing traffic around an accident at the intersection of West Airport Road and State Road 45 outside of Bloomington, Indiana;

Whereas, At the age of 27, Deputy Haylett-Jones passed away on October 19, 2008, and was survived by her parents, Wayne and Kimalee; husband, Chris; in-laws, Steven and Connie; two brothers, Matthew and Jess; and her grandmother, Vivian; and

Whereas, It is fitting that the Indiana General Assembly recognize Deputy Haylett-Jones' service to Indiana, as well as her lifetime spent in the service of others: Therefore,

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

SECTION 1. The Indiana General Assembly urges the Indiana Department of Transportation to rename the State Road 45 and 2nd Street bridge over I-69 the "Sarah Irene Haylett-Jones Memorial Bridge" in memory of Deputy Haylett-Jones' service to Monroe County and Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the family of Deputy Haylett-Jones and the Commissioner of the Indiana Department of Transportation.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

House Concurrent Resolution 18

Representative Heine introduced House Concurrent Resolution 18:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename a portion of State Road 930 in honor of service members that fought and served during Operation Enduring Freedom.

Whereas, Operation Enduring Freedom began on October 7, 2001, with United States and British airstrikes on al Qaeda and Taliban targets in response to terrorist attacks that occurred on September 11, 2001;

Whereas, Operation Enduring Freedom was a combat mission, lasting more than 13 years, designed to cripple the al Qaeda terror network operating under the protection of the Taliban regime in Afghanistan;

Whereas, An estimated 100,000 U.S. troops were deployed in Afghanistan by May 2011 as part of Operation Enduring Freedom; and

Whereas, The Indiana General Assembly wishes to honor and remember the brave Indiana service members who fought and served during Operation Enduring Freedom: Therefore,

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

SECTION 1. That the Indiana General Assembly urges the Indiana Department of Transportation to rename the portion of State Road 930 through the New Haven city limits in honor of Indiana service members who fought and served during Operation Enduring Freedom.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Dave Heine for distribution.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

House Concurrent Resolution 19

Representative Bacon introduced House Concurrent Resolution 19:

A CONCURRENT RESOLUTION recognizing the 2019 Castle High School archery team for winning their twelfth state championship and second consecutive national championship.

Whereas, The 2019 Castle High School archery team won the national championship with a score of 3,480 out of 3,600, ranking the highest of 263 teams from across the nation;

Whereas, Castle junior Ashlie Garrison was recognized as the leading female shooter in the high school division, having shot a 298 out of 300;

Whereas, The Knights continue a proud tradition having won 12 state championships over the past 13 years;

Whereas, The national team includes Ashlie Garrison, Ashton Probus, Lola Phillips, Katherine Tessendorf, Mackenzie Kopp, Kevin Stevens, Kyle Probus, Nick Kaufman, J. T. Mitchell, Hayley Moody, Payton Hanson, Andrew Zeller, Talon Counts, Spencer Greenwell, Maggie Robbins, Rylan Royster, Tyler Johnson, Noah Wells, Bresden Laughton, Max Bockelman, Suprit Sooch, Beau Evrard, Rubina Cheema, and Kayla Nasserizafar.

Whereas, Each archer on the national team earned a $1,000 scholarship;

Whereas, The Knights went on to place fourth in the 2019 NASP world tournament, located in Nashville, Tennessee;

Whereas, The world tournament team included Ashton Probus, Kyle Probus, Ashlie Garrison, Payton Hanson, Kevin Stevens, Talon Counts, Andrew Zeller, J. T. Mitchell, Mackenzie Kopp, Lola Phillips, Spencer Greenwell, Hayley Moody, Kayla Nasserizafar, Maggie Robbins, Jacob Adams, Rylan Royster, Max Bockelman, Dallas Roberts, Megan Merta, Howie Heerdt, Aaron Poirot, and Taylor Schaffer; and

Whereas, The Castle High School archery team's season was victorious and unforgettable, as they represented themselves, their school, and the state of Indiana in the highest regard: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the 2019 Castle High School archery team for winning their

twelfth state championship and second consecutive national championship.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the members of the 2019 Castle High School archery team and to its coaches and staff.

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

Senate Concurrent Resolution 4

The Speaker handed down Senate Concurrent Resolution 4, sponsored by Representative Gutwein:

A CONCURRENT RESOLUTION memorializing Deputy Shadron K. Bassett and urging the Indiana Department of Transportation to name a mile of State Road 39 the "Deputy Shadron K. Bassett Memorial Mile".

Whereas, Deputy Shadron K. "Shad" Bassett lost his life in a fatal accident while responding to a call on October 7, 2005;

Whereas, Born January 12, 1971, in Monticello, Deputy Bassett was a graduate of Knox High School and the Indiana Law Enforcement Academy as a member of the 04-157 graduating class;

Whereas, Deputy Bassett's law enforcement career began as a Reserve Deputy with the Burnettsville Police Department before joining the Pulaski County Sheriff's Department as a patrol deputy, where he served for two and a half years until his death;

Whereas, A member of the Fraternal Order of Police Lodge 123, Deputy Bassett is survived by his wife, Shannon, daughter, Madison, step-daughters, Dakota and Julie Hines, parents, Ron Bassett and Penni Pigecella, three sisters, Brukentta Geisler, Cynaka Carr, and Sharim Shields, brother, Nathan Arbuckle, and step-father, Paul Arbuckle;

Whereas, Known as a kind-hearted person, Deputy Bassett was respected by his peers for his love of God, family, and community;

Whereas, Deputy Bassett was also known for his passion for guns and working on muscle cars; and

Whereas, Deputy Bassett paid the ultimate price while protecting the people of Pulaski County and the State of Indiana, and his sacrifice and service deserve recognition: Therefore,

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

SECTION 1. That the Indiana General Assembly expresses its deepest gratitude and sympathies to the family of Deputy Shadron K. Bassett and urges the Indiana Department of Transportation to honor Deputy Bassett by naming a mile of State Road 39 between Pulaski County Roads 300 North and 400 North the "Deputy Shadron K. Bassett Memorial Mile".

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the family of Deputy Shadron K. Bassett, the Pulaski County Sheriff's Department, the Fraternal Order of Police Lodge 123, and the Commissioner of the Indiana Department of Transportation.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

Senate Concurrent Resolution 6

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

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

Whereas, Trooper Peter "Bo" Stephan lost his life following injuries sustained in an on-duty automobile accident on October 11, 2019;

Whereas, Born April 1, 1992, in Albany, Oregon, Trooper Stephan grew up in Howard County, Indiana, and graduated from Indiana Wesleyan University in 2015 with a bachelors degree in criminal justice;

Whereas, Shortly after his college graduation, Trooper Stephan joined the Indiana State Police in June 2015, and began his law enforcement career following his graduation from the 75th Indiana State Police Academy in November 2015;

Whereas, Assigned to the Lafayette Post, Trooper Stephan's primary patrol duties were in Carroll, Clinton, Tippecanoe, and White Counties, which he patrolled for four years until his death;

Whereas, Indiana State Police District 14 installed a cross along Old State Road 25 on October 23, 2019, to memorialize Trooper Stephan's service to the community and remember his friendship and devotion to public safety;

Whereas, Trooper Stephan is survived by his wife, Jessica, daughter, Harper, parents, Peter and Karen, sisters, Shelley and Haley, brothers, Jonah and Charley, and his maternal grandparents and several aunts, uncles, and cousins;

Whereas, Trooper Stephan most enjoyed spending time with his wife and daughter, and spent time off-duty playing video games with his co-workers; and

Whereas, Trooper Stephan's service and sacrifice for the State of Indiana deserve recognition: Therefore,

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

SECTION 1. That the Indiana General Assembly expresses its deepest gratitude and sympathies to the family of Trooper Peter Stephan and urges the Indiana Department of Transportation to honor Trooper Stephan by naming State Road 25 from County Road 450 North in Tippecanoe County to U.S. Highway 421 in Carroll County the "Trooper Peter "Bo" Stephan Memorial Highway".

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the family of Trooper Peter Stephan, the Indiana State Police, and the Commissioner of the Indiana Department of Transportation.

The resolution was read a first time and referred to the Committee on Roads and Transportation.

Senate Concurrent Resolution 17

The Speaker handed down Senate Concurrent Resolution 17, sponsored by Representative Morris:

A CONCURRENT RESOLUTION congratulating Erin Strzelecki of Fort Wayne Bishop Dwenger High School on winning the 2019 Indiana High School Athletic Association ("IHSAA") individual state championship title in girls cross country.

Whereas, Fort Wayne Bishop Dwenger High School's Erin Strzelecki won the 2019 IHSAA individual state championship title in girls cross country;

Whereas, Erin entered the championship meet as the individual champion in both the regional and semi-state meets;

Whereas, Making her fourth appearance in the state finals, Erin capped off her senior year with a winning time of 17:22.9,

defeating her closest competition by 22 seconds;

Whereas, Winning the first individual cross country title in Bishop Dwenger High School history, Erin placed first out of 205 runners from around the state;

Whereas, After the meet, Erin was named the Class 3A Runner of the Year by the Indiana Track and Cross Country Coaches Association;

Whereas, When not kicking dust on the cross country course, Erin is a top student with a 3.95 GPA, and is a member of the National Honor Society and Future Business Leaders of America; and

Whereas, Erin will continue her running career at the University of Notre Dame following her graduation from Bishop Dwenger High School: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Erin Strzelecki of Fort Wayne Bishop Dwenger High School on winning the 2019 IHSAA individual state championship title in girls cross country.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Erin Strzelecki

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

Senate Concurrent Resolution 18

The Speaker handed down Senate Concurrent Resolution 18, sponsored by Representative Morris:

A CONCURRENT RESOLUTION congratulating the Fort Wayne Bishop Dwenger High School cheerleading team on winning the 2019 Indiana Cheer Championship.

Whereas, The Fort Wayne Bishop Dwenger High School cheerleading team won the 2019 Indiana Cheer Championship hosted by the Indiana Association of School Principals;

Whereas, During the championship held November 9, 2019, in New Castle, the Saints took first place in the Varsity B Division by defeating Pendleton Heights, Greenfield Central, Jasper, Lowell, and Mt. Vernon (Fortville) in the finals;

Whereas, As a result of months of hard work and dedicated practice, the Bishop Dwenger cheer team executed a flawless zero deduction routine to win the title; and

Whereas, By earning the 2019 Indiana Cheer Championship title, Bishop Dwenger won its eighth state title in school history: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Fort Wayne Bishop Dwenger High School cheerleading team on winning the 2019 Indiana Cheer Championship.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to each member of the Fort Wayne Bishop Dwenger High School cheerleading team

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

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 15 were read a first time by title and referred to the respective committees:

SB 2 — DeVon
Committee on Education
A BILL FOR AN ACT concerning education.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1008, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 8, delete "Reciprocity" and insert "**Endorsement**".

Page 2, line 13, delete "Notwithstanding" and insert "**(a) Except as provided in subsection (b) and section 6 of this chapter and notwithstanding**".

Page 2, line 16, delete "requirements:" and insert "**requirements, if such requirements are applicable to the appropriate board:**".

Page 2, line 23, after "examination" insert "**which the appropriate board has determined to be**".

Page 2, line 24, delete "applied for." and insert "**applied.**".

Page 2, after line 37, begin a new paragraph and insert:

"**(b) If a board described in subsection (a) requires that an individual submit to a national criminal history background check (as defined in IC 25-1-1.1-4(b)) to issue the individual a license for a regulated occupation, the board may still maintain this requirement, even if the individual applies for the license and meets the requirements set forth in subsection (a).**

Sec. 6. (a) If a board has entered into a:

(1) national reciprocal or endorsement agreement; or

(2) reciprocal or endorsement agreement with one (1) or more states;

those agreements remain in effect.

(b) Nothing in this chapter prevents or supersedes a:

(1) compact; or

(2) reciprocity or comity agreement;

established by the general assembly or a board.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1008 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 2.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1043, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 7, after line 30, begin a new paragraph and insert:

"SECTION 8. IC 36-8-8-7, AS AMENDED BY P.L.27-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) Subject to IC 36-8-4.7 and except as provided in subsections (d), (e), (f), (g), (h), (k), (l), and (m):

(1) a police officer; or

(2) a firefighter;

who is less than ~~thirty-six (36)~~ **forty (40)** years of age and who passes the baseline statewide physical and mental examinations required under section 19 of this chapter shall be a member of the 1977 fund and is not a member of the 1925 fund, the 1937 fund, or the 1953 fund.

(b) A police officer or firefighter with service before May 1, 1977, who is hired or rehired after April 30, 1977, may receive credit under this chapter for service as a police officer or firefighter prior to entry into the 1977 fund if the employer who rehires the police officer or firefighter chooses to contribute to the 1977 fund the amount necessary to amortize the police officer's or firefighter's prior service liability over a period of not more than thirty (30) years, the amount and the period to be determined by the system board. If the employer chooses to make the contributions, the police officer or firefighter is entitled to receive credit for the police officer's or firefighter's prior years of service without making contributions to the 1977 fund for that prior service. In no event may a police officer or firefighter receive credit for prior years of service if the police officer or firefighter is receiving a benefit or is entitled to receive a benefit in the future from any other public pension plan with respect to the prior years of service.

(c) Except as provided in section 18 of this chapter, a police officer or firefighter is entitled to credit for all years of service after April 30, 1977, with the police or fire department of an employer covered by this chapter.

(d) A police officer or firefighter with twenty (20) years of service does not become a member of the 1977 fund and is not covered by this chapter, if the police officer or firefighter:

(1) was hired before May 1, 1977;

(2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both of which were repealed September 1, 1981); and

(3) is rehired after April 30, 1977, by the same employer.

(e) A police officer or firefighter does not become a member of the 1977 fund and is not covered by this chapter if the police officer or firefighter:

(1) was hired before May 1, 1977;

(2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both of which were repealed September 1, 1981);

(3) was rehired after April 30, 1977, but before February 1, 1979; and

(4) was made, before February 1, 1979, a member of a 1925, 1937, or 1953 fund.

(f) A police officer or firefighter does not become a member of the 1977 fund and is not covered by this chapter if the police officer or firefighter:

(1) was hired by the police or fire department of a unit before May 1, 1977;

(2) did not convert under IC 19-1-17.8-7 or IC 19-1-36.5-7 (both of which were repealed September 1, 1981);

(3) is rehired by the police or fire department of another unit after December 31, 1981; and

(4) is made, by the fiscal body of the other unit after December 31, 1981, a member of a 1925, 1937, or 1953 fund of the other unit.

If the police officer or firefighter is made a member of a 1925, 1937, or 1953 fund, the police officer or firefighter is entitled to receive credit for all the police officer's or firefighter's years of service, including years before January 1, 1982.

(g) As used in this subsection, "emergency medical services" and "emergency medical technician" have the meanings set forth in IC 16-18-2-110 and IC 16-18-2-112. A firefighter who:

(1) is employed by a unit that is participating in the 1977 fund;

(2) was employed as an emergency medical technician by a political subdivision wholly or partially within the department's jurisdiction;

(3) was a member of the public employees' retirement fund during the employment described in subdivision (2); and

(4) ceased employment with the political subdivision and was hired by the unit's fire department due to the reorganization of emergency medical services within the department's jurisdiction;

shall participate in the 1977 fund. A firefighter who participates in the 1977 fund under this subsection is subject to sections 18 and 21 of this chapter.

(h) A police officer or firefighter does not become a member of the 1977 fund and is not covered by this chapter if the individual was appointed as:

(1) a fire chief under a waiver under IC 36-8-4-6(c); or

(2) a police chief under a waiver under IC 36-8-4-6.5(c);

unless the executive of the unit requests that the 1977 fund accept the individual in the 1977 fund and the individual previously was a member of the 1977 fund.

(i) A police matron hired or rehired after April 30, 1977, and before July 1, 1996, who is a member of a police department in a second or third class city on March 31, 1996, is a member of the 1977 fund.

(j) A park ranger who:

(1) completed at least the number of weeks of training at the Indiana law enforcement academy or a comparable law enforcement academy in another state that were required at the time the park ranger attended the Indiana law enforcement academy or the law enforcement academy in another state;

(2) graduated from the Indiana law enforcement academy or a comparable law enforcement academy in another state; and

(3) is employed by the parks department of a city having a population of more than one hundred ten thousand (110,000) but less than one hundred fifty thousand (150,000);

is a member of the fund.

(k) Notwithstanding any other provision of this chapter, a police officer or firefighter:

(1) who is a member of the 1977 fund before a consolidation under IC 36-3-1-5.1 or IC 36-3-1-6.1;

(2) whose employer is consolidated into the consolidated law enforcement department or the fire department of a consolidated city under IC 36-3-1-5.1 or IC 36-3-1-6.1; and

(3) who, after the consolidation, becomes an employee of the consolidated law enforcement department or the consolidated fire department under IC 36-3-1-5.1 or IC 36-3-1-6.1;

is a member of the 1977 fund without meeting the requirements under sections 19 and 21 of this chapter.

(l) Notwithstanding any other provision of this chapter, if:

(1) before a consolidation under IC 8-22-3-11.6, a police officer or firefighter provides law enforcement services or fire protection services for an entity in a consolidated city;

(2) the provision of those services is consolidated into the law enforcement department or fire department of a consolidated city; and

(3) after the consolidation, the police officer or firefighter becomes an employee of the consolidated law enforcement department or the consolidated fire department under IC 8-22-3-11.6;

the police officer or firefighter is a member of the 1977 fund without meeting the requirements under sections 19 and 21 of this chapter.

(m) A police officer or firefighter who is a member of the 1977 fund under subsection (k) or (l) may not be:

(1) retired for purposes of section 10 of this chapter; or

(2) disabled for purposes of section 12 of this chapter;

solely because of a change in employer under the consolidation.

(n) Notwithstanding any other provision of this chapter and subject to subsection (o), a police officer or firefighter who:

(1) is an active member of the 1977 fund with an employer that participates in the 1977 fund;

(2) separates from that employer; and

(3) not later than one hundred eighty (180) days after the

date of the separation described in subdivision (2), becomes employed as a full-time police officer or firefighter with the same or a second employer that participates in the 1977 fund;

is a member of the 1977 fund without meeting for a second time the age limitation under subsection (a) and the requirements under sections 19 and 21 of this chapter. A police officer or firefighter to whom this subsection applies is entitled to receive credit for all years of 1977 fund covered service as a police officer or firefighter with all employers that participate in the 1977 fund.

(o) The one hundred eighty (180) day limitation described in subsection (n)(3) does not apply to a member of the 1977 fund who is eligible for reinstatement under IC 36-8-4-11.

(p) Notwithstanding any other provision of this chapter, a veteran who is:

(1) described in IC 36-8-4.7; and

(2) employed as a firefighter or police officer;

is a member of the 1977 fund.

SECTION 9. IC 36-8-12-6, AS AMENDED BY P.L.174-2009, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) Each unit that has a volunteer fire department shall procure insurance in the name of and for the benefit of each member of the department. However, if a contract or agreement exists between a unit and a volunteer fire department, the contract or agreement must provide for insurance of the volunteer firefighters and emergency medical services personnel in the department in the amounts and with the coverages required by this chapter. Unless the contract or agreement stipulates otherwise, all insurance coverage must be under a group plan, rather than in the name of each individual firefighter and member of the emergency medical services personnel. Either the unit or the volunteer fire department, according to the contractor agreement, may undertake procurement of required insurance, but in either case, the costs of coverage must be borne by the unit. If a volunteer fire department serves more than one (1) unit under a contract or agreement, each unit that the department serves shall pay the amount for the insurance coverage determined under the following formula:

STEP ONE: For each census block or other area in a unit that is served by more than one (1) volunteer fire department, divide the population of the area by the number of volunteer fire departments serving the area, and round the quotient to the nearest one thousandth (.001).

STEP TWO: Add the quotients determined under STEP ONE for the unit.

STEP THREE: Determine the sum of the STEP TWO amounts for all of the units served by the same volunteer fire department.

STEP FOUR: Divide the STEP TWO amount for a unit by the STEP THREE amount and round the quotient to the nearest one thousandth (.001).

STEP FIVE: Multiply the costs of the insurance coverage for the volunteer fire department by the quotient determined under STEP FOUR, rounded to the nearest dollar.

(b) A diminution of insurance benefits may not occur under this section because of a change in the insurance carrier or a change as to who actually procures the required insurance.

(c) Each unit that has a volunteer fire department may procure an insurance policy for the benefit of auxiliary groups whose members could be injured while assisting the volunteer firefighters and emergency medical services personnel in the performance of their duties.

(d) Each unit that has a volunteer fire department may procure an insurance policy or any other type of instrument that provides retirement benefits as an incentive to volunteer firefighters and emergency medical services personnel for continued service.

(e) An insurance policy or other instrument containing any of the provisions authorized by subsection (d) may not be considered in the computation of nominal compensation for purposes of this chapter.

(f) A volunteer firefighter or member of the emergency medical services personnel who becomes covered by an insurance policy or other instrument containing any of the provisions authorized by subsection (d) does not thereby become eligible for membership in the public employees' retirement fund under IC 5-10.3.

(g) If a unit fails to provide the insurance for a volunteer firefighter or member of the emergency medical services personnel that this chapter requires it to provide, and a volunteer firefighter or member of the emergency medical services personnel suffers a loss of the type that the insurance would have covered, then the unit shall pay to that volunteer firefighter or member of the emergency medical services personnel the same amount of money that the insurance would have paid to the volunteer firefighter or member of the emergency medical services personnel.

(h) A unit's obligation under this section supersedes any obligation that another medical insurance carrier has to pay the expenses of the volunteer firefighter or member of the emergency medical services personnel.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1043 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 1.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1052, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 5, reset in roman "2021,".

Page 1, line 5, delete "2036,".

Page 1, line 8, after "(0.3%)." insert "**A tax imposed under this subsection expires December 31, 2020.**".

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

"**(c) For calendar years beginning after December 31, 2020, and before January 1, 2036, the county fiscal body may impose a tax on the adjusted gross income of local taxpayers at a tax rate that does not exceed three-tenths percent (0.3%). A tax imposed under this subsection expires December 31, 2035.**".

Page 1, line 9, strike "(c)" and insert "**(d)**".

Page 1, line 13, delete "(d)" and insert "**(e)**".

Page 1, line 15, delete "and maintaining".

Page 1, line 16, delete "jail and".

Renumber all SECTIONS consecutively.

(Reference is to HB 1052 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 20, nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1063, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 8, delete "fifty" and insert "**twenty-five**".

Page 1, line 8, delete "($250,000)" and insert "**($225,000)**".

Page 2, line 17, delete "fifty" and insert "**twenty-five**".
Page 2, line 18, delete "($250,000)" and insert "**($225,000)**".
Page 2, line 38, delete "fifty" and insert "**twenty-five**".
Page 2, line 39, delete "($250,000)" and insert "**($225,000)**".
Page 3, line 17, delete "fifty" and insert "**twenty-five**".
Page 3, line 18, delete "($250,000)" and insert "**($225,000)**".
Page 3, line 40, delete "fifty" and insert "**twenty-five**".
Page 3, line 41, delete "($250,000)" and insert "**($225,000)**".
(Reference is to HB 1063 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1108, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 6, delete lines 1 through 8, begin a new paragraph and insert:

"SECTION 1. IC 5-11-1-9.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9.3. (a) This section applies only to a body corporate and politic whose enabling statute does not provide for an annual audit, examination, or other engagement by:**

(1) the state board of accounts; or

(2) an independent public accounting firm;

concerning financial or compliance related matters of the body corporate and politic.

(b) This section does not affect a body corporate and politic whose enabling statute provides for an annual audit, examination, or other engagement by the state board of accounts or an independent public accounting firm.

(c) As used in this section, "enabling statute" refers to a statute, including a statute enacted after June 30, 2020, that establishes a body corporate and politic.

(d) The state board of accounts may conduct an examination of a body corporate and politic described in this section. The state board of accounts shall permit a body corporate and politic to request in writing to the state examiner that an examination under this section be performed by an independent public accounting firm in accordance with sections 7 and 24 of this chapter. The state examiner may approve a request under this section based on the applicable risk based examination criteria described in and approved under section 25 of this chapter.

(e) An examination of a body corporate and politic conducted under this section by the state board of accounts or an independent public accounting firm shall be filed with:

(1) the state board of accounts in the manner provided by this article; and

(2) the auditor of state.".

Page 17, delete line 19.
Page 17, line 20, delete "(4)" and insert "**(3)**".
Renumber all SECTIONS consecutively.
(Reference is to HB 1108 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 20, nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1111, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1111 as printed January 14, 2020.)

Committee Vote: Yeas 19, Nays 1.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1113, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, delete lines 14 through 42.
Page 6, delete lines 1 through 7.
Page 7, delete lines 25 through 42, begin a new paragraph and insert:

"SECTION 7. IC 6-1.1-4-42, AS ADDED BY P.L.182-2009(ss), SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 42. (a) This section applies to assessment dates after January 15, 2010.

(b) ~~As used in~~ **The following definitions apply throughout** this section:

(1) "Golf course" means an area of land and yard improvements that are predominately used to play the game of golf. A golf course consists of a series of holes, each consisting of a teeing area, fairway, rough and other hazards, and the green with the pin and cup.

(2) "Yard improvements" include a clubhouse, irrigation systems, a pro shop, a maintenance building, a driving range, restaurants, or other buildings associated with a golf course.

(c) The true tax value of real property regularly used as a golf course is the valuation determined by applying the income capitalization appraisal approach. The income capitalization approach used to determine the true tax value of a golf course must:

(1) incorporate an applicable income capitalization method and appropriate capitalization rates that are developed and used in computations that lead to an indication of value commensurate with the risks for the subject property use; **and**

~~(2) provide for the uniform and equal assessment of golf courses of similar grade quality and play length; and~~

~~(3)~~ **(2)** exclude the value of personal property, intangible property, and income derived from personal or intangible property.

(d) For assessment dates after January 15, 2010, and before March 1, 2012, a township assessor (if any) or the county assessor shall gather and process information from the owner of a golf course to carry out this section in accordance with the rules adopted by the department of local government finance under IC 4-22-2.

(e) For assessment dates after February 28, 2012, the department of local government finance shall, by rules adopted under IC 4-22-2, establish uniform income capitalization ~~tables~~ **rates annually** and procedures to be used for the assessment of golf courses. The department of local government finance may rely on analysis conducted by a state educational institution to develop the income capitalization ~~tables~~ **rates** and procedures required under this section **or recognized sources of industry capitalization rates.** Assessing officials shall use the ~~tables and~~ procedures adopted by the department of local government finance to assess, reassess, and annually adjust the assessed value of golf courses.

(f) The department of local government finance may prescribe procedures, forms, and due dates for the collection from the owners or operators of golf courses of the necessary

earnings, income, profits, losses, and expenditures data necessary to carry out this section. An owner or operator of a golf course shall comply with the procedures and reporting schedules prescribed by the department of local government finance.

(g) Assessing officials shall solicit data for the gross income and allowable operating expenses from the owner or operator of the golf course enterprise and use federal tax returns or other similar evidence as verification that the submissions are correct. Assessing officials shall examine and evaluate three (3) years of financial records and federal tax returns to obtain the average net operating income. The three (3) year average should include the most current completed financial records and filed federal tax returns of the golf course enterprise as of the assessment date to ensure that the appropriate income and expense information for the subject property is used. However, because the financial records and federal tax returns for the year immediately preceding the assessment date would not be completed, the financial records and federal tax returns to be examined may include the three (3) consecutive years immediately preceding the year immediately preceding the assessment date.

(h) All income and expense information provided to an assessing official under this section is confidential under IC 6-1.1-35-9.".

Page 8, delete lines 1 through 30.

Page 15, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 16. IC 6-1.1-12-9, AS AMENDED BY P.L.114-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) An individual may obtain a deduction from the assessed value of the individual's real property, or mobile home or manufactured home which is not assessed as real property, if:

(1) the individual is at least sixty-five (65) years of age on or before December 31 of the calendar year preceding the year in which the deduction is claimed;

(2) for assessment dates before January 1, 2020, the combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) of:

(A) the individual and the individual's spouse; or

(B) the individual and all other individuals with whom:

(i) the individual shares ownership; or

(ii) the individual is purchasing the property under a contract;

as joint tenants or tenants in common;

for the calendar year preceding the year in which the deduction is claimed did not exceed twenty-five thousand dollars ($25,000);

(3) for assessment dates after December 31, 2019:

(A) the individual had, in the case of an individual who filed a single return, adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding thirty thousand dollars ($30,000);

(B) the individual had, in the case of an individual who filed a joint income tax return with the individual's spouse, combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding forty thousand dollars ($40,000); or

(C) the combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) of the individual and all other individuals with whom:

(i) the individual shares ownership; or

(ii) the individual is purchasing the property under a contract;

as joint tenants or tenants in common did not exceed forty thousand dollars ($40,000);

for the calendar year preceding by two (2) years the calendar year in which the property taxes are first due and payable;

(4) the individual has owned the real property, mobile home, or manufactured home for at least one (1) year before claiming the deduction; or the individual has been buying the real property, mobile home, or manufactured home under a contract that provides that the individual is to pay the property taxes on the real property, mobile home, or manufactured home for at least one (1) year before claiming the deduction, and the contract or a memorandum of the contract is recorded in the county recorder's office;

(5) for assessment dates:

(A) before January 1, 2020, the individual and any individuals covered by subdivision (2)(B) reside on the real property, mobile home, or manufactured home; or

(B) after December 31, 2019, the individual and any individuals covered by subdivision (3)(C) reside on the real property, mobile home, or manufactured home;

(6) except as provided in subsection (i), the assessed value of the real property, mobile home, or manufactured home does not exceed two hundred thousand dollars ($200,000).

(7) the individual receives no other property tax deduction for the year in which the deduction is claimed, except the deductions provided by sections 1, 37, (for assessment dates after February 28, 2008) 37.5, and 38 of this chapter; and

(8) the person:

(A) owns the real property, mobile home, or manufactured home; or

(B) is buying the real property, mobile home, or manufactured home under contract;

on the date the statement required by section 10.1 of this chapter is filed.

(b) Except as provided in subsection (h), in the case of real property, an individual's deduction under this section equals the lesser of:

(1) one-half (1/2) of the assessed value of the real property; or

(2) fourteen thousand dollars ($14,000).

(c) Except as provided in subsection (h) and section 40.5 of this chapter, in the case of a mobile home that is not assessed as real property or a manufactured home which is not assessed as real property, an individual's deduction under this section equals the lesser of:

(1) one-half (1/2) of the assessed value of the mobile home or manufactured home; or

(2) fourteen thousand dollars ($14,000).

(d) An individual may not be denied the deduction provided under this section because the individual is absent from the real property, mobile home, or manufactured home while in a nursing home or hospital.

(e) For purposes of this section, if real property, a mobile home, or a manufactured home is owned by:

(1) tenants by the entirety;

(2) joint tenants; or

(3) tenants in common;

only one (1) deduction may be allowed. However, the age requirement is satisfied if any one (1) of the tenants is at least sixty-five (65) years of age.

(f) A surviving spouse is entitled to the deduction provided by this section if:

(1) the surviving spouse is at least sixty (60) years of age on or before December 31 of the calendar year preceding the year in which the deduction is claimed;

(2) the surviving spouse's deceased husband or wife was at least sixty-five (65) years of age at the time of a death;

(3) the surviving spouse has not remarried; and

(4) the surviving spouse satisfies the requirements prescribed in subsection (a)(2) through (a)(8).

(g) An individual who has sold real property to another

person under a contract that provides that the contract buyer is to pay the property taxes on the real property may not claim the deduction provided under this section against that real property.

(h) In the case of tenants covered by subsection (a)(2)(B) or (a)(3)(C), if all of the tenants are not at least sixty-five (65) years of age, the deduction allowed under this section shall be reduced by an amount equal to the deduction multiplied by a fraction. The numerator of the fraction is the number of tenants who are not at least sixty-five (65) years of age, and the denominator is the total number of tenants.

(i) For purposes of determining the assessed value of the real property, mobile home, or manufactured home under subsection (a)(6) for an individual who has received a deduction under this section in a particular year, increases in assessed value ~~due solely to an annual adjustment of the assessed value under IC 6-1.1-4-4.5~~ that occur after the later of:

(1) December 31, 2019; or

(2) the first year that the individual has received the deduction;

are not considered **unless the increase in assessed value is attributable to physical improvements to the property.**

SECTION 17. IC 6-1.1-12-14, AS AMENDED BY P.L.114-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) Except as provided in subsection (c) and except as provided in section 40.5 of this chapter, an individual may have the sum of fourteen thousand dollars ($14,000) deducted from the assessed value of the real property, mobile home not assessed as real property, or manufactured home not assessed as real property that the individual owns (or the real property, mobile home not assessed as real property, or manufactured home not assessed as real property that the individual is buying under a contract that provides that the individual is to pay property taxes on the real property, mobile home, or manufactured home if the contract or a memorandum of the contract is recorded in the county recorder's office) if:

(1) the individual served in the military or naval forces of the United States for at least ninety (90) days;

(2) the individual received an honorable discharge;

(3) the individual either:

(A) has a total disability; or

(B) is at least sixty-two (62) years old and has a disability of at least ten percent (10%);

(4) the individual's disability is evidenced by:

(A) a pension certificate or an award of compensation issued by the United States Department of Veterans Affairs; or

(B) a certificate of eligibility issued to the individual by the Indiana department of veterans' affairs after the Indiana department of veterans' affairs has determined that the individual's disability qualifies the individual to receive a deduction under this section; and

(5) the individual:

(A) owns the real property, mobile home, or manufactured home; or

(B) is buying the real property, mobile home, or manufactured home under contract;

on the date the statement required by section 15 of this chapter is filed.

(b) Except as provided in subsections (c) and (d), the surviving spouse of an individual may receive the deduction provided by this section if:

(1) the individual satisfied the requirements of subsection (a)(1) through (a)(4) at the time of death; or

(2) the individual:

(A) was killed in action;

(B) died while serving on active duty in the military or naval forces of the United States; or

(C) died while performing inactive duty training in the military or naval forces of the United States; and

the surviving spouse satisfies the requirement of subsection (a)(5) at the time the deduction statement is filed. The surviving spouse is entitled to the deduction regardless of whether the property for which the deduction is claimed was owned by the deceased veteran or the surviving spouse before the deceased veteran's death.

(c) Except as provided in subsection (f), no one is entitled to the deduction provided by this section if the assessed value of the individual's Indiana real property, Indiana mobile home not assessed as real property, and Indiana manufactured home not assessed as real property, as shown by the tax duplicate, exceeds the assessed value limit specified in subsection (d).

(d) Except as provided in subsection (f), for the:

(1) January 1, 2017, January 1, 2018, and January 1, 2019, assessment dates, the assessed value limit for purposes of subsection (c) is one hundred seventy-five thousand dollars ($175,000); and

(2) January 1, 2020, assessment date and for each assessment date thereafter, the assessed value limit for purposes of subsection (c) is two hundred thousand dollars ($200,000).

(e) An individual who has sold real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property, mobile home, or manufactured home may not claim the deduction provided under this section against that real property, mobile home, or manufactured home.

(f) For purposes of determining the assessed value of the real property, mobile home, or manufactured home under subsection (d) for an individual who has received a deduction under this section in a particular year, increases in assessed value ~~due solely to an annual adjustment of the assessed value under IC 6-1.1-4-4.5~~ that occur after the later of:

(1) December 31, 2019; or

(2) the first year that the individual has received the deduction;

are not considered **unless the increase in assessed value is attributable to physical improvements to the property.**

SECTION 18. IC 6-1.1-13-13 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 13. (a) This section applies to both residential real property and commercial property for which the assessed value was increased for a tax year by an assessing official for any reason other than by the application of the actual trending factor used by the assessing official to adjust property values for that year. However, this section does not apply to an assessment if the assessment is based on:**

(1) structural improvements;

(2) zoning; or

(3) uses;

that were not considered in the assessment for the prior tax year.

(b) If the taxpayer:

(1) appeals an increased assessment as described in subsection (a) to the county property tax assessment board of appeals or the Indiana board; and

(2) prevails in an appeal described in subdivision (1) or any resulting subsequent appeal of the increased assessment described in subsection (a);

the assessing official shall not increase the assessed value of the property until the first year of the next four (4) year cyclical assessment cycle for any reason other than by application of the actual trending factor used by the assessing official to adjust property values for a tax year.".

Page 17, delete lines 16 through 42, begin a new paragraph and insert:

"SECTION 17. IC 6-1.1-16-1, AS AMENDED BY P.L.232-2017, SECTION 24, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Except as provided in section 2 of this chapter, an assessing official or county property tax assessment board of appeals may not change the assessed value claimed by a taxpayer on a personal property return unless the assessing official or county property tax assessment board of appeals takes the action and gives the notice required by IC 6-1.1-3-20 within the following periods:

(1) A township assessor (if any) must make a change in the assessed value and give the notice of the change on or before the later of:

(A) September 15 of the year for which the assessment is made; or

(B) four (4) months from the date the personal property return is filed if the return is filed after the filing date for the personal property tax return.

(2) A county assessor ~~or county property tax assessment board of appeals~~ must make a change in the assessed value ~~including the final determination by the board of an assessment changed by an assessing official,~~ and give the notice of the change on or before the later of:

(A) October 30 of the year for which the assessment is made; or

(B) five (5) months from the date the personal property return is filed if the return is filed after the filing date for the personal property tax return.

(3) A county property tax assessment board of appeals must make a change in the assessed value and give notice of the change on or before the later of:

(A) October 30 of the year for which the assessment is made; or

(B) five (5) months from the date the personal property return is filed if the return is filed after the filing date for the personal property tax return.

This subdivision does not apply to a determination by a county property tax assessment board of appeals acting upon a petition for review filed under subsection (e)(1).

~~(3)~~ **(4)** The department of local government finance must make a preliminary change in the assessed value and give the notice of the change on or before the later of:

(A) October 1 of the year immediately following the year for which the assessment is made; or

(B) sixteen (16) months from the date the personal property return is filed if the return is filed after the filing date for the personal property tax return.

(b) Except as provided in section 2 of this chapter, if an assessing official or a county property tax assessment board of appeals fails to change an assessment and give notice of the change within the time prescribed by this section, the assessed value claimed by the taxpayer on the personal property return is final.

(c) This section does not limit the authority of a county auditor to correct errors in a tax duplicate under IC 6-1.1-15-12.1.

(d) This section does not apply if the taxpayer:

(1) fails to file a personal property return which substantially complies with this article and the regulations of the department of local government finance; or

(2) files a fraudulent personal property return with the intent to evade the payment of property taxes.

(e) **A taxpayer may appeal a change in the assessed value under this section as follows:**

(1) A taxpayer may appeal a change in the assessed value under subsection (a)(1) or (a)(2) by filing a written notice of review with the county property tax assessment board of appeals under IC 6-1.1-15-1.1.

(2) A taxpayer may appeal a change in the assessed value under subsection (a)(3) by filing a written notice of review with the Indiana board under IC 6-1.1-15-3.

(3) A taxpayer may appeal a preliminary determination of the department of local government finance under subsection ~~(a)(3)~~ **(a)(4)** to the Indiana board. An appeal under this subdivision shall be conducted in the same manner as an appeal under IC 6-1.1-15-4 through IC 6-1.1-15-8. A preliminary determination that is not appealed under this subsection is a final unappealable order of the department of local government finance.".

Page 18, delete lines 1 through 34.

Page 18, line 37, strike "(a) If a county property tax".

Page 18, strike lines 38 through 39.

Page 18, line 40, strike "change within the time prescribed in section".

Page 18, line 40, delete "1(a)(3)".

Page 18, line 40, strike "of this".

Page 18, strike lines 41 through 42.

Page 19, strike lines 1 through 4.

Page 19, line 5, delete "1(a)(3)".

Page 19, line 5, strike "of this chapter as though the board acted and gave".

Page 19, strike line 6.

Page 19, line 7, strike "(b)".

Page 19, line 9, after "to the" insert "**Indiana**".

Page 19, delete lines 11 through 28.

Page 27, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 24. IC 6-1.1-17-16.7, AS AMENDED BY P.L.184-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16.7. (a) A political subdivision that in any year adopts a proposal to establish a cumulative fund or sinking fund under any of the following provisions must submit the proposal to the department of local government finance before August 2 of that year, for years before 2018, and before May 1 of that year, for years after 2017:

IC 3-11-6
IC 8-10-5
IC 8-16-3
IC 8-16-3.1
IC 8-22-3
IC 14-27-6
IC 14-33-21
IC 16-22-5
IC 16-22-8
IC 36-8-8-14.2
IC 36-8-14
IC 36-9-4
IC 36-9-14
IC 36-9-14.5
IC 36-9-15
IC 36-9-15.5
IC 36-9-16
IC 36-9-17
IC 36-9-26
IC 36-9-27
IC 36-10-3
IC 36-10-4
IC 36-10-7.5

(b) If a proposal described in subsection (a) is not submitted to the department of local government finance before August 2 of a year, for years before 2018, and before May 1 of a year, for years after 2017, the political subdivision may not levy a tax for the cumulative fund or sinking fund in the ensuing year.".

Page 30, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 26. IC 6-1.1-18-28 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 28. (a) This section applies only to the Crawford County solid waste management district.**

(b) The board of directors of the solid waste management

district may, upon approval by the county executive, submit a petition to the department of local government finance for an increase in the solid waste management district's maximum permissible ad valorem property tax levy for property taxes due and payable in 2021. A petition must be submitted not later than September 1, 2020.

(c) If a petition is submitted under subsection (b), the department of local government finance shall increase the solid waste management district's maximum permissible ad valorem property tax levy for property taxes due and payable in 2021 by twelve thousand three hundred thirty-three dollars ($12,333).

(d) The adjustment under this section is a temporary, one (1) time increase to the solid waste management district's maximum permissible ad valorem property tax levy.

(e) This section expires June 30, 2023.

SECTION 27. IC 6-1.1-18-29 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 29. (a) This section applies only to the English fire protection district in Crawford County.**

(b) The board of trustees of the English fire protection district may, upon approval by the county legislative body, submit a petition to the department of local government finance for an increase in the fire protection district's maximum permissible ad valorem property tax levy for property taxes due and payable in 2021 for the special fire general fund. A petition must be submitted not later than September 1, 2020.

(c) If a petition is submitted under subsection (b), the department of local government finance shall increase the fire protection district's maximum permissible ad valorem property tax levy for property taxes due and payable in 2021 for the special fire general fund by thirteen thousand nine hundred eighty-seven dollars ($13,987).

(d) The adjustment under this section is a temporary, one (1) time increase to the fire protection district's maximum permissible ad valorem property tax levy for the special fire general fund.

(e) This section expires June 30, 2023.".

Page 40, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 35. IC 6-1.1-18.5-27 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 27. (a) This section applies only to the Charlestown fire protection district in Clark County.**

(b) If the board of fire trustees adopts a resolution:

(1) setting forth a finding that the fire protection district's maximum permissible ad valorem property tax levy needs to be increased in excess of the limitations established under section 3 of this chapter; and

(2) approving the submission of a petition by the fiscal officer of the fire protection district to the department;

the fiscal officer of the fire protection district may submit a petition to the department requesting an increase in the fire protection district's maximum permissible ad valorem property tax levy.

(c) If a proper petition is submitted, the department shall increase the fire protection district's maximum permissible ad valorem property tax levy for property taxes first due and payable in 2020 by one hundred eighty-seven thousand nine hundred seventeen dollars ($187,917), notwithstanding the assessed value growth quotient.

(d) The fire protection district's 2020 maximum permissible ad valorem property tax levy, after the increase made under this section, is to be used as the value of the fire protection district's previous year maximum permissible ad valorem property tax levy for the determination under this chapter of the fire protection district's maximum permissible ad valorem property tax levy after 2020.

(e) This section expires January 1, 2023.

SECTION 36. IC 6-1.1-18.5-28 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 28. (a) This section applies only to Vernon Township in Hancock County.**

(b) The executive of the township may, upon approval by the township fiscal body, submit a petition to the department of local government finance for an increase in the township's maximum permissible ad valorem property tax levy for fire and emergency medical services for property taxes first due and payable in 2021.

(c) If the executive of the township submits a petition in accordance with subsection (a) before August 1, 2020, the department of local government finance shall increase the township's maximum permissible ad valorem property tax levy for fire and emergency medical services for property taxes first due and payable in 2021 to one million eight hundred forty-eight thousand thirty-seven dollars ($1,848,037).

(d) The township's maximum permissible ad valorem property tax levy for fire and emergency medical services for property taxes first due and payable in 2021, as adjusted under this section, shall be used in the determination of the township's maximum permissible ad valorem property tax levy for fire and emergency medical services for property taxes first due and payable after 2021.

(e) This section expires June 30, 2025.".

Page 57, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 40. IC 6-1.1-20.6-8.5, AS AMENDED BY P.L.114-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8.5. (a) This section applies to an individual who:

(1) qualified for a standard deduction granted under IC 6-1.1-12-37 for the individual's homestead property in the immediately preceding calendar year (or was married at the time of death to a deceased spouse who qualified for a standard deduction granted under IC 6-1.1-12-37 for the individual's homestead property in the immediately preceding calendar year);

(2) qualifies for a standard deduction granted under IC 6-1.1-12-37 for the same homestead property in the current calendar year;

(3) is or will be at least sixty-five (65) years of age on or before December 31 of the calendar year immediately preceding the current calendar year; and

(4) had:

(A) in the case of an individual who filed a single return, adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding thirty thousand dollars ($30,000); or

(B) in the case of an individual who filed a joint income tax return with the individual's spouse, combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding forty thousand dollars ($40,000);

for the calendar year preceding by two (2) years the calendar year in which property taxes are first due and payable.

(b) Except as provided in subsection (g), this section does not apply if:

(1) for an individual who received a credit under this section before January 1, 2020, the gross assessed value of the homestead on the assessment date for which property taxes are imposed is at least two hundred thousand dollars ($200,000); or

(2) for an individual who initially applies for a credit under this section after December 31, 2019, the assessed

value of the individual's Indiana real property is at least two hundred thousand dollars ($200,000).

(c) An individual is entitled to an additional credit under this section for property taxes first due and payable for a calendar year on a homestead if:

(1) the individual and the homestead qualify for the credit under subsection (a) for the calendar year;

(2) the homestead is not disqualified for the credit under subsection (b) for the calendar year; and

(3) the filing requirements under subsection (e) are met.

(d) The amount of the credit is equal to the greater of zero (0) or the result of:

(1) the property tax liability first due and payable on the homestead property for the calendar year; minus

(2) the result of:

(A) the property tax liability first due and payable on the qualified homestead property for the immediately preceding year after the application of the credit granted under this section for that year; multiplied by

(B) one and two hundredths (1.02).

However, property tax liability imposed on any improvements to or expansion of the homestead property after the assessment date for which property tax liability described in subdivision (2) was imposed shall not be considered in determining the credit granted under this section in the current calendar year.

(e) Applications for a credit under this section shall be filed in the manner provided for an application for a deduction under IC 6-1.1-12-9. However, an individual who remains eligible for the credit in the following year is not required to file a statement to apply for the credit in the following year. An individual who receives a credit under this section in a particular year and who becomes ineligible for the credit in the following year shall notify the auditor of the county in which the homestead is located of the individual's ineligibility not later than sixty (60) days after the individual becomes ineligible.

(f) The auditor of each county shall, in a particular year, apply a credit provided under this section to each individual who received the credit in the preceding year unless the auditor determines that the individual is no longer eligible for the credit.

(g) For purposes of determining the:

(1) assessed value of the homestead on the assessment date for which property taxes are imposed under subsection (b)(1); or

(2) assessed value of the individual's Indiana real property under subsection (b)(2);

for an individual who has received a credit under this section in a particular year, increases in assessed value ~~due solely to an annual adjustment of the assessed value under IC 6-1.1-4-4.5~~ that occur after the later of December 31, 2019, or the first year that the individual has received the credit are not considered **unless the increase in assessed value is attributable to physical improvements to the property.**".

Page 57, between lines 35 and 36, begin a new line block indented and insert:

"**(5) Information regarding how a taxpayer can obtain information regarding the taxpayer's notice of assessment or reassessment under IC 6-1.1-4-22.**".

Page 57, line 36, strike "(5)" and insert "**(6)**".

Page 57, line 38, strike "(6)" and insert "**(7)**".

Page 58, line 7, strike "(7)" and insert "**(8)**".

Page 58, line 32, strike "(8)" and insert "**(9)**".

Page 58, line 38, delete "(9)" and insert "**(10)**".

Page 58, line 41, delete ":".

Page 58, line 42, delete "(1)".

Page 58, line 42, delete "; and".

Page 59, delete line 1.

Page 58, run in line 41 through page 59, line 2.

Page 61, delete lines 35 through 42, begin a new paragraph and insert:

"SECTION 39. IC 6-1.1-26-4.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: **Sec. 4.2. (a) This section applies to any refund for a property resulting from a real property tax assessment appeal for the property for an assessment date occurring after December 31, 2014. This section does not apply if any refund for a property under appeal has been paid before January 1, 2020. Except as modified by this section, all other provisions of IC 6-1.1 apply regarding the payment of refunds and application of credits.**

(b) If, upon conclusion of a real property tax assessment appeal, the total amount of property taxes owed to the taxpayer as a result of the appeal is one hundred thousand dollars ($100,000) or more for the assessment dates under appeal, the auditor of the county in which the property is located may, instead of a refund, elect to apply credits in equal installments to future property tax installments for the property over a period of not more than:

(1) five (5) years following the date of the conclusion of the assessment appeal, if the total amount of property taxes owed to the taxpayer as a result of the appeal is:

(A) greater than or equal to one hundred thousand dollars ($100,000); and

(B) less than seven hundred fifty thousand dollars ($750,000); or

(2) ten (10) years following the date of the conclusion of the assessment appeal, if the total amount of property taxes owed to the taxpayer as a result of the appeal is greater than or equal to seven hundred fifty thousand dollars ($750,000).

The auditor may elect to accelerate credits or to provide a full or partial refund within the period specified under subdivision (1) or (2), as applicable.

(c) Notwithstanding subsection (b), if a claimant is no longer the taxpayer for the property on which the appeal was filed, the overpayment shall not be applied as a credit and the overpayment may be refunded in equal installments over the period specified in subsection (b)(1) or (b)(2), as applicable.".

Page 62, delete lines 1 through 17.

Page 67, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 47. IC 6-1.1-41-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. This chapter applies to establishing and imposing a tax levy for cumulative funds under the following:

(1) IC 3-11-6.

(2) IC 8-10-5.

(3) IC 8-16-3.

(4) IC 8-16-3.1.

(5) IC 8-22-3.

(6) IC 14-27-6.

(7) IC 14-33-21.

(8) IC 16-22-4.

(9) IC 16-22-8.

(10) IC 36-8-8-14.2.

~~(10)~~ **(11)** IC 36-8-14.

~~(11)~~ **(12)** IC 36-9-4.

~~(12)~~ **(13)** IC 36-9-14.

~~(13)~~ **(14)** IC 36-9-14.5.

~~(14)~~ **(15)** IC 36-9-15.

~~(15)~~ **(16)** IC 36-9-15.5.

~~(16)~~ **(17)** IC 36-9-16.

~~(17)~~ **(18)** IC 36-9-17.

~~(18)~~ **(19)** IC 36-9-17.5.

~~(19)~~ **(20)** IC 36-9-26.

~~(20)~~ **(21)** IC 36-9-27.

~~(21)~~ **(22)** IC 36-10-3.

~~(22)~~ **(23)** IC 36-10-4.

~~(23)~~ **(24)** IC 36-10-7.5.

~~(24)~~ **(25)** Any other statute that specifies that a property tax levy may be imposed under this chapter.".

Page 69, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 48. IC 6-3.6-11-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9. (a) This section applies to the calculation and allocation of certified shares among civil taxing units in Hamilton County after 2020 and before 2024.**

(b) For each calendar year to which this section applies, the amount of a civil taxing unit's certified shares is equal to:

(1) the amount of the civil taxing unit's certified shares determined under IC 6-3.6-6, for a civil taxing unit other than the city of Carmel or the city of Fishers;

(2) the adjusted amount determined under subsection (c), for the city of Carmel; or

(3) the adjusted amount determined under subsection (d), for the city of Fishers.

(c) For each calendar year to which this section applies, the adjusted amount of the city of Carmel's certified shares is equal to the lesser of:

(1) the amount of the city of Carmel's certified shares determined under IC 6-3.6-6, without regard to this section; or

(2) the product of:

(A) the amount of the city of Carmel's certified shares determined for the immediately preceding calendar year under IC 6-3.6-6, for 2021, or this section, after 2021; and

(B) one and twenty-five thousandths (1.025).

(d) For each calendar year to which this section applies, the adjusted amount of the city of Fisher's certified shares is equal to:

(1) the sum of:

(A) the amount of the city of Carmel's certified shares determined under IC 6-3.6-6, without regard to this section; and

(B) the amount of the city of Fisher's certified shares determined under IC 6-3.6-6, without regard to this section; minus

(2) the adjusted amount of the city of Carmel's certified shares determined under subsection (c).".

Page 88, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 68. IC 36-7-15.6-23 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE MARCH 1, 2020 (RETROACTIVE)]: **Sec. 23. (a) This section applies only to a district established after December 31, 2019.**

(b) Notwithstanding section 16(d) of this chapter, money in the fund of a district may be used for a flood control works project in a location outside the boundaries of the district if the flood control works project outside the boundaries of the district directly benefits special flood hazard property within the district.

(c) Notwithstanding section 17(a) and 17(g) of this chapter, money received by a district from bonds issued under section 17 of this chapter may be applied to the payment or reimbursement of the cost of a flood control works project in a location outside the boundaries of the district if the flood control works project outside the boundaries of the district directly benefits special flood hazard property within the district.

(d) Notwithstanding section 19(a) and 19(d) of this chapter:

(1) money received from bonds described in section 19(a) of this chapter may be applied to the payment of the costs of a flood control works project of a district; and

(2) money in the flood control improvement fund of the district may be applied to reimburse debt service payments on the bonds described in section 19(a) of this chapter;

even though the flood control works project was in a location outside the boundaries of the district, if the flood control works project directly benefits special flood hazard property within the district.

(e) This section expires March 1, 2022.

SECTION 69. IC 36-8-8-14.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14.2. (a) This section applies to every unit that is an employer of one (1) or more individuals who are active members of the 1977 fund.**

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

(1) a surviving spouse of a deceased member of the 1977 fund; or

(2) a surviving natural child, stepchild, or adopted child of a deceased member of the 1977 fund;

who is entitled to health insurance coverage under section 14.1(h) of this chapter.

(c) If a unit is obligated under section 14.1(h) of this chapter to pay for health insurance coverage for one (1) or more survivors of a deceased member of the 1977 fund who died in the line of duty, the legislative body of the unit may establish a public safety officer survivors' health coverage cumulative fund under this section to pay for health coverage under section 14.1(h) of this chapter.

(d) The fiscal body of a unit may provide money for a public safety officer survivors' health coverage cumulative fund established under subsection (c) by levying a tax in compliance with IC 6-1.1-41 on the taxable property in the unit.

(e) The property tax rate that may be imposed under this section for property taxes first due and payable during a particular year may not exceed the rate necessary to pay the annual cost of the health coverage that the unit is obligated to pay under section 14.1(h) of this chapter. The unit shall provide any documentation requested by the department of local government finance that is necessary to certify the rate adopted by the unit. The unit's maximum permissible ad valorem property tax levy determined under IC 6-1.1-18.5-3 excludes the property tax levied under this section.

(f) The tax money collected under this section shall be held in a special fund to be known as the public safety officer survivors' health coverage cumulative fund.

(g) In a consolidated city, money may be transferred from the public safety officer survivors' health coverage cumulative fund to the fund of a department of the consolidated city responsible for carrying out a purpose for which the public safety officer survivors' health coverage cumulative fund was created. The department may not expend any money transferred under this subsection until an appropriation is made, and the department may not expend any money transferred under this subsection for operating costs of the department.".

Page 89, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 71. [EFFECTIVE JANUARY 1, 2017 (RETROACTIVE)] **(a) This SECTION applies notwithstanding IC 6-1.1-10, IC 6-1.1-11, or any other law or administrative rule or provision.**

(b) This SECTION applies to an assessment date occurring after December 31, 2016, and before January 1, 2020.

(c) As used in this SECTION, "eligible property" means real property:

(1) on which property taxes were imposed for the 2017, 2018, and 2019 assessment dates; and

(2) that would have been eligible for an exemption from property taxation under IC 6-1.1-10-25(a)(8) for

the 2017, 2018, and 2019 assessment dates if an exemption application had been properly and timely filed under IC 6-1.1 for the real property.

(d) As used in this SECTION, "qualified taxpayer" refers to a nonprofit veterans organization that owns eligible property.

(e) A qualified taxpayer may, before September 1, 2020, file a property tax exemption application and supporting documents claiming a property tax exemption under IC 6-1.1-10-16 or IC 6-1.1-10-25(a)(8) for any assessment date described in subsection (b).

(f) A property tax exemption application filed under subsection (e) by a qualified taxpayer is considered to have been properly and timely filed.

(g) If a qualified taxpayer files property tax exemption applications under subsection (e), the following apply:

(1) The property tax exemption for the eligible property is allowed and granted for the 2017, 2018, and 2019 assessment dates by the county assessor and county auditor of the county in which the eligible property is located.

(2) The qualified taxpayer is not required to pay any property taxes, penalties, interest, or tax sale reimbursement expenses with respect to the eligible property exempted under this SECTION for the 2017, 2018, and 2019 assessment dates.

(3) If the eligible property was placed on the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5 or was otherwise subject to a tax sale under IC 6-1.1-24 and IC 6-1.1-25 because one (1) or more installments of property taxes due for the eligible property for the 2017, 2018, and 2019 assessment dates were not timely paid:

(A) the county auditor shall remove the eligible property from the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5; and

(B) a tax deed may not be issued under IC 6-1.1-25 for the eligible property for any tax sale of the eligible property under IC 6-1.1-24 and IC 6-1.1-25 that was held because one (1) or more installments of property taxes due for the eligible property for the 2017, 2018, and 2019 assessment dates were not timely paid.

(h) A taxpayer is entitled to the exemption from real property tax as claimed on a property tax exemption application filed under this SECTION, regardless of whether:

(1) a property tax exemption application was previously filed for the same or similar property for the assessment date;

(2) the county property tax assessment board of appeals has issued a final determination regarding any previously filed property tax exemption application for the assessment date;

(3) the taxpayer appealed any denial of a previously filed property tax exemption application for the assessment date; or

(4) the records of the county in which the property subject to the property tax exemption application is located identified the taxpayer as the owner of the property on the assessment date described in subsection (b) for which the property tax exemption is claimed.

(i) The exemption allowed by this SECTION shall be applied and considered approved without the need for any further ruling or action by the county assessor, the county auditor, or the county property tax assessment board of appeals of the county in which the eligible property is located or by the Indiana board of tax review. The exemption approval is final and may not be appealed by the county assessor, the county property tax assessment board of appeals, or any member of the county property tax assessment board of appeals.

(j) To the extent the qualified taxpayer has paid any property taxes, penalties, or interest with respect to the eligible property for the 2017, 2018, and 2019 assessment dates, the eligible taxpayer is entitled to a refund of the amounts paid. Notwithstanding the filing deadlines for a claim in IC 6-1.1-26, any claim for a refund filed by an eligible taxpayer under this subsection before September 1, 2020, is considered timely filed. The county auditor shall pay the refund due under this SECTION in one (1) installment.

(k) This SECTION expires July 1, 2023.

SECTION 72. [EFFECTIVE JANUARY 1, 2018 (RETROACTIVE)] **(a) This SECTION applies notwithstanding IC 6-1.1-10, IC 6-1.1-11, or any other law or administrative rule or provision.**

(b) This SECTION applies to an assessment date occurring after December 31, 2017, and before January 1, 2020.

(c) As used in this SECTION, "eligible property" means real property:

(1) that was conveyed to an eligible taxpayer in 2014 or 2017;

(2) on which property taxes were imposed for the 2018 and 2019 assessment dates; and

(3) that would have been eligible for an exemption from property taxation under IC 6-1.1-10-16 for the 2018 and 2019 assessment dates if an exemption application had been properly and timely filed under IC 6-1.1 for the real property.

(d) As used in this SECTION, "qualified taxpayer" refers to a nonprofit corporation created in 1903 that owns eligible property.

(e) A qualified taxpayer may, before September 1, 2020, file a property tax exemption application and supporting documents claiming a property tax exemption under IC 6-1.1-10-16 for any assessment date described in subsection (b).

(f) A property tax exemption application filed under subsection (e) by a qualified taxpayer is considered to have been properly and timely filed.

(g) If a qualified taxpayer files the property tax exemption applications under subsection (e), the following apply:

(1) The property tax exemption for the eligible property is allowed and granted for the 2018 and 2019 assessment dates by the county assessor and county auditor of the county in which the eligible property is located.

(2) The qualified taxpayer is not required to pay any property taxes, penalties, interest, or tax sale reimbursement expenses with respect to the eligible property exempted under this SECTION for the 2018 and 2019 assessment dates.

(3) If the eligible property was placed on the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5 or was otherwise subject to a tax sale under IC 6-1.1-24 and IC 6-1.1-25 because one (1) or more installments of property taxes due for the eligible property for the 2018 and 2019 assessment dates were not timely paid:

(A) the county auditor shall remove the eligible property from the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5; and

(B) a tax deed may not be issued under IC 6-1.1-25 for the eligible property for any tax sale of the eligible property under IC 6-1.1-24 and IC 6-1.1-25 that was held because one (1) or more installments of property taxes due for the eligible property for the 2018 and 2019 assessment dates were not timely paid.

(h) A taxpayer is entitled to the exemption from real property tax as claimed on a property tax exemption application filed under this SECTION, regardless of whether:

(1) a property tax exemption application was previously filed for the same or similar property for the assessment date;

(2) the county property tax assessment board of appeals has issued a final determination regarding any previously filed property tax exemption application for the assessment date;

(3) the taxpayer appealed any denial of a previously filed property tax exemption application for the assessment date; or

(4) the records of the county in which the property subject to the property tax exemption application is located identified the taxpayer as the owner of the property on the assessment date described in subsection (b) for which the property tax exemption is claimed.

(i) The exemption allowed by this SECTION shall be applied and considered approved without the need for any further ruling or action by the county assessor, the county auditor, or the county property tax assessment board of appeals of the county in which the eligible property is located or by the Indiana board of tax review. The exemption approval is final and may not be appealed by the county assessor, the county property tax assessment board of appeals, or any member of the county property tax assessment board of appeals.

(j) To the extent the qualified taxpayer has paid any property taxes, penalties, or interest with respect to the eligible property for the 2018 and 2019 assessment dates, the eligible taxpayer is entitled to a refund of the amounts paid. Notwithstanding the filing deadlines for a claim in IC 6-1.1-26, any claim for a refund filed by an eligible taxpayer under this subsection before September 1, 2020, is considered timely filed. The county auditor shall pay the refund due under this SECTION in one (1) installment.

(k) This SECTION expires July 1, 2023.

SECTION 73. [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)] **(a) IC 6-1.1-4-42, as amended by this act, applies to assessment dates occurring after December 31, 2019.**

(b) This SECTION expires July 1, 2022.

SECTION 74. [EFFECTIVE JANUARY 1, 2021] **(a) IC 6-1.1-13-13, as added by this act, applies to taxable years beginning after December 31, 2020.**

(b) This SECTION expires June 30, 2023.

SECTION 75. [EFFECTIVE UPON PASSAGE] **(a) IC 6-1.1-12-9, IC 6-1.1-12-14, and IC 6-1.1-20.6-8.5, all as amended by this act, apply to assessment dates after December 31, 2019.**

(b) This SECTION expires June 30, 2023.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1113 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 21, nays 0.

Brown T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1204, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 5. IC 20-43-8-15, AS AMENDED BY P.L.108-2019, SECTION 230, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) This subsection applies to the state fiscal year beginning July 1, 2019. A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the amounts determined under the following STEPS:

STEP ONE: Determine for each career and technical education program provided by the school corporation:

(A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3) credits); multiplied by

(B) the number of pupils enrolled in the program; multiplied by

(C) the following applicable amount:

(i) Six hundred eighty dollars ($680) for a career and technical education program designated by the department of workforce development as a high value program under section 7.5 of this chapter.

(ii) Four hundred dollars ($400) for a career and technical education program designated by the department of workforce development as a moderate value program under section 7.5 of this chapter.

(iii) Two hundred dollars ($200) for a career and technical education program designated by the department of workforce development as a less than moderate value program under section 7.5 of this chapter.

STEP TWO: Determine the number of pupils enrolled in an apprenticeship program, a cooperative education program, a foundational career and technical education course, or a work based learning course designated under section 7.5 of this chapter multiplied by one hundred fifty dollars ($150).

STEP THREE: Determine the number of pupils enrolled in an introductory program designated under section 7.5 of this chapter multiplied by three hundred dollars ($300).

STEP FOUR: Determine the number of pupils who travel from the school in which they are currently enrolled to another school to participate in a career and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars ($150).

(b) This subsection applies to state fiscal years beginning after June 30, 2020. A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the amounts determined under the following STEPS:

STEP ONE: Determine for each career and technical education program provided by the school corporation:

(A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3) credits); multiplied by

(B) the number of pupils enrolled in the program; multiplied by

(C) the following applicable amount:

(i) Six hundred eighty dollars ($680) for a career and technical education program designated by the department of workforce development as a high value level 1 program under section 7.5 of this chapter.

(ii) One thousand twenty dollars ($1,020) for a career and technical education program designated by the department of workforce development as a high value level 2 program under section 7.5 of this chapter.

(iii) Four hundred dollars ($400) for a career and technical education program designated by the department of workforce development as a moderate value level 1 program under section 7.5 of this chapter.

(iv) Six hundred dollars ($600) for a career and technical education program designated by the department of workforce development as a moderate value level 2 program under section 7.5 of this chapter.

(v) Two hundred dollars ($200) for a career and technical education program designated by the department of workforce development as a less than moderate value level 1 program under section 7.5 of this chapter.

(vi) Three hundred dollars ($300) for a career and technical education program designated by the department of workforce development as a less than moderate value level 2 program under section 7.5 of this chapter.

STEP TWO: Determine the number of pupils enrolled in an apprenticeship program or a work based learning program designated under section 7.5 of this chapter multiplied by five hundred dollars ($500).

STEP THREE: Determine the number of pupils enrolled in an introductory program designated under section 7.5 of this chapter multiplied by three hundred dollars ($300).

STEP FOUR: Determine the number of pupils enrolled in a planning for college and career course under section 7.5 of this chapter at the school corporation that is approved by the department of workforce development multiplied by one hundred fifty dollars ($150).

STEP FIVE: Determine the number of pupils who travel from the school in which they are currently enrolled to another school to participate in a career and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars ($150).

~~(c) The amount distributed under subsection (b) may not exceed one hundred thirty million dollars ($130,000,000) for a state fiscal year. If the amount determined under subsection (b) will exceed one hundred thirty million dollars ($130,000,000) for a state fiscal year, the amount distributed to each recipient during the remaining months of the state fiscal year shall be proportionately reduced so that the total reductions equal the amount of the excess for the state fiscal year.~~".

Renumber all SECTIONS consecutively.

(Reference is to HB 1204 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 21, nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1235, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1235 as introduced.)

Committee Vote: Yeas 21, Nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1317, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 19, line 4, after "to" insert "**comprehend and weigh relative information and to make and**".

Page 19, line 5, delete "willful and knowing" and insert "**reasoned**".

Page 23, line 34, delete "prohibits the declarant from orally" and insert "**requires**".

Page 23, delete lines 35 through 36.

Page 23, run in lines 34 through 37.

Page 25, delete lines 6 through 10, begin a new paragraph and insert:

"**(b) A declarant who has capacity is responsible for giving a complete copy of the declarant's advance directive to a health care provider. If a declarant has signed an advance directive but lacks the capacity to make health care decisions or provide informed consent, any health care representative designated in the advance directive or any other interested person shall give a complete copy of the declarant's advance directive to a health care provider. Upon receipt of the declarant's advance directive, the**".

Page 25, line 16, delete "that explicitly" and insert "**.**".

Page 25, delete lines 17 through 18.

Page 25, line 26, delete "Unless the advance directive explicitly prohibits oral".

Page 25, delete line 27.

Page 25, line 28, delete "representatives within the advance directive, orally" and insert "**Orally**".

Page 25, line 37, delete "However, a" and insert "**However, if a declarant has not been determined to be incapacitated under section 31 of this chapter, the**".

Page 27, line 27, delete "two (2) physicians who examine or evaluate" and insert: "**one (1) physician who examines or evaluates**".

Page 30, line 32, after "(a)" insert "**For purposes of this section, the term "declarant" includes an individual who has not executed an advance directive or who has no unrevoked advance directive in effect.**

(b)".

Page 30, line 42, delete "(b)" and insert "**(c)**".

Page 31, line 13, delete "(c)" and insert "**(d)**".

Page 31, line 18, delete "(d)" and insert "**(e)**".

Page 31, line 19, delete "(c)" and insert "**(d)**".

Page 31, line 19, delete "a".

Page 31, delete lines 20 through 24.

Page 31, line 25, delete "conclusion that the declarant lacks capacity,".

Page 31, line 31, delete "(e)" and insert "**(f)**".

Page 31, line 34, delete "(f)" and insert "**(g)**".

Page 34, line 3, after "if" insert "**a health care provider is unwilling to comply with a health care decision made by a health care representative, and**".

Page 34, line 30, after "36." insert "**(a)**".

Page 34, between lines 36 and 37, begin a new paragraph and insert:

"**(b) A health care provider is not responsible for determining the validity of an advance directive.**".

Page 35, line 28, delete "directive." and insert "**directive or who does not have an advance directive currently in effect.**".

Page 35, line 32, delete "chapter;" and insert "**chapter or who does not have an advance directive currently in effect;**".

(Reference is to HB 1317 as introduced.)

Committee Vote: yeas 11, nays 0. and when so amended that said bill do pass.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1326, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 12.
Page 1, line 15, after "20." insert "**(a)**".
Page 2, line 2, after "following supervisors" insert "**who have at least two (2) years of experience**".
Page 2, between lines 6 and 7, begin a new paragraph and insert:
"**(b) The office may not require a direct service provider in an intensive outpatient treatment program to be a licensed addiction counselor or a licensed clinical addiction counselor. However, the direct service provider must have training and experience in addiction treatment.**".
Page 2, delete lines 13 through 42.
Page 3, delete lines 1 through 28.
Page 3, line 38, after "completed" insert "**within a reasonable time frame, but not later than thirty (30) days from the date of service,**".
Page 4, delete lines 8 through 11.
Page 6, delete lines 14 through 25.
Page 6, line 26, delete "(17)" and insert "**(15)**".
Page 6, between lines 31 and 32, begin a new line block indented and insert:
"**Documentation developed as a part of an incident or death reporting audit or review is confidential and may only be shared between the division and the community mental health center.**".
Page 6, line 37, delete "Behavioral health associate licensees." and insert "**Licensed social workers.**".
Page 6, line 40, after "prescriber" insert "**with experience and training in mental health and addiction treatment and**".
Page 7, line 1, delete "revise:" and insert "**submit rules to the publisher (as defined by IC 4-22-2-3) concerning:**".
Page 7, delete lines 17 through 25, begin a new paragraph and insert:
"**(b) The appeals process described in subsection (a) must reserve the right to restrict ongoing treatment and referrals of new clients in cases of alleged abuse or neglect, filing false claims, providing false information, or waste. In all other cases, conscious effort should be made to ensure the maintained continuity of care of clients by allowing providers to continue to offer services while the corrective action plan is being completed.**".
Renumber all SECTIONS consecutively.
(Reference is to HB 1326 as introduced.)
and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

KIRCHHOFER, Chair

Report adopted.

HOUSE BILLS ON SECOND READING

Pursuant to House Rule 143.1 , the following bills which had no amendments filed, were read a second time by title and ordered engrossed: House Bills 1076, 1092, 1093, 1099, 1132, 1145, 1147, 1153, 1189, 1198, 1199, 1218, 1222, 1243, 1246, 1267, 1279, 1283, 1288, 1305, 1313, 1334, 1336, 1337, 1341, 1346 and 1372.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1095

Representative Sullivan called down Engrossed House Bill 1095 for third reading:

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

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

Roll Call 59: yeas 95, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Garten.

Engrossed House Bill 1176

Representative Clere called down Engrossed House Bill 1176 for third reading:

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

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

Roll Call 60: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senators Ruckleshaus, Grooms, Houchin and Breaux.

Engrossed House Bill 1249

Representative Summers called down Engrossed House Bill 1249 for third reading:

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

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

Roll Call 61: yeas 94, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Becker and Breaux.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 4:12 p.m. with the Speaker in the Chair.

Upon request of Representative Austin, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 62: 67 present. The Speaker declared a quorum present.

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

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker:DeLaney A minority of your Committee on Ways and Means, which met on January 23, 2020, to consider House Bill 1065, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:
Page 1, delete lines 1 through 15.
Page 2, delete lines 1 through 3.
Page 3, delete lines 14 through 42.
Delete pages 4 through 24
Page 25, delete lines 1 through 2.
Page 28, delete lines 17 through 42.
Delete pages 29 through 30.
Page 31, delete lines 1 through 22.
Renumber all SECTIONS consecutively.
(Reference is to HB 1065 as introduced.)
and when so amended that said bill do pass.

DELANEY

Upon request of Representatives GiaQuinta and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 63: yeas 32, nays 62. Report failed.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred House Bill 1065, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 5 through 9 with "[EFFECTIVE UPON PASSAGE]".

Page 1, delete lines 1 through 15.

Page 2, delete lines 1 through 3.

Page 3, delete lines 14 through 42.

Delete pages 4 through 8.

Page 9, delete lines 1 through 33.

Page 12, delete lines 30 through 42, begin a new paragraph and insert:

"SECTION 10. IC 6-3.6-3-11 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: **Sec. 11. (a) This section applies to a county in which the county adopting body is the local income tax council.**

(b) Notwithstanding any other law, any action taken under this chapter after December 31, 2019, and before April 1, 2020, by:

(1) a member of a local income tax council; or

(2) the local income tax council;

on a resolution or proposed ordinance affecting the imposition of local income tax in the county is void.

(c) This section expires January 1, 2021.".

Delete pages 13 through 24.

Page 25, delete lines 1 through 2.

Page 28, delete lines 17 through 42.

Delete pages 29 through 30.

Page 31, delete lines 1 through 22.

Renumber all SECTIONS consecutively.

(Reference is to HB 1065 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 9.

BROWN, T., Chair

Upon request of Representatives T. Brown and Behning, the Speaker ordered the roll of the House to be called. Roll Call 64: yeas 63, nays 31. Report adopted.

HOUSE BILLS ON SECOND READING

House Bill 1003

Representative Jordan called down House Bill 1003 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1003–1)

Mr. Speaker: I move that House Bill 1003 be amended to read as follows:

Page 6, line 34, delete "applicant will:" and insert "**applicant:**".

Page 6, line 35, after "(1)" insert "**will**".

Page 6, line 36, after "(2)" insert "**will**".

Page 6, line 37, delete "and".

Page 6, between lines 37 and 38, begin a new line block indented and insert:

"**(3) for an applicant school or schools whose employees are in a bargaining unit under IC 20-29 and for cases in which the waiver request deals with those employees' employment issues or student learning issues, includes written evidence that the exclusive representative agrees with the waiver request; and**".

Page 6, line 38, delete "(3)" and insert "**(4) will**".

(Reference is to HB 1003 as printed January 24, 2020.)

WRIGHT

Upon request of Representatives Pryor and Porter, the Speaker ordered the roll of the House to be called. Roll Call 65: yeas 31, nays 62. Motion failed.

HOUSE MOTION
(Amendment 1003–2)

Mr. Speaker: I move that House Bill 1003 be amended to read as follows:

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

"SECTION 1. IC 20-18-2-16, AS AMENDED BY P.L.211-2019, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) "School corporation", for purposes of this title (except IC 20-20-33, IC 20-26-1 through IC 20-26-5, IC 20-26-7, ~~IC 20-26-7.1,~~ IC 20-28-11.5, IC 20-30-8, IC 20-30-16, IC 20-43, and IC 20-50), means a public school corporation established by Indiana law. The term includes a:

(1) school city;

(2) school town;

(3) consolidated school corporation;

(4) metropolitan school district;

(5) township school corporation;

(6) county school corporation;

(7) united school corporation; or

(8) community school corporation.

(b) "School corporation", for purposes of IC 20-26-1 through IC 20-26-5 **and** IC 20-26-7, ~~and IC 20-26-7.1,~~ has the meaning set forth in IC 20-26-2-4.

(c) "School corporation", for purposes of IC 20-20-33, IC 20-26.5, IC 20-30-8, and IC 20-50, includes a charter school (as defined in IC 20-24-1-4).

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

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

(f) "School corporation", for purposes of IC 20-35, has the meaning set forth in IC 20-35-1-6.

(g) "School corporation", for purposes of IC 20-30-16, has the meaning set forth in IC 20-30-16-4.".

Page 6, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 3. IC 20-25-4-14, AS AMENDED BY P.L.270-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) ~~Except as provided in IC 20-26-7.1,~~ A school city may:

(1) sell real estate;

(2) transfer personal property; and

(3) execute deeds of conveyance and instruments of transfer with or without covenants of warranty;

if, in the opinion of the board, the real estate or personal property cannot be advantageously used for school or library purposes and can be sold for its fair cash value.

(b) A determination by the board that real estate or personal property cannot be advantageously used under subsection (a) must be entered into the record of the minutes of the school city's board.

SECTION 4. IC 20-25.7-5-2, AS AMENDED BY P.L.269-2019, SECTION 5, AND AS AMENDED BY P.L.270-2019, SECTION 6, AND AS AMENDED BY P.L.108-2019, SECTION 212, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) The board may enter into an agreement with an organizer

to reconstitute an eligible school as a participating innovation network charter school or to establish a participating innovation network charter school at a location selected by the board within the boundary of the school corporation. ~~Notwithstanding *IC 20-26-7-1, IC 20-26-7.1,* a participating innovation network charter school may be established within a vacant school building.~~

(b) The terms of the agreement entered into between the board and an organizer must specify the following:

(1) A statement that the organizer authorizes the department to include the charter school's performance assessment results under IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board.

(2) The amount of state funding, including tuition support (if the participating innovation network charter school is treated in the same manner as a school operated by the school corporation under subsection (d)(2)), and money levied as property taxes that will be distributed by the school corporation to the organizer.

(3) The performance goals and accountability metrics agreed upon for the charter school in the charter agreement between the organizer and the authorizer.

(c) If an organizer and the board enter into an agreement under subsection (a), the organizer and the board shall notify the department that the agreement has been made under this section within thirty (30) days after the agreement is entered into.

(d) Upon receipt of the notification under subsection (c), for school years starting after the date of the agreement:

(1) the department shall include the participating innovation network charter school's performance assessment results under IC 20-31-8 when calculating the school corporation's performance assessment under rules adopted by the state board;

(2) the department shall treat the participating innovation network charter school in the same manner as a school operated by the school corporation when calculating the total amount of state funding to be distributed to the school corporation unless subsection (e) applies; and

(3) if requested by a participating innovation network charter school that reconstitutes an eligible school, the department may use student growth as the state board's exclusive means to determine the innovation network charter school's category or designation of school improvement under 511 IAC 6.2-10-10 for a period of three (3) years. *Beginning with the 2019-2020 school year, the department may not use student growth as the state board's exclusive means to determine an innovation network charter school's category or designation of school improvement. This subdivision expires July 1, 2023.*

(e) If a participating innovation network school was established before January 1, 2016, and for the current school year has a complexity index that is greater than the complexity index for the school corporation that the innovation network school has contracted with, the innovation network school shall be treated as a charter school for purposes of determining tuition support. This subsection expires June 30, ~~*2019.*~~ *2021.*

SECTION 5. IC 20-26-1-1, AS AMENDED BY P.L.270-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. Except as otherwise provided, IC 20-26-1 through IC 20-26-5 **and** IC 20-26-7 ~~and IC 20-26-7.1~~ apply to all school corporations.

SECTION 6. IC 20-26-2-1, AS AMENDED BY P.L.270-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. Notwithstanding IC 20-18-2, the definitions in this chapter apply in IC 20-26-1 through IC 20-26-5 **and** IC 20-26-7. ~~and IC 20-26-7.1.~~

SECTION 7. IC 20-26-5-4, AS AMENDED BY P.L.270-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) In carrying out the school purposes of a school corporation, the governing body acting on the school corporation's behalf has the following specific powers:

(1) In the name of the school corporation, to sue and be sued and to enter into contracts in matters permitted by applicable law. However, a governing body may not use funds received from the state to bring or join in an action against the state, unless the governing body is challenging an adverse decision by a state agency, board, or commission.

(2) To take charge of, manage, and conduct the educational affairs of the school corporation and to establish, locate, and provide the necessary schools, school libraries, other libraries where permitted by law, other buildings, facilities, property, and equipment.

(3) To appropriate from the school corporation's general fund (before January 1, 2019) or the school corporation's operations fund (after December 31, 2018) an amount, not to exceed the greater of three thousand dollars ($3,000) per budget year or one dollar ($1) per pupil, not to exceed twelve thousand five hundred dollars ($12,500), based on the school corporation's ADM of the previous year (as defined in IC 20-43-1-7) to promote the best interests of the school corporation through:

(A) the purchase of meals, decorations, memorabilia, or awards;

(B) provision for expenses incurred in interviewing job applicants; or

(C) developing relations with other governmental units.

(4) To do the following:

(A) Acquire, construct, erect, maintain, hold, and contract for construction, erection, or maintenance of real estate, real estate improvements, or an interest in real estate or real estate improvements, as the governing body considers necessary for school purposes, including buildings, parts of buildings, additions to buildings, rooms, gymnasiums, auditoriums, playgrounds, playing and athletic fields, facilities for physical training, buildings for administrative, office, warehouse, repair activities, or housing school owned buses, landscaping, walks, drives, parking areas, roadways, easements and facilities for power, sewer, water, roadway, access, storm and surface water, drinking water, gas, electricity, other utilities and similar purposes, by purchase, either outright for cash (or under conditional sales or purchase money contracts providing for a retention of a security interest by the seller until payment is made or by notes where the contract, security retention, or note is permitted by applicable law), by exchange, by gift, by devise, by eminent domain, by lease with or without option to purchase, or by lease under IC 20-47-2, IC 20-47-3, or IC 20-47-5.

(B) Repair, remodel, remove, or demolish, or to contract for the repair, remodeling, removal, or demolition of the real estate, real estate improvements, or interest in the real estate or real estate improvements, as the governing body considers necessary for school purposes.

(C) Provide for conservation measures through utility efficiency programs or under a guaranteed savings contract as described in IC 36-1-12.5.

(5) To acquire personal property or an interest in personal property as the governing body considers necessary for school purposes, including buses, motor vehicles, equipment, apparatus, appliances, books, furniture, and supplies, either by cash purchase or under conditional sales or purchase money contracts providing for a security

interest by the seller until payment is made or by notes where the contract, security, retention, or note is permitted by applicable law, by gift, by devise, by loan, or by lease with or without option to purchase and to repair, remodel, remove, relocate, and demolish the personal property. All purchases and contracts specified under the powers authorized under subdivision (4) and this subdivision are subject solely to applicable law relating to purchases and contracting by municipal corporations in general and to the supervisory control of state agencies as provided in section 6 of this chapter.

(6) To sell or exchange real or personal property or interest in real or personal property that, in the opinion of the governing body, is not necessary for school purposes, in accordance with IC 20-26-7, ~~and IC 20-26-7.1,~~ to demolish or otherwise dispose of the property if, in the opinion of the governing body, the property is not necessary for school purposes and is worthless, and to pay the expenses for the demolition or disposition.

(7) To lease any school property for a rental that the governing body considers reasonable or to permit the free use of school property for:

(A) civic or public purposes; or

(B) the operation of a school age child care program for children who are at least five (5) years of age and less than fifteen (15) years of age that operates before or after the school day, or both, and during periods when school is not in session;

if the property is not needed for school purposes. Under this subdivision, the governing body may enter into a long term lease with a nonprofit corporation, community service organization, or other governmental entity, if the corporation, organization, or other governmental entity will use the property to be leased for civic or public purposes or for a school age child care program. However, if payment for the property subject to a long term lease is made from money in the school corporation's debt service fund, all proceeds from the long term lease must be deposited in the school corporation's debt service fund so long as payment for the property has not been made. The governing body may, at the governing body's option, use the procedure specified in IC 36-1-11-10 in leasing property under this subdivision.

(8) To do the following:

(A) Employ, contract for, and discharge superintendents, supervisors, principals, teachers, librarians, athletic coaches (whether or not they are otherwise employed by the school corporation and whether or not they are licensed under IC 20-28-5), business managers, superintendents of buildings and grounds, janitors, engineers, architects, physicians, dentists, nurses, accountants, teacher aides performing noninstructional duties, educational and other professional consultants, data processing and computer service for school purposes, including the making of schedules, the keeping and analyzing of grades and other student data, the keeping and preparing of warrants, payroll, and similar data where approved by the state board of accounts as provided below, and other personnel or services as the governing body considers necessary for school purposes.

(B) Fix and pay the salaries and compensation of persons and services described in this subdivision that are consistent with IC 20-28-9-1.5.

(C) Classify persons or services described in this subdivision and to adopt a compensation plan with a salary range that is consistent with IC 20-28-9-1.5.

(D) Determine the number of the persons or the amount of the services employed or contracted for as provided in this subdivision.

(E) Determine the nature and extent of the duties of the persons described in this subdivision.

The compensation, terms of employment, and discharge of teachers are, however, subject to and governed by the laws relating to employment, contracting, compensation, and discharge of teachers. The compensation, terms of employment, and discharge of bus drivers are subject to and governed by laws relating to employment, contracting, compensation, and discharge of bus drivers.

(9) Notwithstanding the appropriation limitation in subdivision (3), when the governing body by resolution considers a trip by an employee of the school corporation or by a member of the governing body to be in the interest of the school corporation, including attending meetings, conferences, or examining equipment, buildings, and installation in other areas, to permit the employee to be absent in connection with the trip without any loss in pay and to reimburse the employee or the member the employee's or member's reasonable lodging and meal expenses and necessary transportation expenses. To pay teaching personnel for time spent in sponsoring and working with school related trips or activities.

(10) Subject to IC 20-27-13, to transport children to and from school, when in the opinion of the governing body the transportation is necessary, including considerations for the safety of the children. The transportation must be otherwise in accordance with applicable law.

(11) To provide a lunch program for a part or all of the students attending the schools of the school corporation, including the establishment of kitchens, kitchen facilities, kitchen equipment, lunch rooms, the hiring of the necessary personnel to operate the lunch program, and the purchase of material and supplies for the lunch program, charging students for the operational costs of the lunch program, fixing the price per meal or per food item. To operate the lunch program as an extracurricular activity, subject to the supervision of the governing body. To participate in a surplus commodity or lunch aid program.

(12) To purchase curricular materials, to furnish curricular materials without cost or to rent curricular materials to students, and to participate in a curricular materials aid program, all in accordance with applicable law.

(13) To accept students transferred from other school corporations and to transfer students to other school corporations in accordance with applicable law.

(14) To make budgets, to appropriate funds, and to disburse the money of the school corporation in accordance with applicable law. To borrow money against current tax collections and otherwise to borrow money, in accordance with IC 20-48-1.

(15) To purchase insurance or to establish and maintain a program of self-insurance relating to the liability of the school corporation or the school corporation's employees in connection with motor vehicles or property and for additional coverage to the extent permitted and in accordance with IC 34-13-3-20. To purchase additional insurance or to establish and maintain a program of self-insurance protecting the school corporation and members of the governing body, employees, contractors, or agents of the school corporation from liability, risk, accident, or loss related to school property, school contract, school or school related activity, including the purchase of insurance or the establishment and maintenance of a self-insurance program protecting persons described in this subdivision against false imprisonment, false arrest, libel, or slander for acts committed in the course of the persons' employment, protecting the school corporation for fire and extended coverage and other casualty risks to the extent of replacement cost, loss of use, and other insurable risks

relating to property owned, leased, or held by the school corporation. In accordance with IC 20-26-17, to:

(A) participate in a state employee health plan under IC 5-10-8-6.7;

(B) purchase insurance; or

(C) establish and maintain a program of self-insurance;

to benefit school corporation employees, including accident, sickness, health, or dental coverage, provided that a plan of self-insurance must include an aggregate stop-loss provision.

(16) To make all applications, to enter into all contracts, and to sign all documents necessary for the receipt of aid, money, or property from the state, the federal government, or from any other source.

(17) To defend a member of the governing body or any employee of the school corporation in any suit arising out of the performance of the member's or employee's duties for or employment with, the school corporation, if the governing body by resolution determined that the action was taken in good faith. To save any member or employee harmless from any liability, cost, or damage in connection with the performance, including the payment of legal fees, except where the liability, cost, or damage is predicated on or arises out of the bad faith of the member or employee, or is a claim or judgment based on the member's or employee's malfeasance in office or employment.

(18) To prepare, make, enforce, amend, or repeal rules, regulations, and procedures:

(A) for the government and management of the schools, property, facilities, and activities of the school corporation, the school corporation's agents, employees, and pupils and for the operation of the governing body; and

(B) that may be designated by an appropriate title such as "policy handbook", "bylaws", or "rules and regulations".

(19) To ratify and approve any action taken by a member of the governing body, an officer of the governing body, or an employee of the school corporation after the action is taken, if the action could have been approved in advance, and in connection with the action to pay the expense or compensation permitted under IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and IC 20-48-1 or any other law.

(20) To exercise any other power and make any expenditure in carrying out the governing body's general powers and purposes provided in this chapter or in carrying out the powers delineated in this section which is reasonable from a business or educational standpoint in carrying out school purposes of the school corporation, including the acquisition of property or the employment or contracting for services, even though the power or expenditure is not specifically set out in this chapter. The specific powers set out in this section do not limit the general grant of powers provided in this chapter except where a limitation is set out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, IC 20-40-18 (after December 31, 2018), and IC 20-48-1 by specific language or by reference to other law.

(b) A superintendent hired under subsection (a)(8):

(1) is not required to hold a teacher's license under IC 20-28-5; and

(2) is required to have obtained at least a master's degree from an accredited postsecondary educational institution.

SECTION 8. IC 20-26-5-12, AS AMENDED BY P.L.270-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. Except for IC 20-26-4-1, IC 20-26-4-4, and IC 20-26-4-5, the powers given each school corporation in IC 20-26-1 through IC 20-26-5, IC 20-26-7, IC 20-40-12, and IC 20-48-1 and the limitations on those powers set out in IC 20-26-1 through IC 20-26-5, IC 20-26-7, ~~IC 20-26-7.1,~~ IC 20-40-12, and IC 20-48-1 may not be construed to limit the authority of the governing body given by any other statute or rule.".

Page 6, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 10. IC 20-26-7-1, AS AMENDED BY P.L.270-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) ~~Except as otherwise provided in IC 20-26-7.1,~~ If a governing body of a school corporation determines that any real or personal property:

(1) is no longer needed for school purposes; or

(2) should, in the interests of the school corporation, be exchanged for other property;

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

(b) Money derived from the sale or exchange of property under this section shall be placed in the school corporation's operations fund.

(c) A governing body may not enter into a lease agreement or make a covenant that prohibits the sale of real property to another educational institution.

SECTION 11. IC 20-26-7.1 IS REPEALED [EFFECTIVE JULY 1, 2020]. (Transfers of Vacant School Buildings to Charter Schools).".

Page 18, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 21. IC 20-31-9-9, AS AMENDED BY P.L.270-2019, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) Not later than December 31 of the fifth year of an intervention under this chapter, the state board shall take one (1) of the following actions:

(1) Return the school to the school corporation for operation.

(2) Direct the special management team to apply to a charter school authorizer for charter school status for the school.

(3) Implement a new intervention under section 4(b) of this chapter.

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

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

(d) If the state board directs the special management team to apply for charter school status under subsection (a)(2), the school is entitled to continue to use the school's facilities in the same manner as a charter school that acquires school facilities under ~~IC 20-26-7.1~~ **IC 20-26-7-1** is entitled to use school facilities.

(e) If the state board directs the special management team to apply for charter school status under subsection (a)(2), the state board shall notify the charter school authorizer selected for application by the special management team of the state board's decision to direct the school to apply for charter status.".

Page 20, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 25. P.L.270-2019, SECTION 25, IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~SECTION 25. (a) IC 20-26-7.1, as added by this act, applies to a school building that:~~

~~(1) was included on the list compiled by the department of education under IC 20-26-7-1(f), before the amendment of IC 20-26-7-1 by this act; or~~

~~(2) was required to be added to the list not later than~~

~~August 1, 2019, under IC 20-26-7-1(f), before the amendment of IC 20-26-7-1 by this act.~~

~~(b) This SECTION expires July 1, 2024.~~".

Renumber all SECTIONS consecutively.

(Reference is to HB 1003 as printed January 24, 2020.)

CHYUNG

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

APPEAL OF THE RULING OF THE CHAIR

Mr. Speaker: We appeal the ruling of the Chair that amendment House Bill 1003–2 violates House Rule 80. The amendment addresses public school corporation property transfers to charter schools, and is assuredly germane to the bill's subject matter of education matters.

DVORAK
CHYUNG

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

The question was, Shall the ruling of the Chair be sustained? Roll Call 66: yeas 63, nays 31. The ruling of the Chair was sustained.

The Speaker Pro Tempore yielded the gavel to the Speaker.

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

House Bill 1004

Representative Smaltz called down House Bill 1004 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1004–1)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 3, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 2. IC 24-5-0.5-3, AS AMENDED BY P.L.211-2019, SECTION 33, AND AS AMENDED BY P.L.242-2019, SECTION 6, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A supplier may not commit an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction. Such an act, omission, or practice by a supplier is a violation of this chapter whether it occurs before, during, or after the transaction. An act, omission, or practice prohibited by this section includes both implicit and explicit misrepresentations.

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

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

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

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

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

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

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

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

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

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

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

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

(12) That the replacement or repair constituting the subject of a consumer transaction can be made by the supplier for the estimate the supplier gives a customer for the replacement or repair, if the specified work is completed and:

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

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

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

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

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

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

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

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

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

a local telephone directory if:

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

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

~~*(38)*~~ *(39) A violation of IC 24-14 (concerning towing services), as set forth in IC 24-14-10-1.*

~~*(38)*~~ **(40)** *A violation of IC 24-5-14.5 (concerning misleading or inaccurate caller identification information), as set forth in IC 24-5-14.5-12.*

(41) A violation of IC 24-5-24.8 (concerning reporting medical debt to consumer reporting agencies), as set forth in IC 24-5-24.8-7.

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

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

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

(f) For purposes of subsection (b)(12), a supplier that provides estimates before performing repair or replacement work for a customer shall give the customer a written estimate itemizing as closely as possible the price for labor and parts necessary for the specific job before commencing the work.

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

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

SECTION 3. IC 24-5-24.8 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 24.8. Reporting Medical Debt to Consumer Reporting Agencies

Sec. 1. (a) As used in this chapter, "consumer" means an individual whose principal residence is in Indiana.

(b) The term includes a protected consumer (as defined in IC 24-5-24.5-4).

Sec. 2. As used in this chapter, "consumer reporting agency" refers to a consumer reporting agency that compiles and maintains files on consumers on a nationwide basis.

Sec. 3. As used in this chapter, "consumer reporting

agency that compiles and maintains files on consumers on a nationwide basis" means a consumer reporting agency (as defined in 15 U.S.C. 1681a(f)) that regularly engages in the practice of assembling or evaluating, and maintaining, for the purpose of furnishing to third parties, consumer reports bearing on a consumer's creditworthiness, credit standing, or credit capacity, each of the following regarding consumers residing nationwide:

(1) Public record information.

(2) Credit account information from persons who furnish that information regularly and in the ordinary course of business.

Sec. 4. As used in this chapter, "delinquent account action", with respect to a consumer's delinquent account with a medical provider, means any action taken to initiate, or in furtherance of:

(1) placing the customer's account for collection;

(2) charging the customer's account to profit or loss; or

(3) subjecting the customer's account to any similar action;

whether taken through the medical provider's own actions or those of an agent.

Sec. 5. (a) As used in this chapter, "medical provider" means a person whose primary business is providing medical services, products, or devices to consumers, regardless of whether the person:

(1) regularly and in the ordinary course of business furnishes to one (1) or more consumer reporting agencies information about the person's transactions or experiences with any consumer; or

(2) has notified one (1) or more consumer reporting agencies of the person's status as a medical information furnisher under 15 U.S.C. 1681s-2(a)(9).

(b) The term includes an agent or an assignee of a person described in subsection (a).

Sec. 6. (a) This section does not apply with respect to any medical services, products, or devices provided by a medical provider to a consumer at:

(1) a medical facility;

(2) a business location; or

(3) any other location;

outside Indiana.

(b) After June 30, 2020, a medical provider may not report to a consumer reporting agency information concerning:

(1) any delinquency incurred by a consumer, regardless of when the delinquency is incurred; or

(2) any delinquent account action taken with respect to the consumer's account with the medical provider, regardless of when the action is taken;

in connection with any medical services, products, or devices provided in Indiana by the medical provider to the consumer.

(c) The federal Fair Credit Reporting Act (15 U.S.C. 1681 et seq.) does not exempt a medical provider subject to this section from complying with this section, except to the extent that this section is inconsistent with any provision of the federal Fair Credit Reporting Act (15 U.S.C. 1681 et seq.), and then only to the extent of the inconsistency, as provided in 15 U.S.C. 1681t(a).

Sec. 7. A person who violates section 6 of this chapter commits a deceptive act that is actionable by the attorney general or by a consumer under IC 24-5-0.5-4 and is subject to the remedies and penalties set forth in IC 24-5-0.5.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1004 as printed January 24, 2020.)

SHACKLEFORD

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

Upon request of Representatives Pryor and Porter, the Speaker ordered the roll of the House to be called. Roll Call 67: yeas 31, nays 62. Motion failed.

HOUSE MOTION
(Amendment 1004–3)

Mr. Speaker: I move that House Bill 1004 be amended to read as follows:

Page 1, line 6, after "(b)" insert "**As used in this section, "emergency services" means services that are:**

(1) furnished by a provider qualified to furnish emergency services; and

(2) needed to evaluate or stabilize an emergency medical condition.

(c)".

Page 1, line 12, delete "(c)" and insert "**(d)**".

Page 1, line 16, delete "(d)" and insert "**(e)**".

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

Page 2, line 15, delete "(f)" and insert "**(g)**".

Page 2, delete lines 18 through 42, begin a new paragraph and insert:

"**(h) This section applies to the provision of emergency services to a covered individual by a facility or a practitioner that is not an in network provider of the covered individual's health plan.**

(i) If a facility is not an in network provider of a health plan and provides emergency services to a covered individual of the health plan, payment for emergency services by the covered individual's health plan are as follows:

(1) For a facility that had an in network provider contract with the health plan within the twenty-four (24) months immediately preceding the date on which the emergency services were rendered to the covered individual, the health plan shall pay to the facility, and the facility shall accept as payment in full for the services, the amount provided, less any copayment, coinsurance, or deductible that the coverage requires the covered individual to pay for the service as follows:

(A) If the facility was an in network provider within the twelve (12) months immediately preceding the provision of emergency services to the covered individual, one hundred eight percent (108%) of the amount that would have been paid for the emergency services under the most recent applicable provider contract between the health plan and the facility, less any copayment, coinsurance, or deductible that the coverage requires the covered individual to pay for the service.

(B) If the facility was an in network provider within the twenty-four (24) months immediately preceding the provision of the emergency services to the covered individual but not within the twelve (12) months immediately preceding the provision of the emergency services, one hundred fifteen percent (115%) of the amount that would have been paid for the emergency services under the most recent applicable provider contract between the health plan and the facility, less any copayment, coinsurance, or deductible that the coverage requires the covered individual to pay for the service.

(2) For a facility that did not have a provider contract with the health plan within the twenty-four (24) months immediately preceding the date on which the emergency services were rendered to the covered individual of the health plan, the covered individual's health plan shall pay to the facility or practitioner an amount that the health plan has determined to be fair and reasonable as payment for the emergency services,

less any copayment, coinsurance, or deductible that the coverage requires the covered individual to pay for the emergency service if the service was provided by an in network provider.

(j) If a practitioner that is not an in network provider of a health plan provides emergency services to a covered individual of the health plan, payment for emergency services provided to the covered individual are as follows:

(1) If the practitioner that is not an in network provider had a provider contract with the health plan within the twelve (12) months immediately preceding the date on which the emergency services were provided to the covered individual, then the following:

(A) If the practitioner terminated a provider contract with the covered individual's health plan without cause before the contract was scheduled to expire, the health plan shall pay to the practitioner for the emergency services, and the practitioner shall accept as payment in full for the services, the amount that would have been paid to the practitioner for the services under the provider contract, less the amount of any copayment, coinsurance, or deductible.

(B) If:

(i) the practitioner terminated a provider contract with the covered individual's health plan for cause before the contract was scheduled to expire; or

(ii) the covered individual's health plan terminated the contract with the practitioner without cause;

the health plan shall pay the practitioner for the emergency services, and the practitioner shall accept as payment in full for the services, one hundred eight percent (108%) of the amount that would have been paid for those services under the contract, less the amount of the copayment, coinsurance, or deductible.

(C) If the covered individual's health plan terminated the most recent applicable provider contract between the health plan and the practitioner for cause before it was scheduled to expire, the health plan shall pay to practitioner an amount the health plan has determined to be fair and reasonable as payment for the emergency services, less any copayment, coinsurance, or deductible.

(D) If neither the covered individual's health plan nor the practitioner terminated the provider contract, the health plan shall pay for the emergency services, and the practitioner shall accept as payment in full, the amount that would have been paid for the services under the most recent applicable provider contract between the health plan and the practitioner plus an amount equal to the percentage of increase in the Consumer Price Index Medical Care Component, during the immediate preceding calendar year, less the amount of the copayment, coinsurance, or deductible.

(2) If the practitioner did not have a provider contract with the covered individual's health plan within the twelve (12) months immediately preceding the date on which the emergency services were rendered to the covered individual, the covered individual's health plan shall submit to the practitioner an offer of payment in full for the emergency services provided to the covered individual, less any copayment, coinsurance, or deductible.

(k) A facility or practitioner may request to arbitrate under IC 27-1-45 the reimbursement rate by a health plan for emergency services provided to the covered individual under this section.

SECTION 2. IC 27-1-45 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 45. Arbitration of Emergency Service Reimbursement

Sec. 1. This chapter applies to payments made by a health plan to providers who are not in network providers.

Sec. 2. The definitions in IC 16-21-2-17 apply throughout this section.

Sec. 3. Not later than thirty (30) days after a provider who is not an in network provider receives a health plan's offer for payment for emergency services provided to a covered individual required under IC 16-21-2-17, the provider must either:

(1) notify the health plan of the provider's acceptance of the health plan's offer; or

(2) request an additional amount from the health plan which, when combined with the health plan's offer, the provider would accept as full payment for the emergency services.

Sec. 4. If a provider who is not an in network provider fails to comply with the requirements of section 3 of this chapter, the health plan's offer will be deemed to be accepted by the provider.

Sec. 5. If a health plan does not issue the additional amount requested by a provider who is not an in network provider under section 3(2) of this chapter within thirty (30) days of the request, the provider must request a list of five (5) randomly selected arbitrators from the department of insurance. The list of arbitrators must be selected pursuant to the following:

(1) For claims of less than five thousand dollars ($5,000), arbitrators should be selected so as to conduct the arbitration in an economically efficient manner. Arbitrators may be qualified employees of the state.

(2) For claims of five thousand dollars ($5,000) or more, arbitrators may be selected from either of the following:

(A) A list of arbitrators from the American Health Lawyers Association.

(B) The national roster of arbitrators from the American Arbitration Association who have health law expertise.

Sec. 6. Upon receiving the list of arbitrators required under section 5 of this chapter, the provider and the health plan shall each strike two (2) arbitrators from the list.

Sec. 7. If one (1) arbitrator remains, that arbitrator shall arbitrate the dispute. If more than one (1) arbitrator remains, an arbitrator will be randomly selected from the remaining arbitrators by the department of insurance.

Sec. 8. In an arbitration initiated under this chapter, each party shall submit in writing to the arbitrator any relevant information regarding the party's position concerning the amount to be paid for the emergency services. The arbitrator shall review the written submissions and shall, within forty-five (45) days after receiving the written submissions, provide a written decision. The parties will be bound by the arbitrator's decision.

Sec. 9. The arbitrator's expenses and fees and other expenses incurred in the arbitration shall be paid as provided in the arbitrator's written decision.

Sec. 10. On or before December 31 of each year, an arbitrator who arbitrated a matter under this chapter during the immediately preceding twelve (12) months shall report the following to the department of insurance:

(1) The number of cases arbitrated by the arbitrator.

(2) The types of nonparticipating providers and health carriers involved in those cases.

(3) The prevailing party in each arbitration.

(4) The geographic location of the parties.
(5) Any other information requested by the department of insurance.".
Delete pages 3 through 5.
Renumber all SECTIONS consecutively.
(Reference is to HB 1004 as printed January 24, 2020.)
AUSTIN

Motion withdrawn. The bill was ordered engrossed.

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

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

House Bill 1066

Representative Thompson called down House Bill 1066 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1066–1)

Mr. Speaker: I move that House Bill 1066 be amended to read as follows:
Page 8, delete lines 34 through 42.
Delete page 9.
Page 10, delete lines 1 through 39.
Renumber all SECTIONS consecutively.
(Reference is to HB 1066 as printed January 24, 2020.)
DELANEY

Upon request of Representatives Pryor and GiaQuinta, the Speaker ordered the roll of the House to be called. Roll Call 68: yeas 94, nays 0. Motion prevailed. The bill was ordered engrossed.

House Bill 1070

Representative Sullivan called down House Bill 1070 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

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

Representative Huston, who had been present, is now excused

House Bill 1080

Representative Barrett called down House Bill 1080 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1080–1)

Mr. Speaker: I move that House Bill 1080 be amended to read as follows:
Page 2, between lines 17 and 18, begin a new paragraph and insert:
"SECTION 2. IC 27-8-14.5-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3.5. As used in this chapter, "prescription insulin drug" means a prescription drug that contains insulin, is used to treat diabetes, and has been prescribed as medically necessary.**
SECTION 3. IC 27-8-14.5-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 6.5. (a) An insurer shall cap the total amount an insured is required to pay for a thirty (30) day supply of the insured's prescription insulin drugs at an amount not to exceed one hundred dollars ($100), regardless of the number of prescriptions and different types of prescription insulin drugs prescribed and filled in that thirty (30) day period.**
(b) An insurer may reduce the total amount an insured is required to pay for a thirty (30) day supply of the insured's prescription insulin drugs to an amount less than the amount of the cap specified in subsection (a).0
(c) This section applies to a health insurance plan that is issued, delivered, amended, or renewed after June 30, 2020.".
Renumber all SECTIONS consecutively.
(Reference is to HB 1080 as printed January 24, 2020.)
SHACKLEFORD

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

APPEAL OF THE RULING OF THE CHAIR

Mr. Speaker: We appeal the ruling of the Chair that amendment House Bill 1080–1 violates House Rule 80. The amendment addresses out of pocket costs under a health plan to an insured, and is assuredly germane to the bill's subject matter of health plan coverage of a serious health issue.

DVORAK
SHACKLEFORD

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

The question was, Shall the ruling of the Chair be sustained? Roll Call 69: yeas 62, nays 32. The ruling of the Chair was sustained.

The Speaker Pro Tempore yielded the gavel to the Speaker.

House Bill 1081

Representative Gutwein called down House Bill 1081 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1081–1)

Mr. Speaker: I move that House Bill 1081 be amended to read as follows:
Page 8, line 35, after "minority" insert "**business enterprises,**".
Page 8, line 35, strike "and".
Page 8, line 36, strike "businesses enterprises" and insert "**business enterprises, and veteran owned small businesses**".
Page 8, line 38, after "minority" insert "**business enterprises,**".
Page 8, line 38, strike "and".
Page 8, line 39, after "enterprises" insert "**, and veteran owned small businesses**".
(Reference is to HB 1081 as printed January 24, 2020.)
BARTLETT

Motion prevailed. The bill was ordered engrossed.

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

House Bill 1082

Representative Heaton called down House Bill 1082 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1082–1)

Mr. Speaker: I move that House Bill 1082 be amended to read as follows:
Page 1, between the enacting clause and line 1, begin a new paragraph and insert:
"SECTION 1. IC 21-13-9-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3.5. (a) The student scholarship program fund is established to accumulate money to provide scholarships under this**

chapter.

(b) The fund consists of:

(1) appropriations for the student scholarship program by the general assembly;

(2) grants; and

(3) gifts.

(c) The commission for higher education shall administer the fund.

(d) Expenses of administering the fund shall be paid from the fund.

(e) Money in the fund that is not needed to meet the obligations of the fund may be invested in the manner that other public money may be invested. Interest or other investment income derived from the investment of money in the fund becomes part of the fund.

(f) Money in the fund at the end of a state fiscal year does not revert to any other fund and remains available to make distributions for scholarships under this chapter.

SECTION 2. IC 21-13-9-5, AS AMENDED BY P.L.108-2019, SECTION 236, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The commission, in coordination with the Marian University College of Osteopathic Medicine, shall select from among the qualified students who will receive a scholarship under this chapter. The commission may not create or use a waiting list for scholarships under this chapter.

(b) The amount of the scholarship that may be awarded to a qualified student for a particular school year shall be determined by the commission, in coordination with the Marian University College of Osteopathic Medicine, and may not exceed the ~~following:~~ **amounts specified in subsection (c) or (d), as applicable.**

(c) If a qualified student does not enter into the optional agreement described in section 6(b) of this chapter, the amount of the scholarship that may be awarded to a qualified student for a particular school year may not exceed the following:

(1) If the scholarship is awarded in the first class year, a maximum of fifteen thousand dollars ($15,000) per year for four (4) class years.

(2) If the scholarship is awarded in the second class year:

(A) a maximum of seven thousand five hundred dollars ($7,500) for the first class year; and

(B) a maximum of ten thousand dollars ($10,000) per year for the second through fourth class years.

(3) If the scholarship is awarded in the third class year:

(A) a maximum of five thousand dollars ($5,000) for the first class year;

(B) a maximum of seven thousand five hundred dollars ($7,500) for the second class year; and

(C) a maximum of ten thousand dollars ($10,000) per year for the third and fourth class years.

(4) If the scholarship is awarded in the fourth class year:

(A) a maximum of two thousand five hundred dollars ($2,500) for the first class year;

(B) a maximum of five thousand dollars ($5,000) for the second class year;

(C) a maximum of seven thousand five hundred dollars ($7,500) for the third class year; and

(D) a maximum of ten thousand dollars ($10,000) for the fourth class year.

(d) If a qualified student enters into an agreement described in section 6(b) of this chapter, the amount of the scholarship that may be awarded to a qualified student for a particular school year may not exceed the following:

(1) If the scholarship is awarded in the first class year, a maximum of twenty thousand dollars ($20,000) per year for four (4) class years.

(2) If the scholarship is awarded in the second class year:

(A) a maximum of eleven thousand two hundred fifty dollars ($11,250) for the first class year; and

(B) a maximum of fifteen thousand dollars ($15,000) per year for the second through fourth class years.

(3) If the scholarship is awarded in the third class year:

(A) a maximum of seven thousand five hundred dollars ($7,500) for the first class year;

(B) a maximum of eleven thousand two hundred fifty dollars ($11,250) for the second class year; and

(C) a maximum of fifteen thousand dollars ($15,000) per year for the third and fourth class years.

(4) If the scholarship is awarded in the fourth class year:

(A) a maximum of three thousand seven hundred fifty dollars ($3,750) for the first class year;

(B) a maximum of seven thousand five hundred dollars ($7,500) for the second class year;

(C) a maximum of eleven thousand two hundred fifty dollars ($11,250) for the third class year; and

(D) a maximum of fifteen thousand dollars ($15,000) for the fourth class year.

~~(c)~~ **(e)** A qualified student may not qualify for a scholarship for more than four (4) school years.

SECTION 3. IC 21-13-9-6, AS AMENDED BY P.L.178-2018, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) A scholarship recipient must execute a written primary care practice agreement with the commission, with the terms and conditions and in the form and manner required by the commission. The agreement must provide that the scholarship recipient shall do at least the following:

(1) Continually satisfy the requirements of section 4 of this chapter during the school year.

(2) Complete the requirements of the Marian University College of Osteopathic Medicine program by the end of the fourth year after receiving the first scholarship under this chapter.

(3) Practice one (1) year of primary care in Indiana for each class year for which the recipient was awarded a scholarship under this chapter, including any preceding class years awarded under section ~~5(b)(2), 5(b)(3), or 5(b)(4)~~ **5(c)(2), 5(c)(3), or 5(c)(4)** of this chapter. This requirement includes the time spent in any residency program that is located in Indiana.

(4) Return the amount specified in the agreement, plus any interest the commission imposes under subsection ~~(b),~~ **(c),** to the commission if the scholarship recipient fails to comply with all the terms and conditions of the agreement.

(b) As used in this subsection, "Health Professional Shortage Area" means a Health Professional Shortage Area designated by the Bureau of Health Workforce of the Health Resources and Services Administration of the United States Department of Health and Human Services. A scholarship recipient may, in addition to the requirements of subsection (a), execute an additional written agreement to do the following:

(1) Practice one (1) year of primary care in an area in Indiana designated as a Health Professional Shortage Area for each class year for which the recipient was awarded a scholarship under this chapter, including any preceding class years awarded under section 5(d)(2), 5(d)(3), or 5(d)(4) of this chapter. This requirement includes the time spent in any residency program that is located in a Health Professional Shortage Area in Indiana.

(2) Return the amount specified in the agreement, plus any interest the commission imposes under subsection (c), to the commission if the scholarship recipient fails to comply with all the terms and conditions of the

agreement. Amounts to be repaid under this subdivision are limited to the amounts that the scholarship recipient received in excess of the limits specified in section 5(c) of this chapter.

~~(b)~~ **(c)** The commission may impose and collect interest on any unpaid amounts owed to the commission under subsection (a)(4) **or (b)(2), or both, as applicable.**

SECTION 4. IC 21-13-9-7, AS AMENDED BY P.L.191-2017, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) To receive a distribution under this chapter, the Marian University College of Osteopathic Medicine shall make a written request for the distribution to the commission specifying the amount of the distribution requested. The commission shall review the request and determine the amount of the request that should be approved for distribution. (b) The ~~budget agency~~ **commission** may not ~~allot money appropriated for~~ **make** scholarship distributions under this chapter until after the distribution request by the Marian University College of Osteopathic Medicine is approved by the commission. ~~after review by the budget committee.~~".

Renumber all SECTIONS consecutively.

(Reference is to HB 1082 as printed January 24, 2020.)

PORTER

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of House Bill 1082, Amendment 1. Pursuant to House Rule 46, the reason for the request is the following:

I have a conflict of interest in the matter before the House which could reasonably be expected to have a impact on my employer, Marian University.

BEHNING

Upon request of Representatives Porter and GiaQuinta, the Speaker ordered the roll of the House to be called. Roll Call 70: yeas 31, nays 60. Motion failed. The bill was ordered engrossed.

House Bill 1131

Representative Pressel called down House Bill 1131 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1131–1)

Mr. Speaker: I move that House Bill 1131 be amended to read as follows:

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

"SECTION 1. IC 8-1-1.9-3, AS ADDED BY P.L.126-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. As used in this chapter, "water or wastewater utility" means a ~~public~~ utility that provides water service, wastewater service, or both water service and wastewater service to the public.

SECTION 2. IC 8-1-1.9-4, AS ADDED BY P.L.126-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) Notwithstanding IC 8-1-2.7 and any other law under which a water or wastewater utility is exempt from or may withdraw from the jurisdiction of the commission, a water or wastewater utility that is organized as a legal entity after June 30, 2018, **or that directly or indirectly purchases, acquires, or becomes the owner of any of the property, stock, or bonds of any other utility,** is subject to the jurisdiction of the commission with respect to:

(1) rates and charges;

(2) stocks, bonds, notes, or other evidence of indebtedness;

(3) rules; and

(4) the annual report filing requirement;

for the period of ten (10) years beginning on the day on which the water or wastewater utility is organized as a legal entity **or directly or indirectly purchases, acquires, or becomes the owner of any of the property, stock, or bonds of any other utility.**

(b) This section does not affect:

(1) any statutes requiring or permitting a water or wastewater utility to petition the commission before providing service to the public; or

(2) the commission's jurisdiction regarding statutes and petitions referred to in subdivision (1).".

Page 1, line 3, delete "to an agreement for a:" and insert "**to:**

(1) a water main extension;

(2) a wastewater main extension; or

(3) an agreement that:

(A) is for a water main extension or a wastewater main extension; and

(B) is entered into after June 30, 2020, by a utility and the person requesting the extension.".

Page 1, delete lines 4 through 7.

Page 1, delete lines 11 through 17, begin a new paragraph and insert:

"**(c) With respect to any water main extension or wastewater main extension, a utility shall comply with the commission's rules governing water main extensions or wastewater main extensions, as applicable, including:**

(1) 170 IAC 6-1.5, in the case of a water main extension; or

(2) 170 IAC 8.5-4, in the case of a wastewater main extension;

as may be amended by the commission, regardless of whether the utility is subject to the jurisdiction of the commission for the approval of rates and charges. However, a utility is not required to comply with any provisions in the commission's main extension rules that require reporting to the commission.

(d) Disputes arising under this section may be submitted as informal complaints to the commission's consumer affairs division, in accordance with IC 8-1-2-34.5(b) and the commission's rules under 170 IAC 16, including provisions for referrals and appeals to the full commission, regardless of whether the person requesting the extension is a customer of the utility.

(e) The commission shall adopt by:

(1) order; or

(2) rule under IC 4-22-2;

other procedures not inconsistent with this section that the commission determines to be reasonable or necessary to administer this section. In adopting the rules under this section, the commission may adopt emergency rules in the manner provided by IC 4-22-2-37.1. Notwithstanding IC 4-22-2-37.1(g), an emergency rule adopted by the commission under this subsection and in the manner provided by IC 4-22-2-37.1 expires on the date on which a rule that supersedes the emergency rule is adopted by the commission under IC 4-22-2-24 through IC 4-22-2-36.

(f) If the commission determines that it requires additional staff to handle the volume of informal complaints submitted under this section, the commission may impose a fee under this section. Any fee charged by the commission under this section may:

(1) not exceed:

(A) the commission's actual costs in administering this section; or

(B) seven hundred fifty dollars ($750);

whichever is less; and

(2) be assessed against the party against whom a decision is rendered under this section.".

Page 2, delete lines 1 through 2.
Renumber all SECTIONS consecutively.
(Reference is to HB 1131 as printed January 17, 2020.)
PRESSEL

Motion prevailed. The bill was ordered engrossed.

House Bill 1165

Representative Burton called down House Bill 1165 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1181

Representative Cook called down House Bill 1181 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1181–1)

Mr. Speaker: I move that House Bill 1181 be amended to read as follows:
Page 10, delete lines 17 through 42.
Delete page 11.
Renumber all SECTIONS consecutively.
(Reference is to HB 1181 as printed January 24, 2020.)
COOK

Motion prevailed. The bill was ordered engrossed.

House Bill 1182

Representative Clere called down House Bill 1182 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1182–1)

Mr. Speaker: I move that House Bill 1182 be amended to read as follows:
Page 7, line 16, reset in roman "the best".
Page 7, line 16, delete "one (1)".
Page 7, line 17, after "transmission" insert "**as a result of sexual activity**".
Page 36, line 19, after "include" insert "**local**"
Page 36, delete lines 20 through 27 begin a new line block indented and insert:
"**(1) Public health.**
(2) Primary health care.
(3) Mental health.
(4) Law enforcement.
(5) Behavioral health.
(6) Parole or probation.
(7) Addiction medicine.
(8) Emergency medical services.
(9) Social work.".
Page 43, line 4, reset in roman "the best".
Page 43, line 4, delete "one (1)".
Page 43, line 5, after "transmission" insert "**as a result of sexual activity**".
(Reference is to HB 1182 as printed January 24, 2020.)
CLERE

Motion prevailed. The bill was ordered engrossed.

House Bill 1207

Representative Davisson called down House Bill 1207 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1225

Representative McNamara called down House Bill 1225 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1225–2)

Mr. Speaker: I move that House Bill 1225 be amended to read as follows:
Page 1, between the enacting clause and line 1, begin a new paragraph and insert:
"SECTION 1. IC 9-19-13-4, AS AMENDED BY P.L.144-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. A bus used to transport school children must be equipped as follows:
(1) At least two (2) signal lamps mounted as high and as widely spaced laterally as practicable, capable of displaying the front two (2) alternately flashing red lights located at the same level, and having sufficient intensity to be visible at five hundred (500) feet in normal sunlight.
~~(2) Black reflective tape mounted on:~~
~~(A) each side of the school bus;~~
~~(B) the front bumper; and~~
~~(C) the rear bumper.~~
~~(3)~~ **(2)** As required by the state school bus committee under IC 20-27-3-4.
~~(4)~~ **(3)** As required by IC 20-27-9.".
Renumber all SECTIONS consecutively.
(Reference is to HB 1225 as printed January 24, 2020.)
DELANEY

Motion prevailed. The bill was ordered engrossed.

House Bill 1301

Representative Carbaugh called down House Bill 1301 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1301–1)

Mr. Speaker: I move that House Bill 1301 be amended to read as follows:
Page 1, delete lines 1 through 17.
Page 2, delete lines 1 through 5.
Renumber all SECTIONS consecutively.
(Reference is to HB 1301 as printed January 24, 2020.)
CARBAUGH

Motion prevailed. The bill was ordered engrossed.

House Bill 1370

Representative May called down House Bill 1370 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1347

Representative Gutwein called down House Bill 1347 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1059

Representative Miller called down Engrossed House Bill 1059 for third reading:

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

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

Roll Call 71: yeas 70, nays 24. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Doriot, Messmer, Rogers and Buck.

Engrossed House Bill 1090

Representative Cook called down Engrossed House Bill 1090 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

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

Roll Call 72: yeas 63, nays 29. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Koch.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Act 1007 on January 24.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representatives Forestal and Pryor be added as coauthors of House Bill 1013.

SAUNDERS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Harris be added as coauthor of House Bill 1030.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Stutzman be added as coauthor of House Bill 1059.

MILLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Wesco be added as coauthor of House Bill 1060.

MILLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frye be added as coauthor of House Bill 1063.

GOODRICH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Jackson be added as coauthor of House Bill 1076.

PRYOR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Porter and Judy be added as coauthors of House Bill 1080.

BARRETT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as coauthor of House Bill 1093.

ZIEMKE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Schaibley and McNamara be added as coauthors of House Bill 1145.

HOSTETTLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Ziemke be added as coauthor of House Bill 1159.

SCHAIBLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hamilton be added as coauthor of House Bill 1215.

BECK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Porter be added as coauthor of House Bill 1235.

KARICKHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Shackleford and Bacon be added as coauthors of House Bill 1243.

VERMILION

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Frye, Pryor and Pressel be added as coauthors of House Bill 1246.

SULLIVAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Negele, Fleming and Shackleford be added as coauthors of House Bill 1294.

ENGLEMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as coauthor of House Bill 1305.

STUTZMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Morris and Moed be added as coauthors of House Bill 1331.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Mayfield be added as coauthor of House Bill 1392.

SMALTZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pressel be added as coauthor of House Bill 1419.

BEHNING

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Chyung, the House adjourned at 6:23 p.m., this twenty-seventh day of January, 2020, until Tuesday, January 28, 2020, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Thirteenth Day — **Tuesday Afternoon** — **January 28, 2020**

The invocation was offered by Senior Pastor Timothy Brock of White River Christian Church in Nobelsville, a guest of Representative Goodrich.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

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

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

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

Roll Call 73: 99 present; 1 excused. The Speaker announced a quorum in attendance. [*NOTE*: □ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Wednesday, January 29, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 2, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 2 as printed January 8, 2020.)

Committee Vote: Yeas 11, Nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1015, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1015 as introduced.)

Committee Vote: Yeas 12, Nays 0.

FRYE R, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1021, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 6, delete "lien." and insert "**lien or a notice described in section 9 of this chapter.**".

Page 2, line 7, after "file a lien" delete "," and insert "**or a notice described in section 9 of this chapter,**".

Page 2, line 10, after "file a lien" insert "**or notice described in section 9 of this chapter**".

Page 2, line 17, after "payment" insert "**or cash**".

Page 2, line 19, after "payment" insert "**or cash**".

Page 2, line 20, after "file a lien" insert "**or notice described in section 9 of this chapter**".

Page 2, line 22, delete "indemnification or payment" and insert "**indemnification, payment, or cash**".

Page 2, delete lines 23 through 24, begin a new line block indented and insert:

"**(1) be equal to at least one hundred fifty percent (150%) of the lien or seven thousand five hundred dollars ($7,500), whichever is greater;**".

Page 2, line 25, after "(2)" insert "**if applicable,**".

Page 2, line 30, delete "claimant" and insert "**claimant, including attorney's fees under section 14 of this chapter,**".

Page 2, line 34, after "discharges" insert "**the real property and**".

Page 2, line 39, after "The" insert "**real property and the**".

Page 2, line 42, delete "indemnification or payment" and insert "**indemnification, payment, or cash**".

Page 3, line 7, delete "indemnification or payment" and insert "**indemnification, payment, or cash**".

Page 3, line 11, delete "indemnification or payment" and insert "**indemnification, payment, or cash**".

Page 3, line 12, delete "indemnification or payment" and insert "**indemnification, payment, or cash**".

Page 3, line 13, delete "indemnification or payment" and insert "**indemnification, payment, or cash**".

Page 3, delete lines 16 through 17, begin a new paragraph and insert:

"**(k) Subject to subsection (g), the filing of an indemnification bond, payment bond, or cash bond under this section operates as a complete discharge of the property and liability of a person served by a lien claimant under section 9 of this chapter.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1021 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1031, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, delete lines 26 through 42.

Page 5, delete lines 1 through 40.

Page 5, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 10. IC 14-29-1-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9. The department may adopt rules under IC 4-22-2 to establish an administrative ordinary high water mark on the land adjoining the waters of Lake Michigan for purposes of administering this chapter.**".

Page 6, line 10, delete "Indiana." and insert "**Indiana or a political subdivision thereof.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1031 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1042, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 38 through 40, begin a new paragraph and insert:

"**Sec. 16. A person shall obtain a license from the commissioner under this chapter to operate as a pharmacy benefit manager.**".

(Reference is to HB 1042 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1045, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1045 as introduced.)

Committee Vote: Yeas 12, Nays 0.

FRYE R, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Small Business and Economic Development, to which was referred House Bill 1061, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 13 through 21, begin a new paragraph and insert:

"**(c) The subdivision of a parcel under this section is not subject to any requirements or approvals of the political subdivision with regard to zoning the property except for the following:**

(1) Approval of the lot's use under subsection (b)(2).

(2) If the parcel is being subdivided into a sufficient number of lots to make the political subdivision's subdivision control ordinance applicable, the subdivision of the parcel must comply with the subdivision control ordinance except for any requirements in the ordinance controlling the size of a lot.

(3) Any requirement to survey the property.".

(Reference is to HB 1061 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 2.

MORRIS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1112, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to HB 1112 as introduced.)

Committee Vote: Yeas 8, Nays 0.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1115, has had the same under consideration and begs leave to report the same

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

Page 1, line 6, after "agreements" insert "**originally**".

Page 1, line 16, after "contract." insert "**Provided, however, the patient names and contact information be redacted from the copy of the notice provided from the employer of the physician to the physician.**".

Page 1, line 17, delete "to" and insert "**to, in good faith,**".

Page 2, line 1, after "physician's" insert "**last known or**".

Page 2, line 17, delete "price that is:" and insert "**price. However, in the event the physician elects not to exercise the purchase option, then the option to purchase provision may not be used in any manner to restrict, bar, or otherwise limit the employer's equitable remedies, including the employer's enforcement of the physician noncompete agreement.**".

Page 2, delete lines 18 through 32.

Page 2, line 33, delete "(6)" and insert "**(5)**".

Page 2, line 34, after "that" insert "**materially**".

Page 2, line 37, after "parties." insert "**Paper or portable document format copies of the medical records satisfy the formatting provisions of this chapter.**".

Page 3, line 4, delete "law." and insert "**law or in equity.**".

(Reference is to HB 1115 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred House Bill 1174, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 10-19-3-3, AS AMENDED BY P.L.27-2010, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. The executive director shall do the following:

(1) Serve as the chief executive and administrative officer of the department.

(2) Serve as the director of the council.

(3) Administer the application for, and disbursement of, federal and state homeland security money for all Indiana state and local governments.

(4) Develop a single strategic plan for preparing and responding to homeland security emergencies in consultation with the council.

(5) Serve as the state coordinating officer under federal law for all matters relating to emergency and disaster mitigation, preparedness, response, and recovery.

(6) Use and allocate the services, facilities, equipment, personnel, and resources of any state agency, on the governor's behalf, as is reasonably necessary in the preparation for, response to, or recovery from an emergency or disaster situation that threatens or has occurred in Indiana.

(7) Develop a plan to protect key state assets and public infrastructure from a disaster or terrorist attack.

(8) Partner with state agencies, including the state department of health and state educational institutions, to develop public safety education and outreach programs.

SECTION 2. IC 10-19-7-3, AS AMENDED BY P.L.218-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The state fire marshal appointed under IC 22-14-2-2 shall do the following:

(1) Serve as a deputy executive director to manage the division.

(2) Administer the division.

(3) Provide staff to support the fire prevention and building safety commission established by IC 22-12-2-1.

(4) Partner with state agencies, including the state department of health and state educational institutions, to develop public safety education and outreach programs.

(b) The state fire marshal may not exercise any powers or perform any duties specifically assigned to either of the following:

(1) The fire prevention and building safety commission.

(2) The state building commissioner.

(c) The state fire marshal may delegate the state fire marshal's authority to the appropriate division staff.

SECTION 3. IC 10-19-7-5, AS ADDED BY P.L.188-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) For purposes of this section, "EMS" means emergency medical services.

(b) For purposes of this section, "state EMS medical director" refers to the state emergency medical services medical director appointed under subsection (c).

(c) The executive director shall appoint an individual to serve as the state emergency medical services medical director. The individual must have the following qualifications:

(1) Thorough knowledge of state EMS laws and administrative rules and regulations.

(2) At least five (5) years experience in the following:

(A) Medical direction of out of hospital EMS.

(B) Emergency department treatment of acutely ill and injured patients.

(3) Significant experience and familiarity with the following:

(A) The design and operation of statewide EMS systems.

(B) Working with national and other state EMS committees.

(4) At the time of the individual's appointment, has a valid and unrestricted license to practice medicine in Indiana.

(5) Be certified by the American Board of Emergency Medicine.

(6) Other areas of knowledge and expertise that the executive director determines essential.

The state EMS medical director shall be an employee of the department.

(d) The executive director shall submit the name of the individual whom the executive director would like to appoint as state EMS medical director to the Indiana emergency medical services commission created by IC 16-31-2-1. The commission may, by a majority of the members, vote not later than thirty (30) days after the submission on whether to approve the appointment. If the commission:

(1) does not take any action; or

(2) by a majority of the commission votes to approve the appointment of the individual;

not later than thirty (30) days after, the appointment shall become effective. If a majority of the commission votes not later than thirty (30) days after the submission of the appointment to not approve the appointment, the executive director shall restart the appointment process and submit an alternative individual for appointment.

(e) The state EMS medical director shall oversee all pre-hospital aspects of the statewide EMS system, including the following:

(1) Medical components for systems of care that interface or integrate with the statewide EMS system, including the following:

(A) Statewide planning for trauma, burn, cardiac, and stroke care.

(B) Domestic preparedness.
(C) EMS for children.
(2) For all levels of emergency responders, establishment of the following:
(A) Statewide model guidelines and best practices for all patient care activities to ensure delivery of medical care consistent with professionally recognized standards.
(B) A statewide EMS continuous quality improvement program.
(C) A statewide EMS advocacy program.
(3) In cooperation with appropriate state and local agencies, training and certification of all EMS providers.
(f) The state EMS medical director shall assist the executive director on all issues related to statewide EMS, including the following:
(1) Consulting with EMS medical directors.
(2) In consultation with the Indiana emergency medical services commission created by IC 16-31-2-1, providing guidance and assistance on the following matters:
(A) Scope of practice for EMS providers.
(B) Restrictions placed on EMS certifications.
(C) Appropriate corrective and disciplinary actions for EMS personnel.
(D) Education and training on emerging issues in EMS.
(3) EMS system research.
(4) Coordination of all medical activities for disaster planning and response.
(5) Improving quality of care, research, and injury prevention programs.
(6) Partnering with state agencies, including the state department of health and state educational institutions, to develop public safety education and outreach programs.
SECTION 4. IC 22-14-7-27, AS ADDED BY P.L.82-2008, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 27. (a) The fire prevention and public safety fund is established. The fund shall be administered by the state fire marshal. Money in the fund may **be** used to support:
(1) fire safety and prevention programs; **and**
(2) public safety education and outreach programs, including, but not limited to, youth helmet safety.
(b) The expenses of administering the fund shall be paid from money in the fund.
(c) The treasurer of state shall invest money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.
(d) The fund consists of:
(1) penalties recovered under section 24 of this chapter; and
(2) grants, gifts, and donations intended for deposit in the fund.
(e) The money in the fund at the end of the state fiscal year does not revert to the state general fund.
(Reference is to HB 1174 as introduced.)
and when so amended that said bill do pass.
Committee Vote: yeas 12, nays 0.

FRYE R, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1191, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:
Page 8, line 28, delete "or seller".
Page 8, line 32, delete "or the seller".
Page 8, line 33, delete "other party" and insert "**seller**".
Page 8, line 35, delete "either".
Page 8, line 35, delete "or the seller to the other party" and insert "**to the seller**".
Page 9, line 6, after "waive" insert "**or remove, as applicable,**".
Page 9, delete lines 16 through 42.
Delete page 10.
Renumber all SECTIONS consecutively.
(Reference is to HB 1191 as introduced.)
and when so amended that said bill do pass.
Committee Vote: yeas 12, nays 0.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1244, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.
(Reference is to HB 1244 as introduced.)
Committee Vote: Yeas 9, Nays 2.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred House Bill 1264, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.
(Reference is to HB 1264 as introduced.)
Committee Vote: Yeas 9, Nays 0.

DEVON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1278, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:
Page 2, line 41, delete "nephew;" and insert "nephew.".
Page 2, delete line 42.
Delete page 3.
(Reference is to HB 1278 as introduced.)
and when so amended that said bill do pass.
Committee Vote: yeas 9, nays 1.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1293, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:
Page 2, delete lines 13 through 14.
(Reference is to HB 1293 as introduced.)
and when so amended that said bill do pass.
Committee Vote: yeas 12, nays 0.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1306, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 8, delete "of a federally" and insert "**of the federally**".

Page 1, line 9, after "IC 5-33.5-2-1)" insert "**identified as the Pokagan Band of the Potawatomi Indians**".

Page 2, line 3, delete "of a federally" and insert "**of the federally**".

Page 2, line 4, after "tribe" insert "**identified as the Pokagan Band of the Potawatomi Indians**".

(Reference is to HB 1306 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred House Bill 1332, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 22-3-3-5, AS AMENDED BY P.L.275-2013, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 5. (a) The pecuniary liability of the employer for a service or product herein required shall be limited to the following:

(1) This subdivision applies before July 1, 2014, to all medical service providers, and after June 30, 2014, to a medical service provider that is not a medical service facility **or an ambulatory outpatient surgical center**. Such charges as prevail as provided under IC 22-3-6-1(k)(1), in the same community (as defined in IC 22-3-6-1(h)) for a like service or product to injured persons.

(2) This subdivision applies after June 30, 2014, to a medical service facility **and an ambulatory outpatient surgical center.** The amount provided under IC 22-3-6-1(k)(2).

(b) The employee and the employee's estate do not have liability to a health care provider for payment for services obtained under IC 22-3-3-4.

(c) The right to order payment for all services or products provided under IC 22-3-2 through IC 22-3-6 is solely with the board.

(d) All claims by a medical service provider for payment for services or products are against the employer and the employer's insurance carrier, if any, and must be made with the board under IC 22-3-2 through IC 22-3-6. After June 30, 2011, a medical service provider must file an application for adjustment of a claim for a medical service provider's fee with the board not later than two (2) years after the receipt of an initial written communication from the employer, the employer's insurance carrier, if any, or an agent acting on behalf of the employer after the medical service provider submits a bill for services or products. To offset a part of the board's expenses related to the administration of medical service provider reimbursement disputes, a medical service facility shall pay a filing fee of sixty dollars ($60) in a balance billing case. The filing fee must accompany each application filed with the board. If an employer, an employer's insurance carrier, or an agent acting on behalf of the employer denies or fails to pay any amount on a claim submitted by a medical service facility, a filing fee is not required to accompany an application that is filed for the denied or unpaid claim. A medical service provider may combine up to ten (10) individual claims into one (1) application whenever:

(1) all individual claims involve the same employer, insurance carrier, or billing review service; and

(2) the amount of each individual claim does not exceed two hundred dollars ($200).

(e) The worker's compensation board may withhold the approval of the fees of the attending physician in a case until the attending physician files a report with the worker's compensation board on the form prescribed by the board.

SECTION 2. IC 22-3-3-5.2, AS AMENDED BY P.L.99-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5.2. (a) A billing review service shall adhere to the following requirements to determine the pecuniary liability of an employer or an employer's insurance carrier for a specific service or product covered under worker's compensation provided before July 1, 2014, by all medical service providers, and after June 30, 2014, by a medical service provider that is not a medical service facility **or, after December 31, 2020, an ambulatory outpatient surgical center:**

(1) The formation of a billing review standard, and any subsequent analysis or revision of the standard, must use data that is based on the medical service provider billing charges as submitted to the employer and the employer's insurance carrier from the same community. This subdivision does not apply when a unique or specialized service or product does not have sufficient comparative data to allow for a reasonable comparison.

(2) Data used to determine pecuniary liability must be compiled on or before June 30 and December 31 of each year.

(3) Billing review standards must be revised for prospective future payments of medical service provider bills to provide for payment of the charges at a rate not more than the charges made by eighty percent (80%) of the medical service providers during the prior six (6) months within the same community. The data used to perform the analysis and revision of the billing review standards may not be more than two (2) years old and must be periodically updated by a representative inflationary or deflationary factor. Reimbursement for these charges may not exceed the actual charge invoiced by the medical service provider.

(b) This subsection applies after June 30, 2014, to a medical service facility **or, after December 31, 2020, an ambulatory outpatient surgical center.** The pecuniary liability of an employer or an employer's insurance carrier for a specific service or product covered under worker's compensation and provided by a medical service facility **or an ambulatory outpatient surgical center** is equal to a reasonable amount, which is established by payment of one (1) of the following **as applicable:**

(1) The amount negotiated at any time between the medical service facility **or ambulatory outpatient surgical center** and any of the following:

(A) The employer.

(B) The employer's insurance carrier.

(C) A billing review service on behalf of a person described in clause (A) or (B).

(D) A direct provider network that has contracted with a person described in clause (A) or (B).

(2) **For a medical service facility, an amount not to exceed** two hundred percent (200%) of the amount that would be paid to the medical service facility on the same date for the same service or product under the medical service facility's Medicare reimbursement rate, if an amount has not been negotiated as described in subdivision (1).

(3) For an ambulatory outpatient surgical center, an

amount not to exceed two hundred twenty-five percent (225%) of the amount that would be paid to the ambulatory outpatient surgical center on the same date for the same service or product under the ambulatory outpatient surgical center's Medicare reimbursement rate, if an amount has not been negotiated as described in subdivision (1). However, the payment to an ambulatory outpatient surgical center for an implant furnished to an employee under IC 22-3-2 through IC 22-3-6 may not exceed the invoice amount plus three percent (3%).

(c) A medical service provider may request an explanation from a billing review service if the medical service provider's bill has been reduced as a result of application of the eightieth percentile or of a Current Procedural Terminology (CPT) or Medicare coding change. The request must be made not later than sixty (60) days after receipt of the notice of the reduction. If a request is made, the billing review service must provide:

(1) the name of the billing review service used to make the reduction;

(2) the dollar amount of the reduction;

(3) the dollar amount of the service or product at the eightieth percentile; and

(4) in the case of a CPT or Medicare coding change, the basis upon which the change was made;

not later than thirty (30) days after the date of the request.

(d) If, after a hearing, the worker's compensation board finds that a billing review service used a billing review standard that did not comply with subsection (a)(1) through (a)(3), as applicable, in determining the pecuniary liability of an employer or an employer's insurance carrier for a medical service provider's charge for services or products covered under worker's compensation, the worker's compensation board may assess a civil penalty against the billing review service in an amount not less than one hundred dollars ($100) and not more than one thousand dollars ($1,000).".

Page 1, line 3, delete "JULY 1, 2020]:" and insert "JANUARY 1, 2021]:".

Page 7, delete lines 36 through 37.

Page 7, line 38, reset in roman "(1)".

Page 7, line 38, delete "(2)".

Page 7, line 39, reset in roman "(2)".

Page 7, line 39, delete "(3)".

Page 7, line 41, reset in roman "(3)".

Page 7, line 41, delete "(4)".

Page 8, line 14, delete "facility." and insert "facility **or an ambulatory outpatient surgical center (as defined in IC 16-18-2-14).**".

Page 8, line 19, delete "following:" and insert "following, **as applicable:**".

Page 8, line 21, after "facility" insert "**or ambulatory outpatient surgical center**".

Page 8, line 29, delete "Two" and insert "**For a medical service facility, an amount not to exceed** two".

Page 8, between lines 33 and 34, begin a new line double block indented and insert:

"**(C) For an ambulatory outpatient surgical center, an amount not to exceed two hundred twenty-five percent (225%) of the amount that would be paid to the ambulatory outpatient surgical center on the same date for the same service or product under the ambulatory outpatient surgical center's Medicare reimbursement rate, if an amount has not been negotiated as described in clause (A). However, the payment to an ambulatory outpatient surgical center for an implant furnished to an employee under IC 22-3-2 through IC 22-3-6 may not exceed the invoice amount plus three percent (3%).**".

Page 8, line 39, delete "JULY 1, 2020]:" and insert "JANUARY 1, 2021]:".

Page 14, delete lines 24 through 25.

Page 14, line 26, reset in roman "(1)".

Page 14, line 26, delete "(2)".

Page 14, line 27, reset in roman "(2)".

Page 14, line 27, delete "(3)".

Page 14, line 29, reset in roman "(3)".

Page 14, line 29, delete "(4)".

Page 15, line 2, delete "facility." and insert "facility **or ambulatory outpatient surgical center (as defined in IC 16-18-2-14).**".

Page 15, line 7, delete "following:" and insert "following, **as applicable:**".

Page 15, line 9, after "facility" insert "**or ambulatory outpatient surgical center**".

Page 15, line 17, delete "Two" and insert "**For a medical service facility, an amount not to exceed** two".

Page 15, between lines 21 and 22, begin a new line double block indented and insert:

"**(C) For an ambulatory outpatient surgical center, an amount not to exceed two hundred twenty-five percent (225%) of the amount that would be paid to the ambulatory outpatient surgical center on the same date for the same service or product under the ambulatory outpatient surgical center's Medicare reimbursement rate, if an amount has not been negotiated as described in clause (A). The payment to an ambulatory outpatient surgical center for an implant furnished to an employee under IC 22-3-2 through IC 22-3-6 may not exceed the invoice amount plus three percent (3%).**".

Page 15, after line 24, begin a new paragraph and insert:

"SECTION 4. IC 22-3-7-17.2, AS AMENDED BY P.L.99-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17.2. (a) A billing review service shall adhere to the following requirements to determine the pecuniary liability of an employer or an employer's insurance carrier for a specific service or product covered under this chapter provided before July 1, 2014, by all medical service providers, and after June 30, 2014, by a medical service provider that is not a medical service facility **or, after December 31, 2020, an ambulatory outpatient surgical center:**

(1) The formation of a billing review standard, and any subsequent analysis or revision of the standard, must use data that is based on the medical service provider billing charges as submitted to the employer and the employer's insurance carrier from the same community. This subdivision does not apply when a unique or specialized service or product does not have sufficient comparative data to allow for a reasonable comparison.

(2) Data used to determine pecuniary liability must be compiled on or before June 30 and December 31 of each year.

(3) Billing review standards must be revised for prospective future payments of medical service provider bills to provide for payment of the charges at a rate not more than the charges made by eighty percent (80%) of the medical service providers during the prior six (6) months within the same community. The data used to perform the analysis and revision of the billing review standards may not be more than two (2) years old and must be periodically updated by a representative inflationary or deflationary factor. Reimbursement for these charges may not exceed the actual charge invoiced by the medical service provider.

(b) This subsection applies after June 30, 2014, to a medical service facility **or, after December 31, 2020, an ambulatory outpatient surgical center.** The pecuniary liability of an employer or an employer's insurance carrier for a specific service or product covered under this chapter and provided by

a medical service facility **or an ambulatory outpatient surgical center** is equal to a reasonable amount, which is established by payment of one (1) of the following **as applicable:**

(1) The amount negotiated at any time between the medical service facility **or ambulatory outpatient surgical center** and any of the following:

(A) The employer.

(B) The employer's insurance carrier.

(C) A billing review service on behalf of a person described in clause (A) or (B).

(D) A direct provider network that has contracted with a person described in clause (A) or (B).

(2) **For a medical service facility, an amount not to exceed** two hundred percent (200%) of the amount that would be paid to the medical service facility on the same date for the same service or product under the medical service facility's Medicare reimbursement rate, if an amount has not been negotiated as described in subdivision (1).

(3) For an ambulatory outpatient surgical center, an amount not to exceed two hundred twenty-five percent (225%) of the amount that would be paid to the ambulatory outpatient surgical center on the same date for the same service or product under the ambulatory outpatient surgical center's Medicare reimbursement rate, if an amount has not been negotiated as described in subdivision (1). However, the payment to an ambulatory outpatient surgical center for an implant furnished to an employee under IC 22-3-2 through IC 22-3-6 may not exceed the invoice amount plus three percent (3%).

(c) A medical service provider may request an explanation from a billing review service if the medical service provider's bill has been reduced as a result of application of the eightieth percentile or of a Current Procedural Terminology (CPT) or Medicare coding change. The request must be made not later than sixty (60) days after receipt of the notice of the reduction. If a request is made, the billing review service must provide:

(1) the name of the billing review service used to make the reduction;

(2) the dollar amount of the reduction;

(3) the dollar amount of the medical service at the eightieth percentile; and

(4) in the case of a CPT or Medicare coding change, the basis upon which the change was made;

not later than thirty (30) days after the date of the request.

(d) If, after a hearing, the worker's compensation board finds that a billing review service used a billing review standard that did not comply with subsection (a)(1) through (a)(3), as applicable, in determining the pecuniary liability of an employer or an employer's insurance carrier for a medical service provider's charge for services or products covered under occupational disease compensation, the worker's compensation board may assess a civil penalty against the billing review service in an amount not less than one hundred dollars ($100) and not more than one thousand dollars ($1,000).".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass

Committee Vote: yes 10, nays 0.

VANNATTER, Chair

(Reference is to HB 1332 as introduced.)

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1343, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 4 with "[EFFECTIVE UPON PASSAGE]".

Page 3, after line 21, begin a new paragraph and insert:

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

Renumber all SECTIONS consecutively.

(Reference is to HB 1343 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Select Committee on Government Reduction, to which was referred House Bill 1348, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 28 through 35.

Page 3, line 8, reset in roman "(4) Provide money for the".

Page 3, line 9, after "IC 8-23-25." insert "**Midwest Interstate Passenger Rail Compact under IC 8-3-22.**".

Page 3, line 10, reset in roman "(5)".

Page 3, line 10, delete "(4)".

Page 3, line 12, reset in roman "(6)".

Page 3, line 12, delete "(5)".

Page 3, line 14, reset in roman "(a)(5)".

Page 3, line 14, delete "(a)(4)".

Page 3, line 18, reset in roman "(a)(6)".

Page 3, line 18, delete "(a)(5)".

Renumber all SECTIONS consecutively.

(Reference is to HB 1348 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 1.

GUTWEIN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Financial Institutions, to which was referred House Bill 1353, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, line 40, delete "as allowed by IC 24-4.5-1-106." and insert "**under IC 24-4.5-1-106 or this section.**".

Page 7, delete line 41 and insert "**under IC 24-4.5-1-106 or this section.**".

(Reference is to HB 1353 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

BURTON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred House Bill 1385, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 5. IC 14-8-2-5.7, AS AMENDED BY P.L.219-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5.7. "All-terrain vehicle", for purposes of IC 14-8-2-185, means a motorized, off-highway vehicle that:

(1) is ~~fifty (50)~~ **fifty-five (55)** inches or less in width **when measured from outside of tire rim to outside of tire**

rim;

(2) has a dry weight of ~~twelve~~ **one thousand five** hundred ~~(1,200)~~ **(1,500)** pounds or less;

(3) is designed for travel on at least three (3) nonhighway or off-highway tires; and

(4) is designed for recreational use by one (1) or more individuals.

The term includes parts, equipment, or attachments sold with the vehicle.

SECTION 6. IC 14-8-2-233.5, AS AMENDED BY P.L.219-2014, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 233.5. "Recreational ~~off-road~~ **off-highway** vehicle", for purposes of IC 14-8-2-185, means a motorized, off-highway vehicle that:

(1) is ~~sixty-five (65)~~ **eighty (80)** inches or less in width **when measured from outside of tire rim to outside of tire rim;**

(2) has a dry weight of two thousand **five hundred** ~~(2,000)~~ **(2,500)** pounds or less;

(3) is designed for travel on at least four (4) nonhighway or off-highway tires; and

(4) is designed for recreational use by one (1) or more individuals.

SECTION 7. IC 14-10-2-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The commission shall adopt rules under IC 4-22-2 to carry out the commission's duties under this title.

(b) The commission may adopt rules to exempt an activity from licensing under this title, except:

(1) IC 14-34;

(2) IC 14-36-1; and

(3) IC 14-38-2;

if the activity poses not more than a minimal potential for harm.

(c) Except as provided in subsection (d), whenever the department or the director has the authority to adopt rules under IC 4-22-2, the commission shall exclusively exercise the authority.

(d) Emergency rules adopted under section 5 of this chapter shall be adopted by the director.

(e) A person who violates a rule adopted by the commission commits a Class C infraction, unless otherwise specified under state law.

SECTION 8. IC 14-10-2-5, AS AMENDED BY P.L.154-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The department may adopt emergency rules under IC 4-22-2-37.1 to carry out the duties of the department under the following:

(1) IC 14-9.

(2) This article.

(3) IC 14-11.

(4) IC 14-12-2.

(5) IC 14-14.

(6) IC 14-15.

(7) IC 14-17-3.

(8) IC 14-18, except IC 14-18-6 and IC 14-18-8.

(9) IC 14-19-1 and IC 14-19-8.

(10) IC 14-21.

(11) IC 14-22-3, IC 14-22-4, and IC 14-22-5.

(12) IC 14-23-1.

(13) IC 14-24.

(14) IC 14-25, except IC 14-25-8-3 and IC 14-25-13.

(15) IC 14-26.

(16) IC 14-27.

(17) IC 14-28.

(18) IC 14-29.

(19) IC 14-35-1, IC 14-35-2, and IC 14-35-3.

(20) IC 14-37.

(21) IC 14-38, except IC 14-38-3.

(b) A rule adopted under subsection (a) expires not later than one (1) year after the rule is accepted for filing by the publisher of the Indiana Register.

(c) A person who violates an emergency rule adopted by the department commits a Class C infraction, unless otherwise specified under state law.

SECTION 9. IC 14-15-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A person may not operate a boat upon public water to carry passengers for hire unless the following conditions are met:

(1) The department **or an organization approved under section 2.5 of this chapter** has inspected and registered the boat.

(2) A certificate of inspection and registration issued by the department is affixed to the boat in a prominent place within the clear view of the passengers.

(b) A certificate of inspection and registration expires one (1) calendar year after the date on which the watercraft was inspected. However, the department may extend the expiration date for not more than thirty (30) days if conditions exist that would prevent the inspection of the watercraft before the first anniversary of the previous inspection.

SECTION 10. IC 14-15-6-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. (a) Each boat that carries passengers upon public water for hire must have:**

(1) a dry dock inspection; or

(2) an underwater survey;

of the exterior portion of the boat that is below the waterline at least one (1) time every sixty (60) months. However, an underwater survey may only be used to satisfy the requirements of this chapter one (1) time every one hundred twenty (120) months.

(b) If the owner of the boat elects to have an underwater survey, the owner must hire and pay for the underwater survey, which must be conducted by an inspector from a certified organization that is approved under subsection (c).

(c) The commission shall maintain a list of certified organizations that are approved to conduct underwater surveys under this chapter.

SECTION 11. IC 14-15-6-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The department shall charge and collect a fee for the following:

(1) Each annual dockside inspection.

(2) Each dry dock inspection. ~~which shall be conducted at least one (1) time every sixty (60) months.~~

(b) The following fees shall be charged:

(1) All watercraft, except sailboats, carrying not more than six (6) passengers for hire on navigable water of Indiana:

(A) Dockside inspection..... $ 50

(B) Dry dock inspection..... $ 75

(2) All watercraft, except sailboats, carrying not more than six (6) passengers for hire on inland water of Indiana:

(A) Dockside inspection..... $ 30

(B) Dry dock inspection..... $ 30

(3) All watercraft, except sailboats, carrying more than six (6) passengers for hire on inland water of Indiana:

(A) Dockside inspection..... $ 75

(B) Dry dock inspection..... $100

(4) All watercraft propelled primarily by sail that carry passengers for hire on navigable or inland water of Indiana:

(A) Dockside inspection..... $ 50

(B) Dry dock inspection..... $ 75

SECTION 12. IC 14-15-6-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. Each certificate of inspection and registration must certify that the inspection has been made and must set forth, among other things, the following:

(1) The date of inspection.

(2) A description of the boat, including motors, machinery

and equipment.

(3) The age of the boat.

(4) The maximum weight, including both passengers and property, that may safely be carried on the boat.

(5) The method of the boat's inspection and the name of the person and organization that performed the inspection.

SECTION 13. IC 14-15-13-3, AS ADDED BY P.L.165-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. An individual may not do the following:

(1) Operate a motorboat inboard or have the inboard engine of a motorboat run idle while an individual is holding onto the swim platform, swim deck, swim step, swim ladder or any part of the exterior of the transom of a motorboat while the motorboat is underway at any speed.

(2) Operate a motorboat powered by an outboard motor or equipped with an outdrive unit while an individual is:

(A) holding onto the swim platform, swim deck, swim step, swim ladder or any portion of the exterior of the transom of a motorboat while the motorboat is underway at any speed; **or**

(B) swimming, or floating on or in the wake directly behind a motorboat that is underway. ~~or~~

~~(C) floating on a board on or in the wake directly behind a motorboat that is underway using the wake itself as the means of propulsion.~~

(3) Operate a motorboat with the number of individual riders on a towed device that exceeds the listed capacity on the towed device or the owner's manual.

SECTION 14. IC 14-22-2-8, AS AMENDED BY P.L.39-2018, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE December 31, 2019 (RETROACTIVE)]: Sec. 8. (a) This section applies to a hunting season beginning after June 30, 2016. ~~and ending before January 1, 2020.~~

(b) A hunter may use a rifle to hunt deer on privately owned land subject to the following:

(1) The use of a rifle is permitted during hunting seasons established by the department.

(2) The rifle must be chambered for a cartridge that fires a bullet that is two hundred forty-three thousandths (.243) of an inch in diameter or larger.

(3) The rifle must fire a cartridge that has a minimum case length of one and sixteen-hundredths (1.16) inches, but is no longer than three (3) inches.

(4) A hunter may not possess more than ten (10) cartridges for the rifle while hunting deer under this section.

(5) The rifle must meet any other requirements established by the department.

(c) The use of a full metal jacketed bullet to hunt deer is unlawful.

(d) The department shall report on the impact of the use of rifles to hunt deer under this section to the governor and, in an electronic format under IC 5-14-6, the general assembly before February 15, 2020.

(e) The department may adopt rules under IC 4-22-2 to authorize the use of rifles on public property.

~~(f) This section expires June 30, 2020.~~".

Page 5, after line 8, begin a new paragraph and insert:

"SECTION 17. IC 36-7-4-1103, AS AMENDED BY P.L.119-2012, SECTION 195, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1103. ~~(a) This section does not apply to a plan commission exercising jurisdiction in a county having a population of more than twenty thousand nine hundred (20,900) but less than twenty-one thousand (21,000).~~

~~(b)~~ **(a)** ADVISORY—AREA. For purposes of this section, urban areas include all lands and lots within the corporate boundaries of a municipality, any other lands or lots used for residential purposes where there are at least eight (8) residences within any quarter mile square area, and other lands or lots that have been or are planned for residential areas contiguous to the municipality.

~~(c)~~ **(b)** ADVISORY—AREA. This chapter does not authorize an ordinance or action of a plan commission that would prevent, outside of urban areas, the complete use and alienation of any mineral resources or forests by the owner or alienee of them.

SECTION 18. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1385 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 0.

EBERHART, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Bill 1392, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 17, delete "advanced practice registered nurses licensed under" and insert "**physician assistants; or**

(B) advanced practice registered nurses;".

Page 2, delete lines 1 through 3.

Page 2, line 12, delete "under a collaborative agreement;" and insert "**last in attendance upon the deceased;**".

Page 2, line 13, delete "nurse;" and insert "**nurse last in attendance upon the deceased;**".

Page 2, line 18, after "physician" insert ", **the physician assistant, or the advanced practice registered nurse;**".

Page 2, line 19, delete ", the physician assistant under a collaborative".

Page 2, line 20, delete "agreement, or the advanced practice registered nurse".

Page 2, line 22, after "physician" insert ", **the physician assistant, or the advanced practice registered nurse**".

Page 2, line 22, delete "deceased, the" and insert "deceased".

Page 2, line 23, delete "physician assistant under a collaborative agreement, or the".

Page 2, line 24, delete "advanced practice registered nurse".

Page 2, line 33, after "physician" insert ", **the physician assistant, or the advanced practice registered nurse**".

Page 2, line 33, delete "attendance, the" and insert "attendance.".

Page 2, delete lines 34 through 35.

Page 3, delete lines 15 through 27.

Page 3, line 31, after "physician" insert ", **the physician assistant, or the advanced practice registered nurse**".

Page 3, line 31, delete "the physician assistant".

Page 3, delete line 32.

Page 3, line 33, delete "the advanced practice registered nurse,".

Page 3, line 39, after "physician" insert ", **the physician assistant, or the advanced practice registered nurse**".

Page 3, line 40, delete "the physician assistant under a collaborative agreement".

Page 3, delete line 41.

Page 3, line 42, delete "nurse,".

Page 4, line 9, delete "physician last" and insert "physician, **the physician assistant, or the advanced practice registered nurse** last".

Page 4, line 9, delete "deceased, the physician assistant" and insert "deceased.".

Page 4, delete line 10.

Page 4, line 11, delete "or the advanced practice registered nurse.".

Page 4, line 11, after "physician" insert ", **the physician assistant, or the advanced practice registered nurse**".

Page 4, line 12, delete ", the physician assistant under a".

Page 4, delete line 13.

Page 4, line 14, delete "advanced practice registered nurse".

Page 4, line 20, after "(2) the physician" insert ", **the physician assistant, or the advanced practice registered nurse**".

Page 4, line 20, delete ", the physician assistant".

Page 4, delete line 21.

Page 4, line 22, delete "IC 25-27.5-5-3), or the advanced practice registered nurse".

Page 4, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 7. IC 25-23-1-2, AS AMENDED BY P.L.249-2019, SECTION 99, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) There is established the Indiana state board of nursing consisting of nine (9) members appointed by the governor **as follows,** each to serve a term under IC 25-1-6.5:

~~(b)~~ **(1)** Subject to IC 25-1-6.5-3, six (6) of the board members must be registered nurses who are committed to advancing and safeguarding the nursing profession as a whole. **Two (2) of the members appointed under this subdivision must be advanced practice registered nurses, at least one (1) of whom has prescriptive authority.**

(2) Two (2) of the board's members must be licensed practical nurses.

(3) One (1) member of the board, to represent the general public, must be a resident of this state and not be associated with nursing in any way other than as a consumer.

~~(c)~~ **(b)** A member of the board may be removed under IC 25-1-6.5-4.

SECTION 7. IC 25-23-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) Each registered nurse member of the board required by section 2 of this chapter must:

(1) be a citizen of the United States;

(2) be a resident of Indiana; **and**

(3) have:

(A) graduated from an accredited educational program for the preparation of practitioners of professional nursing;

(B) been licensed as a registered nurse in Indiana;

(C) had at least five (5) years successful experience since graduation in administering, teaching, or practicing in an educational program to prepare practitioners of nursing or in administering or practicing in nursing service; and

(D) been actively engaged in the activities described in clause (C) ~~for at least three (3)~~ **at any time during the five (5)** years immediately preceding **the member's initial** appointment ~~or reappointment; and~~ **to the board.**

~~(4) be actively engaged in the activities described in subdivision (3)(C) throughout the member's term of office.~~

(b) Each licensed practical nurse member of the board required by section 2 of this chapter must:

(1) be a citizen of the United States;

(2) be a resident of Indiana; **and**

(3) have:

(A) graduated from an accredited educational program for the preparation of practitioners of practical nursing;

(B) been licensed as a licensed practical nurse in Indiana;

(C) had at least five (5) years successful experience as a practitioner of practical nursing since graduation; and

(D) been actively engaged in practical nursing ~~for at least three (3)~~ **at any time during the five (5)** years immediately preceding **the member's initial** appointment to the board. ~~and~~

~~(4) be actively engaged in practice throughout the member's term of office.~~

(c) Before entering upon the discharge of official duties, each member of the board shall file the constitutional oath of office in the office of the secretary of state.".

Page 6, line 5, delete "if" and insert "**only if**".

Page 6, after line 7, begin a new paragraph and insert:

"**(c) A physician assistant that does not comply the requirements under this section may be disciplined under IC 25-1-9.**

SECTION 11. [EFFECTIVE JULY 1, 2020] **(a) Notwithstanding IC 25-23-1-2, as amended by this act, a member of the Indiana state board of nursing serving on June 30, 2020, may serve the remainder of the member's unexpired term under the membership requirements of IC 25-23-1-2, before its amendment by this act.**

(b) This SECTION expires December 31, 2024.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1392 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred House Bill 1418, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 10, after line 42, begin a new paragraph and insert:

"SECTION 12. IC 31-17-2.2-1, AS AMENDED BY P.L.186-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) Except as provided in subsection (b), a relocating individual must file a notice of the intent to move with the clerk of the court that:

(1) issued the custody order or parenting time order; or

(2) if subdivision (1) does not apply, has jurisdiction over the legal proceedings concerning the custody of or parenting time with a child.

(b) A relocating individual is not required to file a notice of intent to move with the clerk of the court if:

(1) the relocation has been addressed by a prior court order, including a court order relieving the relocating individual of the requirement to file a notice; ~~and~~

or

(2) the relocation will:

(A) result in a decrease in the distance between the relocating individual's residence and the nonrelocating individual's residence; or

(B) result in an increase of not more than twenty (20) miles in the distance between the relocating individual's residence and the nonrelocating individual's residence;

and allow the child to remain enrolled in the child's current school.

(c) Upon motion of a party, the court shall set the matter for a hearing to allow or restrain the relocation of a child and to review and modify, if appropriate, a custody order, parenting time order, grandparent visitation order, or child support order. The court's authority to modify a custody order, parenting time order, grandparent visitation order, or child support order is not affected by the fact that a relocating individual is exempt from the requirement to file a notice of relocation by subsection (b). The court shall take into account the following in determining

whether to modify a custody order, parenting time order, grandparent visitation order, or child support order:

(1) The distance involved in the proposed change of residence.

(2) The hardship and expense involved for the nonrelocating individual to exercise parenting time or grandparent visitation.

(3) The feasibility of preserving the relationship between the nonrelocating individual and the child through suitable parenting time and grandparent visitation arrangements, including consideration of the financial circumstances of the parties.

(4) Whether there is an established pattern of conduct by the relocating individual, including actions by the relocating individual to either promote or thwart a nonrelocating individual's contact with the child.

(5) The reasons provided by the:

(A) relocating individual for seeking relocation; and

(B) nonrelocating parent for opposing the relocation of the child.

(6) Other factors affecting the best interest of the child.

(d) A court may order the relocating individual and the nonrelocating individual to participate in mediation or another alternative dispute resolution process before a hearing under this section:

(1) on its own motion; or

(2) upon the motion of any party.

(e) If a relocation occurs, all existing orders for custody, parenting time, grandparent visitation, and child support remain in effect until modified by the court.

(f) The court may award reasonable attorney's fees for a motion filed under this section in accordance with IC 31-15-10 and IC 34-52-1-1(b).".

Page 13, after line 23, begin a new paragraph and insert:

"SECTION 16. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1418 as introduced.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 1.

TORR, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Resolution 11

Representatives Beck, Jackson, Harris, Hatcher, Deal, Moseley, Aylesworth, Candelaria Reardon, V. Smith, Chyung, Boy and Soliday introduced House Resolution 11:

A HOUSE RESOLUTION recognizing Strack & Van Til on the occasion of its 91st Anniversary.

Whereas, Strack & Van Til is a grocery store chain with locations in Northwest Indiana operating as Strack & Van Til and Town & Country Food Market;

Whereas, Ernie Strack immigrated to the United States beginning his first job as a farmer's aid in St. Louis, Missouri, in 1927;

Whereas, Mr. Strack was hired as janitorial staff at a Kroger grocery store in Gary, Indiana, in 1928 and became the store manager after four months on the job;

Whereas, In 1930 Nick Van Til, a grocery delivery boy from Griffith, Indiana, entered into a partnership with his employer, who later sold him the store in 1936;

Whereas, Mr. Strack opened an additional store at Main and Broad streets in downtown Griffith, Indiana, in 1946;

Whereas, Mr. Van Til grew his store into a well established business and incorporated in 1954;

Whereas, Mr. Strack and Mr. Van Til partnered to open the first Strack & Van Til in Highland, Indiana, in 1960;

Whereas, Strack & Van Til expanded over the next 30 years with innovations that brought additional customers and market share before the cofounders, Van Til and Strack, passed away in 1987 and 1991, respectively;

Whereas, The Strack and Van Til families continue to build upon a legacy of hard work and innovation ,with deep roots in their community, to grow market share and provide for their customers; and

Whereas, Strack & Van Til has grown to be one of the leading grocery chains in the Chicago metropolitan area: Therefore,

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

SECTION 1. That the Indiana House of Representatives recognizes Strack & Van Til on the occasion of its 91st anniversary.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Lisa Beck for distribution.

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

House Resolution 12

Representatives Behning and Bosma introduced House Resolution 12:

A HOUSE RESOLUTION honoring Representative Dave Frizzell.

Whereas, Representative Dave Frizzell left the House Chamber for the last time at the end of the 2019 legislative session;

Whereas, Representative Frizzell was first elected to represent the citizens of House District 93 in 1992;

Whereas, During his time in the House of Representatives, Representative Frizzell served as chair of the House Committee on Family, Children and Human Affairs, where he was a strong advocate for Hoosier children;

Whereas, Representative Frizzell also served on the House committees on Public Health and Utilities, Energy and Telecommunications, among others;

Whereas, Representative Frizzell served the House Republican Caucus for many years in leadership positions including: Republican Minority Whip from 2007 to 2010; Republican Majority Whip from 2011 to 2014; and Assistant Majority Floor Leader from 2015 until his retirement in 2019;

Whereas, Representative Frizzell was born in Baltimore, Maryland, settled in Indiana in 1978, and moved to House District 93 in 1985;

Whereas, Representative Frizzell married life-long Hoosier Valda VanNess in 1980 and started his family in 1982;

Whereas, Representative Frizzell and Valda have two sons and nine grandchildren and are active covenant partners at CityLife Church in Greenwood, Indiana;

Whereas, Since his election to the Indiana House of Representatives, Representative Frizzell has served in numerous leadership positions for the American Legislative Exchange Council, including as the 2012 National Chair, and was named their Legislator of the Year in 2014; and

Whereas, Representative Frizzell served his constituency loyally and faithfully since his election to the House of Representatives: Therefore,

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

SECTION 1. That the Indiana House of Representatives bids a fond farewell to Representative Dave Frizzell. The House of Representatives saw only good things during his tenure. Legislators and staff alike miss him greatly. His departure left a void that never will be truly filled.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Dave Frizzell and his family.

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

House Concurrent Resolution 20

Representatives Deal and Pressel introduced House Concurrent Resolution 20:

A CONCURRENT RESOLUTION urging the study of constructing an inn at Potato Creek State Park.

Whereas, Potato Creek State Park was founded in 1983 to preserve the natural habitats and beauty of Northern Indiana near South Bend;

Whereas, Potato Creek State Park features the 327 acre Worster Lake in addition to old fields, mature woodlands, restored prairies, and diverse wetlands;

Whereas, Potato Creek State Park offers year round activities and facilities for local residents and tourists;

Whereas, Potato Creek State Park is one of the five most visited state parks in the Indiana system according to Visit South Bend Mishawaka; and

Whereas, The Indiana General Assembly recognizes the positive impact of Potato Creek State Park for tourism in Northern Indiana: Therefore,

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

SECTION 1. That the Indiana General Assembly urges the legislative council to assign to an appropriate study committee the topic of funding the construction of an inn at Potato Creek State Park and allowing the Indiana Department of Natural Resources to plan, design, and implement its construction.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Ross Deal.

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

Senate Concurrent Resolution 10

The Speaker handed down Senate Concurrent Resolution 10, sponsored by Representative T. Brown:

A CONCURRENT RESOLUTION congratulating the Western Boone High School football team on winning the 2019 Indiana High School Athletic Association ("IHSAA") Class 2A state championship title.

Whereas, In a rematch of the 2018 title game, the Western Boone High School football team again emerged victorious, defeating Eastbrook 44-7 to win the 2019 IHSAA Class 2A state championship title;

Whereas, On its way to the championship game, the Stars won the sectional championship by defeating Southmont, North Putnam, and South Vermillion, Heritage Christian to win the regional championship, and Triton Central to win the semi-state championship;

Whereas, In the championship rematch, Western Boone led Eastbrook from the start, taking the opening kickoff 65 yards over 10 plays resulting in the go-ahead touchdown;

Whereas, The Stars never looked back as the team scored five touchdowns in the remainder of the game to earn the team's second consecutive championship title;

Whereas, The Western Boone defense kept strong, holding the Eastbrook offense to 127 yards, and Brett Wethington and Caleb Irion each contributed one sack to the defensive effort;

Whereas, In offensive production, Spencer Wright threw for 254 yards and added an additional 56 yards on the ground, Connor Hole scored one rushing touchdown and a receiving touchdown, Robby Taylor ran for three touchdowns, and Jacob Taylor scored five extra points and kicked the game-ending field goal; and

Whereas, Head Coach Justin Pelley's team ended the season with a 14-1 record and earned Western Boone's third state championship title in football, and second in a row: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Western Boone High School football team on winning the 2019 IHSAA Class 2A state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to each member of the Western Boone High School football team

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

Senate Concurrent Resolution 16

The Speaker handed down Senate Concurrent Resolution 16, sponsored by Representative V. Smith:

A CONCURRENT RESOLUTION honoring Beverly Brown upon her retirement from the Indiana Senate.

Whereas, Beverly Brown is a resident of Indianapolis, Indiana;

Whereas, Beverly graduated from Tennessee State University with a bachelor of science in elementary education, received her teacher's license certification from Indiana Wesleyan University, and received her reading endorsement from IUPUI. She also took classes at Indiana State University toward her master's degree in education;

Whereas, Beverly worked 18 years as a public school teacher in both Gary and Indianapolis, Indiana. Currently, she works at the Andrew J. Brown Charter School as a kindergarten interventionist;

Whereas, Beverly also spent 18 years working for Delta Airlines as a marketing representative;

Whereas, Beverly's accomplishments extended from the schoolhouse to the statehouse, where she served as doorkeeper for the Indiana State Senate for six years working closely with Senator Breaux as her Community and Religious Outreach liaison during that time;

Whereas, Beverly is a member of Delta Sigma Theta Sorority, a member of the Indianapolis Symphony Orchestra Association, the former Vice President of the Community Alliance of the Far Eastside, and a member of the Tennessee State University Alumni Association;

Whereas, For 35 years, Beverly served as the first lady of Ebenezer Missionary Baptist Church where her husband, Thomas L. Brown, was the pastor;

Whereas, When not serving in a professional capacity, Beverly acts as the constant, loving caregiver of her 97-year-old father and enjoys spending time with her husband and three children, Thomas Jr., Tanya, and Lisa; and

Whereas, Beverly will be missed by senators, staff, and all who came to know her during her service to the Senate: Therefore,

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

SECTION 1. That the Indiana Senate honors Beverly Brown upon her retirement from the Indiana Senate.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Beverly Brown.

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

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1003

Representative Jordan called down Engrossed House Bill 1003 for third reading:

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

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

Roll Call 74: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Raatz and Buchanan.

Engrossed House Bill 1004

Representative Smaltz called down Engrossed House Bill 1004 for third reading:

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

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

Roll Call 75: yeas 99, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Charbonneau and Bassler.

Engrossed House Bill 1066

Representative Thompson called down Engrossed House Bill 1066 for third reading:

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

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

Roll Call 76: yeas 97, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Raatz.

Engrossed House Bill 1076

Representative Pryor called down Engrossed House Bill 1076 for third reading:

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

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

Roll Call 77: yeas 97, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Young and Taylor.

Engrossed House Bill 1080

Representative Barrett called down Engrossed House Bill 1080 for third reading:

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

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

Roll Call 78: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Ruckelshaus.

Engrossed House Bill 1081

Representative Gutwein called down Engrossed House Bill 1081 for third reading:

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

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

Roll Call 79: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Houchin.

Engrossed House Bill 1082

Representative Heaton called down Engrossed House Bill 1082 for third reading:

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

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

Roll Call 80: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Jon Ford.

Engrossed House Bill 1092

Representative Ziemke called down Engrossed House Bill 1092 for third reading:

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

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

Roll Call 81: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Charbonneau.

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

Engrossed House Bill 1093

Representative Ziemke called down Engrossed House Bill 1093 for third reading:

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

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

Roll Call 82: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Perfect.

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

Engrossed House Bill 1099

Representative Manning called down Engrossed House Bill 1099 for third reading:

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

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

Roll Call 83: yeas 97, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Busch and Glick.

Engrossed House Bill 1131

Representative Pressel called down Engrossed House Bill 1131 for third reading:

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

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

Roll Call 84: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Garten.

Engrossed House Bill 1132

Representative Steuerwald called down Engrossed House Bill 1132 for third reading:

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

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

Roll Call 85: yeas 97, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Freeman, Young and Houchin.

Engrossed House Bill 1145

Representative Hostettler called down Engrossed House Bill 1145 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

Roll Call 86: yeas 99, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Messmer and Tomes.

Engrossed House Bill 1147

Representative Morrison called down Engrossed House Bill 1147 for third reading:

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

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

Roll Call 87: yeas 93, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Boots.

The Speaker yielded the gavel to the Speaker-Elect, Representative Huston.

Engrossed House Bill 1153

Representative Goodrich called down Engrossed House Bill 1153 for third reading:

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

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

Roll Call 88: yeas 96, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Raatz.

Engrossed House Bill 1181

Representative Cook called down Engrossed House Bill 1181 for third reading:

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

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

Roll Call 89: yeas 96, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Koch and Buck.

Engrossed House Bill 1182

Representative Clere called down Engrossed House Bill 1182 for third reading:

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

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

Roll Call 90: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Becker, Grooms, Crider and Breaux.

Engrossed House Bill 1189

Representative Mayfield called down Engrossed House Bill 1189 for third reading:

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

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

Roll Call 91: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Niemeyer.

Engrossed House Bill 1198

Representative Abbott called down Engrossed House Bill 1198 for third reading:

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

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

Roll Call 92: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Glick.

Engrossed House Bill 1199

Representative Clere called down Engrossed House Bill 1199 for third reading:

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

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

Roll Call 93: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Grooms, Messmer, Ruckelshaus and Breaux.

Engrossed House Bill 1207

Representative Davisson called down Engrossed House Bill 1207 for third reading:

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

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

Roll Call 94: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Grooms, Ruckelshaus and Rogers.

Engrossed House Bill 1218

Representative Manning called down Engrossed House Bill 1218 for third reading:

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

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

Roll Call 95: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Donato and Koch.

Engrossed House Bill 1222

Representative Wesco called down Engrossed House Bill 1222 for third reading:

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

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

Roll Call 96: yeas 71, nays 27. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Walker.

Engrossed House Bill 1243

Representative Vermilion called down Engrossed House Bill 1243 for third reading:

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

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

Roll Call 97: yeas 94, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Becker.

Engrossed House Bill 1246

Representative Sullivan called down Engrossed House Bill 1246 for third reading:

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

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

Roll Call 98: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Crider.

Engrossed House Bill 1267

Representative Hostettler called down Engrossed House Bill 1267 for third reading:

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

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

Roll Call 99: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Messmer.

Engrossed House Bill 1279

Representative Soliday called down Engrossed House Bill 1279 for third reading:

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

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

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of House Bill 1279. Pursuant to House Rule 46, the reason for the request is the following:

I have a conflict of interest in the matter before the House which could reasonably be expected to have an effect on my income and a close relative's income.

CANDELARIA REARDON

Motion prevailed.

Roll Call 100: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Mishler and Charbonneau.

Engrossed House Bill 1283

Representative DeVon called down Engrossed House Bill 1283 for third reading:

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

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

Roll Call 101: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Rogers and Raatz.

Engrossed House Bill 1288

Representative Moseley called down Engrossed House Bill 1288 for third reading:

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

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

Roll Call 102: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Walker and Tallian.

Engrossed House Bill 1301

Representative Carbaugh called down Engrossed House Bill 1301 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

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

Roll Call 103: yeas 87, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Crider and Niezgodski.

The Speaker-Elect, Huston yielded the gavel to the Speaker.

Engrossed House Bill 1305.

Representative Stutzman called down Engrossed House Bill 1305 for third reading:

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

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

Roll Call 104: yeas 97, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Doriot and Rogers.

Engrossed House Bill 1313

Representative Young called down Engrossed House Bill 1313 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

Roll Call 105: yeas 97, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Koch.

Engrossed House Bill 1334

Representative Eberhart called down Engrossed House Bill 1334 for third reading:

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

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

Roll Call 106: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Niemeyer and Niezgodski.

Engrossed House Bill 1336

Representative Vermilion called down Engrossed House Bill 1336 for third reading:

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

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

Roll Call 107: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Charbonneau.

Engrossed House Bill 1337

Representative Hatfield called down Engrossed House Bill 1337 for third reading:

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

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

Roll Call 108: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Ruckelshaus.

Engrossed House Bill 1341

Representative Pfaff called down Engrossed House Bill 1341 for third reading:

A BILL FOR AN ACT concerning education.

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

Roll Call 109: yeas 97, nays 0. The bill was declared passed.

The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Kruse, Jon Ford, Stoops and J.D. Ford.

Engrossed House Bill 1346

Representative Frye called down Engrossed House Bill 1346 for third reading:

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

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

Roll Call 110: yeas 99, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Koch.

Engrossed House Bill 1347

Representative Gutwein called down Engrossed House Bill 1347 for third reading:

A BILL FOR AN ACT concerning motor vehicles.

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

Roll Call 111: yeas 97, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Garten.

Engrossed House Bill 1370

Representative May called down Engrossed House Bill 1370 for third reading:

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

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

Roll Call 112: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Messmer.

Engrossed House Bill 1372

Representative Carbaugh called down Engrossed House Bill 1372 for third reading:

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

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

Roll Call 113: yeas 98, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Bassler.

HOUSE BILLS ON SECOND READING

House Bill 1403

Representative Wolkins called down House Bill 1403 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representatives Barrett, Lehman and Carbaugh be added as coauthors of House Bill 1004.

SMALTZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Jackson be added as coauthor of House Bill 1031.

MILLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representative Zent be added as coauthor of House Bill 1045.

ABBOTT

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

HOUSE MOTION

Mr. Speaker: I move that Representatives Clere and May be added as coauthors of House Bill 1060.

MILLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Behning and V. Smith be added as coauthors of House Bill 1066.

THOMPSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Schaibley be added as coauthor of House Bill 1070.

SULLIVAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Harris be added as coauthor of House Bill 1081.

GUTWEIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moseley be added as coauthor of House Bill 1112.

LEONARD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Carbaugh be added as coauthor of House Bill 1115.

MORRIS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Heine be added as coauthor of House Bill 1131.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Pressel, Smaltz and Soliday be added as coauthors of House Bill 1165.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Macer and Lauer be added as coauthors of House Bill 1181.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representative Klinker be added as coauthor of House Bill 1198.

ABBOTT

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

HOUSE MOTION

Mr. Speaker: I move that Representatives Cook, Thompson and Goodin be added as coauthors of House Bill 1204.

CHERRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Soliday, DeVon and Candelaria Reardon be added as coauthors of House Bill 1218.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Boy be added as coauthor of House Bill 1222.

WESCO

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Pressel and Harris be added as coauthors of House Bill 1279.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Morris and Pressel be added as coauthors of House Bill 1301.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Carbaugh be added as coauthor of House Bill 1332.

LEHMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Shackleford be added as coauthor of House Bill 1336.

VERMILION

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as coauthor of House Bill 1347.

GUTWEIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Lehman, Engleman and Summers be added as coauthors of House Bill 1348.

GUTWEIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Chyung and Torr be added as coauthors of House Bill 1370.

MAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Lehman and Austin be added as coauthors of House Bill 1372.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as coauthor of House Bill 1403.

WOLKINS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Morrison, Hostettler and Manning be added as coauthors of House Bill 1414.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Austin and Schaibley be added as coauthors of House Bill 1418.

ENGLEMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as coauthor of House Bill 1419.

BEHNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lauer be added as coauthor of House Concurrent Resolution 11.

ZENT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Sullivan be added as coauthor of House Concurrent Resolution 19.

BACON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Bosma, Abbott, Austin, Aylesworth, Baird, Bartels, Bartlett, Bauer, Beck, Behning, Boy, T. Brown, Burton, Campbell, Cherry, Chyung, Clere, Cook, Davisson, Deal, DeLaney, DeVon, Dvorak, Eberhart, Ellington, Engleman, Errington, Frye, GiaQuinta, Goodin, Hamilton, Harris, Heaton, Heine, Huston, Jordan, Karickhoff, Lauer, Lehman, Leonard, Lindauer, Lucas, Manning, May, Mayfield, McNamara, Morris, Negele, Prescott, Schaibley, Sherman, Smaltz, Soliday, Speedy, Stutzman, Thompson, Vermilion, Zent and Ziemke be added as coauthors of Senate Concurrent Resolution 7.

PIERCE

Motion prevailed.

On the motion of Representative Manning, the House adjourned at 4:44 p.m., this twenty-eighth day of January, 2020, until Wednesday, January 29, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Fourteenth Day — **Wednesday Morning** — **January 29, 2020**

The invocation was offered by Reverend Neil Mack of Camby Tabernacle in Indianapolis, a guest of Representative Behning.

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

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

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

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

Roll Call 114: 98 present; 2 excused. The Speaker announced a quorum in attendance. [*NOTE*: □ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, January 30, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

HOUSE BILLS ON SECOND READING

Pursuant to House Rule 143.1 , the following bills which had no amendments filed, were read a second time by title and ordered engrossed: House Bills 1008, 1052, 1235 and 1326.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 21

The Speaker handed down Senate Concurrent Resolution 21, sponsored by Representatives Carbaugh and Lehman:

A CONCURRENT RESOLUTION encouraging education and the use of Safe Haven Baby Boxes in Indiana.

Whereas, The Indiana General Assembly adopted legislation in the 2017 and 2018 sessions allowing Safe Haven Baby Boxes to be installed at staffed fire stations and hospitals throughout the state;

Whereas, Since the installation of the first baby boxes in Indiana, five babies have been safely relinquished in the boxes and the children placed in forever homes;

Whereas, Over 5,000 mothers in crisis have been connected to services through the Safe Haven Baby Boxes affiliated hotline;

Whereas, 21 Safe Haven Baby Boxes have been installed in cities and towns across Indiana, with more being added each year; and

Whereas, Safe Haven Baby Boxes, a not-for-profit organization, has produced an educational video to inform women about the availability of Safe Haven Baby Boxes and its crisis hotline: Therefore,

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

SECTION 1. That the Indiana General Assembly encourages further education of the availability and use of Safe Haven Baby Boxes in Indiana to promote the safe surrender of a newborn baby in accordance with Indiana law.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Monica Kelsey, Founder of Safe Haven Baby Boxes, Inc

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

Senate Concurrent Resolution 22

The Speaker handed down Senate Concurrent Resolution 22, sponsored by Representative Austin:

A CONCURRENT RESOLUTION congratulating Deborah Stapleton on her retirement from the Anderson Museum of Art.

Whereas, Deborah Stapleton studied at Anderson University, earning a degree in sociology and museology with minors in speech and art;

Whereas, After graduation, Deborah took a position with the Montgomery County Historical Society in Dayton, Ohio;

Whereas, Deborah later returned to Anderson and began her 39 year career with the Anderson Museum of Art;

Whereas, Throughout her career, Deborah oversaw several major projects including moving the location of the museum from Eighth Street to its current location in the Carnegie Building alongside the Anderson Public Library;

Whereas, Other accomplishments of Deborah's include programs with local schools like "The Art Lady" where volunteers go into schools to talk about an artist and provide the school with a reproduction of the artist's work for display;

Whereas, Deborah brought many exhibits to Anderson including Jacob Lawrence's Harriet Tubman series and an exhibition on cartoonist Charles Schulz;

Whereas, Deborah also made it a point to work with and showcase Midwestern and local artists; and

Whereas, Deborah has a passion for jewelry making and would like to see profits from her jewelry used to help fund local non-profit organizations: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Deborah Stapleton on her retirement from the Anderson Museum of Art.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Deborah Stapleton.

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

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 1:37 p.m. with the Speaker in the Chair.

HOUSE BILLS ON SECOND READING

House Bill 1005

Representative Schaibley called down House Bill 1005 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1005–5)

Mr. Speaker: I move that House Bill 1005 be amended to read as follows:

Page 6, line 25, delete "(a)".
Page 6, delete lines 28 through 29.
Page 8, delete lines 39 through 40.
Page 18, delete lines 25 through 42.
Delete page 19.
Page 20, delete lines 1 through 3.
Page 40, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 29. IC 27-8-11-13 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 13. (a) A fully credentialed provider shall be reimbursed for eligible services provided at any in-network hospital if the following conditions are met:**

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

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

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

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

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

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

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

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

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

SECTION 30. IC 27-13-43-4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 4. (a) A fully credentialed provider shall be reimbursed for eligible services provided at any in-network hospital if the following conditions are met:**

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

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

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

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

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

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

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

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

the health maintenance organization shall reimburse the

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

Renumber all SECTIONS consecutively.

(Reference is to HB 1005 as printed January 24, 2020.)

LEHMAN

Motion prevailed.

HOUSE MOTION
(Amendment 1005–1)

Mr. Speaker: I move that House Bill 1005 be amended to read as follows:

Page 6, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 3. IC 16-18-2-46.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 46.5. "Canadian supplier", for purposes of IC 16-47-3, has the meaning set forth in IC 16-47-3-1.**".

Page 7, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 15. IC 16-18-2-294.5, AS AMENDED BY P.L.208-2015, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 294.5. (a) "Program", for purposes of IC 16-40-4, has the meaning set forth in IC 16-40-4-3.

(b) "Program", for purposes of IC 16-41-7.5, has the meaning set forth in IC 16-41-7.5-2.

(c) "Program", for purposes of IC 16-47-1, has the meaning set forth in IC 16-47-1-3.

(d) "Program", for purposes of IC 16-47-3, has the meaning set forth in IC 16-47-3-2.".

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

"SECTION 17. IC 16-18-2-353.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 353.3. "Track-and-trace", for purposes of IC 16-47-3, has the meaning set forth in IC 16-47-3-3.**".

Page 9, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 19. IC 16-18-2-363.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 363.5. "Vendor", for purposes of IC 16-47-3, has the meaning set forth in IC 16-47-3-4.**".

Page 17, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 24. IC 16-47-3 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 3. Importation of Prescription Drugs Program

Sec. 1. As used in this chapter, "Canadian supplier" means a:

(1) manufacturer;

(2) wholesale drug distributor; or

(3) pharmacy;

appropriately licensed or permitted under Canadian law to manufacture, distribute, or dispense prescription drugs.

Sec. 2. As used in this chapter, "program" refers to the importation of prescription drugs program established by section 5 of this chapter.

Sec. 3. As used in this chapter, "track-and-trace" means the product-tracing process for the components of the pharmaceutical distribution supply chain, as described in Title II of the federal Drug Quality and Security Act (21 U.S.C. 351 et seq.).

Sec. 4. As used in this chapter, "vendor" means an entity that contracts with the state department to manage specified functions of the program.

Sec. 5. (a) The importation of prescription drugs program is established.

(b) The state department shall administer the program.

(c) The state department shall contract with a vendor to provide services under the program. The vendor must comply with the requirements of this chapter.

(d) The state department shall require a bond from the vendor to mitigate the financial consequences of potential acts of malfeasance or misfeasance, potential fraudulent acts, or potential dishonest acts committed by the vendor, an employee of the vendor, or a contractor or subcontractor of the vendor.

(e) Before July 1, 2021, the state department shall apply to the United States Department of Health and Human Services for approval of the program under 21 U.S.C. 384(1). The state department shall implement the program not later than six (6) months after the state department receives approval for the program. The request must include the following:

(1) A description of the state department's plan for operating the program.

(2) A demonstration of how the prescription drugs imported into Indiana under the program will meet the applicable federal and state standards for safety and effectiveness.

(3) A demonstration of how the prescription drugs imported into Indiana under the program will comply with federal track-and-trace procedures.

(4) A list of proposed prescription drugs that have the highest potential for cost savings to the state through importation at the time that the request is submitted.

(5) An estimate of the total cost savings attributable to the program.

(6) The costs of program implementation to the state.

(7) A list of potential Canadian suppliers from which the state would import the prescription drugs and a demonstration that the suppliers are in full compliance with relevant Canadian federal and provincial laws and regulations, as well as all applicable federal and state laws and regulations.

(f) Upon receipt of federal approval of the program, the state department shall notify the following:

(1) The speaker of the house of representatives.

(2) The president pro tempore of the senate.

(3) The members of the health and provider services committee in the senate.

(4) The members of the public health committee in the house of representatives.

(g) Before the start of the general assembly session following receipt of the federal approval, the state department shall submit to the individuals described in subsection (f) a proposal for the implementation of funding of the program.

Sec. 6. (a) Before December 1, 2020, and by December 1 of each subsequent year, the vendor shall develop a wholesale prescription drug importation list identifying the prescription drugs that have the highest potential for cost savings to the state.

(b) In developing the list, the vendor shall consider at least the following in determining whether a prescription drug should be included on the list:

(1) Prescription drugs that, if included on the list, would provide the highest potential for cost savings in state administered programs.

(2) Prescription drugs for which there is a shortage in Indiana or the United States.

(3) Specialty prescription drugs.

(4) High volume prescription drugs.

(c) The state department shall review the wholesale prescription drug importation list at least every three (3) months to ensure that the list continues to meet the requirements of the program. The state department may

direct the vendor to revise the list as necessary.

Sec. 7. (a) The vendor shall identify Canadian suppliers that:

(1) are in full compliance with:

(A) relevant Canadian federal and provincial laws and regulations; and

(B) the federal Drug Quality and Security Act;

(2) have agreed to export prescription drugs identified on the list described in section 6 of this chapter at prices that will provide cost savings to the state; and

(3) have obtained an international export pharmacy permit under IC 25-26-14.5.

(b) The vendor must verify that the Canadian suppliers meet all of the requirements of the program while meeting or exceeding the federal and state track-and-trace laws and regulations.

(c) The vendor shall:

(1) contract with an eligible Canadian supplier; or

(2) facilitate contracts between eligible importers and Canadian suppliers;

to import drugs under the program.

(d) The vendor shall maintain a list of all registered importers that participate in the program.

(e) The vendor shall ensure compliance with Title II of the federal Drug Quality and Security Act by all suppliers, importers, distributors, and participants in the program.

Sec. 8. (a) The vendor shall provide to the state department the following:

(1) An annual financial audit of the vendor's operations.

(2) Quarterly financial reports specific to the program, including information on the performance of the vendor and the vendor's subcontractors for the program.

(b) The state department shall determine the format and contents of the reports described in this section.

Sec. 9. (a) A Canadian supplier is eligible to participate in the program if the Canadian supplier meets the following requirements:

(1) Is in full compliance with relevant Canadian federal and provincial laws and regulations.

(2) Is identified by the vendor as eligible to participate in the program.

(3) Submits an attestation that the supplier has a registered agent in the United States, including the name and United States business address of the registered agent.

(b) An importer that meets the requirements of this chapter may import a prescription drug from an eligible Canadian supplier if the following conditions are met:

(1) The prescription drug meets the United States Food and Drug Administration's standards concerning safety, effectiveness, misbranding, and adulteration.

(2) The importation of the drug would not violate federal patent laws.

(3) The importation of the drug is expected to generate cost savings to the state.

(4) The drug is not any of the following:

(A) A controlled substance.

(B) A biological product.

(C) An infused drug.

(D) An intravenously injected drug.

(E) A drug that is inhaled during surgery.

(F) A drug that is a parenteral drug, the importation of which is determined by the United States Secretary of Health and Human Services to pose a threat to the public health.

Sec. 10. (a) The following entities may import prescription drugs under the program from a Canadian supplier that meets the requirements of this chapter:

(1) A pharmacist or wholesale drug distributor employed by or under contract with the state department for distribution to a county health department for dispensing to the patients of the county health department.

(2) A pharmacist or wholesale drug distributor employed by or under contract with a pharmacy that is a Medicaid provider, for dispensing to the pharmacy's Medicaid recipients.

(3) A pharmacist or wholesale drug distributor employed by or under contract with the department of correction, for dispensing to inmates in the custody of the department of correction.

(b) A Canadian supplier that meets the requirements of this chapter and an eligible importer described in subsection (a) that is participating in the program:

(1) must comply with all track-and-trace requirements; and

(2) may not distribute, dispense, or sell prescription drugs imported under this program outside Indiana.

Sec. 11. (a) The vendor shall ensure the safety and quality of drugs imported under the program.

(b) The vendor shall do the following:

(1) For an initial imported shipment of a specific drug by an importer, ensure that each batch of the drug in the shipment is statistically sampled and tested for authenticity and degradation in a manner consistent with federal law.

(2) For every subsequent imported shipment of that drug by that importer, ensure that a statistically valid sample of the shipment is tested for authenticity and degradation in a manner consistent with federal law.

(3) Certify that the drug:

(A) is approved for marketing in the United States and is not adulterated or misbranded; and

(B) meets all of the labeling requirements under 21 U.S.C. 352.

(4) Maintain qualified laboratory records, including complete data derived from all tests necessary to ensure that the drug is in compliance with the requirements of this section.

(5) Maintain documentation demonstrating that the testing required by this section was conducted at a qualified laboratory in accordance with federal and state laws and regulations governing laboratory qualifications.

(c) All testing required by this section must be conducted in a qualified laboratory that meets the standards under federal and state laws and regulations governing laboratory qualifications for drug testing.

(d) The vendor shall maintain information and documentation submitted under this section for at least seven (7) years.

Sec. 12. An importer participating in the program must submit all of the following information to the vendor concerning drugs provided for the program:

(1) The name and quantity of the active ingredients of the drug.

(2) A description of the dosage form of the drug.

(3) The date on which the drug is received.

(4) The quantity of the drug that is received.

(5) The point of origin and destination of the drug.

(6) The price paid by the importer for the drug.

Sec. 13. (a) A Canadian supplier participating in the program must submit the following information and documentation to the vendor specifying all of the following concerning drugs provided for the program:

(1) The original source of the drug, including:

(A) the name of the manufacturer of the drug;

(B) the date on which the drug was manufactured; and

(C) the location, including the country, state or

province, and city, where the drug was manufactured.

(2) The date on which the drug is shipped.

(3) The quantity of the drug that is shipped.

(4) The quantity of each lot of the drug originally received and the source of the lot.

(5) The lot or control number and the batch number assigned to the drug by the manufacturer.

(b) The state department may require that the vendor collect additional information from the Canadian supplier that is necessary to ensure the protection of the public health.

Sec. 14. (a) The state department shall immediately suspend the importation of a specific drug or the importation of drugs by a specific importer if the state department discovers that any drug or importer activity is in violation of this chapter or any federal or state law or regulation.

(b) The state department may revoke the suspension under subsection (a) of the importation of a specific drug or the importation of drugs by a specific importer if the state department determines that the public is adequately protected from counterfeit or unsafe drugs being imported into Indiana.

Sec. 15. Before December 1 of each year, the state department shall submit a report to the governor and the general assembly in an electronic format under IC 5-14-6 on the operation of the program during the previous fiscal year. The report must include at least the following:

(1) A list of the prescription drugs that were imported under the program.

(2) The number of participating persons.

(3) The number of prescriptions dispensed through the program.

(4) The estimated cost savings to the state during the previous fiscal year and to date that are attributable to the program.

(5) A description of the methodology used to determine which drugs should be included on the wholesale prescription drug importation list.

(6) Documentation on how the program ensures the following:

(A) Canadian suppliers participating in the program are of high quality and high performance and in full compliance with relevant:

(i) Canadian federal and provincial laws and regulations; and

(ii) federal and state laws, regulations, and rules.

(B) Prescription drugs imported under the program are not shipped, sold, or dispensed outside Indiana once in the possession of the importer.

(C) Prescription drugs imported under the program are pure, unadulterated, potent, and safe.

(D) The program does not place consumers at a higher health and safety risk than if the consumers did not participate.

(E) The program provides cost savings to the state on imported prescription drugs.

Sec. 16. The state department shall adopt rules under IC 4-22-2 necessary to implement this chapter.".

Page 24, after line 42, begin a new paragraph and insert:

"SECTION 26. IC 25-26-13-4, AS AMENDED BY P.L.5-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The board may:

(1) adopt rules under IC 4-22-2 for implementing and enforcing this chapter;

(2) establish requirements and tests to determine the moral, physical, intellectual, educational, scientific, technical, and professional qualifications for applicants for pharmacists' licenses;

(3) refuse to issue, deny, suspend, or revoke a license or permit or place on probation or fine any licensee or permittee under this chapter;

(4) regulate the sale of drugs and devices in the state of Indiana;

(5) impound, embargo, confiscate, or otherwise prevent from disposition any drugs, medicines, chemicals, poisons, or devices which by inspection are deemed unfit for use or would be dangerous to the health and welfare of the citizens of the state of Indiana; the board shall follow those embargo procedures found in IC 16-42-1-18 through IC 16-42-1-31, and persons may not refuse to permit or otherwise prevent members of the board or their representatives from entering such places and making such inspections;

(6) prescribe minimum standards with respect to physical characteristics of pharmacies, as may be necessary to the maintenance of professional surroundings and to the protection of the safety and welfare of the public;

(7) subject to IC 25-1-7, investigate complaints, subpoena witnesses, schedule and conduct hearings on behalf of the public interest on any matter under the jurisdiction of the board;

(8) prescribe the time, place, method, manner, scope, and subjects of licensing examinations which shall be given at least twice annually; and

(9) perform such other duties and functions and exercise such other powers as may be necessary to implement and enforce this chapter.

(b) The board shall adopt rules under IC 4-22-2 for the following:

(1) Establishing standards for the competent practice of pharmacy.

(2) Establishing the standards for a pharmacist to counsel individuals regarding the proper use of drugs.

(3) Establishing standards and procedures before January 1, 2006, to ensure that a pharmacist:

(A) has entered into a contract that accepts the return of expired drugs with; or

(B) is subject to a policy that accepts the return of expired drugs of;

a wholesaler, manufacturer, or agent of a wholesaler or manufacturer concerning the return by the pharmacist to the wholesaler, the manufacturer, or the agent of expired legend drugs or controlled drugs. In determining the standards and procedures, the board may not interfere with negotiated terms related to cost, expenses, or reimbursement charges contained in contracts between parties, but may consider what is a reasonable quantity of a drug to be purchased by a pharmacy. The standards and procedures do not apply to vaccines that prevent influenza, medicine used for the treatment of malignant hyperthermia, and other drugs determined by the board to not be subject to a return policy. An agent of a wholesaler or manufacturer must be appointed in writing and have policies, personnel, and facilities to handle properly returns of expired legend drugs and controlled substances.

(4) The following concerning the issuance of a permit under IC 25-26-14.5:

(A) Inspection report requirements described under IC 25-26-14.5-1.

(B) The financial responsibility of entities that hold any permit under IC 25-26-14.5.

(c) The board may grant or deny a temporary variance to a rule it has adopted if:

(1) the board has adopted rules which set forth the procedures and standards governing the grant or denial of a temporary variance; and

(2) the board sets forth in writing the reasons for a grant or denial of a temporary variance.

(d) The board shall adopt rules and procedures, in consultation with the medical licensing board, concerning the electronic transmission of prescriptions. The rules adopted under this subsection must address the following:

(1) Privacy protection for the practitioner and the practitioner's patient.

(2) Security of the electronic transmission.

(3) A process for approving electronic data intermediaries for the electronic transmission of prescriptions.

(4) Use of a practitioner's United States Drug Enforcement Agency registration number.

(5) Protection of the practitioner from identity theft or fraudulent use of the practitioner's prescribing authority.

(e) The governor may direct the board to develop:

(1) a prescription drug program that includes the establishment of criteria to eliminate or significantly reduce prescription fraud; and

(2) a standard format for an official tamper resistant prescription drug form for prescriptions (as defined in IC 16-42-19-7(1)).

The board may adopt rules under IC 4-22-2 necessary to implement this subsection.

(f) The standard format for a prescription drug form described in subsection (e)(2) must include the following:

(1) A counterfeit protection bar code with human readable representation of the data in the bar code.

(2) A thermochromic mark on the front and the back of the prescription that:

(A) is at least one-fourth (1/4) of one (1) inch in height and width; and

(B) changes from blue to clear when exposed to heat.

(g) The board may contract with a supplier to implement and manage the prescription drug program described in subsection (e). The supplier must:

(1) have been audited by a third party auditor using the SAS 70 audit or an equivalent audit for at least the three (3) previous years; and

(2) be audited by a third party auditor using the SAS 70 audit or an equivalent audit throughout the duration of the contract;

in order to be considered to implement and manage the program.

(h) The board shall adopt rules under IC 4-22-2, or emergency rules in the manner provided under IC 4-22-2-37.1 that take effect on July 1, 2016, concerning:

(1) professional determinations made under IC 35-48-4-14.7(d); and

(2) the determination of a relationship on record with the pharmacy under IC 35-48-4-14.7.

(i) The board may:

(1) review professional determinations made by a pharmacist; and

(2) take appropriate disciplinary action against a pharmacist who violates a rule adopted under subsection (h) concerning a professional determination made;

under IC 35-48-4-14.7 concerning the sale of ephedrine and pseudoephedrine.

SECTION 27. IC 25-26-13-29, AS AMENDED BY P.L.209-2018, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 29. (a) It is unlawful:

(1) For any person to display or permit to be displayed, a pharmacy permit in any facility or place of business other than that for which it was issued.

(2) For any person to accept a prescription for filling or compounding at any place or facility for which there is not a valid pharmacy permit.

(3) For any person to operate a pharmacy or to take, assume, exhibit, display, or advertise by any medium, the title "drugs", "prescriptions", "medicine", "drug store", "pharmacy", or "apothecary shop", or any combination of such titles or any other title, symbol, term, or description of like import intended to cause the public to believe that it is a pharmacy unless the person holds a valid pharmacy permit.

(4) For any person to engage or offer to engage in the practice of pharmacy or to hold himself or herself out as a pharmacist without a valid pharmacist's license that is classified as active by the board.

(b) A person who violates a provision of subsection (a) commits a Level 6 felony.

(c) Nothing in this chapter shall apply to, nor in any manner interfere with the business of a general merchant in selling and distributing nonnarcotic, nonprescription medicines or drugs which are prepackaged, fully prepared by the manufacturer for use by the consumer, and labeled in accordance with the requirements of the state and federal food and drug acts.

(d) This chapter does not apply to, or in any manner interfere with, the business of a manufacturer in selling and delivering a dialysate drug or a device that is necessary for home peritoneal renal dialysis for a patient who has end stage renal disease if all of the following apply:

(1) The dialysate drug or device is approved by the federal Food and Drug Administration under federal law.

(2) The dialysate drug or device is held by the manufacturer, a third party logistics provider, or a wholesale drug distributor in accordance with the requirements of IC 25-26-14.

(3) The dialysate drug or device is delivered in the manufacturer's original, sealed packaging.

(4) The dialysate drug or device is delivered only upon:

(A) receipt of a physician's prescription by a pharmacy that holds a pharmacy permit under this chapter; and

(B) the transmittal of an order from the pharmacy described in clause (A) to the manufacturer, third party logistics provider, or wholesale drug distributor.

(5) The manufacturer, third party logistics provider, or wholesale drug distributor delivers the dialysate drug or device directly to:

(A) the patient or the patient's designee for self-administration of the dialysis therapy; or

(B) a health care provider for administration of the dialysis therapy to the patient.

(e) This chapter does not apply to the purchase of prescription drugs through and in compliance with the importation of prescription drugs program established under IC 16-47-3.

SECTION 28. IC 25-26-14-17.8, AS AMENDED BY P.L.98-2006, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17.8. (a) **This section does not apply to purchase of prescription drugs through and in compliance with the importation of prescription drugs program established under IC 16-47-3.** A wholesale drug distributor licensed under this chapter that purchases legend drugs from a wholesale drug distributor that is not licensed under this chapter shall act with due diligence as required under this section and rules adopted by the board. However, the due diligence requirements of this section do not apply to purchases from an unlicensed wholesale drug distributor that has obtained accreditation through the National Association of Boards of Pharmacy's Verified-Accredited Wholesale Distributors program.

(b) Before the initial purchase of legend drugs from the unlicensed wholesale drug distributor, the licensed wholesale drug distributor shall obtain the following information from the unlicensed wholesale drug distributor:

(1) A list of states in which the unlicensed wholesale drug distributor is licensed.

(2) A list of states into which the unlicensed wholesale drug distributor ships legend drugs.

(3) Copies of all state and federal regulatory licenses and

registrations held by the unlicensed wholesale drug distributor.

(4) The unlicensed wholesale drug distributor's most recent facility inspection reports.

(5) Information regarding general and product liability insurance maintained by the unlicensed wholesale drug distributor, including copies of relevant policies.

(6) A list of other names under which the unlicensed wholesale drug distributor does business or has been previously known.

(7) A list of corporate officers and managerial employees of the unlicensed wholesale drug distributor.

(8) A list of all owners of the unlicensed wholesale drug distributor that own more than ten percent (10%) of the unlicensed wholesale drug distributor, unless the unlicensed wholesale drug distributor is publicly traded.

(9) A list of all disciplinary actions taken against the unlicensed wholesale drug distributor by state and federal agencies.

(10) A description, including the address, dimensions, and other relevant information, of each facility used by the unlicensed wholesale drug distributor for legend drug storage and distribution.

(11) A description of legend drug import and export activities of the unlicensed wholesale drug distributor.

(12) A description of the unlicensed wholesale drug distributor's procedures to ensure compliance with this chapter.

(13) A statement:

(A) as to whether; and

(B) of the identity of each manufacturer for which;

the unlicensed wholesale drug distributor is an authorized distributor.

(c) Before the initial purchase of legend drugs from an unlicensed wholesale drug distributor, the licensed wholesale drug distributor shall:

(1) request that the board obtain and consider the results of a national criminal history background check (as defined in IC 10-13-3-12) through the state police department of all individuals associated with the unlicensed wholesale drug distributor as specified for licensure of a wholesale drug distributor under section 16(b) of this chapter; and

(2) verify the unlicensed wholesale drug distributor's status as an authorized distributor, if applicable.

(d) If an unlicensed wholesale drug distributor's facility has not been inspected by the board or the board's agent within three (3) years after a contemplated purchase described in subsection (a), the licensed wholesale drug distributor shall conduct an inspection of the unlicensed wholesale drug distributor's facility:

(1) before the initial purchase of legend drugs from the unlicensed wholesale drug distributor; and

(2) at least once every three (3) years unless the unlicensed wholesale drug distributor's facility has been inspected by the board, or the board's agent, during the same period;

to ensure compliance with applicable laws and regulations relating to the storage and handling of legend drugs. A third party may be engaged to conduct the site inspection on behalf of the licensed wholesale drug distributor.

(e) At least annually, a licensed wholesale drug distributor that purchases legend drugs from an unlicensed wholesale drug distributor shall ensure that the unlicensed wholesale drug distributor maintains a record keeping system that meets the requirements of section 17(3) of this chapter.

(f) If a licensed wholesale drug distributor that purchases legend drugs from an unlicensed wholesale drug distributor has reason to believe that a legend drug purchased from the unlicensed wholesale drug distributor is misbranded, adulterated, counterfeit, or suspected counterfeit, the licensed wholesale drug distributor shall conduct a for cause authentication of each distribution of the legend drug back to the manufacturer.

(g) An unlicensed wholesale drug distributor that has engaged in the distribution of a legend drug for which a licensed wholesale drug distributor conducts a for cause authentication under subsection (f) shall provide, upon request, detailed information regarding the distribution of the legend drug, including the:

(1) date of purchase of the legend drug;

(2) lot number of the legend drug;

(3) sales invoice number of the legend drug; and

(4) contact information, including name, address, telephone number, and any electronic mail address of the unlicensed wholesale drug distributor that sold the legend drug.

(h) If a licensed wholesale drug distributor conducts a for cause authentication under subsection (f) and is unable to authenticate each distribution of the legend drug, the licensed wholesale drug distributor shall quarantine the legend drug and report the circumstances to the board and the federal Food and Drug Administration within ten (10) business days after completing the attempted authentication.

(i) If a licensed wholesale drug distributor authenticates the distribution of a legend drug back to the manufacturer under subsection (f), the licensed wholesale drug distributor shall maintain records of the authentication for three (3) years and shall provide the records to the board upon request.

(j) A licensed wholesale drug distributor that purchases legend drugs from an unlicensed wholesale drug distributor shall, at least annually, conduct random authentications of required pedigrees on at least ten percent (10%) of sales units of distributions of legend drugs that were purchased from unlicensed wholesale drug distributors.

(k) An unlicensed wholesale drug distributor from which a licensed wholesale drug distributor has purchased legend drugs shall cooperate with the random authentications of pedigrees under this section and provide requested information in a timely manner.

(l) If a wholesale drug distributor conducts a random authentication under subsection (j) and is unable to authenticate each distribution of the legend drug, the wholesale drug distributor shall quarantine the legend drug and report the circumstances to the board and the federal Food and Drug Administration not more than ten (10) business days after completing the attempted authentication.

SECTION 29. IC 25-26-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 14.5. International Export Pharmacy Permit and Wholesale Drug Distributor Permit

Sec. 1. (a) To participate as an exporter of prescription drugs into Indiana under the importation of prescription drugs program established by IC 16-47-3-5, a pharmacy located outside the United States must meet the following requirements:

(1) Hold an international export pharmacy permit issued under this chapter.

(2) Maintain at all times an active and unencumbered license or permit to operate a pharmacy:

(A) in compliance with the laws and rules of the jurisdiction in which the pharmacy is located and from which the prescription drugs will be exported; and

(B) in a country with which the United States has a current mutual recognition agreement, cooperation agreement, memorandum of understanding, or other federal mechanism recognizing the country's adherence to current good manufacturing practices for pharmaceutical products.

(3) Submit an application for an international export pharmacy permit on a form developed and provided

by the board.

(b) An applicant for an international export pharmacy permit must submit the following to the board with the application required under subsection (a)(3):

(1) Proof of an active and unencumbered license or permit to operate a pharmacy in compliance with the laws and rules of the jurisdiction in which the dispensing facility is located and from which the prescription drugs will be exported.

(2) Documentation demonstrating that the country in which the pharmacy operates has a current mutual recognition agreement, cooperation agreement, memorandum of understanding, or other federal mechanism recognizing the country's adherence to current good manufacturing practices for pharmaceutical products.

(3) The location, names, and title of all principal corporate officers and the pharmacist who serves as the prescription department manager for prescription drugs exported into Indiana under the importation of prescription drugs program.

(4) A written attestation by an owner or officer of the applicant and by the applicant's prescription drug manager containing the following affirmations:

(A) That the individual has read and understands the laws and rules governing the manufacture, distribution, and dispensing of prescription drugs in Indiana.

(B) That prescription drugs shipped, mailed, or delivered into Indiana:

(i) will meet or exceed Indiana's standards for safety and efficacy; and

(ii) will not have been, and may not be, manufactured or distributed in violation of the laws and rules of the jurisdiction in which the applicant is located and from which the prescription drugs will be exported.

(5) A current inspection report from an inspection conducted by the regulatory or licensing agency of the jurisdiction in which the applicant is located. The inspection report must reflect compliance with this section. An inspection report is current if the inspection was conducted not earlier than six (6) months before the submission of the application for an initial permit or not earlier than one (1) year for the renewal of a permit.

(c) If an applicant is not able to submit an inspection report that meets the requirements of subsection (b)(5), the board must do one (1) of the following:

(1) Conduct, or contract with a person to conduct, an onsite inspection at the cost of the applicant.

(2) Accept a current inspection report from an entity that:

(A) meets requirements adopted by the board under IC 4-22-2 for entities to perform inspections; and

(B) has been approved by the board.

(3) Accept a current inspection report from the United States Food and Drug Administration conducted under the federal Drug Quality and Security Act.

Sec. 2. To participate as an exporter of prescription drugs into Indiana under the importation of prescription drugs program established by IC 16-47-3, a nonresident prescription drug manufacturer located outside the United States must register with the board and obtain the international export pharmacy permit under this chapter.

Sec. 3. (a) The board shall adopt rules under IC 4-22-2 governing the financial responsibility of a pharmacy that holds a permit under this chapter. The rules must include at least the following:

(1) Financial reporting requirements.

(2) Standards for financial capability to perform the functions governed by the permit.

(3) Requirements for ensuring that the permit holder and the permit holder's contractors can be held accountable for the financial consequences of any act of malfeasance or misfeasance or fraudulent or dishonest acts committed by the permit holder or the permit holder's contractors.

(b) The board shall adopt rules under IC 4-22-2 concerning inspection report requirements described in section 1 of this chapter.

Sec. 4. (a) A wholesale drug distributor located outside the United States must obtain an international prescription drug wholesale drug distributor permit under this chapter to engage in the wholesale exportation and distribution of prescription drugs in Indiana under the importation of prescription drugs program established by IC 16-47-3-5.

(b) A wholesale drug distributor must meet the following in order to obtain a wholesale drug distributor permit:

(1) Be licensed or permitted to operate in a country with which the United States has:

(A) a current mutual recognition agreement;

(B) a current cooperation agreement;

(C) a current memorandum of understanding; or

(D) another federal mechanism recognizing the country's adherence to current good manufacturing practices for pharmaceutical products.

(2) Maintain at all times a license or permit to engage in the wholesale distribution of prescription drugs in compliance with the laws and rules of the jurisdiction in which the wholesale drug distributor operates.

(c) The board shall adopt rules under IC 4-22-2 governing the financial responsibility of a wholesale drug distributor that holds a permit under this chapter. The rules must include at least the following:

(1) Financial reporting requirements.

(2) Standards for financial capability to perform the functions governed by the permit.

(3) Requirements for ensuring that a wholesale drug distributor holding a permit under this chapter and the wholesale drug distributor's contractors are held accountable for the financial consequences of any act of malfeasance or misfeasance or fraudulent or dishonest acts committed by the permit holder or the permit holder's contractors.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1005 as printed January 24, 2020.)

HATFIELD

Upon request of Representatives GiaQuinta and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 115: yeas 49, nays 44. Motion prevailed. The bill was ordered engrossed.

Pursuant to House Rule 143, the author of House Bill 1043, Representative Davisson, granted consent to the coauthor, Representative Bartels, to call the bill down for second reading.

House Bill 1043

Representative Davisson, granted consent to the cosponsor, Representative Bartels, to call the bill down for second reading. Representative Bartels called down House Bill 1043 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1043–1)

Mr. Speaker: I move that House Bill 1043 be amended to read as follows:

Page 7, line 35, delete "officer;" and insert "officer **who is less than forty (40) years of age;**".

Page 7, line 36, delete "firefighter;" and insert "firefighter **who is less than thirty-six (36) years of age;**".

Page 7, line 37, strike "who is less than".

Page 7, line 37, delete "forty (40)".
Page 7, line 37, strike "years of age and".
(Reference is to HB 1043 as printed January 27, 2020.)
BARTELS

Motion prevailed. The bill was ordered engrossed.

Representatives Judy and Wesco, who had been present, are now excused.

House Bill 1063

Representative Goodrich called down House Bill 1063 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1063–1)

Mr. Speaker: I move that House Bill 1063 be amended to read as follows:

Page 3, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 5. IC 36-8-8-0.1, AS ADDED BY P.L.220-2011, SECTION 671, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.1. The following amendments to this chapter apply as follows:

(1) The addition of section 20 of this chapter by P.L.223-1986 applies only to fund members who die after March 10, 1986.

(2) The amendments made to section 10 of this chapter by P.L.232-1997 apply only to members of the 1977 fund who initially:

(A) become fifty-five (55) years of age; or

(B) retire;

after June 30, 1997.

(3) The amendments made to section 16 of this chapter by P.L.28-2008 apply only to benefits payable with respect to a member of the 1977 police officers' and firefighters' pension and disability fund who dies after June 30, 2008.

(4) The amendments made to sections 12 and 13.5 of this chapter by P.L.32-2009 and by P.L.34-2009 apply to a member of the 1977 police officers' and firefighters' pension and disability fund who:

(A) after June 30, 2009, receives a benefit based on a determination that the member has a Class 1 or Class 2 impairment, regardless of whether the determination was made before, on, or after June 30, 2009; and

(B) before July 1, 2009, has not had the member's disability benefit recalculated under section 13.5 of this chapter (as the section read before amendment by P.L.32-2009 and by P.L.34-2009).

(5) The amendments made to section 8.3 of this chapter by the 2020 regular session of the general assembly apply to members of the 1977 fund who initially retire after June 30, 2020.

SECTION 6. IC 36-8-8-8.3, AS AMENDED BY P.L.8-2015, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8.3. (a) This section applies to a fund member who, after June 30, 2009, completes service for which the 1977 fund gives credit.

(b) A fund member may purchase and claim not more than ~~two (2)~~ **four (4)** years of service credit for the fund member's service on active duty in the armed services if the fund member meets the following conditions:

(1) The fund member has at least one (1) year of credited service in the fund.

(2) The fund member serves on active duty in the armed services of the United States for at least six (6) months.

(3) The fund member receives an honorable discharge from the armed services.

(4) Before the fund member retires, the fund member makes contributions to the fund as follows:

(A) Contributions that are equal to the product of the following:

(i) The salary of a first class patrolman or firefighter at the time the fund member actually makes a contribution for the service credit.

(ii) A rate, determined by the actuary of the 1977 fund, that is based on the age of the fund member at the time the fund member actually makes a contribution for service credit and that is computed to result in a contribution amount that approximates the actuarial present value of the retirement benefit attributable to the service credit purchased.

(iii) The number of years of service credit the fund member intends to purchase.

(B) Contributions for any accrued interest, at a rate determined by the actuary of the 1977 fund, for the period from the fund member's initial membership in the 1977 fund to the date payment is made by the fund member.

(c) A fund ~~member~~ **member's years of service** must ~~have at least~~ **equal or exceed** twenty (20) years ~~of service before a fund member may receive a benefit based on a~~ **with the inclusion of the** service credit purchased under this section **before the fund member may receive a benefit.** A fund member's years of service may not exceed thirty-two (32) years with the inclusion of the service credit purchased under this section.

(d) A fund member may not receive service credit under this section:

(1) for service credit received under IC 36-8-5-7; or

(2) if the military service for which the fund member requests credit also qualifies the fund member for a benefit in a military or another **Indiana** governmental retirement system.

(e) A fund member who:

(1) terminates service before satisfying the eligibility requirements necessary to receive a retirement benefit payment from the 1977 fund; or

(2) receives a retirement benefit for the same service from another retirement system, other than under the federal Social Security Act;

may withdraw the fund member's contributions made under this section plus accumulated interest after submitting to the fund a properly completed application for a refund.

(f) The following apply to the purchase of service credit under this section:

(1) The system board may allow a fund member to make periodic payments of the contributions required for the purchase of the service credit. The system board shall determine the length of the period during which the payments must be made.

(2) The system board may deny an application for the purchase of service credit if the purchase would exceed the limitations under Section 415 of the Internal Revenue Code.

(3) A fund member may not claim the service credit for purposes of determining eligibility or computing benefits unless the fund member has made all payments required for the purchase of the service credit.

(g) To the extent permitted by the Internal Revenue Code and applicable regulations, the 1977 fund may accept, on behalf of a fund member who is purchasing service credit under this section, a rollover of a distribution from any of the following:

(1) A qualified plan described in Section 401(a) or Section 403(a) of the Internal Revenue Code.

(2) An annuity contract or account described in Section 403(b) of the Internal Revenue Code.

(3) An eligible plan that is maintained by a state, a political subdivision of a state, or an agency or instrumentality of a state or a political subdivision of a state under Section 457(b) of the Internal Revenue Code.

(4) An individual retirement account or annuity described

in Section 408(a) or 408(b) of the Internal Revenue Code.

(h) To the extent permitted by the Internal Revenue Code and the applicable regulations, the 1977 fund may accept, on behalf of a fund member who is purchasing service credit under this section, a trustee to trustee transfer from any of the following:

(1) An annuity contract or account described in Section 403(b) of the Internal Revenue Code.

(2) An eligible deferred compensation plan under Section 457(b) of the Internal Revenue Code.

SECTION 7. IC 36-8-8-10, AS AMENDED BY P.L.127-2017, SECTION 261, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) **Except as otherwise provided in section 8.3(c) of this chapter,** a fund member is eligible for retirement after the member has completed twenty (20) years of active service.

(b) Unless the member is receiving benefits under subsection (c), unreduced benefits to a retired fund member begin the date:

(1) the fund member becomes fifty-two (52) years of age; or

(2) on which the fund member retires;

whichever is later. Benefit payments to a retired fund member under this subsection begin on the first day of the month on or after the date the member reaches fifty-two (52) years of age or on which the member retires, whichever is later.

(c) A retired member may elect to receive actuarially reduced benefits that begin the date:

(1) the fund member becomes fifty (50) years of age; or

(2) on which the fund member retires;

whichever is later. Benefit payments to a retired fund member under this subsection begin on the first day of the month on or after the day the member reaches fifty (50) years of age or on which the member retires, whichever is later.

(d) If a fund member:

(1) becomes fifty-two (52) years of age in the case of unreduced benefits or fifty (50) years of age in the case of reduced benefits; or

(2) retires on a date other than on the first day of the month;

the amount due the fund member for the initial partial monthly benefit

is payable together with the regular monthly benefit on the first of the month following the date the fund member becomes fifty-two (52) or fifty (50) years of age, respectively, or retires, whichever is later.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1063 as printed January 27, 2020.)

GOODIN

Upon request of Representatives Pryor and Porter, the Speaker ordered the roll of the House to be called. Roll Call 116: yeas 37, nays 57. Motion failed. The bill was ordered engrossed.

House Bill 1065

Representative Thompson called down House Bill 1065 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1065–1)

Mr. Speaker: I move that House Bill 1065 be amended to read as follows:

Page 2, delete lines 38 through 42.

Delete pages 3 through 5.

Page 6, delete lines 1 through 4.

Renumber all SECTIONS consecutively.

(Reference is to HB 1065 as printed January 27, 2020.)

PORTER

Upon request of Representatives Porter and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 117: yeas 33, nays 60. Motion failed.

HOUSE MOTION
(Amendment 1065–2)

Mr. Speaker: I move that House Bill 1065 be amended to read as follows:

Page 2, delete lines 38 through 42, begin a new paragraph and insert:

"SECTION 2. IC 6-3.6-3-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 4.5. (a) This section applies to a county in which the county adopting body is a local income tax council.**

(b) Before January 1, 2024, the voting procedure in effect in each county is the traditional local income tax council voting procedure. The traditional local income tax council voting procedure for the adoption of ordinances remains in effect in the county unless and until the local income tax council changes its voting procedure under subsection (c).

(c) After December 31, 2023, a local income tax council may adopt an ordinance to change its voting procedure:

(1) from the traditional local income tax voting procedure to the alternative local income tax voting procedure, if the traditional local income tax voting procedure is in effect in the county; or

(2) from the alternative local income tax voting procedure to the traditional local income tax voting procedure, if the alternative local income tax voting procedure is in effect in the county;

by using the voting procedure that is in effect in the county at the time the ordinance to change the voting procedure is proposed.

SECTION 3. IC 6-3.6-3-5, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The auditor of a county shall record all votes taken on ordinances presented for a vote under this article and not more than ten (10) days after the vote, send a certified copy of the results to:

(1) the commissioner of the department of state revenue; and

(2) the commissioner of the department of local government finance;

in an electronic format approved by the commissioner of the department of local government finance.

(b) This subsection applies only to a county ~~that has~~ **in which:**

(1) the county adopting body is a local income tax council; **and**

(2) the traditional local income tax council voting procedure is in effect in the county.

The county auditor may cease sending certified copies after the county auditor sends a certified copy of results showing that members of the local income tax council have cast a majority of the votes on the local income tax council for or against the proposed ordinance.

(c) This subsection applies only to a county in which:

(1) the county adopting body is a local income tax council; and

(2) the alternative local income tax council voting procedure is in effect in the county.

The county auditor may cease sending certified copies after the county auditor sends a certified copy of results showing that the individuals who sit on the fiscal bodies of the county, cities, and towns that are members of the local income tax council have cast a majority of the votes on the local income tax council voting as a whole under section 15 of this chapter for or against the proposed ordinance.

SECTION 4. IC 6-3.6-3-6, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) This section applies to a county in which:

(1) the county adopting body is a local income tax council; **and**

(2) the traditional local income tax council voting procedure is in effect in the county.

(b) In the case of a city or town that lies within more than one (1) county, the county auditor of each county shall base the allocations required by subsection (c) on the population of that part of the city or town that lies within the county for which the allocations are being made.

(c) Each local income tax council has a total of one hundred (100) votes. Each member of a local income tax council is allocated a percentage of the total one hundred (100) votes that may be cast. The percentage that a city or town is allocated for a year equals the same percentage that the population of the city or town bears to the population of the county. The percentage that the county is allocated for a year equals the same percentage that the population of all areas in the county not located in a city or town bears to the population of the county. On or before January 1 of each year, the county auditor shall certify to each member of the local income tax council the number of votes, rounded to the nearest one hundredth (0.01), each member has for that year.

SECTION 5. IC 6-3.6-3-7, AS AMENDED BY P.L.247-2017, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) This section applies to a county in which:

(1) the county adopting body is a local income tax council; **and**

(2) the traditional local income tax council voting procedure is in effect in the county.

(b) Before a member of the local income tax council may propose an ordinance or vote on a proposed ordinance, the member must hold a public hearing on the proposed ordinance and provide the public with notice of the time and place where the public hearing will be held.

(c) The notice required by subsection (b) must be given in accordance with IC 5-3-1 and include the proposed ordinance or resolution to propose an ordinance.

(d) In addition to the notice required by subsection (b), the adopting body shall also provide a copy of the notice to all taxing units in the county at least ten (10) days before the public hearing.

SECTION 6. IC 6-3.6-3-8, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) This section applies to a county in which:

(1) the county adopting body is a local income tax council; **and**

(2) the traditional local income tax council voting procedure is in effect in the county.

(b) Any member of a local income tax council may present an ordinance for passage. To do so, the member must adopt a resolution to propose the ordinance to the local income tax council and distribute a copy of the proposed ordinance to the county auditor. The county auditor shall treat any proposed ordinance distributed to the auditor under this section as a casting of all that member's votes in favor of the proposed ordinance.

(c) The county auditor shall deliver copies of a proposed ordinance the auditor receives to all members of the local income tax council within ten (10) days after receipt. Subject to subsection (d), once a member receives a proposed ordinance from the county auditor, the member shall vote on it within thirty (30) days after receipt.

(d) If, before the elapse of thirty (30) days after receipt of a proposed ordinance, the county auditor notifies the member that the members of the local income tax council have cast a majority of the votes on the local income tax council for or against the proposed ordinance, the member need not vote on the proposed ordinance.

SECTION 7. IC 6-3.6-3-9, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) This section applies to a county in which:

(1) the county adopting body is a local income tax council; **and**

(2) the traditional local income tax council voting procedure is in effect in the county.

(b) A member of the local income tax council may exercise its votes by passing a resolution and transmitting the resolution to the county auditor.

(c) A resolution passed by a member of the local income tax council exercises all votes of the member on the proposed ordinance, and those votes may not be changed during the year.

SECTION 8. IC 6-3.6-3-10, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) This section applies to a county in which:

(1) the county adopting body is a local income tax council; **and**

(2) the traditional local income tax council voting procedure is in effect in the county.

(b) A local income tax council may pass only one (1) ordinance adopting, increasing, decreasing, or rescinding a tax in one (1) year. Once the ordinance has been passed, the county auditor shall:

(1) cease distributing those types of proposed ordinances for the rest of the year; and

(2) withdraw from the membership any other of those types of proposed ordinances.

Any votes subsequently received by the county auditor on those types of proposed ordinances during that same year are void.

(c) The local income tax council may not vote on, nor may the county auditor distribute to the members of the local income tax council, any proposed ordinance during a year, if previously during that same year the county auditor received and distributed to the members of the local income tax council a proposed ordinance whose passage would have substantially the same effect.

SECTION 9. IC 6-3.6-3-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 12. (a) This section applies to a county in which:**

(1) the county adopting body is a local income tax council; and

(2) the alternative local income tax council voting procedure is in effect in county.

(b) In the case of a city or town that lies within more than one (1) county, the county auditor of each county shall base the allocations required by subsection (c) on the population of that part of the city or town that lies within the county for which the allocations are being made.

(c) Each local income tax council has a total of one hundred (100) votes.

(d) Each county, city, or town that is a member of a local income tax council is allocated a percentage of the total one hundred (100) votes that may be cast. The percentage that a city or town is allocated for a year equals the same percentage that the population of the city or town bears to the population of the county. The percentage that the county is allocated for a year equals the same percentage that the population of all areas in the county not located in a city or town bears to the population of the county.

(e) Each individual who sits on the fiscal body of a county, city, or town that is a member of the local income tax council is allocated for a year the number of votes equal to the total number of votes allocated to the particular county, city, or town under subsection (d) divided by the number of members on the fiscal body of the county, city, or town.

(f) On or before January 1 of each year, the county auditor shall certify to each individual who sits on the fiscal body of each county, city, or town that is a member of the local income tax council the number of votes, rounded to the nearest one hundredth (0.01), each individual has for that year.

SECTION 10. IC 6-3.6-3-13 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 13. (a) This section applies to a county in which:**

(1) the county adopting body is a local income tax council; and

(2) the alternative local income tax council voting procedure is in effect in the county.

(b) Before a member of the local income tax council may propose an ordinance under section 14(b) of this chapter, or vote on a proposed ordinance being considered by the local income tax council as a whole under section 15 of this chapter, the member must hold a public hearing on the proposed ordinance and provide the public with notice of the time and place where the public hearing will be held.

(c) The notice required by subsection (b) must be given in accordance with IC 5-3-1 and include the proposed ordinance or resolution to propose an ordinance.

(d) In addition to the notice required by subsection (b), the adopting body shall also provide a copy of the notice to all taxing units in the county at least ten (10) days before the public hearing.

SECTION 11. IC 6-3.6-3-14 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14. (a) This section applies to a county in which:**

(1) the county adopting body is a local income tax council; and

(2) the alternative local income tax council voting procedure is in effect in the county.

(b) The fiscal body of any county, city, or town that is a member of a local income tax council may adopt a resolution to propose an ordinance to be voted on by the local income tax council as a whole under section 15 of this chapter and distribute a copy of the proposed ordinance to the county auditor. The county auditor shall treat the vote tally on the resolution adopted under this section for each individual who is a member of the fiscal body of the county, city, or town as the voting record for that individual either for or against the ordinance being proposed for consideration by the local income tax council as a whole under section 15 of this chapter.

(c) The county auditor shall deliver copies of a proposed ordinance the auditor receives under subsection (b) to the fiscal officers of all members of the local income tax council (other than the member proposing the ordinance under subsection (b)) within ten (10) days after receipt. Subject to subsection (e), once a member receives a proposed ordinance from the county auditor, the member shall vote on it within thirty (30) days after receipt.

(d) The fiscal body of each county, city, or town voting on a resolution to propose an ordinance under subsection (b), or voting on a proposed ordinance being considered by the local income tax council as a whole under section 15 of this chapter, must take a roll call vote on the resolution or the proposed ordinance. If an individual who sits on the fiscal body is absent from the meeting in which a vote is taken or abstains from voting on the resolution or proposed ordinance, the fiscal officer of the county, city, or town shall nevertheless consider that individual's vote as a "no" vote against the resolution or the proposed ordinance being considered, whichever is applicable, for purposes of the vote tally under this section and shall note on the vote tally that the individual's "no" vote is due to absence or abstention. The fiscal body of each county, city, or town shall certify the roll call vote on a resolution or a proposed ordinance, either for or against, to the county auditor as set forth under this chapter.

(e) If, before the elapse of thirty (30) days after receipt of a proposed ordinance, the county auditor notifies the member that the individuals who sit on the fiscal bodies of the county, cities, and towns that are members of the local income tax council have cast a majority of the votes on the local income tax council for or against the proposed ordinance voting as a whole under section 15 of this chapter, the member need not vote on the proposed ordinance.

SECTION 12. IC 6-3.6-3-15 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 15. (a) This section applies to a county in which:**

(1) the county adopting body is a local income tax council; and

(2) the alternative local income tax council voting procedure is in effect in the county.

(b) A local income tax council must vote as a whole to exercise its authority under this article.

(c) A resolution passed by the fiscal body of a county, city, or town that is a member of the local income tax council exercises the vote of each individual who sits on the fiscal body of the county, city, or town on the proposed ordinance, and the individual's vote may not be changed during the year.

SECTION 13. IC 6-3.6-3-16 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 16. (a) This section applies to a county in which:**

(1) the county adopting body is a local income tax council; and

(2) the alternative local income tax council voting procedure is in effect in the county.

(b) A local income tax council may pass only one (1) ordinance adopting, increasing, decreasing, or rescinding a tax in one (1) year. Once the ordinance has been passed, the county auditor shall:

(1) cease distributing those types of proposed ordinances for the rest of the year; and

(2) withdraw from the membership any other of those types of proposed ordinances.

Any votes subsequently received by the county auditor on those types of proposed ordinances during that same year are void.

(c) The local income tax council may not vote on, nor may the county auditor distribute to the members of the local income tax council, any proposed ordinance during a year, if previously during that same year the county auditor received and distributed to the members of the local income tax council a proposed ordinance whose passage would have substantially the same effect.".

Delete pages 3 through 5.

Page 6, delete lines 1 through 4.

Renumber all SECTIONS consecutively.

(Reference is to HB 1065 as printed January 27, 2020.)

PORTER

Motion failed. The bill was ordered engrossed.

House Bill 1108

Representative Lehman called down House Bill 1108 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1108–1)

Mr. Speaker: I move that House Bill 1108 be amended to read as follows:

Page 18, after line 21, begin a new paragraph and insert:

"SECTION 15. IC 20-51-4-3, AS AMENDED BY P.L.106-2016, SECTION 16, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) An eligible school may not discriminate on the basis of race, color, or national origin.

(b) An eligible school shall abide by the school's written admission policy fairly and without discrimination with regard to students who:

(1) apply for; or

(2) are awarded;

scholarships under this chapter.

(c) If the number of applicants for enrollment in an eligible school under a choice scholarship exceeds the number of choice scholarships available to the eligible school, the eligible school must draw at random in a public meeting the applications of applicants who are entitled to a choice scholarship from among the applicants who meet the requirements for admission to the eligible school.

(d) The ~~department~~ **state board of accounts** shall, ~~make random visits to at least five percent (5%) of eligible schools during a particular school year~~ **on the same examination schedule for school corporations under IC 5-11-1-25(d), conduct examinations of eligible schools** to verify that the eligible ~~school complies~~ **schools comply** with the provisions of this chapter ~~and the Constitutions of the State of Indiana and the United States.~~ **related to eligibility for choice scholarships. The rules regarding cost that apply to examinations of school corporations will apply to the cost of examinations conducted under this subsection.**

(e) Each eligible school shall grant the department reasonable access to its premises, including access to the school's grounds, buildings, and property.

(f) Each year the principal of each eligible school shall certify under penalties of perjury to the department that the eligible school is complying with the requirements of this chapter. The department shall develop a process for eligible schools to follow to make certifications.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1108 as printed January 27, 2020.)

PORTER

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

Upon request of Representatives GiaQuinta and Porter, the Speaker ordered the roll of the House to be called. Roll Call 118: yeas 32, nays 61. Motion failed. The bill was ordered engrossed.

House Bill 1111

Representative Leonard called down House Bill 1111 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1111–1)

Mr. Speaker: I move that House Bill 1111 be amended to read as follows:

Page 7, after line 16, begin a new paragraph and insert:

"SECTION 4. IC 22-4-12-2, AS AMENDED BY P.L.2-2011, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. **(a) As used in this section, "prior average weekly wage" means the result of:**

(1) the individual's total wage credits during the individual's base period; divided by

(2) fifty-two (52).

~~(a)~~ **(b)** With respect to initial claims filed for any week beginning on and after July 1, 1997, and before July 1, 2012, each eligible individual who is totally unemployed (as defined in IC 22-4-3-1) in any week in the individual's benefit period shall be paid for the week, if properly claimed, benefits at the rate of:

(1) five percent (5%) of the first two thousand dollars ($2,000) of the individual's wage credits in the calendar quarter during the individual's base period in which the wage credits were highest; and

(2) four percent (4%) of the individual's remaining wage credits in the calendar quarter during the individual's base period in which the wage credits were highest.

~~(b)~~ **(c)** With respect to initial claims filed for any week beginning on and after July 1, 2012, **and before July 1, 2020,** each eligible individual who is totally unemployed (as defined in IC 22-4-3-1) in any week in the individual's benefit period shall be paid for the week, if properly claimed, an amount equal to forty-seven percent (47%) of the individual's prior average weekly wage, rounded (if not already a multiple of one dollar ($1)) to the next lower dollar. However, the maximum weekly benefit amount may not exceed three hundred ninety dollars ($390).

~~(c) For purposes of this section, "prior average weekly wage" means the result of:~~

~~(1) the individual's total wage credits during the individual's base period; divided by~~

~~(2) fifty-two (52).~~

(d) With respect to initial claims filed for any week beginning on and after July 1, 2020, each eligible individual who is totally unemployed (as defined in IC 22-4-3-1) in any week in the individual's benefit period shall be paid for the week, if properly claimed, an amount equal to:

(1) the lesser of:

(A) forty-seven percent (47%) of the individual's prior average weekly wage, rounded (if not already a multiple of one dollar ($1)) to the next lower dollar; or

(B) three hundred ninety dollars ($390); plus

(2) the lesser of:

(A) twenty-five dollars ($25) for each of the eligible individual's dependents; or

(B) one hundred dollars ($100).

However, under subdivision (2), an individual who qualifies as a dependent of more than one (1) eligible individual for any week may be claimed by only one (1) of the eligible individuals for the week. The maximum weekly benefit amount may not exceed the sum of the amounts specified in subdivisions (1)(B) and (2)(B).".

Renumber all SECTIONS consecutively.

(Reference is to HB 1111 as printed January 27, 2020.)

BECK

Upon request of Representatives Torr and Karickhoff, the Speaker ordered the roll of the House to be called. Roll Call 119: yeas 33, nays 63. Motion failed.

HOUSE MOTION
(Amendment 1111–2)

Mr. Speaker: I move that House Bill 1111 be amended to read as follows:

Page 7, after line 16, begin a new paragraph and insert:

"SECTION 4. IC 22-4-12-2, AS AMENDED BY P.L.2-2011, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. **(a) As used in this section, "prior average weekly wage" means:**

(1) with respect to initial claims filed for any week beginning on or after July 1, 2012, and before July 1, 2020, the result of:

(A) the individual's total wage credits during the individual's base period; divided by

(B) fifty-two (52); or

(2) with respect to initial claims filed for any week beginning on or after July 1, 2020, the result of:

(A) the individual's wage credits during the calendar quarter of individual's base period in which the individual's wage credits were highest;

divided by
(B) thirteen (13).

~~(a)~~ **(b)** With respect to initial claims filed for any week beginning on and after July 1, 1997, and before July 1, 2012, each eligible individual who is totally unemployed (as defined in IC 22-4-3-1) in any week in the individual's benefit period shall be paid for the week, if properly claimed, benefits at the rate of:

(1) five percent (5%) of the first two thousand dollars ($2,000) of the individual's wage credits in the calendar quarter during the individual's base period in which the wage credits were highest; and

(2) four percent (4%) of the individual's remaining wage credits in the calendar quarter during the individual's base period in which the wage credits were highest.

~~(b)~~ **(c)** With respect to initial claims filed for any week beginning on and after July 1, 2012, **and before July 1, 2020,** each eligible individual who is totally unemployed (as defined in IC 22-4-3-1) in any week in the individual's benefit period shall be paid for the week, if properly claimed, an amount equal to forty-seven percent (47%) of the individual's prior average weekly wage, rounded (if not already a multiple of one dollar ($1)) to the next lower dollar. However, the maximum weekly benefit amount may not exceed three hundred ninety dollars ($390).

~~(c) For purposes of this section, "prior average weekly wage" means the result of:~~

~~(1) the individual's total wage credits during the individual's base period; divided by~~

~~(2) fifty-two (52).~~

(d) With respect to initial claims filed for any week beginning on and after July 1, 2020, each eligible individual who is totally unemployed (as defined in IC 22-4-3-1) in any week in the individual's benefit period shall be paid for the week, if properly claimed, an amount equal to the lesser of:

(1) fifty percent (50%) of the individual's prior average weekly wage, rounded (if not already a multiple of one dollar ($1)) to the next lower dollar; or

(2) a maximum weekly benefit of four hundred forty dollars ($440).".

Renumber all SECTIONS consecutively.

(Reference is to HB 1111 as printed January 27, 2020.)

MOSELEY

Upon request of Representatives Karickhoff and Torr, the Speaker ordered the roll of the House to be called. Roll Call 120: yeas 33, nays 63. Motion failed. The bill was ordered engrossed.

House Bill 1113

Representative Leonard called down House Bill 1113 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1113–3)

Mr. Speaker: I move that House Bill 1113 be amended to read as follows:

Page 6, delete lines 31 through 42, begin a new paragraph and insert:

"SECTION 6. IC 6-1.1-4-42, AS ADDED BY P.L.182-2009(ss), SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 42. (a) This section applies to assessment dates after January 15, 2010.

(b) ~~As used in~~ **The following definitions apply throughout** this section:

(1) "Golf course" means an area of land and yard improvements that are predominately used to play the game of golf. A golf course consists of a series of holes, each consisting of a teeing area, fairway, rough and other hazards, and the green with the pin and cup.

(2) "Yard improvements" include a clubhouse, irrigation systems, a pro shop, a maintenance building, a driving range, restaurants, or other buildings associated with a golf course.

(c) The true tax value of real property regularly used as a golf course is the valuation determined by applying the income capitalization appraisal approach. The income capitalization approach used to determine the true tax value of a golf course must:

(1) incorporate an applicable income capitalization method and appropriate capitalization rates that are developed and used in computations that lead to an indication of value commensurate with the risks for the subject property use;

(2) provide for the uniform and equal assessment of golf courses of similar grade quality and play length; and

(3) exclude the value of personal property, intangible property, and income derived from personal or intangible property.

(d) For assessment dates after January 15, 2010, and before March 1, 2012, a township assessor (if any) or the county assessor shall gather and process information from the owner of a golf course to carry out this section in accordance with the rules adopted by the department of local government finance under IC 4-22-2.

(e) For assessment dates after February 28, 2012, the department of local government finance shall, by rules adopted under IC 4-22-2, establish uniform income capitalization tables and procedures to be used for the assessment of golf courses. The department of local government finance may rely on analysis conducted by a state educational institution to develop the income capitalization tables and procedures required under this section. Assessing officials shall use the tables and procedures adopted by the department of local government finance to assess, reassess, and annually adjust the assessed value of golf courses.

(f) The department of local government finance may prescribe procedures, forms, and due dates for the collection from the owners or operators of golf courses of the necessary earnings, income, profits, losses, and expenditures data necessary to carry out this section. An owner or operator of a golf course shall comply with the procedures and reporting schedules prescribed by the department of local government finance.".

Delete page 7.

Page 8, delete lines 1 through 13.

Page 106, delete lines 31 through 34.

Renumber all SECTIONS consecutively.

(Reference is to HB 1113 as printed January 27, 2020.)

LEONARD

Motion prevailed.

HOUSE MOTION
(Amendment 1113–2)

Mr. Speaker: I move that House Bill 1113 be amended to read as follows:

Page 71, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 46. IC 6-1.1-24-5.3, AS AMENDED BY P.L.149-2016, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5.3. (a) This section applies to the following:

(1) A person who:

(A) owns a fee interest, a life estate interest, or the equitable interest of a contract purchaser in an unsafe building or unsafe premises; and

(B) is subject to an order issued under IC 36-7-9-5(a)(2), IC 36-7-9-5(a)(3), IC 36-7-9-5(a)(4), or IC 36-7-9-5(a)(5) regarding which the conditions set forth in IC 36-7-9-10(a)(1) through IC 36-7-9-10(a)(4) exist.

(2) A person who:

(A) owns a fee interest, a life estate interest, or the equitable interest of a contract purchaser in an unsafe building or unsafe premises; and

(B) is subject to an order issued under IC 36-7-9-5(a), other than an order issued under IC 36-7-9-5(a)(2), IC 36-7-9-5(a)(3), IC 36-7-9-5(a)(4), or IC 36-7-9-5(a)(5), regarding which the conditions set forth in IC 36-7-9-10(b)(1) through IC 36-7-9-10(b)(4) exist.

(3) A person who is the defendant in a court action brought under IC 36-7-9-18, IC 36-7-9-19, IC 36-7-9-20, IC 36-7-9-21, or IC 36-7-9-22 that has resulted in a judgment in favor of the plaintiff and the unsafe condition that caused the action to be brought has not been corrected.

(4) A person who has any of the following relationships to a person, partnership, corporation, or legal entity described in subdivision (1), (2), ~~or~~ (3), **or (5):**

(A) A partner of a partnership.

(B) A member of a limited liability company.

~~(B)~~ **(C)** An officer, **director,** or majority stockholder of a corporation.

~~(C)~~ **(D)** The person who **controls or** directs the activities or has a majority ownership in a legal entity other than a partnership or corporation.

(5) A person who owes:

(A) delinquent taxes;

(B) special assessments;

(C) penalties;

(D) interest; or

(E) costs directly attributable to a prior tax sale;

on a tract or an item of real property listed under section 1 of this chapter.

(6) A person who owns a fee interest, a life estate interest, or the equitable interest of a contract purchaser in a vacant or abandoned structure subject to an enforcement order under IC 32-30-6, IC 32-30-7, IC 32-30-8, or IC 36-7-9, or a court order under IC 36-7-37.

(7) A person who is an agent of the person described in this subsection.

(b) A person subject to this section may not **bid on or** purchase a tract offered for sale under section 5 or 6.1 of this chapter. However, this section does not prohibit a person from bidding on a tract that is owned by the person and offered for sale under section 5 of this chapter.

(c) The county treasurer shall require each person who will be bidding at the tax sale to sign a statement in a form substantially similar to the following:

"Indiana law prohibits a person who owes delinquent taxes, special assessments, penalties, interest, or costs directly attributable to a prior tax sale of a tract or item of real property listed under IC 6-1.1-24-1 from **bidding on or** purchasing tracts or items of real property at a tax sale. I hereby affirm under the penalties for perjury that I do not owe delinquent taxes, special assessments, penalties, interest, costs directly attributable to a prior tax sale, amounts from a final adjudication in favor of a political subdivision, any civil penalties imposed for the violation of a building code or county ordinance, or any civil penalties imposed by a county health department. **I also affirm that I am not purchasing tracts or items of real property on behalf of or as an agent for a person who is prohibited from purchasing at a tax sale.** Further, I hereby acknowledge that any successful bid I make in violation of this statement is subject to forfeiture. In the event of forfeiture, the amount by which my bid exceeds the minimum bid on the tract or item or real property under IC 6-1.1-24-5(e), if any, shall be applied to the delinquent taxes, special assessments, penalties, interest, costs, judgments, or civil penalties I owe, and a certificate will be issued to the county executive.".

(d) If a person purchases a tract that the person was not eligible to purchase under this section, the sale of the property is subject to forfeiture. If the county treasurer determines or is notified not more than six (6) months after the date of the sale that the sale of the property should be forfeited, the county treasurer shall:

(1) notify the person in writing that the sale is subject to forfeiture if the person does not pay the amounts that the person owes within thirty (30) days of the notice;

(2) if the person does not pay the amounts that the person owes within thirty (30) days after the notice, apply the surplus amount of the person's bid to the person's delinquent taxes, special assessments, penalties, and interest;

(3) remit the amounts owed from a final adjudication or civil penalties in favor of a political subdivision to the appropriate political subdivision; and

(4) notify the county auditor that the sale has been forfeited.

Upon being notified that a sale has been forfeited, the county auditor shall issue a certificate to the county executive under section 6 of this chapter.

(e) A county treasurer may decline to forfeit a sale under this section because of inadvertence or mistake, lack of actual knowledge by the bidder, substantial harm to other parties with interests in the tract or item of real property, or other substantial reasons. If the treasurer declines to forfeit a sale, the treasurer shall:

(1) prepare a written statement explaining the reasons for declining to forfeit the sale; and

(2) retain the written statement as an official record.

(f) If a sale is forfeited under this section and the tract or item of real property is redeemed from the sale, the county auditor shall deposit the amount of the redemption into the county general fund and notify the county executive of the redemption. Upon being notified of the redemption, the county executive shall surrender the certificate to the county auditor.".

Page 96, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 74. IC 36-1-11-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) This section applies to the following:

(1) A person who owes delinquent taxes, special assessments, penalties, interest, or costs directly attributable to a prior tax sale on a tract of real property listed under IC 6-1.1-24-1.

(2) A person who is an agent of the person described in subdivision (1).

(3) A person who has any of the following relationships to a person, partnership, corporation, or legal entity described in subdivision (1):

(A) A partner of a partnership.

(B) A member of a limited liability company.

(C) An officer, director, or majority stockholder of a corporation.

(D) The person who controls or directs the activities or has a majority ownership in a legal entity other than a partnership or corporation.

(b) A person subject to this section may not **bid on,** purchase, receive, or lease a tract that is offered in a sale, exchange, or lease under this chapter.

(c) If a person purchases, receives, or leases a tract that the person was not eligible to purchase, receive, or lease under this section, the sale, transfer, or lease of the property is void and the county retains the interest in the tract it possessed before the sale, transfer, or lease of the tract.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1113 as printed January 27, 2020.)

PRYOR

Upon request of Representatives Karickhoff and Torr, the Speaker ordered the roll of the House to be called. Roll Call 121: yeas 95, nays 0. Motion prevailed.

HOUSE MOTION
(Amendment 1113–1)

Mr. Speaker: I move that House Bill 1113 be amended to read as follows:

Page 20, line 3, after "an assessment" insert "**that occurs following the sale of the property to a new owner or**".

(Reference is to HB 1113 as printed January 27, 2020.)

DELANEY

Upon request of Representatives Lehman and Karickhoff, the Speaker ordered the roll of the House to be called. Roll Call 122: yeas 86, nays 7. Motion prevailed. The bill was ordered engrossed.

House Bill 1204

Representative Cherry called down House Bill 1204 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1204–1)

Mr. Speaker: I move that House Bill 1204 be amended to read as follows:

Delete the title and insert the following:

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

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

"SECTION 1. IC 4-12-1-15.7, AS AMENDED BY P.L.213-2015, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 15.7. (a) As used in this section, "account" refers to the state tuition reserve account.

(b) The state tuition reserve account is established for the following purposes:

(1) To fund a tuition support distribution under IC 20-43 whenever the budget director determines that state general fund cash balances are insufficient to cover the distribution.

(2) To meet revenue shortfalls whenever the budget director, after review by the budget committee, determines that state tax revenues available for deposit in the state general fund will be insufficient to fully fund tuition support distributions under IC 20-43 in any particular state fiscal year.

(c) The account consists of the following:

(1) Money appropriated to the account by the general assembly.

(2) Money transferred to the account under any law.

(3) **Subject to subsection (g),** interest earned on the balance of the account.

(d) The treasurer of state shall invest the money in the account not currently needed to meet the obligations of the account in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the account.

(e) Money in the account at the end of a state fiscal year does not revert for any other purpose of the state general fund.

(f) The budget agency shall administer the account. Whenever the budget director makes a determination under subsection (b)(1) or (b)(2), the budget agency shall notify the auditor of state of the amount from the account to be used for state tuition support distributions. The auditor of state shall transfer the amount from the account to the state general fund. The amount transferred may be used only for the purposes of making state tuition support distributions under IC 20-43. If the amount is transferred under subsection (b)(1), the amount shall be repaid to the account from the state general fund before the end of the state fiscal year in which the transfer is made.

(g) This subsection applies to each state fiscal year beginning after June 30, 2019. There is annually appropriated to the secured school safety board established under IC 10-21-1-3 an amount equal to the interest or other investment income earned on money in the account during the state fiscal year from the account for its use in making additional or supplemental grants under IC 10-21-1. The budget agency shall transfer the interest or other investment income earned on money in the account during the state fiscal year to the Indiana secured school fund before June 30. In making grants from money appropriated under this subsection, the secured school safety board shall prioritize those applicants that have held a school safety referendum under IC 20-46-9 but failed to win approval for the question submitted to the voters in the referendum.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1204 as printed January 27, 2020.)

PORTER

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

APPEAL OF THE RULING OF THE CHAIR

Mr. Speaker: We appeal the ruling of the Chair that amendment House Bill 1204-1 violates House Rule 80. The amendment addresses school safety funding and is assuredly germane to the bill's subject matter of education funding as determined by the ADM count.

DVORAK
PORTER

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Karickhoff. The question was, Shall the ruling of the Chair be sustained? Roll Call 123: yeas 63, nays 31. The ruling of the Chair was sustained.

The Speaker Pro Tempore yielded the gavel to the Speaker.

HOUSE MOTION
(Amendment 1204–2)

Mr. Speaker: I move that House Bill 1204 be amended to read as follows:

Delete the title and insert the following:

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

Page 2, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 2. IC 20-43-2-1, AS AMENDED BY P.L.205-2013, SECTION 268, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020] (RETROACTIVE)]: Sec. 1. The department shall distribute the amount appropriated by the general assembly for distribution as state tuition support in accordance with this article. ~~If the appropriations for distribution as state tuition support are more than required under this article, any excess shall revert to the state general fund.~~ The appropriations for state tuition support shall be made each state fiscal year under a schedule set by the budget agency and approved by the governor. However, the schedule must provide:

(1) for at least twelve (12) payments;

(2) that one (1) payment shall be made at least every forty (40) days; and

(3) the total of the payments in each state fiscal year must equal the amount required under this article.

SECTION 3. IC 20-43-2-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: **Sec. 9.**

If the budget director, after review by the budget committee, makes a determination that the amount of the distribution for a state fiscal year for all school corporations for the purposes described in section 3 of this chapter is less than the amount appropriated for these purposes for the state fiscal year, the difference is appropriated from the state general fund to the department for the department's use in providing supplemental distributions to increase the level of reimbursement for those reimbursement requests for assistance for curricular materials, supplies, or other required class fees that were submitted under IC 20-33-5 during the state fiscal year but which previously received a reimbursement that was less than the amount requested because funding was insufficient to pay the entire amount of the reimbursement request. The supplemental amount to distribute for a reimbursement request is an amount that bears the same ratio to the total amount to be distributed under this section for the state fiscal year as the previously unreimbursed amount for the reimbursement request bears to the total of the unreimbursed amounts for all the reimbursement requests received during the state fiscal year. The appropriation in this section is in addition to the appropriations for curricular material reimbursement that were made by P.L.108-2019 or any other law. The department shall make distributions under this section before the end of the state fiscal year.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1204 as printed January 27, 2020.)

PORTER

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

APPEAL OF THE RULING OF THE CHAIR

Mr. Speaker: We appeal the ruling of the Chair that amendment House Bill 1204–2 violates House Rule 80. The amendment addresses the distribution of education funding and is assuredly germane to the bill's subject matter of education funding as determined by ADM count.

DVORAK
PORTER

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Karickhoff. The question was, Shall the ruling of the Chair be sustained? Roll Call 124: yeas 61, nays 33. The ruling of the Chair was sustained.

The Speaker Pro Tempore yielded the gavel to the Speaker.

HOUSE MOTION
(Amendment 1204-3)

Mr. Speaker: I move that House Bill 1204 be amended to read as follows:

Delete the title and insert the following:

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

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

"SECTION 1. IC 5-10.4-2-7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: **Sec. 7. (a) At the conclusion of the state fiscal year beginning July 1, 2020, the auditor of state shall determine the total amount of money that reverted to the state general fund at the conclusion of the state fiscal year beginning July 1, 2020, from any account or fund.**

(b) On July 1, 2021, there is appropriated from the state general fund to the pension stabilization fund established by section 5 of this chapter the greater of:

(1) an amount equal to:

(A) the amount determined under subsection (a); minus

(B) twenty-five million dollars ($25,000,000); or

(2) zero dollars ($0).

The amount appropriated under this subsection shall be held in the pension stabilization fund and invested and reinvested during the five (5) consecutive state fiscal years beginning July 1, 2021, in the manner that other money in the pension stabilization fund is invested and thereafter used for the purposes of the pension stabilization fund.

(c) After July 1, 2021, and before August 1, 2021, the auditor of state shall transfer the amount appropriated under subsection (b) from the state general fund to the pension stabilization fund established by section 5 of this chapter

(d) Each state fiscal year beginning after June 30, 2021, and beginning before July 1, 2026, there is annually appropriated to the department of education from the pension stabilization fund the interest and other investment income earned during the state fiscal year on the money appropriated under subsection (b) for the department of education's use in making supplemental distributions to school corporations in the manner that basic tuition support is distributed under IC 20-43-1. The amount that a school corporation is entitled to receive under this subsection bears the same ratio to the total amount appropriated under this subsection as the basic tuition support that the school corporation is entitled to receive for the state fiscal year as bears to the total amount appropriated for basic tuition support for all school corporations for the state fiscal year. School corporations that receive a supplemental distribution under this subsection are encouraged to use the supplemental distribution for teacher compensation.".

Page 6, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 7. [EFFECTIVE JULY 1, 2020] **(a) The following definitions apply throughout this SECTION:**

(1) The definitions in IC 20-43-1.

(2) "Department" has the meaning set forth in IC 20-18-2-3.

(b) There is appropriated to the department two hundred million dollars ($200,000,000) from the state general fund for distribution to school corporations in the manner prescribed under subsection (c) for the purpose of paying a one (1) time teacher retention supplemental bonus to the teachers employed in the school corporations.

(c) The amount that a school corporation is entitled to receive under this SECTION bears the same ratio to the amount appropriated under subsection (b) as the basic tuition support that the school corporation is entitled to receive beginning July 1, 2019, and ending July 30, 2020, bears to the total amount appropriated for basic tuition support for all school corporations beginning July 1, 2019, and ending June 30, 2020.

(d) The governing body of a school corporation that receives a distribution under this SECTION shall, before August 1, 2020, pay each teacher employed by the school corporation or charter school on April 1, 2020, a one (1) time teacher retention supplemental bonus equal to an amount that bears the same ratio to the distribution received by the school corporation under this SECTION as the teacher's salary for the pay period including April 1, 2020, bears to the total amount of the salaries paid by the school corporation to teachers for the pay period including April 1, 2020.

(e) The amount actually paid to a teacher under subsection (d) may be reduced accordingly to account for employer taxes, pension contributions, and similar employer paid items associated with the payment of teacher salaries.

(f) Amounts distributed under this SECTION are to be treated as special distributions and may not be used in determining teacher compensation in subsequent collective bargaining negotiations.

(g) This SECTION expires January 1, 2021.

SECTION 8. [EFFECTIVE AUGUST 1, 2020] **(a) There is appropriated to the prekindergarten pilot program fund established by IC 12-17.2-7.2-13.5 fifty million dollars ($50,000,000) from the state general fund for the use of the office of the secretary of family and social services in providing grants to eligible children for qualified early education services under IC 12-17.2-7.2.**

(b) The money appropriated in subsection (a) is in addition to any other appropriations for the early education grant pilot program under IC 12-17.2-7.2 that were made by P.L.108-2019 or any other act.

(c) This SECTION expires January 1, 2021.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1204 as printed January 27, 2020.)

PORTER

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

HOUSE MOTION
(Amendment 1204–6)

Mr. Speaker: I move that House Bill 1204 be amended to read as follows:

Page 6, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 6. IC 20-49-10-4, AS ADDED BY P.L.211-2018(ss), SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 4. (a) The school corporation and charter school safety advance program is established. The purpose of the program is to make advances to school corporations or charter schools (or one (1) or more coalitions of public schools applying jointly) for equipment purchases or capital improvements necessary to improve school security.

(b) The state board, in consultation with the secured school safety board established by IC 10-21-1-3, shall administer the program.

(c) The total amount of advances that the state board may make under this chapter ~~during the state biennium~~ beginning July 1, 2017, and ending June 30, ~~2019,~~ **2021,** may not exceed thirty-five million dollars ($35,000,000).

SECTION 7. IC 20-49-10-5, AS ADDED BY P.L.211-2018(ss), SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 5. (a) Advances made under this chapter may be used to:

(1) purchase equipment or make capital improvements needed to:

~~(1)~~ **(A)** restrict access to schools;

~~(2)~~ **(B)** expedite the notification of first responders; or

~~(3)~~ **(C)** improve school security; **and**

(2) provide relief to stressed school corporations (as defined in section 6.5 of this chapter).

(b) The maximum amount of an advance that a school corporation or charter school may receive under this chapter may not exceed:

(1) five hundred thousand dollars ($500,000), **for the purpose described in subsection (a)(1); or**

(2) one million dollars ($1,000,000), for the purpose described subsection (a)(2).

(c) The maximum amount of the advance that the state board may approve under section 6(c) of this chapter is the lesser of:

(1) the maximum amount of an advance that may be awarded as established by subsection ~~(b);~~ **(b)(1);** or

(2) the amount needed to cover costs approved by the secured school safety board that are in excess of the amount awarded by the secured school safety board under IC 10-21-1-4 and the amount committed as a match by the school corporation or charter school (or coalition of public schools filing jointly) that applied for the grant under IC 10-21-1-5.

SECTION 8. IC 20-49-10-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: **Sec. 6.5. (a) As used in this section, "stressed school corporation" means a school corporation that has a loss of property tax revenue for a calendar year in excess of twenty percent (20%) of the school corporation's property tax levy for the calendar year that is attributable to property tax credits granted under IC 6-1.1-20.6.**

(b) If the sum of the amounts that have been advanced or otherwise obligated for advances from the fund for the purpose described in section 5(a)(1) of this chapter does not exceed twenty million dollars ($20,000,000), a stressed school corporation may submit an application to the state board for an advance from the fund for the purpose described in section 5(a)(2) of this chapter in the manner prescribed by the state board.

(c) The total amount of advances to all stressed school corporations under this section may not exceed twenty-five million dollars ($25,000,000).".

Renumber all SECTIONS consecutively.

(Reference is to HB 1204 as printed January 27, 2020.)

BECK

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

HOUSE MOTION
(Amendment 1204–7)

Mr. Speaker: I move that House Bill 1204 be amended to read as follows:

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

"SECTION 1. IC 20-18-2-26.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 26.5. "Virtual charter school" has the meaning set forth in IC 20-24-1-10.**

SECTION 2. IC 20-19-3-21 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 21. (a) Not later than November 1, 2020, the department shall establish standards concerning the following:**

(1) The minimum amount of time that a student of a virtual charter school must participate in educational activities provided by the virtual charter school each semester of the school year.

(2) Requirements that a student of a virtual charter school participate in the statewide assessment or an alternate assessment, as applicable.

The department may establish different minimum amounts of time under subdivision (1) for the different semesters of the school year.

(b) The department:

(1) may adopt emergency rules under IC 4-22-2-37.1; and

(2) shall adopt rules under IC 4-22-2;

to implement this section.

SECTION 3. IC 20-24-5-6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 6. (a) Beginning January 1, 2021, if a student of a virtual charter school fails, in a**

semester, to meet the minimum standards for educational activity or requirements for participation in the statewide assessment or an alternate assessment, as applicable, established by the department under IC 20-19-3-21, the student must be withdrawn from enrollment in the virtual charter school.

(b) A student withdrawn from enrollment under subsection (a) may not reenroll in the virtual charter school or enroll in another virtual charter school in Indiana.

SECTION 4. IC 20-24-7-13.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 13.3. (a) As used in this section, "current ADM" has the meaning set forth in IC 20-43-1-10.**

(b) Beginning January 1, 2021, an organizer of a virtual charter school shall submit at the end of each semester to the department, in a manner and by a day prescribed by the department:

(1) the amount of time each student spent participating in educational activities provided by the virtual charter school each semester; and

(2) each student's participation in the statewide assessment or an alternate assessment, as applicable.

(c) Beginning January 1, 2021, if one (1) or more students of a virtual charter school fail, in a semester, to meet the minimum standards for educational activity or participation in the statewide assessment or an alternate assessment, as applicable, established by the department under IC 20-19-3-21, the department shall reduce the amount of state tuition support distributed to the virtual charter school for the school year by the amount determined for the semester under STEP THREE of the following formula:

STEP ONE: Determine the total amount of state tuition support the virtual charter school received for the applicable semester.

STEP TWO: Divide the result determined under STEP ONE by the current ADM for the virtual charter school.

STEP THREE: Multiply the result of STEP TWO by the number of students of the virtual charter school who failed, in the applicable semester, to meet the minimum standards for educational activity or participation in the assessment or alternate assessment, as applicable, established by the department under IC 20-19-3-21.

(d) The department shall settle any reduction in state tuition support distribution for a virtual charter school under this section on a schedule determined by the department and approved by the budget agency.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1204 as printed January 27, 2020.)

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

The question was on the motion of Representative DeLaney. Motion 7. Upon request of Representatives Karickhoff and Torr, the Speaker ordered the roll of the House to be called. Roll Call 125: yeas 93, nays 0. Motion prevailed. The bill was ordered engrossed.

House Bill 1265

Representative Jackson called down House Bill 1265 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1265–1)

Mr. Speaker: I move that House Bill 1265 be amended to read as follows:

Page 1, line 4, delete "located".

Page 1, line 5, delete "in Lake County".

Page 2, delete lines 9 through 25.

(Reference is to HB 1265 Digest Correction as printed January 24, 2020.)

ERRINGTON

Upon request of Representatives Karickhoff and Porter, the Speaker ordered the roll of the House to be called. Roll Call 126: yeas 96, nays 0. Motion prevailed.

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

HOUSE MOTION
(Amendment 1265–8)

Mr. Speaker: I move that House Bill 1265 be amended to read as follows:

Page 1, line 4, after "subsection (b)," insert "**each person or entity having authority over a school building shall test**".

Page 1, line 4, delete "in every school building located".

Page 1, line 5, delete "in Lake County shall be tested" and insert "**in the school building**".

Page 1, line 9, delete "The" and insert "**A person or entity having authority over a school building that is subject to testing under this section satisfies the**".

Page 1, line 9, delete "is satisfied".

Page 2, between lines 8 and 9, begin a new paragraph and insert:

"**(d) Each person or entity having authority over a school building that is subject to testing under this section shall seek any state and federal grant money available for lead sampling ortesting, including any money available under the lead sampling program for school buildings and child care facilities conducted by the Indiana finance authority.**".

Page 2, delete lines 9 through 25.

(Reference is to HB 1265 Digest Correction as printed January 24, 2020.)

JACKSON

Upon request of Representatives Torr and Burton, the Speaker ordered the roll of the House to be called. Roll Call 127: yeas 92, nays 0. Motion prevailed. The bill was ordered engrossed.

House Bill 1317

Representative Kirchhofer called down House Bill 1317 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1317–1)

Mr. Speaker: I move that House Bill 1317 be amended to read as follows:

Page 32, delete lines 21 through 24.

(Reference is to HB 1317 as printed January 27, 2020.)

KIRCHHOFER

Motion prevailed. The bill was ordered engrossed.

The Deputy Speaker Pro Tempore yielded the gavel to the Speaker.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1070

Representative Sullivan called down Engrossed House Bill 1070 for third reading:

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

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

Roll Call 128: yeas 86, nays 10. The bill was declared

passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Crider.

Engrossed House Bill 1165

Representative Burton called down Engrossed House Bill 1165 for third reading:

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

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

Roll Call 129: yeas 64, nays 31. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Sandlin.

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

Engrossed House Bill 1225

Representative McNamara called down Engrossed House Bill 1225 for third reading:

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

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

Roll Call 130: yeas 85, nays 10. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Messmer and Becker.

Engrossed House Bill 1403

Representative Wolkins called down Engrossed House Bill 1403 for third reading:

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

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

Roll Call 131: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Messmer.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Concurrent Resolution 17, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to HC 17 as printed January 27, 2020.)

Committee Vote: Yeas 10, Nays 0.

SULLIVAN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred House Concurrent Resolution 18, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to HC 18 as printed January 27, 2020.)

Committee Vote: Yeas 10, Nays 0.

SULLIVAN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Concurrent Resolution 4, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to SC 4 as printed January 27, 2020.)

Committee Vote: Yeas 10, Nays 0.

SULLIVAN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Concurrent Resolution 6, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to SC 6 as printed January 27, 2020.)

Committee Vote: Yeas 10, Nays 0.

SULLIVAN, Chair

Report adopted.

MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House of Representatives: On January 29, 2020, I signed into law House Enrolled Acts 1007.

ERIC HOLCOMB
Governor

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representative Candelaria Reardon be added as coauthor of House Bill 1070.

SULLIVAN

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

HOUSE MOTION

Mr. Speaker: I move that Representative Moed be added as coauthor of House Bill 1113.

LEONARD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as coauthor of House Bill 1174.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Fleming be added as coauthor of House Bill 1326.

KIRCHHOFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Chyung be added as coauthor of House Bill 1353.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bauer be added as coauthor of House Bill 1403.

WOLKINS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lauer be added as coauthor of House Concurrent Resolution 12.

BARTLETT

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 1, 8, 9, 12, 20, 23, 47, 50, 61, 66, 67, 68, 78, 83, 100, 115, 132, 144, 180, 192, 195, 197, 200, 226, 229, 237, 246, 249, 254, 257, 267, 307 and 366 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bill1007 and the same is herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 4, 6, 10, 16, 17, 18, 21 and 22 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 9, 10, 12, 14 and 19 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

On the motion of Representative Karickhoff, the House adjourned at 4:13 p.m., this twenty-ninth day of January, 2020, until Thursday, January 30, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Fifteenth Day — **Thursday Morning** — **January 30, 2020**

The invocation was offered by Pastor T.C. Taylor, Lead Pastor of One Fellowship Church in Indianapolis, a guest of Representative Pryor.

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

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

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

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

Roll Call 132: 95 present; 5 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, February 3, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

HOUSE BILLS ON SECOND READING

Pursuant to House Rule 143.1 , the following bills which had no amendments filed, were read a second time by title and ordered engrossed: House Bills 1015, 1021, 1045, 1061, 1112, 1174, 1306, 1343, 1348, 1353, 1385 and 1392.

The Speaker yielded the gavel to the Speaker-Elect, Representative Huston.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1326

Representative Kirchhofer called down Engrossed House Bill 1326 for third reading:

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

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

Roll Call 133: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Crider.

Engrossed House Bill 1317

Representative Kirchhofer called down Engrossed House Bill 1317 for third reading:

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

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

Roll Call 134: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Koch.

The Speaker-Elect Huston yielded the gavel to the Speaker.

Engrossed House Bill 1265

Representative Jackson called down Engrossed House Bill 1265 for third reading:

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

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

Roll Call 135: yeas 90, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Randolph and Niemeyer.

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

Engrossed House Bill 1235

Representative Karickhoff called down Engrossed House Bill 1235 for third reading:

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

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

Roll Call 136: yeas 88, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Crider.

Engrossed House Bill 1204

Representative Cherry called down Engrossed House Bill 1204 for third reading:

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

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

Roll Call 137: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Raatz, Crider, Bassler and Mishler.

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

Engrossed House Bill 1113

Representative Leonard called down Engrossed House Bill 1113 for third reading:

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

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

Roll Call 138: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Bassler.

Engrossed House Bill 1111

Representative Leonard called down Engrossed House Bill 1111 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

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

Roll Call 139: yeas 90, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Ruckleshaus and Boots.

Engrossed House Bill 1108

Representative Lehman called down Engrossed House Bill 1108 for third reading:

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

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

Roll Call 140: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Bassler and Spartz.

Engrossed House Bill 1052

Representative Gutwein called down Engrossed House Bill 1052 for third reading:

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

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

Roll Call 141: yeas 88, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Charbonneau.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 2:24 p.m. with the Speaker in the Chair.

HOUSE BILLS ON SECOND READING

House Bill 1419

Representative Behning called down House Bill 1419 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1419–2)

Mr. Speaker: I move that House Bill 1419 be amended to read as follows:

Page 3, line 28, delete "prekindergarten through" and insert "**early learning to the workforce to establish**".

Page 3, delete line 29.

Page 4, between lines 9 and 10, begin a new line block indented and insert:

"**(9) One (1) member representing a research university appointed by the governor.**

(10) One (1) member representing a comprehensive university or an independent college appointed by the governor.".

Page 4, delete lines 10 through 13.

Page 5, line 9, delete "shall be".

Page 5, line 10, delete "in consultation with the Indiana" and insert "**shall be from an organization representing technology.**".

Page 5, line 11, delete "Technology and Innovation Association.".

Page 5, after line 30, begin a new paragraph and insert:

"SECTION 3. IC 4-3-27-6, AS AMENDED BY

P.L.143-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) Members shall be appointed to the cabinet for two (2) year terms. The terms must be staggered so that the terms of half of the members expire each year. **The governor must rotate appointments described in section 5(a)(9) and 5(a)(10) of this chapter so that the same research university, comprehensive university, or independent college is not represented on the cabinet for two (2) consecutive terms.**

(b) For members appointed by the governor, the governor shall promptly make an appointment to fill any vacancy on the cabinet, but only for the duration of the unexpired term.".

(Reference is to HB 1419 as printed January 24, 2020.)

BEHNING

Motion prevailed. The bill was ordered engrossed.

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

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

House Bill 1414

Representative Soliday called down House Bill 1414 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1414–8)

Mr. Speaker: I move that House Bill 1414 be amended to read as follows:

Page 1, line 3, delete "As used in this section, "annual".
Page 1, delete lines 4 through 13.
Page 1, line 14, delete "(c)".
Page 1, run in lines 1 through 14.
Page 2, line 3, delete "(d)" and insert "**(b)**".
Page 2, line 11, delete "(e)" and insert "**(c)**".
Page 2, line 15, delete "(f)" and insert "**(d)**".
Page 2, delete lines 20 through 32.
Page 2, line 33, delete "(h)" and insert "**(e)**".
Page 3, line 4, delete "(i)" and insert "**(f)**".
Page 3, line 8, delete "most recent integrated resource plan." and insert "**preferred portfolio in the public utility's most recent integrated resource plan for which the commission has provided a final director's report.**".
Page 3, delete lines 11 through 36, begin a new paragraph and insert:

"**(g) A public utility may not retire, sell, or transfer a reliable capacity resource with a capacity exceeding eighty (80) megawatts unless:**

(1) the public utility first notifies the commission of the public utility's intent to do so; and

(2) the commission conducts a public hearing, noticed in accordance with IC 5-14-1.5, to receive information concerning the reasonableness of the planned retirement, sale, or transfer.

Not later than one hundred twenty (120) days after the date of the public utility's notice to the commission under this subsection or, if applicable, under subsection (f), the commission shall conduct the hearing described in subdivision (2) and issue the commission's findings and conclusions concerning the reasonableness of the planned retirement, sale, or transfer based on the information received.

(h) If a public utility that seeks to retire, sell, or transfer a reliable capacity resource under subsection (g) cites a federal mandate as the basis, in whole or in part, for the planned retirement, sale, or transfer of the unit, the commission may consider in making the commission's findings and conclusions under subsection (g) whether the cited federal mandate:

(1) is in force;

(2) has not expired or been revoked; and

(3) is not merely anticipated to be enacted;

at the time of the public utility's notice under subsection (g).".

Page 3, line 37, delete "(l)" and insert "**(i)**".
Page 4, delete line 8 and insert "**(j) This section expires May 1, 2021.**".

(Reference is to HB 1414 as printed January 24, 2020.)

SOLIDAY

Motion prevailed.

HOUSE MOTION
(Amendment 1414–7)

Mr. Speaker: I move that House Bill 1414 be amended to read as follows:

Page 1, line 14, delete "means" and insert "means:

(1) an electric generating facility owned directly or indirectly by a corporation that was formed for the original purpose of providing power to the federal government for use in the nation's defense or in furtherance of national interests, including the Ohio Valley Electric Corporation; or

(2) whale oil.".

Page 1, delete lines 15 through 17.
Page 2, delete lines 1 through 2.
Page 2, line 14, after "service" insert "**and light sources**".
Page 2, between lines 32 and 33, begin a new paragraph and insert:

"**(h) Whereas:**

(1) whale oil provides bright, dependable light that is favored even by lighthouse keepers; and

(2) many American jobs have been lost in the decimation of the whale oil industry;

a public utility may not sell electricity for the purpose of providing power to harsh, flickering, and toxic light bulbs, when natural and reliable whale oil would serve the purpose of lighting Hoosier homes and businesses.".

Page 2, line 33, delete "(h)" and insert "**(i)**".
Page 3, line 4, delete "(i)" and insert "**(j)**".
Page 3, line 11, delete "(j)" and insert "**(k)**".
Page 3, line 26, delete "(k)" and insert "**(l)**".
Page 3, line 27, delete "(j)" and insert "**(k)**".
Page 3, line 31, delete "(j)" and insert "**(k)**".
Page 3, line 36, delete "(j)" and insert "**(k)**".
Page 3, line 37, delete "(l)" and insert "**(m)**".
Page 4, line 8, delete "(m)" and insert "**(n)**".

(Reference is to HB 1414 as printed January 24, 2020.)

DVORAK

Upon request of Representatives Karickhoff and Burton, the Speaker ordered the roll of the House to be called. Roll Call 142: yeas 11, nays 83. Motion failed.

HOUSE MOTION
(Amendment 1414–1)

Mr. Speaker: I move that House Bill 1414 be amended to read as follows:

Page 4, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 2. IC 8-1-8.5-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 12. (a) The definitions in IC 3-5-2 apply to this section.**

(b) As used in this section, "candidate" refers to any of the following:

(1) A candidate for a state office.

(2) A candidate for a legislative office.

(3) A candidate for a local office.

(c) As used in this section, "coal interest" means:

(1) any individual, firm, association, partnership, limited liability company, or corporation that:

(A) owns or operates:
(i) a commercial coal mine; or
(ii) any part of a commercial coal mine; or
(B) sells coal as a fuel source to an electric utility; or
(2) a trade association the membership of which consists of persons described in subdivision (1).
(d) As used in this section, "committee" refers to any of the following:
(1) A candidate's committee.
(2) A regular party committee.
(3) A committee organized by a legislative caucus of the house of representatives of the general assembly.
(4) A committee organized by a legislative caucus of the senate of the general assembly.
(e) As used in this section, "electric utility" means a:
(1) public, municipally owned, or cooperatively owned utility; or
(2) joint agency created under IC 8-1-2.2;
that provides retail electric service to Indiana customers, regardless of whether the person described in subdivision (1) or (2) is under the jurisdiction of the commission for the approval of rates and charges.
(f) As used in this section, "officer" refers only to either of the following:
(1) An individual listed as an officer of a corporation in the corporation's most recent annual report.
(2) An individual who is a successor to an individual described in subdivision (1).
(g) For purposes of this section, a person is considered to have an interest in a coal interest if the person satisfies any of the following:
(1) The person holds at least a one percent (1%) interest in the coal interest.
(2) The person is an officer of the coal interest.
(3) The person is an officer of a person that holds at least a one percent (1%) interest in the coal interest.
(4) The person is a political action committee of the coal interest.
(h) For purposes of this section, a coal interest is considered to have made a contribution if a contribution is made by a person who has an interest in the coal interest.
(i) A coal interest or a person who has an interest in a coal interest may not make a contribution to a candidate or a committee.
(j) A person who knowingly or intentionally violates this section commits a Level 6 felony.
SECTION 3. IC 35-52-8-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 3.5. IC 8-1-8.5-12 defines a crimeconcerning political contributions by coal interests.**".
Renumber all SECTIONS consecutively.
(Reference is to HB 1414 as printed January 24, 2020.)
DELANEY

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

HOUSE MOTION
(Amendment 1414–6)

Mr. Speaker: I move that House Bill 1414 be amended to read as follows:
Page 4, between lines 8 and 9, begin a new paragraph and insert:
"SECTION 2. IC 8-1-8.5-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 12. (a) As used in this section, "dislocated coal mine employee" means:**
(1) an individual who:
(A) has been laid off or terminated from the individual's employment at a commercial coal mine in Indiana; or
(B) has received a notice of termination or layoff from the individual's employment at a commercial coal mine in Indiana;
as a result of the permanent closure of, or a substantial layoff at, the commercial coal mine; or
(2) an individual who:
(A) has:
(i) been laid off or terminated, for a reason other than cause; or
(ii) received a notice of termination or layoff, for a reason other than cause;
from the individual's employment at a commercial coal mine in Indiana; and
(B) is unlikely to become reemployed in the coal mining industry because of market forces or other factors affecting the industry.
(b) In awarding high value workforce ready credit-bearing grants under IC 21-12-8, the commission for higher education, in conjunction with the department of workforce development, shall give priority to an applicant who is a dislocated coal mine employee if the applicant is otherwise eligible for a grant under IC 21-12-8-9.".
Renumber all SECTIONS consecutively.
(Reference is to HB 1414 as printed January 24, 2020.)
MORRISON

Upon request of Representatives Morrison and Lehman, the Speaker ordered the roll of the House to be called. Roll Call 143: yeas 94, nays 0. Motion prevailed. The bill was ordered engrossed.

House Bill 1332

Representative Lehman called down House Bill 1332 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1332–2)

Mr. Speaker: I move that House Bill 1332 be amended to read as follows:
Page 3, line 35, delete "an amount not to exceed".
Page 11, line 37, delete "an amount not to exceed".
Page 18, line 37, delete "an amount not to exceed".
Page 20, line 19, delete "an amount not to exceed".
(Reference is to HB 1332 as printed January 28, 2020.)
BARRETT

Motion prevailed.

HOUSE MOTION
(Amendment 1332–1)

Mr. Speaker: I move that House Bill 1332 be amended to read as follows:
Page 4, between lines 33 and 34, begin a new paragraph and insert:
"SECTION 3. IC 22-3-3-10, AS AMENDED BY P.L.275-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) With respect to injuries in the schedule set forth in subsection (d) occurring on and after July 1, 1979, and before July 1, 1988, the employee shall receive, in addition to temporary total disability benefits not to exceed fifty-two (52) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred twenty-five dollars ($125) average weekly wages, for the period stated for the injury.
(b) With respect to injuries in the schedule set forth in subsection (d) occurring on and after July 1, 1988, and before July 1, 1989, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight

(78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred sixty-six dollars ($166) average weekly wages, for the period stated for the injury.

(c) With respect to injuries in the schedule set forth in subsection (d) occurring on and after July 1, 1989, and before July 1, 1990, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred eighty-three dollars ($183) average weekly wages, for the period stated for the injury.

(d) With respect to injuries in the following schedule occurring on and after July 1, 1990, and before July 1, 1991, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed two hundred dollars ($200) average weekly wages, for the period stated for the injury.

(1) Amputation: For the loss by separation of the thumb, sixty (60) weeks, of the index finger forty (40) weeks, of the second finger thirty-five (35) weeks, of the third or ring finger thirty (30) weeks, of the fourth or little finger twenty (20) weeks, of the hand by separation below the elbow joint two hundred (200) weeks, or the arm above the elbow two hundred fifty (250) weeks, of the big toe sixty (60) weeks, of the second toe thirty (30) weeks, of the third toe twenty (20) weeks, of the fourth toe fifteen (15) weeks, of the fifth or little toe ten (10) weeks, for loss occurring on and after April 1, 1959, by separation of the foot below the knee joint, one hundred seventy-five (175) weeks and of the leg above the knee joint two hundred twenty-five (225) weeks. The loss of more than one (1) phalange of a thumb or toes shall be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half (1/2) of the thumb or toe and compensation shall be paid for one-half (1/2) of the period for the loss of the entire thumb or toe. The loss of not more than one (1) phalange of a finger shall be considered as the loss of one-third (1/3) of the finger and compensation shall be paid for one-third (1/3) the period for the loss of the entire finger. The loss of more than one (1) phalange of the finger but not more than two (2) phalanges of the finger, shall be considered as the loss of one-half (1/2) of the finger and compensation shall be paid for one-half (1/2) of the period for the loss of the entire finger.

(2) For the loss by separation of both hands or both feet or the total sight of both eyes, or any two (2) such losses in the same accident, five hundred (500) weeks.

(3) For the permanent and complete loss of vision by enucleation or its reduction to one-tenth (1/10) of normal vision with glasses, one hundred seventy-five (175) weeks.

(4) For the permanent and complete loss of hearing in one (1) ear, seventy-five (75) weeks, and in both ears, two hundred (200) weeks.

(5) For the loss of one (1) testicle, fifty (50) weeks; for the loss of both testicles, one hundred fifty (150) weeks.

(e) With respect to injuries in the schedule set forth in subsection (h) occurring on and after July 1, 1979, and before July 1, 1988, the employee shall receive, in addition to temporary total disability benefits not exceeding fifty-two (52) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages not to exceed one hundred twenty-five dollars ($125) average weekly wages for the period stated for the injury.

(f) With respect to injuries in the schedule set forth in subsection (h) occurring on and after July 1, 1988, and before July 1, 1989, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred sixty-six dollars ($166) average weekly wages, for the period stated for the injury.

(g) With respect to injuries in the schedule set forth in subsection (h) occurring on and after July 1, 1989, and before July 1, 1990, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred eighty-three dollars ($183) average weekly wages, for the period stated for the injury.

(h) With respect to injuries in the following schedule occurring on and after July 1, 1990, and before July 1, 1991, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed two hundred dollars ($200) average weekly wages, for the period stated for the injury.

(1) Loss of use: The total permanent loss of the use of an arm, hand, thumb, finger, leg, foot, toe, or phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange, and compensation shall be paid for the same period as for the loss thereof by separation.

(2) Partial loss of use: For the permanent partial loss of the use of an arm, hand, thumb, finger, leg, foot, toe, or phalange, compensation shall be paid for the proportionate loss of the use of such arm, hand, thumb, finger, leg, foot, toe, or phalange.

(3) For injuries resulting in total permanent disability, five hundred (500) weeks.

(4) For any permanent reduction of the sight of an eye less than a total loss as specified in subsection (d)(3), compensation shall be paid for a period proportionate to the degree of such permanent reduction without correction or glasses. However, when such permanent reduction without correction or glasses would result in one hundred percent (100%) loss of vision, but correction or glasses would result in restoration of vision, then in such event compensation shall be paid for fifty percent (50%) of such total loss of vision without glasses, plus an additional amount equal to the proportionate amount of such reduction with glasses, not to exceed an additional fifty percent (50%).

(5) For any permanent reduction of the hearing of one (1) or both ears, less than the total loss as specified in subsection (d)(4), compensation shall be paid for a period proportional to the degree of such permanent reduction.

(6) In all other cases of permanent partial impairment, compensation proportionate to the degree of such permanent partial impairment, in the discretion of the worker's compensation board, not exceeding five hundred (500) weeks.

(7) In all cases of permanent disfigurement which may impair the future usefulness or opportunities of the employee, compensation, in the discretion of the worker's compensation board, not exceeding two hundred (200) weeks, except that no compensation shall be payable under this subdivision where compensation is payable elsewhere in this section.

(i) With respect to injuries in the following schedule occurring on and after July 1, 1991, the employee shall receive in addition to temporary total disability benefits, not exceeding one hundred twenty-five (125) weeks on account of the injury, compensation in an amount determined under the following

schedule to be paid weekly at a rate of sixty-six and two-thirds percent (66 2/3%) of the employee's average weekly wages during the fifty-two (52) weeks immediately preceding the week in which the injury occurred.

(1) Amputation: For the loss by separation of the thumb, twelve (12) degrees of permanent impairment; of the index finger, eight (8) degrees of permanent impairment; of the second finger, seven (7) degrees of permanent impairment; of the third or ring finger, six (6) degrees of permanent impairment; of the fourth or little finger, four (4) degrees of permanent impairment; of the hand by separation below the elbow joint, forty (40) degrees of permanent impairment; of the arm above the elbow, fifty (50) degrees of permanent impairment; of the big toe, twelve (12) degrees of permanent impairment; of the second toe, six (6) degrees of permanent impairment; of the third toe, four (4) degrees of permanent impairment; of the fourth toe, three (3) degrees of permanent impairment; of the fifth or little toe, two (2) degrees of permanent impairment; by separation of the foot below the knee joint, thirty-five (35) degrees of permanent impairment; and of the leg above the knee joint, forty-five (45) degrees of permanent impairment.

(2) Amputations: For the loss by separation of any of the body parts described in subdivision (1) on or after July 1, 1997, and for the loss by separation of any of the body parts described in subdivision (3), (5), or (8), on or after July 1, 1999, the dollar values per degree applying on the date of the injury as described in subsection (j) shall be multiplied by two (2). However, the doubling provision of this subdivision does not apply to a loss of use that is not a loss by separation.

(3) The loss of more than one (1) phalange of a thumb or toe shall be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half (1/2) of the degrees of permanent impairment for the loss of the entire thumb or toe. The loss of not more than one (1) phalange of a finger shall be considered as the loss of one-third (1/3) of the finger and compensation shall be paid for one-third (1/3) of the degrees payable for the loss of the entire finger. The loss of more than one (1) phalange of the finger but not more than two (2) phalanges of the finger shall be considered as the loss of one-half (1/2) of the finger and compensation shall be paid for one-half (1/2) of the degrees payable for the loss of the entire finger.

(4) For the loss by separation of both hands or both feet or the total sight of both eyes or any two (2) such losses in the same accident, one hundred (100) degrees of permanent impairment.

(5) For the permanent and complete loss of vision by enucleation, thirty-five (35) degrees of permanent impairment.

(6) For the reduction of vision to one-tenth (1/10) of normal vision with glasses, thirty-five (35) degrees of permanent impairment.

(7) For the permanent and complete loss of hearing in one (1) ear, fifteen (15) degrees of permanent impairment, and in both ears, forty (40) degrees of permanent impairment.

(8) For the loss of one (1) testicle, ten (10) degrees of permanent impairment; for the loss of both testicles, thirty (30) degrees of permanent impairment.

(9) Loss of use: The total permanent loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange, and compensation shall be paid in the same amount as for the loss by separation. However, the doubling provision of subdivision (2) does not apply to a loss of use that is not a loss by separation.

(10) Partial loss of use: For the permanent partial loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange, compensation shall be paid for the proportionate loss of the use of the arm, hand, thumb, finger, leg, foot, toe, or phalange.

(11) For injuries resulting in total permanent disability, the amount payable for impairment or five hundred (500) weeks of compensation, whichever is greater.

(12) For any permanent reduction of the sight of an eye less than a total loss as specified in subsection (h)(4), the compensation shall be paid in an amount proportionate to the degree of a permanent reduction without correction or glasses. However, when a permanent reduction without correction or glasses would result in one hundred percent (100%) loss of vision, then compensation shall be paid for fifty percent (50%) of the total loss of vision without glasses, plus an additional amount equal to the proportionate amount of the reduction with glasses, not to exceed an additional fifty percent (50%).

(13) For any permanent reduction of the hearing of one (1) or both ears, less than the total loss as specified in subsection (h)(5), compensation shall be paid in an amount proportionate to the degree of a permanent reduction.

(14) In all other cases of permanent partial impairment, compensation proportionate to the degree of a permanent partial impairment, in the discretion of the worker's compensation board, not exceeding one hundred (100) degrees of permanent impairment.

(15) In all cases of permanent disfigurement which may impair the future usefulness or opportunities of the employee, compensation, in the discretion of the worker's compensation board, not exceeding forty (40) degrees of permanent impairment except that no compensation shall be payable under this subdivision where compensation is payable elsewhere in this section.

(j) Compensation for permanent partial impairment shall be paid according to the degree of permanent impairment for the injury determined under subsection (i) and the following:

(1) With respect to injuries occurring on and after July 1, 1991, and before July 1, 1992, for each degree of permanent impairment from one (1) to thirty-five (35), five hundred dollars ($500) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), nine hundred dollars ($900) per degree; for each degree of permanent impairment above fifty (50), one thousand five hundred dollars ($1,500) per degree.

(2) With respect to injuries occurring on and after July 1, 1992, and before July 1, 1993, for each degree of permanent impairment from one (1) to twenty (20), five hundred dollars ($500) per degree; for each degree of permanent impairment from twenty-one (21) to thirty-five (35), eight hundred dollars ($800) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(3) With respect to injuries occurring on and after July 1, 1993, and before July 1, 1997, for each degree of permanent impairment from one (1) to ten (10), five hundred dollars ($500) per degree; for each degree of permanent impairment from eleven (11) to twenty (20), seven hundred dollars ($700) per degree; for each degree of permanent impairment from twenty-one (21) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars

($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.
(4) With respect to injuries occurring on and after July 1, 1997, and before July 1, 1998, for each degree of permanent impairment from one (1) to ten (10), seven hundred fifty dollars ($750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.
(5) With respect to injuries occurring on and after July 1, 1998, and before July 1, 1999, for each degree of permanent impairment from one (1) to ten (10), seven hundred fifty dollars ($750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.
(6) With respect to injuries occurring on and after July 1, 1999, and before July 1, 2000, for each degree of permanent impairment from one (1) to ten (10), nine hundred dollars ($900) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand one hundred dollars ($1,100) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand six hundred dollars ($1,600) per degree; for each degree of permanent impairment above fifty (50), two thousand dollars ($2,000) per degree.
(7) With respect to injuries occurring on and after July 1, 2000, and before July 1, 2001, for each degree of permanent impairment from one (1) to ten (10), one thousand one hundred dollars ($1,100) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand dollars ($2,000) per degree; for each degree of permanent impairment above fifty (50), two thousand five hundred fifty dollars ($2,500) per degree.
(8) With respect to injuries occurring on and after July 1, 2001, and before July 1, 2007, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred dollars ($1,500) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand four hundred dollars ($2,400) per degree; for each degree of permanent impairment above fifty (50), three thousand dollars ($3,000) per degree.
(9) With respect to injuries occurring on and after July 1, 2007, and before July 1, 2008, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred forty dollars ($1,340) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred forty-five dollars ($1,545) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand four hundred seventy-five dollars ($2,475) per degree; for each degree of permanent impairment above fifty (50), three thousand one hundred fifty dollars ($3,150) per degree.
(10) With respect to injuries occurring on and after July 1, 2008, and before July 1, 2009, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred sixty-five dollars ($1,365) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred seventy dollars ($1,570) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand five hundred twenty-five dollars ($2,525) per degree; for each degree of permanent impairment above fifty (50), three thousand two hundred dollars ($3,200) per degree.
(11) With respect to injuries occurring on and after July 1, 2009, and before July 1, 2010, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred eighty dollars ($1,380) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred eighty-five dollars ($1,585) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand six hundred dollars ($2,600) per degree; for each degree of permanent impairment above fifty (50), three thousand three hundred dollars ($3,300) per degree.
(12) With respect to injuries occurring on and after July 1, 2010, and before July 1, 2014, for each degree of permanent impairment from one (1) to ten (10), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand six hundred dollars ($1,600) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand seven hundred dollars ($2,700) per degree; for each degree of permanent impairment above fifty (50), three thousand five hundred dollars ($3,500) per degree.
(13) With respect to injuries occurring on and after July 1, 2014, and before July 1, 2015, for each degree of permanent impairment from one (1) to ten (10), one thousand five hundred seventeen dollars ($1,517) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand seven hundred seventeen dollars ($1,717) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand eight hundred sixty-two dollars ($2,862) per degree; for each degree of permanent impairment above fifty (50), three thousand six hundred eighty-seven dollars ($3,687) per degree.
(14) With respect to injuries occurring on and after July 1, 2015, and before July 1, 2016, for each degree of permanent impairment from one (1) to ten (10), one thousand six hundred thirty-three dollars ($1,633) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand eight hundred thirty-five dollars ($1,835) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand twenty-four dollars ($3,024) per degree; for each degree of permanent impairment above fifty (50), three thousand eight hundred seventy-three dollars ($3,873) per degree.
(15) With respect to injuries occurring on and after July 1, 2016, **and before July 1, 2020,** for each degree of permanent impairment from one (1) to ten (10), one thousand seven hundred fifty dollars ($1,750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand nine hundred fifty-two dollars ($1,952) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand one hundred eighty-six dollars ($3,186) per degree; for each degree of permanent impairment above fifty (50), four thousand sixty dollars ($4,060) per degree.
(16) With respect to injuries occurring on and after July 1, 2020, and before July 1, 2021, for each degree of permanent impairment from one (1) to thirty-five (35), two thousand four hundred dollars ($2,400) per

degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand five hundred dollars ($3,500) per degree; for each degree of permanent impairment above fifty (50), four thousand two hundred sixty dollars ($4,260) per degree.

(17) With respect to injuries occurring on and after July 1, 2021, and before July 1, 2022, for each degree of permanent impairment from one (1) to thirty-five (35), two thousand six hundred forty dollars ($2,640) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand eight hundred fifty dollars ($3,850) per degree; for each degree of permanent impairment above fifty (50), four thousand four hundred seventy dollars ($4,470) per degree.

(18) With respect to injuries occurring on and after July 1, 2022, for each degree of permanent impairment from one (1) to thirty-five (35), two thousand nine hundred dollars ($2,900) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), four thousand two hundred dollars ($4,200) per degree; for each degree of permanent impairment above fifty (50), four thousand seven hundred dollars ($4,700) per degree.

(k) The average weekly wages used in the determination of compensation for permanent partial impairment under subsections (i) and (j) shall not exceed the following:

(1) With respect to injuries occurring on or after July 1, 1991, and before July 1, 1992, four hundred ninety-two dollars ($492).

(2) With respect to injuries occurring on or after July 1, 1992, and before July 1, 1993, five hundred forty dollars ($540).

(3) With respect to injuries occurring on or after July 1, 1993, and before July 1, 1994, five hundred ninety-one dollars ($591).

(4) With respect to injuries occurring on or after July 1, 1994, and before July 1, 1997, six hundred forty-two dollars ($642).

(5) With respect to injuries occurring on or after July 1, 1997, and before July 1, 1998, six hundred seventy-two dollars ($672).

(6) With respect to injuries occurring on or after July 1, 1998, and before July 1, 1999, seven hundred two dollars ($702).

(7) With respect to injuries occurring on or after July 1, 1999, and before July 1, 2000, seven hundred thirty-two dollars ($732).

(8) With respect to injuries occurring on or after July 1, 2000, and before July 1, 2001, seven hundred sixty-two dollars ($762).

(9) With respect to injuries occurring on or after July 1, 2001, and before July 1, 2002, eight hundred twenty-two dollars ($822).

(10) With respect to injuries occurring on or after July 1, 2002, and before July 1, 2006, eight hundred eighty-two dollars ($882).

(11) With respect to injuries occurring on or after July 1, 2006, and before July 1, 2007, nine hundred dollars ($900).

(12) With respect to injuries occurring on or after July 1, 2007, and before July 1, 2008, nine hundred thirty dollars ($930).

(13) With respect to injuries occurring on or after July 1, 2008, and before July 1, 2009, nine hundred fifty-four dollars ($954).

(14) With respect to injuries occurring on or after July 1, 2009, and before July 1, 2014, nine hundred seventy-five dollars ($975).

(15) With respect to injuries occurring on or after July 1, 2014, and before July 1, 2015, one thousand forty dollars ($1,040).

(16) With respect to injuries occurring on or after July 1, 2015, and before July 1, 2016, one thousand one hundred five dollars ($1,105).

(17) With respect to injuries occurring on or after July 1, 2016, **and before July 1, 2020,** one thousand one hundred seventy dollars ($1,170).

(18) With respect to injuries occurring on or after July 1, 2020, and before July 1, 2021, one thousand five hundred thirty-nine dollars ($1,539).

(19) With respect to injuries occurring on or after July 1, 2021, and before July 1, 2022, one thousand seven hundred dollars ($1,700).

(20) With respect to injuries occurring on or after July 1, 2022, one thousand eight hundred fifty dollars ($1,850).

SECTION 4. IC 22-3-3-22, AS AMENDED BY P.L.275-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 22. (a) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1985, and before July 1, 1986, the average weekly wages are considered to be:

(1) not more than two hundred sixty-seven dollars ($267); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(b) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1986, and before July 1, 1988, the average weekly wages are considered to be:

(1) not more than two hundred eighty-five dollars ($285); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(c) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1988, and before July 1, 1989, the average weekly wages are considered to be:

(1) not more than three hundred eighty-four dollars ($384); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(d) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1989, and before July 1, 1990, the average weekly wages are considered to be:

(1) not more than four hundred eleven dollars ($411); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(e) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1990, and before July 1, 1991, the average weekly wages are considered to be:

(1) not more than four hundred forty-one dollars ($441); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(f) In computing compensation for temporary total disability,

temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1991, and before July 1, 1992, the average weekly wages are considered to be:

(1) not more than four hundred ninety-two dollars ($492); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(g) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1992, and before July 1, 1993, the average weekly wages are considered to be:

(1) not more than five hundred forty dollars ($540); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(h) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1993, and before July 1, 1994, the average weekly wages are considered to be:

(1) not more than five hundred ninety-one dollars ($591); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(i) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1994, and before July 1, 1997, the average weekly wages are considered to be:

(1) not more than six hundred forty-two dollars ($642); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(j) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, the average weekly wages are considered to be:

(1) with respect to injuries occurring on and after July 1, 1997, and before July 1, 1998:

(A) not more than six hundred seventy-two dollars ($672); and

(B) not less than seventy-five dollars ($75);

(2) with respect to injuries occurring on and after July 1, 1998, and before July 1, 1999:

(A) not more than seven hundred two dollars ($702); and

(B) not less than seventy-five dollars ($75);

(3) with respect to injuries occurring on and after July 1, 1999, and before July 1, 2000:

(A) not more than seven hundred thirty-two dollars ($732); and

(B) not less than seventy-five dollars ($75);

(4) with respect to injuries occurring on and after July 1, 2000, and before July 1, 2001:

(A) not more than seven hundred sixty-two dollars ($762); and

(B) not less than seventy-five dollars ($75);

(5) with respect to injuries occurring on and after July 1, 2001, and before July 1, 2002:

(A) not more than eight hundred twenty-two dollars ($822); and

(B) not less than seventy-five dollars ($75);

(6) with respect to injuries occurring on and after July 1, 2002, and before July 1, 2006:

(A) not more than eight hundred eighty-two dollars ($882); and

(B) not less than seventy-five dollars ($75);

(7) with respect to injuries occurring on and after July 1, 2006, and before July 1, 2007:

(A) not more than nine hundred dollars ($900); and

(B) not less than seventy-five dollars ($75);

(8) with respect to injuries occurring on and after July 1, 2007, and before July 1, 2008:

(A) not more than nine hundred thirty dollars ($930); and

(B) not less than seventy-five dollars ($75);

(9) with respect to injuries occurring on and after July 1, 2008, and before July 1, 2009:

(A) not more than nine hundred fifty-four dollars ($954); and

(B) not less than seventy-five dollars ($75);

(10) with respect to injuries occurring on and after July 1, 2009, and before July 1, 2014:

(A) not more than nine hundred seventy-five dollars ($975); and

(B) not less than seventy-five dollars ($75);

(11) with respect to injuries occurring on and after July 1, 2014, and before July 1, 2015:

(A) not more than one thousand forty dollars ($1,040); and

(B) not less than seventy-five dollars ($75);

(12) with respect to injuries occurring on and after July 1, 2015, and before July 1, 2016:

(A) not more than one thousand one hundred five dollars ($1,105); and

(B) not less than seventy-five dollars ($75); ~~and~~

(13) with respect to injuries occurring on and after July 1, 2016, **and before July 1, 2020:**

(A) not more than one thousand one hundred seventy dollars ($1,170); and

(B) not less than seventy-five dollars ($75);

(14) with respect to injuries occurring on and after July 1, 2020, and before July 1, 2021:

(A) not more than one thousand five hundred thirty-nine dollars ($1,539); and

(B) not less than one hundred fifty dollars ($150);

(15) with respect to injuries occurring on and after July 1, 2021, and before July 1, 2022:

(A) not more than one thousand seven hundred dollars ($1,700); and

(B) not less than two hundred dollars ($200); and

(16) with respect to injuries occurring on and after July 1, 2022:

(A) not more than one thousand eight hundred fifty dollars ($1,850); and

(B) not less than two hundred fifty dollars ($250).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(k) With respect to any injury occurring on and after July 1, 1985, and before July 1, 1986, the maximum compensation, exclusive of medical benefits, which may be paid for an injury under any provisions of this law or any combination of provisions may not exceed eighty-nine thousand dollars ($89,000) in any case.

(l) With respect to any injury occurring on and after July 1, 1986, and before July 1, 1988, the maximum compensation, exclusive of medical benefits, which may be paid for an injury under any provisions of this law or any combination of provisions may not exceed ninety-five thousand dollars ($95,000) in any case.

(m) With respect to any injury occurring on and after July 1, 1988, and before July 1, 1989, the maximum compensation, exclusive of medical benefits, which may be paid for an injury under any provisions of this law or any combination of provisions may not exceed one hundred twenty-eight thousand dollars ($128,000) in any case.

(n) With respect to any injury occurring on and after July 1, 1989, and before July 1, 1990, the maximum compensation, exclusive of medical benefits, which may be paid for an injury under any provisions of this law or any combination of provisions may not exceed one hundred thirty-seven thousand dollars ($137,000) in any case.

(o) With respect to any injury occurring on and after July 1, 1990, and before July 1, 1991, the maximum compensation, exclusive of medical benefits, which may be paid for an injury under any provisions of this law or any combination of provisions may not exceed one hundred forty-seven thousand dollars ($147,000) in any case.

(p) With respect to any injury occurring on and after July 1, 1991, and before July 1, 1992, the maximum compensation, exclusive of medical benefits, that may be paid for an injury under any provisions of this law or any combination of provisions may not exceed one hundred sixty-four thousand dollars ($164,000) in any case.

(q) With respect to any injury occurring on and after July 1, 1992, and before July 1, 1993, the maximum compensation, exclusive of medical benefits, that may be paid for an injury under any provisions of this law or any combination of provisions may not exceed one hundred eighty thousand dollars ($180,000) in any case.

(r) With respect to any injury occurring on and after July 1, 1993, and before July 1, 1994, the maximum compensation, exclusive of medical benefits, that may be paid for an injury under any provisions of this law or any combination of provisions may not exceed one hundred ninety-seven thousand dollars ($197,000) in any case.

(s) With respect to any injury occurring on and after July 1, 1994, and before July 1, 1997, the maximum compensation, exclusive of medical benefits, which may be paid for an injury under any provisions of this law or any combination of provisions may not exceed two hundred fourteen thousand dollars ($214,000) in any case.

(t) The maximum compensation, exclusive of medical benefits, that may be paid for an injury under any provision of this law or any combination of provisions may not exceed the following amounts in any case:

(1) With respect to an injury occurring on and after July 1, 1997, and before July 1, 1998, two hundred twenty-four thousand dollars ($224,000).

(2) With respect to an injury occurring on and after July 1, 1998, and before July 1, 1999, two hundred thirty-four thousand dollars ($234,000).

(3) With respect to an injury occurring on and after July 1, 1999, and before July 1, 2000, two hundred forty-four thousand dollars ($244,000).

(4) With respect to an injury occurring on and after July 1, 2000, and before July 1, 2001, two hundred fifty-four thousand dollars ($254,000).

(5) With respect to an injury occurring on and after July 1, 2001, and before July 1, 2002, two hundred seventy-four thousand dollars ($274,000).

(6) With respect to an injury occurring on and after July 1, 2002, and before July 1, 2006, two hundred ninety-four thousand dollars ($294,000).

(7) With respect to an injury occurring on and after July 1, 2006, and before July 1, 2007, three hundred thousand dollars ($300,000).

(8) With respect to an injury occurring on and after July 1, 2007, and before July 1, 2008, three hundred ten thousand dollars ($310,000).

(9) With respect to an injury occurring on and after July 1, 2008, and before July 1, 2009, three hundred eighteen thousand dollars ($318,000).

(10) With respect to an injury occurring on and after July 1, 2009, and before July 1, 2014, three hundred twenty-five thousand dollars ($325,000).

(11) With respect to an injury occurring on and after July 1, 2014, and before July 1, 2015, three hundred forty-seven thousand dollars ($347,000).

(12) With respect to an injury occurring on and after July 1, 2015, and before July 1, 2016, three hundred sixty-eight thousand dollars ($368,000).

(13) With respect to an injury occurring on and after July 1, 2016, **and before July 1, 2020,** three hundred ninety thousand dollars ($390,000).

(14) With respect to an injury occurring on and after July 1, 2020, and before July 1, 2021, five hundred thirteen thousand dollars ($513,000).

(15) With respect to an injury occurring on and after July 1, 2021, and before July 1, 2022, five hundred sixty-six thousand five hundred dollars ($566,500).

(16) With respect to an injury occurring on and after July 1, 2022, six hundred sixteen thousand five hundred dollars ($616,500).".

Page 19, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 5. IC 22-3-7-16, AS AMENDED BY P.L.204-2018, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) Compensation shall be allowed on account of disablement from occupational disease resulting in only temporary total disability to work or temporary partial disability to work beginning with the eighth day of such disability except for the medical benefits provided for in section 17 of this chapter. Compensation shall be allowed for the first seven (7) calendar days only as provided in this section. The first weekly installment of compensation for temporary disability is due fourteen (14) days after the disability begins. Not later than fifteen (15) days from the date that the first installment of compensation is due, the employer or the employer's insurance carrier shall file with the worker's compensation board electronically and tender to the employee or to the employee's dependents, with all compensation due, a properly prepared compensation agreement in a form prescribed by the board. Whenever an employer or the employer's insurance carrier denies or is not able to determine liability to pay compensation or benefits, the employer or the employer's insurance carrier shall notify the worker's compensation board and the employee in writing on a form prescribed by the worker's compensation board not later than thirty (30) days after the employer's knowledge of the claimed disablement. If a determination of liability cannot be made within thirty (30) days, the worker's compensation board may approve an additional thirty (30) days upon a written request of the employer or the employer's insurance carrier that sets forth the reasons that the determination could not be made within thirty (30) days and states the facts or circumstances that are necessary to determine liability within the additional thirty (30) days. More than thirty (30) days of additional time may be approved by the worker's compensation board upon the filing of a petition by the employer or the employer's insurance carrier that sets forth:

(1) the extraordinary circumstances that have precluded a determination of liability within the initial sixty (60) days;

(2) the status of the investigation on the date the petition is filed;

(3) the facts or circumstances that are necessary to make a determination; and

(4) a timetable for the completion of the remaining investigation.

An employer who fails to comply with this section is subject to a civil penalty under IC 22-3-4-15.

(b) Once begun, temporary total disability benefits may not be terminated by the employer unless:

(1) the employee has returned to work;

(2) the employee has died;

(3) the employee has refused to undergo a medical

examination under section 20 of this chapter;

(4) the employee has received five hundred (500) weeks of temporary total disability benefits or has been paid the maximum compensation allowable under section 19 of this chapter; or

(5) the employee is unable or unavailable to work for reasons unrelated to the compensable disease.

In all other cases the employer must notify the employee in writing of the employer's intent to terminate the payment of temporary total disability benefits, and of the availability of employment, if any, on a form approved by the board. If the employee disagrees with the proposed termination, the employee must give written notice of disagreement to the board and the employer within seven (7) days after receipt of the notice of intent to terminate benefits. If the board and employer do not receive a notice of disagreement under this section, the employee's temporary total disability benefits shall be terminated. Upon receipt of the notice of disagreement, the board shall immediately contact the parties, which may be by telephone or other means and attempt to resolve the disagreement. If the board is unable to resolve the disagreement within ten (10) days of receipt of the notice of disagreement, the board shall immediately arrange for an evaluation of the employee by an independent medical examiner. The independent medical examiner shall be selected by mutual agreement of the parties or, if the parties are unable to agree, appointed by the board under IC 22-3-4-11. If the independent medical examiner determines that the employee is no longer temporarily disabled or is still temporarily disabled but can return to employment that the employer has made available to the employee, or if the employee fails or refuses to appear for examination by the independent medical examiner, temporary total disability benefits may be terminated. If either party disagrees with the opinion of the independent medical examiner, the party shall apply to the board for a hearing under section 27 of this chapter.

(c) An employer is not required to continue the payment of temporary total disability benefits for more than fourteen (14) days after the employer's proposed termination date unless the independent medical examiner determines that the employee is temporarily disabled and unable to return to any employment that the employer has made available to the employee.

(d) If it is determined that as a result of this section temporary total disability benefits were overpaid, the overpayment shall be deducted from any benefits due the employee under this section and, if there are no benefits due the employee or the benefits due the employee do not equal the amount of the overpayment, the employee shall be responsible for paying any overpayment which cannot be deducted from benefits due the employee.

(e) For disablements occurring on and after July 1, 1976, from occupational disease resulting in temporary total disability for any work there shall be paid to the disabled employee during the temporary total disability weekly compensation equal to sixty-six and two-thirds percent (66 2/3%) of the employee's average weekly wages, as defined in section 19 of this chapter, for a period not to exceed five hundred (500) weeks. Compensation shall be allowed for the first seven (7) calendar days only if the disability continues for longer than twenty-one (21) days.

(f) For disablements occurring on and after July 1, 1974, from occupational disease resulting in temporary partial disability for work there shall be paid to the disabled employee during such disability a weekly compensation equal to sixty-six and two-thirds percent (66 2/3%) of the difference between the employee's average weekly wages, as defined in section 19 of this chapter, and the weekly wages at which the employee is actually employed after the disablement, for a period not to exceed three hundred (300) weeks. Compensation shall be allowed for the first seven (7) calendar days only if the disability continues for longer than twenty-one (21) days. In case of partial disability after the period of temporary total disability, the latter period shall be included as a part of the maximum period allowed for partial disability.

(g) For disabilities occurring on and after July 1, 1979, and before July 1, 1988, from occupational disease in the schedule set forth in subsection (j), the employee shall receive in addition to disability benefits, not exceeding fifty-two (52) weeks on account of the occupational disease, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred twenty-five dollars ($125) average weekly wages, for the period stated for the disabilities.

(h) For disabilities occurring on and after July 1, 1988, and before July 1, 1989, from occupational disease in the schedule set forth in subsection (j), the employee shall receive in addition to disability benefits, not exceeding seventy-eight (78) weeks on account of the occupational disease, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred sixty-six dollars ($166) average weekly wages, for the period stated for the disabilities.

(i) For disabilities occurring on and after July 1, 1989, and before July 1, 1990, from occupational disease in the schedule set forth in subsection (j), the employee shall receive in addition to disability benefits, not exceeding seventy-eight (78) weeks on account of the occupational disease, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred eighty-three dollars ($183) average weekly wages, for the period stated for the disabilities.

(j) For disabilities occurring on and after July 1, 1990, and before July 1, 1991, from occupational disease in the following schedule, the employee shall receive in addition to disability benefits, not exceeding seventy-eight (78) weeks on account of the occupational disease, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed two hundred dollars ($200) average weekly wages, for the period stated for the disabilities.

(1) Amputations: For the loss by separation, of the thumb, sixty (60) weeks; of the index finger, forty (40) weeks; of the second finger, thirty-five (35) weeks; of the third or ring finger, thirty (30) weeks; of the fourth or little finger, twenty (20) weeks; of the hand by separation below the elbow, two hundred (200) weeks; of the arm above the elbow joint, two hundred fifty (250) weeks; of the big toe, sixty (60) weeks; of the second toe, thirty (30) weeks; of the third toe, twenty (20) weeks; of the fourth toe, fifteen (15) weeks; of the fifth or little toe, ten (10) weeks; of the foot below the knee joint, one hundred fifty (150) weeks; and of the leg above the knee joint, two hundred (200) weeks. The loss of more than one (1) phalange of a thumb or toe shall be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half (1/2) of the thumb or toe and compensation shall be paid for one-half (1/2) of the period for the loss of the entire thumb or toe. The loss of not more than two (2) phalanges of a finger shall be considered as the loss of one-half (1/2) the finger and compensation shall be paid for one-half (1/2) of the period for the loss of the entire finger.

(2) Loss of Use: The total permanent loss of the use of an arm, hand, thumb, finger, leg, foot, toe, or phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange and the compensation shall be paid for the same period as for the loss thereof by separation.

(3) Partial Loss of Use: For the permanent partial loss of the use of an arm, hand, thumb, finger, leg, foot, toe, or phalange, compensation shall be paid for the proportionate loss of the use of such arm, hand, thumb, finger, leg, foot, toe, or phalange.

(4) For disablements for occupational disease resulting in total permanent disability, five hundred (500) weeks.
(5) For the loss of both hands, or both feet, or the total sight of both eyes, or any two (2) of such losses resulting from the same disablement by occupational disease, five hundred (500) weeks.
(6) For the permanent and complete loss of vision by enucleation of an eye or its reduction to one-tenth (1/10) of normal vision with glasses, one hundred fifty (150) weeks, and for any other permanent reduction of the sight of an eye, compensation shall be paid for a period proportionate to the degree of such permanent reduction without correction or glasses. However, when such permanent reduction without correction or glasses would result in one hundred percent (100%) loss of vision, but correction or glasses would result in restoration of vision, then compensation shall be paid for fifty percent (50%) of such total loss of vision without glasses plus an additional amount equal to the proportionate amount of such reduction with glasses, not to exceed an additional fifty percent (50%).
(7) For the permanent and complete loss of hearing, two hundred (200) weeks.
(8) In all other cases of permanent partial impairment, compensation proportionate to the degree of such permanent partial impairment, in the discretion of the worker's compensation board, not exceeding five hundred (500) weeks.
(9) In all cases of permanent disfigurement, which may impair the future usefulness or opportunities of the employee, compensation in the discretion of the worker's compensation board, not exceeding two hundred (200) weeks, except that no compensation shall be payable under this paragraph where compensation shall be payable under subdivisions (1) through (8). Where compensation for temporary total disability has been paid, this amount of compensation shall be deducted from any compensation due for permanent disfigurement.

(k) With respect to disablements in the following schedule occurring on and after July 1, 1991, the employee shall receive in addition to temporary total disability benefits, not exceeding one hundred twenty-five (125) weeks on account of the disablement, compensation in an amount determined under the following schedule to be paid weekly at a rate of sixty-six and two-thirds percent (66 2/3%) of the employee's average weekly wages during the fifty-two (52) weeks immediately preceding the week in which the disablement occurred:
(1) Amputation: For the loss by separation of the thumb, twelve (12) degrees of permanent impairment; of the index finger, eight (8) degrees of permanent impairment; of the second finger, seven (7) degrees of permanent impairment; of the third or ring finger, six (6) degrees of permanent impairment; of the fourth or little finger, four (4) degrees of permanent impairment; of the hand by separation below the elbow joint, forty (40) degrees of permanent impairment; of the arm above the elbow, fifty (50) degrees of permanent impairment; of the big toe, twelve (12) degrees of permanent impairment; of the second toe, six (6) degrees of permanent impairment; of the third toe, four (4) degrees of permanent impairment; of the fourth toe, three (3) degrees of permanent impairment; of the fifth or little toe, two (2) degrees of permanent impairment; of separation of the foot below the knee joint, thirty-five (35) degrees of permanent impairment; and of the leg above the knee joint, forty-five (45) degrees of permanent impairment.
(2) Amputations occurring on or after July 1, 1997: For the loss by separation of any of the body parts described in subdivision (1) on or after July 1, 1997, the dollar values per degree applying on the date of the injury as described in subsection (l) shall be multiplied by two (2). However, the doubling provision of this subdivision does not apply to a loss of use that is not a loss by separation.
(3) The loss of more than one (1) phalange of a thumb or toe shall be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half (1/2) of the degrees of permanent impairment for the loss of the entire thumb or toe. The loss of not more than one (1) phalange of a finger shall be considered as the loss of one-third (1/3) of the finger and compensation shall be paid for one-third (1/3) of the degrees payable for the loss of the entire finger. The loss of more than one (1) phalange of the finger but not more than two (2) phalanges of the finger shall be considered as the loss of one-half (1/2) of the finger and compensation shall be paid for one-half (1/2) of the degrees payable for the loss of the entire finger.
(4) For the loss by separation of both hands or both feet or the total sight of both eyes or any two (2) such losses in the same accident, one hundred (100) degrees of permanent impairment.
(5) For the permanent and complete loss of vision by enucleation or its reduction to one-tenth (1/10) of normal vision with glasses, thirty-five (35) degrees of permanent impairment.
(6) For the permanent and complete loss of hearing in one (1) ear, fifteen (15) degrees of permanent impairment, and in both ears, forty (40) degrees of permanent impairment.
(7) For the loss of one (1) testicle, ten (10) degrees of permanent impairment; for the loss of both testicles, thirty (30) degrees of permanent impairment.
(8) Loss of use: The total permanent loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange, and compensation shall be paid in the same amount as for the loss by separation. However, the doubling provision of subdivision (2) does not apply to a loss of use that is not a loss by separation.
(9) Partial loss of use: For the permanent partial loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange, compensation shall be paid for the proportionate loss of the use of the arm, hand, thumb, finger, leg, foot, toe, or phalange.
(10) For disablements resulting in total permanent disability, the amount payable for impairment or five hundred (500) weeks of compensation, whichever is greater.
(11) For any permanent reduction of the sight of an eye less than a total loss as specified in subdivision (5), the compensation shall be paid in an amount proportionate to the degree of a permanent reduction without correction or glasses. However, when a permanent reduction without correction or glasses would result in one hundred percent (100%) loss of vision, then compensation shall be paid for fifty percent (50%) of the total loss of vision without glasses, plus an additional amount equal to the proportionate amount of the reduction with glasses, not to exceed an additional fifty percent (50%).
(12) For any permanent reduction of the hearing of one (1) or both ears, less than the total loss as specified in subdivision (6), compensation shall be paid in an amount proportionate to the degree of a permanent reduction.
(13) In all other cases of permanent partial impairment, compensation proportionate to the degree of a permanent partial impairment, in the discretion of the worker's compensation board, not exceeding one hundred (100)

degrees of permanent impairment.

(14) In all cases of permanent disfigurement which may impair the future usefulness or opportunities of the employee, compensation, in the discretion of the worker's compensation board, not exceeding forty (40) degrees of permanent impairment except that no compensation shall be payable under this subdivision where compensation is payable elsewhere in this section.

(l) With respect to disablements occurring on and after July 1, 1991, compensation for permanent partial impairment shall be paid according to the degree of permanent impairment for the disablement determined under subsection (k) and the following:

(1) With respect to disablements occurring on and after July 1, 1991, and before July 1, 1992, for each degree of permanent impairment from one (1) to thirty-five (35), five hundred dollars ($500) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), nine hundred dollars ($900) per degree; for each degree of permanent impairment above fifty (50), one thousand five hundred dollars ($1,500) per degree.

(2) With respect to disablements occurring on and after July 1, 1992, and before July 1, 1993, for each degree of permanent impairment from one (1) to twenty (20), five hundred dollars ($500) per degree; for each degree of permanent impairment from twenty-one (21) to thirty-five (35), eight hundred dollars ($800) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(3) With respect to disablements occurring on and after July 1, 1993, and before July 1, 1997, for each degree of permanent impairment from one (1) to ten (10), five hundred dollars ($500) per degree; for each degree of permanent impairment from eleven (11) to twenty (20), seven hundred dollars ($700) per degree; for each degree of permanent impairment from twenty-one (21) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(4) With respect to disablements occurring on and after July 1, 1997, and before July 1, 1998, for each degree of permanent impairment from one (1) to ten (10), seven hundred fifty dollars ($750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(5) With respect to disablements occurring on and after July 1, 1998, and before July 1, 1999, for each degree of permanent impairment from one (1) to ten (10), seven hundred fifty dollars ($750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(6) With respect to disablements occurring on and after July 1, 1999, and before July 1, 2000, for each degree of permanent impairment from one (1) to ten (10), nine hundred dollars ($900) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand one hundred dollars ($1,100) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand six hundred dollars ($1,600) per degree; for each degree of permanent impairment above fifty (50), two thousand dollars ($2,000) per degree.

(7) With respect to disablements occurring on and after July 1, 2000, and before July 1, 2001, for each degree of permanent impairment from one (1) to ten (10), one thousand one hundred dollars ($1,100) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand dollars ($2,000) per degree; for each degree of permanent impairment above fifty (50), two thousand five hundred fifty dollars ($2,500) per degree.

(8) With respect to disablements occurring on and after July 1, 2001, and before July 1, 2007, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred dollars ($1,500) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand four hundred dollars ($2,400) per degree; for each degree of permanent impairment above fifty (50), three thousand dollars ($3,000) per degree.

(9) With respect to disablements occurring on and after July 1, 2007, and before July 1, 2008, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred forty dollars ($1,340) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred forty-five dollars ($1,545) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand four hundred seventy-five dollars ($2,475) per degree; for each degree of permanent impairment above fifty (50), three thousand one hundred fifty dollars ($3,150) per degree.

(10) With respect to disablements occurring on and after July 1, 2008, and before July 1, 2009, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred sixty-five dollars ($1,365) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred seventy dollars ($1,570) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand five hundred twenty-five dollars ($2,525) per degree; for each degree of permanent impairment above fifty (50), three thousand two hundred dollars ($3,200) per degree.

(11) With respect to disablements occurring on and after July 1, 2009, and before July 1, 2010, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred eighty dollars ($1,380) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred eighty-five dollars ($1,585) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand six hundred dollars ($2,600) per degree; for each degree of permanent impairment above fifty (50), three thousand three hundred dollars ($3,300) per degree.

(12) With respect to disablements occurring on and after July 1, 2010, and before July 1, 2014, for each degree of permanent impairment from one (1) to ten (10), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand six hundred dollars ($1,600) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand seven hundred dollars ($2,700) per degree; for each degree of permanent

impairment above fifty (50), three thousand five hundred dollars ($3,500) per degree.

(13) With respect to disablements occurring on and after July 1, 2014, and before July 1, 2015, for each degree of permanent impairment from one (1) to ten (10), one thousand five hundred seventeen dollars ($1,517) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand seven hundred seventeen dollars ($1,717) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand eight hundred sixty-two dollars ($2,862) per degree; for each degree of permanent impairment above fifty (50), three thousand six hundred eighty-seven dollars ($3,687) per degree.

(14) With respect to disablements occurring on and after July 1, 2015, and before July 1, 2016, for each degree of permanent impairment from one (1) to ten (10), one thousand six hundred thirty-three dollars ($1,633) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand eight hundred thirty-five dollars ($1,835) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand twenty-four dollars ($3,024) per degree; for each degree of permanent impairment above fifty (50), three thousand eight hundred seventy-three dollars ($3,873) per degree.

(15) With respect to disablements occurring on and after July 1, 2016, **and before July 1, 2020,** for each degree of permanent impairment from one (1) to ten (10), one thousand seven hundred fifty dollars ($1,750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand nine hundred fifty-two dollars ($1,952) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand one hundred eighty-six dollars ($3,186) per degree; for each degree of permanent impairment above fifty (50), four thousand sixty dollars ($4,060) per degree.

(16) With respect to disablements occurring on and after July 1, 2020, and before July 1, 2021, for each degree of permanent impairment from one (1) to thirty-five (35), two thousand four hundred dollars ($2,400) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand five hundred dollars ($3,500) per degree; for each degree of permanent impairment above fifty (50), four thousand two hundred sixty dollars ($4,260) per degree.

(17) With respect to disablements occurring on and after July 1, 2021, and before July 1, 2022, for each degree of permanent impairment from one (1) to thirty-five (35), two thousand six hundred forty dollars ($2,640) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand eight hundred fifty dollars ($3,850) per degree; for each degree of permanent impairment above fifty (50), four thousand four hundred seventy dollars ($4,470) per degree.

(18) With respect to disablements occurring on and after July 1, 2022, for each degree of permanent impairment from one (1) to thirty-five (35), two thousand nine hundred dollars ($2,900) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), four thousand two hundred dollars ($4,200) per degree; for each degree of permanent impairment above fifty (50), four thousand seven hundred dollars ($4,700) per degree.

(m) The average weekly wages used in the determination of compensation for permanent partial impairment under subsections (k) and (l) shall not exceed the following:

(1) With respect to disablements occurring on or after July 1, 1991, and before July 1, 1992, four hundred ninety-two dollars ($492).

(2) With respect to disablements occurring on or after July 1, 1992, and before July 1, 1993, five hundred forty dollars ($540).

(3) With respect to disablements occurring on or after July 1, 1993, and before July 1, 1994, five hundred ninety-one dollars ($591).

(4) With respect to disablements occurring on or after July 1, 1994, and before July 1, 1997, six hundred forty-two dollars ($642).

(5) With respect to disablements occurring on or after July 1, 1997, and before July 1, 1998, six hundred seventy-two dollars ($672).

(6) With respect to disablements occurring on or after July 1, 1998, and before July 1, 1999, seven hundred two dollars ($702).

(7) With respect to disablements occurring on or after July 1, 1999, and before July 1, 2000, seven hundred thirty-two dollars ($732).

(8) With respect to disablements occurring on or after July 1, 2000, and before July 1, 2001, seven hundred sixty-two dollars ($762).

(9) With respect to disablements occurring on or after July 1, 2001, and before July 1, 2002, eight hundred twenty-two dollars ($822).

(10) With respect to disablements occurring on or after July 1, 2002, and before July 1, 2006, eight hundred eighty-two dollars ($882).

(11) With respect to disablements occurring on or after July 1, 2006, and before July 1, 2007, nine hundred dollars ($900).

(12) With respect to disablements occurring on or after July 1, 2007, and before July 1, 2008, nine hundred thirty dollars ($930).

(13) With respect to disablements occurring on or after July 1, 2008, and before July 1, 2009, nine hundred fifty-four dollars ($954).

(14) With respect to disablements occurring on or after July 1, 2009, and before July 1, 2014, nine hundred seventy-five dollars ($975).

(15) With respect to disablements occurring on or after July 1, 2014, and before July 1, 2015, one thousand forty dollars ($1,040).

(16) With respect to disablements occurring on or after July 1, 2015, and before July 1, 2016, one thousand one hundred five dollars ($1,105).

(17) With respect to disablements occurring on or after July 1, 2016, **and before July 1, 2020,** one thousand one hundred seventy dollars ($1,170).

(18) With respect to disablements occurring on or after July 1, 2020, and before July 1, 2021, one thousand five hundred thirty-nine dollars ($1,539).

(19) With respect to disablements occurring on or after July 1, 2021, and before July 1, 2022, one thousand seven hundred dollars ($1,700).

(20) With respect to disablements occurring on or after July 1, 2022, one thousand eight hundred fifty dollars ($1,850).

(n) If any employee, only partially disabled, refuses employment suitable to the employee's capacity procured for the employee, the employee shall not be entitled to any compensation at any time during the continuance of such refusal unless, in the opinion of the worker's compensation board, such refusal was justifiable. The employee must be served with a notice setting forth the consequences of the refusal under this subsection. The notice must be in a form prescribed by the worker's compensation board.

(o) If an employee has sustained a permanent impairment or disability from an accidental injury other than an occupational

disease in another employment than that in which the employee suffered a subsequent disability from an occupational disease, such as herein specified, the employee shall be entitled to compensation for the subsequent disability in the same amount as if the previous impairment or disability had not occurred. However, if the permanent impairment or disability resulting from an occupational disease for which compensation is claimed results only in the aggravation or increase of a previously sustained permanent impairment from an occupational disease or physical condition regardless of the source or cause of such previously sustained impairment from an occupational disease or physical condition, the board shall determine the extent of the previously sustained permanent impairment from an occupational disease or physical condition as well as the extent of the aggravation or increase resulting from the subsequent permanent impairment or disability, and shall award compensation only for that part of said occupational disease or physical condition resulting from the subsequent permanent impairment. An amputation of any part of the body or loss of any or all of the vision of one (1) or both eyes caused by an occupational disease shall be considered as a permanent impairment or physical condition.

(p) If an employee suffers a disablement from an occupational disease for which compensation is payable while the employee is still receiving or entitled to compensation for a previous injury by accident or disability by occupational disease in the same employment, the employee shall not at the same time be entitled to compensation for both, unless it be for a permanent injury, such as specified in subsection (k)(1), (k)(4), (k)(5), (k)(8), or (k)(9), but the employee shall be entitled to compensation for that disability and from the time of that disability which will cover the longest period and the largest amount payable under this chapter.

(q) If an employee receives a permanent disability from an occupational disease such as specified in subsection (k)(1), (k)(4), (k)(5), (k)(8), or (k)(9) after having sustained another such permanent disability in the same employment the employee shall be entitled to compensation for both such disabilities, but the total compensation shall be paid by extending the period and not by increasing the amount of weekly compensation and, when such previous and subsequent permanent disabilities, in combination result in total permanent disability or permanent total impairment, compensation shall be payable for such permanent total disability or impairment, but payments made for the previous disability or impairment shall be deducted from the total payment of compensation due.

(r) When an employee has been awarded or is entitled to an award of compensation for a definite period from an occupational disease wherein disablement occurs on and after April 1, 1963, and such employee dies from other causes than such occupational disease, payment of the unpaid balance of such compensation not exceeding three hundred fifty (350) weeks shall be paid to the employee's dependents of the second and third class as defined in sections 11 through 14 of this chapter and compensation, not exceeding five hundred (500) weeks shall be made to the employee's dependents of the first class as defined in sections 11 through 14 of this chapter.

(s) Any payment made by the employer to the employee during the period of the employee's disability, or to the employee's dependents, which, by the terms of this chapter, was not due and payable when made, may, subject to the approval of the worker's compensation board, be deducted from the amount to be paid as compensation, but such deduction shall be made from the distal end of the period during which compensation must be paid, except in cases of temporary disability.

(t) When so provided in the compensation agreement or in the award of the worker's compensation board, compensation may be paid semimonthly, or monthly, instead of weekly.

(u) When the aggregate payments of compensation awarded by agreement or upon hearing to an employee or dependent under eighteen (18) years of age do not exceed one hundred dollars ($100), the payment thereof may be made directly to such employee or dependent, except when the worker's compensation board shall order otherwise.

(v) Whenever the aggregate payments of compensation, due to any person under eighteen (18) years of age, exceed one hundred dollars ($100), the payment thereof shall be made to a trustee, appointed by the circuit or superior court, or to a duly qualified guardian, or, upon the order of the worker's compensation board, to a parent or to such minor person. The payment of compensation, due to any person eighteen (18) years of age or over, may be made directly to such person.

(w) If an employee, or a dependent, is mentally incompetent, or a minor at the time when any right or privilege accrues to the employee under this chapter, the employee's guardian or trustee may, in the employee's behalf, claim and exercise such right and privilege.

(x) All compensation payments named and provided for in this section, shall mean and be defined to be for only such occupational diseases and disabilities therefrom as are proved by competent evidence, of which there are or have been objective conditions or symptoms proven, not within the physical or mental control of the employee.".

Page 21, after line 17, begin a new paragraph and insert:

"SECTION 6. IC 22-3-7-19, AS AMENDED BY P.L.275-2013, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 19. (a) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1985, and before July 1, 1986, the average weekly wages are considered to be:

(1) not more than two hundred sixty-seven dollars ($267); and

(2) not less than seventy-five dollars ($75).

(b) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1986, and before July 1, 1988, the average weekly wages are considered to be:

(1) not more than two hundred eighty-five dollars ($285); and

(2) not less than seventy-five dollars ($75).

(c) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1988, and before July 1, 1989, the average weekly wages are considered to be:

(1) not more than three hundred eighty-four dollars ($384); and

(2) not less than seventy-five dollars ($75).

(d) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1989, and before July 1, 1990, the average weekly wages are considered to be:

(1) not more than four hundred eleven dollars ($411); and

(2) not less than seventy-five dollars ($75).

(e) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1990, and before July 1, 1991, the average weekly wages are considered to be:

(1) not more than four hundred forty-one dollars ($441); and

(2) not less than seventy-five dollars ($75).

(f) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1991, and before July 1, 1992, the average weekly wages are

considered to be:

(1) not more than four hundred ninety-two dollars ($492); and

(2) not less than seventy-five dollars ($75).

(g) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1992, and before July 1, 1993, the average weekly wages are considered to be:

(1) not more than five hundred forty dollars ($540); and

(2) not less than seventy-five dollars ($75).

(h) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1993, and before July 1, 1994, the average weekly wages are considered to be:

(1) not more than five hundred ninety-one dollars ($591); and

(2) not less than seventy-five dollars ($75).

(i) In computing compensation for temporary total disability, temporary partial disability and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1994, and before July 1, 1997, the average weekly wages are considered to be:

(1) not more than six hundred forty-two dollars ($642); and

(2) not less than seventy-five dollars ($75).

(j) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, the average weekly wages are considered to be:

(1) with respect to occupational diseases occurring on and after July 1, 1997, and before July 1, 1998:

(A) not more than six hundred seventy-two dollars ($672); and

(B) not less than seventy-five dollars ($75);

(2) with respect to occupational diseases occurring on and after July 1, 1998, and before July 1, 1999:

(A) not more than seven hundred two dollars ($702); and

(B) not less than seventy-five dollars ($75);

(3) with respect to occupational diseases occurring on and after July 1, 1999, and before July 1, 2000:

(A) not more than seven hundred thirty-two dollars ($732); and

(B) not less than seventy-five dollars ($75);

(4) with respect to occupational diseases occurring on and after July 1, 2000, and before July 1, 2001:

(A) not more than seven hundred sixty-two dollars ($762); and

(B) not less than seventy-five dollars ($75);

(5) with respect to disablements occurring on and after July 1, 2001, and before July 1, 2002:

(A) not more than eight hundred twenty-two dollars ($822); and

(B) not less than seventy-five dollars ($75);

(6) with respect to disablements occurring on and after July 1, 2002, and before July 1, 2006:

(A) not more than eight hundred eighty-two dollars ($882); and

(B) not less than seventy-five dollars ($75);

(7) with respect to disablements occurring on and after July 1, 2006, and before July 1, 2007:

(A) not more than nine hundred dollars ($900); and

(B) not less than seventy-five dollars ($75);

(8) with respect to disablements occurring on and after July 1, 2007, and before July 1, 2008:

(A) not more than nine hundred thirty dollars ($930); and

(B) not less than seventy-five dollars ($75);

(9) with respect to disablements occurring on and after July 1, 2008, and before July 1, 2009:

(A) not more than nine hundred fifty-four dollars ($954); and

(B) not less than seventy-five dollars ($75);

(10) with respect to disablements occurring on and after July 1, 2009, and before July 1, 2014:

(A) not more than nine hundred seventy-five dollars ($975); and

(B) not less than seventy-five dollars ($75);

(11) with respect to disablements occurring on and after July 1, 2014, and before July 1, 2015:

(A) not more than one thousand forty dollars ($1,040); and

(B) not less than seventy-five dollars ($75);

(12) with respect to disablements occurring on and after July 1, 2015, and before July 1, 2016:

(A) not more than one thousand one hundred five dollars ($1,105); and

(B) not less than seventy-five dollars ($75); ~~and~~

(13) with respect to disablements occurring on and after July 1, 2016, **and before July 1, 2020:**

(A) not more than one thousand one hundred seventy dollars ($1,170); and

(B) not less than seventy-five dollars ($75);

(14) with respect to disablements occurring on and after July 1, 2020, and before July 1, 2021:

(A) not more than one thousand five hundred thirty-nine dollars ($1,539); and

(B) not less than one hundred fifty dollars ($150);

(15) with respect to disablements occurring on and after July 1, 2021, and before July 1, 2022:

(A) not more than one thousand seven hundred dollars ($1,700); and

(B) not less than two hundred dollars ($200); and

(16) with respect to disablements occurring on and after July 1, 2022:

(A) not more than one thousand eight hundred fifty dollars ($1,850); and

(B) not less than two hundred fifty dollars ($250).

(k) The maximum compensation with respect to disability or death occurring on and after July 1, 1985, and before July 1, 1986, which shall be paid for occupational disease and the results thereof under the provisions of this chapter or under any combination of its provisions may not exceed eighty-nine thousand dollars ($89,000) in any case.

(l) The maximum compensation with respect to disability or death occurring on and after July 1, 1986, and before July 1, 1988, which shall be paid for occupational disease and the results thereof under the provisions of this chapter or under any combination of its provisions may not exceed ninety-five thousand dollars ($95,000) in any case.

(m) The maximum compensation with respect to disability or death occurring on and after July 1, 1988, and before July 1, 1989, that shall be paid for occupational disease and the results thereof under this chapter or under any combination of its provisions may not exceed one hundred twenty-eight thousand dollars ($128,000) in any case.

(n) The maximum compensation with respect to disability or death occurring on and after July 1, 1989, and before July 1, 1990, that shall be paid for occupational disease and the results thereof under this chapter or under any combination of its provisions may not exceed one hundred thirty-seven thousand dollars ($137,000) in any case.

(o) The maximum compensation with respect to disability or death occurring on and after July 1, 1990, and before July 1, 1991, that shall be paid for occupational disease and the results thereof under this chapter or under any combination of its provisions may not exceed one hundred forty-seven thousand dollars ($147,000) in any case.

(p) The maximum compensation with respect to disability or

death occurring on and after July 1, 1991, and before July 1, 1992, that shall be paid for occupational disease and the results thereof under this chapter or under any combination of the provisions of this chapter may not exceed one hundred sixty-four thousand dollars ($164,000) in any case.

(q) The maximum compensation with respect to disability or death occurring on and after July 1, 1992, and before July 1, 1993, that shall be paid for occupational disease and the results thereof under this chapter or under any combination of the provisions of this chapter may not exceed one hundred eighty thousand dollars ($180,000) in any case.

(r) The maximum compensation with respect to disability or death occurring on and after July 1, 1993, and before July 1, 1994, that shall be paid for occupational disease and the results thereof under this chapter or under any combination of the provisions of this chapter may not exceed one hundred ninety-seven thousand dollars ($197,000) in any case.

(s) The maximum compensation with respect to disability or death occurring on and after July 1, 1994, and before July 1, 1997, that shall be paid for occupational disease and the results thereof under this chapter or under any combination of the provisions of this chapter may not exceed two hundred fourteen thousand dollars ($214,000) in any case.

(t) The maximum compensation that shall be paid for occupational disease and the results of an occupational disease under this chapter or under any combination of the provisions of this chapter may not exceed the following amounts in any case:

(1) With respect to disability or death occurring on and after July 1, 1997, and before July 1, 1998, two hundred twenty-four thousand dollars ($224,000).

(2) With respect to disability or death occurring on and after July 1, 1998, and before July 1, 1999, two hundred thirty-four thousand dollars ($234,000).

(3) With respect to disability or death occurring on and after July 1, 1999, and before July 1, 2000, two hundred forty-four thousand dollars ($244,000).

(4) With respect to disability or death occurring on and after July 1, 2000, and before July 1, 2001, two hundred fifty-four thousand dollars ($254,000).

(5) With respect to disability or death occurring on and after July 1, 2001, and before July 1, 2002, two hundred seventy-four thousand dollars ($274,000).

(6) With respect to disability or death occurring on and after July 1, 2002, and before July 1, 2006, two hundred ninety-four thousand dollars ($294,000).

(7) With respect to disability or death occurring on and after July 1, 2006, and before July 1, 2007, three hundred thousand dollars ($300,000).

(8) With respect to disability or death occurring on and after July 1, 2007, and before July 1, 2008, three hundred ten thousand dollars ($310,000).

(9) With respect to disability or death occurring on and after July 1, 2008, and before July 1, 2009, three hundred eighteen thousand dollars ($318,000).

(10) With respect to disability or death occurring on and after July 1, 2009, and before July 1, 2014, three hundred twenty-five thousand dollars ($325,000).

(11) With respect to disability or death occurring on and after July 1, 2014, and before July 1, 2015, three hundred forty-seven thousand dollars ($347,000).

(12) With respect to disability or death occurring on and after July 1, 2015, and before July 1, 2016, three hundred sixty-eight thousand dollars ($368,000).

(13) With respect to disability or death occurring on and after July 1, 2016, **and before July 1, 2020,** three hundred ninety thousand dollars ($390,000).

(14) With respect to disability or death occurring on and after July 1, 2020, and before July 1, 2021, five hundred thirteen thousand dollars ($513,000).

(15) With respect to disability or death occurring on and after July 1, 2021, and before July 1, 2022, five hundred sixty-six thousand five hundred dollars ($566,500).

(16) With respect to disability or death occurring on and after July 1, 2022, six hundred sixteen thousand five hundred dollars ($616,500).

(u) For all disabilities occurring on and after July 1, 1985, "average weekly wages" means the earnings of the injured employee during the period of fifty-two (52) weeks immediately preceding the disability divided by fifty-two (52). If the employee lost seven (7) or more calendar days during the period, although not in the same week, then the earnings for the remainder of the fifty-two (52) weeks shall be divided by the number of weeks and parts of weeks remaining after the time lost has been deducted. If employment before the date of disability extended over a period of less than fifty-two (52) weeks, the method of dividing the earnings during that period by the number of weeks and parts of weeks during which the employee earned wages shall be followed if results just and fair to both parties will be obtained. If by reason of the shortness of the time during which the employee has been in the employment of the employer or of the casual nature or terms of the employment it is impracticable to compute the average weekly wages for the employee, the employee's average weekly wages shall be considered to be the average weekly amount that, during the fifty-two (52) weeks before the date of disability, was being earned by a person in the same grade employed at the same work by the same employer or, if there is no person so employed, by a person in the same grade employed in that same class of employment in the same district. Whenever allowances of any character are made to an employee instead of wages or a specified part of the wage contract, they shall be considered a part of the employee's earnings.

(v) The provisions of this article may not be construed to result in an award of benefits in which the number of weeks paid or to be paid for temporary total disability, temporary partial disability, or permanent total disability benefits combined exceeds five hundred (500) weeks. This section shall not be construed to prevent a person from applying for an award under IC 22-3-3-13. However, in case of permanent total disability resulting from a disablement occurring on or after January 1, 1998, the minimum total benefit shall not be less than seventy-five thousand dollars ($75,000).".

Renumber all SECTIONS consecutively.

(Reference is to HB 1332 as printed January 28, 2020.)

BECK

Motion failed. The bill was ordered engrossed.

House Bill 1278

Representative Bauer called down House Bill 1278 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1278–2)

Mr. Speaker: I move that House Bill 1278 be amended to read as follows:

Page 1, line 14, reset in roman "(a)".

Page 2, line 14, reset in roman "(b) A petition described in subsection (a) must be filed".

Page 2, line 14, after "to" insert "**not later than six (6) months after**".

Page 2, line 14, reset in roman "the".

Page 2, reset in roman line 15.

Page 2, line 15, after "adoption" insert "**of the child**".

Page 2, after line 41, begin a new paragraph and insert:

"SECTION 5. IC 31-19-4.5-1, AS AMENDED BY P.L.190-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. This chapter:

(1) shall not be construed to affect notice of an adoption provided to a putative father under IC 31-19-4;

(2) applies to a father who has abandoned, failed to support, or failed to communicate with a child; and
(3) except for section 3 of this chapter, applies to a grandparent who:
(A) is the grandparent of a child sought to be adopted; and
(B) has
~~(i)~~ an existing right to petition for visitation under IC 31-17-5. ~~and~~
~~(ii) a right to visitation that will not be terminated after the adoption under IC 31-17-5-9; at a time prior to the date of the filing of the petition for adoption.~~".
Renumber all SECTIONS consecutively.
(Reference is to HB 1278 as printed January 28, 2020.)
YOUNG

Motion prevailed. The bill was ordered engrossed.

House Bill 1264

Representative May called down House Bill 1264 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1244

Representative Vermilion called down House Bill 1244 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

House Bill 1191

Representative Clere\ called down House Bill 1191 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1191–1)

Mr. Speaker: I move that House Bill 1191 be amended to read as follows:
Page 8, line 38, delete "receipt or".
Page 9, line 6, delete "Neither the buyer nor the seller" and insert "**The buyer**".
Page 9, line 6, after "may" insert "**not**".
Page 9, delete lines 9 through 15, begin a new paragraph and insert:
"**Sec. 4. (a) If a principal dwelling land contract has not been cancelled pursuant to section 3 of this chapter, the principal dwelling land contract or a memorandum of that contract shall be recorded pursuant to the requirements of IC 36-2-11-20 by the seller not later than thirty (30) days after the principal dwelling land contract or a memorandum of that contract is executed and notarized.**
(b) The buyer may record a principal dwelling land contract or a memorandum of that contract at any time pursuant to the requirements of IC 36-2-11-20.
SECTION 3. IC 36-2-11-20, AS AMENDED BY P.L.127-2017, SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20. (a) As used in this section, "contract" means an agreement for a seller to sell real estate to a purchaser that provides for the purchaser to pay the purchase price to the seller in periodic installments, with the seller retaining record title to the real estate and the purchaser acquiring equitable title to the real estate. **The term includes a principal dwelling land contract described under IC 32-29.5.**
(b) As used in this section, "lease" means a lease of real estate by a lessor to a lessee, over a term that is specified in a written lease agreement in consideration of the lessee's promise to pay rent to the lessor as also specified in the written lease agreement.
(c) As used in this section, "lessee" means a tenant that is party to a lease with a lessor.
(d) As used in this section, "lessor" means an owner of real property or buildings or fixtures situated on real property that enters into a lease with a lessee.
(e) As used in this section, "real estate" means:
(1) the real property that is subject to the lease or contract; or
(2) buildings or fixtures situated on the real property that are subject to the lease or contract.
(f) As used in this section, "seller" means an owner of real estate that sells the real estate to a purchaser under a contract.
(g) A memorandum of a lease or a memorandum of contract may be recorded in lieu of the lease or contract itself if the memorandum is executed and acknowledged by the parties and contains:
(1) the names of the parties;
(2) the ~~term~~ **duration** of the lease or contract;
(3) any option of the lessee to renew or extend the term of the lease or of the purchaser to renew or extend the term of the contract; and
(4) the specific legal description of the real estate, or a survey or plot plan authorized under subsection (i) showing the location of the real estate.
(h) A memorandum recorded under this section may also contain any other agreement made between the parties in the lease or contract.
(i) A survey or plot plan may be used in lieu of a specific legal description to describe:
(1) any part of a building on the real estate, if the specific legal description of the real property on which the building is located is set forth in the memorandum, survey, or plot plan;
(2) any part of the real estate that is part of a larger tract of land, if the specific legal description of the larger tract is set forth in the memorandum, survey, or plot plan; or
(3) real property of the lessor or seller, if:
(A) its use is restricted by the terms of the lease or contract;
(B) it is located wholly within real property of the lessor or seller; and
(C) the specific legal description of the real property within which it is located is set forth in the memorandum, survey, or plot plan.
(j) As to the provisions contained in a memorandum recorded under this section, recording the memorandum has the same effect as recording the lease or contract itself.".
Renumber all SECTIONS consecutively.
(Reference is to HB 1191 as printed January 28, 2020.)
CLERE

Motion prevailed. The bill was ordered engrossed.

House Bill 1115

Representative Morris called down House Bill 1115 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1115–1)

Mr. Speaker: I move that House Bill 1115 be amended to read as follows:
Page 1, between the enacting clause and line 1, begin a new paragraph and insert:
"SECTION 1. IC 16-27-5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:
Chapter 5. Home Health Aide Noncompete Agreements
Sec. 1. This chapter applies to home health aide noncompete agreements originally entered into on or after July 1, 2020.
Sec. 2. To be enforceable, a home health aide noncompete agreement must include all of the following provisions:
(1) A provision that requires the employer of the home health aide to provide the home health aide with a copy of any notice that:
(A) concerns the home health aide's departure from

the employer; and

(B) was sent to any patient seen or treated by the home health aide during the two (2) year period preceding the termination of the home health aide's employment or the expiration of the home health aide's contract. Provided, however, the patient names and contact information be redacted from the copy of the notice provided from the employer of the home health aide to the home health aide.

(2) A provision that requires the home health aide's employer to, in good faith, provide the home health aide's last known or current contact and location information to a patient who:

(A) requests updated contact and location information for the home health aide; and

(B) was seen or treated by the home health aide during the two (2) year period preceding the termination of the home health aide's employment or the expiration of the home health aide's contract.

(3) A provision that provides the home health aide with:

(A) access to; or

(B) copies of;

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

(4) A provision that provides the home health aide whose employment has terminated or whose contract has expired with the option to purchase a complete and final release from the terms of the enforceable home health aide noncompete agreement at a reasonable price. However, in the event the home health aide elects not to exercise the purchase option, then the option to purchase provision may not be used in any manner to restrict, bar, or otherwise limit the employer's equitable remedies, including the employer's enforcement of the home health aide noncompete agreement.

(5) A provision that prohibits the providing of patient medical records to a requesting home health aide in a format that materially differs from the format used to create or store the medical record during the routine or ordinary course of business, unless a different format is mutually agreed upon by the parties. Paper or portable document format copies of the medical records satisfy the formatting provisions of this chapter.

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

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

(1) the ability of the parties to negotiate any other term not specified under this chapter; or

(2) any other right, remedy, or relief permitted by law or in equity.".

Page 3, after line 1, begin a new paragraph and insert:

"SECTION 3. IC 25-23-2 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 2. Nurse Noncompete Agreements

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

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

(1) A provision that requires the employer of the nurse to provide the nurse with a copy of any notice that:

(A) concerns the nurse's departure from the employer; and

(B) was sent to any patient seen or treated by the nurse during the two (2) year period preceding the termination of the nurse's employment or the expiration of the nurse's contract. Provided, however, the patient names and contact information be redacted from the copy of the notice provided from the employer of the nurse to the nurse.

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

(A) requests updated contact and location information for the nurse; and

(B) was seen or treated by the nurse during the two (2) year period preceding the termination of the nurse's employment or the expiration of the nurse's contract.

(3) A provision that provides the nurse with:

(A) access to; or

(B) copies of;

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

(4) A provision that provides the nurse whose employment has terminated or whose contract has expired with the option to purchase a complete and final release from the terms of the enforceable nurse noncompete agreement at a reasonable price. However, in the event the nurse elects not to exercise the purchase option, then the option to purchase provision may not be used in any manner to restrict, bar, or otherwise limit the employer's equitable remedies, including the employer's enforcement of the nurse noncompete agreement.

(5) A provision that prohibits the providing of patient medical records to a requesting nurse in a format that materially differs from the format used to create or store the medical record during the routine or ordinary course of business, unless a different format is mutually agreed upon by the parties. Paper or portable document format copies of the medical records satisfy the formatting provisions of this chapter.

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

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

(1) the ability of the parties to negotiate any other term not specified under this chapter; or

(2) any other right, remedy, or relief permitted by law or in equity.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1115 as printed January 28, 2020.)

CHYUNG

Upon request of Representatives Chyung and GiaQuinta, the Speaker ordered the roll of the House to be called. Roll Call 144: yeas 28, nays 63. Motion failed. The bill was ordered engrossed.

House Bill 1042

Representative Davisson called down House Bill 1042 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1042–1)

Mr. Speaker: I move that House Bill 1042 be amended to read as follows:

Page 1, between lines 13 and 14, begin a new paragraph and insert:

"**Sec. 2.5. As used in this chapter, "effective rate of reimbursement" includes the following:**

(1) Generic effective rates.

(2) Brand effective rates.

(3) Direct and indirect remuneration fees.

(4) Any other reduction or aggregate reduction of payment.".

Page 3, between lines 33 and 34, begin a new paragraph and insert:

"**Sec. 14.5. As used in this chapter, "spread pricing" means the model of prescription drug pricing by which a pharmacy benefit manager charges a plan sponsor a contracted price for a prescription drug, and that contracted price differs from the amount the pharmacy benefit manager directly or indirectly pays the pharmacist or pharmacy for the drug or for pharmacist services related to the drug.**".

Page 5, between lines 18 and 19, begin a new paragraph and insert:

"**Sec. 21. (a) A pharmacy benefit manager may not do any of the following:**

(1) Engage in spread pricing.

(2) Directly or indirectly retroactively deny a claim or aggregate of claims after the claim or aggregate of claims has been adjudicated, unless any of the following apply:

(A) The original claim was submitted fraudulently.

(B) The original claim payment was incorrect because the pharmacy or pharmacist had already been paid for the drug.

(C) The pharmacist services were not properly rendered by the pharmacy or pharmacist.

(3) Reduce, directly or indirectly, payment to a pharmacy for pharmacist services to an effective rate of reimbursement, including permitting an insurer or plan sponsor to make such a reduction.

(4) Pay or reimburse a pharmacy or pharmacist at an amount less than:

(A) the national average drug acquisition cost; or

(B) if the national average drug acquisition cost is unavailable, the wholesale acquisition cost for the ingredient drug product component of drugs provided by the pharmacist or pharmacy.

(b) A violation of this section by a pharmacy benefit manager constitutes an unfair or deceptive act or practice in the business of insurance under IC 27-4-1-4.".

Page 5, line 19, delete "21." and insert "**22.**".

(Reference is to HB 1042 as printed January 28, 2020.)

HATFIELD

Upon request of Representatives Hatfield and GiaQuinta, the Speaker ordered the roll of the House to be called. Roll Call 145: yeas 30, nays 61. Motion failed. The bill was ordered engrossed.

House Bill 1031

Representative Miller called down House Bill 1031 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1031–2)

Mr. Speaker: I move that House Bill 1031 be amended to read as follows:

Page 4, line 28, after "Sec. 9." insert "**(a)**".

Page 4, line 28, delete "department" and insert "**natural resources commission**".

Page 4, line 29, delete "to" and insert "**to:**

(1)".

Page 4, line 30, delete "purposes of" and insert "**purposes of:**

(A)".

Page 4, line 31, delete "chapter." and insert "**chapter; and**

(B) defining the area on the Lake Michigan shore in which the public may engage in temporary, transitory recreational activities; and

(2) identify or describe the temporary, transitory recreational activities in which the public may engage in the area defined under subdivision (1)(B).

(b) The natural resources commission shall, to the greatest possible extent, make the rules adopted under subsection (a)(1)(B) and (a)(2) consistent with the administrative rules and laws of Michigan, Illinois, and Wisconsin concerning the matters described in subsection (a)(1)(B) and (a)(2).".

(Reference is to HB 1031 as printed January 28, 2020.)

MILLER

Motion failed.

HOUSE MOTION
(Amendment 1031–1)

Mr. Speaker: I move that House Bill 1031 be amended to read as follows:

Page 1, line 8, delete "IC 14-10-4 and IC 14-26-10," and insert "**IC 14-10-4,**".

Page 3, line 2, after "214.8." delete "(a)".

Page 3, delete lines 4 through 5.

Page 3, line 8, delete "activities" and insert "**activity**".

Page 3, line 10, delete "IC 14-26-10-3" and insert "**IC 14-26-10-1**".

Page 3, line 14, delete "chapter, IC 14-26-9, and IC 14-26-10," and insert "**chapter and IC 14-26-9,**".

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

"SECTION 10. IC 14-26-10 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 10. Ownership of Lake Michigan in Public Trust

Sec. 1. As used in this chapter, "recreational activity" means any of the following:

(1) Walking.

(2) Fishing.

(3) Boating.

(4) Swimming.

(5) Any other recreational activity for which Lake Michigan is ordinarily used, as recognized by the commission for the purposes of this chapter.

Sec. 2. An owner of land that borders Lake Michigan does not have the exclusive right to use the water or land below the ordinary high water mark of Lake Michigan.

Sec. 3. The citizens of Indiana have a vested right to:

(1) enjoy the natural scenic beauty of Lake Michigan;

(2) enjoy and use the natural resources of Lake Michigan; and

(3) use Lake Michigan for a recreational activity.

Sec. 4. The citizens of Indiana have a vested right in the preservation and protection of Lake Michigan.

Sec. 5. The commission may adopt rules under IC 4-22-2 to administer this chapter.".

Page 4, line 29, delete "establish" and insert "**identify**".

Page 5, line 12, delete "IC 14-26-10-5" and insert "**IC 14-26-10-3**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1031 as printed January 28, 2020.)

TORR

Motion prevailed. The bill was ordered engrossed.

Speaker-Elect Huston, who had been present, is now excused.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1008

Representative Carbaugh called down Engrossed House Bill 1008 for third reading:

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

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

Roll Call 146: yeas 85, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Messmer and Busch.

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

Engrossed House Bill 1043

Representative Davisson called down Engrossed House Bill 1043 for third reading:

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

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

Roll Call 147: yeas 87, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Boots and Houchin.

Engrossed House Bill 1063

Representative Goodrich called down Engrossed House Bill 1063 for third reading:

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

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

Roll Call 148: yeas 90, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Doriot.

Engrossed House Bill 1065

Representative Thompson called down Engrossed House Bill 1065 for third reading:

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

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

Roll Call 149: yeas 59, nays 28. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Holdman.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 2

Representative DeVon called down Engrossed Senate Bill 2 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representatives Prescott and Boy be added as coauthors of House Bill 1015.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Frye be added as coauthor of House Bill 1043.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Burton, Fleming and Pryor be added as coauthors of House Bill 1191.

CLERE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Barrett be added as coauthor of House Bill 1317.

KIRCHHOFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Hamilton and Heaton be added as coauthors of House Bill 1353.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Jackson be added as coauthor of House Bill 1392.

SMALTZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hamilton be added as coauthor of House Bill 1429.

HATFIELD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lauer be removed as coauthor of House Concurrent Resolution 11.

ZENT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Carbaugh, Kirchhofer and V. Smith be added as cosponsors of Engrossed Senate Bill 2.

DEVON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Schaibley, Kirchhofer and DeLaney be added as cosponsors of Engrossed Senate Bill 206.

TORR

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 4, 64, 101, 131, 142, 177, 181, 185, 190, 202, 205, 206, 223, 230, 255, 256, 266, 269, 302, 316, 340, 355, 356, 358, 367, 384, 402, 411 and 443 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

On the motion of Representative Hatfield, the House adjourned at 4:40 p.m., this thirtieth day of January, 2020, until Monday, February 3, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Sixteenth Day — **Monday Morning** — **February 3, 2020**

The invocation was offered by Pastor William Beck of Locust Grove Mennonite Church in Burr Oak, MI, a guest of Representative Beck.

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

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

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

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

Roll Call 150: 88 present; 12 excused. The Speaker announced a quorum in attendance. [*NOTE*: ◻ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, February 4, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

RESOLUTIONS ON FIRST READING

House Resolution 13

Representatives Campbell and Klinker introduced House Resolution 13:

A HOUSE RESOLUTION congratulating Mr. Joe Micon on the occasion of his retirement.

Whereas, Mr. Joe Micon announced in January that he will be retiring from the Lafayette Urban Ministry (LUM) after serving with the organization for more than 40 years;

Whereas, LUM is an ecumenical social concerns organization of 47 Greater Lafayette area churches that serves as a social safety net for children and low-income families;

Whereas, Mr. Micon served as LUM's executive director for more than 20 years and started with the organization while attending Purdue University as an applied sociology intern;

Whereas, Mr. Micon has been a tireless advocate for Hoosier children and working families, the homeless, the unemployed, the uninsured, those with addictions, and those with mental health struggles;

Whereas, Mr. Micon was elected to the Indiana House of Representatives from 2004 to 2008 in recognition of his deep support and commitment to his community;

Whereas, Representative Micon brought decades of experience as a skilled leader with a deep understanding of social issues impacting Hoosier families and effective problem solving skills, crediting "good social work, listening, and case management skills";

Whereas, Representative Micon helped pass significant new state funding for full-day kindergarten, summer remediation, and free textbooks for low-income families;

Whereas, Representative Micon authored and supported legislation, including: greater protections from identity theft for Hoosier consumers; greater oversight in the privatization of state services; and increasing the teen driving age, thereby saving the lives of Hoosier teens each year;

Whereas, LUM believes that "poverty is the greatest thief" in that it deprives not only food or shelter, but also a person's future and self-respect;

Whereas, LUM, with the guiding support of Mr. Micon, has played an essential role in helping children and families in the Greater Lafayette area; and

Whereas, Mr. Micon has devoted his life to serving the needs of others and building a better and stronger Indiana through which Hoosier families can live happy, productive lives: Therefore,

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

SECTION 1. That the Indiana House of Representatives honors Mr. Joe Micon for his many years of service to his community.

SECTION 2. That the Indiana House of Representatives congratulates Mr. Joe Micon on the occasion of his retirement from the Lafayette Urban Ministry.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Chris Campbell for distribution.

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

House Resolution 14

Representative Bacon introduced House Resolution 14:

A HOUSE RESOLUTION honoring Certified Registered Nurse Anesthetists (CRNAs).

Whereas, Certified Registered Nurse Anesthetists (CRNAs), who safely administer more than 49 million anesthetics to patients each year, are essential to health care in the United States;

Whereas, CRNAs are the primary providers of anesthesia care in rural Indiana, enabling health care facilities in medically underserved areas to offer obstetrical, surgical, and trauma stabilization services;

Whereas, CRNAs practice in every setting requiring anesthesia: traditional hospital surgical suites; obstetrical delivery rooms; ambulatory surgical centers; the offices of dentists, podiatrists, ophthalmologists, and plastic surgeons; and U.S. military, public health services, and veterans affairs medical facilities;

Whereas, CRNAs have served as the main provider of anesthesia to U.S. military personnel on the front lines since World War I, including current conflicts in the Middle East;

Whereas, Since 1937, the Indiana Association of Nurse Anesthetists (INANA) works to represent its members and provide Hoosiers with safe and cost effective anesthesia care; and

Whereas, The INANA has a current membership of 576 CRNAs and is celebrating its 83rd anniversary in 2020: Therefore,

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

SECTION 1. That the Indiana House of Representatives honors Indiana's Certified Registered Nurse Anesthetists for their essential service to Indiana's health care system.

SECTION 2. That the Indiana House of Representatives congratulates the Indiana Association of Nurse Anesthetists on the occasion of its 83rd anniversary.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Ron Bacon for distribution.

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

House Concurrent Resolution 26

Representatives Cherry and Eberhart introduced House Concurrent Resolution 26:

A CONCURRENT RESOLUTION congratulating the New Palestine High School softball team.

Whereas, The 2019 New Palestine High School softball team won the Indiana High School Athletic Association's Class 3A state title on June 8, 2019;

Whereas, The Dragons closed out the competition with a 10-0 win, becoming the first school in IHSAA history to win three consecutive state championships in softball;

Whereas, New Palestine pitcher Sam Booe allowed just two hits and one walk, and struck out six during the state championship, finishing the season 18-0;

Whereas, New Palestine's Emma Tucher and Emily O'Conner led the Dragons in offense, with leadoff hitter Jaylin Calvert scoring three runs;

Whereas, Coach Ed Marcum led the Dragons to their third consecutive state title win, and sixth overall, since joining the program in 2003;

Whereas, The Dragons' state championship win, and 90-6 record in the last three years, reflects the hard work, talent, skill, and commitment given by each player to high school softball and their team; and

Whereas, This achievement will be remembered by players, coaches, staff, friends, family, and fans for years to come: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the New Palestine High School softball team for its 2019 state championship win.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to coach Ed Marcum of the New Palestine High School softball team for distribution.

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

House Concurrent Resolution 27

Representatives Cherry and Eberhart introduced House Concurrent Resolution 27:

A CONCURRENT RESOLUTION recognizing Charlie Spegal.

Whereas, Charlie Spegal was selected as Mr. Football by The Indianapolis Star and Indiana Football Coaches Association in 2019;

Whereas, Spegal has rushed for more yards and run for more touchdowns than any other player in the history of Indiana high school football;

Whereas, Spegal rushed for 10,867 yards, ran for 173 touchdowns, and scored 1,054 points during his high school career;

Whereas, Spegal is the first Mr. Football to come from New Palestine High School;

Whereas, Spegal has accepted a preferred walk-on offer from Indiana University; and

Whereas, Spegal has earned the respect of his teammates and coaches throughout Indiana with his outstanding athletic performance and strength of character: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Charlie Spegal on the occasion of his selection as Mr. Football for 2019 and wishes him success at Indiana University.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Robert Cherry for distribution.

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

House Concurrent Resolution 28

Representative McNamara introduced House Concurrent Resolution 28:

A CONCURRENT RESOLUTION urging the Indiana Senate and the Indiana House of Representatives to adopt the practice of recommitting all bills creating or amending a criminal penalty to the Senate Corrections and Criminal Law Committee or the House Courts and Criminal Code Committee after the bill has passed the committee to which the bill was originally assigned. (The introduced version of this resolution was prepared by the interim study committee on corrections and criminal code.)

Whereas, In 2014, the General Assembly adopted House Bill 1006, which was the culmination of a five year study to make Indiana's Criminal Code consistent, proportional, and effective;

Whereas, The House and Senate criminal committees have the responsibility to review bills that create new crimes or change criminal penalties, and to make sure that Indiana's Criminal Code overall remains consistent, proportional, and effective;

Whereas, In the previous three legislative sessions, over 35 bills adding or amending a criminal penalty have been assigned to a noncriminal committee;

Whereas, The House and Senate criminal committees cannot carry out their responsibilities to ensure that Indiana's criminal penalties overall remain consistent, proportional, and effective unless the committees review all bills adding or amending a criminal penalty;

Whereas, The practice in the General Assembly has been to require bills having a certain fiscal impact to be reviewed by the Senate Appropriations Committee and the House Ways and Means Committee to ensure that financial resources are appropriately, effectively, and consistently deployed across the state; and

Whereas, The chairs of the House Courts and Criminal Code Committee and the Senate Corrections and Criminal Law Committee jointly believe that a similar practice of reviewing criminal penalties would ensure that Indiana's Criminal Code overall remains consistent, proportional, and effective: Therefore,

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

SECTION 1. That the Indiana General Assembly urges that the Indiana Senate and the Indiana House of Representatives adopt the practice of recommitting all bills creating or amending a criminal penalty to the Senate Corrections and Criminal Law Committee or the House Courts and Criminal Code Committee after the bill has passed the committee to which the bill was originally assigned.

SECTION 2. That the House Courts and Criminal Code Committee and the Senate Corrections and Criminal Law Committee conduct a review of the criminal penalties of bills recommitted to their committee, but not of other substantive provisions of the bills, and determine whether the criminal penalties are consistent and proportional when compared to other criminal penalties in the Indiana Code.

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

House Concurrent Resolution 29

Representatives Jackson, Shackleford, Harris, Hatcher, Bartlett, Porter, Pryor, V. Smith, Summers, Aylesworth, Beck Candelaria Reardon and Chyung introduced House Concurrent Resolution 29:

A CONCURRENT RESOLUTION remembering Dr. Walter "Jerry" Watkins.

Whereas, Dr. Walter J. Watkins passed away on Monday, December 30, 2019, after serving the School City of Hammond district for 42 years;

Whereas, Dr. Watkins began his career in Hammond schools as an educator at Eggers Middle School teaching English and reading before serving as assistant principal and then principal;

Whereas, Dr. Watkins brought his experience and leadership to a secondary director role for the district before rising to the position of superintendent where he served for more than 16 years;

Whereas, The School City of Hammond district is Northwest Indiana's largest school district with an estimated enrollment of 13,100 students;

Whereas, Dr. Watkins retired in June 2019 after helping secure much needed funding in a 2017 referendum to build a new school near the aging Hammond High School; and

Whereas, Dr. Watkins was the first African-American superintendent in his school district, and served as a champion of diversity and inclusion in his community: Therefore,

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

SECTION 1. That the Indiana General Assembly remembers Dr. Walter "Jerry" Watkins as a role model for students and fellow leaders in his community and the state of Indiana;

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Carolyn Jackson for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Melton, Mrvan, Niemeyer and Randolph.

Representatives Austin and Eberhart, who had been excused, are now present.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 2

Representative DeVon called down Engrossed Senate Bill 2 for third reading:

A BILL FOR AN ACT concerning education.

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

Roll Call 151: yeas 90, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed House Bill 1015

Representative Pressel called down Engrossed House Bill 1015 for third reading:

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

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

Roll Call 152: yeas 90, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Sandlin and Bohacek.

Representatives T. Brown, Dvorak and Pierce, who had been excused, are now present.

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

Engrossed House Bill 1021

Representative Torr called down Engrossed House Bill 1021 for third reading:

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

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

Roll Call 153: yeas 60, nays 33. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Freeman.

Engrossed House Bill 1042

Pursuant to House Rule 146.3, the author of Engrossed House Bill 1042, Representative Davisson, granted consent to the coauthor, Representative Clere, to call the bill down for third reading. Representative Clere called down Engrossed House Bill 1042 for third reading:

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

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

Roll Call 154: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Brown and Holdman.

Engrossed House Bill 1045

Representative Abbott called down Engrossed House Bill 1045 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

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

Roll Call 155: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Glick.

Engrossed House Bill 1112

Representative Leonard called down Engrossed House Bill 1112 for third reading:

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

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

Roll Call 156: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Koch and Holdman.

Engrossed House Bill 1115

Representative Morris called down Engrossed House Bill 1115 for third reading:

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

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

Roll Call 157: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Brown, Garten, Busch and Holdman.

Engrossed House Bill 1174

Representative Frye called down Engrossed House Bill 1174 for third reading:

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

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

Roll Call 158: yeas 92, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Crider.

Engrossed House Bill 1191

Representative Clere called down Engrossed House Bill 1191 for third reading:

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

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

Roll Call 159: yeas 84, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Jon Ford and J.D. Ford.

Engrossed House Bill 1264

Representative May called down Engrossed House Bill 1264 for third reading:

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

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

Roll Call 160: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Houchin.

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

Engrossed House Bill 1278

Representative Bauer called down Engrossed House Bill 1278 for third reading:

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

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

Roll Call 161: yeas 92, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Houchin and Lanane.

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

Engrossed House Bill 1306

Representative DeLaney called down Engrossed House Bill 1306 for third reading:

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

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

Roll Call 162: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Koch, Jon Ford and Niezgodski.

Engrossed House Bill 1332

Representative Lehman called down Engrossed House Bill 1332 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

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

Roll Call 163: yeas 91, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Boots and Tallian.

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

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

Engrossed House Bill 1343

Representative Hostettler called down Engrossed House Bill 1343 for third reading:

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

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

Roll Call 164: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Tomes.

Engrossed House Bill 1385

Representative Eberhart called down Engrossed House Bill 1385 for third reading:

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

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

Roll Call 165: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Glick.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 1:53 p.m. with the Speaker in the Chair.

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

Representatives DeVon, Eberhart, Manning, Porter and Candelaria Reardon, who had been present, are now excused.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1244

Representative Vermilion called down Engrossed House Bill 1244 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

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

Roll Call 166: yeas 89, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Boots.

Representatives DeVon, Manning and Porter, who had been excused, are now present.

Engrossed House Bill 1353

Representative Burton called down Engrossed House Bill 1353 for third reading:

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

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

Roll Call 167: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Bassler.

Engrossed House Bill 1348

Representative Gutwein called down Engrossed House Bill 1348 for third reading:

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

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

Roll Call 168: yeas 91, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsor: Senator Busch.

Representative Candelaria Reardon, who had been excused, is now present.

Engrossed House Bill 1414

Representative Soliday called down Engrossed House Bill 1414 for third reading:

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

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

Roll Call 169: yeas 52, nays 41. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Messmer, Koch, Houchin and Garten.

Engrossed House Bill 1392

Representative Smaltz called down Engrossed House Bill 1392 for third reading:

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

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

Roll Call 170: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Charbonneau and Busch.

Engrossed House Bill 1419

Representative Behning called down Engrossed House Bill 1419 for third reading:

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

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

Roll Call 171: yeas 92, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill. Senate sponsors: Senators Raatz, Spartz, Niezgodski and Zay.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representatives Barrett, Campbell, Cherry, Clere, DeLaney, DeVon, Engleman, Errington, Gutwein, Heaton, Lauer, Manning, McNamara, Negele, Prescott, Saunders, Smaltz and Thompson be added as coauthors of House Bill 1045.

ABBOTT

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

HOUSE MOTION

Mr. Speaker: I move that Representative Jackson be added as coauthor of House Bill 1061.

ELLINGTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Wright and Klinker be added as coauthors of House Bill 1264.

MAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Beck be added as coauthor of House Bill 1332.

LEHMAN

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 71, 98, 241, 272 and 424 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 24 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Soliday, the House adjourned at 3:02 p.m., this third day of February, 2020, until Tuesday, February 4, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Seventeenth Day — **Tuesday Morning** — **February 4, 2020**

The invocation was offered by Father Sean Aaron of Holy Spirit Parish at Geist in Fishers, a guest of Representative Karickhoff.

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

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

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

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

Roll Call 172: 74 present; 26 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, February 10, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 16 were read a first time by title and referred to the respective committees:

SB 1 — Kirchhofer, Huston
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 4 — Schaibley, Kirchhofer
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 8 — Abbott, Bartlett
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

SB 9 — May
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

SB 10 — Burton
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

SB 12 — Burton
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 16 — Pressel, Negele
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 20 — Saunders
Committee on Local Government

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

SB 21 — Davisson, Kirchhofer, Stutzman
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 23 — Thompson
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 25 — Frye R, Smaltz, Steuerwald
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

SB 39 — Young J
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 47 — Young J
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 50 — Torr
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning probate.

SB 61 — Bacon, Vermilion
Statutory Committee on Interstate and International Cooperation
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 64 — Cook
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

SB 66 — Morrison, Pfaff, Heaton
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 67 — Karickhoff
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 68 — Sherman
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 69 — Speedy
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 71 — Torr, Manning, Miller D
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

SB 72 — Frye R, Bacon
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

SB 78 — Manning
Committee on Commerce, Small Business and Economic Development
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 80 — Young J
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

SB 83 — Aylesworth
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 100 — Miller D, Stutzman, Pressel
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 101 — Steuerwald, Young J, Eberhart, May
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

SB 115 — Cherry
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 132 — Frye R
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

SB 142 — Karickhoff, Barrett, Davisson
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

SB 206 — Torr, Schaibley, Kirchhofer, DeLaney
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

RESOLUTIONS ON FIRST READING

House Resolution 15

Representative Cook introduced House Resolution 15:

A HOUSE RESOLUTION honoring John Bundy.

Whereas, John Bundy is a one-of-a-kind craftsman, environmentalist, and contributor to economic development for Indiana;

Whereas, For more than 30 years John Bundy and his family have been carving duck decoys out of wood;

Whereas, Duck decoys were originally designed to help hunters bring wildfowl within range of their weapons;

Whereas, The origins of the word decoy come from the Dutch word "de kooi" meaning the cage or trap;

Whereas, Archeologists have discovered duck decoys belonging to Native Americans that are more than 1,000 years old;

Whereas, Congress enacted the Migratory Bird Act in 1918 when some duck species were nearly hunted to the point of extinction;

Whereas, Since that time, duck decoys have evolved from a practical hunting implement into a distinct form of American folk art;

Whereas, John Bundy is an exceptional artisan and his products are cherished by customers throughout the entire world;

Whereas, Since the administration of Governor Robert Orr, Bundy Ducks and other pieces of Bundy craftsmanship have been given as diplomatic gifts to global leaders by a number of Indiana's Governors, and were particularly effective in Japanese trade missions during the 1980s;

Whereas, Indiana is now home to 320 Japanese-owned businesses that employ more than 67,000 Hoosier employees, and 13 communities across Indiana have created sister city relationships with Japanese cities;

Whereas, Following an environmental contamination of the White River in 1999, John and Valerie Bundy were among other founders of White River Rescue 2000;

Whereas, Today's White River is a reflection of the passion and advocacy of people like John Bundy who have helped to safeguard Indiana's natural resources; and

Whereas, Their efforts significantly contributed to the restocking and restoration of the White River: Therefore,

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

SECTION 1. That the Indiana House of Representatives honors John Bundy and his family for their uniquely American folk art and celebrates their many contributions to the state of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Anthony Cook for distribution.

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

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Wright, the House adjourned at 10:07 a.m., this seventeenth day of February, 2020, until Monday,February 10, 2019, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Eighteenth Day — **Monday Afternoon** — **February 10, 2020**

The invocation was offered by Reverend Anastassia Zinke of All Souls Unitarian Church in Indianapolis, a guest of Representative Hamilton.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

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

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

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

Roll Call 173: 94 present; 6 excused. The Speaker announced a quorum in attendance. [*NOTE*: □ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, February 11, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 80, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 3. IC 20-19-3-7 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 7. (a) The department may not accept or distribute to school corporations grants from the federal government under Title III of P.L.103-227 (repealed), if the state superintendent determines that acceptance or distribution of grant money does at least one (1) of the following:~~

~~(1) Authorizes an officer or employee of the federal government to mandate, direct, or control at least one (1) of the following:~~

~~(A) The department.~~

~~(B) A school corporation.~~

~~(C) A school curriculum or program of instruction.~~

~~(D) Allocation of a state or local government resource.~~

~~(2) Requires the department, a school corporation, or a school to spend money or incur an expense not paid under Title III of P.L.103-227 (repealed).~~

~~(3) Requires a school corporation, as a condition of participation, to increase the access of students to at least one (1) of the following:~~

~~(A) Social services.~~

~~(B) Health care.~~

~~(C) Nutrition.~~

~~(D) Services related to the services listed in clauses (A) through (C).~~

~~(E) Child care services.~~

~~(4) Requires a school corporation, as a condition of participation, to implement an outcome based education program.~~

~~(5) Requires a school corporation, as a condition of participation, to adopt:~~

~~(A) a national curriculum; or~~

~~(B) national assessment standards.~~

~~(6) Requires federal government certification of:~~

~~(A) a state curriculum; or~~

~~(B) state assessment standards.~~

~~(b) The governing body of a school corporation that receives a grant under this section may withdraw from participation in the grant program at the following times:~~

~~(1) At the end of a school year.~~

~~(2) At any time during a school year, if money received for participation in the grant program is returned to the department. The amount that a school corporation must return to the department is the amount received for expenditure during the time after the school corporation has ceased to participate in the program.~~".

Renumber all SECTIONS consecutively.

(Reference is to SB 80 as printed January 10, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

TORR, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Resolution 16

Representative Shackelford introduced House Resolution 16:

A HOUSE RESOLUTION honoring the National Association of Women Business Owners of Indianapolis.

Whereas, As of January 2017, there are an estimated 11.6 million women-owned businesses in the United States that employ nearly 9 million people and generate more than $1.7 trillion in revenue;

Whereas, The National Association of Women Business Owners (NAWBO) of Indianapolis has played an intricate role in impacting, influencing, and propelling Indiana into a leading state for women-owned businesses;

Whereas, NAWBO steers women entrepreneurs into economic, social, and political spheres of power worldwide, strengthening the wealth creating capacity of its members and promoting economic development within the entrepreneurial community;

Whereas, NAWBO of Indianapolis creates innovative and effective changes in business culture; builds strategic alliances, coalitions, and affiliations; transforms public policy; and influences opinion makers; and

Whereas, NAWBO of Indianapolis serves the state by adding to the unified voice of America's women-owned businesses, which represent the fastest growing segment of the market: Therefore,

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

SECTION 1. That the Indiana House of Representatives recognizes the National Association of Women Business Owners of Indianapolis as not only an economic generator but a community builder and applauds the organization's efforts.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Lee Ann Richardson for distribution.

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

House Concurrent Resolution 22

Representative Barrett introduced House Concurrent Resolution 22:

A CONCURRENT RESOLUTION recognizing Mr. Philip Stevenson and his retirement as superintendent of Centerville-Abington Community Schools.

Whereas, Mr. Philip Stevenson began his career with Centerville schools in 1972 teaching social studies at Centerville High School;

Whereas, Mr. Stevenson served the students, families, and faculty of Centerville High School as a teacher, assistant principal, and principal for 32 years before rising to the task of superintendent in 2005;

Whereas, Mr. Stevenson endeavored to bring quality education and support to the Centerville-Abington Community Schools as superintendent and in doing so received awards including the Community in Schools Champion of Education Award in 2010; and

Whereas, Mr. Stevenson's leadership earned him recognition as the East Central District VI Superintendent of the Year in 2014 and the Wayne County Chamber of Commerce Educator of the Year in 2016: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes Mr. Philip Stevenson for his leadership as superintendent of Centerville-Abington Community Schools and 47 years of service to Centerville schools.

SECTION 2. That the Indiana General Assembly congratulates Mr. Philip Stevenson on his retirement in June 2020.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Brad Barrett for distribution.

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

House Concurrent Resolution 30

Representatives Zent, Steuerwald, Pressel, Lyness, Austin, Bartlett, Macer, Bauer, Dvorak, Goodrich, Morris, Sullivan, Ziemke, Lauer, Abbott, Wright, Hamilton, Boy, Schaibley, Clere, Miller, Bacon, Kirchhofer, VanNatter, Klinker, Porter, Jackson, Aylesworth, Burton, Deal, Campbell, May, Eberhart, Thompson, Cherry, Engleman, Cook, Speedy, Mayfield, Manning, Candelaria Reardon, McNamara, Moed, Smaltz, Bosma, GiaQuinta, Moseley, DeLaney, Pfaff, Gutwein, Soliday, Judy, Lindauer, Frye, Leonard, Lehe, Lucas, Lehman, Bartels, V. Smith, Pierce, Hatfield, Chyung, Davisson, Fleming, Goodin, Harris, Beck, Heine and Errington introduced House Concurrent Resolution 30:

A CONCURRENT RESOLUTION recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.

Whereas, The soldiers of the 151st Infantry Regiment of the Indiana National Guard exited the Vietnam War and returned home 50 years ago on November 26, 1969;

Whereas, The 151st Infantry Regiment received more decorations during their year of service in Vietnam than any other Army infantry company during any one year period of the Vietnam War;

Whereas, The lineage of the 151st Infantry Regiment dates back to the formation of the 2nd Regiment of Indiana Volunteers in June 1846;

Whereas, Company D of the 151st Infantry Regiment was commonly referred to as the Indiana Rangers;

Whereas, The Indiana Rangers were activated in March of 1968 in preparation for a deployment to Vietnam;

Whereas, Camp Atterbury (EAST) served as the new home for the Indiana Rangers upon their arrival in Vietnam in December of 1968;

Whereas, The Indiana Rangers were the only Army National Guard ground maneuver unit to serve in Southeast Asia;

Whereas, The Indiana Rangers served in Vietnam from December of 1968 to November of 1969;

Whereas, Governor Edgar G. Whitcomb declared November 26, 1969, as "Unity Day", ordering all state and county offices closed in recognition of Company D's return home;

Whereas, The Indiana General Assembly remembers this day and recognizes that the Indiana Rangers served in the Vietnam War and fought for the United States with bravery and honor; and

Whereas, It is fitting that the Indiana Rangers and all members of the armed forces who served in the Vietnam War continue to be held in the highest possible regard by their community, the state of Indiana, and the United States: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard, for their bravery during the Vietnam War.

SECTION 2. That the Indiana General Assembly honors the Indiana Rangers for their service and sacrifice during the Vietnam War on behalf of their community, the state of Indiana, and United States of America.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Dennis Zent for distribution.

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

Senate Concurrent Resolution 26

The Speaker handed down Senate Concurrent Resolution 26, sponsored by Representative Baird:

A CONCURRENT RESOLUTION memorializing Sandy Woolwine and honoring the heroic actions of North Central Parke Community School Corporation students.

Whereas, Sandy Woolwine, a beloved bus driver for the North Central Parke Community School Corporation, had a medical emergency while driving her daily afternoon route on January 6, 2020;

Whereas, The five students aboard the bus, Gavin and Legend Smith, Dylan Lamb, Logan Bowles, and Brayton Myers, acted bravely and beyond their years during the emergency;

Whereas, Always looking out for the safety of her students, Sandy pulled over and turned the bus off at the next stop, where Gavin and Legend Smith's father was luckily waiting;

Whereas, Sandy was helped off the bus, and the students waited with her, holding Sandy's hand and comforting her until emergency personnel arrived;

Whereas, When EMS arrived, Dylan Lamb told the technicians that Sandy did not drive the bus that morning because she had the flu, information that was critical for EMS and hospital staff to care for Sandy as she was unconscious; and

Whereas, Although efforts to revive Sandy were unsuccessful, the quick and heroic actions of Sandy and the five students aboard the bus saved student lives and prevented further danger to the students and community: Therefore,

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

SECTION 1. That the Indiana General Assembly memorializes Sandy Woolwine and honors the North Central Parke Community School Corporation students for their heroic actions on January 6, 2020.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the family of Sandy Woolwine, Gavin and Legend Smith, Dylan Lamb, Logan Bowles, and Brayton Myers

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

[Journal Clerk's Note: Upon the request of Representative Baird, the Speaker requested a moment of silence for the passing Sandy Woolwine.]

Senate Concurrent Resolution 27

The Speaker handed down Senate Concurrent Resolution 27, sponsored by Representative Stutzman:

A CONCURRENT RESOLUTION recognizing Perinatal Palliative Care personnel in Indiana.

Whereas, Perinatal Palliative Care is a multi-disciplinary model of support for parents and their fetus who is prenatally diagnosed with a chronic, life-limiting, or life-threatening condition;

Whereas, The number of infants born between 22-25 weeks gestation and families in need of Perinatal Palliative Care continues to grow with advances in prenatal testing and diagnostic medicine;

Whereas, Perinatal hospice care includes care planning with families after a life-limiting diagnosis has been made, attending Obstetrical and Maternal Fetal Medicine appointments with families, helping families locate home health care options if their baby is able to live the remainder of their life at home, and providing help with funeral care options and follow-up care after the death of their baby;

Whereas, Bereavement coordinators create mementoes, photographs, and keepsakes for families after the death of their precious baby;

Whereas, Hospitals provide remembrance events, including Christmas Memorials, Mother's Day and Father's Day events, and miscarriage burials;

Whereas, Hospitals offer peer support groups that may meet multiple times in a month to provide support for families in need;

Whereas, Coalition hospitals provide follow-up through phone calls, newsletters, and note cards after a loss to nurture a healing environment for families and ease the transition into subsequent parenting if parents wish to have future children;

Whereas, Additional pregnancy support groups are offered to families during subsequent pregnancies where it can be a very emotional time after the loss of a child; and

Whereas, Perinatal Palliative Care staff help families cope with the loss of a child and provide a network of support for families in need: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes Perinatal Palliative Care personnel in Indiana.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to Joni Cutshaw, Marcia Jenkins, and Allison White of Franciscan Health, Jane Heustis and Kim Taylor of IU Health, Angie Bess Martin of Eskenazi Health, Jenny Cable and Amber Lafayette of Ascension St. Vincent Health, Jennifer Waitt of Community Health Network, Stacey Fischel of Now I Lay Me Down to Sleep Photography, and Marian Borondy

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

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 17 and 18 were read a first time by title and referred to the respective committees:

SB 3 — Smaltz, Kirchhofer, Barrett
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 5 — Schaibley, Barrett, Kirchhofer
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 144 — DeVon
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 177 — Manning
Committee on Utilities, Energy and Telecommunications
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

SB 180 — Carbaugh, Wesco
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 181 — Burton, Sherman, Manning
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

SB 185 — Negele, Lehe, Klinker
Committee on Agriculture and Rural Development
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 187 — Miller D, Stutzman
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 190 — Thompson
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 192 — DeVon, Davisson, Fleming, Clere
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

SB 194 — Steuerwald
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 195 — Manning
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

SB 197 — Soliday
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 200 — McNamara
Committee on Roads and Transportation
A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning criminal law and procedure.

SB 202 — Lehman, VanNatter, Beck
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 205 — Heaton, Schaibley, Young J
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 223 — Behning
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 226 — Baird, Lehe
Committee on Agriculture and Rural Development
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 229 — Wolkins
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

SB 230 — Burton
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 237 — Morris, Carbaugh
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 241 — Lehman
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 246 — Cook
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 249 — McNamara
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 254 — Soliday
Committee on Utilities, Energy and Telecommunications
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

SB 255 — Vermilion, Kirchhofer
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 256 — McNamara, Steuerwald, Torr
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 257 — Soliday
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

SB 266 — Jordan
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 267 — Pressel, Heine
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 269 — Lehman, VanNatter
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 272 — Torr
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 302 — Steuerwald, DeLaney, Beck
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 307 — Frye R
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

SB 316 — Zent
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 340 — Wolkins
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning property.

SB 355 — Clere, Bacon
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 356 — Shackleford
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 358 — Manning, Clere
Committee on Financial Institutions
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 366 — Gutwein, Aylesworth
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

SB 367 — Aylesworth
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 384 — Wesco
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 402 — Lehe
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning labor.

SB 408 — Brown T
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 411 — Soliday
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning utilities.

SB 424 — Engleman
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 443 — Heine
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 6 — Sullivan, Abbott
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 19 — Kirchhofer, Vermilion, Barrett
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 27 — Leonard
Committee on Government and Regulatory Reform
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 43 — Steuerwald
Committee on Courts and Criminal Code

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

SB 46 — Speedy
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning environmental law.

SB 54 — Young J, Speedy, Miller D, Jordan
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

SB 62 — Clere, Davisson, Engleman, Fleming
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning family law and juvenile law.

SB 99 — Abbott, Eberhart
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning natural and cultural resources.

SB 109 — Steuerwald, Cherry, VanNatter, Engleman
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 123 — Pressel, Negele
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 139 — Cook, Bauer, Hamilton
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

SB 146 — Schaibley, DeVon, McNamara, Miller D
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 148 — Miller D, Pressel, Stutzman
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 170 — Hostettler, Brown T, Lindauer, Bartels
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 171 — Bacon, Karickhoff, Fleming, Thompson
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 178 — Wesco, Judy
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 179 — Sullivan, Wesco
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 183 — Cook, Goodrich
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 184 — Manning, Carbaugh, Barrett, Prescott
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 199 — Steuerwald
Committee on Judiciary
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

SB 208 — Kirchhofer
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 209 — McNamara, Steuerwald
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 214 — Jackson, Wolkins, Harris
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 216 — Burton, Sherman
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 238 — DeVon
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 239 — Mayfield, Fleming
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 243 — Lehman, Morris, Schaibley
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 244 — DeVon, Carbaugh
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 258 — Frye R
Committee on Veterans Affairs and Public Safety
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 259 — DeVon
Committee on Ways and Means
A BILL FOR AN ACT concerning family law and juvenile law.

SB 262 — Karickhoff, Stutzman, Hatfield, Pierce
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 263 — Judy, Morris
Committee on Education

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

SB 264 — Heine, Sullivan

Committee on Ways and Means

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

SB 273 — Kirchhofer, Cherry

Committee on Public Health

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

SB 288 — DeVon, Eberhart

Committee on Public Health

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

SB 289 — Lindauer, Mayfield, Cook, DeVon

Committee on Family, Children and Human Affairs

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

ENROLLED ACTS SIGNED

The Speaker announced that he had signed Senate Enrolled Act 2 on February 4.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representatives Abbott, Speedy, Steuerwald, Stutzman, Sullivan, Summers, Thompson, Torr, VanNatter, Vermilion, Wesco, Porter, Prescott, Pressel, Pryor, Saunders, Schaibley, Shackleford, Sherman, Smaltz, V. Smith, Soliday, McNamara, Miller, Moed, Morris, Morrison, Moseley, Negele, Nisly, Pfaff, Pierce, Lauer, Lehe, Lehman, Leonard, Lindauer, Lucas, Lyness, Macer, Manning, May, Mayfield, Heaton, Heine, Hostettler, Huston, Jackson, Jordan, Judy, Karickhoff, Kirchhofer, Klinker, Fleming, Forestal, Frye, GiaQuinta, Goodin, Goodrich, Gutwein, Hamilton, Harris, Hatcher, Hatfield, Cook, Davisson, DeLaney, DeVon, Deal, Dvorak, Eberhart, Elllington, Engleman, Errington, Borders, Bosma, Boy, T. Brown, Burton, Campbell, Candelaria Reardon, Carbaugh, Cherry, Chyung, Clere, Austin, Aylesworth, Bacon, Baird, Barrett, Bartels, Bartlett, Bauer, Beck, Behning, Wolkins, Wright, Young and Ziemke be added as coauthors of House Concurrent Resolutionl 11.

ZENT

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed Senate Bills 3, 5, 6, 19, 27, 43, 46, 54, 62, 99, 109, 123, 139, 146, 148, 170, 171, 178, 179, 183, 184, 199, 208, 209, 214, 216, 238, 239, 243, 244, 258, 259, 262, 263, 264, 273, 288, 289, 291, 292, 295, 299, 309, 311, 312, 317, 319, 320, 324, 327, 330, 331, 334, 335, 337, 342, 343, 345, 346, 350, 363, 364, 365, 368, 383, 385, 395, 398, 400, 401, 403, 405, 406, 408, 409, 410, 416, 425, 427, 430, 433, 434, 435, 437, 438, 448, 449, 450, 451 and 455 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 15, 26 and 27 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Summers, the House adjourned at 2:23 p.m., this tenth day of February, 2020, until Tuesday ,February 11, 2020, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Nineteenth Day — **Tuesday Afternoon** — **February 11, 2020**

The invocation was offered by Associate Pastor John Pate of Burge Terrace Baptist Church in Indianapolis, a guest of Representative Kirchhofer.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

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

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

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

Roll Call 174: 97 present; 3 excused. The Speaker announced a quorum in attendance. [*NOTE*: □ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, February 13, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 307, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 307 as printed January 22, 2020.)

Committee Vote: Yeas 13, Nays 0.

FRYE R, Chair

Report adopted.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 19 were read a first time by title and referred to the respective committees:

SB 291 — Clere, Engleman, Eberhart, Goodin

Committee on Public Policy

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

SB 292 — Brown T, Manning, Pryor

Committee on Ways and Means

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

SB 295 — Behning

Committee on Education

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

SB 309 — Beck, Karickhoff, Deal

Committee on Rules and Legislative Procedures

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 311 — Bauer, Kirchhofer, Wright

Committee on Insurance

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

SB 317 — Manning
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

SB 319 — Jordan, Behning, DeVon
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 320 — Miller D, Morris, Cherry
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 324 — Abbott
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 327 — Carbaugh, Heaton, Burton
Committee on Financial Institutions
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

SB 330 — Torr
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 331 — Judy, Bartels
Committee on Roads and Transportation
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 334 — Wesco, Judy, Lucas
Committee on Elections and Apportionment
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 335 — Steuerwald
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 337 — Lehman, Schaibley, Carbaugh
Committee on Insurance
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 342 — Kirchhofer, Engleman, Klinker, Negele
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning labor.

SB 343 — Manning
Committee on Utilities, Energy and Telecommunications
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

SB 345 — Lindauer, DeVon
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 346 — Behning, Burton, Clere
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 350 — Brown T
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 363 — Lauer, DeVon, Engleman
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning civil procedure.

SB 364 — Smaltz, Lucas
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 365 — Soliday, Aylesworth
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 368 — Wolkins, Lehe, Pierce
Committee on Rules and Legislative Procedures
A BILL FOR AN ACT concerning environmental law.

SB 383 — Brown T, Vermilion, Porter, Pryor
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 385 — VanNatter
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 395 — Burton
Committee on Financial Institutions
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

SB 398 — Sullivan, Jordan, Klinker
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 400 — Miller D
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 401 — Thompson
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 403 — Thompson
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 405 — Pressel
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 406 — Bartels
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

SB 409 — Lyness, Goodrich
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 410 — Abbott, Pressel
Committee on Local Government
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 416 — Harris, Brown T, Hatcher, Smith V
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

SB 425 — Cook, Jordan, Clere, Deal
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 427 — Zent, Brown T
Committee on Employment, Labor and Pensions
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 430 — Wolkins
Committee on Environmental Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

SB 433 — Lindauer
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural resources.

SB 434 — Eberhart
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 438 — Lehe, Prescott
Committee on Agriculture and Rural Development
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

SB 449 — Negele, Torr
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 25

Representative Ziemke introduced House Concurrent Resolution 25:

A CONCURRENT RESOLUTION recognizing Honda Manufacturing of Indiana for its contributions to the community.

Whereas, Honda Manufacturing of Indiana produced its two-millionth car in Greensburg since manufacturing began in 2008;

Whereas, Honda-Greensburg produced the milestone, a Crystal Black Pearl CR-V, on May 31, 2019;

Whereas, Honda-Greensburg is a 2.4 million square foot facility employing more than 2,500 employees, with the capacity to build 250,000 vehicles each year;

Whereas, Honda Manufacturing of Indiana has been a proactive member of the Hoosier community with programs like Hands on Honda, an employee-volunteerism program, and by offering in-kind donations, food drives, blood drives, and financial support for eligible nonprofit organizations;

Whereas, Honda Manufacturing of Indiana became a founding partner of the Conexus Indiana program INvets, which provides meaningful job training and hiring opportunities for Indiana's military service members;

Whereas, Honda has announced a four million dollar expansion to add 54 jobs to plant operations and expand the Honda-Greensburg portfolio to include the CR-V Hybrid;

Whereas, Honda-Greensburg will produce the Honda Civic, Insight, CR-V, and CR-V Hybrid upon completion of its expansion; and

Whereas, The Indiana General Assembly recognizes the positive impact of Honda Manufacturing of Indiana and wishes the company continued success for years to come: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes Honda Manufacturing of Indiana for its contributions to the community and its continued success.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Cindy Ziemke for distribution.

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

House Concurrent Resolution 31

Representative Austin introduced House Concurrent Resolution 31:

A CONCURRENT RESOLUTION recognizing the Anderson High School Marching Highlanders for their achievements at the 2019 Indiana State Fair.

Whereas, The Indiana State Fair band competition has been held since 1946;

Whereas, This year marks the 50th consecutive year that an Anderson Community Schools band has represented the community of Anderson, Indiana, in this annual contest;

Whereas, Collectively bands representing Anderson High School, Highland High School and Madison Heights High School have earned 15 first-place awards through the years;

Whereas, The 2019-2020 Anderson High School Marching Highlanders are directed by Richard Geisler and comprised of 90 students and 20 staff and volunteer members;

Whereas, The Anderson High School Marching Highlanders traveled to Indianapolis to compete against 39 other participating Indiana high school bands at the Indiana State Fair band competition on August 2, 2019;

Whereas, The Anderson High School Marching Highlanders gave an outstanding performance highlighting the music of Elton John entitled "Sir Elton" featuring the songs "Saturday Night," "Your Song," "Crocodile Rock" and "Can You Feel The Love Tonight";

Whereas, The Anderson High School Marching Highlanders were awarded first place in the categories of best music, best general effects and were named the overall winner of the 2019 Indiana State Fair band day competition class AAA division; and

Whereas, the Anderson High School Marching Highlanders proudly hold the distinctive state record of seven first place awards at the Indiana State Fair Band Competition having earned top honors in 1957, 1958, 1959, 1985, 1986, 2010, and 2019: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the Anderson High School Marching Highlanders for their Achievements at the 2019 Indiana State Fair.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Terri Jo Austin for distribution.

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

RESOLUTIONS ELIGIBLE FOR ADOPTION

House Concurrent Resolution 18

The Speaker handed down on its passage House Concurrent Resolution 18, introduced by Representative Heine:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportion to rename a portion of State Road 930 in honor of service members who fought and served during Operation Enduring Freedom.

The resolution was read a second time and adopted. Roll Call 175: yeas 97, nays 0. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Kruse.

The Speaker yielded the gavel to the Deputy Speaker Pro Tempore, Representative Karickhoff.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 5

The Speaker handed down Senate Concurrent Resolution 5, sponsored by Representative Bosma:

A CONCURRENT RESOLUTION recognizing the 21st Century Scholars Program for 30 years of helping Hoosiers afford a college education.

Whereas, Indiana must dramatically increase postsecondary attainment to meet the state's economic imperatives and to provide Hoosiers with greater opportunities for lifelong success;

Whereas, The State of Indiana must ensure college is an affordable option for all Hoosiers, no matter life's circumstances or obstacles;

Whereas, Enacted in 1990, the Evan Bayh 21st Century Scholarship, Indiana's early college promise program for low-income Hoosiers, has demonstrated success at addressing postsecondary access and achievement;

Whereas, 86% of 21st Century Scholars enroll in college, compared to 63% of the overall high school population, and more than twice the level of their low-income peers;

Whereas, 21st Century Scholars have gained 12 percentage points in on-time college completion in five years;

Whereas, The 21st Century Scholars Program promotes educational equity, and scholars are the only group on track to close the achievement gap by 2025;

Whereas, The 21st Century Scholars Program celebrates 30 years of helping thousands of Hoosier learners aspire to, prepare for, and afford a college education;

Whereas, The 21st Century Scholars Program has consistently garnered strong bipartisan support in the General Assembly and through changing administrations; and

Whereas, The 21st Century Scholars Program is necessary to close Indiana's educational achievement gap and ensure a strong economy for generations to come: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the Evan Bayh 21st Century Scholars Program for 30 years of helping Hoosiers afford a college education.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to Commissioner of Higher Education Teresa Lubbers and to each member of the Commission for Higher Education

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

The Deputy Speaker Pro Tempore yielded the gavel to the Speaker.

Senate Concurrent Resolution 25

The Speaker handed down Senate Concurrent Resolution 25, sponsored by Representative Behning:

A CONCURRENT RESOLUTION congratulating Adam Ferguson for being named the 2020 Plainfield Community School Corporation Teacher of the Year.

Whereas, Adam Ferguson, a teacher at Plainfield High School, was named the 2020 Plainfield Community School Corporation Teacher of the Year;

Whereas, Adam is a graduate of Ball State University, holding Bachelor of Science degrees in Social Studies Education and History, a Summa Cum Laude graduate of the Ball State Honors College, and is working on his Master's Degree in History as part of the Indiana University Advanced College Project History Program;

Whereas, Adam taught for two years at Northwestern High School in Kokomo before moving to Plainfield High School, where he has taught Cultural History of the American People, We the People, Dual Credit U.S. History, and Advanced Placement Government for six years;

Whereas, Engaged in student activities at Plainfield High School, Adam serves on several school committees and as the sponsor of National Honor Society and Riley Dance Marathon; and

Whereas, Adam's dedication and commitment to the education of each of his students resulted in him being named the 2020 Teacher of the Year for Plainfield Community School Corporation: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Adam Ferguson on being named the 2020 Plainfield Community School Corporation Teacher of the Year.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Adam Ferguson

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

Senate Concurrent Resolution 36

The Speaker handed down Senate Concurrent Resolution 36, sponsored by Representative Wright:

A CONCURRENT RESOLUTION honoring John Thomas Shettle on his retirement from the Orestes town council.

Whereas, John has served on the Orestes town council for 30 years, the longest tenure in town council history;

Whereas, John is a Navy Veteran who served on the USS Everglade and the USS Wren in Korea. Before his discharge in 1955, he attained the rank of petty officer 2nd class;

Whereas, After his service, John graduated from the Indiana State Police Academy in 1955. He progressed from a trooper at Dunes National Park to a Captain in command of the parking division;

Whereas, Governor Otis Bowen appointed John as Indiana State Police Superintendent. In his 10 years as Superintendent, two of John's initiatives, "Click It or Ticket" and "Operation CARE - Combined Accident Reduction Enforcement", have evolved into federal programs. During the last two years of his term as Superintendent, John served as the Commissioner of the Department of Corrections;

Whereas, John worked in multiple other professional capacities. For a number of years, John worked at Methodist Hospital as head of security. John worked as the Veteran's Affairs Liaison in the offices of United States Representatives McIntosh and Pence. John also served in state and local offices as a member of the United Methodist Church;

Whereas, The University of Indianapolis honored John with an Honorary Doctorate of Laws;

Whereas, John was married to his wife Carolyn DeLawter Shettle for 64 years; and

Whereas, When not serving his community, he enjoys spending time with his four children, ten grandchildren, seven great-grandchildren, and his one great, great grandchild: Therefore,

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

SECTION 1. That the Indiana Senate honors John Thomas Shettle upon his retirement from the Orestes town council.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to John Thomas Shettle.

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

OTHER BUSINESS ON THE SPEAKER'S TABLE

Reassignments

The Speaker announced the following reassignments:

Engrossed Senate Bill 243 from the Committee on Public Health to the Committee on Insurance.

Engrossed Senate Bill 337 from the Committee on Insurance to the Committee on Rules and Legislative Procedures.

HOUSE MOTION

Mr. Speaker: I move that Representative Bacon be removed as 1st Sponsor of Senate Bill 171 and Representative Karickhoff be substituted therefor, Representative Karickhoff be removed as cosponsor and Representative Bacon be added as cosponsor.

BACON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Wesco be added as cosponsor of Engrossed Senate Bill 187.

MILLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Schaibley be added as cosponsor of Engrossed Senate Bill 246.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Lehman and Speedy be added as cosponsors of Engrossed Senate Bill 249.

MCNAMARA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Vermilion be removed as 1st Sponsor of Senate Bill 255 and Representative Kirchhofer be substituted therefor, Representative Kirchhofer be removed as cosponsor and Representative Vermilion be added as cosponsor.

VERMILION

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative DeVon be removed as 1st Sponsor of Senate Bill 288 and Representative Bacon be substituted therefor, and Representative DeVon be added as cosponsor.

DEVON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Judy and Goodrich be added as cosponsors of Engrossed Senate Bill 307.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lehman be added as cosponsor of Engrossed Senate Bill 437.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Saunders be added as coauthor of House Concurrent Resolution 22.

BARRETT

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 22, 26, 27, 29 and 30 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 5, 25, 30 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Abbott, the House adjourned at 2:32 p.m., this eleventh day of February, 2020, until Thursday, February 13, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Twentieth Day — **Thursday Morning** — **February 13, 2020**

The invocation was offered by Pastor Shan Rutherford of Samaria Christian Church in Trafalgar, a guest of Representative Burton.

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

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

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

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

Roll Call 176: 91 present; 9 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, February 17, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 19, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 5, delete "An ophthalmologist licensed under IC 25-22.5." and insert "**A physician licensed under IC 25-22.5 who practices ophthalmology.**".

Page 3, line 29, after "prescription," insert "**at the discretion of the eye care professional,**".

Page 3, line 30, after "fitting" insert "**or evaluation**".

Page 4, line 1, delete "must" and insert "**may**".

Page 4, line 13, delete "(a) A contact lens seller or prescriber who fills a".

Page 4, delete lines 14 through 17.

Page 4, line 18, delete "(b)".

Page 4, run in lines 13 through 18.

Page 4, after line 32, begin a new paragraph and insert:

"SECTION 8. IC 25-24-1-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5.5. The board may not establish standards concerning the practice of ocular telemedicine or ocular telehealth that are more restrictive than the standards that are set:**

(1) under this article; or

(2) by rule and applicable to the practitioner's in-person ocular practice.".

Renumber all SECTIONS consecutively.

(Reference is to SB 19 as reprinted February 4, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 39, has had the same under consideration and begs leave to report the same back to the

House with the recommendation that said bill be amended as follows:

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

"SECTION 1. IC 9-30-6-8, AS AMENDED BY P.L.188-2015, SECTION 109, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) **Except as provided in IC 9-30-16-1(g),** whenever a judicial officer has determined that there was probable cause to believe that a person has violated IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal), the clerk of the court shall forward:

(1) a paper copy of the affidavit, or an electronic substitute; or

(2) a bureau certificate as described in section 16 of this chapter;

to the bureau **at the conclusion of the initial hearing under subsection (c).**

(b) The probable cause affidavit required under section 7(b)(2) of this chapter must do the following:

(1) Set forth the grounds for the arresting officer's belief that there was probable cause that the arrested person was operating a vehicle in violation of IC 9-30-5 or a motorboat in violation of IC 35-46-9 or IC 14-15-8 (before its repeal).

(2) State that the person was arrested for a violation of IC 9-30-5 or operating a motorboat in violation of IC 35-46-9 or IC 14-15-8 (before its repeal).

(3) State whether the person:

(A) refused to submit to a chemical test when offered; or

(B) submitted to a chemical test that resulted in prima facie evidence that the person was intoxicated.

(4) Be sworn to by the arresting officer.

(c) Except as provided in subsection (d), if it is determined under subsection (a) that there was probable cause to believe that a person has violated IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal), at the initial hearing of the matter held under IC 35-33-7-1 the court shall recommend immediate suspension of the person's driving privileges to take effect on the date the order is entered, and forward to the bureau a copy of the order recommending immediate suspension of driving privileges.

(d) If it is determined under subsection (a) that there is probable cause to believe that a person violated IC 9-30-5, the court may, as an alternative to suspension of the person's driving privileges under subsection (c), issue an order recommending that the person be prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under IC 9-30-8 until the bureau is notified by a court that the criminal charges against the person have been resolved.

(e) A person commits a Class B infraction if the person:

(1) operates a motor vehicle without a functioning certified ignition interlock device; and

(2) is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under subsection (d).

(f) A person commits a Class B misdemeanor if the person:

(1) operates a motor vehicle without a functioning certified ignition interlock device; and

(2) knows the person is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under subsection (d).".

Renumber all SECTIONS consecutively.

(Reference is to SB 39 as printed January 10, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Statutory Committee on Interstate and International Cooperation, to which was referred Senate Bill 61, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 61 as printed January 15, 2020.)

Committee Vote: Yeas 10, Nays 0.

BACON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 187, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 187 as printed January 10, 2020.)

Committee Vote: Yeas 10, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 246, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, after line 14, begin a new paragraph and insert:

"(e) Before providing a referral under a memorandum of understanding, each school corporation and charter school shall comply with the following requirements:

(1) Develop a process for a teacher or school employee to notify a school official to contact a student's parent if the student demonstrates a repeated pattern of aberrant or abnormal behavior. The parental notification process described in this subdivision must also include that the school will hold a conference with the student and the student's parent.

(2) Require that the conference described in subdivision (1) must address the student's potential need for and benefit from:

(A) mental or behavioral health services; or

(B) mental or behavioral health services provided by the community mental health center or appropriate provider that is contracted and paid for by the school corporation or charter school.

(3) Establish a procedure for a parent who chooses to seek services for the student to follow that includes granting written parental consent for the student to receive mental or behavioral health services by a community mental health center or appropriate provider described under subdivision (2).

(4) Ensure that a school maintains the confidentiality of any medical records that result from a student's participation in any treatment described in subdivision (2). The school must adopt a policy that prohibits the school from:

(A) sharing any reports or notes resulting from the provision of mental or behavioral health services described in subdivision (2)(A) with other school officials; and

(B) maintaining any reports, notes, diagnosis, or appointments that result from a student's participation in any treatment described in subdivision (2)(A) through (2)(B) in the student's permanent educational file.".

Renumber all SECTIONS consecutively.
(Reference is to SB 246 as reprinted January 17, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 1.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 255, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 255 as printed January 24, 2020.)

Committee Vote: Yeas 11, Nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 273, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 4, line 35, after "national" insert "**evidence based preventative and**".

Page 4, line 42, after "service" insert "**programs and related evidence based preventative**".

Page 5, line 28, after "access to" insert "**evidence based preventative programs for all students and**".

(Reference is to SB 273 as printed January 31, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 302, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 302 as printed January 24, 2020.)

Committee Vote: Yeas 10, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 366, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 366 as printed January 22, 2020.)

Committee Vote: Yeas 19, Nays 0.

BROWN T, Chair

Report adopted.

INTRODUCTION OF BILLS

With consent of the members, the following bills and joint resolutions on Bill List 20 were read a first time by title and referred to the respective committees:

SB 98 — Bacon
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 131 — Burton, Wesco
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 299 — Stutzman, Bacon, Mayfield, Morris
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 312 — Ziemke, Clere, Porter, Wright
Committee on Family, Children and Human Affairs
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 435 — Eberhart, Hatcher, Beck
Committee on Ways and Means
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 437 — Carbaugh, Lehman
Committee on Public Policy
A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

SB 448 — Lehman, Schaibley
Committee on Public Health
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 450 — Manning
Committee on Natural Resources
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

SB 451 — Morris
Committee on Courts and Criminal Code
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 455 — Behning
Committee on Education
A BILL FOR AN ACT to amend the Indiana Code concerning education.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 15

The Speaker handed down Senate Concurrent Resolution 15, sponsored by Representatives Stutzman, Miller and Jordan:

A CONCURRENT RESOLUTION urging the establishment of the Office of Outdoor Recreation Development within the Indiana Destination Development Corporation.

Whereas, The critical importance of Indiana's outdoor recreation industry for tourism and economic development cannot be overstated: 143,000 jobs for Hoosiers, $15.7 billion in annual consumer spending, and $1.1 billion in state and local tax revenue generated annually;

Whereas, Indiana's outdoor recreation industry not only includes state parks, trails, and water and snow resources, but many different activities and outdoor sports including hunting, fishing, camping, bicycling, boating, horseback riding, and motorcycling and other motorsports;

Whereas, Increased development and promotion of Indiana's outdoor recreation industry will create a better quality of place for Indiana residents and will attract potential residents to move to Indiana; and

Whereas, Establishing an office dedicated to developing and promoting Indiana's outdoor recreation industry is critical to the industry's future economic success: Therefore,

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

SECTION 1. That the Indiana General Assembly urges the establishment of the Office of Outdoor Recreation Development ("Office") within the Indiana Destination Development Corporation established by IC 5-33-3-1.

SECTION 2. (a) As used in this section, "outdoor recreation" means a recreational activity that occurs outdoors in a natural environment, including the use of:

(1) trails;
(2) the natural landscape;
(3) water resources;
(4) snow resources; and
(5) other resources.

(b) If established, the Office should do the following:

(1) Increase outdoor recreation-based economic development, tourism, and ecotourism in Indiana by:
(A) attracting outdoor recreation industries to Indiana;
(B) developing the growth of new business opportunities in Indiana; and
(C) marketing, advertising, and securing media opportunities that reflect the opportunities for outdoor recreation in Indiana.

(2) Promote the growth of the outdoor recreation economy in Indiana to support:
(A) economic growth; and
(B) stewardship and conservation of natural resources in Indiana.

(3) Coordinate with federal and state agencies and local government entities in Indiana on matters related to the purposes set forth in this section when the Office determines that coordination is necessary or beneficial.

(4) Recommend to the governor policies and initiatives to enhance recreational amenities and experiences in Indiana,help implement those policies and initiatives, and report on the impacts of implemented policies and initiatives, developing and supporting the development of data regarding the impacts of outdoor recreation in Indiana while ensuring national data are used as a benchmark factor in agency decisionmaking.

(5) Promote the health and social benefits of outdoor recreation.

(6) Advocate on behalf of Indiana for federal funding and participation in federal programs, including any funding opportunities that are available through:
(A) the Land and Water Conservation Fund established by 54 U.S.C. 200302;
(B) the Sport Fish Restoration Program; and
(C) the National Forest System Trail Stewardship Partnership Funding Program.

(7) Create and maintain a statewide list of lands to be conserved, enhanced, and publicized for outdoor recreation.

SECTION 3. The Secretary of the Senate is hereby directed to transmit copies of this resolution to Governor Eric Holcomb, Lieutenant Governor Suzanne Crouch, and Elaine Bedel, Secretary and Chief Executive Officer of the Indiana Destination Development Corporation.

The resolution was read a first time and referred to the Committee on Natural Resources.

Senate Concurrent Resolution 24

The Speaker handed down Senate Concurrent Resolution 24, sponsored by Representative Summers:

A CONCURRENT RESOLUTION honoring the Kappa Alpha Psi fraternity for its century of service within the community and its unyielding appreciation and support of diversity in all its forms.

Whereas, Kappa Alpha Psi, originally Kappa Alpha Nu, was established on January 5th, 1911 at Indiana University in Bloomington;

Whereas, This was the first and only African-American fraternity to this date founded on that campus and the third African-American college-based fraternity founded in the country;

Whereas, The young, intellectual, and talented 10 undergraduate college students herewith revered as the Founders were Elder Watson Diggs, Dr. Ezra Dee Alexander, Attorney Henry T. Asher, Dr. Byron K. Armstrong, Dr. Marcus Peter Blakemore, Paul W. Caine, George Wesley Edmonds, Dr. Guy Levis Grant, Edward Giles Irvin, and John Milton Lee;

Whereas, Kappa Alpha Psi Fraternity has grown to include over 700 chapters and has initiated over 30,000 men. The fraternity still maintains and lives by its motto from inception "Achievement in Every Field of Human Endeavor";

Whereas, Kappa Alpha Psi has a history saturated with philanthropic endeavors and acts of service. The national programs that define the fraternity to date are the Guide Right Program, commonly known as the Kappa Leadership Development League, the Sunday of Hope Project which directly benefits St. Jude Children's Hospital and has raised over a million dollars, such that the fraternity will now have a wing at the hospital named in its honor, and the well-known Kappa Kamp held each year at Piney Woods Boarding School in Mississippi; and

Whereas, Kappa Alpha Psi continues to serve as an avenue for young African American men to better themselves in the company of fraternal brothers and it is with great pride that we acknowledge the history of a respected service organization nationally and internationally in the state of Indiana: Therefore,

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

SECTION 1. That the Indiana Senate honors the Kappa Alpha Psi fraternity for its century of service within the community and unyielding appreciation and support of diversity in all its forms.

SECTION 2. The Secretary of the Senate is hereby directed to transmit five copies of this resolution to the members of Kappa Alpha Psi.

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

Senate Concurrent Resolution 30

The Speaker handed down Senate Concurrent Resolution 30, sponsored by Representative May:

A CONCURRENT RESOLUTION recognizing the Indiana Legislative Youth Advisory Council for the important work they do in advising the Indiana General Assembly on youth related issues.

Whereas, In 2008, the Indiana General Assembly enacted Public Law 69 establishing the Indiana Legislative Youth Advisory Council;

Whereas, The Council consists of Hoosiers from across Indiana appointed by the Governor, President Pro Tempore of the Indiana Senate, the Speaker of the Indiana House, and both the Minority Leader in the Senate and in the House. Each Council member serves a two-year term;

Whereas, The Council convenes to advise the Indiana General Assembly on topics related to Indiana's youth through suggestion, endorsement, and advocacy;

Whereas, The actions and involvement of members of the Council demonstrate the importance of individuals from different backgrounds, political ideologies, and areas of expertise engaging in policy discussions about government;

Whereas, Advised by the Indiana Bar Foundation, the Council's members' involvement provides a firsthand lesson in civic engagement that cannot be matched; and

Whereas, Through the dedication and service of the Indiana Legislative Youth Advisory Council, the interests of Indiana's youth will continue to be represented: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the Indiana Legislative Youth Advisory Council for the important work they do in advising the Indiana General Assembly on youth related issues.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to council members Tanner Bowman, Nathan Mertz, Megan Stoner, Wyatt Harvey, Elijah Harvey, Elijah Roberson, Aldo Medina, Kelby Stallings, Abby Thomas, Madeline Erdell, Eilidh MacLeod, Sydney Strecker, Ranvir Sandhu, Cole Ferguson, Christian Means, Hayden Redelman, Kyle Feldkamp, Matthew Quintos, and Matthew Stachler.

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

Senate Concurrent Resolution 32

The Speaker handed down Senate Concurrent Resolution 32, sponsored by Representative Wolkins:

A CONCURRENT RESOLUTION recognizing the home of the Charley Creek Inn for 100 years as the hub of downtown Wabash, Indiana.

Whereas, The Charley Creek Inn occupies a building located at 111 West Market Street in Wabash, Indiana, that has been used continuously for 100 years;

Whereas, Open for business in 1920, the building opened as the home of Hotel Indiana;

Whereas, The building later housed the Red Apple Inn, and was used primarily as residential apartments;

Whereas, In 2007, when the building was threatened with demolition, Richard E. Ford bought the building and led a $15 million renovation to save the structure;

Whereas, The building reopened in 2010 as the Charley Creek Inn and was added to the National Register of Historic Places;

Whereas, The renovation to the building earned the 2011 Outstanding Commercial Rehabilitation Award from the Indiana Department of Natural Resources;

Whereas, The Charley Creek Inn has become the destination of choice for business travelers, entertainers, weekend adventurers, and couples seeking a romantic retreat;

Whereas, Today, the Inn forms the hub of the Wabash Arts and Entertainment District, and features fine dining, a convenient location close to many popular tourist spots, and a nostalgic feel; and

Whereas, Richard Ford's renovation of the building saved a Wabash County institution that has served thousands of customers over the years, and will be enjoyed for generations to come: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the home of the Charley Creek Inn for 100 years as the hub of downtown Wabash, Indiana.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the Charley Creek Inn and to owner Richard E. Ford

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

House Resolution 17

Representative V. Smith introduced House Resolution 17:

A HOUSE RESOLUTION recognizing the Ninth Annual Bill Johnson Black Film Festival.

Whereas, African American Achievers Youth Corps, Inc., partners with other local groups to sponsor a film festival dedicated to Gary native William L. Johnson, which is hosted by the actor;

Whereas, William Johnson is a graduate of Emerson School for the Visual and Performing Arts in Gary and has had starring roles in many theatrically released projects, including a lead role in "Blue Hill Avenue", which garnered top honors at the Acapulco and Hollywood Black film festivals;

Whereas, More than just an actor, William Johnson's goal is to "reinvest the majority of his earnings into a structured business that supports the advancement of the urban community. By spreading the message of self-reliance and providing opportunities to qualified individuals from disadvantaged backgrounds, he hopes to break the cycle that keeps generations impoverished";

Whereas, Equally important to William Johnson is his passion to deliver conscious messages through his music using his stage persona, "Brotha Bill";

Whereas, William Johnson has been involved in more than 20 film projects and independent short films and features, including "Motives 2", "The Mannsfield 12", "Crossover", "Doing Hard Time", "Tears of a Clown", "Motives", "Move", "Wanted: Soulful Energy Xchange", "Two Degrees", "Nothing Like Thanksgiving", and "Perfectly Single";

Whereas, The ninth annual Bill Johnson Black Film Festival will feature the films "Bound and Gagged" by Shannon Whren; "SnapShot" by Semone Brown; "The Unwilling Series Pilot" by Antonio Jefferson; "Slave 2" by Rico Shay; "Kaiju" by Rémi Thévenart; "Chasing After You" by Paige B. Alston; "Latasha Harlins: A Rose That Grew From Concrete" by Shannon Bennett; "Peace" by Sydney Hefflin; "Hollywood Star" by Wenston Black; "African Americans on United States Postage Stamps" by Rose Grier; "The Sound of Silence" by Donald Wilson; "Part of Me" by Marcellus Cox; "The Final Exam" by

Jason Bostic; "The Truth Shall Make You Free" by Ja'mal Jones; "One Last Goodbye" by Latasha Kennedy; "Thicke" by Britt Banks; "Ronald" by Britt Banks; "Grandma's House" by Malachi Johnson; and "God I'm Not Real" by Bena Klier Boules;

Whereas, The Bill Johnson Black Film Festival came about as an idea to provide wholesome entertainment for northwest Indiana, to expose the northwest Indiana community to quality Black films, to help northwest Indiana come together to share ideas, and to hold discussions surrounding film messages; and

Whereas, The arts are a valuable tool in creating an atmosphere of understanding and open discussions to help bring communities together in a meaningful way: Therefore,

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

SECTION 1. That the Indiana House of Representatives recognizes the value to the community of the ninth annual Bill Johnson Black Film Festival and thanks William L. Johnson for dedicating his time and energy to this worthwhile project.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the African American Achievers Youth Corps, Inc., and William L. Johnson.

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

House Concurrent Resolution 23

Representatives Klinker and Campbell introduced House Concurrent Resolution 23:

A CONCURRENT RESOLUTION congratulating the 2019 Lafayette Central Catholic High School football team.

Whereas, The 2019 Lafayette Central Catholic High School football team won the IHSAA Class A state title at Lucas Oil Stadium on November 29, 2019;

Whereas, The Knights achieved victory in a hard fought game, winning 29-28 over Indianapolis Lutheran;

Whereas, Sophomore quarterback Clark Barrett set up senior Ky Schrader for a 1-yard touchdown with 10 seconds left on the clock, and followed with the game winning pass to senior Reece Buche in the last seconds of the fourth quarter;

Whereas, The Knights entered the state championship game with a 10-game winning streak and finished the 2019 season with a 12-3 record;

Whereas, Head coach Brian Nay led the Knights to their eighth state title with the essential support of staff and assistant coaches including: Tom Yarnall, Chloe Wagers, Gavin Breyfogle, Cody Christopher, Nate Deno, Clay Finney, Max Goodin, Jeff Onken, Connor Ray, Alex Schrader, Cody Schrader, Grant Seaburg, and athletic director Tim Bordenet;

Whereas, The 2019 Lafayette Central Catholic winning team consisted of: Ben Mazur, Owen Munn, Aiden Sattler, Tanner Fields, Evan Dienhart, Tyler Fox, Robert Koch, Baylor Smith, Leo Bordenet, Brady Miller, Isaac Buche, Zach Kerr, Joey Drerup, Aiden Schaefer, T.J. Bell, Jack Spencer, Ty Buche, Clark Barrett, Justin Brady, Cres Rodriguez, Carter Johnson, Keagan O'Connor, Alex Denney, Joey Stair, Nathan Hardenburg, Andrew Kline, Brenner Oliver, Anthony Dimmitt, Jacob Bunton, Tommy Puskar, Sam Seaburg, Tommy Regich, Wade Hardebeck, Jesse Neihouser, Evan Munn, Reece Buche, Kyle Onken, Ky Schrader, Isaac Switzer, Nolan Talley, Daniel Roach, Joaquin Gallo, Evan Suppinger, Pete Spencer, Drew Schrader, Gus German, and managers Paul Schrader and Dylan Meek;

Whereas, The Knights' state championship and 12-3 season record indicate the hard work, talent, skill, and commitment given by each player to high school football and their team; and

Whereas, This achievement will be remembered by players, coaches, staff, friends, family, and fans for years to come: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Lafayette Central Catholic High School football team for its 2019 state championship win.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to head coach Brian Nay of the Lafayette Central Catholic High School football team for distribution.

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

House Concurrent Resolution 32

Representative Lehe introduced House Concurrent Resolution 32:

A CONCURRENT RESOLUTION recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.

Whereas, The FFA national organization, established in 1928, and Indiana FFA, established in 1929, have prepared future generations for the challenges of feeding a growing population;

Whereas, The National FFA encompasses the 50 states and two U.S. territories and continues to grow with more than 700,000 members and 8,612 local chapters, while the Indiana FFA membership has grown to more than 12,500 members in 211 chapters;

Whereas, The FFA motto of "Learning to Do, Doing to Learn, Earning to Live, Living to Serve" has been upheld and applied by the organization by focusing on the individual student and providing a path to achievement in premier leadership, personal growth, and career success through agricultural education;

Whereas, The organization's directive is to develop agricultural leaders, increase awareness of the importance of agriculture, strengthen the confidence of students involved, promote the choice of agriculture as a career, encourage agricultural experience programs, highlight wise management of community resources, develop members' interpersonal skills and character, promote cooperation and healthy lifestyles, and encourage excellence in scholarship; and

Whereas, FFA Week started in 1947 as an opportunity for members, alumni, and sponsors to celebrate and advocate for agricultural education, and will be celebrated this year February 22-29: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes FFA as an integral part of agricultural education both locally and nationally.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Indiana FFA state officers Dillon Muhlenkamp, president; Caitlyn Lewis, secretary; Morgan Hinz, Northern Region vice president; Nathan Fairchild, Southern Region vice president; Noah Berning, treasurer; Taylor Roy, reporter; Eion Stephens, sentinel.

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

RESOLUTIONS ELIGIBLE FOR ADOPTION

House Concurrent Resolution 17

The Speaker handed down on its passage House Concurrent Resolution 17, introduced by Representative Mayfield:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename the State Road 45 and 2nd Street bridge over I-69 the "Sarah Irene Haylett-Jones Memorial Bridge".

The resolution was read a second time and adopted. Roll Call 177: yeas 85, nays 0. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Koch and Stoops.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 80

Representative Young called down Engrossed Senate Bill 80 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 307

Representative Frye called down Engrossed Senate Bill 307 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 40

The Speaker handed down Senate Concurrent Resolution 40, sponsored by Representatives Errington, Boy and Hamilton:

A CONCURRENT RESOLUTION honoring the League of Women Voters on the 100th anniversary of its founding.

Whereas, The Women's Suffrage movement was organized in 1848 at the Seneca Falls Convention in New York State and over the next 72 years, many women dedicated their very lives to the cause;

Whereas, The 19th Amendment to the constitution guaranteeing all American women the right to vote was officially adopted on August 26, 1920;

Whereas, The League of Women Voters was organized on February 14, 1920, to educate and engage these newly enfranchised women;

Whereas, Today, the League of Women Voters continues to educate and engage voters by increasing voter registration, fighting voter suppression, and supporting female candidates;

Whereas, In the past 100 years, through the actions of and with the support of the League of Women Voters, women have made significant contributions to government and the real-life issues affected by government; and

Whereas, For the past century the League of Women Voters has devoted itself to promoting participation by informed citizens at all levels of government and has helped shape public policy: Therefore,

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

SECTION 1. That the Indiana General Assembly honors the League of Women Voters on the 100th anniversary of its founding.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to the League of Women Voters of the United States and the League of Women Voters of Indiana.

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

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Shackleford be added as cosponsor of Engrossed Senate Bill 5.

SCHAIBLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Kirchhofer be added as cosponsor of Engrossed Senate Bill 61.

BACON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives VanNatter and Cook be added as cosponsors of Engrossed Senate Bill 69.

SPEEDY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Torr and DeLaney be added as cosponsors of Engrossed Senate Bill 80.

YOUNG

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Davisson, Clere and Shackleford be added as cosponsors of Engrossed Senate Bill 241.

LEHMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Shackleford be added as cosponsor of Engrossed Senate Bill 246.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Manning be added as cosponsor of Engrossed Senate Bill 254.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Burton be added as cosponsor of Engrossed Senate Bill 263.

JUDY

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 32, 36 and 40 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 25 and 31 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Klinker, the House adjourned at 10:40 a.m., this thirteenth day of February, 2020, until Monday,February 17, 2019, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Twenty-First Day — **Monday Afternoon** — **February 17, 2020**

The invocation was offered by Reverend Peter Jessen of Franklin First Presbyterian Church in Franklin, a guest of Representative Young.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

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

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

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

Roll Call 178: 96 present; 4 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, February 18, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 20, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 35, after "educator." insert "**However, the county agricultural extension educator must be a resident of the county to be eligible to serve on the area plan commission. If:**

(i) the county does not have a county agricultural extension educator; or

(ii) the county agricultural extension educator is not a resident of the county;

the county executive shall select a resident of the county who is a property owner with agricultural interest to serve on the area plan commission under this clause for a period not to exceed one (1) year. In addition to the county resident selected by the county executive to serve as a member of the commission, the county agricultural extension educator who is not a resident of the county shall serve the commission in a nonvoting advisory capacity.".

Page 3, line 36, after "designee." insert "**However, the county surveyor's designee must be a resident of the county to be eligible to serve on the area plan commission.**".

Page 4, line 12, after "educator" insert "**or resident of the county who is a property owner with agricultural interest, as applicable,**".

Page 4, line 13, after "educator" insert "**or resident of the county who is a property owner with agricultural interest, as applicable,**".

Page 4, between lines 23 and 24, begin a new paragraph and insert:

"**(f) AREA. Notwithstanding subsection (c)(4), a county agricultural extension educator who is a member of the area plan commission on July 1, 2020, and is not a resident of the county may continue to serve as a member of the commission until:**

(1) October 1, 2020; or
(2) the date set forth in an ordinance adopted by the county legislative body that is after October 1, 2020, and not later than October 1, 2021.
This subsection expires January 1, 2022.".

(Reference is to SB 20 as printed January 17, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 50, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 9, delete lines 18 through 42, begin a new paragraph and insert:

"SECTION 8. IC 30-4-1.5-4, AS ADDED BY P.L.40-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) Any of the following persons may create a valid inter vivos trust by electronically signing an electronic trust instrument, **with no witness requirement or acknowledgment before any notary public,** ~~that~~ **if the electronic trust instrument** sufficiently states the terms of the trust in compliance with IC 30-4-2-1(b):

(1) A settlor.
(2) An agent of a settlor who is an attorney in fact.
(3) A person who holds a power of appointment that is exercisable by appointing money or property to the trustee of a trust.
(4) An adult who:
(A) is not a trustee named in the electronic trust instrument; and
(B) electronically signs the electronic trust instrument:
(i) at the settlor's direction; and
(ii) in the direct physical presence of the settlor.

If an adult electronically signs the trust instrument under subdivision (4), the trust instrument must indicate that the adult signer is signing at the direction of the settlor and in the settlor's direct physical presence. For all purposes under this article, a trust instrument electronically signed under subdivisions (1), (2), or (4) is the creation of the named settlor.

~~The electronic signature of the settlor or other person creating the trust is not required to be acknowledged or witnessed by a notary.~~

(b) The following persons may use the electronic record associated with an electronic trust instrument to make a complete converted copy of an electronic trust instrument immediately after its execution or at a later time when a complete and intact electronic record is available:

(1) The settlor.
(2) A trustee who accepts appointment under the electronic trust instrument.
(3) An attorney representing the settlor or the trustee.
(4) Any other person authorized by the settlor.

If a complete converted copy is generated from a complete and intact electronic record associated with an electronic trust instrument, the person who generates the complete converted copy is not required to sign the affidavit described in subsection (d).

(c) If:

(1) a person discovers an accurate but incomplete copy of an electronic trust instrument;
(2) the electronic record for the electronic trust instrument becomes:
(A) lost; or
(B) corrupted; or
(3) freedom from tampering or unauthorized alteration cannot be authenticated or verified;

a living settlor, attorney, custodian, or person responsible for the discovery of the incomplete electronic trust instrument may prepare a complete converted copy of the electronic trust instrument using all available information if the person creating the complete converted copy of the electronic trust instrument has access to a substantially complete, nonelectronic copy of the electronic trust instrument.

(d) A person who creates a complete converted copy of an electronic trust instrument under subsection (c) shall sign an affidavit that affirms or specifies, as applicable, the following:

(1) The date the electronic trust instrument was created.
(2) The time the electronic trust instrument was created.
(3) How the incomplete electronic trust instrument was discovered.
(4) The method and format used to store the original electronic record associated with the electronic trust instrument.
(5) The methods used, if any, to prevent tampering or the making of unauthorized alterations to the electronic record or electronic trust instrument.
(6) Whether the electronic trust instrument has been altered since its creation.
(7) Confirmation that an electronic record, including the document integrity evidence, if any, was created at the time the settlor made the electronic trust instrument.
(8) Confirmation that the electronic record has not been altered while in the custody of the current custodian or any prior custodian.
(9) Confirmation that the complete converted copy is a complete and correct duplication of the electronic trust instrument and the date, place, and time of its execution by the settlor or the settlor's authorized agent.

(e) A complete converted copy derived from a complete and correct electronic trust instrument may be docketed under IC 30-4-6-7 or, absent any objection, offered and admitted as evidence of the trust's terms in the same manner as the original and traditional paper trust instrument of the settlor. Whenever this article permits or requires the trustee of a trust to provide a copy of a trust instrument to a beneficiary or other interested person, the trustee may provide a complete converted copy of the electronic trust instrument. A complete and converted copy is conclusive evidence of the trust's terms unless otherwise determined by a court in an order entered upon notice to all interested persons and after an opportunity for a hearing.".

Delete page 10.

Page 11, delete lines 1 through 21.

(Reference is to SB 50 as printed January 17, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 139, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 139 as printed January 31, 2020.)

Committee Vote: Yeas 12, Nays 0.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred Senate Bill 178, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 7, delete lines 27 through 42.

Page 8, delete line 1.

Page 8, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 5. IC 3-10-7-32, AS AMENDED BY P.L.190-2011, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 32. (a) A town election board shall determine what voting method will be used in a municipal election.

(b) The town election board and its precinct election officers shall perform the duties of the county election board and its precinct election officers under IC 3-11 for each voting method used.

(c) The town election board shall prepare the ballots in the form prescribed by IC 3-11 and distribute them to the precincts in the town.

(d) This subsection applies only to paper ballots. Notwithstanding subsection (c), the town election board, by unanimous consent of the board's entire membership, may authorize the printing or reproduction of ballots on equipment under the control of the town clerk-treasurer. If the town election board acts under this subsection, the ballots are not required to conform to the precise dimensions concerning the size of political party devices under IC 3-11-2-9 or the placement of a candidate's name under ~~IC 3-11-2-10(f).~~ **IC 3-11-2-10(d).** However, the ballots must otherwise substantially conform with IC 3-11-2.".

Page 8, line 41, delete "if:" and insert "**if there are no candidates of that political party.**".

Page 8, delete line 42.

Page 9, delete lines 1 through 4, begin a new paragraph and insert:

"SECTION 7. IC 3-11-2-10, AS AMENDED BY P.L.278-2019, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 10. (a) Public questions shall be placed on the general election ballot in the following order after the statement described in section 7 of this chapter, and the instructions described in ~~subsections (d) and (e)~~ **subsection (c)** and section 8 of this chapter, if instructions are printed on the ballot:

(1) Ratification of a state constitutional amendment.

(2) Local public questions.

Subject to section 10.1 of this chapter, each public question shall be placed in a separate column on the ballot.

(b) The name or title of the political party or independent ticket described in section 6 of this chapter shall be placed on the general election ballot after the public questions described in subsection (a). The device of the political party or independent ticket shall be placed immediately under the name of the political party or independent ticket. ~~The instructions for voting a straight party ticket shall be placed to the right of the device, if instructions are printed on the ballot.~~

~~(c) The instructions for voting a straight party ticket must conform as nearly as possible to the following:~~

~~"(1) To vote a straight (insert political party name) ticket for all (insert political party name) candidates on this ballot, except for candidates described in (2) below, make a voting mark on or in this circle and do not make any other marks on this ballot.~~

~~(2) To vote for any candidate for an at-large office (insert county council, city common council, town council, or township board if those offices appear on this ballot) to which more than one **(1)** person may be elected, you must make another voting mark for each candidate you wish to vote for. Your straight party vote will not count as a vote for any candidate for that office.~~

~~(3) If you wish to vote for a candidate seeking a nonpartisan office or on a public question, you must make another voting mark on the appropriate place on this ballot.".~~

~~(d) Except as permitted under section 8(b) of this chapter, if the ballot contains an independent ticket described in section 6 of this chapter and at least one (1) other independent candidate, the ballot must also contain a statement that reads substantially as follows: "A vote cast for an independent ticket will only be counted for the candidates for President and Vice President or governor and lieutenant governor comprising that independent ticket. This vote will NOT be counted for any OTHER independent candidate appearing on the ballot.".~~

~~(e)~~ **(c)** Except as permitted under section 8(b) of this chapter, the ballot must also contain a statement that reads substantially as follows: "A write-in vote will NOT be counted unless the vote is for a DECLARED write-in candidate. To vote for a write-in candidate, you must make a voting mark on or in the square to the left of the name you have written in or your vote will not be counted.".

~~(f)~~ **(d)** Subject to section 10.1 of this chapter, the list of candidates of the political party shall be placed immediately under the instructions for voting. ~~a straight party ticket.~~ The names of the candidates shall be placed three-fourths (3/4) of an inch apart from center to center of the name. The name of each candidate must have, immediately on its left, a square three-eighths (3/8) of an inch on each side.

~~(g)~~ **(e)** The circuit court clerk may authorize the printing of ballots containing a ballot variation code to ensure that the proper version of a ballot is used within a precinct.".

Page 9, delete lines 16 through 33, begin a new paragraph and insert:

"SECTION 9. IC 3-11-2-12.4, AS ADDED BY P.L.21-2016, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 12.4. (a) This section applies whenever more than one (1) candidate may be elected to an office.

(b) The office shall be placed on the general election ballot after the offices described in section 12 of this chapter and before the offices described in section 12.9 of this chapter.

(c) Whenever candidates are to be elected to a county council, city common council, or town council that includes both an at-large member and a member representing a district, the candidates seeking election as a member representing a district shall be placed on the ballot after candidates seeking election as an at-large member.

~~(c)~~ **(d)** The ballot shall contain a statement reading substantially as follows above the name of the first candidate: "To vote for any candidate for this office, you must make a voting mark for each candidate you wish to vote for.". ~~A straight party vote will not count as a vote for any candidate for this office.".~~".

Page 12, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 15. IC 3-11-7-4, AS AMENDED BY P.L.278-2019, SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 4. (a) ~~Except as provided in subsection (b),~~ A ballot card voting system must permit a voter to vote:

~~(1) except at a primary election, a straight party ticket for all of the candidates of one (1) political party by a single voting mark on each ballot card;~~

~~(2)~~ **(1)** for one (1) or more candidates of each political party or independent candidates, or for one (1) or more school board candidates nominated by petition; **or**

~~(3)~~ **(2)** a split ticket for the candidates of different political parties and for independent candidates. ~~or~~

~~(4) a straight party ticket and then split that ticket by~~

~~casting individual votes for candidates of another political party or independent candidate.~~

~~(b) A ballot card voting system must require that a voter who wishes to cast a ballot for a candidate for election to an at-large district to which more than one person may be elected, on a:~~

~~(1) county council;~~

~~(2) city common council;~~

~~(3) town council; or~~

~~(4) township board;~~

~~make a voting mark for each individual candidate for whom the voter wishes to cast a vote. The ballot card voting system may not count any straight party ticket voting mark as a vote for any candidate for an office described by this subsection.~~

~~(c)~~ **(b)** A ballot card voting system must permit a voter to vote:

(1) for all candidates for presidential electors and alternate presidential electors of a political party or an independent ticket by making a single voting mark; and

(2) for or against a public question on which the voter may vote.

SECTION 16. IC 3-11-7-6 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 6. A ballot card voting system must count a ballot in accordance with IC 3-12-1-7 when a voter votes a straight ticket vote and votes for individual candidates as described by IC 3-12-1-7.~~

SECTION 17. IC 3-11-7.5-10, AS AMENDED BY P.L.278-2019, SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 10. (a) ~~Except as provided in subsection (b),~~ An electronic voting system must permit a voter to vote:

~~(1) except at a primary election, a straight party ticket for all the candidates of one (1) political party by touching the device of that party;~~

~~(2)~~ **(1)** for one (1) or more candidates of each political party or independent candidates, or for one (1) or more school board candidates nominated by petition; **or**

~~(3)~~ **(2)** a split ticket for the candidates of different political parties and for independent candidates. ~~or~~

~~(4) a straight party ticket and then split that ticket by casting individual votes for candidates of another political party or independent candidates.~~

~~(b) An electronic voting system must require that a voter who wishes to cast a ballot for a candidate for election to an at-large district to which more than one person may be elected, on a:~~

~~(1) county council;~~

~~(2) city common council;~~

~~(3) town council; or~~

~~(4) township board;~~

~~make a voting mark for each individual candidate for whom the voter wishes to cast a vote. The electronic voting system may not count any straight party ticket voting mark as a vote for any candidate for an office described by this subsection.~~

~~(c)~~ **(b)** An electronic voting system must permit a voter to vote:

(1) for as many candidates for an office as the voter may vote for, but no more;

(2) for or against a public question on which the voter may vote, but no other; and

(3) for all the candidates for presidential electors and alternate presidential electors of a political party or an independent ticket by making a single voting mark.".

Page 23, delete lines 3 through 42, begin a new paragraph and insert:

"SECTION 35. IC 3-11-11-10 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 10. If an election is a general or municipal election and a voter desires to vote for all the candidates of one (1) political party or group of petitioners, the voter may make a voting mark on or in a large circle enclosing the device and before the name under which the candidates of the party or group of petitioners are printed. The voter's vote shall then be counted for all the candidates under that party name or for the two (2) candidates comprising an independent ticket.~~

SECTION 36. IC 3-11-13-11, AS AMENDED BY P.L.278-2019, SECTION 104, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 11. (a) The ballot information, whether placed on the ballot card or on the marking device, must be in the order of arrangement provided for ballots under this section.

(b) Each county election board shall have the names of all candidates for all elected offices, political party offices, and public questions printed on a ballot card as provided in this chapter. The county may:

(1) print all offices and questions on a single ballot card; and

(2) include a ballot variation code to ensure that the proper version of a ballot is used within a precinct.

(c) Each type of ballot card must be of uniform size and of the same quality and color of paper (except as permitted under IC 3-10-1-17).

(d) The nominees of a political party or an independent candidate or independent ticket (described in IC 3-11-2-6) nominated by petitioners shall be listed on the ballot with the name and device set forth on the certification or petition. The circle containing the device may be of any size that permits a voter to readily identify the device. IC 3-11-2-5 applies if the certification or petition does not include a name or device, or if the same device is selected by two (2) or more parties or petitioners.

(e) The offices and public questions on the general election ballot must be placed on the ballot in the order listed in IC 3-11-2-12, IC 3-11-2-12.2, IC 3-11-2-12.4, IC 3-11-2-12.5, IC 3-11-2-12.7(b), IC 3-11-2-12.9(a), **IC 3-11-2-12.9(c),** IC 3-11-2-13(a) through IC 3-11-2-13(c), IC 3-11-2-14(a), and IC 3-11-2-14(d). The offices and public questions may be listed in a continuous column **or row** either vertically or horizontally and on a number of separate pages.

(f) The name of each office must be printed in a uniform size in bold type. A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate:

(1) "Vote for one (1) only.", if only one (1) candidate is to be elected to the office.

(2) "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office. To vote for any candidate for this office, you must make a voting mark for each candidate you wish to vote for.", ~~A straight party vote will not count as a vote for any candidate for this office.",~~ if more than one (1) candidate is to be elected to the office.

(g) Below the name of the office and the statement required by subsection (f), the names of the candidates for each office must be grouped together in the following order:

(1) The major political party whose candidate received the ~~highest~~ **greatest** number of votes in the county for secretary of state at the ~~last~~ **most recent** election **for secretary of state** is listed first.

(2) The major political party whose candidate received the second ~~highest~~ **greatest** number of votes in the county for secretary of state is listed second.

(3) All other political parties listed in the order that the parties' candidates for secretary of state finished in the ~~last~~ **most recent** election **for secretary of state** are listed after the party listed in subdivision (2).

(4) If a political party did not have a candidate for secretary of state in the ~~last~~ **most recent** election **for secretary of state** or a nominee is an independent candidate or independent ticket (described in IC 3-11-2-6), the party or candidate is listed after the parties described in subdivisions (1), (2), and (3).

(5) If more than one (1) political party or independent candidate or ticket described in subdivision (4) qualifies to be on the ballot, the parties, candidates, or tickets are listed in the order in which the party filed its petition of nomination under IC 3-8-6-12.

(6) A space for write-in voting is placed after the candidates listed in subdivisions (1) through (5), if required by law.

(7) The name of a write-in candidate may not be listed on the ballot.

(h) The names of the candidates grouped in the order established by subsection (g) must be printed in type with uniform capital letters and have a uniform space between each name. The name of the candidate's political party, or the word "Independent" if the:

(1) candidate; or

(2) ticket of candidates for:

(A) President and Vice President of the United States; or

(B) governor and lieutenant governor;

is independent, must be placed immediately below or beside the name of the candidate and must be printed in a uniform size and type.

(i) All the candidates of the same political party for election to at-large seats on the fiscal or legislative body of a political subdivision must be grouped together:

(1) under the name of the office that the candidates are seeking;

(2) in the order established by subsection (g); and

(3) within the political party, in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) of ANY party for this office.".

(j) Candidates for election to at-large seats on the governing body of a school corporation must be grouped:

(1) under the name of the office that the candidates are seeking; and

(2) in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office.".

(k) The following information must be placed at the top of the ballot before the first public question is listed:

(1) The cautionary statement described in IC 3-11-2-7.

(2) The instructions described in IC 3-11-2-8 ~~IC 3-11-2-10(d),~~ and ~~IC 3-11-2-10(e).~~ **IC 3-11-2-10(c).**

(l) The ballot must include: ~~a single connectable arrow, circle, oval, or square, or a voting position for voting a straight party or an independent ticket (described in IC 3-11-2-6) by one (1) mark as required by section 14 of this chapter, and the single connectable arrow, circle, oval, or square, or the voting position for casting a straight party or an independent ticket ballot must be identified by:~~

(1) the name of the political party or independent ticket (described in IC 3-11-2-6); and

(2) immediately below or beside the political party's or independent ticket's name, the device of that party or ticket (described in IC 3-11-2-5).

The name and device of each political party or independent ticket must be of uniform size and type and arranged in the order established by subsection (g) for listing candidates under each office. The ~~instructions described in IC 3-11-2-10(c) for voting a straight party ticket and the~~ statement concerning presidential electors required under IC 3-10-4-3 may be placed on the ballot label or in a location within the voting booth in a location that permits the voter to easily read the instructions.

(m) A public question must be in the form described in IC 3-11-2-15(a) and IC 3-11-2-15(b), except that a single connectable arrow, a circle, or an oval may be used instead of a square. Except as expressly authorized or required by statute, a county election board may not print a ballot card that contains language concerning the public question other than the language authorized by a statute.

(n) The requirements in this section:

(1) do not replace; and

(2) are in addition to;

any other requirements in this title that apply to optical scan ballots.

(o) The procedure described in IC 3-11-2-16 must be used when a ballot does not comply with the requirements imposed by this title or contains another error or omission that might result in confusion or mistakes by voters.

(p) This subsection applies to an optical scan ballot that does not list:

(1) the names of ~~political parties or~~ candidates; or

(2) the text of public questions;

on the face of the ballot. The ballot must be prepared in accordance with this section, except that the ballot must include a numbered circle or oval to refer to each political party, candidate, or public question.".

Delete pages 24 through 25.

Page 26, delete lines 1 through 16.

Page 26, delete lines 22 through 42, begin a new paragraph and insert:

"SECTION 38. IC 3-11-13-14 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 14. (a) In partisan elections, the ballot labels must include a voting square or position where a voter may by one (1) voting mark on each card record a straight party or an independent ticket vote for all the candidates of one (1) political party or the independent ticket, except for offices for which the voter:~~

~~(1) is required to cast an individual vote for a candidate under IC 3-11-7-4(b); or~~

~~(2) has voted individually for a candidate for any other office.~~

~~(b) If the voter records a vote for the two (2) candidates comprising an independent ticket, the vote must not count for any other independent candidate on the ballot.~~

SECTION 39. IC 3-11-13-22, AS AMENDED BY P.L.278-2019, SECTION 106, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 22. (a) This section applies to:

(1) a ballot card voting system; and

(2) a voting system that includes features of a ballot card voting system and a direct record electronic voting system.

(b) Not later than seventy-four (74) days before election day, for each county planning to use automatic tabulating machines at the next election, VSTOP shall provide each county election board with two (2) lists of unique identification numbers for the machines to be tested by the county. The number of machines selected in each list must be:

(1) approved by the division; and

(2) not less than five percent (5%) of the machines in the county.

(c) The county election board shall test the machines in the first list described in subsection (b) to ascertain that the machines will correctly count the votes cast ~~for straight party tickets,~~ for all candidates (including write-in candidates) and on all public questions. If an individual attending the public test requests that additional automatic tabulating machines be tested, then the county election board shall test machines from the second list described in subsection (b).

(d) If VSTOP does not provide the lists under subsection (b) not later than sixty (60) days before the election, the county election board shall establish and implement a procedure for random selection of not less than five percent (5%) of the

machines in the county. The county election board shall then test the machines selected as described in subsection (c).

(e) Not later than seven (7) days after conducting the test under subsection (c), the county election board shall certify to the election division that the test has been conducted in conformity with subsection (c). The testing under subsection (c) must begin before absentee voting begins in the office of the circuit court clerk under IC 3-11-10-26.

(f) Public notice of the time and place shall be given at least forty-eight (48) hours before the test. The notice shall be published once in accordance with IC 5-3-1-4.

(g) If a county election board determines that:

(1) a ballot:

(A) must be reprinted or corrected as provided by IC 3-11-2-16 because of the omission of a candidate, political party, or public question from the ballot; or

(B) is an absentee ballot that a voter is entitled to recast under IC 3-11.5-4-2 because the absentee ballot includes a candidate for election to office who:

(i) ceased to be a candidate; and

(ii) has been succeeded by a candidate selected under IC 3-13-1 or IC 3-13-2; and

(2) ballots used in the test conducted under this section were not reprinted or corrected to remove the omission of a candidate, political party, or public question, or indicate the name of the successor candidate;

the county election board shall conduct an additional public test described in subsection (c) using the reprinted or corrected ballots. Notice of the time and place of the additional test shall be given in accordance with IC 5-14-1.5, but publication of the notice in accordance with IC 5-3-1-4 is not required.

SECTION 40. IC 3-11-13-31.7, AS AMENDED BY P.L.21-2016, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 31.7. (a) This section is enacted to comply with 52 U.S.C. 21081 by establishing uniform and nondiscriminatory standards to define what constitutes a vote on an optical scan voting system.

(b) After receiving ballot cards, a voter shall, without leaving the room, go alone into one (1) of the booths or compartments that is unoccupied and indicate:

(1) the candidates for whom the voter desires to vote by marking the connectable arrows, circles, ovals, or squares immediately beside:

(A) the candidates' names; or

(B) the numbers referring to the candidates; and

(2) the voter's preference on each public question by marking the connectable arrow, oval, or square beside:

(A) the word "yes" or "no" under the question; or

(B) the number referring to the word "yes" or "no" on the ballot.

~~(c) If an election is a general or municipal election and a voter desires to vote for all the candidates of one (1) political party or independent ticket (described in IC 3-11-2-6), the voter may mark:~~

~~(1) the circle enclosing the device; or~~

~~(2) the connectable arrow, circle, oval, or square described in section 11 of this chapter;~~

~~that designates the candidates of that political party or independent ticket (described in IC 3-11-2-6). Except as provided by IC 3-11-7-4(b), the voter's vote shall then be counted for all the candidates of that political party or included in the independent ticket (described in IC 3-11-2-6). However, if the voter marks the circle, arrow, oval, or square of an independent ticket (described in IC 3-11-2-6), the vote shall not be counted for any other independent candidate on the ballot.~~

~~(d)~~ **(c)** This subsection applies to a voter casting a ballot on a voting system that includes features of both an optical scan ballot card voting system and a direct record electronic voting system. After entering into a booth used with the voting system, the voter shall indicate the candidates for whom the voter desires to vote and the voter's preference on each public question by:

(1) inserting a paper ballot or an optical scan ballot into the voting system; or

(2) using headphones to listen to a recorded list of political parties, candidates, and public questions.

~~(e)~~ **(d)** A voter using a voting system described in subsection ~~(d)~~ **(c)** may indicate the voter's selections by:

(1) touching a device on or in the squares immediately adjacent to the name of a political party, candidate, or response to a public question; or

(2) indicating the voter's choices by using a sip puff device that enables the voter to indicate a choice by inhaling or exhaling.".

Page 27, delete lines 1 through 42, begin a new paragraph and insert:

"SECTION 41. IC 3-11-14-3.5, AS AMENDED BY P.L.21-2016, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 3.5. (a) Each county election board shall have the names of all candidates for all elected offices, political party offices, and public questions printed on ballot labels for use in an electronic voting system as provided in this chapter.

(b) The county may:

(1) print all offices and public questions on a single ballot label; and

(2) include a ballot variation code to ensure that the proper version of a ballot label is used within a precinct.

(c) Each type of ballot label must be of uniform size and of the same quality and color of paper (except as permitted under IC 3-10-1-17).

(d) The nominees of a political party or an independent candidate or independent ticket (described in IC 3-11-2-6) nominated by petitioners must be listed on the ballot label with the name and device set forth on the certification or petition. The circle containing the device may be of any size that permits a voter to readily identify the device. IC 3-11-2-5 applies if the certification or petition does not include a name or device, or if the same device is selected by two (2) or more parties or petitioners.

(e) The ballot labels must list the offices and public questions on the general election ballot in the order listed in IC 3-11-2-12, IC 3-11-2-12.2, IC 3-11-2-12.4, IC 3-11-2-12.5, IC 3-11-2-12.7(b), IC 3-11-2-12.9(a), IC 3-11-2-13(a) through IC 3-11-2-13(c), IC 3-11-2-14(a), and IC 3-11-2-14(d). Each office and public question may have a separate screen, or the offices and public questions may be listed in a continuous column either vertically or horizontally.

(f) The name of each office must be printed in a uniform size in bold type. A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate:

(1) "Vote for one (1) only.", if only one (1) candidate is to be elected to the office.

(2) "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office.", ~~To vote for any candidate for this office, you must make a voting mark for each candidate you wish to vote for. A straight party vote will not count as a vote for any candidate for this office.",~~ if more than one (1) candidate is to be elected to the office.

(g) Below the name of the office and the statement required by subsection (f), the names of the candidates for each office must be grouped together in the following order:

(1) The major political party whose candidate received the ~~highest~~ **greatest** number of votes in the county for secretary of state at the ~~last~~ **most recent** election **for secretary of state** is listed first.

(2) The major political party whose candidate received the second ~~highest~~ **greatest** number of votes in the county for secretary of state is listed second.

(3) All other political parties listed in the order that the parties' candidates for secretary of state finished in the ~~last~~ **most recent** election **for secretary of state** are listed after the party listed in subdivision (2).

(4) If a political party did not have a candidate for secretary of state in the ~~last~~ **most recent** election **for secretary of state** or a nominee is an independent candidate or independent ticket (described in IC 3-11-2-6), the party or candidate is listed after the parties described in subdivisions (1), (2), and (3).

(5) If more than one (1) political party or independent candidate or ticket described in subdivision (4) qualifies to be on the ballot, the parties, candidates, or tickets are listed in the order in which the party filed its petition of nomination under IC 3-8-6-12.

(6) A space for write-in voting is placed after the candidates listed in subdivisions (1) through (5), if required by law. A space for write-in voting for an office is not required if there are no declared write-in candidates for that office. However, procedures must be implemented to permit write-in voting for candidates for federal offices.

(7) The name of a write-in candidate may not be listed on the ballot.

(h) The names of the candidates grouped in the order established by subsection (g) must be printed in type with uniform capital letters and have a uniform space between each name. The name of the candidate's political party, or the word "Independent", if the:

(1) candidate; or

(2) ticket of candidates for:

(A) President and Vice President of the United States; or

(B) governor and lieutenant governor;

is independent, must be placed immediately below or beside the name of the candidate and must be printed in uniform size and type.

(i) All the candidates of the same political party for election to at-large seats on the fiscal or legislative body of a political subdivision must be grouped together:

(1) under the name of the office that the candidates are seeking;

(2) in the party order established by subsection (g); and

(3) within the political party, in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) of ANY party for this office.".

(j) Candidates for election to at-large seats on the governing body of a school corporation must be grouped:

(1) under the name of the office that the candidates are seeking; and

(2) in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office.".

(k) The cautionary statement described in IC 3-11-2-7 must be placed at the top or beginning of the ballot label before the first public question is listed.

(l) The instructions described in IC 3-11-2-8 ~~IC 3-11-2-10(d),~~ and ~~IC 3-11-2-10(e)~~ **IC 3-11-2-10(c)** may be:

(1) placed on the ballot label; or

(2) posted in a location within the voting booth that permits the voter to easily read the instructions.

(m) The ballot label must include: ~~a touch sensitive point or button for voting a straight political party or independent ticket (described in IC 3-11-2-6) by one (1) touch, and the touch sensitive point or button must be identified by:~~

(1) the name of the political party or independent ticket; and

(2) immediately below or beside the political party's or independent ticket's name, the device of that party or ticket (described in IC 3-11-2-5).

The name and device of each party or ticket must be of uniform size and type, and arranged in the order established by subsection (g) for listing candidates under each office. The ~~instructions described in IC 3-11-2-10(c) for voting a straight party ticket and the~~ statement concerning presidential electors required under IC 3-10-4-3 may be placed on the ballot label or in a location within the voting booth that permits the voter to easily read the instructions.

(n) A public question must be in the form described in IC 3-11-2-15(a) and IC 3-11-2-15(b), except that a touch sensitive point or button must be used instead of a square. Except as expressly authorized or required by statute, a county election board may not print a ballot label that contains language concerning the public question other than the language authorized by a statute.

(o) The requirements in this section:

(1) do not replace; and

(2) are in addition to;

any other requirements in this title that apply to ballots for electronic voting systems.

(p) The procedure described in IC 3-11-2-16 must be used when a ballot label does not comply with the requirements imposed by this title or contains another error or omission that might result in confusion or mistakes by voters.".

Delete pages 28 through 29.

Page 30, delete lines 1 through 12.

Page 30, delete lines 18 through 27, begin a new paragraph and insert:

"SECTION 43. IC 3-11-14-23, AS AMENDED BY P.L.21-2016, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 23. (a) This section is enacted to comply with 52 U.S.C. 21081 by establishing uniform and nondiscriminatory standards to define what constitutes a vote on an electronic voting system.

(b) If a voter is not challenged by a member of the precinct election board, the voter may pass the railing to the side where an electronic voting system is and into the voting booth. There the voter shall register the voter's vote in secret by indicating:

(1) the candidates for whom the voter desires to vote by touching a device on or in the squares immediately above the candidates' names;

(2) if the voter intends to cast a write-in vote, a write-in vote by touching a device on or in the square immediately below the candidates' names and printing the name of the candidate in the window provided for write-in voting; and

(3) the voter's preference on each public question by touching a device above the word "yes" or "no" under the question.

~~(c) If an election is a general or municipal election and a voter desires to vote for all the candidates of one (1) political party or group of petitioners, the voter may cast a straight party ticket by touching that party's device. Except as provided in IC 3-11-7.5-10(b), the voter's vote shall then be counted for all the candidates under that name. However, if the voter casts a vote by touching the circle of an independent ticket comprised of two (2) candidates, the vote shall not be counted for any other independent candidate on the ballot.~~

~~(d)~~ **(c)** As provided by 52 U.S.C. 21081, a voter casting a ballot on an electronic voting system must be:

(1) permitted to verify in a private and independent manner the votes selected by the voter before the ballot is cast and counted;

(2) provided the opportunity to change the ballot or correct any error in a private and independent manner before the ballot is cast and counted, including the

opportunity to receive a replacement ballot if the voter is otherwise unable to change or correct the ballot; and

(3) notified before the ballot is cast regarding the effect of casting multiple votes for the office and provided an opportunity to correct the ballot before the ballot is cast and counted.

SECTION 44. IC 3-11-14.5-1, AS AMENDED BY P.L.278-2019, SECTION 113, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. (a) Not later than seventy-four (74) days before election day, for each county planning to use an electronic voting system at the next election, VSTOP shall provide each county election board with two (2) lists of unique identification numbers for the machines to be tested by the county. The number of machines selected in each list must be:

(1) approved by the division; and

(2) not less than five percent (5%) of the machines in the county.

(b) The county election board shall test the machines in the first list described in subsection (a) to ascertain that the machines will correctly count the votes cast ~~for straight party tickets,~~ for all candidates (including write-in candidates) and on all public questions. If an individual attending the public test requests that additional electronic voting systems be tested, then the county election board shall test machines from the second list described in subsection (a).

(c) If VSTOP does not provide the lists under subsection (a) not later than sixty (60) days before the election, the county election board shall establish and implement a procedure for random selection of not less than five percent (5%) of the machines in the county. The county election board shall then test the machines selected as described in subsection (b).

(d) The testing under subsection (b) must begin before absentee voting starts in the office of the circuit court clerk under IC 3-11-10-26.

(e) If a county election board determines that:

(1) a ballot provided by an electronic voting system:

(A) must be corrected as provided by IC 3-11-2-16 because of the omission of a candidate, political party, or public question from the ballot; or

(B) is an absentee ballot that a voter is entitled to recast under IC 3-11.5-4-2 because the absentee ballot includes a candidate for election to office who:

(i) ceased to be a candidate; and

(ii) has been succeeded by a candidate selected under IC 3-13-1 or IC 3-13-2; and

(2) machines used in the test conducted under this section did not contain a ballot that was reprinted or corrected to remove the omission of a candidate, political party, or public question, or indicate the name of the successor candidate;

the county election board shall conduct an additional public test described in subsection (b) using the machines previously tested and containing the reprinted or corrected ballots.".

Page 38, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 55. IC 3-12-1-1, AS AMENDED BY P.L.64-2014, SECTION 68, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. Subject to sections 5, 6, 7, ~~8,~~ 9, 9.5, and 13 of this chapter, the primary factor to be considered in determining a voter's choice on a ballot is the intent of the voter. If the voter's intent can be determined on the ballot or on part of the ballot, the vote shall be counted for the affected candidate or candidates or on the public question. However, if it is impossible to determine a voter's choice of candidates on a part of a ballot or vote on a public question, then the voter's vote concerning those candidates or public questions may not be counted.

SECTION 56. IC 3-12-1-5, AS AMENDED BY P.L.278-2019, SECTION 137, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 5. (a) This subsection does not apply to a ballot card voting system or an electronic voting system. ~~Except as provided in subsection (d),~~ A voting mark made by a voter on or in a voting square at the left of a candidate's name ~~or political party's name~~ shall be counted as a vote for the candidate. ~~or candidates of the political party.~~

(b) This subsection applies to a ballot card voting system. A voting mark made by a voter:

(1) on or in a circle, oval, or square; or

(2) to connect a connectable arrow;

immediately below or beside a candidate's name ~~or political party's name~~ shall be counted as a vote for the candidate. ~~or candidates of the political party, except as provided in subsection (d).~~

(c) This subsection applies to a direct record electronic voting system. A voting mark made by a voter touching a touch sensitive point or button below or beside a candidate's name ~~or political party's name~~ shall be counted as a vote for the candidate. ~~or candidates of the political party, except as provided in subsection (d).~~

~~(d) A voter who wishes to cast a ballot for a candidate for election to an at-large district to which more than one (1) person may be elected on a:~~

~~(1) county council;~~

~~(2) city common council;~~

~~(3) town council; or~~

~~(4) township board;~~

~~must make a voting mark for each individual candidate for whom the voter wishes to cast a vote. A straight ticket voting mark on a paper ballot, ballot card voting system, or electronic voting system shall not be counted as a straight party ticket voting mark as a vote for any candidate for an office described by this subsection.~~

SECTION 57. IC 3-12-1-7, AS AMENDED BY P.L.21-2016, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 7. ~~(a) This subsection applies whenever a voter:~~

~~(1) votes a straight party ticket; and~~

~~(2) votes only for one (1) or more individual candidates who are all of the same political party as the straight ticket vote.~~

~~Except as provided in subsection (d) or (e), the straight ticket vote shall be counted and the individual candidate votes may not be counted.~~

~~(b) This subsection applies whenever:~~

~~(1) a voter has voted a straight party ticket for the candidates of one (1) political party;~~

~~(2) only one (1) person may be elected to an office; and~~

~~(3) the voter has voted for one (1) individual candidate for the office described in subdivision (2) who is:~~

~~(A) a candidate of a political party other than the party for which the voter voted a straight ticket; or~~

~~(B) an independent candidate or declared write-in candidate for the office.~~

~~If the voter has voted for one (1) individual candidate for the office described in subdivision (2), the individual candidate vote for that office shall be counted, the straight party ticket vote for that office may not be counted, and the straight party ticket votes for other offices on the ballot shall be counted.~~

~~(c) This subsection applies whenever:~~

~~(1) a voter has voted a straight party ticket for the candidates of one (1) political party; and~~

~~(2) the voter has voted for more individual candidates for the office than the number of persons to be elected to that office.~~

~~The individual candidate votes for that office may not be counted, the straight party ticket vote for that office may not be counted, and the straight party ticket votes for other offices on the ballot shall be counted.~~

~~(d) This subsection applies whenever:~~

~~(1) a voter has voted a straight party ticket for the candidates of one (1) political party;~~

~~(2) more than one (1) person may be elected to an office; and~~

~~(3) the voter has voted for individual candidates for the office described in subdivision (2) who are:~~

~~(A) independent candidates or declared write-in candidates;~~

~~(B) candidates of a political party other than the political party for which the voter cast a straight party ticket under subdivision (1); or~~

~~(C) a combination of candidates described in clauses (A) and (B).~~

~~The individual votes cast by the voter for the office for the independent candidates, declared write-in candidates, and the candidates of a political party other than the political party for which the voter cast a straight party ticket shall be counted unless the total number of these individual votes is greater than the number of persons to be elected to the office. The straight party ticket votes for the office shall not be counted. The straight party ticket votes for other offices on the voter's ballot shall be counted.~~

~~(e) This subsection applies whenever:~~

~~(1) a voter has voted a straight party ticket for the candidates of one (1) political party;~~

~~(2) more than one (1) person may be elected to an office; and~~

~~(3) the voter has voted for individual candidates for the office described in subdivision (2) who are:~~

~~(A) independent candidates, declared write-in candidates, or candidates of a political party other than the political party for which the voter cast a straight party ticket under subdivision (1); and~~

~~(B) candidates of the same political party for which the voter cast a straight party ticket under subdivision (1).~~

~~The individual votes cast by the voter for the office for the independent candidates, the declared write-in candidates, and the candidates of a political party other than the political party for which the voter cast a straight party ticket, and the candidates of the political party for which the voter cast a straight party ticket shall be counted unless the total number of these individual votes is greater than the number of persons to be elected to the office. The straight party ticket votes for the office shall not be counted. The straight party ticket votes for other offices on the voter's ballot shall be counted.~~

~~(f) If a voter votes a straight party ticket for more than one (1) political party, the whole ballot is void with regard to all candidates nominated by a political party, declared write-in candidates, or candidates designated as independent candidates on the ballot. However, the voter's vote for a school board candidate or on a public question shall be counted if otherwise valid under this chapter.~~

~~(g)~~ **(a)** If ~~a voter does not vote a straight party ticket and~~ the number of votes cast by ~~that~~ **a** voter for the candidates for an office are less than or equal to the number of openings for that office, the individual candidates votes shall be counted.

~~(h)~~ **(b)** If ~~a voter does not vote a straight party ticket and~~ the number of votes cast by ~~that~~ **a** voter for an office exceeds the number of openings for that office, none of the votes concerning that office may be counted.

SECTION 58. IC 3-12-1-7.5, AS AMENDED BY P.L.21-2016, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 7.5. (a) If a voter votes for one (1) individual candidate for an office for which only one (1) person may be elected and also writes in the name of another candidate for the same office, neither vote may be counted.

(b) If a voter votes for at least one (1) individual candidate for an office for which at least two (2) people may be elected and also writes in the name of at least one (1) candidate, the vote for that office may not be counted unless the number of individual votes cast for the office, when added to the number of write-in votes cast for that office, is less than or equal to the number of seats available for that office.

(c) If a voter votes an individual ~~or a straight party~~ vote for a candidate for an office and also writes in the name of the same candidate for the same office, only one (1) vote for that candidate may be counted.

SECTION 59. IC 3-12-1-8 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 8. (a) Except as provided in subsection (b), a voting mark made by a voter on or in a circle containing a political party device shall be counted as a vote for each candidate of that political party on that ballot.~~

~~(b) A voter who wishes to cast a ballot for a candidate for election to an at-large district to which more than one (1) person may be elected on a:~~

~~(1) county council;~~

~~(2) city common council;~~

~~(3) town council; or~~

~~(4) township board;~~

~~must make a voting mark for each individual candidate for whom the voter wishes to cast a vote. A voting mark on or in a circle containing a political party device shall not be counted as a straight party ticket voting mark as a vote for any candidate for an office described by this subsection.~~

SECTION 60. IC 3-12-1-14 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 14. (a) This section does not apply to a vote

~~(1)~~ cast for President or Vice President of the United States under IC 3-10-4-6. ~~or~~

~~(2) described by section 15 of this chapter.~~

(b) A vote cast for a candidate who ceases to be a candidate may not be counted as a vote for a successor candidate selected under IC 3-13-1 or IC 3-13-2.

SECTION 61. IC 3-12-1-15 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 15. (a) This section does not apply to a candidate for an at-large office of a county council, city common council, town council, or township board, if those offices appear on a ballot.~~

~~(b) This section applies to a vote cast for one (1) straight party ticket that includes a candidate for election to office who:~~

~~(1) ceases to be a candidate; and~~

~~(2) is succeeded by a candidate selected under IC 3-13-1 or IC 3-13-2.~~

~~(c) A vote cast in the election for the original nominee is considered a vote cast for the successor.~~".

Page 40, delete lines 22 through 41.

Renumber all SECTIONS consecutively.

(Reference is to SB 178 as printed January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 8, nays 2.

Wesco, Chair

Report adopted.

ENGROSSED SENATE BILLS ON SECOND READING

Pursuant to House Rule 143.1 , the following bills which had no amendments filed, were read a second time by title and ordered engrossed: Engrossed Senate Bills 19, 39, 61, 187 and 273.

RESOLUTIONS ON FIRST READING

House Resolution 18

Representatives Hamilton, GiaQuinta, Chyung, Bartlett, DeLaney, Macer, Beck, Jackson, Fleming, Errington, Dvorak, Forestal, Campbell, Hatfield, Deal, Pfaff, Pryor, Goodin, Boy, Pierce, Klinker and Aylesworth introduced House Resolution 18:

A HOUSE RESOLUTION concerning the protection and conservation of Indiana's natural heritage.

Whereas, The state of Indiana endeavors to be a good steward of state and local natural resources;

Whereas, Scientific evidence from thousands of studies, including those conducted by Indiana's own universities, demonstrates the reality of climate change;

Whereas, All Hoosiers should have the opportunity to live healthy and financially secure lives today, as well as in coming decades;

Whereas, The Indiana Climate Change Impacts Assessment (INCCIA) led by Purdue University has documented current and projected changes to Indiana's climate;

Whereas, Temperatures are projected to rise as much as 5 to 6 degrees Fahrenheit by the midcentury with the number of extremely hot days rising significantly statewide, and the same study found an overall potential for significantly more warming of temperatures by the century's end;

Whereas, The study also found that the average annual precipitation has increased by 5.6 inches since 1895, with more heavy downpours, indicating that winters and springs are likely to be much wetter by the midcentury leading to greater chances of floods;

Whereas, The impacts of climate change on Indiana's communities, businesses and infrastructure are well documented in the INCCIA, including projected impacts by 2050 such as: more frequent heat stress days and a doubling of water deficits reducing corn yields, for current varieties, by 16 to 20 percent; livestock productivity and fertility will decline as heat stress events more than double; growing seasons for allergens, like ragweed, will increase by four weeks; the number of days above 95 degrees Fahrenheit will increase, degrading air quality and triggering asthma attacks and heart attacks, thereby straining infrastructure; warmer and wetter springs will increase mosquito populations, increasing the risk of exposure to diseases like malaria and Zika; and warmer winters will reduce days available to harvest wood without damaging forest soils;

Whereas, The impacts indicated by the INCCIA pose significant threats to Indiana farmers, who would be particularly impacted by crop failures, disruptions in supply chains, and a reduction in agricultural yields due to rising temperatures, drought, flooding and extreme heat;

Whereas, These impacts also pose significant health and economic risks to Indiana citizens, including waterborne disease outbreaks, compromised drinking water, increases in disease spreading organisms, exposure to air pollution, and the costs associated with recovering from floods, among other issues;

Whereas, Indiana is well positioned to take advantage of its technology, research, and development sectors, along with its university resources and skilled workforce, to promote renewable energy technology solutions and to foster innovations in the agricultural sector that grow the state's economy; and

Whereas, Measures that can help the state of Indiana become more climate resilient are available, feasible, cost effective, and often have immediate community and economic benefits such as job creation, lower energy costs, less air pollution and improved quality of life: Therefore,

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

SECTION 1. That the Indiana House of Representatives urges the legislative council to assign to an appropriate interim study committee the topic of climate impacts referenced in reports such as the Indiana Climate Change Impacts Assessment led by Purdue University to recommend public policy action for the state of Indiana.

SECTION 2. That the legislative council is urged to create a new task force for the purpose of studying climate change and mitigation measures. This task force may consist of the following thirteen (13) members:

(1) Four (4) members of the senate, appointed as follows:
(A) Two (2) members appointed by the president pro tempore, one (1) of whom shall serve as co-chair of the task force.
(B) Two (2) members appointed by the minority leader.

(2) Four (4) members of the house of representatives, appointed as follows:
(A) Two (2) members appointed by the speaker,
(B) Two (2) members appointed by the minority leader, one (1) of whom shall serve as co-chair of the task force.

(3) Two (2) members who have broad experience in electric utility policy and who are appointed by the governor, at least one (1) of whom represents utility ratepayers.

(4) One (1) member from Purdue's Climate Research Center appointed by the governor.

(5) One (1) member from Indiana University's Environmental Resiliency Institute appointed by the governor.

(6) One (1) member who has expertise in renewable energy technology and deployment appointed by the governor.

SECTION 3. That the interim study committee or task force assigned the topic of climate change and mitigation measures shall prepare a report by December 1, 2020, including recommendations in the following areas: the development of renewable energy targets; the identification of adaptation measures; additional areas of study to address the projected impacts on Indiana's agricultural sector; opportunities to grow Indiana's clean energy manufacturing sector, including the manufacture of electric vehicle components, as well as wind turbine and solar panel components; a plan for decreasing the greenhouse gas emissions from motor vehicles owned and operated in Indiana, including increasing the number of registered, zero emission vehicles significantly; the development of policies to increase waste reduction, reuse, composting and recycling activities across the state; and policies to encourage public-private partnerships in developing, financing, and implementing climate resilient infrastructure investments.

SECTION 4. That the Indiana House of Representatives commits to developing and passing legislation to enact recommendations developed by the study committee during the session following the delivery of the committee's report.

SECTION 5. That the Indiana House of Representatives commits to integrate science based assessments of the impacts of climate change into its consideration of legislative proposals in the future.

SECTION 6. That the Indiana House of Representatives commits to developing and passing legislation to enact recommendations developed by the study committee during the session following the delivery of the committee's report.

SECTION 7. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Carey Hamilton for distribution.

The resolution was read a first time and referred to the Committee on Environmental Affairs.

House Resolution 19

Representative Lucas introduced House Resolution 19:

A HOUSE RESOLUTION honoring Hunter Wart.

Whereas, Hunter Wart worked for a year mowing lawns and selling scrap metal to raise $10,000 to purchase a Safe Haven Baby Box;

Whereas, Mr. Wart made the purchase as part of his senior project at Columbus North High School;

Whereas, The Seymour, Indiana, fire station agreed to work with Mr. Wart and installed the baby box in June 2019;

Whereas, A healthy baby girl was surrendered at the Seymour fire station on January 23, 2020;

Whereas, Firefighters received the alert from the box and provided the infant care within a minute after being surrendered. The firefighters transported the infant to the hospital shortly thereafter; and

Whereas, Mr. Wart's actions directly saved the life of a child: Therefore,

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

SECTION 1. That the Indiana House of Representatives honors Mr. Hunter Wart for his donation of a baby box to Seymour, Indiana, and its direct contribution to saving the life of a newborn child.

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

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

House Resolution 20

Representative Bacon introduced House Resolution 20:

A HOUSE RESOLUTION urging the pursuit of policy that increases organ donor supply.

Whereas, Indiana leads the Midwest in donor registrations, with more than 75% of Indiana citizens over the age of 18 registered as donors;

Whereas, An estimated 90 candidates in Indiana are on the wait list for a liver transplant, according to the United Network for Organ Sharing (UNOS);

Whereas, UNOS is a private government contractor that operates the Organ Procurement Transplantation Network, which manages the national system that matches donated organs with recipients;

Whereas, UNOS also develops the allocation policies that prioritize recipients and determine which candidates are offered which organs;

Whereas, The United States was previously divided into 11 regions and 58 smaller geographic areas called donation service areas or DSAs;

Whereas, Under the DSA model, donated livers were offered first to the sickest patients in the donor's DSA and region and then shared nationally;

Whereas, The Organ Procurement Transplantation Network adopted a new liver allocation policy that became effective on February 4, 2020, known as the Acuity Circles Policy, which will decrease the number of transplants nationally, according to a federal contractor's calculations;

Whereas, The country will experience dramatic shifts from sharing donor livers based on medical need, while prioritizing local patients to flying organs and transplant teams up to 500 nautical miles away from each donor hospital, if the Acuity Circles Policy takes effect;

Whereas, Transplant candidates in certain regions of the country, including Indiana, where there is a higher rate of mortality while waiting for a liver transplant will have to wait longer to receive an organ under the Acuity Circles Policy; and

Whereas, The Acuity Circles Policy will disproportionately increase the risk for patients, donor organs, and transplant teams in those regions, including Indiana, and does not address the core issue of transplantation in the United States, a shortage of donated organs: Therefore,

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

SECTION 1. That the Indiana House of Representatives urges the pursuit of policies that seek to increase the supply of organs through improvements in DSA level donation rates, in conjunction with other policies, that may serve to improve the current system of organ transplantation in a fashion that does not otherwise create geographic disparities among states.

SECTION 2. That the Acuity Circles Policy, which only shifts the current supply of organs from one part of the country to another, fails to address an underlying problem, the short supply of transplantable organs.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Ronald Bacon for distribution.

The resolution was read a first time and referred to the Committee on Public Health.

House Resolution 21

Representative Frye introduced House Resolution 21:

A HOUSE RESOLUTION honoring Mr. William Rowlett.

Whereas, Mr. William Rowlett was born in Canaan, Indiana, where his family owned and operated a tobacco farm;

Whereas, Mr. Rowlett grew up with strong values of service, family, and commitment to a greater cause;

Whereas, Mr. Rowlett chose to enlist in the U.S. Army at the age of 18, becoming a combat engineer in the early 1990s to serve his country;

Whereas, Experiences while deployed overseas altered the course of Mr. Rowlett's life, and he returned to Indiana in 1993, finding himself lost in purpose and spirit in Indianapolis;

Whereas, It was at that time when Mr. Rowlett accepted the help from a kind stranger who represented the Veterans of Foreign Wars (VFW) organization;

Whereas, Mr. Rowlett, with the help of the VFW, rediscovered his confidence, reconnected with his family, and re-entered the workforce, finding a career in trucking;

Whereas, Mr. Rowlett is a proud member of the VFW and worked with the organization to become the VFW's rolling billboard. His is the first and only VFW semi-tractor created; and

Whereas, Mr. Rowlett works as a trucker, advocate, and champion for veterans as part of the VFW: Therefore,

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

SECTION 1. That the Indiana House of Representatives recognizes Mr. William Rowlett for his work with the Veterans of Foreign Wars organization, and wishes him many more years of advocacy.

SECTION 2. That the Indiana House of Representatives honors Mr. William Rowlett for his contributions to the state of Indiana and his efforts to promote and support Hoosier veterans and veterans across the United States of America.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to State Representative Randall Frye for distribution.

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

House Resolution 22

Representatives McNamara, Bacon, Hatfield and Sullivan introduced House Resolution 22:

A HOUSE RESOLUTION remembering Dr. David L. Rice.

Whereas, Dr. David L. Rice passed away on January 15, 2020, at the age of 90;

Whereas, Dr. Rice will be remembered for his many contributions to Indiana as the founding and first president of the University of Southern Indiana;

Whereas, Dr. Rice was born April 1, 1929, to Elmer J. and Katie Tate Rice in New Market, Indiana;

Whereas, Dr. Rice earned his bachelor of science in agriculture at Purdue University before serving in the United States Army infantry during the Korean War;

Whereas, Dr. Rice returned from the Korean War and taught at public schools in Wallace, Indiana, while he completed master's and doctoral degrees in education at Purdue University;

Whereas, Dr. Rice served as faculty and as director of research at Ball State University in Muncie, Indiana, before contributing his leadership and expertise to the Cooperative Education Research Laboratory in Indianapolis;

Whereas, Dr. Rice also served as research coordinator in the Bureau of Research for the U.S. Office of Education in Washington, D.C., before moving his family to Evansville, Indiana, in 1967 where he served as the first dean appointed to lead the Evansville campus of Indiana State University;

Whereas, Enrollment at the small campus grew under Dr. Rice's leadership and exceeded the expectations of naysayers who believed that a public institution for higher education was unnecessary in the region;

Whereas, Dr. Rice was recognized for his leadership and named president of the campus in 1971;

Whereas, Dr. Rice oversaw the evolution of ISU's southern campus into a separate state university, and he supported efforts that expanded curricula from limited two year degree programs to a wide range of opportunities including baccalaureate and master's degree programs; and

Whereas, Enrollment under Dr. Rice's leadership grew from 992 students to 7,443 during his tenure at the University of Southern Indiana: Therefore,

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

SECTION 1. That members of the Indiana General Assembly remember Dr. David L. Rice for his humble and visionary leadership and his many contributions to the state of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Wendy McNamara for distribution.

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

House Resolution 24

Representative Campbell introduced House Resolution 24:

A HOUSE RESOLUTION remembering Ernest Vernon Beck.

Whereas, Mr. Ernest Vernon Beck was born July 10, 1937, to Woodrow and Evelyn Beck in Vigo County, Indiana;

Whereas, Mr. Beck graduated from West Lafayette High School in 1955 and received his bachelor's degree from Ball State University in 1959;

Whereas, Mr. Beck pursued a love of teaching from Purdue University, where he graduated with a master's degree in education in 1961;

Whereas, Mr. Beck married Ms. Nancy J. Dye in 1962, and the two shared their lives together before Nancy preceded him in death;

Whereas, Mr. Beck found love again when he married Linda Seaton Branigin in 1991, and the two shared many years together until her passing in 2018;

Whereas, Mr. Beck served the students and families in West Lafayette for more than 30 years as a teacher, coach, and athletic director;

Whereas, Mr. Beck was inducted into the Indiana Football Hall of Fame in 2000 for his many years coaching West Lafayette High School football;

Whereas, Mr. Beck retired from the West Lafayette School system in 1999, and he enjoyed retirement watching Purdue and Colts football, enjoying outdoor activities, playing cards, and spending time with his family; and

Whereas, Mr. Beck is survived by his daughters, Elizabeth Homan and Barbara Beck; stepchildren, Susan Branigan, Anne Vanderveer, Kathleen Linderman, and Rob Branigan; sister, Becky Dougherty; and grandchildren, nieces, and nephews: Therefore,

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

SECTION 1. That the Indiana House of Representatives remembers Mr. Ernest Vernon Beck for his many years of service and contributions to West Lafayette Schools.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Chris Campbell for distribution.

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

House Resolution 26

Representatives GiaQuinta and Pryor introduced House Resolution 26:

A HOUSE RESOLUTION honoring State Representative Mara Candelaria Reardon.

Whereas, State Representative Mara Candelaria Reardon was first elected to represent the constituents of House District 12 in 2006;

Whereas, During her time in the House of Representatives, Representative Reardon served as vice chair of the Environmental Affairs Committee, and was also a member of Roads and Transportation; Commerce, Small Business, and Economic Development; Ways and Means; Utilities, Energy, and Telecommunications; and was ranking minority member on: the Statutory Committee on Interstate and International Cooperation; the Government and Regulatory Reform Committee, and the Select Committee on Government Reduction;

Whereas, Mara Candelaria Reardon was the first Latina elected to the Indiana House of Representatives;

Whereas, She also now serves as the chair of the Board of Hispanic Caucus Chairs, which is a national nonpartisan organization made up of elected Latino officials who serve in various state leadership positions, and also serves on the board of directors of the National Association of Latino Elected Officials and as chair of the Educational Fund, a nonpartisan organization that facilitates full Latino participation in the American political process;

Whereas, Representative Reardon was elected Indiana House Democratic Caucus Chair in 2018;

Whereas, Representative Reardon has served on the Indiana Commission for Women; the Market Development Recycling Board; the Minority and Women's Business Enterprise Commission; the Hispanic/Latino Affairs Commission; and the Indiana Commission to Combat Substance Abuse;

Whereas, Representative Reardon has been married to her husband, Matt, for more than 20 years, and they reside in Munster with their two children, Victoria and Christian; and

Whereas, Representative Reardon has served her constituency loyally and faithfully since her election to the Indiana House of Representatives: Therefore,

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

SECTION 1. That the Indiana House of Representatives honors State Representative Mara Candelaria Reardon for her years of service.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Philip GiaQuinta for distribution.

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

The Speaker yielded the gavel to Representative Candelaria Reardon.

House Concurrent Resolution 13

Representatives Summers, Shackleford and Pryor introduced House Concurrent Resolution 13:

A CONCURRENT RESOLUTION recognizing Alpha Kappa Alpha Day at the Capitol.

Whereas, Alpha Kappa Alpha sorority, which has the distinction of being the first sorority established by African-American college women, was founded at Howard University in Washington, D.C., in 1908 and has expanded internationally to 1,018 chapters;

Whereas, Indiana hosts 22 of these chapters located on college and university campuses and has active alumnae groups in communities throughout the state;

Whereas, Alpha Kappa Alpha is committed to community service and actively contributes to the educational, civic, and social life of Indiana's citizens;

Whereas, Alumnae chapters encourage their members to become involved community volunteers in one of their primary service components, including education, health, the economy, arts, and family;

Whereas, Alpha Kappa Alpha provides community support through service initiatives identified in the sorority's international platform, Exemplifying Excellence Through Sustainable Service, as outlined by Dr. Glenda Baskin Glover, International President;

Whereas, Alpha Kappa Alpha plans to accomplish its goals through initiatives such as HBCU for Life: A Call to Action, Women's Healthcare and Wellness, Building our Economic Legacy, The Arts, and Global Impact;

Whereas, Alpha Kappa Alpha is dedicated to serving all mankind and has improved the lives of many people throughout the years; and

Whereas, This great sisterhood has established a nationally recognized program known as Alpha Kappa Alpha Day at the Capitol: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes Central Regional Director Sonya Bowen, State Coordinator Meisha Wide, and members of Alpha Kappa Alpha for all the good work they accomplish.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Central Regional Director Sonya Bowen, State Coordinator Meisha Wide, and participants in Alpha Kappa Alpha Day at the Capitol.

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

Representative Candelaria Reardon handed the gavel to Speaker Bosma

House Concurrent Resolution 34

Representatives Lucas and Frye introduced House Concurrent Resolution 34:

A CONCURRENT RESOLUTION memorializing Lance Corporal Jacky Ray Koenig Jr., United States Marine Corps.

Whereas, Lance Corporal Jacky Ray Koenig Jr. was born on September 27, 1996, in Bakersfield, California, to Jack Koenig Sr. and Patricia Espinosa Koenig;

Whereas, Lance Cpl. Koenig grew up in North Vernon, Indiana, and attended Jennings County High School, where he competed in track, cross country, and wrestling;

Whereas, Lance Cpl. Koenig, an avid cross country runner, practiced and ran in meets at the Muscatatuck County Park, along the banks of the Muscatatuck River;

Whereas, Lance Cpl. Koenig had a servant's heart throughout his life and volunteered with the Muscatatuck River cleanup project yearly while attending Jennings County High School;

Whereas, Lance Cpl. Koenig graduated in 2014 from Jennings County High School and in 2015 joined the United States Marine Corps;

Whereas, Lance Cpl. Koenig was stationed at Camp Pendleton, California, and deployed to Camp Butler in Okinawa, Japan, and served as a member of the Marine Light Attack Helicopter Squadron 267; and

Whereas, On April 9, 2017, Lance Cpl. Jacky Ray Koenig Jr. died at 20 years of age during a training exercise while deployed in Okinawa, Japan: Therefore,

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

SECTION 1. That the Indiana General Assembly memorializes Lance Corporal Jacky Ray Koenig Jr. for his service to the United States of America as a marine and Hoosier.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Jim Lucas.

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

[*Journal Clerk's Note: Upon the request of Representative Lucas, the Speaker requested a moment of silence for the passing of Lance Corporal Jacky Ray Koening, Jr., of the United States Marine Corps.]*

House Concurrent Resolution 35

Representative Pfaff introduced House Concurrent Resolution 35:

A CONCURRENT RESOLUTION honoring school counselors during National School Counseling Week.

Whereas, School counselors are employed in public and private schools to help students reach their full potential;

Whereas, School counselors are actively committed to helping students explore their academic, social-emotional, and behavioral skills, abilities, and interests;

Whereas, School counselors help parents focus on ways to further the educational, personal and social growth of their children;

Whereas, School counselors work with teachers and other educators to help students explore their potential and set realistic goals for themselves;

Whereas, School counselors seek to identify and utilize community resources that can enhance and complement comprehensive school counseling programs and help students become productive members of society;

Whereas, Comprehensive developmental school counseling programs are considered an integral part of the educational process that enables all students to achieve success in school; and

Whereas, The Indiana General Assembly wishes to honor the many school counselors in Indiana for their support of Indiana's students: Therefore,

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

SECTION 1. That the Indiana General Assembly celebrates National School Counseling Week, February 3 to 7, 2020.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Tonya Pfaff for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator J. D. Ford.

House Concurrent Resolution 36

Representative DeLaney introduced House Concurrent Resolution 36:

A CONCURRENT RESOLUTION recognizing the Indiana State Bar Association Leadership Development Academy.

Whereas, The Indiana State Bar Association Leadership Development Academy (LDA) empowers and develops lawyers to be informed, committed, and involved in order to serve as role models in matters of ethics and professionalism in local and state bar associations, Indiana communities, and organizations;

Whereas, The LDA Class of 2020, the ninth annual class of the program, consists of 25 Indiana lawyers who have been admitted to practice law for 15 years or less;

Whereas, The LDA incorporates professional facilitators and prominent leaders from various disciplines to inform participants about leadership principles and techniques, the importance of effective leaders in organizations and governments for the maximization of efficiency and effectiveness, and the challenges and rewards of leadership in action;

Whereas, The LDA class members are selected from around the state and are exposed to topics such as public service, economic development, government, the military, leadership, diversity and inclusion, and other related leadership topics;

Whereas, As the LDA class members travel around the state, they actively engage in panel discussions, group activities, and demonstrations with faculty who include Indiana Supreme Court Justices, Court of Appeals and trial court judges, members of the executive and legislative branches of Indiana government, and prominent business and military leaders;

Whereas, One of the principal themes of the LDA is "Leadership begins with the attitude of a servant leader - to serve first, and out of service we are given the honor to lead"; and

Whereas, February 17, 2020, and February 18, 2020, mark the LDA session days when focus is placed on local and state government and conflict resolution by providing the class the opportunity to get acquainted with members of the Indiana Supreme Court, the Indiana Court of Appeals, the federal and Bankruptcy Court, the governor, members of the media, and representatives of the FBI, and to discuss issues with Indiana legislators: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the importance of the education provided by the Indiana State Bar Association's Leadership Development Academy.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the Indiana State Bar Association Leadership Academy and the members of the ninth annual class.

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

House Concurrent Resolution 37

Representatives Stutzman, Klinker, Jackson, Porter, V. Smith, Deal, Campbell, DeLaney, Nisly, Zent, Ziemke, Thompson, Torr, Goodrich, Mayfield, Davisson, Schaibley, Beck, Hatfield, Chyung, GiaQuinta, DeVon, Soliday,Leonard, Frye, Barrett, Miller, Errington, Abbott, May, Baird, Fleming, Eberhart, Austin, Bartlett, Bauer, Cherry, Moseley, McNamara, Boy, Heine, Negele, Lehman, Carbaugh and Lindauer introduced House Concurrent Resolution 37:

A CONCURRENT RESOLUTION urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversary of women's suffrage.

Whereas, The portrait monument was unveiled on February 15, 1921, to commemorate the ratification of the 19th Amendment;

Whereas, The seven-ton sculpture depicts the calm and resolute strength of women's suffrage pioneers Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony in exquisite detail rising from rough-hewn marble;

Whereas, The portrait monument's unconventional design was a work of Adelaide Johnson, who sought to pay homage to three of the most prominent figures of the suffrage movement while drawing attention to the ongoing fight for women's rights;

Whereas, The importance of the women's suffrage movement in the United States cannot be understated;

Whereas, The 100th anniversary is a celebration of women's suffrage across the United States;

Whereas, Elizabeth Cady Stanton's Declaration of Sentiments, introduced in Seneca Falls, New York, in 1848 became the first public demand for extensive reforms concerning women's rights;

Whereas, Susan B. Anthony was a passionate, disciplined, and tireless advocate for women's suffrage, and whose work brought the lack of equal treatment of women and their right to vote in U.S. elections to the forefront of national discussion;

Whereas, Lucretia Mott was an early advocate for women's rights and organized the women's rights convention in Seneca Falls, New York, after being denied entrance to the World Anti-Slavery Convention in London, England. Her efforts at Seneca Falls and beyond created a platform that helped spur the American women's rights movement;

Whereas, The portrait monument captures the stoic fortitude of these three women as well as the millions of women who supported their work as they pioneered women's suffrage and fought for women's rights in the United States, helping to change American society forever;

Whereas, Depicting the portrait monument on U.S. currency recognizes the profound contributions of the pioneers of the suffrage movement as well as the unfinished work and ongoing contributions of women to the United States of America; and

Whereas, The recognition of the women's suffrage monument on U.S. currency acknowledges the inherent value of more than 50 percent of the U.S. population and the deep impact of the movement on a free and just society: Therefore,

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

SECTION 1. That the Indiana General Assembly urges Congress to display a portrait of the Women's Suffrage Monument on a piece of U.S. currency in recognition of the countless contributions of American women, specifically the leadership of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony, and in honor of the monument designed by a woman, Adelaide Johnson, which was purposefully unfinished, to show the ongoing opportunity for and contributions of all American women. By displaying such an all-encompassing monument on a piece of U.S. currency, the Indiana General Assembly urges Congress to recognize women's fight for suffrage by honoring the 100th anniversary of the passage of the 19th amendment to the U.S. Constitution.

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

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

House Concurrent Resolution 38

Representatives Karickhoff, Austin, Bacon, Bartels, Beck, Ellington, Goodin, Gutwein, Klinker, Lehe, Lehman, May, McNamara, Negele, Saunders, Speedy, VanNatter and Wolkins introduced House Concurrent Resolution 38:

A CONCURRENT RESOLUTION urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.

Whereas, Off-road vehicles (ORVs) are used by many Americans for recreation and work related activities;

Whereas, Many national forests in Michigan, Kentucky, and Ohio allow the use of ORVs on designated forest trails;

Whereas, Currently, the Hoosier National Forest does not allow the use of ORVs on any trails; and

Whereas, The creation or designation of trails for the general use of ORVs in the Hoosier National Forest would encourage greater outdoor recreation and economic benefits for rural communities near the Hoosier National Forest and Indiana at large: Therefore,

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

SECTION 1. That the Indiana House of Representatives urges the United States Forest Service to establish an ORV trail system utilizing the full 15,300 acres identified in the Off-Road Vehicle Used Areas (1987) to allow greater use of the Hoosier National Forest for the recreational and economic benefit of the citizens of Indiana.

SECTION 2. That the Indiana House of Representatives urges a timely administrative process for the action through an amendment or similarly appropriate alteration to the current Land and Resource Management Plan and Travel Management Plan.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Vicki Christiansen, chief of the United States Forest Service.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Alting, Boots, Koch, Lanane and Messmer.

House Concurrent Resolution 39

Representatives Lehe, Leonard and Macer introduced House Concurrent Resolution 39:

A CONCURRENT RESOLUTION recognizing the importance of career and technical education during Career and Technical Education Month.

Whereas, The month of February 2020 is being celebrated as Career and Technical Education Month across the United States;

Whereas, Career and technical education provides Hoosiers with school to career connections and is the backbone of a strong, well educated workforce;

Whereas, Career and technical education fosters productivity in business and contributes to Indiana's position in the international marketplace;

Whereas, Career and technical education offers high school and postsecondary students opportunities to learn lifelong skills through practical and meaningful experiences in a wide range of high wage, high skill, and high demand careers;

Whereas, Career and technical education provides students with career choices in their fields and in their communities;

Whereas, The Governor's Workforce Cabinet recognizes the importance of career and technical education in developing a robust pipeline of skilled talent;

Whereas, Preparing Indiana's youth for postsecondary education and career success allows students an opportunity to earn more industry certifications in high demand career fields; and

Whereas, Indiana has a strong presence of career and technical student organizations across industry sectors including: Business Professionals of America; DECA, Inc.; Future Business Leaders of America; Family, Career and Community Leaders of America; FFA; HOSA; SkillsUSA; and Technology Student Association: Therefore

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

SECTION 1. That the Indiana General Assembly recognizes the importance of career and technical education during Career and Technical Education Month.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Don Lehe for distribution.

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

Senate Concurrent Resolution 2

The Speaker handed down Senate Concurrent Resolution 2, sponsored by Representative Summers:

A CONCURRENT RESOLUTION commending Sigma Gamma Rho Sorority, Inc. for its outstanding contributions to the community.

Whereas, Sigma Gamma Rho Sorority, Inc., is a nonprofit organization whose mission is to improve the lives of women and families around the world and to promote service and civil and social action;

Whereas, Since the founding of Sigma Gamma Rho Sorority, Inc., on November 12, 1922, the enterprises of the organization include Project Reassurance, which is geared toward improving prenatal care for teen mothers; Operation Big BookBag, which provides school supplies and tutoring to different facilities across the nation; and The Sigma Youth Symposium, an annual meeting that gives teens a space to voice their concerns on different topics that affect their daily lives;

Whereas, Sigma Gamma Rho Sorority's Golden Alert is an enterprise that focuses on legislative action activities, initiatives, and programming designed to empower and engage by providing meaningful resources, action plans, and solutions for the communities it serves;

Whereas, the members of Sigma Gamma Rho Sorority, Inc., continue to enhance the quality of life within the community through public service, leadership development, and education of youth; and

Whereas, it is abundantly fitting and proper that the outstanding contributions of this extraordinary sorority be appropriately recognized: Therefore,

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

SECTION 1. That the Indiana General Assembly commends Sigma Gamma Rho Sorority, Inc. for its tireless efforts on behalf of women around the world and extends the most sincere best wishes for continued growth and success.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Sigma Gamma Rho Sorority, Inc.

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

Senate Concurrent Resolution 31

The Speaker handed down Senate Concurrent Resolution 31, sponsored by Representative Jordan:

A CONCURRENT RESOLUTION congratulating the Bremen High School softball team on winning the 2019 Indiana High School Athletic Association ("IHSAA") Class 2A state championship title.

Whereas, The #1 ranked Bremen High School softball team defeated co-#1 ranked Tecumseh 2-1 to win the 2019 IHSAA Class 2A state championship title;

Whereas, In tournament play, the Lions defeated Prairie Heights and Central Noble in the sectional championship, South Adams in the regional championship, and Oak Hill and Boone Grove in the semi-state championship to earn a spot in the state title game;

Whereas, After a Tecumseh score in the first inning, Bremen took the lead for good in the fifth inning, when Rylee Hershberger hit a line drive to left field, scoring Caitlyn Myers and Paige Thompson;

Whereas, Kaelyn Shively pitched a complete game for the Lions, giving up one run and three hits, and only allowing one Tecumseh runner past first base after the first inning;

Whereas, Following the Lions championship performance, Bremen's Kaelyn Shively was named the 2019 IHSAA Mental Attitude Award Winner for Class 2A softball; and

Whereas, Led by head coach Mike Huppert, Bremen finished the season with a 29-2 record, a 17-game winning streak, and the school's first state title in softball: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Bremen High School softball team on winning the 2019 IHSAA Class 2A state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to each member of the Bremen High School softball team

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

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

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 246

Representative Cook called down Engrossed Senate Bill 246 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 246–1)

Mr. Speaker: I move that Engrossed Senate Bill 246 be amended to read as follows:

Page 2, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 2. IC 20-26-18.2-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5. (a) A school corporation or charter school served by a school resource officer employed for the protection of the school corporation or charter school under section 2 of this chapter shall annually report the number of school resource officers serving the school corporation or charter school to the department of homeland security before September 1.**

(b) The department of homeland security shall:

(1) annually compile the information reported under subsection (a); and

(2) retain the information reported under subsection (a).".

Renumber all SECTIONS consecutively.

(Reference is to ESB 246 as printed February 14, 2020.)

AUSTIN

Upon request of Representatives Karickhoff and Carbaugh, the Speaker ordered the roll of the House to be called. Roll Call 179: yeas 95, nays 0. Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 366

Representative Gutwein called down Engrossed Senate Bill 366 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 307

Representative Frye called down Engrossed Senate Bill 307 for third reading:

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

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

Roll Call 180: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

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

Engrossed Senate Bill 80

Representative Young called down Engrossed Senate Bill 80 for third reading:

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

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

Roll Call 181: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

[*Journal Clerk's Note: Upon the request of Representative Cherry, the Speaker requested a moment of silence for the passing of former State Representative, Nick Gulling.]*

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Rules and Legislative Procedures

The Speaker announced, pursuant to House Rule 84, that Engrossed Senate Bill 178 had been referred to the Committee on Rules and Legislative Procedures.

HOUSE MOTION

Mr. Speaker: I move that Representative Macer be added as cosponsor of Engrossed Senate Bill 61.

BACON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Morrison be removed as first sponsor and Representative Cherry be substituted therefor as sponsor of Engrossed Senate Bill 66.

MORRISON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Pfaff and Heaton be removed as cosponsors of Engrossed Senate Bill 66.

CHERRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Shackleford be added as cosponsor of Engrossed Senate Bill 67.

KARICKHOFF

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goodin be added as cosponsor of Engrossed Senate Bill 80.

YOUNG

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hamilton be added as cosponsor of Engrossed Senate Bill 144.

DEVON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Clere and V. Smith be added as cosponsors of Engrossed Senate Bill 223.

BEHNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Carbaugh be added as cosponsor of Engrossed Senate Bill 239.

MAYFIELD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hatfield be added as cosponsor of Engrossed Senate Bill 246.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Shackleford and Hatfield be added as cosponsors of Engrossed Senate Bill 255.

KIRCHHOFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Hatfield be added as cosponsor of Engrossed Senate Bill 273.

KIRCHHOFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goodin be added as cosponsor of Engrossed Senate Bill 307.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Judy be added as cosponsor of Engrossed Senate Bill 316.

ZENT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Sullivan and Macer be added as cosponsors of Engrossed Senate Bill 331.

JUDY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Sullivan be removed as first sponsor of Senate Bill 398 and Representative Jordan be substituted therefor and Representative Jordan be removed as cosponsor.

SULLIVAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Miller and Fleming be added as cosponsors of Engrossed Senate Bill 410.

ABBOTT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bartlett be added as cosponsor of Engrossed Senate Bill 424.

ENGLEMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Vermilion and Barrett be added as coauthors of House Concurrent Resolution 30.

ZENT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lehman be added as cosponsor of Senate Concurrent Resolution 36.

WRIGHT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lauer be added as cosponsor of Senate Concurrent Resolution 40.

ERRINGTON

Motion prevailed.

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Candelaria Reardon, the House adjourned at 2:58 p.m., this seventeenth day of February, 2020, until Tuesday, February 18, 2020, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Twenty-Second Day — **Tuesday Afternoon** — **February 18, 2020**

The invocation was offered by Pastor Jared K. Henry of Mackey Church of the Nazarene in Mackey, IN, a guest of Representative Bacon.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by members of the Black Caucus.

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

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

Roll Call 182: 97 present; 3 excused. The Speaker announced a quorum in attendance. [*NOTE*: □ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, February 20, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 10, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 8, after line 7, begin a new paragraph and insert:

"SECTION 7. IC 36-8-10-12, AS AMENDED BY P.L.173-2007, SECTION 46, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) The department and a trustee may establish and operate an actuarially sound pension trust as a retirement plan for the exclusive benefit of the employee beneficiaries. However, a department and a trustee may not establish or modify a retirement plan after June 30, 1989, without the approval of the county fiscal body which shall not reduce or diminish any benefits of the employee beneficiaries set forth in any retirement plan that was in effect on January 1, 1989.

(b) The normal retirement age **of an employee beneficiary** may be earlier but not later than the age of seventy (70). However, the sheriff may retire an employee who is otherwise eligible for retirement if the board finds that the employee is not physically or mentally capable of performing the employee's duties.

(c) Joint contributions shall be made to the trust fund:

(1) either by:

(A) the department through a general appropriation provided to the department;

(B) a line item appropriation directly to the trust fund; or

(C) both; and

(2) by an employee beneficiary through authorized monthly deductions from the employee beneficiary's salary or wages. However, the employer may pay all or a part of the contribution for the employee beneficiary.

Contributions through an appropriation are not required for plans established or modifications adopted after June 30, 1989, unless the establishment or modification is approved by the county fiscal body.

(d) For a county not having a consolidated city, the monthly deductions from an employee beneficiary's wages for the trust

fund may not exceed six percent (6%) of the employee beneficiary's average monthly wages. For a county having a consolidated city, the monthly deductions from an employee beneficiary's wages for the trust fund may not exceed seven percent (7%) of the employee beneficiary's average monthly wages.

(e) The minimum annual contribution by the department must be sufficient, as determined by the pension engineers, to prevent deterioration in the actuarial status of the trust fund during that year. If the department fails to make minimum contributions for three (3) successive years, the pension trust terminates and the trust fund shall be liquidated.

(f) If during liquidation all expenses of the pension trust are paid, adequate provision must be made for continuing pension payments to retired persons. Each employee beneficiary is entitled to receive the net amount paid into the trust fund from the employee beneficiary's wages, and any remaining sum shall be equitably divided among employee beneficiaries in proportion to the net amount paid from their wages into the trust fund.

(g) If a person ceases to be an employee beneficiary because of death, disability, unemployment, retirement, or other reason, the person, the person's beneficiary, or the person's estate is entitled to receive at least the net amount paid into the trust fund from the person's wages, either in a lump sum or monthly installments not less than the person's pension amount.

(h) If an employee beneficiary is retired for old age, the employee beneficiary is entitled to receive a monthly income in the proper amount of the employee beneficiary's pension during the employee beneficiary's lifetime.

(i) To be entitled to the full amount of the employee beneficiary's pension classification, an employee beneficiary must have contributed at least twenty (20) years of service to the department before retirement. Otherwise, the employee beneficiary is entitled to receive a pension proportional to the length of the employee beneficiary's service.

(j) This subsection does not apply to a county that adopts an ordinance under section 12.1 of this chapter. For an employee beneficiary who retires before January 1, 1985, a monthly pension may not exceed by more than twenty dollars ($20) one-half (1/2) the amount of the average monthly wage received during the highest paid five (5) years before retirement. However, in counties where the fiscal body approves the increases, the maximum monthly pension for an employee beneficiary who retires after December 31, 1984, may be increased by no more or no less than two percent (2%) of that average monthly wage for each year of service over twenty (20) years to a maximum of seventy-four percent (74%) of that average monthly wage plus twenty dollars ($20). For the purposes of determining the amount of an increase in the maximum monthly pension approved by the fiscal body for an employee beneficiary who retires after December 31, 1984, the fiscal body may determine that the employee beneficiary's years of service include the years of service with the sheriff's department that occurred before the effective date of the pension trust. For an employee beneficiary who retires after June 30, 1996, the average monthly wage used to determine the employee beneficiary's pension benefits may not exceed the monthly minimum salary that a full-time prosecuting attorney was entitled to be paid by the state at the time the employee beneficiary retires.

(k) The trust fund may not be commingled with other funds, except as provided in this chapter, and may be invested only in accordance with statutes for investment of trust funds, including other investments that are specifically designated in the trust agreement.

(l) The trustee receives and holds as trustee all money paid to it as trustee by the department, the employee beneficiaries, or by other persons for the uses stated in the trust agreement.

(m) The trustee shall engage pension engineers to supervise and assist in the technical operation of the pension trust in order that there is no deterioration in the actuarial status of the plan.

(n) Within ninety (90) days after the close of each fiscal year, the trustee, with the aid of the pension engineers, shall prepare and file an annual report with the department. The report must include the following:

(1) Schedule 1. Receipts and disbursements.

(2) Schedule 2. Assets of the pension trust listing investments by book value and current market value as of the end of the fiscal year.

(3) Schedule 3. List of terminations, showing the cause and amount of refund.

(4) Schedule 4. The application of actuarially computed "reserve factors" to the payroll data properly classified for the purpose of computing the reserve liability of the trust fund as of the end of the fiscal year.

(5) Schedule 5. The application of actuarially computed "current liability factors" to the payroll data properly classified for the purpose of computing the liability of the trust fund as of the end of the fiscal year.

(o) No part of the corpus or income of the trust fund may be used or diverted to any purpose other than the exclusive benefit of the members and the beneficiaries of the members.

(p) A sheriff:

(1) who remains actively employed; and

(2) whose years of service equal or exceed the maximum years of service recognized under the retirement plan, if any;

may elect to begin receiving in-service distributions of the sheriff's pension without separating from service.".

Renumber all SECTIONS consecutively.

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

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 1.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 180, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 180 as printed January 17, 2020.)

Committee Vote: Yeas 13, Nays 0.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 238, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 238 as printed January 29, 2020.)

Committee Vote: Yeas 11, Nays 0.

DEVON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 258, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 258 as printed January 29, 2020.)

Committee Vote: Yeas 11, Nays 0.

FRYE R, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 269, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 269 as printed January 24, 2020.)

Committee Vote: Yeas 13, Nays 0.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 405, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 1, delete "if:" and insert "**if the construction is:**".

Page 2, line 5, after "any" insert "**other**".

(Reference is to SB 405 as printed January 31, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

VANNATTER, Chair

Report adopted.

RESOLUTIONS ELIGIBLE FOR ADOPTION

Senate Concurrent Resolution 4

The Speaker handed down on its passage Senate Concurrent Resolution 4, sponsored by Representative Gutwein:

A CONCURRENT RESOLUTION memorializing Deputy Shadron K. Bassett and urging the Indiana Department of Transportation to name a mile of State Road 39 the "Deputy Shadron K. Bassett Memorial Mile".

The resolution was read a second time and adopted. Roll Call 183: yeas 95, nays 0. The Clerk was directed to inform the Senate of the passage of the resolution.

RESOLUTIONS ON FIRST READING

House Resolution 10

Representatives Pryor, V. Smith, Shackleford, Bartlett, Harris, Hatcher, Jackson, Porter and Summers introduced House Resolution 10:

A HOUSE RESOLUTION celebrating Black History Month.

Whereas, Black history has been celebrated by Americans each year since 1926, first as Negro History Week and later as Black History Month;

Whereas, Blacks have been in America since colonial times, but it was not until the 20th century that they were represented in history books;

Whereas, The celebration of Black History Month and the study of Black history came into being through the efforts of Dr. Carter G. Woodson;

Whereas, Dr. Woodson's parents were former slaves, and he spent his childhood working in the West Virginia coal mines;

Whereas, Dr. Woodson enrolled in high school at age 20, graduated within two years, and went on to earn a Ph.D. from Harvard University;

Whereas, Dr. Woodson was disturbed to find that history books largely ignored the Black American population and mentioned Blacks only in ways that reflected the inferior social position they were assigned at the time;

Whereas, Dr. Woodson began the task of writing Black Americans into the nation's history;

Whereas, Through the efforts of Dr. Woodson, several organizations were established as a way to bring national attention to the contributions of Black people throughout American history, including the Association for the Study of Negro Life and History, founded in 1915 (now known as the Association for the Study of African American Life and History), the Journal of Negro History (now known as the Journal of African American History), and, in 1926, the establishment of Negro History Week;

Whereas, Dr. Woodson chose the second week of February for Negro History Week because it marks the birthdays of two men who greatly influenced the Black American population: Frederick Douglass and Abraham Lincoln;

Whereas, Black History Month, celebrated in February, acknowledges the achievements of Blacks in the military, arts, civil rights, education, entertainment, history, law, literature, medicine, music, politics, science, sports, and other areas;

Whereas, The goal of Black History Month is to bridge the gap created by American history's failure to accurately acknowledge, portray, and record the contributions and inventions of Blacks; and

Whereas, Black Americans reflect a legacy of courage and dedication that has helped to guide our nation's success and prosperity: Therefore,

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

SECTION 1. That the Indiana General Assembly acknowledges the many contributions and accomplishments of Black Americans throughout the history of the United States and Indiana.

SECTION 2. That the Indiana General Assembly urges entities and organizations to celebrate Black History Month.

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

House Resolution 27

Representatives McNamara, Bosma, GiaQuinta and Steuerwald introduced House Resolution 27:

A HOUSE RESOLUTION honoring State Representative Ronald Bacon.

Whereas, State Representative Ronald Bacon, who was first elected to represent the constituents of House District 75 in 2010, will be leaving the House Chamber for the last time at the end of the 2020 legislative session;

Whereas, During his time in the Indiana House of Representatives, Representative Bacon served as chair of the House Statutory Committee on Interstate and International Cooperation and vice chair of the House Public Health Committee;

Whereas, Representative Bacon has a passion for helping Hoosiers and leaves behind a legacy of public policy that impacts young Hoosiers, including ensuring that all Hoosier parents have access to resources regarding conditions and

disabilities that are diagnosed prenatally, protecting Hoosiers in assisted living facilities by providing them with information regarding the influenza vaccine, and protecting student athletes by ensuring coaches of students in grades 5 through 12 are trained to recognize the signs of heat exhaustion;

Whereas, The Indiana Chiropractic Association named him Legislator of the Year in 2017 for his work advocating for chiropractic services to be reimbursed under HIP;

Whereas, Representative Bacon received the Star of Life Award from Indiana Right to Life in honor of his work to support pro life issues and protect mothers and the unborn;

Whereas, Representative Bacon received the first Food and Policy Award from the Indiana Academy of Nutrition in recognition of his leadership on nutrition related issues in the Indiana General Assembly;

Whereas, Representative Bacon is an avid collector of bacon themed merchandise and memorabilia;

Whereas, Outside of his work as a state legislator, Representative Bacon is a respiratory therapist and has more than 50 years' experience in the health care field;

Whereas, Before being elected to the Indiana General Assembly, Representative Bacon served as a member of the Warrick County Council for four years and as coroner for six years; and

Whereas, Representative Bacon will retire and enjoy newfound time with Karen, his wife of more than 50 years, two daughters, and four grandchildren: Therefore,

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

SECTION 1. That the Indiana House of Representatives honors State Representative Ronald Bacon for his years of service.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Wendy McNamara for distribution.

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

House Concurrent Resolution 41

Representatives Thompson, Bauer, Cook and Klinker introduced House Concurrent Resolution 41:

A CONCURRENT RESOLUTION recognizing Katie Pourcho, 2020 Indiana Teacher of the Year.

Whereas, Ms. Katie Pourcho is Indiana's 2020 Teacher of the Year for her leadership and dedication inside and outside the classroom;

Whereas, Ms. Pourcho is an art educator, teaching kindergarten through second grade at North Elementary School in the Danville Community School Corporation;

Whereas, Ms. Pourcho displays exceptional skill and great passion while teaching her students how to use art as a source of expression;

Whereas, Ms. Pourcho is a graduate of Ball State University and holds a bachelor of arts in visual art education, with K-12 honors;

Whereas, Ms. Pourcho serves as a new teacher mentor for art educators entering the classroom, and she was the 2016 recipient of a Teacher Creativity Fellowship from the Lilly Endowment; and

Whereas, Ms. Pourcho is a professional artist in her community and works closely with the National Art Education Association and Danville Community School Corporation's Art Department Professional Learning Community: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Ms. Katie Pourcho as Indiana's 2020 Teacher of the Year.

SECTION 2. That the Indiana General Assembly honors Ms. Katie Pourcho for her many contributions to Indiana as an educator in her community.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Jeff Thompson for distribution.

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

Senate Concurrent Resolution 33

The Speaker handed down Senate Concurrent Resolution 33, sponsored by Representatives Macer and Fleming:

A CONCURRENT RESOLUTION honoring Hoosier long-term care professionals.

Whereas, Hoosier long-term care professionals provide compassionate services that help to care for people with a chronic illness or disability;

Whereas, Focused on the elderly and mentally frail, long-term care professionals remain dedicated to improving Hoosiers' health and providing pathways to recovery and affordable living;

Whereas, Long-term care professionals not only are exceptional caregivers, they also introduce the highest quality control into home, adult, and other community-based healthcare facilities;

Whereas, Long-term care professionals provide stability and a better quality of life for their patients, leading to valued lifelong relationships; and

Whereas, Demonstrating high standards of professionalism, these caregivers dedicate extensive hours and promote innovative solutions for vulnerable Hoosiers: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the countless hours of dedicated service and the multitude of contributions made by Hoosier long-term care professionals.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the Indiana Healthcare Association

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

Senate Concurrent Resolution 34

The Speaker handed down Senate Concurrent Resolution 34, sponsored by Representative Pressel:

A CONCURRENT RESOLUTION memorializing William "Bill" Hager.

Whereas, William "Bill" Hager, a former LaPorte County Commissioner, passed away January 19, 2020, at the age of 84;

Whereas, A lifelong resident of LaPorte, Bill was born September 12, 1935, to Geneva and Lloyd Hager;

Whereas, Following high school, Bill joined the United States Marine Corps during the Korean War, and following his honorable discharge in 1957, Bill spent countless hours supporting veterans and their causes;

Whereas, Bill returned to LaPorte and married Ellen Paul on October 25, 1958, and together they raised four children: Craig, Chris, Curt, and Kathy;

Whereas, After his military service, Bill worked for Smith Chevrolet before starting his own business, Ace Auto;

Whereas, Bill was active in the Boy Scouts with his sons and was the leader of Troop 389 in LaPorte;

Whereas, In 1971, Bill was called back to public service when he was elected to serve as LaPorte County Justice of the Peace, a position to which Bill was reelected in 1975;

Whereas, Bill's public service continued when he served as LaPorte County Commissioner from 2001-2009; and

Whereas, Bill is survived by his wife, Ellen, four children, Craig, Chris, Curt, and Kathy, and three grandchildren: Therefore,

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

SECTION 1. That the Indiana General Assembly memorializes William "Bill" Hager.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to the family of William "Bill" Hager

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

Senate Concurrent Resolution 35

The Speaker handed down Senate Concurrent Resolution 35, sponsored by Representative Carbaugh:

A CONCURRENT RESOLUTION congratulating the Fort Wayne Concordia Lutheran High School boys cross country team on winning the 2019 Indiana High School Athletic Association ("IHSAA") state championship title.

Whereas, The Fort Wayne Concordia Lutheran High School boys cross country team won the 2019 IHSAA state championship title with a score of 93 points;

Whereas,The Concordia Cadets dominated throughout the state tournament, winning the sectional, regional, and semi-state championships;

Whereas, Four Concordia runners placed in the top 30 during the state meet to hold off defending state champion Carmel;

Whereas, Concordia was led in scoring by Reece Gibson in 5th place, followed by Drake Kropf and Wilson Whicker in 17th and 18th place, respectively, Karsten Schlegel in 29th place, and Luke Bentz in 67th place overall;

Whereas, After the championship season, the Indiana Track and Cross Country Coaches Association named Reece Gibson the Class 3A All State Runner of the Year, and Drake Kropf, Wilson Whicker, and Karsten Schlegel were named to the All State 1st Team; and

Whereas, Led by head coach Scott Steffen, the Concordia Cadets won the school's first cross country team title: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Fort Wayne Concordia Lutheran High School boys cross country team on winning the 2019 IHSAA state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to each member of the Fort Wayne Concordia Lutheran High School boys cross country team

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

Senate Concurrent Resolution 42

The Speaker handed down Senate Concurrent Resolution 42, sponsored by Representative Cherry:

A CONCURRENT RESOLUTION congratulating the Greenfield Central Cougar Pride Marching Band on placing first in Class B at the Indiana State School Music Association ("ISSMA") State Finals.

Whereas, After receiving the runner-up title in 2018, the Greenfield Central Cougar Pride Marching Band earned the first place title at the 2019 ISSMA State Finals, which included the top 10 Class B marching bands in the State of Indiana;

Whereas, The Greenfield Central Cougar Pride took the field at 11:45 a.m. on November 9th, 2019 at Lucas Oil Stadium;

Whereas, Greenfield Central's road to victory was paved by the over 450 hours of rehearsing by the 160 member ensemble;

Whereas, Greenfield Central's long hours paid off throughout the season as the Cougar Pride received caption awards at both the Brownsburg and Avon Invitationals for Best Percussion, at the Fishers Invitational for Best Visual, Music, and Effect, as well as earning a gold rating with distinction in both music and effect at the Evansville ISSMA Regional which earned the band an advancement to semi-state;

Whereas, The Cougar Pride performed and perfected renditions of "Moonlight Sonata", "Clair de Lune", and "Here Comes the Sun" within the 8-minute display titled "The Music of the Night";

Whereas, The ensemble began their theatrical performance for this sought after title by lying on the field while the pit orchestrated a melodical tune to wake the nocturnal creatures in which the members were meant to resemble;

Whereas, The performance ended on a colorful note when the young musicians meticulously demonstrated their immense talent by crescendoing into "Here Comes the Sun" ending the show on a high note; and

Whereas, Lead by directors Chris Wing and Jeremy Basso along with drum majors Brooklyn Harpold, Paige Johnson, and Haley Harper, the Cougar Pride was able to march their way to a victory on this seven-month journey to Lucas Oil Stadium and earn the Greenfield Central Marching Band's first state finals victory: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Greenfield Central Cougar Pride Marching Band on placing first in Class B at the ISSMA State Finals.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to each member of the Greenfield Central Cougar Pride Marching Band.

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

Senate Concurrent Resolution 47

The Speaker handed down Senate Concurrent Resolution 47, sponsored by Representative Goodin:

A CONCURRENT RESOLUTION congratulating Michael Cleveland for winning the 2020 Grammy Award for Best Bluegrass Album.

Whereas, Michael Cleveland, a fiddler from Charlestown, Indiana, won the 2020 Grammy Award for Best Bluegrass Album, his second career Grammy Award;

Whereas, Born in Henryville in 1980, Michael learned to play by ear and began fiddling at a young age after hearing a fiddler play "Orange Blossom Special";

Whereas, When he was nine years old, Michael attended the Bean Blossom Bluegrass Festival and performed with bluegrass founding father Bill Monroe, beginning his young music performing career;

Whereas, Michael's talents were recognized at an early age while making appearances on the Grand Ole Opry stage, the radio show A Prairie Home Companion, and before the United States Congress;

Whereas, After graduating from the Kentucky School for the Blind, Michael began performing professionally, and released his first solo album, "Sawing on the C String", in 1998;

Whereas, Michael has performed with numerous bluegrass and country legends including Bill Monroe, Ralph Stanley, Doyle Lawson, Allison Krauss, and Vince Gill;

Whereas, Michael is the recipient of numerous awards, including being a three-time winner of the International Bluegrass Music Association (IBMA) Instrumental Album of the Year Award, an eleven-time winner of the IBMA Fiddle Player of the Year Award, and being a three-time winner of the IBMA Instrumental Group of the Year Award with his band, Flamekeeper;

Whereas, In 2018, Michael won his first Grammy Award for Best Bluegrass Album for his solo album "Fiddler's Dream";

Whereas, Two years later, Michael was nominated for and won his second Grammy Award for Best Bluegrass Album for his album "The Tall Fiddler"; and

Whereas, Michael Cleveland's fiddle talents have taken him all over the world, and he is an exemplary representative of southeastern Indiana: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Michael Cleveland for winning the 2020 Grammy Award for Best Bluegrass Album and wishes him well in his future success.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Michael Cleveland

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

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 19

Representative Kirchhofer called down Engrossed Senate Bill 19 for third reading:

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

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

Roll Call 184: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 39

Representative Young called down Engrossed Senate Bill 39 for third reading:

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

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

Roll Call 185: yeas 93, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 61

Representative Bacon called down Engrossed Senate Bill 61 for third reading:

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

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

Roll Call 186: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 187

Representative Miller called down Engrossed Senate Bill 187 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

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

Roll Call 187: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 246

Representative Cook called down Engrossed Senate Bill 246 for third reading:

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

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

Roll Call 188: yeas 96, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 273

Representative Kirchhofer called down Engrossed Senate Bill 273 for third reading:

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

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

Roll Call 189: yeas 92, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 366

Representative Gutwein called down Engrossed Senate Bill 366 for third reading:

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

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

Roll Call 190: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 255

Representative Kirchhofer called down Engrossed Senate Bill 255 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 255–1)

Mr. Speaker: I move that Engrossed Senate Bill 255 be amended to read as follows:

Page 2, after line 8, begin a new paragraph and insert:

"SECTION 3. IC 27-8-14.5-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3.5. As used in this chapter, "prescription insulin drug" means a prescription drug that contains insulin, is used to treat diabetes, and has been prescribed as medically necessary.**

SECTION 4. IC 27-8-14.5-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 6.5. (a) An insurer shall cap the total amount an insured is required to pay for a thirty (30) day supply of the insured's prescription insulin drugs at an amount not to exceed one hundred dollars ($100), regardless of the number of prescriptions and different types of prescription insulin drugs prescribed and filled in that thirty (30) day period.**

(b) An insurer may reduce the total amount an insured is required to pay for a thirty (30) day supply of the insured's prescription insulin drugs to an amount less than the amount of the cap specified in subsection (a). (c) This section applies to a health insurance plan that is issued, delivered, amended, or renewed after June 30, 2020.".

(Reference is to ESB 255 as printed February 14, 2020.)

SHACKLEFORD

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

OTHER BUSINESS ON THE SPEAKER'S TABLE

Reassignments

The Speaker announced the reassignment of Engrossed Senate Bill 355 from the Committee on Public Health to the Committee on Interstate and International Cooperation.

HOUSE MOTION

Mr. Speaker: I move that Representatives Morrison, Pfaff and Heaton be added as cosponsors of Engrossed Senate Bill 66.

CHERRY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as cosponsor of Engrossed Senate Bill 132.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative VanNatter be added as cosponsor of Engrossed Senate Bill 180.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Pressel, Lauer and Moseley be added as cosponsors of Engrossed Senate Bill 197.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Judy be added as cosponsor of Engrossed Senate Bill 237.

MORRIS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lehman be added as cosponsor of Engrossed Senate Bill 257.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Bartels and Klinker be added as cosponsors of Engrossed Senate Bill 258.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goodin be added as cosponsor of Engrossed Senate Bill 273.

KIRCHHOFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bartels be added as cosponsor of Engrossed Senate Bill 316.

ZENT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Bartels be added as cosponsor of Engrossed Senate Bill 343.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative VanNatter be added as cosponsor of Engrossed Senate Bill 406.

BARTELS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Schaibley be added as cosponsor of Engrossed Senate Bill 424.

ENGLEMAN

Motion prevailed.

HOUSE MOTION

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

BOSMA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Fleming, Davisson and Lauer be added as cosponsors of Senate Concurrent Resolution 47.

GOODIN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goodin be added as coauthor of House Resolution 10.

PRYOR

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1095 and 1198 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 11, 13 and 32 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 2, 31, 33, 34, 35, 39, 42, 44 and 47 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Bacon, the House adjourned at 3:14 p.m., this eighteenth day of February, 2020, until Thursday, February 20, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Twenty-Third Day — **Thursday Morning** — **February 20, 2020**

The invocation was offered by Reverend Craig Beckley of Bridge of Hope Church in Moores Hill, a guest of Representative Frye.

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

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

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

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

Roll Call 191: 88 present; 12 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, February 24, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 109, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 5-2-6.1-16, AS AMENDED BY P.L.65-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) A person eligible for assistance under section 12 of this chapter may file an application for assistance with the division if the violent crime was committed in Indiana.

(b) Except as provided in ~~subsection (c),~~ **subsections (e) and (f),** the application must be received by the division not more than one hundred eighty (180) days after the date the crime was committed. The division may grant an extension of time for good cause shown by the claimant. However, and except as provided in ~~subsection (c),~~ **subsections (e) and (f),** the division may not accept an application that is received more than two (2) years after the date the crime was committed.

(c) The application must be filed in the office of the division in person, through the division's Internet web site, or by first class or certified mail. If requested, the division shall assist a victim in preparing the application.

(d) The division shall accept all applications filed in compliance with this chapter. Upon receipt of a complete application, the division shall promptly begin the investigation and processing of an application.

(e) An alleged victim of a child sex crime may submit an application to the division until the victim becomes thirty-one (31) years of age **or in accordance with subsection (f).**

(f) An alleged victim of a child sex crime described in IC 35-41-4-2(e) which meets the requirements of IC 35-41-4-2(p) may submit an application to the division not later than five (5) years after the earliest of the date on which:

(1) the state first discovers evidence sufficient to charge the offender with the offense through DNA (deoxyribonucleic acid) analysis;

(2) the state first becomes aware of the existence of a recording (as defined in IC 35-31.5-2-273) that provides evidence sufficient to charge the offender with the offense; or

(3) a person confesses to the offense.

~~(f)~~ **(g)** An alleged victim of a battery offense included in IC 35-42-2 upon a child less than fourteen (14) years of age may submit an application to the division not later than five (5) years after the commission of the offense.".

Page 2, delete lines 1 through 16.

Renumber all SECTIONS consecutively.

(Reference is to SB 109 as reprinted January 31, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 132, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 6, delete lines 18 through 42, begin a new paragraph and insert:

"SECTION 13. IC 22-15-5-4, AS AMENDED BY P.L.230-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The division shall carry out a program for the periodic inspection of regulated lifting devices being operated in Indiana. A regulated lifting device may not be operated without an operating certificate that covers the operation of the regulated lifting device.

(b) A permit issued under this section expires on the earlier of:

(1) one (1) year after issuance; or

(2) when the regulated lifting device is altered.

(c) After a regulated lifting device has been installed or altered, an applicant shall apply for an initial operating certificate. The division shall issue an initial operating certificate for a regulated lifting device if:

(1) the applicant demonstrates:

(A) through an acceptance inspection made by an elevator inspector licensed under section 11 of this chapter that the regulated lifting device covered by the application complies with the laws governing its construction, repair, maintenance, and operation; and

(B) that the applicant has paid the fee set under IC 22-12-6-6(a)(7); and

(2) the division verifies, through an inspection, that the regulated lifting device complies with the laws governing the construction, repair, maintenance, and operation of the regulated lifting device.

(d) The division shall issue a renewal operating certificate if the applicant:

(1) demonstrates through the completion of applicable safety tests that the regulated lifting device complies with the laws governing the construction, repair, maintenance, and operation of the regulated lifting device;

(2) submits results of all applicable safety tests, including failed safety tests for the regulated lifting device; and

(3) has paid the fee set under IC 22-12-6-6(a)(7).

(e) The division may issue a temporary operating permit to an applicant under this section who does not comply with subsection (c)(1)(A) for a new or altered regulated lifting device or subsection (d)(1) for an existing unaltered regulated lifting device. The applicant must pay the fee set under IC 22-12-6-6(a)(7) to qualify for the temporary operating permit. Except as provided in subsection (f), the permit, including all renewal periods, is limited to sixty (60) days.

(f) The division may renew a temporary operating permit issued under subsection (e) for thirty (30) day periods during the construction of a building if the regulated lifting device is used for the transportation of construction personnel, tools, and materials.

(g) The responsibilities of the division under this section may be carried out by a political subdivision that is approved by the commission under IC 22-13-2-10.

(h) A copy of the operating certificate shall be displayed in or on each regulated lifting device or in an associated machine room. **In addition to the requirements of this subsection, the two-dimensional bar code assigned to an elevator shall be displayed in or on each elevator in a location that is easily viewed and scanned by a person riding on the elevator.**

(i) A licensed elevator mechanic shall perform the maintenance on a regulated lifting device.".

Page 7, delete lines 1 through 32.

Renumber all SECTIONS consecutively.

(Reference is to SB 132 as printed January 15, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

FRYE R, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 181, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 181 as printed January 24, 2020.)

Committee Vote: Yeas 18, Nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 194, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 194 as printed January 10, 2020.)

Committee Vote: Yeas 9, Nays 2.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred Senate Bill 197, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 197 as printed January 22, 2020.)

Committee Vote: Yeas 11, Nays 0.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Veterans Affairs and Public Safety, to which was referred Senate Bill 237, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 3, reset in roman "performing".
Page 1, line 4, reset in roman "the person's".
Page 1, line 4, delete "on duty" and insert "duty **or while the person is on duty**".
Page 1, line 4, after "or" insert "**who**".
Page 2, after line 7, begin a new paragraph and insert:
"SECTION 2. IC 36-8-4-6.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.5. (a) This section applies to the appointment of a police chief or deputy police chief in all cities.
(b) An applicant must meet the following requirements:
(1) Have five (5) years of service as:
(A) a police officer with a full-time, paid police department or agency; **or**
(B) a federal enforcement officer (as defined in IC 35-31.5-2-129) with a full-time, paid federal law enforcement agency.
(2) Be a citizen of the United States.
(3) Be a high school graduate or equivalent.
(4) Be at least twenty-one (21) years of age.
(5) Be free of mental illness.
(6) Be physically fit.
(7) Have successfully completed:
(A) the minimum basic training requirements established by the law enforcement training board under IC 5-2-1, or have continuous service with the same department to which the applicant was appointed as a law enforcement officer before July 6, 1972; **or**
(B) the minimum basic federal law enforcement training requirements that are substantially equivalent to the training requirements as described in clause (A).
(c) In addition to the requirements of subsection (b), an applicant for appointment as police chief or deputy police chief must have at least five (5) years of continuous service with the police department of that city **or with the same federal law enforcement agency** immediately before the appointment. This requirement may be waived by the city executive.".
Renumber all SECTIONS consecutively.
(Reference is to SB 237 as printed January 17, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

FRYE, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred Senate Bill 239, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:
Page 2, line 14, delete "at the time the policy is issued" and insert "**when the individual's coverage under the state employee health plan begins**".
Page 2, line 23, delete "policy;" and insert "**state employee health plan;**".
Page 2, line 24, delete "policy" and insert "**state employee health plan**".
(Reference is to SB 239 as printed January 31, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

CARBAUGH, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 249, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 249 as reprinted January 24, 2020.)

Committee Vote: Yeas 11, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 256, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:
Page 8, line 23, delete "judge" and insert "**judges**".
Page 8, line 23, after "court" insert "**and Gibson circuit court**".
Page 8, line 24, delete "the superior court." and insert "**both courts.**".
Page 8, line 26, delete "court." and insert "**court and the judge of the Gibson circuit court.**".
(Reference is to SB 256 as printed January 24, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 272, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 272 as printed January 24, 2020.)

Committee Vote: Yeas 19, Nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 288, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 288 as printed January 29, 2020.)

Committee Vote: Yeas 13, Nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 299, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 299 as printed January 31, 2020.)

Committee Vote: Yeas 12, Nays 1.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Financial Institutions, to which was referred Senate Bill 358, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 358 as printed January 24, 2020.)

Committee Vote: Yeas 11, Nays 0.

BURTON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 383, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 5, delete "prepare and".

Page 1, line 5, delete "a report".

Page 1, line 5, delete "state".

Page 1, line 6, after "committee" insert "**the report required by the commission under this chapter not later than December 1 after the close of each state fiscal year**".

Page 1, line 7, delete "2(f)(8)" and insert "**2**".

Page 1, line 8, delete "and women's".

Page 1, line 9, delete "enterprises" and insert "**enterprises, women's business enterprises, and veteran owned small businesses**".

Page 1, line 9, delete "state".

Renumber all SECTIONS consecutively.

(Reference is to SB 383 as printed January 31, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 21, nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 424, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 424 as reprinted January 29, 2020.)

Committee Vote: Yeas 8, Nays 1.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred Senate Bill 430, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, delete lines 2 through 38, begin a new paragraph and insert:

"SECTION 15. IC 14-33-9-11 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 11. (a) This section applies only to a reservoir conservancy district established under IC 14-33-24.**

(b) Notwithstanding IC 14-33-7-1(b) and IC 14-33-21-5, the maximum annual levy of the special benefits tax imposed by the board of a reservoir conservancy district established under IC 14-33-24 is two million dollars ($2,000,000). The department of local government finance shall annually calculate the special benefits tax rate of the reservoir conservancy district which, when applied to the assessed valuation of the real property located within the boundaries of the reservoir conservancy district and not exempt from the special benefits tax, will produce revenue in the amount of the annual levy determined by the board of the reservoir conservancy district. The amount of the annual levy may be less than two million dollars ($2,000,000) but may not exceed two million dollars ($2,000,000).

(c) The board of a reservoir conservancy district shall certify under section 5(a) of this chapter to the auditor of each county having land in the reservoir conservancy district the special benefits tax rate calculated by the department of local government finance under subsection (b) that will produce the revenue amount of the annual levy determined by the board of the reservoir conservancy district, which may be less than two million dollars ($2,000,000) but may not exceed two million dollars ($2,000,000).

(d) The assessed value growth quotient determined under IC 6-1.1-18.5-2 does not apply to the amount of the maximum annual levy that may be imposed under this section.".

Page 9, line 7, delete "Subject to covenants in existence when the reservoir".

Page 9, line 8, delete "conservancy district is established, a" and insert "**A**".

Page 11, line 18, delete "IC 34-30-32" and insert "IC 34-30-31.5".

Page 11, line 21, delete "32." and insert "**31.5.**".

(Reference is to SB 430 as reprinted February 4, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

WOLKINS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Agriculture and Rural Development, to which was referred Senate Bill 438, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 1. IC 15-16-4-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3.5. As used in this chapter, "adverse effect" has the meaning set forth in IC 15-16-5-0.5.**".

Page 3, line 16, after "number," insert "**if applicable;**".

Page 3, line 16, after "and" delete "if applicable;".

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

"SECTION 11. IC 15-16-4-64, AS ADDED BY P.L.120-2008, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 64. (a) The state chemist ~~shall~~ **may** require the submission of the complete formula of any pesticide product, including: ~~the:~~

(1) **the** confidential statement of formula;

(2) **the** analytical methods for the analysis of the pesticide formulation and the analysis of residues of the pesticide product in environmental media; ~~and~~

(3) **the** analytical standards of the pesticide product;

(4) the safety data sheet;

(5) the physical sample of the pesticide product; and

(6) a statement of all claims to be made for the pesticide product, including a full description of the tests made and the results of the tests upon which the claims are based.

In the case of a federally registered product, this requirement may be waived.

(b) The state chemist shall register a pesticide product if:

(1) the state chemist determines that the composition of the pesticide product warrants the proposed claims for the pesticide product;

(2) the pesticide product, its labeling, and other material

required to be submitted comply with the requirements of section 61 of this chapter; and

(3) the state chemist determines that the person submitting the application for registration has complied with the requirements of this chapter, **including satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 64.5 of this chapter.**

(c) The state chemist shall notify the applicant that the pesticide product, labeling, or other material required to be submitted fails to comply with the law if the state chemist determines:

(1) that the proposed claims for the pesticide product; or

(2) the pesticide product, its labeling, and other material required to be submitted;

does not comply with this chapter, **including satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 64.5 of this chapter.**

(d) If the state chemist notifies an applicant under subsection (c), the state chemist shall give the applicant an opportunity to make the necessary corrections. If upon receipt of notice, the applicant does not make the corrections, the state chemist may refuse to register the pesticide product.

(e) The state chemist, in accordance with the procedures specified in this section, may deny, suspend, or cancel the registration of a pesticide whenever the state chemist determines that:

(1) the pesticide product;

(2) the pesticide product's labeling; or

(3) the person submitting the application for registration of the pesticide product;

does not comply with this chapter, **including satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 64.5 of this chapter.**

(f) If:

(1) an application for registration is refused; or

(2) the state chemist proposes to deny, suspend, or cancel a registration;

notice of the action and information concerning the person's right to obtain a review under section 64.5 of this chapter must be given to the applicant or registrant.

SECTION 12. IC 15-16-4-69, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 69. (a) Subject to this section, if a person violates this chapter or a rule adopted under this chapter, the state chemist under IC 4-21.5-3-6 may warn, cite, or impose a civil penalty on the person or:

(1) deny;

(2) suspend;

(3) revoke; or

(4) amend;

the person's registration under this chapter.

(b) The state chemist may impose civil penalties **under this section** only in accordance with the schedule of civil penalties adopted by the board. The board shall establish a schedule of the civil penalties that may be imposed under subsection (a) by rule adopted under IC 4-22-2. The rule adopted under this subsection may not provide for a civil penalty that exceeds the following:

(1) ~~Two hundred fifty~~ **Five hundred** dollars ~~($250)~~ **($500)** for a person's first violation.

(2) ~~Five hundred~~ **One thousand** dollars ~~($500)~~ **($1,000)** for a person's second violation.

(3) ~~One~~ **Two** thousand **five hundred** dollars ~~($1,000)~~ **($2,500)** for a person's third violation and each subsequent violation.

~~(c) If a violation is of a continuing nature, the state chemist may impose a civil penalty for each day that the violation occurred.~~

~~(d)~~ **(c)** A proceeding under IC 4-21.5-3 that involves the imposition of a civil penalty may be consolidated with any other proceeding commenced under IC 4-21.5 to enforce this chapter or the rules adopted under this chapter.

~~(e)~~ **(d)** Money collected for civil penalties imposed under this section shall be credited to the office of Purdue pesticide programs. The money may be used only to provide education about pesticides.".

Delete page 6.

Page 7, delete lines 1 through 6.

Page 8, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 14. IC 15-16-5-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.5. As used in this chapter, "adverse effect" means a pesticide exposure to a nontarget site that results in:**

(1) pesticide residues in excess of established food or feed tolerances established by the United States Environmental Protection Agency;

(2) environmental media standards or benchmarks for pesticides established by a federal or state agency; or

(3) visible, measureable, or documented:

(A) death;

(B) illness;

(C) stunting;

(D) deformation;

(E) discoloration; or

(F) other effects;

that are detrimental to the nontarget site.".

Page 8, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 16. IC 15-16-5-14.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14.7. As used in this chapter, "immediate container" has the meaning set forth in IC 15-16-4-18.**

SECTION 17. IC 15-16-5-15.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 15.5. As used in this chapter, "label" has the meaning set forth in IC 15-16-4-23.**".

Page 9, delete lines 4 through 9.

Page 9, delete lines 32 through 42.

Delete page 10.

Page 11, delete lines 1 through 31.

Page 15, delete lines 1 through 23, begin a new paragraph and insert:

"SECTION 26. IC 15-16-5-59, AS ADDED BY P.L.120-2008, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 59. (a) Commercial applicators, **private applicators,** and licensed pest inspectors shall maintain records concerning:

(1) the application of restricted use pesticides;

(2) the application of pesticides for hire;

(3) the application of pesticides on golf courses;

(4) the application of pesticides on school property;

~~(2)~~ **(5)** diagnostic inspections to determine infestations of wood destroying pests; and

~~(3)~~ **(6)** any relevant information that the state chemist determines by rule is necessary for purposes of this chapter.

~~(b) The state chemist may require certified applicators to maintain records related to applications of state restricted pesticide uses.~~

~~(c)~~ **(b)** Records required under this section must be kept for:

(1) two (2) years after the date of the inspection or the application of the pesticide; or

(2) the time specified by rule.

~~(d)~~ **(c)** The state chemist shall be provided access to the

records ~~by the commercial applicator or licensed pest inspector.~~ **required to be maintained under this section.**".

Page 17, delete lines 7 through 36, begin a new paragraph and insert:

"SECTION 28. IC 15-16-5-66, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 66. (a) The state chemist may impose civil penalties only in accordance with **this chapter and** the schedule of civil penalties adopted by the board.

(b) **Except for use violations subject to the criteria established in subsection (d),** the board shall establish a schedule of civil penalties that may be imposed under section 65 of this chapter by rule adopted under IC 4-22-2. The rule adopted under this subsection may not provide for a civil penalty that exceeds the following:

~~(1) For a violation committed by a person who is required to be certified as a private applicator, one hundred dollars ($100).~~

~~(2) For a violation by a person who is not described in subdivision (1), the following:~~

~~(A) Two~~ **(1) Five** hundred ~~fifty~~ dollars ~~($250)~~ **($500)** for a person's first violation.

~~(B) Five hundred~~ **(2) One thousand** dollars ~~($500)~~ **($1,000)** for a person's second violation.

~~(C) One~~ **(3) Two** thousand dollars ~~($1,000)~~ **($2,000)** for a person's third violation and each subsequent violation.

(c) If a violation is of a continuing nature, the state chemist may impose a civil penalty for each day that the violation occurred.

(d) Subject to the criteria established in subsection (e), for a use violation of this chapter, the state chemist may impose the following penalty in accordance with this subsection:

(1) For a violation that receives not more than eight (8) points, the state chemist shall impose no civil penalty.

(2) For a violation that receives at least nine (9) points but no more than eleven (11) points, the state chemist shall impose a penalty of two hundred fifty dollars ($250) on the person.

(3) For a violation that receives at least twelve (12) points but not more than fourteen (14) points, the state chemist shall impose a penalty of five hundred dollars ($500) on the person.

(4) For a violation that receives at least fifteen (15) points but not more than seventeen (17) points, the state chemist shall impose a penalty of seven hundred fifty dollars ($750) on the person.

(5) For a violation that receives at least eighteen (18) points but not more than twenty (20) points, the state chemist shall impose a penalty of one thousand dollars ($1,000) on the person.

(6) For a violation that receives at least twenty-one (21) points but not more than twenty-three (23) points, the state chemist shall impose a penalty of two thousand five hundred dollars ($2,500) on the person.

(7) For a violation that receives at least twenty-four (24) points but not more than twenty-six (26) points, the state chemist shall impose a penalty of not more than five thousand dollars ($5,000) on the person.

(8) For a violation that receives at least twenty-seven (27) points but not more than twenty-nine (29) points, the state chemist shall impose a penalty of not more than seven thousand five dollars ($7,500) on the person.

(9) For a violation that receives thirty (30) points or more, the state chemist shall impose a penalty of ten thousand dollars ($10,000) on the person.

(e) The state chemist shall use the following criteria to establish the point value for use in computing the total number of violation points for a penalty imposed under subsection (d):

(1) The following point value shall be assessed based on the adverse effect incurred:

(A) If the violation resulted in exposure to nontarget site or animals with no adverse effect, the state chemist shall assign a point value of one (1).

(B) If the violation resulted in exposure to humans with no adverse effect, the state chemist shall assign a point value of four (4).

(C) If the violation resulted in exposure to nontarget site with adverse effect, the state chemist shall assign a point value of two (2).

(D) If the violation resulted in exposure to animals with adverse effect, the state chemist shall assign a point value of four (4).

(E) If the violation resulted in exposure to humans with adverse effect, the state chemist shall assign a point value of six (6).

(2) The following point value shall be assessed based on the category of product used:

(A) If the product is general use, the state chemist shall assign a point value of one (1).

(B) If the product is restricted use, the state chemist shall assign a point value of four (4).

(3) The following point value shall be assessed based upon the following degrees of responsibility involved in the violation:

(A) If the degree of responsibility is accidental, such as an equipment malfunction, the state chemist shall assign a point value of two (2).

(B) If the degree of responsibility is negligence, the state chemist shall assign a point value of four (4).

(C) If the degree of responsibility is knowing or intentional, the state chemist shall assign a point value of ten (10).

(4) The following point value shall be assessed based upon the person's previous three (3) year history of violations:

(A) If the person has received a warning letter, the state chemist shall assign a point value of two (2).

(B) If the person has been convicted of a criminal penalty under this chapter or has committed a violation of this chapter for which the state chemist has imposed a penalty, the state chemist shall assign a point value of five (5).

(C) If the person has had the person's license, permit, certification, or registration issued under this chapter suspended or revoked, the state chemist shall assign a point value of seven (7).

(5) The following point value shall be assessed based on the following types of violations:

(A) If the person's violation is the result of inaccurate record keeping, the state chemist shall assign a point value of one (1).

(B) If the person's violation is a result of:

(i) the lack of supervision;

(ii) the use of faulty equipment; or

(iii) the use of a pesticide that is contrary to the directions printed on the label and that exposes the person to the pesticide;

the state chemist shall assign a point value of two (2).

(C) If the person's violation is a result of the use of a pesticide that is contrary to the directions printed on the label the state chemist shall assign a point value of three (3).

(D) If the person's violation results in direct application to a nontarget site, the state chemist shall assign a point value of four (4).

(6) The state chemist may reduce the point value assessed under this subsection for the following:

(A) Full and timely cooperation by the violator with

the state chemist during the investigation process.
(B) Remedial or corrective action taken by the violator to address the noncompliant situation or adverse effects resulting from the violation.

~~(d)~~ **(f)** A proceeding under IC 4-21.5-3 that involves a civil penalty may be consolidated with any other proceeding commenced under IC 4-21.5 to enforce this chapter or the rules adopted under this chapter.

~~(e)~~ **(g)** Money collected for civil penalties imposed under section 65 of this chapter shall be credited to the office of Purdue pesticide programs. The money may be used only to provide education about pesticides.".

Renumber all SECTIONS consecutively.

(Reference is to SB 438 as reprinted January 31, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

LEHE, Chair

Report adopted.

Representatives May and Saunders, who had been excused, are now present.

ENGROSSED SENATE BILLS ON SECOND READING

Pursuant to House Rule 143.1 , the following bills which had no amendments filed, were read a second time by title and ordered engrossed: Engrossed Senate Bills 50, 139, 180, 238, 269, 302 and 405.

RESOLUTIONS ON FIRST READING

House Resolution 28

Representatives GiaQuinta, Pryor and Candelaria Reardon introduced House Resolution 28:

A HOUSE RESOLUTION honoring State Representative Karlee D. Macer.

Whereas, State Representative Karlee D. Macer was first elected to the Indiana House of Representatives to represent the constituents of House District 92 in 2012;

Whereas, During her time in the House of Representatives, Representative Macer has served as ranking minority member on the Veterans Affairs and Public Safety Committee; as well as the Commerce, Small Business, and Economic Development Committee; and she served as a member on the Family, Children, and Human Affairs Committee; the Government and Regulatory Reform Committee; the Public Policy Committee; and the Utilities, Energy and Telecommunication Committee;

Whereas, During her time here she has served in caucus leadership positions as Assistant Democratic Whip from 2016 to 2018 and Assistant Democratic Leader from 2018 to 2020;

Whereas, Previously Representative Karlee D. Macer was president of the Wayne Township Education Foundation and the 40 West Business Association, also having been the community relations manager/clinical liaison at Northwest Healthcare Center, through which she worked towards goals with students, workers, and business leaders in the community;

Whereas, Representative Macer is a founding member of the community and economic development nonprofit Indy Gateway, focused on the betterment of life for all on the west side of Indianapolis. She has worked to create jobs with livable wages in Indiana House District 92;

Whereas, Some of Representative Macer's honors received while in the legislature include receiving the Distinguished Public Service Award from the American Legion, the AARP Capital Caregiver Award, the Legislator of the Year by the Disabled American Veterans, the Legislator of the Year by the Indiana Social Work Association, the Indiana Chamber Small Business Champion, and the Indiana Chamber's Legislative Champion;

Whereas, Representative Karlee D. Macer is married to husband, Chad, and they have two children, Cole and Kelsee; and

Whereas, Representative Macer has served her constituency loyally and faithfully since her election to the Indiana House of Representatives: Therefore,

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

SECTION 1. That the Indiana House of Representatives honors State Representative Karlee Macer for her years of service.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative GiaQuinta for distribution.

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

House Resolution 29

Representatives Summers, Shackleford, Harris, Hatcher, Bartlett, Jackson, Porter, Pryor and V. Smith introduced House Resolution 29:

A HOUSE RESOLUTION to honor and congratulate the ladies of Zeta Phi Beta Sorority on the organization's 100th anniversary.

Whereas, Zeta Phi Beta Sorority was founded on January 16, 1920, by five young women on the campus of Howard University located in Washington, D.C.;

Whereas, Zeta Phi Beta has raised the consciousness of its members, encouraging the highest standards of scholastic achievement, unity, and community involvement to identify and improve the human condition for all humanity and the black community specifically;

Whereas, Zeta Phi Beta Sorority promotes scholarship, service, sisterhood, and finer womanhood within its membership;

Whereas, Zeta Phi Beta members devote countless hours of volunteer service, providing advocacy on social and civic change as well as youth outreach, including scholarships, elevating organized charities, and promoting social and civic change;

Whereas, Zeta Phi Beta Sorority has chartered hundreds of chapters and united thousands of women around the world;

Whereas, The Zeta Phi Beta Sorority continues to thrive and flourish while adapting to the changing needs of society, and the sorority's diverse membership of professional women continues to serve in order to improve communities in need;

Whereas, The ladies of Zeta Phi Beta Sorority have been operating in Indiana since 1931;

Whereas, Headquartered in Washington, D.C., Zeta Phi Beta Sorority, Inc. has more than 800 chapters in the United States and 16 in the Bahamas, Germany, Japan, Korea, and the U.S. Virgin Islands;

Whereas, There are eight Indiana Graduate Chapters - Eta Upsilon Zeta (Fort Wayne), Iota Zeta (Indianapolis), Mu Tau Zeta (Speedway), Sigma Theta Zeta (East Chicago), Upsilon Kappa Zeta (Bloomington), Upsilon Omicron Zeta (South Bend), Upsilon Omega Zeta (Fishers), and Zeta Theta Zeta (Gary);

Whereas, There are six Indiana Undergraduate Chapters - Delta Epsilon (IU Bloomington), Epsilon Kappa (Purdue), Iota Theta (Indiana State), Lambda Tau (DePauw), Omicron Pi (IUPUI), and Tau Nu (Ball State); and

Whereas, Zeta Phi Beta Sorority, Inc. is dedicated to the service of all mankind and has improved the lives of many people throughout the years: Therefore,

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

SECTION 1. That the House of Representatives honors the members of Zeta Phi Beta Sorority for their contributions to the state of Indiana and congratulates them on the centennial anniversary of the sorority that occurred on January 16, 2020, and continues through 2020.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of Vanessa Summers for distribution.

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

House Concurrent Resolution 21

Representatives Judy and Abbott introduced House Concurrent Resolution 21:

A CONCURRENT RESOLUTION recognizing the Whitley County Chamber of Commerce for 100 years of service.

Whereas, The Indiana General Assembly recognizes the Whitley County Chamber of Commerce for 100 years of service to local business in Whitley County since 1919;

Whereas, The Whitley County Chamber of Commerce continues a long tradition providing unique and custom services to members including: one-on-one business coaching, marketing, and consultation;

Whereas, The Whitley County Chamber of Commerce and Visitors Center serves as a one stop shop connecting residents, business owners, and visitors to activity in and around Whitley County;

Whereas, The Whitley County Chamber of Commerce provides vital information and advocacy on a wide range of state and local issues important to member businesses and nonprofit organizations;

Whereas, The Whitley County Chamber of Commerce champions local business by promoting new and well established businesses through professional press releases, event photography services, chamber ribbon cutting ceremonies, and more; and

Whereas, The Whitley County Chamber of Commerce and Visitors Center is the advocate, the resource and the champion for all local business and nonprofit organizations in Whitley County: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the Whitley County Chamber of Commerce for 100 years of service.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the Whitley County Chamber of Commerce.

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

House Concurrent Resolution 33

Representative Davisson introduced House Concurrent Resolution 33:

A CONCURRENT RESOLUTION recognizing the 2019 Salem High School marching band.

Whereas, The 2019 Salem High School marching band won the Indiana State Music Association's Scholastic Class B state final on October 26, 2019;

Whereas, The Indiana State School Music Association (ISSMA) was founded in 1981 to provide educationally evaluated performance opportunities for students and teachers from member schools in Indiana;

Whereas, The 2019 ISSMA competition was held in Indianapolis at Lawrence Central High School and featured 34 marching bands competing in one of two categories, Scholastic A or Scholastic B, based on band size and school enrollment; and

Whereas, The Salem High School marching band was invited to perform at the 47th annual Indiana state marching band finals at Lucas Oil Stadium as the ISSMA Scholastic Class B state champion: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes the Salem High School marching band's triumphant and memorable season.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Steve Davisson for distribution.

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

Senate Concurrent Resolution 13

The Speaker handed down Senate Concurrent Resolution 13, sponsored by Representative Goodrich:

A CONCURRENT RESOLUTION congratulating the Noblesville High School girls soccer team on winning the 2019 Indiana High School Athletic Association ("IHSAA") Class 3A state championship title.

Whereas, The Noblesville High School girls soccer team captured the 2019 IHSAA Class 3A state championship title by beating defending state champion Carmel 1-0;

Whereas, To earn its spot in the championship match, the Millers defeated Anderson and Hamilton Southeastern in the sectional championship, Fort Wayne Carroll and McCutcheon in the regional championship, and Penn in the semi-state championship;

Whereas, The championship match remained scoreless until the 44th minute, when Jenna Chatterton found Kiana Siefert on a cross pass and Siefert scored the goal to determine the match's outcome;

Whereas, Though Carmel outshot Noblesville 14-11 and led 8-6 in shots on goal, the Millers's strong defense and goalkeeper Sarah Kile's seven saves stopped Carmel from scoring;

Whereas, The Millers, led by coach Mike Brady, finished the season with a 17-0-3 record and earned the school's first state championship title in girls soccer; and

Whereas, Noblesville's hard work, grit, and determination was key to the team's success in achieving the state championship: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Noblesville High School girls soccer team on winning the 2019 IHSAA Class 3A state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to each member of the Noblesville High School girls soccer team

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

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 20

Representative Saunders called down Engrossed Senate Bill 20 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 20–1)

Mr. Speaker: I move that Engrossed Senate Bill 20 be amended to read as follows:

Page 5, after line 35, begin a new paragraph and insert:

"SECTION 3. IC 36-7-14-8, AS AMENDED BY P.L.85-2017, SECTION 121, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) The redevelopment commissioners shall hold a meeting for the purpose of organization not later than thirty (30) days after they are appointed and, after that, each year on a day that is not a Saturday, a Sunday, or a legal holiday and that is their first meeting day of the year. They shall choose one (1) of their members as president, another as vice president, and another as secretary. These officers shall perform the duties usually pertaining to their offices and shall serve from the date of their election until their successors are elected and qualified.

(b) The fiscal officer of the unit establishing a redevelopment commission is the treasurer of the redevelopment commission. Notwithstanding any other provision of this chapter, but subject to subsection (c), the treasurer has charge over and is responsible for the administration, investment, and disbursement of all funds and accounts of the redevelopment commission in accordance with the requirements of state laws that apply to other funds and accounts administered by the fiscal officer. The treasurer shall report annually to the redevelopment commission before April 1.

(c) The treasurer of the redevelopment commission may disburse funds of the redevelopment commission only after the redevelopment commission allows and approves the disbursement. However, the redevelopment commission may, by rule or resolution, authorize the treasurer to make certain types of disbursements before the redevelopment commission's allowance and approval at its next regular meeting.

(d) The following apply to funds of the redevelopment commission:

(1) The funds must be accounted for separately by the unit establishing the redevelopment commission and the daily balance of the funds must be maintained in a separate ledger statement.

(2) Except as provided in subsection (e), all funds designated as redevelopment commission funds must be accessible to the redevelopment commission at any time.

(3) The amount of the daily balance of redevelopment commission funds may not be below zero (0) at any time.

(4) The funds may not be maintained or used in a manner that is intended to avoid the waiver procedures and requirements for a unit and the redevelopment commission under subsection (e).

(e) If the fiscal body of a unit determines that it is necessary to engage in short term borrowing until the next tax collection period, the fiscal body of the unit may request approval from the redevelopment commission to waive the requirement in subsection (d)(2). In order to waive the requirement under subsection (d)(2), the fiscal body of the unit and the redevelopment commission must adopt similar resolutions that set forth:

(1) the amount of the funds designated as redevelopment commission funds that are no longer accessible to the redevelopment commission under the waiver; and

(2) an expiration date for the waiver.

If a loan is made to a unit from funds designated as redevelopment funds, the loan must be repaid by the unit and the funds made accessible to the redevelopment commission not later than the end of the calendar year in which the funds are received by the unit.

(f) Subsections (d) and (e) do not restrict transfers or uses by a redevelopment commission made to meet commitments under a written agreement of the redevelopment commission that was entered into before January 1, 2016, if the written agreement complied with the requirements existing under the law at the time the redevelopment commission entered into the written agreement.

(g) The redevelopment commissioners may adopt the rules and bylaws they consider necessary for the proper conduct of their proceedings, the carrying out of their duties, and the safeguarding of the money and property placed in their custody by this chapter. In addition to the annual meeting, the commissioners may, by resolution or in accordance with their rules and bylaws, prescribe the date and manner of notice of other regular or special meetings.

(h) This subsection does not apply to a county redevelopment commission that consists of seven (7) members. Three (3) of the redevelopment commissioners constitute a quorum, and the concurrence of three (3) commissioners is necessary to authorize any action.

(i) This subsection applies only to a county redevelopment commission that consists of seven (7) members. Four (4) of the redevelopment commissioners constitute a quorum, and the concurrence of four (4) commissioners is necessary to authorize any action.

(j) At the annual meeting described in subsection (a), the redevelopment commission shall report the impact that each tax increment financing district has on all taxing units that encompass the tax increment financing district.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 20 as printed February 18, 2020.)

GOODIN

Motion withdrawn. The bill was ordered engrossed.

Engrossed Senate Bill 258

Representative Frye called down Engrossed Senate Bill 258 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 258–1)

Mr. Speaker: I move that Engrossed Senate Bill 258 be amended to read as follows:

Page 1, delete lines 1 through 17.
Page 2, delete lines 1 through 15.
Page 2, delete lines 33 through 42.
Page 3, delete lines 1 through 7.
Renumber all SECTIONS consecutively.

(Reference is to ESB 258 as printed February 18, 2020.)

FRYE

Motion prevailed. The bill was ordered engrossed.

The Speaker yielded the gavel to Representative Bacon.

Representatives Huston and Soliday, who had been present, are now excused

Representative Candelaria Reardon and Zent, who had been excused, are now present.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 255

Representative Kirchhofer called down Engrossed Senate Bill 255 for third reading:

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

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

Roll Call 192: yeas 88, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Bacon yielded the gavel to the Speaker.

[*Journal Clerk's Note: The Speaker announced that Representative Karickhoff will replace Speaker-elect Huston on the Rules and Legislative Procedures committee, effective Monday, February 24, 2020 .]*

[*Journal Clerk's Note: Upon the request of Representative Zent, the Speaker asked for a moment of silence for the passing of former State Representative Richard Dodge.]*

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that Engrossed Senate Bills 132 and 256 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representatives Morris, Fleming and Miller be added as cosponsors of Engrossed Senate Bill 78.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pierce be added as cosponsor of Engrossed Senate Bill 177.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Carbaugh be removed as cosponsor of Engrossed Senate Bill 239 and Representative Vermilion be added as cosponsor.

MAYFIELD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Hatfield and Sherman be added as cosponsors of Engrossed Senate Bill 254.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lauer be added as cosponsor of Engrossed Senate Bill 258.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Morrison be added as cosponsor of Engrossed Senate Bill 324.

ABBOTT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pierce be added as cosponsor of Engrossed Senate Bill 343.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Burton and Hamilton be added as cosponsors of Engrossed Senate Bill 358.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives VanNatter and Moseley be added as cosponsors of Engrossed Senate Bill 405.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative VanNatter be added as cosponsor of Engrossed Senate Bill 409.

LYNESS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Leonard be added as cosponsor of Engrossed Senate Bill 450.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives McNamara, Campbell, Beck, Sherman, Fleming, Negele, Summers, Candelaria Reardon and Schaibley be added as coauthors of House Resolution 16.

SHACKLEFORD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cook be added as cosponsor of Engrossed Senate Concurrent Resolution 13.

GOODRICH

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1096, 1129 and 1143 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1077, 1080 and 1092 with amendments and the same are herewith returned to the House for concurrence.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 20, 23, 34 and 41 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 13, 43, 45 and 46 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Hamilton, the House adjourned at 11:25 a.m., this twentieth day of February, 2020, until Monday, February 24, 2019, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Twenty-Fourth Day — **Monday Afternoon** — **February 24, 2020**

The invocation was offered by Pastor Michael Bell of Chandler Church of the Nazarene in Chandler, IN, a guest of Representative Bacon.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

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

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

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

Roll Call 193: 96 present; 4 excused. The Speaker announced a quorum in attendance. [*NOTE*: □ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, February 25, 2020, at 1:30 p.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred Senate Bill 179, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 2, after "agreement." insert "**This section expires January 1, 2023.**".

Page 2, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 2. IC 3-7-26.3-35, AS ADDED BY P.L.71-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 35. (a) ~~Not later than January 1, 2020,~~ The secretary of state shall issue an order establishing proficiency standards for an individual employed by or acting under the authorization of a county voter registration office, **a circuit court clerk, a county election board, or a board of elections and registration** to be qualified to access the computerized list.

(b) ~~After December 31, 2019,~~ An individual described in subsection (a) must have demonstrated to the satisfaction of the secretary of state and the election division that the individual has been sufficiently trained and demonstrated the individual's ability to properly access the system and comply with all applicable laws governing the operation of the list in order for the individual to access the computerized list.

(c) The county voter registration office, **circuit court clerk, county election board, or board of elections and registration** may revoke the authorization granted **by the office, clerk, or board** under subsection (b) for good cause, and shall file a report of the revocation with the secretary of state and the election division not later than seven (7) days after the revocation is effective.".

Page 2, between lines 36 and 37, begin a new line block indented and insert:

"**However, after December 31, 2020, an electronic poll book may not display whether a voter's registration record is in active or inactive status.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 179 as printed January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

WESCO, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 230, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 230 as reprinted January 28, 2020.)

Committee Vote: Yeas 13, Nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred Senate Bill 254, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 254 as printed January 17, 2020.)

Committee Vote: Yeas 12, Nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Elections and Apportionment, to which was referred Senate Bill 334, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, between lines 18 and 19, begin a new line block indented and insert:

"**(5) Best practices in answering voters' questions on how to vote, including providing instructions to voters on straight ticket voting.**".

Page 4, line 27, delete "for a federal office" and insert "**(other than for a federal office)**".

Page 12, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 11. IC 3-11-2-10, AS AMENDED BY P.L.278-2019, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) Public questions shall be placed on the general election ballot in the following order after the statement described in section 7 of this chapter, and the instructions described in subsections (d) and (e) and section 8 of this chapter, if instructions are printed on the ballot:

(1) Ratification of a state constitutional amendment.

(2) Local public questions.

Subject to section 10.1 of this chapter, each public question shall be placed in a separate column on the ballot.

(b) The name or title of the political party or independent ticket described in section 6 of this chapter shall be placed on the general election ballot after the public questions described in subsection (a). The device of the political party or independent ticket shall be placed immediately under the name of the political party or independent ticket. **Notwithstanding section 8(b) of this chapter,** the instructions for voting a straight party ticket shall be placed to the right of the device ~~if instructions are printed~~ on the ballot.

(c) The instructions for voting a straight party ticket must conform as nearly as possible to the following:

"**(1) You are not required to vote a straight party ticket. If you do not wish to vote a straight party ticket, do not make a mark in this section, and proceed to voting the ballot by office.**

~~(1)~~ **(2)** To vote a straight (insert political party name) ticket for all (insert political party name) candidates on this ballot, except for candidates described in (2) below, make a voting mark on or in this circle and do not make any other marks on this ballot.

~~(2)~~ **(3)** To vote for any candidate for an at-large office (insert county council, city common council, town council, or township board if those offices appear on this ballot) to which more than one **(1)** person may be elected, you must make another voting mark for each candidate you wish to vote for. Your straight party vote will not count as a vote for any candidate for that office.

~~(3)~~ **(4)** If you wish to vote for a candidate seeking a nonpartisan office or on a public question, you must make another voting mark on the appropriate place on this ballot.".

(d) Except as permitted under section 8(b) of this chapter, if the ballot contains an independent ticket described in section 6 of this chapter and at least one (1) other independent candidate, the ballot must also contain a statement that reads substantially as follows: "A vote cast for an independent ticket will only be counted for the candidates for President and Vice President or governor and lieutenant governor comprising that independent ticket. This vote will NOT be counted for any OTHER independent candidate appearing on the ballot.".

(e) Except as permitted under section 8(b) of this chapter, the ballot must also contain a statement that reads substantially as follows: "A write-in vote will NOT be counted unless the vote is for a DECLARED write-in candidate. To vote for a write-in candidate, you must make a voting mark on or in the square to the left of the name you have written in or your vote will not be counted.".

(f) Subject to section 10.1 of this chapter, the list of candidates of the political party shall be placed immediately under the instructions for voting a straight party ticket. The names of the candidates shall be placed three-fourths (3/4) of an inch apart from center to center of the name. The name of each candidate must have, immediately on its left, a square three-eighths (3/8) of an inch on each side.

(g) The circuit court clerk may authorize the printing of ballots containing a ballot variation code to ensure that the proper version of a ballot is used within a precinct.

SECTION 12. IC 3-11-13-11, AS AMENDED BY P.L.278-2019, SECTION 104, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) The ballot information, whether placed on the ballot card or on the marking device, must be in the order of arrangement provided for ballots under this section.

(b) Each county election board shall have the names of all candidates for all elected offices, political party offices, and public questions printed on a ballot card as provided in this chapter. The county may:

(1) print all offices and questions on a single ballot card; and

(2) include a ballot variation code to ensure that the proper version of a ballot is used within a precinct.

(c) Each type of ballot card must be of uniform size and of the same quality and color of paper (except as permitted under IC 3-10-1-17).

(d) The nominees of a political party or an independent candidate or independent ticket (described in IC 3-11-2-6) nominated by petitioners shall be listed on the ballot with the name and device set forth on the certification or petition. The circle containing the device may be of any size that permits a voter to readily identify the device. IC 3-11-2-5 applies if the certification or petition does not include a name or device, or if the same device is selected by two (2) or more parties or petitioners.

(e) The offices and public questions on the general election ballot must be placed on the ballot in the order listed in IC 3-11-2-12, ~~IC 3-11-2-12.2,~~ IC 3-11-2-12.4, IC 3-11-2-12.5, IC 3-11-2-12.7(b), IC 3-11-2-12.9(a), IC 3-11-2-13(a) through IC 3-11-2-13(c), IC 3-11-2-14(a), and IC 3-11-2-14(d). The offices and public questions may be listed in a continuous column either vertically or horizontally and on a number of separate pages.

(f) The name of each office must be printed in a uniform size in bold type. A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate:

(1) "Vote for one (1) only.", if only one (1) candidate is to be elected to the office.

(2) "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office. To vote for any candidate for this office, you must make a voting mark for each candidate you wish to vote for. A straight party vote will not count as a vote for any candidate for this office.", if more than one (1) candidate is to be elected to the office.

(g) Below the name of the office and the statement required by subsection (f), the names of the candidates for each office must be grouped together in the following order:

(1) The major political party whose candidate received the highest number of votes in the county for secretary of state at the last election is listed first.

(2) The major political party whose candidate received the second highest number of votes in the county for secretary of state is listed second.

(3) All other political parties listed in the order that the parties' candidates for secretary of state finished in the last election are listed after the party listed in subdivision (2).

(4) If a political party did not have a candidate for secretary of state in the last election or a nominee is an independent candidate or independent ticket (described in IC 3-11-2-6), the party or candidate is listed after the parties described in subdivisions (1), (2), and (3).

(5) If more than one (1) political party or independent candidate or ticket described in subdivision (4) qualifies to be on the ballot, the parties, candidates, or tickets are listed in the order in which the party filed its petition of nomination under IC 3-8-6-12.

(6) A space for write-in voting is placed after the candidates listed in subdivisions (1) through (5), if required by law.

(7) The name of a write-in candidate may not be listed on the ballot.

(h) The names of the candidates grouped in the order established by subsection (g) must be printed in type with uniform capital letters and have a uniform space between each name. The name of the candidate's political party, or the word "Independent" if the:

(1) candidate; or

(2) ticket of candidates for:

(A) President and Vice President of the United States; or

(B) governor and lieutenant governor;

is independent, must be placed immediately below or beside the name of the candidate and must be printed in a uniform size and type.

(i) All the candidates of the same political party for election to at-large seats on the fiscal or legislative body of a political subdivision must be grouped together:

(1) under the name of the office that the candidates are seeking;

(2) in the order established by subsection (g); and

(3) within the political party, in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) of ANY party for this office.".

(j) Candidates for election to at-large seats on the governing body of a school corporation must be grouped:

(1) under the name of the office that the candidates are seeking; and

(2) in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office.".

(k) The following information must be placed at the top of the ballot before the first public question is listed:

(1) The cautionary statement described in IC 3-11-2-7.

(2) The instructions described in IC 3-11-2-8, IC 3-11-2-10(d), and IC 3-11-2-10(e).

(l) The ballot must include a single connectable arrow, circle, oval, or square, or a voting position for voting a straight party or an independent ticket (described in IC 3-11-2-6) by one (1) mark as required by section 14 of this chapter, and the single connectable arrow, circle, oval, or square, or the voting position for casting a straight party or an independent ticket ballot must be identified by:

(1) the name of the political party or independent ticket (described in IC 3-11-2-6); and

(2) immediately below or beside the political party's or independent ticket's name, the device of that party or ticket (described in IC 3-11-2-5).

The name and device of each political party or independent ticket must be of uniform size and type and arranged in the order established by subsection (g) for listing candidates under each office. The instructions described in IC 3-11-2-10(c) for voting a straight party ticket and the statement concerning presidential electors required under IC 3-10-4-3 ~~may~~ **must** be placed on the ballot label. ~~or in a location within the voting booth in a location that permits the voter to easily read the instructions.~~ **The instructions for voting a straight party ticket must include the statement: "If you do not wish to vote a straight party ticket, do not make a mark in this section and proceed to voting the ballot by office.".**

(m) A public question must be in the form described in IC 3-11-2-15(a) and IC 3-11-2-15(b), except that a single connectable arrow, a circle, or an oval may be used instead of a square. Except as expressly authorized or required by statute, a county election board may not print a ballot card that contains language concerning the public question other than the language authorized by a statute.

(n) The requirements in this section:

(1) do not replace; and

(2) are in addition to;

any other requirements in this title that apply to optical scan ballots.

(o) The procedure described in IC 3-11-2-16 must be used when a ballot does not comply with the requirements imposed by this title or contains another error or omission that might result in confusion or mistakes by voters.

(p) This subsection applies to an optical scan ballot that does not list:

(1) the names of political parties or candidates; or

(2) the text of public questions;

on the face of the ballot. The ballot must be prepared in accordance with this section, except that the ballot must include a numbered circle or oval to refer to each political party, candidate, or public question.

SECTION 13. IC 3-11-14-3.5, AS AMENDED BY P.L.21-2016, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. (a) Each

county election board shall have the names of all candidates for all elected offices, political party offices, and public questions printed on ballot labels for use in an electronic voting system as provided in this chapter.

(b) The county may:

(1) print all offices and public questions on a single ballot label; and

(2) include a ballot variation code to ensure that the proper version of a ballot label is used within a precinct.

(c) Each type of ballot label must be of uniform size and of the same quality and color of paper (except as permitted under IC 3-10-1-17).

(d) The nominees of a political party or an independent candidate or independent ticket (described in IC 3-11-2-6) nominated by petitioners must be listed on the ballot label with the name and device set forth on the certification or petition. The circle containing the device may be of any size that permits a voter to readily identify the device. IC 3-11-2-5 applies if the certification or petition does not include a name or device, or if the same device is selected by two (2) or more parties or petitioners.

(e) The ballot labels must list the offices and public questions on the general election ballot in the order listed in IC 3-11-2-12, ~~IC 3-11-2-12.2,~~ IC 3-11-2-12.4, IC 3-11-2-12.5, IC 3-11-2-12.7(b), IC 3-11-2-12.9(a), IC 3-11-2-13(a) through IC 3-11-2-13(c), IC 3-11-2-14(a), and IC 3-11-2-14(d). Each office and public question may have a separate screen, or the offices and public questions may be listed in a continuous column either vertically or horizontally.

(f) The name of each office must be printed in a uniform size in bold type. A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate:

(1) "Vote for one (1) only.", if only one (1) candidate is to be elected to the office.

(2) "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office. To vote for any candidate for this office, you must make a voting mark for each candidate you wish to vote for. A straight party vote will not count as a vote for any candidate for this office.", if more than one (1) candidate is to be elected to the office.

(g) Below the name of the office and the statement required by subsection (f), the names of the candidates for each office must be grouped together in the following order:

(1) The major political party whose candidate received the highest number of votes in the county for secretary of state at the last election is listed first.

(2) The major political party whose candidate received the second highest number of votes in the county for secretary of state is listed second.

(3) All other political parties listed in the order that the parties' candidates for secretary of state finished in the last election are listed after the party listed in subdivision (2).

(4) If a political party did not have a candidate for secretary of state in the last election or a nominee is an independent candidate or independent ticket (described in IC 3-11-2-6), the party or candidate is listed after the parties described in subdivisions (1), (2), and (3).

(5) If more than one (1) political party or independent candidate or ticket described in subdivision (4) qualifies to be on the ballot, the parties, candidates, or tickets are listed in the order in which the party filed its petition of nomination under IC 3-8-6-12.

(6) A space for write-in voting is placed after the candidates listed in subdivisions (1) through (5), if required by law. A space for write-in voting for an office is not required if there are no declared write-in candidates for that office. However, procedures must be implemented to permit write-in voting for candidates for federal offices.

(7) The name of a write-in candidate may not be listed on the ballot.

(h) The names of the candidates grouped in the order established by subsection (g) must be printed in type with uniform capital letters and have a uniform space between each name. The name of the candidate's political party, or the word "Independent", if the:

(1) candidate; or

(2) ticket of candidates for:

(A) President and Vice President of the United States; or

(B) governor and lieutenant governor;

is independent, must be placed immediately below or beside the name of the candidate and must be printed in uniform size and type.

(i) All the candidates of the same political party for election to at-large seats on the fiscal or legislative body of a political subdivision must be grouped together:

(1) under the name of the office that the candidates are seeking;

(2) in the party order established by subsection (g); and

(3) within the political party, in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) of ANY party for this office.".

(j) Candidates for election to at-large seats on the governing body of a school corporation must be grouped:

(1) under the name of the office that the candidates are seeking; and

(2) in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office.".

(k) The cautionary statement described in IC 3-11-2-7 must be placed at the top or beginning of the ballot label before the first public question is listed.

(l) The instructions described in IC 3-11-2-8, IC 3-11-2-10(d), and IC 3-11-2-10(e) may be:

(1) placed on the ballot label; or

(2) posted in a location within the voting booth that permits the voter to easily read the instructions.

(m) The ballot label must include a touch sensitive point or button for voting a straight political party or independent ticket (described in IC 3-11-2-6) by one (1) touch, and the touch sensitive point or button must be identified by:

(1) the name of the political party or independent ticket; and

(2) immediately below or beside the political party's or independent ticket's name, the device of that party or ticket (described in IC 3-11-2-5).

The name and device of each party or ticket must be of uniform size and type, and arranged in the order established by subsection (g) for listing candidates under each office. The instructions described in IC 3-11-2-10(c) for voting a straight party ticket and the statement concerning presidential electors required under IC 3-10-4-3 ~~may~~ **must** be placed on the ballot label. ~~or in a location within the voting booth that permits the voter to easily read the instructions.~~ **The instructions for voting a straight party ticket must include the statement: "If you do not wish to vote a straight party ticket, press "NEXT" (or replace "NEXT" with the term used by that voting system to permit a voter to skip a ballot screen) to continue voting.".**

(n) A public question must be in the form described in IC 3-11-2-15(a) and IC 3-11-2-15(b), except that a touch

sensitive point or button must be used instead of a square. Except as expressly authorized or required by statute, a county election board may not print a ballot label that contains language concerning the public question other than the language authorized by a statute.

(o) The requirements in this section:

(1) do not replace; and

(2) are in addition to;

any other requirements in this title that apply to ballots for electronic voting systems.

(p) The procedure described in IC 3-11-2-16 must be used when a ballot label does not comply with the requirements imposed by this title or contains another error or omission that might result in confusion or mistakes by voters.".

Renumber all SECTIONS consecutively.

(Reference is to SB 334 as printed January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 6, nays 4.

WESCO, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred Senate Bill 343, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 343 as printed January 31, 2020.)

Committee Vote: Yeas 11, Nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 410, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 410 as printed January 31, 2020.)

Committee Vote: Yeas 13, Nays 0.

ZENT, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 29

The Speaker handed down Senate Concurrent Resolution 29, sponsored by Representative Bartlett:

A CONCURRENT RESOLUTION congratulating Cathedral High School's "We the People: The Citizen and the Constitution" team on winning Indiana's State competition.

Whereas, "We the People: The Citizen and the Constitution" is a competition that consists of a mock congressional hearing that challenges students to evaluate, take, and defend positions on historical and modern issues;

Whereas, The class is a co-curricular program in which students complete college-level course work, and spend numerous hours outside of class preparing;

Whereas, Cathedral High School has won the 7th Congressional District "We the People: The Citizen and the Constitution" competition this year and will represent Indiana at the national competition in Washington, D.C.; and

Whereas, Coaches Jill Twilleager, Jacob Twilleager, and Sean Dewey and team members Annika Garwood, Kathrine Griffith, Jackson Hern, Carson Kwiatkowski, Maxwell Martin, Kendrick Mernitz, Anya Neumeister, Timothy Sullivan, and Garrett Wright should all be congratulated on their excellent performance: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates Cathedral High School's "We the People: The Citizen and the Constitution" team on this great achievement and wishes them all the best in future endeavors.

SECTION 2. The Secretary of the Senate is hereby directed to transmit 34 copies of this resolution to the Coaches and Students of the Cathedral High School "We the People: The Citizen and the Constitution" team.

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

Senate Concurrent Resolution 37

The Speaker handed down Senate Concurrent Resolution 37, sponsored by Representative Cook:

A CONCURRENT RESOLUTION honoring Bobby Cox upon his retirement as Commissioner of the Indiana High School Athletic Association.

Whereas, After serving since 2011 as the eighth Commissioner of the Indiana High School Athletic Association (IHSAA), Bobby Cox will retire on August 1, 2020;

Whereas, Bobby Cox graduated from Carmel High School in 1975, participating in cross country and track and field, earned a bachelor's degree in physical education and health from Butler University in 1979, and a master's degree in secondary education from Butler University in 1987;

Whereas, Commissioner Cox started his career as a teacher and coach at Carmel Clay Junior High School in 1979, becoming athletics and activities director in 1990, and later the athletic director of Carmel High School in 1997;

Whereas, In 2000, after three years as Carmel High School's athletic director, Commissioner Cox became an Assistant Commissioner of the IHSAA, where he administered the sports of football, boys' golf, boys' and girls' track and field, and wrestling;

Whereas, As Commissioner, Bobby Cox led the IHSAA to make advances in numerous areas to strengthen the IHSAA brand and promote the many values and benefits of participation in education-based athletics;

Whereas, Commissioner Cox's tenure saw an expansion of corporate partnerships and sponsorships for the IHSAA, and Commissioner Cox pushed for strides in sportsmanship, technology, coaches education, student-athlete health and safety, officiating recruitment and retention, and servant leadership;

Whereas, Commissioner Cox also led the IHSAA to form the Champions Together initiative, a partnership with Special Olympics Indiana which established two new state tournaments in Unified Track and Field and Unified Flag Football, allowing students with and without intellectual disabilities to compete together in a team setting for their school;

Whereas, In addition to leading the IHSAA, Commissioner Cox has served on the board of directors of the National Federation of State High School Associations (NFHS), the IHSAA Foundation, the Indiana Basketball Hall of Fame, the

Indiana Sports Corporation, the Council on Standards for International Educational Travel, and the Center for Sports Leadership and Innovation;

Whereas, Commissioner Cox previously served as a member of the NFHS Football Rules Committee, serving as Chairman of the Research Subcommittee, a member of the NFHS Coaches' Education Committee, and an advisor to the Commission on Sports Medicine of the Indiana State Medical Association;

Whereas, Bobby Cox is a 2019 inductee into the Carmel High School Alumni Hall of Fame, and is married to his wife, Kathy; and

Whereas, Bobby Cox's countless contributions as IHSAA Commissioner have improved Indiana high school athletics for years to come: Therefore,

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

SECTION 1. The Indiana General Assembly honors Bobby Cox upon his retirement as Commissioner of the Indiana High School Athletic Association.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Commissioner Bobby Cox

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

Senate Concurrent Resolution 39

The Speaker handed down Senate Concurrent Resolution 39, sponsored by Representatives Bosma and DeLaney:

A CONCURRENT RESOLUTION congratulating the Bishop Chatard High School Trojans football team on its Class 3A state championship.

Whereas, Bishop Chatard High School of Indianapolis won the Class 3A state football championship on November 29, 2019;

Whereas, The victory was the Trojans' 14th high school football championship in the school's history, more high school football championships than have been won by any other high school in Indiana;

Whereas, The Trojans attained a 2019 season record of 14-1, scoring 650 points and holding their opponents to 174 points;

Whereas, The Trojans were led by Seniors Derion Gilbert (#1), Daylen Taylor (#2), Wyatt Schrader (#4), Kyle Cheek (#5), Tim McNelis (#10), Max Schrage (#11), Leo Dilts (#13), Thomas Joven (#14), Patrick Mastrian (#18), Hunter Boyd (#21), Andrew Sowinski (#22), Anthony Boso (#29), Michael Duffy (#40), Tom LeMark (#43), Jack McGillicuddy (#49), Alex Geise (#55), Joseph Solomon (#57), Jacob Szydlyk (#60), George Assalley (#63), Jack Benson (#64), Andrew Squier (#65), Eric Onate-Barlow (#68), Hayes Shepard (#77), Darrius Williams (#85), Sam Richey (#87), and George Forsee (#99);

Whereas, Trojan football player Joseph Solomon was chosen as one of the top 50 Football Players in Indiana by the Indiana Football Coaches Association, and players Patrick Mastrian, Wyatt Schrader, Andrew Sowinski, and Daylen Taylor were chosen as Class 3A All-State Players;

Whereas, Trojan football player Thomas Joven was named to the Indianapolis Colts Academic All Star Team and Trojan football players George Assalley, Kyle Cheek, Michael Duffy, George Forsee, Thomas Joven, Tom LeMark, Patrick Mastrian, Tim McNelis, Wyatt Schrader, Max Schrage, Andrew Sowinski, and Jacob Szydlyk were named as 2019 Indiana Academic All State;

Whereas, Head Coach Rob Doyle Sr. was recognized by the Indiana Football Coaches Association as the Class 3A Coach of the year, and was supported by talented and dedicated assistant coaches: Michael Annee, Shane Bosert, Bob Brock, Jamel Coleman, Rob Doyle Jr., Kyle Dietrick, Brock Dodson, Mike Dum, George Dury, Rob Dury, Tim Dury, Danny Goff, John Goodman, Mark Jones, Travis Lucas, Tayt Odom, Eric Quintana, Drew Schmutte, Bob Tomlinson, and Steve Valdiserri;

Whereas, The Trojans were cared for by committed professional physicians, trainers, and student trainers;

Whereas, The Trojans were enthusiastically supported by the Bishop Chatard student body, faculty and administrators, parents and families, alumni from near and far, and the entire Bishop Chatard community; and

Whereas, An outstanding achievement such as this deserves special recognition: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Bishop Chatard Trojans on its Class 3A state football championship and wishes the team continued success both on and off the field.

SECTION 2. That the Principal Secretary of the Senate shall transmit a copy of this resolution to all the individuals specifically named in this resolution as well as President Bill Sahm; Principal Joe Hansen; Athletic Director Mike Ford; and Gina Fleming, Superintendent of Catholic Schools for the Archdiocese of Indianapolis.

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

Senate Concurrent Resolution 43

The Speaker handed down Senate Concurrent Resolution 43, sponsored by Representative Klinker:

A CONCURRENT RESOLUTION congratulating the Lafayette Jefferson High School Marching Band on winning the Indiana State School Music Association Scholastic Class A State Finals.

Whereas, The 2019 Lafayette Jefferson High School Marching Band won the Indiana State School Music Association's (ISSMA) Scholastic Class A State Finals on October 26, 2019;

Whereas, The 2019 ISSMA competition was held in Indianapolis at Lawrence Central High School, and featured 34 marching bands competing in one of two categories, Scholastic A and Scholastic B, based on band size and school enrollment;

Whereas, Though weather prevented the band from performing outdoors to tell the entire visual story, the Lafayette Jefferson Marching Bronchos performed their routine, Persistence of Time, after spending hours of hard work and practice perfecting the show; and

Whereas, Winning the 2019 ISSMA Scholastic Class A earned the Lafayette Jefferson High School Marching Bronchos an invitation to perform at the 2019 Indiana State School Music Association Marching Band Finals: Therefore,

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

SECTION 1. That the Indiana General Assembly congratulates the Lafayette Jefferson High School Marching Band on winning the 2019 ISSMA Scholastic Class A State Finals.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Chris Paulson, Director of the Lafayette Jefferson High School Marching Band

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

Senate Concurrent Resolution 44

The Speaker handed down Senate Concurrent Resolution 44, sponsored by Representative Mayfield:

A CONCURRENT RESOLUTION honoring Hoosier Basketball Magazine's 50th year of publication.

Whereas, First published in 1970, the Hoosier Basketball Magazine is in its 50th year of publication;

Whereas, Hoosier Basketball Magazine is a 272-page comprehensive survey of all boys' and girls' high school and men's and women's college and professional basketball teams in Indiana;

Whereas, The magazine primarily provides an in-depth analysis of Indiana high school basketball, including detailed regional round-ups featuring each regional's top players, and profiles of all boys' and girls' prep teams;

Whereas, Hoosier Basketball Magazine also ranks the Top 50 boys' and girls' high school basketball teams, rates the top teams in each class, and names the four All-State teams for both girls' and boys' basketball, along with the Honorable Mention All-State teams;

Whereas, Each year, Hoosier Basketball Magazine recognizes more than 700 boys and 700 girls, and includes more than 1,500 pictures in the publication; and

Whereas, Hoosier Basketball Magazine's in-depth coverage and analysis of all Indiana high school basketball teams is part of the reason the magazine is referred to as the "Basketball Bible of Indiana!": Therefore,

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

SECTION 1. That the Indiana General Assembly honors Hoosier Basketball Magazine's 50th year of providing a comprehensive statewide summary of Indiana basketball.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Kip Wesner, Publisher of Hoosier Basketball Magazine

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

Senate Concurrent Resolution 45

The Speaker handed down Senate Concurrent Resolution 45, sponsored by Representative Carbaugh:

A CONCURRENT RESOLUTION recognizing Indiana Arts Education Day at the Statehouse.

Whereas, February 18, 2020, is Indiana Arts Education Day at the Statehouse, where the Indiana Arts Education Network, including a broad cross-section of Indiana organizations and leaders, gathers to promote that all Indiana students deserve a well-rounded education that includes music and the arts;

Whereas, A representation of Indiana's best and brightest music and arts champions attend Indiana Arts Education Day, with dozens of honorees from a variety of state and national organizations, such as the Educational Theater Association, the Indiana Music Educators Association, the Indiana State School Music Association, Indiana Thespians, the Jazz Education Network, Music for All, the NAMM Foundation, the Percussive Arts Society, and more;

Whereas, The Indiana Arts Education Network, collaborating with music and arts education advocates from around the state, is committed to ensuring that every Indiana student has reliable access to music and arts education;

Whereas, The Indiana Arts Education Network is dedicated to ensuring that every Indiana child reaches their full potential so they will be equipped to lead successful lives and help make Indiana the best place in the country to live and work;

Whereas, Students with greater arts participation are more likely to come to class, avoid being removed and graduate, as well as demonstrate greater proficiency in mathematics and communication;

Whereas, The skills gained through sequential music instruction, including discipline and the ability to analyze, solve problems, communicate, and work cooperatively, are vital for workplace readiness;

Whereas, Creative drama involvement improves adults' divergent thinking, increasing their fluency and flexibility, thereby increasing their creativity;

Whereas, The values youth obtain from working in the arts that carry over into general learning include critical thinking skills and risk-taking; and

Whereas, The Indiana Arts Education Network is dedicated to serving all Indiana students by supporting their ability to get the well-rounded education, including music and the arts, that they deserve: Therefore,

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

SECTION 1. That the Indiana General Assembly recognizes Indiana Arts Education Day at the Statehouse and the importance of arts education to all young Hoosiers.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the Indiana Arts Education Network

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 46

The Speaker handed down Senate Concurrent Resolution 46, sponsored by Representative Pressel:

A CONCURRENT RESOLUTION recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.

Whereas, February 24-28, 2020, is National Public Schools Week to recognize the importance of public education;

Whereas, Public schools prepare young people to contribute to the society, economy, and citizenry of Indiana and the United States, and 90% of children in the United States attend public schools;

Whereas, State and federal lawmakers should prioritize support for strengthening the public schools of Indiana and empower superintendents, principals, and school leaders to implement, manage, and lead school districts and schools in partnership with educators, parents, and other local education stakeholders;

Whereas, Public schools should foster inclusive, safe, and high-quality environments where children can learn to think critically, problem solve, and build relationships;

Whereas, Every child should receive an education that helps the child reach the child's full potential and to attend schools that offer a high-quality educational experience;

Whereas, Superintendents, principals, school leaders, teachers, paraprofessionals, and parents make public schools vital components of communities and are working hard to improve educational outcomes for children across the country; and

Whereas, The importance of public education in Indiana cannot be overstated: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes Indiana public schools and National Public Schools Week.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the Indiana Coalition for Public Education

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 51

The Speaker handed down Senate Concurrent Resolution 51, sponsored by Representatives Torr, McNamara, May, Mayfield, Ellington, Pierce, Bosma, DeLaney, Hatfield, Hatcher, Speedy, Steuerwald, Young and Schaibley:

A CONCURRENT RESOLUTION honoring Judge John G. Baker upon his retirement from the Indiana Court of Appeals.

Whereas, After serving for 31 years as a member of the Indiana Court of Appeals, Judge John G. Baker will retire from the bench July 31, 2020;

Whereas, Judge Baker grew up in Aurora, Indiana, attained the rank of Eagle Scout, and graduated from the Culver Military Academy;

Whereas, Judge Baker received a Bachelor of Arts degree in History from Indiana University in 1968, a Juris Doctor degree from the Indiana University School of Law–Bloomington in 1971, and a Master of Laws degree from the University of Virginia in 1995;

Whereas, Judge Baker practiced law with the firm of Baker, Barnhart, and Andrews, before serving as judge of the Monroe County and Monroe Superior Courts for 13 1/2 years, disposing of more than 15,000 cases as a trial court judge;

Whereas, In 1989, Judge Baker was named to the Court of Appeals by Governor Evan Bayh, and he was retained on the Court by election in 1992, 2002, and 2012;

Whereas, During his time on the Court of Appeals, Judge Baker wrote more than 5,000 majority opinions for the Court, and served as Chief Judge of the Court of Appeals from 2007 through 2010;

Whereas, Judge Baker also spent time in the classroom, teaching for 33 years at the Indiana University–Bloomington School of Public and Environmental Affairs, teaching a class for foreign lawyers at the Indiana University Robert H. McKinney School of Law for 10 years, and serving on the faculties of the Indiana Judicial College, Indiana Continuing Legal Education Forum, and the National Institute of Trial Advocacy;

Whereas, Long interested in court and judicial reform and history, Judge Baker has been a member of the Strategic Planning Committee of the Judicial Conference of Indiana since its inception to help improve Hoosiers' access to Indiana courts and their quality of experience in dealing with the courts;

Whereas, Judge Baker is a member of the American, Indiana State, Monroe County, Boone County, and Indianapolis Bar Associations, and served on the Indiana Judges' Association Board of Managers from 1979 through 2011, including as president from January 1987 through June 1989;

Whereas, Off the bench, Judge Baker served as a Captain in the U.S. Army Reserves, serves on the Board of Trustees of Garrett-Evangelical Theological Seminary, and remains active in his community, church, and the Boy Scouts of America;

Whereas, Judge Baker and his wife are the proud parents of six children and grandparents of eleven;

Whereas, Judge Baker has served with distinction during his more than four decade career as a member of the Indiana Court of Appeals and the Monroe County trial courts; and

Whereas, It is fitting that the Indiana General Assembly honors Judge Baker for his immeasurable contributions to the Indiana Judiciary and legal community: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly honors Judge John G. Baker upon his retirement from the Indiana Court of Appeals, thanks him for his years of service and immeasurable contributions to his state and country, and wishes him health and happiness in his retirement.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Judge John G. Baker

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

House Concurrent Resolution 40

Representative Burton introduced House Concurrent Resolution 40:

A CONCURRENT RESOLUTION recognizing dyslexia in Hoosier youth.

Whereas, Dyslexia is a language based learning disability which results in people having difficulty with language skills such as reading, spelling, writing, and speaking;

Whereas, While the causes of dyslexia are not clear, current studies suggest that 85% of those with a reading disability have dyslexia;

Whereas, Dyslexia is diagnosed through a formal evaluation, conducted by trained school or outside specialists;

Whereas, Advocacy groups, including Bear Reading Center, CAST Washington County, Children's Dyslexia Center, Columbus READS, Decoding Dyslexia Indiana, Dyslexia

Institute of Indiana, Elliott Cox Racing, Fortune Academy, Greenwood Public Library, International Dyslexia Association Indiana Branch, Multisensory Education Solutions, and Therese Rooney and the M.A. Rooney Foundation, along side many others; and

Whereas, These groups work to educate the public, parents, and educators about dyslexia: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes dyslexia in Hoosier youth.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Woody Burton for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Houchin.

House Resolution 30

Representative Beck introduced House Resolution 30:

A HOUSE RESOLUTION recognizing Workers Memorial Day.

Whereas, Workers Memorial Day is recognized on April 28th each year to honor workers who died or suffered workplace injuries while at work;

Whereas, The 2018 Indiana Census of Fatal Occupational Injuries found that more than 1,100 Hoosiers died from workplace injuries between 2010 and 2018;

Whereas, "It is true that some occupations are inherently more dangerous than others, but the mentality that dying is "just part of the job" is erroneous and obsolescent," according to the same report;

Whereas, Hoosier workers lose their lives each year throughout Indiana, causing an immeasurable loss to families, who are left to grieve after the loss of a loved one;

Whereas, Working conditions are regularly monitored for safety and compliance per standards of the Indiana Occupational Safety and Health Administration (IOSHA), part of the Indiana Department of Labor, so that workers are not put at risk of suffering a fatal injury;

Whereas, Employees need to be protected from possible life threatening risks, and the Indiana General Assembly provides IOSHA with all of the necessary tools to fully and rigorously investigate all workplace fatalities in order to ensure employers follow the appropriate safety measures; and

Whereas, The Indiana House of Representatives wishes to honor and remember the Hoosier workers who have suffered and died on the job: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives recognizes April 28, 2020, as Workers Memorial Day to honor Hoosiers who have died while at work in the course of their jobs.

SECTION 2. That the Indiana House of Representatives will continue to promote labor policies that prioritize the health and safety of Hoosier workers.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Lisa Beck for distribution.

The resolution was read a first time and adopted by voice vote.

The Speaker yielded the gavel to Representative Macer.

House Resolution 31

Representatives Behning and Bosma introduced House Resolution 31:

A HOUSE RESOLUTION honoring State Representative Woody Burton.

Whereas, Representative Woody Burton has faithfully served the Indiana House of Representative since 1988, representing House District 58;

Whereas, Representative Burton has been married to his wife, Volley, for 38 years and with whom he has three children and six grandchildren;

Whereas, Representative Burton's education includes graduate realtor, Reppert School of Auctioneering, certified residential broker, and certified residential specialist;

Whereas, During his time in the legislature, Representative Burton has served as chair of the House Financial Institutions Committee, and he has also been a member of the Education Committee, the Judiciary Committee, and the Committee on Rules and Legislative Procedures;

Whereas, Representative Burton is involved in the community as a member of the National Association of Realtors and Metropolitan Indianapolis Board of Realtors, and he is involved in the Masonic Lodge, Murat and Franklin Shrine Clubs, and Scottish Rite, 33rd degree;

Whereas, Representative Burton was the driving force behind the "In God We Trust" state license plate, which is an option available to Hoosiers at no extra charge;

Whereas, Representative Burton's passion for helping others, especially children, has led him to champion legislation supporting students with dyslexia and increasing accountability in the child welfare system;

Whereas, Representative Burton played a key role in passing numerous laws supporting property tax relief, creating transparency within homeowners associations and providing a 13th check for public employee pensions;

Whereas, He also co-authored legislation to fight bullying in schools by establishing bullying prevention programs;

Whereas, Representative Burton has received many awards over the years, including Legislator of the Year from the Indiana Bankers Association, an Appreciation Award from the Indiana Driver's School Association, the Indiana Chamber Voice of Indiana Business Award from the Indiana Small Business Council of Indiana Chamber of Commerce, Outstanding Hoosier Legislator from the Indiana Credit Union League, a Youth Advocate Award from Johnson County Youth Services, an Autism Commitment Award from Indiana Autism Community, Recognition of Outstanding Leadership and Devotion of Service to Hoosier Veterans and their Families, an Appreciation Award from Disabled American Veterans, a Certificate of Appreciation from the Central Nine Career Center, the Ellis Island Medal of Honor from the National Ethnic Coalition of Organizations, the Dyslexia Champion Award from Pinnacle School, and more; and

Whereas, Representative Burton has served Indiana as a compassionate public servant, always putting the needs of Hoosiers first, and has stayed true to his faith and conservative principles: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives honors State Representative Woody Burton for his years of service.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Robert Behning for distribution.

The resolution was read a first time and adopted by voice vote.

Representative Macer yielded the gavel to the Speaker.

ENGROSSED SENATE BILLS ON SECOND READING

Pursuant to House Rule 143.1 , the following bills which had no amendments filed, were read a second time by title and ordered engrossed: Engrossed Senate Bills 109, 181, 197, 237, 239, 249, 288, 358, 383 and 438.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 20

Representative Saunders called down Engrossed Senate Bill 20 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 194: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 139

Representative Cook called down Engrossed Senate Bill 139 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 195: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 180

Representative Carbaugh called down Engrossed Senate Bill 180 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 196: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 238

Representative DeVon called down Engrossed Senate Bill 238 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 197: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 258

Representative Frye called down Engrossed Senate Bill 258 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 198: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 269

Representative Lehman called down Engrossed Senate Bill 269 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 199: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 302

Representative Steuerwald called down Engrossed Senate Bill 302 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 200: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 405

Representative Pressel called down Engrossed Senate Bill 405 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 201: yeas 93, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 48

The Speaker handed down Senate Concurrent Resolution 48, sponsored by Representative Summers:

A CONCURRENT RESOLUTION honoring the Kappa Alpha Psi fraternity for its century of service within the community and its unyielding appreciation and support of diversity in all its forms.

Whereas, Kappa Alpha Psi, originally Kappa Alpha Nu, was established on January 5th, 1911 at Indiana University in Bloomington;

Whereas, This was the first and only African-American fraternity to this date founded on that campus and the third African-American college-based fraternity founded in the country;

Whereas, The young, intellectual, and talented 10 undergraduate college students herewith revered as the Founders were Elder Watson Diggs, Dr. Ezra Dee Alexander, Attorney Henry T. Asher, Dr. Byron K. Armstrong, Dr. Marcus Peter Blakemore, Paul W. Caine, George Wesley Edmonds, Dr. Guy Levis Grant, Edward Giles Irvin, and John Milton Lee;

Whereas, Kappa Alpha Psi Fraternity has grown to include over 700 chapters and has initiated over 30,000 men. The fraternity still maintains and lives by its motto from inception "Achievement in Every Field of Human Endeavor"; and

Whereas, Kappa Alpha Psi continues to serve as an avenue for young African American men to better themselves in the company of fraternal brothers and it is with great pride that we acknowledge the history of a respected service organization nationally and internationally in the state of Indiana: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana Senate honors the Kappa Alpha Psi fraternity for its century of service within the community and unyielding appreciation and support of diversity in all its forms.

SECTION 2. The Secretary of the Senate is hereby directed to transmit five copies of this resolution to the members of Kappa Alpha Psi.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 4:32 p.m. with the Speaker in the Chair.

Upon request of Representative Austin, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 202: 68 present. The Speaker declared a quorum present.

Representatives Ellington, Kirchhofer, Lindauer and Soliday who had been present, are now excused.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 424

Representative Engleman called down Engrossed Senate Bill 424 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 424–1)

Mr. Speaker: I move that Engrossed Senate Bill 424 be amended to read as follows:

Page 4, line 32, reset in roman "shall".

Page 4, line 32, delete "may".

Page 5, delete lines 28 through 29, begin a new line block indented and insert:

"**(8) A description of the applicant's plan, developed with the assistance of a representative of an agency designated under IC 5-26.5-3-4, to maintain the confidentiality of the applicant's new address.**

(9) The office of the attorney general may require the applicant to provide additional information:

(A) to determine the truth or falsity of the sworn statement as described in subdivision (1); or

(B) about the applicant's plan described in subdivision (8).".

Page 7, line 10, after "certification" insert "**or deny an applicant's application**".

Page 7, line 11, delete "participant:" and insert "**participant or applicant:**".

Page 7, delete lines 12 through 14, begin a new line block indented and insert:

"**(1) uses or intends to use the program in furtherance of a crime;**

(2) knowingly misrepresents in a fraudulent manner any information the program participant or applicant provides under this article; or

(3) is unable or unwilling to maintain the confidentiality of the program participant's or applicant's address.".

(Reference is to ESB 424 as printed February 21, 2020.)

ENGLEMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 299

Representative Stutzman called down Engrossed Senate Bill 299 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 299–1)

Mr. Speaker: I move that Engrossed Senate Bill 299 be amended to read as follows:

Page 6, line 13, delete "and in" and insert "**and, in an**".

Page 7, line 12, delete "A" and insert "**Except in extraordinary circumstances where the required information is unavailable or unknown, a**".

(Reference is to ESB 299 as printed February 21, 2020.)

BACON

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 194

Representative Steuerwald called down Engrossed Senate Bill 194 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 194–1)

Mr. Speaker: I move that Engrossed Senate Bill 194 be amended to read as follows:

Page 23, delete lines 21 through 42.

Page 24, delete lines 1 through 25.

Page 24, line 36, after "substance," insert "**or controlled substance analog,**".

Page 25, line 3, after "substance," insert "**or controlled substance analog,**".

Page 25, delete lines 35 through 42.

Delete page 26.

Page 27, delete lines 1 through 40.

Page 28, line 7, after "(2)" insert "**controlled substance or**".

Page 28, line 7, reset in roman "analog".

Renumber all SECTIONS consecutively.

(Reference is to ESB 194 as printed February 21, 2020.)

PIERCE

Motion prevailed.

HOUSE MOTION
(Amendment 194–2)

Mr. Speaker: I move that Engrossed Senate Bill 194 be amended to read as follows:

Page 28, after line 26, begin a new paragraph and insert:

"SECTION 13. IC 35-48-4-8.3, AS AMENDED BY P.L.187-2015, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8.3. (a) This section does not apply to a rolling paper.

(b) A person who knowingly or intentionally possesses an instrument, a device, or another object that the person intends to use for:

(1) introducing into the person's body a controlled substance;

(2) testing the strength, effectiveness, or purity of a controlled substance; or

(3) enhancing the effect of a controlled substance;

commits a Class C misdemeanor. However, the offense is a Class A misdemeanor if the person has a prior unrelated judgment or conviction under this section.

(c) It is a defense to a prosecution under this section that:

(1) the instrument, device, or other object is for use with marijuana; and

(2) a physician treating the patient has certified in a writing executed within the previous year that:

(A) the person suffers from a terminal illness or serious untreatable disease; and

(B) in the professional opinion of the physician, the benefits of treatment with marijuana are greater than the risks of treatment with marijuana.

SECTION 14. IC 35-48-4-11, AS AMENDED BY P.L.153-2018, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) A person who:

(1) knowingly or intentionally possesses (pure or adulterated) marijuana, hash oil, hashish, or salvia;

(2) knowingly or intentionally grows or cultivates marijuana; or

(3) knowing that marijuana is growing on the person's premises, fails to destroy the marijuana plants;

commits possession of marijuana, hash oil, hashish, or salvia, a Class B misdemeanor, except as provided in subsections (b) through (c).

(b) The offense described in subsection (a) is a Class A misdemeanor if:

(1) the person has a prior conviction for a drug offense; or

(2) the:

(A) marijuana, hash oil, hashish, or salvia is packaged in a manner that appears to be low THC hemp extract; and

(B) person knew or reasonably should have known that the product was marijuana, hash oil, hashish, or salvia.

(c) The offense described in subsection (a) is a Level 6 felony if:

(1) the person has a prior conviction for a drug offense; and

(2) the person possesses:

(A) at least thirty (30) grams of marijuana; or

(B) at least five (5) grams of hash oil, hashish, or salvia.

(d) It is a defense to a prosecution under this section that:

(1) the person possessed less than two (2) ounces of marijuana; and

(2) a physician treating the patient has certified in a writing executed within the previous year that:

(A) the person suffers from a terminal illness or serious untreatable disease; and

(B) in the professional opinion of the physician, the benefits of treatment with marijuana are greater than the risks of treatment with marijuana.".

(Reference is to ESB 194 as printed February 21, 2020.)

ERRINGTON

Representative Leonard rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was well taken and the motion was out of order.

APPEAL OF THE RULING OF THE CHAIR

Mr. Speaker: We hereby appeal the ruling of the Chair that amendment Senate Bill 194–2 violates House Rule 80. The amendment addresses a defense to a prosecution for possession of marijuana paraphernalia and possession of less than 2 ounces of marijuana for a person suffering from a terminal illness and is assuredly germane to the bill's subject matter of drug scheduling.

DVORAK
ERRINGTON

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Karickhoff.

The question was, Shall the ruling of the Chair be sustained? Roll Call 203: yeas 59, nays 29. The ruling of the Chair was sustained.

The Speaker Pro Tempore yielded the gavel to the Speaker.

The bill was ordered engrossed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative VanNatter be added as cosponsor of Engrossed Senate Bill 10.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as cosponsor of Engrossed Senate Bill 319.

JORDAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Steuerwald be removed as first sponsor and Representative McNamara be substituted therefor and Representative Steuerwald be added as cosponsor of Engrossed Senate Bill 335.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative DeLaney be added as cosponsor of Engrossed Senate Bill 346.

BEHNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Soliday, Carbaugh, Goodrich, Austin, Bartlett, Bauer, Boy, Campbell, Candelaria Reardon, McNamara, Chyung, DeLaney, Deal, Dvorak, Errington, Fleming, Negele, GiaQuinta, Goodin, Hamilton, Harris, Hatcher, Hatfield, Lehe, Jackson, Klinker, Macer, Moed, Moseley, Pfaff, Pierce, Porter, Pryor, Shackelford, V. Smith, Summers and Wright be added as coauthors of House Resolution 30.

BECK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Goodin be added as cosponsor of Senate Concurrent Resolution 37.

COOK

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives McNamara and Kirchhofer be added as cosponsors of Senate Concurrent Resolution 46.

PRESSEL

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1022, 1067 and 1210 with amendments and the same are herewith returned to the House for concurrence.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 29, 37, 48 and 51 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 17, 21, 33, 35, 36 and 39 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Burton, the House adjourned at 4:59 p.m., this twenty-fourth day of February, 2020, until Tuesday, February 25, 2020, at 1:30 p.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Twenty-Fifth Day — **Tuesday Afternoon** — **February 25, 2020**

The invocation was offered by Pastor Dwight Washington of Beech Grove Bible Church, a guest of Representative Kirchhofer.

The House convened at 1:30 p.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Bauer.

The Speaker ordered the roll of the House to be called:

Abbott
Austin
Aylesworth
Bacon
Baird
Barrett
Bartels
Bartlett
Bauer
Beck
Behning
Borders
Boy
T. Brown
Burton
Campbell
Candelaria Reardon
Carbaugh
Cherry
Chyung
Clere
Cook
Davisson
Deal
DeLaney
DeVon
Dvorak
Eberhart
Ellington
Engleman
Errington
Fleming
Forestal □
Frye
GiaQuinta
Goodin
Goodrich
Gutwein
Hamilton
Harris
Hatcher
Hatfield
Heaton
Heine □
Hostettler
Huston
Jackson
Jordan
Judy
Karickhoff
Kirchhofer
Klinker
Lauer
Lehe
Lehman
Leonard
Lindauer
Lucas
Lyness
Macer □
Manning
May
Mayfield
McNamara
Miller
Moed
Morris
Morrison
Moseley
Negele
Nisly
Pfaff
Pierce
Porter
Prescott
Pressel
Pryor
Saunders
Schaibley
Shackleford
Sherman
Smaltz
V. Smith
Soliday
Speedy □
Steuerwald
Stutzman
Sullivan
Summers
Thompson
Torr
VanNatter
Vermilion
Wesco
Wolkins
Wright
J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 204: 96 present; 4 excused. The Speaker announced a quorum in attendance. [*NOTE*: □ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, February 27, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 25, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, between lines 23 and 24, begin a new paragraph and insert: "**(e) A mental health disability review panel established under this chapter is not a governing body under IC 5-14-1.5-2(b).**".

Page 5, line 41, delete "evaluate" and insert "**conduct a confidential evaluation of**".

Page 6, line 5, after "its" insert "**confidential**".

Page 6, line 21, after "its" insert "**confidential**".

Page 6, after line 30, begin a new paragraph and insert:

"**Sec. 10. The system board may, during the provisional periods described in sections 5 and 7 of this chapter, suspend a member's disability benefit if the member fails to comply with reasonable requests by the review panel for information pursuant to its authority under this chapter.**".

(Reference is to SB 25 as printed January 10, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 199, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 199 as printed January 31, 2020.)

Committee Vote: Yeas 9, Nays 1.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 206, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 35-31.5-2-3, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. **(a) Except as provided in subsection (b) or unless otherwise defined in statute,** "accused", for purposes of IC 35-40, has the meaning set forth in IC 35-40-4-2.

(b) "Accused", for purposes of IC 35-40-5-11.5, has the meaning set forth in IC 35-40-5-11.5.

SECTION 2. IC 35-31.5-2-40.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 40.5. "Child victim", for purposes of IC 35-40-5-11.5, has the meaning set forth in IC 35-40-5-11.5.**

SECTION 3. IC 35-31.5-2-87.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 87.1. "Defendant", for purposes of IC 35-40-5-11.5, has the meaning set forth in IC 35-40-5-11.5.**

SECTION 4. IC 35-31.5-2-87.5 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 87.5. "Defense counsel", for purposes of IC 35-40-5-11, has the meaning set forth in IC 35-40-5-11(b).~~

SECTION 5. IC 35-31.5-2-90.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 90.5. "Deposition", for purposes of IC 35-40-5-11.5, has the meaning set forth in IC 35-40-5-11.5.**

SECTION 6. IC 35-40-5-3, AS AMENDED BY P.L.65-2016, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) This section applies if either of the following has occurred:

(1) The alleged felony or delinquent act that would have been a felony if committed by an adult was directly perpetrated against the victim.

(2) The alleged felony, misdemeanor, or delinquent act that would have been a felony or misdemeanor if committed by an adult was:

(A) a violation of IC 35-42-2 (offenses against the person), IC 35-45-2-1 (intimidation), IC 35-45-2-2 (harassment), IC 35-46-1-15.1 (invasion of privacy), IC 35-46-1-15.3, or IC 35-47-4-3 (pointing a firearm); and

(B) directly perpetrated against the victim by a person who:

(i) is or was a spouse of the victim;

(ii) is or was living as if a spouse of the victim; or

(iii) has a child in common with the victim.

(3) The alleged misdemeanor or delinquent act that would have been a misdemeanor if committed by an adult, other than a misdemeanor described in subdivision (2), was directly perpetrated against the victim, and the victim has complied with the notice requirements under IC 35-40-10.

(b) A victim has the right to confer with a representative of the prosecuting attorney's office:

(1) after a crime allegedly committed against the victim has been charged;

(2) before the trial of a crime allegedly committed against the victim; and

(3) before any disposition of a criminal case involving the victim.

This right does not include the authority to direct the prosecution of a criminal case involving the victim.

(c) A child victim (as defined in section 11.5 of this chapter) has the right to confer with a representative of the prosecuting attorney's office before being deposed. The representative of the prosecuting attorney's office may not instruct the child victim to refuse to participate in the deposition.

SECTION 7. IC 35-40-5-11 IS REPEALED [EFFECTIVE UPON PASSAGE] ~~Sec. 11. (a) This section applies only to a child less than sixteen (16) years of age who is the victim or alleged victim of a sex offense (as defined in IC 11-8-8-5.2).~~

~~(b) As used in this section, "defense counsel" includes an agent of:~~

~~(1) the defense counsel; or~~

~~(2) the defendant.~~

~~(c) After charges are filed against a defendant, if defense counsel would like to interview a child described in subsection (a), the defendant or defense counsel must contact the prosecuting attorney. The child has the right under section 3 of this chapter to confer with the prosecuting attorney before the interview occurs. The prosecuting attorney may not instruct the child not to speak with defense counsel.~~

~~(d) If the parties are unable to agree to the terms of the interview, the parties may petition the court for a hearing on the terms of the interview prior to the interview taking place. The court shall review the terms suggested by the parties and consider the age of the child, any special considerations, and the rights of victims provided by IC 35-40-5-1 in setting reasonable terms for the interview.~~

SECTION 8. IC 35-40-5-11.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 11.5. (a) This section applies only to a criminal case involving a child less than sixteen (16) years of age who is the victim or alleged victim of a sex offense.**

(b) The following definitions apply throughout this section:

(1) "Accused" or "the accused" means a person charged with committing a sex offense against a child victim. The term does not include an attorney who represents the accused.

(2) "Child victim" means a child less than sixteen (16) years of age who is the victim or alleged victim of a sex offense.

(3) "Defendant" means a person charged with committing a sex offense against a child victim and an attorney who represents the defendant.

(4) "Deposition" or "depose" means a deposition upon oral examination, or taking a deposition upon oral examination, as described in Indiana Trial Rule 30.

(5) "Sex offense" has the meaning set forth in IC 11-8-8-5.2.

(c) A defendant may depose a child victim only in accordance with this section.

(d) A defendant may not take the deposition of a child victim unless the defendant contacts the prosecuting attorney before contacting the child, and one (1) or more of the following apply:

(1) The prosecuting attorney agrees to the deposition. The prosecuting attorney may condition the prosecuting attorney's agreement to the deposition upon the defendant's acceptance of the manner in which the deposition shall be conducted.

(2) The court authorizes the deposition after finding, following a hearing under subsection (f), that there is a reasonable likelihood that the child victim will be unavailable for trial and the deposition is necessary to preserve the child victim's testimony.

(3) The court authorizes the deposition after finding, following a hearing under subsection (g), that the deposition is necessary:

(A) due to the existence of extraordinary

circumstances; and

(B) in the interest of justice.

(e) If the prosecuting attorney does not agree to the deposition, the defendant may petition the court for authorization to depose the child victim under subsection (d)(2), (d)(3), or both subsection (d)(2) and (d)(3). Upon receipt of the petition, the court shall notify the prosecuting attorney and set a hearing to determine whether to authorize a deposition of the child victim, and, if applicable, to determine the manner in which the deposition shall be conducted.

(f) The court shall authorize the deposition of a child victim under subsection (d)(2) if the defendant proves by a preponderance of the evidence that there is a reasonable likelihood that the child victim will be unavailable for trial and the deposition is necessary to preserve the child victim's testimony.

(g) The court may not authorize the deposition of a child victim under subsection (d)(3) unless the defendant establishes by a preponderance of the evidence that the deposition is necessary:

(1) due to the existence of extraordinary circumstances; and

(2) in the interest of justice.

(h) If the court authorizes the deposition of a child victim under subsection (f) or (g), the court shall determine the manner in which the deposition shall be conducted, after considering:

(1) the age of the child;

(2) the rights of the victim under IC 35-40-5-1; and

(3) any other relevant factors or special considerations.

(i) If the court denies a petition to depose a child victim, the court shall issue a written order describing the reason for the denial.

(j) If the court grants a request to depose a child victim, the court shall issue a written order describing the reason for granting the petition and setting forth the manner in which the deposition shall be conducted. The order shall:

(1) expressly prohibit the accused from deposing or being present at the deposition of the child victim unless:

(A) there is a reasonable likelihood that the child victim will be unavailable for trial;

(B) the deposition is necessary to preserve the child victim's testimony; and

(C) the presence of the accused is necessary to preserve the constitutional rights of the accused under the Sixth Amendment of the Constitution of the United States or Article 1, Section 13 of the Constitution of the State of Indiana;

(2) describe the manner in which the deposition shall be conducted; and

(3) if applicable, issue a protective order under Indiana Trial Rule 26(C).

SECTION 9. **An emergency is declared for this act.**

(Reference is to SB 206 as reprinted January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 1.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 267, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 13, line 24, delete "IC 12-13-16-10." and insert "**IC 12-13-16-12.**".

Page 15, line 39, delete "consists of members appointed:" and insert "**includes the following members appointed by the governor or the governor's designee:**

(1) Two (2) members, each of whom represents a different Indiana United Way entity.

(2) Two (2) members who have experience working for or with Indiana 211 Partnership, Inc., or the Indiana 211 board of directors.

(3) Two (2) members, each of whom represents a different local service agency that receives referrals from 211.

(4) Seven (7) members representing the types of human services provided under this chapter.

(b) The initial members of the advisory committee serve the following terms:

(1) Three (3) members serve a term of one (1) year.

(2) Five (5) members serve a term of two (2) years.

(3) Five (5) members serve a term of four (4) years.

Members appointed to the advisory committee thereafter serve terms of four (4) years.

(c) The governor or the governor's designee shall appoint the chairperson of the advisory committee.".

Page 15, delete lines 40 through 42.

Page 16, line 1, delete "(b)" and insert "**(d)**".

Page 16, line 1, delete "advise" and insert "**do the following:**

(1) Provide input and consultation regarding implementation and administration of 211 services by the office of the secretary to ensure compliance with any requirements or obligations under this chapter.

(2) Advise".

Page 16, line 3, delete "211." and insert "**211 services.**".

Page 16, line 4, delete "(c)" and insert "**(e)**".

Page 16, line 7, delete "(d)" and insert "**(f)**".

Page 16, line 15, delete "(e)" and insert "**(g)**".

Page 16, between lines 20 and 21, begin a new paragraph and insert:

"**Sec. 10. Beginning July 1, 2021, the office of the secretary shall:**

(1) compile data regarding 211 services, including:

(A) community needs, including utility, housing, and food assistance;

(B) the number of referrals to community resources;

(C) the number of individuals seeking assistance in each county; and

(D) all community resource providers; and

(2) enter into data sharing agreements with entities approved by the office of the secretary that allow the approved entities to access data compiled under this section in a manner that is consistent with state and federal privacy laws.

Sec. 11. The office of the secretary shall obtain and maintain accreditation for 211 operations in accordance with the standards of the Alliance of Information and Referral Systems or an equivalent national accreditation organization for information and referral services.".

Page 16, line 21, delete "10." and insert "**12.**".

(Reference is to SB 267 as printed January 14, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

DEVON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 289, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 1-1-4-5, AS AMENDED BY P.L.114-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The following definitions apply to the construction of all Indiana statutes, unless the construction is plainly repugnant to the intent of the general assembly or of the context of the statute:

(1) "Adult", "of full age", and "person in his majority" mean:

(A) a person at least eighteen (18) years of age; **or**

(B) a:

(i) married minor who is at least sixteen (16) years of age; or

(ii) minor who has been completely emancipated by a court;

subject to specific constitutional and statutory age requirements and health and safety regulations that remain applicable to the person because of the person's age.

(2) "Attorney" includes a counselor or other person authorized to appear and represent a party in an action or special proceeding.

(3) "Autism" means a neurological condition as described in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association.

(4) "Bond" does not necessarily imply a seal.

(5) "Clerk" means the clerk of the court or a person authorized to perform the clerk's duties.

(6) "Health record", "hospital record", or "medical record" means written or printed information possessed by a provider (as defined in IC 16-18-2-295) concerning any diagnosis, treatment, or prognosis of the patient, unless otherwise defined. Except as otherwise provided, the terms include mental health records and drug and alcohol abuse records.

(7) "Highway" includes county bridges and state and county roads, unless otherwise expressly provided.

(8) "Infant" or "minor" means a person less than eighteen (18) years of age.

(9) "Inhabitant" may be construed to mean a resident in any place.

(10) "Judgment" means all final orders, decrees, and determinations in an action and all orders upon which executions may issue.

(11) "Land", "real estate", and "real property" include lands, tenements, and hereditaments.

(12) "Mentally incompetent" means of unsound mind.

(13) "Money demands on contract", when used in reference to an action, means an action arising out of contract when the relief demanded is a recovery of money.

(14) "Month" means a calendar month, unless otherwise expressed.

(15) "Noncode statute" means a statute that is not codified as part of the Indiana Code.

(16) "Oath" includes "affirmation", and "to swear" includes to "affirm".

(17) "Person" extends to bodies politic and corporate.

(18) "Personal property" includes goods, chattels, evidences of debt, and things in action.

(19) "Population" has the meaning set forth in IC 1-1-3.5-3.

(20) "Preceding" and "following", referring to sections in statutes, mean the sections next preceding or next following that in which the words occur, unless some other section is designated.

(21) "Property" includes personal and real property.

(22) "Sheriff" means the sheriff of the county or another person authorized to perform sheriff's duties.

(23) "State", applied to any one (1) of the United States, includes the District of Columbia and the commonwealths, possessions, states in free association with the United States, and the territories. "United States" includes the District of Columbia and the commonwealths, possessions, states in free association with the United States, and the territories.

(24) "Under legal disabilities" includes persons less than eighteen (18) years of age, mentally incompetent, or out of the United States.

(25) "Verified", when applied to pleadings, means supported by oath or affirmation in writing.

(26) "Will" includes a testament and codicil.

(27) "Without relief" in any judgment, contract, execution, or other instrument of writing or record, means without the benefit of valuation laws.

(28) "Written" and "in writing" include printing, lithographing, or other mode of representing words and letters. If the written signature of a person is required, the terms mean the proper handwriting of the person or the person's mark.

(29) "Year" means a calendar year, unless otherwise expressed.

(30) The definitions in IC 35-31.5 apply to all statutes relating to penal offenses.

(b) This subsection applies to the definitions of "Hoosier veteran" and "veteran" when used in reference to state programs for veterans. The term "veteran" includes "Hoosier veteran", and applies to the construction of all Indiana statutes, unless the construction is expressly excluded by the terms of the statute, is plainly repugnant to the intent of the general assembly or of the context of the statute, or is inconsistent with federal law. "Hoosier veteran" means an individual who meets the following criteria:

(1) The individual is a resident of Indiana.

(2) The individual served in a reserve component of the armed forces of the United States or the Indiana National Guard.

(3) The individual completed any required military occupational specialty training and was not discharged or separated from the armed forces or the Indiana National Guard under dishonorable or other than honorable conditions.

The definitions set forth in this subsection may not be construed to affect a Hoosier veteran's eligibility for any state program that is based upon a particular aspect of the Hoosier veteran's service such as a disability or a wartime service requirement.

SECTION 2. IC 31-9-2-133.1, AS AMENDED BY P.L.144-2018, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 133.1. "Victim of human or sexual trafficking", for purposes of IC 31-34-1-3.5, refers to a child who is recruited, harbored, transported, or engaged in:

(1) forced labor;

(2) involuntary servitude;

(3) prostitution;

(4) juvenile prostitution, as defined in IC 35-31.5-2-178.5;

(5) child exploitation, as defined in IC 35-42-4-4(b);

(6) marriage, unless authorized by a court under ~~IC 31-11-1-6;~~ **IC 31-11-1-7;**

(7) trafficking for the purpose of prostitution, juvenile prostitution, or participation in sexual conduct as defined in IC 35-42-4-4(a)(4); or

(8) human trafficking as defined in IC 35-42-3.5-0.5.

SECTION 3. IC 31-11-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. Except as provided in ~~section~~ **sections** 5 ~~or 6~~ **and 7** of this chapter, two (2) individuals may not marry each other unless both individuals are at least eighteen (18) years of age.

SECTION 4. IC 31-11-1-5 IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. Two (2) individuals may marry each other if:

(1) both individuals are at least ~~seventeen (17)~~ **sixteen (16)** years of age;

(2) one (1) of the individuals is not more than four (4) years older than the other individual if the other individual is sixteen (16) years of age;

~~(2)~~ **(3)** each individual who is less than eighteen (18) years of age: ~~receives the consent required by IC 31-11-2;~~

(A) has been granted an order by a juvenile court under section 7 of this chapter granting the individual approval to marry and completely emancipating the individual; and

(B) not earlier than fifteen (15) days after the issuance of the order described in clause (A), presents to the clerk of the circuit court an application for a marriage license accompanied by:

(i) a certified copy of the order; and

(ii) a certificate of completion of any premarital counseling required under the order; and

~~(3)~~ **(4)** the individuals are not prohibited from marrying each other for a reason set forth in this article.

SECTION 5. IC 31-11-1-6 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 6. (a) Two (2) individuals may marry each other if:~~

~~(1) the individuals are not prohibited from marrying for a reason set forth in this article; and~~

~~(2) a circuit or superior court of the county of residence of either individual considers the information required to be submitted by subsection (b) and authorizes the clerk of the circuit court to issue the individuals a marriage license.~~

~~(b) A court may not authorize the clerk of the circuit court to issue a marriage license under subsection (a) unless:~~

~~(1) the individuals have filed with the court a verified petition that includes allegations that:~~

~~(A) the female is at least fifteen (15) years of age;~~

~~(B) the female is pregnant or is a mother;~~

~~(C) each of the individuals who is less than eighteen (18) years of age has received the consent required by IC 31-11-2;~~

~~(D) the male is at least fifteen (15) years of age and is either:~~

~~(i) the putative father of the expected child of the female; or~~

~~(ii) the father of the female's child; and~~

~~(E) the individuals desire to marry each other;~~

~~(2) the court has provided notice of the hearing required by this section to both parents of both petitioners or, if applicable to either petitioner:~~

~~(A) to the legally appointed guardian or custodian of a petitioner; or~~

~~(B) to one (1) parent of a petitioner if the other parent:~~

~~(i) is deceased;~~

~~(ii) has abandoned the petitioner;~~

~~(iii) is mentally incompetent;~~

~~(iv) is an individual whose whereabouts is unknown; or~~

~~(v) is a noncustodial parent who is delinquent in the payment of court ordered child support on the date the petition is filed;~~

~~(3) a hearing is held on the petition in which the petitioners and interested persons, including parents, guardians, and custodians, are given an opportunity to appear and present evidence; and~~

~~(4) the allegations of the petition filed under subdivision (1) have been proven.~~

~~(c) A court's authorization granted under subsection (a):~~

~~(1) constitutes part of the confidential files of the clerk of the circuit court; and~~

~~(2) may be inspected only by written permission of a circuit, superior, or juvenile court.~~

SECTION 6. IC 31-11-1-7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 7. (a) A minor who is sixteen (16) years of age may petition the juvenile court in the county in which the minor resides for an order granting the minor approval to marry and completely emancipating the minor. The petition must contain the following information:**

(1) The minor's name, gender, and age.

(2) Documentary proof of the minor's date of birth.

(3) The minor's address, and how long the minor has resided at that address.

(4) The following information with regard to the intended spouse:

(A) The intended spouse's name, gender, and age.

(B) Documentary proof of the intended spouse's date of birth.

(C) The intended spouse's address, and how long the intended spouse has resided at that address.

(5) A statement of:

(A) the reasons the minor desires to marry;

(B) how the minor and the intended spouse came to know each other; and

(C) how long the minor and the intended spouse have known each other.

(6) Copies of:

(A) any criminal records of the minor and of the intended spouse; and

(B) any protective order:

(i) issued to protect or restrain either the minor or the intended spouse; and

(ii) relating to domestic or family violence, a sexual offense, or stalking.

(7) Evidence that the minor has demonstrated maturity and capacity for self-sufficiency and self-support independent of the minor's parents or legal guardians or the intended spouse, including proof that the minor:

(A) has graduated from high school;

(B) has obtained a high school equivalency diploma;

(C) has a plan for continued education;

(D) has completed a vocational training or certificate program;

(E) has attained a professional licensure or certification; or

(F) has maintained stable housing or employment for at least three (3) consecutive months prior to filing the petition.

(b) A court with which a petition under subsection (a) is filed shall:

(1) set a date for an evidentiary hearing on the petition;

(2) provide reasonable notice of the hearing to the minor and the minor's parents or legal guardians; and

(3) appoint an attorney to serve as guardian ad litem for the minor.

(c) At the evidentiary hearing, the court shall conduct an in camera interview with the minor separate from the minor's parents or legal guardians and intended spouse.

(d) Following the evidentiary hearing, and subject to subsection (e), the court may grant the petition if the court finds all of the following:

(1) The minor is a county resident who is sixteen (16) years of age.

(2) The intended spouse is not more than four (4) years older than the minor.

(3) The minor's decision to marry is voluntary, and free from force, fraud, or coercion.

(4) The minor is mature enough to make a decision to marry.

(5) The minor has established the minor's capacity to be self-sufficient and self-supporting independent of the minor's parents, legal guardians, and intended spouse.

(6) The minor understands the rights and responsibilities of parties to marriage and of completely emancipated minors.

(7) It is in the best interests of the minor for the court to grant the petition to marry and to completely emancipate the minor. In making the determination under this subdivision, the court shall consider how marriage and emancipation may affect the minor's health, safety, education, and welfare.

A court that grants a petition under this section shall issue written findings regarding the court's conclusions under subdivisions (1) through (7).

(e) The following, considered independently or together, are not sufficient to determine the best interests of a minor for purposes of this section:

(1) The fact that the minor or the intended spouse is pregnant or has had a child.

(2) The wishes of the parents or legal guardians of the minor.

However, there is a rebuttable presumption that marriage and emancipation are not in the best interests of the minor if both parents of the minor oppose the minor's marriage and emancipation.

(f) The juvenile court shall deny a petition under this section if the court finds any of the following:

(1) The intended spouse:

(A) is or was in a position of authority or special trust in relation to the minor; or

(B) has or had a professional relationship with the minor, as defined in IC 35-42-4-7.

(2) The intended spouse has been convicted of, or entered into a diversion program for, an offense under IC 35-42:

(A) that involves an act of violence;

(B) of which a child was the victim; or

(C) that is an offense under:

(i) IC 35-42-3.5; or

(ii) IC 35-42-4.

(3) Either the minor or the intended spouse is pregnant or is the mother of a child, and the court finds by a preponderance of evidence that:

(A) the other party to the marriage is the father of the child or unborn child; and

(B) the conception of the child or unborn child resulted from the commission of an offense under:

(i) IC 35-42-4-3 (child molesting);

(ii) IC 35-42-4-6 (child solicitation);

(iii) IC 35-42-4-7 (child seduction); or

(iv) IC 35-42-4-9 (sexual misconduct with a minor).

(4) The intended spouse has previously been enjoined by a protective order relating to domestic or family violence, a sexual offense, or stalking, regardless of whether the person protected by the order was the minor.

(g) If a court grants a petition under this section, the court shall also issue an order of complete emancipation of the minor and provide a certified copy of the order to the minor.

(h) A minor emancipated under this section is considered to have all the rights and responsibilities of an adult as defined under IC 1-1-4-5(a)(1), except as provided under specific constitutional or statutory age requirements that apply to the minor because of the minor's age, including requirements related to voting, use of alcoholic beverages or tobacco products, and other health and safety regulations.

(i) A court hearing a petition under this section may issue any other order the court considers appropriate for the minor's protection.

(j) A court that grants a petition under this section may require that both parties to the marriage complete premarital counseling with a marriage and family therapist licensed under IC 25-22.5, IC 25-23.6-8, or IC 25-33.

(k) A court that grants a petition under this section may impose any other condition on the grant of the petition that the court determines is reasonable under the circumstances.

SECTION 7. IC 31-11-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. (Consent to Marry Required for Certain Individuals).

SECTION 8. IC 31-11-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. Each individual who applies for a marriage license must submit to the clerk of the circuit court **documentary proof of the individual's age, in the form of:**

(1) a:

(A) certified copy of the individual's birth certificate;

(B) copy of a birth record; or

(C) certification of birth issued by the state department of health, a local registrar of vital statistics, or another public office charged with similar duties under the law of another state, territory, or country;

(2) a certified copy of a judicial decree issued under IC 34-28-1 (or IC 34-4-3 before its repeal) that establishes the date of the individual's birth;

~~(3) any written evidence of the individual's date of birth that is satisfactory to the clerk; or~~

(3) a passport;

(4) a valid operator's license or other identification **that is** issued by a state **or another governmental entity and** that contains the individual's date of birth and current address;

(5) an immigration or naturalization record showing the individual's date of birth;

(6) a United States selective service card or armed forces record showing the individual's date of birth; or

(7) a:

(A) court record; or

(B) other document or record issued by a governmental entity;

showing the individual's date of birth.

SECTION 9. IC 31-11-4-8 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 8. If a written consent is required by IC 31-11-2, a clerk of a circuit court may not receive an application for a marriage license unless:~~

~~(1) the clerk has filed the consent form in the clerk's office; and~~

~~(2) the clerk has entered a notice of the filing on the marriage license docket.~~

SECTION 10. IC 31-11-8-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. A marriage is void if the parties to the marriage:

(1) are residents of Indiana;

(2) had their marriage solemnized in another state with the intent to:

(A) evade **IC 31-11-1-4,** IC 31-11-4-4, or IC 31-11-4-11 (or IC 31-7-3-3 or IC 31-7-3-10 before their repeal); and

(B) subsequently return to Indiana and reside in Indiana; and

(3) without having established residence in another state in good faith, return to Indiana and reside in Indiana after the marriage is solemnized.

SECTION 11. IC 31-11-11-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 2. A person who knowingly furnishes false information in a verified written consent under IC 31-11-2 commits a Level 6 felony.~~

SECTION 12. IC 31-17-2.2-1, AS AMENDED BY P.L.186-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) Except as provided in subsection (b), a relocating individual must file a notice of the intent to move with the clerk of the court that:

(1) issued the custody order or parenting time order; or

(2) if subdivision (1) does not apply, has jurisdiction over the legal proceedings concerning the custody of or parenting time with a child.

(b) A relocating individual is not required to file a notice of intent to move with the clerk of the court if:

(1) the relocation has been addressed by a prior court order, including a court order relieving the relocating individual of the requirement to file a notice; ~~and~~ **or**

(2) the relocation will:

(A) result in a decrease in the distance between the relocating individual's residence and the nonrelocating individual's residence; or

(B) result in an increase of not more than twenty (20) miles in the distance between the relocating individual's residence and the nonrelocating individual's residence;

and allow the child to remain enrolled in the child's current school.

(c) Upon motion of a party, the court shall set the matter for a hearing to allow or restrain the relocation of a child and to review and modify, if appropriate, a custody order, parenting time order, grandparent visitation order, or child support order. The court's authority to modify a custody order, parenting time order, grandparent visitation order, or child support order is not affected by the fact that a relocating individual is exempt from the requirement to file a notice of relocation by subsection (b). The court shall take into account the following in determining whether to modify a custody order, parenting time order, grandparent visitation order, or child support order:

(1) The distance involved in the proposed change of residence.

(2) The hardship and expense involved for the nonrelocating individual to exercise parenting time or grandparent visitation.

(3) The feasibility of preserving the relationship between the nonrelocating individual and the child through suitable parenting time and grandparent visitation arrangements, including consideration of the financial circumstances of the parties.

(4) Whether there is an established pattern of conduct by the relocating individual, including actions by the relocating individual to either promote or thwart a nonrelocating individual's contact with the child.

(5) The reasons provided by the:

(A) relocating individual for seeking relocation; and

(B) nonrelocating parent for opposing the relocation of the child.

(6) Other factors affecting the best interest of the child.

(d) A court may order the relocating individual and the nonrelocating individual to participate in mediation or another alternative dispute resolution process before a hearing under this section:

(1) on its own motion; or

(2) upon the motion of any party.

(e) If a relocation occurs, all existing orders for custody, parenting time, grandparent visitation, and child support remain in effect until modified by the court.

(f) The court may award reasonable attorney's fees for a motion filed under this section in accordance with IC 31-15-10 and IC 34-52-1-1(b).".

Page 3, line 11, delete "law enforcement" and insert "**criminal**".

Page 3, line 18, delete "law enforcement" and insert "**criminal**".

Page 3, line 20, delete "and".

Page 3, between lines 20 and 21, begin a new line block indented and insert:

"**(3) the individual completes an attestation, under penalty of perjury, disclosing:**

(A) any abuse or neglect complaints made against the individual with the child welfare agency of a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and

(B) any contact the individual had with a law enforcement agency in connection with the individual's suspected or alleged commission of a crime in a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and".

Page 3, line 21, delete "(3)" and insert "**(4)**".

Page 5, line 29, delete "law enforcement" and insert "**criminal**".

Page 5, line 36, delete "law enforcement" and insert "**criminal**".

Page 5, line 38, delete "and".

Page 5, between lines 38 and 39, begin a new line block indented and insert:

"**(3) the individual completes an attestation, under penalty of perjury, disclosing:**

(A) any abuse or neglect complaints made against the individual with the child welfare agency of a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and

(B) any contact the individual had with a law enforcement agency in connection with the individual's suspected or alleged commission of a crime in a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and".

Page 5, line 39, delete "(3)" and insert "**(4)**".

Page 8, line 6, delete "law enforcement" and insert "**criminal**".

Page 8, line 13, delete "law enforcement" and insert "**criminal**".

Page 8, line 15, delete "and".

Page 8, between lines 15 and 16, begin a new line block indented and insert:

"**(3) the individual completes an attestation, under penalty of perjury, disclosing:**

(A) any abuse or neglect complaints made against the individual with the child welfare agency of a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and

(B) any contact the individual had with a law enforcement agency in connection with the individual's suspected or alleged commission of a crime in a state other than Indiana in which the individual resided within the five (5) years preceding the date of the attestation; and".

Page 8, line 16, delete "(3)" and insert "**(4)**".

Page 8, after line 39, begin a new paragraph and insert:

"SECTION 16. IC 31-34-20-6, AS AMENDED BY P.L.85-2017, SECTION 104, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) The juvenile court **for the county in which a child resides** may emancipate ~~a~~ **the** child under section 1(a)(5) of this chapter **upon a petition brought by the child.**

(b) The court in which a petition is filed under subsection (a) shall appoint an attorney to serve as guardian ad litem for the child. The guardian ad litem shall investigate the statements contained in the petition and file a report of the

investigation with the court.

(c) After receiving the report of the guardian ad litem under subsection (b) and holding a hearing, the court may grant the petition if the court finds:

(1) that emancipation is in the child's best interests; and

(2) that the child:

~~(1)~~ **(A)** wishes to be free from parental control and protection and no longer needs that control and protection;

~~(2)~~ **(B)** has sufficient money for the child's own support;

~~(3)~~ **(C)** understands the consequences of being free from parental control and protection; and

~~(4)~~ **(D)** has an acceptable plan for independent living.

~~(b)~~ **(d)** If the juvenile court **completely emancipates the child, the child has all the rights and responsibilities of an adult as defined in IC 1-1-4-5(a)(1). If the juvenile court** partially ~~or completely~~ emancipates the child, the court shall specify the terms of the emancipation, which may include the following:

(1) Suspension of the parent's or guardian's duty to support the child. In this case, the judgment of emancipation supersedes the support order of a court.

(2) Suspension of the following:

(A) The parent's or guardian's right to the control or custody of the child.

(B) The parent's right to the child's earnings.

~~(3) Empowering the child to consent to marriage.~~

~~(4)~~ **(3)** Empowering the child to consent to military enlistment.

~~(5)~~ **(4)** Empowering the child to consent to:

(A) medical;

(B) psychological;

(C) psychiatric;

(D) educational; or

(E) social;

services.

~~(6)~~ **(5)** Empowering the child to contract.

~~(7)~~ **(6)** Empowering the child to own property.

~~(c)~~ **(e)** An emancipated child remains subject to the following:

(1) IC 20-33-2 concerning compulsory school attendance.

(2) The continuing jurisdiction of the court.

(3) IC 31-11-1-4 concerning minimum age for marriage.

(4) Other specific constitutional and statutory age requirements applicable to the emancipated child because of the emancipated child's age, including requirements regarding voting, use of alcoholic beverages or tobacco products, and other health and safety regulations.

SECTION 17. IC 31-37-19-27, AS AMENDED BY P.L.85-2017, SECTION 107, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 27. (a) The juvenile court **for the county in which a child resides** may emancipate ~~a~~ **the** child under section 1(a)(5) or 5(b)(5) of this chapter **upon a petition brought by the child.**

(b) The court in which a petition is filed under subsection (a) shall appoint an attorney to serve as guardian ad litem for the child. The guardian ad litem shall investigate the statements contained in the petition and file a report of the investigation with the court.

(c) After receiving the report of the guardian ad litem under subsection (b) and holding a hearing, the court may grant the petition if the court finds that the child:

(1) wishes to be free from parental control and protection and no longer needs that control and protection;

(2) has sufficient money for the child's own support;

(3) understands the consequences of being free from parental control and protection; and

(4) has an acceptable plan for independent living.

~~(b)~~ **(d)** ~~Whenever~~ **If** the juvenile court **completely emancipates the child, the child has all the rights and responsibilities of an adult as defined in IC 1-1-4-5(a)(1). If the juvenile court** partially ~~or completely~~ emancipates the child, the court shall specify the terms of the emancipation, which may include the following:

(1) Suspension of the parent's or guardian's duty to support the child. In this case, the judgment of emancipation supersedes the support order of a court.

(2) Suspension of:

(A) the parent's or guardian's right to the control or custody of the child; and

(B) the parent's right to the child's earnings.

~~(3) Empowering the child to consent to marriage.~~

~~(4)~~ **(3)** Empowering the child to consent to military enlistment.

~~(5)~~ **(4)** Empowering the child to consent to:

(A) medical;

(B) psychological;

(C) psychiatric;

(D) educational; or

(E) social;

services.

~~(6)~~ **(5)** Empowering the child to contract.

~~(7)~~ **(6)** Empowering the child to own property.

~~(c)~~ **(e)** An emancipated child remains subject to **the following:**

(1) IC 20-33-2 concerning compulsory school attendance. ~~and~~

(2) The continuing jurisdiction of the court.

(3) IC 31-11-1-4 concerning minimum age for marriage.

(4) Other specific constitutional and statutory age requirements applicable to the emancipated child because of the emancipated child's age, including requirements regarding voting, use of alcoholic beverages or tobacco products, and other health and safety regulations.

SECTION 18. IC 35-52-31-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 2. IC 31-11-11-2 defines a crime concerning marriage.~~

SECTION 19. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 289 as reprinted February 4, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

DEVON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 295, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 2. IC 20-23-4-21.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 21.5. (a) This section applies to a community school corporation created by a reorganization under this chapter.**

(b) After June 30, 2020, a teacher who:

(1) is employed in a school corporation subject to this chapter;

(2) loses his or her job in the school corporation because of a reorganization under this chapter; and

(3) has received a rating of effective or highly effective on his or her most recent performance evaluation;

shall receive an employment preference over other candidates for the same vacant teaching position, for a period of not more than one (1) year after the teacher loses his or her job under subdivision (2), at the community school corporation created by a reorganization under this chapter. In order to qualify for a hiring preference for a vacant teaching position under this section, the teacher must meet the licensing or credential requirements necessary for the teacher to teach the particular grade or subject matter for that particular teaching position.

SECTION 3. IC 20-23-4-21.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 21.6. After June 30, 2020, a teacher who:**

(1) is employed in a school corporation subject to this chapter;

(2) loses his or her job in the school corporation because of a reorganization under this chapter; and

(3) not later than one (1) year after the teacher loses his or her job as described in subdivision (2), is subsequently employed by a community school corporation created by a reorganization under this chapter;

retains the rights and privileges under IC 20-28-6 through IC 20-28-10 that the teacher held at the time the teacher lost his or her job in the original school corporation.

SECTION 4. IC 20-28-8-6, AS AMENDED BY P.L.208-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) A contract entered into by a governing body and its superintendent is subject to the following conditions:

(1) If the superintendent holds a license under IC 20-28-5, the basic contract must be in the form of the regular teacher's contract.

(2) The contract may be altered or rescinded for a new one at any time by mutual consent of the governing body and the superintendent. The consent of both parties must be in writing and must be expressed in a manner consistent with this section and section 7 of this chapter.

(3) If the superintendent holds a license under IC 20-28-5, the rights of a superintendent as a teacher under any other law are not affected by the contract. However, if a right of a superintendent as a teacher under any other law conflicts with the conditions under subsection (b), subsection (b) governs.

(4) For a contract entered into or renewed after June 30, 2017, the conditions set forth under subsection (b).

(b) This subsection applies to contracts entered into or renewed after June 30, 2017. A contract entered into by a governing body and its superintendent is subject to the following conditions:

(1) The contract must be for a term of at least one (1) year and not more than three (3) years. However, a contract may be extended for not more than an additional five (5) years beyond the term of the original contract.

(2) If the contract contains a provision that establishes an amount the governing body must pay to the superintendent to buy out the contract, the amount may not be more than an amount equal to the lesser of:

(A) the superintendent's salary for any one (1) year under the contract; or

(B) two hundred fifty thousand dollars ($250,000).

A superintendent's salary under clause (A) does not include benefits or any other forms of compensation that the superintendent receives as payment under the contract other than the superintendent's salary.

(c) This subsection applies to a governing body in which at least one (1) member is elected. After June 30, 2021, a governing body may not enter into a contract with a superintendent under this section on or after the date of the election for one (1) or more members of the governing body until the date the member or members of the governing body assume office after the election. However, this subsection does not apply if the membership of the governing body does not change as a result of the particular election.".

Page 5, delete lines 30 through 42.

Page 6, delete lines 1 through 3.

Page 6, line 24, delete "submit and present orally," and insert "**submit,**".

Page 6, line 33, after "number" insert "**and percentage**".

Page 6, line 33, delete "courses offered in" and insert "**unique student course enrollments and course completions for**".

Page 6, line 36, delete "students enrolled" and insert "**unique student enrollments and course completions**".

Page 6, line 37, after "course" insert "**by each course title approved by the department and**".

Page 7, after line 42, begin a new paragraph and insert:

"SECTION 6. IC 20-32-5.1-17, AS AMENDED BY P.L.269-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. (a) The state board shall approve two (2) or more benchmark, formative, interim, or similar assessments to identify students that require remediation and provide individualized instruction in which a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may receive a grant under subsection (c). The benchmark, formative, interim, or similar assessments must show alignment, verified by a third party, to Indiana's academic standards. **The majority of the assessment reporting must indicate performance based on Indiana academic standards and reflect the degree to which students are on track for college and career readiness.** Approved assessments must also provide predictive study results for student performance on the statewide assessment under section 7 of this chapter, not later than two (2) years after the summative assessment has been first administered.

(b) A school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may elect to administer a benchmark, formative, interim, or similar assessment described in subsection (a). If a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) administers an assessment described in subsection (a), the school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may prescribe the time and the manner in which the assessment is administered.

(c) If a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) elects to administer a benchmark, formative, interim, or similar assessment described in subsection (a), the school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) is entitled to receive a grant or reimbursement from the department in an amount not to exceed the cost of the assessment. The department shall provide grants and reimbursements to a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) under this section from money appropriated to the department for the purpose of carrying out this section.

(d) The state board and the department may not contract with, approve, or endorse the use of a single vendor to provide benchmark, formative, interim, or similar assessments for any grade level or levels of kindergarten through grade 7.

SECTION 7. IC 20-33-8-18, AS AMENDED BY P.L.94-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) A principal may suspend a student for not more than ten (10)

school days under section 14, 15, or 16 of this chapter. However, the student may be suspended for more than ten (10) school days under section 23 of this chapter.

(b) A principal may not suspend a student before the principal affords the student an opportunity for a meeting during which the student is entitled to the following:

(1) A written or an oral statement of the charges against the student.

(2) If the student denies the charges, a summary of the evidence against the student.

(3) An opportunity for the student to explain the student's conduct.

(c) When misconduct requires immediate removal of a student, the meeting under subsection (b) must begin as soon as reasonably possible after the student's suspension.

(d) Following a suspension, the principal shall send a written statement to the parent of the suspended student describing the following:

(1) The student's misconduct.

(2) The action taken by the principal.

(e) If a student is suspended, the student is required to complete all assignments and school work assigned during the period of the student's suspension. The principal or the principal's designee shall ensure that the student receives:

(1) notice of any assignments or school work due; ~~and~~

(2) teacher contact information in the event the student has questions regarding the assignments or school work; **and**

(3) credit, in the same manner that a student who is not suspended would receive, for any assignments or school work assigned during the period of the student's suspension that the student completes.

A student may be allowed to make up missed tests or quizzes when the student returns to school.".

Renumber all SECTIONS consecutively.

(Reference is to SB 295 as printed January 31, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Judiciary, to which was referred Senate Bill 340, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-22-1-11, AS AMENDED BY P.L.54-2009, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. **(a)** An officer who finds or is notified of a vehicle or parts believed to be abandoned shall attach in a prominent place a notice tag containing the following information:

(1) The date, time, officer's name, public agency, and address and telephone number to contact for information.

(2) That the vehicle or parts are considered abandoned.

(3) That the vehicle or parts will be removed after:

(A) twenty-four (24) hours, if the vehicle is located on or within the right-of-way of an interstate highway or any highway that is designated as part of the state highway system under IC 8-23-4; or

(B) **except as provided in subsection (b),** seventy-two (72) hours, for any other vehicle.

(4) That the person who owns the vehicle will be held responsible for all costs incidental to the removal, storage, and disposal of the vehicle.

(5) That the person who owns the vehicle may avoid costs by removal of the vehicle or parts within:

(A) twenty-four (24) hours, if the vehicle is located on or within the right-of-way of an interstate highway or any highway that is designated as part of the state highway system under IC 8-23-4; or

(B) seventy-two (72) hours, for any other vehicle **except as provided under subsection (b).**

(b) The legislative body of a municipality (as defined in IC 36-1-2-11) may adopt an ordinance that establishes a different waiting period for the removal of an abandoned vehicle, that must be at least seventy-two (72) hours but not more than fourteen (14) days, for the purpose of allowing a person to park their vehicle that is registered to their residence on the street outside of that residence.

SECTION 2. IC 9-22-1-14, AS AMENDED BY P.L.125-2012, SECTION 121, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) If in the opinion of the officer the market value of the abandoned vehicle or parts is at least:

(1) one thousand dollars ($1,000); or

(2) in a municipality that has adopted an ordinance under section 13(b) of this chapter, the amount established by the ordinance;

the officer, before placing a notice tag on the vehicle or parts, shall make a reasonable effort to ascertain the person who owns the vehicle or parts or who may be in control of the vehicle or parts.

(b) **Except as provided under section 11(b) of this chapter,** after seventy-two (72) hours, the officer shall require the vehicle or parts to be towed to a storage yard or towing service.

SECTION 3. IC 32-21-2-3, AS AMENDED BY P.L.14-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Except as provided in subsection (c), a conveyance, a mortgage, or an instrument of writing to be recorded must be:

(1) acknowledged by the grantor; ~~or~~ **and**

(2) proved before a:

(A) judge;

(B) clerk of a court of record;

(C) county auditor;

(D) county recorder;

(E) notary public;

(F) mayor of a city in Indiana or any other state;

(G) commissioner appointed in a state other than Indiana by the governor of Indiana;

(H) minister, charge d'affaires, or consul of the United States in any foreign country;

(I) clerk of the city county council for a consolidated city, city clerk for a second class city, or clerk-treasurer for a third class city;

(J) clerk-treasurer for a town; or

(K) person authorized under IC 2-3-4-1.

(b) In addition to the requirements under subsection (a), a conveyance may not be recorded after June 30, 2007, unless it meets the requirements of this subsection. The conveyance must include a statement containing substantially the following information:

"The mailing address to which statements should be mailed under IC 6-1.1-22-8.1 is [insert proper mailing address]. The mailing address of the grantee is [insert proper mailing address].".

The mailing address for the grantee must be a street address or a rural route address. A conveyance complies with this subsection if it contains the address or addresses required by this subsection at the end of the conveyance and immediately preceding or following the statements required by IC 36-2-11-15.

(c) This section does not apply to the Indiana department of transportation.".

Page 1, line 6, reset in roman "and to show cause, if any, why the property sought".

Page 1, line 7, reset in roman "to be condemned should not be acquired.".

Page 1, line 7, delete "to object to the".

Page 1, line 8, delete "condemnation.".

Page 3, line 12, after "(h)" insert "**This subsection does not apply to a condemnation action brought by a public utility (as defined in section 5.9(a) of this chapter) or by a pipeline company.**".

Page 3, line 16, delete "objection." and insert "**objection, in an amount not to exceed twenty-five thousand dollars ($25,000).**".

Page 5, line 10, after "located." reset in roman "The".

Page 5, reset in roman line 11.

Page 5, delete lines 12 through 43, begin a new paragraph and insert:

"SECTION 4. IC 32-24-2-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) The appeal may be taken by filing an original complaint in the court against the municipality within the time required by section ~~10(c)~~ **10(d)** of this chapter, setting forth the action of the works board with respect to the assessment and stating the facts relied upon as showing an error on the part of the board. The court shall rehear the matter of the assessment de novo and confirm, reduce, or increase the assessment. If the court reduces the amount of benefit assessed or increases the amount of damages awarded, the plaintiff may recover costs. If the court confirms the amount of the assessment, the plaintiff may not recover costs. ~~The judgment of the court is conclusive, and an appeal may not be taken from the court's judgment.~~

(b) If upon appeal the benefits assessed or damages awarded by the works board are reduced or increased, the municipality may, upon the payment of costs, discontinue the proceedings. It may also, through the works board, make and adopt an additional assessment against all the property originally assessed in the proceeding, or that part that is benefitted, in the manner provided for the original assessment. However, such an assessment against any one (1) piece of property may not exceed ten percent (10%) of the original assessment against it.

(c) If the municipality decides to discontinue the proceedings upon payment of costs and if assessments for benefits have already been paid, the amounts paid shall be paid back to the person or persons paying them.

(d) The parties may appeal a court's judgment under this section in the manner that appeals are taken from final judgments in civil actions. All of the parties shall take notice of and be bound by the judgment of the appeal.".

Page 6, delete lines 1 through 7.

Page 7, after line 8, begin a new paragraph and insert:

"SECTION 8. IC 32-31-1-20, AS AMENDED BY P.L.266-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20. (a) Subject to IC 36-1-3-8.5, this section does not apply to privately owned real property for which government funds or benefits have been allocated from the United States government, the state, or a political subdivision for the express purpose of providing reduced rents to low or moderate income tenants.

(b) A unit (as defined in IC 36-1-2-23) may not regulate rental rates for privately owned real property, through a zoning ordinance or otherwise, unless the regulation is authorized by an act of the general assembly.

(c) A unit (as defined in IC 36-1-2-23) may not regulate, through an ordinance or otherwise, any of the following aspects of a landlord-tenant relationship with respect to privately owned real property located in the unit unless the regulation is authorized by an act of the general assembly:

(1) The screening process used by a landlord in approving tenants to lease privately owned real property.

(2) Security deposits.

(3) Lease applications.

(4) Leasing terms and conditions.

(5) Disclosures concerning the:

(A) property;

(B) lease; or

(C) rights and responsibilities of the parties;

involved in a landlord-tenant relationship.

(6) The rights of the parties to a lease.

(7) Any fees charged by a landlord.

(8) Any other aspects of the landlord-tenant relationship.

Any ordinance or regulation adopted before July 1, 2020, that violates this subsection is void and unenforceable.

SECTION 9. IC 32-31-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 8.5. Retaliatory Acts by Landlords

Sec. 1. The definitions in IC 32-31-3 apply throughout this chapter.

Sec. 2. As used in this chapter, "protected activity" means any of the following actions taken by a tenant:

(1) Complaining to a governmental entity responsible for enforcing an applicable building or housing code about a violation with respect to the rental premises that materially affects health or safety.

(2) Making a written complaint:

(A) to the landlord; and

(B) in accordance with the rental agreement or an applicable state statute;

concerning the habitability of the rental premises.

(3) Bringing an action against the landlord under IC 32-31-8.

(4) Organizing or becoming a member of a tenant's organization.

(5) Testifying in a court proceeding or an administrative hearing against the landlord.

Sec. 3. As used in this chapter, "rental premises" has the meaning set forth in IC 32-31-7-3.

Sec. 4. As used in this chapter, "retaliatory act" means any of the following actions taken by a landlord in response to a tenant's engaging in a protected activity:

(1) Increasing the amount of the tenant's rent.

(2) Decreasing, terminating, or interfering with services provided to the rental premises.

(3) Bringing or threatening to bring an action for possession of the rental premises.

(4) Bringing or threatening to bring an action to:

(A) evict the tenant from the rental premises; or

(B) otherwise terminate the tenant's rental agreement before the expiration of the term of the rental agreement.

Sec. 5. (a) Subject to subsection (b), and except as provided in subsection (c), a landlord may not engage in a retaliatory act in response to a tenant's engaging in one (1) or more protected activities.

(b) Subsection (a) does not prohibit a landlord from doing any of the following:

(1) Declining to renew a rental agreement at the conclusion of the term of the rental agreement.

(2) Increasing a tenant's rent to that which is charged for comparable market rentals, regardless of whether the increase is effective:

(A) at the conclusion of the term of the rental agreement; or

(B) if provided for in the rental agreement, during the term of the rental agreement.

(3) Subject to applicable law, decreasing or terminating one (1) or more services provided to the rental premises, if those services are decreased or terminated to all tenants on an equal basis.

(c) A landlord may bring an action described in section 4(3) or 4(4) of this chapter (including as a petition for an

emergency possessory order under IC 32-31-6) under the following circumstances, or as otherwise authorized by law:

(1) A violation described in section 2(1) of this chapter is caused primarily by the intentional or negligent acts of, or a lack of reasonable care by:

(A) the tenant;

(B) an authorized occupant of the rental premises; or

(C) a guest or invitee of the tenant.

(2) The tenant is in default with respect to rent due and has failed to cure the default within the time set forth in:

(A) IC 32-31-1-6; or

(B) the rental agreement.

(3) Compliance with an applicable building or housing code requires alteration, remodeling, or demolition of the rental premises, such that the tenant would be effectively deprived of use of the rental premises.

(4) The tenant is in noncompliance with a provision of the rental agreement, and the noncompliance materially affects the health or safety of the tenant or others.

(5) The tenant's rental agreement is for a definite term, and the tenant holds over after expiration of the term.

(6) The landlord's action for possession of the rental premises is made:

(A) in good faith; and

(B) before the tenant engages in a protected activity.

(7) The landlord seeks in good faith to take possession of the rental premises at the end of the term of the tenant's rental agreement in order to:

(A) use the rental premises as the landlord's own abode;

(B) alter, remodel, or demolish the rental premises in a manner that requires the complete displacement of the tenant's household; or

(C) terminate for a period of at least six (6) months the use of the property as a rental unit.

Sec. 6. (a) If a landlord brings an action described in section 4(3) or 4(4) of this chapter, the tenant may assert as a defense that:

(1) the landlord's suit constitutes a retaliatory act; or

(2) the landlord has engaged in one (1) or more other retaliatory acts.

The burden for proving the landlord's retaliatory intent is on the tenant.

(b) If the court finds that the landlord has engaged in a retaliatory act, the tenant is entitled to:

(1) the repayment or credit of up to one (1) month's rent; and

(2) possession of the rental premises under the terms of the rental agreement in effect at the time the action was commenced.

(c) If the court finds that the tenant's asserted defense under this section is without merit or was asserted in bad faith or for the purpose of delaying the landlord's possession of the rental premises, the landlord is entitled to recover actual damages and attorney fees.

Sec. 7. A unit (as defined in IC 36-1-2-23) may not adopt or enforce any:

(1) ordinance; or

(2) regulation;

concerning retaliatory acts by landlords. Any ordinance or regulation adopted before July 1, 2020, that violates this subsection is void and unenforceable.".

Renumber all SECTIONS consecutively.

(Reference is to SB 340 as reprinted January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 2.

TORR, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 346, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 20-19-2-2.2, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.2. (a) Beginning June 1, 2015, the state board consists of the following members:

(1) The state superintendent.

(2) Eight (8) members appointed by the governor. The following provisions apply to members of the state board appointed under this subdivision:

(A) At least six (6) members appointed under this subdivision must have professional experience in the field of education as provided in subsection (b).

(B) Members shall be appointed from different parts of Indiana with not more than one (1) member being appointed from a particular congressional district.

(C) Not more than five (5) members of the state board may be appointed from the membership of any one (1) political party.

(D) Subject to subsection (h), at least one (1) member shall be a licensed special education teacher or special education director.

(3) One (1) member, who is not a member of the general assembly, appointed by the speaker of the house of representatives.

(4) One (1) member, who is not a member of the general assembly, appointed by the president pro tempore of the senate.

(b) For purposes of subsection (a), an individual is considered to have professional experience in the field of education if the individual has teaching or leadership experience at a postsecondary educational institution or is currently employed as, or is retired from a position as:

(1) a teacher;

(2) a principal;

(3) an assistant superintendent; or

(4) a superintendent.

(c) A quorum consists of six (6) members of the state board. An action of the state board is not official unless the action is authorized by at least six (6) members.

(d) ~~Subject to subsection (c),~~ The members of the state board shall elect a chairperson and vice chairperson annually from the members of the state board. The vice chairperson shall act as chairperson in the absence of the chairperson.

~~(e) Notwithstanding subsection (d), the state superintendent shall serve as the chairperson of the state board until a chairperson is elected under subsection (d) at the first meeting of the state board after December 31, 2016, which shall be held not later than January 15, 2017. A vice chairperson shall be elected at the first meeting of the state board after June 30, 2015, which shall be held not later than August 1, 2015. This subsection expires July 1, 2018.~~

~~(f)~~ **(e)** Except as otherwise provided in subsection ~~(g),~~ **(f),** each member appointed under subsection (a)(2) through (a)(4) serves a four (4) year term. The term begins on July 1.

~~(g)~~ **(f)** A member appointed under subsection (a)(2) through (a)(4) may be removed from the state board by the member's appointing authority for just cause. Vacancies in the

appointments to the state board shall be filled by the appointing authority. A member appointed under this subsection serves for the remainder of the unexpired term.

~~(h)~~ **(g)** The state board shall meet at a minimum at least one (1) time each month. The state board shall establish the date of the next monthly meeting during the monthly meeting of the state board. In addition to the monthly meeting required under this subsection, the state board shall meet at the call of the chairperson.

(h) This subsection expires July 1, 2024. The governor shall appoint a member who has the qualifications described in subsection (a)(2)(D) for the first appointment made by the governor to fill a vacancy on the state board after March 31, 2020.

SECTION 2. IC 20-19-9.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 9.1. Indiana Standards and Assessment Accommodation Task Force

Sec. 1. As used in this chapter, "task force" refers to the Indiana standards and assessment accommodation task force established by section 2 of this chapter.

Sec. 2. (a) The Indiana standards and assessment accommodation task force is established. The task force shall review:

(1) the accommodations provided for by Indiana's statewide assessment to determine if appropriate accommodations are available to accurately measure a student's learning; and

(2) Indiana's English and language arts academic standards to explore the possibility of separating the academic standard of reading comprehension into a separate reading academic standard and a comprehension academic standard.

On or before November 1, 2020, the task force shall issue a final report and shall make recommendations to the general assembly in an electronic format under IC 5-14-6.

(b) The task force consists of fourteen (14) members as follows:

(1) One (1) member of the majority party of the house of representatives appointed by the speaker of the house of representatives.

(2) One (1) member of the majority party of the senate appointed by the president pro tempore of the senate.

(3) One (1) member of the minority party of the house of representatives appointed by the speaker of the house of representatives in consultation with the minority floor leader of the house of representatives.

(4) One (1) member of the minority party of the senate appointed by the president pro tempore of the senate in consultation with the minority floor leader of the senate.

(5) The member of the state board described in IC 20-19-2-2.2(a)(3).

(6) The member of the state board described in IC 20-19-2-2.2(a)(4).

(7) One (1) member representing the Arc of Indiana appointed by the Arc of Indiana.

(8) One (1) member who is an assessment expert with experience in special education assessments appointed by the Arc of Indiana.

(9) One (1) member representing Decoding Dyslexia Indiana appointed by Decoding Dyslexia Indiana.

(10) One (1) member who is a special education administrator appointed by the Indiana Council of Administrators of Special Education (ICASE).

(11) One (1) member who is a special education teacher jointly appointed by the co-chairs of the task force.

(12) One (1) member who is an assessment expert appointed by the state board.

(13) The department's director of curriculum and instruction.

(14) One (1) member representing the department's office of student assessment appointed by the department.

(c) The members described in subsection (b)(1) and (b)(2) shall serve as co-chairpersons for the task force. The task force shall meet at the call of the co-chairpersons.

(d) A quorum consists of the majority of the members of the task force.

(e) The affirmative votes of a majority of the members of the task force are required for the task force to take action on any measure.

Sec. 3. (a) A member of the task force who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) A member of the task force who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) A member of the task force who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from current appropriations made to the legislative council or the legislative services agency.

Sec. 4. The legislative services agency shall staff the task force.

Sec. 5. This chapter expires July 1, 2021.

SECTION 3. IC 20-32-5.1-6, AS ADDED BY P.L.242-2017, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) The state board shall:

(1) authorize and oversee the department's development and implementation of the Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program, including:

(A) establishment of criteria for requests for proposals for statewide assessments developed or authorized under this chapter;

(B) establishment of criteria for membership of evaluation teams; and

(C) establishment of criteria for content and format of the statewide assessment; and

(2) require the department to conduct ongoing analysis of whether the statewide assessment results are predictive of success in college and career training programs.

(b) The passing scores on a statewide assessment must be determined by statistically valid and reliable methods as determined by independent experts selected by the state board.

(c) The state board shall consult with one (1) or more individuals who specialize in special education as part of the state board's oversight of the development and implementation of the Indiana's Learning Evaluation Assessment Readiness Network (ILEARN).

~~(c)~~ **(d)** The state superintendent, with the approval of the state board, is responsible for the development, implementation, and monitoring of the Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program.

~~(d)~~ **(e)** The department shall prepare detailed design

specifications for the statewide assessment developed under this chapter that must do the following:

(1) Take into account the academic standards adopted under IC 20-31-3.

(2) Include testing of students' higher level cognitive thinking in each subject area tested.

~~(e)~~ **(f)** A statewide assessment described in section 7 of this chapter may be in a form that allows the department and the state board, to the extent possible, to compare the proficiency of Indiana students to the proficiency of students in other states. A statewide assessment may consist of original test items for Indiana's exclusive use if the state board determines that:

(1) developing original test items for Indiana's exclusive use will result in cost savings; or

(2) it would be impractical to develop a statewide assessment adequately aligned to Indiana's academic standards without including original test items developed for Indiana's exclusive use.

SECTION 4. IC 20-32-5.1-18.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 18.4. Notwithstanding any other law, a student's score on the statewide assessment may not be the primary factor or measure used to determine whether a student is eligible for a particular course or program.**".

Delete page 2.

Page 3, delete lines 1 through 16.

Page 3, line 22, strike "particular".

Page 3, line 22, after "student" insert "**in grades 6 through 12**".

Page 3, line 23, after "program" strike "as" and insert "**if that accommodation is**".

Page 3, line 31, delete "may not issue" and insert "**must submit any**".

Page 3, line 32, after "recommendations" insert "**the department plans to distribute**".

Page 3, line 35, after "(a)" delete "." and insert "**to the state board for approval.**".

Page 3, line 42, after "IAC 7-49" insert ";".

Page 4, after line 1, begin a new paragraph and insert:

"**(d) This subsection expires July 1, 2022. The department, in consultation with the Arc of Indiana and Indiana Council of Administrators of Special Education (ICASE), shall develop a notice to parents of a student who has:**

(1) an individualized education program;

(2) a service plan developed under 511 IAC 7-34;

(3) a choice scholarship education plan developed under 511 IAC 7-49; or

(4) a plan developed under Section 504 of the federal Rehabilitation Act, 29 U.S.C. 794;

that explains changes being made to the statewide assessment that may pertain to a child with a disability. The department shall distribute a copy of the notice to each public school, including a charter school and accredited nonpublic school. On or before February 1, 2021, the public school, including a charter school or accredited nonpublic school, shall provide the notice to the parent of a child with a disability during an in-person meeting where the educational progress of the child with a disability is discussed. During the meeting, a discussion and determination of whether the child with a disability may be eligible to opt out of any applicable section of the statewide assessment must occur.

SECTION 6. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 346 as reprinted February 4, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Financial Institutions, to which was referred Senate Bill 395, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, delete lines 35 through 42, begin a new paragraph and insert:

"SECTION 2. IC 24-4.5-2-201, AS AMENDED BY P.L.91-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 201. Credit Service Charge for Consumer Credit Sales ~~other than Revolving Charge Accounts~~ — (1) **Except as provided in subsections (8) and (11),** with respect to a consumer credit sale, ~~other than a sale pursuant to a revolving charge account,~~ a seller may contract for and receive a credit service charge not exceeding that permitted by this section.

(2) The credit service charge, calculated according to the actuarial method, may not exceed the equivalent of the greater of:

(a) the total of:

(i) thirty-six percent (36%) per year on that part of the unpaid balances of the amount financed **(as defined in section 111 of this chapter)** which is two thousand dollars ($2,000) or less;

(ii) twenty-one percent (21%) per year on that part of the unpaid balances of the amount financed **(as defined in section 111 of this chapter)** which is more than two thousand dollars ($2,000) but does not exceed four thousand dollars ($4,000); and

(iii) fifteen percent (15%) per year on that part of the unpaid balances of the amount financed **(as defined in section 111 of this chapter)** which is more than four thousand dollars ($4,000); or

(b) twenty-five percent (25%) per year on the unpaid balances of the amount financed **(as defined in section 111 of this chapter).**

(3) **In the case of a sale agreement entered into before July 1, 2020,** this section does not limit or restrict the manner of contracting for the credit service charge, whether by way of add-on, discount, or otherwise, so long as the rate of the credit service charge does not exceed that permitted by this section. If the sale is precomputed:

(a) the credit service charge may be calculated on the assumption that all scheduled payments will be made when due; and

(b) the effect of prepayment is governed by the provisions on rebate upon prepayment in section 210 of this chapter.

(4) The following apply to a sale agreement for a consumer credit sale (or for the refinancing or consolidation of a consumer credit sale) that is entered into after June 30, 2020:

(a) The credit service charge authorized by this section must be:

(i) contracted for between the seller and the debtor; and

(ii) calculated by applying a rate not exceeding the rate set forth in subsection (2) to unpaid balances of the amount financed (as defined in section 111 of this chapter).

(b) A sale agreement for a precomputed consumer credit sale is prohibited.

(c) Subject to subsection (13), in addition to the credit service charge authorized by subsection (2) and to any other fees permitted by this chapter, and not subject to the rate set forth in subsection (2), the seller may contract for and receive as a condition for, or an incident to, the extension of credit a nonrefundable prepaid finance charge under subsection (11), whether the charge is:

(i) paid separately in cash or by check before or at consummation; or

(ii) withheld from the proceeds of the consumer credit sale.

~~(4)~~ **(5)** For the purposes of this section, the term of a sale agreement commences with the date the credit is granted or, if goods are delivered or services performed more than thirty (30) days after that date, with the date of commencement of delivery or performance except as set forth below:

(a) Delays attributable to the customer. Where the customer requests delivery after the thirty (30) day period or where delivery occurs after the thirty (30) day period for a reason attributable to the customer (including but not limited to failure to close on a residence or failure to obtain lease approval), the term of the sale agreement shall commence with the date credit is granted.

(b) Partial Deliveries. Where any portion of the order has been delivered within the thirty (30) day period, the term of the sale agreement shall commence with the date credit is granted.

Differences in the lengths of months are disregarded and a day may be counted as one-thirtieth (1/30) of a month. Subject to classifications and differentiations the seller may reasonably establish, a part of a month in excess of fifteen (15) days may be treated as a full month if periods of fifteen (15) days or less are disregarded and that procedure is not consistently used to obtain a greater yield than would otherwise be permitted.

(6) With respect to a consumer credit sale made pursuant to a revolving charge account, the parties to the sale may contract for the payment by the buyer of a credit service charge not exceeding that permitted in this section, subject to the following:

(a) The credit service charge contracted for and received may not exceed a charge in each monthly billing cycle which is either two and eighty-three thousandths percent (2.083%) of an amount not greater than:

(i) the average daily balance of the account;

(ii) the unpaid balance of the account on the same day of the billing cycle; or

(iii) subject to subsection (7), the median amount within a specified range within which the average daily balance of the account or the unpaid balance of the account, on the same day of the billing cycle, is included.

For purposes of clauses (ii) and (iii), a variation of not more than four (4) days from month to month is "the same day of the billing cycle".

(b) If the billing cycle is not monthly, the maximum charge is that percentage which bears the same relation to the applicable monthly maximum percentage as the number of days in the billing cycle bears to thirty (30).

(c) Notwithstanding subdivision (a), if there is an unpaid balance on the date as of which the credit service charge is applied, the seller may contract for and receive a charge not exceeding fifty cents ($0.50) if the billing cycle is monthly or longer, or the pro rata part of fifty cents ($0.50) which bears the same relation to fifty cents ($0.50) as the number of days in the billing cycle bears to thirty (30) if the billing cycle is shorter than monthly. However, a seller may not contract for or receive a charge under this subdivision if the seller has made an annual charge for the same period as permitted by the provisions on additional charges in section 202(1)(e) of this chapter.

~~(5)~~ **(7)** Subject to classifications and differentiations the seller may reasonably establish, the seller may make the same credit service charge on all amounts financed within a specified range. A credit service charge so made does not violate subsection (2) if:

(a) when applied to the median amount within each range, it does not exceed the maximum permitted by subsection (2); and

(b) when applied to the lowest amount within each range, it does not produce a rate of credit service charge exceeding the rate calculated according to ~~paragraph~~ **subdivision** (a) by more than eight percent (8%) of the rate calculated according to ~~paragraph~~ **subdivision** (a).

~~(6)~~ **(8)** Notwithstanding subsection (2), **with respect to a consumer sale other than a sale under a revolving charge account,** the seller may contract for and receive a minimum credit service charge of not more than thirty dollars ($30). The minimum credit service charge allowed under this subsection may be imposed only if **the seller does not contract for or receive a nonrefundable prepaid finance charge under subsection (11) and:**

(a) the debtor prepays in full a consumer credit sale, refinancing, or consolidation, regardless of whether the sale, refinancing, or consolidation is precomputed;

(b) the sale, refinancing, or consolidation prepaid by the debtor is subject to a credit service charge that:

(i) is contracted for by the parties; and

(ii) does not exceed the rate prescribed in subsection (2); and

(c) the credit service charge earned at the time of prepayment is less than the minimum credit service charge contracted for under this subsection.

~~(7)~~ **(9)** The amounts of two thousand dollars ($2,000) and four thousand dollars ($4,000) in subsection (2) are subject to change pursuant to the provisions on adjustment of dollar amounts (IC 24-4.5-1-106). However, notwithstanding IC 24-4.5-1-106(1), the Reference Base Index to be used under this subsection is the Index for October 2012.

~~(8)~~ **(10)** The amount of thirty dollars ($30) in subsection ~~(6)~~ **(8)** is subject to change under the provisions on adjustment of dollar amounts (IC 24-4.5-1-106). However, notwithstanding IC 24-4.5-1-106(1), the Reference Base Index to be used under this subsection is the Index for October 1992.

(11) This subsection applies to a sale agreement entered into after June 30, 2020. Except as provided in subsection (8), and subject to subsection (13), in addition to the credit service charge authorized by subsection (2), and to any other fees permitted by this chapter, a seller may contract for and receive a nonrefundable prepaid finance charge in an amount which is not more than:

(a) seventy-five dollars ($75) for an amount financed (as defined in section 111 of this chapter) which is two thousand dollars ($2,000) or less;

(b) one hundred fifty dollars ($150) for an amount financed (as defined in section 111 of this chapter) which is more than two thousand dollars ($2,000) but does not exceed four thousand dollars ($4,000); and

(c) two hundred dollars ($200) for an amount financed (as defined in section 111 of this chapter) which is more than four thousand dollars ($4,000).

The nonrefundable prepaid finance charge is not subject to refund or rebate. However, any amount charged by the seller, other than by a seller that is a depository institution (as defined in IC 24-4.5-1-301.5(12)), under this subsection that exceeds the applicable amount permitted by this subsection constitutes a violation of this article under

IC 24-4.5-6-107.5(l) and is subject to refund. Any amount charged by a depository institution (as defined in IC 24-4.5-1-301.5(12)) under this subsection that exceeds the applicable amount set forth in this subsection is subject to refund. The amounts in this subsection are not subject to change under IC 24-4.5-1-106.

(12) If the director determines that a seller's accrual method of accounting as applied to a consumer credit sale under this section involves the application of subterfuge for the purpose of circumventing this chapter, the director may conform the credit service charge and fees for the transaction to the limitations set forth in this section and may require a refund of overcharges under IC 24-4.5-6-106(2)(a). A determination by the director under this subsection:

(a) must be in writing;

(b) shall be delivered to all parties in the transaction; and

(c) is subject to IC 4-21.5-3.

(13) At the time of consummation of a consumer credit sale:

(a) the credit service charge authorized by subsection (2); and

(b) the nonrefundable prepaid finance charge authorized by subsection (11) (including any amount charged by a depository institution (as defined in IC 24-4.5-1-301.5(12)) that exceeds the applicable amount set forth in subsection (11)) in the case of a sale agreement entered into after June 30, 2020;

are subject to IC 35-45-7 and, when combined, may not exceed the rate set forth in IC 35-45-7-2.".

Delete pages 3 through 6.

Page 7, delete lines 1 through 11.

Page 10, line 6, delete "excluding the nonrefundable fee" and insert "**subject to section 201(13) of this chapter, excluding the nonrefundable prepaid finance charge**".

Delete pages 16 through 19.

Page 20, delete lines 1 through 27, begin a new paragraph and insert:

"SECTION 10. IC 24-4.5-3-201, AS AMENDED BY P.L.159-2017, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 201. Loan Finance Charge for Consumer Loans other than Supervised Loans—(1) Except as provided in subsections ~~(6)~~ **(7)** and ~~(8),~~ **(9),** with respect to a consumer loan, other than a supervised loan (as defined in section 501 of this chapter), a lender may contract for a loan finance charge, calculated according to the actuarial method, not exceeding twenty-five percent (25%) per year on the unpaid balances of the principal **(as defined in section 107(3) of this chapter).**

(2) **In the case of a loan agreement entered into before July 1, 2020,** this section does not limit or restrict the manner of contracting for the loan finance charge, whether by way of add-on, discount, or otherwise, so long as the rate of the loan finance charge does not exceed that permitted by this section. If the loan is precomputed:

(a) the loan finance charge may be calculated on the assumption that all scheduled payments will be made when due; and

(b) the effect of prepayment is governed by the provisions on rebate upon prepayment in section 210 of this chapter.

(3) The following apply to a loan agreement for a consumer loan (or for the refinancing or consolidation of a consumer loan) that is entered into after June 30, 2020:

(a) The consumer loan is subject to this section, including the limitations set forth in:

(i) subsection (1) with respect to the loan finance charge; and

(ii) subsection (9)(b) with respect to the amount of the authorized nonrefundable prepaid finance charge, in the case of a consumer loan that is not secured by an interest in land.

(b) The loan finance charge authorized by this section must be:

(i) contracted for between the lender and the debtor; and

(ii) calculated by applying a rate not exceeding the rate set forth in subsection (1) to unpaid balances of the principal (as defined in section 107(3) of this chapter).

(c) A loan agreement for a precomputed consumer loan is prohibited.

(d) Subject to subsection (12), in addition to the loan finance charge authorized by subsection (1) and to any other fees permitted by this chapter, and not subject to the twenty-five percent (25%) rate set forth in subsection (1), the lender may contract for and receive as a condition for, or an incident to, the extension of credit a nonrefundable prepaid finance charge under subsection (9), whether the charge is:

(i) paid separately in cash or by check before or at consummation; or

(ii) withheld from the proceeds of the consumer loan.

~~(3)~~ **(4)** For the purposes of this section, the term of a loan commences with the date the loan is made. Differences in the lengths of months are disregarded, and a day may be counted as one-thirtieth (1/30) of a month. Subject to classifications and differentiations the lender may reasonably establish, a part of a month in excess of fifteen (15) days may be treated as a full month if periods of fifteen (15) days or less are disregarded and if that procedure is not consistently used to obtain a greater yield than would otherwise be permitted. For purposes of computing average daily balances, the creditor may elect to treat all months as consisting of thirty (30) days.

~~(4)~~ **(5)** With respect to a consumer loan made pursuant to a revolving loan account:

(a) the loan finance charge shall be deemed not to exceed the maximum annual percentage rate if the loan finance charge contracted for and received does not exceed a charge in each monthly billing cycle which is two and eighty-three thousandths percent (2.083%) of an amount not greater than:

(i) the average daily balance of the debt;

(ii) the unpaid balance of the debt on the same day of the billing cycle; or

(iii) subject to subsection ~~(5),~~ **(6),** the median amount within a specified range within which the average daily balance or the unpaid balance of the debt, on the same day of the billing cycle, is included; for the purposes of this ~~subparagraph~~ **clause** and ~~subparagraph~~ **clause** (ii), a variation of not more than four (4) days from month to month is "the same day of the billing cycle";

(b) if the billing cycle is not monthly, the loan finance charge shall be deemed not to exceed the maximum annual percentage rate if the loan finance charge contracted for and received does not exceed a percentage which bears the same relation to one-twelfth (1/12) the maximum annual percentage rate as the number of days in the billing cycle bears to thirty (30); and

(c) notwithstanding subsection (1), if there is an unpaid balance on the date as of which the loan finance charge is applied, the lender may contract for and receive a charge not exceeding fifty cents ($0.50) if the billing cycle is monthly or longer, or the pro rata part of fifty cents ($0.50) which bears the same relation to fifty cents ($0.50) as the number of days in the billing cycle bears to thirty (30) if the billing cycle is shorter than monthly, but no charge may be made pursuant to this ~~paragraph~~ **subdivision** if the lender has made an annual charge for

the same period as permitted by the provisions on additional charges in section 202(1)(c) of this chapter.

~~(5)~~ **(6)** Subject to classifications and differentiations the lender may reasonably establish, the lender may make the same loan finance charge on all amounts financed within a specified range. A loan finance charge does not violate subsection (1) if:

(a) when applied to the median amount within each range, it does not exceed the maximum permitted by subsection (1); and

(b) when applied to the lowest amount within each range, it does not produce a rate of loan finance charge exceeding the rate calculated according to ~~paragraph~~ **subdivision** (a) by more than eight percent (8%) of the rate calculated according to ~~paragraph~~ **subdivision** (a).

~~(6)~~ **(7)** With respect to a consumer loan not made pursuant to a revolving loan account, the lender may contract for and receive a minimum loan finance charge of not more than thirty dollars ($30). The minimum loan finance charge allowed under this subsection may be imposed only if the lender does not ~~assess~~ **contract for or receive** a nonrefundable prepaid finance charge under subsection ~~(8)~~ **(9)** and:

(a) the debtor prepays in full a consumer loan, refinancing, or consolidation, regardless of whether the loan, refinancing, or consolidation is precomputed;

(b) the loan, refinancing, or consolidation prepaid by the debtor is subject to a loan finance charge that:

(i) is contracted for by the parties; and

(ii) does not exceed the rate prescribed in subsection (1); and

(c) the loan finance charge earned at the time of prepayment is less than the minimum loan finance charge contracted for under this subsection.

~~(7)~~ **(8)** The amount of thirty dollars ($30) in subsection ~~(6)~~ **(7)** is subject to change under the provisions on adjustment of dollar amounts (IC 24-4.5-1-106). However, notwithstanding IC 24-4.5-1-106(1), the Reference Base Index to be used under this subsection is the Index for October 1992.

~~(8)~~ **(9)** Except as provided in subsection ~~(6),~~ **(7), and subject to subsection (12),** in addition to the loan finance charge ~~provided for in this section~~ **authorized by subsection (1)** and to any other charges and fees permitted by this chapter, a lender may contract for and receive a nonrefundable prepaid finance charge of not more than the following:

(a) In the case of a consumer loan that is secured by an interest in land and that:

(i) is not made under a revolving loan account, two percent (2%) of the loan amount; or

(ii) is made under a revolving loan account, two percent (2%) of the line of credit.

(b) In the case of consumer loan that is not secured by an interest in land, fifty dollars ($50) **if the loan agreement is entered into before July 1, 2020. If the loan agreement is entered into after June 30, 2020, not more than the following**:

(i) Seventy-five dollars ($75), in the case of a loan agreement for a principal amount which is two thousand dollars ($2,000) or less.

(ii) One hundred fifty dollars ($150) in the case of a loan agreement for a principal amount which is more than two thousand dollars ($2,000) but does not exceed four thousand dollars ($4,000).

(iii) Two hundred dollars ($200) in the case of a loan agreement for a principal amount which is more than four thousand dollars ($4,000).

The amounts in this subsection are not subject to change under IC 24-4.5-1-106.

~~(9)~~ **(10)** The nonrefundable prepaid finance charge provided for in subsection ~~(8)~~ **(9)** is not subject to refund or rebate. **However, for any loan entered into after June 30, 2020, any amount charged by the lender, other than by a lender that is a depository institution (as defined in IC 24-4.5-1-301.5(12)), under subsection (9) that exceeds the applicable amount permitted by subsection (9)(b) constitutes a violation of this article under IC 24-4.5-6-107.5(l) and is subject to refund. Any amount charged by a depository institution (as defined in IC 24-4.5-1-301.5(12)) under subsection (9) that exceeds the applicable amount set forth in subsection (9)(b) is subject to refund.**

(11) If the director determines that a lender's accrual method of accounting as applied to a consumer loan under this section involves the application of subterfuge for the purpose of circumventing this chapter, the director may conform the loan finance charge and fees for the transaction to the limitations set forth in this section and may require a refund of overcharges under IC 24-4.5-6-106(2)(a). A determination by the director under this subsection:

(a) must be in writing;

(b) shall be delivered to all parties in the transaction; and

(c) is subject to IC 4-21.5-3.

(12) At the time of consummation of a consumer loan:

(a) the loan finance charge authorized by subsection (1); and

(b) the nonrefundable prepaid finance charge authorized by subsection (9) (including any amount charged by a depository institution (as defined in IC 24-4.5-1-301.5(12)) that exceeds the applicable amount set forth in subsection (9)(b));

are subject to IC 35-45-7 and, when combined, may not exceed the rate set forth in IC 35-45-7-2.

~~(10)~~ **(13)** Notwithstanding subsections ~~(8)~~ **(9)** and ~~(9),~~ **(10),** in the case of a consumer loan that is not secured by an interest in land, if a lender retains any part of a nonrefundable prepaid finance charge charged on a loan that is paid in full by a new loan from the same lender, the following apply:

(a) If the loan is paid in full by the new loan within three (3) months after the date of the prior loan, the lender may not charge a nonrefundable prepaid finance charge on the new loan, or, in the case of a revolving loan, on the increased credit line.

(b) The lender may not assess more than two (2) nonrefundable prepaid finance charges in any twelve (12) month period.

(c) Subject to subdivisions (a) and (b), if a loan that is entered into by a lender and a debtor before July 1, 2020, is paid in full by a new loan from the same lender after June 30, 2020, the lender may contract for and receive a nonrefundable prepaid finance charge in the amount set forth in subsection (9)(b) for loan agreements entered into after June 30, 2020.

~~(11)~~ **(14)** In the case of a consumer loan that is secured by an interest in land, this section does not prohibit a lender from contracting for and receiving a fee for preparing deeds, mortgages, reconveyances, and similar documents under section 202(1)(d)(ii) of this chapter, in addition to the nonrefundable prepaid finance charge provided for in subsection ~~(8).~~ **(9).**".

Page 23, line 15, reset in roman "prepaid finance charge".

Page 23, line 15, delete "fee".

Page 23, line 20, reset in roman "prepaid finance charge".

Page 23, line 20, delete "fee".

Page 28, delete lines 23 through 42, begin a new paragraph and insert:

"SECTION 16. IC 24-4.5-3-508, AS AMENDED BY P.L.159-2017, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 508. Loan Finance Charge for Supervised Loans – (1) With respect to a supervised loan, including a loan pursuant to a revolving loan account, a supervised lender may contract for and receive a loan finance charge not exceeding that permitted by this section.

(2) The loan finance charge, calculated according to the

actuarial method, may not exceed the equivalent of the greater of:

(a) the total of:

(i) thirty-six percent (36%) per year on that part of the unpaid balances of the principal **(as defined in section 107(3) of this chapter)** which is two thousand dollars ($2,000) or less;

(ii) twenty-one percent (21%) per year on that part of the unpaid balances of the principal **(as defined in section 107(3) of this chapter)** which is more than two thousand dollars ($2,000) but does not exceed four thousand dollars ($4,000); and

(iii) fifteen percent (15%) per year on that part of the unpaid balances of the principal **(as defined in section 107(3) of this chapter)** which is more than four thousand dollars ($4,000); or

(b) twenty-five percent (25%) per year on the unpaid balances of the principal **(as defined in section 107(3) of this chapter).**

(3) **In the case of a loan agreement entered into before July 1, 2020,** this section does not limit or restrict the manner of contracting for the loan finance charge, whether by way of add-on, discount, or otherwise, so long as the rate of the loan finance charge does not exceed that permitted by this section. If the loan is precomputed:

(a) the loan finance charge may be calculated on the assumption that all scheduled payments will be made when due; and

(b) the effect of prepayment is governed by the provisions on rebate upon prepayment in section 210 of this chapter.

After June 30, 2020, a loan agreement may not be entered into for a precomputed supervised loan.

(4) The term of a loan for the purposes of this section commences on the date the loan is made. Differences in the lengths of months are disregarded, and a day may be counted as one-thirtieth (1/30) of a month. Subject to classifications and differentiations the lender may reasonably establish, a part of a month in excess of fifteen (15) days may be treated as a full month if periods of fifteen (15) days or less are disregarded and that procedure is not consistently used to obtain a greater yield than would otherwise be permitted.

(5) Subject to classifications and differentiations the lender may reasonably establish, the lender may make the same loan finance charge on all principal amounts within a specified range. A loan finance charge does not violate subsection (2) if:

(a) when applied to the median amount within each range, it does not exceed the maximum permitted in subsection (2); and

(b) when applied to the lowest amount within each range, it does not produce a rate of loan finance charge exceeding the rate calculated according to ~~paragraph~~ **subdivision** (a) by more than eight percent (8%) of the rate calculated according to ~~paragraph~~ **subdivision** (a).

(6) The amounts of two thousand dollars ($2,000) and four thousand dollars ($4,000) in subsection (2) and thirty dollars ($30) in subsection (7) are subject to change pursuant to the provisions on adjustment of dollar amounts (IC 24-4.5-1-106). However, notwithstanding IC 24-4.5-1-106(1), for the adjustment of the amount of thirty dollars ($30), the Reference Base Index to be used is the Index for October 1992. Notwithstanding IC 24-4.5-1-106(1), for the adjustment of the amounts of two thousand dollars ($2,000) and four thousand dollars ($4,000), the Reference Base Index to be used is the Index for October 2012.

(7) With respect to a supervised loan not made pursuant to a revolving loan account, the lender may contract for and receive a minimum loan finance charge of not more than thirty dollars ($30). The minimum loan finance charge allowed under this subsection may be imposed only if the lender does not assess a nonrefundable prepaid finance charge under subsection (8) and:

(a) the debtor prepays in full a consumer loan, refinancing, or consolidation, regardless of whether the loan, refinancing, or consolidation is precomputed;

(b) the loan, refinancing, or consolidation prepaid by the debtor is subject to a loan finance charge that:

(i) is contracted for by the parties; and

(ii) does not exceed the rate prescribed in subsection (2); and

(c) the loan finance charge earned at the time of prepayment is less than the minimum loan finance charge contracted for under this subsection.

(8) Except as provided in ~~subsection~~ **subsections** (7) **and (10)(c),** in addition to the loan finance charge provided for in this section and to any other charges and fees permitted by this chapter, the lender may contract for and receive a nonrefundable prepaid finance charge of not more than fifty dollars ($50) **if the loan agreement is entered into before July 1, 2020. If the loan agreement is entered into after June 30, 2020, not more than the following:**

(a) Seventy-five dollars ($75), in the case of a loan agreement for a principal amount which is two thousand dollars ($2,000) or less.

(b) One hundred fifty dollars ($150) in the case of a loan agreement for a principal amount which is more than two thousand dollars ($2,000) but does not exceed four thousand dollars ($4,000).

(c) Two hundred dollars ($200) in the case of a loan agreement for a principal amount which is more than four thousand dollars ($4,000).

The amounts in this subsection are not subject to change under IC 24-4.5-1-106.

(9) The nonrefundable prepaid finance charge provided for in subsection (8) is not subject to refund or rebate. **However, for any supervised loan entered into after June 30, 2020, any amount charged by the lender, other than by a lender that is a depository institution (as defined in IC 24-4.5-1-301.5(12)), under subsection (8) that exceeds the applicable amount permitted by subsection (8) constitutes a violation of this article under IC 24-4.5-6-107.5(l) and is subject to refund. Any amount charged by a depository institution (as defined in IC 24-4.5-1-301.5(12)) under subsection (8) that exceeds the applicable amount set forth in subsection (8) is subject to refund.**

(10) Notwithstanding subsections (8) and (9), in the case of a supervised loan that is not secured by an interest in land, if a lender retains any part of a nonrefundable prepaid finance charge charged on a loan that is paid in full by a new loan from the same lender, the following apply:

(a) If the loan is paid in full by the new loan within three (3) months after the date of the prior loan, the lender may not charge a nonrefundable prepaid finance charge on the new loan, or, in the case of a revolving loan, on the increased credit line.

(b) The lender may not assess more than two (2) nonrefundable prepaid finance charges in any twelve (12) month period.

(c) Subject to subdivisions (a) and (b), if a supervised loan that is entered into by a lender and a debtor before July 1, 2020, is paid in full by a new loan from the same lender after June 30, 2020, the lender may contract for and receive a nonrefundable prepaid finance charge in the amount set forth in subsection (8) for loan agreements entered into after June 30, 2020.

(11) In the case of a supervised loan that is secured by an interest in land, this section does not prohibit a lender from contracting for and receiving a fee for preparing deeds, mortgages, reconveyances, and similar documents under section 202(1)(d)(ii) of this chapter, in addition to the nonrefundable prepaid finance charge provided for in subsection (8).".

Delete pages 29 through 30.

Page 31, delete lines 1 through 5.
Page 32, line 1, delete "**($3.00).**" and insert "**($3).**".
Renumber all SECTIONS consecutively.
(Reference is to SB 395 as printed January 31, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 6, nays 3.

BURTON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 398, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:
Page 1, delete lines 1 through 17.
Delete pages 2 through 4.
Page 5, delete lines 1 through 22.
Page 6, line 2, delete "shall provide," and insert "**may provide**".
Page 6, line 6, after "chapter." insert "**A public school that elects to provide access to an organization under this chapter is not required to provide access to other groups or organizations that are not listed as youth organizations in Title 36 of the United States Code.**".
Page 6, line 7, after "school" insert "**that provides access to an organization under section 4 of this chapter**".
Page 6, between lines 29 and 30, begin a new paragraph and insert:
"SECTION 3. IC 20-30-3-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5. (a) Subject to subsection (b), each school corporation and charter school may place a durable poster or framed picture representing:**
(1) the national motto of the United States, "In God We Trust"; and
(2) an accurate representation of the:
(A) United States flag; and
(B) Indiana state flag;
which may be positioned under the national motto described in subdivision (1);
in each school library and classroom within the school corporation or charter school.
(b) The durable poster or framed picture described in subsection (a) may be at least eleven (11) inches in height by seventeen (17) inches in width. The dimensions of the national motto, United States flag, and Indiana state flag described in subsection (a) may be as follows:
(1) The national motto described in subsection (a)(1) may be at least four (4) inches in height by fifteen (15) inches in width and include print large enough to fill the dimensions established by this subdivision.
(2) The representation of the United States flag and the Indiana state flag as described in subsection (a)(2) must comply with any applicable federal or state laws concerning the design, dimensions, or presentation of the respective flags.".
Page 6, delete lines 30 through 42.
Page 7, delete lines 1 through 40.
Page 8, line 3, delete "This" and insert "**Except as provided in section 6(b) of this chapter, this**".
Page 8, delete line 4.
Page 8, line 5, delete "(2)" and insert "**(1)**".
Page 8, delete line 7.
Page 8, line 8, delete "(4)" and insert "**(2)**".
Page 8, line 32, after "equivalency" insert "**.**".
Page 8, delete lines 33 through 34.
Page 8, line 36, delete "July 1, 2021," and insert "**July 1, 2023,**".
Page 9, line 2, after "equivalency" delete "diploma," and insert "**,**".
Page 9, between lines 6 and 7, begin a new line block indented and insert:
"**(2) The completion of an apprenticeship.**".
Page 9, delete lines 7 through 9.
Page 9, line 10, delete "(4)" and insert "**(3)**".
Page 9, delete lines 11 through 13.
Page 9, line 14, delete "10." and insert "**9.**".
Page 9, line 31, delete "11." and insert "**10.**".
Page 10, between lines 3 and 4, begin a new paragraph and insert:
"**(c) Except as provided in subsection (a), the school corporation may only use state tuition support received for a student who participates in the program to administer the program.**".
Page 10, line 4, delete "12." and insert "**11.**".
Page 10, line 8, delete "13." and insert "**12.**".
Page 10, line 17, after "equivalency" delete "diploma".
Page 10, between lines 22 and 23, begin a new line block indented and insert:
"**(8) To the extent possible, the use of the funding received by a school corporation for a student participating in the program during the previous school year and metrics of student achievement and demographics, including:**
(A) the amount of funding received that was used for each course or program of instruction included in the program;
(B) the amount of funding received that was used for transportation costs for students who participate in the program;
(C) the amount of funding received that was used for any other purposes relating to the cost of education for a student who participated in the program; and
(D) metrics of student achievement and demographic information for those students who participated in the program during the previous school year, including a comparison to the metrics of student achievement and demographic information for those students who were not participants in the program.".
Page 10, line 23, delete "(8)" and insert "**(9)**".
Page 10, line 24, delete "14." and insert "**13.**".
Page 10, delete lines 25 through 42.
Page 11, delete lines 1 through 7.
Renumber all SECTIONS consecutively.
(Reference is to SB 398 as printed January 31, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 406, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 406 as printed January 31, 2020.)

Committee Vote: Yeas 13, Nays 0.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 409, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 12 with "[EFFECTIVE APRIL 1, 2020]".

Replace the effective dates in SECTIONS 14 through 19 with "[EFFECTIVE APRIL 1, 2020]".

Page 18, line 10, after "1." insert "**(a)**".

Page 18, line 18, delete "35" and insert "**35(a)**".

Page 18, line 18, delete "chapter)" and insert "**chapter), employment during school hours (section 35(b) of this chapter),**".

Page 18, between lines 20 and 21, begin a new paragraph and insert:

"**(b) This chapter does not apply to a minor enrolled in a work based learning course (as defined in IC 20-43-8-0.7).**".

Page 18, between lines 38 and 39, begin a new paragraph and insert:

"**Sec. 10.5. As used in this chapter, "school hours" refers to the hours that the school corporation, within the boundaries of which the minor resides while employed, is in session during the regularly scheduled school year.**".

Page 26, line 36, after "35." insert "**(a)**".

Page 26, line 36, delete "section" and insert "**subsection**".

Page 27, between lines 2 and 3, begin a new paragraph and insert:

"**(b) Except as provided in section 37 of this chapter, a person, firm, limited liability company, or corporation may not employ or permit any minor less than sixteen (16) years of age to work in any occupation during school hours on a school day.**".

Page 28, between lines 27 and 28, begin a new paragraph and insert:

"**Sec. 40.5. (a) This section does not provide an exception to the limit on the number of hours a minor is permitted to work under sections 30 through 33 of this chapter.**

(b) It is unlawful for a person, firm, limited liability company, or corporation to permit a minor who is:

(1) less than eighteen (18) years of age; and

(2) employed by the person, firm, limited liability company, or corporation;

to work after 10 p.m. and before 6 a.m. in an establishment that is open to the public unless another employee at least eighteen (18) years of age also works in the establishment during the same hours as the minor.

(c) A violation of subsection (b) is a hazardous occupation violation subject to section 45 of this chapter.".

Page 30, line 1, after "chapter," insert "**each minor employed in violation of section 35(b) of this chapter,**".

Page 30, line 2, after "40" insert "**or 40.5**".

Page 30, line 37, delete "chapter." and insert "**chapter and to develop and maintain the data base under IC 22-1-1-23.**".

Page 31, line 21, delete "May" and insert "**April**".

Page 31, line 22, delete "April 30," and insert "**March 31,**".

Page 31, line 23, delete "IC 20-33-4-42" and insert "**IC 20-33-3-42**".

Page 31, line 31, after "2." insert "**(a)**".

Page 31, line 39, delete "12" and insert "**12(a)**".

Page 31, line 39, delete "chapter)" and insert "**chapter), employment during school hours (section 12(b) of this chapter),**".

Page 31, between lines 41 and 42, begin a new paragraph and insert:

"**(b) This chapter does not apply to a minor enrolled in a work based learning course (as defined in IC 20-43-8-0.7).**".

Page 32, between lines 16 and 17, begin a new paragraph and insert:

"**Sec. 10.5. As used in this chapter, "school hours" refers to the hours that the school corporation, within the boundaries of which the minor resides while employed, is in session during the regularly scheduled school year.**".

Page 32, line 19, after "12." insert "**(a)**".

Page 32, line 19, delete "section" and insert "**subsection**".

Page 32, between lines 27 and 28, begin a new paragraph and insert:

"**(b) Except as provided in section 14 of this chapter, an employer may not employ or permit any minor less than sixteen (16) years of age to work in any occupation during school hours on a school day.**".

Page 35, between lines 26 and 27, begin a new paragraph and insert:

"**Sec. 23.5. (a) This section does not provide an exception to the limit on the number of hours a minor is permitted to work under sections 17 through 20 of this chapter.**

(b) It is unlawful for an employer to permit a minor who is:

(1) less than eighteen (18) years of age; and

(2) employed by the employer;

to work after 10 p.m. and before 6 a.m. in an establishment that is open to the public unless another employee at least eighteen (18) years of age also works in the establishment during the same hours as the minor.

(c) A violation of subsection (b) is a hazardous occupation violation subject to section 30 of this chapter.".

Page 35, line 40, delete "a" and insert "**an annual**".

Page 36, line 7, after "(c) The" insert "**annual**".

Page 36, line 23, after "the" insert "**annual**".

Page 37, line 27, delete "register or" and insert "**register, a failure to pay the annual registration fee, or**".

Page 37, line 31, after "chapter," insert "**each minor employed in violation of section 12(b) of this chapter,**".

Page 37, line 32, after "23" insert "**or 23.5**".

Page 38, line 21, delete "chapter." and insert "**chapter and to develop and maintain the data base under this chapter.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 409 as reprinted February 4, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

VANNATTER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Employment, Labor and Pensions, to which was referred Senate Bill 427, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 42, begin a new paragraph and insert:

SECTION 1. IC 25-1-17-8, AS ADDED BY P.L.57-2012, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) Notwithstanding any other law, ~~a board may issue a temporary practice permit or provisional license to a:~~

~~(1) military service applicant; or~~

~~(2) military spouse who is licensed, certified, registered, or issued a permit in another jurisdiction;~~

~~while the military service applicant or military spouse is satisfying certain requirements, as determined by the board, for a license, certificate, registration, or permit under section 4 or 5 of this chapter.~~

~~(b) The military service applicant or military spouse may practice under the temporary practice permit or provisional license issued under subsection (a) until:~~

~~(1) a license, certification, registration, or permit is~~

~~granted or denied by the board;~~
~~(2) a temporary permit expires; or~~
~~(3) a provisional license holder fails to comply with the terms of the provisional license.~~

an applicant for a license is entitled to a provisional license in the regulated occupation applied for and at the same practice level as determined by the board, without an examination, if all of the following conditions are met:

(1) The person submits a signed affidavit affirming, under the penalties for perjury, the following:

(A) The person is the spouse of an active duty member of the armed forces assigned to Indiana.

(B) The person is in good standing in all states in which the person holds a license for the regulated occupation applied for.

(C) The person has not had a license revoked and has not voluntarily surrendered a license in another state or country while under investigation for unprofessional conduct.

(D) The person has not had discipline imposed by the regulating entity for the regulated occupation in another state or country.

(E) The person does not have an investigation pending before the regulating entity in another state or country that relates to unprofessional conduct.

(2) The person submits verification that the person is currently licensed in at least one (1) other state in the regulated occupation applied for.

(3) The person submits to a national criminal history background check (as defined in IC 25-1-1.1-4) and does not have a disqualifying criminal history as determined by the board.

(4) The person has submitted an application for a license with the board and has paid any application fee.

(b) An applicant who has met the requirements in subsection (a) shall be issued a provisional license not more than thirty (30) days after the requirements are met.

(c) A provisional license expires three hundred sixty-five (365) days after it is issued.

(d) In addition to any other penalties for perjury, a person who violates this section commits a Class A infraction.

(e) If the board discovers that any of the information submitted under this section is false, the board may immediately revoke the person's provisional license.

(f) This section does not apply to a license that is established by or recognized through an interstate compact, a reciprocity agreement, or a comity agreement that is established by a board or a law.

(g) This section does not prohibit an individual from proceeding under other licensure, certification, registration, or permit requirements established by a board or a law.".

Delete page 3.

Renumber all SECTIONS consecutively.

(Reference is to SB 427 as reprinted February 4, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

VANNATTER, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

House Resolution 23

Representatives McNamara, Bacon and Hostettler introduced House Resolution 23:

A HOUSE RESOLUTION recognizing the 2019 Evansville Mater Dei High School girls soccer team.

Whereas, The Evansville Mater Dei High School girls soccer team won the Class 2A state championship on November 2, 2019;

Whereas, The Wildcats' victory during the 2019 season marks their third consecutive state final win;

Whereas, Megan Gries, with an assist from Lexi Kassenbrock, opened scoring in the 21st minute of the game;

Whereas, Este Bonnell scored a second goal after firing a free kick from 19 yards out in the 73rd minute of the game;

Whereas, Wildcats goalkeeper Sabrina Henderson recorded five saves in the game, keeping the score 2-0;

Whereas, Coach Amy Weber led the Wildcats to their victory and a 16-5-2 record for the season; and

Whereas, The Wildcats' championship reflects the hard work, talent, skill, and commitment given by each player to high school soccer and their team: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates the Evansville Mater Dei High School girls soccer team on winning the 2019 Class 2A state championship.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Wendy McNamara for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 32

Representatives GiaQuinta, Pryor and Candelaria Reardon introduced House Resolution 32:

A HOUSE RESOLUTION honoring State Representative Dan Forestal.

Whereas, State Representative Dan Forestal was first elected to represent the constituents of House District 100 in 2012;

Whereas, During his time in the House of Representatives, Representative Forestal served as ranking minority member on the Roads and Transportation Committee and has also been a member of the Elections and Apportionment Committee; Financial Institutions Committee; Public Policy Committee; Employment, Labor and Pensions Committee; Veterans Affairs and Public Safety Committee; Commerce, Small Business and Economic Development Committee; and Utilities, Energy and Telecommunications Committee;

Whereas, Representative Forestal is a private with the Indianapolis Fire Department and also served as a guard at Marion County Jail and as a bailiff in Marion County Superior Court 11;

Whereas, Representative Forestal also ran a small business, which bought and then restored homes in Indianapolis that had been abandoned;

Whereas, Representative Forestal has held the following caucus leadership positions: Assistant Minority Caucus Chair and Assistant Minority Whip;

Whereas, Representative Forestal is dedicated to serving his community, as an active member in Firefighters Local 416, the Indianapolis Fire Department's Emerald Society, and the International Association of Firefighters;

Whereas, Working with Habitat for Humanity, the Knights of Columbus, and Wheeler Mission, Representative Forestal stays involved in his community, which was also displayed when he received the Good Neighbor Award from the Community Heights Neighborhood in his district;

Whereas, Representative Forestal attended the following national legislative leadership academies: the Bowhay Institute for Legislative Leadership Development, the NCSL Emerging Leaders Program, and the Council of State Government's Henry Toll Fellowship; and

Whereas, Representative Forestal has served his constituency loyally and faithfully since his election to the Indiana House of Representatives: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives honors State Representative Dan Forestal for his years of service.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Philip GiaQuinta for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 33

Representative Chyung introduced House Resolution 33:

A HOUSE RESOLUTION congratulating Munster High School's boys' tennis doubles team on placing second in the IHSAA doubles final in 2019.

Whereas, Munster High School's boys' tennis doubles team went head to head with Carmel's doubles team for the state title;

Whereas, Kathir Venkat and Charlie Morton were the doubles team from Munster High School that played against Carmel High School;

Whereas, The boys worked hard to get to this point in the season, and scored a close second to Carmel High School at 6-4, 6-1;

Whereas, The coach of the Munster High School boys' tennis team, Patrick Spohr, notes that few players get the chance to compete for state title;

Whereas, Out of 16 doubles players competing in the quarter finals, Morton was the only sophomore;

Whereas, Venkat, a senior at the time, and Morton earned a berth in the state quarter finals after advancing through the team tournament undefeated; and

Whereas, The chance to compete in the IHSAA is something that will not be soon forgotten, and something that brings pride to Munster High School: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates Munster High School's boys' tennis doubles team on placing second in the IHSAA doubles final in 2019.

That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Christopher Chyung for distribution.

The resolution was read a first time and adopted by voice vote.

The Speaker yielded the gavel to Representative Burton

House Resolution 34

Representative Gutwein and Bosma introduced House Resolution 34:

A HOUSE RESOLUTION honoring State Representative David Wolkins.

Whereas, Representative David Wolkins earned his bachelor of science degree from Greenville College and his master's degree from St. Francis College;

Whereas, Representative Wolkins was an active school teacher from 1965 to 1977 and coached cross country and track;

Whereas, In 1977, Representative Wolkins opened his own business, the Case Farm Tractor Dealership, selling farm equipment until 1981. He then became the vice president of ABC Travel Inc., where he worked until 1988;

Whereas, Representative Wolkins dedicated 18 years to the Winona Lake Town Board, where he served as vice president and president;

Whereas, Representative Wolkins has had a constant focus on eminent domain since 2003. He has been devoted to creating legislation that would clarify the law and protect property owners' rights;

Whereas, During the 2006 legislative session, Representative Wolkins authored House Enrolled Act 1010, which makes it more difficult for the government to seize property through eminent domain laws by more clearly defining requirements of property acquisition;

Whereas, Representative Wolkins is the Indiana state chairman for the American Legislative Exchange Council and was the 2011 ALEC State Legislator of the Year;

Whereas, Representative Wolkins served as chair of the House Committee on Environmental Affairs during his service in the Indiana General Assembly;

Whereas, Representative Wolkins has been happily married to his high school sweetheart, Candace Wolkins, for 54 years; and

Whereas, Together they have one son, Matthew, who, along with his wife Kristy, blessed them with two beautiful grandchildren, Jack and Abby: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives honors State Representative David Wolkins for his years of service.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Doug Gutwein for distribution.

The resolution was read a first time and adopted by voice vote.

Representative Burton yielded the gavel to the Speaker.

House Resolution 35

Representative V. Smith introduced House Resolution 35:

A HOUSE RESOLUTION recognizing Omega Psi Phi.

Whereas, Omega Psi Phi Fraternity, Inc. is the first international fraternal organization founded on the campus of a historically black college;

Whereas, Omega Psi Phi, a predominantly African-American organization of college men, was founded at Howard University on November 17, 1911;

Whereas, The name Omega Psi Phi was derived from the initials of the Greek phrase meaning "friendship is essential to the soul";

Whereas, Omega Psi Phi is guided by four principles: "Manhood, Scholarship, Perseverance, and Uplift";

Whereas, Omega Psi Phi flourished in large part due to the high ideals of its founders, who chose men of like character to guide the fraternity into the future;

Whereas, Omega Psi Phi has many internationally mandated programs, including the following: Achievement Week, which is designed to recognize those individuals at the local and international levels who have contributed to community uplift; Scholarship, which promotes academic excellence among undergraduate members; Social Action, in which chapters participate in activities that will uplift their communities, including voter registration, Assault on Illiteracy, Habitat for Humanity, mentoring, and fundraisers for charitable organizations; Talent Hunt, which provides exposure, encouragement, and financial assistance to talented young people participating in the performing arts; Memorial Service, which recalls the memory of those members who have entered into Omega Chapter; Reclamation and Retention, a concerted effort at the international, district, and local levels to retain active brothers and return inactive brothers to full participatory status; College Endowment Fund, which is an annual contribution of at least $50,000 to historically black colleges and universities in furtherance of Omega Psi Phi's commitment to provide philanthropic support; Health Initiatives, which facilitates, participates in, and coordinates activities that promote good health practices, including the Charles Drew Blood Drive and partnership with the American Diabetes Association; Voter Registration, Education, and Mobilization, which facilitates and participates in activities that uplift their communities through the power of the vote;

Whereas, The Indiana chapters of Omega Psi Phi are Alpha Chi, Gary; Alpha Kappa Kappa, Gary; Beta Xi, Evansville; Chi Sigma, Terre Haute; Epsilon Beta Beta, Notre Dame; Eta Delta, Gary; Kappa Theta, Indianapolis; Nu Alpha Alpha, Indianapolis; Nu Mu Nu, Kokomo; Rho Sigma, Lafayette; Sigma Beta, Indianapolis; Tau Nu, Fort Wayne; Upsilon Beta, Muncie; Upsilon Kappa Kappa, Lafayette; Zeta Epsilon, Bloomington; and Zeta Phi, Indianapolis;

Whereas, Many renowned Americans from the business, professional, and educational areas have been members of Omega Psi Phi; and

Whereas, There are very few Americans whose lives have not been touched by a member of Omega Psi Phi Fraternity, Inc.: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives acknowledges the many contributions made to our state and our nation by the members of Omega Psi Phi Fraternity, Inc.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Omega Psi Phi Fraternity, Inc. and its 10th District representative.

The resolution was read a first time and adopted by voice vote.

House Concurrent Resolution 24

Representatives Cherry and Eberhart introduced House Concurrent Resolution 24:

A CONCURRENT RESOLUTION congratulating the New Palestine High School football team.

Whereas, The 2019 New Palestine High School football team won the Indiana High School Athletic Association's 2019 Class 5A state football championship at Lucas Oil Stadium on November 29, 2019;

Whereas, This year's championship game topped off an undefeated season for the New Palestine Dragons;

Whereas, The Dragons captured a hard earned win in the only 2019 state final that featured two undefeated teams;

Whereas, Dragons starting quarterback Lincoln Roth threw a 24-yard scoring pass to Blake Austin in the first quarter of the game;

Whereas, Alex Kropp kicked a 24-yard field goal, giving New Palestine a brief lead before going into halftime tied 10-10;

Whereas, Charlie Spegal ran 80 yards for a touchdown on New Palestine's first play of the second half, which was followed by a 20-yard field goal by Kropp;

Whereas, The Dragons scored again shortly after with Ryker Large and his 34-yard interception return, making the game 27-10;

Whereas, The Dragons won the game, 27-20 over Valparaiso

Whereas, Head coach Kyle Ralph led the Dragons to their third state title win;

Whereas, The Dragons' state championship win reflects the hard work, talent, skill, and commitment given by each player to high school football and their team; and

Whereas, This achievement will be remembered by players, coaches, staff, friends, family, and fans for years to come: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates the New Palestine High School football team for its 2019 state championship win.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to head coach Kyle Ralph of the New Palestine High School football team for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Crider.

House Concurrent Resolution 42

Representatives Goodrich, Frye, Judy and Macer introduced House Concurrent Resolution 42:

A CONCURRENT RESOLUTION honoring Indiana's women veterans.

Whereas, Women are an essential part of the United States military and the profession of arms, having served throughout the history of the United States of America;

Whereas, Many women, unable to serve lawfully in the profession of arms, provided critical support to the United States Army during the American Revolutionary War as nurses, seamstresses, and cooks;

Whereas, The U.S. Army reports that women did fight alongside their husbands in combat or disguised themselves as men in order to serve, and women took an active role providing the military with intelligence on enemy troop movements throughout the colonies and along the frontier;

Whereas, The U.S. Army reports that women served once again during the Civil War in critical roles as nurses and aides in addition to an estimated 400 women who secretly enlisted as soldiers to fight in the Union or Confederate armies;

Whereas, The U.S. Army established a permanent Nurse Corps in 1901, recognizing the skilled role of nurses in the military, especially during the Spanish-American War and an outbreak of typhoid fever, during which an estimated 1,500 contract nurses served in Army and Navy general hospitals and throughout the Northern Hemisphere during the war effort;

Whereas, An estimated 25,000 women between the ages of 21 and 69 served oversees during World War I and the role of women in the military increased in the Army, Navy, and Marines as World War II, and the United States' involvement, began in earnest;

Whereas, More than 60,000 Army nurses served around the world, with an estimated 140,000 women serving in the U.S. Army and the Women's Army Corps during World War II;

Whereas, The U.S. Army reports that more than 1,000 women flew aircraft for the Women's Airforce Service Pilots during that same period;

Whereas, The role of women in the United States military and their voluntary service continued to grow over the decades, especially in nursing, and an estimated 170,000 women served on active duty by 1980 according to the Women in Military Service Memorial Foundation;

Whereas, The United States, acknowledging the value and strength of women in the military, offered females the opportunity to serve in combat roles throughout the armed forces in 2015; and

Whereas, Women today serve and fight alongside their fellow soldiers, sailors, airmen, and marines on behalf of the United States of America: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly honors Indiana's women veterans for their service to the state of Indiana and United States of America.

SECTION 2. That the Indiana General Assembly joins all Hoosiers in celebrating Indiana's women veterans on June 12, 2020.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Chuck Goodrich for distribution

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Doriot.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 10

Representative Burton called down Engrossed Senate Bill 10 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 10–2)

Mr. Speaker: I move that Engrossed Senate Bill 10 be amended to read as follows:

Page 8, delete lines 8 through 42.

Delete pages 9 through 11.

Renumber all SECTIONS consecutively.

(Reference is to ESB 10 as printed February 18, 2020.)

BURTON

Motion prevailed. The bill was ordered engrossed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 50

Representative Torr called down Engrossed Senate Bill 50 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 205: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 109

Representative Steuerwald called down Engrossed Senate Bill 109 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 206: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 181

Representative Burton called down Engrossed Senate Bill 181 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 207: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 197

Representative Soliday called down Engrossed Senate Bill 197 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 208: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 237

Representative Morris called down Engrossed Senate Bill 237 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 209: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 239

Representative Mayfield called down Engrossed Senate Bill 239 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 210: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 249

Representative McNamara called down Engrossed Senate Bill 249 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 211: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 288

Representative Bacon called down Engrossed Senate Bill 288 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 212: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 358

Representative Manning called down Engrossed Senate Bill 358 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 213: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 383

Representative T. Brown called down Engrossed Senate Bill 383 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 214: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 424

Representative Engleman called down Engrossed Senate Bill 424 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 215: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 438

Representative Lehe called down Engrossed Senate Bill 438 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 216: yeas 84, nays 10. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 430

Representative Wolkins called down Engrossed Senate Bill 430 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that Engrossed Senate Bill 199 had been referred to the Committee on Ways and Means.

Reassignments

The Speaker announced the reassignment of Engrossed Senate Bill 229 from the Committee on Local Government to the Committee on Environmental Affairs.

HOUSE MOTION

Mr. Speaker: I move that Representative Austin be added as cosponsor of Engrossed Senate Bill 239.

MAYFIELD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Fleming be added as cosponsor of Engrossed Senate Bill 288.

BACON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Carbaugh be added as cosponsor of Engrossed Senate Bill 324.

ABBOTT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Lauer be added as cosponsor of Engrossed Senate Bill 345.

LINDAUER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Bartlett and Bartels be added as cosponsors of Engrossed Senate Bill 427.

ZENT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Jackson be added as cosponsor of Engrossed Senate Bill 430.

WOLKINS

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1009, 1104, 1109, 1147, 1189, 1224, 1267, 1288, 1334 and 1403 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1047, 1218 and 1343 with amendments and the same are herewith returned to the House for concurrence.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 49 and 50 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 37, 38 and 40 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

Pursuant to House Rule 60, committee meetings were announced.

On the motion of Representative Wolkins, the House adjourned at 3:47 p.m., this twenty-fifth day of February, 2020, until Thursday, February 27, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Twenty-Sixth Day — **Thursday Morning** — **February 27, 2020**

The invocation was offered by Father Mick Kopil of St. Elizabeth Ann Seaton Catholic Church in Valparaiso, a guest of Representative Beck.

The House convened at 10:00 a.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Speedy.

The Speaker ordered the roll of the House to be called:

Abbott
Austin
Aylesworth
Bacon
Baird ☐
Barrett
Bartels
Bartlett
Bauer
Beck
Behning
Borders
Boy
T. Brown
Burton
Campbell
Candelaria Reardon
Carbaugh
Cherry
Chyung
Clere
Cook
Davisson
Deal
DeLaney
DeVon
Dvorak
Eberhart
Ellington
Engleman
Errington
Fleming
Forestal ☐
Frye
GiaQuinta
Goodin
Goodrich
Gutwein
Hamilton
Harris
Hatcher
Hatfield ☐
Heaton
Heine ☐
Hostettler
Huston
Jackson
Jordan
Judy
Karickhoff
Kirchhofer ☐
Klinker
Lauer
Lehe
Lehman
Leonard ☐
Lindauer
Lucas
Lyness
Macer ☐
Manning
May
Mayfield
McNamara
Miller
Moed ☐
Morris
Morrison
Moseley
Negele
Nisly
Pfaff
Pierce
Porter
Prescott
Pressel
Pryor
Saunders
Schaibley
Shackleford ☐
Sherman
Smaltz
V. Smith
Soliday ☐
Speedy
Steuerwald
Stutzman
Sullivan
Summers
Thompson ☐
Torr
VanNatter
Vermilion
Wesco
Wolkins
Wright
J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 217: 89 present; 11 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, March 2, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

ENGROSSED SENATE BILLS ON SECOND READING

Pursuant to House Rule 143.1 , the following bills which had no amendments filed, were read a second time by title and ordered engrossed: Engrossed Senate Bills 25, 230, 343, 406 and 410.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 43

Representatives Frye and Macer introduced House Concurrent Resolution 43:

A CONCURRENT RESOLUTION recognizing and honoring volunteer firefighters.

Whereas, These brave and dedicated volunteer firefighters have served courageously and risked their lives daily to protect their communities from the threat of fire;

Whereas, For 50 years these volunteer firefighters have answered the call when fire struck Hoosier communities, forsaking all else to protect and serve those in need;

Whereas, It takes a special dedication, a strong desire to help others, and a tireless sense of community to sacrifice precious time with family and friends to respond to the signal that a neighbor is in need;

Whereas, These brave volunteer firefighters have heroically performed, throughout 50 years of devoted service, above and beyond the call of duty to fulfill the tasks and responsibilities of fire protection;

Whereas, It is right and just to recognize the tireless contributions and sacrifices that volunteer firefighters have made to bring safety and security to all Hoosier communities; and

Whereas, The distinguished service of volunteer firefighters has brought pride and honor to the state of Indiana: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes and honors the following volunteer firefighters that have spent 50 years protecting and serving communities across Indiana: Thomas Anderson, Lloyd Woodrick, Weldon Coslet, William H. Flanagin Jr., Jim E. Bullock, Delbert E. Collinsworth, Bill Corning, Randal E. Clinton, Rodney Isaac Cross, John P. Hardy, Jerry D. Knepp, Paul Martin, Bruce R. Bordner, Wayne A. Smith, Steven E. Barcus, Ralph M. Clary, Michael D. Schrader, Daryl R. Daniels, Jerry W. Hochstetler, Michael E. Shearer, Estill A. Ritchie, Robert E. Arnold, Keith A. Balliet, Gary E. Teeple, Daniel G. Anderson, Donald D. Kendall, Richard A. McCarty, Jimmie L. Stipp, Gail G. Sears, Robert J. Haunert, William L. Clark, Phil Dearinger, Carl V. McAnally, Donald Wells, Bryan L. Husband, George Thomas Asbury, William R. Shields, Tim Earl Jenks, Gordon W. Foster, Daniel L. Harshbarger, Larry R. Harmon, Jack C. Giles, Harry H. Green, Gary Poteet, Gary Allen Thomas, Jack Lee Duncan, John A. Pardo, Thomas A. Fulton, James A. Ennis, Don L. Benter, Henry David Taylor, James H. Lohring, John M. Buckman I, James Robert Fechtmeister, Mark A. Ellis, James M. Hardesty, Ronald N. Bell, Stephen L. Murphy, James R. Davis, Max S. Ferree, Raymond D. Spires, Richard K. Taylor, William Bland, Cleon Brahm, Michael J. Gutzwiller, James R. Vinup, Paul E. Covington Jr., John D. Goodrick, Larry Curl, and Walter Bedford Blakely.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the volunteer firefighters named in this resolution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Crider.

House Resolution 25

Representative Candelaria Reardon introduced House Resolution 25:

A HOUSE RESOLUTION recognizing and honoring Mr. Richard Morrisroe.

Whereas, Richard Morrisroe was born in Chicago, Illinois, in 1938;

Whereas, Mr. Morrisroe completed his studies at St. Mary of the Lake Seminary in 1964 and worked as a Catholic priest in three parishes until he returned to lay status in 1973;

Whereas, Mr. Morrisroe became increasingly involved in the civil rights movement and quickly joined Dr. Martin Luther King Jr.'s peaceful demonstrations in Chicago before attending Dr. King's Southern Christian Leadership Conference in 1965;

Whereas, Mr. Morrisroe was arrested in Fort Deposit, Alabama, with almost twenty other demonstrators after organizing against economic discrimination;

Whereas, Mr. Morrisroe was released from jail with fellow demonstrators including Mr. Jonathan Daniels and Mr. Stokely Carmichael after nearly a week of confinement in Lowndes County, Alabama;

Whereas, Less than an hour later Mr. Daniels, an Episcopal seminarian, and Mr. Morrisroe were shot by a deputy sheriff with a twelve gauge shotgun outside of a Hayneville, Alabama, general store;

Whereas, Mr. Daniels died at the scene after saving the life of Ruby Sales, who was in the path of the shotgun blast, and Mr. Morrisroe was shot in the back;

Whereas, Mr. Morrisroe, with the help of eleven hours of surgery and six months of hospitalization, has been blessed to live and work in church ministry, city planning and municipal law, higher education, and family life;

Whereas, Mr. Morrisroe carries with him a passion for learning and community involvement, having earned a master's degree in urban studies from Loyola University, a law degree from Northwestern University, and a doctorate of ministry from Catholic Theological Union in Hyde Park;

Whereas, Mr. Morrisroe has worked for the City of East Chicago from 1973 to 1980 and then the Chicago Transit Authority from 1986 to 2005 before he returned to East Chicago in 2005, where he continues to work today;

Whereas, Mr. Morrisroe served as an adjunct professor of sociology, religious studies, law and literature, and business ethics at Indiana University Northwest, Gary, and at Calumet College of St. Joseph, Hammond, from 1972 to 2018; and

Whereas, Mr. Morrisroe and his wife, Sylvia, and their children, Richard, Jonathan, and Sioban, have been lifelong residents of East Chicago: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives recognizes and honors Mr. Richard Morrisroe for his many contributions to his community as a leader, civil servant, and civil rights activist.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to State Representative Mara Candalaria Reardon for distribution.

The resolution was read a first time and adopted by voice vote.

The Speaker yielded the gavel to Representative Wolkins.

House Resolution 36

Representatives Steuerwald and GiaQuinta introduced House Resolution 36:

A HOUSE RESOLUTION honoring those who have served as legislative interns for the House of Representatives during the Second Regular Session of the 121st Indiana General Assembly.

Whereas, The following have served as legislative interns for the Republican Caucus of the House of Representatives during the Second Regular Session of the 121st Indiana General Assembly: Erika Adams, Kayla Balfour, Alex Bastnagel, David Bradley, Kristina Breckenridge, Tanner Brown, Jacob Carrico, Ryan Cinnante, Madeline Clabaugh, Alexander Clark, Alexander Conrad, Amy Cordill, Michael Critchfield, Mariah Dragonette, Rachel Ely, Hannah Gregory, Mary Kate Jaworowski, Ellen Kizik, Garkhor Kulia, Austin Macy, Nathan Marciniec, Cameron Michaels, Chantz Morris, Jasmine Noel, Alec Policka, Daniel Silliman, William Smeltzer, Lucas Smith, Zachary Smith, Erica Szczechowski, Victoria Thatcher-Milton, Mauricio Villacres, Aaron Wainscott, Jordan Wallace, and Caitlin Way;

Whereas, The following have served as legislative interns for the Democratic Caucus of the House of Representatives during the Second Regular Session of the 121st Indiana General Assembly: Samantha Abbott, Thad Boone, Christina DeSanto, Andrew Donaldson, Blair Earnest, Claire Ellis, Riccardo Johnson, Joe Killion, Elisa Liggin, Lauren Neal, Florence Ngun Tin Dim, Hannah Smith, Jacob Stefaniak, Eric Virden, Troi Watts, Angela Williams, and Elizabeth Wilson;

Whereas, The work of legislative interns is vital to the success of each session of the Indiana General Assembly;

Whereas, The legislative interns serving in 2020 represent some of the best and brightest future leaders of Indiana;

Whereas, Many past legislative interns have gone on to achieve significant personal, academic, political, and professional goals; and

Whereas, The 2020 legislative intern class contains young leaders who will make a positive contribution to Indiana in the years to come: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the House of Representatives recognizes the important contributions of the individuals who are serving as legislative interns with the House of Representatives during the Second Regular Session of the 121st Indiana General Assembly.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Representative Gregory Steuerwald for distribution.

The resolution was read a first time and adopted by voice vote.

Speaker Bosma introduced Matt Whetstone, representing Verizon, sponsor of the intern program. Mr. Whetstone announced the Interns of the Year: Republican Jacob Carrico and Democrat Eric Virden.

Representative Wolkins yielded the gavel to the Speaker.

Representatives Hatfield, Kirchhofer, Leonard, Shackleford and Thompson, who had been excused, are now present.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 194

Representative Steuerwald called down Engrossed Senate Bill 194 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 218: yeas 90, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Lucas and Morrison, who had been present, are now excused.

Engrossed Senate Bill 10

Representative Burton called down Engrossed Senate Bill 10 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 219: yeas 91, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representatives Candelaria Reardon and Cherry who had been present, are now excused.

Representative Lucas, who had been excused, is now present.

Engrossed Senate Bill 299

Representative Stutzman called down Engrossed Senate Bill 299 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 220: yeas 78, nays 13. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Cherry, who had been excused, is now present.

Engrossed Senate Bill 430

Representative Wolkins called down Engrossed Senate Bill 430 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 221: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representatives Pfaff and Ziemke, who had been present, are now excused.

RESOLUTIONS ELIGIBLE FOR ADOPTION

Senate Concurrent Resolution 6

The Speaker handed down on its passage Senate Concurrent Resolution 6, sponsored by Representative Lehe:

A CONCURRENT RESOLUTION memorializing Trooper Peter "Bo" Stephan and urging the Indiana Department of Transportation to name a portion of State Road 25 the "Trooper Peter "Bo" Stephan Memorial Highway".

The resolution was read a second time and adopted. Roll Call 222: yeas 90, nays 0. The Clerk was directed to inform the Senate of the passage of the resolution.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 1:46 p.m. with the Speaker in the Chair.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred Senate Concurrent Resolution 15, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said resolution do pass.

(Reference is to SC 15 as printed February 14, 2020.)

Committee Vote: Yeas 11, Nays 0.

EBERHART, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred House Resolution 20, has had the same under consideration and begs leave to report the same back to the

House with the recommendation that said resolution do pass.

(Reference is to HR 20 as printed February 18, 2020.)

Committee Vote: Yeas 11, Nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 1, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 36, delete "IC 35-46-1-10.2(i);" and insert "**IC 35-46-1-10.2(j);**".

Page 11, line 14, delete "under" and insert "**less than**".

Page 11, line 25, after "e-liquids"" insert "**the**".

Page 13, line 19, strike "twenty-seven (27)" and insert "**thirty (30)**".

Page 14, line 5, delete "IC 35-46-1-10.2(f)." and insert "**IC 35-46-1-10.2(g).**".

Page 16, line 8, delete "agriculture;" and insert "Agriculture.".

Page 16, line 9, delete "processing;" and insert "Processing.".

Page 16, line 10, delete "transporting;" and insert "Transporting.".

Page 16, line 11, delete "wholesaling;" and insert "Wholesaling.".

Page 16, line 11, strike "or".

Page 16, line 12, delete "retailing." and insert "Retailing.".

Page 16, line 32, delete ":".

Page 16, line 33, delete "(1)".

Page 16, run in lines 32 through 33.

Page 16, line 35, delete ";".

Page 16, line 35, delete "or".

Page 16, delete lines 36 through 39.

Page 16, run in lines 35 through 40.

Page 17, line 5, strike "hundred eighty (180) days," and insert "**(1) year,**".

Page 17, line 6, delete "six" and insert "**four**".

Page 17, line 6, delete "($600)." and insert "**($400).**".

Page 17, line 9, strike "hundred eighty (180) days," and insert "**(1) year,**".

Page 17, line 10, delete "one thousand two" and insert "**eight**".

Page 17, line 11, delete "($1,200)." and insert "**($800).**".

Page 17, line 14, strike "hundred eighty (180) days," and insert "**(1) year,**".

Page 17, line 15, delete "two thousand one" and insert "**one thousand four**".

Page 17, line 16, delete "($2,100)." and insert "**($1,400).**".

Page 17, line 19, strike "hundred eighty (180)".

Page 17, line 20, strike "days," and insert "**(1) year,**".

Page 17, line 20, delete "three" and insert "**two**".

Page 17, line 21, delete "($3,000)." and insert "**($2,000).**".

Page 18, line 29, strike "hundred eighty (180) day period" and insert "**(1) year**".

Page 20, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 31. IC 35-46-1-11.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11.2. (a) This section does not apply to a tobacco business:

(1) operating as a tobacco business before ~~April 1, 1996,~~ **July 1, 2020;** or

(2) that begins operating as a tobacco business after ~~April 1, 1996,~~ **June 30, 2020,** if at the time the ~~tobacco~~ business begins operation the tobacco business is not located in an area prohibited under this section.

(b) A person may not operate a tobacco business within ~~two hundred (200)~~ **one thousand (1,000)** feet of a public or private elementary or secondary school, as measured between the nearest point of the premises occupied by the tobacco business and the nearest point of a building used by the school for instructional purposes.

(c) A person who violates this section commits a Class C misdemeanor.".

Page 22, line 2, strike "hundred eighty (180) days," and insert "**(1) year,**".

Page 22, line 3, delete "six" and insert "**four**".

Page 22, line 3, delete "($600)." and insert "**($400).**".

Page 22, line 5, strike "hundred eighty (180) days," and insert "**(1) year,**".

Page 22, line 5, delete "one".

Page 22, line 6, delete "thousand two" and insert "**eight**".

Page 22, line 6, delete "($1,200)." and insert "**($800).**".

Page 22, line 8, strike "hundred eighty (180) days," and insert "**(1) year,**".

Page 22, line 8, delete "two".

Page 22, line 9, delete "thousand one" and insert "**one thousand four**".

Page 22, line 9, delete "($2,100)." and insert "**($1,400).**".

Page 22, line 11, strike "hundred eighty (180) days," and insert "**(1) year,**".

Page 22, line 12, delete "three" and insert "**two**".

Page 22, line 12, after "($1,000)" strike ".".

Page 22, line 12, delete "($3,000)." and insert "**($2,000).**".

Page 22, line 19, strike "hundred eighty (180) day" and insert "**(1) year**".

Renumber all SECTIONS consecutively.

(Reference is to SB 1 as reprinted January 22, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 4, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 12-15-5-17, AS AMENDED BY P.L.108-2019, SECTION 194, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2020]: Sec. 17. (a) This section does not apply to a Medicaid recipient participating in the Program of All-Inclusive Care for the Elderly (PACE) program described in IC 12-15-43.

(b) The office may not include a Medicaid recipient who is eligible to ~~(1)~~ participate in the Medicare program (42 U.S.C. 1395 et seq.) and receive nursing facility services in a risk based managed care program or capitated managed care program.

(c) This section expires ~~June 30, 2020.~~ **June 30, 2021.**

SECTION 2. IC 16-41-7.5-6, AS AMENDED BY P.L.198-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. A qualified entity that operates a program under this chapter must do the following:

(1) Annually register the program in a manner prescribed by the state department with the:

(A) state department; and

(B) local health department in the county or municipality where services will be provided by the qualified entity if the qualified entity is not the local health department.

(2) Have one (1) of the following licensed in Indiana provide oversight to the qualified entity's programs:
(A) A physician.
(B) A registered nurse.
(C) A physician assistant.
(3) Store and dispose of all syringes and needles collected in a safe and legal manner.
(4) Provide education and training on drug overdose response and treatment, including the administration of an overdose intervention drug.
(5) Provide drug addiction treatment information and referrals to drug treatment programs, including programs in the local area and programs that offer medication assisted treatment that includes a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid or alcohol dependence.
(6) Provide syringe and needle distribution and collection without collecting or recording personally identifiable information.
(7) Operate in a manner consistent with public health and safety.
(8) Ensure the program is medically appropriate and part of a comprehensive public health response.
(9) Keep sufficient quantities of an overdose intervention drug (as defined in IC 16-18-2-263.9) in stock and to administer in accordance with IC 16-42-27.
(10) Provide testing for communicable diseases, and if an individual tests positive for a communicable disease, provide health care services or a referral to a health care provider for the services.
(11) Establish a referral process for program participants in need of:
(A) information or education concerning communicable diseases; or
(B) health care.

SECTION 3. IC 16-41-7.5-12, AS ADDED BY P.L.208-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. **(a)** Before November 1 of each year, the state department shall submit a report concerning syringe exchange programs operated under this chapter to the governor and to the general assembly in an electronic format under IC 5-14-6.

(b) Before November 1, 2020, as part of the report to the general assembly required under subsection (a), the state department shall ensure the report includes the following additional information concerning the program:
(1) The number of programs operating in Indiana.
(2) The data, compiled for each program, reported to the state department under section 10 of this chapter.
(3) Any other information the state department deems relevant to the general assembly in assessing the effectiveness of having a program in the state.

SECTION 4. IC 16-41-7.5-14, AS AMENDED BY P.L.198-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. This chapter expires July 1, ~~2021.~~ **2022.**

SECTION 5. **An emergency is declared for this act.**

(Reference is to SB 4 as printed January 24, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 5, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between line 1 and the enacting clause, begin a new paragraph and insert:

"SECTION 1. IC 16-18-2-362.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 362.1. "Urgent care facility", for purposes of IC 16-24.5-1, has the meaning set forth in IC 16-24.5-1-1.**

SECTION 2. IC 16-21-17 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 17. Health Care Pricing Information

Sec. 1. (a) Not later than March 31, 2021, a hospital and an ambulatory outpatient surgical center shall post on the Internet web site of the hospital or ambulatory outpatient surgical center pricing and other information specified in this chapter for the following:
(1) For as many of the seventy (70) shoppable services specified in 45 CFR 180 (as published August 9, 2019, and as subsequently amended) that are provided by the hospital or ambulatory outpatient surgical center.
(2) In addition to the services specified in subdivision (1), the thirty (30) most common services that are provided by the hospital or ambulatory outpatient surgical center not included in subdivision (1).

(b) The following information, to the extent applicable, must be included on the Internet web site by a hospital and an ambulatory outpatient surgical center for the shoppable and common services described in subsection (a):
(1) A description of the shoppable and common service.
(2) The weighted average prices paid per service per provider type for each of the following categories:
(A) Any nongovernment sponsored health benefit plan or insurance plan provided by a health carrier in which the provider is in the network.
(B) Medicare, including fee for service and Medicare Advantage.
(C) Self-pay without charitable assistance from the hospital or ambulatory outpatient surgical center.
(D) Self-pay with charitable assistance from the hospital or ambulatory outpatient surgical center.

Sec. 2. (a) The information displayed on the Internet web site must be in an easy to read, understandable format, and include the prices as described in section 1 of this chapter for each service by provider type.

(b) A hospital and an ambulatory outpatient surgical center shall update the information on the Internet web site on an annual basis.

SECTION 3. IC 16-24.5 IS ADDED TO THE INDIANA CODE AS A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

ARTICLE 24.5. OTHER HEALTH CARE FACILITIES

Chapter 1. Urgent Care Facilities

Sec. 1. (a) As used in this chapter, "urgent care facility" means a freestanding health care facility that offers episodic, walk-in care for the treatment of acute, but not life-threatening, health conditions.

(b) The term does not include an emergency department of a hospital or a nonprofit or government operated health clinic.

Sec. 2. (a) Not later than March 31, 2021, an urgent care facility shall post on the Internet web site of the urgent care facility pricing and other information specified in this chapter for the fifteen (15) most common services that are provided by the urgent care facility.

(b) The following information, to the extent applicable, must be included on the Internet web site by an urgent care facility for the most common services described in subsection (a):
(1) The number of services provided for the code.
(2) A description of the service.

(3) The weighted average prices paid per service per provider type for each of the following categories:

(A) Any nongovernment sponsored health benefit plan or insurance provided by a health carrier in which the provider is in the network.

(B) Medicare, including fee for service and Medicare Advantage.

(C) Self-pay without charitable assistance from the urgent care facility.

(D) Self-pay with charitable assistance from the urgent care facility.

Sec. 3. (a) The information displayed on the Internet web site must be in an easy to read, understandable format, and include the prices as described in section 2 of this chapter for each service by provider type.

(b) An urgent care facility shall update the information on the Internet web site on an annual basis.

SECTION 4. IC 27-1-15.6-13.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 13.5. (a) An insurance producer shall disclose to any prospective and current clients on a separate written notification any commission, service fee, brokerage fee, or other valuable consideration, including:**

(1) whether the amount is based on a percentage of total plan premiums or a flat per member fee; and

(2) any consideration received by the insurance producer from the insurer that is offering the insurance contract.

(b) A copy of the written notification required under this section must be signed by the client.

(c) An insurance producer has a fiduciary responsibility to the client under this section.".

Page 1, line 5, after "contract" insert "**, including a contract with a pharmacy benefit manager or a health facility,**".

Page 1, line 7, after "employers" insert "**, including individual employers or public employers participating in a multiple employer welfare arrangement under IC 27-1-34 or IC 5-10-8-5,**".

Page 1, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 6. IC 27-1-45 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 45. All Payer Claims Data Base

Sec. 1. As used in this chapter, "data base" refers to the all payer claims data base created under this chapter.

Sec. 2. As used in this chapter, "health payer" includes the following:

(1) Medicare.

(2) Medicaid or a managed care organization (as defined in IC 12-7-2-126.9) that has contracted with Medicaid to provide services to a Medicaid recipient.

(3) An insurer that issues a policy of accident and sickness insurance (as defined in IC 27-8-5-1).

(4) A health maintenance organization (as defined in IC 27-13-1-19).

(5) A pharmacy benefit manager (as defined in IC 27-1-24.8-3).

(6) A third party administrator.

(7) An insurer (as defined in IC 27-1-26-1), excluding insurers of life insurance.

(8) Any other person identified by the commissioner for participation in the data base described in this chapter.

Sec. 3. (a) Before July 1, 2020, the department shall issue a request for information in compliance with IC 5-23-4.5 concerning the creation, operation, and maintenance of a data base.

(b) The request for information must include the following questions:

(1) How the person would collect all relevant claims data for the data base from a health payer in a manner that would minimize technical barriers for a health payer to submit a claim.

(2) How the person would promote and encourage self-funded plans to voluntarily submit claims data for inclusion in the data base.

(3) What funding sources the person would seek to offset costs to implement and maintain the data base.

(4) How the person would make data from the data base available, including what sufficient fee would need to be assessed, to researchers, companies, and other interested parties in analyzing the data.

(5) How the person would ensure the following:

(A) That data is submitted and released in a machine readable format.

(B) That the data from the data base is used in an ethical manner.

(C) That the data is not personally identifiable and is properly secured and maintained, and that the person complies with federal and state health care privacy laws.

(6) How the person would establish a public web portal for individuals to quickly and easily compare prices for the full spectrum of medical billing codes as well as check quality ratings of providers.

(7) What threshold should be set for health payers to submit data for the data base.

(8) How the person would work with other states and relevant stakeholders to either:

(A) use a data language that is already available; or

(B) facilitate the establishment of a common data language to be used by states for the data.

(9) Whether any changes to state law would increase the functionality and effectiveness of the data base and recommendations of the statutes and necessary changes.

(10) Any other questions the department determines are relevant to the implementation of a robust and transparent data base.

(c) The department shall set the deadline for submissions of the request for information under this section that may be not later than November 30, 2020.

Sec. 4. (a) After May 30, 2021, the department shall issue a request for an entity that is not a state agency or political subdivision to create, operate, and maintain the data base under this chapter. In addition to the requirements of IC 5-22-9, the request for proposals must include the considerations contained in the request for information under section 3 of this chapter.

(b) The request for proposals must state that the data base's purpose is to facilitate the following:

(1) Identifying health care needs and informing health care policy.

(2) Comparing costs between various treatment settings and approaches.

(3) Providing information to consumers and purchasers of health care.

(4) Improving the quality and affordability of patient health care and health care coverage.

(c) The department shall publish the department's decision concerning the submissions not later than November 30, 2021, on the department's Internet web site.

(d) If the department accepts a submission for the request for proposals, the department shall enter into a contract with the person to act as administrator of the data base and develop the data base.

(e) The administrator shall ensure that the data base is secure and compliant with the federal Health Insurance Portability and Accountability Act (HIPAA).

Sec. 5. (a) A health payer shall begin submitting the required data in a format specified by the administrator of the data base not later than three (3) months from the first day the department declares the data base to be fully operational.

(b) An employer may opt-in to share claims data with the data base.".

Page 8, after line 34, begin a new paragraph and insert:

"SECTION 8. IC 27-8-11-13 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 13. (a) A fully credentialed provider shall be reimbursed for eligible services provided at any in-network hospital if the following conditions are met:**

(1) The provider submits the documentation required by the insurer to be loaded under the provider group or hospital.

(2) The provider, provider group, or hospital is a network provider with the insurer.

(3) The services are provided in accordance with all terms and conditions of the provider's, group provider's, or hospital's agreement or contract with the insurer.

(4) Prior authorization is obtained in accordance with IC 27-1-37.5 when required by the insurer for an eligible service.

(b) The insurer shall reimburse the provider or hospital for services described in subsection (a) at the rates determined by the contract between the provider and the insurer.

(c) An insurer is not required to credential a provider. However, if:

(1) a provider is employed by a hospital that is part of the hospital's network that is covered by the insurer; and

(2) the provider meets the insurer's credentialing requirements;

the insurer shall reimburse the provider for any reimbursable services from the date that the provider was employed by the hospital.

SECTION 9. IC 27-13-43-4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 4. (a) A fully credentialed provider shall be reimbursed for eligible services provided at any in-network hospital if the following conditions are met:**

(1) The provider submits the documentation required by the health maintenance organization to be loaded under the provider group or hospital.

(2) The provider, provider group, or hospital is a network provider with the health maintenance organization.

(3) The services are provided in accordance with all terms and conditions of the provider's, group provider's, or hospital's agreement or contract with the health maintenance organization.

(4) Prior authorization is obtained in accordance with IC 27-1-37.5 when required by the health maintenance organization for an eligible service.

(b) The health maintenance organization shall reimburse the provider or hospital for services described in subsection (a) at the rates determined by the contract between the provider and the health maintenance organization.

(c) A health maintenance organization is not required to credential a provider. However, if:

(1) a provider is employed by a hospital that is part of the hospital's network that is covered by the health maintenance organization; and

(2) the provider meets the health maintenance organization's credentialing requirements;

the health maintenance organization shall reimburse the provider for any reimbursable services from the date that the provider was employed by the hospital.

SECTION 10. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 5 as reprinted January 31, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

KIRCHHOER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Public Health, to which was referred Senate Bill 21, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 7, delete "advanced practice registered nurse,".

Page 1, line 8, delete "physician assistant,".

Page 1, line 8, after "dentist," insert **"advanced practice registered nurse, physician assistant,"**.

(Reference is to SB 21 as printed January 10, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

KIRCHHOFER, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 47, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 4.

Page 5, delete lines 1 through 6.

Page 5, delete lines 7 through 42, begin a new paragraph and insert:

"SECTION 1. IC 35-38-9-2, AS AMENDED BY P.L.219-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Except as provided in subsection (b) and section 8.5 of this chapter, this section applies only to a person convicted of a misdemeanor, including a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) reduced to a misdemeanor.

(b) This section does not apply to the following:

(1) A person convicted of two (2) or more felony offenses that:

(A) involved the unlawful use of a deadly weapon; and

(B) were not committed as part of the same episode of criminal conduct.

(2) A sex or violent offender (as defined in IC 11-8-8-5).

(c) Not earlier than five (5) years after the date of conviction (unless the prosecuting attorney consents in writing to an earlier period) **for the misdemeanor or the felony reduced to a misdemeanor pursuant to IC 35-38-1-1.5 or IC 35-50-2-7,** the person convicted of the misdemeanor **or the felony reduced to a misdemeanor** may petition a court to expunge all conviction records, including records contained in:

(1) a court's files;

(2) the files of the department of correction;

(3) the files of the bureau of motor vehicles; and

(4) the files of any other person who provided treatment or services to the petitioning person under a court order;

that relate to the person's misdemeanor conviction, including records of a collateral action.

(d) A person who files a petition to expunge conviction records, including any records relating to the conviction and any

records concerning a collateral action, shall file the petition in a circuit or superior court in the county of conviction.

(e) If the court finds by a preponderance of the evidence that:

(1) the period required by this section has elapsed;

(2) no charges are pending against the person;

(3) the person has paid all fines, fees, and court costs, and satisfied any restitution obligation placed on the person as part of the sentence; and

(4) the person has not been convicted of a crime within the previous five (5) years (or within a shorter period agreed to by the prosecuting attorney if the prosecuting attorney has consented to a shorter period under subsection (c));

the court shall order the conviction records described in subsection (c), including any records relating to the conviction and any records concerning a collateral action, expunged in accordance with section 6 of this chapter.".

Page 6, delete lines 1 through 9.

Page 7, line 2, delete "agency," and insert "**agency or a probation or community corrections department,**".

Page 7, line 3, delete "agency." and insert "**agency or the probation or community corrections department.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 47 as printed January 17, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 1.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Commerce, Small Business and Economic Development, to which was referred Senate Bill 78, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 78 as printed January 14, 2020.)

Committee Vote: Yeas 7, Nays 0.

MORRIS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 100, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "legal" and insert "**legal,**".

Page 1, line 7, delete "(b) This" and insert "**(b) Except as provided in subsection (c), this**".

Page 1, delete lines 15 through 17.

Page 2, delete lines 1 through 4, begin a new line block indented and insert:

"**(2) The new foundation of the reconstructed, repaired, or renovated structure may not exceed the square footage of the foundation of the damaged or destroyed structure.**

(c) The provisions of subsection (b) concerning the reconstruction, repair, or renovation of a damaged or destroyed nonconforming structure do not authorize the reconstruction, repair, or renovation of a damaged or destroyed nonconforming structure that is:

(1) subject to the jurisdiction of a preservation commission organized under:

(A) IC 36-7-11;

(B) IC 36-7-11.1;

(C) IC 36-7-11.2; or

(D) IC 36-7-11.3; or

(2) located within a flood plain (as defined in IC 14-8-2-99).".

(Reference is to SB 100 as printed January 17, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Engrossed Senate Bill 132, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to ESB 132 as printed February 21, 2020.)

Committee Vote: Yeas 21, Nays 0.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 146, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 35-31.5-2-185, AS AMENDED BY P.L.238-2015, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 185. (a) "Law enforcement officer" means:

(1) a police officer (including a correctional police officer), sheriff, constable, marshal, prosecuting attorney, special prosecuting attorney, special deputy prosecuting attorney, the securities commissioner, or the inspector general;

(2) a deputy of any of those persons;

(3) an investigator for a prosecuting attorney or for the inspector general;

(4) a conservation officer;

(5) an enforcement officer of the alcohol and tobacco commission;

(6) an enforcement officer of the securities division of the office of the secretary of state; or

(7) a gaming agent employed under IC 4-33-4.5 or a gaming control officer employed by the gaming control division under IC 4-33-20.

(b) "Law enforcement officer", for purposes of IC 35-42-2-1, includes an alcoholic beverage enforcement officer, as set forth in IC 35-42-2-1.

(c) "Law enforcement officer", for purposes of IC 35-45-15, includes a federal enforcement officer, as set forth in IC 35-45-15-3.

(d) "Law enforcement officer", for purposes of IC 35-44.1-3-1 and IC 35-44.1-3-2, includes a school resource officer (as defined in IC 20-26-18.2-1) and a school corporation police officer appointed under IC 20-26-16.

(e) "Law enforcement officer", for purposes of IC 35-40.5, has the meaning set forth in IC 35-40.5-1-1.

SECTION 2. IC 35-31.5-2-255.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 255.5. "Provider", for purposes of IC 35-40.5, has the meaning set forth in IC 35-40.5-1-1.**

SECTION 3. IC 35-31.5-2-273.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 273.4. "Relative", for purposes of IC 35-40.5, has the meaning set**

forth in IC 35-40.5-1-1.

SECTION 4. IC 35-31.5-2-312.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 312.5. "State sexual assault response team", for purposes of IC 35-40.5, has the meaning set forth in IC 35-40.5-1-1.**

SECTION 5. IC 35-31.5-2-348, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 348. (a) "Victim", for purposes of IC 35-38-1-9 and IC 35-38-1-17, means a person who has suffered harm as a result of a crime.

(b) "Victim", for purposes of IC 35-37-6, has the meaning set forth in IC 35-37-6-3.

(c) "Victim", for purposes of IC 35-38-7, has the meaning set forth in IC 35-38-7-4.

(d) "Victim", for purposes of IC 35-40, has the meaning set forth in IC 35-40-4-8.

(e) "Victim", for purposes of IC 35-40.5 has the meaning set forth in IC 35-40.5-1-1.

~~(e)~~ **(f)** "Victim", for purposes of IC 35-45-10, has the meaning set forth in IC 35-45-10-4.

SECTION 6. IC 35-40.5 IS ADDED TO THE INDIANA CODE AS A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

ARTICLE 40.5. RIGHTS OF SEXUAL ASSAULT VICTIMS

Chapter 1. Definitions

Sec. 1. The following definitions apply throughout this article:

(1) "Law enforcement officer" means any of the following:

(A) A law enforcement officer (as defined in IC 35-31.5-2-185).

(B) A state educational institution police officer appointed under IC 21-39-4.

(C) A school corporation officer appointed under IC 20-26-16.

(D) A school resource officer (as defined in IC 20-26-18.2-1).

(E) A police officer of a public or private postsecondary educational institution whose board of trustees has established a police department under IC 21-17-5-2 or IC 21-39-4-2.

(2) "Provider" has the meaning set forth in IC 16-21-8-0.2.

(3) "Relative" has the meaning set forth in IC 35-42-2-1(b).

(4) "Sexual assault forensic evidence" means the results collected from a forensic medical examination of a victim by a provider.

(5) "State sexual assault response team" means the statewide sexual assault response team coordinated by the Indiana prosecuting attorneys council and the Indiana criminal justice institute.

(6) "Victim" means an individual:

(A) who is a victim of sexual assault (as defined in IC 5-26.5-1-8); or

(B) who:

(i) is a relative of or a person who has had a close personal relationship with the individual described under clause (A); and

(ii) is designated by the individual described under clause (A) as a representative.

The term does not include an individual who is accused of committing an act of sexual assault (as defined in IC 5-26.5-1-8) against the individual described under clause (A).

(7) "Victim advocate" has the meaning set forth in IC 35-37-6-3.5.

(8) "Victim service provider" has the meaning set forth in IC 35-37-6-5.

Chapter 2. Attachment and Duration of Rights

Sec. 1. The rights provided to victims under this article attach whenever a victim is subject to:

(1) a forensic medical exam; or

(2) an interview by a law enforcement officer;

in relation to injuries, trauma, or an investigation resulting from an alleged sexual assault.

Sec. 2. A victim continuously retains all the rights under this article regardless of whether the victim:

(1) agrees to participate in any civil or criminal proceeding related to the alleged sexual assault; or

(2) consents to a forensic medical exam to collect forensic evidence related to the alleged sexual assault.

Chapter 3. Right to a Victim Advocate or Victim Service Provider

Sec. 1. A victim has the right to:

(1) speak with a victim advocate or victim service provider during any hospital visit for the purpose of receiving a sexual assault examination; and

(2) speak with a victim advocate or victim service provider during the course of the investigation.

A victim retains these rights even if the victim has waived one (1) or more of these rights in a previous examination or interview.

Sec. 2. A victim's communications with a victim advocate or victim service provider are not admissible into evidence for any purpose except with consent of the victim.

Chapter 4. Collection of Sexual Assault Forensic Evidence

Sec. 1. As described in IC 16-21-8-6, a provider shall provide forensic medical exams and additional forensic services to a victim without charge.

Sec. 2. Before a provider commences a forensic medical examination, the provider shall inform the victim of the following:

(1) The victim's rights under this article and other relevant law in a document to be developed by the state sexual assault response team as described in IC 16-21-8-2, which shall be signed by the victim to confirm receipt, unless the victim has already been provided with the document under IC 35-40.5-5-1.

(2) The victim's right to speak with a victim advocate or victim service provider.

Chapter 5. Interview With a Law Enforcement Officer

Sec. 1. Before a law enforcement officer commences an interview of a victim, the law enforcement officer shall inform the victim of the following:

(1) The victim's rights under this article and other relevant law in a document to be developed by the state sexual assault response team as described in IC 16-21-8-2, which shall be signed by the victim to confirm receipt, unless the victim has already been provided with the document under IC 35-40.5-4-2.

(2) The victim's right to speak with a victim advocate or victim service provider during the course of the investigation.

Chapter 6. Compliance

Sec. 1. (a) A defendant or a person accused or convicted of a crime against a victim may not object to any failure in complying with this article.

(b) The failure to provide a right or notice to a victim under this section may not be used by a defendant to seek to have the conviction or sentence set aside.".

Delete pages 2 through 7.

Page 8, delete lines 1 through 13.

Page 8, delete lines 29 through 30.

Page 8, line 31, delete "(3)" and insert "**(2)**".

Renumber all SECTIONS consecutively.

(Reference is to SB 146 as reprinted February 4, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Local Government, to which was referred Senate Bill 148, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 6, line 24, delete "IC 36-7-4-1109.5," and insert "**IC 36-7-2-12,**".

Page 7, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 16. IC 16-41-27-35 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 35. (a) A mobile home community operator shall provide each owner of a mobile home or manufactured home located in the mobile home community written notice of the operator's intent to close the mobile home community not later than one hundred eighty (180) days before the date of the intended closure.**

(b) A mobile home community operator who violates this section commits a deceptive act that is actionable by the attorney general or a consumer under IC 24-5-0.5-4 and is subject to the remedies and penalties under IC 24-5-0.5.".

Page 7, line 37, delete "A" and insert "**Notwithstanding IC 36-7-4-1106, a**".

Page 7, line 40, delete "IC 36-7-4-1109.5)" and insert "**IC 36-7-4-1106)**".

Page 7, line 40, delete "or" and insert "**community licensed under IC 16-41-27.**".

Page 7, delete line 41.

Page 8, delete lines 7 through 42.

Page 9, delete lines 1 through 8, begin a new paragraph and insert:

"SECTION 17. IC 36-7-4-1106 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1106. (a) **This section does not affect a requirement applicable to property that is subject to the jurisdiction of a preservation commission organized under any of the following:**

(1) IC 36-7-11.
(2) IC 36-7-11.1.
(3) IC 36-7-11.2.
(4) IC 36-7-11.3.

(b) As used in this section:

(1) "Manufactured home" means a dwelling unit, designed and built in a factory, which bears a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.).

(2) "Underfloor space" means that space between the bottom of the floor joists and the earth.

(3) "Occupied space" means the total area of earth horizontally covered by the structure, excluding accessory structures such as, but not limited to, garages, patios and porches.

(4) "Permanent foundation system" includes a pier footing foundation system that is specified as suitable in the manufacturer's installation specifications for a manufactured home.

~~(b)~~ **(c)** Comprehensive plans and ordinances adopted under the provisions of this chapter may subject dwelling units and lots to identical standards and requirements, whether or not the dwelling unit to be placed on a lot is a manufactured home or some other type of dwelling unit. These standards and requirements may include but are not limited to **the following:**

(1) Setback distance.

(2) Side and rear yard area.

(3) Vehicle parking space.

(4) Minimum square footage of the dwelling unit. ~~and~~

(5) Underfloor space enclosure requirements.

(6) Aesthetics. However, aesthetic standards and requirements pertaining to the home structure itself which are adopted under this section may only pertain **to the following:**

(A) Roofing **materials** and siding materials.

(B) Permanent foundation systems of manufactured homes that are located outside of a mobile home community licensed under IC 16-41-27. A unit may require compatibility of a permanent foundation system with surrounding residential structures. However, the unit may not require:

(i) a permanent foundation system that is incompatible with the structural design of the manufactured home; or

(ii) more than one (1) permanent foundation system for a manufactured home.

~~(c)~~ **(d)** METRO. Standards and requirements, specified in comprehensive plans and ordinances, adopted under this section for lots and dwelling units may not totally preclude all manufactured homes constructed after January 1, 1981, and that exceed twenty-three (23) feet in width and nine hundred fifty (950) square feet of occupied space, from being installed as permanent residences on any lot on which any other type of dwelling unit may be placed.

~~(d)~~ **(e)** ADVISORY–AREA. Standards and requirements, specified in comprehensive plans and ordinances, adopted under this section for lots and dwelling units may not totally preclude all manufactured homes constructed after January 1, 1981, and that exceed nine hundred fifty (950) square feet of occupied space, from being installed as permanent residences on any lot on which any other type of dwelling unit may be placed.".

Renumber all SECTIONS consecutively.

(Reference is to SB 148 as reprinted January 31, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

ZENT, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Utilities, Energy and Telecommunications, to which was referred Senate Bill 177, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 177 as printed January 24, 2020.)

Committee Vote: Yeas 8, Nays 0.

SOLIDAY, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures, to which was referred Senate Bill 178, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 8, delete lines 15 through 32.

Page 9, delete lines 2 through 42.

Page 10, delete lines 1 through 16.

Page 11, line 2, delete "".".

Page 11, line 2, reset in roman "A straight party vote will not count as".

Page 11, reset in roman line 3.

Page 13, delete lines 33 through 42.

Delete page 14.
Page 15, delete lines 1 through 18.
Page 26, delete lines 1 through 9.
Page 28, line 26, after "IC 3-11-2-8" insert ",".
Page 28, line 26, reset in roman "IC 3-11-2-10(d),".
Page 28, line 27, reset in roman "IC 3-11-2-10(e).".
Page 28, line 27, delete "IC 3-11-2-10(c).".
Page 28, line 28, delete ":".
Page 28, line 28, reset in roman "a single connectable arrow, circle, oval,".
Page 28, reset in roman lines 29 through 33.
Page 28, line 41, reset in roman "instructions".
Page 28, reset in roman line 42.
Page 29, delete lines 30 through 41, begin a new paragraph and insert:
"SECTION 31. IC 3-11-13-14, AS AMENDED BY P.L.21-2016, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) In partisan elections, the ballot labels must include a voting square or position where a voter may by one (1) voting mark on each card record a straight party or an independent ticket vote for all the candidates of one (1) political party or the independent ticket, except for offices for which the voter:
(1) is required to cast an individual vote for a candidate under IC 3-11-7-4(b); or
(2) has voted individually for a candidate for any other office.
(b) If the voter records a vote for the two (2) candidates comprising an independent ticket, the vote must not count for any other independent candidate on the ballot.
(c) A ballot label must not include a voting square or position to permit a voter to cast a straight party ticket for a political party or independent ticket if:
(1) there are no candidates of that political party; or
(2) the only candidates of the political party are for election to offices to which more than one (1) individual is to be elected and which will not be credited with a vote under IC 3-12-1-7 if a voter casts a straight party ticket.".
Page 29, delete line 42.
Delete pages 30 through 31.
Page 32, delete lines 1 through 19.
Page 33, line 2, after "IC 3-11-2-12.9(a)," insert "**IC 3-11-2-12.9(c),**".
Page 33, line 13, delete "",".
Page 33, line 13, reset in roman "To vote for any candidate".
Page 33, reset in roman lines 14 through 15.
Page 33, line 16, reset in roman "for any candidate for this office.",".
Page 34, line 39, after "IC 3-11-2-8" insert ",".
Page 34, line 39, reset in roman "IC 3-11-2-10(d),".
Page 34, line 40, reset in roman "IC 3-11-2-10(e)".
Page 34, line 40, delete "IC 3-11-2-10(c)".
Page 35, line 2, after "(m)" insert "**Except as provided in section 14.5 of this chapter,**".
Page 35, line 2, delete "The" and insert "the".
Page 35, line 2, delete ":".
Page 35, line 2, reset in roman "a touch sensitive point or button".
Page 35, reset in roman lines 3 through 5.
Page 35, line 12, reset in roman "instructions described in".
Page 35, line 13, reset in roman "IC 3-11-2-10(c) for voting a straight party ticket and the".
Page 35, delete lines 37 through 42, begin a new paragraph and insert:
"SECTION 34. IC 3-11-14-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14.5. A ballot label must not include a touch sensitive point or button to permit a voter to cast a straight party ticket for a political party or independent ticket if:**
(1) there are no candidates of that political party; or
(2) the only candidates of the political party are for election to offices to which more than one (1) individual is to be elected and which will not be credited with a vote under IC 3-12-1-7 if a voter casts a straight party ticket.".
Delete page 36.
Page 37, delete lines 1 through 34.
Page 39, line 11, delete "described in subsection (c)".
Page 39, line 33, delete "in a pilot program".
Page 45, delete lines 21 through 42.
Delete pages 46 through 48.
Page 49, delete lines 1 through 37.
Renumber all SECTIONS consecutively.
(Reference is to ESB 178 as printed February 18, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 7, nays 3.

LEONARD, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred Senate Bill 184, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:
Page 2, delete lines 19 through 21, begin a new paragraph and insert:
"**Sec. 4. (a) Nonprofit agricultural organization coverage provided under this chapter:**
(1) is not insurance;
(2) shall not be considered to be insurance under this title or any other provision of Indiana law; and
(3) is not subject to the regulatory authority of the department of insurance under this title or any other provision of Indiana law.
(b) Entering into a contract between a nonprofit agricultural organization and an individual for health coverage under this chapter does not constitute the business of insurance.
(c) A nonprofit agricultural organization providing coverage under this chapter is not required to obtain a certificate of authority under IC 27-1-3-20.".
Page 2, delete lines 22 through 25.
Page 2, line 26, delete "Sec. 6." and insert "**Sec. 5.**".
Page 2, line 27, delete "file a signed actuarial statement" and insert "**annually file**".
Page 2, line 28, delete "annually certifying" and insert "**a written, signed opinion of a qualified actuary**".
Page 2, line 28, after "reserves" insert "**of the nonprofit agricultural organization and its affiliate**".
Page 2, line 31, delete "Sec. 7." and insert "**Sec. 6.**".
Page 2, line 32, delete "may reinsure the risk" and insert "**shall reinsure all or a portion of its risks**".
Page 2, line 32, delete "using" and insert "**with**".
Page 2, line 33, delete "conduct reinsurance" and insert "**transact reinsurance business or stop-loss insurance business**".
Page 2, line 34, delete "Sec. 8." and insert "**Sec. 7.**".
Page 2, line 38, delete "Sec. 9. Before" and insert "**Sec. 8. (a) When**".
Page 3, line 2, delete "." and insert "**of insurance.**".
Page 3, after line 2, begin a new paragraph and insert:
"**(b) An individual entering into a contract for health coverage under this chapter must acknowledge that the coverage:**
(1) is not considered insurance; and
(2) is not subject to the administrative rules of the department of insurance.

(c) The acknowledgment required by subsection (b) must be in a writing signed by the individual. The nonprofit agricultural organization shall:

(1) keep a copy of the written acknowledgment for the entire duration of the contract under which the individual is provided coverage under this chapter; and

(2) provide a copy of the acknowledgment to the individual at the individual's request.

Sec. 9. An individual may not apply for health coverage provided under this chapter until the individual has been a member of the nonprofit agricultural organization offering the health coverage for at least thirty (30) days.

Sec. 10. Health coverage provided to an individual under this chapter:

(1) must include coverage for:

(A) ambulatory patient services;

(B) hospitalization;

(C) emergency services; and

(D) laboratory services; and

(2) may not be subject to an annual limit of less than two million dollars ($2,000,000) per year.

Sec. 11. The provisions of this chapter are severable in the manner provided in IC 1-1-1-8(b).".

(Reference is to SB 184 as reprinted February 4, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 13, nays 0.

CARBAUGH, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 190, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, line 14, delete "A project" and insert "**The share of expenditures for a project**".

Page 3, line 16, after "rehabilitation" insert "**exclusively**".

Page 3, line 20, delete "." and insert "**;**".

Page 3, after line 20, begin a new line block indented and insert:

"**that will be paid from a source other than property taxes.**

SECTION 2. IC 6-1.1-20-10, AS AMENDED BY P.L.198-2011, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) This section applies to:

(1) a political subdivision that adopts an ordinance or a resolution making a preliminary determination to issue bonds or enter into a lease; **and**

(2) any other political subdivision that has assessed value within the same taxing district as the political subdivision described in subdivision (1).

Except as otherwise provided in this section, during the period commencing with the adoption of the ordinance or resolution and, if a petition and remonstrance process is commenced under section 3.2 of this chapter, continuing through the sixty (60) day period commencing with the notice under section 3.2(b)(1) of this chapter, the political subdivision seeking to issue bonds or enter into a lease for the proposed controlled project, **or any other political subdivision that has assessed value within the same taxing district,** may **adopt but may** not promote a position on the petition or remonstrance by doing any of the following:

(1) Using facilities or equipment, including mail and messaging systems, owned by the political subdivision to promote a position on the petition or remonstrance, unless equal access to the facilities or equipment is given to persons with a position opposite to that of the political subdivision.

(2) Making an expenditure of money from a fund controlled by the political subdivision to promote a position on the petition or remonstrance or to pay for the gathering of signatures on a petition or remonstrance. This subdivision does not prohibit a political subdivision from making an expenditure of money to an attorney, an architect, registered professional engineer, a construction manager, or a financial adviser for professional services provided with respect to a controlled project.

(3) Using an employee to promote a position on the petition or remonstrance during the employee's normal working hours or paid overtime, or otherwise compelling an employee to promote a position on the petition or remonstrance at any time. However, if a person described in subsection (f) is advocating for or against a position on the petition or remonstrance or discussing the petition or remonstrance as authorized under subsection (f), an employee of the political subdivision may assist the person in presenting information on the petition or remonstrance, if requested to do so by the person described in subsection (f).

(4) In the case of a school corporation, promoting a position on a petition or remonstrance by:

(A) using students to transport written materials to their residences or in any way involving students in a school organized promotion of a position;

(B) including a statement within another communication sent to the students' residences; or

(C) initiating discussion of the petition and remonstrance process at a meeting between a teacher and parents of a student regarding the student's performance or behavior at school. However, if the parents initiate a discussion of the petition and remonstrance process at the meeting, the teacher may acknowledge the issue and direct the parents to a source of factual information on the petition and remonstrance process.

However, this section does not prohibit an official or employee of the political subdivision from carrying out duties with respect to a petition or remonstrance that are part of the normal and regular conduct of the official's or employee's office or agency, including the furnishing of factual information regarding the petition and remonstrance in response to inquiries from any person.

(b) A person may not solicit or collect signatures for a petition or remonstrance on property owned or controlled by the political subdivision.

(c) The staff and employees of a school corporation may not personally identify a student as the child of a parent or guardian who supports or opposes a petition or remonstrance.

(d) This subsection does not apply to:

(1) a personal expenditure to promote a position on a petition and remonstrance by an employee of a school corporation whose employment is governed by a collective bargaining contract or an employment contract; or

(2) an expenditure to promote a position on a petition and remonstrance by a person or an organization that has a contract or an arrangement with the school corporation solely for the use of the school corporation's facilities.

A person or an organization that has a contract or an arrangement (whether formal or informal) with a school corporation to provide goods or services to the school corporation may not spend any money to promote a position on the petition or remonstrance. A person or an organization that violates this subsection commits a Class A infraction.

(e) An attorney, an architect, registered professional engineer, a construction manager, or a financial adviser for professional

services provided with respect to a controlled project may not spend any money to promote a position on the petition or remonstrance. A person who violates this subsection:

(1) commits a Class A infraction; and

(2) is barred from performing any services with respect to the controlled project.

(f) Notwithstanding any other law, an elected or appointed public official of the political subdivision (including any school board member and school corporation superintendent), a school corporation assistant superintendent, or a chief school business official of a school corporation may at any time:

(1) personally advocate for or against a position on the petition or remonstrance; or

(2) discuss the petition or remonstrance with any individual, group, or organization or personally advocate for or against a position on the petition or remonstrance before any individual, group, or organization;

so long as it is not done by using public funds. Advocacy or discussion allowed under this subsection is not considered a use of public funds. However, this subsection does not authorize or apply to advocacy or discussion by a school board member, superintendent, assistant superintendent, or school business official to or with students that occurs during the regular school day.

SECTION 3. IC 6-1.1-20-10.1, AS AMENDED BY P.L.198-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.1. (a) This section applies only to:

(1) a political subdivision that ~~after June 30, 2008,~~ adopts an ordinance or a resolution making a preliminary determination to issue bonds or enter into a lease subject to sections 3.5 and 3.6 of this chapter; **and**

(2) any other political subdivision that has assessed value within the same taxing district as the political subdivision described in subdivision (1).

(b) Except as otherwise provided in this section, during the period beginning with the adoption of the ordinance or resolution and continuing through the day on which a local public question is submitted to the voters of the political subdivision under section 3.6 of this chapter, the political subdivision seeking to issue bonds or enter into a lease for the proposed controlled project, **or any other political subdivision that has assessed value within the same taxing district,** may **adopt but may** not promote a position on the local public question by doing any of the following:

(1) Using facilities or equipment, including mail and messaging systems, owned by the political subdivision to promote a position on the local public question, unless equal access to the facilities or equipment is given to persons with a position opposite to that of the political subdivision.

(2) Making an expenditure of money from a fund controlled by the political subdivision to promote a position on the local public question. This subdivision does not prohibit a political subdivision from making an expenditure of money to an attorney, an architect, a registered professional engineer, a construction manager, or a financial adviser for professional services provided with respect to a controlled project.

(3) Using an employee to promote a position on the local public question during the employee's normal working hours or paid overtime, or otherwise compelling an employee to promote a position on the local public question at any time. However, if a person described in subsection (f) is advocating for or against a position on the local public question or discussing the local public question as authorized under subsection (f), an employee of the political subdivision may assist the person in presenting information on the local public question, if requested to do so by the person described in subsection (f).

(4) In the case of a school corporation, promoting a position on a local public question by:

(A) using students to transport written materials to their residences or in any way involving students in a school organized promotion of a position;

(B) including a statement within another communication sent to the students' residences; or

(C) initiating discussion of the local public question at a meeting between a teacher and parents of a student regarding the student's performance or behavior at school. However, if the parents initiate a discussion of the local public question at the meeting, the teacher may acknowledge the issue and direct the parents to a source of factual information on the local public question.

However, this section does not prohibit an official or employee of the political subdivision from carrying out duties with respect to a local public question that are part of the normal and regular conduct of the official's or employee's office or agency, including the furnishing of factual information regarding the local public question in response to inquiries from any person.

(c) The staff and employees of a school corporation may not personally identify a student as the child of a parent or guardian who supports or opposes a controlled project subject to a local public question held under section 3.6 of this chapter.

(d) This subsection does not apply to:

(1) a personal expenditure to promote a position on a local public question by an employee of a school corporation whose employment is governed by a collective bargaining contract or an employment contract; or

(2) an expenditure to promote a position on a local public question by a person or an organization that has a contract or an arrangement (whether formal or informal) with the school corporation solely for the use of the school corporation's facilities.

A person or an organization that has a contract or an arrangement (whether formal or informal) with a school corporation to provide goods or services to the school corporation may not spend any money to promote a position on a local public question. A person or an organization that violates this subsection commits a Class A infraction.

(e) An attorney, an architect, a registered professional engineer, a construction manager, or a financial adviser for professional services provided with respect to a controlled project may not spend any money to promote a position on a local public question. A person who violates this subsection:

(1) commits a Class A infraction; and

(2) is barred from performing any services with respect to the controlled project.

(f) Notwithstanding any other law, an elected or appointed public official of the political subdivision (including any school board member and school corporation superintendent), a school corporation assistant superintendent, or a chief school business official of a school corporation may at any time:

(1) personally advocate for or against a position on the local public question; or

(2) discuss the public question with any individual, group, or organization or otherwise personally advocate for or against a position on the public question before any individual, group, or organization;

so long as it is not done by using public funds. Advocacy or discussion allowed under this subsection is not considered a use of public funds. However, this subsection does not authorize or apply to advocacy or discussion by a school board member, superintendent, assistant superintendent, or school business official to or with students that occurs during the regular school day.

(g) A student may use school equipment or facilities to report or editorialize about a local public question as part of the news

coverage of the referendum by student newspaper or broadcast.".

Renumber all SECTIONS consecutively.

(Reference is to SB 190 as printed January 22, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 21, nays 0.

BROWN T., Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 209, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 209 as printed January 31, 2020.)

Committee Vote: Yeas 9, Nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 216, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 12, line 22, after "IC 35-42-2-1(b)." insert "**However, the term "agent" does not include an attorney in good standing admitted to the practice of law in Indiana.**".

(Reference is to SB 216 as reprinted February 4, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Environmental Affairs, to which was referred Senate Bill 229, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 24, delete "The" and insert "**The maintenance of a regulated drain as defined in IC 36-9-27-2, or the reconstruction of a regulated drain as defined in IC 36-9-27-2, provided that the reconstruction or maintenance is within an existing regulated drainage easement as defined by IC 36-9-27-33.".**

Page 2, line 24, delete "reconstruction or maintenance (as defined in".

Page 2, delete lines 25 through 26.

(Reference is to SB 229 as printed January 14, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 5, nays 4.

WOLKINS, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred Senate Bill 241, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between lines 15 and 16, begin a new paragraph and insert:

"**Sec. 3.5. As used in this chapter, "equal access and incentives" means that a pharmacy benefit manager allows any willing pharmacy provider to participate as part of any of the pharmacy benefit manager's networks and in any class or tier of any pharmacy network as long as the pharmacy provider agrees to the terms and conditions of the relevant contract applicable to any other pharmacy provider within that network.**".

Page 4, line 5, after "19." insert "**(a)**".

Page 4, between lines 21 and 22, begin a new paragraph and insert:

"**(b) A pharmacy benefit manager may not do any of the following:**

(1) Condition participation in any network on accreditation, credentialing, or licensing of a pharmacy provider, other than a license or permit required by the Indiana board of pharmacy or other state or federal regulatory authority for the services provided by the pharmacy.

(2) Exclude a pharmacy provider from dispensing any drug product for which the pharmacy meets the manufacturer's dispensing guidelines.

(3) Discriminate against any pharmacy provider.".

Page 5, delete line 3.

Page 5, line 4, delete "(v)" and insert "**(iv)**".

Page 5, line 6, delete "(vi)" and insert "**(v)**".

Page 5, line 9, delete "(vii)" and insert "**(vi)**".

Page 5, line 11, delete "(viii)" and insert "**(vii)**".

Page 10, between lines 32 and 33, begin a new paragraph and insert:

"**Sec. 28. A person or entity that has contracted with a pharmacy benefit manager for the performance of any services described in section 12(a) of this chapter is entitled to full disclosure from the pharmacy benefit manager of the terms of a contract between the pharmacy benefit manager and any other person or entity concerning the performance of the services described in section 12(a) of this chapter, including:**

(1) the purchase price for prescription drugs set by a contract entered into by the pharmacy benefit manager; and

(2) the amount of any rebate provided in connection with the purchase of prescription drugs under a contract entered into by the pharmacy benefit manager.

Sec. 29. A pharmacy services administrative organization shall, upon request, fully disclose to:

(1) an independent pharmacy;

(2) a pharmacy benefit manager; or

(3) a health plan;

on whose behalf the pharmacy services administrative organization acts the terms of a contract between the pharmacy services administrative organization and any other person or entity concerning the actions taken by the pharmacy services administrative organization on behalf of the independent pharmacy, pharmacy benefit manager, or health plan.".

Page 10, line 33, delete "28." and insert "**30.**".

(Reference is to SB 241 as reprinted January 29, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

CARBAUGH, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Insurance, to which was referred Senate Bill 243, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 25-22.5-5.5 IS ADDED TO THE INDIANA

CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 5.5. Physician Noncompete Agreements

Sec. 1. This chapter applies to physician noncompete agreements originally entered into on or after July 1, 2020.

Sec. 2. To be enforceable, a physician noncompete agreement must include all of the following provisions:

(1) A provision requiring the physician's employer to provide the physician with a copy of any notice that:

(A) concerns the physician's departure from the employer; and

(B) was sent to any patient seen or treated by the physician during the two (2) year period preceding the termination of the physician's employment or expiration of the physician's contract.

The patients' names and contact information must be redacted from the copy of a notice provided to a physician under this subdivision.

(2) A provision requiring the physician's employer to, in good faith, provide the physician's last known or current contact and location information to a patient who:

(A) requests updated contact and location information concerning the physician; and

(B) was seen or treated by the physician during the two (2) year period preceding the termination of the physician's employment or expiration of the physician's contract.

(3) A provision that provides the physician with:

(A) access to; or

(B) copies of;

any medical record associated with a patient described in subdivision (1) or (2) upon receipt of the patient's consent.

(4) A provision under which a physician whose employment has terminated or whose contract has expired may purchase a complete and final release from the terms of the enforceable physician noncompete agreement at a reasonable price. However, if the physician elects not to exercise the purchase option required by this subdivision, the purchase option may not be used in any manner to restrict, bar, or otherwise limit the employer's equitable remedies, including the employer's enforcement of the physician noncompete agreement.

(5) A provision prohibiting the providing of patient medical records to a requesting physician in a format that materially differs from the format used to create or store the medical record during the routine or ordinary course of business, unless a different format is mutually agreed upon by the parties. Paper or portable document format copies of the medical records satisfy the formatting requirement of this subdivision.

Sec. 3. A person or entity required to create, copy, or transfer a patient's medical record for a reason specified in this chapter may charge a reasonable fee for the service as permitted under applicable state or federal law.

Sec. 4. Nothing in this chapter shall be construed to prohibit, limit, impair, or abrogate:

(1) the ability of the parties to negotiate any other term not specified under this chapter; or

(2) any other right, remedy, or relief permitted by law or in equity.

(Reference is to SB 243 as reprinted February 4, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 0.

CARBAUGH, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Engrossed Senate Bill 256, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 3, delete lines 27 through 42, begin a new paragraph and insert:

"SECTION 2. IC 33-33-10-2.5, AS ADDED BY P.L.201-2011, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2.5. (a) The Clark circuit court is a court of general jurisdiction with ~~four (4)~~ **six (6)** judges. The divisions of the court shall be known as Clark circuit court No. 1, No. 2, No. 3, ~~and~~ No. 4, **No. 5, and No. 6.** Clark County constitutes the judicial district of the court and each of the court's divisions. The court shall maintain the following dockets:

(1) A small claims and misdemeanor division under IC 33-28-3 that has a:

(A) small claims docket; and

(B) minor offenses and violations docket.

(2) Criminal.

(3) Juvenile.

(4) Civil.

(5) Probate.

(b) The assignment of judges of the circuit court to the dockets specified in subsection (a) must be by rule of the circuit court.

SECTION 3. IC 33-33-10-2.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.6. (a) Notwithstanding section 2.5 of this chapter, Clark circuit courts No. 5 and No. 6 are established January 1, 2023.**

(b) The first judges of Clark circuit courts No. 5 and No. 6 shall:

(1) be elected at the November 2022 general election;

(2) take office January 1, 2023; and

(3) serve a term of six (6) years.

(c) This section expires January 1, 2029.".

Delete pages 4 through 6.

Page 7, delete lines 1 through 34.

Page 9, delete lines 25 through 42.

Page 10, delete lines 1 through 17.

Renumber all SECTIONS consecutively.

(Reference is to ESB 256 as printed February 21, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 21, nays 0.

BROWN, T., Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 257, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 7, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 3. IC 36-7-4-1603, AS ADDED BY P.L.126-2011, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1603. (a) The following have standing to obtain judicial review of a zoning decision:

(1) A person to whom the zoning decision is specifically directed.

(2) A person aggrieved by the zoning decision who participated in the board hearing that led to the decision, either:

(A) by appearing at the hearing in person, by agent, or by attorney and presenting relevant evidence; or
(B) by filing with the board a written statement setting forth any facts or opinions relating to the decision.
(3) A person that is a public use airport owner or operator has standing to obtain judicial review of a zoning decision that may have a negative impact on the safety of civilian or military flight operations to or from the airport.
~~(3)~~ **(4)** A person otherwise aggrieved or adversely affected by the zoning decision.

(b) A person has standing under subsection ~~(a)(3)~~ **(a)(4)** only if:
(1) the zoning decision has prejudiced or is likely to prejudice the interests of the person;
(2) the person was eligible for an initial notice of a hearing under this chapter, was not notified of the hearing in substantial compliance with this chapter, and did not have actual notice of the hearing before the last date in the hearing that the person could object or otherwise intervene to contest the zoning decision;
(3) the person's asserted interests are among those that the board was required to consider when it made the challenged zoning decision; and
(4) a judgment in favor of the person would substantially eliminate or redress the prejudice to the person caused or likely to be caused by the zoning decision.

SECTION 4. IC 36-7-4-1606, AS ADDED BY P.L.126-2011, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1606. (a) Venue is in the judicial district where the land affected by the zoning decision is located.

(b) If more than one (1) person may be aggrieved by the zoning decision, only one (1) proceeding for review may be had, and the court in which a petition for review is first properly filed has jurisdiction.

(c) The rules of procedure governing civil actions in the courts govern pleadings and requests under this chapter for a change of judge or change of venue to another judicial district described in subsection (a).

(d) Each person who:
(1) was a petitioner or applicant at the hearing before the board; or
(2) is aggrieved by the zoning decision and entered a written appearance as an adverse party to the petitioner or applicant before the board hearing that led to the zoning decision, as described in section 920(h) of this chapter;
is a party to the petition for review.

(e) Any other person who participated, in the manner described in section 1603(a)(2) of this chapter, in the board hearing that led to the zoning decision may, not later than five (5) days after the decision is made, file with the board a written request that the person receive notice of any petition for review that may be filed. The written request must include the person's full name and correct mailing address and a reference to the board's docket number relative to the zoning decision.

(f) Any person who has standing under section 1603(a)(2), ~~or~~ 1603(a)(3), **or 1603(a)(4)** of this chapter has an unconditional right to intervene in a proceeding for review. A motion to intervene in a proceeding for review shall be filed in the manner provided by the rules of procedure governing civil actions in courts.".

Renumber all SECTIONS consecutively.

(Reference is to SB 257 as printed January 22, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

SULLIVAN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 319, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 9, reset in roman "An externship with a company.".
Page 1, line 9, delete "Working for or with a local".
Page 1, delete lines 10 through 13.
Page 1, line 16, after "navigation" delete "," and insert ".".
Page 1, delete line 17.
Page 2, delete line 1.
Page 2, delete lines 8 through 23.

(Reference is to SB 319 as reprinted February 4, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 12, nays 1.

BEHNING, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Roads and Transportation, to which was referred Senate Bill 331, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill do pass.

(Reference is to SB 331 as printed January 29, 2020.)

Committee Vote: Yeas 9, Nays 0.

SULLIVAN, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Courts and Criminal Code, to which was referred Senate Bill 335, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 2, line 11, delete "fifteen (15)" and insert "**seven (7)**".
Page 2, line 22, delete "fifteen (15)" and insert "**seven (7)**".
Page 3, line 2, delete "Schedule" and insert "**schedule**".
Page 3, line 9, delete "includes" and insert "**means**".
Page 3, line 10, after "to a" insert "**conviction for a**".
Page 3, line 11, after "to a" insert "**conviction for a**".
Page 28, after line 42, begin a new paragraph and insert:

"SECTION 29. IC 16-41-8-5, AS AMENDED BY P.L.65-2016, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) This section does not apply to medical testing of an individual for whom an indictment or information is filed for a sex crime and for whom a request to have the individual tested under section 6 of this chapter is filed.

(b) The following definitions apply throughout this section:
(1) "Bodily fluid" means blood, human waste, or any other bodily fluid.
(2) ~~"Dangerous disease"~~ **"Serious disease"** means any of the following:
(A) Chancroid.
(B) Chlamydia.
(C) Gonorrhea.
(D) Hepatitis.
(E) Human immunodeficiency virus (HIV).
(F) Lymphogranuloma venereum.
(G) Syphilis.
(H) Tuberculosis.
(3) "Offense involving the transmission of a bodily fluid" means any offense (including a delinquent act that would be a crime if committed by an adult) in which a bodily fluid is transmitted from the defendant to the victim in

connection with the commission of the offense.

(c) This subsection applies only to a defendant who has been charged with a potentially disease transmitting offense. At the request of an alleged victim of the offense, the parent, guardian, or custodian of an alleged victim who is less than eighteen (18) years of age, or the parent, guardian, or custodian of an alleged victim who is an endangered adult (as defined in IC 12-10-3-2), the prosecuting attorney shall petition a court to order a defendant charged with the commission of a potentially disease transmitting offense to submit to a screening test to determine whether the defendant is infected with a ~~dangerous~~ **serious** disease. In the petition, the prosecuting attorney must set forth information demonstrating that the defendant has committed a potentially disease transmitting offense. The court shall set the matter for hearing not later than forty-eight (48) hours after the prosecuting attorney files a petition under this subsection. The alleged victim, the parent, guardian, or custodian of an alleged victim who is less than eighteen (18) years of age, and the parent, guardian, or custodian of an alleged victim who is an endangered adult (as defined in IC 12-10-3-2) are entitled to receive notice of the hearing and are entitled to attend the hearing. The defendant and the defendant's counsel are entitled to receive notice of the hearing and are entitled to attend the hearing. If, following the hearing, the court finds probable cause to believe that the defendant has committed a potentially disease transmitting offense, the court may order the defendant to submit to a screening test for one (1) or more ~~dangerous~~ **serious** diseases. ~~If the defendant is charged with battery (IC 35-42-2-1) or domestic battery (IC 35-42-2-1.3) involving placing a bodily fluid or waste on another person, the court may limit testing under this subsection to a test only for human immunodeficiency virus (HIV). However, the court may order additional testing for human immunodeficiency virus (HIV) as may be medically appropriate.~~ The court shall take actions to ensure the confidentiality of evidence introduced at the hearing.

(d) This subsection applies only to a defendant who has been charged with an offense involving the transmission of a bodily fluid. At the request of an alleged victim of the offense, the parent, guardian, or custodian of an alleged victim who is less than eighteen (18) years of age, or the parent, guardian, or custodian of an alleged victim who is an endangered adult (as defined in IC 12-10-3-2), the prosecuting attorney shall petition a court to order a defendant charged with the commission of an offense involving the transmission of a bodily fluid to submit to a screening test to determine whether the defendant is infected with a ~~dangerous~~ **serious** disease. In the petition, the prosecuting attorney must set forth information demonstrating that:

(1) the defendant has committed an offense; and

(2) a bodily fluid was transmitted from the defendant to the victim in connection with the commission of the offense.

The court shall set the matter for hearing not later than forty-eight (48) hours after the prosecuting attorney files a petition under this subsection. The alleged victim of the offense, the parent, guardian, or custodian of an alleged victim who is less than eighteen (18) years of age, and the parent, guardian, or custodian of an alleged victim who is an endangered adult (as defined in IC 12-10-3-2) are entitled to receive notice of the hearing and are entitled to attend the hearing. The defendant and the defendant's counsel are entitled to receive notice of the hearing and are entitled to attend the hearing. If, following the hearing, the court finds probable cause to believe that the defendant has committed an offense and that a bodily fluid was transmitted from the defendant to the alleged victim in connection with the commission of the offense, the court may order the defendant to submit to a screening test for one (1) or more ~~dangerous~~ **serious** diseases. ~~If the defendant is charged with battery (IC 35-42-2-1) or domestic battery (IC 35-42-2-1.3) involving placing bodily fluid or waste on another person, the court may limit testing under this subsection to a test only for human immunodeficiency virus (HIV). However, the court may order additional testing for human immunodeficiency virus (HIV) as may be medically appropriate.~~ The court shall take actions to ensure the confidentiality of evidence introduced at the hearing.

(e) The testimonial privileges applying to communication between a husband and wife and between a health care provider and the health care provider's patient are not sufficient grounds for not testifying or providing other information at a hearing conducted in accordance with this section.

(f) A health care provider (as defined in IC 16-18-2-163) who discloses information that must be disclosed to comply with this section is immune from civil and criminal liability under Indiana statutes that protect patient privacy and confidentiality.

(g) The results of a screening test conducted under this section shall be kept confidential if the defendant ordered to submit to the screening test under this section has not been convicted of the potentially disease transmitting offense or offense involving the transmission of a bodily fluid with which the defendant is charged. The results may not be made available to any person or public or private agency other than the following:

(1) The defendant and the defendant's counsel.

(2) The prosecuting attorney.

(3) The department of correction or the penal facility, juvenile detention facility, or secure private facility where the defendant is housed.

(4) The alleged victim or the parent, guardian, or custodian of an alleged victim who is less than eighteen (18) years of age, or the parent, guardian, or custodian of an alleged victim who is an endangered adult (as defined in IC 12-10-3-2), and the alleged victim's counsel.

The results of a screening test conducted under this section may not be admitted against a defendant in a criminal proceeding or against a child in a juvenile delinquency proceeding.

(h) As soon as practicable after a screening test ordered under this section has been conducted, the alleged victim or the parent, guardian, or custodian of an alleged victim who is less than eighteen (18) years of age, or the parent, guardian, or custodian of an alleged victim who is an endangered adult (as defined in IC 12-10-3-2), and the victim's counsel shall be notified of the results of the test.

(i) An alleged victim may disclose the results of a screening test to which a defendant is ordered to submit under this section to an individual or organization to protect the health and safety of or to seek compensation for:

(1) the alleged victim;

(2) the alleged victim's sexual partner; or

(3) the alleged victim's family.

(j) The court shall order a petition filed and any order entered under this section sealed.

(k) A person that knowingly or intentionally:

(1) receives notification or disclosure of the results of a screening test under this section; and

(2) discloses the results of the screening test in violation of this section;

commits a Class B misdemeanor.

SECTION 30. IC 16-41-14-17 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 17. (a) This section does not apply to a person who transfers for research purposes semen that contains antibodies for the human immunodeficiency virus (HIV).~~

~~(b) A person who, for the purpose of artificial insemination, recklessly, knowingly, or intentionally donates, sells, or transfers semen that contains antibodies for the human immunodeficiency virus (HIV) commits transferring contaminated semen, a Level 5 felony. The offense is a Level 4 felony if the offense results in the transmission of the virus to another person.~~".

Page 37, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 22. IC 24-5-0.5-3, AS AMENDED BY P.L.211-2019, SECTION 33, AND AS AMENDED BY P.L.242-2019, SECTION 6, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A supplier may not commit an unfair, abusive, or deceptive act, omission, or practice in connection with a consumer transaction. Such an act, omission, or practice by a supplier is a violation of this chapter whether it occurs before, during, or after the transaction. An act, omission, or practice prohibited by this section includes both implicit and explicit misrepresentations.

(b) Without limiting the scope of subsection (a), the following acts, and the following representations as to the subject matter of a consumer transaction, made orally, in writing, or by electronic communication, by a supplier, are deceptive acts:

(1) That such subject of a consumer transaction has sponsorship, approval, performance, characteristics, accessories, uses, or benefits it does not have which the supplier knows or should reasonably know it does not have.

(2) That such subject of a consumer transaction is of a particular standard, quality, grade, style, or model, if it is not and if the supplier knows or should reasonably know that it is not.

(3) That such subject of a consumer transaction is new or unused, if it is not and if the supplier knows or should reasonably know that it is not.

(4) That such subject of a consumer transaction will be supplied to the public in greater quantity than the supplier intends or reasonably expects.

(5) That replacement or repair constituting the subject of a consumer transaction is needed, if it is not and if the supplier knows or should reasonably know that it is not.

(6) That a specific price advantage exists as to such subject of a consumer transaction, if it does not and if the supplier knows or should reasonably know that it does not.

(7) That the supplier has a sponsorship, approval, or affiliation in such consumer transaction the supplier does not have, and which the supplier knows or should reasonably know that the supplier does not have.

(8) That such consumer transaction involves or does not involve a warranty, a disclaimer of warranties, or other rights, remedies, or obligations, if the representation is false and if the supplier knows or should reasonably know that the representation is false.

(9) That the consumer will receive a rebate, discount, or other benefit as an inducement for entering into a sale or lease in return for giving the supplier the names of prospective consumers or otherwise helping the supplier to enter into other consumer transactions, if earning the benefit, rebate, or discount is contingent upon the occurrence of an event subsequent to the time the consumer agrees to the purchase or lease.

(10) That the supplier is able to deliver or complete the subject of the consumer transaction within a stated period of time, when the supplier knows or should reasonably know the supplier could not. If no time period has been stated by the supplier, there is a presumption that the supplier has represented that the supplier will deliver or complete the subject of the consumer transaction within a reasonable time, according to the course of dealing or the usage of the trade.

(11) That the consumer will be able to purchase the subject of the consumer transaction as advertised by the supplier, if the supplier does not intend to sell it.

(12) That the replacement or repair constituting the subject of a consumer transaction can be made by the supplier for the estimate the supplier gives a customer for the replacement or repair, if the specified work is completed and:

(A) the cost exceeds the estimate by an amount equal to or greater than ten percent (10%) of the estimate;

(B) the supplier did not obtain written permission from the customer to authorize the supplier to complete the work even if the cost would exceed the amounts specified in clause (A);

(C) the total cost for services and parts for a single transaction is more than seven hundred fifty dollars ($750); and

(D) the supplier knew or reasonably should have known that the cost would exceed the estimate in the amounts specified in clause (A).

(13) That the replacement or repair constituting the subject of a consumer transaction is needed, and that the supplier disposes of the part repaired or replaced earlier than seventy-two (72) hours after both:

(A) the customer has been notified that the work has been completed; and

(B) the part repaired or replaced has been made available for examination upon the request of the customer.

(14) Engaging in the replacement or repair of the subject of a consumer transaction if the consumer has not authorized the replacement or repair, and if the supplier knows or should reasonably know that it is not authorized.

(15) The act of misrepresenting the geographic location of the supplier by listing an alternate business name or an assumed business name (as described in IC 23-0.5-3-4) in a local telephone directory if:

(A) the name misrepresents the supplier's geographic location;

(B) the listing fails to identify the locality and state of the supplier's business;

(C) calls to the local telephone number are routinely forwarded or otherwise transferred to a supplier's business location that is outside the calling area covered by the local telephone directory; and

(D) the supplier's business location is located in a county that is not contiguous to a county in the calling area covered by the local telephone directory.

(16) The act of listing an alternate business name or assumed business name (as described in IC 23-0.5-3-4) in a directory assistance data base if:

(A) the name misrepresents the supplier's geographic location;

(B) calls to the local telephone number are routinely forwarded or otherwise transferred to a supplier's business location that is outside the local calling area; and

(C) the supplier's business location is located in a county that is not contiguous to a county in the local calling area.

(17) The violation by a supplier of IC 24-3-4 concerning cigarettes for import or export.

(18) The act of a supplier in knowingly selling or reselling a product to a consumer if the product has been recalled, whether by the order of a court or a regulatory body, or voluntarily by the manufacturer, distributor, or retailer, unless the product has been repaired or modified to correct the defect that was the subject of the recall.

(19) The violation by a supplier of 47 U.S.C. 227, including any rules or regulations issued under 47 U.S.C. 227.

(20) The violation by a supplier of the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.), including any rules or regulations issued under the federal Fair Debt Collection Practices Act (15 U.S.C. 1692 et seq.).

(21) A violation of IC 24-5-7 (concerning health spa services), as set forth in IC 24-5-7-17.
(22) A violation of IC 24-5-8 (concerning business opportunity transactions), as set forth in IC 24-5-8-20.
(23) A violation of IC 24-5-10 (concerning home consumer transactions), as set forth in IC 24-5-10-18.
(24) A violation of IC 24-5-11 (concerning real property improvement contracts), as set forth in IC 24-5-11-14.
(25) A violation of IC 24-5-12 (concerning telephone solicitations), as set forth in IC 24-5-12-23.
(26) A violation of IC 24-5-13.5 (concerning buyback motor vehicles), as set forth in IC 24-5-13.5-14.
(27) A violation of IC 24-5-14 (concerning automatic dialing-announcing devices), as set forth in IC 24-5-14-13.
(28) A violation of IC 24-5-15 (concerning credit services organizations), as set forth in IC 24-5-15-11.
(29) A violation of IC 24-5-16 (concerning unlawful motor vehicle subleasing), as set forth in IC 24-5-16-18.
(30) A violation of IC 24-5-17 (concerning environmental marketing claims), as set forth in IC 24-5-17-14.
(31) A violation of IC 24-5-19 (concerning deceptive commercial solicitation), as set forth in IC 24-5-19-11.
(32) A violation of IC 24-5-21 (concerning prescription drug discount cards), as set forth in IC 24-5-21-7.
(33) A violation of IC 24-5-23.5-7 (concerning real estate appraisals), as set forth in IC 24-5-23.5-9.
(34) A violation of IC 24-5-26 (concerning identity theft), as set forth in IC 24-5-26-3.
(35) A violation of IC 24-5.5 (concerning mortgage rescue fraud), as set forth in IC 24-5.5-6-1.
(36) A violation of IC 24-8 (concerning promotional gifts and contests), as set forth in IC 24-8-6-3.
(37) A violation of IC 21-18.5-6 (concerning representations made by a postsecondary credit bearing proprietary educational institution), as set forth in IC 21-18.5-6-22.5.
(38) A violation of IC 24-5-15.5 (concerning collection actions of a plaintiff debt buyer), as set forth in IC 24-5-15.5-6.
~~*(38)*~~ *(39) A violation of IC 24-14 (concerning towing services), as set forth in IC 24-14-10-1.*
~~*(38)*~~ **(40)** *A violation of IC 24-5-14.5 (concerning misleading or inaccurate caller identification information), as set forth in IC 24-5-14.5-12.*
(41) A violation of IC 24-5-27-5 or IC 24-5-27-6 (concerning gift certificates and store gift cards), as set forth in IC 24-5-27-7.

(c) Any representations on or within a product or its packaging or in advertising or promotional materials which would constitute a deceptive act shall be the deceptive act both of the supplier who places such representation thereon or therein, or who authored such materials, and such other suppliers who shall state orally or in writing that such representation is true if such other supplier shall know or have reason to know that such representation was false.

(d) If a supplier shows by a preponderance of the evidence that an act resulted from a bona fide error notwithstanding the maintenance of procedures reasonably adopted to avoid the error, such act shall not be deceptive within the meaning of this chapter.

(e) It shall be a defense to any action brought under this chapter that the representation constituting an alleged deceptive act was one made in good faith by the supplier without knowledge of its falsity and in reliance upon the oral or written representations of the manufacturer, the person from whom the supplier acquired the product, any testing organization, or any other person provided that the source thereof is disclosed to the consumer.

(f) For purposes of subsection (b)(12), a supplier that provides estimates before performing repair or replacement work for a customer shall give the customer a written estimate itemizing as closely as possible the price for labor and parts necessary for the specific job before commencing the work.

(g) For purposes of subsection (b)(15) and (b)(16), a telephone company or other provider of a telephone directory or directory assistance service or its officer or agent is immune from liability for publishing the listing of an alternate business name or assumed business name of a supplier in its directory or directory assistance data base unless the telephone company or other provider of a telephone directory or directory assistance service is the same person as the supplier who has committed the deceptive act.

(h) For purposes of subsection (b)(18), it is an affirmative defense to any action brought under this chapter that the product has been altered by a person other than the defendant to render the product completely incapable of serving its original purpose.".

Page 37, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 24. IC 24-5-27 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 27. Gift Certificates and Store Gift Cards

Sec. 1. Subject to section 4 of this chapter, as used in this chapter, "gift certificate" means a certificate, a card, a code, or another device that:
(1) is issued to a consumer:
(A) on a prepaid basis in exchange for payment;
(B) primarily for personal, family, or household purposes; and
(C) in a specified amount that may not be increased or reloaded; and
(2) is redeemable upon presentation at a single merchant or at an affiliated group of merchants for goods or services.

Sec. 2. As used in this chapter, "Indiana consumer" means an individual whose principal residence is in Indiana.

Sec. 3. Subject to section 4 of this chapter, as used in this chapter, "store gift card" means a certificate, a card, a code, or another device that:
(1) is issued to a consumer:
(A) on a prepaid basis in exchange for payment;
(B) primarily for personal, family, or household purposes; and
(C) in a specified amount, regardless of whether that amount may be increased or reloaded; and
(2) is redeemable upon presentation at a single merchant or at an affiliated group of merchants for goods or services.

Sec. 4. For purposes of this chapter, the terms "gift certificate" and "store gift card" do not include any certificate, card, code, or other device that is:
(1) useable solely for communications service (as defined in IC 8-1-32.5-3);
(2) reloadable and not marketed or labeled as a gift card or gift certificate;
(3) a loyalty, award, or promotional gift card (as defined in 12 CFR 1005.20);
(4) not marketed to the general public; or
(5) redeemable solely:
(A) for admission to events or venues at a particular location or group of affiliated locations; or
(B) to obtain goods or services in conjunction with admission to the events or venues, either at the event or venue or at specific locations affiliated with and in geographic proximity to the event or venue.

Sec. 5. After June 30, 2020, a person shall not sell or issue to an Indiana consumer any gift certificate with an expiration date, or any store gift card with an expiration date, unless the following conditions are satisfied:
(1) The person has established policies and procedures

to provide consumers with a reasonable opportunity to purchase a gift certificate or a store gift card with at least five (5) years remaining until the expiration date of the gift certificate or store gift card.

(2) The expiration date for the underlying funds is at least the later of:

(A) five (5) years after:

(i) the date the gift certificate was initially issued; or

(ii) the date on which funds were last loaded to the store gift card; or

(B) the expiration date, if any, of the gift certificate or store gift card.

(3) The following disclosures are provided on the gift certificate or store gift card, as applicable:

(A) The expiration date for the underlying funds or, if the underlying funds do not expire, a statement of that fact.

(B) A toll-free telephone number and, if maintained, an Internet web site address that a consumer may use to obtain:

(i) a replacement gift certificate; or

(ii) a replacement store gift card;

after the gift certificate or store gift card expires, if the underlying funds may be available to the consumer.

(C) Except in the case of a gift certificate or, if nonreloadable, a store gift card that bears an expiration date that is at least seven (7) years from the date of issuance, a statement that:

(i) the gift certificate or store gift card expires, but that the underlying funds either do not expire or expire later than the gift certificate or store gift card; and

(ii) the consumer may contact the issuer for a replacement gift certificate or store gift card.

The statement required by this clause must be disclosed with equal prominence and in close proximity to the expiration date of the gift certificate or store gift card.

For purposes of this subdivision, a disclosure made in an accompanying terms and conditions document, on packaging surrounding a gift certificate or store gift card, or on a sticker or other label affixed to the gift certificate or store gift card do not constitute disclosure on the gift certificate or store gift card. For an electronic gift certificate or store gift card, disclosures must be provided electronically on the gift certificate or store gift card provided to the consumer. An issuer that provides a code or confirmation to a consumer orally must provide to the consumer a written or an electronic copy of the code or confirmation promptly, and the applicable disclosures required by this subdivision must be provided on the written or electronic copy of the code or confirmation.

(4) A fee or charge is not imposed on the consumer for:

(A) replacing the gift certificate or store gift card; or

(B) providing the consumer with the remaining balance in some other manner before the expiration date of the underlying funds;

unless the gift certificate or store gift card has been lost or stolen.

Sec. 6. (a) This section applies to a gift certificate or a store gift card that is sold or issued to an Indiana consumer after June 30, 2020.

(b) As used in this section, "merchant" refers to:

(1) the merchant;

(2) the group of affiliated merchants; or

(3) the successors or assigns of the merchant or the group of affiliated merchants;

as applicable, for which a gift certificate or a store gift card was originally sold or issued to an Indiana consumer.

(c) If at any time after a gift certificate or a store gift card is issued or sold to an Indiana consumer:

(1) the merchant for which the gift certificate or store gift card was originally sold or issued:

(A) for any reason ceases to do business in Indiana; or

(B) for any reason:

(i) substantially changes; or

(ii) ceases to offer;

the types of goods or services that were offered to consumers at the time the gift certificate or store gift card was originally sold or issued; and

(2) any expiration date:

(A) authorized under section 5 of this chapter; and

(B) applicable to the gift certificate or store gift card, or to the underlying funds associated with the gift certificate or store gift card;

has not elapsed;

the merchant for which the gift certificate or store gift card was originally sold or issued shall, upon the request of an Indiana consumer who is the rightful holder of the gift certificate or store gift card, promptly (but in no case later than the expiration date, if any, of the underlying funds) refund to the holder the balance of the underlying funds or provide the holder with the remaining balance in some other manner, as disclosed at the time of sale or issuance to the Indiana consumer to whom the gift certificate or store gift card was originally sold or issued.

Sec. 7. (a) A person that violates section 5 or 6 of this chapter:

(1) commits a deceptive act that is actionable by an aggrieved Indiana consumer and the attorney general under IC 24-5-0.5-4; and

(2) is subject to the penalties and remedies set forth in IC 24-5-0.5.

An action by the attorney general for violations of this chapter may be brought in the circuit or superior court of Marion County.

(b) The remedies and penalties set forth in this section are cumulative and are supplemental to any other remedies and penalties available under any other state or federal law, rule, or regulation for a violation of section 5 or 6 of this chapter.

Sec. 8. This chapter does not void or affect the terms and conditions of:

(1) a gift certificate; or

(2) a store gift card;

that is sold or issued to an Indiana consumer before July 1, 2020.

Sec. 9. The attorney general may adopt rules under IC 4-22-2 to implement this chapter, including emergency rules in the manner provided by IC 4-22-2-37.1. Notwithstanding IC 4-22-2-37.1(g), an emergency rule adopted by the attorney general under this subsection and in the manner provided by IC 4-22-2-37.1 expires on the date on which a rule that supersedes the emergency rule is adopted by the attorney general under IC 4-22-2-24 through IC 4-22-2-36.".

Page 55, line 11, after "IC 35-42-2-9;" insert "**or**".

Page 64, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 44. IC 31-37-13-5, AS AMENDED BY P.L.168-2014, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. **(a)** If a finding of delinquency is based on a delinquent act that would be a felony if committed by an adult, the juvenile court shall state in the findings the following:

(1) The specific statute that was violated.

(2) The class or level of the felony had the violation been

committed by an adult.

(b) If a finding of delinquency is based on a delinquent act that would be a serious violent felony (as defined in IC 35-47-4-5) if committed by an adult, the juvenile court shall, notwithstanding IC 31-39-1, transmit the finding to the office of judicial administration for transmission to NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3.".

Page 67, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 47. IC 31-39-8-3, AS AMENDED BY P.L.86-2017, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A person may initiate a petition for the expungement of records of a child alleged to be a delinquent child or a child in need of services by filing a verified petition in the juvenile court in the county of the original action. The petition must set forth the following:

(1) The allegations and date of adjudication, if applicable, of the juvenile delinquency or child in need of services adjudications.

(2) The court in which juvenile delinquency or child in need of services allegations or petitions were filed.

(3) The law enforcement agency that employs the charging officer, if known.

(4) The case number or court cause number.

(5) Date of birth of the petitioner.

(6) Petitioner's Social Security number.

(7) All juvenile delinquency or child in need of services adjudications and criminal convictions occurring after the adjudication of the action sought to be expunged.

(8) All pending actions under IC 31-34 or IC 31-37 or criminal charges.

(b) A petition described in subsection (a) shall be served on:

(1) the prosecuting attorney; or

(2) in the case of a child in need of services case, the department of child services.

(c) The prosecuting attorney or department of child services has thirty (30) days in which to reply or otherwise object to the petition. The court may reduce the time in which a response must be filed for a show of good cause or within its discretion after a hearing is held.

(d) If the prosecuting attorney or department of child services timely files an objection to the petition, the matter shall be set for a hearing. If no objection is filed, the court may set the petition for a hearing or rule on the petition without a hearing.

(e) In considering whether to grant the petition, the juvenile court may review:

(1) the best interests of the child;

(2) the age of the person during the person's contact with the juvenile court or law enforcement agency;

(3) the nature of any allegations;

(4) whether there was an informal adjustment or an adjudication;

(5) the disposition of the case;

(6) the manner in which the person participated in any court ordered or supervised services;

(7) the time during which the person has been without contact with the juvenile court or with any law enforcement agency;

(8) whether the person acquired a criminal record; ~~and~~

(9) the person's current status;

(10) whether the person has been:

(A) charged with; or

(B) convicted of;

murder or another felony offense as an adult;

(11) whether the person was waived to an adult criminal court for a reason described in IC 31-30-3;

(12) whether an adult sentence for the person was not suspended for a reason described in IC 35-50-2-2.1;

(13) whether the person has been adjudicated a delinquent child for committing an act that would be a serious violent felony (as defined in IC 35-47-4-5) if committed by an adult; and

(14) whether:

(A) the person is currently suffering from a mental health issue;

(B) the mental health issue described in clause (A) is chronic or ongoing;

(C) the person has received, or is receiving, treatment for a current or chronic mental health issue; and

(D) the person is compliant with a treatment regimen recommended by a mental health professional, if applicable.".

Page 68, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 51. IC 33-24-6-3, AS AMENDED BY P.L.207-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The office of judicial administration shall do the following:

(1) Examine the administrative and business methods and systems employed in the offices of the clerks of court and other offices related to and serving the courts and make recommendations for necessary improvement.

(2) Collect and compile statistical data and other information on the judicial work of the courts in Indiana. All justices of the supreme court, judges of the court of appeals, judges of all trial courts, and any city or town courts, whether having general or special jurisdiction, court clerks, court reporters, and other officers and employees of the courts shall, upon notice by the chief administrative officer and in compliance with procedures prescribed by the chief administrative officer, furnish the chief administrative officer the information as is requested concerning the nature and volume of judicial business. The information must include the following:

(A) The volume, condition, and type of business conducted by the courts.

(B) The methods of procedure in the courts.

(C) The work accomplished by the courts.

(D) The receipt and expenditure of public money by and for the operation of the courts.

(E) The methods of disposition or termination of cases.

(3) Prepare and publish reports, not less than one (1) or more than two (2) times per year, on the nature and volume of judicial work performed by the courts as determined by the information required in subdivision (2).

(4) Serve the judicial nominating commission and the judicial qualifications commission in the performance by the commissions of their statutory and constitutional functions.

(5) Administer the civil legal aid fund as required by IC 33-24-12.

(6) Administer the court technology fund established by section 12 of this chapter.

(7) By December 31, 2013, develop and implement a standard protocol for sending and receiving court data:

(A) between the protective order registry, established by IC 5-2-9-5.5, and county court case management systems;

(B) at the option of the county prosecuting attorney, for:

(i) a prosecuting attorney's case management system;

(ii) a county court case management system; and

(iii) a county court case management system developed and operated by the office of judicial administration;

to interface with the electronic traffic tickets, as defined by IC 9-30-3-2.5; and

(C) between county court case management systems

and the case management system developed and operated by the office of judicial administration.

The standard protocol developed and implemented under this subdivision shall permit private sector vendors, including vendors providing service to a local system and vendors accessing the system for information, to send and receive court information on an equitable basis and at an equitable cost.

(8) Establish and administer an electronic system for receiving information that relates to certain individuals who may be prohibited from possessing a firearm ~~and~~ **for the purpose of:**

(A) transmitting this information to the Federal Bureau of Investigation for inclusion in the NICS; **and**

(B) beginning July 1, 2021, compiling and publishing certain statistics related to the confiscation and retention of firearms as described under section 14 of this chapter.

(9) Establish and administer an electronic system for receiving drug related felony conviction information from courts. The office of judicial administration shall notify NPLEx of each drug related felony entered after June 30, 2012, and do the following:

(A) Provide NPLEx with the following information:

(i) The convicted individual's full name.

(ii) The convicted individual's date of birth.

(iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.

(iv) The date the individual was convicted of the felony.

Upon receipt of the information from the office of judicial administration, a stop sale alert must be generated through NPLEx for each individual reported under this clause.

(B) Notify NPLEx if the felony of an individual reported under clause (A) has been:

(i) set aside;

(ii) reversed;

(iii) expunged; or

(iv) vacated.

Upon receipt of information under this clause, NPLEx shall remove the stop sale alert issued under clause (A) for the individual.

(10) Staff the judicial technology oversight committee established by IC 33-23-17-2.

(11) After July 1, 2018, establish and administer an electronic system for receiving from courts felony conviction information for each felony described in IC 20-28-5-8(c). The office of judicial administration shall notify the department of education at least one (1) time each week of each felony described in IC 20-28-5-8(c) entered after July 1, 2018, and do the following:

(A) Provide the department of education with the following information:

(i) The convicted individual's full name.

(ii) The convicted individual's date of birth.

(iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.

(iv) The date the individual was convicted of the felony.

(B) Notify the department of education if the felony of an individual reported under clause (A) has been:

(i) set aside;

(ii) reversed; or

(iii) vacated.

(12) Perform legal and administrative duties for the justices as determined by the justices.

(13) Provide staff support for the judicial conference of Indiana established in IC 33-38-9.

(14) Work with the United States Department of Veterans Affairs to identify and address the needs of veterans in the court system.

(b) All forms to be used in gathering data must be approved by the supreme court and shall be distributed to all judges and clerks before the start of each period for which reports are required.

(c) The office of judicial administration may adopt rules to implement this section.

SECTION 53. IC 33-24-6-14 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14. (a) The following definitions apply throughout this section:**

(1) "Dangerous" has the meaning set forth in IC 35-47-14-1.

(2) "Firearm" has the meaning set forth in IC 35-47-1-5.

(3) "Office" means the office of judicial administration created by section 1 of this chapter.

(b) Beginning July 1, 2021, the office shall collect and record the following information:

(1) The law enforcement agency responsible for each confiscation of a firearm under IC 35-47-14-2 and IC 35-47-14-3.

(2) The number of:

(A) warrant based firearm confiscations under IC 35-47-14-2; and

(B) warrantless firearm confiscations under IC 35-47-14-3;

for each county, as applicable, each year.

(3) The total number of:

(A) handguns; and

(B) long guns;

confiscated under IC 35-47-14 for each county, as applicable, each year.

(4) The county in which a court issues an order that finds or does not find an individual to be dangerous under IC 35-47-14-6.

(c) The office shall, beginning July 1, 2021, not later than January 1 of each year, submit a report to the legislative council in an electronic format under IC 5-14-6 that consolidates and presents the information described in subsection (b).

(d) Notwithstanding subsections (b) and (c) and information provided to a law enforcement agency for the purposes of handgun licenses, the office shall not collect, store, disclose, distribute, transfer, or provide the following information to any person, entity, agency, or department:

(1) The:

(A) name;

(B) date of birth;

(C) Social Security number;

(D) address; or

(E) other unique identifier;

belonging to or associated with an individual alleged to be dangerous by a law enforcement officer or found to be dangerous by a circuit or superior court.

(2) The make, model, or serial number of any handgun, long gun, or firearm seized, confiscated, retained, disposed of, or sold under IC 35-47-14.

(e) Information:

(1) collected by the office; or

(2) used by the office;

to prepare the report described in subsection (c) is confidential and not subject to public inspection or copying under IC 5-14-3-3.

(f) The office shall make the report described in subsection (c) available to the public.

(g) The office may adopt rules under IC 4-22-2 to implement this section.".

Page 73, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 52. IC 34-30-2-149.5, AS AMENDED BY P.L.86-2018, SECTION 320, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 149.5. (a) IC 35-38-1-10.5 (Concerning a person who makes a report or testifies in court regarding the results of a test for the human immunodeficiency virus (HIV) or another ~~dangerous~~ **serious** disease performed on an individual convicted of certain crimes).

(b) IC 35-38-1-28(d) (Concerning a clerk, court, law enforcement officer, or prosecuting attorney for an error or omission in the transportation of fingerprints, case history data, or sentencing data).".

Page 74, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 51. IC 35-31.5-2-132.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 132.7. "Financial transaction", for purposes of IC 35-45-17, has the meaning set forth in IC 35-45-17-0.5.**

SECTION 52. IC 35-31.5-2-257.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 257.5. "Public monument", for purposes of IC 35-45-17, has the meaning set forth in IC 35-45-17-1.5.**

SECTION 56. IC 35-31.5-2-294, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 294. "Serious violent felony", for purposes of IC 35-47-4-5 **and IC 35-47-4-9,** has the meaning set forth in ~~IC 35-47-4-5(b).~~ **IC 35-47-4-5.**".

Page 82, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 57. IC 35-38-1-9.5, AS AMENDED BY P.L.125-2007, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9.5. A probation officer shall obtain confidential information from the state department of health under IC 16-41-8-1 to determine whether a convicted person was ~~a carrier of~~ **an individual with** the human immunodeficiency virus (HIV) when the crime was committed if the person is:

(1) convicted of an offense relating to a criminal sexual act and the offense created an epidemiologically demonstrated risk of transmission of the human immunodeficiency virus (HIV); or

(2) convicted of an offense relating to controlled substances and the offense involved:

(A) the delivery by any person to another person; or

(B) the use by any person on another person;

of a contaminated sharp (as defined in IC 16-41-16-2) or other paraphernalia that creates an epidemiologically demonstrated risk of transmission of HIV by involving percutaneous contact.

SECTION 58. IC 35-38-1-10.5, AS AMENDED BY P.L.86-2018, SECTION 333, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.5. (a) The court:

(1) shall order that a person undergo a screening test for the human immunodeficiency virus (HIV) if the person is:

(A) convicted of an offense relating to a criminal sexual act and the offense created an epidemiologically demonstrated risk of transmission of the human immunodeficiency virus (HIV); or

(B) convicted of an offense relating to controlled substances and the offense involved:

(i) the delivery by any person to another person; or

(ii) the use by any person on another person;

of a contaminated sharp (as defined in IC 16-41-16-2) or other paraphernalia that creates an epidemiologically demonstrated risk of transmission of HIV by involving percutaneous contact; and

(2) may order that a person undergo a screening test for a ~~dangerous~~ **serious** disease (as defined in IC 16-41-8-5) in accordance with IC 16-41-8-5.

(b) If the screening test required by this section indicates the presence of antibodies to HIV, the court shall order the person to undergo a confirmatory test.

(c) If the confirmatory test confirms the presence of the HIV antibodies, the court shall report the results to the state department of health and require a probation officer to conduct a presentence investigation to:

(1) obtain the medical record of the convicted person from the state department of health under IC 16-41-8-1(b)(3); and

(2) determine whether the convicted person had received risk counseling that included information on the behavior that facilitates the transmission of HIV.

(d) A person who, in good faith:

(1) makes a report required to be made under this section; or

(2) testifies in a judicial proceeding on matters arising from the report;

is immune from both civil and criminal liability due to the offering of that report or testimony.

(e) The privileged communication between a husband and wife or between a health care provider and the health care provider's patient is not a ground for excluding information required under this section.

(f) A mental health service provider (as defined in IC 34-6-2-80) who discloses information that must be disclosed to comply with this section is immune from civil and criminal liability under Indiana statutes that protect patient privacy and confidentiality.".

Page 83, delete lines 4 through 27.

Page 92, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 69. IC 35-44.1-2-3, AS AMENDED BY P.L.107-2016, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) As used in this section, "consumer product" has the meaning set forth in IC 35-45-8-1.

(b) As used in this section, "misconduct" means a violation of a departmental rule or procedure of a law enforcement agency.

(c) A person who reports, by telephone, telegraph, mail, or other written or oral communication, that:

(1) the person or another person has placed or intends to place an explosive, a destructive device, or other destructive substance in a building or transportation facility;

(2) there has been or there will be tampering with a consumer product introduced into commerce; or

(3) there has been or will be placed or introduced a weapon of mass destruction in a building or a place of assembly;

knowing the report to be false, commits false reporting, a Level 6 felony.

(d) A person who:

(1) gives a false report of the commission of a crime or gives false information in the official investigation of the commission of a crime, knowing the report or information to be false;

(2) gives a false alarm of fire to the fire department of a governmental entity, knowing the alarm to be false;

(3) makes a false request for ambulance service to an ambulance service provider, knowing the request to be false;

(4) gives a false report concerning a missing child (as defined in IC 10-13-5-4) or missing endangered adult (as defined in IC 12-7-2-131.3) or gives false information in the official investigation of a missing child or missing

endangered adult knowing the report or information to be false;

(5) makes a complaint against a law enforcement officer to the state or municipality (as defined in IC 8-1-13-3(b)) that employs the officer:

(A) alleging the officer engaged in misconduct while performing the officer's duties; and

(B) knowing the complaint to be false;

(6) makes a false report of a missing person, knowing the report or information is false; ~~or~~

(7) gives a false report of actions, behavior, or conditions concerning:

(A) a septic tank soil absorption system under IC 8-1-2-125 or IC 13-26-5-2.5; or

(B) a septic tank soil absorption system or constructed wetland septic system under IC 36-9-23-30.1;

knowing the report or information to be false; **or**

(8) makes a false report that a person is dangerous (as defined in IC 35-47-14-1) knowing the report or information to be false;

commits false informing, a Class B misdemeanor. However, the offense is a Class A misdemeanor if it substantially hinders any law enforcement process or if it results in harm to another person.".

Page 97, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 71. IC 35-45-16-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. ~~(a)~~ As used in this chapter, "HIV" refers to the human immunodeficiency virus.

~~(b) The term includes acquired immune deficiency syndrome (AIDS) and AIDS related complex.~~

SECTION 68. IC 35-45-17-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.5. As used in this chapter, "financial transaction" means any exchange of currency by cash, note, or credit card or through a wireless portal that is received by:**

(1) a business;

(2) a parking meter or parking pay station on a street or another public place;

(3) a public parking garage or parking lot pay station;

(4) a facility or pay station operated by a public transportation authority; or

(5) a restaurant or the service area of an outdoor seating establishment.

SECTION 69. IC 35-45-17-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.5. As used in this chapter, "public monument" means a building, structure, or site that is of historical importance or interest that is preserved as public property.**

SECTION 70. IC 35-45-17-2, AS ADDED BY P.L.140-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. A person who knowingly or intentionally does any of the following commits panhandling, a Class C misdemeanor:

(1) Panhandling after sunset and before sunrise.

(2) Panhandling when the individual being solicited is:

(A) at a bus stop;

(B) in a:

(i) vehicle; or

(ii) facility;

used for public transportation;

(C) in a motor vehicle that is parked or stopped on a public street or alley, unless the person soliciting the individual has the approval to do so by a unit of local government that has jurisdiction over the public street or alley;

(D) in the sidewalk dining area of a restaurant; ~~or~~

(E) within ~~twenty (20)~~ **fifty (50)** feet of:

(i) an automated teller machine; ~~or~~

(ii) the entrance **or exit** to a bank, **business, or restaurant; or**

(iii) the location where a financial transaction occurs; or

(F) within fifty (50) feet of a public monument.

(3) Panhandling while touching the individual being solicited without the solicited individual's consent.

(4) Panhandling while the individual being solicited is standing in line and waiting to be admitted to a commercial establishment.

(5) Panhandling while blocking:

(A) the path of the individual being solicited; or

(B) the entrance to a building or motor vehicle.

(6) Panhandling while using profane or abusive language:

(A) during a solicitation; or

(B) after the individual being solicited has declined to donate money or something else of value.

(7) Panhandling while making a statement, a gesture, or another communication to the individual being solicited that would cause a reasonable individual to:

(A) fear for the individual's safety; or

(B) feel compelled to donate.

(8) Panhandling with at least one (1) other individual.

(9) Panhandling and then following or accompanying the solicited individual without the solicited individual's consent after the solicited individual has declined to donate money or something else of value.

SECTION 72. IC 35-45-21-1, AS ADDED BY P.L.213-2013, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) As used in this section, "blood" has the meaning set forth in IC 16-41-12-2.5.

(b) A person who recklessly, knowingly, or intentionally donates, sells, or transfers blood or semen for artificial insemination (as defined in IC 16-41-14-2) that contains the human immunodeficiency virus (HIV) commits transferring contaminated body fluids, a Level 5 felony.

(c) However, the offense under subsection (b) is a ~~Level 3~~ **Level 4** felony if it results in the transmission of the human immunodeficiency virus (HIV) to any person other than the defendant.

(d) This section does not apply to:

(1) a person who, for reasons of privacy, donates, sells, or transfers blood at a blood center (as defined in IC 16-41-12-3) after the person has notified the blood center that the blood must be disposed of and may not be used for any purpose;

(2) a person who transfers blood semen, or another body fluid that contains the human immunodeficiency virus (HIV) for research purposes; or

(3) a person who is an autologous blood donor for stem cell transplantation.".

Page 97, line 19, strike "serial".

Page 99, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 74. IC 35-47-4-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9. (a) As used in this section, "serious violent felony" has the meaning set forth in section 5 of this chapter.**

(b) A person who:

(1) has been adjudicated a delinquent child for committing an act while armed with a firearm that would be a serious violent felony if committed by an adult;

(2) is less than:

(A) twenty-six (26) years of age, if the delinquent act, if committed by an adult, would have been a:

(i) Level 6 felony;
(ii) Level 5 felony;
(iii) Level 4 felony; or
(iv) Level 3 felony; or
(B) twenty-eight (28) years of age, if the delinquent act, if committed by an adult, would have been:
(i) a Level 2 felony;
(ii) a Level 1 felony; or
(iii) murder; and
(3) knowingly or intentionally possesses a firearm; commits unlawful possession of a firearm by a dangerous person, a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior unrelated conviction under this section.

SECTION 75. IC 35-47-14-2, AS AMENDED BY P.L.289-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A circuit or superior court may issue a warrant to search for and seize a firearm in the possession of an individual who is dangerous if:
(1) a law enforcement officer provides the court a sworn affidavit that:
(A) states why the law enforcement officer believes that the individual is dangerous and in possession of a firearm; and
(B) describes the law enforcement officer's interactions and conversations with:
(i) the individual who is alleged to be dangerous; or
(ii) another individual, if the law enforcement officer believes that information obtained from this individual is credible and reliable;
that have led the law enforcement officer to believe that the individual is dangerous and in possession of a firearm;
(2) the affidavit specifically describes the location of the firearm; and
(3) the circuit or superior court determines that probable cause exists to believe that the individual is:
(A) dangerous; and
(B) in possession of a firearm.
(b) A law enforcement agency responsible for the seizure of the firearm under this section shall file a search warrant return with the court setting forth the:
(1) quantity; and
(2) type;
of each firearm seized from an individual under this section. **Beginning July 1, 2021, the court shall provide information described under this subsection to the office of judicial administration in a manner required by the office.**

SECTION 76. IC 35-47-14-3, AS AMENDED BY P.L.289-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) If a law enforcement officer seizes a firearm from an individual whom the law enforcement officer believes to be dangerous without obtaining a warrant, the law enforcement officer shall submit to the circuit or superior court having jurisdiction over the individual believed to be dangerous an affidavit describing the basis for the law enforcement officer's belief that the individual is dangerous.
(b) An affidavit described in subsection (a) shall:
(1) set forth the quantity and type of each firearm seized from the individual under this section; and
(2) be submitted to a circuit or superior court having jurisdiction over the individual believed to be dangerous not later than forty-eight (48) hours after the seizure of the firearm.
(c) The court shall review the affidavit described in subsection (a) as soon as possible.
(d) If the court finds that probable cause exists to believe that the individual is dangerous, the court shall order the law enforcement agency having custody of the firearm to retain the firearm. **Beginning July 1, 2021, the court shall provide information described under this subsection and subsection (b)(1) to the office of judicial administration in a manner required by the office.**
~~(e) A law enforcement agency responsible for the seizure of the firearm under this section shall file a search warrant return with the court setting forth the:~~
~~(1) quantity; and~~
~~(2) type;~~
~~of each firearm seized from an individual under this section.~~
~~(f)~~ **(e)** If the court finds that there is no probable cause to believe that the individual is dangerous, the court shall order the law enforcement agency having custody of the firearm to return the firearm to the individual as quickly as practicable, but not later than five (5) days after the date of the order.

SECTION 77. IC 35-47-14-6, AS AMENDED BY P.L.289-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) The court shall conduct a hearing as required under this chapter.
(b) The state has the burden of proving all material facts by clear and convincing evidence.
(c) If the court determines that the state has proved by clear and convincing evidence that the individual is dangerous, the court shall issue a written order:
(1) finding the individual is dangerous (as defined in section 1 of this chapter);
(2) ordering the law enforcement agency having custody of the seized firearm to retain the firearm;
(3) ordering the individual's license to carry a handgun, if applicable, suspended; and
(4) enjoining the individual from:
(A) renting;
(B) receiving transfer of;
(C) owning; or
(D) possessing;
a firearm; and
determine whether the individual should be referred to further proceedings to consider whether the individual should be involuntarily detained or committed under IC 12-26-6-2(a)(2)(B).
(d) If the court finds that the individual is dangerous under subsection (c), the clerk shall transmit the order of the court to the office of judicial administration:
(1) for transmission to NICS (as defined in IC 35-47-2.5-2.5); **and**
(2) beginning July 1, 2021, for the collection of certain data related to the confiscation and retention of firearms taken from dangerous individuals;
in accordance with IC 33-24-6-3.
(e) If the court orders a law enforcement agency to retain a firearm, the law enforcement agency shall retain the firearm until the court orders the firearm returned or otherwise disposed of.
(f) If the court determines that the state has failed to prove by clear and convincing evidence that the individual is dangerous, the court shall issue a written order that:
(1) the individual is not dangerous (as defined in section 1 of this chapter); and
(2) the law enforcement agency having custody of the firearm shall return the firearm as quickly as practicable, but not later than five (5) days after the date of the order, to the individual from whom it was seized.

SECTION 78. IC 35-47-14-8, AS AMENDED BY P.L.289-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) At least one hundred eighty (180) days after the date on which a court orders a law enforcement agency to retain an individual's firearm under section 6(c) of this chapter, the individual may petition the court for a finding that the individual is no longer dangerous.

(b) Upon receipt of a petition described in subsection (a), the court shall:

(1) enter an order setting a date for a hearing on the petition; and

(2) inform the prosecuting attorney of the date, time, and location of the hearing.

(c) The prosecuting attorney shall represent the state at the hearing on a petition under this section.

(d) In a hearing on a petition under this section, the individual may be represented by an attorney.

(e) In a hearing on a petition under this section filed:

(1) not later than one (1) year after the date of the order issued under section 6(c) of this chapter, the individual must prove by a preponderance of the evidence that the individual is no longer dangerous; and

(2) later than one (1) year after the date of the order issued under section 6(c) of this chapter, the state must prove by clear and convincing evidence that the individual is still dangerous.

(f) If, upon the completion of the hearing and consideration of the record, the court finds that the individual is no longer dangerous, the court shall:

(1) issue a court order that finds that the individual is no longer dangerous;

(2) order the law enforcement agency having custody of any firearm to return the firearm as quickly as practicable, but not later than five (5) days after the date of the order, to the individual;

(3) terminate any injunction issued under section 6 of this chapter; and

(4) terminate the suspension of the individual's license to carry a handgun so that the individual may reapply for a license.

(g) If the court denies an individual's petition under this section, the individual may not file a subsequent petition until at least one hundred eighty (180) days after the date on which the court denied the petition.

(h) If a court issues an order described under subsection (f), the court's order shall be transmitted, as soon as practicable, to the office of judicial administration for transmission to the NICS (as defined in IC 35-47-2.5-2.5) **and, beginning July 1, 2021, for the collection of certain data related to the confiscation and retention of firearms taken from dangerous individuals** in accordance with IC 33-24-6-3.".

Page 100, delete lines 33 through 42.

Page 101, delete lines 1 through 16.

Page 106, line 6, after "(a)(2)" delete "(a)" and insert "**(a)**".

Page 106, line 11, after "(a)(2)" delete "(a)" and insert "**(a)**".

Page 111, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 82. IC 35-52-16-58 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 58. IC 16-41-14-17 defines a crime concerning communicable diseases.~~".

Renumber all SECTIONS consecutively.

(Reference is to SB 335 as reprinted February 4, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 9, nays 0.

MCNAMARA, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Family, Children and Human Affairs, to which was referred Senate Bill 345, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 2-5-1.3-4, AS AMENDED BY P.L.231-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. The following interim study committees are established:

(1) Agriculture and Natural Resources.

(2) Commerce and Economic Development.

(3) Corrections and Criminal Code.

(4) Courts and the Judiciary.

(5) Education.

(6) Elections.

(7) Employment and Labor.

(8) Energy, Utilities, and Telecommunications.

(9) Environmental Affairs.

(10) Financial Institutions and Insurance.

(11) Government.

(12) Public Safety and Military Affairs.

(13) Pension Management Oversight.

(14) Public Health, Behavioral Health, and Human Services.

(15) Public Policy.

(16) Roads and Transportation.

(17) Fiscal Policy.

(18) Child services.

SECTION 2. IC 2-5-1.3-13, AS AMENDED BY P.L.2-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) A study committee shall study the issues assigned by the legislative council that are within the subject matter for the study committee, as described in section 4 of this chapter.

(b) In addition to the issues assigned under subsection (a), the interim study committee on roads and transportation shall advise the bureau of motor vehicles regarding the suitability of a special group (as defined in IC 9-13-2-170) to receive a special group recognition license plate for the special group (as defined in IC 9-13-2-170) for the first time under IC 9-18.5-12-4 and the suitability of a special group (as defined in IC 9-13-2-170) to continue participating in the special group recognition license plate program under IC 9-18.5-12-5.

(c) In addition to the issues assigned under subsection (a), the interim study committee on corrections and criminal code shall review current trends with respect to criminal behavior, sentencing, incarceration, and treatment and may:

(1) identify particular needs of the criminal justice system that can be addressed by legislation; and

(2) prepare legislation to address the particular needs found by the committee.

(d) In addition to the issues assigned under subsection (a), the interim study committee on child services shall do the following:

(1) Review and study the progress and improvements made by the department of child services since its creation.

(2) Review best practices concerning child welfare, child mental health, and delinquent children.

(3) Receive and review status reports from the department of child services ombudsman.

(4) Review and study the department of child services child abuse and neglect hotline, including the process used to refer a report to a local office.

(5) Review and study ways to improve the long term viability of providers to provide coverage to children and families across the entire state.

(6) Review federal legislation and its impact on the state and ways to improve the delivery of services as it relates to meeting federal requirements.

(7) Make legislative recommendations concerning the department of child services.

SECTION 3. **An emergency is declared for this act.**

(Reference is to SB 345 as printed January 29, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 11, nays 0.

DEVON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 350, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 15.

Page 2, delete lines 1 through 25.

Page 2, between lines 37 and 38, begin a new line block indented and insert:

"**(2) "Metropolitan planning area" means the metropolitan planning area (as defined in 23 U.S.C. 134) that is established for the MPO.**".

Page 2, line 38, delete "(2)" and insert "**(3)**".

Page 3, line 31, delete "for:" and insert "**for transportation policy, to provide a coordinative management process for counties described in section 2 of this chapter, and to assist the central Indiana regional development authority in carrying out its duties under IC 36-7.7. The MPO shall coordinate its activities with all member units in the counties and the member units of the central Indiana regional development authority and shall coordinate and assist the planning programs of member units, the central Indiana regional development authority, and the state that relate to its purposes.**".

Page 3, delete lines 32 through 41.

Page 4, line 1, after "under" insert "**section 4 of this chapter.**".

Page 4, line 1, delete "this chapter, except".

Page 4, delete lines 2 through 17.

Page 4, line 18, delete "(d)" and insert "**(b)**".

Page 4, line 19, delete "as provided in this section".

Page 4, line 23, delete "(e)" and insert "**(c)**".

Page 4, line 33, delete "an" and insert "**a**".

Page 5, line 8, delete "do any of the following in support of its" and insert "**perform any function or duty necessary to carry out the purposes authorized by 23 CFR 450.300 through 23 CFR 450.340 or in support of the purposes of the central Indiana regional development authority authorized by IC 36-7.7.**".

Page 5, delete lines 9 through 42.

Page 6, delete lines 1 through 31.

Page 6, line 32, delete "(a)".

Page 6, line 33, delete "shall" and insert "**may**".

Page 6, delete lines 35 through 42, begin a new paragraph and insert:

"**Sec. 11. (a) Before October 1, 2021, the MPO shall do the following:**

(1) Develop a comprehensive asset management plan for the metropolitan planning area in collaboration with the Indiana department of transportation that provides for the following:

(A) That road funding sources are expended in a manner that optimizes the life cycle of the entire roadway inventory, including surface course, road base, subbase, subgrade and drainage features, and bridge assets.

(B) The determination of certified average ratings for all road pavement and bridges in the consolidated city's inventory, including the following:

(i) The average rating of all arterial roads.

(ii) The average rating of all collector roads.

(iii) The average rating of all local roads.

(iv) The combined average rating of all roads.

(v) The average sufficiency rating of all bridges.

(vi) The percentage of bridges rated structurally deficient.

(vii) The percentage of bridges rated functionally obsolete.

(viii) The average age of all bridges.

(C) The achievement of the following ratings for the specified categories of assets before December 31, 2030:

(i) An average pavement condition index (PCI) of at least eighty-five (85) for all arterial roads.

(ii) An average PCI of at least eighty (80) for all collector roads.

(iii) An average PCI of at least seventy (70) for all local roads.

(iv) A bridge sufficiency rating of at least ninety (90) for all bridges.

(2) Present the comprehensive asset management plan described in subdivision (1) to:

(A) the city-county council of the consolidated city;

(B) the fiscal and legislative bodies of each entity that is a member of the MPO; and

(C) the budget committee.

(b) Before June 30, 2022, the legislative body and the executive of each eligible political subdivision within the metropolitan planning area shall adopt a plan by ordinance or resolution to achieve the comprehensive asset management plan described in subsection (a)(1) before December 31, 2030.".

Page 7, delete lines 1 through 15.

Page 8, delete lines 30 through 35.

Page 8, line 36, delete "(d)" and insert "**(c)**".

Page 8, line 42, delete "(e)" and insert "**(d)**".

Page 9, between lines 9 and 10, begin a new paragraph and insert:

"**(e) If not already members, Marion County and the city of Indianapolis are required to join the central Indiana regional development authority if sixty percent (60%) or more of the eligible units located within the Indianapolis-Carmel-Anderson Metropolitan Statistical Area as defined by the United States Census Bureau become members of the central Indiana regional development authority.**

(f) Notwithstanding any other law, any of the following governmental units may immediately withdraw from the development authority to which they belong in order to join the central Indiana regional development authority:

(1) The city of Westfield.

(2) The city of Carmel.

(3) The city of Greenwood.

(4) Marion County.".

Page 9, line 27, after "any" insert "**other capital infrastructure**".

Page 9, delete lines 37 through 38.

Page 9, line 39, delete "(4)" and insert "**(3)**".

Page 9, line 41, delete "(5)" and insert "**(4)**".

Page 10, line 5, delete "of action," and insert "**, identify ways to eliminate duplicative government services within the region,**".

Page 10, line 9, delete "13 C.F.R. 303.7," and insert "**13 CFR 303.7 and**".

Page 10, line 10, delete "participation," and insert "**participation.**".

Page 10, delete lines 11 through 42.

Page 11, delete lines 1 through 37.

Page 12, delete lines 11 through 14.

Page 13, delete lines 10 through 12.

Page 13, line 26, delete "(a) Subsection to subsection (b), a" and insert "**A**".

Page 13, delete lines 30 through 35.

Page 15, between lines 12 and 13, begin a new paragraph and insert:

"**(e) The central Indiana regional development authority shall pay the cost of the annual financial audit under this chapter. In addition, the state board of accounts may at any time conduct an audit of any phase of the operations of the development authority. The development authority shall pay the cost of any audit by the state board of accounts.**".

Page 17, line 27, after "executive" insert "**and fiscal and legislative bodies**".

Renumber all SECTIONS consecutively.

and when so amended that said bill do pass.

(Reference is to SB 350 as printed January 29, 2020.)

Committee Vote: yeas 21, nays 0.

BROWN T., Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Statutory Committee on Interstate and International Cooperation, to which was referred Senate Bill 355, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 5, line 30, delete "the" and insert "**a**".

Page 5, line 32, delete "and" and insert "**or**".

Page 5, line 32, after "." insert "**For purposes of investigatory activities, the term includes any other state agency lawfully responsible for conducting investigations.**".

Page 19, line 15, delete "to".

(Reference is to SB 355 as printed January 24, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 6, nays 1.

BACON, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 365, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, line 7, strike "in 2015 or".

Page 1, line 7, strike "thereafter" and insert "**after 2014 and**".

Page 1, after line 15, begin a new paragraph and insert:

"SECTION 2. IC 36-1-1.5-9, AS AMENDED BY P.L.129-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. The following apply if at least two-thirds (2/3) of the voters voting in a special election under this chapter vote "yes" on the public question under this chapter:

(1) The legislative body of the eligible municipality may, within ~~one (1) year~~ **two (2) years** after the special election, submit a petition to one (1) or more adjacent townships requesting an adjacent township to accept the transfer of the territory of the eligible municipality that is within the transferor township.

(2) The legislative body of an adjacent township that receives a petition under subdivision (1) may adopt a resolution accepting the transfer of the territory of the eligible municipality that is within the transferor township and specifying the date on which the transfer is effective, **if the legislative body of the adjacent township adopts a resolution accepting the transfer of the territory of the eligible municipality before the later of:**

(A) December 31 of the calendar year in which the petition under subdivision (1) is received; or

(B) the ninetieth day following the date on which the petition under subdivision (1) is received.

~~However, the legislative body of the adjacent township may adopt a resolution accepting the transfer of the territory of the eligible municipality only within the two (2) year period following the date on which the legislative body receives the petition.~~

(3) If the legislative body of the eligible municipality submits ~~a petition~~ **one (1) or more petitions** to one (1) or more adjacent townships under subdivision (1) within ~~one (1) year~~ **two (2) years** after the special election, but a resolution accepting the transfer of the territory of the eligible municipality within the transferor township is not adopted by the legislative body of an adjacent township ~~within the two (2) year period following the date on which the last legislative body of a township receives such a petition:~~

~~(A) the territory of the eligible municipality may not be transferred under this chapter; and~~

~~(B) a subsequent special election under this chapter may not be held in the eligible municipality.~~

before July 1, 2020, the territory of the eligible municipality is automatically transferred to and becomes part of the adjacent township with the greatest assessed value. A transfer under this subdivision is effective January 1, 2022, and the assessed value of property located in the territory of the eligible municipality that is located in the transferor township shall be used in preparing the 2022 budget of the receiving township.

(4) If the legislative body of the eligible municipality does not submit a petition to one (1) or more adjacent townships under subdivision (1) within ~~one (1) year~~ **two (2) years** after the special election:

(A) the territory of the eligible municipality may not be transferred under this chapter; and

(B) a subsequent special election under this chapter may not be held in the eligible municipality.

(5) If the transferor township issues or otherwise incurs indebtedness after June 30, 2020, the transferring township excluding the eligible municipality is obligated to repay the indebtedness and the eligible municipality is not obligated to repay the indebtedness.".

Delete page 2.

Page 3, delete lines 1 through 10.

Page 3, delete lines 14 through 42.

Delete pages 4 through 6.

Page 7, delete lines 1 through 39.

Renumber all SECTIONS consecutively.

(Reference is to SB 365 as printed January 29, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 14, nays 7.

BROWN T, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Government and Regulatory Reform, to which was referred Senate Bill 367, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local government.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-37-7-8, AS ADDED BY P.L.167-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. **(a)** The chief

executive officer of the corporation may enter into a memorandum of understanding with one (1) or more nonprofit organizations that are recognized supporters of a specific state historic site and are exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. The memorandum of understanding may provide that the nonprofit organization or organizations may maintain a gift shop and offer special events at the state historic site.

(b) A memorandum of understanding entered into under this section may not do any of the following to restrict the fundraising activities of an organization described in subsection (a):

(1) Require the organization to deposit into the fund the proceeds of a fundraising activity approved by the chief executive officer.

(2) Require the organization to send money donated to the organization to the corporation.

(3) Require the approval of the chief executive officer, or the chief executive officer's designee, before the organization pursues general donations from individuals and other entities.

(4) Restrict, regulate, or limit the ability of the organization to hold offsite fundraising programs or activities.

(5) Restrict, regulate, or limit the ability of the organization to promote or advertise any onsite or offsite fundraising programs or activities on social media, via electronic mail, on an Internet web site, or by any other means.

(c) A memorandum of understanding entered into under this section may not do any of the following:

(1) Require the organization to be any type of supporting organization (as the term is used in the Internal Revenue Code).

(2) Require a representative of the corporation to be a voting or nonvoting member of the organization's board of directors.

(3) Require the organization to submit to the corporation any organization documents, correspondence, electronic mail, or other data that are not required to be submitted by the Internal Revenue Service.

(4) Require the organization to submit an audit of the organization's funds.

(5) Restrict, regulate, or otherwise limit the ability of the organization to promote any onsite or offsite activities.

(6) Allow the corporation to take a nonprofit organization's real or financial assets.

(7) Require the organization to pay any rental or other fee to support an event at a state historic site that is sponsored by the organization or the corporation.

(d) The corporation shall return to the organization any funds raised by the organization and donated to the corporation that:

(1) are designated as donor restricted funds for a specific use in a historic site project; and

(2) are not used for the donor's specified use in the historic site project;

upon the completion of the historic site project.

SECTION 2. IC 14-28-1-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 23. (a) The director may remove or eliminate a structure, an obstruction, a deposit, or an excavation in a floodway that:

(1) adversely affects the efficiency of or unduly restricts the capacity of the floodway;

(2) constitutes an unreasonable hazard to the safety of life or property; or

(3) is unreasonably detrimental to fish, wildlife, or botanical resources;

by an action in condemnation.

(b) In assessing the damages in the proceedings, the appraisers and the court shall take into consideration whether the structure, obstruction, deposit, or excavation is legally in or on the floodway.

(c) Beginning January 1, 2020, the director shall not exercise the authority under subsection (a) to remove or eliminate an abode or residence from a floodway if:

(1) the abode or residence was constructed before January 1, 2020;

(2) the owner of the abode or residence has taken necessary measures to elevate the lowest floor of the abode or residence as reconstructed, including the basement, to at least two (2) feet above the one hundred (100) year flood elevation within the two (2) years of receiving notification by the department; and

(3) the owner of the abode or residence has taken necessary measures to comply with all applicable federal, state, and local floodway regulations.

SECTION 3. IC 36-7.5-2-3, AS AMENDED BY P.L.248-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The development authority is governed by the development board appointed under this section.

(b) Except as provided in subsections (e), (f), and (h), the development board is composed of the following ~~seven (7)~~ **eleven (11)** members:

(1) Two (2) members appointed by the governor. One (1) of the members appointed by the governor under this subdivision must be an individual nominated under subsection (d). The members appointed by the governor under this subdivision serve at the pleasure of the governor.

(2) The following members from a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):

(A) One (1) member appointed by the mayor of the largest city in the county in which a riverboat is located.

(B) One (1) member appointed by the mayor of the second largest city in the county in which a riverboat is located.

(C) One (1) member appointed by the mayor of the third largest city in the county in which a riverboat is located.

(D) One (1) member appointed jointly by the county executive and the county fiscal body. A member appointed under this clause may not reside in a city described in clause (A), (B), or (C).

(3) One (1) member appointed jointly by the county executive and county fiscal body of a county having a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000).

(4) The following four (4) members appointed under subsection (j):

(A) One (1) member appointed from Lake County.

(B) One (1) member appointed from Porter County.

(C) One (1) member appointed from LaPorte County.

(D) One (1) member appointed from St. Joseph County.

The members appointed under clauses (C) and (D) may only vote on matters that pertain strictly to the transit development district within LaPorte County and St. Joseph County.

(c) A member appointed to the development board must have knowledge and at least five (5) years professional work experience in at least one (1) of the following:

(1) Rail transportation or air transportation.

(2) Regional economic development.
(3) Business or finance.

(d) The mayor of the largest city in a county having a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000) shall nominate three (3) residents of the county for appointment to the development board. One (1) of the governor's initial appointments under subsection (b)(1) must be an individual nominated by the mayor. At the expiration of the member's term, the mayor of the second largest city in the county shall nominate three (3) residents of the county for appointment to the development board. One (1) of the governor's appointments under subsection (b)(1) must be an individual nominated by the mayor. Thereafter, the authority to nominate the three (3) individuals from among whom the governor shall make an appointment under subsection (b)(1) shall alternate between the mayors of the largest and the second largest city in the county at the expiration of a member's term.

(e) A county having a population of more than one hundred eleven thousand (111,000) but less than one hundred fifteen thousand (115,000) shall be an eligible county participating in the development authority if the fiscal body of the county adopts an ordinance providing that the county is joining the development authority and the fiscal body of a city that is located in the county and that has a population of more than thirty-one thousand (31,000) but less than thirty-one thousand five hundred (31,500) adopts an ordinance providing that the city is joining the development authority. Notwithstanding subsection (b), if ordinances are adopted under this subsection and the county becomes an eligible county participating in the development authority:

(1) the development board shall be composed of ~~nine (9)~~ **thirteen (13)** members rather than ~~seven (7)~~ **eleven (11)** members; and

(2) the additional two (2) members shall be appointed in the following manner:

(A) One (1) additional member shall be appointed by the governor and shall serve at the pleasure of the governor. The member appointed under this clause must be an individual nominated under subsection (f).

(B) One (1) additional member shall be appointed jointly by the county executive and county fiscal body.

(f) This subsection applies only if the county described in subsection (e) is an eligible county participating in the development authority. The mayor of the largest city in the county described in subsection (e) shall nominate three (3) residents of the county for appointment to the development board. The governor's initial appointment under subsection (e)(2)(A) must be an individual nominated by the mayor. At the expiration of the member's term, the mayor of the second largest city in the county described in subsection (e) shall nominate three (3) residents of the county for appointment to the development board. The governor's second appointment under subsection (e)(2)(A) must be an individual nominated by the mayor. Thereafter, the authority to nominate the three (3) individuals from among whom the governor shall make an appointment under subsection (e)(2)(A) shall alternate between the mayors of the largest and the second largest city in the county at the expiration of a member's term.

(g) An individual or entity required to make an appointment under subsection (b) or nominations under subsection (d) must make the initial appointment before September 1, 2005, or the initial nomination before August 15, 2005. If an individual or entity does not make an initial appointment under subsection (b) before September 1, 2005, or the initial nominations required under subsection (d) before September 1, 2005, the governor shall instead make the initial appointment.

(h) Subsection (i) applies only to municipalities located in a county that:

(1) has a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000); and

(2) was a member of the development authority on January 1, 2009, and subsequently ceases to be a member of the development authority.

(i) If the fiscal bodies of at least two (2) municipalities subject to this subsection adopt ordinances to become members of the development authority, those municipalities shall become members of the development authority. If two (2) or more municipalities become members of the development authority under this subsection, the fiscal bodies of the municipalities that become members of the development authority shall jointly appoint one (1) member of the development board who shall serve in place of the member described in subsection (b)(3). A municipality that becomes a member of the development authority under this subsection is considered an eligible municipality for purposes of this article.

(j) The governor shall appoint four (4) members to the development board as follows:

(1) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the county executive of Lake County. The nominations shall be transmitted to the governor not later than July 1, 2020. If the entity does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the initial appointment, the governor shall appoint a resident of Lake County.

(2) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the county executive of Porter County. The nominations shall be transmitted to the governor not later than July 1, 2020. If the entity does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the initial appointment, the governor shall appoint a resident of Porter County.

(3) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the county executive of LaPorte County. The nominations shall be transmitted to the governor not later than July 1, 2020. If the entity does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the initial appointment, the governor shall appoint a resident of LaPorte County.

(4) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the county executive of St. Joseph County. The nominations shall be transmitted to the governor not later than July 1, 2020. If the entity does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the initial appointment, the governor shall appoint a resident of St. Joseph County.".

Page 2, after line 35, begin a new paragraph and insert:
"SECTION 6. **An emergency is declared for this act.**".
Renumber all SECTIONS consecutively.
(Reference is to SB 367 as printed January 24, 2020.)
and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 2.

PRESSEL, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Ways and Means, to which was referred Senate Bill 408, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as

follows:

Page 1, delete lines 1 through 15.

Delete page 2.

Page 3, delete lines 1 through 14.

Page 3, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 3. IC 6-1.1-20.3-17, AS ADDED BY P.L.257-2019, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. **(a)** If the distressed unit appeal board delays or suspends, for a period determined by the board, any payments on loans or advances from the common school fund under section 6.8 of this chapter, the distressed unit appeal board may recommend to the state board of finance that the term of the loans or advances be extended. If the distressed unit appeal board makes a recommendation to extend the term of the loan or advances, the state board of finance may extend the term of the loans or advances for a period of time that is equal to or less than the number of months for which the payments are delayed or suspended.

(b) If payments on loans or advances from the common school fund are suspended under section 6.8 of this chapter, the distressed unit appeal board shall require that the school corporation:

(1) establish a school improvement fund; and

(2) transfer to the school improvement fund an amount equal to the payments that are delayed or suspended.

(c) A school improvement fund established under subsection (b)(1) may be used only for the following purposes:

(1) Repair, renovation, or other improvements to school buildings and property being used for education purposes as of July 1, 2020.

(2) Demolition of school buildings or other structures on school property in existence as of July 1, 2020.

(d) No more than twenty percent (20%) of the funds transferred to the school improvement fund under subsection (b)(2) may be used for the purpose of demolition under subsection (c)(2).

(e) All expenditures from a school improvement fund established under subsection (b)(1) must be approved by the distressed unit appeal board.

(f) A school corporation may, on an annual basis, levy a tax in the debt service fund equal to the amount that would have been deducted from the distribution of state tuition support for the payment of loans made under section 6.8 of this chapter during calendar year 2020 if the loans had not been suspended. The amount received from a tax under this subsection must be transferred from the debt service fund to the education fund.

(g) With the approval of the distressed unit appeal board, a school corporation may spend other funds of the school corporation for the purposes described in subsection (c) and reimburse the expenditures from a school improvement fund established under subsection (b)(1).

(h) This section expires January 1, 2025.".

Page 16, line 28, strike "March 15" and insert "**January 15**".

Page 16, line 31, strike "and".

Page 16, line 33, delete "." and insert "**described in subdivision (1);**

(3) the name of each retail merchant that:

(A) held a registered retail merchant's certificate at any time during the preceding year for a place of business located in the township or county; and

(B) had ceased to hold the registered retail merchant's certificate at the end of the preceding year for the place of business; and

(4) the address of each place of business described in subdivision (3).".

Page 21, line 16, delete "dollar" and insert "**income**".

Page 21, line 16, delete "shall be reduced by fifty" and insert "**is equal to twenty thousand dollars ($20,000).**".

Page 21, delete line 17.

Page 24, delete lines 26 through 28.

Page 24, line 29, reset in roman "(26)".

Page 24, line 29, delete "(27)".

Page 26, run in lines 9 through 10.

Page 27, delete line 42.

Page 28, delete lines 1 through 2.

Page 28, line 3, reset in roman "(17)".

Page 28, line 3, delete "(18)".

Page 37, delete lines 7 through 9.

Page 37, line 10, reset in roman "(13)".

Page 37, line 10, delete "(14)".

Page 37, line 14, reset in roman "(a)(26),".

Page 37, line 14, delete "(a)(27),".

Page 37, line 14, reset in roman "(b)(17),".

Page 37, line 14, delete "(b)(18),".

Page 37, line 15, reset in roman "(f)(13)".

Page 37, line 15, delete "(f)(14)".

Page 37, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 23. IC 6-3-1-11, AS AMENDED BY P.L.234-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 11. (a) The term "Internal Revenue Code" means the Internal Revenue Code of 1986 of the United States as amended and in effect on January 1, ~~2019.~~ **2020.**

(b) Whenever the Internal Revenue Code is mentioned in this article, the particular provisions that are referred to, together with all the other provisions of the Internal Revenue Code in effect on January 1, ~~2019,~~ **2020,** that pertain to the provisions specifically mentioned, shall be regarded as incorporated in this article by reference and have the same force and effect as though fully set forth in this article. To the extent the provisions apply to this article, regulations adopted under Section 7805(a) of the Internal Revenue Code and in effect on January 1, ~~2019,~~ **2020,** shall be regarded as rules adopted by the department under this article, unless the department adopts specific rules that supersede the regulation.

(c) An amendment to the Internal Revenue Code made by an act passed by Congress before January 1, ~~2019,~~ **2020,** other than the federal 21st Century Cures Act (P.L. 114-255) and the federal Disaster Tax Relief and Airport and Airway Extension Act of 2017 (P.L. 115-63), that is effective for any taxable year that began before January 1, ~~2019,~~ **2020,** and that affects:

(1) individual adjusted gross income (as defined in Section 62 of the Internal Revenue Code);

(2) corporate taxable income (as defined in Section 63 of the Internal Revenue Code);

(3) trust and estate taxable income (as defined in Section 641(b) of the Internal Revenue Code);

(4) life insurance company taxable income (as defined in Section 801(b) of the Internal Revenue Code);

(5) mutual insurance company taxable income (as defined in Section 821(b) of the Internal Revenue Code); or

(6) taxable income (as defined in Section 832 of the Internal Revenue Code);

is also effective for that same taxable year for purposes of determining adjusted gross income under section 3.5 of this chapter.

(d) This subsection applies to a taxable year ending before January 1, 2013. The following provisions of the Internal Revenue Code that were amended by the Tax Relief Act, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312) are treated as though they were not amended by the Tax Relief Act, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312):

(1) Section 1367(a)(2) of the Internal Revenue Code pertaining to an adjustment of basis of the stock of

shareholders.

(2) Section 871(k)(1)(C) and 871(k)(2)(C) of the Internal Revenue Code pertaining the treatment of certain dividends of regulated investment companies.

(3) Section 897(h)(4)(A)(ii) of the Internal Revenue Code pertaining to regulated investment companies qualified entity treatment.

(4) Section 512(b)(13)(E)(iv) of the Internal Revenue Code pertaining to the modification of tax treatment of certain payments to controlling exempt organizations.

(5) Section 613A(c)(6)(H)(ii) of the Internal Revenue Code pertaining to the limitations on percentage depletion in the case of oil and gas wells.

(6) Section 451(i)(3) of the Internal Revenue Code pertaining to special rule for sales or dispositions to implement Federal Energy Regulatory Commission or state electric restructuring policy for qualified electric utilities.

(7) Section 954(c)(6) of the Internal Revenue Code pertaining to the look-through treatment of payments between related controlled foreign corporation under foreign personal holding company rules.

The department shall develop forms and adopt any necessary rules under IC 4-22-2 to implement this subsection.".

Page 37, delete lines 37 through 42.

Delete pages 38 through 42.

Page 43, delete lines 1 through 41.

Page 45, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 1. IC 6-3-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. **(a) Subject to subsection (b),** the amount deducted and withheld as tax under ~~IC 6-3-4-8, IC 6-3-4-12, and IC 6-3-4-13~~ **IC 6-3-4 or IC 6-5.5-2-8** during any taxable year shall be allowed as a credit to the taxpayer against the tax imposed on ~~him~~ **the taxpayer** by IC 6-3-2.

(b) For each taxable year, the credit provided to a taxpayer by subsection (a) is reduced to the extent that the amount deducted and withheld as tax under IC 6-3-4 or IC 6-5.5-2-8 during the taxable year is applied as a credit against the tax imposed by IC 6-5.5.".

Page 49, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 1. IC 6-3-4-13.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2020 (RETROACTIVE)]: **Sec. 13.5. (a) The following definitions apply throughout this section:**

(1) "Initial recipient" means a person or entity to whom prize money is paid by a payor.

(2) "Payor" means a promoter, sanctioning body, or designee of the promoter or sanctioning body that first pays prize money to a race team or any other person or entity. The term does not include a subsequent person or entity who pays or distributes any part of the prize money.

(3) "Prize money" with respect to a racing event at a qualified motorsports facility means any purse or other amounts earned for placement or participation in a race or part of a race, including qualification. The term does not include amounts earned based on placement or participation in more than one (1) race unless the races are conducted at a qualified motorsports facility.

(4) "Qualified motorsports facility" has the meaning set forth in IC 5-1-17.5-14.

(5) "Race team" has the meaning set forth in IC 6-3-2-3.2(a).

(6) "Ultimate recipient" means the person or entity to whom any tax withheld under this section is to be credited for purposes of this article or IC 6-5.5. The term may apply to an initial recipient.

(b) Whenever a payor pays prize money to an initial recipient, the payor shall deduct and retain from the prize money the applicable amount prescribed in the withholding instructions described in section 8 of this chapter. The following provisions apply to a payor and the money required to be deducted and retained by the payor under this section:

(1) Money deducted and retained by a payor under this section immediately becomes the money of the state and every payor who deducts and retains money under this section holds the money in trust for the state.

(2) The provisions of IC 6-8.1 relating to additions to tax in case of delinquency and penalties apply to a payor under this section. For these purposes, the payor shall be considered the taxpayer and any amount required to be remitted to the department under this section shall be considered to be the tax of the payor.

(3) The payor is liable to the state for the payment of the tax required to be deducted and retained under this section. The payor is not liable to any initial recipient or ultimate recipient for the amount deducted from the payment of prize money and paid to the department in compliance, or intended compliance, with this section.

(c) A payor shall remit to the department the amount required to be deducted and retained under subsection (b) not later than thirty (30) days after the end of the month in which the prize money is paid. At the time of the remittance, the payor shall provide to the department a list of all initial recipients and the amount withheld on behalf of each initial recipient on forms prescribed by the department.

(d) Not later than thirty (30) days after the end of the calendar year for which tax is withheld under this section, an initial recipient shall provide a statement to each ultimate recipient and to the department listing the amounts withheld under subsection (b) on behalf of the ultimate recipients. The statement must be made in the manner prescribed by the department. A statement from the initial recipient to the ultimate recipient is evidence of tax withheld by the payor in favor of the ultimate recipient unless the statement from the initial recipient is determined to be erroneous or fraudulent.

(e) This section does not impose a duty to withhold amounts from prize money on an entity other than a payor. However, an initial recipient or ultimate recipient may otherwise have a duty to withhold amounts from prize money under sections 8, 12, 13, or 15 of this chapter.".

Page 49, line 23, strike "reports" and insert "**schedules K-1 of form IT-41**".

Page 49, line 23, strike "under".

Page 49, line 24, strike "section 15(b) of this chapter".

Page 49, delete lines 33 through 42.

Delete page 50.

Page 51, delete lines 1 through 8.

Page 53, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 34. IC 6-3.1-34-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3.5. As used in this chapter, "mine reclamation site" means:**

(1) land that has been mined using surface mining methods or underground mining methods, specifically and primarily for the removal of coal; and

(2) land that is contiguous to land described in subdivision (1).

SECTION 35. IC 6-3.1-34-6, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. As used in this chapter, "qualified redevelopment site" means:

(1) land on which a vacant building or complex of buildings was placed in service at least fifteen (15) years before the date on which the application is filed with the corporation under this chapter;

(2) land on which a vacant building or complex of buildings:

(A) was placed in service at least fifteen (15) years before the date on which the demolition of the vacant building or complex of buildings was completed; and

(B) that was demolished in an effort to protect the health, safety, and welfare of the community;

(3) land on which a vacant building or complex of buildings:

(A) was placed in service at least fifteen (15) years before the date on which the demolition of the vacant building or complex of buildings was completed;

(B) was placed in service as a public building;

(C) was owned by a unit of local government; and

(D) has not been redeveloped since the building was taken out of service as a public building;

(4) vacant land; ~~or~~

(5) mine reclamation site; or

~~(5)~~ **(6)** brownfields consisting of more than fifty (50) acres.

For a complex of buildings to be considered a qualified redevelopment site under subdivision (1), (2) or (3), the buildings must have been located on a single parcel or contiguous parcels of land that were under common ownership at the time the site was placed in service.

SECTION 36. IC 6-3.1-34-10, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. As used in this chapter, "taxpayer" means any person, corporation, limited liability company, partnership, or other entity that has any state tax liability. The term includes the owner or the developer of the qualified development site property, a pass through entity, and ~~a person~~ **an assignee** that is assigned part or all of a credit under section 14 of this chapter.

SECTION 37. IC 6-3.1-34-14, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14.(a) If a taxpayer is awarded a credit under this chapter before July 1, 2029, the taxpayer may assign any part of the credit that the taxpayer may claim under this chapter. A credit that is assigned under this subsection remains subject to this chapter.

(b) If a taxpayer assigns a part of a credit during a taxable year, the assignee may not subsequently assign all or part of the credit to another ~~person.~~ **taxpayer.** A taxpayer may make only one (1) assignment of a credit. Before a credit may be assigned, the taxpayer must notify the corporation of the assignment of the credit in the manner prescribed by the corporation. An assignment of a credit must be in writing, and both the taxpayer and assignee shall report the assignment on the taxpayer's and assignee's state tax returns for the year in which the assignment is made, in the manner prescribed by the department. A taxpayer may not receive value in connection with an assignment under this section that exceeds the value of that part of the credit assigned.

(c) The corporation shall collect and compile data on the assignments of tax credits under this chapter and determine the effectiveness of each assignment in getting projects completed. The corporation shall report its findings under this subsection to the legislative council in an electronic format under IC 5-14-6 before November 1, 2022.".

Page 53, line 40, delete "IS REPEALED" and insert ", AS AMENDED BY P.L.234-2019, SECTION 18, IS AMENDED TO READ AS FOLLOWS".

Page 53, line 41, after "2020]" delete "." and insert ":".

Page 56, delete lines 23 through 42.

Page 57, delete lines 1 through 16.

Page 57, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 40. IC 6-8.1-3-7.1, AS AMENDED BY P.L.108-2019, SECTION 133, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7.1. (a) **As used in this section,** "fiscal officer" ~~has the meaning set forth~~ **means:**

(1) a fiscal officer (as defined in IC 36-1-2-7); **and**

(2) in the case of a county, the county treasurer.

(b) The department shall enter into an agreement with the fiscal officer of an entity that has adopted an innkeeper's tax, a food and beverage tax, or an admissions tax under IC 6-9 to furnish the fiscal officer annually with:

(1) the name of each business collecting the taxes listed in this subsection; and

(2) the amount of money collected from each business.

For an innkeeper's tax or food and beverage tax remitted through a marketplace facilitator, the information must include the name of each business and the amount of money collected from each business by a marketplace facilitator acting on behalf of the business.

(c) The agreement must provide that the department must provide the information in an electronic format that the fiscal officer can use. ~~as well as a paper copy.~~

(d) The agreement must include a provision that, unless in accordance with a judicial order, the fiscal officer, employees of the fiscal officer, former employees of the fiscal officer, counsel of the fiscal officer, agents of the fiscal officer, or any other person may not divulge the names of the businesses, the amount of taxes paid by the businesses, or any other information disclosed to the fiscal officer by the department.

(e) The department shall also enter into an agreement with the fiscal officer of a capital improvement board of managers:

(1) created under IC 36-10-8 or IC 36-10-9; and

(2) that is responsible for expenditure of funds from:

(A) an innkeeper's tax, a food and beverage tax, or an admissions tax under IC 6-9;

(B) the supplemental auto rental excise tax under IC 6-6-9.7; or

(C) the state gross retail taxes allocated to a professional sports development area fund, a sports and convention facilities operating fund, or other fund under IC 36-7-31 or IC 36-7-31.3;

to furnish the fiscal officer annually with the name of each business collecting the taxes listed in this subsection, and the amount of money collected from each business. An agreement with a fiscal officer under this subsection must include a nondisclosure provision the same as is required for a fiscal officer under subsection (d).

SECTION 41. IC 6-8.1-3-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. **(a)** The department may prescribe qualifications a person must have to represent a taxpayer before the department. However, a person may not represent a taxpayer before the department, unless:

(1) the taxpayer is present at all times when the representation occurs; or

(2) the person representing the taxpayer has a properly executed power of attorney authorizing ~~him~~ **the person** to represent the taxpayer.

(b) Notwithstanding any other law, the department may require a power of attorney relating to a listed tax to be completed on a form prescribed by the department.

(c) The department may accept a power of attorney that names an entity as a representative of a taxpayer, subject to rules adopted under IC 4-22-2, including emergency rules adopted in the manner provided in IC 4-22-2-37.1. Notwithstanding this article or IC 30-5, the department may adopt rules under IC 4-22-2, including emergency rules adopted in manner provided in IC 4-22-2-37.1, allowing a change of individuals acting on behalf of the entity without requiring a new or amended power of attorney to be

completed by the taxpayer.".

Page 59, line 24, delete "The appropriate county officer, as designated" and insert "**The appropriate county officer, as designated by the county executive, in each county shall, before September 1, 2021, and before September 1 of every year thereafter, submit parcel level data, in a standard developed by the state GIS officer pursuant to IC 4-23-7.3-14, to the state GIS officer. This data may be used by the department's tax systems to identify each taxing unit within which each taxpayer's residence is located.**".

Page 59, delete lines 25 through 29.

Page 59, line 31, delete "codes" and insert "**data**".

Page 59, line 32, delete "under IC 4-23-7.3-14(16)".

Page 59, line 34, delete "department and state GIS officer" and insert "**department, consulting with the state GIS officer,**".

Page 61, delete lines 20 through 21, begin a new paragraph and insert:

"**(f) Except as provided in subsection (e), for purposes of:**

(1) IC 6-8.1-5-1;

(2) IC 6-8.1-9-1; or

(3) an appeal related to subdivision (1) or (2);

an adjustment described in subsection (a) or the result of the department's secondary review under subsection (d) does not constitute a final determination and may not be construed to treat any adjustment as finally determined.".

Page 68, between lines 29 and 30, begin a new paragraph and insert:

"**(u) Information related to a listed tax regarding a taxpayer may be disclosed to an individual without a power of attorney under IC 6-8.1-3-8(a)(2) if:**

(1) the individual is authorized to file returns and remit payments for one (1) or more listed taxes on behalf of the taxpayer through the department's online tax system before September 8, 2020;

(2) the information relates to a listed tax described in subdivision (1) for which the individual is authorized to file returns and remit payments;

(3) the taxpayer has been notified by the department of the individual's ability to access the taxpayer's information for the listed taxes described in subdivision (1) and the taxpayer has not objected to the individual's access;

(4) the individual's authorization or right to access the taxpayer's information for a listed tax described in subdivision (1) has not been withdrawn by the taxpayer; and

(5) disclosure of the information to the individual is not prohibited by federal law.

Except as otherwise provided by this article, this subsection does not authorize the disclosure of any correspondence from the department that is mailed or otherwise delivered to the taxpayer relating to the specified listed taxes for which the individual was given authorization by the taxpayer. The department shall establish a date, which may be earlier but not later than September 1, 2023, after which a taxpayer's information concerning returns and remittances for a listed tax may not be disclosed to an individual without a power of attorney under IC 6-8.1-3-8(a)(2) by providing notice to the affected taxpayers and previously authorized individuals, including notification published on the department's Internet web site. After the earlier of the date established by the department or September 1, 2023, the department may not disclose a taxpayer's information concerning returns and remittances for a listed tax to an individual unless the individual has a power of attorney under IC 6-8.1-3-8(a)(2) or the disclosure is otherwise allowed under this article.".

Page 75, line 27, delete "For purposes of" and insert "**As used in**".

Page 75, line 27, delete "shall" and insert "**means:**".

Page 75, delete line 28.

Page 76, line 4, delete "makes" and insert "**made**".

Page 76, line 9, delete "shall be" and insert "**is equal to**".

Page 76, between lines 20 and 21, begin a new line block indented and insert:

"**(3) If a penalty under this subsection is reduced to the amount specified in subsection (b)(2), the department may issue a new assessment for the penalty within thirty (30) days after the final determination of the penalty reduction.**".

Page 76, line 26, delete "shall be" and insert "**is**".

Page 76, line 28, delete "(b)(2) or (c)." and insert "**(b)(2).**".

Page 77, line 23, delete "its" and insert "**the**".

Page 77, line 25, after "reduction" insert "**of a penalty under subsection (c) to the amount specified in subsection (b)(2), the determination is not subject to administrative or judicial review.**".

Page 77, delete lines 26 through 27.

Page 79, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 53. IC 36-7-14-0.5, AS AMENDED BY P.L.235-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.5. (a) The definitions in this section apply throughout this chapter.

(b) "Obligation" means any bond, note, warrant, lease, or other instrument under which money is borrowed.

(c) "Public funds" means all fees, payments, tax receipts, and funds of whatever kind or character coming into the possession of a:

(1) redevelopment commission; or

(2) department of redevelopment.

(d) "Residential housing" means housing or workforce housing that consists of single family dwelling units sufficient to secure quality housing in reasonable proximity to employment. **The term includes condominiums and townhouses located within an economic development target area that is designated under IC 6-1.1-12.1-7.**

(e) "Residential housing development program" means a residential housing development program for the:

(1) construction of new residential housing; or

(2) renovation of existing residential housing;

established by a commission under section 53 of this chapter.

(f) "Workforce housing" means housing that is affordable for households with earned income that is sufficient to secure quality housing in reasonable proximity to employment.

SECTION 54. IC 36-7-14-53, AS ADDED BY P.L.235-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 53. (a) Subject to subsection (g), a commission may establish a residential housing development program by resolution for the construction of new residential housing or the renovation of existing residential housing if:

(1) for a commission established by a county, the average of new, single family residential houses constructed in the unincorporated area of the county during the preceding three (3) calendar years is less than one percent (1%) of the total number of single family residential houses within the unincorporated area of the county on January 1 of the year in which the resolution is adopted; or

(2) for a commission established by a municipality, the average of new, single family residential houses constructed within the municipal boundaries during the preceding three (3) calendar years is less than one percent (1%) of the total number of single family residential houses within the boundaries of the municipality on January 1 of the year in which the resolution is adopted.

However, the calculations described in subdivisions (1) and (2) and the provisions of subsection (f) do not apply for purposes of establishing a residential housing development program within an economic development target area

designated under IC 6-1.1-12.1-7.

(b) The program, which may include any relevant elements the commission considers appropriate, may be adopted as part of a redevelopment plan or amendment to a redevelopment plan, and must establish an allocation area for purposes of sections 39 and 56 of this chapter for the accomplishment of the program. The program must be approved by the municipal legislative body or county executive as specified in section 17 of this chapter.

(c) The notice and hearing provisions of sections 17 and 17.5 of this chapter, including notice under section 17(c) of this chapter to a taxing unit that is wholly or partly located within an allocation area, apply to the resolution adopted under subsection (b). Judicial review of the resolution may be made under section 18 of this chapter.

(d) Before formal submission of any residential housing development program to the commission, the department of redevelopment shall:

(1) consult with persons interested in or affected by the proposed program;

(2) provide the affected neighborhood associations, residents, and township assessors with an adequate opportunity to participate in an advisory role in planning, implementing, and evaluating the proposed program; and

(3) hold public meetings in the affected neighborhood to obtain the views of neighborhood associations and residents.

(e) A residential housing development program established under this section must terminate not later than twenty (20) years after the date the program is established under subsection (b).

(f) The department of local government finance, in cooperation with either the appropriate county agency or the appropriate municipal agency, or both, shall determine whether a county or municipality meets the requirements under subsection (a). A county or municipality may request from the department of local government finance a report, if it exists, describing the effect of current assessed value allocated to tax increment financing allocation areas on the amount of the tax levy or proceeds and the credit for excessive property taxes under IC 6-1.1-20.6 for the taxing units within the boundaries of the residential housing development program.

(g) A program established under subsection (a) may not take effect until the governing body of each school corporation affected by the program passes a resolution approving the program.

SECTION 55. IC 36-7-32-8, AS AMENDED BY P.L.158-2019, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. As used in this chapter, "income tax base period amount" means ~~the following:~~

~~(1) Except as provided in subdivision (2),~~ the aggregate amount of the following taxes paid by employees employed in the territory comprising a certified technology park with respect to wages and salary earned for work in the certified technology park for the state fiscal year that precedes the date on which the certified technology park was designated under section 11 of this chapter:

~~(A)~~ **(1)** The adjusted gross income tax.

~~(B)~~ **(2)** The local income tax (IC 6-3.6).

~~(2) In the case of a certified technology park for which the amount limit under section 22(c) or 22(d) of this chapter has been exceeded, the aggregate amount of adjusted gross income taxes and local income taxes (IC 6-3.6) paid by employees employed in the territory comprising a certified technology park with respect to wages and salary earned for work in the certified technology park for:~~

~~(A) the state fiscal year in which the total deposits in the incremental tax financing fund for the certified technology park first exceeded the amount limit under section 22(c) or 22(d) of this chapter; or~~

~~(B) the state fiscal year beginning July 1, 2019, and ending June 30, 2020, in the case of a certified technology park for which the amount limit under section 22(c) or 22(d) of this chapter was exceeded before July 1, 2020.~~

SECTION 56. IC 36-7-32-8.5, AS AMENDED BY P.L.158-2019, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8.5. As used in this chapter, "income tax incremental amount" means the following:

(1) Except as provided in subdivision (2), the remainder of:

(A) the total amount of state adjusted gross income taxes and local income taxes paid by employees employed in the territory comprising the certified technology park with respect to wages and salary earned for work in the territory comprising the certified technology park for a particular state fiscal year; minus

(B) the sum of the:

(i) income tax base period amount as defined in section ~~8(1)~~ **8** of this chapter; and

(ii) tax credits awarded by the Indiana economic development corporation under IC 6-3.1-13 to businesses operating in a certified technology park as the result of wages earned for work in the certified technology park for the state fiscal year;

as determined by the department of state revenue.

(2) In the case of a certified technology park for which the amount limit under section 22(c) or 22(d) of this chapter has been exceeded, the remainder of:

(A) the total amount of state adjusted gross income taxes and local income taxes paid by employees employed in the territory comprising the certified technology park with respect to wages and salary earned for work in the territory comprising the certified technology park for a particular state fiscal year; minus

(B) the sum of the:

(i) income tax base period amount as defined in section ~~8(2)~~ **8** of this chapter; and

(ii) tax credits awarded by the Indiana economic development corporation under IC 6-3.1-13 to businesses operating in a certified technology park as the result of wages earned for work in the certified technology park for the state fiscal year;

as determined by the department of state revenue.".

Page 79, delete lines 33 through 38.

Renumber all SECTIONS consecutively.

(Reference is to SB 408 as reprinted February 4, 2020.)

Committee Vote: yeas 17, nays 0.

BROWN T., Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Natural Resources, to which was referred Senate Bill 433, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 14-26-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 2.1. Ownership of Lake Michigan in Public Trust

Sec. 1. As used in this chapter, "Lake Michigan" means:

(1) the waters of Lake Michigan;

(2) the land under the waters of Lake Michigan; and

(3) the land adjoining the waters of Lake Michigan up to the ordinary high water mark;

within the boundaries of Indiana.

Sec. 2. As used in this chapter, "ordinary high water mark" means the line on the bank or shore of Lake Michigan that is:

(1) established by the fluctuations of water; and

(2) indicated by physical characteristics, including:

(A) a clear and natural line impressed on the shore;

(B) shelving;

(C) changes in character of soils;

(D) the destruction of terrestrial vegetation; and

(E) the presence of litter or debris.

Sec. 3. (a) Absent any authorized legislative conveyance before February 14, 2018, the state of Indiana owns all of Lake Michigan within the boundaries of Indiana in trust for the use and enjoyment of all citizens of Indiana.

(b) An owner of land that borders Lake Michigan does not have the exclusive right to use the water or land below the ordinary high water mark of Lake Michigan.

Sec. 4. (a) As used in this section, "natural scenic beauty" refers to conditions produced by nature without manmade additions or alterations.

(b) As used in this section, "recreational purpose" means any of the following:

(1) Walking.

(2) Fishing.

(3) Boating.

(4) Swimming.

(5) Any other recreational purpose for which Lake Michigan is ordinarily used, as recognized by the commission for the purposes of this section.

(c) The citizens of Indiana have a vested right to:

(1) enjoy the natural scenic beauty of Lake Michigan;

(2) enjoy and use the natural resources of Lake Michigan; and

(3) use Lake Michigan for recreational purposes.

(d) The citizens of Indiana have a vested right in the preservation and protection of Lake Michigan.

Sec. 5. The commission may adopt rules under IC 4-22-2 to administer this chapter.".

Page 2, line 1, delete "the area in which the abode or residence is located was not" and insert "**the abode or residence was constructed before January 1, 2020;**".

Page 2, delete lines 2 through 25, begin a new line block indented and insert:

"**(2) the owner of the abode or residence has taken necessary measures to elevate the lowest floor of the abode or residence as reconstructed, including the basement, to at least two (2) feet above the one hundred (100) year flood elevation within two (2) years of receiving notification by the department; and**

(3) the owner of the abode or residence has taken necessary measures to comply with all applicable local, state, and federal floodway regulations.

SECTION 3. IC 14-29-1-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9. The department may adopt rules under IC 4-22-2 to identify the location of the ordinary high water mark on the land adjoining the waters of Lake Michigan for purposes of administering this chapter.**

SECTION 4. IC 36-1-29 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 29. Seawall and Revetment Permits

Sec. 1. This chapter applies only in a county that is located along the shore of Lake Michigan.

Sec. 2. This chapter does not:

(1) affect the determination of the location of the ordinary high water mark; or

(2) interfere with or supersede state law, state administrative rules, or local ordinances concerning the issuance of permits for seawalls or revetments.

Sec. 3. As used in this chapter, "emergency" means a situation that:

(1) requires immediate action;

(2) could not have reasonably been foreseen;

(3) is weather induced; and

(4) either:

(A) creates the potential for imminent structural damage to private property in an area adjacent to Lake Michigan; or

(B) threatens or creates an imminent risk to the public health, welfare, or safety in areas adjacent to Lake Michigan.

Sec. 4. As used in this chapter, "local governmental agency" has the meaning set forth in IC 36-7-4-1109(a).

Sec. 5. As used in this chapter, "ordinary high water mark" has the meaning set forth in IC 14-26-2.1-2.

Sec. 6. As used in this chapter, "owner" means a person that has a fee interest in a private property adjacent to and landward of Lake Michigan.

Sec. 7. As used in this chapter, "permit" has the meaning set forth in IC 36-7-4-1109(b).

Sec. 8. As used in this chapter, "private property" means real property that is not owned or leased by the state or a political subdivision.

Sec. 9. As used in this chapter, "real property" includes any improvements to real property.

Sec. 10. An owner of private property who is subject to the jurisdiction of a local governmental agency in a county subject to this chapter may:

(1) subject to applicable state laws and administrative rules, local ordinances, and section 11 of this chapter, in the case of an emergency, repair an existing seawall or revetment on the owner's private property; or

(2) subject to applicable state laws and administrative rules, local ordinances, and section 12 of this chapter, in the case of an emergency, construct a new seawall or revetment on the owner's private property;

whichever applies.

Sec. 11. In accordance with applicable state laws, state administrative rules, and local ordinances, the repair of an existing seawall or revetment may not cause the seawall or revetment to be closer to the waters of Lake Michigan than it is before the owner undertakes the repair of the seawall or revetment.

Sec. 12. In accordance with applicable state laws, state administrative rules, and local ordinances, the owner of private property may construct a new seawall or revetment on the private property in a location in which the new seawall or revetment can reasonably be expected to provide protection to the property.

Sec. 13. A seawall may be contiguous to another seawall if making one (1) or more seawalls contiguous does not interfere, obstruct, or otherwise inhibit the public's ability to use a public access point or easement that provides access to the shore of Lake Michigan and all parts of the seawall are on private property.

Sec. 14. Not later than ten (10) business days after a person submits a completed application for an emergency seawall or revetment permit and meets all required conditions, a local governmental agency shall:

(1) approve; or

(2) deny;

the person's application for the emergency permit. If a local governmental agency does not approve or deny the emergency seawall or revetment permit within ten (10) business days, the emergency permit is automatically approved and considered issued to the person.

Sec. 15. If a local governmental agency denies the emergency seawall or revetment permit, the local governmental agency shall provide the reasons for the

denial in a single response to the person. A person may submit not more than one (1) completed reapplication for an emergency seawall or revetment permit that lists reasons why the local governmental agency should approve the person's emergency permit. Not later than ten (10) business days after the person submits the completed reapplication, a local governmental agency shall:

(1) approve; or

(2) deny;

the person's reapplication for the emergency permit. If a local governmental agency does not approve or deny the person's reapplication for the emergency seawall or revetment permit within ten (10) business days, the emergency permit is automatically approved and considered issued to the person.

Sec. 16. This section applies to an application for a seawall or revetment permit that is not an emergency permit. Not later than thirty (30) business days after a person submits a completed application and meets all required conditions for a seawall or revetment permit, a local governmental agency shall:

(1) approve; or

(2) deny;

the person's application for the permit.".

Renumber all SECTIONS consecutively.

(Reference is to SB 433 as reprinted January 31, 2020.)

Committee Vote: yeas 13, nays 0.

EBERHART, Chair

Report adopted.

COMMITTEE REPORT

Mr. Speaker: Your Committee on Education, to which was referred Senate Bill 455, has had the same under consideration and begs leave to report the same back to the House with the recommendation that said bill be amended as follows:

Page 17, delete lines 5 through 6.

Page 17, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 24. IC 20-26-5-40.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 40.5. (a) If a school corporation has noncontiguous attendance area that is surrounded by one (1) or more adjacent school corporations, the school corporation with the noncontiguous attendance area and school corporation or school corporations that surround the noncontiguous attendance area shall have a joint public meeting every three (3) years to determine whether it is in the best interest of the public for the school corporation to have noncontiguous attendance area. The governing bodies should consider the history of why the attendance area is noncontiguous to the rest of the attendance area of the school corporation as well as whether the community would benefit by annexing the attendance area into another school corporation.**

(b) The joint meeting shall be chaired by the president of the governing body of the school corporation that surrounds the noncontiguous attendance area. If more than one (1) school corporation surrounds the noncontiguous attendance area, the meeting shall be co-chaired by the president of each school corporation that surrounds the noncontiguous attendance area.".

Page 33, delete lines 29 through 42.

Page 34, delete lines 1 through 3.

Page 39, between lines 38 and 39, begin a new paragraph and insert:

"**(e) A school accredited under IC 20-26-15 shall be accredited under this chapter by the earlier of the following:**

(1) The date the school's contract under IC 20-26-15 expires.

(2) July 1, 2025.".

Page 40, delete lines 6 through 42.

Page 41, delete lines 1 through 17.

Page 41, line 18, delete "5." and insert "**4.**".

Page 49, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 76. IC 20-34-3-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14.5. (a) The governing body of a school corporation may enter into one (1) or more agreements with one (1) or more licensed dentists or dental groups to provide a free, annual dental screening for students enrolled in the school corporation.**

(b) An agreement entered into by a school corporation under subsection (a):

(1) must provide for a free, annual dental screening to be offered to each student enrolled in the school corporation in grade 1; and

(2) may, at the election of the governing body of the school corporation, provide for a free, annual dental screening to be offered to each student enrolled in the school corporation in kindergarten through grade 12.

(c) A licensed dentist or dental group with which a school corporation enters into an agreement under subsection (a) shall provide services under the agreement at no cost to the school corporation.

(d) A dental screening provided under an agreement entered into under subsection (a) must be:

(1) limited to a visual inspection; and

(2) performed by:

(A) a dental hygienist:

(i) licensed under IC 25-13; and

(ii) acting within the scope of the dental hygienist's license; or

(B) a dentist:

(i) licensed under IC 25-14; and

(ii) acting within the scope of the dentist's license.

SECTION 77. IC 20-34-3-14.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14.6. (a) Subject to subsection (f), the governing body of each school corporation that enters into an agreement for the provision of dental screenings under section 14.5 of this chapter shall enter into one (1) or more agreements with one (1) or more licensed dentists or dental groups for the provision of comprehensive dental services to students enrolled in the school corporation.**

(b) An agreement entered into under subsection (a) must provide for comprehensive dental services to be offered each school year:

(1) at the location of each school in the school corporation; and

(2) on as many school days as necessary to provide dental services to each student whose parent or guardian schedules the student to receive dental services under this section.

(c) Dental services provided under an agreement entered into under subsection (a) must be performed by a dentist:

(1) licensed under IC 25-14; and

(2) acting within the scope of the dentist's license.

(d) An agreement entered into under subsection (a) must provide that:

(1) the dentist or dental group shall:

(A) indemnify the school corporation from; and

(B) hold the school corporation harmless for;

all claims and liability arising from the dentist's or dental group's provision of services under the agreement; and

(2) the parent or guardian of a student:

(A) is responsible for contacting the dentist or dental group to schedule the student for dental

services provided under this section; and

(B) is responsible to the dentist or dental group for the cost of dental services provided to the student under this section.

(e) The governing body of a school corporation that enters into an agreement for the provision of dental screenings under section 14.5 of this chapter shall provide the following information to the parent or guardian of each student enrolled in the school corporation:

(1) Contact information for the dentist or dental group that will perform the comprehensive dental services under this section.

(2) Notice that the parent or guardian is responsible for contacting the dentist or dental group to:

(A) schedule dental services for the student;

(B) establish payment for the services; and

(C) provide any consent to services required by the dentist or dental group;

before the services may be provided.

(f) A school corporation that enters into an agreement for the provision of dental screenings under section 14.5 of this chapter that is unable to obtain the services of a dentist or dental group for purposes of this section may request that the state superintendent waive application of this section to the school corporation for the school year. The state superintendent may:

(1) approve the waiver request;

(2) deny the waiver request; or

(3) provide whatever relief may be available to enable the school corporation to comply with this section.

A waiver granted by the state superintendent under this subsection is effective only for the duration of the school year for which the waiver is granted.".

Page 60, delete lines 8 through 12, begin a new paragraph and insert:

"SECTION 100. [EFFECTIVE JULY 1, 2020] **(a) Notwithstanding the repeal of IC 20-31-4 by this act, 511 IAC 6.1 shall remain in effect until the earlier of:**

(1) the date that administrative rules are adopted under IC 20-31-4.1-4; or

(2) July 1, 2021.

(b) This SECTION expires December 31, 2021.".

Renumber all SECTIONS consecutively.

(Reference is to SB 455 as reprinted February 4, 2020.)

and when so amended that said bill do pass.

Committee Vote: yeas 10, nays 2.

BEHNING, Chair

Report adopted.

Representatives Aylesworth, Huston, Speedy and Summers, who had been present, are now excused.

Representatives Baird, Morrison, Pfaff, Soliday and Ziemke, who had been excused, are now present.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 179

Representative Sullivan called down Engrossed Senate Bill 179 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 179–2)

Mr. Speaker: I move that Engrossed Bill 179 be amended to read as follows:

Page 7, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 4. IC 3-11-10-26.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 26.4. (a) This section applies to absentee voting conducted at any of the following:**

(1) The office of the circuit court clerk under section 26 of this chapter.

(2) A satellite office established under section 26.3 of this chapter.

(3) A vote center established as an absentee satellite voting office under IC 3-11-18.1-4.

(4) An absentee voter board that serves as a travel board under section 25 of this chapter.

(b) As used in this section, "unit" refers to either of the following:

(1) A voting system.

(2) An electronic poll book.

(c) At the end of each day that absentee voting occurs, the absentee voting board at a location described in subsection (a) shall do all of the following:

(1) Attach a tamper-proof, numbered seal to each unit used during absentee voting.

(2) Record the number of the seal affixed to each unit.

(3) Provide a list of the units and the number of each unit's seal to the county election board.

A seal must make it impossible to access the sealed part of the unit to which the seal is attached without detection. The election division shall prescribe the form of the seal and the information that must be contained on the seal.

(d) Before the opening of absentee voting each day that it occurs, the absentee voter board shall determine, for each unit to which a seal was attached under subsection (c), that the seal attached to the unit:

(1) is intact;

(2) shows no evidence of tampering; and

(3) bears the number indicated on the list provided to the county election board by the absentee voter board.

(e) If a seal complies with subsection (d), the absentee voter board shall attest to that fact by executing a form prescribed under IC 3-5-4-8.

(f) If the absentee voter board determines that a seal does not comply with subsection (d), the absentee voter board shall immediately notify the county election board of that fact.

(g) A county election board may adopt, by unanimous vote of the entire board, a resolution to establish alternative procedures to secure units used for absentee voting under this section. To be effective, a resolution adopted under this subsection must be filed with the election division not later than noon three (3) days after the resolution is adopted by the county election board.".

Page 12, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 8. IC 3-11-15-61 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 61. (a) This section does not apply to an electronic poll book.**

(b) A computer or electronic device used:

(1) to create the layout of a ballot for an election;

(2) to program a voting system, electronic voting system, or ballot card voting system; or

(3) with election management software certified for use as part of a voting system;

may not be connected to the Internet or any network that connects to another computer or electronic device.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 179 as printed February 24, 2020.)

MOSELEY

Upon request of Representatives GiaQuinta and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 223: yeas 28, nays 62. Motion failed.

Representative Candelaria Reardon and Huston, who had been excused, are now present.

HOUSE MOTION
(Amendment 179–3)

Mr. Speaker: I move that Engrossed Senate Bill 179 be amended to read as follows:

Page 12, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 7. IC 3-11-15-59, AS ADDED BY P.L.100-2018, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 59. (a) Whenever a county wishes to dispose of a voting system unit or an electronic poll book unit, the county election board must first file a plan with the election division. The plan must ~~state:~~ **include all of the following:**

(1) The serial number of each unit to be disposed of by the county.

(2) The method to be used for disposal of the equipment, including sale, transfer, or destruction of the equipment. ~~and~~

(3) **A statement** that the disposal will occur in compliance with federal and ~~state~~ **Indiana** laws requiring the retention of election materials until the expiration of the period specified by those laws.

(4) A description of the procedures that will be taken to comply with subsection (b).

(b) When disposing of a voting system unit or an electronic poll book unit, a county election board must comply with both of the following, as in effect on January 1, 2020:

(1) The National Institute of Standards and Technology Special Publication 800-88, Revision 1.

(2) Guidance described in "Wiping Election Equipment before Disposal, Sale, or Destruction" approved by the Election Assistance Commission.

(c) A county election board may, but is not required to, comply with a more recent version of the publication described in subsection (b)(1) or the guidance described in subsection (b)(2). A county election board that complies with a more recent version of the publication described in subsection (b)(1) or the guidance described in subsection (b)(2) is considered to have complied with subsection (b).

~~(b)~~ **(d)** If the election division approves the proposed plan, the election division shall notify:

(1) the county election board, which may then dispose of the equipment; and

(2) the voting system technical oversight program (VSTOP) (established by IC 3-11-16-2).

SECTION 8. IC 3-11-16-5, AS ADDED BY P.L.100-2018, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. **(a)** Each county election board shall regularly provide information to the program to update the inventory of voting systems and electronic poll books maintained under section 4 of this chapter.

(b) Not later than eighty-one (81) days before the election, the county election board shall identify to the program the voting systems listed in the inventory of voting systems and electronic poll books maintained under section 4 of this chapter that will be used for absentee voting or on election day.

(c) Not later than January 31 of each year, the county election board shall certify to the secretary of state that the information set forth in the inventory regarding the voting systems and electronic poll books of the county is accurate, to the best of the knowledge and belief of the county election board.

(d) Not later than ten (10) days after a county election board:

(1) acquires a voting system or electronic poll books; or

(2) disposes of a voting system or electronic poll book under IC 3-11-15-59;

the county election board shall provide information to the program of the acquisition or disposal to update the inventory of voting systems and electronic poll books maintained under section 4 of this chapter and certify to the secretary of state that the information set forth in the inventory regarding the voting systems and electronic poll books of the county is accurate, to the best of the knowledge and belief of the county election board.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 179 as printed February 24, 2020.)

MOSELEY

Upon request of Representatives Pryor and Porter, the Speaker ordered the roll of the House to be called. Roll Call 224: yeas 28, nays 63. Motion failed.

HOUSE MOTION
(Amendment 179–1)

Mr. Speaker: I move that Engrossed Senate Bill 179 be amended to read as follows:

Page 16, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 14. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "relevant state officers and state agencies" refers to any of the following:**

(1) The governor.

(2) The secretary of state.

(3) The state board of finance.

(4) The budget agency.

(5) The budget committee.

(6) The Indiana department of administration.

(7) The election division.

(8) Any other state agency having authority relating to election administration, budgets, finance, purchasing, or state administration.

(b) As used in this SECTION, "vulnerable voting system" refers to a voting system that cannot provide a voter with the ability to verify the voter's votes from a paper record.

(c) As used in this SECTION, "VVPAT component" refers to a voter verifiable paper audit trail component for a vulnerable voting system.

(d) The general assembly finds the following:

(1) That the 2020 general election is an important election for Indiana voters and the country.

(2) That it is crucial that Indiana voters have confidence in the process of casting ballots and tabulation of those ballots.

(3) That the use of vulnerable voting systems in Indiana compromises the security of elections in Indiana and the confidence of voters in the results of elections.

(4) That the general assembly has provided some funding to eliminate vulnerable voting systems in Indiana.

(5) That the secretary of state has begun a program to eliminate vulnerable voting systems in Indiana.

(6) That the funds provided may not be adequate to eliminate vulnerable voting systems in Indiana before the 2020 general election.

(7) That an additional ten million dollars ($10,000,000) would be sufficient to complete elimination of vulnerable voting systems in Indiana.

(e) Each of the relevant state officers and state agencies shall take any of the following actions available under Indiana law to accomplish the installation of VVPAT components on vulnerable voting systems in Indiana and to replace those vulnerable voting systems that cannot be adapted to installation of VVPAT components before the 2020 general election:

(1) Transfer of available appropriations.

(2) Augmentation of appropriations from available funds.

(3) Allotment of appropriations.
(4) Use of expedited procurement methods.
(5) Expedited approval of contracts.
(6) Any other action permitted under Indiana law necessary to accomplish the elimination of vulnerable voting systems in Indiana before the 2020 general election.
(f) This SECTION expires January 1, 2021.".
Renumber all SECTIONS consecutively.
(Reference is to ESB 179 as printed February 24, 2020.)
HAMILTON

Upon request of Representatives GiaQuinta and Porter, the Speaker ordered the roll of the House to be called. Roll Call 225: yeas 29, nays 63. Motion failed. The bill was ordered engrossed.

Engrossed Senate Bill 206

Representative Torr called down Engrossed Senate Bill 206 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Representative Aylesworth, who had been excused, is now present.

Engrossed Senate Bill 295

Representative Behning called down Engrossed Senate Bill 295 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 295–3)

Mr. Speaker: I move that Engrossed Senate Bill 295 be amended to read as follows:
Page 3, between lines 37 and 38, begin a new paragraph and insert:
"SECTION 5. IC 20-30-2-3, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. **(a) Subject to section 5(b) of this chapter,** for each school year, a school corporation shall conduct at least one hundred eighty (180) student instructional days.
(b) Not later than June 15 of each school year, the superintendent of each school corporation shall certify to the department the number of student instructional days conducted during that school year.
SECTION 6. IC 20-30-2-5, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. **(a)** The department may grant a waiver of the penalty imposed under section 4 of this chapter for a particular number of canceled student instructional days if:
(1) the school corporation applies to the department for a waiver of the penalty imposed under section 4 of this chapter for a specific number of canceled student instructional days; and
(2) each of the particular number of student instructional days requested to be waived under this section was canceled due to extraordinary circumstances.
(b) The department shall grant a waiver of the requirements under section 3(a) of this chapter and the penalty imposed under section 4 of this chapter for up to three (3) canceled student instructional days if the school corporation attests that the cancellations were due to adverse weather conditions that created an undue risk to students.".
Renumber all SECTIONS consecutively.
(Reference is to ESB 295 as printed February 25, 2020.)
DVORAK

Motion failed. The bill was ordered engrossed.

Representatives Negele and Vermilion, who had been present, are now excused.

Engrossed Senate Bill 334

Representative Wesco called down Engrossed Senate Bill 334 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 334–6)

Mr. Speaker: I move that Engrossed Bill 334 be amended to read as follows:
Page 1, delete lines 1 through 4.
Page 9, delete lines 4 through 43.
Delete page 10.
Page 11, delete lines 1 through 26.
Renumber all SECTIONS consecutively.
(Reference is to ESB 334 as printed February 24, 2020.)
MOSELEY

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 226: yeas 29, nays 62. Motion failed.

Representatives Schaibley, Shackleford and Wolkins, who had been present, are now excused.

Representatives Negele and Vermilion, who had been excused, are now present.

HOUSE MOTION
(Amendment 334–1)

Mr. Speaker: I move that Engrossed Senate Bill 334 be amended to read as follows:
Page 8, delete lines 39 through 42.
Page 9, delete lines 1 through 3.
(Reference is to ESB 334 as printed February 24, 2020.)
MOSELEY

Upon request of Representatives Pryor and GiaQuinta, the Speaker ordered the roll of the House to be called. Roll Call 227: yeas 28, nays 62. Motion failed.

Representatives Schaibley and Shackleford, who had been excused, are now present.

HOUSE MOTION
(Amendment 334–4)

Mr. Speaker: I move that Engrossed Senate Bill 334 be amended to read as follows:
Page 11, line 19, delete "A copy of" and insert "**However, before forwarding written notice under this subdivision, the election division must verify that the voter signed the requested cancellation of the Indiana registration.**".
Page 11, delete lines 20 through 22.
(Reference is to ESB 334 as printed February 24, 2020.)
BOY

Upon request of Representatives GiaQuinta and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 228: yeas 29, nays 63. Motion failed.

HOUSE MOTION
(Amendment 334–5)

Mr. Speaker: I move that Engrossed Senate Bill 334 be amended to read as follows:
Page 11, line 4, after "voter." insert "**The county voter registration office shall place the voter's registration in inactive status if either of the following apply:**
(1) The address confirmation notice is returned as undeliverable.
(2) The notice has not been returned to the county voter registration office after thirty-five (35) days after the date the notice was mailed.

If the voter's registration is already in inactive status, the county voter registration office shall cancel the voter's registration.".

(Reference is to ESB 334 as printed February 24, 2020.)

BOY

Upon request of Representatives GiaQuinta and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 229: yeas 28, nays 63. Motion failed. The bill was ordered engrossed.

Engrossed Senate Bill 340

Pursuant to House Rule 143, the sponsor of Engrossed Senate Bill 340, Representative Wolkins, granted consent to the cosponsor, Representative Manning, to call the bill down for second reading. Representative Manning called down Engrossed Senate Bill 340 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 340–1)

Mr. Speaker: I move that Engrossed Senate Bill 340 be amended to read as follows:

Page 8, delete lines 41 through 43.

Delete pages 9 through 12.

Renumber all SECTIONS consecutively.

(Reference is to ESB 340 as printed February 25, 2020.)

SHACKLEFORD

Upon request of Representatives Shackleford and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 230: yeas 28, nays 62. Motion failed. The bill was ordered engrossed.

Engrossed Senate Bill 346

Representative Behning called down Engrossed Senate Bill 346 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 346–1)

Mr. Speaker: I move that Engrossed Senate Bill 346 be amended to read as follows:

Page 4, line 2, after "representing" delete "the" and insert "**The**".

Page 4, line 3, after "by" delete "the" and insert "**The**".

Page 4, line 5, after "by" delete "the" and insert "**The**".

Page 5, delete lines 28 through 32, begin a new paragraph and insert:

"**(c) The state board, in consultation with The Arc of Indiana and Indiana Council of Administrators of Special Education (ICASE), shall select one (1) or more individuals who specialize in special education who shall, in turn, be consulted with by the state board as part of the state board's oversight of the development and implementation of the Indiana's Learning Evaluation Assessment Readiness Network (ILEARN).**".

Page 7, line 7, after "with" delete "the" and insert "**The**".

Page 7, line 16, delete "that explains" and insert "**and includes text-to-speech accommodation requirements for the student that explains**".

Page 7, line 22, after "meeting" insert "**or phone call**".

Page 7, line 24, after "meeting" delete "," and insert "**or phone call,**".

(Reference is to ESB 346 as printed February 25, 2020.)

BEHNING

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 398

Representative Jordan called down Engrossed Senate Bill 398 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 398–2)

Mr. Speaker: I move that Engrossed Senate Bill 398 be amended to read as follows:

Page 2, line 5, delete "may" and insert "**shall**".

Page 2, line 9, delete "A public school that elects".

Page 2, delete lines 10 through 21.

Page 2, line 22, delete "Sec. 6." and insert "**Sec. 5.**".

Page 2, line 24, delete "may:" and insert "**may**".

Page 2, line 25, delete "(1)".

Page 2, line 26, delete "chapter; or" and insert "**chapter.**".

Page 2, delete lines 27 through 28.

Page 2, run in lines 24 through 29.

Page 2, line 35, delete "or participate in activities and services".

Page 2, line 36, delete "subsection (a)" and insert "**section 4 of this chapter**".

(Reference is to ESB 398 as printed February 25, 2020.)

THOMPSON

Upon request of Representatives Karickhoff and Wesco, the Speaker ordered the roll of the House to be called. Roll Call 231: yeas 62, nays 27. Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 427

Representative Zent called down Engrossed Senate Bill 427 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 254

Representative Soliday called down Engrossed Senate Bill 254 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

OTHER BUSINESS ON THE SPEAKER'S TABLE

Referrals to Ways and Means

The Speaker announced, pursuant to House Rule 127, that Engrossed Senate Bill 355 had been referred to the Committee on Ways and Means.

HOUSE MOTION

Mr. Speaker: I move that Representative Schaibley be removed as first sponsor of Senate Bill 4 and Representative Kirchhofer be substituted therefor , Representative Kirchhofer be removed as cosponsor and Representative Schaibley be added as cosponsor

SCHAIBLEY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moseley be added as cosponsor of Engrossed Senate Bill 10.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moseley be added as cosponsor of Engrossed Senate Bill 25.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as cosponsor of Engrossed Senate Bill 123.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representative Errington be added as cosponsor of Engrossed Senate Bill 146.

SCHAIBLEY

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Soliday be added as cosponsor of Engrossed Senate Bill 177.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Pierce and Young be added as cosponsors of Engrossed Senate Bill 216.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Klinker be added as cosponsor of Engrossed Senate Bill 256.

MCNAMARA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representative Jordan be added as cosponsor of Engrossed Senate Bill 256.

MCNAMARA

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Jackson be added as cosponsor of Engrossed Senate Bill 267.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Manning be added as cosponsor of Engrossed Senate Bill 340.

WOLKINS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Soliday be added as cosponsor of Engrossed Senate Bill 343.

MANNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Barrett, Fleming and Manning be added as coauthors of House Resolution 20.

BACON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Pfaff and Lauer be added as coauthors of House Concurrent Resolution 42.

GOODRICH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Lauer, Bartels and Lindauer be added as coauthors of House Concurrent Resolution 43.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Pfaff be added as cosponsor of Senate Concurrent Resolution 15.

STUTZMAN

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1081, 1112, 1166, 1301 and 1370 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1014, 1032, 1070, 1082, 1090, 1093, 1099, 1173, 1199, 1243 and 1346 with amendments and the same are herewith returned to the House for concurrence.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 52 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 24 and 42 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

On the motion of Representative Boy, the House adjourned at 3:21 p.m., this twenty-seventh day of February, 2020, until Monday, March 2, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Twenty-Seventh Day — **Monday Morning** — **March 2, 2020**

The invocation was offered by Bishop Jennifer Baskerville—Burrows of Episcopal Diocesan Headquarters in Indianapolis, a guest of Representative Campbell.

The House convened at 10:00 a.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Ziemke.

The Speaker ordered the roll of the House to be called:

Abbott
Austin
Aylesworth
Bacon
Baird
Barrett
Bartels
Bartlett
Bauer
Beck
Behning
Borders
Boy
T. Brown
Burton
Campbell
Candelaria Reardon ☐
Carbaugh
Cherry
Chyung
Clere
Cook
Davisson
Deal
DeLaney
DeVon
Dvorak ☐
Eberhart
Ellington
Engleman
Errington
Fleming
Forestal ☐
Frye
GiaQuinta
Goodin
Goodrich
Gutwein
Hamilton
Harris
Hatcher
Hatfield
Heaton
Heine ☐
Hostettler
Huston
Jackson
Jordan
Judy
Karickhoff
Kirchhofer
Klinker ☐
Lauer
Lehe
Lehman
Leonard
Lindauer
Lucas
Lyness
Macer
Manning
May
Mayfield
McNamara
Miller
Moed
Morris
Morrison ☐
Moseley
Negele
Nisly
Pfaff
Pierce ☐
Porter
Prescott
Pressel
Pryor
Saunders ☐
Schaibley
Shackleford
Sherman
Smaltz
V. Smith
Soliday
Speedy ☐
Steuerwald
Stutzman ☐
Sullivan ☐
Summers
Thompson
Torr
VanNatter
Vermilion
Wesco
Wolkins
Wright ☐
J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 232: 88 present; 12 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, March 3, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 44

Representative Pfaff introduced House Concurrent Resolution 44:

A CONCURRENT RESOLUTION recognizing teachers and the work they do.

Whereas, Education and knowledge make up the foundation of the current and future strength of the United States and the state of Indiana;

Whereas, Teachers and education staff have earned the respect of fellow Hoosiers for their selfless dedication to students and their communities;

Whereas, Teachers help mold future citizens through guidance and education;

Whereas, Teachers encounter students of widely differing backgrounds;

Whereas, The future of Indiana and the United States depends upon providing quality education to all students;

Whereas, Teachers spend countless hours preparing lessons, evaluating progress, counseling and coaching students, and performing community service;

Whereas, Hoosiers across Indiana recognize and support teachers in educating Hoosier children; and

Whereas, The purpose of Teacher Appreciation Week, celebrated from May 3, 2020, to May 9, 2020, is to raise public awareness of the contributions of teachers, and to promote greater respect and understanding for the teaching profession: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes teachers and the work they do.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to State Representative Tonya Pfaff for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator J.D. Ford.

ENGROSSED SENATE BILLS ON SECOND READING

Pursuant to House Rule 143.1 , the following bills which had no amendments filed, were read a second time by title and ordered engrossed: Engrossed Senate Bills 21, 47, 78, 100, 148, 177, 184, 209, 256, 319 and 331.

Representative Candelaria Reardon, who had been excused, is now present.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 25

Representative Frye called down Engrossed Senate Bill 25 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 233: yeas 89, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Young, who had been present, is now excused.

Engrossed Senate Bill 206

Representative Torr called down Engrossed Senate Bill 206 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 234: yeas 87, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 230

Representative Burton called down Engrossed Senate Bill 230 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 235: yeas 87, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 254

Representative Soliday called down Engrossed Senate Bill 254 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 236: yeas 87, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Pierce, who had been excused, is now present.

Engrossed Senate Bill 295

Representative Behning called down Engrossed Senate Bill 295 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 237: yeas 88, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed House Bill 343

Representative Manning called down Engrossed Senate Bill 343 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 46, I request to be excused from voting on the question of Senate Bill 343. Pursuant to House Rule 168, the reason for the request is the following:

I have a conflict of interest in the matter before the House which could be reasonably be expected to have a unique, direct and substantial effect on the income of the company that I own, which installs fiber optic cables in rural areas.

FRYE

Motion prevailed.

Roll Call 238: yeas 87, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Young, who had been excused, is now present.

Engrossed Senate Bill 346

Representative Behning called down Engrossed Senate Bill 346 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 239: yeas 89, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Lehman, who had been present, is now excused.

Engrossed Senate Bill 398

Representative Jordan called down Engrossed Senate Bill 398 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 240: yeas 80, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Lehman, who had been excused, is now present.

Engrossed Senate Bill 406

Representative Bartels called down Engrossed Senate Bill 406 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 241: yeas 89, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 410

Representative Abbott called down Engrossed Senate Bill 410 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 242: yeas 89, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 427

Representative Zent called down Engrossed Senate Bill 427 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 243: yeas 89, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 257

Representative Soliday called down Engrossed Senate Bill 257 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 2:59 p.m. with the Speaker in the Chair.

Representatives Dvorak, Klinker, Morrison, Stutzman and Sullivan, who had been excused, are now present.

Representatives Davisson and Mayfield, who had been present, are now excused.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 49

The Speaker handed down Senate Concurrent Resolution 49, sponsored by Representative Lyness:

A CONCURRENT RESOLUTION recognizing Gus Adams for his many years of teaching Franklin County students.

Whereas, Gus Adams, a teacher at Franklin County High School, has taught students in Franklin County for nearly four decades;

Whereas, Gus graduated from Indiana University East in 1981 with a bachelor's degree in education, and from Ball State University with a master's degree in social studies education in 1984;

Whereas, At Franklin County High School for his entire career, Gus has taught World Geography, World History, U.S. History, Sociology, and Economics, and Advanced Placement courses in U.S. History, Government, and Economics;

Whereas, Outside the classroom, Gus has coached boys and girls basketball at Franklin County Middle School for 35 years, and spent 2 years each as Head Coach and Assistant Coach of the Franklin County High School Varsity Girls Basketball team; and

Whereas, Gus' decades-long commitment to education in Franklin County deserves recognition: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes Gus Adams for his many years of teaching Franklin County students.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Gus Adams

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 50

The Speaker handed down Senate Concurrent Resolution 50, sponsored by Representative Pressel:

A CONCURRENT RESOLUTION congratulating Emily Graves on being named a Prudential Spirit of Community Awards Program 2020 State Honoree.

Whereas, Emily Graves of LaPorte, Indiana, a senior at New Prairie High School, founded a nonprofit organization, Cookies for Soldiers, that has delivered more than 35,000 boxes of Girl Scout cookies to active and former military personnel at home and abroad over the past decade;

Whereas, At the age of 6, Emily bought several boxes of Girl Scout cookies with her own money, solicited donations to buy 600 more boxes, and contacted veterans' organizations to help ship the cookies to service members;

Whereas, Today, with help from more than 150 volunteers, Emily purchases over 5,000 boxes of Girl Scout cookies and packs them up at an annual packing event, ships the cookies both to active soldiers and veterans, and personally hands cookies out at veterans hospitals, Honor Flights, and at other military and veterans events;

Whereas, Due to her extensive community service efforts, Emily was nominated to be considered for the Prudential Spirit of Community Award;

Whereas, The Prudential Spirit of Community Award is the United States' largest youth recognition program based solely on volunteer service, with distinguished finalists and state honorees being selected based on criteria including personal initiative, effort, impact, and personal growth;

Whereas, Emily was named one of two State Honorees for the Prudential Spirit of Community Award for 2020; and

Whereas, The success of the state of Indiana, the strength of our communities, and the overall leadership development of Indiana's youth depend upon the tireless dedication of young individuals like Emily, who uses her considerable talents and resources to serve others: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Emily Graves on being named a Prudential Spirit of Community Awards 2020 State Honoree.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Emily Graves

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

ENGROSSED SENATE BILLS ON SECOND READING

Engrossed Senate Bill 1

Representative Kirchhofer called down Engrossed Senate Bill 1 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 1–1)

Mr. Speaker: I move that Engrossed Senate Bill 1 be amended to read as follows:

Page 2, between lines 15 and 16, begin a new line block indented and insert:

"**(3) The person has not had an interest in a certificate revoked by the commission for that business location within the preceding one (1) year.**".

Page 3, line 9, after "(18)" insert "**twenty-one (21)**".
Page 3, line 9, reset in roman "years of".
Page 3, line 9, delete "the legal".
Page 3, line 9, after "age" insert ".".
Page 3, line 9, delete "to purchase tobacco".
Page 3, delete line 10.
Page 3, line 12, reset in roman "customers are under".
Page 3, line 12, after "(18)" insert "**twenty-one (21)**".
Page 3, line 12, reset in roman "years of".
Page 3, line 12, delete "a customer".
Page 3, line 13, delete "is less than the legal".
Page 3, line 13, after "age" insert ".".
Page 3, line 13, delete "to purchase tobacco products and".
Page 3, delete line 14.
Page 3, line 23, strike "hundred eighty (180) day" and insert "**(1) year**".
Page 18, line 7, after "tobacco" insert "**, an e-liquid,**".
Page 21, line 34, strike "that has as its" and insert "**in which tobacco products, electronic cigarettes, and e-liquids account for at least eighty-five percent (85%) of the retail establishment's gross sales**".
Page 21, line 35, strike "primary purpose the sale of tobacco products,"
Page 21, line 35, delete "e-liquids, or electronic".
Page 21, line 36, delete "cigarettes".
Page 22, line 40, after "establishment" insert ":".
Page 22, line 40, strike "that:".
Page 22, line 41, strike "has a primary purpose to sell tobacco or electronic cigarettes;" and insert "**in which tobacco products, electronic cigarettes, and e-liquids account for at least eighty-five percent (85%) of the retail establishment's gross sales;**".
Page 23, line 1, after "(2)" insert "**that**".
Page 23, line 13, delete "a".
Page 23, line 13, delete "product" and insert "**, an e-liquid, or an electronic cigarette**".
(Reference is to ESB 1 as printed February 28, 2020.)

KIRCHHOFER

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 4

Representative Kirchhofer called down Engrossed Senate Bill 4 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 5

Representative Schaibley called down Engrossed Senate Bill 5 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 5–4)

Mr. Speaker: I move that Engrossed Senate Bill 5 be amended to read as follows:

Page 1, line 16, delete "45 CFR 180 (as published August 9, 2019, and as" and insert "**the final rule of the Centers for Medicare and Medicaid Services published in 84 FR 65524**".
Page 1, line 17, delete "subsequently amended)".
Page 2, line 11, delete "prices paid" and insert "**negotiated charge**".
Page 2, line 24, delete "prices" and insert "**negotiated charge**".
Page 3, line 4, after "for the" insert "**fifteen (15)**".
Page 3, line 6, delete "services provided for the code." and insert "**times each service is provided by the urgent care facility.**".
Page 3, line 8, delete "prices paid" and insert "**negotiated charge**".
Page 3, line 21, delete "prices" and insert "**negotiated charge**".
Page 3, delete lines 25 through 38, begin a new paragraph and insert:

"SECTION 4. IC 27-1-15.6-13.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 13.5. (a) This section applies only to the following:**

(1) A group policy of accident and sickness insurance, as defined in IC 27-8-5-1. However, this section does not apply to the types of insurance and coverage described in IC 27-8-5-2.5(a).

(2) A group health maintenance organization contract entered into under IC 27-13.

(b) Except as provided in subsection (e), an insurer that issues an insurance policy or a health maintenance organization that enters into a health maintenance organization contract shall disclose to the policyholder or subscriber in a separate written notification:

(1) any commission, service fee, or brokerage fee that has been or will be paid to an insurance producer for selling, soliciting, or negotiating the policy or contract; and

(2) whether the amount disclosed under subdivision (1) is based on a percentage of total plan premiums or a flat per member fee.

(c) An insurer or health maintenance organization shall provide a copy of the written notification described in subsection (b) to the policyholder or subscriber:

(1) when the insurance policy is issued or the contract is entered into; and

(2) each time the insurance policy or contract is renewed.

(d) Each copy of a written notification described in subsection (b) must include a signature line on which the policyholder may sign to acknowledge receiving the written notification.

(e) This section does not require the disclosure to the policyholder of a commission, service fee, or brokerage fee in connection with the issuance of an insurance policy if a federal law or regulation requires disclosure of the commission, service fee, or brokerage fee to the policyholder.".

Page 3, line 42, delete "entered into or renewed after June 30, 2020." and insert "**beginning July 1, 2020.**".

Page 4, line 4, delete "employers, including individual employers or public" and insert "**employers**".

Page 4, delete line 5.

Page 4, line 6, delete "arrangement under IC 27-1-34 or IC 5-10-8-5,".

Page 4, line 12, delete "IC 27-1-45" and insert "IC 27-1-44.5".

Page 4, line 15, delete "45." and insert "**44.5.**".

(Reference is to ESB 5 as printed February 28, 2020.)

SCHAIBLEY

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 132

Representative Frye called down Engrossed Senate Bill 132 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 146

Representative Schaibley called down Engrossed Senate Bill 146 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 146–3)

Mr. Speaker: I move that Engrossed Senate Bill 146 be amended to read as follows:

Page 3, line 14, delete "public or".

Page 3, line 15, delete "board of trustees" and insert "**governing board**".

Page 3, line 16, delete "established a police department" and insert "**appointed the police officer**".

Page 3, line 16, delete "IC 21-17-5-2 or" and insert "**IC 21-17-5-2.**".

Page 3, delete line 17.

Page 4, line 23, delete "A" and insert "**If a victim advocate or victim service provider is not available, a victim has the right to speak with victims assistance or a social worker. A**".

Page 4, line 25, delete "advocate or" and insert "**advocate,**".

Page 4, line 26, delete "provider" and insert "**provider, victims assistance, or a social worker**".

Page 4, line 33, after "examination," insert "**or as soon as possible,**".

Page 4, line 41, after "provider." insert "**If a victim advocate or victim service provider is not available, a victim has the right to speak with victims assistance or a social worker.**".

Page 4, between lines 41 and 42, begin a new paragraph and insert:

"**Sec. 3. Before a provider commences a forensic medical examination, or as soon as possible, the provider shall notify a victim advocate or a victim service provider. If a victim advocate or victim service provider is not available, the provider shall notify victims assistance or a social worker.**".

Page 5, line 11, delete "investigation." and insert "**investigation, and that the victim has the right to speak to victims assistance or a social worker if a victim advocate or victim service provider is not available.**".

(Reference is to ESB 146 as printed February 28, 2020.)

SCHAIBLEY

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 178

Representative Wesco called down Engrossed Senate Bill 178 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 178–1)

Mr. Speaker: I move that Engrossed Senate Bill 178 be amended to read as follows:

Page 2, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 2. IC 3-8-1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. A candidate for the office of attorney general must **satisfy all of the following:**

(1) **The candidate must** have resided in Indiana for at least two (2) years before the election. ~~and~~

(2) **The candidate must** have been admitted to the practice of law in Indiana for at least five (5) years upon taking office.

(3) The candidate may not have been:

(A) disbarred in Indiana; or

(B) suspended from the practice of law in Indiana for thirty (30) or more days;

at any time during the period of five (5) years before taking office.".

Page 7, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 5. IC 3-8-7-8, AS AMENDED BY P.L.278-2019, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) This section applies to a state convention conducted by a political party described by IC 3-8-4-1.

(b) The state chairman and state secretary of the political party holding the state convention shall certify each candidate nominated at the convention to the secretary of state not later than noon July 15 before the general election.

(c) The certificate must be in writing and state the following:

(1) The name of each candidate nominated as:

(A) the candidate wants the candidate's name to appear on the ballot; and

(B) the candidate's name is permitted to appear on the ballot under IC 3-5-7.

(2) Each candidate's residence address.

(3) Whether each candidate nominated by the convention has complied with IC 3-9-1-5 by filing a campaign finance statement of organization.

(4) The following statements:

(A) A statement that the candidate satisfies all the qualifications for the office the candidate is seeking under Indiana law.

~~(A)~~ **(B)** A statement that the candidate has attached either of the following to the certificate:

(i) A copy of a statement of economic interests, file stamped by the office required to receive the statement of economic interests.

(ii) A receipt, photocopy of a receipt, or electronic mail from the office of the inspector general or judicial qualifications commission, showing that a statement of economic interests has been filed.

This requirement does not apply to a candidate for a federal office.

~~(B)~~ **(C)** A statement that the candidate understands that if the candidate is elected to the office, the candidate may be required to obtain and file an individual surety bond before serving in the office. This requirement does not apply to a candidate for a federal office or

legislative office.

~~(C)~~ **(D)** A statement that the candidate understands that if the candidate is elected to the office, the candidate may be required to successfully complete training or have attained certification related to service in an elected office. This requirement does not apply to a candidate for a federal office, state office, or legislative office.

~~(D)~~ **(E)** A statement that the candidate:

(i) is aware of the provisions of IC 3-9 regarding campaign finance and the reporting of campaign contributions and expenditures; and

(ii) agrees to comply with the provisions of IC 3-9.

This requirement does not apply to a candidate for a federal office.

The candidate must separately initial each of the statements required by this subdivision.

(d) The election division shall prescribe the form of the certificate of nomination for the offices. The election division shall provide that the form of the certificate of nomination include the following information:

(1) The dates for filing campaign finance reports under IC 3-9.

(2) The penalties for late filing of campaign finance reports under IC 3-9.

(e) A certificate of nomination must include a statement that the candidate requests the name on the candidate's voter registration record be the same as the name the candidate uses on the certificate of nomination. If there is a difference between the name on the candidate's certificate of nomination and the name on the candidate's voter registration record, the officer with whom the certificate of nomination is filed shall forward the information to the voter registration officer of the appropriate county as required by IC 3-5-7-6(e). The voter registration officer of the appropriate county shall change the name on the candidate's voter registration record to be the same as the name on the candidate's certificate of nomination.

(f) The certificate of nomination must be signed by the state chairman and state secretary of the political party holding the convention, and set forth the name and residence of the chairman and secretary. The chairman and secretary shall acknowledge the certificate before an individual authorized to administer oaths under IC 33-42-9. The signed acknowledgment must be included in the certificate of nomination executed under this section.".

Page 40, between lines 1 and 2, begin a new paragraph and insert:

"SECTION 48. IC 3-12-11-25, AS AMENDED BY P.L.233-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 25. (a) Except as provided in subsection (b), whenever the commission makes a final determination under section 18 of this chapter that the candidate who is subject to a contest proceeding is not eligible to serve in the office to which the candidate is nominated or elected, the candidate who received the second highest number of votes for the office is entitled to a certificate of nomination or certificate of election even though a certificate may have been issued to another candidate upon the tabulation of the votes.

(b) This subsection applies to a contest proceeding for a state office other than the offices of governor, lieutenant governor, justice of the supreme court, judge of the court of appeals, and judge of the tax court. Whenever the commission makes a final determination under section 18(b) of this chapter that the candidate who is subject to a contest proceeding is not eligible to serve in the office to which the candidate is elected the following apply:

(1) This subdivision does not apply to the filling of a state office following a contest proceeding or court action that resulted from an election held before January 1, 2011. The office is considered vacant, and the governor shall fill the vacancy as provided in ~~IC 3-13-4-3(e)~~ **IC 3-13-4-3(f)** by the appointment of a person of the same political party as the candidate who is not eligible to serve.

(2) The commission's determination that the candidate is not eligible to serve in the office does not affect the votes cast for the candidate for purposes of determining the number or percentage of votes cast for purposes of other statutes, including IC 3-5-2-30, IC 3-6-2-1, IC 3-6-4.1-6, IC 3-6-5.2-7, IC 3-6-6-8, IC 3-6-7-1, IC 3-6-8-1, IC 3-8-4, IC 3-8-6, IC 3-10-1-2, IC 3-10-2-15, IC 3-10-4-2, IC 3-10-6, IC 3-10-7-26, IC 3-11-2-6, IC 3-11-13-11, IC 3-11-14-3.5, IC 3-13-9-4.5, IC 6-9-2-3, and IC 36-4-1.5-2.

SECTION 49. IC 3-13-4-3, AS AMENDED BY P.L.225-2011, SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) This section applies to a vacancy that occurs in a state office other than governor, lieutenant governor, or a judicial office.

(b) If a state officer wants to resign from office, the state officer must resign as provided in IC 5-8-3.5.

(c) A vacancy that occurs in a state office because of the death of the state officer may be certified to the governor under IC 5-8-6. The governor may not fill a vacancy as provided by law until the governor receives notice of the death under IC 5-8-6.

(d) **Except as provided in subsection (e),** a vacancy that occurs in a state office other than by resignation or death shall be certified to the governor by the circuit court clerk of the county in which the officer resided.

(e) A vacancy that occurs in the office of the attorney general under IC 4-6-1-3(b) shall be certified to the governor by the Indiana supreme court.

~~(e)~~ **(f)** The governor shall fill a vacancy in a state office by appointment of a person of the same political party as the officer who held the vacated office.

~~(f)~~ **(g)** The person who is appointed by the governor holds office for the remainder of the unexpired term and until a successor is elected and qualified.".

Page 40, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 51. IC 4-6-1-3, AS AMENDED BY P.L.215-2016, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. **(a)** The attorney general shall be a citizen of and duly licensed to practice law in Indiana. Before entering upon the discharge of the duties of the attorney general's office, the attorney general shall take and subscribe an oath of office to be administered to the attorney general in the usual form by any officer authorized to administer oaths; which oath shall be deposited in the office of the secretary of state. The attorney general shall also, previous to entering upon the duties of the office, properly execute and file with the secretary of state the attorney general's bond in the penal sum of fifty thousand dollars ($50,000), payable to the state of Indiana, with surety to the approval of the secretary of state, and conditioned for the faithful discharge of the attorney general's duties as attorney general; the premium on the bond shall be payable from state funds to be appropriated.

(b) If the individual who holds the office of attorney general is:

(1) disbarred in Indiana; or

(2) suspended from the practice of law in Indiana for thirty (30) or more days;

the individual forfeits the office and a vacancy in the office exists.".

Renumber all SECTIONS consecutively.
(Reference is to ESB 178 as printed February 28, 2020.)
WESCO

Upon request of Representatives Pierce and Porter, the Speaker ordered the roll of the House to be called. Roll Call 244: yeas 84, nays 9. Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 190

Representative Thompson called down Engrossed Senate Bill 190 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 190–2)

Mr. Speaker: I move that Engrossed Senate Bill 190 be amended to read as follows:
Page 3, line 39, delete "adopt but may".
Page 6, between lines 4 and 5, begin a new paragraph and insert:
"**(g) Nothing in this section shall be construed to prevent a political subdivision that has assessed value within the same taxing district as the political subdivision described in subsection (a) from adopting a resolution or taking a position on the local public question.**".
Page 6, line 22, delete "adopt but may".
Page 8, after line 27, begin a new paragraph and insert:
"**(h) Nothing in this section shall be construed to prevent a political subdivision that has assessed value within the same taxingdistrict as the political subdivision described in subsection (a) from adopting a resolution or taking a position on the local public question.**".
Renumber all SECTIONS consecutively.
(Reference is to ESB 190 as printed February 28, 2020.)
THOMPSON

Motion prevailed.

HOUSE MOTION
(Amendment 190–1)

Mr. Speaker: I move that Engrossed Senate Bill 190 be amended to read as follows:
Page 1, delete lines 1 through 17, begin a new paragraph and insert:
"SECTION 1. IC 6-1.1-20-0.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.8. (a) This section applies to a preliminary determination to issue bonds or enter into a lease made after June 30, 2020, for a project for engineering, land and right-of-way acquisition, construction, resurfacing, maintenance, restoration, and rehabilitation of:**
(1) local road and street systems, including bridges that are designated as being in a local road and street system;
(2) arterial road and street systems, including bridges that are designated as being in an arterial road and street system; or
(3) any combination of local and arterial road and street systems, including designated bridges.
(b) In determining whether a project is a controlled project for purposes of this chapter and whether the petition and remonstrance process under sections 3.1 and 3.2 of this chapter or the referendum process under sections 3.5 and 3.6 of this chapter applies to the project, the cost of the project does not include expenditures for the project that will be paid from a source other than property taxes.".
Delete page 2.
Page 3, delete lines 1 through 22.
Renumber all SECTIONS consecutively.
(Reference is to ESB 190 as printed February 28, 2020.)
THOMPSON

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 216

Representative Burton called down Engrossed Senate Bill 216 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 216–2)

Mr. Speaker: I move that Engrossed Senate Bill 216 be amended to read as follows:
Page 12, between lines 9 and 10, begin a new line triple block indented and insert:
"**(ii) a probation officer;**
(iii) a community corrections officer;".
Page 12, line 10, strike "(ii)" and insert "**(iv)**".
Page 12, line 12, strike "(iii)" and insert "**(v)**".
Page 12, line 13, strike "(iv)" and insert "**(vi)**".
Page 12, line 14, strike "(v)" and insert "**(vii)**".
Page 12, line 14, after "officer," insert "**probation officer, community corrections officer,**".
(Reference is to ESB 216 as printed February 28, 2020.)
BURTON

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 229

Representative Wolkins called down Engrossed Senate Bill 229 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 229–2)

Mr. Speaker: I move that Engrossed Senate Bill 229 be amended to read as follows:
Page 2, after line 33, begin a new paragraph and insert:
"SECTION 2. IC 14-28-1-19.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 19.5. For purposes of this chapter, property owners may jointly apply for a permit.**".
Renumber all SECTIONS consecutively.
(Reference is to ESB 229 as printed February 28, 2020.)
WESCO

Motion prevailed.

HOUSE MOTION
(Amendment 229–5)

Mr. Speaker: I move that Engrossed Senate Bill 229 be amended to read as follows:
Page 2, delete lines 25 through 26, and insert "**IC 36-9-27-2, provided that the**".
(Reference is to ESB 229 as printed February 28, 2020.)
ERRINGTON

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 245: yeas 33, nays 59. Motion failed. The bill was ordered engrossed.

Representatives Candelaria Reardon and Wolkins, who had been present, are now excused.

Representative Mayfield, who had been excused, is now present.

Engrossed Senate Bill 241

Representative Lehman called down Engrossed Senate Bill 241 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 241–4)

Mr. Speaker: I move that Engrossed Bill 241 be amended to read as follows:

Page 11, between lines 29 and 30, begin a new paragraph and insert:

"**Sec. 30. (a) A pharmacy benefit manager:**

(1) owes a fiduciary duty to;

(2) shall act in the best interest of;

(3) shall not act in any manner contrary to the interests of; and

(4) shall not advance its own interests over the interests of;

the health benefit plan, state agency, insurer, managed care organization, or other third party payor for which it performs one (1) or more of the actions described in section 12(a) of this chapter.

(b) Any provision of a contract entered into, issued, or renewed after June 30, 2020, that would authorize a pharmacy benefit manager to act in violation of subsection (a) is unenforceable.".

Page 11, line 30, delete "30." and insert "**31.**".

(Reference is to ESB 241 as printed February 28, 2020.)

AUSTIN

Upon request of Representatives Karickhoff and Torr, the Speaker ordered the roll of the House to be called. Roll Call 246: yeas 92, nays 0. Motion prevailed.

Representatives Candelaria Reardon and Wolkins, who had been excused are now present.

HOUSE MOTION
(Amendment 241–3)

Mr. Speaker: I move that Engrossed Senate Bill 241 be amended to read as follows:

Page 11, between lines 29 and 30, begin a new paragraph and insert:

"**Sec. 30. (a) A pharmacy benefit manager that manages prescription drug benefits under the Medicaid program administered under IC 12-15 shall provide equal treatment to all pharmacies that are members of a network through which the pharmacy benefit manager manages Medicaid prescription drug benefits.**

(b) A pharmacy benefit manager described in subsection (a) shall not discriminate among pharmacies described in subsection (a) as to:

(1) the dispensing fee;

(2) the ingredient cost reimbursement; or

(3) cost sharing by Medicaid recipients;

with respect to any particular prescription drug dispensed to Medicaid recipients, as determined on a per unit of prescription drug basis.

(c) A pharmacy benefit manager described in subsection (a) shall not impose a higher cost upon the office of the secretary of family and social services for a prescription drug dispensed by one pharmacy described in subsection (a) than it imposes upon the office of the secretary for the same prescription drug dispensed by another pharmacy described in subsection (a), regardless of the overall volume of the prescription drug that each pharmacy dispenses to Medicaid recipients.

(d) Any provision of a contract entered into, issued, or renewed after June 30, 2020, that violates this section is unenforceable.".

Page 11, line 30, delete "30." and insert "**31.**".

(Reference is to ESB 241 as printed February 28, 2020.)

AUSTIN

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 247: yeas 93, nays 0. Motion prevailed.

HOUSE MOTION
(Amendment 241–1)

Mr. Speaker: I move that Engrossed Senate Bill 241 be amended to read as follows:

Page 11, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 3. IC 27-8-5-31 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 31. (a) The definitions in section 30 of this chapter apply throughout this section.~~

~~(b) This section applies to an insurer that uses a formulary, cost sharing, or utilization review for prescription drug coverage.~~

~~(c) An insurer shall not remove a prescription drug from the insurer's formulary, change the cost sharing requirements that apply to a prescription drug, or change the utilization review requirements that apply to a prescription drug unless the insurer does at least one (1) of the following:~~

~~(1) At least sixty (60) days before the removal or change is effective, send written notice of the removal or change to each insured for whom the prescription drug has been prescribed during the preceding twelve (12) month period.~~

~~(2) At the time an insured for whom the prescription drug has been prescribed during the preceding twelve (12) month period requests a refill of the prescription drug, provide to the insured:~~

~~(A) written notice of the removal or change; and~~

~~(B) a sixty (60) day supply of the prescription drug under the terms that applied before the removal or change.~~

SECTION 4. IC 27-8-5-31.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 31.5. (a) This section applies to a policy of accident and sickness insurance that is amended or entered into after June 30, 2020.**

(b) The definitions in section 30 of this chapter apply throughout this section.

(c) This section applies to an insurer that uses a formulary or cost sharing review for prescription drug coverage.

(d) An insurer shall not remove a prescription drug from the insurer's formulary or change the cost sharing requirements that apply to a prescription drug unless the insurer does the following:

(1) At least sixty (60) days before the removal or change is effective, send written notice of the removal or change to each insured for whom the prescription drug has been prescribed during the plan year.

(2) Provides a timely appeal process for the insured to request an extension of coverage for the prescription drug through the end of the plan year. The appeal process must consider the following:

(A) Clinical appropriateness.

(B) If the insured has been adherent to the prescription drug regimen long enough that discontinuation of the prescription drug would cause a significant barrier to the insured's adherence to or compliance with the insured's plan of care.

(C) Whether discontinuation of the prescription drug would worsen a comorbid condition of the insured.

(D) Whether discontinuation of the prescription drug would decrease the insured's ability to achieve or maintain reasonable functional ability in performing daily activities.

(e) If an appeal under subsection (d)(2) is granted, the insurer shall notify the insured and the insured's health care provider of the authorization for coverage of the prescription drug that was the subject of the appeal.

(f) An extension of coverage of a prescription drug

through the end of the plan year under this section is permitted only once and may not be repeated unless otherwise provided by the insurer.

(g) Nothing under this section prohibits an insurer from removing a prescription drug from its formulary or denying an insured coverage if:

(1) the federal Food and Drug Administration has issued a statement about the prescription drug that calls into question the clinical safety of the prescription drug;

(2) the manufacturer of the prescription drug has notified the federal Food and Drug Administration of a manufacturing discontinuance or potential discontinuance of the prescription drug as required by 21 U.S.C. 356c of the federal Food, Drug, and Cosmetic Act; or

(3) the manufacturer of the prescription drug has removed the prescription drug from the market.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 241 as printed February 28, 2020.)

AUSTIN

Representative Leonard rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. After discussion, Representative Leonard withdrew the point of order

Upon request of Representatives Pryor and Karickhoff, the Speaker ordered the roll of the House to be called. Roll Call 248: yeas 94, nays 0. Motion prevailed.

HOUSE MOTION
(Amendment 241–2)

Mr. Speaker: I move that Engrossed Senate Bill 241 be amended to read as follows:

Page 11, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 3. IC 27-13-38-7 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 7. (a) The definitions in IC 27-13-7-23 apply throughout this section.~~

~~(b) A health maintenance organization shall not remove a prescription drug from the health maintenance organization's formulary, change the cost sharing requirements that apply to a prescription drug, or change the utilization review program requirements that apply to a prescription drug unless that health maintenance organization does at least one (1) of the following:~~

~~(1) At least sixty (60) days before the removal or change is effective, send written notice of the removal or change to each enrollee for whom the prescription drug has been prescribed during the preceding twelve (12) month period.~~

~~(2) At the time an enrollee for whom the prescription drug has been prescribed during the preceding twelve (12) month period requests a refill of the prescription drug, provide to the enrollee:~~

~~(A) written notice of the removal or change; and~~

~~(B) a sixty (60) day supply of the prescription drug under the terms that applied before the removal or change.~~

SECTION 4. IC 27-13-38-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 7.5. (a) This section applies to an individual contract or a group contract that is amended or entered into after June 30, 2020.**

(b) The definitions in IC 27-13-7-23 apply throughout this section.

(c) This section applies to a health maintenance organization that uses a formulary or cost sharing review for prescription drug coverage.

(d) A health maintenance organization shall not remove a prescription drug from the health maintenance organization's formulary or change the cost sharing requirements that apply to a prescription drug unless the health maintenance organization does the following:

(1) At least sixty (60) days before the removal or change is effective, sends written notice of the removal or change to each enrollee for whom the prescription drug has been prescribed during the plan year.

(2) Provides a timely appeal process for the enrollee to request an extension of coverage for the prescription drug through the end of the plan year. The appeal process must consider the following:

(A) Clinical appropriateness.

(B) If the enrollee has been adherent to the prescription drug regimen long enough that discontinuation of the prescription drug would cause a significant barrier to the enrollee's adherence to or compliance with the enrollee's plan of care.

(C) Whether discontinuation of the prescription drug would worsen a comorbid condition of the enrollee.

(D) Whether discontinuation of the prescription drug would decrease the enrollee's ability to achieve or maintain reasonable functional ability in performing daily activities.

(e) If an appeal under subsection (d)(2) is granted, the health maintenance organization shall notify the enrollee and the enrollee's health care provider of the authorization for coverage of the prescription drug that was the subject of the appeal.

(f) An extension of coverage of a prescription drug through the end of the plan year under this section is permitted only once and may not be repeated unless otherwise provided by the health maintenance organization.

(g) Nothing under this section prohibits a health maintenance organization from removing a prescription drug from its formulary or denying an enrollee coverage if:

(1) the federal Food and Drug Administration has issued a statement about the prescription drug that calls into question the clinical safety of the prescription drug;

(2) the manufacturer of the prescription drug has notified the federal Food and Drug Administration of a manufacturing discontinuance or potential discontinuance of the prescription drug as required by 21 U.S.C. 356c of the federal Food, Drug, and Cosmetic Act; or

(3) the manufacturer of the prescription drug has removed the prescription drug from the market.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 241 as printed February 28, 2020.)

AUSTIN

Upon request of Representatives Karickhoff and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 249: yeas 94, nays 0. Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 243

Representative Lehman called down Engrossed Senate Bill 243

for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 243-1)

Mr. Speaker: I move that Engrossed Senate Bill 243 be amended to read as follows:

Page 2, after line 42, begin a new paragraph and insert:

"SECTION 2. IC 25-22.5-17 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 17. Physician's Patient Information

Sec. 1. If a physician licensed under this article leaves the employment of an employer, the following apply:

(1) The employer of the physician must provide the physician with a copy of any notice that:

(A) concerns the physician's departure from the employer; and

(B) was sent to any patient seen or treated by the physician during the two (2) year period preceding the termination of the physician's employment or the expiration of the physician's contract. However, the patient names and contact information must be redacted from the copy of the notice provided from the employer of the physician to the physician.

(2) The physician's employer must, in good faith, provide the physician's last known or current contact and location information to a patient who:

(A) requests updated contact and location information for the physician; and

(B) was seen or treated by the physician during the two (2) year period preceding the termination of the physician's employment or the expiration of the physician's contract.

(3) The physician's employer must provide the physician with:

(A) access to; or

(B) copies of;

any medical record associated with a patient described in subdivision (1) or (2) upon receipt of the patient's consent.

(4) The physician's employer may not provide patient medical records to a requesting physician in a format that materially differs from the format used to create or store the medical record during the routine or ordinary course of business, unless a different format is mutually agreed upon by the parties. Paper or portable document format copies of the medical records satisfy the formatting provisions of this chapter.

Sec. 2. A person or entity required to create, copy, or transfer a patient medical record for a reason specified in this chapter may charge a reasonable fee for the service as permitted under applicable state or federal law.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 243 as printed February 28, 2020.

JUDY

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 267

Representative Pressel called down Engrossed Senate Bill 267 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 267–1)

Mr. Speaker: I move that Engrossed Senate Bill 267 be amended to read as follows:

Page 13, line 24, delete "IC 12-13-16-12." and insert "**IC 12-13-16-13.**".

Page 17, between lines 16 and 17, begin a new paragraph and insert:

"**Sec. 12. (a) The office of the secretary shall submit to the general assembly an annual report regarding 211 operations. The report must include information regarding all services provided through 211 and a description of changes in the information as compared to the year preceding the year for which the report is issued.**

(b) The office of the secretary shall submit the report under subsection (a):

(1) not later than June 1 of each year; and

(2) in an electronic format under IC 5-14-6.".

Page 17, line 17, delete "Sec. 12." and insert "**Sec. 13.**".

(Reference is to ESB 267 as printed February 25, 2020.)

JACKSON

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 272

Representative Torr called down Engrossed Senate Bill 272 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 272–6)

Mr. Speaker: I move that Engrossed Bill 272 be amended to read as follows:

Page 4, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 1. IC 6-3.1-11-13 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. As used in this chapter, "taxpayer" means any person, corporation, limited liability company, partnership, or other entity that has any state tax liability and that is the owner or developer of an industrial recovery site. The term includes ~~a lessee~~ **an assignee** that is assigned some part of a credit under section 16(c) of this chapter.

SECTION 2. IC 6-3.1-11-16, AS AMENDED BY P.L.204-2016, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) Subject to entering into an agreement with the corporation under section 19.5 of this chapter and subject to section 21 of this chapter, a taxpayer is entitled to a credit against the taxpayer's state tax liability for a taxable year if the taxpayer makes a qualified investment in that year.

(b) The amount of the credit to which a taxpayer is entitled is the qualified investment made by the taxpayer during the taxable year multiplied by the applicable percentage.

(c) ~~A taxpayer may assign any part of the credit to which the taxpayer is entitled under this chapter to a lessee of the industrial recovery site. A credit that is assigned under this subsection remains subject to this chapter.~~ **The taxpayer may assign any part of the credit that the taxpayer may claim under this chapter. A credit that is assigned under this subsection remains subject to this chapter.**

(d) ~~An assignment under subsection (c) must be in writing and both the taxpayer and the lessee must report the assignment on their state tax return for the year in which the assignment is made, in the manner prescribed by the department of state revenue. The taxpayer shall not receive value in connection with the assignment under subsection (c) that exceeds the value of the part of the credit assigned.~~ **If a taxpayer assigns a part of a credit during a taxable year, the assignee may not subsequently assign all or part of the credit to another taxpayer. A taxpayer may make only one (1) assignment of a credit. Before a credit may be assigned, the taxpayer must notify the corporation of the assignment of the credit in the manner prescribed by the corporation. An assignment of a credit must be in writing, and both the taxpayer and assignee shall report the assignment on the taxpayer's and the assignee's state tax returns for the year in which the assignment is made, in the manner prescribed by the department. A taxpayer may not receive value in connection with an assignment under this section that exceeds the value of the part of the credit assigned.**".

Renumber all SECTIONS consecutively.

(Reference is to ESB 272 as printed February 21, 2020.)

LEHMAN

Motion prevailed.

HOUSE MOTION
(Amendment 272–2)

Mr. Speaker: I move that Engrossed Senate Bill 272 be amended to read as follows:

Page 5, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 9. IC 6-3.1-13-15, AS AMENDED BY P.L.197-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. This section applies to an application proposing a project to create new jobs in Indiana. After receipt of an application, the corporation may enter into an agreement with the applicant for a credit under this chapter if the corporation determines that all of the following conditions exist:

(1) The applicant's project will create new jobs that were not jobs previously performed by employees of the applicant in Indiana.

(2) The applicant's project is economically sound and will benefit the people of Indiana by increasing opportunities for employment in Indiana and strengthening the economy of Indiana.

(3) Receiving the tax credit is a major factor in the applicant's decision to go forward with the project and not receiving the tax credit will result in the applicant not creating new jobs in Indiana.

(4) Awarding the tax credit will result in an overall positive fiscal impact to the state, as certified by the budget agency using the best available data.

(5) The credit is not prohibited by section 16 of this chapter.

(6) If the business is located in a community revitalization enhancement district established under IC 36-7-13 or a certified technology park established under IC 36-7-32, the legislative body of the political subdivision establishing the district or park has adopted an ordinance recommending the granting of a credit amount that is at least equal to the credit amount provided in the agreement.

(7) The applicant provides at least twelve (12) weeks of paid maternity leave or paternity leave, as applicable, to an employee of the applicant who:

(A) gives birth to a child;

(B) is married to a woman who gives birth to a child; or

(C) adopts a child.

SECTION 10. IC 6-3.1-13-15.5, AS AMENDED BY P.L.110-2010, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15.5. This section applies to an application proposing to retain existing jobs in Indiana. After receipt of an application, the corporation may enter into an agreement with the applicant for a credit under this chapter if the corporation determines that all the following conditions exist:

(1) The applicant's project will retain existing jobs performed by the employees of the applicant in Indiana.

(2) The applicant is engaged in research and development, manufacturing, or business services, according to the NAICS Manual of the United States Office of Management and Budget.

(3) The average compensation (including benefits) provided to the applicant's employees during the applicant's previous fiscal year exceeds the greater of the following:

(A) If there is more than one (1) business in the same NAICS industry sector as the applicant's business in the county in which the applicant's business is located, the average compensation paid during that same period to all employees working in that NAICS industry sector in that county multiplied by one hundred five percent (105%).

(B) If there is more than one (1) business in the same NAICS industry sector as the applicant's business in Indiana, the average compensation paid during that same period to all employees working in that NAICS industry sector throughout Indiana multiplied by one hundred five percent (105%).

(C) The compensation for that same period corresponding to the federal minimum wage multiplied by two hundred percent (200%).

(4) For taxable years beginning before January 1, 2010, the applicant employs at least thirty-five (35) employees in Indiana.

(5) The applicant has prepared a plan for the use of the credits under this chapter for:

(A) investment in facility improvements or equipment and machinery upgrades, repairs, or retrofits; or

(B) other direct business related investments, including but not limited to training.

(6) Receiving the tax credit is a major factor in the applicant's decision to go forward with the project, and not receiving the tax credit will increase the likelihood of the applicant reducing jobs in Indiana.

(7) Awarding the tax credit will result in an overall positive fiscal impact to the state, as certified by the budget agency using the best available data.

(8) The applicant's business and project are economically sound and will benefit the people of Indiana by increasing or maintaining opportunities for employment and strengthening the economy of Indiana.

(9) The communities affected by the potential reduction in jobs or relocation of jobs to another site outside Indiana have committed local incentives with respect to the retention of jobs in an amount determined by the corporation. For purposes of this subdivision, local incentives include, but are not limited to, cash grants, tax abatements, infrastructure improvements, investment in facility rehabilitation, construction, and training investments.

(10) The credit is not prohibited by section 16 of this chapter.

(11) If the business is located in a community revitalization enhancement district established under IC 36-7-13 or a certified technology park established under IC 36-7-32, the legislative body of the political subdivision establishing the district or park has adopted an ordinance recommending the granting of a credit amount that is at least equal to the credit amount provided in the agreement.

(12) The applicant provides at least twelve (12) weeks of paid maternity leave or paternity leave, as applicable, to an employee of the applicant who:

(A) gives birth to a child;

(B) is married to a woman who gives birth to a child; or

(C) adopts a child.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 272 as printed February 21, 2020.)

PRYOR

Representative Leonard rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was well taken and the motion was out of order.

HOUSE MOTION
(Amendment 272–1)

Mr. Speaker: I move that Engrossed Senate Bill 272 be amended to read as follows:

Replace the effective dates in SECTIONS 7 through 10 with "[EFFECTIVE JANUARY 1, 2017 (RETROACTIVE)]".

Page 5, between lines 4 and 5, begin a new paragraph and insert:

"**(d) The application prescribed under subsection (c) must include a provision stating that the applicant authorizes the corporation to make the disclosures described in section 23.1 of this chapter.**".

Page 7, after line 7, begin a new paragraph and insert:

"SECTION 11. IC 6-3.1-13-23.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2017 (RETROACTIVE)]: **Sec. 23.1. (a) This section applies only to an application for the credit provided by this chapter that is initially submitted to the corporation after December 31, 2016.**

(b) As used in this section, "application" means any application form prescribed by the corporation that is submitted by an applicant in order to obtain the credit provided by this chapter.

(c) Notwithstanding IC 5-14-3-4, if a person submits a properly executed request to the corporation under IC 5-14-3 to inspect or copy any of the following public records after the third anniversary of the date on which an application for the credit provided by this chapter is initially submitted to the corporation, the corporation shall make the public record available to the person who submitted the request for the public record under IC 5-14-3 in an unredacted form for inspection or copying:

(1) An application for the credit provided by this chapter.

(2) The part of an agreement or other document that specifies the amount or percentage of the credit provided by this chapter that was awarded to an applicant.

SECTION 12. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to ESB 272 as printed February 21, 2020.)

CHYUNG

Upon request of Representatives Chyung and Porter, the Speaker ordered the roll of the House to be called. Roll Call 250: yeas 30, nays 63. Motion failed.

HOUSE MOTION
(Amendment 272–3)

Mr. Speaker: I move that Engrossed Senate Bill 272 be amended to read as follows:

Page 4, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 7. IC 6-3.1-13-7.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 7.5. (a) As used in this chapter, "reasonable accommodation" means a modification or adjustment to address medical needs related to pregnancy.**

(b) The term may include the following:

(1) More frequent or longer breaks.

(2) Modification of uniforms.

(3) Time off work to recover from childbirth.

(4) Acquisition or modification of equipment.

(5) Seating.

(6) Temporary transfer to a less strenuous or less hazardous position.

(7) Job restructuring.

(8) Light duty.

(9) Work break time for expressing breast milk.

(10) Private nonbathroom space for expressing breast milk.

(11) Assistance with physical or manual labor.

(12) Modified work schedules.".

Page 5, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 10. IC 6-3.1-13-15, AS AMENDED BY P.L.197-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. This section applies to an application proposing a project to create new jobs in Indiana. After receipt of an application, the corporation may enter into an agreement with the applicant for a credit under this chapter if the corporation determines that all of the following conditions exist:

(1) The applicant's project will create new jobs that were not jobs previously performed by employees of the applicant in Indiana.

(2) The applicant's project is economically sound and will benefit the people of Indiana by increasing opportunities for employment in Indiana and strengthening the economy of Indiana.

(3) Receiving the tax credit is a major factor in the applicant's decision to go forward with the project and not receiving the tax credit will result in the applicant not creating new jobs in Indiana.

(4) Awarding the tax credit will result in an overall positive fiscal impact to the state, as certified by the budget agency using the best available data.

(5) The credit is not prohibited by section 16 of this chapter.

(6) If the business is located in a community revitalization enhancement district established under IC 36-7-13 or a certified technology park established under IC 36-7-32, the legislative body of the political subdivision establishing the district or park has adopted an ordinance recommending the granting of a credit amount that is at least equal to the credit amount provided in the agreement.

(7) The applicant provides reasonable accommodations for pregnant employees.

SECTION 11. IC 6-3.1-13-15.5, AS AMENDED BY P.L.110-2010, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15.5. This section applies to an application proposing to retain existing jobs in Indiana. After receipt of an application, the corporation may enter into an agreement with the applicant for a credit under this chapter if the corporation determines that all the following conditions exist:

(1) The applicant's project will retain existing jobs performed by the employees of the applicant in Indiana.

(2) The applicant is engaged in research and development, manufacturing, or business services, according to the NAICS Manual of the United States Office of Management and Budget.

(3) The average compensation (including benefits) provided to the applicant's employees during the applicant's previous fiscal year exceeds the greater of the following:

(A) If there is more than one (1) business in the same NAICS industry sector as the applicant's business in the county in which the applicant's business is located, the average compensation paid during that same period to all employees working in that NAICS industry sector in that county multiplied by one hundred five percent (105%).

(B) If there is more than one (1) business in the same NAICS industry sector as the applicant's business in Indiana, the average compensation paid during that same period to all employees working in that NAICS industry sector throughout Indiana multiplied by one hundred five percent (105%).

(C) The compensation for that same period corresponding to the federal minimum wage multiplied by two hundred percent (200%).

(4) For taxable years beginning before January 1, 2010, the applicant employs at least thirty-five (35) employees in Indiana.

(5) The applicant has prepared a plan for the use of the credits under this chapter for:

(A) investment in facility improvements or equipment and machinery upgrades, repairs, or retrofits; or

(B) other direct business related investments, including but not limited to training.

(6) Receiving the tax credit is a major factor in the applicant's decision to go forward with the project, and not receiving the tax credit will increase the likelihood of the applicant reducing jobs in Indiana.
(7) Awarding the tax credit will result in an overall positive fiscal impact to the state, as certified by the budget agency using the best available data.
(8) The applicant's business and project are economically sound and will benefit the people of Indiana by increasing or maintaining opportunities for employment and strengthening the economy of Indiana.
(9) The communities affected by the potential reduction in jobs or relocation of jobs to another site outside Indiana have committed local incentives with respect to the retention of jobs in an amount determined by the corporation. For purposes of this subdivision, local incentives include, but are not limited to, cash grants, tax abatements, infrastructure improvements, investment in facility rehabilitation, construction, and training investments.
(10) The credit is not prohibited by section 16 of this chapter.
(11) If the business is located in a community revitalization enhancement district established under IC 36-7-13 or a certified technology park established under IC 36-7-32, the legislative body of the political subdivision establishing the district or park has adopted an ordinance recommending the granting of a credit amount that is at least equal to the credit amount provided in the agreement.
(12) The applicant provides reasonable accommodations for pregnant employees.".
Renumber all SECTIONS consecutively.
(Reference is to ESB 272 as printed February 21, 2020.)
PRYOR

Representative Leonard rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. The Speaker ruled the point was well taken and the motion was out of order.

APPEAL OF THE RULING OF THE CHAIR

Mr. Speaker: We hereby appeal the ruling of the Chair that amendment Senate Bill 272–2 violates House Rule 80. The amendment addresses requiring IEDC Tax Credit applicants to provide reasonable accommodations for pregnant employees and is assuredly germane to the bill's subject matter of IEDC Tax Credits.

DVORAK
PRYOR

The Speaker yielded the gavel to the Speaker Pro Tempore, Representative Karickhoff.

The question was, Shall the ruling of the Chair be sustained? Roll Call 251: yeas 63, nays 30. The ruling of the Chair was sustained. The bill was ordered engrossed.

The Speaker Pro Tempore yielded the gavel to the Speaker.

Engrossed Senate Bill 289

Representative Wesco called down Engrossed Senate Bill 289 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 289–3)

Mr. Speaker: I move that Engrossed Senate Bill 289 be amended to read as follows:
Page 1, delete lines 1 through 17.
Delete pages 2 through 3.
Page 4, delete line 1, begin a new paragraph and insert:
"SECTION 1. IC 31-9-2-7, AS AMENDED BY P.L.191-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) "Adult", for purposes of IC 31-19-17 through IC 31-19-25.5, means a person who is at least twenty-one (21) years of age.
(b) "Adult", for purposes of the juvenile law, means a person other than a child.
(c) "Adult", for purposes of IC 31-11, means:
(1) a person at least eighteen (18) years of age; or
(2) a:
(A) married minor who is at least sixteen (16) years of age; or
(B) minor who has been completely emancipated by a court;
subject to specific constitutional and statutory age requirements and health and safety regulations that remain applicable to the person because of the person's age.".
Page 8, line 41, delete "as defined under".
Page 8, line 42, delete "IC 1-1-4-5(a)(1)".
Page 20, line 30, delete "adult as defined in" and insert "**adult.**".
Page 20, line 31, delete "IC 1-1-4-5(a)(1).".
Page 21, line 40, delete "adult as" and insert "**adult.**".
Page 21, line 41, delete "defined in IC 1-1-4-5(a)(1).".
Renumber all SECTIONS consecutively.
(Reference is to ESB 289 as printed February 25, 2020.)
ENGLEMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 335

Representative McNamara called down Engrossed Senate Bill 335 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 335–1)

Mr. Speaker: I move that Engrossed Bill 335 be amended to read as follows:
Page 81, line 8, after "IC 35-50-2-2.1;" insert "**and**".
Page 81, delete lines 9 through 22, begin a new line block indented and insert:
"**(13) whether:**
(A) the person has been adjudicated a delinquent child for committing an act that would be a serious violent felony (as defined in IC 35-47-4-5) if committed by an adult; and
(B) the:
(i) person is currently suffering from a mental health issue;
(ii) mental health issue described in item (i) is chronic or ongoing;
(iii) person has received, or is receiving, treatment for a current or chronic mental health issue; or
(iv) person is compliant with a treatment regimen recommended by a mental health professional, if applicable.".
Page 103, between lines 26 and 27, begin a new paragraph and insert:
"SECTION 56. IC 35-41-5-2, AS AMENDED BY P.L.158-2013, SECTION 409, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A person conspires to commit ~~a felony~~ **an offense** when, with intent to commit the ~~felony,~~ **offense,** the person agrees with another person to commit the ~~felony.~~ **offense.** A conspiracy to commit ~~a felony~~ **an offense** is ~~a felony~~ **an offense** of the same level **(if the offense is a felony) or class (if the offense is a misdemeanor)** as the underlying ~~felony.~~ **offense.** However, a conspiracy to commit murder is:
(1) a Level 2 felony if the conspiracy does not result in the death of a person; and

(2) a Level 1 felony if the conspiracy results in the death of another person.

(b) The state must allege and prove that either the person or the person with whom he or she agreed performed an overt act in furtherance of the agreement.

(c) It is no defense that the person with whom the accused person is alleged to have conspired:

(1) has not been prosecuted;
(2) has not been convicted;
(3) has been acquitted;
(4) has been convicted of a different crime;
(5) cannot be prosecuted for any reason; or
(6) lacked the capacity to commit the crime.".

Page 119, delete lines 5 through 42, begin a new paragraph and insert:

"SECTION 83. IC 35-45-17-2, AS ADDED BY P.L.140-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. A person who knowingly or intentionally does any of the following commits panhandling, a Class C misdemeanor:

~~(1) Panhandling after sunset and before sunrise.~~

~~(2)~~ **(1)** Panhandling when the individual being solicited is:
(A) at a bus stop;
(B) in a:
(i) vehicle; or
(ii) facility;
used for public transportation;
(C) in a motor vehicle that is parked or stopped on a public street or alley, unless the person soliciting the individual has the approval to do so by a unit of local government that has jurisdiction over the public street or alley;
(D) in the sidewalk dining area of a restaurant; ~~or~~
(E) within ~~twenty (20)~~ **fifty (50)** feet of:
(i) an automated teller machine; ~~or~~
(ii) the entrance **or exit** to a bank, **business, or restaurant; or**
(iii) the location where a financial transaction occurs; or
(F) within fifty (50) feet of a public monument.

~~(3)~~ **(2)** Panhandling while touching the individual being solicited without the solicited individual's consent.

~~(4)~~ **(3)** Panhandling while the individual being solicited is standing in line and waiting to be admitted to a commercial establishment.

~~(5)~~ **(4)** Panhandling while blocking:
(A) the path of the individual being solicited; or
(B) the entrance to a building or motor vehicle.

~~(6)~~ **(5)** Panhandling while using profane or abusive language:
(A) during a solicitation; or
(B) after the individual being solicited has declined to donate money or something else of value.

~~(7)~~ **(6)** Panhandling while making a statement, a gesture, or another communication to the individual being solicited that would cause a reasonable individual to:
(A) fear for the individual's safety; or
(B) feel compelled to donate.

~~(8)~~ **(7)** Panhandling with at least one (1) other individual.

~~(9)~~ **(8)** Panhandling and then following or accompanying the solicited individual without the solicited individual's consent after the solicited individual has declined to donate money or something else of value.".

Page 120, delete lines 1 through 5.

Renumber all SECTIONS consecutively.

(Reference is to ESB 335 as printed February 28, 2020.)

MCNAMARA

Motion prevailed.

HOUSE MOTION
(Amendment 335–2)

Mr. Speaker: I move that Engrossed Senate Bill 335 be amended to read as follows:

Page 10, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 7. IC 9-30-5-1, AS AMENDED BY P.L.63-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A person who operates a vehicle with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol but less than fifteen-hundredths (0.15) gram of alcohol per:

(1) one hundred (100) milliliters of the person's blood; or
(2) two hundred ten (210) liters of the person's breath;

commits a Class C misdemeanor.

(b) A person who operates a vehicle with an alcohol concentration equivalent to at least fifteen-hundredths (0.15) gram of alcohol per:

(1) one hundred (100) milliliters of the person's blood; or
(2) two hundred ten (210) liters of the person's breath;

commits a Class A misdemeanor.

(c) A person who operates a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's ~~body~~ **blood** commits a Class C misdemeanor.

(d) It is a defense to subsection (c) that:

(1) the accused person consumed the controlled substance in accordance with a valid prescription or order of a practitioner (as defined in IC 35-48-1) who acted in the course of the practitioner's professional practice; **or**
(2) beginning January 1, 2021, the:
(A) controlled substance is THC;
(B) the amount of THC is less than one (1) nanogram; and
(C) the THC was identified by means of a chemical test taken pursuant to IC 9-30-7.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 335 as printed February 28, 2020.)

YOUNG

Motion prevailed.

HOUSE MOTION
(Amendment 335–3)

Mr. Speaker: I move that Engrossed Senate Bill 335 be amended to read as follows:

Page 128, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 93. IC 35-48-4-8.3, AS AMENDED BY P.L.187-2015, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8.3. (a) This section does not apply to a rolling paper.

(b) A person who knowingly or intentionally possesses an instrument, a device, or another object that the person intends to use for:

(1) introducing into the person's body a controlled substance;
(2) testing the strength, effectiveness, or purity of a controlled substance; or
(3) enhancing the effect of a controlled substance;

commits a Class C misdemeanor. However, the offense is a Class A misdemeanor if the person has a prior unrelated judgment or conviction under this section.

(c) It is a defense to a prosecution under this section that:
(1) the instrument, device, or other object is for use with marijuana; and
(2) a physician treating the patient has certified in a writing executed within the previous year that:
(A) the person suffers from a terminal illness or serious untreatable disease; and
(B) in the professional opinion of the physician, the

benefits of treatment with marijuana are greater than the risks of treatment with marijuana.

SECTION 94. IC 35-48-4-11, AS AMENDED BY P.L.153-2018, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) A person who:

(1) knowingly or intentionally possesses (pure or adulterated) marijuana, hash oil, hashish, or salvia;

(2) knowingly or intentionally grows or cultivates marijuana; or

(3) knowing that marijuana is growing on the person's premises, fails to destroy the marijuana plants;

commits possession of marijuana, hash oil, hashish, or salvia, a Class B misdemeanor, except as provided in subsections (b) through (c).

(b) The offense described in subsection (a) is a Class A misdemeanor if:

(1) the person has a prior conviction for a drug offense; or

(2) the:

(A) marijuana, hash oil, hashish, or salvia is packaged in a manner that appears to be low THC hemp extract; and

(B) person knew or reasonably should have known that the product was marijuana, hash oil, hashish, or salvia.

(c) The offense described in subsection (a) is a Level 6 felony if:

(1) the person has a prior conviction for a drug offense; and

(2) the person possesses:

(A) at least thirty (30) grams of marijuana; or

(B) at least five (5) grams of hash oil, hashish, or salvia.

(d) It is a defense to a prosecution under this section that:

(1) the person possessed less than two (2) ounces of marijuana; and

(2) a physician treating the patient has certified in a writing executed within the previous year that:

(A) the person suffers from a terminal illness or serious untreatable disease; and

(B) in the professional opinion of the physician, the benefits of treatment with marijuana are greater than the risks of treatment with marijuana.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 335 as printed February 28, 2020.)

ERRINGTON

Representative Leonard rose to a point of order, citing Rule 118, stating that the motion was attempting to incorporate into Engrossed Senate Bill 335 a bill pending before the House. The Speaker ruled the point was well taken and the motion was out of order. The bill was ordered engrossed.

Engrossed Senate Bill 350

Representative T. Brown called down Engrossed Senate Bill 350 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 350–2)

Mr. Speaker: I move that Engrossed Senate Bill 350 be amended to read as follows:

Page 1, delete lines 5 through 15, begin a new paragraph and insert:

"**Sec. 1. This chapter applies to an eligible political subdivision located within the metropolitan planning area of the MPO.**

Sec. 2. The following definitions apply throughout this chapter:

(1) "Eligible political subdivision" means any of the following:

(A) A county.

(B) A municipality.

(C) An airport authority.

(D) A commuter transportation district.

(E) A regional transportation authority.

(F) A port authority.

(2) "Metropolitan planning area" of the MPO means the aggregate geographic territory of the following political subdivisions:

(A) A county having a population of more than seven hundred thousand (700,000).

(B) All eligible political subdivisions in a county having a population of more than seven hundred thousand (700,000).

(C) All counties immediately adjacent to a county having a population of more than seven hundred thousand (700,000).

(D) All eligible political subdivisions in a county immediately adjacent to a county having a population of more than seven hundred thousand (700,000).

(3) "MPO" means the Indianapolis metropolitan planning organization established by section 3 of this chapter.".

Page 2, delete lines 1 through 13.

Page 6, line 38, delete "units" and insert "**political subdivisions**".

Page 6, line 41, after "authority." insert "**If Marion County and the city of Indianapolis are required to become members of the central Indiana regional development authority under this subsection, Marion County and the city of Indianapolis do not incur any financial obligation because of the fact they have become members of the central Indiana regional development authority. Marion County or the city of Indianapolis can incur a financial obligation in relation to the central Indiana regional development authority only by voluntarily entering into an agreement to undertake the financial obligation.**".

Page 11, line 6, after "authority." insert "**The development authority shall pay the cost of any audit by the state board of accounts.**".

Page 11, delete lines 12 through 17.

Page 13, line 32, after "executive" insert "**, fiscal body, and legislative body**".

Page 13, line 33, delete "and fiscal and legislative bodies".

Page 14, line 16, after "an" insert "**interlocal agreement.**".

Page 14, delete lines 17 through 18.

Renumber all SECTIONS consecutively.

(Reference is to ESB 350 as printed February 28, 2020.)

T. BROWN

Motion prevailed.

HOUSE MOTION
(Amendment 350–1)

Mr. Speaker: I move that Engrossed Senate Bill 350 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-21-2-14 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: **Sec. 14. The Indiana School for the Deaf and the Indiana School for the Blind and Visually Impaired may not be consolidated, co-located, or relocated after December 31, 2019, unless the consolidation, co-location, or relocation is specifically required or authorized by an act of the general assembly.**".

Page 14, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 4. P.L.137-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019 (RETROACTIVE)]: SECTION 1. (a) The definitions used in IC 20 apply throughout this SECTION.

(b) As used in this SECTION, "advisory committee" refers to the task force advisory committee established in subsection (g).

(c) As used in this SECTION, "task force" refers to the Indiana Schools for the Deaf and the Blind or Visually Impaired task force established in subsection (d).

(d) The Indiana Schools for the Deaf and the Blind or Visually Impaired task force is established to evaluate and make recommendations to the budget committee relating to the operation of the physical plants of the Indiana School for the Deaf and the Indiana School for the Blind or Visually Impaired. The task force consists of the following members:

(1) The superintendent of the Indiana School for the Deaf, or the superintendent's designee.

(2) The superintendent of the Indiana School for the Blind or Visually Impaired, or the superintendent's designee.

(3) The commissioner of the department of administration created by IC 4-13-1-2, or the commissioner's designee.

(4) One (1) member, who is an alumnus of the Indiana School for the Deaf, appointed by the governor.

(5) One (1) member, who is an alumnus of the Indiana School for the Blind or Visually Impaired, appointed by the governor.

(6) One (1) member who is a parent of a current full-time student at the Indiana School for the Deaf, appointed by the governor.

(7) One (1) member who is a parent of a current full-time student at the Indiana School for the Blind or Visually Impaired, appointed by the governor.

(8) One (1) member of the senate, appointed by the president pro tempore of the senate.

(9) One (1) member of the house of representatives, appointed by the speaker of the house of representatives.

(e) The chairperson of the legislative council during the 2019 interim shall appoint one (1) of the members under subsection (d) to serve as chairperson of the task force. The task force shall meet at the call of the chairperson of the task force. Each member appointed under subsection (d) serves at the will of the member's appointing authority. A quorum of the task force consists of five (5) members. The affirmative vote of at least five (5) members is necessary for the task force to approve the final report and for other official action of the task force.

(f) The task force shall do the following:

(1) On or before December 1, 2019, make recommendations to the budget committee as to whether the Indiana School for the Deaf and the Indiana School for the Blind or Visually Impaired should be combined into a single campus.

(2) If the task force does not recommend combining the schools described in subdivision (1) into a single campus, the task force shall evaluate and make recommendations to the budget committee regarding how to implement master plans for the Indiana School for the Deaf and the Indiana School for the Blind or Visually Impaired for the next:

(A) five (5) years;

(B) ten (10) years; and

(C) fifteen (15) years.

(3) If the task force recommends combining the schools described in subdivision (1) into a single campus, the task force shall evaluate and make recommendations to the budget committee regarding potential options for combining the campuses of the schools described in subdivision (1) and include a cost analysis of each potential solution that incorporates the savings projected by not operating two (2) separate campuses.

(4) Make final recommendations that comply with Article 9, Section 1 of the Constitution of the State of Indiana to the budget committee on or before December 1, 2020.

A recommendation to the budget committee under this subsection is advisory only and does not have the force of law.

(g) The task force advisory committee is established to advise the task force, in a manner prescribed by the task force, on matters necessary for the task force to carry out its responsibilities under this SECTION. The advisory committee is composed of the following members:

(1) The operations director for the Indiana School for the Deaf.

(2) The operations director for the Indiana School for the Blind or Visually Impaired.

(3) The budget director, or the budget director's designee.

(4) The commissioner of the commission for higher education, or the commissioner's designee.

(5) The superintendent of public instruction, or the superintendent of public instruction's designee.

(6) One (1) member representing the construction industry, appointed by the governor.

(7) One (1) member who is a parent of a student who:

(A) is deaf or hard of hearing; and

(B) attends a public school that is not a charter school;

appointed by the governor.

(8) One (1) member who is a parent of a student who:

(A) is blind; and

(B) attends a public school that is not a charter school;

appointed by the governor.

(9) One (1) member, nominated by Indiana Disability Rights and appointed by the governor.

(h) The chairperson of the legislative council during the 2019 interim shall appoint one (1) of the members under subsection (g) to serve as chairperson of the advisory committee. The advisory committee shall meet at the call of the chairperson of the task force or the chairperson of the advisory committee. Each member appointed by the governor under subsection (g) serves at the will of the governor. A quorum of the advisory committee consists of five (5) members. The advisory committee shall make recommendations and advise the task force in a manner prescribed by the chairperson of the task force.

(i) The department of administration created by IC 4-13-1-2 shall provide staffing and administrative support for the task force and the advisory committee necessary for the task force and advisory committee to carry out their duties and responsibilities under this SECTION.

(j) Each member of the task force or advisory committee who is not a state employee or a member of the general assembly is not entitled to the minimum salary per diem or reimbursement for traveling expenses and other expenses. Each member of the task force or advisory committee who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the department of administration and approved by the budget agency. Each member of the task force who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

(k) Meetings of the task force and the advisory committee must comply with IC 5-14-1.5.

(l) This SECTION expires January 1, 2021.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 350 as printed February 28, 2020.)

PORTER

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 252: yeas 31, nays 61. Motion failed. The bill was ordered engrossed.

Engrossed Senate Bill 365

Representative Soliday called down Engrossed Senate Bill 365 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 365–1)

Mr. Speaker: I move that Engrossed Senate Bill 365 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-20.3-18 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: **Sec. 18. (a) If for any year the reduction of a township's property tax revenue attributable to the credits provided under IC 6-1.1-20.6 to taxpayers within the township equals or exceeds forty percent (40%) of the township's property tax levy, the executive of the township, upon approval by the fiscal body of the township, may apply to the board for a circuit breaker replacement grant in the manner prescribed by the board.**

(b) The board may approve an application for a circuit breaker replacement grant submitted under subsection (a) for any amount that does not exceed fifty percent (50%) of the reduction of the township's property tax revenue attributable to the credits provided by IC 6-1.1-20.6, regardless of the amount requested, subject to the availability of money. The board shall pay a circuit breaker replacement grant approved under this section frommoney appropriated to the board.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 365 as printed February 28, 2020.)

PORTER

Motion failed.

HOUSE MOTION
(Amendment 365–3)

Mr. Speaker: I move that Engrossed Senate Bill 365 be amended to read as follows:

Page 1, line 7, reset in roman "in 2015 or".

Page 1, line 7, reset in roman "thereafter".

Page 1, line 7, delete "after 2014 and".

Delete page 2.

Page 3, delete lines 1 through 17.

Page 3, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 2. IC 36-1-1.5-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5.5. For purposes of this chapter, a township is adjacent to an eligible municipality if the township is contiguous to or adjoins the corporate boundaries of the eligible municipality.**

SECTION 3. IC 36-1-1.5-9, AS AMENDED BY P.L.129-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. The following apply if at least two-thirds (2/3) of the voters voting in a special election under **section 8 of** this chapter vote "yes" on the public question under **section 8 of** this chapter:

(1) The legislative body of the eligible municipality may, within ~~one (1) year~~ **two (2) years** after the special election **under section 8 of this chapter,** submit a petition to one (1) or more adjacent townships requesting an adjacent township to accept the transfer of the territory of the eligible municipality that is within the transferor township.

(2) The legislative body of an adjacent township that receives a petition under subdivision (1) may adopt a **preliminary** resolution accepting the transfer of the territory of the eligible municipality that is within the transferor township and specifying the date on which ~~the transfer is effective.~~ **a special election under section 10.5 of this chapter will be held.** However, the legislative body of the adjacent township may adopt a **preliminary** resolution accepting the transfer of the territory of the eligible municipality only within the two (2) year period following the date on which the legislative body receives the petition.

(3) If the legislative body of the eligible municipality submits a petition to one (1) or more adjacent townships under subdivision (1) within ~~one (1) year~~ **two (2) years** after the special election **under section 8 of this chapter,** but a resolution accepting the transfer of the territory of the eligible municipality within the transferor township is not adopted by the legislative body of an adjacent township within the two (2) year period following the date on which the last legislative body of a township receives such a petition **or the legislative body of an adjacent township adopts a resolution rejecting the transfer of the territory of the eligible municipality within the transferor township:**

(A) the territory of the eligible municipality may not be transferred **to an adjacent township** under this chapter; ~~and~~

(B) a subsequent special election under **section 8 of** this chapter may not be held in the eligible municipality; **and**

(C) the eligible municipality shall assume the duties and responsibilities of township government in the territory of the transferor township that is located within the eligible municipality as provided in IC 36-1-1.6.

(4) If the legislative body of the eligible municipality does not submit a petition to one (1) or more adjacent townships under subdivision (1) within ~~one (1) year~~ **two (2) years** after the special election **under section 8 of this chapter:**

(A) the territory of the eligible municipality may not be transferred under this chapter; and

(B) a subsequent special election under **section 8 of** this chapter may not be held in the eligible municipality.

SECTION 4. IC 36-1-1.5-10.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 10.5. The following apply if the legislative body of an adjacent township adopts a preliminary resolution accepting transfer of the territory of the eligible municipality that is within the transferor township under section 9(2) of this chapter:**

(1) The clerk of the adjacent township shall certify the preliminary resolution to the county election board.

(2) A special election on the public question shall be held in the adjacent township in the manner prescribed by IC 3-10-8-6. The special election shall be held on a date that:

(A) is specified by the legislative body of the adjacent township in the preliminary resolution; and

(B) is not more than one (1) year after the date on which the clerk of the adjacent township certifies the preliminary resolution to the county election board.

(3) The clerk of the adjacent township shall give notice of the special election by publication in the manner prescribed by IC 5-3-1.

(4) The eligible municipality shall pay the costs of holding the special election.

(5) The county election board shall place the following question on the ballot in the adjacent township:

"Shall the territory of _____ (insert the name of the eligible municipality) be transferred

from _____ (insert the name of the transferor township) to _____ (insert name of adjacent township?".

(6) After the special election on the public question is held, the county election board:

(A) shall file with the clerk of the adjacent township the results of the special election for each precinct of the adjacent township in the manner prescribed by IC 3-12-4; and

(B) shall certify a copy of the results of the special election to:

(i) the county auditor;

(ii) the legislative body and executive of the adjacent township;

(iii) the legislative body and executive of the eligible municipality; and

(iv) the legislative body and executive of each township that includes territory of the eligible municipality.

SECTION 5. IC 36-1-1.5-11, AS ADDED BY P.L.234-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) If:

(1) the legislative body of a township that receives a petition under section 9(2) of this chapter adopts a **preliminary** resolution accepting the transfer of the eligible municipality's territory that is within the transferor township as provided in section 9(2) of this chapter; **and**

(2) at least two-thirds (2/3) of the voters voting in a special election under section 10.5 of this chapter vote "yes" on the public question under section 10.5 of this chapter;

the territory of the eligible municipality that is within the transferor township is transferred to and becomes part of the township adopting the resolution on the date specified in the resolution.

(b) If:

(1) more than one (1) adjacent township adopts a **preliminary** resolution as provided in section 9(2) of this chapter accepting the transfer of the territory of the eligible municipality that is within the transferor township; **and**

(2) at least two-thirds (2/3) of the voters voting in a special election under section 10.5 of this chapter vote "yes" on the public question under section 10.5 of this chapter in more than one (1) adjacent township;

the territory of the eligible municipality that is within the transferor township is transferred to and becomes part of the township that is first to adopt the **preliminary** resolution.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 365 as printed February 28, 2020.)

PORTER

Motion failed. The bill was ordered engrossed.

Engrossed Senate Bill 367

Representative Aylesworth called down Engrossed Senate Bill 367 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 367–1)

Mr. Speaker: I move that Engrossed Senate Bill 367 be amended to read as follows:

Page 2, delete lines 38 through 42.

Page 3, delete lines 1 through 23.

Renumber all SECTIONS consecutively.

(Reference is to ESB 367 as printed February 28, 2020.)

LEHMAN

Motion prevailed. The bill was ordered engrossed.

Engrossed Senate Bill 395

Representative Burton called down Engrossed Senate Bill 395 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed Senate Bill 408

Representative T. Brown called down Engrossed Senate Bill 408 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 408–1)

Mr. Speaker: I move that Engrossed Bill 408 be amended to read as follows:

Page 40, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 27. IC 6-3-3-11 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 11. (a) Each taxable year, an individual who is eligible to claim the federal child and dependent care tax credit under Section 21 of the Internal Revenue Code is entitled to a credit against the individual's (and the individual's spouse's in the case of a joint return) adjusted gross income tax liability equal to:**

(1) the allowable amount of the federal child and dependent care tax credit that the taxpayer claimed on the taxpayer's federal income tax return for the taxable year under Section 21 of the Internal Revenue Code; multiplied by

(2) the following percentage:

(A) If the adjusted gross income of the individual, and the individual's spouse in the case of a joint return, is forty thousand dollars ($40,000) or less, one hundred percent (100%).

(B) If the adjusted gross income of the individual, and the individual's spouse in the case of a joint return, is greater than forty thousand dollars ($40,000) and not more than sixty thousand dollars ($60,000), seventy-five percent (75%).

(C) If the adjusted gross income of the individual, and the individual's spouse in the case of a joint return, is greater than sixty thousand dollars ($60,000) and not more than eighty thousand dollars ($80,000), fifty percent (50%).

(D) If the adjusted gross income of the individual, and the individual's spouse in the case of a joint return, is greater than eighty thousand dollars ($80,000) and not more than one hundred thousand dollars ($100,000), twenty-five percent (25%).

If the adjusted gross income of the individual, and the individual's spouse in the case of a joint return, is greater than one hundred thousand dollars ($100,000), the individual is not entitled to a credit against the individual's adjusted gross income tax liability.

(b) If the credit provided by this section exceeds the amount of the taxpayer's adjusted gross income tax liability for the taxable year, reduced by the sum of all credits for the taxable year that are applied before the application of the credit provided by this section, the excess shall be refunded to the taxpayer.".

Page 82, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 62. [EFFECTIVE JANUARY 1, 2021] **(a) IC 6-3-3-11, as added by this act, applies to taxable years beginning after December 31, 2020.**

(b) This SECTION expires June 30, 2023.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 408 as printed February 28, 2020.)

HAMILTON

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 253: yeas 31, nays 61. Motion failed.

HOUSE MOTION
(Amendment 408–2)

Mr. Speaker: I move that Engrossed Senate Bill 408 be amended to read as follows:

Page 2, delete lines 32 through 34.
Page 2, line 35, delete "(e)" and insert "**(d)**".
Page 2, line 38, delete "(f)" and insert "**(e)**".
Page 3, line 3, delete "(g)" and insert "**(f)**".
Page 3, line 8, delete "(h)" and insert "**(g)**".
Renumber all SECTIONS consecutively.
(Reference is to ESB 408 as printed February 28, 2020.)

HARRIS

Upon request of Representatives Karickhoff and Torr, the Speaker ordered the roll of the House to be called. Roll Call 254: yeas 92, nays 0. Motion prevailed.

HOUSE MOTION
(Amendment 408–4)

Mr. Speaker: I move that Engrossed Senate Bill 408 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-7-1-18 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 18. Notwithstanding any other law, any money received or recovered by the state that is related to, is attributable to, or otherwise arises from state board of accounts audit number S4446 filed February 12, 2020, concerning the Indiana Virtual Education Foundation, Inc., doing business as the Indiana Virtual School and the Indiana Virtual Pathways Academy, regardless of when the money is received or whether the money is voluntarily returned or obtained by judgment, settlement, or any other method, shall be deposited in the Indiana secured school fund established by IC 10-21-1-2 for the secured school safety board's use in making matching grants to applicants underIC 10-21-1.**".

Renumber all SECTIONS consecutively.
(Reference is to ESB 408 as printed February 28, 2020.)

PORTER

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 255: yeas 29, nays 61. Motion failed.

Representative Hatcher, who had been present, is now excused.

HOUSE MOTION
(Amendment 408–5)

Mr. Speaker: I move that Engrossed Senate Bill 408 be amended to read as follows:

Page 44, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 28. IC 6-3-3-15 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 15. (a) This section applies only to taxable years beginning after December 31, 2020.**

(b) As used in this section, "student loan interest" means the total amount of interest paid on any qualified education loan (as defined in Section 221 of the Internal Revenue Code).

(c) Each taxable year, a resident individual is entitled to a credit against the individual's adjusted gross income tax liability for student loan interest. The amount of the credit is the lesser of:

(1) five hundred dollars ($500); or

(2) the total amount expended for student loan interest during a taxable year.

(d) In the case of a married couple filing a joint return, the maximum amount allowed as a credit under this section is one thousand dollars ($1,000).

(e) If the credit provided by this section exceeds the amount of the individual's adjusted gross income tax liability for the taxable year, reduced by the sum of all credits for the taxable year that are applied before the application of the credit provided by this section, the excess may be claimed as a refundable tax credit.".

Page 82, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 62. [EFFECTIVE UPON PASSAGE] **(a) Not later than September 1, 2020, the department of state revenue shall prescribe a tax form for the student loan interest credit created by IC 6-3-3-15, as added by this act.**

(b) The department of state revenue shall provide the form described in subsection (a) to the state budget committee not later than October 1, 2020.

(c) This SECTION expires December 31, 2020.

SECTION 63. [EFFECTIVE UPON PASSAGE] **(a) Not later than September 1, 2020, the Indiana commission for higher education shall:**

(1) investigate and study the feasibility of transferring an amount up to one hundred twenty million dollars ($120,000,000) in unrestricted funds from the Indiana secondary market for education loans to the state general fund; and

(2) prepare and submit a report with its findings under subsection (a) to the state budget committee.

(b) This SECTION expires December 31, 2020.".

Renumber all SECTIONS consecutively.
(Reference is to ESB 408 as printed February 28, 2020.)

PORTER

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 256: yeas 30, nays 62. Motion failed.

HOUSE MOTION
(Amendment 408–8)

Mr. Speaker: I move that Engrossed Senate Bill 408 be amended to read as follows:

Page 38, between lines 34 and 35, begin a new paragraph and insert:

"SECTION 24. IC 6-3-2-1, AS AMENDED BY P.L.212-2018(ss), SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 1. (a) Each taxable year, a tax at the following rate of adjusted gross income is imposed upon the adjusted gross income of every resident person, and on that part of the adjusted gross income derived from sources within Indiana of every nonresident person:

(1) For taxable years beginning before January 1, 2015, three and four-tenths percent (3.4%).

(2) For taxable years beginning after December 31, 2014, and before January 1, 2017, three and three-tenths percent (3.3%).

(3) For taxable years beginning after December 31, 2016, three and twenty-three hundredths percent (3.23%).

(b) Except as provided in section 1.5 of this chapter (before its expiration), each taxable year, a tax at the following rate of adjusted gross income is imposed on that part of the adjusted gross income derived from sources within Indiana of every corporation:

(1) Before July 1, 2012, eight and five-tenths percent (8.5%).

(2) After June 30, 2012, and before July 1, 2013, eight percent (8.0%).

(3) After June 30, 2013, and before July 1, 2014, seven

and five-tenths percent (7.5%).

(4) After June 30, 2014, and before July 1, 2015, seven percent (7.0%).

(5) After June 30, 2015, and before July 1, 2016, six and five-tenths percent (6.5%).

(6) After June 30, 2016, and before July 1, 2017, six and twenty-five hundredths percent (6.25%).

(7) After June 30, 2017, and before July 1, 2018, six percent (6.0%).

(8) After June 30, 2018, and before July 1, 2019, five and seventy-five hundredths percent (5.75%).

(9) After June 30, 2019, ~~and before July 1, 2020,~~ five and five-tenths percent (5.5%).

~~(10) After June 30, 2020, and before July 1, 2021, five and twenty-five hundredths percent (5.25%).~~

~~(11) After June 30, 2021, four and nine-tenths percent (4.9%).~~

(c) If for any taxable year a taxpayer is subject to different tax rates under subsection (b), the taxpayer's tax rate for that taxable year is the rate determined in the last STEP of the following STEPS:

STEP ONE: Multiply the number of days in the taxpayer's taxable year that precede the day the rate changed by the rate in effect before the rate change.

STEP TWO: Multiply the number of days in the taxpayer's taxable year that follow the day before the rate changed by the rate in effect after the rate change.

STEP THREE: Divide the sum of the amounts determined under STEPS ONE and TWO by the number of days in the taxpayer's tax period.

However, the rate determined under this subsection shall be rounded to the nearest one-hundredth of one percent (0.01%).".

Page 44, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 29. IC 6-3-3-15 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: **Sec. 15. (a) As used in this section, "qualified textbook and curricular material expenditure" means any fee or charge paid in connection with the textbooks or curricular materials of a child attending an Indiana public school.**

(b) Each taxable year, an individual who is the parent or guardian of a child attending an Indiana public school is entitled to a refundable credit against the individual's adjusted gross income tax liability for amounts expended during the taxable year on qualified textbook and curricular material expenditures.

(c) The amount of a credit allowed under this section is equal to one hundred percent (100%) of the amount expended by the individual during the taxable year on qualified textbook and curricular material expenditures.".

Page 50, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 40. IC 6-5.5-2-1, AS AMENDED BY P.L.80-2014, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 1. (a) There is imposed on each taxpayer a franchise tax measured by the taxpayer's apportioned income for the privilege of exercising its franchise or the corporate privilege of transacting the business of a financial institution in Indiana. The amount of the tax for a taxable year shall be determined by multiplying the applicable rate under subsection (b) times the remainder of:

(1) the taxpayer's apportioned income; minus

(2) the taxpayer's deductible Indiana net operating losses as determined under this section; minus

(3) the taxpayer's net capital losses minus the taxpayer's net capital gains computed under the Internal Revenue Code for each taxable year or part of a taxable year beginning after December 31, 1989, multiplied by the apportionment percentage applicable to the taxpayer under this chapter for the taxable year of the loss.

A net capital loss for a taxable year is a net capital loss carryover to each of the five (5) taxable years that follow the taxable year in which the loss occurred.

(b) The following are the applicable tax rates to be used under subsection (a):

(1) For taxable years beginning before January 1, 2014, eight and five-tenths percent (8.5%).

(2) For taxable years beginning after December 31, 2013, and before January 1, 2015, eight percent (8.0%).

(3) For taxable years beginning after December 31, 2014, and before January 1, 2016, seven and five-tenths percent (7.5%).

(4) For taxable years beginning after December 31, 2015, and before January 1, 2017, seven percent (7.0%).

(5) For taxable years beginning after December 31, 2016, and before January 1, 2019, six and five-tenths percent (6.5%).

(6) For taxable years beginning after December 31, 2018, and before January 1, 2020, six and twenty-five hundredths percent (6.25%).

(7) For taxable years beginning after December 31, 2019, ~~and before January 1, 2021,~~ six percent (6.0%).

~~(8) For taxable years beginning after December 31, 2020, and before January 1, 2022, five and five-tenths percent (5.5%).~~

~~(9) For taxable years beginning after December 31, 2021, and before January 1, 2023, five percent (5.0%).~~

~~(10) For taxable years beginning after December 31, 2022, four and nine-tenths percent (4.9%).~~

(c) The amount of net operating losses deductible under subsection (a) is an amount equal to the net operating losses computed under the Internal Revenue Code, adjusted for the items set forth in IC 6-5.5-1-2, that are:

(1) incurred in each taxable year, or part of a year, beginning after December 31, 1989; and

(2) attributable to Indiana.

(d) The following apply to determining the amount of net operating losses that may be deducted under subsection (a):

(1) The amount of net operating losses that is attributable to Indiana is the taxpayer's total net operating losses under the Internal Revenue Code for the taxable year of the loss, adjusted for the items set forth in IC 6-5.5-1-2, multiplied by the apportionment percentage applicable to the taxpayer under this chapter for the taxable year of the loss.

(2) A net operating loss for any taxable year is a net operating loss carryover to each of the fifteen (15) taxable years that follow the taxable year in which the loss occurred.

(e) The following provisions apply to a combined return computing the tax on the basis of the income of the unitary group when the return is filed for more than one (1) taxpayer member of the unitary group for any taxable year:

(1) Any net capital loss or net operating loss attributable to Indiana in the combined return shall be prorated between each taxpayer member of the unitary group by the quotient of:

(A) the receipts of that taxpayer member attributable to Indiana under section 4 of this chapter; divided by

(B) the receipts of all taxpayer members of the unitary group attributable to Indiana.

(2) The net capital loss or net operating loss for that year, if any, to be carried forward to any subsequent year shall be limited to the capital gains or apportioned income for the subsequent year of that taxpayer, determined by the same receipts formula set out in subdivision (1).".

Page 78, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 60. IC 20-33-5-16 IS ADDED TO THE

INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 16. The department shall determine the annual cost to fully fund the curricular reimbursement program as provided under section 9.5 of this chapter for each public school corporation and shall not later than July 1, 2021, and each successive year thereafter, calculate in percentage terms the shortfall that each public school corporation is responsible for and shall report those results on the Indiana transparency Internet web site.**".

Page 82, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 65. [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)] **(a) IC 6-3-3-15, as added by this act, applies to taxable years beginning after December 31, 2019.**

(b) This SECTION expires June 30, 2023.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 408 as printed February 28, 2020.)

PORTER

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 257: yeas 29, nays 62. Motion failed. The bill was ordered engrossed.

Engrossed Senate Bill 409

Representative Lyness called down Engrossed Senate Bill 409 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 409–6)

Mr. Speaker: I move that Engrossed Bill 409 be amended to read as follows:

Page 18, line 20, delete "(section" and insert "**(as set forth in section**".

Page 20, line 4, delete "is".

Page 20, line 6, delete "is".

Page 31, line 34, delete "section" and insert "**chapter**".

Page 32, line 26, delete "(section" and insert "**(as set forth in section**".

Page 37, line 5, after "department" insert "**.**".

Page 37, delete lines 6 through 7.

Page 37, delete lines 16 through 28.

Page 37, line 32, delete "payment of the annual registration".

Page 37, line 33, delete "fee and" and insert "**the**".

Page 38, line 36, delete "register, a failure to pay the annual" and insert "**register**".

Page 38, line 37, delete "registration fee, or failing" and insert "**or failure**".

Page 40, line 6, delete "registrations under section 26 of this".

Page 40, line 7, delete "chapter and".

(Reference is to ESB 409 as printed February 25, 2020.)

HUSTON

Motion prevailed.

HOUSE MOTION
(Amendment 409–5)

Mr. Speaker: I move that Engrossed Senate Bill 409 be amended to read as follows:

Page 11, line 40, reset in roman "subsections".

Page 11, line 40, delete "subsection".

Page 11, line 40, after "(d)" delete ",".

Page 11, line 40, reset in roman "and".

Page 11, line 40, after "(f)," insert "**(e),**".

Page 12, between lines 4 and 5, begin a new paragraph and insert:

"**(d) Except as provided in subsection (e), every employer employing at least twenty (20) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on or after July 1, 2021, an hourly wage of not less than an amount equal to the quotient of:**

(1) the annual salary of a member of the general assembly as determined under IC 2-3-1-1(a) for the following calendar year; divided by

(2) two thousand eighty (2,080) hours.

The department shall calculate the hourly wage required under this subsection, and issue a notice to all employers subject to this chapter before June 1, 2021. Thereafter, if the department determines that there has been a change in the amount required under this subsection, the department shall issue a notice to all employers subject to this chapter as soon as practicable. The office of judicial administration shall provide the department with information necessary to make the determinations required by this subsection.".

Page 12, line 5, strike "(d)" and insert "**(e)**".

Page 12, line 5, after "(c)" insert "**or (d)**".

Page 12, line 19, delete "." and insert "**or (d).**".

Page 12, line 22, strike "(e)" and insert "**(f)**".

Page 12, line 41, reset in roman "(g)".

Page 12, line 41, delete "(f)".

Page 13, line 4, reset in roman "(h)".

Page 13, line 4, delete "(g)".

Page 13, line 6, reset in roman "(g).".

Page 13, line 6, delete "(f).".

Page 14, line 11, reset in roman "(g)".

Page 14, line 11, delete "(f)".

Page 14, line 27, reset in roman "(g)".

Page 14, line 27, delete "(f)".

Page 14, line 31, reset in roman "(i)".

Page 14, line 31, delete "(h)".

Page 14, line 32, reset in roman "(g)".

Page 14, line 32, delete "(f)".

Page 14, line 33, reset in roman "(g)".

Page 14, line 33, delete "(f)".

Page 15, line 13, reset in roman "(g)".

Page 15, line 13, delete "(f)".

Page 15, line 17, reset in roman "(j)".

Page 15, line 17, delete "(i)".

Page 15, line 18, reset in roman "(g)".

Page 15, line 18, delete "(f)".

Page 15, line 19, reset in roman "(g)".

Page 15, line 20, delete "(f)".

Page 15, line 26, after "(c)" insert ",".

Page 15, line 26, delete "and".

Page 15, line 26, after "(d)" insert ",".

Page 15, line 26, after "(f)," insert "**or (e),**".

Page 15, line 32, reset in roman "(k)".

Page 15, line 32, delete "(j)".

Page 15, line 33, reset in roman "(g)".

Page 15, line 33, delete "(f)".

Page 16, line 19, reset in roman "(l)".

Page 16, line 19, delete "(k)".

Page 16, line 22, reset in roman "(m)".

Page 16, line 22, delete "(l)".

Page 16, line 23, reset in roman "(g)".

Page 16, line 23, delete "(f)".

Page 16, line 37, reset in roman "(n)".

Page 16, line 37, delete "(m)".

Page 16, line 41, reset in roman "(g)".

Page 16, line 41, delete "(f)".

Page 17, line 8, reset in roman "(o)".

Page 17, line 8, delete "(n)".

Page 17, line 11, reset in roman "(g).".

Page 17, line 11, delete "(f).".

Page 17, line 12, reset in roman "(p)".

Page 17, line 12, delete "(o)".

Page 17, line 17, reset in roman "(g)".

Page 17, line 17, delete "(f)".

Page 17, line 25, reset in roman "(q)".

Page 17, line 25, delete "(p)".
Page 17, line 27, reset in roman "(g)".
Page 17, line 28, delete "(f)".
Page 17, line 29, reset in roman "(g),".
Page 17, line 29, delete "(f),".
Page 17, line 36, reset in roman "(r)".
Page 17, line 36, delete "(q)".
Page 17, line 36, reset in roman "(g)".
Page 17, line 36, delete "(f)".
Page 17, line 38, reset in roman "(s)".
Page 17, line 38, delete "(r)".
Page 17, line 38, reset in roman "(g)".
Page 17, line 38, delete "(f)".
Page 18, line 1, reset in roman "(t)".
Page 18, line 1, delete "(s)".
Page 18, line 1, reset in roman "(g)".
Page 18, line 1, delete "(f)".
(Reference is to ESB 409 as printed February 25, 2020.)

PRYOR

Representative Leonard rose to a point of order, citing Rule 80, stating that the motion was not germane to the bill. After discussion, Representative Leonard withdrew the point of order.

Upon request of Representatives Pryor and Pierce, the Speaker ordered the roll of the House to be called. Roll Call 258: yeas 29, nays 62. Motion failed.

HOUSE MOTION
(Amendment 409–7)

Mr. Speaker: I move that Engrossed Senate Bill 409 be amended to read as follows:

Page 23, between lines 14 and 15, begin a new paragraph and insert:

"**(c) Subject to section 19(c) of this chapter, an employer is only subject to penalties under subsection (b) for violations occurring at the employer's enterprise.**".

Page 29, between lines 9 and 10, begin a new paragraph and insert:

"**(c) The requirement for an employee who is at least eighteen (18) years of age to also work in the establishment under subsection (b) does not apply if the establishment does not open to the public until after 6 a.m. and closes to the public before 10 p.m.**".

Page 29, line 10, delete "(c)" and insert "**(d)**".

Page 36, between lines 32 and 33, begin a new paragraph and insert:

"**(c) The requirement for an employee who is at least eighteen (18) years of age to also work in the establishment under subsection (b) does not apply if the establishment does not open to the public until after 6 a.m. and closes to the public before 10 p.m.**".

Page 36, line 33, delete "(c)" and insert "**(d)**".

(Reference is to ESB 409 as printed February 25, 2020.)

NEGELE

Motion prevailed.

HOUSE MOTION
(Amendment 409–2)

Mr. Speaker: I move that Engrossed Senate Bill 409 be amended to read as follows:

Page 28, between lines 32 and 33, begin a new paragraph and insert:

"**Sec. 39.5. (a) Every person, firm, corporation, or company that employs a minor who is less than eighteen (18) years of age shall, and has a duty to, collect and maintain information for an emergency contact person for each minor.**

(b) If a minor:

(1) fails to arrive for the minor's scheduled employment; and

(2) has not contacted the person, firm, corporation, or company that employs the minor within the first hour of the scheduled employment;

the person, firm, corporation, or company shall, and has a duty to, immediately contact the emergency contact person.

(c) A person, firm, corporation, or company that fails:

(1) to maintain information for an emergency contact person; or

(2) to contact an emergency contact person;

under this section commits a Class C infraction. However, the violation is a Class B infraction if the person has a prior unrelated judgment under this section.".

Page 36, between lines 15 and 16, begin a new paragraph and insert:

"**Sec. 22.5. (a) Every employer that employs a minor who is less than eighteen (18) years of age shall, and has a duty to, collect and maintain information for an emergency contact person for each minor.**

(b) If a minor:

(1) fails to arrive for the minor's scheduled employment; and

(2) has not contacted the employer that employs the minor within the first hour of the scheduled employment;

the employer shall, and has a duty to, immediately contact the emergency contact person.

(c) An employer that fails:

(1) to maintain information for an emergency contact person; or

(2) to contact an emergency contact person;

under this section commits a Class B infraction. However, the violation is a Class A infraction if the employer has a prior unrelated judgment under this section.".

(Reference is to ESB 409 as printed February 25, 2020.)

DEAL

Motion failed.

Representative DeVon, who had been present, is now excused.

HOUSE MOTION
(Amendment 409–8)

Mr. Speaker: I move that Engrossed Senate Bill 409 be amended to read as follows:

Page 18, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 15. IC 22-2-2-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. Any employer who violates the provisions of section 4 of this chapter shall be liable to the employee or employees affected in the amount of their unpaid ~~minimum~~ wages **and benefits,** and in an equal additional amount as liquidated damages, **along with compensatory and punitive damages. An** action to recover such liability may be maintained within three (3) years after the cause of action ~~therefor~~ arises in the circuit or superior court of the county in which the services out of which the claim arises were performed or in which the defendant resides or transacts business. Such action may be brought by any one (1) or more employees for and on behalf of ~~himself~~ **the employee** or ~~themselves~~ **employees** and all other employees of the same employer who are similarly situated. No employee shall be a party plaintiff to any such action unless ~~he gives his consent~~ **the employee consents** in writing to become such a party and such consent is filed in the court in which such action is brought. The court in such action shall, in addition to any judgment awarded to the plaintiffs, allow recovery of a reasonable attorney's fee and costs of the action. No contract or agreement between the employee and the employer nor any acceptance of a lesser wage by the employee shall be a defense to the action.".

Renumber all SECTIONS consecutively.
(Reference is to ESB 409 as printed February 25, 2020.)
ERRINGTON

Upon request of Representatives Errington and Pryor, the Speaker ordered the roll of the House to be called. Roll Call 259: yeas 33, nays 58. Motion failed. The bill was ordered engrossed.

Engrossed Senate Bill 433

Representative Lindauer called down Engrossed Senate Bill 433 for second reading. The bill was read a second time by title.

HOUSE MOTION
(Amendment 433–1)

Mr. Speaker: I move that Engrossed Senate Bill 433 be amended to read as follows:

Page 2, line 28, after "5." insert "**(a)**".

Page 2, between lines 29 and 30, begin a new paragraph and insert:

"**(b) In the adoption of a rule under subsection (a):**
(1) the public hearing held under IC 4-22-2-26 concerning the proposed rule; and
(2) any additional public meeting concerning the proposed rule that is held by:
(A) the commission; or
(B) officers or employees of the department or any other individuals authorized under IC 4-22-2-15 to perform rulemaking actions other than the final adoption of the rule;
may be held only in a county that borders Lake Michigan.".

Page 3, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 4. IC 34-30-19.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 19.5. Immunity of Owner of Property Adjacent to Lake Michigan

Sec. 1. As used in this chapter, "owner" means a person that:
(1) has a fee interest in;
(2) is a tenant, lessee, or occupant of; or
(3) is otherwise legally in control of;
a private property that is adjacent to Lake Michigan.

Sec. 2. As used in this chapter, "private property" means a property whose owner is a person other than the state of Indiana.

Sec. 3. (a) The owner of a private property that is adjacent to Lake Michigan does not assume responsibility or incur liability for an injury to an individual or damage to property that:
(1) occurs after June 30, 2020, when an individual is crossing the private property:
(A) to enter; or
(B) upon leaving;
the area of the beach of Lake Michigan that the public has a vested right to use for recreational purposes; and
(2) is caused by:
(A) an act or omission of a person other than the owner;
(B) an act or omission of the owner, except for an act of the owner constituting intentional misconduct; or
(C) the condition of the property.
(b) This section does not affect the following:
(1) Existing Indiana case law on the liability of property owners with respect to:
(A) business invitees in commercial establishments; or
(B) invited guests.
(2) The attractive nuisance doctrine.".

Renumber all SECTIONS consecutively.
(Reference is to ESB 433 as printed February 28, 2020.)
MILLER

Motion prevailed. The bill was ordered engrossed.

Representative DeVon, who had been excused, is now present.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 179

Representative Sullivan called down Engrossed Senate Bill 179 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 260: yeas 90, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 334

Representative Wesco called down Engrossed Senate Bill 334 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 261: yeas 63, nays 29. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 340

Representative Wolkins called down Engrossed Senate Bill 340 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 262: yeas 62, nays 31. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1009, 1081, 1104, 1112, 1147, 1166, 1189, 1224, 1267, 1288, 1301, 1370 and 1403 on March 2.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representatives Clere and Shackleford be added as cosponsors of Engrossed Senate Bill 4.
KIRCHHOFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Judy be removed as cosponsor of Engrossed Senate Bill 178 and Representative Manning be added as cosponsor.

WESCO

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Cherry be added as cosponsor of Engrossed Senate Bill 229.

WOLKINS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Clere be added as cosponsor of Engrossed Senate Bill 295.

BEHNING

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Schaibley and Clere be added as cosponsors of Engrossed Senate Bill 335.

MCNAMARA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Porter be added as cosponsor of Engrossed Senate Bill 350.

T. BROWN

HOUSE MOTION

Mr. Speaker: I move that Representative Abbott be added as cosponsor of Engrossed Senate Bill 367.

AYLESWORTH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Porter be added as cosponsor of Engrossed Senate Bill 408.

T. BROWN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Jordan, Prescott, Lindauer, May, Davisson, Bacon, Judy, Barrett, Lauer, Aylesworth, Lehe, DeLaney, Klinker, Pfaff and V. Smith be added as cosponsors of Senate Concurrent Resolution 46.

PRESSEL

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1091, 1165 and 1348 with amendments and the same are herewith returned to the House for concurrence.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 18 and 43 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 53, 54, 55, 56, 57, 58, 59, 60, 61 and 62 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

On the motion of Representative Wesco, the House adjourned at 6:11 p.m., this second day of March, 2020, until Tuesday, March 3, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Twenty-Eighth Day — **Tuesday Morning** — **March 3, 2020**

The invocation was offered by Senior Pastor Raymond Dix, Jr., of Pilgrim Baptist Church in Ft. Wayne, a guest of Representative GiaQuinta.

The House convened at 10:00 a.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Burton.

The Speaker ordered the roll of the House to be called:

Abbott
Austin
Aylesworth
Bacon
Baird
Barrett
Bartels ☐
Bartlett
Bauer
Beck
Behning
Borders
Boy
T. Brown
Burton
Campbell
Candelaria Reardon ☐
Carbaugh
Cherry
Chyung
Clere
Cook
Davisson
Deal
DeLaney
DeVon
Dvorak
Eberhart
Ellington
Engleman
Errington
Fleming
Forestal ☐
Frye
GiaQuinta
Goodin
Goodrich
Gutwein
Hamilton
Harris ☐
Hatcher
Hatfield
Heaton
Heine ☐
Hostettler
Huston
Jackson
Jordan
Judy
Karickhoff
Kirchhofer
Klinker
Lauer
Lehe
Lehman
Leonard
Lindauer
Lucas
Lyness
Macer
Manning
May
Mayfield
McNamara
Miller
Moed
Morris
Morrison
Moseley
Negele
Nisly
Pfaff
Pierce
Porter ☐
Prescott
Pressel
Pryor
Saunders
Schaibley
Shackleford
Sherman
Smaltz
V. Smith
Soliday
Speedy ☐
Steuerwald
Stutzman
Sullivan
Summers
Thompson
Torr ☐
VanNatter
Vermilion
Wesco
Wolkins
Wright
J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 263: 92 present; 8 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Wednesday, March 4, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 52

The Speaker handed down Senate Concurrent Resolution 52, sponsored by Representatives Hostettler, Aylesworth, Bartels, Deal, DeLaney, Gutwein, Judy, Lehe, Lindauer, Lucas, Moseley, Pfaff, Soliday and Zent:

A CONCURRENT RESOLUTION recognizing Virgil L. Beckerman on the occasion his 100th birthday.

Whereas, On April 3, 2020, Virgil L. Beckerman of Princeton, Indiana, will celebrate his 100th birthday;

Whereas, Born in Mt. Carmel, Illinois, Virgil enlisted in the U.S. Army Air Force in 1942, and served as an aircraft instruments technician and mechanic for B-24 bomber planes during World War II as part of the 10th Air Force, 7th Bombardment Group, 9th Bomb Squad, Company 436;

Whereas, Virgil's military service earned him several medals, including the Asiatic-Pacific Medal and the Good Conduct Medal;

Whereas, Virgil returned from duty in 1945 and married his wife, Wilma, on December 25, 1949;

Whereas, For almost 40 years, Virgil worked for the A&P grocery store in Princeton as the head butcher;

Whereas, Virgil is the father of three children, Karen, Kay, and Ken, grandfather to Erin, Jill, Scott, and Shannon, and has numerous nieces and nephews; and

Whereas, Virgil's life and military service has been an inspiration to his family and friends, and he is wished well on this joyous occasion: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes Virgil L. Beckerman on the occasion of his 100th birthday.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Virgil L. Beckerman

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

House Resolution 37

Representative May introduced House Resolution 37:

A HOUSE RESOLUTION celebrating IU Health Bedford Hospital on its 50th anniversary.

Whereas, For the past five decades, Indiana University Health Bedford Hospital has been helping the community, and, in July 2020, they will have been open 50 years;

Whereas, IU Health Bedford Hospital is a critical access hospital that offers inpatient and outpatient care, along with ambulatory care services, an emergency department, and emergency medical services;

Whereas, Approximately 40 IU Health Bedford Hospital team members worked as volunteers on a fitness trail at Hatfield Elementary School in Mitchell, as part of the annual IU Health Day of Service, and also contributed nearly $15,000, which helped fund the paved walking trail;

Whereas, IU Health Bedford Hospital has a comprehensive diabetes education and care program to help people improve their health on their own, and also have nurses to help patients manage medications, diet, and lifestyle, to improve their lives;

Whereas, Of those who completed the program in 2013, 93 percent were able to reach their goals for monitoring blood glucose, 90 percent met their goals for physical activity, and 75 percent lost weight; and

Whereas, IU Health Bedford Hospital has been helping and healing people for the past 50 years and giving back to the community: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives celebrates IU Health Bedford Hospital on its 50th anniversary.

That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Chris May for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 38

Representative Chyung introduced House Resolution 38:

A HOUSE RESOLUTION congratulating Lake Central High School's boys soccer team, from St. John, Indiana, for winning class 3A semi-state.

Whereas, Lake Central played Noblesville in the semi-state finals, winning 2-1;

Whereas, With the teams tied 1-1 in the second half, senior Jack Bailey crossed the ball to Jakob Noldin and the sophomore forward scored to give Lake Central the lead;

Whereas, Coach Jereme Rainwater said his team had finally realized they belonged;

Whereas, In the second half, forward Jack Bailey took on Noblesville's defense, making way for Noldin's goal;

Whereas, The entire team put in its best effort, senior center back Bryce Gross stopped Noblesville's offense, sophomore Quentin Enyeart cleared a potential goal off the line with 40 seconds left, and senior goalkeeper Adrian Orciuch held strong with five saves; and

Whereas, the Lake Central boys soccer team went on to play in the state finals at IUPUI, creating an unforgettable moment for the team: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates Lake Central High School's boys soccer team for winning class 3A semi-state.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Chris Chyung for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 39

Representative Beck introduced House Resolution 39:

A HOUSE RESOLUTION recognizing Angel Millsap for winning the Mental Attitude and Leadership Award.

Whereas, Angel Millsap, who has been bowling since she was 6 years old, is a senior at Hobart High School in Hobart, Indiana, and while bowling in the youth league she has placed in both city and state tournaments;

Whereas, Bowling runs in Angel's family, as her father, Robert Millsap Sr., has a high series of 832, her grandfather, Mike Millsap Sr., has a high series of 858, her cousin, Steve Millsap Jr., has a high series of 836, and her uncle, Mark Millsap, has a high series of 845, and they all have several perfect 300 games, while Mark also has a national title and an A.M.S State title, and he is a hall of famer;

Whereas, The Hobart High School girls bowling team won its conference and went on to place second in sectionals, second at regionals, third at semi-state, and third at state;

Whereas, In her senior year, Angel made it to regionals and made the all-conference team, which had a tournament on February 19, 2020, at Plaza Lanes in Highland, Indiana;

Whereas, Angel won the coveted Mental Attitude and Leadership Award, which is only given to one female bowler each season at the state tournament. The award is based on academics, athletic ability, leadership, and attitude; and

Whereas, Looking to the future, Angel wants to go into the medical field, and aspires to be a nurse or enter into forensic science: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives recognizes Angel Millsap for having won the Mental Attitude and Leadership Award.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Lisa Beck for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 40

Representatives Summers, Shackleford, Harris, Hatcher, Bartlett, Jackson, Porter, Pryor and V. Smith introduced House Resolution 40:

A HOUSE RESOLUTION congratulating Bernice Bohannon on her 110th birthday.

Whereas, Bernice Bohannon will turn 110 years old on March 14;

Whereas, Bernice grew up on a tobacco farm in Kentucky, the youngest of 10, and the only one still living;

Whereas, She was only 16 when she married Buford Bohannon. A month later they moved to Indianapolis by train;

Whereas, The first house they bought was a small, three bedroom on 15th Street which they purchased for $35 including all of the contents. Her husband, Buford, was a molder at Peerless Foundry, but after an explosion at work, he was left blind, and Bernice became his caretaker. He later got a job at the Indiana Blind Agency;

Whereas, Buford died of cancer in 1980 at the age of 80. In their 54 years together, they shared countless memories and traveled far and wide together;

Whereas, Having lived before and after the civil rights movement, the height of which was from 1954 to 1968, she has memories of some unforgettable moments;

Whereas, She has received much recognition for her milestone birthdays, such as turning 100 and 105, but her favorite came from former President Barack Obama and first lady Michelle Obama, who sent her signed letters;

Whereas, When asked the secret to aging, Bernice says to be good, and love everyone;

Whereas, She has a favorite quote from the Bible, "Having therefore obtained help of God I continue unto this day" (Acts 26:22), Bernice has been a devoted member of Bethel African Methodist Episcopal Church for over 70 years and has volunteered in many ministries; and

Whereas, Bernice enjoys spending time with her family, and when her time comes, she wants to be remembered as being a good person, like in the eyes of her nephew, who calls her a saint. She used to visit the elderly and sick from her church, Bethel African Methodist Episcopal Church, and also used to make clothes for people in Africa, because she loves helping people: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana house of Representatives congratulates Bernice Bohannon on her 110th birthday and wishes her well.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Vanessa Summers for distribution.

The resolution was read a first time and adopted by voice vote.

House Concurrent Resolution 45

Representatives Judy and Leonard introduced House Concurrent Resolution 45:

A CONCURRENT RESOLUTION honoring Eugene Heckman.

Whereas, Eugene Joseph Heckman, 80, passed away Friday, January 24, 2020, at Parkview Regional Medical Center, Fort Wayne;

Whereas, Heckman served as Thorncreek Township Trustee since 1971;

Whereas, Heckman was born on October 30, 1939, in Thorncreek Twp., Whitley County, to Joseph H. and Grace Heckman and graduated from Columbia City High School in 1957 before joining the U.S. Air Force, 122nd Air National Guard Unit;

Whereas, Heckman was deployed to both France and North Africa during the time of the Berlin Wall Crisis, and in November 1963 was honorably discharged;

Whereas, Heckman married Karen Rose VanDeman June 21, 1959, and they called Tri-Lakes their home;

Whereas, In 1971 he bought his father's company, Heckman's Sani-Service, providing solid trash removal, and operated the business until he sold it in 1991;

Whereas, 1971 was the year he was elected Thorncreek Township Trustee, finding his calling in life by serving the people of the community. He was responsible for the operation of the township's public services, including the Thorncreek Twp. School, the Fire Department, cemeteries, and poor assistance, and was key in the Tri-Lake Regional Sewer District;

Whereas, Heckman served on the Whitley County School Board for 24 years;

Whereas, A founding member of the Tri-Lakes Baptist Church, Heckman served as a deacon and superintendent. As a member of Gideons International, he helped distribute Bibles throughout the area. He was a member of the National Solid Waste Association Council for ten years and served as President from 1993 to 1994;

Whereas, His service in government allowed him to meet President George W. Bush, Senator Richard Lugar, Governor Otis Bowen, Vice-President Dan Quayle, and others;

Whereas, Heckman is survived by his wife of 60 years, Karen; three sons, David Heckman, Daniel Heckman, and Bruce Beals; grandchildren, Katrina Straub, Hannah Heckman, Moriah Heckman, Jason Shoemaker, Richard Shoemaker, and Jaime Peppler; nine great-grandchildren; and a brother, Gary Heckman; and

Whereas, Heckman was preceded in death by a sister, Carolyn Boyd, and a great-grandson, Peyton Shoemaker: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. The Indiana General Assembly honors and recognizes Eugene Heckman.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Christopher Judy for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Zay.

Representatives Candelaria Reardon and Harris, who had been excused, are now present.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 1

Representative Kirchhofer called down Engrossed Senate Bill 1 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 264: yeas 78, nays 16. The bill was declared passed. The question was, Shall the title of the bill remain the

title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 4

Representative Kirchhofer called down Engrossed Senate Bill 4 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 265: yeas 82, nays 12. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 5

Representative Schaibley called down Engrossed Senate Bill 5 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 266: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 21

Representative Davisson called down Engrossed Senate Bill 21 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 267: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 47

Representative Young called down Engrossed Senate Bill 47 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 268: yeas 88, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Campbell, who had been present, is now excused.

Engrossed Senate Bill 78

Representative Manning called down Engrossed Senate Bill 78 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 269: yeas 93, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Campbell, who had been excused, is now present.

Representative GiaQuinta, who had been present, is now excused.

Engrossed Senate Bill 100

Representative Miller called down Engrossed Senate Bill 100 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 270: yeas 74, nays 19. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative GiaQuinta, who had been excused, is now present.

Engrossed Senate Bill 132

Representative Frye called down Engrossed Senate Bill 132 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 271: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Torr, who had been excused, is now present.

Engrossed Senate Bill 146

Representative Schaibley called down Engrossed Senate Bill 146 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 272: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 148

Representative Miller called down Engrossed Senate Bill 148 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 273: yeas 92, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Sullivan, who had been present, is now excused.

Engrossed House Bill 177

Representative Carbaugh called down Engrossed Senate Bill **177** for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

HOUSE MOTION

Mr. Speaker: Pursuant to House Rule 47, I request to be excused from voting on the question of Senate Bill 177. Pursuant to House Rule 46, the reason for the request is the following:

I have a conflict of interest in the matter before the House which could reasonably be expected to have a unique, direct and substantial effect on the income of the company that I own, which installs fiber optic cables in rural areas.

FRYE

Motion prevailed.

Roll Call 274: yeas 92, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Sullivan, who had been excused, is now present.

Engrossed Senate Bill 184

Representative Manning called down Engrossed Senate Bill 184 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 275: yeas 94, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 190

Representative Thompson called down Engrossed Senate Bill 190 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 276: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 209

Representative McNamara called down Engrossed Senate Bill 209 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 277: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 216

Representative Burton called down Engrossed Senate Bill 216 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 278: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 1:47 p.m. with the Speaker in the Chair.

Upon request of Representative Austin, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 279: 67 present. The Speaker declared a quorum present.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 53

The Speaker handed down Senate Concurrent Resolution 53, sponsored by Representatives Carbaugh, Judy, Morris, GiaQuinta and Abbott:

A CONCURRENT RESOLUTION recognizing the significance of the construction of the Vietnam Memorial Wall at the Veterans National Memorial Shrine and Museum in Fort Wayne, Indiana.

Whereas, On December 30, 2019, the Veterans National Memorial Shrine and Museum in Fort Wayne announced that it will erect a permanent replica of the traveling Washington, D.C., Vietnam Veterans Memorial;

Whereas, The replica monument wall will be part of a new Monument Plaza being constructed, which will include monuments honoring veterans of World War I, World War II, the Korean War, the Iraq War, and Gold Star Families;

Whereas, The Memorial Wall and Monument Plaza are vital parts of the Veterans National Memorial Shrine and Museum mission to remember all veterans and their sacrifices made throughout United States history; and

Whereas, Building a replica of the Vietnam Veterans Memorial in Fort Wayne will help to bring thousands of visitors to the Veterans National Memorial Shrine and Museum to remember all veterans who served in wartime: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes the significance of the construction of the Vietnam Memorial Wall being constructed at the Veterans National Memorial Shrine and Museum in Fort Wayne, Indiana.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to the Veterans National Memorial Shrine and Museum

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 54

The Speaker handed down Senate Concurrent Resolution 54, sponsored by Speaker Bosma:

A CONCURRENT RESOLUTION fixing the date for the Second Regular Technical Session of the One Hundred Twenty First General Assembly.

Whereas, IC 2-2.1-1-3.5 authorizes the General Assembly to fix a date for the Second Regular Technical Session of the General Assembly;

Whereas, The General Assembly finds that it is in the best interest of the State of Indiana to fix a date for the Technical Session; and

Whereas, It is prudent to allow the President Pro Tempore of the Senate and the Speaker of the House of Representatives to jointly order that the Technical Session not convene if they determine the cost and inconvenience do not justify meeting in Technical Session: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. The date for the Second Regular Technical Session of the One Hundred Twenty First General Assembly is hereby fixed for Wednesday, May 13, 2020, at 1:30 p.m.

SECTION 2. The President Pro Tempore of the Senate and the Speaker of the House of Representatives may issue a joint order that the General Assembly not convene in Technical Session if they determine the cost and inconvenience of meeting in Technical Session are not justified

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Representative Carbaugh and Lehman, who had been present, aren now excused.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 257

Representative Soliday called down Engrossed Senate Bill 257 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 280: yeas 80, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 267

Representative Pressel called down Engrossed Senate Bill 267 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 281: yeas 83, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representatives Barrett, Candelaria Reardon, Harris, Jackson, Moed, Porter and Wolkins, who had been present, are now excusd.

Engrossed Senate Bill 331

Representative Judy called down Engrossed Senate Bill 331 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 282: yeas 86, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representatives Candelaria Reardon, Carbaugh, Lehman, Moed and Porter, who had been excused, are now present.

Engrossed Senate Bill 256

Representative McNamara called down Engrossed Senate Bill 256 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 283: yeas 91, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representatives Barrett, Harris, Jackson and Wolkins who had been excused, are now present.

Engrossed Senate Bill 289

Representative Lindauer called down Engrossed Senate Bill 289 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 284: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 178

Representative Wesco called down Engrossed Senate Bill 178 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 285: yeas 82, nays 14. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 229

Representative Wolkins called down Engrossed Senate Bill 229 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 286: yeas 58, nays 37. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 241

Representative Lehman called down Engrossed Senate Bill 241 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 287: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 243

Representative Lehman called down Engrossed Senate Bill 243 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 288: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 272

Representative Torr called down Engrossed Senate Bill 272 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 289: yeas 95, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 319

Representative Jordan called down Engrossed Senate Bill 319 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 290: yeas 96, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Davisson, who had been present, is now excused.

Engrossed Senate Bill 335

Representative McNamara called down Engrossed Senate Bill 335 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 291: yeas 84, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 350

Representative T. Brown called down Engrossed Senate Bill 350 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 292: yeas 94, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 365

Representative Soliday called down Engrossed Senate Bill 365 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 293: yeas 64, nays 30. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 367

Representative Aylesworth called down Engrossed Senate Bill 367 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 294: yeas 65, nays 28. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 395

Representative Burton called down Engrossed Senate Bill 395 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 295: yeas 77, nays 17. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representative Stutzman, who had been present, is now excused.

Engrossed Senate Bill 408

Representative T. Brown called down Engrossed Senate Bill 408 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 296: yeas 91, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Engrossed Senate Bill 409

Representative Lyness called down Engrossed Senate Bill 409 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 297: yeas 90, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

Representatives Huston and Soliday, who had been present, are now excused.

Engrossed Senate Bill 433

Representative Lindauer called down Engrossed Senate Bill 433 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 298: yeas 91, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Clerk was directed to inform the Senate of the passage of the bill.

MOTIONS TO DISSENT FROM SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1014 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

SAUNDERS

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1348 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

GUTWEIN

Motion prevailed.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1095, 1096, 1109, 1129, 1143, 1198 AND 1334 on March 3.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed Senate Enrolled Acts 61, 139, 180, 181, 187, 197, 238, 249, 255, 288, 307, 358 and 366 on March 3.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representatives Judy and Lauer be added as cosponsors of Engrossed Senate Bill 132.

FRYE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representative Negele be added as cosponsor of Engrossed Senate Bill 146.

SCHAIBLEY

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moed be added as cosponsor of Engrossed Senate Bill 148.

MILLER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representative Austin be added as cosponsor of Engrossed Senate Bill 184.

MANNING

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three cosponsors and that Representatives Pressel, Frye and Candelaria Reardon be added as cosponsors of Engrossed Senate Bill 257.

SOLIDAY

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Abbott, Baird, Barrett, Cherry, Clere, Cook, Davisson, DeVon, Eberhart, Ellington, Engleman, Goodrich, Heaton, Lyness, Macer, McNamara, Miller, Negele, Prescott, Pressel, Schaibley, Sherman, Steuerwald, Thompson, Torr, Vermilion and Zent be added as coauthors of House Concurrent Resolution 40.

BURTON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives GiaQuinta, Abbott, Austin, Bacon, Bartels, Bartlett, Bauer, Beck, Boy, Campbell, Candelaria Reardon, Cherry, Chyung, Clere, Davisson, DeLaney, Deal, Dvorak, Errington, Fleming, Goodin, Hamilton, Harris, Hatcher, Hatfield, Hostettler, Jackson, Karickhoff, Kirchhofer, Klinker, Lauer, Lehe, Lyness, Macer, McNamara, Mayfield, Manning, Moed, Moseley, Negele, Pierce, Porter, Prescott, Pryor, Schaibley, Shackleford, V. Smith, Sullivan, Summers, Torr, Thompson,Wright, VanNatter and Ziemke be added as coauthors of House Concurrent Resolution 44.

PFAFF

Motion prevailed.

On the motion of Representative Eberhart, the House adjourned at 4:08 p.m., this third day of March, 2020, until Wednesday, March 4, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Twenty-Ninth Day — **Wednesday Morning** — **March 4, 2020**

The invocation was offered by Pastor Sam Abbott of Southlake Worship Center in Hobart, a guest of Representative Beck.

The House convened at 10:00 a.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Miller.

The Speaker ordered the roll of the House to be called:

Abbott
Austin
Aylesworth
Bacon
Baird
Barrett
Bartels
Bartlett
Bauer
Beck
Behning
Borders
Boy
T. Brown
Burton
Campbell
Candelaria Reardon
Carbaugh
Cherry ☐
Chyung
Clere
Cook
Davisson
Deal
DeLaney
DeVon
Dvorak
Eberhart
Ellington
Engleman
Errington
Fleming
Forestal ☐
Frye
GiaQuinta
Goodin
Goodrich
Gutwein
Hamilton
Harris
Hatcher
Hatfield ☐
Heaton
Heine ☐
Hostettler
Huston
Jackson
Jordan
Judy
Karickhoff
Kirchhofer
Klinker
Lauer
Lehe
Lehman
Leonard
Lindauer
Lucas
Lyness
Macer
Manning
May ☐
Mayfield
McNamara
Miller
Moed
Morris
Morrison
Moseley
Negele
Nisly
Pfaff
Pierce
Porter
Prescott
Pressel
Pryor
Saunders
Schaibley
Shackleford
Sherman
Smaltz
V. Smith
Soliday
Speedy ☐
Steuerwald
Stutzman ☐
Sullivan
Summers
Thompson
Torr
VanNatter
Vermilion
Wesco
Wolkins
Wright
J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 299: 93 present; 7 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

RESOLUTIONS ON FIRST READING

House Resolution 41

Representative Schaibley introduced House Resolution 41:

A HOUSE RESOLUTION congratulates Saint Maria Goretti Catholic School as the 2019 National Blue Ribbon Awardee.

Whereas, Saint Maria Goretti Catholic School was recognized as a National Blue Ribbon School by the United States Department of Education in 2019;

Whereas, This award is based on a school's overall academic excellence and their progress in closing achievement gaps among student subgroups. This award can only be given to a school once every six years, and this is the second time the school has been granted the title of a Blue Ribbon School;

Whereas, The Blue Ribbon Award affirms the hard work of students, educators, families, and communities in creating safe and welcoming schools where students master challenging content; and

Whereas, Saint Maria Goretti Catholic School prides itself on providing individual attention to each student and hiring and training teachers who love their students and are willing to go the extra mile for them. The National Blue Ribbon School flag flying overhead is a widely recognized symbol of exemplary teaching and learning: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives recognizes and congratulates Saint Maria Goretti Catholic School as being the 2019 National Blue Ribbon Awardee.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Representative Donna Schaibley for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 42

Representative Karickhoff introduced House Resolution 42:

A HOUSE RESOLUTION urging the Legislative Council to assign to an appropriate study committee the topic of the potential dangers of cyber hacking and ransomware attacks on state and local governments as well as the creation of a specialized Cyber-Technical Assistance Program at Purdue University to assist Indiana's local units of government with the implementation of cyber security measures.

Whereas, PEW Research Center states that more than half of Americans have experienced a breach of data, and close to half of Americans, 49%, are not confident in the federal government protecting their data;

Whereas, Systems that are in place to protect everyday government operations, the safety of the public, and emergency responses are all at risk of cyberattacks such as ransomware or phishing schemes;

Whereas, Ransomware is a type of software maliciously designed to obstruct access to computer systems from the users, until money has been paid to the hackers, many attacks start via phishing emails, in which an email that appears normal contains a corrupt file or link, and anyone using email is open to these attacks;

Whereas, Several local units of government throughout the nation have been affected by cyberattacks, leading Accelerate Indiana Municipalities (AIM), the Association of Indiana Counties (AIC), and the Indiana Association of County Commissioners (IACC) to jointly support the creation of a cyber technical assistance training program aimed at helping local government officials and employees through Purdue University; and

Whereas, Purdue University, a technology, engineering, and computer science leader with a land grant mission has proposed offering technical assistance to Indiana local governments through cybersecurity assessments, training, consulting, and reporting: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives urges the Legislative Council to assign the topic of the potential dangers of cyber hacking, including ransomware in state and local governments as well as the creation of a specialized Cyber-Technical Assistance Program at Purdue University to assist Indiana's local units of government with the implementation of cybersecurity measures, to an appropriate study committee.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Karickhoff for distribution.

The resolution was read a first time and adopted by voice vote.

House Concurrent Resolution 46

Representative Davisson introduced House Concurrent Resolution 6:

A CONCURRENT RESOLUTION honoring Greg McCurdy on his selection as the 2019 Indiana Small and Rural Schools Teacher of the Year.

Whereas, Mr. Greg McCurdy has been named the 2019 Indiana Small and Rural Schools Teacher of the Year by the Indiana Small and Rural Schools Association and Indiana Farm Bureau;

Whereas, With 42 years of experience, Mr. McCurdy, a science teacher at Salem High School in the Salem Community Schools system in Southeastern Indiana, is a highly effective and veteran instructor;

Whereas, Salem Community Schools Superintendent Dr. Lynn Reed recognized Mr. McCurdy's talent for detail and planning skills that directly benefit his students and Salem Community Schools;

Whereas, Rural America is rooted in the premise of hard work, dedication, and can-do spirit;

Whereas, Mr. McCurdy is known as an educator who has high classroom expectations and instills in his students the value of a quality education and its impact on their lives; and

Whereas, While keeping students actively involved in their learning, Mr. McCurdy instills in each pupil the desire to work toward doing their very best, to show respect for one another, and to commit themselves to working toward graduation: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly honors Mr.Greg McCurdy for being named the 2019 Indiana Small and Rural Schools Teacher of the Year.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Steve Davisson for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Houchin.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

EHB 1014 Conferees: Lehe and Klinker
Advisors: Steuerwald, Saunders, Abbott, Chyung and Pryor

EHB 1348 Conferees: Gutwein and Austin
Advisors: Cherry, Lehman, Harris, Jackson

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

ESB 10 Conferees: Burton and Moseley
Advisors:VanNatter, Lyness, Beck and Deal

ESB 80 Conferees: Young and DeLaney
Advisors: Steuerwald, Boy and Goodin

ESB 237 Conferees: Morris and Macer
Advisors: Frye, Carbaugh, Klinker and Moseley

ESB 246 Conferees: Cook and Austin
Advisors: Schaibley, Sherman, Hatfield and Shackleford

ESB 258 Conferees: Frye and Klinker
Advisors: Bartels, Barrett and Chyung

ESB 295 Conferees: Behning and Goodin
Advisors: DeVon, Jordan, Clere, DeLaney, Pfaff and V. Smith

ESB 340 Conferees: Wolkins and Bauer
Advisors: Sherman, Manning, DeLaney and Pierce

ESB 346 Conferees: Behning and DeLaney
Advisors: Cook, Clere, Klinker and Pfaff

ESB 383 Conferees: T. Brown and Porter
Advisors: Vermilion, Cherry, Harris and Pryor

ESB 398 Conferees: Jordan and DeLaney
Advisors: Behning, Thompson and Klinker

ESB 438 Conferees: Lehe and Wright
Advisors: Prescott, Baird, Steuerwald, Deal and Moed

Representative Judy, who had been present, is now excused.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1032.

MILLER

Roll Call 300: yeas 88, nays 3. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1047.

STEUERWALD

Roll Call 301: yeas 91, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1080.

BARRETT

Roll Call 302: yeas 89, nays 3. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1082.

HEATON

Roll Call 303: yeas 91, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1090.

COOK

Roll Call 304: yeas 83, nays 8. Motion prevailed.

Representative Judy, who had been excused, is now present.

Representative Huston, who had been present, is now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1091.

COOK

Roll Call 305: yeas 91, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1093.

ZIEMKE

Roll Call 306: yeas 91, nays 0. Motion prevailed.

Representative Hatfield and Huston, who had been excused, are now present.

Representative Soliday, who had been present, is now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1165.

BURTON

Roll Call 307: yeas 33, nays 59. Motion failed.

Representative Soliday, who had been excused, is now present.

Representative Wolkins, who had been present, is now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1199.

CLERE

Roll Call 308: yeas 92, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1346.

FRYE

Roll Call 309: yeas 93, nays 0. Motion prevailed.

MOTIONS TO DISSENT FROM SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1003 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

JORDAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1008 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1022 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

TORR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1042 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1045 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

ABBOTT

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1065 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

THOMPSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1066 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

THOMPSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1108 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

LEHMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1113 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

LEONARD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1131 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

PRESSEL

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1153 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

GOODRICH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1157 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

HATFIELD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1207 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

DAVISSON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1279 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1326 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

KIRCHHOFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1332 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

LEHMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1372 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

CARBAUGH

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1385 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

EBERHART

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1414 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

SOLIDAY

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1419 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

BEHNING

Motion prevailed.

Representatives Bartels, DeVon and Huston, who had been present, are now excused.

RESOLUTIONS ELIGIBLE FOR ADOPTION

House Resolution 20

The Speaker handed down on its passage House Resolution 20, introduced by Representative Bacon:

A RESOLUTION urging the pursuit of policy that increases organ donor supply.

The resolution was read a second time and adopted. Roll Call 310: yeas 86, nays 0.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 56

The Speaker handed down Senate Concurrent Resolution 56, sponsored by Representatives GiaQuinta, Abbott, Carbaugh, Heine, Lehman, Leonard, Morris and Zent:

A CONCURRENT RESOLUTION honoring Dr. Wendy Robinson upon her retirement as Superintendent of Fort Wayne Community Schools.

Whereas, After more than four decades in public education, Dr. Wendy Robinson will retire as Superintendent of Fort Wayne Community Schools at the conclusion of the 2019-2020 school year;

Whereas, Dr. Robinson attained her undergraduate degree from DePauw University, post-graduate degrees from Indiana University-Bloomington and Indiana University-Purdue University Fort Wayne, and earned her Doctor of Education degree in educational administration and supervision from Ball State University in 1996;

Whereas, Dr. Robinson has spent her entire career with Fort Wayne Community Schools, starting out as a classroom teacher before holding the positions of assistant principal, principal, and central office administrator;

Whereas, In July 2003, after serving eight years as Deputy Superintendent, Dr. Robinson was appointed Superintendent of Fort Wayne Community Schools;

Whereas, Dr. Robinson is nationally recognized for her expertise in improving urban education, and has spoken at conferences and events hosted by organizations such as Learning Forward, The Wallace Foundation, the American Association of School Administrators, and the NYC Leadership Academy;

Whereas, A longtime member of the Indiana Urban Schools Association, Dr. Robinson served as the Association's President in 2012, 2013, and 2018;

Whereas, Dr. Robinson also served as a member of the Indiana Panel to Study Alternatives to ISTEP, a committee appointed to recommend changes to Indiana's standardized testing system;

Whereas, Dr. Robinson has worked to form partnerships with Fort Wayne agencies and businesses to increase educational opportunities for Fort Wayne students, and serves on numerous boards including Greater Fort Wayne, Inc. and Parkview Hospital;

Whereas, Dr. Robinson has received numerous awards for her service, including the Superintendent of the Year Award from the Indiana Association of Public School Superintendents in 2018, the Chairman's Award from the Indiana Civil Rights Commission in 2013, the Mike Kneale Educational Excellence in Leadership Award from the Education Research and Development Institute in 2012, the Joseph E. Hill Superintendent of the Year Award from the National Alliance of Black School Educators in 2009, and the District II Superintendent of the Year Award from the Indiana Association of Public School Superintendents in 2008; and

Whereas, Dr. Robinson's tireless advocacy for public education and her work as Superintendent of Fort Wayne Community Schools will be felt for years to come: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly honors Dr. Wendy Robinson upon her retirement as Superintendent of Fort Wayne Community Schools.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Dr. Wendy Robinson

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 59

The Speaker handed down Senate Concurrent Resolution 59, sponsored by Representatives Bartels and Davisson:

A CONCURRENT RESOLUTION recognizing the French Lick Springs Hotel for 175 years of world class hospitality.

Whereas, In 1826, encouraged by the presence of salt deposits near French Lick, the Indiana General Assembly authorized the land to be mined for quantities of salt, but the saline content was insufficient to support large scale salt mining and the property was offered for sale;

Whereas, In 1832, Thomas Bowles and his brother, Dr. William Bowles, a physician from nearby Paoli, purchased 1,500 acres of land that included the site near the mineral springs;

Whereas, In or around 1845, the Bowles Brothers built a three-story wooden framed hotel and named it French Lick Springs Hotel;

Whereas, In 1897, the main hotel building was destroyed by a fire, and from the ashes the Hotel was rebuilt on an even grander scale into a major resort that catered to guests seeking the advertised health benefits of the resort's sulfur springs;

Whereas, In 1903, Dr. George Kahle reported at the annual session of the Indiana State Medical Society that patients who had taken the cure at French Lick had experienced unparalleled recoveries from ailments ranging from rheumatism to gout;

Whereas, Sales of the Hoosier tonic grew 25-fold from 1903 to 1919, when it took 450 railroad cars to transport the bottler's output;

Whereas, Named "Pluto Water" after the Roman god of the underworld, the tonic was awarded a Blue Ribbon at the World's Fair in Paris and sold with the advertising slogan "When Nature Won't, Pluto Will.";

Whereas, Tomato juice was first served as a beverage in 1917 by Chief Louis Perrin at the French Lick Springs Hotel in southern Indiana, when he ran out of orange juice and needed a quick substitute;

Whereas, In 1917, World Golf Hall of Fame designer Donald James Ross designed "The Hill Golf Course" at the French Lick Springs Hotel, and seven years later in 1924, the course hosted a PGA Championship won by Walter Hagen;

Whereas, In 1931, during a Democrat Governor's conference held at the French Lick Spring Hotel, Franklin D. Roosevelt came to find support among its attendees in his bid to become the Democrat Party's nominee for President of the United States;

Whereas, In 2003, the French Lick Springs Hotel was listed on the National Register of Historic Places;

Whereas, French Lick Resort continues to draw visitors to southern Indiana by hosting events such as the Senior Ladies

Professional Golf Association Tournament, the Senior Men's Professional Golf Association Tournament, and Concours d'Elegance;

Whereas, The French Lick Springs Hotel and its wide rocking chair filled verandas, gardens, golf courses, spas, swimming pools, and entertainment opportunities have served millions of guests for 175 years; and

Whereas, The French Lick Springs Hotel has greatly added to the cultural history of America and is a vital part of Indiana's tourism future: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly commends the French Lick Springs Hotel for 175 years of world class hospitality and continuously welcoming luminaries and statesmen to the Hotel and extends best wishes for hosting millions of guests in the future.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to the French Lick Springs Hotel

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 60

The Speaker handed down Senate Concurrent Resolution 60, sponsored by Representative DeLaney:

A CONCURRENT RESOLUTION honoring Grant Monahan upon his retirement.

Whereas, For over 40 years, Grant Monahan has been a familiar face to many members of the Indiana General Assembly;

Whereas, Grant was born in Camden County, New Jersey, and attended Haddon Township High School in Westmont, where he once out-rebounded NFL Hall of Famer Franco Harris in a high school basketball game;

Whereas, As a high school senior, Grant first demonstrated his leadership and political savvy by being elected President of the Haddon Township High School Student Council;

Whereas, A graduate of Albright College in Reading, Pennsylvania, Grant has used his political science degree to further the desires of retail, drug, and grocery stores in the halls of the Indiana General Assembly;

Whereas, Grant has dedicated his adult life as a fixture in the Indiana Statehouse, beginning his career in 1974 as a staff member of the House Democrat Caucus;

Whereas, Grant has been a vital participant in the activities of the Indiana General Assembly ever since, representing the Indiana Retail Council first as Vice President beginning in 1979, and as President from 1982 through 2019;

Whereas, Grant's most cherished life experiences revolve around his wife of 43 years, Julie, his son, Kevin, his daughter and son-in-law, Meghan and Sean, and his two grandchildren, Harper and William;

Whereas, Active outside the Statehouse, Grant has served on the board of directors of the Governmental Affairs Society of Indiana, Council of Independent State Retail Executives, Heartland Film Festival, and Devon Country Club, as well as working for then-Mayor Richard G. Lugar;

Whereas, Throughout his career, Grant has been a dedicated proponent for each of his members, and through his efforts, their lives and businesses have improved dramatically; and

Whereas, With his retirement, Grant Monahan leaves a void in the Senate and House of Representatives chambers, and the hallways and committee rooms of the Indiana Statehouse that will be difficult to fill: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Grant Monahan on the occasion of his retirement and wishes him health and happiness in the future.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Grant Monahan

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 61

The Speaker handed down Senate Concurrent Resolution 61, sponsored by Representative Zent:

A CONCURRENT RESOLUTION memorializing former State Representative Richard Dodge.

Whereas, Richard Dodge devoted a lifetime to the service of his family, his community, his state, and this nation;

Whereas, Richard Dodge, a life-long resident of Pleasant Lake, Indiana, died on February 20, 2020, at the age of 89;

Whereas, Born June 2, 1930, to Howard and Arlene Dodge, Richard graduated from Pleasant Lake High School in 1948;

Whereas, Richard worked on the family farm in Pleasant Lake until 1950, when he joined the U.S. Air Force;

Whereas, Following his honorable discharge in 1954, Richard moved back to Pleasant Lake and went into business with his father at Howard Dodge & Son Heating and Air Conditioning;

Whereas, On December 4, 1971, Richard married Joann Kyser Douglas, and together they raised five children;

Whereas, Richard was a faithful public servant, including serving as State Representative for House District 51 from 2004-2012;

Whereas, Prior to his service as State Representative, Richard served locally in Steuben County, including as a Steuben County Commissioner, member of the Steuben County Council, Steuben Township Trustee, member of the Steuben Township Advisory Board, member of the Steuben County Economic and Development Board, and as chairman of the Steuben County Republican Committee;

Whereas, Richard was also a member of the Pleasant Lake Lions Club, including as District Governor from 1973-1974 and as a board member for Lions Club Cancer Research, the Pleasant Lake Historical Society, the Fremont American Legion Post 257, the Angola Moose Lodge, the Angola Elks Lodge, Hoosier War Birds, and the Pleasant View Church of Christ;

Whereas, In recognition of his service to his state and community, Richard was presented a Sagamore of the Wabash on April 6, 2017; and

Whereas, Richard is survived by his wife, Joann, his children, Terry, Rick, Michael, Katherine, and David, his sister, Catherine, eight grandchildren, and ten great-grandchildren: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana Senate memorializes former State Representative Richard Dodge.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to the family of Richard Dodge.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 62

The Speaker handed down Senate Concurrent Resolution 62, sponsored by Representative Hatcher:

A CONCURRENT RESOLUTION honoring Haywood and Fleming Associates for 35 years of business and service in the Gary area.

Whereas, Haywood and Fleming Associates is a leading risk management firm located in Gary, Indiana. The firm was established in 1984 by Roosevelt Haywood III, a second-generation insurance professional, who started in the business at an early age working in his father's agency, Haywood Insurance;

Whereas, Haywood and Fleming Associates has developed considerable experience in serving the insurance and risk management needs of large and complex commercial accounts;

Whereas, The city of Gary, the Gary Community School Corporation, the Gary Sanitary District, NiSource/Nipsco, Powers & Sons Construction, the Gary Chicago International Airport, the Regional Development Authority, Methodist Hospitals, and the Congressional Black Caucus are served by Haywood and Fleming Associates;

Whereas, Mr. Haywood is involved in the National African-American Insurance Association (NAAIA), the Independent Insurance Agents of America, the Gary Chamber of Commerce, the Boys and Girls Club of Greater Northwest Indiana, the Independent Agents of Northwest Indiana, and the Professional Agents of Indiana;

Whereas, Mr. Haywood and his firm have attracted nation-wide recognition for their work in the insurance industry;

Whereas, Mr. Haywood himself received the Lifetime Achievement Award from the National African American Insurance Association, the Dr. Charles Nelms Alumni Award from the Neal Marshall Alumni Club of Indiana University, and was honored as Director of the Year by Independent Insurance Agents of Indiana. He also received the Outstanding Achievement in Business and Entrepreneurship award in 2004 and again in 2008.

Whereas, Mr. Haywood received the Indiana University Alumni Association President's Award and his firm gained national recognition at the Independent Insurance Agents and Brokers of America's Ultimate Producer Challenge competition; and

Whereas, The work of Mr. Haywood and Haywood and Fleming Associates over the past 35 years is worthy of recognition: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana Senate honors Haywood and Fleming Associates for their 35 years of business and service in the Gary area.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Haywood and Fleming Associates.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 63

The Speaker handed down Senate Concurrent Resolution 63, sponsored by Representative Manning:

A CONCURRENT RESOLUTION recognizing ATT Indiana for 100 years of connectivity and technological innovation in the State of Indiana.

Whereas, Indiana Bell, now known as AT&T Indiana, was founded in 1920 to centrally operate telephone exchanges of the Bell Telephone System in Indiana;

Whereas, AT&T Indiana's roots can be traced to the last quarter of the 19th century following Alexander Graham Bell's 1876 invention of the telephone and the birth of phone service in Indiana;

Whereas, In 1968, the company introduced the Bell System's first 9-1-1 emergency calling system, which connected emergency callers to a central dispatcher serving fire, police, and rescue agencies;

Whereas, After the 1984 Bell System Divestiture, Indiana Bell became a part of Ameritech, one of the seven original Regional Bell Operating Companies;

Whereas, In 1991, Indiana Bell, through its Ameritech parent, was among the first telecommunications operations in the country to be involved with experiments to transmit telephone and cable TV signals to homes over the same fiberoptic lines in Columbus, Indiana;

Whereas, AT&T Indiana is a valued company in the State of Indiana which annually invests over $400 million in Indiana networks and employs over 3,100 hard-working Hoosiers;

Whereas, By continuing to build state-of-the-art infrastructure in Indiana, AT&T is making business growth possible and assuring that residents have the tools to stay connected and entertained;

Whereas, AT&T has pioneered technological advancements for public safety from the first 9-1-1 calling system to FirstNet, public safety's first dedicated nationwide communications platform;

Whereas, AT&T is committed to rural Indiana by serving tens of thousands of rural Hoosiers; and

Whereas, From the implementation of the first telephone innovations to the future of 5G wireless networks, AT&T Indiana is a leader in advancing technology for the Hoosier state: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes AT&T Indiana for 100 years of connectivity and technological innovation in the State of Indiana,
and wishes the company continued success for years to come.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Matt Long, Director of External Affairs for AT&T Indiana

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 1:52 p.m. with the Speaker in the Chair.

Representatives Bartels, DeVon, Huston and Wolkins, who had been excused, are now present.

Representatives Davisson and Kirchhofer, who had been present, are now excused.

MOTIONS TO DISSENT FROM SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1004 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

SMALTZ

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1235 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

KARICKHOFF

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Resolution 43

Representatives GiaQuinta, Bosma, Pryor and Candelaria Reardon introduced House Resolution 43:

A HOUSE RESOLUTION honoring State Representative B. Patrick Bauer.

Whereas, State Representative B. Patrick Bauer was first elected in 1970 to a multi-member district;

Whereas, Representative Bauer is the longest serving member of the House of Representatives, and the first member in either the House or Senate to serve for 50 years in the State of Indiana;

Whereas, During his time in the House of Representatives, Representative Bauer served as Speaker of the House from 2002 to 2004 and 2006 to 2010, and he has been minority leader and assistant minority leader;

Whereas, Representative Bauer has served as the chairman of the Ways and Means Committee from 1990 to 1994 and 1996 to 2002, co-chair of Ways and Means from 1988 to 1990, ranking minority member of Ways and Means from 1986 to 1988 and 1994 to 1996, chair of the Public Health and Environmental Committee, and ranking minority member of the Judiciary Committee;

Whereas, Representative Bauer has served as a member on the following committees: Education, Transportation, Interstate Cooperation, Ways and Means, Agriculture and Rural Development, Rules and Legislative Procedures, Commerce, Roads and Transportation, Joint Rules, Environmental Affairs, Public Health, Insurance, Public Health and Environmental Affairs, and the Select Committee on Environmental Affairs;

Whereas, Representative Bauer was born in LaPorte, Indiana, to Burnett and Helene Bauer in 1944;

Whereas, Representative Bauer is a second generation member of the General Assembly, his father having served in the House from 1965 to 1970, and the Senate from 1973 to 1976;

Whereas, Representative Bauer is a graduate of St. Joseph High School, the University of Notre Dame, and Indiana University;

Whereas, Representative Bauer worked for the South Bend School Corporation for 33 years as an English teacher and as an administrator, as assistant to the superintendent for special programs, and later served as the vice president of external partnerships for Ivy Tech Community College of Indiana;

Whereas, Representative Bauer and his wife, Karen, were married April 19, 1980, and have three children, Bart, Megan, and Maureen, and four grandchildren; and

Whereas, Representative Bauer has served the state of Indiana, the city of South Bend, and his House district loyally and faithfully since his election to the Indiana House of Representatives: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives honors State Representative B. Patrick Bauer for his years of service.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Philip GiaQuinta for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 44

Representative Lucas introduced House Resolution 44:

A HOUSE RESOLUTION honoring Seymour Police Officer Tim Toborg.

Whereas, Seymour Police Officer Tim Toborg is credited for his quick actions on February 13, 2020, that resulted in the saving of a life;

Whereas, Officer Toborg, a 29-year veteran of the Seymour Police Department, was first on the scene at a Circle K in Seymour, Indiana, where a 64 year old man suffered a severe injury from a knife attack;

Whereas, Officer Toborg, recognizing that a standard first aid kit would be inadequate for the injury, retrieved a roll of QuikClot combat gauze that he purchased with his own money in case of emergencies involving massive blood loss;

Whereas, Officer Toborg provided lifesaving first aid to the victim until Emergency Medical Services personnel arrived; and

Whereas, Officer Toborg's quick thinking and preparedness is an inspiration to his community and the state of Indiana: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives honors Seymour Police Officer Tim Toborg for his service to his community.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Jim Lucas for distribution.

The resolution was read a first time and adopted by voice vote.

House Concurrent Resolution 47

Representatives Lehman, Bosma and Leonard introduced House Concurrent Resolution 47:

A CONCURRENT RESOLUTION honoring students from Norwell Middle School in Ossian, Indiana, as the National Champions of the Future City Competition.

Whereas, Students Jordyn Xayyachack, Teagan Lesley, Madeline McCabe, Nevada Lenwell, Morgan Batdorff, Connor Reed, Cassandra Coyne, Eli Randol, and Lukas Mashuda teamed with educators Bill Bostain, Stephanie Scott, Bonnie Dickey, and volunteer mentor Albert Bostain represented Norwell Middle School and the state of Indiana in Washington, D.C., at the 2020 Future City Competition;

Whereas, The Norwell Middle School team, Yemoga, won the 19th Indiana Regional Future City Competition, an event supported by multiple organizations and dedicated volunteers in Northeast Indiana, who advanced the team to the National Future City Finals;

Whereas, The Future City Competition is a project-based learning experience in which students in 6th, 7th, and 8th grades imagine, research, design, and build cities of the future;

Whereas, Future City is one of the nation's leading engineering education programs and has received national recognition and acclaim for its role in encouraging middle school students to develop their interest in science, technology, engineering, and math (STEM);

Whereas, More than 45,000 middle school students from 1,500 schools in more than 40 regions from across the nation participated in the national competition;

Whereas, Students were asked to address an authentic, real-world question of "How can we make the world a better place?";

Whereas, The theme of the competition was "Clean Water: Tap Into Tomorrow";

Whereas, Norwell Middle School students designed a virtual city using computer software, researched a citywide issue, and wrote an essay describing their findings and innovative solutions;

Whereas, The futuristic city of Yemoga was engineered using more than 5,000 bottle caps that Norwell Middle School students melted down to mold the buildings;

Whereas, Norwell Middle School students put in more than 1,000 man-hours to produce their city; and

Whereas, Norwell Middle School students took home the Grand Prize of a trip to U.S. Space Camp and $7,500 for their school's STEM program, showing the nation just how bright Hoosier students are: Therefore,

Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:

SECTION 1. That the Indiana General Assembly honors Norwell Middle School's students for winning the grand prize in the 2020 Future City Competition.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to State Representative Matt Lehman for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Holdman.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

EHB 1003	Conferees:	Jordan and V. Smith
	Advisors:	Behning, Lauer, DeLaney, Klinker and Pfaff
EHB 1008	Conferees:	Carbaugh and Beck
	Advisors:	Morris Leonard and Deal
EHB 1022	Conferees:	Bosma and Porter
	Advisors:	Huston, Torr and Dvorak
EHB 1042	Conferees:	Davisson and Hatfield
	Advisors:	Clere, Judy, Barrett, Lehman, Fleming and Shackleford
EHB 1045	Conferees:	Abbott and Macer
	Advisors:	Judy, Frye, Chyung and Moseley
EHB 1065	Conferees:	Thompson and Porter
	Advisors:	T. Brown, Mayfield, Cherry, Jordan, DeLaney, Hamilton, Pierce and Pryor
EHB 1066	Conferees:	Thompson and V. Smith
	Advisors:	Behning, Bacon, DeLaney, Klinker and Pfaff
EHB 1108	Conferees:	Lehman and Porter
	Advisors:	Barrett, Negele, Campbell and Hamilton
EHB 1113	Conferees:	Leonard and Pryor
	Advisors:	T. Brown, Sherman, Cherry, Beck, Hamilton and Moed
EHB 1131	Conferees:	Pressel and Pierce
	Advisors:	Schaibley, DeVon and Hatfield
EHB 1153	Conferees:	Goodrich and Klinker
	Advisors:	Behning, Cook, Pfaff and V. Smith
EHB 1157	Conferees:	McNamara and Hatfield
	Advisors:	Sullivan, Young, Hatcher and Shackleford
EHB 1207	Conferees:	Davisson and Hatfield
	Advisors:	Barrett, Lehman, Fleming and Shackleford
EHB 1235	Conferees:	Karickhoff and Porter
	Advisors:	Thompson, Mayfield, Campbell and Wright
EHB 1326	Conferees:	Kirchhofer and Fleming
	Advisors:	Lindauer, Vermilion, Porter, Shackleford
EHB 1332	Conferees:	Lehman and Beck
	Advisors:	Carbaugh, Borders, Deal and Moseley
EHB 1372	Conferees:	Carbaugh and Austin
	Advisors:	Judy, Lehman, Borders, Heaton and Campbell
EHB 1385	Conferees:	Eberhart and Pfaff
	Advisors:	Prescott, Karickhoff, and Errington
EHB 1414	Conferees:	Soliday and Pierce
	Advisors:	Hostettler, Morrison, Manning, Hatfield and Macer
EHB 1419	Conferees:	Behning and Porter
	Advisors:	Goodrich, Pressel and Klinker

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

ESB 299 Conferees: Stutzman and Errington
Advisors: Bacon, Lehman, Fleming, Porter and Shackleford

MOTIONS TO DISSENT FROM SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1070 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

SULLIVAN

Motion prevailed.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1173.

FRYE

Roll Call 311: yeas 59, nays 28. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1067.

ZENT

Roll Call 312: yeas 85, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1210.

ZENT

Roll Call 313: yeas 87, nays 0. Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1218.

MANNING

Roll Call 314: yeas 87, nays 0. Motion prevailed.

Representatives Bartlett, Bauer and Young, who had been present, are now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1243.

VERMILION

Roll Call 315: yeas 57, nays 27. Motion prevailed.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 5:49 p.m. with the Speaker in the Chair.

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Thursday, March 6, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

EHB 1004	Conferees:	Smaltz and Fleming
	Advisors:	Carbaugh, Schaibley, Lehman, Judy, Shackleford, Bauer and Campbell
EHB 1070	Conferees:	Sullivan and Candelaria Reardon
	Advisors:	Morris, Pressel, Vermilion, Goodrich, Lauer, Chyung and Deal
EHB 1279	Conferees:	Soliday and Macer
	Advisors:	Sherman, Sullivan, Behning, Steuerwald, Harris, Porter, Shackleford, DeLaney, Pryor, Hamilton and Summers

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

ESB 132	Conferees:	Frye and Klinker
	Advisors:	Sullivan, May, Macer and Moseley
ESB 148	Conferees:	Miller and Shackleford
	Advisors:	Torr, Zent and Porter
ESB 190	Conferees:	Thompson and Pryor
	Advisors:	Goodrich, Karickhoff, Hamilton and Wright
ESB 229	Conferees:	Wolkins and Errington
	Advisors:	Prescott, Abbott, Steuerwald, Bauer and Deal
ESB 241	Conferees:	Lehman and Austin
	Advisors:	Davisson, Carbaugh, Clere, Morris, Hatfield, Fleming and Shackleford
ESB 243	Conferees:	Carbaugh and Austin
	Advisors:	Morris, Lehman, Campbell and Fleming
ESB 256	Conferees:	McNamara and DeLaney
	Advisors:	Hostettler, Mayfield, Engleman, Steuerwald and Klinker
ESB 335	Conferees:	McNamara and Pierce
	Advisors:	Sherman, Clere, Young, Steuerwald and Errington
ESB 350	Conferees:	T. Brown and Porter
	Advisors:	Barrett, Jordan, Schaibley, DeLaney, Hamilton and Pryor
ESB 367	Conferees:	Aylesworth and Harris
	Advisors:	Soliday, Pressel and Campbell

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1002, 1015, 1032, 1047, 1052, 1080, 1082, 1090, 1091, 1093, 1094, 1151, 1174, 1199 and 1346 on March 4.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed Senate Enrolled Act 302 on March 4.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Torr be removed as first author and Representative Bosma be substituted therefor, Representative Porter be removed as coauthor of House Bill 1022.

TORR

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Klinker and Moed be added as coauthors of House Resolution 43.

GIAQUINTA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Leonard be added as cosponsor of Senate Concurrent Resolution 59.

BARTELS

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Engrossed House Bills 1003, 1004, 1006, 1008, 1042, 1045, 1049, 1059, 1063, 1065, 1066, 1108, 1111, 1113, 1120, 1131, 1132, 1148, 1153, 1157, 1176, 1182, 1207, 1209, 1222, 1225, 1235, 1244, 1246, 1264, 1265, 1279, 1283, 1309, 1313, 1326, 1332, 1341, 1353, 1372, 1385, 1392, 1414 and 1419 with amendments and the same are herewith returned to the House for concurrence.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed, without amendments, Engrossed House Bills 1002, 1015, 1043, 1052, 1094, 1151, 1174 and 1305 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 63 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 10:

Conferees: Boots, Chairman; and Tallian
Advisors: Doriot, Niezgodski and Garten

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 80:

Conferees: Young, Chairman; and Taylor
Advisors: Freeman and Randolph

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 237:

Conferees: Brown, Chairman; and Lanane
Advisors: Bohacek, Tallian and Tomes

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 246:

Conferees: Crider, Chairman; and Mrvan
Advisors: Merritt, Randolph, Becker and Ford J.D.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 258:

Conferees: Koch, Chairman; and Mrvan
Advisors: Crider and Melton

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 295:

Conferees: Raatz, Chairman; and Melton
Advisors: Rogers, Stoops and Crane

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 299:

Conferees: Brown, Chairman; and Breaux
Advisors: Rogers, Tallian, Zay and Ford J.D.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 340:

Conferees: Spartz, Chairman; and Taylor
Advisors: Koch, Randolph, Buck and Mrvan

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 346:

Conferees: Houchin, Chairman; and Stoops
Advisors: Rogers and Mrvan

JENNIFER L. MERTZ
Principal Secretary of the Senate

a MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 383:

Conferees: Houchin, Chairman; and Taylor
Advisors: Crane and Melton

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 398:

Conferees: Raatz, Chairman; and Stoops
Advisors: Rogers and Mrvan

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 438:

Conferees: Leising, Chairman; and Lanane
Advisors: Glick and Taylor

JENNIFER L. MERTZ
Principal Secretary of the Senate

On the motion of Representative Macer, the House adjourned at 5:52 p.m., this fourth day of March, 2020, until Thursday, March 5, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Thirtieth Day — **Thursday Morning** — **March 5, 2020**

The invocation was offered by Doctor Doug Cassel of Bethel Baptist Church in Linton, a guest of Representative Borders.

The House convened at 10:00 a.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Austin.

The Speaker ordered the roll of the House to be called:

Abbott
Austin
Aylesworth
Bacon
Baird
Barrett
Bartels
Bartlett ☐
Bauer
Beck ☐
Behning
Borders
Boy
T. Brown
Burton
Campbell
Candelaria Reardon ☐
Carbaugh
Cherry
Chyung
Clere
Cook
Davisson
Deal
DeLaney
DeVon
Dvorak ☐
Eberhart
Ellington
Engleman
Errington
Fleming
Forestal ☐
Frye
GiaQuinta
Goodin
Goodrich
Gutwein
Hamilton
Harris
Hatcher
Hatfield
Heaton
Heine ☐
Hostettler
Huston
Jackson
Jordan
Judy ☐
Karickhoff
Kirchhofer
Klinker
Lauer
Lehe
Lehman
Leonard
Lindauer
Lucas
Lyness
Macer ☐
Manning
May
Mayfield
McNamara
Miller
Moed ☐
Morris
Morrison
Moseley
Negele
Nisly
Pfaff
Pierce
Porter
Prescott
Pressel
Pryor
Saunders
Schaibley
Shackleford
Sherman
Smaltz
V. Smith
Soliday ☐
Speedy
Steuerwald
Stutzman ☐
Sullivan
Summers
Thompson
Torr
VanNatter
Vermilion
Wesco
Wolkins
Wright
J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 316: 89 present; 11 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Monday, March 9, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

RESOLUTIONS ON FIRST READING

House Resolution 45

Representative V. Smith introduced House Resolution 45:

A HOUSE RESOLUTION welcoming members of the Omega Psi Phi fraternity to the 83rd Tenth District Convention.

Whereas, The 83rd Tenth District Convention of the Omega Psi Phi Fraternity will be held in Indianapolis on April 16-19, 2020;

Whereas, The convention, hosted by the Zeta Phi Chapter, will bring more than 400 fraternity members from Illinois, Indiana, Michigan, Minnesota, and Wisconsin to downtown Indianapolis;

Whereas, Omega Psi Phi, a predominantly African-American organization of college men, was founded at Howard University on November 17, 1911;

Whereas, The name Omega Psi Phi was derived from the initials of the Greek phrase meaning "friendship is essential to the soul";

Whereas, Omega Psi Phi is guided by four principles: "Manhood, Scholarship, Perseverance, and Uplift";

Whereas, Omega Psi Phi flourished in large part due to the high ideals of its founders, who chose men of like character to guide the fraternity into the future;

Whereas, Omega Psi Phi has many internationally mandated programs, including the following: Achievement Week, which is designed to recognize those individuals at the local and international levels who have contributed to community uplift; Scholarship, which promotes academic excellence among undergraduate members; Social Action, in which chapters participate in activities that will uplift their communities, including voter registration, Assault on Illiteracy, Habitat for Humanity, mentoring, and fundraisers for charitable organizations; Talent Hunt, which provides exposure, encouragement, and financial assistance to talented young people participating in the performing arts; Memorial Service, which recalls the memory of those members who have entered into Omega Chapter; Reclamation and Retention, a concerted effort at the international, district, and local levels to retain active brothers and return inactive brothers to full participatory

status; College Endowment Fund, which is an annual contribution of at least $50,000 to historically black colleges and universities in furtherance of Omega Psi Phi's commitment to provide philanthropic support; Health Initiatives, which facilitates, participates in, and coordinates activities that promote good health practices, including the Charles Drew Blood Drive and partnership with the American Diabetes Association; and Voter Registration, Education, and Mobilization, which facilitates and participates in activities that uplift their communities through the power of the vote;

Whereas, Many renowned Americans from the business, professional, and educational areas have been members of Omega Psi Phi; and

Whereas, There are very few Americans whose lives have not been touched by a member of Omega Psi Phi Fraternity, Inc.: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That Hoosiers across Indiana welcome visiting members of the Omega Psi Phi Fraternity to Indianapolis during the 83rd Tenth District Convention.

SECTION 2. That the Indiana House of Representatives honors the Zeta Phi Chapter of Omega Psi Phi as the host for the 83rd Tenth District Convention and wishes all attendees a successful event.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Omega Psi Phi Fraternity, Inc. and its 10th District representative.

The resolution was read a first time and adopted by voice vote.

House Resolution 46

Representative Chyung introduced House Resolution 46:

A HOUSE RESOLUTION honoring Chief Dennis Zagrocki of the Schererville Police Department for four decades of service.

Whereas, After more than four decades of service with the Schererville Police Department, Chief Dennis Zagrocki has retired from the department;

Whereas, The longtime law enforcement officer was presented a plaque for his service and dedication to the town upon his retirement;

Whereas, During a short speech to council members and those in the audience, Zagrocki took a moment to thank and commend the officers and civilian personnel with whom he has worked;

Whereas, Zagrocki noted that, while he has enjoyed his time in service to the community and will miss it, it was time to move forward and let younger people come into the role; and

Whereas, Pete Sormaz, who has worked in the department for close to five years, was appointed chief following the departure of Zagrocki, and Detective Commander Jeff Cook was named deputy chief: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives honors Chief Dennis Zagrocki of the Schererville Police Department for more than four decades of service.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Chris Chyung for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 47

Representative Pryor introduced House Resolution 47:

A HOUSE RESOLUTION honoring the 100 Black Men of Indianapolis, Inc. and their annual Beautillion Militaire Scholarship Program.

Whereas, The 100 Black Men of Indianapolis, Inc. is a 501(c)(3) youth development organization that was founded in 1984 and serves several hundred Indianapolis youth each year through mentoring-based educational programs;

Whereas, The 100 is comprised of members and volunteers of diverse backgrounds and experiences with a common commitment to help children;

Whereas, The 100 members exemplify the motto, "What They See Is What They'll Be" by volunteering as role models and mentors for youth involved in The 100's programs;

Whereas, The 100's Beautillion Militaire Scholarship Program offers young African American males in the Indianapolis metropolitan area an opportunity for career and personal development, mentorship, and networking;

Whereas, An estimated 40 males in their junior or senior year of high school participate in the Beautillion Militaire each year;

Whereas, The Indiana House of Representatives wishes to recognize each of the 46 members of the 2020 Beautillion Militaire program: Adebowale Adelekan, Coleman Anderson III, Joshua Brown, Bruce Caldwell, Austin Clark, Caleb Coston, Christian Dacosta, Justin Dartis, Saul Davison, A'maurion Dew, Eligh Dodd, Jaden Drew, Aaron Durham, Laman Emery Jr., Derrius Fisher, Xavier Goodson, Desmond Grant, Jasen Graves, Bradley Harrington, Jacob Harris, Kole Hornbuckle, Keante Jackson, Isaiah Lockard, General Lynch, Kenneth Majors Jr., Yves McMullen, Darian Miller, Avery Morris, Christopher Murray, Gabriel Oliver, Mason Ordone, Edreece Redmond II, Isaac Robinson, Aiden Robinson, Jaden Seymour, Jathan Spaulding, Carl Stockdale Jr., Kendall Strong, Jon-Charles Thomas, Reginal Thornton, Ramone Viverette, Christopher Warner, Wise Wells, Rodnee Whittington Jr., Anthony Williams, and Mason Woodard;

Whereas, The Annual Beautillion Militaire Scholarship Dinner highlights the personal achievements of each participant, or Beau, and promotes the hallmarks of a gentleman through courtesy, good manners, respect, discipline, and self-development; and

Whereas, The participation of the 46 young men in the program will culminate in the Beautillion Militaire Scholarship Dinner, which highlights the Beaus as they go through a Rites of Passage ceremony that symbolically inducts them into manhood: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives honors the 100 Black Men of Indianapolis, Inc. for enriching the lives of young Hoosiers.

SECTION 2. That the Indiana House of Representatives celebrates the personal development and accomplishments of this year's participants during the Beautillion Militaire Scholarship Dinner.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Cherrish Pryor for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 48

Representative Chyung introduced House Resolution 48:

A HOUSE RESOLUTION memorializing Young-Hee Yedinak.

Whereas, Young-Hee Yedinak, of Indianapolis, passed away February 8, 2020, at 64 years old;

Whereas, Young-Hee was born in Seoul, South Korea, and has lived in both Indonesia and Vietnam prior to moving to the United States, where she settled in Indianapolis and called it home;

Whereas, Young-Hee was an award winning media professional, and she was a bridge builder who had a passion about bringing people together to create an impact in the community;

Whereas, Young-Hee had more than three decades of television experience in promotion, production, and community affairs, largely through her work with WTHR-TV, Channel 13 in Indianapolis;

Whereas, During her extensive career, Young-Hee won several awards for her media work, such as Emmy Awards from the National Association of Television Arts and Sciences, Spectrum Awards from the Indiana Broadcasters Association, and Community Impact Awards from the Indiana Associated Press, and she was also a board member for many Indianapolis community organizations;

Whereas, Young-Hee was passionate about her Asian heritage, having served as the association president in the Asian American Alliance, and serving as the vice president of the Korean American Association;

Whereas, Young-Hee had a love of travel, visiting more than 15 countries, and she spent much of her time exercising her fluency in four languages. Through all places she visited, she often spoke of her love for the Midwest and of her family home in Michigan, which she described as her happy place; and

Whereas, Young-Hee was an active member of Holy Spirit at Geist Catholic Church, located in Fishers. She is survived by her parents, Zung-Kyong Kang and Yoon-Hee Kim; her husband, Jim; daughter, Tracy; son-in-law, Nick; grandson, Ben; brothers, Michael Young-Jae, Steven Young-Chan, and Kenneth Young-Hoon; sisters-in-law, Carol, Stephanie, and Monica; niece, Gina; nephews, Jonathan, Andrew, Christopher, and Matthew; and god-daughter, Cybele: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives memorializes Young-Hee Yedinak and recognizes the positive impact she had on her community.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Christopher Chyung for distribution.

The resolution was read a first time and adopted by voice vote.

House Concurrent Resolution 48

Representatives Campbell and Vermilion introduced House Concurrent Resolution 48:

A CONCURRENT RESOLUTION recognizing landscape architects.

Whereas, World Landscape Architecture Month is a month-long opportunity to celebrate landscape architecture and designed public spaces that complement the natural environment throughout the world;

Whereas, Landscape architecture encompasses the analysis, design, planning, management, and stewardship of the natural and built environment;

Whereas, Indiana and its citizenry benefit from the licensed practice of landscape architecture, assuring the design of healthy, equitable, safe, and resilient public and private outdoor spaces;

Whereas, Landscape architects, as licensed professionals, have a responsibility to protect public health by creating accessible spaces such as public plazas, parks, schools, residential common areas, playgrounds, and trails that lead to active lifestyles and healthy communities;

Whereas, Landscape architects, as licensed professionals, have a responsibility to protect public safety by applying land design skills, technical knowledge, and conservation techniques that ensure the safety of individuals and communities;

Whereas, Landscape architects, as licensed professionals, have a responsibility to protect public welfare through the purposeful design of public and private spaces that provide economic, social, and environmental benefits for people of all ages and abilities to enjoy;

Whereas, Landscape professionals are licensed in all 50 states;

Whereas, Landscape architect licenses are issued by the Indiana Professional Licensing Agency to those who have met the specified education, examination, and experience requirements necessary for protecting public health, safety, and welfare;

Whereas, Science, technology, engineering, and mathematics (STEM) knowledge is at the core of the professional practice of landscape architecture and informs landscape architects as innovators, educators, researchers, and leaders who can solve significant challenges facing Indiana communities;

Whereas, Landscape architects promote security and safety through transportation design and planning of multi-use transportation corridors that accommodate all users, including pedestrians, bicyclists, motorists, people with disabilities, and people who use public transportation, while also protecting sidewalks, public plazas, and other vulnerable outdoor areas from potential attackers and security threats;

Whereas, Landscape architects are leaders in creating resilient and green infrastructure designs addressing erosion and sediment control, stormwater management, and strategies to mitigate the effects of sea level rise and flood waters, thus allowing communities to better withstand and respond to severe weather events and lessening the need for state and local funds and resources in disaster recovery efforts;

Whereas, Landscape architects are leaders in creating sustainable landscapes, helping to reduce water demand and energy consumption, conserve or restore natural resources, ensure wildlife habitat, improve air quality, and regulate climate; and

Whereas, Landscape architects believe in and prioritize the fair treatment and meaningful involvement of all people regardless of race, national origin, education level, or income

with regard to the development and implementation of public designs and plans: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes landscape architects in Indiana and celebrates April 2020 as World Landscape Architecture Month.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Chris Campbell for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Kruse and Niezgodski.

House Concurrent Resolution 49

Representative Hamilton introduced House Concurrent Resolution 49:

A CONCURRENT RESOLUTION honoring Futsum Zienasellassie.

Whereas, Mr. Futsum Zienasellassie, a naturalized Hoosier, was born December 16, 1992, in Dera, in what is now Eritrea, before moving to Indiana in 2007;

Whereas, Zienasellassie, a successful and talented athlete from Indianapolis, is training for the Olympic trials and hopes to compete in the 2020 Olympics in Tokyo, Japan;

Whereas, Zienasellassie is a seven-time state champion for North Central High School in Indianapolis;

Whereas, Zienasellassie attended Northern Arizona University and finished in the top four of the cross-country NCAA Championships three times before leading the Lumberjacks to a 2016 team title in Terre Haute, Indiana, according to an article published by the Indianapolis Star;

Whereas, Zienasellassie is currently the U.S. champion in the 10 mile race, with a time of 46 minutes, 55 seconds, and pace of 4:41 per mile; and

Whereas, Zienasellassie displays great athleticism, passion, and dedication in pursuit of his dreams: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly honors Mr. Futsum Zienasellassie for his many athletic accomplishments.

SECTION 2. That the Indiana General Assembly wishes Mr. Zienasellassie continued success in his future endeavors as an elite athlete.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Carey Hamilton for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Ruckelshaus.

Representatives Burton, Frye and Lindauer, who had been present, are now excused.

Representative Candelaria Reardon, who had been excused, is now present.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

EHB 1004 Conferees: Representative Austin replacing Representative Fleming

RESOLUTIONS ELIGIBLE FOR ADOPTION

Senate Concurrent Resolution 15

The Speaker handed down on its passage Senate Concurrent Resolution 15, sponsored by Representative Stutzman. Pursuant to House Rule 143, the sponsor of Engrossed Senate Concurrent Resolution 15, Representative Stutzman granted consent to the cosponsor, Representative Miller, to call the bill down for second reading.

A CONCURRENT RESOLUTION urging the establishment of the Office of Outdoor Recreation Development within the Indiana Destination Development Corporation.

The resolution was read a second time and adopted. Roll Call 317: yeas 87, nays 0. The Clerk was directed to inform the Senate of the passage of the resolution.

MOTIONS TO DISSENT FROM SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1092 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

ZIEMKE

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1132 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

STEUERWALD

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1222 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

WESCO

Motion prevailed.

Representatives Carbaugh, Lyness and Morris, who had been present, are now excused.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1063.

GOODRICH

Roll Call 318: yeas 82, nays 0. Motion prevailed.

Representatives Deal and Moseley, who had been present, are now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1099.

MANNING

Roll Call 319: yeas 81, nays 0. Motion prevailed.

Representative VanNatter, who had been present, is now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1148.

ELLINGTON

Roll Call 320: yeas 80, nays 0. Motion prevailed.

Representatives Dvorak, Judy, Lindauer and VanNatter, who had been excused, are now present.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1182.

CLERE

Roll Call 321: yeas 78, nays 7. Motion prevailed.

Representatives Burton and Moseley, who had been excused, are now present.

Representative Summers, who had been present, is now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1225.

MCNAMARA

Roll Call 322: yeas 70, nays 15. Motion prevailed.

Representatives Lyness, Macer and Summers, who had been excused, are now present.

Representative Pressel, who had been present, is now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1244.

VERMILION

Roll Call 323: yeas 87, nays 0. Motion prevailed.

Representatives Frye and Pressel, who had been excused, are now present.

Representatives Lehe and Summers, who had been present, are now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1283.

DEVON

Roll Call 324: yeas 85, nays 2. Motion prevailed.

Representatives Lehe and Moed, who had been excused, are now present.

Representative Morris, who had been present, is now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1341.

JACKSON

Roll Call 325: yeas 89, nays 0. Motion prevailed.

Representative Deal, who had been excused, is now present.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1343.

HOSTETTLER

Roll Call 326: yeas 90, nays 0. Motion prevailed.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 12:47 p.m. with the Speaker in the Chair.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

EHB 1092	Conferees:	Ziemke and Fleming
	Advisors:	Kirchhofer, Karickhoff and Shackleford
EHB 1132	Conferees:	Steuerwald and Hatfield
	Advisors:	McNamara, Young, Beck and Pierce
EHB 1222	Conferees:	Wesco and Moseley
	Advisors:	Manning, Vermilion, Steuerwald, Austin, Boy and Pfaff

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

ESB 4	Conferees:	Kirchhofer and Shackleford
	Advisors:	Barrett, Schaibley and Fleming
ESB 289	Conferees:	Lindauer and Wright
	Advisors:	Engleman, Lauer, Young, Boy, Jackson and Summers
ESB 319	Conferees:	Behning and Klinker
	Advisors:	Jordan, Goodrich, DeLaney, Pfaff and V. Smith
ESB 433	Conferees:	Lindauer and Pfaff
	Advisors:	Torr, Miller, Lehman, Errington and Fleming

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1043, 1067, 1173, 1210, 1218, 1243 and 1305 on March 5.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed Senate Enrolled Act 269 on March 5.

OTHER BUSINESS ON THE SPEAKER'S TABLE

PROTEST

Mr. Speaker: I protest the actions of the Chair made on January 30, 2020, as is my right under Article 4, Section 26 of the Indiana Constitution.

On January 30, 2020, I filed a house motion, Amendment 7 to House Bill 1414. When Second Reading amendments on House Bill 1414 were under consideration, the Chair recognized me and I called down my house motion, Amendment 7.

During the debate of Amendment 7 on the house floor, another member moved for a roll call vote on the amendment. The motion was properly seconded.

However, the Chair then violated House tradition and comity by ordering the vote without allowing me the opportunity to close the debate on my amendment. As the Chair opened the machine for voting, I made a point of order that I had not been given the

opportunity to close. The Chair acknowledged my point, and allowed me to make a closing statement. However, the Chair left the machine open during my statement, and members were casting their votes while I was speaking. The Chair left the machine open during my time speaking and closed the vote out after I had finished.

Pursuant to House Rule 42, and by tradition, all amendment authors are recognized first to speak, then to make a closing statement after all other members who wish have had the opportunity to speak. At no other time during this session has the Chair opened the voting machine before a member was given the opportunity to close on their amendment. In fact, I can find no record of such behavior during any previous session.

During my closing statement, I made a timely motion pursuant to House Rule 79 to withdraw Amendment 7 from consideration by the House. House Rule 79 allows a house motion to be withdrawn by the motion author "at any time before a decision or amendment" is made by the House. In violation of House Rule 79, the Chair denied my right to withdrawal my motion.

These tactics by the Chair have not been used on any other second reading motion made by any other member during this session, nor any other session that I can find. I strenuously object to the Chair's disregard for the House Rules and traditions. It is essential that House Rules and procedures be applied fairly and evenly to all house members.

DVORAK
PIERCE

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1007, Roll Call 18, on January 13, 2020. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Yea button when I intended to vote Nay."

JACKSON

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 18 to 76 yeas, 22 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1132, Roll Call 85, on January 28, 2020. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Yea button when I intended to vote Nay."

JUDY

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 85 to 96 yeas, 2 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1204, Roll Call 123, on January 29, 2020. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Yea button when I intended to vote Nay."

CAMPBELL

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 123 to 62 yeas, 32 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1222, Roll Call 96, on January 28, 2020. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Nay button when I intended to vote Yea."

CANDELARIA REARDON

There being a constitutional majority voting in favor of the petition, the petition was adopted.

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1222, Roll Call 96, on January 28, 2020. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Yea button when I intended to vote Nay."

HATFIELD

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 96 to 71 yeas, 27 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1243, Roll Call 97, on January 28, 2020. In support of this petition, I submit the following reason:

"I was present and in the chamber, but when I attempted to vote the machine had closed and I was unable to register my vote. I intended to vote Yea."

FLEMING

There being a constitutional majority voting in favor of the petition, the petition was adopted.

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed House Bill 1243, Roll Call 97, on January 28, 2020. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Nay button when I intended to vote Yea."

CAMPBELL

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 97 to 96 yeas, 2 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the Motion of Concur for Engrossed House Bill 1243, Roll Call 315, on March 4, 2020. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Nay button when I intended to vote Yea."

WRIGHT

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 315 to 58 yeas, 26 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on second reading amendment 8 to Engrossed House Bill 1265, Roll Call 127, on January 29, 2020. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote the machine had closed. I intended to vote Yea."

HATFIELD

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 127 to 93 yeas, 0 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed Senate Bill 178, Roll Call 285, on March 3, 2020. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Nay button when I intended to vote Yea."

CAMPBELL

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 285 to 83 yeas, 13 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed Senate Bill 246, Roll Call 188, on February 18, 2020. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Yea button when I intended to vote Nay."

BORDERS

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 188 to 95 yeas, 2 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed Senate Bill 267, Roll Call 281, on March 3, 2020. In support of this petition, I submit the following reason:

"I was present and in the chamber, but when I attempted to vote the machine had closed and I was unable to register my vote. I intended to vote Yea."

JACKSON

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 281 to 84 yeas, 0 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed Senate Bill 365, Roll Call 293, on March 3, 2020. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Yea button when I intended to vote Nay."

MOED

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 293 to 63 yeas, 31 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed Senate Bill 398, Roll Call 240, on March 2, 2020. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Yea button when I intended to vote Nay."

CHYUNG

There being a constitutional majority voting in favor of the petition, the petition was adopted.

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed Senate Bill 398, Roll Call 240, on March 2, 2020. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Nay button when I intended to vote Yea."

HAMILTON

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 240 to 80 yeas, 8 nays.*]

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on the third reading of Engrossed Senate Bill 409, Roll Call 297, on March 3, 2020. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Yea button when I intended to vote Nay."

CHYUNG

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 297 to 89 yeas, 4 nays.*]

HOUSE MOTION

Mr. Speaker: I move that Representative Torr be added as coauthor of House Bill 1022.

BOSMA

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Abbott, Austin, Aylesworth, Bauer, Beck, Burton, Carbaugh, Cherry, Cook, Davisson, DeVon, Ellington, Engleman, GiaQuinta, Goodrich, Heaton, Kirchhofer, Lauer, Lehe, Lindauer, Lucas, Miller, Moed, Morris, Prescott, Pressel, Schaibley, Shackleford, Sherman, Steuerwald, VanNatter, Vermilion, Zent and Ziemke be added as coauthors of House Resolution 20.

BACON

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representatives Austin, Aylesworth, Bacon, Bartels, Bartlett, Bauer, Behning, Borders, Bosma, Boy, T. Brown, Campbell, Candelaria Reardon, Carbaugh, Chyung, DeLaney, Deal, Dvorak, Errington, Fleming, Frye, GiaQuinta, Goodin, Gutwein, Hamilton, Harris, Hatcher, Hatfield, Hostettler, Huston, Jackson, Jordan, Judy, Karickhoff, Kirchhofer, Klinker, Lauer, Lehe, Lehman, Leonard, Lindauer, Lucas, Manning, May, Mayfield, Moed,

Morris, Morrison, Moseley, Nisly, Pfaff, Pierce, Porter, Pryor, Saunders, Shackleford, Smaltz, V. Smith, Soliday, Stutzman, Sullivan, Summers, VanNatter, Wesco, Wolkins, Wright, Young and Ziemke be added as coauthors of House Concurrent Resolution 40.

BURTON

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolution 64 and the same is herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 44, 45, 46 and 47 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has concurred in the House amendments to Engrossed Senate Bills 19, 20, 21, 25, 39, 50, 100, 109, 146, 194, 206, 239, 257, 267, 272, 273, 365, 405, 409, 424, 427 and 430.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 4:

Conferees: Charbonneau, Chairman; and Melton
Advisors: Zay, Randolph, Breaux and Ruckleshaus

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 132:

Conferees: Crider, Chairman; and Mrvan
Advisors: Garten and Randolph

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 148:

Conferees: Doriot, Chairman; and Lanane
Advisors: Freeman, Rogers, Taylor and Zay

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 184:

Conferees: Charbonneau, Chairman; and Ford J.D.
Advisors: Zay, Breaux and Leising

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 190:

Conferees: Holdman, Chairman; and Taylor
Advisors: Houchin and Ford J.D.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 229:

Conferees: Spartz, Chairman; and Stoops
Advisors: Doriot, Tallian and Rogers

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 241:

Conferees: Brown, Chairman; and Breaux
Advisors: Charbonneau, Stoops and Ruckleshaus

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 243:

Conferees: Brown, Chairman; and Mrvan
Advisors: Charbonneau and Breaux

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 256:

Conferees: Koch, Chairman; and Taylor
Advisors: Garten, Lanane and Mishler

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 289:

Conferees: Grooms, Chairman; and Ford J.D.
Advisors: Walker, Lanane and Houchin

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 319:

Conferees: Rogers, Chairman; and Melton
Advisors: Becker, Stoops and Buchanan

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 335:

Conferees: Young, Chairman; and Tallian
Advisors: Brown, Randolph and Koch

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 350:

Conferees: Holdman, Chairman; and Ford J.D.
Advisors: Houchin and Taylor

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 367:

Conferees: Niemeyer, Chairman; and Mrvan
Advisors: Bohacek and Randolph

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 433:

Conferees: Bassler, Chairman; and Tallian
Advisors: Rogers, Taylor and Doriot

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1003:

Conferees: Raatz and Melton
Advisors: Buchanan, Niezgodski and Rogers

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1004:

Conferees: Charbonneau and Breaux
Advisors: Brown, Ford Jon and Melton

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1008:

Conferees: Messmer and Randolph
Advisors: Busch and Ford, J.D.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1014:

Conferees: Gaskill and Lanane
Advisors: Buck and Taylor

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1022:

Conferees: Messmer and Randolph
Advisors: Brown and Taylor

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1042:

Conferees: Brown and Breaux
Advisors: Charbonneau, Stoops and Holdman

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1045:

Conferees: Glick and Mrvan
Advisors: Donato and Niezgodski

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1065:

Conferees: Holdman and Melton
Advisors: Bohacek, Niezgodski and Rogers

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1066:

Conferees: Raatz and Stoops
Advisors: Buchanan and Melton

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1070:

Conferees: Crider and Niezgodski
Advisors: Grooms, Ford, J.D., Ford, Jon and Mrvan

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1092:

Conferees: Charbonneau and Breaux
Advisors: Ruckelshaus and Mrvan

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1108:

Conferees: Bassler and Niezgodski
Advisors: Spartz and Tallian

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1113:

Conferees: Bassler and Melton
Advisors: Perfect and Taylor

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1131:

Conferees: Boots and Ford, J.D.
Advisors: Garten and Randolph

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1132:

Conferees: Freeman and Tallian
Advisors: Young, Randolph and Houchin

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1153:

Conferees: Raatz and Melton
Advisors: Koch, Mrvan and Kruse

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1157:

Conferees: Freeman and Tallian
Advisors: Young, Randolph, and Zay

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1207:

Conferees: Bohacek and Mrvan
Advisors: Ruckleshaus, Breaux, Grooms and Zay

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1222:

Conferees: Walker and Ford, J.D.
Advisors: Gaskill and Breaux

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1235:

Conferees: Crider and Niezgodski
Advisors: Garten, Stoops and Niemeyer

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1279:

Conferees: Mishler and Tallian
Advisors: Ruckelshaus, Melton, Freeman and Taylor

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1326:

Conferees: Crider and Breaux
Advisors: Becker and Mrvan

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1332:

Conferees: Boots and Tallian
Advisors: Walker and Niezgodski

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1348:

Conferees: Crider and Melton
Advisors: Busch and Lanane

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1353:

Conferees: Bassler and Ford, J.D.
Advisors: Zay and Breaux

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1372:

Conferees: Bassler and Niezgodski
Advisors: Zay and Breaux

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1385:

Conferees: Glick and Tallian
Advisors: Rogers, Lanane and Mishler

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1414:

Conferees: Messmer and Ford, J.D.
Advisors: Ford, Jon, Stoops, Koch and Niezgodski

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1419:

Conferees: Raatz and Ford, J.D.
Advisors: Zay, Stoops and Koch

JENNIFER L. MERTZ
Principal Secretary of the Senate

On the motion of Representative Moseley, the House adjourned at 12:49 p.m., this fifth day of March, 2020, until Monday, March 9, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Thirty-First Day — **Monday Morning** — **March 9, 2020**

The invocation was offered by Pastor Mark Fishburn of First Baptist Church of Pierceton, in Pierceton.

The House convened at 10:00 a.m. with Speaker Brian C. Bosma in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Karickhoff.

The Speaker ordered the roll of the House to be called:

Abbott
Austin
Aylesworth
Bacon
Baird
Barrett
Bartels
Bartlett ☐
Bauer
Beck ☐
Behning
Borders
Boy ☐
T. Brown
Burton
Campbell
Candelaria Reardon ☐
Carbaugh
Cherry
Chyung
Clere
Cook
Davisson
Deal ☐
DeLaney
DeVon
Dvorak ☐
Eberhart
Ellington
Engleman
Errington ☐
Fleming ☐
Forestal ☐
Frye
GiaQuinta
Goodin
Goodrich
Gutwein
Hamilton
Harris ☐
Hatcher ☐
Hatfield ☐
Heaton
Heine ☐
Hostettler ☐
Huston
Jackson
Jordan
Judy ☐
Karickhoff
Kirchhofer ☐
Klinker
Lauer
Lehe
Lehman
Leonard
Lindauer ☐
Lucas ☐
Lyness
Macer
Manning
May
Mayfield
McNamara
Miller
Moed ☐
Morris ☐
Morrison
Moseley
Negele
Nisly
Pfaff
Pierce ☐
Porter
Prescott ☐
Pressel
Pryor
Saunders ☐
Schaibley
Shackleford ☐
Sherman
Smaltz ☐
V. Smith
Soliday
Speedy ☐
Steuerwald
Stutzman
Sullivan ☐
Summers
Thompson
Torr
VanNatter
Vermilion
Wesco
Wolkins ☐
Wright
J. Young ☐
Zent ☐
Ziemke ☐
Mr. Speaker

Roll Call 327: 69 present; 31 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Tuesday, March 10, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 55

The Speaker handed down Senate Concurrent Resolution 55, sponsored by Representatives Goodin, Fleming, Davisson and Lauer:

A CONCURRENT RESOLUTION congratulating Michael Cleveland for winning the 2020 Grammy Award for Best Bluegrass Album.

Whereas, Michael Cleveland, a fiddler from Charlestown, Indiana, won the 2020 Grammy Award for Best Bluegrass Album, his first career Grammy Award;

Whereas, Born in Henryville in 1980, Michael learned to play by ear and began fiddling at a young age after hearing a fiddler play "Orange Blossom Special";

Whereas, When he was nine years old, Michael attended the Bean Blossom Bluegrass Festival and performed with bluegrass founding father Bill Monroe, beginning his young music performing career;

Whereas, Michael's talents were recognized at an early age while making appearances on the Grand Ole Opry stage, the radio show A Prairie Home Companion, and before the United States Congress;

Whereas, After graduating from the Kentucky School for the Blind, Michael began performing professionally, and released his first solo album, "Sawing on the C String", in 1998;

Whereas, Michael has performed with numerous bluegrass and country legends including Bill Monroe, Ralph Stanley, Doyle Lawson, Allison Krauss, and Vince Gill;

Whereas, Michael is the recipient of numerous awards, including being a six-time winner of the International Bluegrass Music Association (IBMA) Instrumental Recording of the Year Award, a twelve-time winner of the IBMA Fiddle Player of the Year Award, and a six-time winner of the IBMA Instrumental Group of the Year Award with his band, Flamekeeper;

Whereas, In 2018, Michael was nominated for his first Grammy Award for Best Bluegrass Album for his solo album "Fiddler's Dream";

Whereas, Two years later, Michael was again nominated for the Grammy Award for Best Bluegrass Album for his album "Tall Fiddler", for which Michael earned his first Grammy Award; and

Whereas, Michael Cleveland's fiddle talents have taken him all over the world, and he is an exemplary representative of southeastern Indiana: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Michael Cleveland for winning the 2020 Grammy Award for Best Bluegrass Album and wishes him well in his future success.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Michael Cleveland

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 58

The Speaker handed down Senate Concurrent Resolution 58, sponsored by Representatives Abbott, Carbaugh, GiaQuinta, Heine, Lehman, Leonard, Morris, Smaltz, Wolkins and Zent:

A CONCURRENT RESOLUTION honoring Sister M. Elise Kriss upon her retirement as President of the University of Saint Francis.

Whereas, After serving 27 years as President of the University of Saint Francis, Sister M. Elise Kriss will retire on June 30, 2020;

Whereas, Sister Elise is a native of North Judson, Indiana, and earned bachelor's and master's degrees in education from Saint Francis College, and a doctorate from Saint Louis University;

Whereas, A member of the University's Administration since 1983, Sister Elise began her tenure as University of Saint Francis President in July 1993, and has led the University through a period of tremendous expansion;

Whereas, During Sister Elise's leadership, the institution's name changed from Saint Francis College to the University of Saint Francis in 1998, and the University increased the number of programs offered to students and more than doubled enrollment from 961 in 1993 to 2,249 in 2019;

Whereas, Sister Elise helped increase the University's fundraising efforts, resulting in a robust endowment and the construction and opening of new campus facilities, including St. Francis Chapel, the first free-standing chapel in University history, Bishop D'Arcy Stadium, the Campus Ministry Center, Doermer Family Center for Health Science Education, the Mimi and Ian Rolland Art and Visual Communication Center, an expansion of Bonaventure Hall, and renovations to Brookside;

Whereas, Sister Elise oversaw an expansion of the University's geographic footprint outside of northeast Indiana, including offering classes in Crown Point, Lafayette, Indianapolis, and online;

Whereas, During Sister Elise's tenure, the University of Saint Francis expanded its athletics programs, including the University winning NAIA titles in football and men's and women's basketball, and cultivating the University's football team into one of the most successful in the NAIA;

Whereas, Off campus, Sister Elise serves on the boards of many organizations in Allen County, and has guided the University into building strong relationships with local businesses including Parkview Health, Lutheran Health, Ash Brokerage, Sweetwater, Fort Wayne Metals, and STAR Bank;

Whereas, Sister Elise was named a Sagamore of the Wabash in 2016 in recognition of her dedication to higher education in northeast Indiana; and

Whereas, Sister M. Elise Kriss led the University of Saint Francis through a period of monumental change, and her impact on the University will be felt for generations: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly honors Sister M. Elise Kriss upon her retirement as President of the University of Saint Francis.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Sister M. Elise Kriss

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 64

The Speaker handed down Senate Concurrent Resolution 64, sponsored by Representative Sherman:

A CONCURRENT RESOLUTION honoring Lisa H. Kobe upon her retirement.

Whereas, Lisa H. Kobe will retire from Duke Energy on June 1, 2020, after 33 years of service to the company and its predecessors, PSI Energy and Public Service Indiana;

Whereas, Lisa joined Public Service Indiana in 1987 as a government affairs professional and has represented the company in the state legislature throughout her career;

Whereas, Lisa began her working life as an intern for the Indiana House of Representatives during the 1977 legislative session, and served two additional years as a member of the House staff;

Whereas, Lisa has been involved in every session of the Indiana General Assembly since 1977, and has brought to her work a deep understanding of the state legislature as well as the industries she represented;

Whereas, As a lobbyist for the Indiana Chamber of Commerce, Lisa advocated for the creation of the Indiana Department of Environmental Management, and later served as IDEM's first Director of Legislative Affairs and Communications;

Whereas, A tireless advocate for the electric industry, Lisa was awarded Duke Energy's highest honor, the James B. Duke Award, for her career achievements;

Whereas, Lisa has been a long-time board member of the Lugar Excellence in Public Service Series, providing leadership training experience that encourages, mentors, and prepares women leaders across Indiana to seek new levels of personal achievement and public involvement;

Whereas, Lisa has worked diligently over the course of her career to build trusting and bipartisan relationships with state legislators to achieve consensus on complex issues; and

Whereas, Lisa Kobe's retirement leaves a void in the Statehouse that will be difficult to fill: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Lisa H. Kobe on the occasion of her retirement.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Lisa H. Kobe

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Representatives Candelaria Reardon and Hostettler, who had been excused, are now present.

Representative Lehman, who had been present, is now excused.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1049.

HEATON

Roll Call 328: yeas 69, nays 0. Motion prevailed.

Representative Young, who had been excused, is now present.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1059.

MILLER

Roll Call 329: yeas 62, nays 8. Motion prevailed.

Representatives Harris, Lehman and Moed, who had been excused, are now present.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1111.

LEONARD

Roll Call 330: yeas 73, nays 0. Motion prevailed.

Representatives Beck, Hatfield and Lucas, who had been excused, are now present.

Representative Wright, who had been present, is now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1264.

MAY

Roll Call 331: yeas 75, nays 0. Motion prevailed.

Representative Wright, who had been excused, is now present.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1313.

YOUNG

Roll Call 332: yeas 76, nays 0. Motion prevailed.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 10:42 a.m. with the Speaker in the Chair.

Representatives Deal, Errington, Fleming, Hatfield, Kirchhofer, Pierce, Shackleford, Smaltz, Sullivan, Wolkins and Ziemke, who had been excused, are now present.

Representatives Barrett, Beck, Campbell, Engleman, Hamilton, Jackson, Lauer, Lehman, Negele, Porter, Summers, Wright and Young, who had been present, are now excused.

Upon request of Representative Pryor, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 333: 70 present. The Speaker declared a quorum present.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

Representatives Beck and Lehman, who had been present, are now excused.

Representatives DeLaney, Leonard, Pressel, Sherman, VanNatter and Wolkins, who had been excused, are now present.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1209.

KIRCHHOFER

Roll Call 334: yeas 74, nays 0. Motion prevailed.

Representatives Barrett, Beck, Campbell and Negele, who had been excused, are now present.

Representatives Candelaria Reardon and Morris, who had been present, are now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1246.

SULLIVAN

Roll Call 335: yeas 77, nays 0. Motion prevailed.

Representatives Candelaria Reardon, Morris and Young, who had been excused, are now present.

Representative Deal, who had been present, is now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1392.

SMALTZ

Roll Call 336: yeas 79, nays 0. Motion prevailed.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 1:31p.m. with the Speaker Pro Tempore in the Chair.

Upon request of Representative Lehman, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 337: 68 present. The Speaker Pro Tempore declared a quorum present.

February 27, 2020

Caroline Spotts
Principal Clerk of the Indiana House of Representatives
200 W. Washington Street
Indianapolis, IN 46204

Dear Caroline:

Please accept this letter as formal notification that I am submitting my resignation as Speaker of the Indiana House of Representatives effective upon the selection of a new Speaker by the Indiana House of Representatives on March 9, 2020.

I want to thank my House colleagues for entrusting me with the opportunity to lead the House of Representatives as Speaker for 12 of the last 16 years. As I conclude my 34th session as a legislator and 20 years as the Republican Leader, it is humbling to reflect on just how far our state has progressed. We have accomplished much, and while it has not always been easy, I have done my utmost to maintain the dignity this institution requires and deserves.

I would also like to thank the outstanding staff of the House and the Legislative Services Agency for their service to both myself and to the state of Indiana. We are truly blessed to have such dedicated men and women working for us every day for the betterment of Indiana.

It has been the greatest honor of my life to serve Hoosiers and help make Indiana all she can be. I wish the State of Indiana continued success and look forward to watching what the coming years will bring for this great state.

Very truly yours,

Brian C. Bosma, Speaker
Indiana House of Representatives
121st Indiana General Assembly

cc: Kyle Hupfer, Indiana Republican Party Chairman

ELECTION OF SPEAKER

The Speaker Pro Tempore called for nominations for Speaker of the House and recognized Representative Matthew S. Lehman for a nomination.

"Speaker Pro Tempore, I hereby nominate Todd M. Huston to be Speaker of the House of Representatives for the 121st General Assembly."

Representative Steuerwald seconded the nomination.

HOUSE MOTION

Speaker Pro Tempore: I move that the nominations for Speaker be closed and that Representative Todd M. Huston be elected Speaker of the House of Representatives for the 121st Indiana General Assembly by acclamation.

GIAQUINTA

Motion prevailed. The Speaker Pro Tempore declared Representative Todd M. Huston elected Speaker of the House of Representatives for the 121st General Assembly by acclamation.

LEHMAN

Motion prevailed.

OATH OF OFFICE

The Speaker-elect rose and was administered the oath of office by The Honorable Mark S. Massa, Justice of the Supreme Court, which oath is as follows:

"I, Todd M. Huston, do solemnly swear that I will support the Constitution of the United States of America and the Constitution of the State of Indiana and that I will faithfully and impartially discharge my duties as Speaker of the House of Representatives of the General Assembly of the State of Indiana to the best of my skill and ability, so help me God."

Representatives Boy, Deal, Dvorak, Engleman, Hatcher, Jackson, Lauer, Lehman, Lindauer, Porter, Saunders, Summers and Wright, who had been excused, are now present.

Representative Austin and Goodin, who had been present, are now excused.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1120.

STEUERWALD

Roll Call 338: yeas 88, nays 0. Motion prevailed.

Representatives Austin and Carbaugh, who had been excused, are now present.

Representative Hatcher, who had been present, is now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1176.

CLERE

Roll Call 339: yeas 89, nays 0. Motion prevailed.

RESOLUTIONS ON FIRST READING

House Resolution 49

Representative Bacon introduced House Resolution 49:

A HOUSE RESOLUTION congratulating Sherri Rector on her retirement.

Whereas, Sherri Rector began a long and successful career at the Warrick County Area Plan Commission (APC) in 1972;

Whereas, Ms. Rector was appointed APC assistant director in 1993 before being appointed APC executive director in 1998;

Whereas, Ms. Rector has devoted her career to promoting and facilitating growth throughout Warrick County;

Whereas, Ms. Rector's first major subdivision signed as APC executive director was the Oak Grove subdivision in Newburgh, Indiana;

Whereas, Ms. Rector tallied 470 major subdivisions, 586 minors, and 302 parcelizations during her career, and her office has issued 14,408 improvement location permits; and

Whereas, Under Ms. Rector's leadership, the APC passed 228 amendments to ordinances to lead Warrick County to become one of the strongest pro-growth communities in Indiana: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives recognizes Ms. Sherri Rector for her many years of service to Warrick County and the building and development communities in southwestern Indiana.

SECTION 2. That the Indiana House of Representatives congratulates Ms. Sherri Rector on her retirement.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of Representative Ronald Bacon for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 50

Representative Judy introduced House Resolution 50:

A HOUSE RESOLUTION recognizing and congratulating Whitko High School artists.

Whereas, Art students from Whitko High School in South Whitley, Indiana, have received 42 state, 43 national, and 208 international awards to date for their participation in various art exhibitions locally and around the world;

Whereas, The World School Children's Art Exhibition is held to promote mutual understanding and friendship among the younger generations of the world through the exchange of children's artwork;

Whereas, The exhibition is organized by the Association for Education through Art, the Republic of China, and the Association of Formative Art Education for the Republic of China;

Whereas, The exhibition is open to school children ages 6 through 15, and the students from Whitko High School participated in the 50th World School Children's Art Exhibition in the Republic of China, Taipei;

Whereas, The 50th World School Children's Art Exhibition included student artwork from 41 countries;

Whereas, Whitko High School art students were honored with six selected certificates of merit;

Whereas, Recognized participants had their artwork displayed in Taipei and were featured in an art booklet sent throughout the world to participating countries;

Whereas, Whitko High School art students represented their school, community, and the United States of America;

Whereas, Whitko High School art teacher Mr. Daniel Malicki is proud of his students' dedication and pursuit of excellence; and

Whereas, The following Whitko High School art students received international recognition for their artwork: Nathaniel Moore, "Friday Night Downtown"; Haley Laws, "Bouquet of Butterflies"; Danielle Kelly, "Thunder Roll in Valley"; Hannah Brown, "Festival Fun"; Kaycee Knutson, "Underwater Explorer"; William Rickerd, "No Place Left to Go"; Claire Bradenburg, "Our Mother Mary"; Kaitlin Anderson, "Let It Ride"; Meghan Frush, "Shine Down"; Grace Ehrman, "Cans of Colors"; Dale Reiff, "King of the Mountains"; Michaela Wade, "Milky Way Mix Up"; Morgan Dyck, "Citrus Stand"; Rileigh Meadows, "Take a Load Off"; Jaelynn Dammier, "Bloom"; Jaide Martinez, "Tie Dye Tide Rider"; Serena Sutherlin, "Grandma's Famous Cherry Pie"; Colton Snepp, "Need for Speed"; Amaya Norman, "To the Moon and Back"; and Alexia Studebaker, "Little Lady in Dace": Therefore,

Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana:

SECTION 1. That the House of Representatives recognizes and congratulates the artists of Whitko High School for their achievements during the 50th World School Children's Art Exhibition.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Whitko High School art teacher Mr. Daniel Malicki.

The resolution was read a first time and adopted by voice vote.

House Resolution 51

Representative Beck introduced House Resolution 51:

A HOUSE RESOLUTION congratulating and honoring the Merrillville High School Choir.

Whereas, Members of the Merrillville High School Choir earned 15 gold solos and three silver solos at the Indiana State School Music Association's State Solo and Ensemble held on February 22, 2020, in Indianapolis;

Whereas, Merrillville Choir students continue a legacy of excellence having been awarded more than 1,300 medals, 1,225 gold and 76 silver, during the last 13 years of competition;

Whereas, The Merrillville Choir has sent between 25 and 45 students each year for the last 13 years to competitions, preparing more than 400 events between solos and ensembles;

Whereas, Students of the Merrillville Choir are led by Choral Director Melinda A. Reinhart;

Whereas, The students of the Merrillville Choir showcase their talent through hard work, dedication, preparedness, and camaraderie; and

Whereas, The Merrillville Choir is a fine example of talented students sharing a love of music and showcasing their talents in the spirit of competition: Therefore,

Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates members of the Merrillville High School Choir on their recent success at the Indiana State School Music Association's State Solo and Ensemble.

SECTION 2. That the Indiana House of Representatives honors the enduring legacy of the Merrillville Choir and wishes them continued success in the future.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Lisa Beck for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 52

Representative Chyung introduced House Resolution 52:

A HOUSE RESOLUTION recognizing the Korean American Association of Indiana.

Whereas, The Korean American Association of Indiana has aided in promoting the visibility of Korean American leaders and organizations within the state of Indiana;

Whereas, The Korean American Association of Indiana provides a support system for Korean American Hoosiers and unites the community as a whole;

Whereas, The Korean American Association of Indiana promotes a growing and thriving Korean culture in Indiana;

Whereas, The Korean American Association of Indiana enhances the culture of Indiana and contributes to a diverse network throughout the state; and

Whereas, The Korean American Association of Indiana promotes diversity and cultural understanding for a growing community in Indiana: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives recognizes the Korean American Association of Indiana for supporting Korean American Hoosiers and promoting the visibility of Korean American leaders and organizations within the state of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to State Representative Chris Chyung for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 53

Representative Chyung introduced House Resolution 53:

A HOUSE RESOLUTION recognizing the Sasakawa Peace Foundation and the U.S.-Japan Council.

Whereas, The partnership between the United States and Japan is a driving force behind economic growth in Indiana;

Whereas, Indiana exported more than $2 billion of Hoosier-made goods to Japan in 2018, a 22% increase from the previous year, according to the Indiana Economic Development Cooperation;

Whereas, The strong relationship between Indiana and Japan is thanks in part to the efforts of organizations whose mission is to foster strong ties between the United States and Japan;

Whereas, The U.S.-Japan Council (USJC) believes people-to-people relationships are a powerful way to bring together leaders in the United States and Japan to address and create solutions to mutual concerns;

Whereas, The Sasakawa Peace Foundation (SPF) believes that the United States is Japan's most important ally from a political, economic, and security perspective;

Whereas, The SPF promotes cooperation and open dialogue among a wide range of experts from Japan and the United States to develop policy and strategies that will ensure economic prosperity and regional peace and stability for both countries;

Whereas, "SPF's essential mission is to conduct humanitarian activities that go beyond politics, ideology, religion, race, and borders", according to Yohei Sasakawa, Honorary Chairman of the SPF;

Whereas, The USJC and SPF work together to provide Asian American leaders an opportunity to travel to Japan to engage with Japanese leaders in business, government, academic, and nonprofit sectors through the Asian American Leadership Delegation program; and

Whereas, The USJC and SPF help elected officials and policymakers better understand the deep and meaningful relationships between Japan and the United States: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives recognizes the U.S.-Japan Council and Sasakawa Peace Foundation and their efforts to strengthen the relationship between Japan and Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Chris Chyung for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 54

Representative Chyung introduced House Resolution 54:

A HOUSE RESOLUTION recognizing the Consulate General of the Republic of Korea in Chicago.

Whereas, Dr. Young Sok Kim is the consul general of the Republic of Korea Consulate in Chicago;

Whereas, Dr. Kim works to expand and strengthen the cooperative relationship between Korea and Indiana;

Whereas, The Indiana Economic Development Corporation estimates that 1,500 jobs are provided by South Korean-based businesses operating in Indiana including POSCO, a multinational steel producer operating in Jeffersonville, Indiana, since 2017; and

Whereas, The consul general's office was instrumental in bringing together leaders and representatives from South Korea and Indiana to discuss policy, culture, and strategies to address issues common and unique to both countries. These voices included: the Ministry of Foreign Affairs, the Ministry of Unification, the Ministry of Education, and students from Yang Jin High School: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives recognizes Dr. Young Sok Kim, consul general of the Republic of Korea Consulate in Chicago, for his efforts in expanding and strengthening relationships between Korea and Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Chris Chyung for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 56

Representative Beck introduced House Resolution 56:

A HOUSE RESOLUTION memorializing Lake County Magistrate Nanette K. Raduenz.

Whereas, Nanette K. Raduenz passed away October 23, 2019, at the age of 61;

Whereas, Raduenz was a graduate of Purdue University before attending The John Marshall Law School in Chicago, Illinois, and graduated and was admitted to practice in 1984.

Whereas, Raduenz was an Indiana licensed, practicing attorney for more than three decades, serving more than a decade as a family law magistrate in Gary, Indiana, and then in Hammond, Indiana;

Whereas, Raduenz heard and ruled upon thousands of cases as a family law magistrate providing well reasoned judicial decisions and helping bring closure to families during difficult times;

Whereas, Raduenz dedicated her life to helping Indiana children and families before taking the bench, and worked as a private attorney serving as Guardian ad Litem in the courts of Lake County, giving a voice to children caught in the legal process and helping the courts protect the best interests of those children;

Whereas, Raduenz embraced public service after taking the bench, and worked tirelessly on various judicial committees including the committee which reviewed the Indiana Child Support Guidelines, thereby working to ensure that the children of Indiana receive adequate care and support;

Whereas, Raduenz gave generously of her time and talents to various legal organizations such as the Indiana State Bar Association and the Lake County Bar Association, where she served on the Board of Directors from 2001 to 2013;

Whereas, Raduenz was a founding member of the Women Lawyers Association and held various leadership positions in that organization;

Whereas, Raduenz donated countless hours to mock trial programs, teaching young people about the federal and state constitutions, local government, and the judiciary;

Whereas, Mock trial programs provide an opportunity for students to learn the judicial system through hands on experience while emphasizing the importance of life skills including critical thinking, public speaking, and professionalism;

Whereas, Raduenz will be remembered as a compassionate, humorous, inspiring, and committed coach for students participating in mock trial programs in her community;

Whereas, Raduenz will be remembered as a mentor for many young lawyers who appeared before her; and

Whereas, Raduenz will be remembered by family, friends, and colleagues as a warrior for justice, role model, and compassionate judge who treated families, and especially children, with empathy and fairness: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives memorializes Magistrate Nanette K. Raduenz and recognizes her positive impact in her community.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Lisa Beck for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 57

Representatives Young, Burton and Sherman introduced House Resolution 57:

A HOUSE RESOLUTION congratulating Richard A. Arkanoff II.

Whereas, Richard "Richie" A. Arkanoff II is a member of Center Grove Boy Scout Troop 245 and attends Center Grove High School;

Whereas, Arkanoff developed the concept of a memorial tree to honor students and staff members who died while studying and working at Center Grove Community Schools;

Whereas, The design included the names of 60 deceased students and 20 staff members, dating back to 1952, with each name inscribed on separate steel leaves;

Whereas, Arkanoff's Eagle Scout project was named project of the year in the Crossroads of America Council's Pathfinder District, a Boy Scout district that encompasses Johnson County and southern Marion County;

Whereas, Arkanoff's project took two years of planning and 500 hours of work, including research, communication with contractors, and multiple presentations of the project to various community organizations;

Whereas, Arkanoff and 39 other scouts contributed 120 working hours to the project, digging out the ground for the foundation of the memorial, laying down wood to mark the perimeter of the concrete walkway, and laying down the cement; and

Whereas, Arkanoff is most proud of the impact his project has had on the families and loved ones of people who had passed away while working for or studying at Center Grove: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the House of Representatives recognizes Richard A. Arkanoff II for his service to his community.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative John Young for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 58

Representative Beck introduced House Resolution 58:

A HOUSE RESOLUTION congratulating Peoples Bank on the occasion of their 110th anniversary.

Whereas, Peoples Bank was founded in East Chicago, Indiana, in 1910 by Mr. John Bochnowski, an immigrant to the United States, who was committed to helping his community develop and grow to be more prosperous than the communities that so many fellow immigrants left behind;

Whereas, Peoples Bank has served generations of families and is proud of their "You First Banking" commitment that is focused on relationships and not just transactions;

Whereas, Peoples Bank has received many accolades from Indiana-based, regional, and national organizations including: the Indiana Chamber of Commerce, BizVoice, Inside Indiana Business, the Society of Human Resource Management, the Indiana State Council, the Indiana Economic Development Corporation, and Best Companies;

Whereas, Some of these accolades include: Best Places to Work in Indiana, 2013-2018; Best Banks to Work For, 2016-2019; Best of NW Indiana Business Quarterly; SBA 504 Lender of the Year for a Regional Development Company; Best Wealth Management Advisory; Top 200 Community Bank; and numerous regional awards;

Whereas, The success of Peoples Bank is made possible thanks to the support and commitment of employees recognizing the value of You First Banking;

Whereas, Peoples Banks maintains a legacy of value-driven banking thanks to the leadership and vision of the Executive Team: President and CEO Ben Bochnowski, CFO Bob Lowry, Chief Information and Technology Officer Tanya Leetz, General Counsel and Corporate Secretary Leane Cerven, and Chief Banking Officer Todd Scheub; Directors Don Fesko, Ed Furticella, Danette Garza, Joel Gorelick, Amy Han, Robert Johnson, Ken Krupinski, Anthony Puntillo, and Jim Wieser; Executive Chairman David Bochnowski; and Directors Emeritus Lee Cataldi, Martin Dybel, Lourdes Dennison, Gloria Gray Weissman, and Stan Mize; and

Whereas, Peoples Bank is headquartered in Munster, Indiana, and provides a wide range of consumer, business, and wealth management products to residents across Northwest Indiana and in Illinois: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates the leaders and staff of Peoples Bank on the occasion of their 110th anniversary.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to State Representative Lisa Beck for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 59

Representative Beck introduced House Resolution 59:

A HOUSE RESOLUTION congratulating Mr. Jesse Mendez on his 2020 state championship title in wrestling.

Whereas, Crown Point High School sophomore Jesse Mendez finished his second high school season by winning the 2020 IHSAA title in the 132 pound weight class;

Whereas, Mendez, ranked No. 1 by Indiana Mat, squared off against No. 2 ranked Matthew Koontz of Perry Meridian High School;

Whereas, A repeat championship title for Mendez is the latest of many achievements already earned by this young wrestler; and

Whereas, House Resolution 24 recognized Mendez in 2019 for his many accomplishments, and it is fitting that the Indiana House of Representatives recognizes the young wrestler in his continued success: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates Mr. Jesse Mendez on his 2020 state championship title in wrestling.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Mr. Jesse Mendez and his family.

The resolution was read a first time and adopted by voice vote.

House Concurrent Resolution 50

Representative Ellington introduced House Concurrent Resolution 50:

A CONCURRENT RESOLUTION congratulating the Linton-Stockton High School girls basketball team for its Class 2A IHSAA championship win.

Whereas, The Linton-Stockton High School girls basketball team won the Class 2A IHSAA championship at Bankers Life Fieldhouse on Saturday, February 29, 2020;

Whereas, The Linton-Stockton Miners defeated the Frankton Eagles, 70-28;

Whereas, The Miners set a 2A state finals record for points in a quarter after scoring 27 points in the second quarter;

Whereas, The Miners set a 2A state finals record for points in a half with 47 in the first half;

Whereas, The margin of victory was the highest ever in a state finals for any class;

Whereas, Coach Jared Rehmel led the team in its 25-5 record; and

Whereas, The Miners defeated the previously undefeated #1 ranked Triton Central 48-43 in the semifinals to reach the championship game: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates the Linton-Stockton High School girls basketball team on its IHSAA Class 2A championship win and record breaking season.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Jeff Ellington for distribution.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsor: Senator Bassler.

House Concurrent Resolution 51

Representatives Pierce, Clere Saunders, Lehman, Bartels, Bacon, Hatfield, Sullivan, McNamara, Lyness, Frye, Goodin, Fleming, Engleman and Negele introduced House Concurrent Resolution 51:

A CONCURRENT RESOLUTION honoring the 250th anniversary of William Clark's birth.

Whereas, William Clark was born to John and Ann Rogers Clark on August 1, 1770, in Caroline County, Virginia;

Whereas, William Clark lived with his older brother, General George Rogers Clark, in Clarksville, Indiana Territory, at the Falls of the Ohio, where he joined Captain Meriwether Lewis as co-commander of the Corps of Discovery and trained initial recruits for the expedition to explore the Louisiana Territory;

Whereas, The Corps of Discovery continued down the Ohio River to the Mississippi River, continued westward along the Missouri River, crossed the Rocky Mountains, and then paddled dugout canoes on the Clearwater, Snake, and Columbia rivers to the Pacific Ocean, exploring parts of the present states of Indiana, Kentucky, Illinois, Missouri, Kansas, Nebraska, Iowa, South Dakota, North Dakota, Montana, Idaho, Washington, and Oregon;

Whereas, William Clark was respected by the soldiers of the Corps of Discovery and the Native Americans they encountered on the expedition, kept a detailed journal of the expedition's discoveries and observations of the land's geography and wildlife, and drew an exceptionally accurate map of the expedition's route;

Whereas, William Clark enjoyed a long and distinguished post-expedition career as superintendent of Indian Affairs and territorial governor of Missouri, and Clark family connections remain prominent in Missouri;

Whereas, The Indiana Lewis and Clark Expedition Commission and the Lewis and Clark Trail Heritage Foundation played leading roles in preserving the story of the Corps of Discovery and publicizing Indiana's role in the expedition; and

Whereas, Indiana is now on the Lewis and Clark National Historic Trail as a result of the Eastern Extension to the Trail signed into law by President Donald Trump on March 12, 2019: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly hereby commemorates William Clark's accomplishments and role as co-captain of the Lewis and Clark Expedition on the occasion of his 250th birthday.

SECTION 2. That the Indiana General Assembly recognizes the Falls of the Ohio, including the state of Indiana, as the starting point of the Lewis and Clark Expedition where Lewis and Clark recruited and trained the first members of the Corps of Discovery and departed from Clarksville, Indiana.

SECTION 3. That the General Assembly commends the Indiana Lewis and Clark Expedition Commission and the Lewis and Clark Trail Heritage Foundation for their ongoing efforts to commemorate the expedition and to educate people about this important part of our nation's history.

SECTION 4. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the Indiana Lewis and Clark Expedition Commission and the Lewis and Clark Trail Heritage Foundation.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution. Senate sponsors: Senators Grooms and Stoops.

House Resolution 55

Representatives T. Brown, Lehman, Steuerwald and Huston introduced House Resolution 55:

A HOUSE RESOLUTION honoring Speaker Brian C. Bosma upon his retirement from the Indiana House of Representatives.

Whereas, Speaker Brian C. Bosma was first elected to the Indiana House of Representatives in 1986;

Whereas, Speaker Bosma served in multiple leadership positions in the House Republican Caucus prior to his tenure as speaker, including Republican floor leader and minority leader;

Whereas, Speaker Bosma is the longest-serving speaker in state history, having led the House of Representatives under Republican majorities from 2004 to 2006 and 2010 to 2020;

Whereas, Under Speaker Bosma's leadership, Indiana has climbed the ranks to the best economic, regulatory, and business tax environments in the Midwest, and is one of the top 10 states in the nation, according to the Tax Foundation, an independent tax policy nonprofit;

Whereas, Speaker Bosma oversaw an unparalleled number of reforms including: the enactment of 43 bills that he personally authored; the cutting or elimination of 14 different taxes in the last 15 years; a historic 20-year, fully funded road plan; right to work; property tax reforms; and ending taxpayer-funded lifetime health benefits for state lawmakers;

Whereas, Speaker Bosma led the efforts to establish the Next Generation Hoosier Educators Scholarship to encourage our best and brightest to pursue a career in teaching;

Whereas, One of Speaker Bosma's most impactful achievements is creating more school choice options for Hoosier families, which allow students, regardless of income or ZIP code, to receive the education that best fits their needs;

Whereas, Speaker Bosma broke 195 years of institutional tradition by appointing two minority members to committee chair positions;

Whereas, One of the institutional legacies Speaker Bosma leaves behind is an unprecedented level of transparency by bringing House proceedings into the 21st Century through live streaming every committee and session meeting online, and requiring the budget bill to be publicly available for at least 24 hours prior to a vote;

Whereas, Speaker Brian C. Bosma is a lifelong Hoosier, born in Beech Grove, Indiana, to Margaret, a kindergarten teacher, and Charles Bosma, a United States Army officer and businessman who served in the Indiana State Senate from 1962 to 1980;

Whereas, Speaker Bosma has been married for 37 years to his wife, Cheryl, with whom he has two children, Chris and Allison;

Whereas, Speaker Bosma graduated from the Purdue University School of Engineering in 1981 and Indiana University School of Law in 1984;

Whereas, Speaker Bosma is a founding director of Bosma Industries for the Blind, which employs more than 125 blind and visually impaired Hoosiers statewide; and

Whereas, Speaker Bosma served the General Assembly with a steadfast leadership, calm professionalism, and strong conservative values for the betterment of the state of Indiana and all Hoosiers: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana General Assembly honors Speaker Brian C. Bosma upon his retirement and acknowledges him for his tireless leadership, mentorship of fellow legislators, and devotion to the Indiana House of Representatives and the state of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Speaker Brian C. Bosma and his family.

The resolution was read a first time and adopted by voice vote.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 5:01 p.m. with the Speaker in the Chair.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed Senate Bills:

ESB 1	Conferees:	Kirchhofer and Shackleford
	Advisors:	Bacon, Davisson, Zent, Fleming and Hatfield
ESB 47	Conferees:	Young and Pierce
	Advisors:	McNamara, May, Beck and Hatcher
ESB 184	Conferees:	Manning and Wright
	Advisors:	Prescott, Carbaugh, Barrett, Austin, Bauer and Campbell
ESB 334	Conferees:	Wesco and Moseley
	Advisors:	Lucas, Torr, Boy and Pfaff
ESB 395	Conferees:	Burton and Hamilton
	Advisors:	Heaton, Lehman, VanNatter, Chyung and Shackleford
ESB 408	Conferees:	T. Brown and Porter
	Advisors:	Cherry, Negele, Ziemke, DeLaney, Hamilton, Klinker and Pryor

On the motion of Representative Gutwein, the House adjourned at 5:05 p.m., this ninth day of March, 2020, until Tuesday, March 10, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

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Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Thirty-Second Day — **Tuesday Morning** — **March 10, 2020**

The invocation was offered by Pastor Sam Bush of Jasonville First Assembly of God in Jasonville, a guest of Representative Borders.

The House convened at 10:00 a.m. with Speaker Todd M. Huston in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Austin.

The Speaker ordered the roll of the House to be called:

Abbott
Austin
Aylesworth
Bacon
Baird ☐
Barrett
Bartels
Bartlett
Bauer
Beck ☐
Behning
Borders
Boy
T. Brown
Burton
Campbell
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Cherry
Chyung
Clere
Cook
Davisson
Deal
DeLaney
DeVon
Dvorak ☐
Eberhart
Ellington
Engleman
Errington
Fleming
Forestal ☐
Frye
GiaQuinta
Goodin
Goodrich
Gutwein
Hamilton
Harris
Hatcher
Hatfield ☐
Heaton
Heine ☐
Hostettler
Huston
Jackson
Jordan
Judy
Karickhoff
Kirchhofer
Klinker
Lauer
Lehe
Lehman
Leonard
Lindauer
Lucas ☐
Lyness
Macer
Manning
May
Mayfield
McNamara
Miller
Moed
Morris
Morrison
Moseley ☐
Negele
Nisly
Pfaff
Pierce
Porter
Prescott
Pressel
Pryor
Saunders
Schaibley
Shackleford
Sherman
Smaltz
V. Smith
Soliday
Speedy ☐
Steuerwald ☐
Stutzman
Sullivan
Summers
Thompson
Torr
VanNatter
Vermilion
Wesco
Wolkins
Wright
J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 340: 90 present; 10 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

HOUSE MOTION

Mr. Speaker: I move that when we do adjourn, we adjourn until Wednesday, March 11, 2020, at 10:00 a.m.

LEHMAN

The motion was adopted by a constitutional majority.

RESOLUTIONS ON FIRST READING

House Resolution 60

Representative Beck introduced House Resolution 60:

A HOUSE RESOLUTION honoring Jacob Maldonado.

Whereas, Jacob Israel Maldonado is an accomplished athlete and student who will graduate from Merrillville High School in June 2020;

Whereas, Maldonado was born into a proud tradition of wrestling in which his father, uncle, and extended family have built a legacy including 30 place winners in the state of Indiana, four state runners-up, five state championships, one national runner-up, one national champion, multiple All-Americans, and five inductees in the Indiana High School Wrestling Coaches Association's Hall of Fame;

Whereas, Maldonado's high school wrestling coach and father, David Maldonado, is a former IHSAA wrestling state champion and high school national champion;

Whereas, Maldonado embraces his family history, which has instilled in him a powerful work ethic to excel at the tasks at hand, persevere in adversity, and keep an eye on the future;

Whereas, Maldonado, as part of the varsity soccer team, earned many accolades during his high school career including: most assisted goals on the team, 2016-2019; sectional runner-up, 2016 and 2019; all-area, all-conference, and all-district recognition, 2018; varsity team captain, 2018 and 2019; academic all-state, 2018 and 2019; and team MVP, all-area, all-conference, all-district, and all-state first team recognition, 2019;

Whereas, Maldonado, as part of the varsity wrestling team, also earned many accolades during his high school career including: sectional individual champion, 2017, 2019, and 2020; team sectional champion, 2017-2020; freshman-sophomore state champion, 2018; 2019 Duneland Athletic Conference champions; 2019 and 2020 regional individual and team champions; four time individual semi-state qualifier; individual state qualifier, 2019; Individual sixth place state winner, 2020; and team captain, 2019 and 2020;

Whereas, Maldonado was nominated by his principal and coach and received the IHSAA's 2020 Ward E. Brown Mental Attitude Award for wrestling;

Whereas, The award recognizes an outstanding senior who excels in mental attitude, scholarship, leadership, and athletic ability in wrestling;

Whereas, Maldonado is currently ranked fourth in his class of 500 students and maintains a 3.94 GPA while taking honors classes and serving as National Honor Society vice president;

Whereas, Maldonado plans to attend Wabash University to study finance, international business, and Spanish; and

Whereas, Maldonado has built a successful high school career and has been recognized in his community for his athleticism, grit, intelligence, resilience, and leadership: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives honors Jacob Maldonado for his many athletic and academic accomplishments while attending Merrillville High School.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to State Representative Lisa Beck for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 61

Representative Beck introduced House Resolution 61:

A HOUSE RESOLUTION urging the governor to proclaim May 2020 as Indiana Motherhood Month.

Whereas, The family, in which mothers perform a crucial role, is a major social institution in Indiana and throughout the world that provides tremendous value to both its members and society as a whole;

Whereas, Women across Indiana place their trust and their children in the arms of others, sharing parenting through foster care, adoption, day care, education, and respite care;

Whereas, Mothers have an indispensable role in building and transforming society and culture and moving Indiana, the country, and the world forward, remaining steadfast in their pursuit of a better and brighter future for all children;

Whereas, Mothers are innovators, tireless workers, engines of economic growth, and drivers of progress;

Whereas, Indiana has a proven record of meeting challenges and creating positive change, and members of the Indiana House of Representatives are committed to making mothers' lives better and ensuring their health and prosperity;

Whereas, One of these challenges is lowering the alarming infant mortality and maternal morbidity rates in Indiana and the United States;

Whereas, Maternal mortality, or pregnancy related death, is defined by the Centers for Disease Control and Prevention as the death of a woman while pregnant or within one year of the end of a pregnancy–regardless of the outcome, duration, or site of the pregnancy–from any cause related to or aggravated by the pregnancy or its management, but not from accidental or incidental causes;

Whereas, The effect of a mother's death results in vulnerable families in which a child is more likely to die before reaching his or her second birthday, according to the United Nations Population Fund;

Whereas, Mothers are breadwinners, community leaders, advocates, allies, and pillars of family and community that have, for generations, blazed new paths, opened up new possibilities, and widened circles of opportunity for their daughters and sons; and

Whereas, Mothers and the institution of motherhood are worthy of honor and affirmation: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives calls upon the people of Indiana to express their honor, affirmation, love, respect, and gratitude to mothers everywhere and urges the governor to proclaim May 2020 as Indiana Motherhood Month.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Governor Eric Holcomb.

The resolution was read a first time and adopted by voice vote.

House Resolution 62

Representative Candelaria Reardon introduced House Resolution 62:

A HOUSE RESOLUTION recognizing the Munster High School boys swim team.

Whereas, The Munster High School boys took state runner up at the 2020 high school state championships;

Whereas, The Seahorses celebrate this achievement, having won the spot for the first time in 10 years;

Whereas, The Seahorses finished with 183 points, 20 more than the third-place team;

Whereas, The 2020 state runner up team consists of: Seniors Kyle Adams, Grant Afman, Martin Barnard, Holden Raffin, and Aidan Smith; Juniors Michael Dempsey, Karl Larson, and Fenry Zhou; and Sophomores Griffin Poulsen, Kenny Reed, Scott Robbins, and Victor Vatchev;

Whereas, The 200 meter medley relay state runner up team, Raffin, Adams, Afman, and Zhou, won all state and an all American time of 1:28.96;

Whereas, Raffin placed fourth in the 200 meter individual medley, winning all state and an all American time of 1:48.09, and fourth in the 100 meter backstroke, winning all state and an all American time of 48.43;

Whereas, Raffin, Vatchev, Reed, and Afman placed fourth in the 400 meter freestyle relay, winning all state and an all American time of 3:05.80;

Whereas, Afman placed third in the 100 meter butterfly, winning all state and an all American time of 48.77, and ninth in the 200 meter freestyle with 1:41.07;

Whereas, Adams won state runner up in the 100 meter breaststroke, earning all state and an all American time of 54.30;

Whereas, Adams, Vatchev, Reed, and Zhou placed sixth in the 200 meter freestyle relay, winning an all American time of 1:24.95;

Whereas, Poulsen won seventh place in the 500 meter freestyle with 4:34.37;

Whereas, The Seahorses were led by coaches Tina Schmidt-McNulty, Dillon Thompson, Leopold Sawyers, Anna Nasinska, and Cal Richmond; and

Whereas, The Seahorses' achievements at the 2020 state championship are a testament to the hard work, dedication, passion, and comraderie of the Munster High School boys swim team, coaches, family, and friends: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives recognizes the Munster High School boys swim team and their accomplishments at the 2020 High School State Championships.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Mara Candelaria Reardon for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 63

Representative Pryor introduced House Resolution 63:

A HOUSE RESOLUTION celebrating women in public office.

Whereas, The month of March is Women's History Month and celebrates the significant contributions women of all races, ethnicities, and backgrounds have made to the world;

Whereas, Women in public office play a critical role in the vitality and diversity of Hoosier communities;

Whereas, While the twentieth century was a pivotal time of growth for women entering politics, women remain under represented in male dominated fields, and, thus, providing opportunities to support women in public office is imperative; and

Whereas, Recognizing women in public office will bring awareness to the fundamental necessity of their work and will inspire other young people to serve their communities: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives celebrates Women in Public Office Day on March 19, 2020, and calls upon the citizens of Indiana to unite in support and recognition of women in public office.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Cherrish Pryor for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 64

Representative Harris introduced House Resolution 64:

A HOUSE RESOLUTION recognizing "Farmworkers Awareness Week", Cesar Chavez, and the work of Proteus, Inc.

Whereas, Indiana's agribusiness employs more than 30,000 year-round, seasonal, and migrant farmworkers who are key partners for the safety, security, and sustainability of Indiana's food supply;

Whereas, The labor of Indiana's farmworkers contributes billions of dollars annually to the state's economy, and agriculture continues to be one of the principal industries in the state;

Whereas, Indiana honors all people who plant, cultivate, harvest, and process Indiana's agricultural products;

Whereas, March 31 is the birthday of Cesar Chavez, whose dedication and nonviolent organizing for wages, safe labor conditions, and the dignity of the women, men, and children who toil in the fields moved him to lead a nationwide peaceful struggle for farmworker justice that continues today;

Whereas, Proteus, Inc. is a private 501(c)(3) nonprofit organization based in Iowa that has been serving migrant and seasonal farmworkers, immigrants, and others since 1979;

Whereas, In addition to their main office in Iowa, Proteus, Inc. serves a constituency in Indiana and Nebraska;

Whereas, Proteus, Inc. was created to help provide communities with health, educational, and economic opportunities;

Whereas, To achieve its goals, Proteus, Inc. strives to make its programs accessible to as many members of the community as possible; embraces diversity in its staff, recipients of its services, program delivery, and its programs as a whole; develops a culture of respect and acceptance in its organization and general community; creates, evaluates, and maintains programs to meet the changing needs of communities; and treats all people in an honest, caring, and respectful manner; and

Whereas, The agricultural industry is strong throughout Indiana, and the strength of the industry's workers continue to keep Indiana great: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives recognizes: the efforts of Indiana's farmworkers and their many contributions to the agricultural industry in Indiana; the contributions of Cesar Chavez and remembers him on the occasion of his birthday, March 31; and Proteus, Inc. and its efforts to help bring a fair wage and safe and secure working environments to all members of Indiana's agricultural labor force.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Earl Harris Jr. for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 65

Representatives Hamilton and Speedy introduced House Resolution 65:

A HOUSE RESOLUTION standing in solidarity with Indiana's Jewish community.

Whereas, Antisemitism entails prejudicial attitudes, discriminatory acts, or acts of violence toward people who are Jewish on the basis of the person's identity;

Whereas, The United States has experienced expressions of hate and acts of violence motivated by antisemitism;

Whereas, Various Jewish institutions in Indiana have received bomb threats and been vandalized and desecrated, and an increasing number of Jewish youth are experiencing antisemitism in Indiana schools;

Whereas, FBI statistics demonstrate that Jewish people and Jewish institutions, both religious and communal, continue to be the most frequently targeted religious group, accounting for almost 60% of all religiously motivated crimes in 2018; and

Whereas, Antisemitism is contradictory to democratic values, such as tolerance, pluralism, and liberty: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the House of Representatives stands together in solidarity with the Jewish community in Indiana and across the United States.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Jewish Community Relations Council of Indianapolis.

The resolution was read a first time and adopted by voice vote.

ACTION ON RULES SUSPENSIONS AND CONFERENCE COMMITTEE REPORTS

COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures has had under consideration House Rule 161.2 and recommends that it be suspended so that the following conference committee reports are eligible for consideration after March 3, 2020; we further recommend that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 12 hours, so that they may be eligible to be placed before the House for action:

Engrossed House Bill 1070

Engrossed Senate Bills 10 and 190.

LEONARD, Chair

Report adopted.

HOUSE MOTION

Mr. Speaker: I move House Rule 161.1 be suspended so that the following conference committee reports are eligible for consideration after April 15, 2019, and that House Rule 163.1 be suspended so that the following conference committee reports may be laid over on the members' desks for12 hours, so that they may be eligible to be placed before the House for action:

Engrossed House Bill 1070

Engrossed Senate Bills 10 and 190.

LEONARD, Chair

Motion prevailed.

Representatives Beck and Lucas, who had been excused, are now present.

CONFERENCE COMMITTEE REPORT
EHB 1070–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1070 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Page 2, after line 29, begin a new paragraph and insert:

"**(e) The bureau may not assess points under the point system for a violation of this section occurring before July 1, 2021.**".

(Reference is to EHB 1070 as printed February 21, 2020.)

SULLIVAN	CRIDER
CANDELARIA REARDON	NIEZGODSKI
House Conferees	Senate Conferees

Roll Call 341: yeas 81, nays 11. Report adopted.

Representative Baird, who had been excused, is now present.

CONFERENCE COMMITTEE REPORT
ESB 10–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 10 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 2-3.5-5-6, AS AMENDED BY P.L.35-2012, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 6. (a) A participant who terminates service as a member of the general assembly is entitled to withdraw both the participant's employee contribution account and employer contribution account from the defined contribution fund. The withdrawal shall be made not later than the required beginning date under the Internal Revenue Code. The amount available for the withdrawal shall be the fair market value of the participant's accounts on the last day of the quarter preceding the date of withdrawal plus employee contributions deducted and employer contributions made since the last day of the quarter preceding the date of withdrawal.

(b) The withdrawal amount shall be paid in a lump sum, a partial lump sum, a monthly annuity as purchased by the board with the remaining amount, or a series of monthly installment payments over sixty (60), one hundred twenty (120), or one hundred eighty (180) months, as elected by the participant. The forms of annuity and installments shall be established by the board by rule, in consultation with the system's actuary. The board shall give participants information on these forms of payments and the effects of various dates of withdrawal.

(c) Subject to the Pension Protection Act of 2006 and notwithstanding any state law, after December 31, 2020, an active member who is at least fifty-nine and one-half (59 1/2) years of age may withdraw all or part of the amount in the member's account without separating from a covered position.

SECTION 2. IC 5-10.2-3-6.5, AS AMENDED BY P.L.27-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 6.5. (a) After ~~June 30, 2018,~~ **December 31, 2020,** a member who meets all of the following requirements may elect to withdraw all or part of the amount in the member's annuity savings account:

(1) The member has terminated employment with the applicable fund and is not currently employed in a covered position for the applicable fund.

~~(2) The member has not performed any service in a position covered by the applicable fund or for the same employer for at least thirty (30) days after the date the member terminates employment.~~

~~(3)~~ **(2)** The member makes the election described in this subsection:

(A) after December 31, 2008, if the member is a member of the public employees' retirement fund; or

(B) after June 30, 2009, if the member is a member of the Indiana state teachers' retirement fund.

~~(4)~~ **(3)** Except as provided in subsection (b), the member is not eligible for:

(A) before July 1, 2011, a reduced or unreduced retirement; or

(B) after June 30, 2011, an unreduced retirement;

under IC 5-10.2-4 on the date the fund receives notice of the election described in this subsection.

(b) The requirement described in subsection ~~(a)(4)~~ **(a)(3)** does not apply to a member of the public employees' retirement fund who:

(1) was eligible for a reduced or unreduced retirement; and

(2) received a distribution under this section;

after December 31, 2008, and before June 30, 2010.

(c) A member who elects to withdraw all or part of the amount in the member's annuity savings account under subsection (a) shall provide notice of the election on a form provided by the board.

(d) The election to withdraw all or part of the amount in the member's annuity savings account is irrevocable.

(e) The board shall pay an amount withdrawn from the member's annuity savings account under this section as a lump sum.

(f) Except as provided in subsection (g), a member who makes a withdrawal under this section is entitled to receive, when the member becomes eligible to receive and applies for a retirement benefit under IC 5-10.2-4, a retirement benefit equal to the pension provided by employer contributions computed under IC 5-10.2-4.

(g) A member who:

(1) transfers creditable service earned under the fund to another governmental retirement plan under section 1(i) of this chapter; and

(2) withdraws the member's annuity savings account under this section to purchase the service;

may not use the transferred service in the computation of a retirement benefit payable under subsection (f).

(h) After June 30, 2019, a member's withdrawal of all or part of the member's annuity savings account under:

(1) this section; or

(2) rules adopted by the board with respect to the Pension Protection Act of 2006;

has no effect on the member's service credit or pension.

(i) Subject to the Pension Protection Act of 2006 and notwithstanding any state law, after December 31, 2020, an active member who:

(1) becomes age and service eligible for normal retirement; and

(2) is at least fifty-nine and one-half (59 1/2) years of age;

may withdraw all or part of the amount in the member's annuity savings account without consequence to the member's pension benefit under the fund and without separating from a covered position.

SECTION 3. IC 5-10.2-3-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 9. (a) This section applies if the following conditions are met. A member dies:

(1) after July 1, 1991; and

(2) while receiving or while eligible to receive retirement benefits under IC 5-10.2-4-1 from the fund.

(b) As used in this section, "minimum amount" means the entire amount credited to the member's annuity savings account at the time of:

(1) retirement; or

(2) death while entitled to retirement benefits;

minus all benefits paid to the member and the member's survivors.

(c) If the member dies without a survivor entitled to benefits and the member has not received payments equal to or more than the minimum amount, the difference shall be paid in a lump sum to the member's designated beneficiary or beneficiaries in equal shares. If the member dies without a surviving designated beneficiary, the difference shall be paid in a lump sum to the member's estate.

(d) If the member dies with a survivor entitled to benefits, no payment under this section shall be calculated until after all survivors die. If, at the time of death of the last survivor, the member and all survivors have not received payments equal to or more than the minimum amount, the difference shall be paid in a lump sum to the survivor's estate.

(e) The minimum benefit provided in this section shall not apply to an election under IC 5-10.2-4-7(g).

SECTION 4. IC 5-10.2-4-7, AS AMENDED BY P.L.40-2017, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 7. (a) Benefits provided under this section are subject to IC 5-10.2-2-1.5.

(b) A member who retires is entitled to receive monthly retirement benefits, which are guaranteed for five (5) years or until the member's death, whichever is later. A member may select in writing any of the following nonconflicting options for the payment of the member's retirement benefits instead of the five (5) year guaranteed retirement benefit payments. The amount of the optional payments shall be determined under rules of the board and shall be the actuarial equivalent of the benefit payable under sections 4, 5, and 6 of this chapter. A member who has elected to withdraw the entire amount in the member's annuity savings account under IC 5-10.2-3-6.5 may not select the cash refund annuity option.

(1) Joint and Survivor Option.

(A) The member receives a decreased retirement benefit during the member's lifetime, and there is a benefit payable after the member's death to a designated beneficiary during the lifetime of the beneficiary, which benefit equals, at the option of the member, either the full decreased retirement benefit or two-thirds (2/3) or one-half (1/2) of that benefit.

(B) If the member dies before retirement, the designated beneficiary may receive only the amount credited to the member in the annuity savings account unless the designated beneficiary is entitled to survivor benefits under IC 5-10.2-3.

(C) If the designated beneficiary dies before the member retires, the selection is automatically canceled and the member may make a new beneficiary election and may elect a different form of benefit under this subsection.

(2) Benefit with No Guarantee. The member receives an increased lifetime retirement benefit without the five (5) year guarantee specified in this subsection.

(3) Integration with Social Security. If the member retires before the age of eligibility for Social Security benefits, in order to provide a level benefit during the member's retirement the member receives an increased retirement benefit until the age of Social Security eligibility and decreased retirement benefits after that age.

(4) Cash Refund Annuity. The member receives a lifetime annuity purchasable by all or part of the amount credited to the member in the annuity savings account, and the member's designated beneficiary receives a refund payment equal to:

(A) the total amount used in computing the annuity; minus

(B) the total annuity payments paid and due to the member before the member's death.

(c) This subsection does not apply to a member of the Indiana state teachers' retirement fund after June 30, 2007, or to a member of the public employees' retirement fund after June 30, 2008. If:

(1) the designated beneficiary dies while the member is receiving benefits; or

(2) the member is receiving benefits, the member marries, either for the first time or following the death of the member's spouse, after the member's first benefit payment is made, and the member's designated beneficiary is not the member's current spouse or the member has not designated a beneficiary;

the member may elect to change the member's designated beneficiary or form of benefit under subsection (b) and to receive an actuarially adjusted and recalculated benefit for the remainder of the member's life or for the remainder of the member's life and the life of the newly designated beneficiary. The member may not elect to change to a five (5) year guaranteed form of benefit. If the member's new election is the joint and survivor option, the member shall indicate whether the designated beneficiary's benefit shall equal, at the option of the member, either the member's full recalculated retirement benefit or two-thirds (2/3) or one-half (1/2) of this benefit. The cost of recalculating the benefit shall be borne by the member and shall be included in the actuarial adjustment.

(d) Except as provided in subsection (c) or section 7.2 of this chapter, a member who files for regular or disability retirement may not change:

(1) the member's retirement option under subsection (b);

(2) the selection of a lump sum payment under section 2 of this chapter; or

(3) the beneficiary designated on the member's application for benefits if the member selects the joint and survivor option under subsection (b)(1);

after the first day of the month in which benefit payments are scheduled to begin. For purposes of this subsection, it is immaterial whether a benefit check has been sent, received, or negotiated.

(e) A member may direct that the member's retirement benefits be paid to a revocable trust that permits the member unrestricted access to the amounts held in the revocable trust. The member's direction is not an assignment or transfer of benefits under IC 5-10.3-8-10 or IC 5-10.4-5-14.5.

(f) The board may adopt a policy to permit annual payment of a member's retirement benefit whenever the amount of the monthly retirement benefit to be paid to the member is not more than five dollars ($5).

(g) The board may provide an alternative option for the payment of the member's retirement benefits that does not include the minimum benefit option under IC 5-10.2-3-9.

SECTION 5. IC 5-10.3-12-26, AS AMENDED BY P.L.27-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 26. (a) ~~Subject~~ **After December 31, 2020, subject** to the provisions of the Internal Revenue Code applicable to qualified plan distributions, a member who

~~(1)~~ terminates service in a covered position ~~and~~

~~(2) does not perform any service in a position covered by the fund for at least thirty (30) days after the date on which the member terminates service;~~

is entitled to withdraw all or part of the amounts in the member's account to the extent the member is vested in the account. A member must make a required withdrawal from the member's account not later than the required beginning date under the Internal Revenue Code.

(b) The member may elect to have withdrawals paid as:

(1) a lump sum;

(2) a direct rollover to another eligible retirement plan; or

(3) if the member has attained normal retirement age, a monthly annuity in accordance with the rules of the board.

(c) The board may establish a minimum account balance or a minimum monthly payment amount in order for a member to select the monthly annuity option. The board shall establish the forms of annuity by rule, in consultation with the board's actuary. The board shall give members information about these forms of payment and any information required by federal law to accompany such distributions.

(d) Unless otherwise required by federal or state law, the requirements and rules that apply to the distribution of the annuity savings account apply to distributions from a member's account.

(e) Subject to the Pension Protection Act of 2006 and notwithstanding any state law, after December 31, 2020, an active member who:

(1) reaches normal retirement age; and

(2) has attained vested status in the fund;

may withdraw all or part of the amount in the member's account without separating from a covered position.

SECTION 6. IC 5-10.4-8-12, AS AMENDED BY P.L.27-2019, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 12. (a) ~~Subject~~ **After December 31, 2020, subject** to the provisions of the Internal Revenue Code applicable to qualified plan distributions, a member who

~~(1)~~ terminates service in a covered position ~~and~~

~~(2) does not perform any service in a position covered by the fund for at least thirty (30) days after the date on which the member terminates service;~~

is entitled to withdraw all or part of the amounts in the member's account to the extent the member is vested in the account. A member must make a required withdrawal from the member's account not later than the required beginning date under the Internal Revenue Code.

(b) A member may elect to have withdrawals paid as:

(1) a lump sum;

(2) a direct rollover to another eligible retirement plan; or

(3) if the member has attained normal retirement age, a monthly annuity in accordance with the rules of the board.

(c) The board may establish a minimum account balance or a minimum monthly payment amount in order for a member to select the monthly annuity option. The board shall establish the forms of annuity by rule, in consultation with the board's actuary. The board shall give members information about these forms of payment and any information required by federal law to accompany such distributions.

(d) Unless otherwise required by federal or state law, the requirements and rules that apply to the distribution of the annuity savings account apply to distributions from a member's account.

(e) Subject to the Pension Protection Act of 2006 and notwithstanding any state law, after December 31, 2020, an active member who:

(1) reaches normal retirement age; and

(2) has attained vested status in the fund;

may withdraw all or part of the amount in the member's account without separating from a covered position.

(Reference is to ESB 10 as reprinted February 26, 2020.)

BOOTS	BURTON
TALLIAN	MOSELEY
Senate Conferees	House Conferees

Roll Call 342: yeas 93, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT
ESB 190–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 190 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 6-1.1-20-1.1, AS AMENDED BY P.L.246-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.1. As used in this chapter, "controlled project" means any project financed by bonds or a lease, except for the following:

(1) A project for which the political subdivision reasonably expects to pay:
(A) debt service; or
(B) lease rentals;
from funds other than property taxes that are exempt from the levy limitations of IC 6-1.1-18.5 or (before January 1, 2009) IC 20-45-3. A project is not a controlled project even though the political subdivision has pledged to levy property taxes to pay the debt service or lease rentals if those other funds are insufficient.
(2) A project that will not cost the political subdivision more than the lesser of the following:
(A) An amount equal to the following:
(i) In the case of an ordinance or resolution adopted before January 1, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, two million dollars ($2,000,000).
(ii) In the case of an ordinance or resolution adopted after December 31, 2017, and before January 1, 2019, making a preliminary determination to issue bonds or enter into a lease for the project, five million dollars ($5,000,000).
(iii) In the case of an ordinance or resolution adopted in a calendar year after December 31, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, an amount (as determined by the department of local government finance) equal to the result of the assessed value growth quotient determined under IC 6-1.1-18.5-2 for the year multiplied by the amount determined under this clause for the preceding calendar year.
The department of local government finance shall publish the threshold determined under item (iii) in the Indiana Register under IC 4-22-7-7 not more than sixty (60) days after the date the budget agency releases the growth quotient for the ensuing year under IC 6-1.1-18.5-2.
(B) An amount equal to the following:
(i) One percent (1%) of the total gross assessed value of property within the political subdivision on the last assessment date, if that total gross assessed value is more than one hundred million dollars ($100,000,000).
(ii) One million dollars ($1,000,000), if the total gross assessed value of property within the political subdivision on the last assessment date is not more than one hundred million dollars ($100,000,000).
(3) A project that is being refinanced for the purpose of providing gross or net present value savings to taxpayers.
(4) A project for which bonds were issued or leases were entered into before January 1, 1996, or where the state board of tax commissioners has approved the issuance of bonds or the execution of leases before January 1, 1996.
(5) A project that is required by a court order holding that a federal law mandates the project.
(6) A project that is in response to:
(A) a natural disaster;
(B) an accident; or
(C) an emergency;
in the political subdivision that makes a building or facility unavailable for its intended use.
(7) A project that was not a controlled project under this section as in effect on June 30, 2008, and for which:
(A) the bonds or lease for the project were issued or entered into before July 1, 2008; or
(B) the issuance of the bonds or the execution of the lease for the project was approved by the department of local government finance before July 1, 2008.
(8) A project of the Little Calumet River basin development commission for which bonds are payable from special assessments collected under IC 14-13-2-18.6.
(9) A project for engineering, land and right-of-way acquisition, construction, resurfacing, maintenance, restoration, and rehabilitation exclusively for or of:
(A) local road and street systems, including bridges that are designated as being in a local road and street system;
(B) arterial road and street systems, including bridges that are designated as being in an arterial road and street system; or
(C) any combination of local and arterial road and street systems, including designated bridges.

SECTION 2. IC 6-1.1-20-10, AS AMENDED BY P.L.198-2011, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) This section applies to:
(1) a political subdivision that adopts an ordinance or a resolution making a preliminary determination to issue bonds or enter into a lease; **and**
(2) any other political subdivision that has assessed value within the same taxing district as the political subdivision described in subdivision (1).
Except as otherwise provided in this section, during the period commencing with the adoption of the ordinance or resolution and, if a petition and remonstrance process is commenced under section 3.2 of this chapter, continuing through the sixty (60) day period commencing with the notice under section 3.2(b)(1) of this chapter, the political subdivision seeking to issue bonds or enter into a lease for the proposed controlled project, **or any other political subdivision that has assessed value within the same taxing district,** may not promote a position on the petition or remonstrance by doing any of the following:
(1) Using facilities or equipment, including mail and messaging systems, owned by the political subdivision to promote a position on the petition or remonstrance, unless equal access to the facilities or equipment is given to persons with a position opposite to that of the political subdivision.
(2) Making an expenditure of money from a fund controlled by the political subdivision to promote a position on the petition or remonstrance or to pay for the gathering of signatures on a petition or remonstrance. This subdivision does not prohibit a political subdivision from making an expenditure of money to an attorney, an architect, registered professional engineer, a construction manager, or a financial adviser for professional services provided with respect to a controlled project.
(3) Using an employee to promote a position on the petition or remonstrance during the employee's normal working hours or paid overtime, or otherwise compelling an employee to promote a position on the petition or remonstrance at any time. However, if a person described in subsection (f) is advocating for or against a position on the petition or remonstrance or discussing the petition or remonstrance as authorized under subsection (f), an employee of the political subdivision may assist the person in presenting information on the petition or remonstrance, if requested to do so by the person described in subsection (f).
(4) In the case of a school corporation, promoting a position on a petition or remonstrance by:
(A) using students to transport written materials to their residences or in any way involving students in a school organized promotion of a position;
(B) including a statement within another communication sent to the students' residences; or
(C) initiating discussion of the petition and remonstrance process at a meeting between a teacher and parents of a student regarding the student's performance or behavior at school. However, if the

parents initiate a discussion of the petition and remonstrance process at the meeting, the teacher may acknowledge the issue and direct the parents to a source of factual information on the petition and remonstrance process.

However, this section does not prohibit an official or employee of the political subdivision from carrying out duties with respect to a petition or remonstrance that are part of the normal and regular conduct of the official's or employee's office or agency, including the furnishing of factual information regarding the petition and remonstrance in response to inquiries from any person.

(b) A person may not solicit or collect signatures for a petition or remonstrance on property owned or controlled by the political subdivision.

(c) The staff and employees of a school corporation may not personally identify a student as the child of a parent or guardian who supports or opposes a petition or remonstrance.

(d) This subsection does not apply to:

(1) a personal expenditure to promote a position on a petition and remonstrance by an employee of a school corporation whose employment is governed by a collective bargaining contract or an employment contract; or

(2) an expenditure to promote a position on a petition and remonstrance by a person or an organization that has a contract or an arrangement with the school corporation solely for the use of the school corporation's facilities.

A person or an organization that has a contract or an arrangement (whether formal or informal) with a school corporation to provide goods or services to the school corporation may not spend any money to promote a position on the petition or remonstrance. A person or an organization that violates this subsection commits a Class A infraction.

(e) An attorney, an architect, registered professional engineer, a construction manager, or a financial adviser for professional services provided with respect to a controlled project may not spend any money to promote a position on the petition or remonstrance. A person who violates this subsection:

(1) commits a Class A infraction; and

(2) is barred from performing any services with respect to the controlled project.

(f) Notwithstanding any other law, an elected or appointed public official of the political subdivision (including any school board member and school corporation superintendent), a school corporation assistant superintendent, or a chief school business official of a school corporation may at any time:

(1) personally advocate for or against a position on the petition or remonstrance; or

(2) discuss the petition or remonstrance with any individual, group, or organization or personally advocate for or against a position on the petition or remonstrance before any individual, group, or organization;

so long as it is not done by using public funds. Advocacy or discussion allowed under this subsection is not considered a use of public funds. However, this subsection does not authorize or apply to advocacy or discussion by a school board member, superintendent, assistant superintendent, or school business official to or with students that occurs during the regular school day.

(g) Nothing in this section shall be construed to prevent a political subdivision that has assessed value within the same taxing district as the political subdivision described in subsection (a) from adopting a resolution or taking a position on the local public question.

SECTION 3. IC 6-1.1-20-10.1, AS AMENDED BY P.L.198-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.1. (a) This section applies only to:

(1) a political subdivision that ~~after June 30, 2008,~~ adopts an ordinance or a resolution making a preliminary determination to issue bonds or enter into a lease subject to sections 3.5 and 3.6 of this chapter; **and**

(2) any other political subdivision that has assessed value within the same taxing district as the political subdivision described in subdivision (1).

(b) Except as otherwise provided in this section, during the period beginning with the adoption of the ordinance or resolution and continuing through the day on which a local public question is submitted to the voters of the political subdivision under section 3.6 of this chapter, the political subdivision seeking to issue bonds or enter into a lease for the proposed controlled project, **or any other political subdivision that has assessed value within the same taxing district,** may not promote a position on the local public question by doing any of the following:

(1) Using facilities or equipment, including mail and messaging systems, owned by the political subdivision to promote a position on the local public question, unless equal access to the facilities or equipment is given to persons with a position opposite to that of the political subdivision.

(2) Making an expenditure of money from a fund controlled by the political subdivision to promote a position on the local public question. This subdivision does not prohibit a political subdivision from making an expenditure of money to an attorney, an architect, a registered professional engineer, a construction manager, or a financial adviser for professional services provided with respect to a controlled project.

(3) Using an employee to promote a position on the local public question during the employee's normal working hours or paid overtime, or otherwise compelling an employee to promote a position on the local public question at any time. However, if a person described in subsection (f) is advocating for or against a position on the local public question or discussing the local public question as authorized under subsection (f), an employee of the political subdivision may assist the person in presenting information on the local public question, if requested to do so by the person described in subsection (f).

(4) In the case of a school corporation, promoting a position on a local public question by:

(A) using students to transport written materials to their residences or in any way involving students in a school organized promotion of a position;

(B) including a statement within another communication sent to the students' residences; or

(C) initiating discussion of the local public question at a meeting between a teacher and parents of a student regarding the student's performance or behavior at school. However, if the parents initiate a discussion of the local public question at the meeting, the teacher may acknowledge the issue and direct the parents to a source of factual information on the local public question.

However, this section does not prohibit an official or employee of the political subdivision from carrying out duties with respect to a local public question that are part of the normal and regular conduct of the official's or employee's office or agency, including the furnishing of factual information regarding the local public question in response to inquiries from any person.

(c) The staff and employees of a school corporation may not personally identify a student as the child of a parent or guardian who supports or opposes a controlled project subject to a local public question held under section 3.6 of this chapter.

(d) This subsection does not apply to:

(1) a personal expenditure to promote a position on a local public question by an employee of a school corporation whose employment is governed by a collective bargaining

contract or an employment contract; or

(2) an expenditure to promote a position on a local public question by a person or an organization that has a contract or an arrangement (whether formal or informal) with the school corporation solely for the use of the school corporation's facilities.

A person or an organization that has a contract or an arrangement (whether formal or informal) with a school corporation to provide goods or services to the school corporation may not spend any money to promote a position on a local public question. A person or an organization that violates this subsection commits a Class A infraction.

(e) An attorney, an architect, a registered professional engineer, a construction manager, or a financial adviser for professional services provided with respect to a controlled project may not spend any money to promote a position on a local public question. A person who violates this subsection:

(1) commits a Class A infraction; and

(2) is barred from performing any services with respect to the controlled project.

(f) Notwithstanding any other law, an elected or appointed public official of the political subdivision (including any school board member and school corporation superintendent), a school corporation assistant superintendent, or a chief school business official of a school corporation may at any time:

(1) personally advocate for or against a position on the local public question; or

(2) discuss the public question with any individual, group, or organization or otherwise personally advocate for or against a position on the public question before any individual, group, or organization;

so long as it is not done by using public funds. Advocacy or discussion allowed under this subsection is not considered a use of public funds. However, this subsection does not authorize or apply to advocacy or discussion by a school board member, superintendent, assistant superintendent, or school business official to or with students that occurs during the regular school day.

(g) A student may use school equipment or facilities to report or editorialize about a local public question as part of the news coverage of the referendum by student newspaper or broadcast.

(h) Nothing in this section shall be construed to prevent a political subdivision that has assessed value within the same taxing district as the political subdivision described in subsection (a) from adopting a resolution or taking a position on the local public question.

(Reference is to ESB 190 as reprinted March 3, 2020.)

HOLDMAN	THOMPSON
TAYLOR	PRYOR
Senate Conferees	House Conferees

Roll Call 343: yeas 93, nays 0. Report adopted.

Representative Speedy, who had been excused, is now present.

Representative Judy, who had been present, is now excused.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1265.

JACKSON

Roll Call 344: yeas 93, nays 0. Motion prevailed.

Representatives Beck and Lindauer, who had been present, are now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1309.

WOLKINS

Roll Call 345: yeas 90, nays 1. Motion prevailed.

Representatives Beck and Hatfield, who had been excused, are now present.

Representative Davisson, who had been present, is now excused.

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1353.

BURTON

Roll Call 346: yeas 92, nays 0. Motion prevailed.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

EHB 1222	Conferees:	Representative Boy replacing Representative Moseley
	Advisors:	Remove Representative Boy
EHB 1414	Conferees:	Representative Morrison replacing Representative Pierce
	Advisors:	Remove Representative Morrison
ESB 334	Conferees:	Representative Pfaff replacing Representative Moseley
	Advisors:	Remove Representatove Pfaff

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 1:07 p.m. with the Speaker in the Chair.

Upon request of Representative Pierce, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 347: 68 present. The Speaker declared a quorum present.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 67

The Speaker handed down Senate Concurrent Resolution 67, sponsored by Representative Cherry:

A CONCURRENT RESOLUTION congratulating the Mt. Vernon High School (Fortville) girls soccer team on receiving the National United Soccer Coaches Team Pinnacle Award for the 2018-2019 school year.

Whereas, National United Soccer Coaches named the Mt. Vernon High School (Fortville) girls soccer team as a recipient of the 2018-2019 Team Pinnacle Award;

Whereas, To be considered for this award, the team had to receive either the Platinum, Gold, Silver, or Bronze version of the Association's High School Team Ethics and Sportsmanship Award, achieve recognition in the classroom as a recipient of the Association's Team Academic Award, and record a 75% or higher winning percentage;

Whereas, The Lady Marauders soccer team achieved a team grade point average of 3.63, finished the season with a 16-2

record, a winning percentage of 89%, and completed the season with only 2 yellow cards and no red cards assessed against the team; and

Whereas, The Mt. Vernon High School (Fortville) girls soccer team's conduct on the field and in the classroom is an example of strong ethics, academic success, and teamwork: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Mt. Vernon High School (Fortville) girls soccer team on receiving the National United Soccer Coaches Association Team Pinnacle Award for the 2018-2019 school year.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this resolution to each member of the Mt. Vernon High School (Fortville) girls soccer team

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

Senate Concurrent Resolution 68

The Speaker handed down Senate Concurrent Resolution 68, sponsored by Representatives Hatfield and McNamara:

A CONCURRENT RESOLUTION recognizing Judge Robert J. Tornatta upon his retirement as Judge of the Vanderburgh Superior Court.

Whereas, After serving 22 years as Judge of the Vanderburgh Superior Court, Judge Robert J. Tornatta will retire April 3, 2020;

Whereas, Judge Tornatta received his undergraduate degree from Indiana University in 1982 before graduating in 1985 with honors from the Indiana University School of Law–Bloomington;

Whereas, After law school, Judge Tornatta started his legal career as a law clerk for Judge Gene Brooks of the United States District Court for the Southern District of Indiana;

Whereas, Following his federal court clerkship in 1988, Judge Tornatta went into private practice with the Trimble & Jewel law firm, before partnering with former Congressman Philip H. Hayes' law practice in 1990;

Whereas, In 1991, Judge Tornatta was appointed Administrator of the Vanderburgh Superior Court, a position which prepared him for a future judicial career;

Whereas, Judge Tornatta served as Court Administrator until 1995, when the Vanderburgh Superior Court Judges appointed him as a magistrate;

Whereas, Judge Tornatta was appointed by Governor Frank O'Bannon on December 11, 1997, to become Judge of the Vanderburgh Superior Court;

Whereas, During his judicial service, Judge Tornatta has supervised the Court's Drug and Alcohol Deferral Service, Misdemeanor Court, and Small Claims Division;

Whereas, Judge Tornatta is a graduate of the Indiana Judicial College, and has served as a member of the Judicial Administration and Alcohol and Drug Program Advisory Committees of the Judicial Conference of Indiana;

Whereas, Judge Tornatta is an active member of the Evansville Bar Association, serving on its Continuing Legal Education Committee, and twice received the Doran Perdue Service Award for his contributions to the Association;

Whereas, Judge Tornatta is married to his wife of 34 years, Sharon, whom with he raised three children, Scott, Molly, and Katie, and Judge Tornatta is a proud grandfather; and

Whereas, Upon his retirement, Judge Tornatta plans to spend more time with his family and to serve as a Senior Judge; and

Whereas, Judge Tornatta's years of service on the Vanderburgh County bench have left an immeasurable impact: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes Judge Robert J. Tornatta upon his retirement as Judge of the Vanderburgh Superior Court.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Judge Robert J. Tornatta

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

House Resolution 66

Representatives Lindauer and Ellington introduced House Resolution 66:

A HOUSE RESOLUTION congratulating the Loogootee High School girls basketball team.

Whereas, The Loogootee High School girls basketball team won the 1A state title at Bankers Life Fieldhouse on February 29, 2020;

Whereas, The No. 1 ranked Lions won a hard fought game, 45-43 over Pioneer;

Whereas, The championship is the first state title win for any girls team in Loogootee High School's history;

Whereas, Junior Makenzie VanHoy led scoring in the first half with 11 points, and junior Brooklynn Jones scored 14 of her team high 17 points in the second half;

Whereas, Kalea Fleming hit two free throws with 1:07 left, and Jones hit two more in the final 30 seconds to help secure a hard fought victory;

Whereas, The Lions' strong offense and solid defense broke the No. 4 ranked Pioneer Panthers' 19-game winning streak;

Whereas, Senior Chelsie Sutton received the IHSAA's 2020 Patricia L. Roy Mental Attitude Award in Class A girls basketball upon completion of the game;

Whereas, The award is presented annually to a senior participant in each classification who was nominated by her principal and coach and has demonstrated excellence in mental attitude, scholarship, leadership, and athletic ability;

Whereas, Coach Brian Smith led the Lions during their 27-2 season;

Whereas, The Lions' state championship win indicates the hard work, talent, skill, and commitment given by each player to high school basketball and her team; and

Whereas, This achievement will be forever etched in the history of Loogootee High School: Therefore,

Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates the Loogootee High School girls basketball team for its historic 2020 state championship win.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to coach Brian Smith of the Loogootee High School girls basketball team for distribution.

The resolution was read a first time and adopted by voice vote.

Representatives Judy, Lindauer and Steuerwald, who had been excused, are now present.

Representatives Barrett, Bartlett, Bauer, Beck and Carbaugh, who had been present, are now excused.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1077.

ZENT

Roll Call 348: yeas 79, nays 0. Motion prevailed.

ACTION ON RULES SUSPENSIONS AND CONFERENCE COMMITTEE REPORTS

COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures has had under consideration House Rule 161.2 and recommends that it be suspended so that the following conference committee reports are eligible for consideration after March 3, 2020; we further recommend that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 2 hours, so that they may be eligible to be placed before the House for action:

Engrossed Senate Bills 132, 237, 246 and 258.

LEONARD, Chair

Report adopted.

HOUSE MOTION

Mr. Speaker: I move House Rule 161.2 be suspended so that the following conference committee reports are eligible for consideration after March 3, 2020, and that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 2 hours, so that they may be eligible to be placed before the House for action:

Engrossed Senate Bills 132, 237, 246 and 258.

LEONARD, Chair

Motion prevailed.

Representatives Chyung, DeVon and Lehman, who had been excused, are now present.

Representative Sullivan, who had been present, is now excused.

CONFERENCE COMMITTEE REPORT
ESB 132–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 132 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 9-18.5-23-1, AS ADDED BY P.L.198-2016, SECTION 327, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. The bureau shall design and issue a ~~safety~~ first **responder** license plate. The ~~safety~~ first **responder** license plate shall:

(1) be designed and issued as a special group recognition license plate under IC 9-18.5-12; and

(2) replace the emergency medical services license plate issued by the bureau.

SECTION 2. IC 9-18.5-23-2, AS ADDED BY P.L.198-2016, SECTION 327, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive a ~~safety~~ first **responder** license plate under this chapter upon doing the following:

(1) Completing an application for a ~~safety~~ first **responder** license plate.

(2) Paying the fees under section 3 of this chapter.

SECTION 3. IC 9-18.5-23-3, AS ADDED BY P.L.198-2016, SECTION 327, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 3. (a) The fees for a ~~safety~~ first **responder** license plate are as follows:

(1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16.

(2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau and deposited in the fund established under IC 10-15-3-1.

SECTION 4. IC 10-19-1-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.5. "Application", for purposes of IC 10-19-2.1, means an application for:**

(1) a permit;
(2) a registration;
(3) a variance;
(4) an authorization;
(5) a license;
(6) a certification; or
(7) a waiver.

SECTION 5. IC 10-19-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 2.1. Powers and Duties of Department

Sec. 1. If a person is required to submit information, an application, or a document to:

(1) the department;
(2) an employee of the department;
(3) an office or division of the department; or
(4) a board, commission, or council staffed by the department;

the department, office, or division of the department, or the board, commission, or council staffed by the department, may require the person to submit the information, application, or document electronically. However, the department, office, or division of the department, or the board, commission, or council staffed by the department, may not require a person to submit information, an application, or a document electronically if the person demonstrates that being required to submit the information, application, or document electronically will constitute an undue hardship for the person.

SECTION 6. IC 10-19-3-8, AS ADDED BY P.L.45-2012, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) The executive director may grant a variance to a rule governing the state

disaster relief fund under 290 IAC 1. A variance granted under this section must promote the effective and expeditious distribution of relief assistance.

(b) The executive director may grant a variance to a rule under subsection (a) if an applicant for financial assistance under 290 IAC 1-1 or 290 IAC 1-2 does the following:

(1) Submits to the executive director a written **or electronic** request for the variance in the form and manner specified by the executive director.

(2) Documents that compliance with the rule specified in the application for the variance will create an undue hardship on the applicant, as determined by the executive director.

(3) Documents that the applicant for the variance will be in substantial compliance with 290 IAC 1-1 or 290 IAC 1-2, as applicable, after the variance is granted, as determined by the executive director.

(4) Documents that noncompliance with the rule specified in the application for a variance will not be adverse to public health and safety or the purposes of the fund, as determined by the executive director.

(c) A variance granted under subsection (b) must be conditioned upon compliance with the alternative method approved by the executive director. Noncompliance with the alternative method constitutes the violation of a rule of the executive director and may be the basis for revoking the variance.

SECTION 7. IC 10-19-11-6, AS ADDED BY P.L.29-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) A person shall not produce, use, store, or dispose of radioactive materials until the person:

(1) is registered or licensed in Indiana under this chapter; or

(2) registers in writing **or an electronic format** with the agency, giving the pertinent information the agency requires, in accordance with the procedures prescribed by the agency.

(b) A person that uses, stores, or disposes of radioactive materials may be exempted by the agency from licensure or registration under this chapter if the agency determines that the person's use, storage, or disposal of radioactive materials is not a material hazard to public health, safety, and welfare.

SECTION 8. IC 20-26-18.2-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5. (a) A school corporation or charter school served by a school resource officer employed for the protection of the school corporation or charter school under section 2 of this chapter shall annually report the number of school resource officers serving the school corporation or charter school to the department of homeland security before September 1.**

(b) The department of homeland security shall:

(1) annually compile the information reported under subsection (a); and

(2) retain the information reported under subsection (a).

(c) For purposes of IC 5-14-3, the department of homeland security shall keep information compiled and retained under subsection (b) confidential and shall withhold the information from public disclosure.

SECTION 9. IC 22-11-14-2, AS AMENDED BY P.L.187-2006, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) The fire prevention and building safety commission shall:

(1) adopt rules under IC 4-22-2 for the granting of permits for supervised public displays of fireworks by municipalities, fair associations, amusement parks, and other organizations or groups of individuals; and

(2) establish by rule the fee for the permit, which shall be paid into the fire and building services fund created under IC 22-12-6-1.

(b) The application for a permit required under subsection (a) must:

(1) name a competent operator who is to officiate at the display;

(2) set forth a brief resume of the operator's experience;

(3) be made in writing **or an electronic format;** and

(4) be received with the applicable fee by the division of fire and building safety at least five (5) business days before the display.

No operator who has a prior conviction for violating this chapter may operate any display for one (1) year after the conviction.

(c) Every display shall be handled by a qualified operator approved by the chief of the fire department of the municipality in which the display is to be held. A display shall be located, discharged, or fired as, in the opinion of:

(1) the chief of the fire department of the city or town in which the display is to be held; or

(2) the township fire chief or the fire chief of the municipality nearest the site proposed, in the case of a display to be held outside of the corporate limits of any city or town;

after proper inspection, is not hazardous to property or person.

(d) A permit granted under this section is not transferable.

(e) A denial of a permit by a municipality shall be issued in writing before the date of the display.

(f) A person may not possess, transport, or deliver special fireworks, except as authorized under this section.

SECTION 10. IC 22-13-5-2, AS AMENDED BY P.L.49-2016, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) Except as provided under subsection (c), upon the written request of an interested person, the state building commissioner of the division of fire and building safety shall issue a written interpretation of a building law or a fire safety law not later than ten (10) business days after the date of receiving a request. An interpretation issued by the state building commissioner must be consistent with building laws and fire safety laws enacted by the general assembly or adopted by the commission.

(b) The state building commissioner shall issue a written interpretation of a building law or fire safety law under subsection (a) whether or not the county or municipality has taken any action to enforce the building law or fire safety law.

(c) If:

(1) an interested person submits a written **or electronic** request to the building commissioner for a written interpretation of a building law or fire safety law applicable to a Class 2 structure; and

(2) the building commissioner is absent and unable to issue a written interpretation within the time specified under subsection (a);

the chair of the commission, or, if the chair is absent, the vice chair of the commission, shall issue the written interpretation not later than ten (10) business days after the date of receiving the request.

SECTION 11. IC 22-14-7-22 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 22. (a) The reduced ignition propensity standards for cigarettes fund is established. Money in the fund may be used to support processing, testing, enforcement, and oversight activities under this chapter. The fund shall be administered by the state fire marshal.~~

~~(b) The expenses of administering the fund shall be paid~~

~~from money in the fund.~~

~~(c) The treasurer of state shall invest money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.~~

~~(d) The fund consists of:~~

~~(1) certification fees collected under section 21 of this chapter; and~~

~~(2) grants, gifts, and donations intended for deposit in the fund.~~

~~(e) The money in the fund at the end of the state fiscal year does not revert to the state general fund.~~

SECTION 12. IC 22-14-7-27, AS AMENDED BY HEA 1174-2020, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 27. (a) The fire prevention and public safety fund is established. The fund shall be administered by the state fire marshal. Money in the fund may be used to support:

(1) fire safety and prevention programs; ~~and~~

(2) processing, testing, enforcement, and oversight activities under this chapter; and

~~(2)~~ **(3)** public safety education and outreach programs, including, but not limited to, youth helmet safety.

(b) The expenses of administering the fund shall be paid from money in the fund.

(c) The treasurer of state shall invest money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(d) The fund consists of:

(1) certification fees collected under section 21 of this chapter;

~~(1)~~ **(2)** penalties recovered under section 24 of this chapter; and

~~(2)~~ **(3)** grants, gifts, and donations intended for deposit in the fund.

(e) The money in the fund at the end of the state fiscal year does not revert to the state general fund.

SECTION 13. IC 22-14-7-27.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 27.5. On July 1, 2020, the auditor of state shall transfer the balance that remained on June 30, 2020, in the reduced ignition propensity standards for cigarettes fund established by section 22 of this chapter (before its repeal) to the fire prevention and public safety fund established by section 27 of this chapter.**

SECTION 14. IC 22-15-5-4, AS AMENDED BY P.L.230-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The division shall carry out a program for the periodic inspection of regulated lifting devices being operated in Indiana. A regulated lifting device may not be operated without an operating certificate that covers the operation of the regulated lifting device.

(b) A permit issued under this section expires on the earlier of:

(1) one (1) year after issuance; or

(2) when the regulated lifting device is altered.

(c) After a regulated lifting device has been installed or altered, an applicant shall apply for an initial operating certificate. The division shall issue an initial operating certificate for a regulated lifting device if:

(1) the applicant demonstrates:

(A) through an acceptance inspection made by an elevator inspector licensed under section 11 of this chapter that the regulated lifting device covered by the application complies with the laws governing its construction, repair, maintenance, and operation; and

(B) that the applicant has paid the fee set under IC 22-12-6-6(a)(7); and

(2) the division verifies, through an inspection, that the regulated lifting device complies with the laws governing the construction, repair, maintenance, and operation of the regulated lifting device.

(d) The division shall issue a renewal operating certificate if the applicant:

(1) demonstrates through the completion of applicable safety tests that the regulated lifting device complies with the laws governing the construction, repair, maintenance, and operation of the regulated lifting device;

(2) submits results of all applicable safety tests, including failed safety tests for the regulated lifting device; and

(3) has paid the fee set under IC 22-12-6-6(a)(7).

(e) The division may issue a temporary operating permit to an applicant under this section who does not comply with subsection (c)(1)(A) for a new or altered regulated lifting device or subsection (d)(1) for an existing unaltered regulated lifting device. The applicant must pay the fee set under IC 22-12-6-6(a)(7) to qualify for the temporary operating permit. Except as provided in subsection (f), the permit, including all renewal periods, is limited to sixty (60) days.

(f) The division may renew a temporary operating permit issued under subsection (e) for thirty (30) day periods during the construction of a building if the regulated lifting device is used for the transportation of construction personnel, tools, and materials.

(g) The responsibilities of the division under this section may be carried out by a political subdivision that is approved by the commission under IC 22-13-2-10.

(h) A copy of the operating certificate shall be displayed in or on each regulated lifting device or in an associated machine room. **In addition to the requirements of this subsection, the two-dimensional bar code assigned to an elevator shall be displayed in or on each elevator in a location that is easily viewed and scanned by a person riding on the elevator.**

(i) A licensed elevator mechanic shall perform the maintenance on a regulated lifting device.

SECTION 15. IC 36-8-17-7, AS AMENDED BY P.L.1-2006, SECTION 578, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) A fire department shall investigate and determine the causes and circumstances surrounding each fire occurring within the territory served by the fire department. The fire department shall begin the investigation when the fire occurs. The fire department shall immediately notify the division if the fire chief believes that a crime may have been committed and shall submit a written **or electronic** report to the division concerning every investigation at the end of each month. The fire department shall submit the report on the form prescribed by the division and shall include the following information in the report:

(1) A statement of the facts relating to the cause and origin of the fire.

(2) The extent of damage caused by the fire.

(3) The amount of insurance on the property affected by the fire.

(4) Other information required in the commission's rules.

(b) To carry out this section, a fire department may:

(1) enter and inspect any real or personal property at a reasonable hour;

(2) cooperate with the prosecuting attorney and assist the prosecuting attorney with any criminal

investigation;
(3) request that the office subpoena witnesses under IC 22-14-2-8 or order the production of books, documents, and other papers;
(4) give oaths and affirmations;
(5) take depositions and conduct hearings; and
(6) separate witnesses and otherwise regulate the course of proceedings.

(c) Subpoenas, discovery orders, and protective orders issued under this section shall be enforced under IC 4-21.5-6-2.

(Reference is to ESB 132 as printed February 28, 2020.)

CRIDER	FRYE
MRVAN	KLINKER
Senate Conferees	House Conferees

Roll Call 349: yeas 81, nays 0. Report adopted.

Representatives Bartlett, Bauer and Dvorak, who had been excused, are now present.

Representative Wolkins, who had been present, is now excused.

CONFERENCE COMMITTEE REPORT
ESB 246 –1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 246 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Page 2, delete lines 27 through 38.

Renumber all SECTIONS consecutively.

(Reference is to ESB 246 as reprinted February 18, 2020.)

CRIDER	FRYE
MRVAN	AUSTIN
Senate Conferees	House Conferees

Roll Call 350: yeas 83, nays 2. Report adopted.

Representatives Deal, Hatfield, Leonard and Morrison, who had been excused, are now present.

CONFERENCE COMMITTEE REPORT
ESB 258–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 258 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 27-7-2-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 4.5. The bureau may recommend a premium or rate discount for a municipal corporation purchasing or procuring worker's compensation insurance under IC 22-3-2-2(c) or a volunteer fire department purchasing worker's compensation insurance under IC 36-8-12-10 that has implemented the best practices established under IC 36-8-10.5-11.**

SECTION 2. IC 36-8-10.5-11 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 11. (a) The education board must establish best practices to improve safety and health outcomes for full-time firefighters and volunteer firefighters not later than July 1, 2021.**

(b) The best practices must include:
(1) a proactive health and safety risk management system consisting of a joint employer and employee governance structure to oversee a continuous process of identification, evaluation, monitoring and controlling, and reporting of safety and health hazards in the workplace;
(2) ways to reduce firefighter risk of exposure to carcinogens; and
(3) ways to prevent or reduce the risk of injuries and illness with particular focus on causes of compensable worker's compensation or disability claims.

(c) The education board shall:
(1) review programs established by political subdivisions and volunteer fire departments implementing best practices under this section; and
(2) provide a political subdivision or volunteer fire department with a letter for submission to an insurance company for consideration in a premium or rate discount toward the purchase or procurement of worker's compensation insurance under IC 22-3-2-2 that states that the political subdivision or volunteer fire department has implemented best practices under this section.

SECTION 3. IC 36-8-10.5-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) The best practices fund is established for the purpose of providing matching grants to political subdivisions and volunteer fire departments to purchase equipment and other gear to implement best practices established under section 11 of this chapter.

(b) The fund shall be administered by the education board.

(c) The fund consists of:
(1) appropriations from the general assembly; and
(2) amounts deposited from any other public or private source.

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(f) Money in the fund at the end of the state fiscal year does not revert to the state general fund.

(g) The education board shall adopt rules under IC 4-22-2 to implement this section.

(Reference is to ESB 258 as reprinted February 21, 2020.)

KOCH	FRYE
MRVAN	KLINKER
Senate Conferees	House Conferees

Roll Call 351: yeas 89, nays 0. Report adopted.

Representatives Barrett, Beck, Carbaugh, Davisson, Fleming and Shackleford, who had been excused, are now present.

Representative Goodin, who had been present, is now excused.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1165.

BURTON

Roll Call 352: yeas 61, nays 34. Motion prevailed.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

EHB 1022	Conferees:	Representative Torr replacing Representative Porter
	Advisors:	Remove Representative Torr
ESB 299	Conferees:	Representative Bacon replacing Representative Errington
	Advisors:	Remove Representative Bacon

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 3:40 p.m. with the Speaker in the Chair.

Upon request of Representative Pryor, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 353: 69 present. The Speaker declared a quorum present.

ACTION ON RULES SUSPENSIONS AND CONFERENCE COMMITTEE REPORTS

COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures has had under consideration House Rule 161.2 and recommends that it be suspended so that the following conference committee reports are eligible for consideration after March 3, 2020; we further recommend that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 2 hours, so that they may be eligible to be placed before the House for action:

Engrossed House Bills 1414 and 1157.

LEONARD, Chair

Report adopted.

HOUSE MOTION

Mr. Speaker: I move House Rule 161.2 be suspended so that the following conference committee reports are eligible for consideration after March 3, 2020, and that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 2 hours, so that they may be eligible to be placed before the House for action:

Engrossed House Bills 1414 and 1157.

LEONARD, Chair

Motion prevailed.

Representatives Goodin and Morris, who had been excused, are now present.

Representatives Austin, Carbaugh, Lauer, Lehe and Speedy, who had been present, are now excused.

CONFERENCE COMMITTEE REPORT
EHB 1157–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1157 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 9-21-3-11, AS AMENDED BY P.L.217-2014, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. A person who violates section 7, 8, or 9 of this chapter commits a Class C infraction. **However, a person who violates section 7, 8, or 9 of this chapter in a manner that results in bodily injury to a person commits a Class A infraction.**

SECTION 2. IC 9-21-8-49, AS AMENDED BY P.L.188-2015, SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 49. **(a) Except as provided in subsection (b)** ~~except~~ **or** as provided in sections 35, 50, ~~51,~~ 52, 55, 56, and 58 of this chapter, a person who violates this chapter commits a Class C infraction.

(b) Except as provided in sections 35, 50, 52, 55, 56, 58, and 59 of this chapter, a person who violates this chapter in a manner that results in bodily injury to a person commits a Class A infraction.

SECTION 3. IC 9-21-8-51 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 51. A person ~~who:~~ **may not:**

(1) ~~operates~~ **operate** a vehicle; and

(2) ~~fails~~ **fail** to dim bright or blinding lights when meeting another vehicle or pedestrian.

~~commits a Class B infraction.~~

SECTION 4. IC 9-30-6-8, AS AMENDED BY P.L.188-2015, SECTION 109, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) Whenever a judicial officer has determined that there was probable cause to believe that a person has violated IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal), the clerk of the court shall forward:

(1) a paper copy of the affidavit, or an electronic substitute; or

(2) a bureau certificate as described in section 16 of this chapter;

to the bureau.

(b) The probable cause affidavit required under section 7(b)(2) of this chapter must do the following:

(1) Set forth the grounds for the arresting officer's belief that there was probable cause that the arrested person was operating a vehicle in violation of IC 9-30-5 or a motorboat in violation of IC 35-46-9 or IC 14-15-8 (before its repeal).

(2) State that the person was arrested for a violation of IC 9-30-5 or operating a motorboat in violation of IC 35-46-9 or IC 14-15-8 (before its repeal).

(3) State whether the person:

(A) refused to submit to a chemical test when offered; or

(B) submitted to a chemical test that resulted in prima facie evidence that the person was intoxicated.

(4) Be sworn to by the arresting officer.

(c) Except as provided in subsection (d), if it is determined under subsection (a) that there was probable cause to believe that a person has violated IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal), at the initial hearing of the matter held under IC 35-33-7-1 the court shall recommend immediate suspension

of the person's driving privileges to take effect on the date the order is entered, and forward to the bureau a copy of the order recommending immediate suspension of driving privileges.

(d) If it is determined under subsection (a) that there is probable cause to believe that a person violated IC 9-30-5, the court may, as an alternative to **any** suspension of the person's driving privileges under subsection (c), issue an order recommending that the person be prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under IC 9-30-8. **This subsection applies even if the probable cause affidavit in subsection (b) states that the person:**

(1) refused to submit to a chemical test; or

(2) submitted to a chemical test that resulted in prima facie evidence that the person was intoxicated.

The order remains in effect until the bureau is notified by a court that the criminal charges against the person have been resolved. **When the court issues an order under this subsection, no administrative suspension is imposed by the bureau and no suspension is noted on the person's driving record.**

(e) A person commits a Class B infraction if the person:

(1) operates a motor vehicle without a functioning certified ignition interlock device; and

(2) is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under subsection (d).

(f) A person commits a Class B misdemeanor if the person:

(1) operates a motor vehicle without a functioning certified ignition interlock device; and

(2) knows the person is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under subsection (d).

SECTION 5. IC 9-30-6-13.5, AS AMENDED BY P.L.2-2005, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13.5. ~~Whenever~~ **If:**

(1) a case filed under IC 9-30-5 is terminated in favor of the defendant; and

(2) the defendant's driving privileges were suspended under:

(A) ~~section 9(c)~~ **section 9(b)** of this chapter; **or**

(B) section 9(c) of this chapter;

the bureau shall remove any record of the suspension, including the reason for suspension, from the defendant's official driving record.

SECTION 6. IC 9-30-16-1, AS AMENDED BY P.L.144-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Except as provided in subsection (b), the following are ineligible for specialized driving privileges under this chapter:

(1) A person who has never been an Indiana resident.

(2) A person seeking specialized driving privileges with respect to a suspension based on the person's refusal to submit to a chemical test offered under IC 9-30-6 or IC 9-30-7. **However, a court may grant this person driving privileges under IC 9-30-6-8(d).**

(3) A person whose driving privileges have been suspended or revoked under IC 9-24-10-7(b)(2)(A).

(4) A person whose driving privileges have been suspended under IC 9-21-8-52(e) or IC 9-21-12-1(b).

(b) This chapter applies to the following:

(1) A person who held an operator's, a commercial driver's, a public passenger chauffeur's, or a chauffeur's license at the time of:

(A) the criminal conviction for which the operation of a motor vehicle is an element of the offense;

(B) any criminal conviction for an offense under IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal); or

(C) committing the infraction of exceeding a worksite speed limit for the second time in one (1) year under IC 9-21-5-11(f).

(2) A person who:

(A) has never held a valid Indiana driver's license or does not currently hold a valid Indiana learner's permit; and

(B) was an Indiana resident when the driving privileges for which the person is seeking specialized driving privileges were suspended.

(c) Except as specifically provided in this chapter, a court may suspend the driving privileges of a person convicted of any of the following offenses for a period up to the maximum allowable period of incarceration under the penalty for the offense:

(1) Any criminal conviction in which the operation of a motor vehicle is an element of the offense.

(2) Any criminal conviction for an offense under IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal).

(3) Any offense under IC 35-42-1, IC 35-42-2, or IC 35-44.1-3-1 that involves the use of a vehicle.

(d) Except as provided in section 3.5 of this chapter, a suspension of driving privileges under this chapter may begin before the conviction. Multiple suspensions of driving privileges ordered by a court that are part of the same episode of criminal conduct shall be served concurrently. A court may grant credit time for any suspension that began before the conviction, except as prohibited by section 6(a)(2) of this chapter.

(e) If a person has had an ignition interlock device installed as a condition of specialized driving privileges or under IC 9-30-6-8(d), the period of the installation shall be credited as part of the suspension of driving privileges.

(f) This subsection applies to a person described in subsection (b)(2). A court shall, as a condition of granting specialized driving privileges to the person, require the person to apply for and obtain an Indiana driver's license.

(g) If a person indicates to the court at an initial hearing (as described in IC 35-33-7) that the person intends to file a petition for a specialized driving privileges hearing with that court under section 3 or 4 of this chapter, the following apply:

(1) The court shall:

(A) stay the suspension of the person's driving privileges at the initial hearing and shall not submit the probable cause affidavit related to the person's offense to the bureau; and

(B) set the matter for a specialized driving privileges hearing not later

than thirty (30) days after the initial hearing.

(2) If the person does not file a petition for a specialized driving privileges hearing not later than ten (10) days after the date of the initial hearing, the court shall lift the stay of the suspension of the person's driving privileges and shall submit the probable cause affidavit related to the person's offense to the bureau for automatic suspension.

(3) If the person files a petition for a specialized driving privileges hearing not later than ten (10) days after the initial hearing, the stay of the suspension of the person's driving privileges continues until the matter is heard and a determination is made by the court at the specialized driving privileges hearing.

(4) If the specialized driving privileges hearing is continued due to:

(A) a congestion of the court calendar;

(B) the prosecuting attorney's motion for a continuance; or

(C) the person's motion for a continuance with no objection by the prosecuting attorney;

the stay of the suspension of the person's driving privileges continues until addressed at the next hearing.

(5) If the person moves for a continuance of the specialized driving privileges hearing and the court grants the continuance over the prosecuting attorney's objection, the court shall lift the stay of the suspension of the person's driving privileges and shall submit the probable cause affidavit related to the person's offense to the bureau for automatic suspension.

SECTION 7. IC 9-30-16-6, AS ADDED BY P.L.188-2015, SECTION 128, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) A person whose driving privileges are suspended under section 1(c) of this chapter:

(1) is entitled to credit for any days during which the license was suspended under IC 9-30-6-9(c); and

(2) may not receive any credit for days during which the person's driving privileges were suspended under IC 9-30-6-9(b).

(b) A period of suspension of driving privileges imposed under section 1(c) of this chapter must be consecutive to any period of suspension imposed under IC 9-30-6-9(b). However, **if the state and defendant agree pursuant to a term in an accepted plea agreement, or** if the court finds ~~in the sentencing order~~ **at sentencing** that it is in the best interest of society, the court ~~may~~ **shall** terminate all or any part of the remaining suspension under IC 9-30-6-9(b) **and shall enter this finding in its sentencing order.**

(c) The bureau shall designate a period of suspension of driving privileges imposed under section 1(c) of this chapter as consecutive to any period of suspension imposed under IC 9-30-6-9(b) unless the sentencing order of the court under subsection (b) terminates all or part of the remaining suspension under IC 9-30-6-9(b).

SECTION 8. IC 9-30-16-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 6.5. A court and the bureau, if applicable, shall terminate all or any part of the remaining suspension of a person's license suspension under section 1(c) of this chapter or under IC 9-30-6-9 if:**

(1) the charges against the person are dismissed;

(2) the person is acquitted; or

(3) the person's conviction is vacated or reversed on appeal.

SECTION 9. IC 34-28-5-1, AS AMENDED BY P.L.198-2016, SECTION 667, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) An action to enforce a statute defining an infraction shall be brought in the name of the state of Indiana by the prosecuting attorney for the judicial circuit in which the infraction allegedly took place. However, if the infraction allegedly took place on a public highway (as defined in IC 9-25-2-4) that runs on and along a common boundary shared by two (2) or more judicial circuits, a prosecuting attorney for any judicial circuit sharing the common boundary may bring the action.

(b) An action to enforce an ordinance shall be brought in the name of the municipal corporation. The municipal corporation need not prove that it or the ordinance is valid unless validity is controverted by affidavit.

(c) Actions under this chapter (or IC 34-4-32 before its repeal):

(1) shall be conducted in accordance with the Indiana Rules of Trial Procedure; and

(2) must be brought within two (2) years after the alleged conduct or violation occurred.

(d) The plaintiff in an action under this chapter must prove the commission of an infraction or ordinance violation by a preponderance of the evidence.

(e) The complaint and summons described in IC 9-30-3-6 may be used for any infraction or ordinance violation.

~~(f) Subsection (g) does not apply to an individual who is alleged to have committed an infraction under any of the following when the individual was less than eighteen (18) years of age at the time of the alleged offense:~~

~~IC 9-19~~
~~IC 9-21~~
~~IC 9-24~~
~~IC 9-25~~
~~IC 9-26~~
~~IC 9-30-5~~
~~IC 9-30-10~~
~~IC 9-30-15.~~

~~(g)~~ **(f)** This subsection does not apply to an offense or violation under IC 9-24-6 (before its repeal) or IC 9-24-6.1 involving the operation of a commercial motor vehicle. The prosecuting attorney or the attorney for a municipal corporation may establish a deferral program for deferring actions brought under this section. Actions may be deferred under this section if:

(1) the defendant in the action agrees to conditions of a deferral program offered by the prosecuting attorney or the attorney for a municipal corporation;

(2) the defendant in the action agrees to pay to the clerk of the court an initial user's fee and monthly user's fee set by the prosecuting attorney or the attorney for the municipal corporation in accordance with IC 33-37-4-2(e);

(3) the terms of the agreement are recorded in an instrument signed by the defendant and the prosecuting attorney or the attorney for the municipal corporation;

(4) the defendant in the action agrees to pay a fee of seventy dollars ($70) to the clerk of court if the action involves a moving traffic offense (as defined in IC 9-13-2-110);

(5) the agreement is filed in the court in which the action is brought; and

(6) if the deferral program is offered by the prosecuting attorney, the prosecuting attorney

electronically transmits information required by the prosecuting attorneys council concerning the withheld prosecution to the prosecuting attorneys council, in a manner and format designated by the prosecuting attorneys council.

When a defendant complies with the terms of an agreement filed under this subsection (or IC 34-4-32-1(f) before its repeal), the prosecuting attorney or the attorney for the municipal corporation shall request the court to dismiss the action. Upon receipt of a request to dismiss an action under this subsection, the court shall dismiss the action. An action dismissed under this subsection (or IC 34-4-32-1(f) before its repeal) may not be refiled.

~~(h)~~ **(g)** If a judgment is entered against a defendant in an action to enforce an ordinance, the defendant may perform community restitution or service (as defined in IC 35-31.5-2-50) instead of paying a monetary judgment for the ordinance violation as described in section 4(e) of this chapter if:

(1) the:

(A) defendant; and

(B) attorney for the municipal corporation;

agree to the defendant's performance of community restitution or service instead of the payment of a monetary judgment;

(2) the terms of the agreement described in subdivision (1):

(A) include the amount of the judgment the municipal corporation requests that the defendant pay under section 4(e) of this chapter for the ordinance violation if the defendant fails to perform the community restitution or service provided for in the agreement as approved by the court; and

(B) are recorded in a written instrument signed by the defendant and the attorney for the municipal corporation;

(3) the agreement is filed in the court where the judgment was entered; and

(4) the court approves the agreement.

If a defendant fails to comply with an agreement approved by a court under this subsection, the court shall require the defendant to pay up to the amount of the judgment requested in the action under section 4(e) of this chapter as if the defendant had not entered into an agreement under this subsection.

SECTION 10. IC 34-28-5-4, AS AMENDED BY P.L.146-2016, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) A judgment of up to ten thousand dollars ($10,000) may be entered for a violation constituting a Class A infraction.

(b) A judgment of up to one thousand dollars ($1,000) may be entered for a violation constituting a Class B infraction.

(c) Except as provided in subsection (f), a judgment of up to five hundred dollars ($500) may be entered for a violation constituting a Class C infraction.

(d) A judgment of up to twenty-five dollars ($25) may be entered for a violation constituting a Class D infraction.

(e) Subject to ~~section 1(i)~~ **section 1** of this chapter, a judgment:

(1) up to the amount requested in the complaint; and

(2) not exceeding any limitation under IC 36-1-3-8;

may be entered for an ordinance violation.

(f) Except as provided in subsections (g) and (h), a person who has admitted to a moving violation constituting a Class C infraction, pleaded nolo contendere to a moving violation constituting a Class C infraction, or has been found by a court to have committed a moving violation constituting a Class C infraction may not be required to pay more than the following amounts for the violation:

(1) If, before the appearance date specified in the summons and complaint, the person mails or delivers an admission of the moving violation or a plea of nolo contendere to the moving violation, the person may not be required to pay any amount, except court costs and a judgment that does not exceed thirty-five dollars and fifty cents ($35.50).

(2) If the person admits the moving violation or enters a plea of nolo contendere to the moving violation on the appearance date specified in the summons and complaint, the person may not be required to pay any amount, except court costs and a judgment that does not exceed thirty-five dollars and fifty cents ($35.50).

(3) If the person contests the moving violation in court and is found to have committed the moving violation, the person may not be required to pay any amount, except:

(A) court costs and a judgment that does not exceed thirty-five dollars and fifty cents ($35.50) if, in the five (5) years before the appearance date specified in the summons and complaint, the person was not found by a court in the county to have committed a moving violation;

(B) court costs and a judgment that does not exceed two hundred fifty dollars and fifty cents ($250.50) if, in the five (5) years before the appearance date specified in the summons and complaint, the person was found by a court in the county to have committed one (1) moving violation; and

(C) court costs and a judgment that does not exceed five hundred dollars ($500) if, in the five (5) years before the appearance date specified in the summons and complaint, the person was found by a court in the county to have committed two (2) or more moving violations.

In a proceeding under subdivision (3), the court may require the person to submit an affidavit or sworn testimony concerning whether, in the five (5) years before the appearance date specified in the summons and complaint, the person has been found by a court to have committed one (1) or more moving violations.

(g) The amounts described in subsection (f) are in addition to any amount that a person may be required to pay for attending a defensive driving school program.

(h) This subsection applies only to infraction judgments imposed in Marion County for traffic violations after December 31, 2010. Subsection (f) applies to an infraction judgment described in this subsection. However, a court shall impose a judgment of not less than thirty-five dollars ($35) for an infraction judgment that is entered in Marion County. These funds shall be transferred to a dedicated fund in accordance with section 5 of this chapter.

(i) This subsection applies only to infraction judgments imposed in Clark County for toll violations after January 1, 2017. Subsection (f) applies to an infraction judgment described

in this subsection. However, a court shall impose a judgment of not less than thirty-five dollars ($35) for an infraction judgment that is entered in Clark County. These funds shall be transferred to a dedicated fund in accordance with section 5(f) of this chapter.

SECTION 11. IC 34-28-5-8, AS AMENDED BY P.L.200-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. The violations clerk or deputy violations clerk shall:

(1) accept:

(A) written appearances;

(B) waivers of trial;

(C) admissions of violation;

(D) declarations of nolo contendere for moving traffic violations;

(E) payments of judgments (including costs) in traffic violation cases;

(F) deferral agreements made under ~~section 1(f)~~ **section 1** of this chapter (or IC 34-4-32-1(f) before its repeal) and deferral program fees prescribed under IC 33-37-4-2(e); and

(G) community restitution or service agreements made under ~~section 1(g)~~ **section 1** of this chapter;

(2) issue receipts and account for any judgments (including costs) collected; and

(3) pay the judgments (including costs) collected to the appropriate unit of government as provided by law.

SECTION 12. IC 34-28-5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. The court shall:

(1) designate the traffic violations within the authority of the violations clerk, but these violations may not include misdemeanors or felonies;

(2) establish schedules, within limits prescribed by law, of the judgments to be imposed for first violations, designating each violation specifically;

(3) order that the schedule of judgments be prominently posted in the place where the fines are paid;

(4) establish a procedure under which any violations clerk or deputy violations clerk shall accept, receipt, and account for all money tendered for designated traffic violations; and

(5) dismiss deferred actions if a dismissal request is made under ~~section 1(f)~~ **section 1** of this chapter (or IC 34-4-32-1(f) before its repeal).

SECTION 13. IC 35-48-4-15 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 15. If a person is convicted of an offense under section 1, 1.1, 1.2, 2, 3, 4, or 10 of this chapter, and the court finds that a motor vehicle was used in the commission of the offense, the court may, in addition to any other order the court enters, order that the person's driving privileges be suspended by the bureau of motor vehicles for a period specified by the court of not more than two (2) years.~~

(Reference is to EHB 1157 as reprinted March 3, 2020.)

MCNAMARA	FREEMAN
HATFIELD	TALLIAN
House Conferees	Senate Conferees

Roll Call 354: yeas 92, nays 0. Report adopted.

Representative Carbaugh, who had been excused, is now excused.

CONFERENCE COMMITTEE REPORT

EHB 1414–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1414 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 8-1-8.5-11 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 11. (a) As used in this section, "legacy generation resource" means an electric generating facility owned directly or indirectly by a corporation that was formed for the original purpose of providing power to the federal government for use in the nation's defense or in furtherance of national interests, including the Ohio Valley Electric Corporation.**

(b) As used in this section, "reliable capacity resource" means an electric generating unit:

(1) that is located in Indiana;

(2) the capacity of which is valued by a regional transmission organization at a minimum of eighty percent (80%) of the unit's nameplate capacity; and

(3) that maintains an annual average onsite fuel inventory of at least thirty (30) days of average fuel consumption.

(c) The general assembly finds that it is in the public interest to support the reliability, availability, fuel security, and diversity of electric generating capacity in Indiana for the purpose of providing reliable and stable electric service to customers of public utilities.

(d) A public utility that owns and operates a reliable capacity resource shall operate and maintain the unit using good utility practices and in a manner reasonably intended to support the availability of the unit for dispatch and for providing reliable service to customers of the public utility.

(e) A public utility may not terminate a power agreement with a legacy generation resource in which the public utility has an ownership interest unless the public utility provides the commission with at least three (3) years advance notice of the termination. The commission shall determine the reasonable costs incurred by the public utility under the power agreement and allow the public utility to recover those costs in a fuel adjustment charge proceeding under IC 8-1-2-42. For purposes of this subsection, a public utility's reasonable costs related to a legacy generation resource means those costs, including deferred costs, allocated under a power agreement approved by the Federal Energy Regulatory Commission and relating to a legacy generation resource.

(f) A public utility may not retire, sell, or transfer a reliable capacity resource with a capacity exceeding eighty (80) megawatts before May 1, 2021, unless:

(1) the public utility first provides written notice to the commission of the public utility's intent to do so; and

(2) the commission conducts a public hearing, noticed in accordance with IC 5-14-1.5, to receive information concerning the reasonableness of the planned retirement, sale, or transfer.

A public utility may provide the written notice required under subdivision (1) at any time. Not later than one hundred twenty (120) days after the date of the commission's receipt of the public utility's written notice to the commission under this subsection, the commission shall conduct the hearing described in subdivision (2) and issue the commission's analysis and conclusions concerning the reasonableness of the planned retirement, sale, or transfer based on the information received. If the planned retirement, sale, or transfer was included in the public utility's preferred portfolio in the public utility's most recent integrated resource plan, the public utility may proceed with the planned retirement, sale, or transfer after the commission issues the commission's analysis and conclusions under this subsection. If the planned retirement, sale, or transfer was not included in the public utility's preferred portfolio in the public utility's most recent integrated resource plan, the public utility may not proceed with the planned retirement, sale, or transfer until at least six (6) months have elapsed from the date of the commission's receipt of the public utility's written notice under this subsection.

(g) If a public utility that seeks to retire, sell, or transfer a reliable capacity resource under subsection (f) cites a federal mandate as the basis, in whole or in part, for the planned retirement, sale, or transfer of the unit, the commission may consider as part of the commission's analysis and conclusions under subsection (f) whether the cited federal mandate:

(1) is in force;

(2) has not expired or been revoked; and

(3) is not merely anticipated to be enacted;

at the time of the public utility's notice under subsection (f).

(h) This section expires May 1, 2021.

SECTION 2. IC 8-1-8.5-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 12. (a) As used in this section, "coal industry employment" means employment:**

(1) at a commercial coal mine in Indiana;

(2) at a coal fired electric generating unit in Indiana; or

(3) in an Indiana based manufacturing or transportation supply chain serving:

(A) a commercial coal mine in Indiana; or

(B) a coal fired electric generating unit in Indiana.

(b) As used in this section, "coal transition worker" means:

(1) an individual who:

(A) has been laid off or terminated from the individual's coal industry employment; or

(B) has received a notice of termination or layoff from the individual's coal industry employment;

as a result of the permanent closure of, or a substantial layoff at, a commercial coal mine in Indiana or a coal fired electric generating unit in Indiana; or

(2) an individual who:

(A) has:

(i) been laid off or terminated, for a reason other than cause; or

(ii) received a notice of termination or layoff, for a reason other than cause;

from the individual's coal industry employment; and

(B) is unlikely to obtain employment in an industry described in subsection (a)(1) through (a)(3) because of market forces or other factors affecting the industry.

(c) In awarding high value workforce ready credit-bearing grants under IC 21-12-8, the commission for higher education, in conjunction with the department of workforce development, shall give priority to an applicant who is a coal transition worker if the applicant is otherwise eligible for a grant under IC 21-12-8-9.

SECTION 3. **An emergency is declared for this act.**

(Reference is to EHB 1414 as reprinted March 3, 2020.)

SOLIDAY	MESSMER
MORRISON	KOCH
House Conferees	Senate Conferees

Roll Call 355: yeas 55, nays 38. Report adopted.

CONFERENCE COMMITTEE REPORT
ESB 237–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 237 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Page 2, delete lines 8 through 38.

(Reference is to ESB 237 as printed February 21, 2020.)

BROWN	MACER
LANANE	MORRIS
Senate Conferees	House Conferees

Roll Call 356: yeas 93, nays 0. Report adopted.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 6:43 p.m. with the Speaker in the Chair.

Upon request of Representative Austin, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 357: 68 present. The Speaker declared a quorum present.

Representatives Bauer, Behning, Cherry, Davisson, Dvorak, Pressel, Shackleford, Sherman, Smaltz and Ziemke, who had been present, are now excused.

Representative Austin and Speedy, who had been excused, are now present.

MOTIONS TO CONCUR IN SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House concur in the Senate amendments to Engrossed House Bill 1326.

KIRCHHOFER

Roll Call 358: yeas 87, nays 0. Motion prevailed.

MOTIONS TO DISSENT FROM SENATE AMENDMENTS

HOUSE MOTION

Mr. Speaker: I move that the House dissent from Senate amendments to Engrossed House Bill 1006 and that the Speaker appoint a committee to confer with a like committee from the Senate and report back to the House.

KIRCHHOFER

Motion prevailed.

ACTION ON RULES SUSPENSIONS AND CONFERENCE COMMITTEE REPORTS

COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures has had under consideration House Rule 161.2 and recommends that it be suspended so that the following conference committee reports are eligible for consideration after March 3, 2020; we further recommend that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 2 hours, so that they may be eligible to be placed before the House for action:

Engrossed House Bills 1092, 1153, 1022 and 1419

Engrossed Senate Bills 256, 340 and 433

LEONARD, Chair

Report adopted.

HOUSE MOTION

Mr. Speaker: I move House Rule 161.2 be suspended so that the following conference committee reports are eligible for consideration after March 3, 2020, and that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 2 hours, so that they may be eligible to be placed before the House for action:

Engrossed House Bills 1092, 1153, 1022 and 1419

Engrossed Senate Bills 256, 340 and 433

LEONARD, Chair

Motion prevailed.

CONFERENCE COMMITTEE REPORT
EHB 1022–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1022 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete the title and insert:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Delete everything after the enacting clause and insert:

SECTION 1. IC 35-31.5-2-132.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 132.7. "Financial transaction", for purposes of IC 35-45-17, has the meaning set forth in IC 35-45-17-0.5.**

SECTION 2. IC 35-31.5-2-257.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 257.5. "Public monument", for purposes of IC 35-45-17, has the meaning set forth in IC 35-45-17-1.5.**

SECTION 3. IC 35-45-17-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.5. As used in this chapter, "financial transaction" means any exchange of currency by cash, note, or credit card or through a wireless portal that is received by:**

(1) a business;
(2) a parking meter or parking pay station on a street or another public place;
(3) a public parking garage or parking lot pay station;
(4) a facility or pay station operated by a public transportation authority; or
(5) a restaurant or the service area of an outdoor seating establishment.

SECTION 4. IC 35-45-17-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.5. As used in this chapter, "public monument" means a building, structure, or site that is of historical importance or interest that is preserved as public property.**

SECTION 5. IC 35-45-17-2, AS ADDED BY P.L.140-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. A person who knowingly or intentionally does any of the following commits panhandling, a Class C misdemeanor:

~~(1) Panhandling after sunset and before sunrise.~~

~~(2)~~ **(1)** Panhandling when the individual being solicited is:

(A) at a bus stop;
(B) in a:
(i) vehicle; or
(ii) facility;
used for public transportation;
(C) in a motor vehicle that is parked or stopped on a public street or alley, unless the person soliciting the individual has the approval to do so by a unit of local government that has jurisdiction over the public street or alley;
(D) in the sidewalk dining area of a restaurant; ~~or~~
(E) within ~~twenty (20)~~ **fifty (50)** feet of:
(i) an automated teller machine; ~~or~~
(ii) the entrance **or exit** to a bank, **business, or restaurant; or**
(iii) the location where a financial transaction occurs; or
(F) within fifty (50) feet of a public monument.

~~(3)~~ **(2)** Panhandling while touching the individual being solicited without the solicited individual's consent.

~~(4)~~ **(3)** Panhandling while the individual being solicited is standing in line and waiting to be admitted to a commercial establishment.

~~(5)~~ **(4)** Panhandling while blocking:

(A) the path of the individual being solicited; or
(B) the entrance to a building or motor vehicle.

~~(6)~~ **(5)** Panhandling while using profane or abusive language:

(A) during a solicitation; or
(B) after the individual being solicited has declined to donate money or something else of value.

~~(7)~~ **(6)** Panhandling while making a statement, a gesture, or another communication to the individual being solicited that would cause a

reasonable individual to:

(A) fear for the individual's safety; or

(B) feel compelled to donate.

~~(8)~~ **(7)** Panhandling with at least one (1) other individual.

~~(9)~~ **(8)** Panhandling and then following or accompanying the solicited individual without the solicited individual's consent after the solicited individual has declined to donate money or something else of value.

(Reference is to EHB 1022 as reprinted February 19, 2020.)

BOSMA	MESSMER
TORR	BROWN
House Conferees	Senate Conferees

Roll Call 359: yeas 84, nays 10. Report adopted.

CONFERENCE COMMITTEE REPORT
EHB 1092–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1092 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 12-15-5-14.5, AS ADDED BY P.L.128-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14.5. **(a)** The office shall include a:

(1) licensed clinical social worker;

(2) licensed mental health counselor;

(3) licensed clinical addiction counselor; and

(4) licensed marriage and family therapist;

as eligible providers for the supervision of a plan of treatment for a patient's outpatient mental health or substance abuse treatment services, if the individual holds at least a master's degree and the supervision is in the scope of practice, education, and training of the clinical social worker, mental health counselor, clinical addiction counselor, or marriage and family therapist.

(b) Before July 1, 2020, the office shall apply to the United States Department of Health and Human Services to amend the state Medicaid plan to implement subsection (a).

SECTION 2. IC 12-15-5-17, AS AMENDED BY P.L.108-2019, SECTION 194, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2020]: Sec. 17. (a) This section does not apply to a Medicaid recipient participating in the Program of All-Inclusive Care for the Elderly (PACE) program described in IC 12-15-43.

(b) The office may not include a Medicaid recipient who is eligible to ~~(1)~~ participate in the Medicare program (42 U.S.C. 1395 et seq.) and receive nursing facility services in a risk based managed care program or capitated managed care program.

(c) This section expires ~~June 30, 2020.~~ **June 30, 2021.**

SECTION 3. IC 12-15-13-9, AS ADDED BY P.L.128-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) Subject to subsection (b), the office shall reimburse the following providers if the providers are providing Medicaid covered services at a federally-qualified health center (as defined in 42 U.S.C. 1396d(l)(2)(B)) or a rural health clinic (as defined in 42 U.S.C. 1396d(l)(1)) within the provider's scope of practice:

(1) A clinical social worker licensed under IC 25-23.6-5.

(2) A marriage and family therapist licensed under IC 25-23.6-8.

(3) A mental health counselor licensed under IC 25-23.6-8.5.

(4) A clinical addiction counselor licensed under IC 25-23.6-10.5.

(b) **By July 1, 2020,** the office shall apply to the United States Department of Health and Human Services to amend the state Medicaid plan to include reimbursement described in subsection (a). The office may not implement the reimbursement under subsection (a) until the office has obtained approval for the Medicaid state plan amendment requested under this subsection.

SECTION 4. IC 27-8-5-15.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 15.8. (a) As used in this section, "treatment of a mental illness or substance abuse" means:**

(1) treatment for a mental illness, as defined in IC 12-7-2-130(1); and

(2) treatment for drug abuse or alcohol abuse.

(b) As used in this section, "act" refers to the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Act of 2008 and any amendments thereto, plus any federal guidance or regulations relevant to that act, including 45 CFR 146.136, 45 CFR 147.136, 45 CFR 147.160, and 45 CFR 156.115(a)(3).

(c) As used in this section, "nonquantitative treatment limitations" refers to those limitations described in 26 CFR 54.9812-1, 29 CFR 2590.712, and 45 CFR 146.136.

(d) An insurer that issues a policy of accident and sickness insurance that provides coverage of services for treatment of a mental illness or substance abuse shall submit a report to the department not later than December 31 of each year that contains the following information:

(1) A description of the processes:

(A) used to develop or select the medical necessity criteria for coverage of services for treatment of a mental illness or substance abuse; and

(B) used to develop or select the medical necessity criteria for coverage of services for treatment of other medical or surgical conditions.

(2) Identification of all nonquantitative treatment limitations that are applied to:

(A) coverage of services for treatment of a mental illness or substance abuse; and

(B) coverage of services for treatment of other medical or surgical conditions;

within each classification of benefits.

(e) There may be no separate nonquantitative treatment limitations that apply to coverage of services for treatment of a mental illness or substance abuse that do not apply to coverage of services for treatment of other medical or surgical conditions within any classification of benefits.

(f) An insurer that issues a policy of accident and sickness insurance that provides coverage of services for treatment of a mental illness or substance abuse shall also submit an analysis showing the insurer's compliance with this section and the act to the department not later than December 31 of each year. The analysis must do the following:

(1) Identify the factors used to determine that a nonquantitative treatment limitation will apply to a benefit, including factors that were considered but rejected.

(2) Identify and define the specific evidentiary standards used to define the factors and any other evidence relied upon in designing each nonquantitative treatment limitation.

(3) Provide the comparative analyses, including the results of the analyses, performed to determine the following:

(A) That the processes and strategies used to design each nonquantitative treatment limitation for coverage of services for treatment of a mental illness or substance abuse are comparable to, and applied no more stringently than, the processes and strategies used to design each nonquantitative treatment limitation for coverage of services for treatment of other medical or surgical conditions.

(B) That the processes and strategies used to apply each nonquantitative treatment limitation for treatment of a mental illness or substance abuse are comparable to, and applied no more stringently than, the processes and strategies used to apply each nonquantitative limitation for treatment of other medical or surgical conditions.

(g) The department shall adopt rules to ensure compliance with this section and the applicable provisions of the act.

SECTION 5. IC 27-13-7-14.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14.2. (a) As used in this section, "treatment of a mental illness or substance abuse" means:**

(1) treatment for a mental illness, as defined in IC 12-7-2-130(1); and

(2) treatment for drug abuse or alcohol abuse.

(b) As used in this section, "act" refers to the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Act of 2008 and any amendments thereto, plus any federal guidance or regulations relevant to that act, including 45 CFR 146.136, 45 CFR 147.136, 45 CFR 147.160, and 45 CFR 156.115(a)(3).

(c) As used in this section, "nonquantitative treatment limitations" refers to those limitations described in 26 CFR 54.9812-1, 29 CFR 2590.712, and 45 CFR 146.136.

(d) An individual contract or a group contract that provides coverage of services for treatment of a mental illness or substance abuse shall submit a report to the department not later than December 31 of each year that contains the following information:

(1) A description of the processes:

(A) used to develop or select the medical necessity criteria for coverage of services for treatment of a mental illness or substance abuse; and

(B) used to develop or select the medical necessity criteria for coverage of services for treatment of other medical or surgical conditions.

(2) Identification of all nonquantitative treatment limitations that are applied to:

(A) coverage of services for treatment of a mental illness or substance abuse; and

(B) coverage of services for treatment of other medical or surgical conditions;

within each classification of benefits.

(e) There may be no separate nonquantitative treatment limitations that apply to coverage of services for treatment of a mental illness or substance abuse that do not apply to coverage of services for treatment of other medical or surgical conditions within any classification of benefits.

(f) An individual contract or a group contract that provides coverage of services for treatment of a mental illness or substance abuse shall also submit an analysis showing the insurer's compliance with this section and the act to the department not later than December 31 of each year. The analysis must do the following:

(1) Identify the factors used to determine that a nonquantitative treatment limitation will apply to a benefit, including factors that were considered but rejected.

(2) Identify and define the specific evidentiary standards used to define the factors and any other evidence relied upon in designing each nonquantitative treatment limitation.

(3) Provide the comparative analyses, including the results of the analyses, performed to determine the following:

(A) That the processes and strategies used to design each nonquantitative treatment limitation for coverage of services for treatment of a mental illness or substance abuse are comparable to, and applied no more stringently than, the processes and strategies used to design each nonquantitative treatment limitation for coverage of services for treatment of other medical or surgical conditions.

(B) That the processes and strategies used to apply each nonquantitative treatment limitation for treatment of a mental illness or substance abuse are comparable to, and applied no more stringently than, the processes and strategies used to apply each nonquantitative limitation for treatment of other medical or surgical conditions.

(g) The department shall adopt rules to ensure compliance with this section and the applicable provisions of the act.

SECTION 6. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "act" refers to the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Act of 2008 and any amendments thereto, plus any federal guidance or regulations relevant to that act, including 45 CFR 146.136, 45 CFR 147.136, 45 CFR 147.160, and 45 CFR 156.115(a)(3).**

(b) Not later than March 1, 2021, the department of insurance shall submit a report to the general assembly concerning its implementation of rules and procedures to ensure compliance with the act. The report must include the following information:

(1) The methodology the department uses to

determine insurers' compliance with the act.
(2) The methodology the department uses to determine insurers' compliance with IC 27-8-5-15.6, IC 27-8-5-15.8, as added by this act, IC 27-13-7-14.2, as added by this act, and IC 27-13-7-14.8.
(3) The results of the target market conduct examinations conducted or completed to determine insurers' compliance with state and federal laws regarding parity in coverage of services for treatment of a mental illness or substance abuse in the past twelve (12) months.
(4) Any educational or corrective action the department has taken to ensure insurers' compliance with the act.

(c) The report required under this SECTION must be in an electronic format under IC 5-14-6.

(d) This SECTION expires June 30, 2021.

SECTION 7. **An emergency is declared for this act.**

(Reference is to EHB 1092 as printed February 14, 2020.)

ZIEMKE	CHARBONNEAU
FLEMING	BREAUX
House Conferees	Senate Conferees

Roll Call 360: yeas 94, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT
EHB 1153–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1153 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 4-3-27-3, AS AMENDED BY P.L.143-2019, SECTION 2, AND AS AMENDED BY P.L.237-2019, SECTION 1, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Sec. 3. The governor's workforce cabinet is established under the applicable state and federal programs to do the following:

(1) Review the services and use of funds and resources under applicable state and federal programs and advise the governor, *general assembly, commission for higher education, and state board of education* on methods of coordinating the services and use of funds and resources consistent with the laws and regulations governing the particular applicable state and federal programs.

(2) Advise the governor, *general assembly, commission for higher education, and state board of education* on:

(A) the development and implementation of state and local standards and measures; and

(B) the coordination of the standards and measures;

concerning the applicable federal programs.

(3) Perform the duties as set forth in federal law of the particular advisory bodies for applicable federal programs described in section 4 of this chapter.

(4) Identify the workforce needs in Indiana and recommend to the governor, *general assembly, commission for higher education, and state board of education* goals to meet the investment needs.

(5) Recommend to the governor, *general assembly, commission for higher education, and state board of education* goals for the development and coordination of the talent development system in Indiana.

(6) Prepare and recommend to the governor, *general assembly, commission for higher education, and state board of education* a strategic plan to accomplish the goals developed under subdivisions (4) and (5).

(7) Monitor and direct the implementation of and evaluate the effectiveness of the strategic plan described in subdivision (6).

(8) Advise the governor, *general assembly, commission for higher education, and state board of education* on the coordination of federal, state, and local education and training programs and on the allocation of state and federal funds in Indiana to promote effective services, service delivery, and innovative programs.

(9) Review and approve regional workforce development board plans, and work with regional workforce development boards to determine appropriate metrics for workforce programming at the state and local levels.

(10) Design for implementation a comprehensive career navigation and coaching system as described in section 11 of this chapter.

(11) Conduct a systematic and comprehensive review, analysis, and evaluation of workforce funding described in section 12 of this chapter.

(12) Conduct a systematic and comprehensive review, analysis, and evaluation of the college and career funding described in section 13 of this chapter.

(13) Based on the reviews in sections 12 and 13 of this chapter, direct the appropriate state agencies to implement administrative changes to the delivery of these programs that align with Indiana's workforce goals, and make recommendations to:

(A) the governor;

(B) the commission for higher education;

(C) the state board of education; and

(D) the ~~*legislative council*~~ *general assembly* in an ~~*in*~~ electronic format under IC 5-14-6;

on possible legislative changes in the future.

(14) Study the advisability of establishing one (1) or more real world career readiness programs as described in section 14 of this chapter and report to:

(A) the governor;

(B) the commission for higher education;

(C) the state board of education; and

(D) the ~~*legislative council*~~ *general assembly* in an electronic format under IC 5-14-6;

concerning the results of the study.

(15) Conduct a systematic and comprehensive

review, analysis, and evaluation of whether:

(A) Indiana's **early childhood,** *primary, secondary, and postsecondary education systems are aligned with employer needs; and*

(B) Indiana's students and workforce are prepared for success in the twenty-first century economy.

(16) **On or before December 1, 2020,** *create a comprehensive strategic plan to ensure alignment between Indiana's* **early childhood,** *primary, secondary, and postsecondary education systems with Indiana's workforce training programs and employer needs.*

~~*(15)*~~ **(17)** *Administer the workforce diploma reimbursement program established by IC 22-4.1-27-7.*

~~*(17)*~~ ~~*(16)*~~ **(18)** Carry out other policy duties and tasks as assigned by the governor.

SECTION 2. **An emergency is declared for this act.**

(Reference is to EHB 1153 as printed February 28, 2020.)

GOODRICH	RAATZ
KLINKER	MELTON
House Conferees	Senate Conferees

Roll Call 361: yeas 93, nays 1. Report adopted.

CONFERENCE COMMITTEE REPORT
EHB 1419–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1419 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 4-3-27-3, AS AMENDED BY P.L.143-2019, SECTION 2, AND AS AMENDED BY P.L.237-2019, SECTION 1, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. The governor's workforce cabinet is established under the applicable state and federal programs to do the following:

(1) Review the services and use of funds and resources under applicable state and federal programs and advise the governor, *general assembly, commission for higher education, and state board of education* on methods of coordinating the services and use of funds and resources consistent with the laws and regulations governing the particular applicable state and federal programs.

(2) Advise the governor, *general assembly, commission for higher education, and state board of education* on:

(A) the development and implementation of state and local standards and measures; and

(B) the coordination of the standards and measures;

concerning the applicable federal programs.

(3) Perform the duties as set forth in federal law of the particular advisory bodies for applicable federal programs described in section 4 of this chapter.

(4) Identify the workforce needs in Indiana and recommend to the governor, *general assembly, commission for higher education, and state board of education* goals to meet the investment needs.

(5) Recommend to the governor, *general assembly, commission for higher education, and state board of education* goals for the development and coordination of the talent development system in Indiana.

(6) Prepare and recommend to the governor, *general assembly, commission for higher education, and state board of education* a strategic plan to accomplish the goals developed under subdivisions (4) and (5).

(7) Monitor and direct the implementation of and evaluate the effectiveness of the strategic plan described in subdivision (6).

(8) Advise the governor, *general assembly, commission for higher education, and state board of education* on the coordination of federal, state, and local education and training programs and on the allocation of state and federal funds in Indiana to promote effective services, service delivery, and innovative programs.

(9) Review and approve regional workforce development board plans, and work with regional workforce development boards to determine appropriate metrics for workforce programming at the state and local levels.

(10) Design for implementation a comprehensive career navigation and coaching system as described in section 11 of this chapter.

(11) Conduct a systematic and comprehensive review, analysis, and evaluation of workforce funding described in section 12 of this chapter.

(12) Conduct a systematic and comprehensive review, analysis, and evaluation of the college and career funding described in section 13 of this chapter.

(13) Based on the reviews in sections 12 and 13 of this chapter, direct the appropriate state agencies to implement administrative changes to the delivery of these programs that align with Indiana's workforce goals, and make recommendations to:

(A) the governor;

(B) the commission for higher education;

(C) the state board of education; and

(D) the ~~*legislative council*~~ *general assembly* in an ~~*in*~~ electronic format under IC 5-14-6;

on possible legislative changes in the future.

(14) Study the advisability of establishing one (1) or more real world career readiness programs as described in section 14 of this chapter and report to:

(A) the governor;

(B) the commission for higher education;

(C) the state board of education; and

(D) the ~~*legislative council*~~ *general assembly* in an electronic format

under IC 5-14-6;

concerning the results of the study.

(15) Conduct a systematic and comprehensive review, analysis, and evaluation of whether:

(A) Indiana's primary, secondary, and postsecondary education systems are aligned with employer needs; and

(B) Indiana's students and workforce are prepared for success in the twenty-first century economy.

(16) Create a comprehensive strategic plan to ensure alignment between Indiana's primary, secondary, and postsecondary education systems with Indiana's workforce training programs and employer needs.

~~*(15)*~~ **(17)** *Administer the workforce diploma reimbursement program established by IC 22-4.1-27-7.*

(18) Work with stakeholders from early learning to the workforce to establish alignment and coordination between the early learning advisory committee (established by IC 12-17.2-3.8-5), state board of education, commission for higher education, and department of workforce development.

~~*(17)*~~ ~~*(16)*~~ ~~(18)~~ **(19)** Carry out other policy duties and tasks as assigned by the governor.

SECTION 2. IC 4-3-27-5, AS AMENDED BY SEA 272-2020, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The membership of the governor's workforce cabinet established under section 3 of this chapter consists of at least ~~twenty-three (23)~~ **thirty-one (31)** members as follows:

(1) A chairperson appointed by the governor.

(2) The secretary of career connections and talent, **serving as a nonvoting member.**

(3) The commissioner of the department of workforce development.

(4) The secretary of commerce or the secretary of commerce's designee, **serving as a nonvoting member.**

(5) The commissioner of the Indiana commission for higher education.

(6) The superintendent of public instruction.

(7) The president of Ivy Tech Community College.

(8) The president of Vincennes University.

(9) One (1) member representing a research university appointed by the governor.

(10) One (1) member representing a comprehensive university or an independent college appointed by the governor.

~~(9)~~ **(11)** A member appointed by the governor who is an apprenticeship coordinator of a joint labor-management apprenticeship program approved by the United States Department of Labor, Employment and Training Administration, Office of Apprenticeship.

~~(10)~~ **(12)** A member representing high school career and technical education **educators or** directors appointed by the governor in consultation with the Indiana Association of Career and Technical Education Districts.

~~(11)~~ **(13) Either:**

(A) a member representing manufacturing appointed by the governor in consultation with the Indiana Manufacturers Association; **or**

(B) an employee of the Indiana Manufacturers Association appointed by the governor.

~~(12)~~ **(14)** A member representing a minority business enterprise appointed by the governor.

~~(13)~~ **(15)** A member representing a women's business enterprise appointed by the governor.

~~(14)~~ **(16)** A member representing a veteran owned business appointed by the governor.

~~(15)~~ **(17)** A member representing the nonunion and construction trades appointed by the governor in consultation with the Associated Builders and Contractors, Inc., and the Indiana Builders Association.

~~(16)~~ **(18) Either:**

(A) a business owner appointed by the governor in consultation with the Indiana Chamber of Commerce; **or**

(B) an employee of the Indiana Chamber of Commerce appointed by the governor.

~~(17)~~ **(19)** A small business owner appointed by the governor in consultation with the National Federation of Independent Businesses.

~~(18)~~ **(20)** A member of a community-based organization appointed by the governor.

~~(19)~~ **(21)** Three (3) at-large business owners appointed by the governor, one (1) of whom is a business owner who employs less than fifty (50) employees. **One (1) member appointed under this subdivision shall be from an organization representing technology.**

(22) A school principal, appointed by the governor.

(23) A school superintendent, appointed by the governor.

(24) The commissioner of the department of correction, serving as a nonvoting member.

(25) The secretary of family and social services, serving as a nonvoting member.

~~(20)~~ **(26)** A member of the house of representatives appointed by the speaker of the house of representatives who serves as a nonvoting member.

~~(21)~~ **(27)** A member of the senate appointed by the president pro tempore of the senate who serves as a nonvoting member.

~~(22)~~ **(28)** Any additional members designated and appointed by the governor.

(b) The members appointed under subsection ~~(a)(11)~~ **(a)(13)** through ~~(a)(19)~~ **(a)(21)** must be geographically diverse.

SECTION 3. IC 4-3-27-6, AS AMENDED BY P.L.143-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) Members shall be appointed to the cabinet for two (2) year terms. The terms must be staggered so that the terms of half of the members expire each year. **The governor must rotate appointments described in section 5(a)(9) and 5(a)(10) of this chapter so that the same research university, comprehensive university, or independent college is not represented on the cabinet for two (2) consecutive terms.**

(b) For members appointed by the governor, the governor shall promptly make an appointment to fill any vacancy on the cabinet, but only for the duration of the unexpired term.

(Reference is to EHB 1419 as printed February 28, 2020.)

BEHNING	RAATZ
PORTER	FORD, J.D.
House Conferees	Senate Conferees

Roll Call 362: yeas 91, nays 3. Report adopted.

CONFERENCE COMMITTEE REPORT
ESB 256–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 256 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 2-5-1.3-13, AS AMENDED BY P.L.2-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. (a) A study committee shall study the issues assigned by the legislative council that are within the subject matter for the study committee, as described in section 4 of this chapter.

(b) In addition to the issues assigned under subsection (a), the interim study committee on roads and transportation shall advise the bureau of motor vehicles regarding the suitability of a special group (as defined in IC 9-13-2-170) to receive a special group recognition license plate for the special group (as defined in IC 9-13-2-170) for the first time under IC 9-18.5-12-4 and the suitability of a special group (as defined in IC 9-13-2-170) to continue participating in the special group recognition license plate program under IC 9-18.5-12-5.

(c) In addition to the issues assigned under subsection (a), the interim study committee on corrections and criminal code shall review current trends with respect to criminal behavior, sentencing, incarceration, and treatment and may:

(1) identify particular needs of the criminal justice system that can be addressed by legislation; and

(2) prepare legislation to address the particular needs found by the committee.

(d) In each even-numbered year, in addition to the issues assigned under subsection (a), the interim study committee on courts and the judiciary shall review, consider, and make recommendations concerning all requests for new courts, new judicial officers, and changes in jurisdiction of existing courts. A request under this subsection must include at least the following information to receive full consideration by the committee:

(1) The level of community support for the change, including support from the local fiscal body.

(2) The results of a survey that shall be conducted by the county requesting the change, sampling members of the bar, members of the judiciary, and local officials to determine needs and concerns of existing courts.

(3) Whether the county is already using a judge or magistrate from an overserved area of the judicial district.

(4) The relative severity of need based on the most recent weighted caseload measurement system report published by the office of judicial administration.

(5) Whether the county is using any problem solving court as described in IC 33-23-16-11, and, if so, the list of problem solving courts established in the county, and any evaluation of the impact of the problem solving courts on the overall judicial caseload.

(6) A description of the:

(A) county's population growth in the ten (10) years before the date of the request; and

(B) projected population growth in the county for the ten (10) years after the date of the request, to the extent available;

and any documentation to support the information provided under this subdivision.

(7) A description of the county's use of pre-incarceration diversion services and post-incarceration reentry services in an effort to decrease recidivism.

(8) If the request is a request for a new court or new courts, an acknowledgment from the county fiscal body (as defined in IC 36-1-2-6) with the funding sources and estimated costs the county intends to pay toward the county's part of the operating costs associated with the new court or new courts.

The office of judicial administration shall post the list of required information provided under this subsection on its Internet web site.

(e) In each even-numbered year, in addition to the issues assigned under subsection (a), the interim study committee on courts and the judiciary shall review the most recent weighted caseload measurement system report published by the office of judicial administration and do the following:

(1) Identify each county in which the number of courts or judicial officers exceeds the number used by the county in that report year.

(2) Determine the number of previous report years in which the number of courts or judicial officers in a county identified in subdivision (1) exceeded the number used by the county in that particular report year.

(3) Make a recommendation on whether the number of courts or judicial officers in the county should be decreased.

The office of judicial administration shall post a list of the number of courts or judicial officers used in each county for each report year, and the number of years in which the number of courts or judicial officers in the county has exceeded the number used by the county, on its Internet web site.

SECTION 2. IC 33-33-10-1.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 1.1. IC 33-29-1 does not apply to this chapter.**

SECTION 3. IC 33-33-10-2.5, AS ADDED BY P.L.201-2011, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2.5. (a) The Clark circuit court is a court of general jurisdiction with four (4) judges. The divisions of the court shall be known as Clark circuit court No. 1, No. 2, No. 3, and No. 4. Clark County constitutes the judicial district of the court and each of the court's divisions. The court shall maintain the following dockets:

(1) A small claims and misdemeanor division under IC 33-28-3 that has a:

(A) small claims docket; and

(B) minor offenses and violations docket.

(2) Criminal.

(3) Juvenile.

(4) Civil.

(5) Probate.

(b) The assignment of judges of the circuit court to the dockets specified in subsection (a) must be by rule of the circuit court.

(c) This section expires January 1, 2025.

SECTION 4. IC 33-33-10-2.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 2.7. (a) This section applies beginning January 1, 2025.**

(b) The Clark circuit court is a court of general jurisdiction with six (6) judges.

(c) The court shall have six (6) divisions, known as Clark circuit court No. 1, No. 2, No. 3, No. 4, No. 5, and No. 6.

(d) Clark County constitutes the judicial district of the court and each of the court's divisions.

(e) The court shall maintain the following dockets:

(1) A small claims and misdemeanor division under IC 33-28-3 that has a:

(A) small claims docket; and

(B) minor offenses and violations docket.

(2) Criminal.

(3) Juvenile.

(4) Civil.

(5) Probate.

(f) The assignment of judges of the circuit court to the dockets specified in subsection (e) must be by rule of the circuit court.

SECTION 5. IC 33-33-10-2.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 2.8. (a) The first judge of Clark circuit court No. 5 elected under Article 7, Section 7 of the Constitution of the State of Indiana shall:**

(1) be elected at the November 2024 general election;

(2) take office January 1, 2025; and

(3) serve a term of six (6) years.

(b) The first judge of Clark circuit court No. 6 elected under Article 7, Section 7 of the Constitution of the State of Indiana shall:

(1) be elected at the November 2024 general election;

(2) take office January 1, 2025; and

(3) serve a term of six (6) years.

(c) This section expires January 1, 2026.

SECTION 6. IC 33-33-10-3.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 3.1. (a) Two (2) superior courts are established in Clark County.**

(b) Each court established by subsection (a) consists of one (1) judge, appointed by the governor.

(c) Each judge appointed under subsection (b) will take office July 1, 2021.

(d) The term of office of a judge appointed under subsection (b) expires January 1, 2025.

(e) To be eligible to hold office as a judge of Clark superior court, an individual must be:

(1) a resident of Clark County; and

(2) admitted to the bar of Indiana.

(f) The courts established by subsection (a) will convert to Clark circuit court No. 5 and Clark circuit court No. 6 on January 1, 2025.

(g) This section expires January 2, 2025.

SECTION 7. IC 33-33-10-4.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 4.1. (a) The superior courts shall be known as Clark superior court No. 5 and Clark superior court No. 6.**

(b) Clark County constitutes the judicial district of each court.

(c) Each superior court shall be a court of record having the same jurisdiction as the circuit court. A judge of the superior court has the same powers relating to the conduct of business of the court as the judge of the circuit court.

(d) Each court shall have a seal containing the words "Clark Superior Court _____ (insert "No. 5" or "No. 6") of Clark County, Indiana".

(e) This section expires January 1, 2025.

SECTION 8. IC 33-33-10-5.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 5.1. (a) Each judge of a superior court may make and adopt rules and regulations for conducting the business of the judge's court, not inconsistent with Indiana law.**

(b) This section expires January 1, 2025.

SECTION 9. IC 33-33-10-6.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 6.1. (a) Each judge of a superior court has the same power to do any of the following as is conferred on circuit courts or the judges of circuit courts:**

(1) Grant restraining orders and injunctions.

(2) Issue writs of habeas corpus and of mandate and prohibition.

(3) Appoint receivers, master commissioners to convey real property, and grant commissions for the examination of witnesses.

(4) Appoint other officers necessary to facilitate and transact the business of the court.

(b) This section expires January 1, 2025.

SECTION 10. IC 33-33-10-7.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 7.1. (a) Each superior court shall hold its sessions at the courthouse of the county, or at other convenient places in the county as the court designates.**

(b) The county commissioners shall provide suitable quarters for each court.

(c) This section expires January 1, 2025.

SECTION 11. IC 33-33-10-8.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 8.1. (a) The clerk, under the direction of a judge of the superior court, shall provide order books, judgment dockets, execution dockets, fee books, and such other books, papers, and records as are necessary for that court.**

(b) All books, papers, and proceedings of each court shall be kept distinct and separate from those of other courts, and the records of all civil cases separate and apart from the records of juvenile matters.

(c) This section expires January 1, 2025.

SECTION 12. IC 33-33-10-9.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 9.1. (a) Each judge of a superior court shall appoint a bailiff for the court, whose salary shall be fixed and paid as provided by law.**

(b) This section expires January 1, 2025.

SECTION 13. IC 33-33-10-10.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 10.1. (a) Each judge of a superior court shall appoint a court reporter, whose duties, salary, and term shall be regulated in the same manner as the court reporter of circuit courts.**

(b) This section expires January 1, 2025.

SECTION 14. IC 33-33-10-11.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 11.1. (a) All laws governing the circuit court in matters of pleading, practice, the issuing and service of process, the giving of**

notice, the appointment of judges pro tempore and special judges, changes of venue from the judge and from the county, adjournments by the court and by the clerk in the absence of the judge, and the selection of jurors for the court are applicable to and govern the superior courts.

(b) This section expires January 1, 2025.

SECTION 15. IC 33-33-10-12.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 12.1. (a) The process of each superior court must have the seal affixed and be attested, directed, served, and returned, and be in the form as is provided for process issuing from the circuit court.**

(b) This section expires January 1, 2025.

SECTION 16. IC 33-33-10-15.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 15.3. (a) A judge of the circuit court may, with the consent of a judge of the superior court, transfer any action or proceeding from the circuit court to that superior court.**

(b) A judge of the superior court may, with the consent of a judge of the circuit court, transfer any action or proceeding from that superior court to that circuit court.

(c) A judge of the superior court may, with the consent of the judge of the other superior court, transfer any action or proceeding from that superior court to the other superior court.

(d) A judge of the circuit court may, with the consent of a judge of the superior court, sit as a judge of that superior court in any matter, as if the judge were judge of that superior court.

(e) A judge of the superior court may, with consent of a judge of the circuit court, sit as a judge of that circuit court as if the judge were judge of the circuit court.

(f) A judge of the superior court may, with the consent of the judge of the other superior court, sit as judge of the other superior court as if the judge of that superior court.

(g) This section expires January 1, 2025.

SECTION 17. IC 33-33-18-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) The Delaware circuit court is a court of general jurisdiction with ~~five (5)~~ **six (6)** judges. The divisions of the court shall be known as Delaware circuit court No. 1, No. 2, No. 3, No. 4, ~~and~~ No. 5, **and No. 6.** The county of Delaware constitutes the judicial district of the court and each of the court's divisions. The court shall maintain the following dockets:

(1) Small claims.
(2) Minor offenses and violations.
(3) Criminal.
(4) Juvenile.
(5) Civil.
(6) Probate.

(b) The assignment of judges of the court to the dockets specified in subsection (a) shall be by rule of the court. ~~However, Delaware circuit court No. 4 and Delaware circuit court No. 5 shall each have a standard small claims and misdemeanor docket.~~

SECTION 18. IC 33-33-18-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 2.1. (a) Notwithstanding section 2 of this chapter, Delaware circuit court No. 6 is established January 1, 2023.**

(b) The first judge of Delaware circuit court No. 6 shall:

(1) be elected at the November 2022 general election;
(2) take office January 1, 2023; and
(3) serve a term of six (6) years.

(c) This section expires January 1, 2029.

SECTION 19. IC 33-33-26-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. **(a)** Gibson County constitutes the sixty-sixth judicial circuit.

(b) The judges of the Gibson superior court and Gibson circuit court may appoint one (1) full-time magistrate under IC 33-23-5 to serve both courts.

(c) The magistrate continues in office until removed by the judge of the Gibson superior court and the judge of the Gibson circuit court.

SECTION 20. IC 33-33-29-6, AS AMENDED BY P.L.12-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 6. (a) The judge of the Hamilton circuit court and the judges of the Hamilton superior courts may jointly appoint ~~three (3)~~ **four (4)** full-time magistrates under IC 33-23-5 to serve the circuit and superior courts.

(b) A magistrate continues in office until jointly removed by the judge of the Hamilton circuit court and the judges of the Hamilton superior courts.

SECTION 21. IC 33-33-40-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. (a) Jennings County constitutes the eighty-sixth judicial circuit.

(b) The Jennings circuit court has a standard small claims and misdemeanor division.

(c) The judge of the Jennings circuit court and the judge of the Jennings superior court may jointly appoint one (1) full-time magistrate under IC 33-23-5 to serve the circuit and superior courts.

(d) A magistrate continues in office until jointly removed by the judge of the Jennings circuit court and the judge of the Jennings superior court.

SECTION 22. IC 33-33-50-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) There are established ~~two (2)~~ **three (3)** courts of record to be known as the Marshall superior court No. 1, ~~and~~ the Marshall superior court No. 2, **and the Marshall superior court No. 3.**

(b) The Marshall superior courts are standard superior courts as described in IC 33-29-1.

(c) Marshall County comprises the judicial district of each court.

SECTION 23. IC 33-33-50-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. The Marshall superior court No. 1 has one (1) judge who shall hold sessions in the Marshall County courthouse in Plymouth. The Marshall superior court No. 2 has one (1) judge who shall hold sessions in a place in the county as the board of county commissioners may provide. **The Marshall superior court No. 3 has one (1) judge who shall hold sessions in a place in the county as the board of county commissioners may provide.**

SECTION 24. IC 35-33-8-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 12. (a) As used in this section, "disposition" has the meaning set forth in section 3.2(c) of this chapter.**

(b) The Indiana criminal justice institute shall collect the following data from each court exercising criminal jurisdiction in Indiana:

(1) Of those defendants who are released on personal recognizance, the number of defendants who are rearrested before the disposition of the defendant's charges.
(2) Of those defendants who are released pursuant to the payment of money bail of one thousand dollars ($1,000) or less, the number of defendants who are rearrested before the disposition of the defendant's charges.

(c) Data collected under subsection (b) shall be compiled in such a manner to present the rearrest rate for:

(1) the entire state;
(2) each county; and
(3) each circuit, superior, city, and town court, including each separate division of

each court, if applicable.

(d) The Indiana criminal justice institute shall, before August 1, 2021, and before August 1 of each year thereafter, submit an annual report containing the information collected under this section to the legislative council in an electronic format under IC 5-14-6. The initial report submitted by the Indiana criminal justice institute before August 1, 2021, must also include all data described in subsection (b) for the period beginning after December 31, 2019, through December 31, 2020.

SECTION 25. [EFFECTIVE JULY 1, 2020] **(a) As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.**

(b) The legislative council is urged to assign to the interim study committee on courts and the judiciary during the 2020 legislative interim the topic of providing mutual full faith and credit to the judgments, decrees, orders, warrants, subpoenas, and other judicial acts of a tribal court of a federally recognized Indian tribe (as defined by IC 5-33.5-2-1) that are not already given full faith and credit as required under federal law.

(Reference is to ESB 256 Digest Correction as printed February 28, 2020.)

KOCH	MCNAMARA
TAYLOR	DELANEY
Senate Conferees	House Conferees

Roll Call 363: yeas 66, nays 28. Report adopted.

CONFERENCE COMMITTEE REPORT
ESB 340–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 340 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 32-21-2-3, AS AMENDED BY P.L.14-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Except as provided in subsection (c), a conveyance, a mortgage, or an instrument of writing to be recorded must be:

(1) acknowledged by the grantor; ~~or~~ **and**

(2) proved before a:

(A) judge;

(B) clerk of a court of record;

(C) county auditor;

(D) county recorder;

(E) notary public;

(F) mayor of a city in Indiana or any other state;

(G) commissioner appointed in a state other than Indiana by the governor of Indiana;

(H) minister, charge d'affaires, or consul of the United States in any foreign country;

(I) clerk of the city county council for a consolidated city, city clerk for a second class city, or clerk-treasurer for a third class city;

(J) clerk-treasurer for a town; or

(K) person authorized under IC 2-3-4-1.

(b) In addition to the requirements under subsection (a), a conveyance may not be recorded after June 30, 2007, unless it meets the requirements of this subsection. The conveyance must include a statement containing substantially the following information:

"The mailing address to which statements should be mailed under IC 6-1.1-22-8.1 is [insert proper mailing address]. The mailing address of the grantee is [insert proper mailing address].".

The mailing address for the grantee must be a street address or a rural route address. A conveyance complies with this subsection if it contains the address or addresses required by this subsection at the end of the conveyance and immediately preceding or following the statements required by IC 36-2-11-15.

(c) This section does not apply to the Indiana department of transportation.

SECTION 2. IC 32-24-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) Upon the filing of a complaint under this chapter, the circuit court clerk shall issue a notice requiring the defendants to appear before the court on the day to be fixed by the plaintiff by indorsement on the complaint at the time of filing the complaint, and to show cause, if any, why the property sought to be condemned should not be acquired. **The notice must also provide notice to defendants of their right to object under section 8 of this chapter not later than thirty (30) days from the date the notice is served. The notice must include, either as an attachment or as part of the language of the notice, the full text of section 8 of this chapter.** The notice shall be substantially in the following form:

In the _____ Court of Indiana.

To the Sheriff of _____ County, Indiana:

You are hereby commanded to notify _____, defendants, to appear before the _____ Court of _____ County, Indiana on the ____ day of _____, 20_____, at _____ o'clock, __ M. ~~to show cause, if any, they have why the~~ **to object to the condemnation of** property sought to be acquired in the complaint of _____. ~~should not be acquired.~~ **If defendants object to the acquisition of the property, defendants must file objections with the court under IC 32-24-1-8 not later than thirty (30) days after the date this notice is served. The court may extend the period for filing objections by an additional thirty (30) days upon written motion of the defendants.**

Witness my hand and the seal of the court affixed at _____, Indiana, this ___ day of _____, 20_____.

Clerk of _____ Court.

(b) The notice shall be served in the same manner as a summons is served in civil actions. Upon a showing by affidavit that any defendant is a nonresident of Indiana or that the defendant's name or residence is unknown, publication and proof of the notice may be made as provided in section 7 of this chapter.

SECTION 3. IC 32-24-1-8, AS AMENDED BY P.L.146-2017, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) A defendant may object to the proceedings:

(1) because the court does not have jurisdiction either of the subject matter or of the person;

(2) because the plaintiff does not have the right to exercise the power of eminent domain for the use sought; or

(3) for any other reason disclosed in the complaint or set up in the objections.

(b) Objections under subsection (a) must be:

(1) in writing;

(2) separately stated and numbered; and

(3) filed not later than thirty (30) days after the date the notice required in section 6 of this

chapter is served on the defendant. However, the court may extend the period for filing objections by not more than thirty (30) days upon written motion of the defendant.

(c) The court may not allow pleadings in the cause other than the complaint, any objections, and the written exceptions provided for in section 11 of this chapter. However, the court may permit amendments to the pleadings.

(d) If an objection is sustained, the plaintiff may amend the complaint or may appeal from the decision in the manner that appeals are taken from final judgments in civil actions. All the parties shall take notice and are bound by the judgment in an appeal.

(e) If the objections are overruled, the court shall appoint appraisers as provided for in this chapter. Any defendant may appeal the interlocutory order overruling the objections and appointing appraisers in the manner that appeals are taken from final judgments in civil actions.

(f) All the parties shall take notice of and be bound by the judgment in the appeal.

(g) The transcript must be filed in the office of the clerk of the supreme court not later than thirty (30) days after the notice of the defendant's appeal is filed. The appeal does not stay proceedings in the cause.

(h) This subsection does not apply to a condemnation action brought by a public utility (as defined in section 5.9(a) of this chapter) or by a pipeline company. Notwithstanding section 14 of this chapter, if an objection:

(1) is sustained, and no appeal is filed; or

(2) is sustained in the judgment in the appeal;

the court shall award the defendant the reasonable costs and attorney's fees incurred for the objection, in an amount not to exceed twenty-five thousand dollars ($25,000).

SECTION 4. IC 32-24-2-6, AS AMENDED BY P.L.172-2009, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) This chapter applies if the works board of a municipality wants to acquire property for the use of the municipality or to open, change, lay out, or vacate a street, an alley, or a public place in the municipality, including a proposed street or alley crossings of railways or other rights-of-way. However, this chapter does not apply if a municipality wants to acquire the property of a public utility (as defined in IC 8-1-2-1).

(b) The works board must adopt a resolution that the municipality wants to acquire the property. The resolution must describe the property that may be injuriously or beneficially affected. The board shall have notice of the resolution:

(1) published in a newspaper of general circulation published in the municipality once each week for two (2) consecutive weeks; **and**

(2) mailed to the owner of each piece of property affected by the proposed acquisition.

The notice must name a date, at least ~~ten (10)~~ **thirty (30)** days after the last publication, at which time the board will receive or hear remonstrances from persons interested in or affected by the proceeding.

(c) The works board shall consider the remonstrances, if any, and then take final action, confirming, modifying, or rescinding its original resolution. ~~This action is conclusive as to all persons.~~

SECTION 5. IC 32-24-2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) Upon the completion of the list, the works board shall award the damages sustained and assess the benefits accruing to each piece of property on the list.

(b) When the assessments or awards are completed, the works board shall have a written notice served upon the owner of each piece of property, showing the amount of the assessment or award, by:

(1) if the owner is a resident of the municipality, leaving a copy of the notice at the owner's last usual place of residence in the municipality or by delivering a copy to the owner personally **and mailing a copy of the notice to the owner's address of record; or**

(2) if the owner is not a resident of the municipality, by sending the notice to the owner's address of record by certified mail.

(c) ~~If the owner is a nonresident, or~~ If the owner's residence is unknown, the municipality shall notify the owner by publication in a daily newspaper of general circulation in the municipality once each week for three (3) successive weeks.

(d) The notices must also name a day, at least ~~ten (10)~~ **thirty (30)** days after service of notice or after the last publication, on which the works board will receive or hear remonstrances from ~~persons~~ **owners** with regard to:

(1) the amount of their respective awards or assessments; **and**

(2) objections to the municipality's right to exercise the power of eminent domain for the use sought.

(e) Persons not included in the list of the assessments or awards and claiming to be entitled to them are considered to have been notified of the pendency of the proceedings by the original notice of the resolution of the works board.

(f) The notice required by this section must provide the full text of subsection (d) to provide notice to the property owners of their right to object to the condemnation and be in substantially the same form as the notice required under IC 32-24-1-6(a).

SECTION 6. IC 32-24-2-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) A person notified or considered to be notified under this chapter may appear before the works board on the day fixed for hearing remonstrances to awards and assessments **and the municipality's right to exercise the power of eminent domain for the use sought** and remonstrate in writing against them.

(b) After the remonstrances have been received, the works board shall either sustain or modify the awards or assessments in the case of remonstrances that have been filed **that are based on the amount of the awards or assessments.** The works board shall sustain the award or assessment in the case of an award or assessment against which a remonstrance has not been filed.

(c) If a person remonstrates in writing an objection to the municipality's right to exercise the power of eminent domain for the use sought, the works board shall consider the remonstrance and confirm, modify, or rescind its original resolution.

~~(c)~~ **(d)** A person remonstrating in writing who is aggrieved by the decision of the works board may, not later than ~~twenty (20)~~ **thirty (30)** days after the decision is made, take an appeal to a court that has jurisdiction in the county in which the municipality is located. The appeal affects only the assessment or award of the person appealing.

SECTION 7. IC 32-24-2-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) The appeal may be taken by filing an original complaint in the court against the municipality within the time required by section ~~10(c)~~ **10(d)** of this chapter, setting forth the action of the works board with respect to the assessment and stating the facts relied upon as showing an error on the part of the board. The court shall rehear the matter of the assessment de novo and confirm, reduce, or increase the assessment. If the court reduces the amount of benefit assessed or increases the amount of damages awarded, the plaintiff may recover costs. If the court confirms the amount of the assessment, the plaintiff may not recover costs. ~~The judgment of the court is conclusive, and an appeal may not be taken from the court's judgment.~~

(b) If upon appeal the benefits assessed or damages awarded by the works board are reduced or increased, the municipality may, upon the payment of costs, discontinue the proceedings. It may also, through the works board, make and adopt an additional assessment against all the property originally assessed in the proceeding, or that part that is benefitted, in the manner provided for the original assessment. However, such an assessment against any one (1) piece of property may not exceed ten percent (10%) of the original assessment against it.

(c) If the municipality decides to discontinue the proceedings upon payment of costs and if assessments for benefits have already been paid, the amounts paid shall be paid back to the person or persons paying them.

(d) The parties may appeal a court's judgment under this section in the manner that appeals are taken from final judgments in civil actions. All of the parties shall take notice of and be bound by the judgment of the appeal.

SECTION 8. IC 32-24-4.5-11, AS ADDED BY P.L.163-2006, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) This section applies to a parcel of real property located in a project area:

(1) that is located in only one (1) county;
(2) that is at least ten (10) acres in size; and
(3) in which a condemnor or its agents has acquired clear title to at least ninety percent (90%) of the parcels in the project area.

(b) As used in this section, "project area" means an area designated by a condemnor and the legislative body for the condemnor for economic development.

(c) Notwithstanding sections 7 and 8 of this chapter, a condemnor may acquire a parcel of real property by the exercise of eminent domain under this section only if all of the following conditions are met:

(1) The parcel of real property is not occupied by the owner of the parcel as a residence.
(2) The legislative body for the condemnor adopts a resolution by a ~~two-thirds (2/3)~~ **three-fourths (3/4)** vote that authorizes the condemnor to exercise eminent domain over a particular parcel of real property.

(d) A condemnor that acquires a parcel of real property through the exercise of eminent domain under this section shall compensate the owner of the parcel as follows:

(1) Payment to the owner equal to one hundred twenty five percent (125%) of the fair market value of the parcel as determined under IC 32-24-1.
(2) Payment of any other damages as determined under IC 32-24-1 and any loss incurred in a trade or business that is attributable to the exercise of eminent domain.
(3) Payment of the owner's relocation costs, if any.

(e) The condemnor may not acquire a parcel of real property through the exercise of eminent domain under this section if the owner of the parcel demonstrates by clear and convincing evidence that:

(1) the location of the parcel is essential to the viability of the owner's commercial activity and **the payment of damages and relocation costs cannot adequately compensate the owner of the parcel; or**
(2) ~~the payment of damages and relocation costs cannot adequately compensate the owner of the parcel.~~ **the parcel is not necessary for the economic development project for which it is sought.**

(f) The court shall award the payment of reasonable attorney's fees to the owner of a parcel in accordance with this chapter.

(Reference is to ESB 340 as printed February 25, 2020.)

SPARTZ	WOLKINS
TAYLOR	BAUER
Senate Conferees	House Conferees

Roll Call 340: yeas 94, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT
ESB 433–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 433 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 14-28-1-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 23. (a) The director may remove or eliminate a structure, an obstruction, a deposit, or an excavation in a floodway that:

(1) adversely affects the efficiency of or unduly restricts the capacity of the floodway;
(2) constitutes an unreasonable hazard to the safety of life or property; or
(3) is unreasonably detrimental to fish, wildlife, or botanical resources;

by an action in condemnation.

(b) In assessing the damages in the proceedings, the appraisers and the court shall take into consideration whether the structure, obstruction, deposit, or excavation is legally in or on the floodway.

(c) Beginning January 1, 2020, the director shall not exercise the authority under subsection (a) to remove or eliminate an abode or residence from a floodway if:

(1) the abode or residence was constructed before January 1, 2020;
(2) the owner of the abode or residence has taken necessary measures to elevate the lowest floor of the abode or residence, as reconstructed, including the basement, to at least two (2) feet above the one hundred (100) year flood elevation within two (2) years after receiving notification from the department concerning the abode or residence; and
(3) the owner of the abode or residence has taken necessary measures to comply with all applicable local, state, and federal floodway regulations.

SECTION 2. **An emergency is declared for this act.**

(Reference is to ESB 433 as reprinted March 3, 2020.)

BASSLER	LINDAUER
TALLIAN	PFAFF
Senate Conferees	House Conferees

Roll Call 365: yeas 93, nays 1. Report adopted.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the appointment of Representatives to conference committees on the following Engrossed House Bills (the Representative listed first is the Chair):

EHB 1006	Conferees:	Engleman and Wright
	Advisors:	Schaibley, Bartlett and Hatfield

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

ESB 148	Conferees:	Representative Manning replacing Shackleford
ESB 229	Conferees:	Representative Prescott replacing Errington
	Advisors:	Representative Prescott removed

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1049, 1059, 1063, 1099, 1111, 1120, 1148, 1176, 1182, 1209, 1225, 1244, 1246, 1264, 1265, 1283, 1309, 1313, 1341, 1343, 1353 and 1392 on March 10.

OTHER BUSINESS ON THE SPEAKER'S TABLE

HOUSE MOTION

Mr. Speaker: I move that Representative Kirchhofer be removed as author of House Bill 1006 and Representative Engleman be substituted therefor and Representative Engleman be removed as coauthor.

KIRCHHOFER

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Moed be removed as cosponsor of Engrossed Senate Bill 148.

MILLER

Motion prevailed.

On the motion of Representative VanNatter, the House adjourned at 7:23 p.m., this tenth day of March, 2020, until Wednesday, March 11, 2020, at 10:00 a.m.

BRIAN C. BOSMA
Speaker of the House of Representatives

M. CAROLINE SPOTTS
Principal Clerk of the House of Representatives

Journal of the House

State of Indiana

121st General Assembly — Second Regular Session

Thirty-Third Day — **Wednesday Morning** — **March 11, 2020**

The invocation was offered by Pastor Stephen Williams of Martinsville Baptist Tabernacle in Martinsville, a guest of Representative Mayfield.

The House convened at 10:00 a.m. with Speaker Todd M. Huston in the Chair.

The Pledge of Allegiance to the Flag was led by Representative Jordan.

The Speaker ordered the roll of the House to be called:

Abbott
Austin
Aylesworth
Bacon
Baird
Barrett
Bartels
Bartlett
Bauer
Beck
Behning
Borders
Boy
T. Brown
Burton
Campbell
Candelaria Reardon ☐
Carbaugh
Cherry
Chyung
Clere
Cook
Davisson ☐
Deal
DeLaney
DeVon
Dvorak ☐
Eberhart
Ellington
Engleman
Errington
Fleming
Forestal ☐
Frye
GiaQuinta
Goodin
Goodrich
Gutwein
Hamilton
Harris
Hatcher
Hatfield ☐
Heaton
Heine ☐
Hostettler
Huston
Jackson
Jordan
Judy
Karickhoff
Kirchhofer
Klinker
Lauer
Lehe
Lehman
Leonard
Lindauer
Lucas ☐
Lyness
Macer
Manning
May
Mayfield ☐
McNamara
Miller
Moed
Morris
Morrison
Moseley ☐
Negele
Nisly
Pfaff
Pierce
Porter ☐
Prescott
Pressel
Pryor
Saunders
Schaibley
Shackleford
Sherman
Smaltz
V. Smith
Soliday
Speedy ☐
Steuerwald
Stutzman
Sullivan
Summers
Thompson
Torr
VanNatter
Vermilion
Wesco
Wolkins
Wright
J. Young
Zent
Ziemke
Mr. Speaker

Roll Call 366: 89 present; 11 excused. The Speaker announced a quorum in attendance. [*NOTE*: ☐ *indicates those who were excused*.]

RESOLUTIONS ON FIRST READING

House Resolution 67

Representative Chyung introduced House Resolution 67:

A HOUSE RESOLUTION congratulating Lake Central White hockey team.

Whereas, The Lake Central White hockey team won the 2019-2020 1A state championship on March 7, 2020;

Whereas, The Lake Central White faced Hamilton Southeastern B at Midwest Training & Ice Center in Dyer, winning a hard fought game, 3-2;

Whereas, The members of the Lake Central White hockey team include Ben Kutka, Mark Tripenfeldas, Christian Van Zuidem, Jayden Lazowski, Sam Ruzas, Jack Stokes, Bryce Keslin, A. J. Bandstra, Joey Marx, Zack Pamedis, Ryan Geenen, Dominic Formella, Tyler Geenen, R. J. Mance, Tyler Skertich, Jacob Skertich, Joe Heuberger, Anthony Cioe, Parker Zager, and Dylan Barkauskas;

Whereas, Lake Central White is led by coaches Jace Hodge, Chris Ruzas, Corey Crull, and Gina Lazowski; and

Whereas, Lake Central continues a proud tradition of hockey and community involvement in northern Indiana: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates the Lake Central White hockey team as 1A state final champions.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Chris Chyung for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 68

Representative Beck introduced House Resolution 68:

A HOUSE RESOLUTION congratulating Crown Point Varsity hockey team.

Whereas, The Crown Point Varsity hockey team won the 2019-2020 3A state championship on March 7, 2020, at Midwest Training & Ice Center in Hanover Township;

Whereas, The Bulldogs played great hockey as a single cohesive unit, winning against Indianapolis Brebeuf, 6-2;

Whereas, Six goals were made by six different goal scorers in what Northwest Indiana Times called a "depth that makes Crown Point dangerous";

Whereas, The members of the Crown Point Varsity hockey team include Evan Curry, Tucker Tone, Harry Wise, Kai Kekelik, Brendan Hegeduis, Cole Thompson, Donovan Hicks, Devin Hicks, Connor Philipp, Matthew Rovai, Gavin Houchin, Nickolas Crook, Tyler Philipp, Anthony Otten, Ryan Edgren, Conor Sivak, Daniel Dugan, Grant Walker, Noah Pollachek, and Joseph Gruber;

Whereas, Team captains Grant Walker and Brendan Hegeduis are seniors and finished the season with 12 goals and 10 assists and 21 goals and 23 assists, respectively;

Whereas, Assistant team captains Harry Wise and Nick Crook are seniors and finished the season with 4 goals and 4 assists and 17 goals and 13 assists, respectively;

Whereas, Goalie and senior Cole Thompson, with a solid defense provided in part by junior Conor Sivak and freshman Tyler Philipp, directly contributed to the team's success;

Whereas, Junior Joey Gruber was pivotal in scoring game winning goals during semi-state weekend against Culver B and big team rival Lake Central in overtime, finishing the season with 14 goals and 17 assists;

Whereas, Head coach Tim Philbin led the Bulldogs to their first state final win in 13 years;

Whereas, Coach Philbin and the Crown Point Varsity hockey team received essential support from assistant coach and Philbin's son, Bryan Philbin, assistant coaches Nick "Kaz" Kazmierczak and Tommy Merkelis, and goalie coach Dennis Biegel;

Whereas, Crown Point Varsity continues a proud tradition of hockey and community involvement in northern Indiana; and

Whereas, The Bulldogs' victory is their third overall state final win, and coach Tim Philbin believes the depth of skill on the team will result in continued success for years to come: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana House of Representatives congratulates the Crown Point Varsity hockey team as 3A state final champions.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Lisa Beck for distribution.

The resolution was read a first time and adopted by voice vote.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

EHB 1042	Conferee:	Representative Clere replacing Representative Davisson
	Advisors:	Remove Representative Clere as advisor
EHB 1207	Conferee:	Representative Clere replacing Representative Davisson
ESB 178	Conferee:	Representatives Wesco and Dvorak
	Advisors:	Representatives Bosma, Lehman, Steuerwald, Boy, Moseley and Pfaff

Representatives Candelaria Reardon and Porter, who had been excused, are now present.

Representatives Carbaugh and Lehman, who had been present, are now excused.

ACTION ON RULES SUSPENSIONS AND CONFERENCE COMMITTEE REPORTS

COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures has had under consideration House Rule 161.2 and recommends that it be suspended so that the following conference committee reports are eligible for consideration after March 3, 2020; we further recommend that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 8 hours, so that they may be eligible to be placed before the House for action:

Engrossed House Bills 1014 and 1385

Engrossed Senate Bills 299, 346 and 438

LEONARD, Chair

Report adopted.

HOUSE MOTION

Mr. Speaker: I move House Rule 161.2 be suspended so that the following conference committee reports are eligible for consideration after March 3, 2020, and that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 8 hours, so that they may be eligible to be placed before the House for action:

Engrossed House Bills 1014 and 1385

Engrossed Senate Bills 299, 346 and 438

LEONARD, Chair

Motion prevailed.

CONFERENCE COMMITTEE REPORT
EHB 1014–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1014 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 4-37-7-8, AS ADDED BY P.L.167-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. **(a)** The chief executive officer of the corporation may enter into a memorandum of understanding with one (1) or more nonprofit organizations that are recognized supporters of a specific state historic site and are exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. The memorandum of understanding may provide that the nonprofit organization or organizations may maintain a gift shop and offer special events at the state historic site.

(b) A memorandum of understanding entered into under this section may not do any of the following to restrict the fundraising activities of an organization described in subsection (a):

(1) Require the organization to deposit into the fund the proceeds of a fundraising activity approved by the chief executive officer.

(2) Require the organization to send money donated to the organization to the corporation.

(3) Require the approval of the chief executive officer, or the chief executive officer's designee, before the organization pursues general donations from individuals and other entities.

(4) Restrict, regulate, or limit the ability of the organization to hold offsite fundraising programs or activities.

(5) Restrict, regulate, or limit the ability of the organization to promote or advertise any onsite or offsite fundraising programs or activities on social media, via electronic mail, on an Internet web site, or by any other means.

(c) A memorandum of understanding entered into under this section may not do any of the following:

(1) Require the organization to be any type of supporting organization (as the term is used in the Internal Revenue Code).

(2) Require a representative of the corporation to be a voting or nonvoting member of the organization's board of directors.

(3) Require the organization to submit to the corporation any organization documents, correspondence, electronic mail, or other data that are not required to be submitted by the Internal Revenue Service.

(4) Require the organization to submit an audit of the organization's funds.

(5) Restrict, regulate, or otherwise limit the ability of the organization to promote any onsite or offsite activities.

(6) Allow the corporation to take a nonprofit organization's real or financial assets.

(7) Require the organization to pay any rental or other fee to support an event at a state historic site that is sponsored by the organization or the corporation.

(d) The corporation shall return to the organization any funds raised by the organization and donated to the corporation that:

(1) are designated as donor restricted funds for a specific use in a historic site project; and

(2) are not used for the donor's specified use in the historic site project;

upon the completion of the historic site project.

SECTION 2. **An emergency is declared for this act.**

(Reference is to EHB 1014 as printed February 18, 2020.)

LEHE	GASKILL
KLINKER	BUCK
House Conferees	Senate Conferees

Roll Call 367: yeas 84, nays 5. Report adopted.

Representatives Carbaugh, Dvorak, Lehman and Lucas, who had been excused, are now present.

CONFERENCE COMMITTEE REPORT
EHB 1385–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1385 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 6-6-11-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. As used in this chapter, "boat" ~~means any device in which a person may be transported upon water and includes every motorboat, sailboat, pontoon boat, rowboat, skiff, dinghy, or canoe, regardless of size.~~ **or "watercraft" has the meaning set forth for "watercraft" in IC 9-13-2-198.5.**

SECTION 2. IC 6-6-11-2 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 2. As used in this chapter, "boating equipment" means motors used in connection with a boat.~~

SECTION 3. IC 6-6-11-3 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 3. As used in this chapter, "boating year" means a calendar year.~~

SECTION 4. IC 6-6-11-4 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 4. As used in this chapter, "motorized boat" means a boat that is propelled by an internal combustion, steam, or electrical inboard or outboard motor or engine or propelled by any mechanical means, including a sailboat that is equipped with a motor or engine.~~

SECTION 5. IC 6-6-11-5, AS AMENDED BY P.L.245-2015, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 5. As used in this chapter, "tax situs" means the taxing district in which a boat is located on the ~~assessment date of a boating year unless:~~

~~(1) the boat is acquired after the assessment date, in which case the boat's tax situs is where the owner intends to have the boat on the following assessment date; or~~

~~(2) the boat is registered outside Indiana, in which case the boat's tax situs is the taxing district in which the boat is principally stored or operated during the boating year.~~ **date the boat is registered under IC 9-18.1-14.5.**

SECTION 6. IC 6-6-11-8, AS AMENDED BY P.L.178-2019, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 8. (a) Except as provided in ~~subsections~~ **subsection** (b), ~~and (d),~~ a boat may not be operated, used, docked, or stored ~~in a county~~ during any part of a ~~boating~~ **registration** year **unless:**

~~(1) unless:~~

~~(A) the boat excise tax; and~~

~~(B) the boat registration fees imposed by IC 9-31-3-9;~~

~~for that boat have been paid for that boating year; and~~

~~(2) unless valid boat excise tax decals for that boating year are affixed to the boat.~~

(1) the boat has been registered under IC 9-18.1-14.5; or

(2) the boat is not required to be registered under IC 9-18.1-14.5.

~~(b) A boat may be operated, used, docked, or stored in a county without the boat excise tax having been paid if:~~

~~(1) the boat is exempt from the excise tax under section 9 of this chapter; or~~

~~(2) the operator of the boat has in the operator's possession a bill of sale from a dealer or private individual that includes the following:~~

~~(A) The purchaser's name and address.~~

~~(B) A date of purchase that is not more than thirty-one (31) days preceding the date that the operator is required to show the bill of sale.~~

~~(C) The make and type of boat or the hull identification number.~~

(b) A boat is exempt from the boat excise tax imposed by this chapter if the boat is:

(1) exempt from registration fees under IC 9-18.1-14.5-7; or

(2) used by a person for the production of income and subject to assessment under IC 6-1.1, proof of which has been provided to the bureau.

(c) Boats that are subject to the boat excise tax for a ~~boating~~ **registration** year are not subject to assessment and taxation under IC 6-1.1 for ad valorem property taxes first due and payable in the following ~~boating~~ **registration** year, with respect to the taxpayer who must pay the boat excise tax.

~~(d) A boat may be operated, used, docked, or stored in a county without valid boat excise tax decals for that boating year being affixed to the boat if the decals do not have to be affixed to the boat under rules adopted by the department of natural resources.~~

(d) If the boat excise tax imposed by this chapter was not paid for one (1) or more preceding registration years, the bureau of motor vehicles may collect only the boat excise tax imposed by this chapter for the:

(1) registration year immediately preceding the current registration year;

(2) current registration year; and

(3) registration year immediately following the current registration year.

SECTION 7. IC 6-6-11-9 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 9. A boat is exempt from the boat excise tax imposed for a year if the boat is:~~

~~(1) owned by the United States;~~

~~(2) owned by the state or one (1) of its political subdivisions (as defined in IC 36-1-2-13);~~

~~(3) owned by an organization exempt from federal income taxation under 501(c)(3) of the Internal Revenue Code;~~

~~(4) a human powered vessel, as determined by the department of natural resources;~~

~~(5) held by a boat manufacturer, distributor, or dealer for sale in the ordinary course of business;~~

~~(6) used by a person for the production of income and subject to assessment under IC 6-1.1;~~

~~(7) stored in Indiana for less than twenty-two (22) consecutive days and not operated, used, or docked in Indiana;~~

~~(8) except as provided in subdivision (9), registered outside Indiana and operated, used, or docked in Indiana for a combined total of less than twenty-two (22) consecutive days during the boating year;~~

~~(9) a motorboat (as defined by IC 9-13-2-103.5) and is registered outside Indiana and docked on the Indiana part of Lake Michigan for a combined total of not more than one hundred eighty (180) consecutive days; or~~

~~(10) subject to the commercial vessel tonnage tax under IC 6-6-6.~~

SECTION 8. IC 6-6-11-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 10. (a) The amount of boat excise tax that a boat owner shall pay for a ~~boating~~ **registration** year is based on the boat's class and age.

(b) ~~Motorized boats and sailboats~~ **Boats** are classified for excise tax purposes according to the value of the boat when the boat was new. The amount of excise tax ~~for a boating year that is imposed for a motorized boat or a sailboat and owed by the boat owner~~ is prescribed in the following table:

~~MOTORIZED BOAT'S or SAILBOAT'S~~ **BOAT** VALUE

CLASS	WHEN NEW AT LEAST but	LESS THAN	TAX DUE
1	$ 0.01	$ 500	$ 2
2	500	1,000	6
3	1,000	1,500	20
4	1,500	2,000	30
5	2,000	3,000	42
6	3,000	5,000	55
7	5,000	7,500	70
8	7,500	10,000	88
9	10,000	15,000	110
10	15,000	22,500	150
11	22,500	35,000	200
12	35,000	50,000	275
13	50,000	75,000	375
14	75,000 or more		500

The bureau of motor vehicles ~~shall~~ **may** adopt rules under IC 4-22-2 for determining the value of new boats. A tax paid under subsection (c) may be used as a credit against the taxes owed for the same ~~boating~~ **registration** year under this subsection.

(c) Notwithstanding subsection (b), the amount of excise tax imposed and owed by a boat owner is twelve dollars ($12) for a ~~motorized~~ boat ~~or a sailboat~~ that is stored in Indiana for sixty (60) consecutive days or more but not operated, used, or docked in Indiana waters, except to facilitate storage of the boat.

SECTION 9. IC 6-6-11-13, AS AMENDED BY P.L.178-2019, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 13. (a) A boat owner shall pay the boat excise tax for a ~~boating~~ **registration** year to the bureau of motor vehicles. ~~If the motorboat is legally registered in another state, the boat owner must pay the excise tax and the two dollar ($2) fee imposed by IC 9-31-3-2 for a boating year to the bureau of motor vehicles.~~

(b) ~~Subject to subsection (c),~~ The tax ~~and fees~~ set forth in subsection (a) must be paid at the same time that the boat owner pays or would pay the registration fee and vehicle excise taxes on motor vehicles under IC 9-18 (before its expiration), IC 9-18.1, and IC 6-6-5. When the boat owner pays the tax and fees, the owner is entitled to receive the ~~excise tax~~ **registration** decals.

~~(c) If the boat excise tax imposed by this chapter was not paid for one (1) or more preceding boating years, the bureau may collect only the boat excise tax imposed by this chapter for the:~~

~~(1) boating year immediately preceding the current boating year;~~

~~(2) current boating year; and~~

~~(3) boating year immediately following the current boating year.~~

SECTION 10. IC 6-6-11-14, AS AMENDED BY P.L.256-2017, SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 14. (a) ~~For~~ **This section applies to** a boat which has been acquired, or brought into Indiana, or for any other reason becomes subject to **registration or** the **boat** excise tax after the regular annual tax payment date in the ~~boating~~ **registration** year on or before which the owner is required to pay the tax on boats under this chapter. The tax imposed by this chapter shall become due and payable no later than

~~(1) the thirty-second day after the boat is operated in Indiana, if the boat is registered in Indiana;~~

~~(2) except as provided in subdivision (3), the twenty-second consecutive day during the boating year that the boat is:~~

~~(A) stored in Indiana; or~~

~~(B) operated, used, or docked in Indiana waters if the boat is registered outside Indiana; or~~

~~(3) the one hundred eighty-first day that the motorboat (as defined by IC 9-13-2-103.5) is docked on the Indiana part of Lake Michigan if the motorboat is registered outside Indiana.~~ **the date the boat is required to be registered in Indiana under IC 9-18.1-14.5-8.**

~~(b) The amount of excise tax to be paid by the owner for the remainder of the year shall be reduced by one-twelfth (1/12) for each full calendar month which has elapsed since the regular annual tax payment date in the year fixed by the bureau of motor vehicles for tax payment by the owner.~~

(b) The boat excise tax owed by the owner at the time of registration of the boat is calculated in the same manner as a motor vehicle excise tax under IC 6-6-5-7.2(c).

(c) The owner of a boat who sells or otherwise disposes of the boat in a year in which the owner has paid the excise tax imposed by this chapter is entitled to receive a credit that is calculated in the same manner and subject to the same requirements as the credit for the excise tax under IC 6-6-5-7.2(e).

(d) If the name of the owner of a boat is legally changed and the change has caused a change in the owner's annual registration date, the boat excise tax liability of the owner shall be adjusted in the same manner as excise taxes are adjusted under IC 6-6-5-7.2(f).

(e) The owner of a boat registered with the bureau of motor vehicles is entitled to a refund of boat excise taxes calculated in the same manner as motor vehicle excise tax under IC 6-6-5-7.4 if, after the owner's registration date:

(1) the owner registers the boat for use in another state;

(2) the owner pays tax for use of the boat in another state for the same time period for which the tax was paid under this chapter; and

(3) the amount of the refund is at least four dollars ($4).

(f) To claim a credit or a refund, or both, under this chapter, a person must comply with the provisions of IC 6-6-5-7.7.

SECTION 11. IC 6-6-11-15 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 15. For a boat which is acquired, or brought into Indiana, or for any other reason becomes subject to taxation under this chapter during the middle of the current boating year, the owner may pay the fees and the excise tax due on the boat as provided in this chapter and any excise tax due on the boat for the remainder of the boating year and simultaneously pay the fees and the excise tax due for the following boating year.~~

SECTION 12. IC 6-6-11-16 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 16. (a) Except as provided in sections 11 and 19 of this chapter, a reduction in the excise tax is not allowed to Indiana residents if the boat was owned by the person on or before the person's tax payment date.~~

~~(b) A boat owner is not entitled to a refund of excise taxes paid because the boat owner changes the boat owner's state or country of residency.~~

SECTION 13. IC 6-6-11-17 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 17. (a) The owner of a boat who sells or otherwise disposes of the boat in a year in which the boat owner has paid the tax imposed by this chapter is entitled to receive a credit equal to the remainder of:~~

~~(1) the tax paid for the boat; minus~~

~~(2) one-twelfth (1/12) for each full or partial calendar month that has elapsed from the date the tax was due to the date of the sale, destruction, or other disposal of the boat.~~

~~(b) If the credit is not fully used within ninety (90) days after the date of the sale, destruction, or other disposal of the boat and the amount of the credit is at least four dollars ($4), the bureau shall issue a refund to the owner in the amount of the unused credit, less a fee of three dollars ($3) to cover the costs of processing the refund. The bureau shall deposit the processing fee in the commission fund (established by IC 9-14-14-1).~~

~~(c) To claim the credit and refund provided by this section, the owner of the boat must present to the bureau proof of the sale, destruction, or other disposal of the boat.~~

SECTION 14. IC 6-6-11-17.5 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 17.5. (a) To claim a credit or refund, or both, a person must provide a sworn statement to the bureau that the person is entitled to the credit or refund, or both, claimed by the person.~~

~~(b) The bureau may inspect records of a person claiming a credit or refund, or both, under this chapter to determine whether a credit or refund, or both, was properly allowed against the excise tax imposed under this chapter for a boat owned by the person.~~

~~(c) If the bureau determines that a credit or refund, or both, was improperly allowed to a person for a boat, the person shall pay the bureau the amount of the credit and refund that was improperly allowed to the person plus a penalty equal to ten percent (10%) of the amount of the credit or refund, or both, that was improperly allowed to the person. The tax collected under this section shall be distributed to the county treasurer of the county where the boat's tax situs is located. However, the bureau shall retain any penalty collected under this subsection.~~

SECTION 15. IC 6-6-11-19 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 19. If the name of the owner of a boat is legally changed and the change has caused a change in the owner's annual tax payment date, the excise tax liability of the owner shall be adjusted as follows:~~

~~(1) If the name change requires the owner to pay the excise tax sooner than the owner would have been required to pay if there had been no name change, the owner shall, at the time the name change is reported, be authorized a refund from the county treasurer in the amount of the product of:~~

~~(A) one-twelfth (1/12) of the owner's last preceding annual excise tax liability; multiplied by~~

~~(B) the number of full calendar months between the owner's new tax payment month and the tax payment month that is based on the owner's former name.~~

~~(2) If the name change requires the owner to pay the excise tax later than the owner would have been required to pay if there had been no name change, the boat is subject to excise tax for the period between the month in which the owner would have been required to pay if there had been no name change and the new tax payment month. The amount of the tax is equal to the amount determined under STEP FOUR of the following formula:~~

~~STEP ONE: Determine the number of full calendar months between the month in which the owner would have been required to register if there had been no name change and the owner's new annual registration month.~~

~~STEP TWO: Multiply:~~

~~(i) the STEP ONE result; by~~

~~(ii) one-twelfth (1/12).~~

~~STEP THREE: Determine the owner's excise tax liability computed as of the time the owner would have been required to pay the excise tax if there had been no name change.~~

~~STEP FOUR: Multiply:~~

~~(i) the STEP TWO result; by~~

~~(ii) the STEP THREE result.~~

SECTION 16. IC 6-6-11-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 21. The state board of accounts shall prescribe the tax payment form to be used by the bureau of motor vehicles. The board shall prescribe one (1) document to serve as the form. The form must have a sufficient number of copies for distribution and include appropriate spaces for the following information:

(1) The owner's name and address.
(2) The name of the county and the address of the location where the boat has its tax situs for the ~~boating~~ **registration** year.
(3) A description of the boat, including the manufacturer's specified length for the boat.
(4) The age of the boat.
(5) The class prescribed for the boat under this chapter.
(6) The excise tax imposed on the boat for the ~~boating~~ **registration** year under this chapter.
(7) The boat's state registration or Coast Guard documentation number, if any, and any other information reasonably required by the department of natural resources.
(8) The signature of the boat owner on the owner's copy of the form verifying that the information is true and correct and acknowledging that the boat owner will be subject to penalties for perjury for providing false information.
(9) Any other information prescribed by the state board of accounts.

SECTION 17. IC 6-6-11-22 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 22. The department of natural resources shall prescribe the design of the boat excise tax decals in sufficient time for the bureau of motor vehicles to procure a sufficient number of boat excise tax decals for each class of boat. Each decal must:~~
~~(1) state the boating year to which the decal applies;~~
~~(2) have a unique identification number;~~
~~(3) be a different color than the colors used for the previous boating year; and~~
~~(4) be designed so that law enforcement officers can easily identify whether the decal is valid.~~

SECTION 18. IC 6-6-11-23.5 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 23.5. The bureau of motor vehicles may issue a decal to a boat owned by an organization exempt from Federal income taxation under 501(c)(3) of the Internal Revenue Code.~~

SECTION 19. IC 6-6-11-24 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 24. The taxpayer shall affix the boat excise tax decals:~~
~~(1) to the bow of each side of the boat, within three (3) inches to the right of the boat's registration number; or~~
~~(2) on each side of the forward half of the bow above the water line of the boat if a registration number is not required to be displayed.~~
~~However, the department of natural resources may adopt rules under IC 4-22-2 providing that decals do not have to be affixed to certain types of boats.~~

SECTION 20. IC 6-6-11-26 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 26. If a boat owner has a judgment entered against the owner for violating section 25 of this chapter, the court shall transmit a copy of the judgment to the bureau of motor vehicles. A boat owner who does not pay the boat excise tax on or before the due date shall pay a delinquent fee equal to one hundred percent (100%) of the boat excise tax due. The bureau of motor vehicles shall collect this delinquent fee along with the excise taxes due for the boat. The amount collected in delinquent fees shall be credited to a special account within the state general fund to be used as provided in section 35 of this chapter.~~

SECTION 21. IC 6-6-11-27 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 27. A person who falsifies, predates, changes, or counterfeits a boat excise tax decal commits a Class C misdemeanor.~~

SECTION 22. IC 6-6-11-29, AS AMENDED BY P.L.178-2019, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 29. (a) The bureau of motor vehicles shall transfer the boat registration fee, the delinquent excise taxes, and the delinquent fees collected under this chapter during the preceding month as follows:
(1) On or before the eleventh day of each month, the bureau of motor vehicles shall transfer to the bureau of motor vehicles commission fund an amount equal to five percent (5%) of each excise tax transaction completed by the bureau. The money is to be used to cover the expenses incurred by or on behalf of the bureau of motor vehicles ~~for returns, decals, collecting the fees and excise taxes and for amounts deposited in the commission fund.~~ **in administering this chapter.**
~~(2) At least quarterly, the bureau of motor vehicles shall set aside for the department of natural resources the delinquent fees collected under this chapter to use as provided in section 35 of this chapter.~~
~~(3)~~ **(2)** On or before the tenth day of each month, the bureau of motor vehicles shall distribute to each county the excise tax collections ~~including delinquent tax collections,~~ for the county for the preceding month. The bureau of motor vehicles shall include a report with each distribution showing the information necessary for the county auditor to allocate the revenue among the taxing units of the county.
~~(4)~~ **(3)** The bureau of motor vehicles shall deposit the revenue from the boat registration fee imposed by IC 9-31-3-9 **(before its repeal) and IC 9-18.1-14.5-6** in the conservation officers marine enforcement fund established by IC 14-9-8-21.5, the fish and wildlife fund established by IC 14-22-3-2, and the lake and river enhancement fund established by IC 14-22-3.5, as provided in IC 9-31-3-9 **(before its repeal) or IC 9-18.1-14.5-6.**

(b) Money credited to each county's account in the state general fund is appropriated to make the distributions and the transfers required by subsection (a). The distributions shall be made upon warrants drawn from the state general fund.

SECTION 23. IC 6-6-11-30 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 30. Before March 1 of each year the bureau of motor vehicles shall prepare a boat excise tax summary covering the previous ~~boating~~ year. The summary must include the following:
(1) The number of boats by county.
(2) The number of boats by class.
(3) The amount of excise tax collected by class.
The bureau shall send a copy of the summary to the auditor of state, the department of natural resources, and the county assessors.

SECTION 24. IC 6-6-11-35 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 35. The money set aside from the department of natural resources fees for the department of natural resources under section 29 of this chapter is annually appropriated and shall be used exclusively for the following:~~
~~(1) The enforcement of laws pertaining to watercraft.~~
~~(2) The state's share of the cost of retirement benefits for the department's conservation officers.~~
~~(3) Improving the navigable waters of Indiana.~~

SECTION 25. IC 8-4.5-1-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. "Recreational trail" means a trail or path that:
(1) includes a corridor along any part of its length; ~~and~~
(2) is intended to be used for:
(A) bicycling;
(B) exercising;
(C) hiking;
(D) running;
(E) riding:
(i) in or on a vehicle of any kind, regardless of the means of propelling the vehicle; or
(ii) on any animal;
(F) walking; or
(G) any other recreational purpose; **and**

(3) is funded through the recreational trails program under IC 8-4.5-5.

However, the term does not include a highway, road, or street (as defined in IC 8-23-1-23).

SECTION 26. IC 8-4.5-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. The state may acquire any part of a railroad's interest in a corridor under this chapter for any of the following purposes:

(1) A present or future rail line.
(2) A transportation corridor.
(3) A communication corridor.
(4) A ~~recreational~~ trail.
(5) A utility corridor.
(6) The preservation of a railroad corridor.
(7) Any combination of purposes described in subdivisions (1) through (6).

SECTION 27. IC 8-4.5-4-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. In determining whether the state should acquire any part of a railroad's interest in a corridor, the Indiana department of transportation shall consider the following factors:

(1) The potential for future use of the railroad's interest in the corridor as a freight or high-speed passenger rail line, considering the following:
(A) The potential need for use of the railroad's interest in the corridor for future transportation purposes.
(B) The cost of maintaining the railroad's interest in the corridor during any time before the future transportation use will begin.
(C) The effect of any interim use and the future transportation use of the railroad's interest in the corridor on property owners.
(D) Any relevant requirement of any federal law.
(E) Any other factor the department considers relevant.
(2) Based on the recommendation of the department of natural resources, the potential for recreational use of the railroad's interest in the corridor considering the following:
(A) The recreational value of the railroad's interest in the corridor.
(B) The feasibility of using the railroad's interest in the corridor for recreation.
(C) The likelihood that there may be significant recreational use of the railroad's interest in the corridor if the railroad's interest in the corridor is converted to a ~~recreational~~ trail.
(D) The general acceptability of the proposed recreational use of the railroad's interest in the corridor to property owners and the community at large.
(E) The existence of a willing person, whether public or private, to operate the railroad's interest in the corridor for the proposed recreational use.
(F) Any relevant requirement of any federal law.
(G) Any other factor the department considers relevant.
(3) The potential for the use of the railroad's interest in the corridor for communications or utility use.
(4) Whether there are funds to acquire the railroad's interest in the corridor.

SECTION 28. IC 8-4.5-4-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. If a railroad's interest in a corridor is acquired under this chapter for a recreational purpose, the railroad's interest in the corridor ~~must~~ **may** be developed and operated under IC 8-4.5-5.

SECTION 29. IC 9-13-2-103.5 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 103.5. (a) "Motorboat" means a watercraft propelled by an internal combustion, steam, or electrical inboard or outboard motor or engine or by any mechanical means.~~

~~(b) The term includes a sailboat that is equipped with a motor or an engine described in subsection (a) when the sailboat is in operation whether or not the sails are hoisted.~~

SECTION 30. IC 9-13-2-117.5, AS AMENDED BY P.L.198-2016, SECTION 138, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 117.5. "Operate" means to navigate or otherwise be in actual physical control of a vehicle, ~~motorboat,~~ **watercraft,** off-road vehicle, or snowmobile.

SECTION 31. IC 9-13-2-118, AS AMENDED BY P.L.198-2016, SECTION 139, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 118. **(a)** Except as provided in ~~IC 9-31,~~ **subsection (b),** "operator" means an individual who operates a vehicle, ~~motorboat,~~ **watercraft,** off-road vehicle, or snowmobile.

(b) "Operator", for purposes of IC 9-18.1-14.5, has the meaning set forth in 33 CFR 174.3.

SECTION 32. IC 9-13-2-121, AS AMENDED BY P.L.198-2016, SECTION 142, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 121. **(a)** Except as otherwise provided in ~~IC 9-31,~~ **subsection (b),** "owner" means a person, other than a lienholder, that:

(1) holds the property in or title to, as applicable, a vehicle, manufactured home, mobile home, off-road vehicle, snowmobile, or watercraft; or
(2) is entitled to the use or possession of, as applicable, a vehicle, manufactured home, off-road vehicle, snowmobile, or watercraft, through a lease or other agreement intended to operate as a security.

(b) "Owner" for purposes of IC 9-18.1-14.5, has the meaning set forth in 33 CFR 174.3.

SECTION 33. IC 9-13-2-196, AS AMENDED BY P.L.142-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 196. (a) "Vehicle" means, except as otherwise provided in this section, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway. The term does not include the following:

(1) A device moved by human power.
(2) A device that runs only on rails or tracks.
(3) A wheelchair.
(4) An electric foot scooter.

(b) For purposes of IC 9-17, the term includes the following:
(1) Off-road vehicles.
(2) Manufactured homes or mobile homes that are:
(A) personal property not held for resale; and
(B) not attached to real estate by a permanent foundation.
(3) Watercraft.

(c) For purposes of IC 9-22 **(except IC 9-22-6)** and IC 9-32, the term refers to a vehicle **or watercraft** of a type that must be registered under IC 9-18-2 (before its expiration) or IC 9-18.1, other than an off-road vehicle or a snowmobile under IC 9-18-2.5 (before its expiration) or IC 9-18.1-14.

(d) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9, the term means a device for transportation by land or air. The term does not include an electric personal assistive mobility device.

SECTION 34. IC 9-13-2-198.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 198.5. **(a)** "Watercraft" means a contrivance used or designed for navigation on water, including a vessel, boat, motor vessel, steam vessel, sailboat, vessel operated by machinery either permanently or temporarily affixed, scow, tugboat, or any marine equipment that is capable of carrying passengers. ~~except a ferry.~~

(b) The term does not include a craft that:
(1) is powered by its occupants, including a canoe, rowboat, or paddleboat; and
(2) does not contain any type of mechanical propellant, including internal combustion, steam, or electrical inboard or outboard motor or engine.

SECTION 35. IC 9-14-12-2, AS AMENDED BY P.L.27-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 2. The bureau shall maintain the following records:

(1) All records related to or concerning certificates of title issued by the bureau under IC 9-17 and IC 9-31 **(before its repeal),** including the following:

(A) An original certificate of title and all assignments and reissues of the certificate of title.

(B) All documents submitted in support of an application for a certificate of title.

(C) Any notations recorded on a certificate of title.

(D) A listing of all reported buyback vehicles in accordance with IC 9-17-3-3.5.

(E) Any inspection that is conducted:

(i) by an employee of the bureau or commission; and

(ii) with respect to a certificate of title issued by the bureau.

(2) All records related to or concerning registrations issued under IC 9-18 (before its expiration), IC 9-18.1, or IC 9-31 **(before its repeal),** including the following:

(A) The distinctive registration number assigned to each vehicle registered under IC 9-18 (before its expiration) or IC 9-18.1 or each watercraft registered under IC 9-31 **(before its repeal).**

(B) All documents submitted in support of applications for registration.

(3) All records related to or concerning credentials issued by the bureau under IC 9-24, including applications and information submitted by applicants.

(4) All driving records maintained by the bureau under section 3 of this chapter.

(5) A record of each individual that acknowledges making an anatomical gift as set forth in IC 9-24-17.

SECTION 36. IC 9-17-1-1, AS AMENDED BY P.L.198-2016, SECTION 199, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. (a) This article does not apply to the following:

(1) A vehicle that is not required to be registered under IC 9-18-2 (before its expiration) or IC 9-18.1.

(2) Special machinery.

(3) A motor vehicle that was designed to have a maximum design speed of not more than twenty-five (25) miles per hour and that was built, constructed, modified, or assembled by a person other than the manufacturer.

(4) Motor driven cycles.

(5) An off-road vehicle that was purchased or otherwise acquired before January 1, 2010.

(6) Snowmobiles.

(7) A watercraft that is not required to be registered under IC 9-31-3 **(before its repeal) or IC 9-18.1-14.5.**

(b) Notwithstanding subsection (a), a person may apply for:

(1) a certificate of title under IC 9-17-2-2; or

(2) a special identification number under IC 9-17-4;

for a vehicle listed in subsection (a).

(c) If the bureau issues a certificate of title under subsection (b)(1), the vehicle remains subject to this article until the titleholder surrenders the title to the bureau.

SECTION 37. IC 9-18.1-9-4, AS ADDED BY P.L.198-2016, SECTION 326, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 4. The bureau may issue a confidential license plate **or other proof of registration** for investigative purposes to the following:

(1) A state agency upon the annual consent of the bureau or the Indiana department of administration.

(2) Other investigative agencies upon the annual consent of the superintendent of the state police.

SECTION 38. IC 9-18.1-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]:

Chapter 14.5. Watercraft

Sec. 1. (a) Except as provided in subsection (b), a watercraft may not be operated, used, docked, or stored in Indiana during any part of a calendar year unless the watercraft:

(1) is registered under this chapter; and

(2) displays proof of registration under this chapter.

(b) Registration is not required for the following watercraft:

(1) A watercraft that is from a country other than the United States temporarily using the waters of Indiana.

(2) A ship's lifeboat, when used solely as a lifeboat of another boat and for no other recreational purpose.

(3) Except as provided in subdivision (4), a watercraft that is registered outside of Indiana and operated, used, stored, or docked in Indiana for a combined total of not more than sixty (60) consecutive days during a calendar year.

(4) A watercraft that is registered outside of Indiana and docked on the Indiana part of Lake Michigan for a combined total of not more than one hundred eighty (180) consecutive days.

(5) A watercraft that belongs to a class of boats that has been exempted from registration and numbering by the bureau after the bureau has found the following:

(A) That an agency of the federal government has a numbering system applicable to the class of watercraft to which the watercraft in question belongs.

(B) That the watercraft would also be exempt from numbering if the watercraft were subject to federal law.

(6) A watercraft, the operator of which has in the operator's possession a bill of sale from a dealer licensed under IC 9-32 or private individual that includes the following:

(A) The purchaser's name and address.

(B) A date of purchase that is not more than forty-five (45) days preceding the date that the operator is required to show the bill of sale.

(C) The make, model, and identification number of the watercraft provided by the manufacturer.

(7) A watercraft held by a watercraft manufacturer, distributor, or dealer for sale in the ordinary course of business.

(8) A watercraft subject to the commercial vessel tonnage tax under IC 6-6-6.

(c) A person that fails to register a watercraft that is required to be registered under this chapter commits a Class C infraction.

Sec. 2. (a) A person that desires to register a watercraft must submit an application, in a form and manner prescribed by the bureau, that contains the following information:

(1) The name of the owner of the watercraft, and, if the watercraft is leased, the name of the lessee.

(2) The person's address in Indiana, including the county and township, on the date of the application, as follows:

(A) If the person is an individual, the person's residence address. However, if the person participates in the address confidentiality program under IC 5-26.5, the address may be a substitute address designated by the office of the attorney general under IC 5-26.5.

(B) If the person is not an individual, the person's principal office in Indiana.

(C) If the person does not have a physical residence or office in Indiana, the county and township in Indiana where the watercraft will be primarily

operated or stored.

(3) A description of the watercraft to be registered, including the identification number and color of the watercraft.

(4) The tax situs of the watercraft as defined in IC 6-6-11-5.

(5) Any other information required by the bureau.

(b) An application made online or through the United States mail is not required to be sworn or notarized.

(c) A person may apply on behalf of another person to register a watercraft under this chapter. However, the person in whose name the watercraft will be registered must sign and verify the application.

(d) A person that makes a false statement in an application under this section commits a Class C infraction.

Sec. 3. The bureau may not register a watercraft unless:

(1) the watercraft has an identification number;

(2) the registrant:

(A) pays the applicable boat excise tax for the watercraft under IC 6-6-11; or

(B) provides proof in a manner acceptable to the bureau that the watercraft is exempt from the boat excise tax for watercraft under IC 6-6-11;

(3) the registrant titles the watercraft under IC 9-17; and

(4) the registrant pays the appropriate registration fee under section 6 of this chapter.

Sec. 4. (a) The bureau shall use due diligence in examining and determining the genuineness, regularity, and legality of the information provided by a person as part of a request to register a watercraft under this chapter.

(b) The bureau may:

(1) make investigations or require additional information; and

(2) reject an application or request;

if the bureau is not satisfied of the genuineness, regularity, or legality of an application or the truth of a statement contained in an application or request, or for any other reason.

Sec. 5. (a) If the bureau determines that a person applying to register a watercraft is entitled to register the watercraft, the bureau shall register the watercraft and issue to the applicant proof of registration for display on the watercraft and a certificate of registration.

(b) Proof of registration for display on the watercraft must be displayed in a manner prescribed by the department of natural resources, including the following:

(1) The registration number set forth in the certificate of registration must be displayed on each side of the bow of the watercraft. The display must be legible. However, a watercraft that has a valid marine document issued by the United States Bureau of Customs is not required to display the registration number.

(2) If a watercraft is required to be registered under 33 CFR 173, the registration number must be displayed in the manner prescribed by 33 CFR 173.27.

(3) Decals indicating the year of expiration of registration, with a unique identification number and a different color than colors used for the previous registration year, must be affixed:

(A) to the bow of each side of the watercraft, within three (3) inches to the right of the watercraft's registration number; or

(B) on each side of the forward half of the bow above the water line of the watercraft if a registration number is not required to be displayed.

However, the department of natural resources may adopt rules under IC 4-22-2 providing that the decals do not have to be affixed to a particular type of watercraft.

(c) A number other than the number awarded to a watercraft or granted reciprocity under this chapter may not be painted, attached, or otherwise displayed on each side of the bow of the watercraft.

(d) A person that fails to:

(1) carry a certificate of registration or a legible reproduction of a certificate of registration; or

(2) display proof of registration for display on the watercraft as required by the department of natural resources;

commits a Class C infraction.

(e) Certificates of registration, decals, and other proof of registration issued under this section:

(1) remain the property of the bureau; and

(2) may be revoked, canceled, or repossessed as provided by law.

(f) A person who knowingly or intentionally falsifies, predates, changes, or counterfeits proof of registration for a watercraft commits a Class C misdemeanor.

Sec. 6. (a) A request for registration under this chapter must be signed by the owner of the watercraft and accompanied by the appropriate fee specified under subsection (b). The fee to renew a watercraft registration is based upon the appropriate fee specified under subsection (c).

(b) The fee to register a watercraft in its first year of registration is the amount determined by STEP THREE of the following formula:

STEP ONE: Determine the appropriate fee based upon the length of the watercraft as follows:

Watercraft Length (in feet)			
At Least	But Less Than	Fee ($) (before Jan 1, 2017)	Fee ($) (After Dec 31, 2016)
0	13	16.50	15
13	26	18.50	18
26	40	21.50	21
40		26.50	24

STEP TWO: Determine the appropriate fee based upon the value of the watercraft as follows:

Value ($) Greater Than or Equal to	Value ($) Less Than	Fee ($)
0	1000	5
1000	3000	10
3000	5000	15
5000	10,000	20
10,000		25

STEP THREE: Determine the sum of the STEP ONE amount plus the STEP TWO amount.

(c) The fee to renew a watercraft registration is based upon the value of the watercraft as follows:

Value ($) Greater Than or Equal to	Value ($) Less Than	Fee ($)
0	1000	10
1000	3000	15
3000	5000	20
5000	10,000	25
10,000		30

(d) The bureau shall determine the value of a watercraft in the same manner as set forth in IC 6-6-11-10.

(e) The fees collected under subsection (b) shall be distributed as follows:

(1) Fees collected from STEP ONE of subsection (b) shall be deposited in the fish and wildlife fund established by IC 14-22-3-2 and shall be used exclusively for the following:

(A) The enforcement of laws pertaining to watercraft.

(B) The state's share of the cost of retirement benefits for conservation officers of the department of natural resources.

(C) Improving the navigable waters of Indiana.

(2) Sixty-six and seven-tenths percent (66.7%) of the fees collected from STEP TWO of subsection (b) shall be deposited in the lake and river enhancement fund established by IC 14-22-3.5-1.
(3) Thirty-three and three-tenths percent (33.3%) of the fees collected from STEP TWO of subsection (b) shall be deposited in the conservation officers marine enforcement fund established by IC 14-9-8-21.5.
(f) A fee collected under subsection (c) shall be distributed as follows:
(1) Five dollars ($5) shall be deposited in the fish and wildlife fund established by IC 14-22-3-2 and shall be used exclusively for the following:
(A) The enforcement of laws pertaining to watercraft.
(B) The state's share of the cost of retirement benefits for conservation officers of the department of natural resources.
(C) Improving the navigable waters of Indiana.
(2) The remaining amount shall be distributed as follows:
(A) Sixty-six and seven-tenths percent (66.7%) to the lake and river enhancement fund established by IC 14-22-3.5-1.
(B) Thirty-three and three-tenths percent (33.3%) to the conservation officers marine enforcement fund established by IC 14-9-8-21.5.
(g) The owner of a watercraft that is registered under this section is required to renew the registration under subsection (c), and the person must pay any applicable fees and excise tax under IC 6-6-11-13 on the watercraft each year.
Sec. 7. (a) A watercraft that is owned or leased and used for official business by the following is exempt from the payment of registration fees under this article:
(1) A state or state agency (as defined in IC 6-1.1-1-18).
(2) A municipal corporation (as defined in IC 36-1-2-10).
(3) A volunteer fire department (as defined in IC 36-8-12-2).
(b) The bureau may issue proof of registration under this chapter for a watercraft owned by or leased by the federal government.
(c) The bureau may adopt rules under IC 4-22-2 to assign permanent registration numbers and accompanying registration cards to watercraft owned or leased by an entity listed in subsection (a)(1).
Sec. 8. (a) A watercraft becomes subject to registration under this chapter on the date the watercraft is acquired.
(b) Upon becoming subject to registration under this chapter, a watercraft must be registered for a period that is not:
(1) less than three (3) months; or
(2) greater than twenty-four (24) months.
(c) A registration under this article may be renewed:
(1) for a watercraft with an unexpired registration, for a period of twelve (12) months from the date on which the registration will expire; or
(2) for a watercraft with an expired registration, for a period of not:
(A) less than three (3) months; or
(B) greater than twenty-four (24) months.
(d) Subject to subsection (b), and except as provided for in subsection (h), the registration year for a registration, other than a renewal described in subsection (c), begins on the date on which the watercraft becomes subject to registration as determined under subsection (a) and ends on the following date selected by the person registering the watercraft:
(1) The date on which the watercraft registration expires, as determined under the schedule established under IC 9-18.1-11-1.
(2) Twelve (12) months after the date described in subdivision (1).
(e) If a person sells or otherwise disposes of a watercraft:
(1) the certificate of registration and proof of registration for the watercraft are canceled; and
(2) except as provided in IC 9-33-3, the person is not entitled to a refund of any unused part of a fee paid by the person under this chapter.
(f) If the watercraft is transferred or sold, the person shall provide ownership documents at the time of delivering the watercraft.
(g) A person that acquires a watercraft that is registered under this chapter must apply to the bureau under this chapter to register the watercraft.
(h) A watercraft registered under this chapter remains subject to continuous registration under this chapter until:
(1) the watercraft is sold or otherwise disposed of; or
(2) the person that registered the watercraft becomes a nonresident.
Sec. 9. (a) If the date on which the registration of a watercraft expires is a day on which all license branches located in the county in which the watercraft is registered are closed, including:
(1) a Sunday; or
(2) a legal holiday listed in IC 1-1-9-1;
the registration expires at midnight on the date following the next day on which a license branch located in the county in which the watercraft is registered is open for business.
(b) Except as provided in subsection (a), a person that owns or operates a watercraft may not operate or permit the operation of a watercraft that:
(1) is required to be registered under this chapter; and
(2) has an expired registration.
(c) A person that operates or permits the operation of a watercraft in violation of subsection (b) commits a Class C infraction.
Sec. 10. (a) The bureau shall collect an administrative penalty of fifteen dollars ($15) from the following:
(1) A person that fails to:
(A) register; or
(B) provide full payment for the registration of;
a watercraft within forty-five (45) days after the date on which the watercraft becomes subject to registration.
(2) A person that fails to:
(A) renew; or
(B) provide full payment for the renewal of;
the registration of a watercraft by the date on which the registration expires.
(b) An administrative penalty collected under subsection (a) shall be deposited in the commission fund.
(c) A person described in subsection (a) commits a Class C infraction.
Sec. 11. (a) If a certificate of registration or decal issued for a watercraft that is registered under this chapter is lost, stolen, destroyed, or damaged, the owner of the watercraft may apply to the bureau for a replacement certificate of registration or decal. If the certificate of registration or decal is lost or stolen, the owner shall provide notice of the loss or theft to a law enforcement agency with jurisdiction over:
(1) the site of the loss or theft; or
(2) the address listed on the certificate of registration.
(b) The bureau shall issue a replacement certificate of registration or decal to the owner of a watercraft after the owner pays a fee of nine dollars and fifty cents ($9.50).
(c) The fee imposed under subsection (b) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state construction fund.
(2) Fifty cents ($0.50) to the state motor vehicle technology fund.
(3) One dollar ($1) to the crossroads 2000 fund.
(4) One dollar and fifty cents ($1.50) to the motor vehicle highway account.
(5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.
(6) Five dollars ($5) to the commission fund.

(d) A replacement certificate of registration or decal issued under this section must be attached and displayed in the same manner as the original certificate of registration or decal.

Sec. 12. (a) A person that owns a watercraft that is registered under this chapter may apply to the bureau to change the ownership of the watercraft:
(1) by adding at least one (1) other person as a joint owner; or
(2) if the person is a joint owner of the watercraft, by transferring the person's ownership interest in the watercraft to at least one (1) remaining joint owner.

(b) The bureau shall issue an amended certificate of registration to a person that applies under subsection (a) after the person does the following:
(1) Complies with IC 9-17.
(2) Pays the fee of nine dollars and fifty cents ($9.50).

(c) A person may apply to the bureau to amend any obsolete or incorrect information contained in the certificate of registration issued with respect to the watercraft. The bureau shall issue an amended certificate of registration after the person pays a fee of nine dollars and fifty cents ($9.50).

(d) The bureau may not impose or collect a fee for a duplicate, amended, or replacement certificate of registration that is issued as a result of an error on the part of the bureau.

(e) A fee described in subsection (b)(2) or (c) shall be distributed as follows:
(1) Twenty-five cents ($0.25) to the state construction fund.
(2) Fifty cents ($0.50) to the state motor vehicle technology fund.
(3) One dollar ($1) to the crossroads 2000 fund.
(4) One dollar and fifty cents ($1.50) to the motor vehicle highway account.
(5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.
(6) Five dollars ($5) to the commission fund.

Sec. 13. (a) If an agency of the federal government has an overall system of identification numbering for watercraft within the United States, the registration and numbering system employed under this chapter by the bureau must conform with the system.

(b) In accordance with any request made by an authorized official or agency of the United States, the bureau shall transmit any information compiled or otherwise available to the bureau under:
(1) IC 14-15-4-1;
(2) IC 14-15-4-2; and
(3) IC 14-15-4-3;
to the official or agency of the United States.

Sec. 14. Every law enforcement officer of this state and its subdivisions, including an enforcement officer of the department of natural resources, may enforce this chapter and may stop and board a watercraft subject to this chapter.

SECTION 39. IC 9-20-13-2, AS AMENDED BY P.L.12-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 2. (a) Notwithstanding IC 9-20-3 and IC 9-20-9, and except for length exclusive devices in accordance with 23 CFR 658.13, the following are the maximum limitations on length of a truck-tractor, semitrailer, truck-tractor-semitrailer combination, or truck-tractor-semitrailer-trailer combination:
(1) The maximum length of the semitrailer unit operating in a truck-tractor-semitrailer combination is fifty-three (53) feet, including the vehicle and the load.
(2) The maximum length of the semitrailer unit or trailer operating in a truck-tractor-semitrailer-trailer combination is twenty-eight (28) feet, six (6) inches.
(3) A maximum overall length limit is not imposed on a truck-tractor-semitrailer or truck-tractor-semitrailer-trailer combination.
(4) The maximum length of a maxi-cube vehicle combination is sixty-five (65) feet, and the maximum length of the separable cargo carrying unit is thirty-four (34) feet.
(5) If the combination is used exclusively or primarily in connection with motorsports:
(A) the maximum distance between the kingpin and the rearmost axle of the semitrailer operating in the combination is forty-six (46) feet; and
(B) the maximum length of the semitrailer is fifty-seven (57) feet.

(b) This section does not prohibit the transportation of a motor vehicle or ~~boat~~ **watercraft** on part of a truck-tractor.

SECTION 40. IC 9-22-6-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 0.5. For purposes of this chapter, the term "vehicle" does not include a watercraft.**

SECTION 41. IC 9-31 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. (WATERCRAFT TITLING AND REGISTRATION).

SECTION 42. IC 9-32-8-8, AS AMENDED BY HEA 1246-2020 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 8. (a) A watercraft dealer licensed by the secretary under this article may, upon successful application to the secretary, obtain dealer license plates and registration cards for use in the testing or demonstrating of ~~motorboats.~~ **watercraft.**

(b) Two (2) dealer license plates must be displayed within a ~~motorboat~~ **watercraft** that is being tested or demonstrated while the ~~motorboat~~ **watercraft** is being tested or demonstrated.

(c) A transfer dealer or automobile auction company licensed by the secretary under this article may request dealer license plates under subsection (a).

(d) The fee to obtain a dealer license plate and registration card under subsection (a) is ten dollars ($10).

(e) The secretary shall retain the fee collected under this section.

SECTION 43. IC 14-8-2-5.7, AS AMENDED BY P.L.219-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5.7. "All-terrain vehicle", for purposes of IC 14-8-2-185, means a motorized, off-highway vehicle that:
(1) is ~~fifty (50)~~ **fifty-five (55)** inches or less in width **when measured from outside of tire rim to outside of tire rim;**
(2) has a dry weight of ~~twelve~~ **one thousand five** hundred ~~(1,200)~~ **(1,500)** pounds or less;
(3) is designed for travel on at least three (3) nonhighway or off-highway tires; and
(4) is designed for recreational use by one (1) or more individuals.

The term includes parts, equipment, or attachments sold with the vehicle.

SECTION 44. IC 14-8-2-233.5, AS AMENDED BY P.L.219-2014, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 233.5. "Recreational ~~off-road~~ **off-highway** vehicle", for purposes of

IC 14-8-2-185, means a motorized, off-highway vehicle that:

(1) is ~~sixty-five (65)~~ **eighty (80)** inches or less in width **when measured from outside of tire rim to outside of tire rim;**

(2) has a dry weight of two thousand **five hundred** ~~(2,000)~~ **(2,500)** pounds or less;

(3) is designed for travel on at least four (4) nonhighway or off-highway tires; and

(4) is designed for recreational use by one (1) or more individuals.

SECTION 45. IC 14-9-8-21.5, AS AMENDED BY P.L.178-2019, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 21.5. (a) As used in this section, "fund" refers to the conservation officers marine enforcement fund established by this section.

(b) The conservation officers marine enforcement fund is established. The department shall administer the fund. The department may expend the money in the fund exclusively for marine enforcement efforts associated with recreational boating on Indiana waters, including uses described in IC 14-9-9-5.

(c) The fund consists of ~~boat~~ **watercraft** registration fees paid by boat owners and deposited under ~~IC 9-31-3-9.~~ **IC 9-18.1-14.5-6.** Money deposited in the fund is annually appropriated and allotted to the department to carry out the purposes of this section. The expenses of administering the fund shall be paid from money in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund. However, the department may transfer from the fund to the counties with special boat patrol needs fund (IC 14-9-9-5) an amount that does not exceed twenty percent (20%) of money deposited into the fund.

SECTION 46. IC 14-10-2-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The commission shall adopt rules under IC 4-22-2 to carry out the commission's duties under this title.

(b) The commission may adopt rules to exempt an activity from licensing under this title, except:

(1) IC 14-34;

(2) IC 14-36-1; and

(3) IC 14-38-2;

if the activity poses not more than a minimal potential for harm.

(c) Except as provided in subsection (d), whenever the department or the director has the authority to adopt rules under IC 4-22-2, the commission shall exclusively exercise the authority.

(d) Emergency rules adopted under section 5 of this chapter shall be adopted by the director.

(e) A person who violates a rule adopted by the commission commits a Class C infraction, unless otherwise specified under state law.

SECTION 47. IC 14-10-2-5, AS AMENDED BY P.L.154-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The department may adopt emergency rules under IC 4-22-2-37.1 to carry out the duties of the department under the following:

(1) IC 14-9.

(2) This article.

(3) IC 14-11.

(4) IC 14-12-2.

(5) IC 14-14.

(6) IC 14-15.

(7) IC 14-17-3.

(8) IC 14-18, except IC 14-18-6 and IC 14-18-8.

(9) IC 14-19-1 and IC 14-19-8.

(10) IC 14-21.

(11) IC 14-22-3, IC 14-22-4, and IC 14-22-5.

(12) IC 14-23-1.

(13) IC 14-24.

(14) IC 14-25, except IC 14-25-8-3 and IC 14-25-13.

(15) IC 14-26.

(16) IC 14-27.

(17) IC 14-28.

(18) IC 14-29.

(19) IC 14-35-1, IC 14-35-2, and IC 14-35-3.

(20) IC 14-37.

(21) IC 14-38, except IC 14-38-3.

(b) A rule adopted under subsection (a) expires not later than one (1) year after the rule is accepted for filing by the publisher of the Indiana Register.

(c) A person who violates an emergency rule adopted by the department commits a Class C infraction, unless otherwise specified under state law.

SECTION 48. IC 14-15-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A person may not operate a boat upon public water to carry passengers for hire unless the following conditions are met:

(1) The department **or an organization approved under section 2.5 of this chapter** has inspected and registered the boat.

(2) A certificate of inspection and registration issued by the department is affixed to the boat in a prominent place within the clear view of the passengers.

(b) A certificate of inspection and registration expires one (1) calendar year after the date on which the watercraft was inspected. However, the department may extend the expiration date for not more than thirty (30) days if conditions exist that would prevent the inspection of the watercraft before the first anniversary of the previous inspection.

SECTION 49. IC 14-15-6-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. (a) Each boat that carries passengers upon public water for hire must have:**

(1) a dry dock inspection; or

(2) an underwater survey;

of the exterior portion of the boat that is below the waterline at least one (1) time every sixty (60) months. However, an underwater survey may only be used to satisfy the requirements of this chapter one (1) time every one hundred twenty (120) months.

(b) If the owner of the boat elects to have an underwater survey, the owner must hire and pay for the underwater survey, which must be conducted by an inspector from a certified organization that is approved under subsection (c).

(c) The commission shall maintain a list of certified organizations that are approved to conduct underwater surveys under this chapter.

SECTION 50. IC 14-15-6-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The department shall charge and collect a fee for the following:

(1) Each annual dockside inspection.

(2) Each dry dock inspection. ~~which shall be conducted at least one (1) time every sixty (60) months.~~

(b) The following fees shall be charged:

(1) All watercraft, except sailboats, carrying not more than six (6) passengers for hire on navigable water of Indiana:

(A) Dockside inspection..... $ 50

(B) Dry dock inspection..... $ 75

(2) All watercraft, except sailboats, carrying not more than six (6) passengers for hire on inland water of Indiana:

(A) Dockside inspection..... $ 30

(B) Dry dock inspection..... $ 30

(3) All watercraft, except sailboats, carrying more than six (6) passengers for hire on inland water of Indiana:

(A) Dockside inspection..... $ 75

(B) Dry dock inspection..... $100

(4) All watercraft propelled primarily by sail that carry passengers for hire on navigable or inland water of Indiana:

(A) Dockside inspection..... $ 50
(B) Dry dock inspection..... $ 75

SECTION 51. IC 14-15-6-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. Each certificate of inspection and registration must certify that the inspection has been made and must set forth, among other things, the following:

(1) The date of inspection.
(2) A description of the boat, including motors, machinery and equipment.
(3) The age of the boat.
(4) The maximum weight, including both passengers and property, that may safely be carried on the boat.
(5) The method of the boat's inspection and the name of the person and organization that performed the inspection.

SECTION 52. IC 14-15-13-3, AS ADDED BY P.L.165-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. An individual may not do the following:

(1) Operate a motorboat inboard or have the inboard engine of a motorboat run idle while an individual is holding onto the swim platform, swim deck, swim step, swim ladder or any part of the exterior of the transom of a motorboat while the motorboat is underway at any speed.
(2) Operate a motorboat powered by an outboard motor or equipped with an outdrive unit while an individual is:
(A) holding onto the swim platform, swim deck, swim step, swim ladder or any portion of the exterior of the transom of a motorboat while the motorboat is underway at any speed; **or**
(B) swimming, or floating on or in the wake directly behind a motorboat that is underway. ~~or~~
~~(C) floating on a board on or in the wake directly behind a motorboat that is underway using the wake itself as the means of propulsion.~~
(3) Operate a motorboat with the number of individual riders on a towed device that exceeds the listed capacity on the towed device or the owner's manual.

SECTION 53. IC 14-22-2-8, AS AMENDED BY P.L.39-2018, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE DECEMBER 31, 2019 (RETROACTIVE)]: Sec. 8. (a) This section applies to a hunting season beginning after June 30, 2016. ~~and ending before January 1, 2020.~~

(b) A hunter may use a rifle to hunt deer on privately owned land subject to the following:

(1) The use of a rifle is permitted during hunting seasons established by the department.
(2) The rifle must be chambered for a cartridge that fires a bullet that is two hundred forty-three thousandths (.243) of an inch in diameter or larger.
(3) The rifle must fire a cartridge that has a minimum case length of one and sixteen-hundredths (1.16) inches, but is no longer than three (3) inches.
(4) A hunter may not possess more than ten (10) cartridges for the rifle while hunting deer under this section.
(5) The rifle must meet any other requirements established by the department.

(c) The use of a full metal jacketed bullet to hunt deer is unlawful.

(d) The department shall report on the impact of the use of rifles to hunt deer under this section to the governor and, in an electronic format under IC 5-14-6, the general assembly before February 15, 2020.

(e) The department may adopt rules under IC 4-22-2 to authorize the use of rifles on public property.

~~(f) This section expires June 30, 2020.~~

SECTION 54. IC 14-22-3.5-4, AS ADDED BY P.L.178-2019, SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 4. The fund consists of the revenue from ~~boat~~ **watercraft** registration fees paid by boat owners and deposited under ~~IC 9-31-3-9.~~ **IC 9-18.1-14.5-6.**

SECTION 55. IC 14-22-9-3, AS AMENDED BY P.L.39-2018, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. A person may not use, set, cause to be used or set, take, or attempt to take fish by means of:

(1) a trotline;
(2) a set line;
(3) a throw line;
(4) a net;
(5) a trap; or
(6) a seine;

~~except legal minnow seines or dip nets,~~ within two hundred (200) yards of a dam that wholly or partly crosses a river, stream, or waterway in Indiana or the boundary water of the state, **except as authorized by rules adopted by the commission under IC 4-22-2.**

SECTION 56. IC 14-22-11-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. (a) Each license and permit issued under this article is issued upon the express condition, to which the licensee or permittee by acceptance of the license or permit is considered to agree and consent, that the licensee or permittee will obey and comply with the following:

(1) All the terms, conditions, and rules:
(A) made by the director under this article; and
(B) incorporated in or attached to the license or permit when issued.
(2) This article.
(3) A wildlife law (as defined by IC 14-22-41-4(p)) while the licensee is in another jurisdiction that has adopted the wildlife violator compact (IC 14-22-41).

(b) A license or permit may be revoked **or denied** by the director at any time without refund for any of the following:

(1) Failure to comply with or violation of the terms, conditions, rules, or restrictions incorporated in or attached to the license or permit when issued.
(2) Violation of this article.
(3) Violation of a wildlife law (as defined by IC 14-22-41-4(p)) ~~while~~ **occurring after October 31, 2000, by** the licensee ~~is~~ **or permittee** in another jurisdiction that has adopted the wildlife violator compact (IC 14-22-41).

(c) If a person's license or permit is revoked or denied because of a violation described in subsection (b)(3), the person is entitled to a review of the revocation or denial by the commission. However, the commission may not review the merits of the underlying violation committed in another jurisdiction that prompted the revocation or denial under the wildlife violator compact (IC 14-22-41).

~~(c)~~ **(d)** A person whose license or permit has been revoked **or denied** by the director under this article may, by written request to the ~~director,~~ **commission,** have a hearing on the revocation **or denial of issuance.** Upon receipt of written request for a hearing on the revocation, the ~~director~~ **commission** shall do the following:

(1) Set a date for the hearing, which may not be more than fifteen (15) days from the date of receipt of the request.
(2) Give the person requesting the hearing at least five (5) days notice of the date of the hearing, which shall be held in the office of the director.
(3) Receive and keep a record of all evidence presented by the person.
(4) After considering the evidence presented at the hearing, rescind or affirm the order revoking **or denying** the license or permit.

~~(d)~~ **(e)** Every court having jurisdiction of an offense

committed in violation of an Indiana law for the protection of wildlife may, at the court's discretion, revoke the license of the offender for ~~any of the following periods:~~

~~(1) Thirty (30) days.~~

~~(2) Sixty (60) days.~~

~~(3) Ninety (90) days.~~

~~(4)~~ **a minimum of** one (1) year.

~~(c)~~ **(f)** After a revocation, the court shall forward to the division a record of the conviction of the person in the court for a violation of the law. At the time of the conviction, the court shall do the following:

(1) Obtain the license certificate of the defendant.

(2) Return the license certificate to the division.

(g) Any denial or revocation of a permit or license under this section is subject to the terms of the wildlife violator compact (IC 14-22-41).

SECTION 57. IC 14-26-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 2.1. Ownership of Lake Michigan in Public Trust

Sec. 0.5. This chapter applies only to the recreational use of Lake Michigan.

Sec. 1. As used in this chapter, "Lake Michigan" means:

(1) the waters of Lake Michigan;

(2) the land under the waters of Lake Michigan; and

(3) the land adjoining the waters of Lake Michigan up to the ordinary high water mark;

within the boundaries of Indiana.

Sec. 2. As used in this chapter, "ordinary high water mark" means the line on the bank or shore of Lake Michigan that is:

(1) established by the fluctuations of water; and

(2) indicated by physical characteristics, including:

(A) a clear and natural line impressed on the shore;

(B) shelving;

(C) changes in character of soils;

(D) the destruction of terrestrial vegetation; and

(E) the presence of litter or debris.

Sec. 3. (a) Absent any authorized legislative conveyance before February 14, 2018, the state of Indiana owns all of Lake Michigan within the boundaries of Indiana in trust for the use and enjoyment of all citizens of Indiana.

(b) An owner of land that borders Lake Michigan does not have the exclusive right to use the water or land below the ordinary high water mark of Lake Michigan.

Sec. 4. (a) As used in this section, "natural scenic beauty" refers to conditions produced by nature without manmade additions or alterations.

(b) As used in this section, "recreational purpose" means any of the following:

(1) Walking.

(2) Fishing.

(3) Boating.

(4) Swimming.

(5) Any other recreational purpose for which Lake Michigan is ordinarily used, as recognized by the commission for the purposes of this section.

(c) The citizens of Indiana have a vested right to:

(1) enjoy the natural scenic beauty of Lake Michigan;

(2) enjoy and use the natural resources of Lake Michigan; and

(3) use Lake Michigan for recreational purposes.

(d) The citizens of Indiana have a vested right in the preservation and protection of Lake Michigan.

Sec. 5. (a) The commission may adopt rules under IC 4-22-2 to administer this chapter.

(b) In the adoption of a rule under subsection (a):

(1) the public hearing held under IC 4-22-2-26 concerning the proposed rule; and

(2) any additional public meeting concerning the proposed rule that is held by:

(A) the commission; or

(B) officers or employees of the department or any other individuals authorized under IC 4-22-2-15 to perform rulemaking actions other than the final adoption of the rule;

may be held only in a county that borders Lake Michigan.

SECTION 58. IC 14-28-1-19.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 19.5. For purposes of this chapter, property owners may jointly apply for a permit.**

SECTION 59. IC 14-29-1-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9. The department may adopt rules under IC 4-22-2 to identify the location of the ordinary high water mark on the land adjoining the waters of Lake Michigan for purposes of administering this chapter.**

SECTION 60. IC 34-28-6-1, AS AMENDED BY P.L.1-2010, SECTION 137, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. Whenever a person who is not a resident of Indiana:

(1) is arrested or stopped for a misdemeanor violation or infraction under:

(A) ~~IC 9-31-3;~~ **IC 9-18.1-14.5;**

(B) IC 14-15-2 through IC 14-15-7;

(C) IC 14-16-1; or

(D) IC 14-22; and

(2) is not immediately taken to court;

the person may, at the discretion of the officer, be released upon the deposit of a security. The security shall be the amount of the fine or judgment and costs for the violation in the form of cash, money order, or a traveler's check made payable to the clerk of the court in which the person will appear.

SECTION 61. IC 34-30-19.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 19.5. Immunity of Owner of Property Adjacent to Lake Michigan

Sec. 1. As used in this chapter, "owner" means a person that:

(1) has a fee interest in;

(2) is a tenant, lessee, or occupant of; or

(3) is otherwise legally in control of;

a private property that is adjacent to Lake Michigan.

Sec. 2. As used in this chapter, "private property" means a property whose owner is a person other than the state of Indiana.

Sec. 3. (a) The owner of a private property that is adjacent to Lake Michigan does not assume responsibility or incur liability for an injury to an individual or damage to property that:

(1) occurs after June 30, 2020, when an individual is crossing the private property:

(A) to enter; or

(B) upon leaving;

the area of the beach of Lake Michigan that the public has a vested right to use for recreational purposes; and

(2) is caused by:

(A) an act or omission of a person other than the owner;

(B) an act or omission of the owner, except for an act of the owner constituting intentional misconduct; or

(C) the condition of the property.

(b) This section does not affect the following:

(1) Existing Indiana case law on the liability of property owners with respect to:

(A) business invitees in commercial establishments;

or

(B) invited guests.

(2) The attractive nuisance doctrine.

SECTION 62. IC 35-52-6-45 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 45. IC 6-6-11-27 defines a crime concerning taxes.~~

SECTION 63. IC 35-52-9-7.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 7.6. IC 9-18.1-14.5-5 defines a crime concerning proof of registration of a watercraft.**

SECTION 64. IC 36-1-29 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 29. Seawall and Revetment Permits

Sec. 1. This chapter applies only in a county that is located along the shore of Lake Michigan.

Sec. 2. This chapter does not:

(1) affect the determination of the location of the ordinary high water mark; or

(2) interfere with or supersede state law, state administrative rules, or local ordinances concerning the issuance of permits for seawalls or revetments.

Sec. 3. As used in this chapter, "emergency" means a situation that:

(1) requires immediate action;

(2) is induced by weather or high lake levels; and

(3) either:

(A) creates the potential for imminent structural damage to private property in an area adjacent to Lake Michigan; or

(B) threatens or creates an imminent risk to the public health, welfare, or safety in areas adjacent to Lake Michigan.

Sec. 4. As used in this chapter, "local governmental agency" has the meaning set forth in IC 36-7-4-1109(a).

Sec. 5. As used in this chapter, "ordinary high water mark" has the meaning set forth in IC 14-26-2.1-2.

Sec. 6. As used in this chapter, "owner" means a person that has a fee interest in a private property adjacent to and landward of Lake Michigan.

Sec. 7. As used in this chapter, "permit" has the meaning set forth in IC 36-7-4-1109(b).

Sec. 8. As used in this chapter, "private property" means real property that is not owned or leased by the state or a political subdivision.

Sec. 9. As used in this chapter, "real property" includes any improvements to real property.

Sec. 10. (a) An owner of private property who is subject to the jurisdiction of a local governmental agency in a county subject to this chapter may:

(1) subject to applicable state laws and administrative rules, local ordinances, and section 11 of this chapter, in the case of an emergency, repair an existing seawall or revetment on the owner's private property; or

(2) subject to applicable state laws and administrative rules, local ordinances, and section 12 of this chapter, in the case of an emergency, construct a new seawall or revetment on the owner's private property;

whichever applies.

(b) For the purposes of this chapter, side seawalls on Lake Michigan are temporary structures and must be at least eighteen (18) inches from the private property line.

Sec. 11. In accordance with applicable state laws, state administrative rules, and local ordinances, the repair of an existing seawall or revetment may include placing seawalls or revetments into the waters of Lake Michigan where the water is already coming into contact with those seawalls or revetments as long as the seawall or revetment repair is as close to the existing seawall or revetment as reasonably possible.

Sec. 12. In accordance with applicable state laws, state administrative rules, and local ordinances, the owner of private property may construct a new seawall or revetment on the private property in a location in which the new seawall or revetment can reasonably be expected to provide protection to the property.

Sec. 13. A seawall may be contiguous to another seawall if making one (1) or more seawalls contiguous does not interfere, obstruct, or otherwise inhibit the public's ability to use a public access point or easement that provides access to the shore of Lake Michigan and all parts of the seawall are on private property.

Sec. 14. Not later than ten (10) business days after a person submits a completed application for an emergency seawall or revetment permit and meets all required conditions, a local governmental agency shall:

(1) approve; or

(2) deny;

the person's application for the emergency permit. If a local governmental agency does not approve or deny the emergency seawall or revetment permit within ten (10) business days, the emergency permit is automatically approved and considered issued to the person.

Sec. 15. If a local governmental agency denies the emergency seawall or revetment permit, the local governmental agency shall provide the reasons for the denial in a single response to the person. A person may submit not more than one (1) completed reapplication for an emergency seawall or revetment permit that lists reasons why the local governmental agency should approve the person's emergency permit. Not later than ten (10) business days after the person submits the completed reapplication, a local governmental agency shall:

(1) approve; or

(2) deny;

the person's reapplication for the emergency permit. If a local governmental agency does not approve or deny the person's reapplication for the emergency seawall or revetment permit within ten (10) business days, the emergency permit is automatically approved and considered issued to the person.

Sec. 16. This section applies to an application for a seawall or revetment permit that is not an emergency permit. Not later than thirty (30) business days after a person submits a completed application and meets all required conditions for a seawall or revetment permit, a local governmental agency shall:

(1) approve; or

(2) deny;

the person's application for the permit.

SECTION 65. IC 36-7-4-1103, AS AMENDED BY P.L.119-2012, SECTION 195, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1103. ~~(a) This section does not apply to a plan commission exercising jurisdiction in a county having a population of more than twenty thousand nine hundred (20,900) but less than twenty-one thousand (21,000).~~

~~(b)~~ **(a)** ADVISORY—AREA. For purposes of this section, urban areas include all lands and lots within the corporate boundaries of a municipality, any other lands or lots used for residential purposes where there are at least eight (8) residences within any quarter mile square area, and other lands or lots that have been or are planned for residential areas contiguous to the municipality.

~~(c)~~ **(b)** ADVISORY—AREA. This chapter does not authorize an ordinance or action of a plan commission that would prevent, outside of urban areas, the complete use and alienation of any mineral resources or forests by the owner or alienee of them.

SECTION 66. **An emergency is declared for this act.**

(Reference is to EHB 1385 as printed February 25, 2020.)

EBERHART GLICK
PFAFF TALLIAN
House Conferees Senate Conferees

Roll Call 368: yeas 70, nays 22. Report adopted.

Representatives Hatfield, Mayfield and Soliday, who had been excused, are now present.

CONFERENCE COMMITTEE REPORT
ESB 299–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 299 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 16-34-2-1.1, AS AMENDED BY P.L.129-2018, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.1. (a) An abortion shall not be performed except with the voluntary and informed consent of the pregnant woman upon whom the abortion is to be performed. Except in the case of a medical emergency, consent to an abortion is voluntary and informed only if the following conditions are met:

(1) At least eighteen (18) hours before the abortion and in the private, not group, presence of the pregnant woman, the physician who is to perform the abortion, the referring physician or a physician assistant (as defined in IC 25-27.5-2-10), an advanced practice registered nurse (as defined in IC 25-23-1-1(b)), or a certified nurse midwife (as defined in IC 34-18-2-6.5) to whom the responsibility has been delegated by the physician who is to perform the abortion or the referring physician has informed the pregnant woman orally and in writing of the following:

(A) The name of the physician performing the abortion, the physician's medical license number, and an emergency telephone number where the physician or the physician's designee may be contacted on a twenty-four (24) hour a day, seven (7) day a week basis.

(B) That follow-up care by the physician or the physician's designee (if the designee is licensed under IC 25-22.5) is available on an appropriate and timely basis when clinically necessary.

(C) The nature of the proposed procedure or information concerning the abortion inducing drug.

(D) Objective scientific information of the risks of and alternatives to the procedure or the use of an abortion inducing drug, including:

(i) the risk of infection and hemorrhage;

(ii) the potential danger to a subsequent pregnancy; and

(iii) the potential danger of infertility.

(E) That human physical life begins when a human ovum is fertilized by a human sperm.

(F) The probable gestational age of the fetus at the time the abortion is to be performed, including:

(i) a picture of a fetus;

(ii) the dimensions of a fetus; and

(iii) relevant information on the potential survival of an unborn fetus;

at this stage of development.

(G) That objective scientific information shows that a fetus can feel pain at or before twenty (20) weeks of postfertilization age.

(H) The medical risks associated with carrying the fetus to term.

(I) The availability of fetal ultrasound imaging and auscultation of fetal heart tone services to enable the pregnant woman to view the image and hear the heartbeat of the fetus and how to obtain access to these services.

(J) That the pregnancy of a child less than fifteen (15) years of age may constitute child abuse under Indiana law if the act included an adult and must be reported to the department of child services or the local law enforcement agency under IC 31-33-5.

(K) That Indiana does not allow a fetus to be aborted solely because of the fetus's race, color, national origin, ancestry, sex, or diagnosis or potential diagnosis of the fetus having Down syndrome or any other disability.

(2) At least eighteen (18) hours before the abortion, the pregnant woman will be informed orally and in writing of the following:

(A) That medical assistance benefits may be available for prenatal care, childbirth, and neonatal care from the county office of the division of family resources.

(B) That the father of the unborn fetus is legally required to assist in the support of the child. In the case of rape, the information required under this clause may be omitted.

(C) That adoption alternatives are available and that adoptive parents may legally pay the costs of prenatal care, childbirth, and neonatal care.

(D) That there are physical risks to the pregnant woman in having an abortion, both during the abortion procedure and after.

(E) That Indiana has enacted the safe haven law under IC 31-34-2.5.

(F) The:

(i) Internet web site address of the state department of health's web site; and

(ii) description of the information that will be provided on the web site and that are;

described in section 1.5 of this chapter.

(G) For the facility in which the abortion is to be performed, an emergency telephone number that is available and answered on a twenty-four (24) hour a day, seven (7) day a week basis.

(H) On a form developed by the state department and as described in IC 16-34-3, that the pregnant woman has a right to determine the final disposition of the remains of the aborted fetus.

(I) On a form developed by the state department, ~~information concerning the available options for disposition of~~ **that the pregnant woman has a right, after a surgical abortion, to:**

(i) dispose of the remains of the aborted fetus **by interment in compliance with IC 23-14-54, or cremation through a licensee (as defined in IC 25-15-2-19) and in compliance with IC 23-14-31; or**

(ii) have the health care facility or abortion clinic dispose of the remains of the aborted fetus by interment in compliance with IC 23-14-54, or cremation through a licensee (as defined in IC 25-15-2-19) and in compliance with

IC 23-14-31, and ask which method of disposition will be used by the health care facility or abortion clinic.

(J) On a form developed by the state department:

(i) that a pregnant woman, after an abortion induced by an abortion inducing drug, will expel an aborted fetus; and

(ii) the disposition policy of the health care facility or the abortion clinic concerning the disposition of the aborted fetus. The disposition policy must allow the pregnant woman to return the aborted fetus to the health care facility or abortion clinic for disposition by interment in compliance with IC 23-14-54, or cremation through a licensee (as defined in IC 25-15-2-19) and in compliance with IC 23-14-31.

~~(J)~~ **(K)** On a form developed by the state department, information concerning any counseling that is available to a pregnant woman after having an abortion.

The state department shall develop and distribute the forms required by clauses (H) through ~~(J).~~ **(K).**

(3) The pregnant woman certifies in writing, on a form developed by the state department, before the abortion is performed, that:

(A) the information required by subdivisions (1) and (2) has been provided to the pregnant woman;

(B) the pregnant woman has been offered by the provider the opportunity to view the fetal ultrasound imaging and hear the auscultation of the fetal heart tone if the fetal heart tone is audible and that the woman has:

(i) viewed or refused to view the offered fetal ultrasound imaging; and

(ii) listened to or refused to listen to the offered auscultation of the fetal heart tone if the fetal heart tone is audible; and

(C) the pregnant woman has been given a written copy of the printed materials described in section 1.5 of this chapter.

(4) At least eighteen (18) hours before the abortion and in the presence of the pregnant woman, the physician who is to perform the abortion, the referring physician or a physician assistant (as defined in IC 25-27.5-2-10), an advanced practice registered nurse (as defined in IC 25-23-1-1(b)), or a certified nurse midwife (as defined in IC 34-18-2-6.5) to whom the responsibility has been delegated by the physician who is to perform the abortion or the referring physician has provided the pregnant woman with a color copy of the informed consent brochure described in section 1.5 of this chapter by printing the informed consent brochure from the state department's Internet web site and including the following information on the back cover of the brochure:

(A) The name of the physician performing the abortion and the physician's medical license number.

(B) An emergency telephone number where the physician or the physician's designee may be contacted twenty-four (24) hours a day, seven (7) days a week.

(C) A statement that follow-up care by the physician or the physician's designee who is licensed under IC 25-22.5 is available on an appropriate and timely basis when clinically necessary.

(5) At least eighteen (18) hours before an abortion is performed and at the same time that the pregnant woman receives the information required by subdivision (1), the provider shall perform, and the pregnant woman shall view, the fetal ultrasound imaging and hear the auscultation of the fetal heart tone if the fetal heart tone is audible unless the pregnant woman certifies in writing, on a form developed by the state department, before the abortion is performed, that the pregnant woman:

(A) does not want to view the fetal ultrasound imaging; and

(B) does not want to listen to the auscultation of the fetal heart tone if the fetal heart tone is audible.

(b) This subsection applies to a pregnant woman whose unborn child has been diagnosed with a lethal fetal anomaly. The requirements of this subsection are in addition to the other requirements of this section. At least eighteen (18) hours before an abortion is performed on the pregnant woman, the physician who will perform the abortion shall:

(1) orally and in person, inform the pregnant woman of the availability of perinatal hospice services; and

(2) provide the pregnant woman copies of the perinatal hospice brochure developed by the state department under IC 16-25-4.5-4 and the list of perinatal hospice providers and programs developed under IC 16-25-4.5-5, by printing the perinatal hospice brochure and list of perinatal hospice providers from the state department's Internet web site.

(c) If a pregnant woman described in subsection (b) chooses to have an abortion rather than continuing the pregnancy in perinatal hospice care, the pregnant woman shall certify in writing, on a form developed by the state department under IC 16-25-4.5-6, at least eighteen (18) hours before the abortion is performed, that the pregnant woman has been provided the information described in subsection (b) in the manner required by subsection (b).

SECTION 2. IC 16-34-3-2, AS AMENDED BY P.L.85-2017, SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A pregnant woman who has an abortion under this article has the right to ~~determine the final disposition~~ **have the health care facility or abortion clinic dispose** of the aborted fetus **by interment in compliance with IC 23-14-54, or cremation through a licensee (as defined in IC 25-15-2-19) and in compliance with IC 23-14-31. The pregnant woman who selects to have the health care facility or abortion clinic dispose of the aborted fetus has the right to ask which method will be used by the health care facility or abortion clinic.**

(b) After receiving the notification and information required by IC 16-34-2-1.1(a)(2)(H), ~~and~~ IC 16-34-2-1.1(a)(2)(I), **and IC 16-34-2-1.1(a)(2)(J),** the pregnant woman shall inform the abortion clinic or the health care facility:

(1) in writing; and

(2) on a form prescribed by the state department;

of the pregnant woman's decision for final disposition of the aborted fetus ~~before the aborted fetus may be discharged from the abortion clinic or the health care facility.~~ **by cremation or interment and, in an abortion induced by an abortion inducing drug, whether the pregnant woman will return the aborted fetus to the health care facility or abortion clinic for disposition by interment in compliance with IC 23-14-54, or cremation through a licensee (as defined in IC 25-15-2-19) and in compliance with IC 23-14-31.**

(c) If the pregnant woman is a minor, the abortion clinic or health care facility shall obtain parental consent in the disposition of the aborted fetus unless the minor has received a waiver of parental consent under IC 16-34-2-4.

(d) The abortion clinic or the health care facility shall document the pregnant woman's decision concerning disposition of the aborted fetus in the pregnant woman's medical record.

(e) In the case of an abortion induced by an abortion inducing drug, the pregnant woman may return the aborted fetus to the health care facility or abortion clinic for disposition by interment in compliance with IC 23-14-54, or cremation through a licensee (as defined in IC 25-15-2-19) and in compliance with IC 23-14-31.

SECTION 3. IC 16-34-3-4, AS AMENDED BY P.L.213-2016, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) An

abortion clinic or health care facility having possession of an aborted fetus shall provide for the final disposition of the aborted fetus. The burial transit permit requirements of IC 16-37-3 apply to the final disposition of an aborted fetus, which must be interred or cremated. However:

(1) a person is not required to designate a name for the aborted fetus on the burial transit permit and the space for a name may remain blank; and

(2) any information submitted under this section that may be used to identify the pregnant woman is confidential and must be redacted from any public records maintained under IC 16-37-3.

Aborted fetuses may be cremated by simultaneous cremation.

(b) If the abortion clinic or health care facility conducts the cremation of aborted fetal remains on site, the abortion clinic or health care facility must comply with all state laws concerning the cremation of human remains as prescribed in IC 23-14-31. The abortion clinic or health care facility must make the onsite cremation equipment available to the state department for inspection at the time the abortion clinic or health care facility is inspected. When the abortion clinic or health care facility contracts with a licensed funeral home for the disposal of the aborted fetal remains, the contract must be made available for review by the state department at the time the abortion clinic or health care facility is inspected.

(c) Except in extraordinary circumstances where the required information is unavailable or unknown, a burial transit permit issued under IC 16-37-3 that includes multiple fetal remains must be accompanied by a log prescribed by the state department containing the following information about each fetus included under the burial transit permit:

(1) The date of the abortion.

(2) Whether the abortion was surgical or induced by an abortion inducing drug.

(3) The name of the funeral director licensee who will be retrieving the aborted fetus.

(4) In the case of an abortion induced by an abortion inducing drug:

(A) whether the pregnant woman will cremate or inter the fetus, or will return the fetus to the health care facility or abortion clinic for disposition; and

(B) if the pregnant woman returns the fetus to the health care facility or abortion clinic, whether the returned fetus is included in the burial transit permit.

The abortion clinic or health care facility must keep a copy of the burial transit permit and accompanying log in a permanent file.

(d) Each time the fetal remains are transported from one entity to another for disposition, the entity receiving the fetal remains must confirm that the number of fetal remains matches the information contained in the burial transit permit and accompanying log. After final disposition, a copy of the log will be sent back to the health care facility or abortion clinic. The final log will be attached to the original log described in subsection (c) and will be made available for review by the state department at the time of inspection.

(e) An abortion clinic or a health care facility is responsible for demonstrating to the state department that the abortion clinic or the health care facility has complied with the protocol provided in this section.

~~(b)~~ **(f)** ~~The local health officer shall issue a permit for the disposition of the aborted fetus to the person in charge of interment for the interment of the aborted fetus.~~ A certificate of stillbirth is not required to be issued for an aborted fetus with a gestational age of less than twenty (20) weeks of age.

~~(c)~~ **(g)** IC 23-14-31-26, IC 23-14-55-2, IC 25-15-9-18, and IC 29-2-19-17 concerning the authorization of disposition of human remains apply to this section.

(Reference is to ESB 299 as reprinted February 25, 2020.)

BROWN STUTZMAN
KRUSE BACON
Senate Conferees House Conferees

Roll Call 369: yeas 81, nays 15. Report adopted.

CONFERENCE COMMITTEE REPORT
ESB 346–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 346 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 20-19-2-2.2, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.2. (a) Beginning June 1, 2015, the state board consists of the following members:

(1) The state superintendent.

(2) Eight (8) members appointed by the governor. The following provisions apply to members of the state board appointed under this subdivision:

(A) At least six (6) members appointed under this subdivision must have professional experience in the field of education as provided in subsection (b).

(B) Members shall be appointed from different parts of Indiana with not more than one (1) member being appointed from a particular congressional district.

(C) Not more than five (5) members of the state board may be appointed from the membership of any one (1) political party.

(D) Subject to subsection (h), at least one (1) member shall be a practicing licensed special education teacher or special education director at the time the member is appointed.

(3) One (1) member, who is not a member of the general assembly, appointed by the speaker of the house of representatives.

(4) One (1) member, who is not a member of the general assembly, appointed by the president pro tempore of the senate.

(b) For purposes of subsection (a), an individual is considered to have professional experience in the field of education if the individual has teaching or leadership experience at a postsecondary educational institution or is currently employed as, or is retired from a position as:

(1) a teacher;

(2) a principal;

(3) an assistant superintendent; or

(4) a superintendent.

(c) A quorum consists of six (6) members of the state board. An action of the state board is not official unless the action is authorized by at least six (6) members.

(d) ~~Subject to subsection (c),~~ The members of the state board shall elect a chairperson and vice chairperson annually from the members of the state board. The vice chairperson shall act as chairperson in the absence of the chairperson.

~~(e) Notwithstanding subsection (d), the state superintendent shall serve as the chairperson of the state board until a~~

~~chairperson is elected under subsection (d) at the first meeting of the state board after December 31, 2016, which shall be held not later than January 15, 2017. A vice chairperson shall be elected at the first meeting of the state board after June 30, 2015, which shall be held not later than August 1, 2015. This subsection expires July 1, 2018.~~

~~(f)~~ **(e)** Except as otherwise provided in subsection ~~(g),~~ **(f),** each member appointed under subsection (a)(2) through (a)(4) serves a four (4) year term. The term begins on July 1.

~~(g)~~ **(f)** A member appointed under subsection (a)(2) through (a)(4) may be removed from the state board by the member's appointing authority for just cause. Vacancies in the appointments to the state board shall be filled by the appointing authority. A member appointed under this subsection serves for the remainder of the unexpired term.

~~(h)~~ **(g)** The state board shall meet at a minimum at least one (1) time each month. The state board shall establish the date of the next monthly meeting during the monthly meeting of the state board. In addition to the monthly meeting required under this subsection, the state board shall meet at the call of the chairperson.

(h) This subsection expires July 1, 2024. The governor shall appoint a member who has the qualifications described in subsection (a)(2)(D) for the first appointment made by the governor to fill a vacancy on the state board after March 31, 2020.

SECTION 2. IC 20-19-9.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 9.1. Indiana Standards and Assessment Accommodation Task Force

Sec. 1. As used in this chapter, "task force" refers to the Indiana standards and assessment accommodation task force established by section 2 of this chapter.

Sec. 2. (a) The Indiana standards and assessment accommodation task force is established. The task force shall review:

(1) the accommodations provided for by Indiana's statewide assessment to determine if appropriate accommodations are available to accurately measure a student's learning; and

(2) Indiana's English and language arts academic standards to explore the possibility of separating the academic standard of reading comprehension into a separate reading academic standard and a comprehension academic standard.

On or before November 1, 2020, the task force shall issue a final report and shall make recommendations to the general assembly in an electronic format under IC 5-14-6.

(b) The task force consists of fourteen (14) members as follows:

(1) One (1) member of the majority party of the house of representatives appointed by the speaker of the house of representatives.

(2) One (1) member of the majority party of the senate appointed by the president pro tempore of the senate.

(3) One (1) member of the minority party of the house of representatives appointed by the speaker of the house of representatives in consultation with the minority floor leader of the house of representatives.

(4) One (1) member of the minority party of the senate appointed by the president pro tempore of the senate in consultation with the minority floor leader of the senate.

(5) The member of the state board described in IC 20-19-2-2.2(a)(3).

(6) The member of the state board described in IC 20-19-2-2.2(a)(4).

(7) One (1) member representing The Arc of Indiana appointed by The Arc of Indiana.

(8) One (1) member who is an assessment expert with experience in special education assessments appointed by The Arc of Indiana.

(9) One (1) member representing Decoding Dyslexia Indiana appointed by Decoding Dyslexia Indiana.

(10) One (1) member who is a special education administrator appointed by the Indiana Council of Administrators of Special Education (ICASE).

(11) One (1) member who is a special education teacher jointly appointed by the co-chairs of the task force.

(12) One (1) member who is an assessment expert appointed by the state board.

(13) The department's director of curriculum and instruction.

(14) One (1) member representing the department's office of student assessment appointed by the department.

(c) The members described in subsection (b)(1) and (b)(2) shall serve as co-chairpersons for the task force. The task force shall meet at the call of the co-chairpersons.

(d) A quorum consists of the majority of the members of the task force.

(e) The affirmative votes of a majority of the members of the task force are required for the task force to take action on any measure.

Sec. 3. (a) A member of the task force who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) A member of the task force who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) A member of the task force who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from current appropriations made to the legislative council or the legislative services agency.

Sec. 4. The legislative services agency shall staff the task force.

Sec. 5. This chapter expires July 1, 2021.

SECTION 3. IC 20-32-5.1-6, AS ADDED BY P.L.242-2017, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) The state board shall:

(1) authorize and oversee the department's development and implementation of the Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program, including:

(A) establishment of criteria for requests for proposals for statewide assessments developed or authorized under this chapter;

(B) establishment of criteria for membership of evaluation teams; and

(C) establishment of criteria for content and format of the statewide assessment; and

(2) require the department to conduct ongoing analysis of whether the statewide assessment results are predictive of

success in college and career training programs.

(b) The passing scores on a statewide assessment must be determined by statistically valid and reliable methods as determined by independent experts selected by the state board.

(c) The state board, in consultation with The Arc of Indiana and Indiana Council of Administrators of Special Education (ICASE), shall select one (1) or more individuals who specialize in special education who shall, in turn, be consulted with by the state board as part of the state board's oversight of the development and implementation of the Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program.

~~(c)~~ **(d)** The state superintendent, with the approval of the state board, is responsible for the development, implementation, and monitoring of the Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program.

~~(d)~~ **(e)** The department shall prepare detailed design specifications for the statewide assessment developed under this chapter that must do the following:

(1) Take into account the academic standards adopted under IC 20-31-3.

(2) Include testing of students' higher level cognitive thinking in each subject area tested.

~~(e)~~ **(f)** A statewide assessment described in section 7 of this chapter may be in a form that allows the department and the state board, to the extent possible, to compare the proficiency of Indiana students to the proficiency of students in other states. A statewide assessment may consist of original test items for Indiana's exclusive use if the state board determines that:

(1) developing original test items for Indiana's exclusive use will result in cost savings; or

(2) it would be impractical to develop a statewide assessment adequately aligned to Indiana's academic standards without including original test items developed for Indiana's exclusive use.

SECTION 4. IC 20-32-5.1-18.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 18.4. Notwithstanding any other law, a student's score on the statewide assessment may not be the primary factor or measure used to determine whether a student is eligible for a particular course or program.**

SECTION 5. IC 20-32-5.1-18.5, AS ADDED BY P.L.287-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18.5. (a) The department shall, ~~make every reasonable attempt~~ to **the extent permitted under federal law,** provide the same ~~voice-to-text,~~ **text-to-speech,** screen reader, or human reader **and calculator** accommodations to a ~~particular~~ student **in grades 6 through 12** on every section of the statewide assessment program ~~as~~ **if that accommodation is** provided as part of the student's:

(1) individualized education program;

(2) service plan developed under 511 IAC 7-34; ~~or~~

(3) choice ~~scholarship~~ **special** education plan developed under 511 IAC 7-49; **or**

(4) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794.

(b) The department must submit any guidance or recommendations the department plans to distribute to a school corporation or school that attempts to affect in any manner based on statewide assessment accommodations which instructional methods are included or excluded from a program or plan described in subsection (a) to the state board for approval.

~~(b)~~ **(c)** This subsection expires January 1, 2020. The state board shall provide a report to the legislative council in an electronic format under IC 5-14-6, explaining in detail the extent that:

(1) individualized education programs;

(2) service plans developed under 511 IAC 7-34; or

(3) choice ~~scholarship~~ **special** education plans developed under 511 IAC 7-49;

were altered to align to the statewide assessment program.

SECTION 6. IC 20-32-5.1-18.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 18.8. (a) As used in this section, "school" means the following:**

(1) A school maintained by a school corporation.

(2) A charter school.

(3) An accredited nonpublic school.

(b) The department, in consultation with The Arc of Indiana and the Indiana Council of Administrators of Special Education (ICASE), shall develop a notice for a parent of a student who:

(1) is enrolled in grade 3, 4, or 5; and

(2) has an accommodation that:

(A) is provided as part of the student's:

(i) individualized education program;

(ii) service plan developed under 511 IAC 7-34;

(iii) choice special education plan developed under 511 IAC 7-49; or

(iv) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794; and

(B) the student is not allowed to use on all or part of the statewide assessment.

(c) The notice developed under subsection (b) must inform the parent of a student described in subsection (b) that the student is not allowed to use the accommodation described in subsection (b)(2) on all or part of the statewide assessment.

(d) The department shall distribute a copy of the notice to each school.

(e) Not later than February 1, 2021, and not later than February 1, 2022, each school shall do the following:

(1) Provide the notice developed under subsection (b) to a parent of a student described in subsection (b) at the annual review of the student's:

(A) individualized education program;

(B) service plan developed under 511 IAC 7-34;

(C) choice special education plan developed under 511 IAC 7-49; or

(D) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794.

If a parent does not attend the annual review, the school shall provide a copy of the notice to the parent by certified mail or personal delivery.

(2) Discuss and determine, at the annual review described in subdivision (1) in which a parent of the student participates, whether the student may be eligible to opt out of any applicable section of the statewide assessment.

(f) This section expires July 1, 2022.

SECTION 7. **An emergency is declared for this act.**

(Reference is to ESB 346 as reprinted February 28, 2020.)

HOUCHIN BEHNING
STOOPS DELANEY
Senate Conferees House Conferees

Roll Call 370: yeas 96, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT
ESB 438–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 438 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended

as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 15-16-4-3, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. As used in this chapter, "adulterated" refers to a pesticide or pesticide product if:

(1) the strength or purity of the pesticide ~~falls below~~ **does not meet** the professed standard or quality as expressed on its labeling under which it is sold;

(2) any substance has been substituted wholly or in part for the pesticide product; or

(3) any valuable constituent of the pesticide product has been wholly or in part removed.

SECTION 2. IC 15-16-4-10, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. As used in this chapter, "device" means any instrument or contrivance intended for trapping, destroying, repelling, or mitigating ~~insects or rodents or destroying, repelling, or mitigating~~ any pest. The term does not include:

(1) equipment used for the application of pesticides when sold separately from the pesticides;

(2) firearms; or

(3) simple mechanical devices, including barriers, traps, or adhesives, or other simple contrivances that are not subject to this chapter as determined by the pesticide review board.

SECTION 3. IC 15-16-4-14, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. As used in this chapter, ~~"fungi" means all nonchlorophyll-bearing thallophytes (all nonchlorophyll-bearing plants of a lower order than mosses and liverworts), including:~~

~~(1) rusts;~~

~~(2) smuts;~~

~~(3) mildews;~~

~~(4) molds;~~

~~(5) yeasts;~~

~~(6) bacteria; and~~

~~(7) viruses;~~

~~except those on or in a living human or other animal.~~ **"fungus" has the meaning set forth in IC 15-16-5-14.**

SECTION 4. IC 15-16-4-18, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. As used in this chapter, "immediate container" means the part of a container that is in direct contact with a pesticide. ~~product.~~ **In the case of a pesticide product that is a device, the term includes the device itself.**

SECTION 5. IC 15-16-4-28, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 28. As used in this chapter, "person" means: ~~any:~~

(1) **an** individual;

(2) **a** partnership;

(3) **an** association;

(4) **a** fiduciary;

(5) **a** corporation; or

(6) **an** organized group of persons;

whether incorporated or not.

SECTION 6. IC 15-16-4-34, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 34. As used in this chapter, "plant regulator" means any substance or mixture of substances, intended through physiological action, for:

(1) accelerating or retarding the rate of growth or rate of maturation; or

(2) altering the behavior of ornamental or crop plants or the produce of ornamental or crop plants.

The term does not include substances ~~to the extent they~~ **that** are intended **solely** as plant nutrients, trace elements, nutritional chemicals, plant inoculants, and soil amendments.

SECTION 7. IC 15-16-4-56, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 56. For more than one (1) pesticide product to be considered the same pesticide product, each pesticide product must exhibit the same:

(1) product name;

(2) registrant name;

(3) United States Environmental Protection Agency registration number, ~~and~~ **if applicable;**

(4) labeling, **claims, and branding; and**

(5) ingredient statement.

SECTION 8. IC 15-16-4-61, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 61. (a) Each pesticide product that is:

(1) produced, distributed, sold, displayed, or offered for sale within Indiana; or

(2) delivered for transportation or transported:

(A) in intrastate commerce; or

(B) between points within Indiana through any point outside Indiana;

must be registered in the office of the state chemist.

(b) The application for registration must be made on a form provided by the state chemist that includes the following information:

(1) The name and address of the:

(A) applicant; and

(B) person whose name will appear on the label, if a person other than the applicant.

(2) The complete brand name of the pesticide **product.**

(3) A complete copy of the labeling accompanying the pesticide **product.**

~~(4) A statement of all claims to be made for it, including directions for use.~~

~~(5) If requested by the state chemist, a full description of the tests made and the results of the tests upon which the claims are based. In the case of renewal of registration, a statement shall be required only with respect to information that is different from that furnished when the pesticide was registered or last reregistered.~~

SECTION 9. IC 15-16-4-62, AS AMENDED BY P.L.99-2012, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 62. (a) Each registrant shall pay an annual, nonrefundable **application** fee of one hundred seventy dollars ($170) for each application for each pesticide product submitted for registration **or reregistration.**

(b) Each registration expires January 1 of each year.

(c) All fees collected by the state chemist under this chapter shall be paid to the treasurer of Purdue University, who shall deposit the fees in a special restricted account designated by the treasurer of the board of trustees of Purdue University.

(d) From the account described in subsection (c), the treasurer shall pay all expenses incurred in administering this chapter, including expenses for the following:

(1) The employment of:

(A) inspectors;

(B) investigators;

(C) researchers;

(D) analysts;

(E) administrators; and

(F) clerical and service staff.

(2) Expenses in procuring samples and printing results of inspections.

(3) Purchasing:

(A) supplies;

(B) equipment; and
(C) services.
(4) Necessary remodeling.
(5) Other expenses of the office of the state chemist.
(6) The transfer of ten dollars ($10) from each fee paid under subsection (a) on an annual basis to the office of Purdue pesticide programs to provide education about the safe and effective use of pesticides.

The treasurer is not required to use any other funds, except those collected as registration fees, to pay any expenses incurred in the administration of this chapter. The dean of agriculture shall make an annual financial report to the governor showing total receipts and expenditures of all fees received under this chapter.

(e) A registrant who registers or pays an annual fee after December 31 of any year shall pay a late fee of one hundred seventy dollars ($170) as well as the annual fee.

(f) Excess funds from the collection of fees under this chapter are subject to IC 15-16-2-36.

SECTION 10. IC 15-16-4-64, AS ADDED BY P.L.120-2008, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 64. (a) The state chemist ~~shall~~ **may** require the submission of the complete formula of any pesticide product, including: ~~the:~~

(1) **the** confidential statement of formula;
(2) **the** analytical methods for the analysis of the pesticide formulation and the analysis of residues of the pesticide product in environmental media; ~~and~~
(3) **the** analytical standards of the pesticide product;
(4) the safety data sheet;
(5) the physical sample of the pesticide product; and
(6) a statement of all claims to be made for the pesticide product, including a full description of the tests made and the results of the tests upon which the claims are based.

In the case of a federally registered product, this requirement may be waived.

(b) The state chemist shall register a pesticide product if:

(1) the state chemist determines that the composition of the pesticide product warrants the proposed claims for the pesticide product;
(2) the pesticide product, its labeling, and other material required to be submitted comply with the requirements of section 61 of this chapter; and
(3) the state chemist determines that the person submitting the application for registration has complied with the requirements of this chapter, **including satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 64.5 of this chapter.**

(c) The state chemist shall notify the applicant that the pesticide product, labeling, or other material required to be submitted fails to comply with the law if the state chemist determines:

(1) that the proposed claims for the pesticide product; or
(2) the pesticide product, its labeling, and other material required to be submitted;

does not comply with this chapter, **including satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 64.5 of this chapter.**

(d) If the state chemist notifies an applicant under subsection (c), the state chemist shall give the applicant an opportunity to make the necessary corrections. If upon receipt of notice, the applicant does not make the corrections, the state chemist may refuse to register the pesticide product.

(e) The state chemist, in accordance with the procedures specified in this section, may deny, suspend, or cancel the registration of a pesticide whenever the state chemist determines that:

(1) the pesticide product;
(2) the pesticide product's labeling; or
(3) the person submitting the application for registration of the pesticide product;

does not comply with this chapter, **including satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 64.5 of this chapter.**

(f) If:

(1) an application for registration is refused; or
(2) the state chemist proposes to deny, suspend, or cancel a registration;

notice of the action and information concerning the person's right to obtain a review under section 64.5 of this chapter must be given to the applicant or registrant.

SECTION 11. IC 15-16-4-69, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 69. (a) Subject to this section, if a person violates this chapter or a rule adopted under this chapter, the state chemist under IC 4-21.5-3-6 may warn, cite, or impose a civil penalty on the person or:

(1) deny;
(2) suspend;
(3) revoke; or
(4) amend;

the person's registration under this chapter.

(b) The state chemist may impose civil penalties **under this section** only in accordance with the schedule of civil penalties adopted by the board. The board shall establish a schedule of the civil penalties that may be imposed under subsection (a) by rule adopted under IC 4-22-2. The rule adopted under this subsection may not provide for a civil penalty that exceeds the following:

(1) Two hundred fifty dollars ($250) for a person's first violation.
(2) Five hundred dollars ($500) for a person's second violation.
(3) One thousand dollars ($1,000) for a person's third violation and each subsequent violation.

~~(c) If a violation is of a continuing nature, the state chemist may impose a civil penalty for each day that the violation occurred.~~

~~(d)~~ **(c)** A proceeding under IC 4-21.5-3 that involves the imposition of a civil penalty may be consolidated with any other proceeding commenced under IC 4-21.5 to enforce this chapter or the rules adopted under this chapter.

~~(e)~~ **(d)** Money collected for civil penalties imposed under this section shall be credited to the office of Purdue pesticide programs. The money may be used only to provide education about pesticides.

SECTION 12. IC 15-16-4-73, AS ADDED BY P.L.120-2008, SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 73. (a) Except as provided in subsection (f), if the state chemist:

(1) finds any pesticide product:
(A) upon any premises; or
(B) in any means of conveyance;
where it is held for purposes of, or during or after, distribution or sale; and
(2) determines that the pesticide product:
(A) is in violation of this chapter; or
(B) has been or is intended to be:
(i) distributed;
(ii) sold; or
(iii) used;
in violation of this chapter;

the state chemist may issue an order under subsection (b).

(b) The state chemist may issue a written or printed:

(1) stop sale;
(2) use; or

(3) removal;
order to the owner or custodian of a pesticide product.

(c) Except as provided in subsection (d), after receiving an order under subsection (b), the owner or custodian of a pesticide product may not:

(1) sell;
(2) use; or
(3) remove;
the pesticide product described in the order.

(d) The owner or custodian of a pesticide product who receives an order under subsection (b) may:

(1) sell;
(2) use; or
(3) remove;
the pesticide product only in accordance with the order or until the pesticide product is released in writing by the state chemist or by order of a court.

(e) When a stop sale order is issued under subsection (b), the state chemist shall ~~immediately~~ issue a notification to the dealer or registrant of the pesticide product **within thirty (30) days** that states the following:

(1) A stop sale order has been issued on the pesticide product.
(2) A reference to the specific language of the law or rule that is believed to have been violated.

(f) Labels of pesticide devices may be submitted to the state chemist for ~~approval~~ **evaluation of the need for registration under this chapter** before the sale of the pesticide device.

SECTION 13. IC 15-16-5-7, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. As used in this chapter, "commercial applicator" means a certified applicator, whether or not a private applicator with respect to some uses, who uses or supervises the use of ~~pesticides~~ **pesticide products** for any purpose or on any property other than as provided by section 30 of this chapter.

SECTION 14. IC 15-16-5-10, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. As used in this chapter, "device" ~~means any instrument or contrivance, other than a firearm, that is intended for trapping, destroying, repelling, or mitigating any pest or any other form of plant or animal life other than bacteria, viruses, or other microorganisms on or in living humans or other living animals. The term does not include equipment used for the application of pesticides when sold separately from the pesticides.~~ **has the meaning set forth in IC 15-16-4-10.**

SECTION 15. IC 15-16-5-16, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16. As used in this chapter, "licensed applicator for hire" means any licensed certified commercial applicator who is employed by a licensed pesticide business to use or to supervise the use of any pesticide **product** on the property of another and who has assumed direct responsibility for the use or supervision of the use of ~~pesticides~~ **pesticide products** by the business.

SECTION 16. IC 15-16-5-19, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 19. As used in this chapter, "licensed pesticide business" means any licensed person that owns, operates, or manages a business that is engaged in or professes to be engaged in:

(1) using any pesticide **product,** including restricted use pesticides; or
(2) making diagnostic inspections or reports to determine infestations of wood destroying pests.

SECTION 17. IC 15-16-5-29, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 29. As used in this chapter, "plant regulator" ~~means any substance or mixture of substances intended, through physiological action, for:~~

~~(1) accelerating or retarding the rate of growth or rate of maturation; or~~
~~(2) altering the behavior of plants or the produce of plants.~~

~~The term does not include substances to the extent they are intended as plant nutrients, trace elements, nutritional chemicals, plant inoculants, or soil amendments.~~ **has the meaning set forth in IC 15-16-4-34.**

SECTION 18. IC 15-16-5-34, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 34. As used in this chapter, "restricted use pesticide" ~~means:~~

~~(1) any pesticide classified as restricted by the administrator of the United States Environmental Protection Agency; or~~
~~(2) a pesticide that the board has determined to be unduly hazardous to persons, animals, plants, wildlife, waters, or lands other than the pests the pesticide is intended to prevent, destroy, control, or mitigate.~~

has the meaning set forth in IC 15-16-4-37.

SECTION 19. IC 15-16-5-39.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 39.6. The board shall establish a working group to review civil penalties. Before December 1, 2020, the working group shall make recommendations concerning civil penalties to the:**

(1) board; and
(2) general assembly in an electronic format under IC 5-14-6.

SECTION 20. IC 15-16-5-45, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 45. (a) The state chemist shall adopt rules to establish categories and qualifications to certify and license persons to use pesticides and to make diagnostic inspections and reports for wood destroying pests under this chapter. Each category is subject to separate testing procedures and requirements. A person is not required to pay an additional license fee if the person desires to be licensed in more than one (1) of the license categories provided for by the state chemist under this section.

(b) The state chemist, in adopting rules under this section, shall establish **examination content and** standards for the certification of persons who use pesticides or who make diagnostic inspections and reports for wood destroying pests. The **examination content and** standards must relate to **the following:**

(1) The hazards involved in the use and handling of pesticides, or ~~to~~ the use and handling of the pesticide or class of pesticides covered by the individual's certification.
(2) The job responsibilities of the individual using pesticides that are covered by the individual's certification.
(3) Any relevant information addressed in 40 CFR Part 171.

~~and must be relative to the hazards involved. In determining standards, the state chemist shall consider the characteristics of the pesticide formulation, including the acute dermal and inhalation toxicity, the persistence, mobility, and susceptibility to biological concentration, the use experience that may reflect an inherent misuse or an unexpected good safety record that does not always follow laboratory toxicological information, the relative hazards of patterns of use, including granular soil applications, ultra-low volume or dust aerial applications, or air blast sprayer applications, and the extent of the intended use. The state chemist shall observe the relevant regulations of Section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.).~~

(c) The state chemist may require a person certified under this chapter as a commercial applicator or a private applicator to renew the person's certification, under requirements and standards established by the state chemist, to assure that the person maintains a level of competence and ability to use pesticides safely and properly.

(d) An individual who is certified and licensed under this chapter must be at least eighteen (18) years of age, as proven by a valid government issued identification or an equivalent form of identification.

SECTION 21. IC 15-16-5-47, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 47. (a) A license issued under this chapter is not transferable except in the event of disability or death of the licensee. The state chemist may transfer a license **to an individual who is a certified applicator** by issuing a temporary permit to provide for the operation of the business until the expiration of the permanent license.

(b) A ~~certificate~~ **certification** issued under this chapter is not transferable.

SECTION 22. IC 15-16-5-48, AS ADDED BY P.L.120-2008, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 48. (a) Subject to section 55 of this chapter, a person may not engage in or profess to engage in the business of:

(1) using a pesticide; or

(2) making diagnostic inspections or reports to determine infestations of wood destroying pests;

on the property of another for hire at any time without a pesticide business license issued by the state chemist. The state chemist shall require an annual license fee of forty-five dollars ($45) for each pesticide business license that is issued.

(b) A pesticide business license must be obtained for each **unique** business location **or business name** from which pesticide use or application is conducted.

(c) The application for a license must be on a form provided by the state chemist. Each application must contain information necessary for the administration of this chapter.

(d) The state chemist may not issue a pesticide business license until the applicant or a pesticide applicator in the applicant's hire who uses or supervises the use of a pesticide on the property of another is certified by passing an examination to demonstrate to the state chemist the applicant's or applicator's knowledge of the:

(1) use of pesticides under the category for which the applicant or applicator has applied; and

(2) nature and effect of pesticides the applicant or applicator may apply under the categories.

At least one (1) licensed applicator for hire must be associated with each location from which pesticides are used for hire.

(e) The state chemist may renew any pesticide business license.

(f) Subject to subsections (a), (b), (c), and (d) and section 65 of this chapter, if:

(1) the state chemist finds the applicant qualified to engage in the business of using pesticides or making diagnostic inspections or reports to determine infestations of wood destroying pests on the property of another;

(2) the applicant files evidence of financial responsibility required under section 58 of this chapter; and

(3) the applicant applying for a license involving aerial application of pesticides has met all of the requirements of:

(A) the Federal Aviation Administration;

(B) the Indiana department of transportation; and

(C) any other applicable federal or state statutes or regulations to operate the equipment described in the application;

the state chemist may issue a pesticide business license limited to the categories for which the applicant or a pesticide applicator in the applicant's hire is qualified. The license expires January 1 of the year following issue unless it has been invalidated, revoked, or suspended earlier by the state chemist. A surety bond or certificate of liability insurance in force or certificate of financial responsibility required under section 58 of this chapter must be maintained and in effect on a continuing basis.

(g) The state chemist may limit a license or the operation of a business to the use of certain pesticides, or to certain areas, or to certain types of equipment if the applicant is only so qualified.

(h) If a license is not issued as applied for, the state chemist shall inform the applicant in writing of the reasons the license was not issued.

SECTION 23. IC 15-16-5-55, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 55. Section 48 of this chapter relating to **pesticide business** licenses and requirements for their issuance does not apply to the following:

(1) A farmer who applies pesticides for the farmer's own use or with ground equipment or manually for the farmer's neighbors if:

(A) the farmer operates farm property and operates and maintains pesticide application equipment primarily for the farmer's own use;

(B) the farmer is not engaged in the business of applying pesticides for hire and the farmer does not publicly profess to be a pesticide business;

(C) the farmer operates the farmer's pesticide application equipment only in the vicinity of the farmer's own property and for the accommodation of the farmer's neighbors **without any compensation;** and

(D) the farmer is certified as a private applicator if the farmer uses restricted use pesticides.

(2) A veterinarian who uses pesticides as an incidental part of the veterinarian's practice, if the veterinarian is not regularly engaged in or does not profess to be engaged in the business of using pesticides for hire.

(3) Research personnel applying **general use** pesticides only to bona fide experimental plots.

(4) A person who uses nonrestricted general use pesticides for purposes of disinfecting or sanitizing, unless a license is required by a rule established by the board.

SECTION 24. IC 15-16-5-59, AS ADDED BY P.L.120-2008, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 59. (a) Commercial applicators, **private applicators,** and licensed pest inspectors shall maintain records concerning:

(1) the application of restricted use pesticides;

(2) the application of pesticides for hire;

(3) the application of pesticides on golf courses;

(4) the application of pesticides on school property;

~~(2)~~ **(5)** diagnostic inspections to determine infestations of wood destroying pests; and

~~(3)~~ **(6)** any relevant information that the state chemist determines by rule is necessary for purposes of this chapter.

~~(b) The state chemist may require certified applicators to maintain records related to applications of state restricted pesticide uses.~~

~~(c)~~ **(b)** Records required under this section must be kept for:

(1) two (2) years after the date of the inspection or the application of the pesticide; or

(2) the time specified by rule.

~~(d)~~ **(c)** The state chemist shall be provided access to the records ~~by the commercial applicator or licensed pest inspector.~~ **required to be maintained under this section.**

SECTION 25. IC 15-16-5-65, AS AMENDED BY P.L.99-2012, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 65. Subject

to section 66 of this chapter, the state chemist under IC 4-21.5-3-6 may warn, cite, or impose a civil penalty on a person for a violation under this chapter. The state chemist may also deny, suspend, revoke, or modify any provision of any license, permit, registration, or certification issued under this chapter if the state chemist finds that the applicant or the holder of a license, permit, registration, or certification has committed any of the following acts, each of which is a violation of this chapter:

(1) Made false or fraudulent claims either verbally or through any media misrepresenting the effect of pesticide products or methods to be used.

(2) Recommended, used, or supervised the use of any registered pesticide product in a manner inconsistent with its labeling approved by the United States Environmental Protection Agency or Indiana state registration for that pesticide, or in violation of the United States Environmental Protection Agency or Indiana state restrictions on the use of that pesticide product.

(3) Used known ineffective or improper pesticide products or known ineffective amounts of pesticides.

(4) Operated faulty or unsafe equipment.

(5) Operated in a careless or negligent manner.

(6) Neglected or, after notice, refused to comply with this chapter, the rules adopted under this chapter, or of any lawful order of the state chemist or the board.

(7) Refused or neglected to:

(A) keep and maintain the records required by this chapter; or

(B) make reports and supply information when required or requested by the state chemist in the course of an investigation or inspection.

(8) Made false or fraudulent records, invoices, or reports.

(9) Engaged in or professed to be engaged in the business of:

(A) using a pesticide or any other product regulated under this chapter or by rules adopted under this chapter; or

(B) making a diagnostic inspection to determine infestations of a wood destroying pest;

for hire on the property of another without having a business license issued by the state chemist.

(10) Used ~~a restricted use~~ **or supervised the use of a** pesticide **product that is required to be used under this chapter by a person who is certified, licensed, or permitted** without having ~~an applicator,~~ **a person** who is **certified,** licensed, or permitted under this chapter ~~in direct supervision.~~ **conducting the use.**

(11) Used fraud or misrepresentation in ~~making an application~~ **the qualification or application** for, or renewal of, a license, permit, registration, or certification.

(12) Refused or neglected to comply with any limitations or restrictions on or in a duly issued license, permit, registration, or certification.

(13) Aided or abetted a person to evade this chapter, conspired with a person to evade this chapter, or allowed a license, permit, registration, or certification to be used by another person.

(14) Made false or misleading statements during or after an inspection concerning any infestation or infection of pests.

(15) Impersonated any federal, state, county, or city inspector, investigator, or official.

(16) Knowingly purchased or used a pesticide product that was not registered under IC 15-16-4.

(17) Failed to continuously maintain financial responsibility required under section 58 of this chapter or to provide proof of financial responsibility to the state chemist when requested.

(18) Intentionally altered a duly issued license, permit, registration, or certification.

(19) Recklessly, knowingly, or intentionally impeded or prevented the state chemist or the state chemist's agent from performing a duty of the state chemist.

SECTION 26. IC 15-16-5-66, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 66. (a) The state chemist may impose civil penalties **under this section** only in accordance with the schedule of civil penalties adopted by the board.

(b) The board shall establish a schedule of civil penalties that may be imposed under section 65 of this chapter by rule adopted under IC 4-22-2. The rule adopted under this subsection may not provide for a civil penalty that exceeds the following:

(1) For a violation committed by a person who is required to be certified as a private applicator, one hundred dollars ($100).

(2) For a violation by a person who is not described in subdivision (1), the following:

(A) Two hundred fifty dollars ($250) for a person's first violation.

(B) Five hundred dollars ($500) for a person's second violation.

(C) One thousand dollars ($1,000) for a person's third violation and each subsequent violation.

~~(c) If a violation is of a continuing nature, the state chemist may impose a civil penalty for each day that the violation occurred.~~

~~(d)~~ **(c)** A proceeding under IC 4-21.5-3 that involves a civil penalty may be consolidated with any other proceeding commenced under IC 4-21.5 to enforce this chapter or the rules adopted under this chapter.

~~(e)~~ **(d)** Money collected for civil penalties imposed under section 65 of this chapter shall be credited to the office of Purdue pesticide programs. The money may be used only to provide education about pesticides.

SECTION 27. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "policy" refers to the FY 2019 pesticide enforcement response policy developed by the state chemist.**

(b) The state chemist shall suspend its enforcement of the policy.

(c) This SECTION expires July 1, 2021.

SECTION 28. **An emergency is declared for this act.**

(Reference is to ESB 438 as printed February 21, 2020.)

LEISING LEHE
LANANE WRIGHT
Senate Conferees House Conferees

Roll Call 371: yeas 92, nays 4. Report adopted.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 2:49 p.m. with the Speaker in the Chair.

Upon request of Representative Pryor, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 372: 71 present. The Speaker declared a quorum present.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 65

The Speaker handed down Senate Concurrent Resolution 65, sponsored by Representatives Frye and Ziemke:

A CONCURRENT RESOLUTION recognizing Matthew Clifford on being named the 2019 Indiana Middle School Principal of the Year for District 10 by the Indiana Association of School Principals.

Whereas, The Indiana Association of School Principals recognized Matthew Clifford, Principal of Greensburg Junior High School, as the 2019 Indiana Middle School Principal of the Year for District 10;

Whereas, Matthew received his Bachelor of Music Education Degree from DePauw University, and in 2000 he was recognized by the Indiana Music Educator's Association as the Outstanding Future Music Educator of the Year;

Whereas, After graduation, Matthew began his teaching career as a music teacher and high school band director at Greensburg High School;

Whereas, In 2012, Matthew earned a master's degree in Educational Leadership and Supervision from Ball State University;

Whereas, Matthew began his education administration career in 2013 when he became Principal of Greensburg Junior High School;

Whereas, Among his accomplishments as Principal, Matthew changed the school's master schedule to accommodate targeted academic intervention in English and language arts and math to increase instructional time in all classes, volunteered his school to pilot the one-to-one Digital Learning Initiative in the school district, and brought the alternative school program back into the middle school, with changes to improve academic success, attendance, and behavioral statistics; and

Whereas, Matthew is a transformational leader who has shifted from being a building manager to being an education leader, and his work earned recognition by the Indiana Association of School Principals as the 2019 Middle School Principal of the Year for District 10: Therefore,

Be it resolved by the Senate
of the General Assembly of the State of Indiana,
the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes Matthew Clifford on being named the 2019 Indiana Association of School Principals District 10 Middle School Principal of the Year.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to Matthew Clifford.

The resolution was read a first time and adopted by voice vote. The Clerk was directed to inform the Senate of the passage of the resolution.

House Resolution 69

Representative Eberhart introduced House Resolution 69:

A HOUSE RESOLUTION honoring former State Representative Edmund M. Mahern.

Whereas, Mr. Edmund M. Mahern was one of the first baby boomers, born two seconds after midnight on January 1, 1946;

Whereas, Mr. Mahern is recognized as a lifelong advocate in the Democratic Party, having served as a national delegate in at least three conventions and serving as a member of the Democrat National and State Committees from 1988 to 1992;

Whereas, Mr. Mahern first ran for office in 1975 and led the ticket as an at large candidate for the Indiana City-County Council, even though he did not win;

Whereas, Mr. Mahern went on to serve as the Indiana state coordinator of the Jimmy Carter and Walter Mondale presidential committees, Governor Frank O'Bannon's appointee to the congressional redistricting commission following the 2000 census, and state representative of House District 97 from 1996 to 2006;

Whereas, Representative Mahern was a voice of reason during contentious debate in the course of his tenure as a legislator;

Whereas, Representative Mahern earned the trust and respect of legislators from both sides of the aisle and from both chambers, as well as activists, for his ability to bring people together in support of meaningful change for Hoosiers;

Whereas, Mr. Mahern counseled, invested in, and guided countless civic-minded youths, interns, and young adults, inspiring many to continue down the path of public service; and

Whereas, Mr. Mahern continues to serve, especially in the Garfield Park neighborhood, where he works on local boards to promote activism in his community and bring forth ideas and initiatives to help make his community a better place: Therefore,

Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana:

SECTION 1. That the House of Representatives honors former State Representative Edmund M. Mahern for his contributions to his community and the state of Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Sean Eberhart for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 70

Representative Barrett introduced House Resolution 70:

A HOUSE RESOLUTION honoring Kevin Handley Jr., Jayden Shipp, and Derrick Lamb.

Whereas, Three Richmond, Indiana, students helped Team Indiana win the 2019 World Youth Football Championship in Canton, Ohio, on December 9, 2019;

Whereas, Kevin Handley Jr., Jayden Shipp, and Derrick Lamb played in a championship competition that spanned 10 games from November 23 to December 9;

Whereas, Handley, Shipp, and Lamb, as part of Team Indiana, competed against teams from across the United States and helped Team Indiana outscore its opponents 204-47;

Whereas, The eighth-grade trio from Dennis Intermediate school have known one another since they were 6 years old, according to an article published by the Palladium-Item in Richmond, Indiana; and

Whereas, Handley, Shipp, and Lamb plan to attend Richmond High School in the Fall of 2020, where they hope to build upon their success in football: Therefore,

Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana:

SECTION 1. That the House of Representatives honors Kevin Handley Jr., Jayden Shipp, and Derrick Lamb in their accomplishment as 2019 World Youth Football Champions.

SECTION 2. That the House of Representatives wishes them continued success in their athletic careers.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Brad Barrett for distribution.

The resolution was read a first time and adopted by voice vote.

House Resolution 71

Representatives Carbaugh and Leonard introduced House Resolution 71:

A HOUSE RESOLUTION recognizing the Vietnam Wall Memorial.

Whereas, It is fitting and appropriate to honor the courage and sacrifice of Vietnam War veterans;

Whereas, More than 58,000 brave service members lost their lives in this conflict, and more than 300,000 were wounded or permanently disabled;

Whereas, An estimated 1,587 individuals are unaccounted for, as reported by the Defense POW/MIA Accounting Agency, as of March 6, 2020;

Whereas, A replica of the Vietnam Veterans Memorial Wall, located in Washington D.C., will be permanently installed at the Veterans National Memorial Shrine and Museum in Fort Wayne by Veterans Day, November 11, 2020;

Whereas, This replica of the Vietnam Wall Memorial will be constructed at 80% scale of the original wall and stand eight feet tall and 360 feet long; and

Whereas, The Vietnam Wall Memorial will be another outstanding addition to the Veterans National Memorial Shrine and Museum in Fort Wayne and will bring thousands of visitors: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That all citizens of Indiana are encouraged to visit the Vietnam Wall Memorial, after its placement by Veterans Day, November 11, 2020.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Martin Carbaugh for distribution.

The resolution was read a first time and adopted by voice vote.

ACTION ON RULES SUSPENSIONS AND CONFERENCE COMMITTEE REPORTS

COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures has had under consideration House Rule 161.2 and recommends that it be suspended so that the following conference committee reports are eligible for consideration after March 3, 2020; we further recommend that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 2 hours, so that they may be eligible to be placed before the House for action:

Engrossed Senate Bills 350, 408, 148, 398, 319 and 229

LEONARD, Chair

Report adopted.

HOUSE MOTION

Mr. Speaker: I move House Rule 161.2 be suspended so that the following conference committee reports are eligible for consideration after March 3, 2020, and that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 2 hours, so that they may be eligible to be placed before the House for action:

Engrossed Senate Bills 350, 408, 148, 398, 319 and 229

LEONARD, Chair

Motion prevailed.

Representatives Austin, Baird, Carbaugh, Dvorak, Kirchhofer, Lehe, Lehman, Morrison, Morris, Pressel, Smaltz, Speedy and Torr, who had been present, are now excused.

CONFERENCE COMMITTEE REPORT
ESB 319–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 319 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 20-28-5-25, AS ADDED BY P.L.143-2019, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 25. (a) This section applies to a professional growth plan that begins after July 1, 2019.

(b) Fifteen (15) of the total number of professional growth experience points required to renew a practitioner license or ~~an~~ accomplished practitioner license ~~must~~ **may** be obtained through the completion of one (1) or more of the following:

(1) ~~An externship with a company.~~ **Working for or with a local company in a capacity that includes an understanding of the current and future economic needs of the company and community and a process to disseminate that information to students.**

(2) Professional development provided by the state, a local business, or a community partner that provides opportunities for schools and employers to partner in promoting career navigation.

(3) Professional development provided by the state, a local business, or a community partner that outlines the:

(A) current and future economic needs of the community, state, nation, and globe; and

(B) ways in which the current and future economic needs described in clause (A) can be disseminated to students.

(4) Participation in mentoring or coaching students who are involved in, working with students who are involved in, and exposing students to real world competitions or any other types of programs that provide career skills, including competitions or programs involving or provided by the following:

(A) Robotics.

(B) Tests of Engineering Aptitude, Mathematics and Science (TEAMS).

(C) Technology Student Association (TSA).

(D) Future Health Professionals (HOSA).

(E) Distributive Education Clubs of America (DECA).

(F) Future Farmers of America (FFA).

(c) This section may not be construed to limit the types of professional development that qualify for professional growth experience points.

SECTION 2. **An emergency is declared for this act**.

(Reference is to ESB 319 as printed February 28, 2020.)

ROGERS BEHNING
MELTON KLINKER
Senate Conferees House Conferees

Roll Call 373: yeas 83, nays 0. Report adopted.

Representatives Lehe, Pressel and Torr, who had been excused, are now present.

Representatives Bosma, Boy, Macer, Pfaff, Steuerwald and Wesco, who had been present, are now excused.

CONFERENCE COMMITTEE REPORT
ESB 350–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 350 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 36-7-7.7 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 7.7. Indianapolis Metropolitan Planning Organization

Sec. 1. This chapter applies to an eligible political subdivision located within the metropolitan planning area of the MPO.

Sec. 2. The following definitions apply throughout this chapter:

(1) "Eligible political subdivision" means any of the following:

(A) A county.

(B) A municipality.

(C) An urban mass transportation system (as described in IC 36-9-4).

(2) "Metropolitan planning area" of the MPO means the aggregate geographic territory of the following political subdivisions:

(A) A county having a population of more than seven hundred thousand (700,000).

(B) All eligible political subdivisions in a county having a population of more than seven hundred thousand (700,000).

(C) All counties immediately adjacent to a county having a population of more than seven hundred thousand (700,000).

(D) All eligible political subdivisions in a county immediately adjacent to a county having a population of more than seven hundred thousand (700,000).

(3) "MPO" means the Indianapolis metropolitan planning organization established by section 3 of this chapter.

Sec. 3. The Indianapolis metropolitan planning organization is established.

Sec. 4. (a) An eligible political subdivision that:

(1) is not a member of the MPO; and

(2) is in a county adjacent to a county that:

(A) is a member of the MPO; or

(B) contains a member of the MPO;

may join the MPO under this chapter.

(b) An eligible political subdivision described in subsection (a) may join the MPO under this chapter only if:

(1) the governing body of the eligible political subdivision adopts a resolution authorizing the eligible political subdivision to become a member of the MPO; and

(2) the MPO adopts a resolution authorizing the eligible political subdivision to become a member of the MPO.

(c) An eligible political subdivision becomes a member of the MPO upon the passage of a resolution under subsection (b)(2) authorizing the eligible political subdivision to become a member of the MPO.

(d) The MPO shall notify the governor's office promptly in writing when a new member joins the MPO.

Sec. 5. The purpose of the MPO is to institute and maintain a comprehensive planning and programming process for transportation policy and to assist the central Indiana regional development authority in carrying out its duties under IC 36-7.7. The MPO shall coordinate its activities with all member units in the counties and the member units of the central Indiana regional development authority and shall coordinate and assist the planning programs of member units, the central Indiana regional development authority, and the state that relate to its purposes.

Sec. 6. (a) This section applies to any eligible political subdivision authorized to join the MPO under section 4 of this chapter.

(b) An eligible political subdivision described in subsection (a) may withdraw from the MPO without the approval of the MPO. However, the withdrawal of a county does not affect the membership of eligible political subdivisions within that county that are already members of the MPO. The MPO shall provide a process for withdrawal from the MPO in the MPO's bylaws.

(c) The MPO shall notify the governor's office promptly in writing when a member withdraws from the MPO.

Sec. 7. (a) Each eligible political subdivision described in section 2 of this chapter and each eligible political subdivision that joins the MPO under section 4 of this chapter is considered a member of the MPO.

(b) The highest ranking elected official, executive director, or board president of each MPO member shall serve on the MPO policy board.

(c) A member of the MPO policy board described in subsection (b) may appoint a proxy of record to serve in the member's place as a member of the MPO policy board. The proxy of record has the same authority to act and vote on all matters as does the member.

Sec. 8. The MPO may adopt bylaws and rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations. The MPO's record is a public record.

Sec. 9. The MPO may perform any function or duty necessary to carry out the purposes authorized by 23 CFR 450.300 through 23 CFR 450.340 or in support of the purposes of the central Indiana regional development authority authorized by IC 36-7.7.

Sec. 10. After review and recommendation by the executive board, the MPO may appoint an executive director, who serves at the pleasure of the MPO.

Sec. 11. Before October 1, 2021, the MPO shall do the following:

(1) Develop a comprehensive asset management report, in collaboration with the Indiana department of transportation centralized electronic statewide asset management data base developed under IC 8-14-3-3, which analyzes and compiles the transportation asset management plans of each eligible political subdivision that is a member of the MPO.

(2) Present the comprehensive asset management report described in subdivision (1) to:

(A) the city-county council of the consolidated city;

(B) the fiscal and legislative bodies of each entity that is a member of the MPO; and

(C) the budget committee.

SECTION 2. IC 36-7.7 IS ADDED TO THE INDIANA CODE AS A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

ARTICLE 7.7. CENTRAL INDIANA REGIONAL DEVELOPMENT AUTHORITY

Chapter 1. Applicability

Sec. 1. This article applies only to eligible political subdivisions described in IC 36-7.7-2-7 that are located in the Indianapolis-Carmel-Anderson Metropolitan Statistical Area as defined by the United States Census Bureau.

Sec. 2. This article expires July 1, 2025.

Chapter 2. Definitions

Sec. 1. Except as otherwise provided, the definitions in this chapter apply throughout this article.

Sec. 2. "Airport authority" refers to an airport authority established under IC 8-22-3.

Sec. 3. "Commuter transportation district" refers to a commuter transportation district established under IC 8-5-15.

Sec. 4. "Comprehensive development plan" refers to a comprehensive strategic economic development plan prepared under IC 36-7.7-3-4.

Sec. 5. "Development authority" refers to the central Indiana regional development authority established under IC 36-7.7-3-1.

Sec. 6. "Economic development project" means an economic development project described in IC 6-3.6-2-8.

Sec. 7. "Eligible political subdivision" means any of the following:

(1) A county.
(2) A municipality.
(3) An airport authority.
(4) A commuter transportation district.
(5) A regional transportation authority.
(6) A public transportation corporation under IC 36-9-4.

Sec. 8. "Strategy committee" refers to the strategy committee composed of members selected according to the terms of the preliminary development plan.

Sec. 9. "Preliminary development plan" means a preliminary strategic economic development plan prepared under IC 36-7.7-3-3.

Sec. 10. "Regional transportation authority" means a regional transportation authority established under IC 36-9-3.

Chapter 3. Development Authority and Board

Sec. 1. (a) In order to establish a development authority under this article, the fiscal bodies of a combination of any two (2) or more counties or municipalities described in subsection (b) must adopt substantially similar resolutions to adopt a preliminary development plan prepared under section 3 of this chapter for the development authority.

(b) A development authority may be established by any of the following:

(1) One (1) or more counties and one (1) or more adjacent counties.
(2) One (1) or more counties and one (1) or more municipalities in adjacent counties.
(3) One (1) or more municipalities and one (1) or more municipalities in adjacent counties.

(c) If a development authority is established under subsection (a), the development authority shall promptly notify the Indiana economic development corporation of the establishment of the development authority by submitting a copy of the preliminary development plan to the Indiana economic development corporation.

(d) When a county establishes a development authority under subsection (a) with another unit, any municipality in the county does not also become a member of the development authority, unless the fiscal body of the municipality also adopts the preliminary development plan prepared under section 3 of this chapter for the development authority.

(e) A county or municipality may become a member of the development authority under this section only if the county or municipality is not a member of a development authority under IC 36-7.6. If a county or municipality is a member of another development authority established under IC 36-7.6, the county or municipality must withdraw its membership in that development authority before the county's or municipality's adoption of a preliminary development plan under subsection (a). A county or municipality may be a member of only one (1) development authority.

(f) If not already members, Marion County and the city of Indianapolis are required to join the central Indiana regional development authority if sixty percent (60%) or more of the eligible political subdivisions located within the Indianapolis-Carmel-Anderson Metropolitan Statistical Area as defined by the United States Census Bureau become members of the central Indiana regional development authority. If Marion County and the city of Indianapolis are required to become members of the central Indiana regional development authority under this subsection, Marion County and the city of Indianapolis do not incur any financial obligation because of the fact they have become members of the central Indiana regional development authority. Marion County or the city of Indianapolis can incur a financial obligation in relation to the central Indiana regional development authority only by voluntarily entering into an agreement to undertake the financial obligation.

(g) Notwithstanding any other law, any of the following governmental units may immediately withdraw from the development authority to which they belong in order to join the central Indiana regional development authority:

(1) The city of Westfield.
(2) The city of Carmel.
(3) The city of Greenwood.
(4) Marion County.

Sec. 2. A development authority established under this chapter is a separate body corporate and politic that shall carry out the purposes of this article by:

(1) acquiring, constructing, equipping, owning, and financing projects and facilities to or for the benefit of eligible political subdivisions under this article; and
(2) funding and developing:
(A) airport authority projects;
(B) commuter transportation district and other rail projects and services;
(C) regional transportation authority projects and services;
(D) economic development projects;
(E) intermodal transportation projects;
(F) regional trail or greenway projects;
(G) regional transportation infrastructure projects under IC 36-9-43; and
(H) any other capital infrastructure project that enhances the region with the goal of attracting people or business;
that are of regional importance.

Sec. 3. Units that wish to establish a development authority under this chapter must prepare and adopt a preliminary strategic economic development plan that includes provisions and general information concerning the following:

(1) The participating members of the development authority.
(2) The membership of the strategy committee under section 5 of this chapter.
(3) A timeline for submitting the comprehensive development plan under section 4 of this chapter.
(4) A strategy for attracting (or any projected) investments, grants, matching funds, or local tax revenue.

Sec. 4. (a) A development authority established under this chapter shall prepare a comprehensive strategic economic development plan to serve as a roadmap to diversify and strengthen the regional economy, establish

regional goals and objectives, develop and implement a regional action plan, identify ways to eliminate duplicative government services within the region, and identify investment priorities and funding sources.

(b) The comprehensive development plan must incorporate and comply with the requirements and content for comprehensive economic development strategies under 13 CFR 303.7 and be developed with broad based and diverse community participation, and may contain the following:

(1) An analysis of economic and community development problems and opportunities including incorporation of any relevant material or suggestions from other government sponsored or supported plans.

(2) A background and history of the economic development situation of the region, with a discussion of the economy, including as appropriate, geography, population, labor force, resources, and the environment.

(3) A discussion of community participation in the planning efforts.

(4) Identification of particular strengths or assets that can be leveraged for economic benefit and goals and objectives for taking advantage of those strengths and assets to solve the economic development problems of the region.

(5) A plan of action, including suggested projects, to achieve the goals and objectives.

(6) Performance measures to be used to evaluate whether and to what extent goals and objectives have been or are being met.

(7) Strategies for:

(A) ensuring access to affordable health care;

(B) ensuring access to affordable child care;

(C) establishing workforce pipelines for those exiting recovery and reentry programs;

(D) recreation and entertainment;

(E) coordinating with local businesses to ensure the supply of high technology or high demand job apprenticeships;

(F) leveraging technology to improve delivery of government services;

(G) eliminating duplicative government services within the region;

(H) increasing the supply of affordable homes and other housing;

(I) building connectivity between the business community and local schools;

(J) incentivizing or attracting out-of-state residents and businesses to relocate to the region; and

(K) branding and marketing the region as a means to recruit and retain businesses and people.

(8) Data analyses of other workforce and quality of place measures including, without limitation, detailed information for the most recent three (3) year period for which data is available for the following:

(A) Workforce availability compared to job postings.

(B) Commercial and industrial electricity prices.

(C) Local road and infrastructure spending.

(D) Access to fixed broadband and mobile connectivity meeting Federal Communications Commission standards for businesses and residents.

(E) Total employment in firms that are zero (0) to five (5) years old.

(F) Net job creation in firms that are zero (0) to five (5) years old.

(G) Net job creation in firms that are more than five (5) years old.

(H) Venture capital invested.

(I) Summary of the region's health related metrics including the following:

(i) Adult smoking rate.

(ii) Adult obesity rate.

(iii) Drug related deaths.

(9) The proposed projects and programs to be undertaken or financed by the development authority.

(10) The following information for each project and program included under subdivision (9):

(A) Timeline and budget.

(B) The return on investment.

(C) The projected or expected need for an ongoing subsidy.

(D) Any projected or expected federal matching funds.

Sec. 5. (a) A development authority established under this chapter is governed by a strategy committee.

(b) A strategy committee is composed of members according to the terms of the preliminary development plan adopted by the fiscal bodies of development authority members under section 1 of this chapter.

(c) The removal of a member and the filling of a vacancy on the strategy committee shall be made according to the terms of the development authority preliminary development plan.

(d) Each member of a strategy committee, before entering upon the duties of office, must take and subscribe an oath of office under IC 5-4-1, which shall be endorsed upon the certificate of appointment and filed with the records of the investment board.

(e) A member of a strategy committee is not entitled to receive any compensation for performance of the member's duties.

Sec. 6. (a) In January of each year, a strategy committee shall hold an organizational meeting at which the strategy committee shall elect the following officers from the members of the strategy committee:

(1) A chair.

(2) A vice chair.

(3) A secretary-treasurer.

(b) The affirmative vote of at least a majority of the members of the strategy committee is necessary to elect an officer under subsection (a).

(c) An officer elected under subsection (a) serves from the date of the officer's election until the officer's successor is elected and qualified.

Sec. 7. (a) A strategy committee shall meet at least quarterly.

(b) The chair of a strategy committee or any two (2) members of a strategy committee may call a special meeting of the strategy committee.

(c) A majority of the appointed members of a strategy committee constitutes a quorum.

(d) The affirmative votes of at least a majority of the appointed members of a strategy committee are necessary to authorize any action of the strategy committee.

Sec. 8. A strategy committee shall adopt the bylaws and rules that the strategy committee considers necessary for the proper conduct of the strategy committee's duties and the safeguarding of the development authority's funds and property.

Sec. 9. (a) Only one (1) development authority may be established under this article. However, a county or municipality described in subsection (b) may join a development authority established under section 1 of this chapter if the fiscal body of the county or municipality:

(1) adopts an ordinance authorizing the county or municipality to become a member of the development authority; and

(2) adopts a substantially similar resolution to adopt the preliminary development plan of the development authority as set forth under section 1 of this chapter.

A development authority shall notify the Indiana economic development corporation promptly in writing when a new member joins the development authority.

(b) The following counties or municipalities may join a development authority established under section 1 of this chapter:

(1) In the case of a county, a county that is adjacent to a county that:

(A) is a member of the development authority; or

(B) contains a member of the development authority.

(2) In the case of a municipality, a municipality that is located in a county that:

(A) is a member of the development authority;

(B) is adjacent to a county that is a member of the development authority; or

(C) is adjacent to a county containing a member of the development authority.

Sec. 10. A county or municipality that establishes or joins a development authority under this chapter shall be a member of the development authority for not less than five (5) years or until the expiration of this article.

Chapter 4. Compliance and Audit Requirements

Sec. 1. (a) A development authority shall comply with IC 5-22 (public purchasing), IC 36-1-12 (public work projects), and any applicable federal bidding statutes and regulations. An eligible political subdivision that receives a loan, a grant, or other financial assistance from a development authority or enters into a lease with a development authority must comply with applicable federal, state, and local public purchasing and bidding laws and regulations. However, a purchasing agency (as defined in IC 5-22-2-25) of an eligible political subdivision may:

(1) assign or sell a lease for property to a development authority; or

(2) enter into a lease for property with a development authority;

at any price and under any other terms and conditions as may be determined by the eligible political subdivision and the development authority. However, before making an assignment or a sale of a lease or entering into a lease under this section that would otherwise be subject to IC 5-22, the eligible political subdivision or its purchasing agent must obtain or cause to be obtained a purchase price for the property to be subject to the lease from the lowest responsible and responsive bidder in accordance with the requirements for the purchase of supplies under IC 5-22.

(b) In addition to the provisions of subsection (a), with respect to projects undertaken by a development authority, the development authority shall set a goal for participation by minority business enterprises and women's business enterprises. The goals must be consistent with:

(1) the participation goals established by the counties and municipalities that are members of the development authority; and

(2) the goals of delivering the project on time and within the budgeted amount and, insofar as possible, using Indiana businesses for employees, goods, and services.

Sec. 2. (a) The state board of accounts shall, pursuant to IC 5-11-1-7 and IC 5-11-1-24, allow each development authority to contract with a certified public accountant for an annual financial audit of the development authority. The certified public accountant may not have a significant financial interest in a project, facility, or service funded by or leased by or to any development authority. The certified public accountant selected by a development authority must be approved by the state examiner and is subject to the direction of the state examiner while performing an annual financial audit under this article.

(b) The certified public accountant shall present an audit report not later than four (4) months after the end of each calendar year and shall make recommendations to improve the efficiency of development authority operations. The certified public accountant shall also perform a study and evaluation of internal accounting controls and shall express an opinion on the controls that were in effect during the audit period.

(c) A development authority shall pay the cost of the annual financial audit under subsection (a). In addition, the state board of accounts may at any time conduct an audit of any phase of the operations of a development authority. The development authority shall pay the cost of any audit by the state board of accounts.

(d) The state board of accounts may waive the requirement that a certified public accountant perform an annual financial audit of a development authority for a particular year if the development authority certifies to the state board of accounts that the development authority had no financial activity during that year.

Chapter 5. Development Authority Powers and Duties

Sec. 1. A development authority shall do the following:

(1) Assist in the coordination of local efforts concerning projects that are of regional importance.

(2) Assist a county, a municipality, a commuter transportation district, an airport authority, and a regional transportation authority in coordinating regional transportation and economic development efforts.

(3) Fund projects that are of regional importance, as provided in this article.

Sec. 2. (a) A development authority may do any of the following:

(1) Finance, improve, construct, reconstruct, renovate, purchase, acquire, and equip land and projects that are of regional importance.

(2) Finance and construct additional improvements to projects or other capital improvements owned by the development authority.

(3) Construct or reconstruct highways, roads, and bridges.

(4) Acquire land or all or a part of one (1) or more projects from an eligible political subdivision by purchase.

(5) Acquire all or a part of one (1) or more projects from an eligible political subdivision by purchase to fund or refund indebtedness incurred on account of the projects to enable the eligible political subdivision to make a savings in debt service obligations or lease rental obligations or to obtain relief from covenants that the eligible political subdivision considers to be unduly burdensome.

(6) Make grants or provide other financial assistance to or on behalf of the following:

(A) A commuter transportation district.

(B) An airport authority.

(C) A regional transportation authority. A loan, a loan guarantee, a grant, or other financial assistance under this clause may be used by a regional transportation authority for acquiring, improving, operating, maintaining, financing, and supporting the following:

(i) Bus services (including fixed route services and flexible or demand-responsive services) that are a component of a public transportation system.

(ii) Bus terminals, stations, or facilities or other regional bus authority projects.

(D) A county.

(E) A municipality.

(7) Provide funding to assist a railroad that is providing commuter transportation services in a county containing territory included in the development authority.

(8) Provide funding to assist an airport authority located in a county containing territory included in the development authority in the construction, reconstruction, renovation, purchase, lease, acquisition, and equipping of an airport facility or airport project.
(9) Provide funding for intermodal transportation projects and facilities.
(10) Provide funding for regional trails and greenways.
(11) Provide funding for economic development projects.
(12) Provide funding for regional transportation infrastructure projects under IC 36-9-43.
(13) Hold, use, lease, rent, purchase, acquire, and dispose of by purchase, exchange, gift, bequest, grant, condemnation, lease, or sublease, on the terms and conditions determined by the development authority, any real or personal property.
(14) After giving notice, enter upon any lots or lands for the purpose of surveying or examining them to determine the location of a project.
(15) Make or enter into all contracts and agreements necessary or incidental to the performance of the development authority's duties and the execution of the development authority's powers under this article.
(16) Sue, be sued, plead, and be impleaded.
(17) Design, order, contract for, construct, reconstruct, and renovate a project or improvements to a project.
(18) Appoint an executive director and employ appraisers, real estate experts, engineers, architects, surveyors, attorneys, accountants, auditors, clerks, construction managers, and any consultants or employees who are necessary or desired by the development authority in exercising its powers or carrying out its duties under this article.
(19) Accept loans, grants, and other forms of financial assistance from the federal government, the state government, a political subdivision, or any other public or private source.
(20) Use the development authority's funds to match federal grants or make loans, loan guarantees, or grants to carry out the development authority's powers and duties under this article.
(21) Except as prohibited by law, take any action necessary to carry out this article.

(b) Projects funded by a development authority must be of regional importance.

Sec. 3. A development authority may enter into an agreement with another development authority or any other entity to:
(1) jointly equip, own, lease, and finance projects and facilities; or
(2) otherwise carry out the purposes of the development authority;
in any location.

Sec. 4. A development authority shall, before April 1 of each year, issue a report to the legislative council, the budget committee, the Indiana economic development corporation, and the executive, fiscal body, and legislative body of each member of the development authority concerning the operations and activities of the development authority during the preceding calendar year. The report to the legislative council must be in an electronic format under IC 5-14-6.

Chapter 6. Regional Strategy Fund

Sec. 1. (a) A strategy committee shall establish and administer a regional strategy fund.

(b) A regional strategy fund consists of the following:
(1) Any payments required under an interlocal agreement for a project that specifically states:
(A) the amount for which each member is responsible; and
(B) the term of the agreement.
The transfers allowed by this subdivision may be made from any local revenue of the county or municipality, including property tax revenue, distributions, incentive payments, money deposited in the county's or municipality's local major moves construction fund under IC 8-14-16, money received by the county or municipality under a development agreement (as defined by IC 36-1-8-9.5), or any other local revenue that is not otherwise restricted by law or committed for the payment of other obligations.
(2) Money received from the federal government.
(3) Gifts, contributions, donations, and private grants made to the fund.
(4) Money transferred to the development authority under an interlocal agreement.

Sec. 2. A development authority and an eligible political subdivision may enter into common wall (party wall) agreements or other agreements concerning easements or licenses. These agreements shall be recorded with the recorder of the county in which the project is located.

Sec. 3. (a) All:
(1) property owned by a development authority; and
(2) revenue of a development authority;
are exempt from taxation in Indiana for all purposes except the financial institutions tax imposed under IC 6-5.5.

(b) All securities issued under this chapter are exempt from the registration requirements of IC 23-19 and other securities registration statutes.

SECTION 3. **An emergency is declared for this act.**

(Reference is to ESB 350 as reprinted March 3, 2020.)

HOLDMAN T. BROWN
J. D. FORD PORTER
Senate Conferees ouse Conferees

Roll Call374: yeas 80, nays 0. Report adopted.

Representatives Carbaugh, Morrison and Morris, who had been excused, are now present.

Representatives Barrett and Soliday, who had been present, are now excused.

CONFERENCE COMMITTEE REPORT
ESB 398–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 398 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 20-26-13-10, AS AMENDED BY HEA 1305-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) Except as provided in section 11 of this chapter, the four (4) year graduation rate for a cohort in a high school is the percentage determined under STEP FIVE of the following formula:

STEP ONE: Determine the grade 9 enrollment at the beginning of the reporting year three (3) years before the reporting year for which the graduation rate is being determined.

STEP TWO: Add:
(A) the number determined under STEP ONE; and
(B) the number of students who:
(i) have enrolled in the high school after the date on

which the number determined under STEP ONE was determined; and

(ii) have the same expected graduation year as the cohort.

STEP THREE: Subtract from the sum determined under STEP TWO the number of students who have left the cohort for any of the following reasons:

(A) Transfer to another public or nonpublic school.

(B) Except as provided in IC 20-33-2-28.6 and subsection (b), removal by the student's parents under IC 20-33-2-28 to provide instruction equivalent to that given in the public schools.

(C) Withdrawal because of a long term medical condition or death.

(D) Detention by a law enforcement agency or the department of correction.

(E) Placement by a court order or the department of child services.

(F) Enrollment in a virtual school.

(G) Leaving school, if the student attended school in Indiana for less than one (1) school year and the location of the student cannot be determined.

(H) Leaving school, if the location of the student cannot be determined and the student has been reported to the Indiana clearinghouse for information on missing children and missing endangered adults.

(I) Withdrawing from school before graduation, if the student is a high ability student (as defined in IC 20-36-1-3) who is a full-time student at an accredited institution of higher education during the semester in which the cohort graduates.

(J) Withdrawing from school before graduation pursuant to providing notice of withdrawal under section 17 of this chapter.

(K) Participating in the high school equivalency pilot program under IC 20-30-8.5, unless the student fails to successfully complete the high school equivalency pilot program in the two (2) year period.

STEP FOUR: Determine the total number of students determined under STEP TWO who have graduated during the current reporting year or a previous reporting year.

STEP FIVE: Divide:

(A) the number determined under STEP FOUR; by

(B) the remainder determined under STEP THREE.

(b) This subsection applies to a high school in which:

(1) for a:

(A) cohort of one hundred (100) students or less, at least ten percent (10%) of the students left a particular cohort for a reason described in subsection (a) STEP THREE clause (B); or

(B) cohort of more than one hundred (100) students, at least five percent (5%) of the students left a particular cohort for a reason described in subsection (a) STEP THREE clause (B); and

(2) the students described in subdivision (1)(A) or (1)(B) are not on track to graduate with their cohort.

A high school must submit a request to the state board in a manner prescribed by the state board requesting that the students described in this subsection be included in the subsection (a) STEP THREE calculation. The state board shall review the request and may grant or deny the request. The state board shall deny the request unless the high school demonstrates good cause to justify that the students described in this subsection should be included in the subsection (a) STEP THREE calculation. If the state board denies the request the high school may not subtract the students described in this subsection under subsection (a) STEP THREE.

SECTION 2. IC 20-26-13-11, AS AMENDED BY HEA 1305-2020, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) A student who has left school is not included in clauses (A) through ~~(J)~~ **(K)** of STEP THREE of the formula established in section 10(a) of this chapter unless the school can provide written proof that the student has left the school for one (1) of the reasons set forth in clauses (A) through ~~(J)~~ **(K)** of STEP THREE of section 10(a) of this chapter. If the location of the student is unknown to the school, the principal of the school shall send a certified letter to the last known address of the student, inquiring about the student's whereabouts and status. If the student is not located after the certified letter is delivered or if no response is received, the principal may submit the student's information, including last known address, parent or guardian name, student testing number, and other pertinent data to the state attendance officer. The state attendance officer, using all available state data and any other means available, shall attempt to locate the student and report the student's location and school enrollment status to the principal so that the principal can appropriately send student records to the new school or otherwise document the student's status.

(b) The department shall conduct a review of each school's graduation cohort on a schedule determined by the department.

(c) If a school cannot provide written proof that a student should be included in clauses (A) through ~~(J)~~ **(K)** of STEP THREE of section 10(a) of this chapter, the student is considered a dropout.

SECTION 3. IC 20-26-13-13, AS AMENDED BY HEA 1305-2020, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. For any school that cannot provide written proof supporting the school's determination to include a student under any one (1) of clauses (A) through ~~(J)~~ **(K)** of STEP THREE of section 10(a) of this chapter, the department shall require the publication of the corrected graduation rate in the next school year's report required under IC 20-20-8-3.

SECTION 4. IC 20-26-13-16.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 16.5. (a) A student must be subtracted under clause (K) of STEP THREE of section 10(a) of this chapter when a student transitions from a traditional high school to the high school equivalency pilot program under IC 20-30-8.5.**

(b) This section expires June 30, 2024.

SECTION 5. IC 20-26-20 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 20. Patriotic Youth Membership Organizations

Sec. 1. As used in this chapter, "organization" means any youth organization listed in Title 36 of the United States Code that has an educational purpose and promotes patriotism and civic involvement.

Sec. 2. As used in this chapter, "public school" means the following:

(1) A school maintained by a school corporation.

(2) A charter school.

Sec. 3. An organization may request that a public school allow representatives of the organization to provide oral, written, or oral and written information regarding the organization, including information regarding how the organization furthers the educational interests and civic involvement of students consistent with good citizenship and moral instruction provided under IC 20-30-5-6 and IC 20-30-5-5, to students of the public school on school property.

Sec. 4. Upon request by an organization under section 3 of this chapter, a public school shall provide at least one (1) time each school year, a day and time, which may be during the school day as approved by the public school, for the representatives of the organization to provide information to students on school property as described in section 3 of this chapter.

Sec. 5. (a) A public school shall conduct an expanded criminal history check of a representative of an organization before the representative may provide information to students at a public school as described in section 4 of this chapter. The representative may be required to provide a written consent for the public school to conduct the expanded criminal history check. The representative of the organization is responsible for all costs associated with obtaining the expanded criminal history check.

(b) A public school may refuse to allow a representative to provide information as described in section 4 of this chapter if the representative has been convicted of a felony listed in IC 20-28-5-8(c) or IC 20-28-5-8(d).

SECTION 6. IC 20-30-5-7, AS AMENDED BY P.L.97-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) Each school corporation shall include in the school corporation's curriculum the following studies:

(1) Language arts, including:
(A) English;
(B) grammar;
(C) composition;
(D) speech; and
(E) second languages.
(2) Mathematics.
(3) Social studies and citizenship, including the:
(A) constitutions;
(B) governmental systems; and
(C) histories;
of Indiana and the United States, including an enhanced study of the Holocaust in each high school United States history course. As part of the United States government credit awarded for the general, Core 40, Core 40 with academic honors, and Core 40 with technical honors designation, each high school shall administer the naturalization examination provided by the United States Citizenship and Immigration Services.
(4) Sciences, including, after June 30, 2021, computer science.
(5) Fine arts, including music and art.
(6) Health education, physical fitness, safety, and the effects of alcohol, tobacco, drugs, and other substances on the human body.
(7) Additional studies selected by each governing body, subject to revision by the state board.

(b) Each:
(1) school corporation;
(2) charter school; and
(3) accredited nonpublic school;
shall offer the study of ethnic and racial groups as a one (1) semester elective course in its high school curriculum at least once every school year.

(c) The course described in subsection (b) may be offered by the school corporation, charter school, or accredited nonpublic school through a course access program administered by the department.

(d) Not later than November 1, 2022, and not later than November 1 each year thereafter, the department shall report to the general assembly in an electronic format under IC 5-14-6 the following:

(1) The number of students who took the naturalization examination described in subsection (a)(3).
(2) The number of students who passed the naturalization examination described in subsection (a)(3) by a score of not less than sixty percent (60%) on their first attempt.
(3) The pass rate of the naturalization examination regarding the students who passed as described in subdivision (2).

(e) Not more than thirty (30) days after the department reports to the general assembly the information under subsection (d), the department shall post the pass rate under subsection (d)(3) on the department's Internet web site.

SECTION 7. IC 20-30-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 8.5. High School Equivalency Pilot Program

Sec. 1. This section applies to the following school corporations:

(1) Richmond Community Schools.
(2) Metropolitan School District of Washington Township Schools.
(3) Metropolitan School District of Warren Township Schools.

Sec. 2. As used in this chapter, an "eligible student" means a student who has completed less than fifty percent (50%) of the required number of credits necessary to graduate upon entering the student's fourth year of high school or any subsequent semester.

Sec. 3. As used in this chapter, "program" refers to the high school equivalency pilot program established by section 6 of this chapter.

Sec. 4. As used in this chapter, "provider" is a current grantee receiving WIOA Title II money from the department of workforce development and that provides academic instruction and education services at the elementary or high school level that:

(1) include adult education, literacy activities, workplace activities, English language acquisition activities, integrated English literacy and civics education, workforce preparation activities, or integrated education and training;
(2) transition to postsecondary education and training; and
(3) provide an ability to obtain employment.

Sec. 5. As used in this chapter, "WIOA" refers to the federal Workforce Innovation and Opportunity Act.

Sec. 6. (a) The high school equivalency pilot program is established. The purpose of the program is to allow an eligible student to enroll in a program to earn a high school equivalency.

(b) An eligible student who successfully completes the program within two (2) years shall be removed from the graduation cohort and will no longer be counted as a dropout.

(c) Not more than five percent (5%) of a participating school's cohort may participate in the program at one (1) time.

Sec. 7. An eligible student may participate in the program in lieu of meeting the graduation requirements in IC 20-32-4-1.5.

Sec. 8. In addition to successfully achieving their high school equivalency, an eligible student shall:

(1) demonstrate employability skills through a:
(A) project based learning experience;
(B) service based learning experience; or
(C) work based learning experience; and
(2) complete one (1) of the following:
(A) A certification class approved by the department of workforce development.
(B) Indiana specific college ready benchmarks set by the commission for higher education that meet or exceed college ready benchmarks set by the college board and ACT.
(C) Completion of the ASVAB and enlistment and service in one (1) of the branches of the armed forces of the United States.
(D) Entry into an apprenticeship program recognized by the state that includes a post secondary credential upon completion.

Sec. 9. (a) A school corporation may contract with a provider to provide services for the program. However, the program may not receive money from WIOA Title II or state appropriated adult education funding. If contracting with a provider, the school corporation shall ensure the following:

(1) The provider is a WIOA Title II funded organization.

(2) Teachers provided by the provider hold a current teaching license from any state, and teachers of core subjects are qualified in the subjects to which they are assigned.

(3) The provider has provided one (1) or more dropout recovery or high school equivalency programs and testing for at least two (2) years prior to providing a program under this section.

(b) All contracts entered into by a school corporation and a provider shall include requirements for the protection of all personally identifiable student information that shall comply with all applicable state and federal laws and regulations.

Sec. 10. (a) If a school corporation decides to participate in the program, the school corporation shall fund the program from the school corporation's budget or from:

(1) gifts, donations, and bequests;

(2) grants, including federal grants and grants from private entities;

(3) funds from any other source; and

(4) a combination of the resources described in subdivisions (1), (2), and (3).

(b) Not later than sixty (60) days after the identification of the source of the funds, the governing body of a school corporation shall conduct a public hearing at a location within the school corporation to present and discuss the source of the funds. The governing body may conduct the meeting in conjunction with a regular meeting of the governing body.

(c) The school corporation may only use state tuition support received for a student who participates in the program or funds donated to the program to administer the program.

Sec. 11. If an eligible student enrolled in a school corporation participates in the program, the eligible student may not be a student of an adult education center (as described in IC 22-4.1-20) or an adult high school (as defined under IC 20-24-1-2.3).

Sec. 12. Not later than July 1, 2021, and not later than July 1 of each year thereafter, participating school corporations shall submit a report to the general assembly in an electronic format under IC 5-14-6 concerning the program that includes the following:

(1) The number of students eligible for the program.

(2) The number of eligible students who participated in the program.

(3) The number of credits upon entry to the program.

(4) The number of eligible students who successfully achieved their high school equivalency through the program.

(5) A list of credentials earned upon completion of the program.

(6) A report concerning:

(A) eligible students':

(i) job placement outcomes; and

(ii) matriculation into higher education; and

(B) any other information concerning outcomes;

as of one (1) year and two (2) years after an eligible student has successfully completed the program.

(7) Recommendations on improvements to the program.

(8) An estimated cost to each school corporation for the program.

(9) To the extent possible, the use of the funding received by the school corporation for an eligible student participating in the program during the previous school year and metrics of student achievement and demographics, including:

(A) the amount of funding received that was used for each course or program of instruction included in the program;

(B) the amount of funding received that was used for transportation costs for students who participate in the program;

(C) the amount of funding received that was used for any other purposes relating to the cost of education for an eligible student who participated in the program; and

(D) metrics of eligible student achievement and demographic information for those eligible students who participated in the program during the previous school year, including a comparison to the metrics of student achievement and demographic information for those students who were not participants in the program.

(10) Any other relevant consideration.

Sec. 13. This chapter expires June 30, 2024.

SECTION 8. IC 22-4.1-18-3, AS ADDED BY P.L.7-2011, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. **(a)** The department shall administer the testing program provided in this chapter. All administrative costs of this program must be funded through appropriations of the general assembly.

(b) The test shall be:

(1) a nationally administered high school equivalency exam utilizing college and career readiness standards that includes subtests of reading, mathematics, science, social studies, and writing; and

(2) available in a pencil and paper and online formats.

(c) The test vendor shall provide:

(1) annual in-person and online training;

(2) an annual national and Indiana statistical report;

(3) a dedicated customer service line;

(4) at least one (1) practice test available in both pencil and paper and online formats;

(5) at least two (2) retests for each subtest, free of charge; and

(6) a nationally based research report on the long term outcomes for candidates who passed the test, which shall be presented to the department, governor's workforce cabinet, the chairman of the house committee on education, and the chairman of the senate committee on education and career development.

SECTION 9. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to an appropriate interim study committee for study during the 2020 interim the topics of:**

(1) whether the state should encourage robotics classes and clubs for students in kindergarten through grade 12; and

(2) if so, what forms that encouragement should take, in any combination of:

(A) one (1) or more programs of grants, competitive prizes, or other funding methods;

(B) additional teacher training;

(C) cooperative arrangements with postsecondary educational institutions; or

(D) other feasible methods.

(b) This SECTION expires January 1, 2021.

SECTION 10. **An emergency is declared for this act.**

(Reference is to ESB 398 as reprinted February 28, 2020.)

RAATZ JORDAN
STOOPS DELANEY
Senate Conferees ouse Conferees

Roll Call 375: yeas 81, nays 0. Report adopted.

Representatives Baird and Soliday, who had been excused, are now present.

CONFERENCE COMMITTEE REPORT
ESB 408–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 408 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 4-38-2-2, AS ADDED BY P.L.293-2019, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. "Adjusted gross receipts" means:

(1) the total of all cash and property (including checks received by a certificate holder, whether collected or not) received **from authorized sports wagering offered** by a certificate holder; ~~from sports wagering;~~ minus

(2) the total of:

(A) all cash paid out as winnings to sports wagering patrons, including the cash equivalent of any merchandise or thing of value awarded as a prize; and

(B) uncollectible gaming receivables, not to exceed the lesser of:

(i) a reasonable provision for uncollectible patron checks received from sports wagering; or

(ii) two percent (2%) of the total of all sums (including checks, whether collected or not) less the amount paid out as winnings to sports wagering patrons.

For purposes of this section, a counter or personal check that is invalid or unenforceable under this article is considered cash received by the certificate holder from sports wagering.

SECTION 2. IC 6-2.5-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Except as provided in subsection (b) **or (c),** "unitary transaction" includes all items of personal property and services which are furnished under a single order or agreement and for which a total combined charge or price is calculated.

(b) "Unitary transaction" does not include a transaction that meets one (1) of the exceptions in section 11.5(d) of this chapter.

~~(b)~~ **(c)** "Unitary transaction" as it applies to the furnishing of public utility commodities or services means the public utility commodities and services which are invoiced in a single bill or statement for payment by the consumer.

SECTION 3. IC 6-2.5-1-5, AS AMENDED BY P.L.188-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) Except as provided in subsection (b), "gross retail income" means the total amount of consideration, including cash, credit, property, and services, for which tangible personal property is sold, leased, or rented, valued in money, whether received in money or otherwise, without any deduction for:

(1) the seller's cost of the property sold;

(2) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expense of the seller;

(3) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;

(4) delivery charges; or

(5) consideration received by the seller from a third party if:

(A) the seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;

(B) the seller has an obligation to pass the price reduction or discount through to the purchaser;

(C) the amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and

(D) the price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate, or other documentation presented by the purchaser.

For purposes of subdivision (4), delivery charges are charges by the seller for preparation and delivery of the property to a location designated by the purchaser of property, including but not limited to transportation, shipping, postage charges that are not separately stated on the invoice, bill of sale, or similar document, handling, crating, and packing. Delivery charges do not include postage charges that are separately stated on the invoice, bill of sale, or similar document.

(b) "Gross retail income" does not include that part of the gross receipts attributable to:

(1) the value of any tangible personal property received in a like kind exchange in the retail transaction, if the value of the property given in exchange is separately stated on the invoice, bill of sale, or similar document given to the purchaser;

(2) the receipts received in a retail transaction which constitute interest, finance charges, or insurance premiums on either a promissory note or an installment sales contract;

(3) discounts, including cash, terms, or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;

(4) interest, financing, and carrying charges from credit extended on the sale of personal property if the amount is separately stated on the invoice, bill of sale, or similar document given to the purchaser;

(5) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale, or similar document given to the purchaser, including an excise tax imposed under IC 6-6-15;

(6) installation charges that are separately stated on the invoice, bill of sale, or similar document given to the purchaser;

(7) telecommunications nonrecurring charges; ~~or~~

(8) postage charges that are separately stated on the invoice, bill of sale, or similar document; **or**

(9) charges for serving or delivering food and food ingredients furnished, prepared, or served for consumption at a location, or on equipment, provided by the retail merchant, to the extent that the charges for the serving or delivery are stated separately from the price of the food and food ingredients when the purchaser pays the charges.

(c) Notwithstanding subsection (b)(5):

(1) in the case of retail sales of special fuel (as defined in IC 6-6-2.5-22), the gross retail income is the total sales price of the special fuel minus the part of that price attributable to tax imposed under IC 6-6-2.5 or Section 4041 or Section 4081 of the Internal Revenue Code; and

(2) in the case of retail sales of cigarettes (as defined in

IC 6-7-1-2), the gross retail income is the total sales price of the cigarettes including the tax imposed under IC 6-7-1.

(d) Gross retail income is only taxable under this article to the extent that the income represents:

(1) the price of the property transferred, without the rendition of any services; and

(2) except as provided in subsection (b), any bona fide changes which are made for preparation, fabrication, alteration, modification, finishing, completion, delivery, or other service performed in respect to the property transferred before its transfer and which are separately stated on the transferor's records. For purposes of this subdivision, a transfer is considered to have occurred after the delivery of the property to the purchaser.

~~(c)~~ **(e)** A public utility's or a power subsidiary's gross retail income includes all gross retail income received by the public utility or power subsidiary, including any minimum charge, flat charge, membership fee, or any other form of charge or billing.

SECTION 4. IC 6-2.5-1-11.5, AS ADDED BY P.L.153-2006, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11.5. (a) This section applies to retail transactions occurring after December 31, 2007.

(b) "Bundled transaction" means a retail sale of two (2) or more products, except real property and services to real property, that are:

(1) distinct;

(2) identifiable; and

(3) sold for one (1) nonitemized price.

(c) The term does not include a retail sale in which the sales price of a product varies, or is negotiable, based on other products that the purchaser selects for inclusion in the transaction.

(d) The term does not include a retail sale that:

(1) is comprised of:

(A) a service that is the true object of the transaction; and

(B) tangible personal property that:

(i) is essential to the use of the service; and

(ii) is provided exclusively in connection with the service;

(2) includes both taxable and nontaxable products in which:

(A) the seller's purchase price; or

(B) the sales price;

of the taxable products does not exceed ten percent (10%) of the total purchase price or the total sales price of the bundled products; or

(3) includes both exempt tangible personal property and taxable tangible personal property:

(A) any of which is classified as:

(i) food and food ingredients;

(ii) drugs;

(iii) durable medical equipment;

(iv) mobility enhancing equipment;

(v) over-the-counter drugs;

(vi) prosthetic devices; or

(vii) medical supplies; and

(B) for which:

(i) the seller's purchase price; or

(ii) the sales price;

of the taxable tangible personal property is fifty percent (50%) or less of the total purchase price or the total sales price of the bundled tangible personal property.

The determination under clause (B) must be made on the basis of either individual item purchase prices or individual item sale prices.

(e) A transaction that meets one (1) of the exceptions in subsection (d) shall be excluded from the definition of unitary transaction under section 1(a) of this chapter.

SECTION 5. IC 6-2.5-2-1, AS AMENDED BY P.L.108-2019, SECTION 108, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) An excise tax, known as the state gross retail tax, is imposed on retail transactions made in Indiana.

(b) The person who acquires property in a retail transaction is liable for the tax on the transaction and, except as otherwise provided in this chapter, shall pay the tax to the retail merchant as a separate added amount to the consideration in the transaction. ~~The~~ **A** retail merchant **that has either physical presence in Indiana as described in subsection (c) or that meets one (1) or both of the thresholds in subsection (d)** shall collect the tax as agent for the state.

(c) A retail merchant has physical presence in Indiana when the retail merchant:

(1) maintains an office, place of distribution, sales location, sample location, warehouse, storage place, or other place of business which is located in Indiana and which the retail merchant maintains, occupies, or uses, either permanently or temporarily, either directly or indirectly, and either by the retail merchant or through a representative, agent, or subsidiary;

(2) maintains a representative, agent, salesperson, canvasser, or solicitor who, while operating in Indiana under the authority of and on behalf of the retail merchant or a subsidiary of the retail merchant, sells, delivers, installs, repairs, assembles, sets up, accepts returns of, bills, invoices, or takes orders for sales of tangible personal property or services to be used, stored, or consumed in Indiana; or

(3) is otherwise required to register as a retail merchant under IC 6-2.5-8-1.

~~(c)~~ **(d)** A retail merchant that does not have a physical presence in Indiana shall, as an agent for the state, collect the gross retail tax on a retail transaction made in Indiana, remit the gross retail tax as provided in this article, and comply with all applicable procedures and requirements of this article as if the retail merchant has a physical presence in Indiana, if the retail merchant meets either of the following conditions for the calendar year in which the retail transaction is made or for the calendar year preceding the calendar year in which the retail transaction is made:

(1) The retail merchant's gross revenue from any combination of:

(A) the sale of tangible personal property that is delivered into Indiana;

(B) a product transferred electronically into Indiana; or

(C) a service delivered in Indiana;

exceeds one hundred thousand dollars ($100,000).

(2) The retail merchant sells any combination of:

(A) tangible personal property that is delivered into Indiana;

(B) a product transferred electronically into Indiana; or

(C) a service delivered in Indiana;

in two hundred (200) or more separate transactions.

~~(d)~~ **(e)** A marketplace facilitator must include both transactions made on its own behalf and transactions facilitated for sellers under IC 6-2.5-4-18 for purposes of establishing the requirement to collect gross retail ~~or use~~ tax without having a physical presence in Indiana for purposes of subsection ~~(c).~~ **(d).** In addition, except in instances where the marketplace facilitator has not met the thresholds in subsection ~~(c),~~ **(d),** the transactions of the seller made through the marketplace are not counted toward the seller for purposes of determining whether the seller has met the thresholds in subsection ~~(c).~~ **(d).**

SECTION 6. IC 6-2.5-2-2, AS AMENDED BY P.L.87-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) The state

gross retail tax is measured by the gross retail income received by a retail merchant in a retail unitary **or bundled** transaction and is imposed at seven percent (7%) of that gross retail income.

(b) If the tax computed under subsection (a) carried to the third decimal place results in the numeral in the third decimal place being greater than four (4), the amount of the tax shall be rounded to the next additional cent.

(c) A seller may elect to round the tax under subsection (b) on a transaction on an item basis or an invoice basis. However, a seller may not round the tax under subsection (b) to circumvent the tax that would otherwise be imposed on a transaction using an invoice basis.

SECTION 7. IC 6-2.5-3-1, AS AMENDED BY P.L.242-2015, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. For purposes of this chapter:

(a) "Use" means the exercise of any right or power of ownership over tangible personal property.

(b) "Storage" means the keeping or retention of tangible personal property in Indiana for any purpose except temporary storage.

~~(c) "A retail merchant engaged in business in Indiana" includes any retail merchant who makes retail transactions in which a person acquires personal property or services for use, storage, or consumption in Indiana and who:~~

~~(1) maintains an office, place of distribution, sales location, sample location, warehouse, storage place, or other place of business which is located in Indiana and which the retail merchant maintains, occupies, or uses, either permanently or temporarily, either directly or indirectly, and either by the retail merchant or through a representative, agent, or subsidiary;~~

~~(2) maintains a representative, agent, salesman, canvasser, or solicitor who, while operating in Indiana under the authority of and on behalf of the retail merchant or a subsidiary of the retail merchant, sells, delivers, installs, repairs, assembles, sets up, accepts returns of, bills, invoices, or takes orders for sales of tangible personal property or services to be used, stored, or consumed in Indiana;~~

~~(3) is otherwise required to register as a retail merchant under IC 6-2.5-8-1; or~~

~~(4) may be required by the state to collect tax under this article to the extent allowed under the Constitution of the United States and federal law.~~

~~(d)~~ **(c)** "Temporary storage" means the keeping or retention of tangible personal property in Indiana for a period of not more than one hundred eighty (180) days and only for the purpose of the subsequent use of that property solely outside Indiana.

~~(e)~~ **(d)** Notwithstanding any other provision of this section, tangible or intangible property that is:

(1) owned or leased by a person that has contracted with a commercial printer for printing; and

(2) located at the premises of the commercial printer;

shall not be considered to be, or to create, an office, a place of distribution, a sales location, a sample location, a warehouse, a storage place, or other place of business maintained, occupied, or used in any way by the person. A commercial printer with which a person has contracted for printing shall not be considered to be in any way a representative, an agent, a salesman, a canvasser, or a solicitor for the person.

SECTION 8. IC 6-2.5-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. The use tax is measured by the gross retail income received in a retail unitary **or bundled** transaction and is imposed at the same rates as the state gross retail tax under IC 6-2.5-2-2. For purposes of this chapter, transactions described in ~~IC 6-2.5-3-2(b) and (c)~~ **section 2(b) and 2(c) of this chapter** shall be treated as retail transactions within the meaning of IC 6-2.5-1-2.

SECTION 9. IC 6-2.5-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The storage, use, and consumption of tangible personal property in Indiana is exempt from the use tax if:

(1) the property was acquired in a retail transaction ~~in Indiana~~ and the state gross retail tax has been paid on the acquisition of that property; or

(2) the property was acquired in a transaction that is wholly or partially exempt from the state gross retail tax under any part of IC 6-2.5-5, except IC 6-2.5-5-24(b), and the property is being used, stored, or consumed for the purpose for which it was exempted.

(b) If a person issues a state gross retail or use tax exemption certificate for the acquisition of tangible personal property and subsequently uses, stores, or consumes that property for a nonexempt purpose, then the person shall pay the use tax.

SECTION 10. IC 6-2.5-3-6, AS AMENDED BY P.L.182-2009(ss), SECTION 175, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) For purposes of this section, "person" includes an individual who is personally liable for use tax under IC 6-2.5-9-3.

(b) The person who uses, stores, or consumes the tangible personal property acquired in a retail transaction is personally liable for the use tax.

(c) The person liable for the use tax shall pay ~~the tax to the retail merchant from whom the person acquired the property, and the retail merchant shall collect the tax as an agent for the state, if the retail merchant is engaged in business in Indiana or if the retail merchant has departmental permission to collect the tax. In all other cases, the person shall pay~~ the use tax to the department.

(d) Notwithstanding subsection (c), a person liable for the use tax imposed in respect to a vehicle, watercraft, or aircraft under section 2(b) of this chapter shall pay the tax:

(1) to the titling agency when the person applies for a title for the vehicle or the watercraft;

(2) to the registering agency when the person registers the aircraft; or

(3) to the registering agency when the person registers the watercraft because it is a United States Coast Guard documented vessel;

unless the person presents proof to the agency that the use tax or state gross retail tax has already been paid with respect to the purchase of the vehicle, watercraft, or aircraft or proof that the taxes are inapplicable because of an exemption under this article.

(e) At the time a person pays the use tax for the purchase of a vehicle to a titling agency pursuant to subsection (d), the titling agency shall compute the tax due based on the presumption that the sale price was the average selling price for that vehicle, as determined under a used vehicle buying guide to be chosen by the titling agency. However, the titling agency shall compute the tax due based on the actual sale price of the vehicle if the buyer, at the time the buyer pays the tax to the titling agency, presents documentation to the titling agency sufficient to rebut the presumption set forth in this subsection and to establish the actual selling price of the vehicle.

SECTION 11. IC 6-2.5-3.5-26, AS ADDED BY P.L.227-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014 (RETROACTIVE)]: Sec. 26. (a) The gasoline use tax collected under this chapter is considered equivalent to the state gross retail tax that would be collected by a retail merchant in a retail sale and replaces the obligation of the retail merchant to collect the state gross retail tax on the sale of gasoline.

(b) **Except for the exemption under IC 6-2.5-5-8 for property acquired for resale in the ordinary course of business,** the exemptions set forth in IC 6-2.5-5 apply to the gasoline use tax imposed by this chapter.

SECTION 12. IC 6-2.5-4-1, AS AMENDED BY

P.L.227-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A person is a retail merchant making a retail transaction when the person engages in selling at retail.

(b) A person is engaged in selling at retail when, in the ordinary course of the person's regularly conducted trade or business, the person:

(1) acquires tangible personal property for the purpose of resale; and

(2) transfers that property to another person for consideration.

(c) For purposes of determining what constitutes selling at retail, it does not matter whether:

(1) the property is transferred in the same form as when it was acquired;

(2) the property is transferred alone or in conjunction with other property or services; or

(3) the property is transferred conditionally or otherwise.

(d) Notwithstanding subsection (b), a person is not selling at retail if the person is making a wholesale sale as described in section 2 of this chapter. However, in the case of sales of gasoline (as defined in IC 6-6-1.1-103), a person shall collect the gasoline use tax as provided in IC 6-2.5-3.5.

~~(e) The gross retail income received from selling at retail is only taxable under this article to the extent that the income represents:~~

~~(1) the price of the property transferred, without the rendition of any service; and~~

~~(2) except as provided in subsection (g), any bona fide charges which are made for preparation, fabrication, alteration, modification, finishing, completion, delivery, or other service performed in respect to the property transferred before its transfer and which are separately stated on the transferor's records.~~

~~For purposes of this subsection, a transfer is considered to have occurred after delivery of the property to the purchaser.~~

~~(f) Notwithstanding subsection (e):~~

~~(1) in the case of retail sales of special fuel (as defined in IC 6-6-2.5-22), the gross retail income received from selling at retail is the total sales price of the special fuel minus the part of that price attributable to tax imposed under IC 6-6-2.5 or Section 4041(a) or Section 4081 of the Internal Revenue Code; and~~

~~(2) in the case of retail sales of cigarettes (as defined in IC 6-7-1-2), the gross retail income received from selling at retail is the total sales price of the cigarettes including the tax imposed under IC 6-7-1.~~

~~(g) Gross retail income does not include income that represents charges for serving or delivering food and food ingredients furnished, prepared, or served for consumption at a location, or on equipment, provided by the retail merchant. However, the exclusion under this subsection only applies if the charges for the serving or delivery are stated separately from the price of the food and food ingredients when the purchaser pays the charges.~~

SECTION 13. IC 6-2.5-4-18, AS ADDED BY P.L.108-2019, SECTION 112, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) A marketplace facilitator shall be considered the retail merchant of each retail transaction (including a retail transaction under section 4 of this chapter) that is facilitated for sellers on its marketplace when it does any of the following on behalf of the seller:

(1) Collects the sales price or purchase price of the seller's products.

(2) Provides access to payment processing services, either directly or indirectly.

(3) Charges, collects, or otherwise receives fees or other consideration for transactions made on its electronic marketplace.

(b) Regardless of whether a transaction under subsection (a) was made by the marketplace facilitator on its own behalf or facilitated on behalf of a seller, a marketplace facilitator is required to do the following with each retail transaction made on its marketplace:

(1) Collect and remit the gross retail tax, even if a seller for whom a transaction was facilitated:

(A) does not have a registered retail merchant certificate; or

(B) would not have been required to collect gross retail tax had the transaction not been facilitated by the marketplace facilitator.

(2) Comply with all applicable procedures and requirements imposed under this article as the retail merchant in such transaction.

(c) The gross retail income from a transaction under this section is equal to the total amount of consideration paid by the purchaser, including the payment of any fee, commission, or other charge by the marketplace facilitator, except that the gross retail income does not include any taxes on the transaction that are imposed directly on the consumer other than taxes **described** under ~~section 1(f)(2) of this chapter.~~ **IC 6-2.5-1-5(c)(2).**

SECTION 14. IC 6-2.5-6-6 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 6. When possible, the department shall coordinate the reporting and payment of the state gross retail and use taxes with the reporting and payment of the gross income tax.~~

SECTION 15. IC 6-2.5-6-14.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14.1. ~~Notwithstanding the refund provisions of this article as incorporated from the gross income tax law (IC 6-2.1, repealed),~~ A retail merchant is not entitled to a refund of state gross retail or use taxes unless the retail merchant refunds those taxes to the person from whom they were collected.

SECTION 16. IC 6-2.5-8-1, AS AMENDED BY P.L.234-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A retail merchant may not make a retail transaction in Indiana, unless the retail merchant has applied for a registered retail merchant's certificate.

(b) A retail merchant may obtain a registered retail merchant's certificate by filing an application with the department and paying a registration fee of twenty-five dollars ($25) for each place of business listed on the application. The retail merchant shall also provide such security for payment of the tax as the department may require under IC 6-2.5-6-12.

(c) The retail merchant shall list on the application the location (including the township) of each place of business where the retail merchant makes retail transactions. However, if the retail merchant does not have a fixed place of business, the retail merchant shall list the retail merchant's residence as the retail merchant's place of business. In addition, a public utility may list only its principal Indiana office as its place of business for sales of public utility commodities or service, but the utility must also list on the application the places of business where it makes retail transactions other than sales of public utility commodities or service.

(d) Upon receiving a proper application, the correct fee, and the security for payment, if required, the department shall issue to the retail merchant a separate registered retail merchant's certificate for each place of business listed on the application. Each certificate shall bear a serial number and the location of the place of business for which it is issued.

(e) The department may deny an application for a registered retail merchant's certificate if the applicant's business is operated, managed, or otherwise controlled by or affiliated with a person, including a relative, family member, responsible officer, or owner, who the department has determined:

(1) failed to:

(A) file all tax returns or information reports with the department for listed taxes; or

(B) pay all taxes, penalties, and interest to the department for listed taxes; and

(2) the business of the person who has failed to file all tax returns or information reports under subdivision (1)(A) or who has failed to pay all taxes, penalties, and interest under subdivision (1)(B) is substantially similar to the business of the applicant.

(f) If a retail merchant intends to make retail transactions during a calendar year at a new Indiana place of business, the retail merchant must file a supplemental application and pay the fee for that place of business.

(g) Except as provided in subsection (i), a registered retail merchant's certificate is valid for two (2) years after the date the registered retail merchant's certificate is originally issued or renewed. If the retail merchant has filed all returns and remitted all taxes the retail merchant is currently obligated to file or remit, the department shall renew the registered retail merchant's certificate within thirty (30) days after the expiration date, at no cost to the retail merchant. Before issuing or renewing the registered retail merchant certification, the department may require the following to be provided:

(1) The names and addresses of the retail merchant's principal employees, agents, or representatives who engage in Indiana in the solicitation or negotiation of the retail transaction.

(2) The location of all of the retail merchant's places of business in Indiana, including offices and distribution houses.

(3) Any other information that the department requests.

(h) The department may not renew a registered retail merchant certificate of a retail merchant who is delinquent in remitting withholding taxes required to be remitted under IC 6-3-4 or sales or use tax. The department, at least sixty (60) days before the date on which a retail merchant's registered retail merchant's certificate expires, shall notify a retail merchant who is delinquent in remitting withholding taxes required to be remitted under IC 6-3-4 or sales or use tax that the department will not renew the retail merchant's registered retail merchant's certificate.

(i) If:

(1) a retail merchant has been notified by the department that the retail merchant is delinquent in remitting withholding taxes or sales or use tax in accordance with subsection (h); and

(2) the retail merchant pays the outstanding liability before the expiration of the retail merchant's registered retail merchant's certificate;

the department shall renew the retail merchant's registered retail merchant's certificate for one (1) year.

~~(j) A retail merchant engaged in business in Indiana as defined in IC 6-2.5-3-1(c) who makes retail transactions that are only subject to the use tax must obtain a registered retail merchant's certificate before making those transactions. The retail merchant may obtain the certificate by following the same procedure as a retail merchant under subsections (b) and (c), except that the retail merchant must also include on the application:~~

~~(1) the names and addresses of the retail merchant's principal employees, agents, or representatives who engage in Indiana in the solicitation or negotiation of the retail transactions;~~

~~(2) the location of all of the retail merchant's places of business in Indiana, including offices and distribution houses; and~~

~~(3) any other information that the department requests.~~

~~The department may also require that this information be updated before renewal of a registered retail merchant's certificate.~~

~~(k)~~ **(j)** The department may permit an out-of-state retail merchant to collect the ~~use~~ **gross retail** tax **in instances where the retail merchant has not met the thresholds in IC 6-2.5-2-1(d).** However, before the out-of-state retail merchant may collect the tax, the out-of-state retail merchant must obtain a registered retail merchant's certificate in the manner provided by this section. Upon receiving the certificate, the out-of-state retail merchant becomes subject to the same conditions and duties as an Indiana retail merchant and must then collect the ~~use~~ **gross retail** tax due on all ~~sales of tangible personal property~~ **retail transactions** that the out-of-state retail merchant knows ~~is intended for use in~~ **are sourced to** Indiana **pursuant to IC 6-2.5-13-1.**

~~(l)~~ **(k)** Except as provided in subsection ~~(m),~~ **(l),** the department shall submit to the township assessor, or the county assessor if there is no township assessor for the township, before ~~March 15~~ **January 15** of each year:

(1) the name of each retail merchant that has newly obtained a registered retail merchant's certificate during the preceding year for a place of business located in the township or county; ~~and~~

(2) the address of each place of business of the taxpayer in the township or county **described in subdivision (1);**

(3) the name of each retail merchant that:

(A) held a registered retail merchant's certificate at any time during the preceding year for a place of business located in the township or county; and

(B) had ceased to hold the registered retail merchant's certificate at the end of the preceding year for the place of business; and

(4) the address of each place of business described in subdivision (3).

~~(m)~~ **(l)** If the duties of the township assessor have been transferred to the county assessor as described in IC 6-1.1-1-24, the department shall submit the information listed in subsection ~~(l)~~ **(k)** to the county assessor.

SECTION 17. IC 6-2.5-9-9, AS ADDED BY P.L.247-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) Notwithstanding any other law and regardless of whether the department initiates an audit or any other collection or enforcement procedure, the department may bring a declaratory judgment action under IC 34-14-1 in any circuit court or superior court against a person that the department believes meets the criteria of ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** in order to establish that:

(1) the person has an obligation to collect state gross retail tax as provided in ~~IC 6-2.5-2-1(c);~~ **IC 6-2.5-2-1(d);** and

(2) the person's obligation to collect state gross retail tax as provided in ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** is valid under state and federal law.

(b) A court in which an action for a declaratory judgment is brought under subsection (a) shall act on the declaratory judgment action as expeditiously as possible.

(c) IC 34-52-1-1(b) and all other provisions authorizing attorney's fees do not apply to a declaratory judgment action brought under subsection (a) or to any appeal from a judgment in a declaratory judgment action brought under subsection (a).

(d) The following apply if the department files a declaratory judgment action under this section:

(1) The department and other state agencies and state entities may not, during the pendency of the declaratory judgment action (including any appeals from a judgment in the declaratory judgment action), enforce the obligation to collect state gross retail tax as provided in ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** against any person that does not affirmatively consent or otherwise remit the gross retail tax on a voluntary basis. However, this subdivision does not apply to a person if there is a previous judgment from a court establishing the validity of the obligation to collect state gross retail tax with respect to that person.

(2) The prohibition under subdivision (1) on the enforcement of the obligation to collect state gross retail tax as provided in ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** does not apply if:

(A) a court enters a final judgment on the merits declaring that the obligation to collect state gross retail tax as provided in ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** is valid; and

(B) the final judgment of the court is no longer subject to appeal.

(e) An obligation to remit the gross retail tax as required by ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** may not be applied retroactively before the effective date of that subsection on July 1, 2017.

SECTION 18. IC 6-2.5-9-10, AS ADDED BY P.L.247-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) A taxpayer complying with ~~IC 6-2.5-2-1(c),~~ **IC 6-2.5-2-1(d),** voluntarily or otherwise, may seek only a refund under IC 6-8.1-9 of taxes, interest, and penalties that have been paid to and collected by the department. However, a refund may not be granted on the basis that the taxpayer lacked a physical presence in Indiana and complied with ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** voluntarily.

(b) ~~IC 6-2.5-2-1(c),~~ **IC 6-2.5-2-1(d),** section 9 of this chapter, and this section do not limit the ability of any taxpayer to obtain a refund for any other reason, including a mistake of fact or mathematical miscalculation of the applicable tax.

(c) A retail merchant that remits gross retail tax voluntarily or otherwise under ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** is not liable to a purchaser who claims that the sales tax has been overcollected if ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** is later found unlawful.

(d) ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** does not affect the obligation of any purchaser to remit use tax as required under IC 6-2.5-3.

SECTION 19. IC 6-2.5-9-11, AS ADDED BY P.L.247-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. The general assembly finds the following:

(1) The inability to effectively collect the gross retail tax or use tax from remote sellers that deliver tangible personal property, products transferred electronically, or services directly into Indiana is seriously eroding the tax base of Indiana and causing revenue losses and imminent harm to Indiana through the loss of critical funding for state and local services.

(2) Gross retail tax and use tax revenues are essential in funding state and local services.

(3) Despite the fact that a use tax is imposed on the storage, use, or consumption of tangible personal property in Indiana if the property was acquired in a retail transaction, many remote sellers actively market sales as "tax free" or as "no sales tax" transactions.

(4) The structural advantages of remote sellers, including the absence of point-of-sale tax collection, and the general growth of the online retail industry make clear that further erosion of Indiana's gross retail tax base is likely in the near future.

(5) Remote sellers that make a substantial number of deliveries into Indiana or have large gross revenues from Indiana benefit extensively from Indiana's market (including the economy generally) and from the infrastructure in Indiana.

(6) In contrast with the expanding harms caused to Indiana from this exemption of gross retail tax collection obligations for remote sellers, the costs of that collection have fallen. Given modern computing and software options, it is neither unusually difficult nor burdensome for remote sellers to collect and remit gross retail taxes associated with sales into Indiana.

(7) The Supreme Court of the United States should reconsider its doctrine that prevents, under certain circumstances, states from requiring remote sellers to collect gross retail tax, and as the findings of this section make clear, this argument has grown stronger, and the cause more urgent, with time.

(8) Given the urgent need for the Supreme Court of the United States to reconsider this doctrine, it is necessary for the general assembly to enact ~~IC 6-2.5-2-1(c),~~ **IC 6-2.5-2-1(d),** clarifying the state's immediate intent to require collection of gross retail taxes by remote sellers.

(9) Expeditious review is necessary and appropriate because, while it may be reasonable notwithstanding this law for remote sellers to continue to refuse to collect the gross retail tax in light of existing federal constitutional doctrine, such a refusal causes imminent harm to Indiana.

(10) It is the intent of the general assembly to apply Indiana's gross retail tax and use tax obligations to the limit of federal and state constitutional doctrines and to specify that Indiana law permits the state to immediately argue in any litigation that such a constitutional doctrine should be changed to permit the obligation to collect state gross retail tax as provided in ~~IC 6-2.5-2-1(c).~~ **IC 6-2.5-2-1(d).**

SECTION 20. IC 6-2.5-10-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 2. The provisions of the adjusted gross income tax law (IC 6-3), which do not conflict with the provisions of this article and which deal with any of the following subjects, apply for the purposes of imposing, collecting, and administering the state gross retail and use taxes under this article:~~

~~(1) Filing of returns.~~

~~(2) Auditing of returns.~~

~~(3) Investigation of tax liability.~~

~~(4) Determination of tax liability.~~

~~(5) Notification of tax liability.~~

~~(6) Assessment of tax liability.~~

~~(7) Collection of tax liability.~~

~~(8) Examination of taxpayer's books and records.~~

~~(9) Legal proceedings.~~

~~(10) Court actions.~~

~~(11) Remedies.~~

~~(12) Privileges.~~

~~(13) Taxpayer and departmental relief.~~

~~(14) Statutes of limitations.~~

~~(15) Hearings.~~

~~(16) Refunds.~~

~~(17) Remittances.~~

~~(18) Imposition of penalties and interest.~~

~~(19) Maintenance of departmental records.~~

~~(20) Confidentiality of taxpayer's returns.~~

~~(21) Duties of the secretary of state and the treasurer of state.~~

~~(22) Administration.~~

SECTION 21. IC 6-3-1-3.5, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 3.5. When used in this article, the term "adjusted gross income" shall mean the following:

(a) In the case of all individuals, "adjusted gross income" (as defined in Section 62 of the Internal Revenue Code), modified as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Except as provided in subsection (c), add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 62 of the Internal Revenue Code for taxes based on or measured by income and levied at the

state level by any state of the United States.
(3) Subtract one thousand dollars ($1,000), or in the case of a joint return filed by a husband and wife, subtract for each spouse one thousand dollars ($1,000).
(4) Subtract one thousand dollars ($1,000) for:
(A) each of the exemptions provided by Section 151(c) of the Internal Revenue Code (as effective January 1, 2017);
(B) each additional amount allowable under Section 63(f) of the Internal Revenue Code; and
(C) the spouse of the taxpayer if a separate return is made by the taxpayer and if the spouse, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer.
(5) Subtract:
(A) one thousand five hundred dollars ($1,500) for each of the exemptions allowed under Section 151(c)(1)(B) of the Internal Revenue Code (as effective January 1, 2004);
(B) one thousand five hundred dollars ($1,500) for each exemption allowed under Section 151(c) of the Internal Revenue Code (as effective January 1, 2017) for an individual:
(i) who is less than nineteen (19) years of age or is a full-time student who is less than twenty-four (24) years of age;
(ii) for whom the taxpayer is the legal guardian; and
(iii) for whom the taxpayer does not claim an exemption under clause (A); and
(C) five hundred dollars ($500) for each additional amount allowable under Section 63(f)(1) of the Internal Revenue Code if the **federal** adjusted gross income of the taxpayer, or the taxpayer and the taxpayer's spouse in the case of a joint return, is less than forty thousand dollars ($40,000). **In the case of a married individual filing a separate return, the qualifying income amount in this clause is equal to twenty thousand dollars ($20,000).**
This amount is in addition to the amount subtracted under subdivision (4).
(6) Subtract any amounts included in federal adjusted gross income under Section 111 of the Internal Revenue Code as a recovery of items previously deducted as an itemized deduction from adjusted gross income.
(7) Subtract any amounts included in federal adjusted gross income under the Internal Revenue Code which amounts were received by the individual as supplemental railroad retirement annuities under 45 U.S.C. 231 and which are not deductible under subdivision (1).
(8) Subtract an amount equal to the amount of federal Social Security and Railroad Retirement benefits included in a taxpayer's federal gross income by Section 86 of the Internal Revenue Code.
(9) In the case of a nonresident taxpayer or a resident taxpayer residing in Indiana for a period of less than the taxpayer's entire taxable year, the total amount of the deductions allowed pursuant to subdivisions (3), (4), and (5) shall be reduced to an amount which bears the same ratio to the total as the taxpayer's income taxable in Indiana bears to the taxpayer's total income.
(10) In the case of an individual who is a recipient of assistance under IC 12-10-6-1, IC 12-10-6-2.1, IC 12-15-2-2, or IC 12-15-7, subtract an amount equal to that portion of the individual's adjusted gross income with respect to which the individual is not allowed under federal law to retain an amount to pay state and local income taxes.
(11) In the case of an eligible individual, subtract the amount of a Holocaust victim's settlement payment included in the individual's federal adjusted gross income.
(12) Subtract an amount equal to the portion of any premiums paid during the taxable year by the taxpayer for a qualified long term care policy (as defined in IC 12-15-39.6-5) for the taxpayer or the taxpayer's spouse ~~or both.~~ **if the taxpayer and the taxpayer's spouse file a joint income tax return or the taxpayer is otherwise entitled to a deduction under this subdivision for the taxpayer's spouse, or both.**
(13) Subtract an amount equal to the lesser of:
(A) two thousand five hundred dollars ($2,500), or **one thousand two hundred fifty dollars ($1,250) in the case of a married individual filing a separate return; or**
(B) the amount of property taxes that are paid during the taxable year in Indiana by the individual on the individual's principal place of residence.
(14) Subtract an amount equal to the amount of a September 11 terrorist attack settlement payment included in the individual's federal adjusted gross income.
(15) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.
(16) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).
(17) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:
(A) twenty-five thousand dollars ($25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and
(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:
(i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;
(ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and
(iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.
The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.
(18) Subtract an amount equal to the amount of the taxpayer's qualified military income that was not excluded from the taxpayer's gross income for federal income tax purposes under Section 112 of the Internal Revenue Code.
(19) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and
(B) included in the individual's federal adjusted gross income under the Internal Revenue Code.
(20) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract the amount necessary from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.
(21) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.
(22) Subtract an amount as described in Section 1341(a)(2) of the Internal Revenue Code to the extent, if any, that the amount was previously included in the taxpayer's adjusted gross income for a prior taxable year.
(23) For taxable years beginning after December 25, 2016, add an amount equal to the deduction for deferred foreign income that was claimed by the taxpayer for the taxable year under Section 965(c) of the Internal Revenue Code.
(24) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.
(25) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.
(26) Subtract any other amounts the taxpayer is entitled to deduct under IC 6-3-2.

(b) In the case of corporations, the same as "taxable income" (as defined in Section 63 of the Internal Revenue Code) adjusted as follows:
(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.
(2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 170 of the Internal Revenue Code (concerning charitable contributions).
(3) Except as provided in subsection (c), add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 63 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States.
(4) Subtract an amount equal to the amount included in the corporation's taxable income under Section 78 of the Internal Revenue Code (concerning foreign tax credits).
(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.
(6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).
(7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:
(A) twenty-five thousand dollars ($25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and
(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:
(i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;
(ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and
(iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.
The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.
(8) Add to the extent required by IC 6-3-2-20:
(A) the amount of intangible expenses (as defined in IC 6-3-2-20) for the taxable year that reduced the corporation's taxable income (as defined in Section 63 of the Internal Revenue Code) for federal income tax purposes; and
(B) any directly related interest expenses (as defined in IC 6-3-2-20) that reduced the corporation's adjusted gross income (determined without regard to this subdivision). For purposes of this ~~subdivision,~~ **clause,** any directly related interest expense that constitutes business interest within the meaning of Section 163(j) of the Internal Revenue Code shall be considered to have reduced the taxpayer's federal taxable income only in the first taxable year in which the deduction otherwise would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.
(9) Add an amount equal to any deduction for dividends paid (as defined in Section 561 of the Internal Revenue Code) to shareholders of a captive real estate investment trust (as defined in section 34.5 of this chapter).
(10) Subtract income that is:
(A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

(B) included in the corporation's taxable income under the Internal Revenue Code.

(11) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(12) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(13) For taxable years beginning after December 25, 2016:

(A) for a corporation other than a real estate investment trust, add:

(i) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1; or

(ii) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in determining the taxpayer's taxable income for purposes of the federal income tax, the amount deducted under Section 965(c) of the Internal Revenue Code; and

(B) for a real estate investment trust, add an amount equal to the deduction for deferred foreign income that was claimed by the taxpayer for the taxable year under Section 965(c) of the Internal Revenue Code, but only to the extent that the taxpayer included income pursuant to Section 965 of the Internal Revenue Code in its taxable income for federal income tax purposes or is required to add back dividends paid under subdivision (9).

(14) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed income). The taxpayer shall separately specify the amount of the reduction under Section 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal Revenue Code.

(15) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(16) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

(17) Add or subtract any other amounts the taxpayer is:

(A) required to add or subtract; or

(B) entitled to deduct;

under IC 6-3-2.

(c) The following apply to taxable years beginning after December 31, 2018, for purposes of the add back of any deduction allowed on the taxpayer's federal income tax return for wagering taxes, as provided in subsection (a)(2) if the taxpayer is an individual or subsection (b)(3) if the taxpayer is a corporation:

(1) For taxable years beginning after December 31, 2018, and before January 1, 2020, a taxpayer is required to add back under this section eighty-seven and five-tenths percent (87.5%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(2) For taxable years beginning after December 31, 2019, and before January 1, 2021, a taxpayer is required to add back under this section seventy-five percent (75%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(3) For taxable years beginning after December 31, 2020, and before January 1, 2022, a taxpayer is required to add back under this section sixty-two and five-tenths percent (62.5%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(4) For taxable years beginning after December 31, 2021, and before January 1, 2023, a taxpayer is required to add back under this section fifty percent (50%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(5) For taxable years beginning after December 31, 2022, and before January 1, 2024, a taxpayer is required to add back under this section thirty-seven and five-tenths percent (37.5%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(6) For taxable years beginning after December 31, 2023, and before January 1, 2025, a taxpayer is required to add back under this section twenty-five percent (25%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(7) For taxable years beginning after December 31, 2024, and before January 1, 2026, a taxpayer is required to add back under this section twelve and five-tenths percent (12.5%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(8) For taxable years beginning after December 31, 2025, a taxpayer is not required to add back under this section any amount of a deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(d) In the case of life insurance companies (as defined in Section 816(a) of the Internal Revenue Code) that are organized under Indiana law, the same as "life insurance company taxable income" (as defined in Section 801 of the Internal Revenue Code), adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal Revenue Code (concerning charitable contributions).

(3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 832(c) of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state.

(4) Subtract an amount equal to the amount included in the company's taxable income under Section 78 of the Internal Revenue Code (concerning foreign tax credits).

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus

depreciation to the property in the year that it was placed in service.

(6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).

(7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:

(A) twenty-five thousand dollars ($25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and

(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:

(i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;

(ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and

(iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.

The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.

(8) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

(B) included in the insurance company's taxable income under the Internal Revenue Code.

(9) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(10) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter N of the Internal Revenue Code.

(11) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(12) For taxable years beginning after December 25, 2016, add:

(A) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1; or

(B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in determining the taxpayer's taxable income for purposes of the federal income tax, the amount deducted under Section 965(c) of the Internal Revenue Code.

(13) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed income). The taxpayer shall separately specify the amount of the reduction under Section 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal Revenue Code.

(14) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(15) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

(16) Add or subtract any other amounts the taxpayer is:

(A) required to add or subtract; or

(B) entitled to deduct;

under IC 6-3-2.

(e) In the case of insurance companies subject to tax under Section 831 of the Internal Revenue Code and organized under Indiana law, the same as "taxable income" (as defined in Section 832 of the Internal Revenue Code), adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal Revenue Code (concerning charitable contributions).

(3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 832(c) of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state.

(4) Subtract an amount equal to the amount included in the company's taxable income under Section 78 of the Internal Revenue Code (concerning foreign tax credits).

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).

(7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted

gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:

(A) twenty-five thousand dollars ($25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and

(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:

(i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;

(ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and

(iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.

The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.

(8) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

(B) included in the insurance company's taxable income under the Internal Revenue Code.

(9) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(10) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter N of the Internal Revenue Code.

(11) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(12) For taxable years beginning after December 25, 2016, add:

(A) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1; or

(B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in determining the taxpayer's taxable income for purposes of the federal income tax, the amount deducted under Section 965(c) of the Internal Revenue Code.

(13) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed income). The taxpayer shall separately specify the amount of the reduction under Section 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal Revenue Code.

(14) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(15) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

(16) Add or subtract any other amounts the taxpayer is:

(A) required to add or subtract; or

(B) entitled to deduct;

under IC 6-3-2.

(f) In the case of trusts and estates, "taxable income" (as defined for trusts and estates in Section 641(b) of the Internal Revenue Code) adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Subtract an amount equal to the amount of a September 11 terrorist attack settlement payment included in the federal adjusted gross income of the estate of a victim of the September 11 terrorist attack or a trust to the extent the trust benefits a victim of the September 11 terrorist attack.

(3) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(4) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:

(A) twenty-five thousand dollars ($25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and

(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:

(i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;

(ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and

(iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.

The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.

(6) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

(B) included in the taxpayer's taxable income under the Internal Revenue Code.

(7) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(8) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(9) For taxable years beginning after December 25, 2016, add an amount equal to:

(A) the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1;

(B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in determining the taxpayer's taxable income for purposes of the federal income tax, the amount deducted under Section 965(c) of the Internal Revenue Code; and

(C) with regard to any amounts of income under Section 965 of the Internal Revenue Code distributed by the taxpayer, the deduction under Section 965(c) of the Internal Revenue Code attributable to such distributed amounts and not reported to the beneficiary.

For purposes of this article, the amount required to be added back under clause (B) is not considered to be distributed or distributable to a beneficiary of the estate or trust for purposes of Sections 651 and 661 of the Internal Revenue Code.

(10) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(11) Add an amount equal to the deduction for qualified business income that was claimed by the taxpayer for the taxable year under Section 199A of the Internal Revenue Code.

(12) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

(13) Add or subtract any other amounts the taxpayer is:

(A) required to add or subtract; or

(B) entitled to deduct;

under IC 6-3-2.

(g) Subsections (a)(26), (b)(17), (d)(16), (e)(16), or (f)(13) may not be construed to require an add back or allow a deduction or exemption more than once for a particular add back, deduction, or exemption.

(h) For taxable years beginning after December 25, 2016, if:

(1) a taxpayer is a shareholder, either directly or indirectly, in a corporation that is an E&P deficit foreign corporation as defined in Section 965(b)(3)(B) of the Internal Revenue Code, and the earnings and profit deficit, or a portion of the earnings and profit deficit, of the E&P deficit foreign corporation is permitted to reduce the federal adjusted gross income or federal taxable income of the taxpayer, the deficit, or the portion of the deficit, shall also reduce the amount taxable under this section to the extent permitted under the Internal Revenue Code, however, in no case shall this permit a reduction in the amount taxable under Section 965 of the Internal Revenue Code for purposes of this section to be less than zero (0); and

(2) the Internal Revenue Service issues guidance that such an income or deduction is not reported directly on a federal tax return or is to be reported in a manner different than specified in this section, this section shall be construed as if federal adjusted gross income or federal taxable income included the income or deduction.

SECTION 22. IC 6-3-1-11, AS AMENDED BY P.L.234-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 11. (a) The term "Internal Revenue Code" means the Internal Revenue Code of 1986 of the United States as amended and in effect on January 1, ~~2019.~~ **2020.**

(b) Whenever the Internal Revenue Code is mentioned in this article, the particular provisions that are referred to, together with all the other provisions of the Internal Revenue Code in effect on January 1, ~~2019,~~ **2020,** that pertain to the provisions specifically mentioned, shall be regarded as incorporated in this article by reference and have the same force and effect as though fully set forth in this article. To the extent the provisions apply to this article, regulations adopted under Section 7805(a) of the Internal Revenue Code and in effect on January 1, ~~2019,~~ **2020,** shall be regarded as rules adopted by the department under this article, unless the department adopts specific rules that supersede the regulation.

(c) An amendment to the Internal Revenue Code made by an act passed by Congress before January 1, ~~2019,~~ **2020,** other than the federal 21st Century Cures Act (P.L. 114-255) and the federal Disaster Tax Relief and Airport and Airway Extension Act of 2017 (P.L. 115-63), that is effective for any taxable year that began before January 1, ~~2019,~~ **2020,** and that affects:

(1) individual adjusted gross income (as defined in Section 62 of the Internal Revenue Code);

(2) corporate taxable income (as defined in Section 63 of the Internal Revenue Code);

(3) trust and estate taxable income (as defined in Section 641(b) of the Internal Revenue Code);

(4) life insurance company taxable income (as defined in Section 801(b) of the Internal Revenue Code);

(5) mutual insurance company taxable income (as defined in Section 821(b) of the Internal Revenue Code); or

(6) taxable income (as defined in Section 832 of the

Internal Revenue Code);
is also effective for that same taxable year for purposes of determining adjusted gross income under section 3.5 of this chapter.

(d) This subsection applies to a taxable year ending before January 1, 2013. The following provisions of the Internal Revenue Code that were amended by the Tax Relief Act, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312) are treated as though they were not amended by the Tax Relief Act, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312):

(1) Section 1367(a)(2) of the Internal Revenue Code pertaining to an adjustment of basis of the stock of shareholders.

(2) Section 871(k)(1)(C) and 871(k)(2)(C) of the Internal Revenue Code pertaining the treatment of certain dividends of regulated investment companies.

(3) Section 897(h)(4)(A)(ii) of the Internal Revenue Code pertaining to regulated investment companies qualified entity treatment.

(4) Section 512(b)(13)(E)(iv) of the Internal Revenue Code pertaining to the modification of tax treatment of certain payments to controlling exempt organizations.

(5) Section 613A(c)(6)(H)(ii) of the Internal Revenue Code pertaining to the limitations on percentage depletion in the case of oil and gas wells.

(6) Section 451(i)(3) of the Internal Revenue Code pertaining to special rule for sales or dispositions to implement Federal Energy Regulatory Commission or state electric restructuring policy for qualified electric utilities.

(7) Section 954(c)(6) of the Internal Revenue Code pertaining to the look-through treatment of payments between related controlled foreign corporation under foreign personal holding company rules.

The department shall develop forms and adopt any necessary rules under IC 4-22-2 to implement this subsection.

SECTION 23. IC 6-3-2-6, AS AMENDED BY P.L.146-2008, SECTION 318, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 6. (a) Each taxable year, an individual who rents a dwelling for use as the individual's principal place of residence may deduct from the individual's adjusted gross income (as defined in IC 6-3-1-3.5(a)), the lesser of:

(1) the amount of rent paid by the individual with respect to the dwelling during the taxable year; or

(2) three thousand dollars ($3,000).

(b) Notwithstanding subsection (a):

(1) ~~a husband and wife~~ **a married couple** filing a joint ~~adjusted gross income tax~~ return for a particular taxable year may not claim a deduction under this section of more than three thousand dollars ($3,000); **and**

(2) a married individual filing a separate return for a particular taxable year may not claim a deduction under this section of more than one thousand five hundred dollars ($1,500).

(c) The deduction provided by this section does not apply to an individual who rents a dwelling that is exempt from Indiana property tax.

(d) For purposes of this section, a "dwelling" includes a single family dwelling and unit of a multi-family dwelling.

SECTION 24. IC 6-3-2-9, AS AMENDED BY P.L.99-2007, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 9. (a) An individual who:

(1) retired on disability before the end of the taxable year; and

(2) had a permanent and total disability, as determined under subsection (c), at the time of retirement;

is entitled to a deduction from the individual's adjusted gross income for that taxable year in the amount determined under subsection (b).

(b) The deduction provided by subsection (a) is the amount determined using the following STEPS:

STEP ONE: Determine the amount received by the individual during the taxable year through an accident and health plan for personal injuries or sickness to the extent that:

(A) these amounts are attributable to contributions by the individual's employer that were not includable in the individual's gross income or are paid by the employer; and

(B) these amounts constitute wages or payments in lieu of wages for a period during which the employee is absent from work because of permanent and total disability.

STEP TWO: Determine for each week of the taxable year the amount by which each weekly payment referred to in STEP ONE exceeds one hundred dollars ($100), then add these amounts.

STEP THREE: Determine the amount by which the individual's federal adjusted gross income for the taxable year, as defined by Section 62 of the Internal Revenue Code, exceeds fifteen thousand dollars ($15,000), **or seven thousand five hundred dollars ($7,500) in the case of a married individual filing a separate return.**

STEP FOUR: Subtract from the amount determined in STEP ONE the amount determined in STEP TWO and the amount determined in STEP THREE.

(c) For purposes of this section, an individual has a permanent and total disability if the individual is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than twelve (12) months. An individual may not be considered to have a permanent and total disability unless the individual furnishes proof of the existence of the disability as the department of revenue may require.

SECTION 25. IC 6-3-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. **(a) Subject to subsection (b),** the amount deducted and withheld as tax under ~~IC 6-3-4-8, IC 6-3-4-12, and IC 6-3-4-13~~ **IC 6-3-4 or IC 6-5.5-2-8** during any taxable year shall be allowed as a credit to the taxpayer against the tax imposed on ~~him~~ **the taxpayer** by IC 6-3-2.

(b) For each taxable year, the credit provided to a taxpayer by subsection (a) is reduced to the extent that the amount deducted and withheld as tax under IC 6-3-4 or IC 6-5.5-2-8 during the taxable year is applied as a credit against the tax imposed by IC 6-5.5.

SECTION 26. IC 6-3-4-13.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2020]: **Sec. 13.5. (a) The following definitions apply throughout this section:**

(1) "Initial recipient" means a person or entity to whom prize money is paid by a payor.

(2) "Payor" means a promoter, sanctioning body, or designee of the promoter or sanctioning body that first pays prize money to a race team or any other person or entity. The term does not include a subsequent person or entity who pays or distributes any part of the prize money.

(3) "Prize money" with respect to a racing event at a qualified motorsports facility means any purse or other amounts earned for placement or participation in a race or part of a race, including qualification. The term does not include amounts earned based on placement or participation in more than one (1) race unless the races are conducted at a qualified

motorsports facility.

(4) "Qualified motorsports facility" has the meaning set forth in IC 5-1-17.5-14.

(5) "Race team" has the meaning set forth in IC 6-3-2-3.2(a).

(6) "Ultimate recipient" means the person or entity to whom any tax withheld under this section is to be credited for purposes of this article or IC 6-5.5. The term may apply to an initial recipient.

(b) Whenever a payor pays prize money to an initial recipient, the payor shall deduct and retain from the prize money the applicable amount prescribed in the withholding instructions described in section 8 of this chapter. The following provisions apply to a payor and the money required to be deducted and retained by the payor under this section:

(1) Money deducted and retained by a payor under this section immediately becomes the money of the state and every payor who deducts and retains money under this section holds the money in trust for the state.

(2) The provisions of IC 6-8.1 relating to additions to tax in case of delinquency and penalties apply to a payor under this section. For these purposes, the payor shall be considered the taxpayer and any amount required to be remitted to the department under this section shall be considered to be the tax of the payor.

(3) The payor is liable to the state for the payment of the tax required to be deducted and retained under this section. The payor is not liable to any initial recipient or ultimate recipient for the amount deducted from the payment of prize money and paid to the department in compliance, or intended compliance, with this section.

(c) A payor shall remit to the department the amount required to be deducted and retained under subsection (b) not later than thirty (30) days after the end of the month in which the prize money is paid. At the time of the remittance, the payor shall provide to the department a list of all initial recipients and the amount withheld on behalf of each initial recipient on forms prescribed by the department.

(d) Not later than thirty (30) days after the end of the calendar year for which tax is withheld under this section, an initial recipient shall provide a statement to each ultimate recipient and to the department listing the amounts withheld under subsection (b) on behalf of the ultimate recipients. The statement must be made in the manner prescribed by the department. A statement from the initial recipient to the ultimate recipient is evidence of tax withheld by the payor in favor of the ultimate recipient unless the statement from the initial recipient is determined to be erroneous or fraudulent.

(e) This section does not impose a duty to withhold amounts from prize money on an entity other than a payor. However, an initial recipient or ultimate recipient may otherwise have a duty to withhold amounts from prize money under sections 8, 12, 13, or 15 of this chapter.

SECTION 27. IC 6-3-4-16.7, AS ADDED BY P.L.234-2019, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16.7. (a) For taxable years ending after December 31, 2019, a partnership that is required to provide twenty-five (25) or more ~~reports~~ **schedules K-1 of form IT-65** to partners ~~under section 12(b) of this chapter~~ or a corporation that is required to provide twenty-five (25) or more ~~reports~~ **schedules K-1 of form IT-20S** to shareholders ~~under section 13(b) of this chapter~~ must file all such ~~reports~~ **schedules** in an electronic format specified by the department.

(b) For taxable years ending after December 31, 2021, an estate or trust required to provide ten (10) or more ~~reports~~ **schedules K-1 of form IT-41** to beneficiaries ~~under section 15(b) of this chapter~~ must file all such reports in an electronic format specified by the department.

(c) If the department receives a form IT-65, form IT-20S, or form IT-41 with more than fifty (50) schedules K-1 in a format other than the electronic format specified by the department, the department may provide written notification to the partnership, estate, or trust that the department will consider the schedules to not be filed until the schedules have been filed in the specified electronic format.

SECTION 28. IC 6-3.1-16.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016 (RETROACTIVE)]:

Chapter 16.1. Historic Rehabilitation Tax Credit

Sec. 1. (a) For purposes of this section, "department" refers to:

(1) the department of natural resources; or

(2) the office of community and rural affairs.

(b) This section applies notwithstanding:

(1) the cap of zero dollars ($0) on the amount of historic rehabilitation tax credits allowed in a state fiscal year beginning after June 30, 2016, as set forth in IC 6-3.1-16-14 (before its expiration); and

(2) the expiration of the historic rehabilitation tax credit chapter (IC 6-3.1-16) on January 1, 2019.

(c) If a taxpayer was granted a historic rehabilitation tax credit by the department before January 1, 2016, for a qualified expenditure made before June 30, 2016, under IC 6-3.1-16 (before its expiration) for use in a taxable year other than the year in which the preservation or rehabilitation of the historic property was performed and the certification of the credit was provided by the department, the credit described in this subsection may nevertheless be claimed in the subsequent year for which the credit was granted by the department and may be carried forward as set forth in this section.

(d) If the credit provided by this section exceeds a taxpayer's state tax liability for the taxable year for which the credit is first claimed, the excess may be carried over to succeeding taxable years and used as a credit against the tax otherwise due and payable by the taxpayer under IC 6-3 during those taxable years. Each time that the credit is carried over to a succeeding taxable year, the credit is to be reduced by the amount that was used as a credit during the immediately preceding taxable year. The credit provided by this chapter may be carried forward and applied to succeeding taxable years for fifteen (15) taxable years following the taxable year in which the taxpayer is first entitled to claim the credit under this chapter.

(e) A credit earned by a taxpayer in a particular taxable year shall be applied against the taxpayer's tax liability for that taxable year before any credit carryover is applied against that liability under subsection (d).

(f) A taxpayer is not entitled to any carryback or refund of any unused credit.

(g) All of the provisions under IC 6-3.1-16 (before its expiration) shall be considered to be in effect for credits claimed under this chapter, except to the extent expressly inconsistent with this chapter.

SECTION 29. IC 6-3.1-20-4, AS AMENDED BY P.L.250-2015, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 4. (a) Except as provided in ~~subsection~~ **subsections** (b) **and (c),** an individual is entitled to a credit under this chapter if:

(1) the individual's Indiana income for the taxable year is less than eighteen thousand six hundred dollars ($18,600); and

(2) the individual pays property taxes in the taxable year on a homestead that:

(A) the individual:

(i) owns; or

(ii) is buying under a contract that requires the individual to pay property taxes on the homestead, if the contract or a memorandum of the contract is recorded in the county recorder's office; and

(B) is located in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).

(b) An individual is not entitled to a credit under this chapter for a taxable year for property taxes paid on the individual's homestead if the individual claims the deduction under IC 6-3-1-3.5(a)(13) for the homestead for that same taxable year.

(c) In the case of a married individual filing a separate return, the income amount in subsection (a) shall be fifty percent (50%) of the amount listed in that subsection.

SECTION 30. IC 6-3.1-20-5, AS AMENDED BY P.L.166-2014, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 5. (a) Each year, an individual described in section 4 of this chapter is entitled to a refundable credit against the individual's state income tax liability in the amount determined under this section.

(b) In the case of an individual with Indiana income of less than eighteen thousand dollars ($18,000) for the taxable year, the amount of the credit is equal to the lesser of:

(1) three hundred dollars ($300); or

(2) the amount of property taxes described in section 4(a)(2) of this chapter paid by the individual in the taxable year.

(c) In the case of an individual with Indiana income that is at least eighteen thousand dollars ($18,000) but less than eighteen thousand six hundred dollars ($18,600) for the taxable year, the amount of the credit is equal to the lesser of the following:

(1) An amount determined under the following STEPS:

STEP ONE: Determine the result of:

(i) eighteen thousand six hundred dollars ($18,600); minus

(ii) the individual's Indiana income for the taxable year.

STEP TWO: Determine the result of:

(i) the STEP ONE amount; multiplied by

(ii) five-tenths (0.5).

(2) The amount of property taxes described in section 4(a)(2) of this chapter paid by the individual in the taxable year.

(d) If the amount of the credit under this chapter exceeds the individual's state tax liability for the taxable year, the excess shall be refunded to the taxpayer.

(e) In the case of a married individual filing a separate return, the income and dollar amounts in subsections (b) and (c) shall be fifty percent (50%) of the amounts listed in those subsections.

SECTION 31. IC 6-5.5-1-21 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 21. (a) "Loans arising in factoring" means:**

(1) a loan or extension of credit secured by one (1) or more accounts receivable; or

(2) a sale of one (1) or more accounts receivable in which the purchaser has recourse against the seller for an uncollected accounts receivable.

(b) The term does not refer to:

(1) a sale of one (1) or more accounts receivable without recourse; or

(2) an assignment of an account receivable.

SECTION 32. IC 6-6-1.1-606.5, AS AMENDED BY P.L.234-2019, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 606.5. (a) Every person included within the terms of section 606(a) and 606(c) of this chapter shall register with the administrator before engaging in those activities. The administrator shall issue a transportation license to a person who registers with the administrator under this section.

(b) Every person included within the terms of section 606(a) of this chapter who transports gasoline in a vehicle on the highways in Indiana for purposes other than use and consumption by that person may not make a delivery of that gasoline to any person in Indiana other than a licensed distributor except:

(1) when the tax imposed by this chapter on the receipt of the transported gasoline was charged and collected by the parties; and

(2) under the circumstances described in section 205 of this chapter.

(c) Every person included within the terms of section 606(c) of this chapter who transports gasoline in a vehicle upon the highways of Indiana for purposes other than use and consumption by that person may not, on the journey carrying that gasoline to points outside Indiana, make delivery of that fuel to any person in Indiana.

~~(d) Every transporter of gasoline included within the terms of section 606(a) and 606(c) of this chapter who transports gasoline upon the highways of Indiana for purposes other than use and consumption by that person shall at the time of registration and on an annual basis list with the administrator a description of all vehicles, including the vehicles' license numbers, to be used on the highways of Indiana in transporting gasoline from:~~

~~(1) points outside Indiana to points inside Indiana; and~~

~~(2) points inside Indiana to points outside Indiana.~~

~~(e) The description that subsection (d) requires shall contain the information that is reasonably required by the administrator including the carrying capacity of the vehicle. When the vehicle is a tractor-trailer type, the trailer is the vehicle to be described. When additional vehicles are placed in service or when a vehicle previously listed is retired from service during the year, the administrator shall be notified within ten (10) days of the change so that the listing of the vehicles may be kept accurate.~~

~~(f)~~ **(d)** A distributor's or an Indiana transportation license is required for a person or the person's agent acting in the person's behalf to operate a vehicle for the purpose of delivering gasoline within the boundaries of Indiana when the vehicle has a total tank capacity of at least eight hundred fifty (850) gallons.

~~(g)~~ **(e)** The operator of a vehicle to which this section applies shall at all times when engaged in the transporting of gasoline on the highways have with the vehicle an invoice or manifest showing the origin, quantity, nature, and destination of the gasoline that is being transported.

~~(h)~~ **(f)** The department shall provide for relief if a shipment of gasoline is legitimately diverted from the represented destination state after the shipping paper has been issued by a terminal operator or if a terminal operator failed to cause proper information to be printed on the shipping paper. Provisions for relief under this subsection:

(1) must require that the shipper or its agent obtain a diversion number within twenty-four (24) hours of the diversion and report the number on the shipper's or agent's monthly return to the department; and

(2) must be consistent with the refund provisions of this chapter.

SECTION 33. IC 6-6-2.5-42 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 42. (a) Each application for a license under section 41 of this chapter shall be made upon a form prepared and furnished by the department. It shall be subscribed to by the applicant and shall contain the information as the department may reasonably require for the administration of this chapter, including the applicant's federal identification number and, with respect to the applicant for an exporter's license, a copy of the applicant's license to purchase or handle special fuel tax free in the specified destination state or states for which the export license is to be issued.

(b) The department shall investigate each applicant for a license under this section. No license shall be issued if the department determines that any one (1) of the following exists:

(1) The application is not filed in good faith.

(2) The applicant is not the real party in interest.

(3) The license of the real party in interest has been revoked for cause.

(4) Other reasonable cause for non-issuance exists.

~~(c) Applicants, including corporate officers, partners, and individuals, for a license issued by the commissioner may be required to submit their fingerprints to the commissioner at the time of applying. Officers of publicly held corporations and their subsidiaries shall be exempt from this fingerprinting provision. Fingerprints required by this section must be submitted on forms prescribed by the commissioner. The commissioner may forward to the Federal Bureau of Investigation or any other agency for processing all fingerprints submitted by license applicants. The receiving agency shall issue its findings to the commissioner. The license application fee shall be used to pay the costs of the investigation. The commissioner may maintain a file of fingerprints.~~

SECTION 34. IC 6-6-2.5-43 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 43. (a) Each licensed transporter shall at the time of licensing and on an annual basis, list with the commissioner a description of all vehicles, including license numbers, to be used on the highways of Indiana in transporting special fuel from points outside Indiana to points inside Indiana and from points inside Indiana to points outside Indiana.~~

~~(b) The description required in subsection (a) must comply with what is reasonably required by the commissioner, including the carrying capacity of the vehicle. If the vehicle is a tractor-trailer type vehicle, the trailer is the vehicle that must be described. When additional vehicles are placed in service or when a vehicle previously listed is retired from service during the year, the commissioner shall be notified not more than ten (10) days after the change so that the listing of the vehicles may be kept accurate.~~

SECTION 35. IC 6-6-4.1-21 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 21. A carrier subject to the taxes imposed under section 4 of this chapter, section 4.3 of this chapter (before its repeal), and section 4.5 of this chapter (before its repeal) who fails to file a quarterly report as required by section 10 of this chapter shall pay a civil penalty of three hundred dollars ($300) for each report that is not filed.~~

SECTION 36. IC 6-8.1-3-7.1, AS AMENDED BY P.L.108-2019, SECTION 133, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7.1. (a) **As used in this section,** "fiscal officer" ~~has the meaning set forth~~ **means:**

(1) a fiscal officer (as defined in IC 36-1-2-7); **and**

(2) in the case of a county, the county treasurer.

(b) The department shall enter into an agreement with the fiscal officer of an entity that has adopted an innkeeper's tax, a food and beverage tax, or an admissions tax under IC 6-9 to furnish the fiscal officer annually with:

(1) the name of each business collecting the taxes listed in this subsection; and

(2) the amount of money collected from each business.

For an innkeeper's tax or food and beverage tax remitted through a marketplace facilitator, the information must include the name of each business and the amount of money collected from each business by a marketplace facilitator acting on behalf of the business.

(c) The agreement must provide that the department must provide the information in an electronic format that the fiscal officer can use. ~~as well as a paper copy.~~

(d) The agreement must include a provision that, unless in accordance with a judicial order, the fiscal officer, employees of the fiscal officer, former employees of the fiscal officer, counsel of the fiscal officer, agents of the fiscal officer, or any other person may not divulge the names of the businesses, the amount of taxes paid by the businesses, or any other information disclosed to the fiscal officer by the department.

(e) The department shall also enter into an agreement with the fiscal officer of a capital improvement board of managers:

(1) created under IC 36-10-8 or IC 36-10-9; and

(2) that is responsible for expenditure of funds from:

(A) an innkeeper's tax, a food and beverage tax, or an admissions tax under IC 6-9;

(B) the supplemental auto rental excise tax under IC 6-6-9.7; or

(C) the state gross retail taxes allocated to a professional sports development area fund, a sports and convention facilities operating fund, or other fund under IC 36-7-31 or IC 36-7-31.3;

to furnish the fiscal officer annually with the name of each business collecting the taxes listed in this subsection, and the amount of money collected from each business. An agreement with a fiscal officer under this subsection must include a nondisclosure provision the same as is required for a fiscal officer under subsection (d).

SECTION 37. IC 6-8.1-3-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. **(a)** The department may prescribe qualifications a person must have to represent a taxpayer before the department. However, a person may not represent a taxpayer before the department, unless:

(1) the taxpayer is present at all times when the representation occurs; or

(2) the person representing the taxpayer has a properly executed power of attorney authorizing ~~him~~ **the person** to represent the taxpayer.

(b) Notwithstanding any other law, the department may require a power of attorney relating to a listed tax to be completed on a form prescribed by the department.

(c) The department may accept a power of attorney that names an entity as a representative of a taxpayer, subject to rules adopted under IC 4-22-2, including emergency rules adopted in the manner provided in IC 4-22-2-37.1. Notwithstanding this article or IC 30-5, the department may adopt rules under IC 4-22-2, including emergency rules adopted in manner provided in IC 4-22-2-37.1, allowing a change of individuals acting on behalf of the entity without requiring a new or amended power of attorney to be completed by the taxpayer.

SECTION 38. IC 6-8.1-3-17, AS AMENDED BY P.L.214-2018(ss), SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. (a) Before an original tax appeal is filed with the tax court under IC 33-26, the commissioner, **or the taxpayer rights advocate office to the extent granted the authority by the commissioner,** may settle any tax liability dispute if a substantial doubt exists as to:

(1) the constitutionality of the tax under the Constitution of the State of Indiana;

(2) the right to impose the tax;

(3) the correct amount of tax due;

(4) the collectability of the tax; or

(5) whether the taxpayer is a resident or nonresident of Indiana.

(b) After an original tax appeal is filed with the tax court under IC 33-26, and notwithstanding IC 4-6-2-11, the commissioner may settle a tax liability dispute with an amount in contention of twenty-five thousand dollars ($25,000) or less. Notwithstanding IC 6-8.1-7-1(a), the terms of a settlement under this subsection are available for public inspection.

(c) The department shall establish an amnesty program for taxpayers having an unpaid tax liability for a listed tax that was due and payable for a tax period ending before January 1, 2013. A taxpayer is not eligible for the amnesty program:

(1) for any tax liability resulting from the taxpayer's failure to comply with IC 6-3-1-3.5(b)(3) with regard to the tax imposed by IC 4-33-13 or IC 4-35-8; or

(2) if the taxpayer participated in any previous amnesty program under:
(A) this section (as in effect on December 31, 2014); or
(B) IC 6-2.5-14.

The time in which a voluntary payment of tax liability may be made (or the taxpayer may enter into a payment program acceptable to the department for the payment of the unpaid listed taxes in full in the manner and time established in a written payment program agreement between the department and the taxpayer) under the amnesty program is limited to the period determined by the department, not to exceed eight (8) regular business weeks ending before the earlier of the date set by the department or January 1, 2017. The amnesty program must provide that, upon payment by a taxpayer to the department of all listed taxes due from the taxpayer for a tax period (or payment of the unpaid listed taxes in full in the manner and time established in a written payment program agreement between the department and the taxpayer), entry into an agreement that the taxpayer is not eligible for any other amnesty program that may be established and waives any part of interest and penalties on the same type of listed tax that is being granted amnesty in the current amnesty program, and compliance with all other amnesty conditions adopted under a rule of the department in effect on the date the voluntary payment is made, the department:

(1) shall abate and not seek to collect any interest, penalties, collection fees, or costs that would otherwise be applicable;
(2) shall release any liens imposed;
(3) shall not seek civil or criminal prosecution against any individual or entity; and
(4) shall not issue, or, if issued, shall withdraw, an assessment, a demand notice, or a warrant for payment under IC 6-8.1-5-1, IC 6-8.1-5-3, IC 6-8.1-8-2, or another law against any individual or entity;

for listed taxes due from the taxpayer for the tax period for which amnesty has been granted to the taxpayer. Amnesty granted under this subsection is binding on the state and its agents. However, failure to pay to the department all listed taxes due for a tax period invalidates any amnesty granted under this subsection for that tax period. The department shall conduct an assessment of the impact of the tax amnesty program on tax collections and an analysis of the costs of administering the tax amnesty program. As soon as practicable after the end of the tax amnesty period, the department shall submit a copy of the assessment and analysis to the legislative council in an electronic format under IC 5-14-6. The department shall enforce an agreement with a taxpayer that prohibits the taxpayer from receiving amnesty in another amnesty program.

(d) For purposes of subsection (c), a liability for a listed tax is due and payable if:

(1) the department has issued:
(A) an assessment of the listed tax under IC 6-8.1-5-1;
(B) a demand for payment under IC 6-8.1-5-3; or
(C) a demand notice for payment of the listed tax under IC 6-8.1-8-2;
(2) the taxpayer has filed a return or an amended return in which the taxpayer has reported a liability for the listed tax; or
(3) the taxpayer has filed a written statement of liability for the listed tax in a form that is satisfactory to the department.

(e) The department may waive interest and penalties if the general assembly enacts a change in a listed tax for a tax period that increases a taxpayer's tax liability for that listed tax after the due date for that listed tax and tax period. However, such a waiver shall apply only to the extent of the increase in tax liability and only for a period not exceeding sixty (60) days after the change is enacted. The department may adopt rules, including emergency rules, or issue guidelines to carry out this subsection.

SECTION 39. IC 6-8.1-3-27 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 27. (a) The appropriate county officer, as designated by the county executive, in each county shall, before September 1, 2021, and before September 1 of every year thereafter, submit parcel level data, in a standard developed by the state GIS officer pursuant to IC 4-23-7.3-14, to the state GIS officer. This data may be used by the department's tax systems to identify each taxing unit within which each taxpayer's residence is located.**

(b) Beginning January 1, 2022, the department shall integrate the geographic information system data developed and updated by the state GIS officer.

(c) Before July 1, 2022, and before every July 1 thereafter, the department, consulting with the state GIS officer, shall submit a report to the general assembly in an electronic format under IC 5-14-6 concerning the implementation and use of geographic information systems under this section.

SECTION 40. IC 6-8.1-4-4, AS AMENDED BY P.L.257-2017, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The department shall establish a registration center to service ~~owners of~~ **motor carriers or entities that otherwise own or operate** commercial motor vehicles.

(b) The registration center is under the supervision of the department through the motor carrier services division.

(c) **A motor carrier or an entity that is otherwise** an owner or operator of a commercial motor vehicle may apply to the registration center for the following:

(1) Vehicle registration (IC 9-18.1).
(2) Motor carrier fuel tax annual permit.
(3) Proportional use credit certificate (IC 6-6-4.1-4.7).
(4) Certificate of operating authority.
(5) Oversize vehicle permit (IC 9-20-3).
(6) Overweight vehicle permit (IC 9-20-4).
(7) Payment of the commercial vehicle excise tax imposed under IC 6-6-5.5.

(d) The commissioner may deny an application described in subsection (c) if the applicant fails to do any of the following with respect to a listed tax:

(1) File all tax returns or information reports.
(2) Pay all taxes, penalties, and interest.

(e) The commissioner may:

(1) deny an application for an oversize vehicle permit, an overweight vehicle permit, or a single oversize-overweight permit; or
(2) suspend any permit issued to a person;

if the applicant or permit holder is delinquent in paying escort fees to the state police department.

(f) The commissioner may suspend or revoke any registration, permit, certificate, or authority if the person to whom the registration, permit, certificate, or authority is issued fails to do any of the following with respect to a listed tax:

(1) File all tax returns or information reports.
(2) Pay all taxes, penalties, and interest.

(g) Funding for the development and operation of the registration center shall be taken from the motor carrier regulation fund (IC 8-2.1-23-1).

(h) The department shall recommend to the general assembly other functions that the registration center may perform.

SECTION 41. IC 6-8.1-5-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.5. (a) This section applies to:**

(1) department audits, investigations, or reviews; and
(2) amended returns filed by a taxpayer;

that result in an adjustment to a net operating loss, capital loss, credit, or other tax attribute that does not result in an assessment or refund denial for any taxable year at the time of the adjustment.

(b) A taxpayer may request a secondary review of any adjustments made by the department or by the taxpayer within sixty (60) days from the date of notice of the adjustments based on:

(1) the department's audit, investigation, or review; or

(2) the amended return filed by the taxpayer;

whichever is applicable.

(c) If a taxpayer requests a secondary review under this section, the department shall review the taxpayer's request and may, upon the request of the taxpayer, conduct a conference regarding the adjustment.

(d) Upon completion of the department's secondary review, the department shall either:

(1) determine that the previous adjustments were correct; or

(2) issue revised adjustments of relevant tax attributes.

(e) A taxpayer and the department may enter into a binding agreement to resolve, in whole or in part, any issues relating to one (1) or more adjustments.

(f) Except as provided in subsection (e), for purposes of:

(1) IC 6-8.1-5-1;

(2) IC 6-8.1-9-1; or

(3) an appeal related to subdivision (1) or (2);

an adjustment described in subsection (a) or the result of the department's secondary review under subsection (d) does not constitute a final determination and may not be construed to treat any adjustment as finally determined.

SECTION 42. IC 6-8.1-5-2, AS AMENDED BY P.L.256-2017, SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2020]: Sec. 2. (a) Except as otherwise provided in this section **and section 2.5 of this chapter,** the department may not issue a proposed assessment under section 1 of this chapter more than three (3) years after the latest of the date the return is filed, or ~~either of~~ the following:

(1) The due date of the return.

(2) In the case of a return filed for the state gross retail or use tax, **the gasoline use tax,** the gasoline tax **(including the inventory tax),** the special fuel tax **(including the inventory tax),** the motor carrier fuel tax **(including the inventory tax),** the oil inspection fee, **the cigarette tax, the tobacco products tax, any county innkeeper's taxes imposed under IC 6-9, any food and beverage taxes imposed under IC 6-9, any county or local admissions taxes imposed under IC 6-9,** or the petroleum severance tax, the end of the calendar year which contains the taxable period for which the return is filed.

(3) In the case of the use tax, three (3) years from the end of the calendar year in which the first taxable use, other than an incidental nonexempt use, of the property occurred.(b) If a person files a return for the utility receipts tax (IC 6-2.3), adjusted gross income tax (IC 6-3), supplemental net income tax (IC 6-3-8) (repealed), county adjusted gross income tax (IC 6-3.5-1.1) (repealed), county option income tax (IC 6-3.5-6) (repealed), local income tax (IC 6-3.6), or financial institutions tax (IC 6-5.5) that understates the person's income, as that term is defined in the particular income tax law, by at least twenty-five percent (25%), the proposed assessment limitation is six (6) years instead of the three (3) years provided in subsection (a).

(c) In the case of the vehicle excise tax (IC 6-6-5), the tax shall be assessed as provided in IC 6-6-5 and shall include the penalties and interest due on all listed taxes not paid by the due date. A person that fails to properly register a vehicle as required by IC 9-18 (before its expiration) or IC 9-18.1 and pay the tax due under IC 6-6-5 is considered to have failed to file a return for purposes of this article.

(d) In the case of the commercial vehicle excise tax imposed under IC 6-6-5.5, the tax shall be assessed as provided in IC 6-6-5.5 and shall include the penalties and interest due on all listed taxes not paid by the due date. A person that fails to properly register a commercial vehicle as required by IC 9-18 (before its expiration) or IC 9-18.1 and pay the tax due under IC 6-6-5.5 is considered to have failed to file a return for purposes of this article.

(e) In the case of the excise tax imposed on recreational vehicles and truck campers under IC 6-6-5.1, the tax shall be assessed as provided in IC 6-6-5.1 and must include the penalties and interest due on all listed taxes not paid by the due date. A person that fails to properly register a recreational vehicle as required by IC 9-18 (before its expiration) or IC 9-18.1 and pay the tax due under IC 6-6-5.1 is considered to have failed to file a return for purposes of this article. A person that fails to pay the tax due under IC 6-6-5.1 on a truck camper is considered to have failed to file a return for purposes of this article.

(f) If a person files a fraudulent, unsigned, or substantially blank return, or if a person does not file a return, there is no time limit within which the department must issue its proposed assessment.

(g) If any part of a listed tax has been erroneously refunded by the department, the erroneous refund may be recovered through the assessment procedures established in this chapter. An assessment issued for an erroneous refund must be issued **within the later of:**

(1) the period for which an assessment could otherwise be issued under this section; or

(2) whichever is applicable:

~~(1)~~ **(A)** within two (2) years after making the refund; or

~~(2)~~ **(B)** within five (5) years after making the refund if the refund was induced by fraud or misrepresentation.

(h) If, before the end of the time within which the department may make an assessment, the department and the person agree to extend that assessment period, the period may be extended according to the terms of a written agreement signed by both the department and the person. The agreement must contain:

(1) the date to which the extension is made; and

(2) a statement that the person agrees to preserve the person's records until the extension terminates.

The department and a person may agree to more than one (1) extension under this subsection.

(i) **Except as otherwise provided in subsection (j),** if a taxpayer's federal taxable income, federal adjusted gross income, or federal income tax liability for a taxable year is modified due to a modification as provided under IC 6-3-4-6(c) and IC 6-3-4-6(d) (for the adjusted gross income tax), or a modification or alteration as provided under IC 6-5.5-6-6(c) and IC 6-5.5-6-6(e) (for the financial institutions tax), then the date by which the department must issue a proposed assessment under section 1 of this chapter for tax imposed under IC 6-3 is extended to six (6) months after the date on which the notice of modification is filed with the department by the taxpayer.

(j) The following apply:

(1) This subsection applies to partnerships whose taxable year:

(A) begins after December 31, 2017;

(B) ends after August 12, 2018; or

(C) begins after November 2, 2015, and before January 1, 2018, and for which a valid election under United States Treasury Regulation 301.9100-22 is in effect;

and to the partners of such partnerships, including any partners, shareholders, or beneficiaries of a pass through entity that is a partner in such partnership.

(2) Notwithstanding any other provision of this article,

if a partnership is subject to federal income tax liability or a federal tax adjustment at the partnership level as the result of a modification under Sections 6221 through 6241 of the Internal Revenue Code, the date on which the department must issue a proposed assessment to either the partners or the partnership shall be the later of:

(A) the date on which a proposed assessment must otherwise be issued to the partner or the partnership under this section with regard to the taxable year of the partnership to which the modification is taxed at the partnership level; or

(B) December 31, 2021.

(3) For purposes of this section and IC 6-8.1-9-1, a modification under this subsection shall be considered a modification to the federal taxable income, federal adjusted gross income, or federal income tax liability of both the partners and the partnership within the meaning of IC 6-3-4-6 and IC 6-5.5-6-6, and shall be considered to be included in the federal taxable income or federal adjusted gross income of both the partners and partnerships for purposes of this article and IC 6-5.5.

(4) If a modification made to a partnership for federal income tax purposes is reported to the partners to determine the partners' respective federal taxable income, federal adjusted gross income, or federal income tax liability, including reporting to partners as the result of an election made under Section 6226 of the Internal Revenue Code, subdivision (2) shall not apply, and those modifications shall be treated as modifications to the partners' federal taxable income, federal adjusted gross income, or federal income tax liability for purposes of the following:

(A) This section.

(B) IC 6-3-4-6.

(C) IC 6-5.5-6-6.

(D) IC 6-8.1-9-1.

SECTION 43. IC 6-8.1-7-1, AS AMENDED BY P.L.234-2019, SECTION 32, AND AS AMENDED BY P.L.285-2019, SECTION 2, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) This subsection does not apply to the disclosure of information concerning a conviction on a tax evasion charge. Unless in accordance with a judicial order or as otherwise provided in this chapter, the department, its employees, former employees, counsel, agents, or any other person may not divulge the amount of tax paid by any taxpayer, terms of a settlement agreement executed between a taxpayer and the department, investigation records, investigation reports, or any other information disclosed by the reports filed under the provisions of the law relating to any of the listed taxes, including required information derived from a federal return, except to any of the following when it is agreed that the information is to be confidential and to be used solely for official purposes:

(1) Members and employees of the department.

(2) The governor.

(3) A member of the general assembly or an employee of the house of representatives or the senate when acting on behalf of a taxpayer located in the member's legislative district who has provided sufficient information to the member or employee for the department to determine that the member or employee is acting on behalf of the taxpayer.

(4) An employee of the legislative services agency to carry out the responsibilities of the legislative services agency under IC 2-5-1.1-7 or another law.

(5) The attorney general or any other legal representative of the state in any action in respect to the amount of tax due under the provisions of the law relating to any of the listed taxes.

(6) Any authorized officers of the United States.

(b) The information described in subsection (a) may be revealed upon the receipt of a certified request of any designated officer of the state tax department of any other state, district, territory, or possession of the United States when:

(1) the state, district, territory, or possession permits the exchange of like information with the taxing officials of the state; and

(2) it is agreed that the information is to be confidential and to be used solely for tax collection purposes.

(c) The information described in subsection (a) relating to a person on public welfare or a person who has made application for public welfare may be revealed to the director of the division of family resources, and to any director of a county office of the division of family resources located in Indiana, upon receipt of a written request from either director for the information. The information shall be treated as confidential by the directors. In addition, the information described in subsection (a) relating to a person who has been designated as an absent parent by the state Title IV-D agency shall be made available to the state Title IV-D agency upon request. The information shall be subject to the information safeguarding provisions of the state and federal Title IV-D programs.

(d) The name, address, Social Security number, and place of employment relating to any individual who is delinquent in paying educational loans owed to a postsecondary educational institution may be revealed to that institution if it provides proof to the department that the individual is delinquent in paying for educational loans. This information shall be provided free of charge to approved postsecondary educational institutions (as defined by IC 21-7-13-6(a)). The department shall establish fees that all other institutions must pay to the department to obtain information under this subsection. However, these fees may not exceed the department's administrative costs in providing the information to the institution.

(e) The information described in subsection (a) relating to reports submitted under IC 6-6-1.1-502 concerning the number of gallons of gasoline sold by a distributor and IC 6-6-2.5 concerning the number of gallons of special fuel sold by a supplier and the number of gallons of special fuel exported by a licensed exporter or imported by a licensed transporter may be released by the commissioner upon receipt of a written request for the information.

(f) The information described in subsection (a) may be revealed upon the receipt of a written request from the administrative head of a state agency of Indiana when:

(1) the state agency shows an official need for the information; and

(2) the administrative head of the state agency agrees that any information released will be kept confidential and will be used solely for official purposes.

(g) The information described in subsection (a) may be revealed upon the receipt of a written request from the chief law enforcement officer of a state or local law enforcement agency in Indiana when it is agreed that the information is to be confidential and to be used solely for official purposes.

(h) The name and address of retail merchants, including township, as specified in ~~*IC 6-2.5-8-1(k) IC 6-2.5-8-1(l)*~~ **IC 6-2.5-8-1(k)** may be released solely for tax collection purposes to township assessors and county assessors.

(i) The department shall notify the appropriate innkeeper's tax board, bureau, or commission that a taxpayer is delinquent in remitting innkeepers' taxes under IC 6-9.

(j) All information relating to the delinquency or evasion of the vehicle excise tax may be disclosed to the bureau of motor

vehicles in Indiana and may be disclosed to another state, if the information is disclosed for the purpose of the enforcement and collection of the taxes imposed by IC 6-6-5.

(k) All information relating to the delinquency or evasion of commercial vehicle excise taxes payable to the bureau of motor vehicles in Indiana may be disclosed to the bureau and may be disclosed to another state, if the information is disclosed for the purpose of the enforcement and collection of the taxes imposed by IC 6-6-5.5.

(l) All information relating to the delinquency or evasion of commercial vehicle excise taxes payable under the International Registration Plan may be disclosed to another state, if the information is disclosed for the purpose of the enforcement and collection of the taxes imposed by IC 6-6-5.5.

(m) All information relating to the delinquency or evasion of the excise taxes imposed on recreational vehicles and truck campers that are payable to the bureau of motor vehicles in Indiana may be disclosed to the bureau and may be disclosed to another state if the information is disclosed for the purpose of the enforcement and collection of the taxes imposed by IC 6-6-5.1.

(n) This section does not apply to:

(1) the beer excise tax, including brand and packaged type (IC 7.1-4-2);

(2) the liquor excise tax (IC 7.1-4-3);

(3) the wine excise tax (IC 7.1-4-4);

(4) the hard cider excise tax (IC 7.1-4-4.5);

~~*(5) the malt excise tax (IC 7.1-4-5);*~~

~~*(6)*~~ *(5)* the vehicle excise tax (IC 6-6-5);

~~*(7)*~~ *(6)* the commercial vehicle excise tax (IC 6-6-5.5); and

~~*(8)*~~ *(7)* the fees under IC 13-23.

(o) The name and business address of retail merchants within each county that sell tobacco products may be released to the division of mental health and addiction and the alcohol and tobacco commission solely for the purpose of the list prepared under IC 6-2.5-6-14.2.

(p) The name and business address of a person licensed by the department under IC 6-6 or IC 6-7 may be released for the purpose of reporting the status of the person's license.

(q) The department may release information concerning total incremental tax amounts under:

(1) IC 5-28-26;

(2) IC 36-7-13;

(3) IC 36-7-26;

(4) IC 36-7-27;

(5) IC 36-7-31;

(6) IC 36-7-31.3; or

(7) any other statute providing for the calculation of incremental state taxes that will be distributed to or retained by a political subdivision or other entity;

to the fiscal officer of the political subdivision or other entity that established the district or area from which the incremental taxes were received if that fiscal officer enters into an agreement with the department specifying that the political subdivision or other entity will use the information solely for official purposes.

(r) The department may release the information as required in IC 6-8.1-3-7.1 concerning:

(1) an innkeeper's tax, a food and beverage tax, or an admissions tax under IC 6-9;

(2) the supplemental auto rental excise tax under IC 6-6-9.7; and

(3) the covered taxes allocated to a professional sports development area fund, sports and convention facilities operating fund, or other fund under IC 36-7-31 and IC 36-7-31.3.

(s) Information concerning state gross retail tax exemption certificates that relate to a person who is exempt from the state gross retail tax under IC 6-2.5-4-5 may be disclosed to a power subsidiary (as defined in IC 6-2.5-4-5) or a person selling the services or commodities listed in IC 6-2.5-4-5(b) for the purpose of enforcing and collecting the state gross retail and use taxes under IC 6-2.5.

(t) The department may release a statement of tax withholding or other tax information statement provided on behalf of a taxpayer to the department to:

(1) the taxpayer on whose behalf the tax withholding or other tax information statement was provided to the department;

(2) the taxpayer's spouse, if:

(A) the taxpayer is deceased or incapacitated; and

(B) the taxpayer's spouse is filing a joint income tax return with the taxpayer; or

(3) an administrator, executor, trustee, or other fiduciary acting on behalf of the taxpayer if the taxpayer is deceased.

(u) Information related to a listed tax regarding a taxpayer may be disclosed to an individual without a power of attorney under IC 6-8.1-3-8(a)(2) if:

(1) the individual is authorized to file returns and remit payments for one (1) or more listed taxes on behalf of the taxpayer through the department's online tax system before September 8, 2020;

(2) the information relates to a listed tax described in subdivision (1) for which the individual is authorized to file returns and remit payments;

(3) the taxpayer has been notified by the department of the individual's ability to access the taxpayer's information for the listed taxes described in subdivision (1) and the taxpayer has not objected to the individual's access;

(4) the individual's authorization or right to access the taxpayer's information for a listed tax described in subdivision (1) has not been withdrawn by the taxpayer; and

(5) disclosure of the information to the individual is not prohibited by federal law.

Except as otherwise provided by this article, this subsection does not authorize the disclosure of any correspondence from the department that is mailed or otherwise delivered to the taxpayer relating to the specified listed taxes for which the individual was given authorization by the taxpayer. The department shall establish a date, which may be earlier but not later than September 1, 2023, after which a taxpayer's information concerning returns and remittances for a listed tax may not be disclosed to an individual without a power of attorney under IC 6-8.1-3-8(a)(2) by providing notice to the affected taxpayers and previously authorized individuals, including notification published on the department's Internet web site. After the earlier of the date established by the department or September 1, 2023, the department may not disclose a taxpayer's information concerning returns and remittances for a listed tax to an individual unless the individual has a power of attorney under IC 6-8.1-3-8(a)(2) or the disclosure is otherwise allowed under this article.

SECTION 44. IC 6-8.1-9-1, AS AMENDED BY P.L.86-2018, SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2020]: Sec. 1. (a) If a person has paid more tax than the person determines is legally due for a particular taxable period, the person may file a claim for a refund with the department. Except as provided in subsections (j), ~~and~~ (k), **and (l),** in order to obtain the refund, the person must file the claim with the department within three (3) years after the later of the following:

(1) The due date of the return.

(2) The date of payment.

For purposes of this section, the due date for a return filed for the state gross retail or use tax, **the gasoline use tax,** the gasoline tax **(including the inventory tax),** the special fuel tax **(including the inventory tax),** the motor carrier fuel tax

(including the inventory tax), the oil inspection fee, **the cigarette tax, the tobacco products tax, any county innkeeper's taxes imposed under IC 6-9, any food and beverage taxes imposed under IC 6-9, any county or local admissions taxes imposed under IC 6-9,** or the petroleum severance tax is the end of the calendar year which contains the taxable period for which the return is filed. The claim must set forth the amount of the refund to which the person is entitled and the reasons that the person is entitled to the refund.

(b) After considering the claim and all evidence relevant to the claim, the department shall issue a decision on the claim, stating the part, if any, of the refund allowed and containing a statement of the reasons for any part of the refund that is denied. The department shall mail a copy of the decision to the person that filed the claim. If the person disagrees with a part of the decision on the claim, the person may file a protest and request a hearing with the department. If the department allows the full amount of the refund claim, a warrant for the payment of the claim is sufficient notice of the decision.

(c) The tax court shall hear the appeal de novo and without a jury, and after the hearing may order or deny any part of the appealed refund. The court may assess the court costs in any manner that it feels is equitable. The court may enjoin the collection of any of the listed taxes under IC 33-26-6-2. The court may also allow a refund of taxes, interest, and penalties that have been paid to and collected by the department.

(d) The decision on the claim must state that the person has sixty (60) days from the date the decision is mailed to file a written protest. If the person files a protest and requests a hearing on the protest, the department shall:

(1) set the hearing at the department's earliest convenient time; and

(2) notify the person by United States mail of the time, date, and location of the hearing.

(e) The department may hold the hearing at the location of its choice within Indiana if that location complies with IC 6-8.1-3-8.5.

(f) After conducting a hearing on a protest, or after making a decision on a protest when no hearing is requested, the department shall issue a memorandum of decision or order denying a refund and shall send a copy of the decision through the United States mail to the person that filed the protest. If the department allows the full amount of the refund claim, a warrant for the payment of the claim is sufficient notice of the decision. The department may continue the hearing until a later date if the taxpayer presents additional information at the hearing or the taxpayer requests an opportunity to present additional information after the hearing.

(g) A person that disagrees with any part of the department's ~~decision~~ **determination** in a memorandum of decision or order denying a refund may request a rehearing not more than thirty (30) days after the date on which the memorandum of decision or order denying a refund is issued by the department. The department shall consider the request and may grant the rehearing if the department reasonably believes that a rehearing would be in the best interests of the taxpayer and the state. **If the department grants the rehearing, the department shall issue a supplemental order denying a refund or a supplemental memorandum of decision based on the rehearing, whichever is applicable.**

(h) If the person disagrees with any part of the department's ~~decision,~~ **determination,** the person may appeal the ~~decision,~~ **determination,** regardless of whether or not the person protested the tax payment or whether or not the person has accepted a refund. The person must file the appeal with the tax court. The tax court does not have jurisdiction to hear a refund appeal if:

(1) the appeal is filed more than ninety (90) days after the ~~later~~ **latest** of the dates on which:

(A) the memorandum of decision or order denying a refund is issued by the department, if the person does not make a timely request for a rehearing under subsection (g) on the ~~letter of findings; or~~ **memorandum of decision or order denying a refund;**

(B) the department issues a denial of the person's timely request for a rehearing under subsection (g) on the memorandum of decision or order denying a refund; or

(C) the department issues a supplemental memorandum of decision or supplemental order denying a refund following a rehearing granted under subsection (g); or

(2) the appeal is filed both before the decision is issued and before the one hundred eighty-first day after the date the person files the claim for a refund with the department.

The ninety (90) day period may be extended according to the terms of a written agreement signed by both the department and the person. The agreement must specify a date upon which the extension will terminate and include a statement that the person agrees to preserve the person's records until that specified termination date. The specified termination date agreed upon under this subsection may not be more than ninety (90) days after the expiration of the period otherwise specified by this subsection.

(i) With respect to the vehicle excise tax, this section applies only to penalties and interest paid on assessments of the vehicle excise tax. Any other overpayment of the vehicle excise tax is subject to IC 6-6-5.

(j) If a taxpayer's federal taxable income, federal adjusted gross income, or federal income tax liability for a taxable year is modified by the Internal Revenue Service, and the modification would result in a reduction of the tax legally due, the due date by which the taxpayer must file a claim for refund with the department is the ~~later~~ **latest** of:

(1) the date determined under subsection (a); ~~or~~

(2) the date that is one hundred eighty (180) days after the date of the modification by the Internal Revenue Service as provided under:

(A) IC 6-3-4-6(c) and IC 6-3-4-6(d) (for the adjusted gross income tax); or

(B) IC 6-5.5-6-6(c) and IC 6-5.5-6-6(d) (for the financial institutions tax); **or**

(3) in the case of a modification described in IC 6-8.1-5-2(j)(1) through IC 6-8.1-5-2(j)(3), December 31, 2021.

(k) Notwithstanding any other provision of this section, if an individual received a severance payment described in Section 3(a)(1)(A) of the Combat-Injured Veterans Tax Fairness Act of 2016 (P.L. 114-292) and upon which the United States Secretary of Defense withheld tax under IC 6-3, IC 6-3.5-1.1 (before its repeal), IC 6-3.5-6 (before its repeal), IC 6-3.5-7 (before its repeal), or IC 6-3.6, the individual must file a claim for refund for taxes that were overpaid and attributable to the severance payment not later than December 31, 2020. Any refund under this subsection shall be computed without regard to subsection (a)(2). The department may establish procedures to provide standard refund amounts if a standard refund amount is requested from the Internal Revenue Service.

~~(k)~~ **(l)** If an agreement to extend the assessment time period is entered into under IC 6-8.1-5-2(h), the period during which a person may file a claim for a refund under subsection (a) is extended to the same date to which the assessment time period is extended.

SECTION 45. IC 6-8.1-9-2, AS AMENDED BY P.L.242-2015, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2020]: Sec. 2. (a) If the department finds that a person has paid more tax for a taxable year than is legally due, the department shall apply the amount

of the excess against any amount of that same tax that is assessed and is currently due. The department may then apply any remaining excess against any of the listed taxes that have been assessed against the person and that are currently due. Subject to subsection (c), if any excess remains after the department has applied the overpayment against the person's tax liabilities, the department shall either refund the amount to the person or, at the person's request, credit the amount to the person's future tax liabilities.

(b) Subject to subsection (c), if a court determines that a person has paid more tax for a taxable year than is legally due, the department shall refund the excess amount to the person.

(c) As used in this subsection, "pass through entity" means a corporation that is exempt from the adjusted gross income tax under IC 6-3-2-2.8(2), a partnership, a limited liability company, or a limited liability partnership and "pass through income" means a person's distributive share of adjusted gross income for a taxable year attributable to the person's interest in a pass through entity. This subsection applies to a person's overpayment of adjusted gross income tax for a taxable year if:

(1) the person has filed a timely claim for refund with respect to the overpayment under IC 6-8.1-9-1;

(2) the overpayment:

(A) is with respect to a taxable year beginning before January 1, 2009;

(B) is attributable to amounts paid to the department by:

(i) a nonresident shareholder, partner, or member of a pass through entity;

(ii) a pass through entity under IC 6-3-4-12 or IC 6-3-4-13 on behalf of a nonresident shareholder, partner, or member of the pass through entity; or

(iii) a pass through entity under IC 6-3-4-12 or IC 6-3-4-13 on behalf of a nonresident shareholder, partner, or member of another pass through entity; and

(3) the overpayment arises from a determination by the department or a court that the person's pass through income is not includible in the person's adjusted gross income derived from sources within Indiana as a result of the application of IC 6-3-2-2(a)(5) and IC 6-3-2-2.2(g).

The department shall apply the overpayment to the person's liability for taxes that have been assessed and are currently due as provided in subsection (a) and apply any remaining overpayment as a credit or credits in satisfaction of the person's liability for listed taxes in taxable years beginning after December 31, 2008. If the person, including any successor to the person's interest in the overpayment, does not have sufficient liability for listed taxes against which to credit all the remaining overpayment in a taxable year beginning after December 31, 2008, and ending before January 1, 2019, the taxpayer is not entitled for any taxable year ending after December 31, 2018, to have any part of the remaining overpayment applied, refunded, or credited to the person's liability for listed taxes. If an overpayment or part of an overpayment is required to be applied as a credit under this subsection to the person's liability for listed taxes for a taxable year beginning after December 31, 2008, and has not been determined by the department or a court to meet the conditions of subdivision (3) by the due date of the person's return for a listed tax for a taxable year beginning after December 31, 2008, the department shall refund to the person that part of the overpayment that should have been applied as a credit for such taxable year within ninety (90) days of the date that the department or a court makes the determination that the overpayment meets the conditions of subdivision (3). However, the department may establish a program to refund small overpayment amounts that do not exceed the threshold dollar value established by the department rather than crediting the amounts against tax liability accruing for a taxable year after December 31, 2008. A person that receives a refund or credit under this subsection shall file a report with the department in the form and in the schedule specified by the department that identifies under penalties of perjury the home state or other jurisdiction where the income subject to the refund or credit was reported as income attributable to that state or jurisdiction.

(d) An excess tax payment that is not refunded or credited against a current or future tax liability within ninety (90) days after the date the refund claim is filed, the date the tax payment was due, or the date the tax was paid, whichever is latest, accrues interest from:

(1) the date the refund claim is filed, if the refund claim is filed before July 1, 2015; or

(2) for a refund claim filed after June 30, 2015, the latest of:

(A) the date the tax payment was due;

(B) the date the tax was paid; or

(C) July 1, 2015;

at the rate established under IC 6-8.1-10-1 until a date, determined by the department, that does not precede by more than thirty (30) days, the date on which the refund or credit is made. As used in this subsection, "refund claim" includes a return and an amended return that indicates an overpayment of tax. For purposes of this subsection only, the due date for the payment of the state gross retail or use tax, the oil inspection fee, and the petroleum severance tax is December 31 of the calendar year that contains the taxable period for which the payment is remitted. Notwithstanding any other provision, no interest is due for any time before the filing of a tax return for the period and tax type for which a taxpayer files a refund claim.

(e) A person who is liable for the payment of excise taxes under IC 7.1-4-3 or IC 7.1-4-4 is entitled to claim a credit against the person's excise tax liability in the amount of the excise taxes paid in duplicate by the person, or the person's assignors or predecessors, upon both:

(1) the receipt of the goods subject to the excise taxes, as reported by the person, or the person's assignors or predecessors, on excise tax returns filed with the department; and

(2) the withdrawal of the same goods from a storage facility operated under 19 U.S.C. 1555(a).

(f) The amount of the credit under subsection (e) is equal to fifty percent (50%) of the amount of excise taxes:

(1) that were paid by the person as described in subsection (e)(2);

(2) that are duplicative of excise taxes paid by the person as described in subsection (e)(1); and

(3) for which the person has not previously claimed a credit.

The credit may be claimed by subtracting the amount of the credit from the amount of the person's excise taxes reported on the person's monthly excise tax returns filed under IC 7.1-4-6 with the department for taxes imposed under IC 7.1-4-3 or IC 7.1-4-4. The amount of the credit that may be taken monthly by the person on each monthly excise tax return may not exceed ten percent (10%) of the excise tax liability reported by the person on the monthly excise tax return. The credit may be claimed on not more than thirty-six (36) consecutive monthly excise tax returns beginning with the month in which credit is first claimed.

(g) The amount of the credit calculated under subsection (f) must be used for capital expenditures to:

(1) expand employment; or

(2) assist in retaining employment within Indiana.

The department shall annually verify whether the capital expenditures made by the person comply with this subsection.

(h) An excess tax payment under section 1(k) of this chapter that is not refunded or credited against a current or future tax liability within ninety (90) days after the date the refund claim is filed, the date the tax payment was due, or the date the tax was paid, whichever is latest, accrues

interest from April 1, 2020. For purposes of this subsection, a refund claim filed prior to April 1, 2020, shall be treated as filed on April 1, 2020.

SECTION 46. IC 6-8.1-10-5, AS AMENDED BY P.L.293-2013(ts), SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 5. ~~(a) If a person makes a tax payment with a check, credit card, debit card, or electronic funds transfer, and the department is unable to obtain payment on the check, credit card, debit card, or electronic funds transfer for its full face amount when the check, credit card, debit card, or electronic funds transfer is presented for payment through normal banking channels, a penalty of ten percent (10%) of the unpaid tax or the value of the check, credit card, debit card, or electronic funds transfer, whichever is smaller, is imposed.~~

~~(b) When a penalty is imposed under subsection (a), the department shall notify the person by mail that the check, credit card, debit card, or electronic funds transfer was not honored and that the person has ten (10) days after the date the notice is mailed to pay the tax and the penalty either in cash, by certified check, or other guaranteed payment. If the person fails to make the payment within the ten (10) day period, the penalty is increased to thirty percent (30%) multiplied by the value of the check, credit card, debit card, or electronic funds transfer, or the unpaid tax, whichever is smaller.~~

~~(c) If a person has been assessed a penalty under subsection (a) more than one (1) time, the department may require all future payments for all listed taxes to be remitted with guaranteed funds.~~

~~(d) If the person subject to the penalty under this section can show that there is reasonable cause for the check, credit card, debit card, or electronic funds transfer not being honored, the department may waive the penalty imposed under this section.~~

(a) As used in this section, "payment instrument" means:

(1) a check;

(2) a credit card;

(3) a debit card;

(4) an electronic funds transfer; or

(5) any other instrument in payment by any commercially allowable means.

(b) If a person makes a payment to the department for an amount due to the department with a payment instrument and the department is unable to obtain payment on the payment instrument for the full amount of the attempted payment when the payment instrument is presented for payment through the normal banking channels, the department shall:

(1) notify the person that the department was unable to obtain payment on the full amount of the payment instrument; and

(2) assess a penalty of thirty-five dollars ($35) not more than thirty (30) days after the department was unable to obtain payment.

(c) If the department determines that the person made a payment described in subsection (b) fraudulently or otherwise knowing that the department would be unable to obtain payment on the payment instrument for the full amount of the attempted payment when the payment instrument is presented for payment through normal banking channels, the penalty is equal to one hundred percent (100%) of the amount on which the department was unable to obtain payment, but not less than thirty-five dollars ($35). The following apply:

(1) A penalty assessment under this subsection shall be made not more than three (3) years after the department was unable to obtain payment.

(2) The penalty under this subsection shall not be made in addition to the penalty under subsection (b)(2). However, nothing shall prohibit the department from issuing a penalty under this subsection with regard to a payment after a penalty under subsection (b)(2) was issued.

(3) If a penalty under this subsection is reduced to the amount specified in subsection (b)(2), the department may issue a new assessment for the penalty within thirty (30) days after the final determination of the penalty reduction.

(d) If the department is unable to obtain payment on a payment instrument, the amount on which the department was unable to obtain payment shall not be considered to be a payment of that amount.

(e) The following apply:

(1) Any penalty under subsection (b)(2) is due not less than twenty (20) days after the department issues the assessment under subsection (b)(2).

(2) If the person fails to pay the penalty provided under this section in full within the time specified by the department, the department may file a tax warrant for the unpaid portion of the penalty in the manner provided under IC 6-8.1-8-2.

(3) For purposes of this article, a penalty under subsection (b)(2) shall not be considered to be a proposed assessment under IC 6-8.1-5-1.

(f) If a person receives a penalty under subsection (c), the penalty shall be treated as a proposed assessment as provided in IC 6-8.1-5-1. However, if the person pays the penalty under subsection (c) and files a claim for refund of the penalty, notwithstanding IC 6-8.1-9-1, the payment of the penalty shall not be refunded unless the person protested the penalty pursuant to IC 6-8.1-5-1 in a timely manner.

(g) The following apply:

(1) If the penalty under subsection (b)(2) relates to an attempted payment of a liability for which the department has filed a tax warrant under IC 6-8.1-8-2 or for which the department files a tax warrant under IC 6-8.1-8-2 prior to the expiration of the period specified in subsection (e), the tax warrant may include the amount of the penalty provided in this section prior to the expiration of the period specified in subsection (e).

(2) If a penalty under this section is included as part of a proposed assessment under IC 6-8.1-5-1, the filing of a tax warrant for the penalty under this section shall be timely if the tax warrant for the penalty:

(A) was filed on or before the day as a timely filed tax warrant for the proposed assessment;

(B) was filed as part of the tax warrant for the proposed assessment; or

(C) was otherwise filed within the period allowable under IC 6-8.1-8-2.

(h) The following apply:

(1) The department may waive the penalty under this section if the person establishes that the person acted with reasonable cause in the attempted payment.

(2) If the department determines that the penalty under subsection (b)(2) shall not be waived, including a reduction of a penalty under subsection (c) to the amount specified in subsection (b)(2), the determination is not subject to administrative or judicial review.

(3) If the department determines that the penalty under this section should be waived, but the liability for the penalty has advanced to a tax warrant:

(A) the amount due under the tax warrant shall be reduced by the amount of any penalty under this section included in the tax warrant but not paid; or

(B) if the person has paid the penalty under this section, the department shall refund the penalty under this section paid by the person.

(4) Nothing shall prohibit judicial review of a penalty

under this section if the penalty was imposed on a payment instrument upon which the department was able to collect the full amount of the payment instrument upon presentation of the payment through the normal banking channels.

(i) If a person has been subject to a penalty under this section more than one (1) time during a twenty-four (24) month period, or has been subject to a penalty under subsection (c) that has not been reduced or waived, the department may require the person to remit all future payments for all listed taxes with guaranteed funds.

SECTION 47. IC 6-8.1-11-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. **(a)** The department shall appoint an employee to serve as a taxpayer rights advocate ~~who~~ **whose office** shall **act as an intermediary between taxpayers and the department to** facilitate the resolution of taxpayer complaints and problems ~~including unsatisfactory treatment of taxpayers by department employees.~~ **not resolved through the normal administrative channels or operational procedures within the department.**

(b) The taxpayer rights advocate office shall perform the following duties:

(1) Receive and evaluate complaints and make appropriate recommendations to the commissioner.

(2) Identify statutes and regulations as well as policies and practices of the department that might inhibit the equitable treatment of taxpayers, and recommend alternatives to the commissioner.

(3) Provide expeditious service to taxpayers whose problems are not resolved through normal channels, including but not limited to:

(A) assisting taxpayers with matters that have been pending for an unreasonable length of time;

(B) assisting with matters where the taxpayer has been unable to communicate with the department; and

(C) working with department personnel to resolve the most complex and sensitive taxpayer problems.

SECTION 48. IC 6-8.1-16.3-5 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 5. (a) As used in this section, "fund" means the department of state revenue pilot program fund established by subsection (b).~~

~~(b) The department of state revenue pilot program fund is established.~~

~~(c) The fund shall be used to assist implementation and administration of the pilot program.~~

~~(d) The fund may consist of one (1) or more of the following:~~

~~(1) Appropriations made by the general assembly.~~

~~(2) Donations made or gifts donated to the fund.~~

~~(3) Any proceeds derived from agreements or contracts made with third parties.~~

~~(e) The fund shall be administered by the department.~~

~~(f) The expenses of administering the pilot program and the fund shall be paid for by the fund.~~

~~(g) Unless otherwise provided by state or federal law, expenses associated with the pilot program shall be paid for by fund proceeds.~~

~~(h) Any money in the fund at the end of a state fiscal year does not revert to the state general fund.~~

~~(i) Money in the fund is continuously appropriated to the department of state revenue to carry out the purposes of the fund.~~

SECTION 49. IC 6-8.1-16.3-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 2020]: **Sec. 5.5. (a) Any balance remaining on June 30, 2020, in the state revenue pilot program fund established by section 5 of this chapter (before its repeal) is transferred to the motor carrier regulation fund established by IC 8-2.1-23-1.**

(b) Notwithstanding any other law, any proceeds derived from agreements or a contract made with third parties under this chapter, and any other revenue received under this chapter, that would have been deposited in the state revenue pilot program fund established by section 5 of this chapter (before its repeal) shall be deposited in the motor carrier regulation fund established by IC 8-2.1-23-1.

SECTION 50. IC 8-2.1-23-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. Money in the motor carrier regulation fund does not revert to the state general fund. ~~However, if the amount of money in the fund at the end of a fiscal year exceeds five hundred thousand dollars ($500,000), the treasurer of state shall transfer the excess from the fund to the motor vehicle highway account established in IC 8-14-1.~~

SECTION 51. [EFFECTIVE JANUARY 1, 2021] **(a) IC 6-8.1-10-5, as amended by this act, shall be effective for attempted payments made after December 31, 2020.**

(b) This SECTION expires January 1, 2024.

SECTION 52. [EFFECTIVE APRIL 1, 2020] **(a) IC 6-8.1-9-1(k), as added by this act, shall apply to extend the statute of limitations for refund claims described in IC 6-8.1-9-1(k):**

(1) that have expired before April 1, 2020, under IC 6-8.1-9-1(a); or

(2) that would otherwise expire after March 31, 2020, under IC 6-8.1-9-1(a);

to December 31, 2020.

(b) This SECTION expires July 1, 2021.

SECTION 53. [EFFECTIVE JULY 1, 2009 (RETROACTIVE)] **IC 6-8.1-5-2(g), as amended by this act, is intended to be a clarification of the law and not a substantive change in the law and as such shall be applied for purposes of erroneous refunds issued after June 30, 2009.**

SECTION 54. **An emergency is declared for this act.**

(Reference is to ESB 408 as reprinted March 3, 2020.)

HOLDMAN T. BROWN
MELTON PORTER
Senate Conferees ouse Conferees

Roll Call 376: yeas 83, nays 0. Report adopted.

Representative Barrett, who had been excused, is now present.

CONFERENCE COMMITTEE REPORT
ESB 229-1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 229 pectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 13-18-22-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Except as provided in subsection (b), a person proposing a wetland activity in a state regulated wetland must obtain a permit under this chapter to authorize the wetland activity.

(b) A permit is not required for the following wetland activities:

(1) The discharge of dirt, sand, rock, stone, concrete, or other inert fill materials in a de minimis amount.

(2) A wetland activity at a surface coal mine for which the department of natural resources has approved a plan to:

(A) minimize, to the extent practical using best technology currently available, disturbances and

adverse effects on fish and wildlife;
(B) otherwise effectuate environmental values; and
(C) enhance those values where practicable.
(3) Any activity listed under Section 404(f) of the Clean Water Act, including:
(A) normal farming, silviculture, and ranching activities, such as plowing, seeding, cultivating, minor drainage, harvesting for the production of food, fiber, and forest products, or upland soil and water conservation practices;
(B) maintenance, including emergency reconstruction of recently damaged parts, of currently serviceable structures such as dikes, dams, levees, groins, riprap, breakwaters, causeways, and bridge abutments or approaches, and transportation structures;
(C) construction or maintenance of farm or stock ponds or irrigation ditches, or the maintenance of drainage ditches;
(D) construction of temporary sedimentation basins on a construction site that does not include placement of fill material into the navigable waters; and
(E) construction or maintenance of farm roads or forest roads, or temporary roads for moving mining equipment, where the roads are constructed and maintained, in accordance with best management practices, to assure that:
(i) flow and circulation patterns and chemical and biological characteristics of the navigable waters are not impaired;
(ii) the reach of the navigable waters is not reduced; and
(iii) any adverse effect on the aquatic environment will be otherwise minimized.
(4) The maintenance or reconstruction (as defined in IC 36-9-27-2) of a regulated drain in accordance with IC 36-9-27-29(2) as long as the work takes place within the current easement, and the reconstruction does not substantially change the characteristics of the drain to perform the function for which it was designed and constructed.
(c) The goal of the permitting program for wetland activities in state regulated wetlands is to:
(1) promote a net gain in high quality isolated wetlands; and
(2) assure that compensatory mitigation will offset the loss of isolated wetlands allowed by the permitting program.
(Reference is to ESB 229 as reprinted March 3, 2020.)

SPARTZ WOLKINS
DORIOT PRESCOTT
Senate Conferees ouse Conferees

Roll Call 377: yeas 55, nays 29. Report adopted.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 5:32 p.m. with the Speaker in the Chair.

Upon request of Representative Pierce, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 378: 71 present. The Speaker declared a quorum present.

RESOLUTIONS ON FIRST READING

House Resolution 72

Representative Beck introduced House Resolution 72:

A HOUSE RESOLUTION congratulating Hobart Police Department Corporal Kevin Garber Jr. and K-9 Butch.

Whereas, Corporal Kevin Garber Jr. and K-9 Butch from the Hobart Police Department are the first place champion team winning the 18th annual American Police Canine Association (APCA) Winter Sniff Off;

Whereas, The winning team completed the challenge in four minutes, 54 seconds, 60 hundredths and 0 points;

Whereas, The Hobart Police Department K-9 Unit consists of seven teams and is led by Commander A. Simon Gresser;

Whereas, The Hobart Police Department K-9 Unit strives to utilize canines in their natural abilities and specialized areas to preserve life and property and suppress the criminal element; and

Whereas, The APCA competitions showcase the hard work and dedication of Corporal Garber and Butch in the course of protecting their community: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana:

SECTION 1. That the House of Representatives congratulates Hobart Police Department Corporal Kevin Garber Jr. and K-9 Butch on winning the 2020 American Police Canine Association Winter Sniff Off.
SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Lisa Beck for distribution.

The resolution was read a first time and adopted by voice vote.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

EHB 1065	Conferee:	Representative Jordan replacing Representative Porter
	Advisor:	Remove Representative Jordan as advisor
ESB 367	Conferee:	Representative Pressel replacing Representative Harris
	Advisor:	Remove Representative Pressel as advisor

ACTION ON RULES SUSPENSIONS AND CONFERENCE COMMITTEE REPORTS

COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures has had under consideration House Rule 161.2 and recommends that it be suspended so that the following conference committee reports are eligible for consideration after March 3, 2020; we further recommend that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 2 hours, so that they may be eligible to be placed before the House for action:

Engrossed House Bills 1003, 1045, 1066, 1113, 1131 and 1235
Engrossed Senate Bills 1, 47, 80 and 295

LEONARD, Chair

Report adopted.

HOUSE MOTION

Mr. Speaker: I move House Rule 161.2 be suspended so that the following conference committee reports are eligible for consideration after March 3, 2020, and that House Rule 163.3 be suspended so that the following conference committee

reports may be laid over on the members' desks for 2 hours, so that they may be eligible to be placed before the House for action:

Engrossed House Bills 1003, 1045, 1066, 1113, 1131 and 1235

Engrossed Senate Bills 1, 47, 80 and 295

LEONARD, Chair

Motion prevailed.

Representatives Austin, Bosma, Boy, Dvorak, Kirchhofer, Lehman, Macer, Pfaff, Smaltz, Speedy, Steuerwald and Wesco, who had been excused, are now present.

CONFERENCE COMMITTEE REPORT
ESB 148–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 148 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 16-18-2-188.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 188.7. "Industrialized residential structure", for purposes of IC 16-41-27, has the meaning set forth in IC 16-41-27-2.1.**

SECTION 2. IC 16-41-27-1, AS AMENDED BY P.L.87-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. This chapter recognizes mobile homes, ~~and~~ manufactured homes, **and industrialized residential structures** as suitable and necessary dwelling units in Indiana. The state department may do the following:

(1) Require reasonable standards of health, sanitation, and safety in using the dwelling units.

(2) Require:

(A) persons dwelling in mobile homes, ~~and~~ manufactured homes, **and industrialized residential structures;** and

(B) mobile home community operators;

to comply with the standards.

(3) Authorize local boards to enforce the standards adopted.

SECTION 3. IC 16-41-27-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.1. (a) As used in this chapter, "industrialized residential structure" means a structure that is both an industrialized building system (as defined in IC 22-12-1-14) and a one (1) or two (2) family private residence.**

(b) The term does not include either of the following:

(1) A manufactured home.

(2) A mobile home.

SECTION 4. IC 16-41-27-3, AS AMENDED BY P.L.87-2005, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. As used in this chapter, "local board" means a local agency of government authorized to enforce the standards of health and sanitation prescribed for:

(1) mobile homes, ~~and~~ manufactured homes, **and industrialized residential structures;** and

(2) mobile home communities by the state department.

SECTION 5. IC 16-41-27-5, AS AMENDED BY P.L.1-2007, SECTION 140, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) As used in this chapter, "mobile home community" means one (1) or more parcels of land:

(1) that are subdivided and contain individual lots that are leased or otherwise contracted;

(2) that are owned, operated, or under the control of one (1) or more persons; and

(3) on which a total of at least five (5) mobile homes, ~~or~~ manufactured homes, **or industrialized residential structures** are located for the purpose of being occupied as principal residences.

(b) The term includes the following:

(1) All real and personal property used in the operation of the mobile home community.

(2) A single parcel of land.

(3) Contiguous but separately owned parcels of land that are jointly operated.

(4) Parcels of land:

(A) that are separated by other parcels of land; and

(B) that are:

(i) jointly operated; and

(ii) connected by a private road.

(5) One (1) or more parcels of land, if at least two (2) of the mobile homes, ~~or~~ manufactured homes, **or industrialized residential structures** located on the land are:

(A) accessible from a private road or interconnected private roads;

(B) served by a common water distribution system; or

(C) served by a common sewer or septic system.

SECTION 6. IC 16-41-27-9, AS AMENDED BY P.L.87-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. A mobile home community must be in the personal charge of an adult attendant or caretaker designated by the owner or operator of the mobile home community at the times when mobile homes, ~~and~~ manufactured homes, **and industrialized residential structures** in the mobile home community are occupied by tenants. The caretaker present at the time of a violation of this chapter is equally responsible with the owner or operator of the mobile home community for a violation of this chapter.

SECTION 7. IC 16-41-27-11, AS AMENDED BY P.L.87-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) A mobile home community shall dispose of sewage through the use of a public sewerage system if the sewerage system is available within a reasonable distance from the mobile home community. If a public sewerage system is not available, sewage may be disposed of in accordance with rules adopted under section 8 of this chapter. A water carriage system of collecting sewage shall be used. The mobile home community operator shall require the owner of a mobile home to provide a watertight and odor-tight connection of a type acceptable to the state department under rules adopted by the state department.

(b) All occupied mobile homes, ~~and~~ manufactured homes, **and industrialized residential structures** shall be connected to the sewerage system of the mobile home community at all times. All sewer connections not in use must be closed in a manner that does not:

(1) emit odor; or

(2) cause a breeding place for flies.

(c) Sewerage systems other than water carriage systems may not be approved for a mobile home community, except nonwater carriage systems may be provided for emergency use only during a temporary failure of a water or an electric system.

SECTION 8. IC 16-41-27-12, AS AMENDED BY P.L.87-2005, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. Suitable garbage containers or a garbage disposal system and trash containers shall be made available in a sanitary manner to each occupied mobile home, ~~and~~ manufactured home, **and industrialized residential structure.** The garbage and trash of the mobile home community must be disposed of in a manner approved by the state department.

SECTION 9. IC 16-41-27-15, AS AMENDED BY P.L.87-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. Streets must be at least ten (10) feet wide and sufficiently wide to prevent vehicular and pedestrian traffic problems. Adequate area must be provided for the parking of vehicles. All roads in a mobile home community shall be maintained to be dust proof. Each mobile home, ~~and~~ manufactured home, **and industrialized residential structure** in a mobile home community shall have ready and free access to the road in a community.

SECTION 10. IC 16-41-27-16.6, AS ADDED BY P.L.31-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16.6. (a) Each year during National Fire Prevention Week, the operator of a mobile home community is encouraged to provide a written reminder to the owners of all manufactured homes **and industrialized residential structures** in the mobile home community to replace the batteries in all weather radios and smoke detectors contained in their manufactured homes **or industrialized residential structures.**

(b) Any reminder, assistance, or instructions provided by an operator of a mobile home community concerning the function of a weather radio or smoke detector contained in a manufactured home **or industrialized residential structure** shall not subject the operator or an owner or employee of the mobile home community to liability for the functionality of that weather radio or smoke detector.

SECTION 11. IC 16-41-27-24, AS AMENDED BY P.L.87-2005, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 24. (a) An inspection fee must be submitted to the state department with each license application. The fee is two hundred dollars ($200) for a total of not more than fifty (50) mobile home, ~~and~~ manufactured home, **and industrialized residential structure** sites and one hundred fifty dollars ($150) for each increment of not more than fifty (50) additional sites. Units of state and local government are exempt from the fee.

(b) This subsection does not apply to an application made after an enforcement action. A penalty fee of two hundred dollars ($200) for a total of not more than fifty (50) mobile home, ~~and~~ manufactured home, **and industrialized residential structure** sites and one hundred fifty dollars ($150) for each increment of not more than fifty (50) additional sites may be imposed by the state department for an application for license renewal filed after the license has expired.

SECTION 12. IC 16-41-27-29, AS AMENDED BY P.L.198-2016, SECTION 648, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 29. (a) Subject to subsection (b), the owner, operator, or caretaker of a mobile home community has a lien upon the property of a guest in the same manner, for the same purposes, and subject to the same restrictions as an innkeeper's lien or a hotel keeper's lien.

(b) With regard to a lienholder:

(1) if the property has a properly perfected secured interest; and

(2) the lienholder has notified the owner, operator, or caretaker of the mobile home community of the lienholder's lien by certified mail;

the maximum amount of the innkeeper's lien may not exceed the actual late rent owed for not more than a maximum of sixty (60) days immediately preceding notification by certified mail to the lienholder that the owner of the property has vacated the property or is delinquent in the owner's rent.

(c) If the notification to the lienholder under subsection (b) informs the lienholder that the lienholder will be responsible to the owner, operator, or caretaker of the mobile home community for payment of rent from the time the notice is received until the mobile home, ~~or~~ manufactured home, **or industrialized residential structure** is removed from the mobile home community, the lienholder is liable for the payment of rent that accrues after the notification.

SECTION 13. IC 16-41-27-31, AS AMENDED BY P.L.235-2017, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 31. (a) Each mobile home community operator shall maintain a register open for inspection by the township assessor or county assessor responsible for assessing mobile homes, ~~and~~ manufactured homes, **and industrialized residential structures** located in the mobile home community under IC 6-1.1-7 and by the state department or the state department's representatives.

(b) This subsection applies to entries made in a register described in subsection (a) before January 1, 2020. The register must contain the following for each mobile home and manufactured home in a mobile home community:

(1) The names and ages of all occupants.

(2) The name of the owner of the mobile home or manufactured home.

(c) This subsection applies to entries made in a register described in subsection (a) after December 31, 2019. The register must contain the following for each mobile home, ~~and~~ manufactured home, **and industrialized residential structure** in a mobile home community:

(1) The name of the owner of the mobile home, ~~or~~ manufactured home, **or industrialized residential structure** at the time the entry is made, as shown on the title to the mobile home, ~~or~~ manufactured home, **or industrialized residential structure.**

(2) The vehicle identification number of the mobile home, ~~or~~ manufactured home, **or industrialized residential structure.**

(3) Beginning after September 30, 2020, a copy of the title held by the owner of the mobile home, ~~or~~ manufactured home, **or industrialized residential structure** at the time the entry is made.

SECTION 14. IC 16-41-27-32, AS AMENDED BY P.L.136-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 32. (a) A governmental body other than the state department of health may not license or regulate mobile home communities, except for the following:

(1) Local boards may enforce the standards of health and sanitation prescribed for mobile homes, manufactured homes, **industrialized residential structures,** and mobile home communities by the state department.

(2) **Subject to IC 36-7-2-12,** county and municipal authorities within their respective jurisdictions have jurisdiction regarding zoning and building codes and ordinances pertaining to mobile home communities.

(3) Local boards may regulate the construction and operation of groups of a combined total of not more than four (4) mobile homes, ~~and~~ manufactured homes, **and industrialized residential structures** in accordance with standards that are compatible with standards set by the state department for mobile home communities.

(b) A governmental body other than the state department of health may not regulate mobile homes, ~~or~~ manufactured homes, **or industrialized residential structures** regarding habitability or minimum housing conditions unless the regulation is applicable in the same manner to other forms of residential housing in the jurisdiction.

(c) A governmental body may not regulate or restrict the use, occupancy, movement, or relocation of a mobile home, ~~or~~ manufactured home, **or industrialized residential structure** based upon the age of the mobile home, ~~or~~ manufactured home, **or industrialized residential structure.**

(d) A government body may not regulate or restrict the ability of a:

(1) mobile home community:
(A) owner; or
(B) manager; or
(2) manufactured home community:
(A) owner; or
(B) manager;

to obtain a dealer's license or to sell a mobile home, ~~or~~ manufactured home**, or industrialized residential structure** located within the owner's or manager's mobile home community or manufactured housing community.

SECTION 15. IC 16-41-27-32.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 32.5. In addition to any other requirement applicable to a mobile home community under this chapter, an industrialized residential structure may be located in a mobile home community if all of the following conditions are met:**

(1) The industrialized residential structure is certified under IC 22-15-4.
(2) The industrialized residential structure is placed on a lot that is not used for a mobile home or manufactured home within the mobile home community.
(3) The industrialized residential structure complies with all requirements related to:
(A) utility line placement;
(B) adequate site drainage;
(C) spacing and setbacks;
(D) minimum recreation area;
(E) water, sewer, or septic service; and
(F) any other similar requirement;

to which a mobile home or manufactured home in a mobile home community is subject.

SECTION 16. IC 16-41-27-35 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 35. (a) A mobile home community operator shall provide each owner of a mobile home, manufactured home, or industrialized residential structure located in the mobile home community written notice of the operator's intent to close the mobile home community not later than one hundred eighty (180) days before the date of the intended closure.**

(b) A mobile home community operator who violates this section commits a deceptive act that is actionable by the attorney general or a consumer under IC 24-5-0.5-4 and is subject to the remedies and penalties under IC 24-5-0.5.

SECTION 17. IC 32-31-1-20, AS AMENDED BY P.L.266-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20. (a) Subject to IC 36-1-3-8.5, this section does not apply to privately owned real property for which government funds or benefits have been allocated from the United States government, the state, or a political subdivision for the express purpose of providing reduced rents to low or moderate income tenants.

(b) A unit (as defined in IC 36-1-2-23) may not regulate rental rates for privately owned real property, through a zoning ordinance or otherwise, unless the regulation is authorized by an act of the general assembly.

(c) A unit (as defined in IC 36-1-2-23) may not regulate, through an ordinance or otherwise, any of the following aspects of a landlord-tenant relationship with respect to privately owned real property located in the unit unless the regulation is authorized by an act of the general assembly:

(1) The screening process used by a landlord in approving tenants to lease privately owned real property.
(2) Security deposits.
(3) Lease applications.
(4) Leasing terms and conditions.
(5) Disclosures concerning the:
(A) property;
(B) lease; or
(C) rights and responsibilities of the parties;

involved in a landlord-tenant relationship.
(6) The rights of the parties to a lease.
(7) Any fees charged by a landlord.
(8) Any other aspects of the landlord-tenant relationship.

Any ordinance or regulation that violates this subsection is void and unenforceable.

SECTION 18. IC 32-31-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 8.5. Retaliatory Acts by Landlords

Sec. 1. The definitions in IC 32-31-3 apply throughout this chapter.

Sec. 2. As used in this chapter, "protected activity" means any of the following actions taken by a tenant:

(1) Complaining to a governmental entity responsible for enforcing an applicable building or housing code about a violation with respect to the rental premises that materially affects health or safety.
(2) Complaining to a landlord in writing concerning the landlord's violation of IC 32-31-5-6 or IC 32-31-8-5.
(3) Bringing an action against the landlord under IC 32-31-6 or IC 32-31-8.
(4) Organizing or becoming a member of a tenant's organization.
(5) Testifying in a court proceeding or an administrative hearing against the landlord.

Sec. 3. As used in this chapter, "rental premises" has the meaning set forth in IC 32-31-7-3.

Sec. 4. As used in this chapter, "retaliatory act" means any of the following actions taken by a landlord in response to a tenant's engaging in a protected activity:

(1) Increasing the amount of the tenant's rent.
(2) Decreasing, terminating, or interfering with services provided to the rental premises.
(3) Bringing or threatening to bring an action for possession of the rental premises.
(4) Bringing or threatening to bring an action to:
(A) evict the tenant from the rental premises; or
(B) otherwise terminate the tenant's rental agreement before the expiration of the term of the rental agreement.

Sec. 5. (a) Subject to subsection (b), and except as provided in subsection (c), a landlord may not engage in a retaliatory act in response to a tenant's engaging in one (1)

or more protected activities.

(b) Subsection (a) does not prohibit a landlord from doing any of the following:

(1) Declining to renew a rental agreement at the conclusion of the term of the rental agreement.

(2) Increasing a tenant's rent to that which is charged for comparable market rentals, regardless of whether the increase is effective:

(A) at the conclusion of the term of the rental agreement; or

(B) if provided for in the rental agreement, during the term of the rental agreement.

(3) Subject to applicable law, decreasing or terminating one (1) or more services provided to the rental premises, if those services are decreased or terminated to all tenants on an equal basis.

(c) A landlord may bring an action described in section 4(3) or 4(4) of this chapter (including as a petition for an emergency possessory order under IC 32-31-6) under the following circumstances, or as otherwise authorized by law:

(1) A violation described in section 2(1) of this chapter is caused primarily by the intentional or negligent acts of, or a lack of reasonable care by:

(A) the tenant;

(B) an authorized occupant of the rental premises; or

(C) a guest or invitee of the tenant.

(2) The tenant is in default with respect to rent due and has failed to cure the default within the time set forth in:

(A) IC 32-31-1-6; or

(B) the rental agreement.

(3) Compliance with an applicable building or housing code requires alteration, remodeling, or demolition of the rental premises, such that the tenant would be effectively deprived of use of the rental premises.

(4) The tenant is in noncompliance with a provision of the rental agreement, and the noncompliance materially affects the health or safety of the tenant or others.

(5) The tenant's rental agreement is for a definite term, and the tenant holds over after expiration of the term.

(6) The landlord's action for possession of the rental premises is made:

(A) in good faith; and

(B) before the tenant engages in a protected activity.

(7) The landlord seeks in good faith to take possession of the rental premises at the end of the term of the tenant's rental agreement in order to:

(A) use the rental premises as the landlord's own abode;

(B) alter, remodel, or demolish the rental premises in a manner that requires the complete displacement of the tenant's household; or

(C) terminate for a period of at least six (6) months the use of the property as a rental unit.

Sec. 6. A unit (as defined in IC 36-1-2-23) may not adopt or enforce any:

(1) ordinance; or

(2) regulation;

concerning retaliatory acts by landlords. Any ordinance or regulation that violates this subsection is void and unenforceable.

SECTION 19. IC 36-7-2-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 12. (a) Notwithstanding IC 36-7-4-1106, a unit may not adopt or enforce an ordinance, regulation, requirement, or restriction that mandates size requirements for a manufactured home (as defined in IC 36-7-4-1106) that will be placed in a mobile home community licensed under IC 16-41-27.**

(b) Nothing in this section shall be construed to prohibit a unit from adopting or enforcing a requirement of an ordinance related to:

(1) transportation;

(2) water and sewer service; or

(3) another requirement concerning the use or development of land.

SECTION 20. IC 36-7-4-1106 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1106. (a) **This section does not affect a requirement applicable to property that is subject to the jurisdiction of a preservation commission organized under any of the following:**

(1) IC 36-7-11.

(2) IC 36-7-11.1.

(3) IC 36-7-11.2.

(4) IC 36-7-11.3.

(b) As used in this section:

(1) "Manufactured home" means a dwelling unit, designed and built in a factory, which bears a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.).

(2) "Underfloor space" means that space between the bottom of the floor joists and the earth.

(3) "Occupied space" means the total area of earth horizontally covered by the structure, excluding accessory structures such as, but not limited to, garages, patios and porches.

(4) "Permanent foundation system" includes a pier footing foundation system that is specified as suitable in the manufacturer's installation specifications for a manufactured home.

~~(b)~~ **(c)** Comprehensive plans and ordinances adopted under the provisions of this chapter may subject dwelling units and lots to identical standards and requirements, whether or not the dwelling unit to be placed on a lot is a manufactured home or some other type of dwelling unit. These standards and requirements may include but are not limited to **the following:**

(1) Setback distance.

(2) Side and rear yard area.

(3) Vehicle parking space.

(4) Minimum square footage of the dwelling unit. ~~and~~

(5) Underfloor space enclosure requirements.

(6) Aesthetics. However, aesthetic standards and requirements pertaining to the home structure itself which are adopted under this section may only pertain **to the following:**

(A) Roofing **materials** and siding materials.

(B) Permanent foundation systems of manufactured homes that are located outside of a

mobile home community licensed under IC 16-41-27. A unit may require compatibility of a permanent foundation system with surrounding residential structures. However, the unit may not require:
(i) a permanent foundation system that is incompatible with the structural design of the manufactured home; or
(ii) more than one (1) permanent foundation system for a manufactured home.

~~(c)~~ **(d)** METRO. Standards and requirements, specified in comprehensive plans and ordinances, adopted under this section for lots and dwelling units may not totally preclude all manufactured homes constructed after January 1, 1981, and that exceed twenty-three (23) feet in width and nine hundred fifty (950) square feet of occupied space, from being installed as permanent residences on any lot on which any other type of dwelling unit may be placed.

~~(d)~~ **(e)** ADVISORY–AREA. Standards and requirements, specified in comprehensive plans and ordinances, adopted under this section for lots and dwelling units may not totally preclude all manufactured homes constructed after January 1, 1981, and that exceed nine hundred fifty (950) square feet of occupied space, from being installed as permanent residences on any lot on which any other type of dwelling unit may be placed.

SECTION 21. **An emergency is declared for this act**.

(Reference is to ESB 148 as printed February 28, 2020.)

DORIOT	MILLER
YOUNG	MANNING
Senate Conferees	House Conferees

Roll Call 379: yeas 64, nays 32. Report adopted.

Representative Wolkins, who had been present, is now excused.

CONFERENCE COMMITTEE REPORT
EHB 1003–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1003 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 4-3-27-11, AS AMENDED BY P.L.143-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) As used in this section, "high school" means a high school (as defined in IC 20-18-2-7) that is:

(1) maintained by a school corporation;
(2) a charter school; or
(3) ~~an~~ **a state** accredited nonpublic school **(as defined in IC 20-18-2-18.7).**

(b) Not later than July 1, 2019, the cabinet shall develop a comprehensive career navigation and coaching system for Indiana that does both of the following:

(1) Provides timely, comprehensive, relevant, and useful information on careers, including at least:

(A) general and industry sector based regional, state, national, and global information to identify both immediate and potential career opportunities arising from:
(i) current employer needs;
(ii) developing or foreseeable talent needs and trends; and
(iii) other factors identified by the cabinet;
(B) state, regional, and local labor market supply and demand information from the department of workforce development, industry sectors, and other verifiable sources; and
(C) educational requirements and attainment information from employers, the department of workforce development, and other verifiable sources.

(2) Establishes strategies and identifies capacity to deliver career navigation and coaching to middle school, high school, postsecondary, and adult students, with priority being given to middle school and high school students, including at least:

(A) processes for identifying an individual's aptitude for and interest in, and the education and training required for, various career and employment opportunities;
(B) the use of career coaches and other coaching resources, including the work one system, employers, Ivy Tech Community College, Vincennes University, and other postsecondary educational institutions; and
(C) qualifications for career coaches and a training program to enable the career coaches to provide relevant information to the individuals being served.

(c) All high schools in Indiana shall participate in the career coaching program developed under subsection (b)(2).

(d) In developing the comprehensive career navigation and coaching system under subsection (b)(2), the cabinet shall:

(1) receive cooperation, support, and assistance from:

(A) the department of workforce development, the Indiana commission for higher education, and the department of education; and
(B) the resources, providers, and institutions that the departments and the commission listed in clause (A) use and oversee;

(2) explore approaches and models from Indiana and other states and countries;
(3) where appropriate, use pilot programs or other scaling approaches to develop and implement the comprehensive career navigation and coaching system in a cost effective and efficient manner; and
(4) work to coordinate and align resources to produce effective and efficient results to K-12 educational systems, postsecondary educational systems, the workforce development community, employers, community based

organizations, and other entities.

(e) The cabinet shall initially:

(1) focus on:

(A) students in, or of the age to be in, the last two (2) years of high school; and

(B) working age adults; and

(2) use, to the extent possible, the department of workforce development, the K-12 educational system, Ivy Tech Community College, Vincennes University, and other existing resources to implement the comprehensive career navigation and coaching system with a later expansion of the system, as appropriate, to all K-12 and postsecondary schools and institutions and their students.

(f) Not later than July 1, 2019, the cabinet shall submit to:

(1) the governor;

(2) the commission for higher education;

(3) the state board of education; and

(4) the general assembly in an electronic format under IC 5-14-6;

operating and funding recommendations to implement the comprehensive career navigation and coaching system.

SECTION 2. IC 5-2-10.1-13, AS ADDED BY P.L.211-2018(ss), SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. A charter school (as defined in IC 20-24-1-4) or ~~an~~ **a state** accredited nonpublic school **(as defined in IC 20-18-2-18.7)** may do one (1) or more of the following:

(1) Designate an individual to serve as the school safety specialist for the school and comply with section 9 of this chapter.

(2) Establish a school safety plan in accordance with this chapter.

(3) Establish a safe school committee as described under section 12 of this chapter.

SECTION 3. IC 5-3-1-3, AS AMENDED BY P.L.238-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Within sixty (60) days after the expiration of each calendar year, the fiscal officer of each civil city and town in Indiana shall publish an annual report of the receipts and expenditures of the city or town during the preceding calendar year.

(b) Not earlier than August 1 or later than August 15 of each year, the secretary of each school corporation in Indiana shall publish **either:**

(1) an annual financial report; **or**

(2) a summary of the annual financial report with a description of how to find and view the full annual fiscal report on the Internet. The summary must include the following:

(A) The total amounts for:

(i) approved budget receipts for each property tax fund and the total for the approved budget receipts for all of the property tax funds combined; and

(ii) actual receipts for each property tax fund and the total for the approved budget receipts for all of the property tax funds combined.

(B) The total amounts for:

(i) approved budget expenditures for each property tax fund and the total for the approved budget expenditures for all of the property tax funds combined; and

(ii) actual expenditures for all property tax funds and the total for the approved budget receipts for all of the property tax funds combined.

(C) The minimum teacher salary range.

(D) The maximum teacher salary range.

(E) High school extracurricular salaries for head athletic coaches and orchestra, music, and band leaders.

(F) The salary ranges for noncertificated employees (as defined in IC 20-29-2-11) classifications.

(G) The:

(i) lowest salary;

(ii) highest salary; and

(iii) average salary;

for a certificated administrative staff employee.

(H) Student enrollment disaggregated by grade level.

(I) The total assessed valuation for property and the property tax rate per property tax fund for the past two (2) years.

(J) The type of indebtedness for the school corporation and the amount of principal that is outstanding.

(c) In the annual financial report the school corporation shall include the following:

(1) Actual receipts and expenditures by major accounts as compared to the budget advertised under IC 6-1.1-17-3 for the prior calendar year.

(2) The salary schedule for all certificated employees (as defined in IC 20-29-2-4) as of June 30, with the number of employees at each salary increment. However, the listing of salaries of individual teachers is not required.

(3) The extracurricular salary schedule as of June 30.

(4) The range of rates of pay for all noncertificated employees by specific classification.

(5) The number of employees who are full-time certificated, part-time certificated, full-time noncertificated, and part-time noncertificated.

(6) The lowest, highest, and average salary for the administrative staff and the number of administrators without a listing of the names of particular administrators.

(7) The number of students enrolled at each grade level and the total enrollment.

(8) The assessed valuation of the school corporation for the prior and current calendar year.

(9) The tax rate for each fund for the prior and current calendar year.

(10) In the education fund and operations fund, a report of the total payment made to each vendor from each fund in excess of two thousand five hundred dollars ($2,500) during the prior calendar year. However, a school corporation is not required to include more than two hundred (200) vendors whose total payment to each vendor was in excess of two

thousand five hundred dollars ($2,500). A school corporation shall list the vendors in descending order from the vendor with the highest total payment to the vendor with the lowest total payment above the minimum listed in this subdivision.

(11) A statement providing that the contracts, vouchers, and bills for all payments made by the school corporation are in its possession and open to public inspection.

(12) The total indebtedness as of the end of the prior calendar year showing the total amount of notes, bonds, certificates, claims due, total amount due from such corporation for public improvement assessments or intersections of streets, and any and all other evidences of indebtedness outstanding and unpaid at the close of the prior calendar year.

(d) The school corporation may provide an interpretation or explanation of the information included in the financial report.

(e) The department of education shall do the following:

(1) Develop guidelines for the preparation and form of the financial report.

(2) Provide information to assist school corporations in the preparation of the financial report.

(f) The annual reports required by this section and IC 36-2-2-19 and the abstract required by IC 36-6-4-13 shall each be published one (1) time only, in accordance with this chapter.

(g) Each school corporation shall submit to the department of education a copy of the financial report required under this section. The department of education shall make the financial reports available ~~for public inspection.~~ **on the department of education's Internet web site.**

(h) As used in this subsection, "bonds" means any bonds, notes, or other evidences of indebtedness, whether payable from property taxes, other taxes, revenues, fees, or any other source. However, the term does not include notes, warrants, or other evidences of indebtedness that have a maturity of not more than five (5) years and that are made in anticipation of and to be paid from revenues of the school corporation. Notwithstanding any other law, a school corporation may not issue any bonds unless the school corporation has filed the annual financial report required under subsection (b) with the department of education. The requirements under this subsection for the issuance of bonds by a school corporation are in addition to any other requirements imposed under any other law. This subsection applies to the issuance of bonds authorized under any statute, regardless of whether that statute specifically references this subsection or the requirements under this subsection.

SECTION 4. IC 6-3-2-22, AS ADDED BY P.L.229-2011, SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 22. (a) The following definitions apply throughout this section:

(1) "Dependent child" means an individual who:

(A) is eligible to receive a free elementary or high school education in an Indiana school corporation;

(B) qualifies as a dependent (as defined in Section 152 of the Internal Revenue Code) of the taxpayer; and

(C) is the natural or adopted child of the taxpayer or, if custody of the child has been awarded in a court proceeding to someone other than the mother or father, the court appointed guardian or custodian of the child.

If the parents of a child are divorced, the term refers to the parent who is eligible to take the exemption for the child under Section 151 of the Internal Revenue Code.

(2) "Education expenditure" refers to any expenditures made in connection with enrollment, attendance, or participation of the taxpayer's dependent child in a private elementary or high school education program. The term includes tuition, fees, computer software, textbooks, workbooks, curricula, school supplies (other than personal computers), and other written materials used primarily for academic instruction or for academic tutoring, or both.

(3) "Private elementary or high school education program" means attendance at:

(A) a nonpublic school (as defined in IC 20-18-2-12); or

(B) ~~an~~ **a state** accredited nonpublic school **(as defined in IC 20-18-2-18.7);**

in Indiana that satisfies a child's obligation under IC 20-33-2 for compulsory attendance at a school. The term does not include the delivery of instructional service in a home setting to a dependent child who is enrolled in a school corporation or a charter school.

(b) This section applies to taxable years beginning after December 31, 2010.

(c) A taxpayer who makes an unreimbursed education expenditure during the taxpayer's taxable year is entitled to a deduction against the taxpayer's adjusted gross income in the taxable year.

(d) The amount of the deduction is:

(1) one thousand dollars ($1,000); multiplied by

(2) the number of the taxpayer's dependent children for whom the taxpayer made education expenditures in the taxable year.

A husband and wife are entitled to only one (1) deduction under this section.

(e) To receive the deduction provided by this section, a taxpayer must claim the deduction on the taxpayer's annual state tax return or returns in the manner prescribed by the department.

SECTION 5. IC 9-21-12-20.5, AS ADDED BY P.L.144-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20.5. (a) As used in this section, "elementary school":

(1) has the meaning set forth in IC 20-18-2-4; and

(2) includes public elementary schools and **state** accredited nonpublic elementary schools **that voluntarily become accredited under IC 20-31-4.1.**

(b) As used in this section, "governing body" has the meaning set forth in IC 20-18-2-5.

(c) If a school bus driver must load or unload an elementary school student at a location that requires the student to cross a roadway that is a U.S. route or state route as described in section 20(a)(1) of this chapter, the superintendent or the superintendent's designee shall present the school bus route described in this subsection to the governing body for approval.

SECTION 6. IC 9-27-6-3, AS AMENDED BY P.L.85-2013, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) As used in this chapter, "driver training school" means:

(1) a business enterprise that:

(A) is conducted by an individual,

an association, a partnership, a limited liability company, or a corporation for the education and training of persons, practically or theoretically, or both, to operate or drive motor vehicles or to prepare an applicant for an examination or validation under IC 9-24 for a driver's license; and

(B) charges consideration or tuition for the provision of services; or

(2) a driver education program operated under the authority of:

(A) a school corporation (as defined in IC 36-1-2-17);

(B) a **state accredited** nonpublic secondary school that voluntarily becomes accredited under ~~IC 20-19-2-8;~~ **IC 20-31-4.1;**

~~(C) a nonpublic secondary school recognized under IC 20-19-2-10;~~

~~(D)~~ **(C)** a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9);

~~(E)~~ **(D)** a postsecondary credit bearing proprietary educational institution (as defined in IC 21-18.5-2-12);

~~(F)~~ **(E)** a state educational institution (as defined in IC 21-7-13-32); or

~~(G)~~ **(F)** a nonaccredited nonpublic school.

(b) The term does not include a business enterprise that educates or trains a person or prepares a person for an examination or a validation given by the bureau to operate or drive a motor vehicle as a vocation.

SECTION 7. IC 9-27-6-6, AS AMENDED BY P.L.149-2015, SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) To establish or operate a driver training school, the driver training school must obtain a driver training school license from the bureau in the manner and form prescribed by the bureau.

(b) Subject to subsections (c) and (d), the bureau shall adopt rules under IC 4-22-2 that state the requirements for obtaining a driver training school license.

(c) The rules adopted under subsection (b) must permit a licensed driver training school to provide classroom training during which an instructor is present in a county outside the county where the driver training school is located to the students of:

(1) a school corporation (as defined in IC 36-1-2-17);

(2) a **state accredited** nonpublic secondary school that voluntarily becomes accredited under ~~IC 20-19-2-8;~~ **IC 20-31-4.1;**

~~(3) a nonpublic secondary school recognized under IC 20-19-2-10;~~

~~(4)~~ **(3)** a state educational institution; or

~~(5)~~ **(4)** a nonaccredited nonpublic school.

However, the rules must provide that a licensed driver training school may provide classroom training in an entity listed in ~~subdivisions~~ **subdivision** (1) ~~through (3)~~ **or (2)** only if the governing body of the entity approves the delivery of the training to its students.

(d) The rules adopted under subsection (b) must provide that driver education instruction may not be provided to a child less than fifteen (15) years of age.

SECTION 8. IC 10-21-1-1, AS AMENDED BY P.L.50-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The following definitions apply throughout this chapter:

(1) "Accredited nonpublic school" means a nonpublic school ~~(as described under IC 20-18-2-12)~~ that:

(A) has voluntarily become accredited under ~~IC 20-19-2-8.~~ **IC 20-31-4.1; or**

(B) is accredited by a national or regional accrediting agency that is recognized by the state board of education.

(2) "Active event warning system" refers to a system that includes services and technology that will notify available law enforcement agencies in the area of a school building of a life threatening emergency.

(3) "ADM" refers to average daily membership determined under IC 20-43-4-2. In the case of a school corporation career and technical education school described in IC 20-37-1-1, "ADM" refers to the count on a full-time equivalency basis of students attending the school on the date ADM is determined under IC 20-43-4-2.

(4) "Board" refers to the secured school safety board established by section 3 of this chapter.

(5) "Fund" refers to the Indiana secured school fund established by section 2 of this chapter.

(6) "Law enforcement agency" refers to a state, local, or federal agency or department that would respond to an emergency event at a school, including both on duty and off duty officers within the agency or department.

(7) "Local plan" means the school safety plan described in IC 20-26-18.2-2(b).

(8) "School corporation or charter school" refers to an individual school corporation, a school corporation career and technical education school described in IC 20-37-1-1, or a charter school but also includes:

(A) a coalition of school corporations;

(B) a coalition of charter schools; or

(C) a coalition of both school corporations and charter schools;

that intend to jointly employ a school resource officer or to jointly apply for a matching grant under this chapter, unless the context clearly indicates otherwise.

(9) "School official" refers to an employee of a school corporation, charter school, or accredited nonpublic school who has access to an active event warning system.

(10) "School resource officer" has the meaning set forth in IC 20-26-18.2-1.

SECTION 9. IC 16-35-8-1, AS AMENDED BY P.L.149-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. As used in this chapter, "child" means a child who is:

(1) at least three (3) years of age and less than seven (7) years of age; or

(2) enrolled in a public school, **state** accredited nonpublic school **(as defined in IC 20-18-2-18.7),** or nonaccredited nonpublic school in kindergarten through grade 12.

SECTION 10. IC 16-41-37.5-2, AS AMENDED BY P.L.168-2009, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The

state department shall before July 1, 2010:

(1) adopt rules under IC 4-22-2 to establish an indoor air quality inspection, evaluation, and employee notification program to assist state agencies in improving indoor air quality; and

(2) amend 410 IAC 6-5.1 or adopt new rules under IC 4-22-2 to do the following:

(A) Establish an indoor air quality inspection, evaluation, and parent and employee notification program to assist schools in improving indoor air quality.

(B) Establish best practices to assure healthful indoor air quality in schools.

(b) Subject to subsection (c), the state department shall:

(1) inspect a school or state agency if the state department receives a complaint about the quality of air in the school or state agency;

(2) prepare a report, which may be in letter form, that:

(A) describes the state department's inspection findings;

(B) identifies any conditions that are contributing or could contribute to poor indoor air quality at the school or state agency, including:

(i) carbon dioxide levels;

(ii) humidity;

(iii) evidence of mold or water damage; and

(iv) excess dust;

(C) provides guidance on steps the school or state agency should take to address any issues; and

(D) requests a response from the school or state agency not later than sixty (60) days after the date of the report;

(3) report the results of the inspection to:

(A) the person who complained about the quality of air;

(B) the school's principal or the state agency head;

(C) the superintendent of the school corporation, if the school is part of a school corporation;

(D) the Indiana state board of education, if the school is a public school or ~~an~~ **a state** accredited nonpublic school **(as defined in IC 20-18-2-18.7);**

(E) the Indiana department of administration, if the inspected entity is a state agency; and

(F) the appropriate local or county board of health; and

(4) assist the school or state agency in developing a reasonable plan to improve air quality conditions found in the inspection.

(c) A complaint referred to in subsection (b)(1):

(1) must be in writing; and

(2) may be made by electronic mail.

(d) The state department may release the name of a person who files a complaint referred to in subsection (b)(1) only if the person has authorized the release in writing.

SECTION 11. IC 16-41-37.5-2.5, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.5. (a) Before July 31, 2019, the state department shall distribute a manual of best practices for managing indoor air quality at schools as described in this section. The state department may use a manual on indoor air quality in schools developed by a federal health or environmental agency or another state and make additions or revisions to the manual to make the manual most useful to Indiana schools. The manual must include recommendations for radon testing. The state department shall provide the manual:

(1) to:

(A) the legislative council; and

(B) the department of education;

in an electronic format under IC 5-14-6; and

(2) to the facilities manager and superintendent of each school corporation and the chief administrative officer of each **state** accredited nonpublic school **(as defined in IC 20-18-2-18.7).**

(b) At least once every three (3) years the **state** department shall:

(1) review and revise the manual developed under subsection (a) to assure that the manual continues to represent best practices available to schools; and

(2) distribute the manual to individuals listed in subsection (a)(2).

SECTION 12. IC 20-18-2-18.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 18.7. "State accredited nonpublic school" means a nonpublic school that has voluntarily become accredited under IC 20-31-4.1.**

SECTION 13. IC 20-18-2-18.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 18.8. "State accredited school" means a public or nonpublic school that is accredited under IC 20-31-4.1.**

SECTION 14. IC 20-19-2-8, AS AMENDED BY P.L.242-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) In addition to any other powers and duties prescribed by law, the state board shall adopt rules under IC 4-22-2 concerning, but not limited to, the following matters:

(1) The designation and employment of the employees and consultants necessary for the department. The state board shall fix the compensation of employees of the department, subject to the approval of the budget committee and the governor under IC 4-12-2.

(2) The establishment and maintenance of standards and guidelines for media centers, libraries, instructional materials centers, or any other area or system of areas in a school where a full range of information sources, associated equipment, and services from professional media staff are accessible to the school community. With regard to library automation systems, the state board may only adopt rules that meet the standards established by the state library board for library automation systems under IC 4-23-7.1-11(b).

(3) The establishment and maintenance of standards for student personnel and guidance services.

~~(4) The inspection of all public schools in Indiana to determine the condition of the schools. The state board shall establish standards governing the accreditation of public schools. Observance of:~~

~~(A) IC 20-31-4;~~

~~(B) IC 20-28-5-2;~~
~~(C) IC 20-28-6-3 through IC 20-28-6-7;~~
~~(D) IC 20-28-11.5; and~~
~~(E) IC 20-31-3, IC 20-32-4, IC 20-32-5 (for school years ending before July 1, 2018), IC 20-32-5.1 (for school years beginning after June 30, 2018), and IC 20-32-8;~~

~~is a prerequisite to the accreditation of a school. Local public school officials shall make the reports required of them and otherwise cooperate with the state board regarding required inspections. Nonpublic schools may also request the inspection for classification purposes. Compliance with the building and site guidelines adopted by the state board is not a prerequisite of accreditation.~~

~~(5)~~ **(4)** The distribution of funds and revenues appropriated for the support of schools in the state.

~~(6) The state board may not establish an accreditation system for nonpublic schools that is less stringent than the accreditation system for public schools.~~

~~(7) A separate system for recognizing nonpublic schools under IC 20-19-2-10. Recognition of nonpublic schools under this subdivision constitutes the system of regulatory standards that apply to nonpublic schools that seek to qualify for the system of recognition.~~

~~(8)~~ **(5)** The establishment and enforcement of standards and guidelines concerning the safety of students participating in cheerleading activities.

~~(9)~~ **(6)** Subject to IC 20-28-2, the preparation and licensing of teachers.

(b) Before final adoption of any rule, the state board shall make a finding on the estimated fiscal impact that the rule will have on school corporations.

SECTION 15. IC 20-19-2-10 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 10. (a) It is the policy of the state that the state:~~

~~(1) recognizes that nonpublic schools provide education to children in Indiana;~~
~~(2) has an interest in ensuring that all Indiana children are well educated in both curricular and extracurricular programs; and~~
~~(3) should facilitate the transferability of comparable academic credit between appropriate nonpublic schools and state supported educational institutions.~~

~~(b) The state board shall implement a system of recognition of the educational programs of nonpublic schools to fulfill the policy set forth in subsection (a).~~

~~(c) The system of recognition described under subsection (b) must:~~

~~(1) be voluntary in nature with respect to the nonpublic school;~~
~~(2) recognize the characteristics that distinguish nonpublic schools from public schools; and~~
~~(3) be a recognition system that is separate from the accreditation standards required of public schools and available to nonpublic schools under section 8(a)(4) of this chapter.~~

~~(d) This section does not prohibit a nonpublic school from seeking accreditation under section 8(a)(4) of this chapter.~~

~~(e) The department shall waive accreditation standards for an accredited nonpublic alternative school that enters into a contract with a school corporation to provide alternative education services for students who have:~~

~~(1) dropped out of high school;~~
~~(2) been expelled; or~~
~~(3) been sent to the nonpublic alternative school due to the students' lack of success in the public school environment;~~

~~to accommodate the nonpublic alternative school's program and student population. A nonpublic alternative school to which this subsection applies is not subject to being placed in a category or designation under IC 20-31-8-4. However, the nonpublic alternative school must comply with all state reporting requirements and submit a school improvement growth model on the anniversary date of the nonpublic alternative school's original accreditation.~~

~~(f) The state board may accredit a nonpublic school under this section at the time the nonpublic school begins operation in Indiana.~~

~~(g) The state board shall adopt rules under IC 4-22-2 to implement this section.~~

SECTION 16. IC 20-19-2-11 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 11. (a) As used in this section, "plan" refers to a strategic and continuous school improvement and achievement plan developed under IC 20-31-5.~~

~~(b) A plan must:~~

~~(1) conform to the requirements of IC 20-31-5; and~~
~~(2) include a professional development program.~~

~~(c) The governing body may do the following for a school that participates in a plan:~~

~~(1) Invoke a waiver of a rule adopted by the state board under IC 20-31-5-5(b).~~
~~(2) Develop a plan for the admission of students who do not reside in the school's attendance area but have legal settlement in the school corporation.~~

~~(d) In approving a school corporation's actions under this section, the state board shall consider whether the governing body has done the following:~~

~~(1) Approved a school's plan.~~
~~(2) Demonstrated the support of the exclusive representative only for the professional development program component of the plan.~~

~~(e) The state board may waive any statute or rule relating to curriculum in accordance with IC 20-31-5-5.~~

~~(f) As part of the plan, the governing body may develop and implement a policy to do the following:~~

~~(1) Allow the transfer of a student who resides in the school's attendance area but whose parent requests that the student attend another school in the school corporation of legal settlement.~~
~~(2) Inform parents of their rights under this section.~~

~~(g) The state board shall adopt rules under IC 4-22-2 to implement this section.~~

SECTION 17. IC 20-19-8-3, AS ADDED BY P.L.174-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The legislative council is urged to assign to the study committee during the 2019, 2020, 2021, and 2022 interims the study of the following:

(1) How to do the following:

(A) Eliminate, reduce, or streamline the number of education mandates placed on schools.

(B) Streamline fiscal and compliance reporting to the general assembly on a sustainable and systematic basis.

(2) During the 2019 interim, the following:

(A) The following provisions:

IC 5-2-10.1-11 (school safety specialist).

IC 5-11-1-27 (local government internal control standards).

IC 20-20-40-13 (restraint and seclusion; notice requirement; training; elements of the restraint and seclusion plan).

IC 20-26-5-34.2 (bullying prevention; training for employees and volunteers).

IC 20-26-13 (graduation rate determination).

IC 20-26-16-4 (school corporation police officer minimum training requirements).

IC 20-26-18 (criminal gang measures).

IC 20-26-18.2 (school resource officers).

IC 20-28-3-4.5 (training on child abuse and neglect).

IC 20-28-3-6 (youth suicide awareness and prevention training).

IC 20-28-3-7 (training on human trafficking).

~~IC 20-28-5-3(c) (cardiopulmonary resuscitation training).~~

IC 20-34-7 (student athletes: concussions and head injuries).

(B) The relation, if applicable, of any requirements under provisions listed in clause (A) with the following federal provisions, and whether any of the requirements under provisions listed in clause (A) or other state law can be streamlined with the federal provisions to alleviate administrative burdens for schools:

29 CFR 1910.1030 (bloodborne pathogens).

29 CFR 1910.147 (lock out/tag out).

(3) During the 2020 interim, the following:

(A) The following provisions:

IC 5-11-1-27 (local government internal control standards).

IC 5-22-8-2 (purchases below fifty thousand dollars ($50,000)).

IC 20-19-6.2 (Indiana family friendly school designation program).

IC 20-26-3-5 (constitutional or statutory exercise of powers; written policy).

IC 20-26-5-1 (power and purpose to conduct various education programs).

IC 20-26-5-10 (adoption of criminal history background and child protection index check policy; implementation of policy).

IC 20-26-5-34.4 (child suicide awareness and prevention).

IC 20-33-2-14 (compulsory attendance; school corporation policy; exceptions; service as page or honoree of general assembly).

IC 20-33-8-12 (adoption of discipline rules; publicity requirement; discipline policy regulations and guidelines; delegation of authority; rulemaking powers of governing body).

IC 20-33-8-13.5 (discipline rules prohibiting bullying required).

IC 20-33-8-32 (locker searches).

IC 20-43-10-3.5 (teacher appreciation grants).

410 IAC 33-4-3 (vehicles idling).

410 IAC 33-4-7 (policy for animals in the classroom).

410 IAC 33-4-8 (policy to minimize student exposure to chemicals).

511 IAC 6-10-4 (postsecondary enrollment program local policies).

511 IAC 6.1-5-9 (required homework policy).

511 IAC 6.1-5-10 (policy prohibiting retaining students for athletic purposes).

511 IAC 7-36-9 (medication administration).

511 IAC 7-42-10 (least restrictive environment and delivery of special education and related services).

(B) The relation, if applicable, of any requirements under provisions listed in clause (A) with the following federal provisions, and whether any of the requirements under provisions listed in clause (A) or any other state law can be streamlined with the federal provisions to alleviate administrative burdens for schools:

20 U.S.C. 1232h(c) and 34 CFR 98.3 (parental access to instructional materials).

20 U.S.C. 6318(a)(2) (parent and family engagement).

20 U.S.C. 7961(h)(1) (Gun-Free Schools Act).

41 U.S.C. 8103 and 34 CFR 84 (drug-free workplace).

42 U.S.C. 1751 through 42 U.S.C. 1769 (school lunch).

7 CFR 210.31 (local school wellness policy).

(4) During the 2021 interim, the following:

(A) The following provisions:

IC 5-3-1-3(b) through IC 5-3-1-3(e) and IC 5-3-1-3(g) (publication of annual financial report).

IC 20-18-2-2.7 (definition of "curricular material").

IC 20-19-2-8 (adoption of administrative rules by the state board).

IC 20-19-2-16 (federal aid concerning children with disabilities).

IC 20-19-3-9.4 (disclosure of student test number information).
IC 20-20-8-8 (school corporation annual performance report).
IC 20-20-33 (alternative education program grants).
IC 20-26-13 (graduation rate determination).
IC 20-28-5-1 (department's responsibility for licensing teachers).
IC 20-28-11.5-9 (staff performance evaluation reporting).
IC 20-30-8 (alternative program for certain students).
IC 20-33-2-3.2 (definition of "attend").
IC 20-33-5-7 (public schools; curricular material assistance; state reimbursement).
IC 20-34-6 (student safety reporting).
IC 20-35-5-2 (formation of special education cooperative).
IC 20-36 (high ability students).
IC 20-43-1-3 (definition of "honors designation award").
IC 20-43-4-2 (determination of ADM).
IC 20-43-10-3 (determination of annual performance grant).
IC 21-12-10 (eligibility for Mitch Daniels early graduation scholarship).
511 IAC 6-9.1 (waiver of curriculum and graduation rules for high ability students).
511 IAC 6.2-3.1 (reading plan).
511 IAC 7-46-4 (child count data collection).
511 IAC 10-6-4(a)(1) (staff evaluation measures).
511 IAC 16-2-7 (creditable experience for licensing).
(B) The relation, if applicable, of any requirements under provisions listed in clause (A) with the following federal provisions and whether any of the requirements under provisions listed in clause (A) or other state law can be streamlined with the federal provisions to alleviate administrative burdens for schools:
20 U.S.C. 3413(c)(1) (civil rights data collection).
Individuals with Disabilities Education Act (IDEA), Section 618 Part C (child count reporting requirements).
Elementary and Secondary Education Act of 1965 (ESEA), Section 8303, as amended by the Every Student Succeeds Act (ESSA) (consolidated reporting).
34 CFR 300.601 (state performance plans and data collection).

(5) During the 2022 interim, the following provisions:
IC 20-30-5-5.5 (instruction on bullying prevention).
IC 20-30-5-5.7 (child abuse and child sexual abuse).
IC 20-30-5-7 (required curriculum).
IC 20-30-5-8 (safety instruction).
IC 20-30-5-9 (hygiene instruction).
IC 20-30-5-10 (disease instruction).
IC 20-30-5-11 (drug education).
IC 20-30-5-12 (AIDS education).
IC 20-30-5-13 (human sexuality and sexually transmitted diseases instructional requirements).
IC 20-30-5-14 (career awareness and development).
IC 20-30-5-15 (breast cancer and testicular cancer education).
IC 20-30-5-16 (human organ and blood donor program education).
IC 20-30-5-17 (access to materials; consent for participation).
IC 20-30-5-18 (meningitis information).
IC 20-30-5-19 (personal financial responsibility instruction).
IC 20-30-5-20 (instruction in cardiopulmonary resuscitation).
IC 20-30-5-23 (computer studies).

(b) The study committee shall include in its annual report for each interim the study committee's recommendations, including any recommendations to the general assembly as to whether a provision described in subsection (a)(2)(A), (a)(3)(A), (a)(4)(A), or (a)(5) should repealed or whether the provision may be improved to lessen the administrative burden placed on schools.

(c) This chapter expires January 1, 2023.

SECTION 18. IC 20-20-5.5-3, AS AMENDED BY P.L.286-2013, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The state superintendent shall notify the governing bodies of each school corporation, charter school, and **state** accredited nonpublic school immediately of:

(1) the initial publication and annual update on the department's Internet web site of the report described in section 2(c) of this chapter, including the Internet web site address where the report is published; and
(2) updates of the following types of information in the report described in section 2(c) of this chapter:
(A) The addition of materials.
(B) The removal of materials.
(C) Changes in the per unit price of curricular materials that exceed five percent (5%).

(b) A notification under this section must state that:

(1) the reviews of curricular materials included in the report described in section 2(c) of this chapter are departmental reviews only; and
(2) each governing body has authority to adopt curricular materials for a school corporation.

SECTION 19. IC 20-20-8-3, AS AMENDED BY P.L.233-2015, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Not earlier than March 15 or later than March 31 of each year, the governing body of a school corporation shall publish **either:**

(1) an annual performance report of the school corporation; **or**

(2) a summary of the annual performance report with a description of how to find and view the full annual performance report on the Internet. The summary must include the following:

(A) Student enrollment.

(B) Graduation rate (as defined in IC 20-26-13-6) and the graduation rate excluding students that receive a graduation waiver under IC 20-32-4-4.1 or IC 20-32-4-4.

(C) Attendance rate.

(D) All state standardized assessment scores, including the number and percentage of students meeting academic standards.

(E) The school's performance category or designation of school improvement assigned under IC 20-31-8.

(F) The percentage of graduates considered college and career ready in a manner prescribed by the state board.

(G) Financial information and various school cost factors required to be provided to the office of management and budget under IC 20-42.5-3-5.

~~in compliance with the procedures identified in section 7 of this chapter.~~ The report **or summary** must be published one (1) time annually under IC 5-3-1.

(b) The department shall make each school corporation's report available on the department's Internet web site. The annual performance report published on the Internet for a school corporation, including a charter school, must include any additional information submitted by the school corporation under section 6(3)(A) of this chapter. The governing body of a school corporation shall make the school corporation's report available on a prominent page of a school corporation's Internet web site.

(c) The governing body of a school corporation shall provide a copy of the report to a person who requests a copy. The governing body may not charge a fee for providing the copy.

SECTION 20. IC 20-20-40-8, AS ADDED BY P.L.122-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. As used in this chapter, "school employee" means an individual employed by a school corporation or ~~an~~ **a state** accredited nonpublic school.

SECTION 21. IC 20-20-40-11, AS AMENDED BY P.L.191-2018, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) The commission on seclusion and restraint in schools is established.

(b) The commission has the following ten (10) members:

(1) The designee of the state superintendent, who serves at the pleasure of the state superintendent.

(2) A representative of the Autism Society of Indiana, chosen by the organization, who serves a two (2) year term.

(3) A representative of the Arc of Indiana, chosen by the organization, who serves a two (2) year term.

(4) A representative of the Indiana Council of Administrators of Special Education, chosen by the organization, who serves a two (2) year term.

(5) A representative of Mental Health America of Indiana, chosen by the organization, who serves a two (2) year term.

(6) A parent of a student with a disability, nominated by a member described in subdivisions (2), (3), and (5) and approved by a majority of the members described in subdivisions (1) through (5) and (8) through (10), who serves a two (2) year term.

(7) A parent of a student who does not have a disability, nominated by a member described in subdivisions (2), (3), and (5) and approved by a majority of the members described in subdivisions (1) through (5) and (8) through (10), who serves a two (2) year term.

(8) One (1) **state** accredited nonpublic school administrator nominated by the Indiana Non-public Education Association, who serves a two (2) year term.

(9) One (1) public school superintendent nominated by the Indiana Association of Public School Superintendents, who serves a two (2) year term.

(10) One (1) member of the Indiana School Resource Officers Association chosen by the organization, who serves a two (2) year term.

(c) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). A member who is not a state employee is also entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

SECTION 22. IC 20-20-40-13, AS AMENDED BY P.L.227-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) The commission has the following duties:

(1) To adopt rules concerning the following:

(A) The use of restraint and seclusion in a school corporation or ~~an~~ **a state** accredited nonpublic school, with an emphasis on eliminating or minimizing the use of restraint and seclusion.

(B) The prevention of the use of types of restraint or seclusion that may harm a student, a school employee, a school volunteer, or the educational environment of the school.

(C) Requirements for notifying parents.

(D) Training regarding the use of restraint and seclusion, including the frequency of training and what employees must be trained.

(E) The distribution of the seclusion and restraint policy to parents and the public.

(F) Requirements for the reporting of incidents of restraint and seclusion in the annual school performance report, including incidents of restraint and seclusion involving school resource officers (as defined in IC 20-26-18.2-1).

(G) Circumstances that may

require more timely incident reporting and the requirements for such reporting.

(2) To develop, maintain, and revise a model restraint and seclusion plan for schools that includes the following elements:

(A) A statement on how students will be treated with dignity and respect and how appropriate student behavior will be promoted and taught.

(B) A statement ensuring that the school will use prevention, positive behavior intervention and support, and conflict deescalation to eliminate or minimize the need for use of any of the following:

(i) Seclusion.

(ii) Chemical restraint.

(iii) Mechanical restraint.

(iv) Physical restraint.

(C) A statement ensuring that any behavioral intervention used will be consistent with the student's most current behavioral intervention plan, or individualized education program, if applicable.

(D) Definitions for restraint and seclusion, as defined in this chapter.

(E) A statement ensuring that if a procedure listed in clause (B) is used, the procedure will be used:

(i) as a last resort safety procedure, employed only after another, less restrictive procedure has been implemented without success; and

(ii) in a situation in which there is an imminent risk of injury to the student, other students, school employees, or visitors to the school.

(F) An indication that restraint or seclusion may be used only for a short time period, or until the imminent risk of injury has passed.

(G) A documentation and recording requirement governing instances in which procedures listed in clause (B) are used, including:

(i) how every incident will be documented and debriefed;

(ii) how responsibilities will be assigned to designated employees for evaluation and oversight; and

(iii) designation of a school employee to be the keeper of such documents.

(H) A requirement that the student's parent must be notified as soon as possible when an incident involving the student occurs that includes use of procedures listed in clause (B).

(I) A requirement that a copy of an incident report must be sent to the student's parent after the student is subject to a procedure listed in clause (B).

(J) Required recurrent training for appropriate school employees on the appropriate use of effective alternatives to physical restraint and seclusion, including the use of positive behavioral intervention and support and conflict deescalation. The training must include the safe use of physical restraint and seclusion in incidents involving imminent danger or serious harm to the student, school employees, or others. Consideration must be given to available school resources and the time commitments of school employees.

(3) To accept and review reports from the public and make nonbinding recommendations to the department of any suggested action to be taken.

(b) The model policy developed by the commission must take into consideration that implementation and reporting requirements for **state** accredited nonpublic schools may vary, and the model plan must provide **state** accredited nonpublic schools flexibility with regards to accountability under and implementation of the plan adopted by ~~an~~ **a state** accredited nonpublic school under section 14 of this chapter.

SECTION 23. IC 20-20-40-14, AS AMENDED BY P.L.227-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) A school corporation or **state** accredited nonpublic school shall adopt a restraint and seclusion plan that incorporates, at a minimum, the elements of the model plan developed under section 13 of this chapter. The school corporation's or **state** accredited nonpublic school's plan must become effective not later than July 1, 2014.

(b) The department has the authority to require schools to submit plans developed in accordance with section 13 of this chapter.

SECTION 24. IC 20-20-40-15, AS ADDED BY P.L.122-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) Nothing in this chapter may be construed to prevent a school employee from stopping a physical altercation, acting to prevent physical harm to a student or another individual, or acting to address an emergency until the emergency is over, whether or not the school employee has received training under this chapter.

(b) This chapter may not be construed to give rise to a cause of action, either civil or criminal, against the state, the department, a school corporation, ~~an~~ **a state** accredited nonpublic school, the commission, or a member of the commission.

(c) In all matters relating to the plan adopted under section 14 of this chapter, school corporation or **state** accredited nonpublic school personnel have qualified immunity with respect to an action taken to promote student conduct under a plan adopted under section 14 of this chapter if the action is taken in good faith and is reasonable.

SECTION 25. IC 20-25-13-5, AS AMENDED BY P.L.13-2013, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. Development and implementation of a staff performance evaluation plan for each school is a condition for accreditation for the school under ~~IC 20-19-2-8(a)(4).~~ **IC 20-31-4.1.**

SECTION 26. IC 20-26-5-34.2, AS ADDED BY P.L.285-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 34.2. A school corporation shall provide training to the school corporation's employees and volunteers who have direct, ongoing contact

with students concerning the school's bullying prevention and reporting policy adopted under IC 20-33-8-13.5. **The training shall be conducted in a manner prescribed by the state board under IC 20-28-5.5-1.**

SECTION 27. IC 20-26-7.1-3, AS ADDED BY P.L.270-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) Before a governing body may sell or exchange a building described in this section in accordance with IC 20-25-4-14, ~~IC 20-26-5-4(7),~~ **IC 20-26-5-4(a)(7),** or IC 20-26-7-1, and except as provided in this chapter, a governing body shall make available for lease or purchase to any charter school any school building owned by the school corporation or any other entity that is related in any way to, or created by, the school corporation or the governing body, including but not limited to a building corporation, that:

(1) is vacant or unused; and

(2) was previously used for classroom instruction;

in order for the charter school to conduct kindergarten through grade 12 classroom instruction.

(b) The following are not required to comply with the requirements provided in section 4 of this chapter:

(1) A governing body that vacates a school building in order to:

(A) renovate the school building for future use by the school corporation; or

(B) demolish the school building and build a new school building on the same site as the demolished building.

(2) An emergency manager of a distressed school corporation under IC 6-1.1-20.3.

(3) The governing body of the School City of East Chicago school corporation for the Carrie Gosch Elementary School building.

(c) Notwithstanding subsection (a), a lease entered into by a governing body under ~~IC 20-26-5-4(7)~~ **IC 20-26-5-4(a)(7)** prior to July 1, 2019, with ~~an~~ **a state** accredited nonpublic school shall remain in full force and effect. In addition, the governing body may, during or at the expiration of the term of such lease, sell the school building leased under ~~IC 20-26-5-4(7)~~ **IC 20-26-5-4(a)(7)** to the nonpublic school at a purchase price mutually agreed to by the governing body and the nonpublic school.

SECTION 28. IC 20-26-7.1-7, AS ADDED BY P.L.270-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. **(a) As used in this section, "accredited nonpublic school" means a nonpublic school that:**

(1) has voluntarily become accredited under IC 20-31-4.1; or

(2) is accredited by a national or regional accrediting agency that is recognized by the state board.

~~(a)~~ **(b)** This section applies to a school building with a gross square footage of two hundred thousand (200,000) square feet or less.

~~(b)~~ **(c)** If the school corporation receives notification from the department that the department has not received any preliminary requests to purchase or lease a vacant or unused school building under section 4(c)(1) of this chapter or a charter school has not met the requirements under section 4(c)(2) or 4(e) of this chapter, the school corporation must sell the school building to an accredited nonpublic school or postsecondary educational institution that sends a letter of intent to the school corporation to purchase the vacant or unused school building for an amount not more than the minimum bid for the vacant or unused school building determined in accordance with IC 36-1-11, or an amount agreed to by both parties.

~~(c)~~ **(d)** The accredited nonpublic school or postsecondary educational institution must submit its letter of intent to purchase the school building within thirty (30) days of the date the school corporation passes a resolution or takes other official action to close, no longer use, or no longer occupy a school building that was previously used for classroom instruction. However, in the event that a charter school has submitted a preliminary request to purchase or lease a school building, the accredited nonpublic school or postsecondary educational institution may send a letter of intent to purchase or lease the school building within ninety (90) days of the date that the school corporation passed a resolution or took official action to close, no longer use, or no longer occupy a school building.

~~(d)~~ **(e)** Within forty-five (45) days of notice of the minimum bid, the accredited nonpublic school or postsecondary educational institution must provide a binding offer to the school corporation to purchase the property in its current condition and provide a nonrefundable down payment equal to five percent (5%) of the minimum bid or an amount agreed to by both parties. In the event that two (2) or more binding offers are submitted to the school corporation under this subsection, the school corporation may select which offer to accept.

~~(e)~~ **(f)** If the sale of the property does not close within one hundred eighty (180) days of the school corporation's receipt of the binding offer, and the delay in closing is not caused by the school corporation or its representatives, the school corporation may refund the down payment and sell or otherwise dispose of the school building under IC 20-25-4-14, ~~IC 20-26-5-4(7),~~ **IC 20-26-5-4(a)(7),** or IC 36-1-11.

SECTION 29. IC 20-26-11-6.7, AS ADDED BY P.L.17-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6.7. (a) This section:

(1) applies to a school corporation that does not have a policy of accepting transfer students having legal settlement outside the attendance area of the transferee school corporation; and

(2) does not apply to a school corporation that has more than one (1) high school.

(b) Notwithstanding this chapter, a school corporation shall accept a transferring student who resides in Indiana and who does not have legal settlement in the school corporation if:

(1) the student attended ~~an~~ **a state** accredited nonpublic elementary school located in the attendance area of the transferee school corporation for at least two (2) school years immediately preceding the school year in which the student transfers to a high school in the transferee school corporation under this section;

(2) the student is transferring because the **state** accredited nonpublic school from which the student is transferring does not offer grades 9 through 12;

(3) the majority of the students in the same grade as the transferring student at the **state** accredited nonpublic school have legal settlement in the transferee school corporation and will attend a school under the authority of the transferee school corporation; and

(4) the transferee school corporation has the capacity to accept students.

(c) If the number of students who request to transfer to a transferee school corporation under this section causes the school corporation to exceed the school corporation's maximum student capacity, the governing body shall determine which students will be admitted as transfer students by a random drawing in a public meeting.

SECTION 30. IC 20-26-11-31, AS AMENDED BY P.L.251-2017, SECTION 4, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 31. (a) This section applies to a school corporation that enrolls a student who has legal settlement in another school corporation for the purpose of the student receiving services from ~~an~~ **a state** accredited nonpublic alternative high school described in ~~IC 20-19-2-10(c).~~ **IC 20-31-4.1-2(c).**

(b) A school corporation is entitled to receive state tuition support for a student described in subsection (a) in an amount equal to:

(1) the amount received by the school corporation in which the student is enrolled for ADM purposes; or

(2) the amount received by the school corporation in which the student has legal settlement;

whichever is greater.

SECTION 31. IC 20-26-11-32, AS AMENDED BY P.L.86-2018, SECTION 177, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 32. (a) This section does not apply to a school corporation if the governing body has adopted a policy of not accepting the transfer of any student who does not have legal settlement within the school corporation.

(b) The governing body of a school corporation shall annually establish:

(1) except as provided in subsection (m), the number of transfer students the school corporation has the capacity to accept in each grade level; and

(2) the date by which requests to transfer into the school corporation must be received by the governing body.

(c) After establishing the date under subsection (b)(2), the governing body shall:

(1) publish the date on the school corporation's Internet web site; and

(2) report the date to the department.

(d) The department shall publish the dates received from school corporations under subsection (c)(2) on the department's Internet web site.

(e) A student to whom this section applies may not request to transfer under this section primarily for athletic reasons to a school corporation in which the student does not have legal settlement.

(f) If the number of requests to transfer into a school corporation received by the date established for the school corporation under subsection (b)(2) exceeds the capacity established for the school corporation under subsection (b)(1), each timely request must be given an equal chance to be accepted, with the exception that a student described in subsection (h) shall be given priority. The governing body must determine which students will be admitted as transfer students to each school building and each grade level within the school corporation by using a publicly verifiable random selection process.

(g) Except as provided in subsections (i), (j), (k), and (m), the governing body of a school corporation may not deny a request for a student to transfer into the school corporation based upon the student's academic record, scores on statewide assessment program tests, disciplinary record, or disability, or upon any other factor not related to the school corporation's capacity.

(h) Except as provided in subsections (i), (j), and (k), the governing body of a school corporation may not deny a request for a student to transfer into the school corporation if the student requesting to transfer:

(1) is a member of a household in which any other member of the household is a student in the transferee school; or

(2) has a parent who is an employee of the school corporation.

(i) A governing body of a school corporation may limit the number of new transfers to a school building or grade level in the school corporation:

(1) to ensure that a student who attends a school within the school corporation as a transfer student during a school year may continue to attend the school in subsequent school years; and

(2) to allow a student described in subsection (h) to attend a school within the school corporation.

(j) Notwithstanding subsections (f), (g), and (h), a governing body of a school corporation may deny a request for a student to transfer to the school corporation or may discontinue enrollment currently or in a subsequent school year, or establish terms or conditions for enrollment or for continued enrollment in a subsequent school year, if:

(1) the student has been suspended (as defined in IC 20-33-8-7) or expelled (as defined in IC 20-33-8-3) during the twelve (12) months preceding the student's request to transfer under this section:

(A) for ten (10) or more school days;

(B) for a violation under IC 20-33-8-16;

(C) for causing physical injury to a student, a school employee, or a visitor to the school; or

(D) for a violation of a school corporation's drug or alcohol rules; or

(2) the student has had a history of unexcused absences and the governing body of the school corporation believes that, based upon the location of the student's residence, attendance would be a problem for the student if the student is enrolled with the school corporation.

For purposes of subdivision (1)(A), student discipline received under IC 20-33-8-25(b)(7) for a violation described in subdivision (1)(B) through (1)(D) shall be included in the calculation of the number of school days that a student has been suspended.

(k) The governing body of a school corporation with a school building that offers a special curriculum may require a student who transfers to the school building to meet the same eligibility criteria required of all students who attend the school building that offers the special curriculum.

(l) The parent of a student for whom a request to transfer is made is responsible for providing the school corporation to which the request is made with records or information necessary for the school corporation to determine whether the request to transfer may be denied under subsection (j).

(m) Notwithstanding this section, the governing body of a school corporation may authorize the school corporation to enter into an agreement with ~~an~~ **a state** accredited nonpublic school or charter school to allow students of the **state** accredited nonpublic school or charter school to transfer to a school within the school corporation.

(n) A school corporation that has adopted a policy to not accept student transfers after June 30, 2013, is not prohibited from enrolling a:

(1) transfer student who attended a school within the school corporation during the 2012-2013 school year; or

(2) member of a household in which any other member of the household was a transfer student who attended a school within the school corporation during the 2012-2013 school year.

However, if a school corporation enrolls a student described in

subdivision (1) or (2), the school corporation shall also allow a student or member of the same household of a student who attended ~~an~~ **a state** accredited nonpublic school within the attendance area of the school corporation during the 2012-2013 school year to enroll in a school within the school corporation.

SECTION 32. IC 20-26-13-1, AS ADDED BY P.L.1-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. This chapter applies to:

(1) a public high school; and

(2) ~~an~~ **a state** accredited nonpublic high school.

SECTION 33. IC 20-26-14-9, AS ADDED BY P.L.169-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) Before a school corporation, charter high school, or nonpublic high school with at least one (1) employee hires or allows an individual to coach an association recognized sport, the school corporation, charter high school, or nonpublic high school shall:

(1) ask the individual:

(A) whether the individual is or has been accredited by the association; and

(B) if the individual is or has been accredited by the association, whether the individual's accreditation has ever been suspended or revoked;

(2) request references from the individual;

(3) contact the references that the individual provides to the school corporation, charter school, or **state** accredited nonpublic high school; and

(4) contact the association to determine whether the individual's accreditation has ever been suspended or revoked.

(b) Before allowing an individual to be a volunteer coach, a school corporation, charter high school, or nonpublic high school with at least one (1) employee shall conduct an expanded criminal history check (as defined in IC 20-26-2-1.5) on the individual.

(c) Without conferring the rights of an employee on a volunteer coach, a school corporation, charter high school, or nonpublic high school with at least one (1) employee is subject to IC 22-5-3-1 regarding a volunteer coach, including the provisions for civil immunity regarding disclosures made about a volunteer coach.

SECTION 34. IC 20-26-15-4, AS ADDED BY P.L.1-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) **Subject to subsection (c),** the state board and the governing body of a school corporation must enter into a contract that complies with this chapter to designate a school corporation as a freeway school corporation or a school within a school corporation as a freeway school if a school corporation:

(1) petitions the state board for designation as a freeway school corporation or to have a school within the school corporation designated as a freeway school; and

(2) agrees to comply with this chapter.

(b) A school corporation becomes a freeway school corporation and a school becomes a freeway school when the contract is signed by:

(1) the state superintendent, acting for the state board after a majority of the members of the state board have voted in a public session to enter into the contract; and

(2) the president of the governing body of the school corporation, acting for the governing body of the school corporation after a majority of the members of the governing body have voted in a public session to enter into the contract.

(c) The state board and the governing body of a school corporation may not enter into, renew, or otherwise extend a contract under this chapter after June 30, 2020.

SECTION 35. IC 20-26-15-5, AS AMENDED BY P.L.140-2018, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. Notwithstanding any other law, the operation of the following is suspended for a freeway school corporation or a freeway school if the governing body of the school corporation elects to have the specific statute or rule suspended in the contract:

(1) The following statutes and rules concerning curriculum and instructional time:

IC 20-30-2-7
IC 20-30-5-8
IC 20-30-5-9
IC 20-30-5-11
511 IAC 6-7-6
511 IAC 6.1-5-0.5
511 IAC 6.1-5-1
511 IAC 6.1-5-2.5
511 IAC 6.1-5-3.5
511 IAC 6.1-5-4.

(2) The following rule concerning pupil/teacher ratios:

511 IAC 6.1-4-1.

(3) The following statutes and rules concerning curricular materials:

IC 20-26-12-24
IC 20-26-12-26
IC 20-26-12-1
IC 20-26-12-2
511 IAC 6.1-5-5.

(4) 511 IAC 6-7, concerning graduation requirements.

(5) ~~IC 20-31-4,~~ **IC 20-31-4.1,** concerning the performance based accreditation system.

(6) IC 20-32-5 (before its expiration on July 1, 2018), concerning the ISTEP program established under IC 20-32-5-15, if an alternative locally adopted assessment program is adopted under section 6(4) of this chapter.

SECTION 36. IC 20-26-15-9, AS ADDED BY P.L.1-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. **(a) Subject to subsection (b),** the governing body of a freeway school corporation and the state board acting jointly may amend a contract entered into under this chapter:

(1) to comply with any law enacted subsequent to the formation of the contract;

(2) to alter the educational benefits to a level that is not below the minimum educational benefits listed in section 7 of this chapter; or

(3) for a purpose jointly agreed to by the parties.

(b) An amendment made under subsection (a) may not extend the term of a contract in effect on June 30, 2020.

SECTION 37. IC 20-26-15-13, AS AMENDED BY P.L.251-2017, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) **Subject to subsection (f),** a nonpublic school may enter into a contract with the state board to become a freeway school.

(b) The state board and the governing body of a nonpublic school must enter into a contract that complies with this chapter to designate the nonpublic school as a freeway school if the nonpublic school:

(1) petitions the state board for designation as a freeway school; and

(2) agrees to comply with this chapter.

(c) A nonpublic school becomes a freeway school when the contract is signed by:

(1) the state superintendent, acting for the state board after a majority of the members of the board have voted in a public session to enter into the contract; and

(2) the president of the governing body of the nonpublic school, acting for the governing body of the nonpublic school after a majority of the members of the governing body have voted to enter into the contract.

(d) The state board shall accredit a nonpublic school that:

(1) becomes a freeway school under this chapter; and

(2) complies with the terms of the contract.

(e) The state board may accredit a nonpublic school under this section at the time the nonpublic school enters into the contract under subsection (a).

(f) The state board and the governing body of a nonpublic school may not enter into, renew, or otherwise extend a contract under this chapter after June 30, 2020.

SECTION 38. IC 20-26-15-16 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 16. This chapter expires July 1, 2025.**

SECTION 39. IC 20-26-18.2-4, AS ADDED BY P.L.227-2017, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. A school corporation, ~~an~~ **a state** accredited nonpublic school, or a charter school shall report all instances of:

(1) seclusion (as defined in IC 20-20-40-9);

(2) chemical restraint (as defined in IC 20-20-40-2);

(3) mechanical restraint (as defined in IC 20-20-40-4); and

(4) physical restraint (as defined in IC 20-20-40-5);

involving a school resource officer in accordance with the restraint and seclusion plan adopted by the school corporation, **state** accredited nonpublic school, or charter school under IC 20-20-40-14.

SECTION 40. IC 20-26.5-1-2, AS ADDED BY P.L.190-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. As used in this article, "coalition member" refers to a school corporation, eligible school (as defined in IC 20-51-1-4.7), or **state** accredited nonpublic school that is approved by the state board under IC 20-26.5-2 to become a member of a coalition established under IC 20-26.5-2.

SECTION 41. IC 20-26.5-2-1, AS ADDED BY P.L.190-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) The state board may approve not more than one (1) coalition of continuous improvement school districts under this chapter to offer flexibility and innovation to schools to improve student outcomes.

(b) To establish a coalition under this chapter, at least four (4), but not more than a total of eight (8), of any of the following must jointly submit a plan to the state board in a manner prescribed by the state board:

(1) A school corporation.

(2) An eligible school (as defined in IC 20-51-1-4.7).

(3) ~~An~~ **A state** accredited nonpublic school.

(c) The plan submitted under subsection (b) must include:

(1) a description of the various educational programs that will be offered by members of the proposed coalition;

(2) a description that identifies potential coalition member partnerships with:

(A) business or industry;

(B) postsecondary educational institutions; or

(C) community partners;

(3) the specific goals and the measurable student outcomes to be obtained by the proposed coalition members; and

(4) an explanation of how student performance in achieving the specific outcomes will be measured, evaluated, and reported.

If a plan submitted to the state board includes a request to suspend all or portions of IC 20-30 for a proposed coalition, the plan must include how the specific goal of the proposed coalition will be achieved by suspending all or portions of IC 20-30. The state board may approve a plan that proposes to suspend all or portions of IC 20-30 only if the suspension is related to a specific goal of the proposed coalition.

(d) The state board may approve a coalition under this chapter if the state board determines that the coalition will:

(1) improve student performance and outcomes;

(2) offer coalition members flexibility in the administration of educational programs; and

(3) promote innovative educational approaches to student learning.

(e) The plan approved by the state board under subsection (d) must apply uniformly for each member of the coalition.

(f) Upon approval of the coalition by the state board under subsection (d), the state board shall post the following on the state board's Internet web site:

(1) A copy of the plan approved by the state board under subsection (d).

(2) Information describing how a school corporation, an eligible school (as defined in IC 20-51-1-4.7), or ~~an~~ **a state** accredited nonpublic school may submit an application to become a coalition member to the coalition under section 2(b) of this chapter.

SECTION 42. IC 20-26.5-2-2, AS ADDED BY P.L.190-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Subject to subsection (b), if the state board approves a coalition under section 1(d) of this chapter, the applicants that jointly submitted an application under section 1 of this chapter become coalition members.

(b) In addition to the coalition members described in subsection (a), a school corporation, an eligible school (as defined in IC 20-51-1-4.7), or ~~an~~ **a state** accredited nonpublic school may become a coalition member by submitting an application to the coalition, in a manner prescribed by the coalition. The coalition may submit a recommendation to the state board that an applicant under this subsection should be approved to participate in the coalition. Subject to subsection (c), the state board shall approve an application submitted under this subsection.

(c) For:

(1) the 2018-2019 school year, not more than a total of eight (8) school corporations, eligible schools (as defined in IC 20-51-1-4.7), or **state** accredited nonpublic schools may participate in the coalition;

(2) the 2019-2020 school year, not more than a total of twelve (12) school corporations, eligible schools (as defined in IC 20-51-1-4.7), or **state** accredited nonpublic schools may participate in the coalition; and

(3) the 2020-2021 school year, not more than a total of sixteen (16) school corporations, eligible schools (as defined in IC 20-51-1-4.7), or **state** accredited nonpublic schools may participate in the coalition.

(d) Beginning in the 2021-2022 school year and each school year thereafter, the state board shall limit the number of coalition members to thirty (30) school corporations, eligible schools (as defined in IC 20-51-1-4.7), or **state** accredited nonpublic schools.

SECTION 43. IC 20-26.5-2-3, AS AMENDED BY P.L.267-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) Notwithstanding any other law, the following may be suspended for a coalition member in accordance with the coalition's plan:

(1) Subject to section 1(c) of this chapter, IC 20-30, concerning curriculum.

(2) The following statutes and rules concerning curricular materials:

IC 20-26-12-1.
IC 20-26-12-2.
IC 20-26-12-24.
IC 20-26-12-26.
511 IAC 6.1-5-5.

(3) The following rules concerning teacher licenses:

511 IAC 16.
511 IAC 17.

(4) Subject to subsection (c), IC 20-31-3 (concerning the adoption of academic standards).

(5) ~~IC 20-31-4,~~ **IC 20-31-4.1,** concerning the performance based accreditation system.

(6) Except as provided in subsection (b), any other statute in IC 20 or rule in 511 IAC requested to be suspended as part of the plan that is approved by the state board under section 1 of this chapter.

(b) A coalition member may not suspend under subsection (a)(6) any of the following:

(1) IC 20-26-5-10 (criminal history and child protection index check).

(2) IC 20-28 (school teachers).

(3) IC 20-29 (collective bargaining).

(4) IC 20-31 (accountability for performance and improvement), except for IC 20-31-3 and ~~IC 20-31-4.~~ **IC 20-31-4.1.**

(5) Subject to subsection (c), IC 20-32-4 (graduation requirements).

(6) IC 20-32-5.1 (Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program).

(7) IC 20-33 (students).

(8) IC 20-34 (student health and safety measures).

(9) IC 20-35 (special education).

(10) IC 20-36 (high ability students).

(11) IC 20-39 (accounting and financial reporting procedures).

(12) IC 20-40 (government funds and accounts).

(13) IC 20-41 (extracurricular funds and accounts).

(14) IC 20-42 (fiduciary funds and accounts).

(15) IC 20-42.5 (allocation of expenditures to student instruction and learning).

(16) IC 20-43 (state tuition support).

(17) IC 20-44 (property tax levies).

(18) IC 20-46 (levies other than general fund levies).

(19) IC 20-47 (related entities; holding companies; lease agreements).

(20) IC 20-48 (borrowing and bonds).

(21) IC 20-49 (state management of common school funds; state advances and loans).

(22) IC 20-50 (homeless children and foster care children).

(c) A coalition member must comply with the postsecondary readiness competency requirements under IC 20-32-4-1.5(b)(1). However, notwithstanding any other law, a coalition member may replace high school courses on the high school transcript with courses on the same subject matter with equal or greater rigor to the required high school course and may count such a course as satisfying the equivalent diploma requirements established by IC 20 and any applicable state board administrative rules or requirements. If the coalition member school offers courses that are not aligned with requirements adopted by the state board under IC 20-30-10, a parent of a student and the student who intends to enroll in a course that is not aligned with requirements adopted by the state board under IC 20-30-10 must provide consent to the coalition member school to enroll in the course. The consent form used by the coalition, which shall be developed in collaboration with the commission for higher education, must notify the parent and the student that enrollment in the course may affect the student's ability to attend a particular postsecondary educational institution or enroll in a particular course at a particular postsecondary educational institution because the course does not align with requirements established by the state board under IC 20-30-10.

SECTION 44. IC 20-27-10-0.5, AS ADDED BY P.L.144-2019, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 0.5. (a) On or before September 1, 2019, and each September 1 thereafter, each school corporation, charter school, and **state** accredited nonpublic school that provides transportation for students must review the school's school bus routes and school bus safety policies to improve the safety of students and adults.

(b) The state school bus committee, in consultation with the department, shall develop and post on the department's Internet web site school bus safety guidelines or best practices. The guidelines or best practices must include procedures to be taken to ensure that students do not enter a roadway until approaching traffic has come to a complete stop.

(c) In addition to the requirements under subsection (b), the department, in consultation with the department of transportation, shall include on the department's Internet web site information on how an individual or school may petition to reduce maximum speed limits in areas necessary to ensure that students are safely loaded onto or unloaded from a school bus.

SECTION 45. IC 20-28-3-3.5, AS ADDED BY P.L.220-2015, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3.5. The guidelines developed under section 3 of this chapter must incorporate methods that assist individuals in developing competency in employing approaches to create positive classroom and school climates that are culturally responsive, including:

(1) classroom management strategies;

(2) restorative justice;

(3) positive behavioral interventions and supports;

(4) social and emotional training as described in IC 12-21-5-2, ~~IC 20-19-2-10,~~ IC 20-19-3-12, and IC 20-26-5-34.2; and

(5) conflict resolution.

SECTION 46. IC 20-28-3-4.5, AS ADDED BY P.L.183-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4.5. (a) Each school corporation, charter school, and **state** accredited nonpublic school shall require each school employee likely to have direct, ongoing contact with children within the scope of the employee's employment to attend or participate in training on child abuse and neglect, including:

(1) training on the duty to report suspected child abuse or neglect under IC 31-33-5; and

(2) training on recognizing possible signs of child abuse or neglect;

~~at least once every two (2) years.~~ **in a manner prescribed by the state board under IC 20-28-5.5-1.**

~~(b) The format of training under this section may include:~~

~~(1) an in-person presentation;~~

~~(2) an electronic or technology based medium, including self-review modules available on an online system;~~

~~(3) an individual program of study of designated materials; or~~

~~(4) any other method approved by the governing body that is consistent with current professional development standards.~~

~~(c)~~ **(b)** The training required under this section must count toward the requirements for professional development required by the governing body.

~~(d)~~ **(c) In the event the state board does not require training to be completed as part of a teacher preparation program under IC 20-28-5.5-1,** the training required under this section must be during the school employee's contracted day or at a time chosen by the employee.

SECTION 47. IC 20-28-3-6, AS AMENDED BY P.L.56-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) For purposes of this section, "teacher" includes the following:

(1) A superintendent who holds a license under IC 20-28-5.

(2) A principal.

(3) A teacher.

(4) A librarian.

(5) A school counselor.

(6) A school psychologist.

(7) A school nurse.

(8) A school social worker.

(b) Beginning after June 30, 2018, each school corporation, charter school, and **state** accredited nonpublic school:

(1) shall require all teachers; and

(2) may require any other appropriate school employees;

who are employed at schools that provide instruction to students in any combination of grade 5, 6, 7, 8, 9, 10, 11, or 12 to attend or participate in ~~at least two (2) hours of~~ research based inservice youth suicide awareness and prevention training ~~every three (3) school years.~~ **in a manner prescribed by the state board under IC 20-28-5.5-1.** The training required under this subsection must be during the teacher's or school employee's contracted day or at a time chosen by the teacher or employee.

~~(c) Subject to subsection (e), the format of training required under this section may include:~~

~~(1) an in-person presentation;~~

~~(2) an electronic or technology based medium, including self-review modules available on an online system;~~

~~(3) an individual program of study of designated materials; or~~

~~(4) any other method approved by the governing body that is consistent with current professional development standards.~~

~~(d)~~ **(c)** The inservice training required under this section shall count toward the requirements for professional development required by the governing body.

~~(e) The research based youth suicide awareness and prevention training program required under subsection (b) must be:~~

~~(1) demonstrated to be an effective or promising program; and~~

~~(2) recommended by the Indiana Suicide Prevention Network Advisory Council.~~

~~(f)~~ **(d)** A school or school corporation may leverage any:

(1) existing or new state and federal grant funds; or

(2) free or reduced cost evidence based youth suicide awareness and prevention training provided by any state agency or qualified statewide or local organization;

to cover the costs of the training required under this section.

SECTION 48. IC 20-28-3-7, AS ADDED BY P.L.211-2018(ss), SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) Each school corporation and **state** accredited nonpublic school shall require all school employees likely to have direct, ongoing contact with children within the scope of the employee's employment to attend or participate in ~~at least one (1) hour of~~ inservice training ~~every two (2) school years~~ pertaining to the identification and reporting of human trafficking. **The training shall be conducted in a manner prescribed by the state board under IC 20-28-5.5-1.**

~~(b) The format of the inservice training required under this section may include:~~

~~(1) an in-person presentation;~~

~~(2) an electronic or technology based medium, including self-review modules available on an online system;~~

~~(3) an individual program of study of designated materials; or~~

~~(4) any other method approved by the governing body, or the equivalent authority for an accredited nonpublic school, that is consistent with current professional development standards.~~

~~(c)~~ **(b)** The inservice training required under this section shall count toward the requirements for professional development required by the governing body or the equivalent authority for ~~an~~ **a state** accredited nonpublic school.

SECTION 49. IC 20-28-4-10, AS AMENDED BY P.L.205-2013, SECTION 251, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) The state board may adopt rules under IC 4-22-2 to administer this chapter.

(b) Rules adopted under this section must include a requirement that entities approved to offer the program submit an annual report to the department of the number of individuals who:

(1) enroll in; and

(2) complete;

the program.

(c) Rules adopted under this section may not require that there be a shortage of other licensed teachers in order for the governing body of a school corporation, including a charter school, or the appointing authority of ~~an~~ **a state** accredited nonpublic school to employ a program participant.

(d) Rules adopted under this section may not impose program requirements, participant qualification requirements, or licensing requirements that are in addition to the requirements set forth in this chapter.

SECTION 50. IC 20-28-5-3, AS AMENDED BY P.L.85-2017, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The department shall designate the grade point average required for each type of license.

(b) The department shall determine details of licensing not provided in this chapter, including requirements regarding the following:

(1) The conversion of one (1) type of license into another.

(2) The accreditation of teacher education schools and departments.

(3) The exchange and renewal of licenses.

(4) The endorsement of another state's license.

(5) The acceptance of credentials from teacher education institutions of another state.
(6) The academic and professional preparation for each type of license.
(7) The granting of permission to teach a high school subject area related to the subject area for which the teacher holds a license.
(8) The issuance of licenses on credentials.
(9) The type of license required for each school position.
(10) The size requirements for an elementary school requiring a licensed principal.
(11) Any other related matters.

The department shall establish at least one (1) system for renewing a teaching license that does not require a graduate degree.

~~(c) This subsection does not apply to an applicant for a substitute teacher license or to an individual granted a license under section 18 of this chapter. After June 30, 2011, the department may not issue an initial practitioner license at any grade level to an applicant for an initial practitioner license unless the applicant shows evidence that the applicant:~~

~~(1) has successfully completed training approved by the department in:~~

~~(A) cardiopulmonary resuscitation that includes a test demonstration on a mannequin;~~
~~(B) removing a foreign body causing an obstruction in an airway;~~
~~(C) the Heimlich maneuver; and~~
~~(D) the use of an automated external defibrillator;~~

~~(2) holds a valid certification in each of the procedures described in subdivision (1) issued by:~~

~~(A) the American Red Cross;~~
~~(B) the American Heart Association; or~~
~~(C) a comparable organization or institution approved by the state board; or~~

~~(3) has physical limitations that make it impracticable for the applicant to complete a course or certification described in subdivision (1) or (2).~~

~~The training in this subsection applies to a teacher (as defined in IC 20-18-2-22(b)).~~

~~(d) This subsection does not apply to an applicant for a substitute teacher license or to an individual granted a license under section 18 of this chapter. After June 30, 2013, the department may not issue an initial teaching license at any grade level to an applicant for an initial teaching license unless the applicant shows evidence that the applicant has successfully completed education and training on the prevention of child suicide and the recognition of signs that a student may be considering suicide.~~

~~(e) This subsection does not apply to an applicant for a substitute teacher license. After June 30, 2012, the department may not issue a teaching license renewal at any grade level to an applicant unless the applicant shows evidence that the applicant:~~

~~(1) has successfully completed training approved by the department in:~~

~~(A) cardiopulmonary resuscitation that includes a test demonstration on a mannequin;~~
~~(B) removing a foreign body causing an obstruction in an airway;~~
~~(C) the Heimlich maneuver; and~~
~~(D) the use of an automated external defibrillator;~~

~~(2) holds a valid certification in each of the procedures described in subdivision (1) issued by:~~

~~(A) the American Red Cross;~~
~~(B) the American Heart Association; or~~
~~(C) a comparable organization or institution approved by the state board; or~~

~~(3) has physical limitations that make it impracticable for the applicant to complete a course or certification described in subdivision (1) or (2).~~

~~(f)~~ **(c)** The department shall periodically publish bulletins regarding:

(1) the details described in subsection (b);
(2) information on the types of licenses issued;
(3) the rules governing the issuance of each type of license; and
(4) other similar matters.

SECTION 51. IC 20-28-5-15, AS AMENDED BY P.L.121-2009, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. (a) Notwithstanding section 3(b)(6) of this chapter, the department shall grant an initial practitioner's license in a specific subject area to an applicant who:

(1) has earned a postgraduate degree from a regionally accredited postsecondary educational institution in the subject area in which the applicant seeks to be licensed;
(2) has at least one (1) academic year of experience teaching students in a middle school, high school, or college classroom setting; and
(3) complies with sections 4 and 12 of this chapter.

(b) An individual who receives an initial practitioner's license under this section may teach in the specific subject for which the individual is licensed only in:

(1) high school; or
(2) middle school;

if the subject area is designated by the state board as having an insufficient supply of licensed teachers.

(c) After receiving an initial practitioner's license under this section, an applicant who seeks to renew the applicant's initial practitioner's license or obtain a proficient practitioner's license must:

(1) demonstrate that the applicant has:

(A) participated in cultural competency professional development activities;
(B) obtained training and information from a special education teacher concerning exceptional learners; and
(C) received:
(i) training or certification that complies; or
(ii) an exemption from compliance;
with the standards ~~set forth in section 3(c) of this chapter;~~ **prescribed by the state board under IC 20-28-5.5-1(b);** and

(2) meet the same requirements as other candidates.

SECTION 52. IC 20-28-5-18, AS ADDED BY P.L.106-2016, SECTION 9, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) This section applies to an individual who:

(1) holds a valid teaching license issued by another state (excluding a teaching license equivalent to an Indiana temporary or emergency teaching license) in the same content area or areas for which the individual is applying for a license in Indiana; and

(2) was required to pass a content licensure test to obtain the license described in subdivision (1).

(b) Notwithstanding sections 3 and 12 of this chapter, the department shall grant one (1) of the following licenses to an individual described in subsection (a):

(1) If the individual has less than three (3) years of full-time teaching experience, an initial practitioner's license.

(2) If the individual has at least three (3) years of full-time teaching experience, a practitioner's license.

(c) An individual who is granted a license under this section shall comply with ~~section 3(c) and 3(d) of this chapter not later than twelve (12) months after the date the individual's license is issued.~~ **the training or certification requirements prescribed by the state board under IC 20-28-5.5-1(b).**

SECTION 53. IC 20-28-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 5.5. Training for Teachers

Sec. 1. (a) The state board shall determine the timing, frequency, whether training requirements can be combined or merged, and the method of training, including whether the training should be required for purposes of obtaining or renewing a license under IC 20-28-5, or, in consultation with teacher preparation programs (as defined in IC 20-28-3-1(b)), as part of the completion requirements for a teacher preparation program for training required under the following sections:

IC 20-26-5-34.2.
IC 20-28-3-4.5.
IC 20-28-3-6.
IC 20-28-3-7.
IC 20-34-7-6.
IC 20-34-7-7.

However, nothing in this subsection shall be construed to authorize the state board to suspend or otherwise eliminate training requirements described in this subsection.

(b) In addition to the training described in subsection (a), the department shall, in a manner prescribed by the state board:

(1) ensure a teacher has training in:

(A) cardiopulmonary resuscitation that includes a test demonstration on a mannequin;

(B) removing a foreign body causing an obstruction in an airway;

(C) the Heimlich maneuver; and

(D) the use of an automated external defibrillator;

(2) ensure a teacher holds a valid certification in each of the procedures described in subdivision (1) issued by:

(A) the American Red Cross;

(B) the American Heart Association; or

(C) a comparable organization or institution approved by the state board; or

(3) determine if a teacher has physical limitations that make it impracticable to complete a course or certification described in subdivision (1) or (2).

The state board shall determine the timing, frequency, whether training requirements can be combined or merged, and the method of training or certification, including whether the training or certification should be required for purposes of obtaining or renewing a license under IC 20-28-5, or, in consultation with teacher preparation programs (as defined in IC 20-28-3-1(b)), as part of the completion requirements for a teacher preparation program. However, the frequency of the training may not be more frequent and the method of training may not be more stringent than required in IC 20-28-5-3(c) through IC 20-28-5-3(e), as in effect on January 1, 2020. Nothing in this subsection shall be construed to authorize the state board to suspend or otherwise eliminate training requirements described in this subsection.

(c) The state board may recommend to the general assembly in a report in an electronic format under IC 5-14-6, to eliminate training requirements described in subsection (a) or (b).

(d) In determining the training requirements for a school corporation, charter school, or accredited nonpublic school for training required under:

(1) IC 20-26-5-34.2;
(2) IC 20-28-3-4.5;
(3) IC 20-28-3-6; or
(4) IC 20-28-3-7;

the state board may consider whether a particular teacher received the training described in this subsection as part of the teacher's licensing requirements or at a teacher preparation program when determining whether the particular teacher is required to receive the training by the school corporation, charter school, or accredited nonpublic school.

Sec. 2. The department shall:

(1) publish the requirements established by the state board under this chapter on the department's Internet web site;

(2) notify teacher preparation programs of training required to be completed as part of the teacher preparation program; and

(3) notify teachers of training requirements under this chapter that a teacher must complete in order for the teacher to renew the teacher's license under IC 20-28-5.

Sec. 3. The state board shall adopt rules under IC 4-22-2 necessary to implement this chapter.

SECTION 54. IC 20-30-1-1, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. This article applies only to the following:

(1) Public schools.

(2) ~~Nonpublic schools that voluntarily have become accredited under IC 20-19-2-8.~~ **State accredited nonpublic schools.**

SECTION 55. IC 20-30-5-5.7, AS ADDED BY P.L.115-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5.7. (a) Not later than December 15, 2018, and each December 15 thereafter, each public school, including a charter school, and **state** accredited nonpublic school shall provide age appropriate and research and evidence based instruction on child abuse and child sexual abuse to students in kindergarten through grade 12.

(b) The department, in consultation with school safety specialists and school counselors, shall identify outlines or materials for the instruction described in subsection (a) and incorporate the instruction in kindergarten through grade 12.

(c) Instruction on child abuse and child sexual abuse may be delivered by a school safety specialist, school counselor, or any

other person with training and expertise in the area of child abuse and child sexual abuse.

SECTION 56. IC 20-30-5-7, AS AMENDED BY P.L.97-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) Each school corporation shall include in the school corporation's curriculum the following studies:

(1) Language arts, including:
(A) English;
(B) grammar;
(C) composition;
(D) speech; and
(E) second languages.
(2) Mathematics.
(3) Social studies and citizenship, including the:
(A) constitutions;
(B) governmental systems; and
(C) histories;
of Indiana and the United States, including an enhanced study of the Holocaust in each high school United States history course. As part of the United States government credit awarded for the general, Core 40, Core 40 with academic honors, and Core 40 with technical honors designation, each high school shall administer the naturalization examination provided by the United States Citizenship and Immigration Services.
(4) Sciences, including, after June 30, 2021, computer science.
(5) Fine arts, including music and art.
(6) Health education, physical fitness, safety, and the effects of alcohol, tobacco, drugs, and other substances on the human body.
(7) Additional studies selected by each governing body, subject to revision by the state board.

(b) Each:
(1) school corporation;
(2) charter school; and
(3) **state** accredited nonpublic school;
shall offer the study of ethnic and racial groups as a one (1) semester elective course in its high school curriculum at least once every school year.

(c) The course described in subsection (b) may be offered by the school corporation, charter school, or **state** accredited nonpublic school through a course access program administered by the department.

SECTION 57. IC 20-30-5-13, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. Throughout instruction on human sexuality or sexually transmitted diseases, ~~an~~ **a state** accredited school shall:

(1) require a teacher to teach abstinence from sexual activity outside of marriage as the expected standard for all school age children;
(2) include in the instruction that abstinence from sexual activity is the only certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases, and other associated health problems; and
(3) include in the instruction that the best way to avoid sexually transmitted diseases and other associated health problems is to establish a mutually faithful monogamous relationship in the context of marriage.

SECTION 58. IC 20-30-5-19, AS ADDED BY P.L.154-2009, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 19. (a) Each school corporation, charter school, and **state** accredited nonpublic school shall include in its curriculum for all students in grades 6 through 12 instruction concerning personal financial responsibility.

(b) A school corporation, a charter school, and ~~an~~ **a state** accredited nonpublic school may meet the requirements of subsection (a) by:

(1) integrating, within its curriculum, instruction; or
(2) conducting a seminar;
that is designed to foster overall personal financial responsibility.

(c) The state board shall adopt a curriculum that ensures personal financial responsibility is taught:

(1) in a manner appropriate for each grade level; and
(2) as a separate subject or as units incorporated into appropriate subjects;
as determined by the state board.

SECTION 59. IC 20-30-5-20, AS AMENDED BY P.L.159-2019, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20. (a) As used in this section, "charter school" does not include a virtual charter school, as defined in IC 20-24-1-10.

(b) As used in this section, "psychomotor skills" means skills using hands on practice to support cognitive learning.

(c) Except as provided in subsection (f), each school corporation, charter school, and **state** accredited nonpublic school shall include in the charter school's, school corporation's, or **state** accredited nonpublic school's high school health education curriculum instruction in cardiopulmonary resuscitation and use of an automated external defibrillator for its students. The instruction must incorporate the psychomotor skills necessary to perform cardiopulmonary resuscitation and use an automated external defibrillator and must include either of the following:

(1) An instructional program developed by the American Heart Association or the American Red Cross.
(2) An instructional program that is nationally recognized and is based on the most current national evidence based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator.

(d) A school corporation, **a** charter school, or ~~an~~ **a state** accredited nonpublic school may offer the instruction required in subsection (c) or may arrange for the instruction to be provided by available community based providers. The instruction is not required to be provided by a teacher. If instruction is provided by a teacher, the teacher is not required to be a certified trainer of cardiopulmonary resuscitation.

(e) This section shall not be construed to require a student to become certified in cardiopulmonary resuscitation and the use of an automated external defibrillator. However, if a school corporation, charter school, or **state** accredited nonpublic school chooses to offer a course that results in certification being earned, the course must be taught by an instructor authorized to provide the instruction by the American Heart Association, the American Red Cross, or a similar nationally recognized association.

(f) A school administrator may waive the requirement that a student receive instruction under subsection (c) if the student has a disability or is physically unable to perform the psychomotor skill component of the instruction required under subsection (c).

SECTION 60. IC 20-30-5-21, AS ADDED BY P.L.219-2015, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 21. ~~An~~ **A state** accredited school may not offer, support, or promote any student program, class, or activity that provides student

instruction that is contrary to a curriculum required to be provided to students under this chapter.

SECTION 61. IC 20-30-5-22, AS ADDED BY P.L.162-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22. (a) Each:

(1) school corporation;
(2) charter school; and
(3) **state** accredited nonpublic school;

shall offer Indiana studies as a one (1) semester elective course in its high school curriculum at least once every school year.

(b) The course described in subsection (a) may be offered by the school corporation, charter school, or **state** accredited nonpublic school through a course access program administered by the department.

SECTION 62. IC 20-30-7-5, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. A school corporation may enter into an agreement with:

(1) another school corporation;
(2) ~~an~~ **a state** accredited nonpublic school; or
(3) both entities described in subdivisions (1) and (2);

to offer a joint summer school program for high school students.

SECTION 63. IC 20-30-14.5-3, AS ADDED BY P.L.226-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The state certificate of biliteracy is created to:

(1) encourage students to study languages;
(2) certify the attainment of biliteracy;
(3) provide employers with a method of identifying individuals with language and biliteracy skills;
(4) provide postsecondary educational institutions with an additional method to recognize applicants for admission;
(5) prepare students with twenty-first century skills;
(6) recognize the value of foreign language and native language instruction in public schools; and
(7) strengthen intergroup relationships, affirm the value of diversity, and honor the multiple cultures and languages of a community.

(b) The receipt of the certificate demonstrates the attainment of a high level of proficiency by a graduate of a public or ~~an~~ **a state** accredited nonpublic high school, sufficient for meaningful use in college and a career, in one (1) or more languages in addition to English.

(c) A school corporation, a charter school, or ~~an~~ **a state** accredited nonpublic high school is not required to participate in the certificate program.

SECTION 64. IC 20-30-14.5-4, AS ADDED BY P.L.226-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. The state board shall:

(1) establish the criteria for earning a certificate, including:
(A) the number of credits a student must earn in English and language arts and in a language other than English; and
(B) assessments of foreign language and English proficiency the state board considers necessary;
(2) direct the department to prepare and deliver to participating school corporations, charter schools, and **state** accredited nonpublic high schools an appropriate mechanism for awarding the certificate and designating on a student's transcript that the student has been awarded a certificate; and
(3) direct the department to provide any other information the state board considers necessary for school corporations, charter schools, and **state** accredited nonpublic high schools to successfully participate in the certificate program.

SECTION 65. IC 20-30-14.5-5, AS ADDED BY P.L.226-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. A participating school corporation, charter school, or **state** accredited nonpublic high school shall:

(1) maintain appropriate records to identify students who have earned a certificate; and
(2) make the appropriate designation on the transcript of each student who earns a certificate.

SECTION 66. IC 20-31-1-1, AS AMENDED BY P.L.169-2016, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. This article applies only to the following:

(1) Except as provided in ~~IC 20-31-4-1.1,~~ **IC 20-31-4.1-3,** public schools.
(2) Except as provided in IC 20-31-7 and IC 20-31-9, ~~nonpublic schools that voluntarily become accredited under IC 20-19-2-8.~~ **state accredited nonpublic schools.**

SECTION 67. IC 20-31-2-8, AS ADDED BY P.L.1-2005, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. "School" refers to a public school or ~~an~~ **a state** accredited nonpublic school.

SECTION 68. IC 20-31-4 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Performance Based Accreditation).

SECTION 69. IC 20-31-4.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 4.1. Performance Based Accreditation

Sec. 1. As used in this chapter, "legal standards" means Indiana statutes and rules adopted by the state board that apply to each school for accreditation.

Sec. 2. (a) A school in Indiana shall be accredited under the system established by this chapter if the school meets legal standards as determined by the state board.

(b) The state board shall establish a performance based accreditation system for accrediting schools in Indiana under this chapter.

(c) The department shall waive accreditation standards for an accredited nonpublic alternative school that enters into a contract with a school corporation to provide alternative education services for students who have:

(1) dropped out of high school;
(2) been expelled; or
(3) been sent to the nonpublic alternative school due to the students' lack of success in the public school environment;

to accommodate the nonpublic alternative school's program and student population. A nonpublic alternative school to which this subsection applies is not subject to being placed in a category or designation under IC 20-31-8-4. However, the nonpublic alternative school must comply with all state reporting requirements and submit a school improvement growth model on the anniversary date of the nonpublic alternative school's original accreditation.

(d) The state board may accredit a nonpublic school under this chapter at the time the nonpublic school begins operation in Indiana.

(e) A school accredited under IC 20-26-15 shall be accredited under this chapter by the earlier of the following:

(1) The date the school's contract under IC 20-26-15 expires.
(2) July 1, 2025.

Sec. 3. (a) The state board shall accredit a school that:
(1) becomes a charter school under IC 20-24; and
(2) complies with the requirements under IC 20-24.

(b) An authorizer (as defined in IC 20-24-1-2.5) of a charter school is responsible for ensuring that the charter school is in compliance with applicable legal standards as determined by the state board.

Sec. 4. (a) Subject to subsection (c) and section 7 of this chapter, a school or group of schools accredited under this chapter may submit an application to the state board, in a manner prescribed by the state board, requesting flexibility and to waive compliance with any provision in this title or 511 IAC in order to do one (1) or more of the following:
(1) Improve student performance and outcomes.
(2) Offer the applicant flexibility in the administration of educational programs or improve the efficiency of school operations.
(3) Promote innovative educational approaches to student learning.
(4) Advance the mission or purpose of the school or group of schools.

(b) The application submitted under subsection (a) must include the following:
(1) A list of the one (1) or more provisions in this title, 511 IAC, or this title and 511 IAC that the school or group of schools is requesting that the state board waive.
(2) The following information:
(A) The specific goal or outcome or goals or outcomes that the school or group of schools intends to achieve by waiving the provisions described in subdivision (1).
(B) How the specific goals or outcomes described in clause (A) are likely to be achieved by waiving compliance with the provisions described in subdivision (1).
(3) For an application submitted by:
(A) the governing body of a school corporation, a copy of the resolution adopted by the governing body approving the submission of the application;
(B) a charter school, written authorization by the charter school organizer approving the submission of the application; or
(C) a nonpublic school, written authorization by the person or agency in active charge and management of the nonpublic school approving the submission of the application.

Sec. 5. (a) The state board may approve an application to waive compliance with provisions described in section 4 of this chapter only if the waiver request is related to a specific goal or outcome of the school or group of schools.

(b) The state board may approve an application under this chapter if the state board determines that approving the application will likely:
(1) improve student performance and outcomes;
(2) offer the applicant flexibility in the administration of educational programs or improve the efficiency of school operations;
(3) promote innovative educational approaches to student learning; or
(4) advance the mission or purpose of the school or group of schools.

Sec. 6. (a) Notwithstanding any other law and subject to section 7 of this chapter, an applicant whose application is approved by the state board under section 5 of this chapter may waive compliance with any provision in this title or 511 IAC that is approved for waiver by the state board.

(b) The flexibility provided under this chapter is separate and distinct from flexibility provided under IC 20-26.5-2.

Sec. 7. A school or group of schools that submits an application under section 4 of this chapter may not request to waive any of the following provisions:
IC 20-26-5-10 (criminal history and child protection index check).
IC 20-27-7 (school bus inspection and registration).
IC 20-27-8-1 (school bus drivers and monitors).
IC 20-27-8-2 (school bus driver driving summary).
IC 20-27-10-3 (capacity of school bus).
IC 20-28 (school teachers).
IC 20-29 (collective bargaining).
IC 20-30-5-0.5 (display of United States flag; Pledge of Allegiance).
IC 20-30-5-1 (constitutions).
IC 20-30-5-2 (constitutions; interdisciplinary course).
IC 20-30-5-3 (protected writings).
IC 20-30-5-4 (American history).
IC 20-30-5-4.5 (moment of silence).
IC 20-30-5-5 (morals instruction).
IC 20-30-5-6 (good citizenship instruction).
IC 20-30-5-13 (human sexuality instructional requirements).
IC 20-30-5-17 (access to materials; consent for participation).
IC 20-30-5-21 (contrary student instruction not permitted).
IC 20-30-5-22 (Indiana studies).
IC 20-31 (accountability for performance and improvement).
IC 20-32-4 (graduation requirements).
IC 20-32-5.1 (Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program).
IC 20-33-1 (equal educational opportunity).
IC 20-34 (student health and safety measures).
IC 20-35 (special education).
IC 20-36 (high ability students).
IC 20-39 (accounting and financial reporting procedures).
IC 20-40 (government funds and accounts).
IC 20-41 (extracurricular funds and accounts).
IC 20-42 (fiduciary funds and accounts).
IC 20-42.5 (allocation of expenditures to student instruction and learning).
IC 20-43 (state tuition support).
IC 20-44 (property tax levies).
IC 20-46 (levies other than general fund levies).
IC 20-47 (related entities; holding companies; lease agreements).
IC 20-48 (borrowing and bonds).

IC 20-49 (state management of common school funds; state advances and loans).
IC 20-50 (homeless children and foster care children).
IC 20-51 (school scholarships).

Sec. 8. (a) The state board shall periodically review compliance waiver requests that were approved by the state board under this chapter.

(b) The state board may:

(1) amend, suspend, or revoke a compliance waiver request that was approved by the state board if the state board determines that the school or group of schools is not meeting the goals or outcomes described in the applicable application; and

(2) grant approval of a waiver described in section 4 of this chapter as part of a school's application for accreditation under this chapter.

Sec. 9. Not later than November 1, 2020, and not later than November 1 each year thereafter, the state board shall do the following:

(1) Prepare a report that includes a:

(A) summary of the compliance waiver requests received by the state board; and

(B) description of compliance waiver requests that were approved and compliance waiver requests that were denied by the state board.

(2) Submit the report prepared under subdivision (1) to the general assembly in an electronic format under IC 5-14-6.

Sec. 10. The state board shall adopt rules under IC 4-22-2 necessary to implement this chapter.

SECTION 70. IC 20-32-1-1, AS ADDED BY P.L.1-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. This article applies only to the following:

(1) Public schools.

(2) ~~Nonpublic schools that voluntarily have become accredited under IC 20-19-2-8.~~ **State accredited nonpublic schools.**

SECTION 71. IC 20-32-2-3, AS ADDED BY P.L.1-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. "Student" means an individual who is enrolled in:

(1) a public school;

(2) ~~an~~ **a state** accredited nonpublic school; or

(3) another nonpublic school that has requested and received from the state board specific approval of the school's educational program.

SECTION 72. IC 20-32-3-2, AS AMENDED BY P.L.233-2015, SECTION 238, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. As used in this chapter, "student" refers to a student who meets the following conditions:

(1) Is enrolled in a public school, ~~an~~ **a state** accredited nonpublic school, or a nonpublic school that has requested and received from the state board specific approval for the school's education program.

(2) Is in at least grade 9.

(3) If the student is a student with a disability (as defined in IC 20-35-1-8), would benefit from the participation under this chapter as determined by the individualized education program for the student.

SECTION 73. IC 20-32-4-1.5, AS AMENDED BY P.L.10-2019, SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.5. (a) This subsection expires July 1, 2022. Except as provided in subsection (f) and sections 4, 5, 6, 7, 8, 9, and 10 of this chapter, each student is required to meet:

(1) the academic standards tested in the graduation examination;

(2) the Core 40 course and credit requirements adopted by the state board under IC 20-30-10; and

(3) any additional requirements established by the governing body;

to be eligible to graduate.

(b) Except as provided in subsection (f) and sections 4, 4.1, 5, 6, 7, 8, 9, and 10 of this chapter, beginning with the class of students who expect to graduate during the 2022-2023 school year, each student shall:

(1) demonstrate college or career readiness through a pathway established by the state board, in consultation with the department of workforce development and the commission for higher education;

(2) meet the Core 40 course and credit requirements adopted by the state board under IC 20-30-10; and

(3) meet any additional requirements established by the governing body;

to be eligible to graduate.

(c) The state board shall establish graduation pathway requirements under subsection (b)(1) in consultation with the department of workforce development and the commission for higher education. A graduation pathway requirement may include the following postsecondary readiness competencies approved by the state board:

(1) International baccalaureate exams.

(2) Nationally recognized college entrance assessments.

(3) Advanced placement exams.

(4) Assessments necessary to receive college credit for dual credit courses.

(5) Industry recognized certificates.

(6) The Armed Services Vocational Aptitude Battery.

(7) Cambridge International exams.

(8) Any other competency approved by the state board.

(d) If the state board establishes a nationally recognized college entrance exam as a graduation pathway requirement, the nationally recognized college entrance exam must be offered to a student at the school in which the student is enrolled and during the normal school day.

(e) When an apprenticeship is established as a graduation pathway requirement, the state board shall establish as an apprenticeship only an apprenticeship program registered under the federal National Apprenticeship Act (29 U.S.C. 50 et seq.) or another federal apprenticeship program administered by the United States Department of Labor.

(f) Notwithstanding subsection (a), a school corporation, charter school, or **state** accredited nonpublic school may voluntarily elect to use graduation pathways described in subsection (b) in lieu of the graduation examination requirements specified in subsection (a) prior to July 1, 2022.

(g) The state board, in consultation with the department of workforce development and the commission for higher education, shall approve college and career pathways relating to career and technical education, including sequences of courses leading to student concentrators.

SECTION 74. IC 20-32-4-4.1, AS ADDED BY P.L.192-2018, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4.1. (a) Subject

to subsection (b), a student may receive a waiver from the postsecondary readiness competency requirements established under section 1.5(c) of this chapter:

(1) if:

(A) the student was unsuccessful in completing a postsecondary readiness competency requirement established by the state board under section 1.5(c) of this chapter by the conclusion of the student's senior year, including a student who was in the process of completing a competency at one (1) school that was not offered by the school to which the student transferred; and

(B) the student attempted to achieve at least three (3) separate postsecondary readiness competencies established by the state board under section 1.5(c) of this chapter; or

(2) if a student transfers to a school subject to the requirements of this chapter during the student's senior year from a nonaccredited nonpublic school **that has less than one (1) employee** or a school out of state and the student:

(A) attempted to achieve at least one (1) postsecondary readiness competency requirement established by the state board under section 1.5(c) of this chapter; and

(B) was unsuccessful in completing the attempted postsecondary readiness competency described in clause (A).

(b) For a student to receive a waiver described in subsection (a), the student must:

(1) maintain at least a "C" average, or its equivalent, throughout the student's high school career in courses comprising credits required for the student to graduate;

(2) maintain a school attendance rate of at least ninety-five percent (95%) with excused absences not counting against the student's attendance;

(3) satisfy all other state and local graduation requirements beyond the postsecondary readiness competency requirements established by the state board under section 1.5(c) of this chapter; and

(4) demonstrate postsecondary planning, including:

(A) college acceptance;

(B) acceptance in an occupational training program;

(C) workforce entry; or

(D) military enlistment;

that is approved by the principal of the student's school.

SECTION 75. IC 20-33-2-10, AS AMENDED BY P.L.144-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) Each public school shall and each private school may require a student who initially enrolls in the school to provide:

(1) the name and address of the school the student last attended; and

(2) a certified copy of the student's birth certificate or other reliable proof of the student's date of birth.

(b) Not more than fourteen (14) days after initial enrollment in a school, the school shall request the student's records from the school the student last attended.

(c) If the document described in subsection (a)(2):

(1) is not provided to the school not more than thirty (30) days after the student's enrollment; or

(2) appears to be inaccurate or fraudulent;

the school shall notify the Indiana clearinghouse for information on missing children and missing endangered adults established under IC 10-13-5-5 and determine if the student has been reported missing.

(d) A school in Indiana receiving a request for records shall send the records promptly to the requesting school. However, if a request is received for records to which a notice has been attached under IC 31-36-1-5 (or IC 31-6-13-6 before its repeal), the school:

(1) shall immediately notify the Indiana clearinghouse for information on missing children and missing endangered adults;

(2) may not send the school records without the authorization of the clearinghouse; and

(3) may not inform the requesting school that a notice under IC 31-36-1-5 (or IC 31-6-13-6 before its repeal) has been attached to the records.

(e) Notwithstanding subsection (d), if a parent of a child who has enrolled in ~~an~~ **a state** accredited nonpublic school is in breach of a contract that conditions release of student records on the payment of outstanding tuition and other fees, the **state** accredited nonpublic school shall provide a requesting school sufficient verbal information to permit the requesting school to make an appropriate placement decision regarding the child.

SECTION 76. IC 20-33-2-47, AS ADDED BY P.L.1-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 47. (a) A school corporation may develop and implement a system of notifying the parent of a student when:

(1) the student fails to attend school; and

(2) the student does not have an excused absence for that day.

(b) A school corporation or ~~an~~ **a state** accredited nonpublic school shall report to the local health department the percentage of student absences above a threshold determined by the department by rule adopted under IC 4-22-2.

(c) If a school corporation implements a notification system under this chapter, the attendance officer or the attendance officer's designee shall make a reasonable effort to contact by telephone the parent of each student who has failed to attend school and does not have an excused absence for that day.

(d) If an attendance officer or an attendance officer's designee has made a reasonable effort to contact a parent under subsection (c), the school corporation is immune from liability for any damages suffered by the parent claimed because of failure to contact the parent.

SECTION 77. IC 20-33-3-7, AS ADDED BY P.L.1-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) This chapter applies to a child less than eighteen (18) years of age who is employed or is seeking employment in Indiana.

(b) A child less than eighteen (18) years of age who is a resident of Indiana and who requires an employment certificate shall obtain the employment certificate from the issuing officer of the:

(1) **state** accredited school ~~(as described in IC 20-19-2-8(a)(5))~~ that the child attends; or

(2) school corporation in which the child resides.

(c) A child less than eighteen (18) years of age who is not a resident of Indiana and who requires an employment certificate to work in Indiana shall obtain the certificate from the issuing officer of the school corporation in which the child is:

(1) employed; or
(2) seeking employment.

The judge of a court with juvenile jurisdiction may suspend the application of this chapter in cases involving juvenile delinquents or incorrigibles whenever, in the opinion of the judge, the welfare of a child warrants this action.

SECTION 78. IC 20-33-3-8, AS AMENDED BY P.L.1-2007, SECTION 147, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) The issuing officer in each **state** accredited school ~~(as described in IC 20-19-2-8(a)(5))~~ shall be an individual who is:

(1) a guidance counselor;
(2) a school social worker; or
(3) an attendance officer for the school corporation and a teacher licensed by the division of professional standards of the department under IC 20-28-4 or IC 20-28-5;

and designated in writing by the principal.

(b) During the times in which the individual described in subsection (a) is not employed by the school or when school is not in session, there shall be an issuing officer available:

(1) who is a teacher licensed by the division of professional standards of the department under IC 20-28-4 or IC 20-28-5; and
(2) whose identity and hours of work shall be determined by the principal.

SECTION 79. IC 20-33-5-9, AS AMENDED BY P.L.286-2013, SECTION 114, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. **(a) As used in this section, "accredited nonpublic school" means a nonpublic school that:**

(1) has voluntarily become accredited under IC 20-31-4.1; or
(2) is accredited by a national or regional accrediting agency that is recognized by the state board.

~~(a)~~ **(b)** If a parent of a child or an emancipated minor who is enrolled in an accredited nonpublic school meets the financial eligibility standard under section 2 of this chapter, the parent or the emancipated minor may receive a reimbursement from the department as provided in this chapter for the costs or some of the costs incurred by the parent or emancipated minor in fees that are reimbursable under section 7 of this chapter.

~~(b)~~ **(c)** The department shall provide each accredited nonpublic school with sufficient application forms for assistance, prescribed by the state board of accounts.

~~(c)~~ **(d)** Each accredited nonpublic school shall provide the parents or emancipated minors who wish to apply for assistance with:

(1) the appropriate application forms; and
(2) any assistance needed in completing the application form.

~~(d)~~ **(e)** The parent or emancipated minor shall submit the application to the accredited nonpublic school. The accredited nonpublic school shall make a determination of financial eligibility subject to appeal by the parent or emancipated minor.

~~(e)~~ **(f)** If a determination is made that the applicant is eligible for assistance, subsection ~~(a)~~ **(b)** applies.

~~(f)~~ **(g)** To be guaranteed some level of reimbursement from the department, the principal or other designee shall submit the reimbursement request before November 1 of a school year.

~~(g)~~ **(h)** In its request, the principal or other designee shall certify to the department:

(1) the number of students who are enrolled in the accredited nonpublic school and who are eligible for assistance under this chapter;
(2) the costs incurred in providing:
(A) curricular materials (including curricular materials used in special education and high ability classes); and
(B) workbooks, digital content, and consumable curricular materials (including workbooks, consumable curricular materials, and other consumable teaching materials that are used in special education and high ability classes) that are used by students for not more than one (1) school year;
(3) that the curricular materials described in subdivision (2)(A) (except any curricular materials used in special education classes and high ability classes) have been adopted by the governing body; and
(4) any other information required by the department.

~~(h)~~ **(i)** The amount of reimbursement that a parent or emancipated minor is entitled to receive shall be determined as provided in section 9.5 of this chapter.

~~(i)~~ **(j)** The accredited nonpublic school shall distribute the money received under this chapter to the appropriate eligible parents or emancipated minors.

~~(j)~~ **(k)** Section 7(f) of this chapter applies to parents or emancipated minors as described in this section.

~~(k)~~ **(l)** The accredited nonpublic school and the department shall maintain complete and accurate information concerning the number of applicants determined to be eligible for assistance under this section.

~~(l)~~ **(m)** The state board shall adopt rules under IC 4-22-2 to implement this section.

SECTION 80. IC 20-33-5-9.5, AS AMENDED BY P.L.205-2013, SECTION 258, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9.5. (a) This section applies to reimbursements made under this chapter in the state fiscal year beginning after June 30, 2013.

(b) The amount of reimbursement that a school corporation or an accredited nonpublic school **(as defined in section 9(a) of this chapter)** is entitled to receive under section 7 of this chapter in a state fiscal year is equal to the amount determined in the following STEPS:

STEP ONE: Determine the amount appropriated to make reimbursements under this chapter for the state fiscal year.
STEP TWO: Determine the total number of eligible students for which reimbursement was requested under either section 7 or 9 of this chapter before November 1 of the previous calendar year by all school corporations and accredited nonpublic schools.
STEP THREE: Divide the result determined in STEP ONE by the number determined in STEP TWO.
STEP FOUR: Multiply:
(A) the STEP THREE result; by
(B) the number of eligible students for which reimbursement was requested under section 7 or 9 of this chapter before November 1 of the state fiscal year by the school corporation or the accredited nonpublic school.

SECTION 81. IC 20-33-9-10.5, AS AMENDED BY P.L.25-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10.5. (a) This section does not apply to a charter school or ~~an~~ **a state** accredited nonpublic school.

(b) A school employee shall report any incidence of suspected criminal organization activity, criminal organization intimidation, or criminal organization recruitment to the

principal and the school safety specialist.

(c) The principal and the school safety specialist may take appropriate action to maintain a safe and secure school environment, including providing appropriate intervention services.

SECTION 82. IC 20-34-3-20, AS AMENDED BY P.L.197-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20. (a) The governing body of a school corporation shall require each school in the governing body's jurisdiction to conduct periodic emergency preparedness drills during the school year in compliance with rules adopted under IC 4-22-2 by the state board.

(b) Each school and attendance center shall conduct at least:

(1) one (1) tornado preparedness drill; and

(2) one (1) manmade occurrence disaster drill;

during each semester.

(c) At least one (1) manmade occurrence disaster drill required under subsection (b) must be an active shooter drill and must be conducted within ninety (90) calendar days after the beginning of the school year.

(d) Each:

(1) **state** accredited nonpublic school; and

(2) charter school;

must conduct at least one (1) active shooter drill during each school year.

(e) Notwithstanding rules established by the state fire marshal under IC 12-17-12-19, a drill conducted under subsection (b) may be conducted instead of a periodic or monthly fire evacuation drill requirement established by the state fire marshal. However, a drill conducted under subsection (b) may not be made:

(1) instead of more than two (2) periodic or monthly fire evacuation drills in a particular school semester; and

(2) in two (2) consecutive months.

(f) The governing body of a school corporation may direct schools to conduct emergency preparedness drills in addition to those required under subsection (b).

(g) The governing body of a school corporation shall require each principal to file a certified statement that all drills have been conducted as required under this section.

SECTION 83. IC 20-34-3-23, AS ADDED BY P.L.211-2018(ss), SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 23. (a) Each charter school and **state** accredited nonpublic school shall adopt a local school safety and emergency plan that includes:

(1) safety and emergency training and educational opportunities for school employees; and

(2) periodic safety and emergency preparedness and evacuation drills.

(b) Each charter school and **state** accredited nonpublic school shall provide a copy of the floor plans for each building located on the school's property that clearly indicates each exit, the interior rooms and hallways, and the location of any hazardous materials located in the building to the law enforcement agency and the fire department that have jurisdiction over the school.

SECTION 84. IC 20-34-4.5-0.6, AS ADDED BY P.L.117-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 0.6. As used in this chapter, "school" means **a:**

(1) ~~a~~ public school;

(2) ~~a~~ charter school; or

(3) ~~an~~ **state** accredited nonpublic school.

SECTION 85. IC 20-34-5-8, AS ADDED BY P.L.166-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. As used in this chapter, "school employee" means an individual employed by:

(1) a public school, including a charter school, or ~~an~~ **a state** accredited nonpublic school;

(2) a local health department working with a school under this chapter; or

(3) another entity with which a school has contracted to perform the duties required under this chapter.

SECTION 86. IC 20-34-7-1.6, AS ADDED BY P.L.135-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.6. As used in this chapter, "school" refers to a public school and ~~an~~ **a state** accredited nonpublic school.

SECTION 87. IC 20-34-7-6, AS AMENDED BY P.L.135-2016, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) As used in this section, "football" does not include flag football.

(b) Prior to coaching football to individuals who are less than twenty (20) years of age and are in grades 1 through 12, each head football coach and assistant football coach shall complete a certified coaching education course that:

(1) is sport specific;

(2) contains player safety content, including content on:

(A) concussion awareness;

(B) equipment fitting;

(C) heat emergency preparedness; and

(D) proper technique;

(3) requires a coach to complete a test demonstrating comprehension of the content of the course; and

(4) awards a certificate of completion to a coach who successfully completes the course.

(c) For a coach's completion of a course to satisfy the requirement imposed by subsection (b), the course must have been approved by the department.

(d) A coach shall complete a course ~~not less than once during a two (2) year period. However, if the coach receives notice from the organizing entity that new information has been added to the course before the end of the two (2) year period, the coach must:~~

~~(1) complete instruction; and~~

~~(2) successfully complete a test;~~

~~concerning the new information to satisfy the requirement imposed by subsection (b).~~ **in a manner prescribed by the state board under IC 20-28-5.5-1.**

(e) An organizing entity shall maintain a file of certificates of completion awarded under subsection (b)(4) to any of the organizing entity's head coaches and assistant coaches.

(f) A coach who complies with this chapter and provides coaching services in good faith is not personally liable for damages in a civil action as a result of a concussion or head injury incurred by an athlete participating in an athletic activity in which the coach provided coaching services, except for an act or omission by the coach that constitutes gross negligence or willful or wanton misconduct.

SECTION 88. IC 20-34-7-7, AS AMENDED BY P.L.19-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) Except as provided in subsection (c)(2), this section applies after June 30, 2017.

(b) This section applies to a head coach or assistant coach who:

(1) coaches any:

(A) interscholastic sport; or

(B) intramural sport and elects to comply or as part of the head coach's or assistant coach's coaching certification requirements is required to comply with this chapter; and

(2) is not subject to section 6 of this chapter.

(c) Before coaching a student athlete in any sport, a head coach and every assistant coach described in subsection (b) must complete a certified coaching education course that:

(1) contains player safety content on concussion awareness;

(2) after December 31, 2018, includes content for prevention of or response to heat related medical issues that may arise from a student athlete's training;

(3) requires a head coach or an assistant coach to complete a test demonstrating comprehension of the content of the course; and

(4) awards a certificate of completion to a head coach or an assistant coach who successfully completes the course.

(d) A course described in subsection (c) must be approved by the department, in consultation with a physician licensed under IC 25-22.5. The consulting physician for a course described in subsection (c)(1) must have expertise in the area of concussions and brain injuries. The department may, in addition to consulting with a physician licensed under IC 25-22.5, consult with other persons who have expertise in the area of concussions and brain injuries when developing a course described in subsection (c)(1).

(e) A head coach and every assistant coach described in subsection (b) must complete a course described in subsection (c) ~~at least once each two (2) year period. If a head coach or an assistant coach receives notice from the school that new information has been added to the course before the end of the two (2) year period, the head coach or the assistant coach shall:~~

~~(1) complete instruction; and~~

~~(2) successfully complete a test;~~

~~concerning the new information to satisfy subsection (c).~~ **in a manner prescribed by the state board under IC 20-28-5.5-1.**

(f) Each school shall maintain all certificates of completion awarded under subsection (c)(4) to each of the school's head coaches and assistant coaches.

(g) A head coach or an assistant coach described in subsection (b) who complies with this chapter and provides coaching services in good faith is not personally liable for damages in a civil action as a result of a concussion or head injury incurred by a student athlete participating in an athletic activity for which the head coach or the assistant coach provided coaching services, except for an act or omission by the head coach or the assistant coach that constitutes gross negligence or willful or wanton misconduct.

SECTION 89. IC 20-34-8-3, AS ADDED BY P.L.139-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. As used in this chapter, "school" refers to a public school and ~~an~~ **a state** accredited nonpublic school.

SECTION 90. IC 20-34-8-5, AS ADDED BY P.L.139-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) ~~Before July 1, 2015,~~ The department shall disseminate guidelines, information sheets, and forms to each **state** accredited nonpublic school, charter school, and each school corporation for distribution to schools to inform and educate coaches, student athletes, and parents and legal guardians of student athletes of the nature and risk of sudden cardiac arrest to student athletes.

(b) The department:

(1) may consult with an association, medical professionals, and others with expertise in diagnosing and treating sudden cardiac arrest; and

(2) may request the assistance of an association in disseminating the guidelines, information sheets, and forms required under subsection (a).

(c) The department may disseminate the guidelines, information sheets, and forms required under this section in an electronic format.

SECTION 91. IC 20-34-9-1, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. This chapter does not apply to a virtual charter school (as defined in ~~IC 20-24-7-13(a))~~ **IC 20-24-1-10)** or a virtual **state** accredited nonpublic school.

SECTION 92. IC 20-34-9-4, AS ADDED BY P.L.153-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. Beginning after June 30, 2020, and subject to available funding, a school corporation, a charter school, and ~~an~~ **a state** accredited nonpublic school are eligible for a grant under this chapter if the school corporation, charter school, or **state** accredited nonpublic school meets the requirements of this chapter.

SECTION 93. IC 20-34-9-5, AS ADDED BY P.L.153-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The student and parent support services grant program is established to provide grants to school corporations, charter schools, and **state** accredited nonpublic schools for the development and implementation of student and parent support services plans to support parents caring for at-risk students.

(b) The department, in coordination with the division of mental health and addiction, shall administer the program.

SECTION 94. IC 20-34-9-6, AS ADDED BY P.L.153-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. A school corporation, a charter school, or ~~an~~ **a state** accredited nonpublic school must do the following to participate in the program:

(1) Apply to the department to participate in the program.

(2) Submit to the department a student and parent support services plan that the school corporation, charter school, or **state** accredited nonpublic school intends to implement and that includes the following:

(A) A process for a teacher or school employee to notify a school official to contact a student's parent if the student demonstrates a repeated pattern of aberrant or abnormal behavior. The parental notification process described in this clause must also include that the school will hold a conference with the student and the student's parent.

(B) A requirement that the conference described in clause (A) must address the student's potential need for and benefit from:

(i) school based treatment services; or

(ii) treatment services provided by an outside professional care provider that is contracted and paid for by the school corporation, charter school, or **state** accredited nonpublic school.

(C) A procedure for a parent who chooses to seek services for the student to follow that includes granting written parental consent for the student to receive services by a service provider described under clause (B).

(D) A requirement to ensure that a school shall maintain the confidentiality of any medical records that result from a student's participation in any treatment described in clause (B). The school must adopt a policy that prohibits the school from:
(i) sharing any reports or notes resulting from the provision of school based treatment services described in clause (B)(i) with other school officials; and
(ii) maintaining any reports, notes, diagnosis, or appointments that result from a student's participation in any treatment described in clause (B)(i) through (B)(ii) in the student's permanent educational file.

SECTION 95. IC 20-34-9-7, AS ADDED BY P.L.153-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) Before June 30, 2020, and before each June 30 thereafter, the department shall evaluate and prepare a report concerning development and implementation of the following:
(1) The program.
(2) The plans submitted and implemented by school corporations, charter schools, and **state** accredited nonpublic schools.

(b) The department shall submit the report described in subsection (a) to the legislative council in an electronic format under IC 5-14-6.

SECTION 96. IC 20-47-6-4, AS ADDED BY P.L.143-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. As used in this chapter, "school" means a public school, including a charter school, ~~an~~ **a state** accredited nonpublic school, or an eligible school (as defined in IC 20-51-1-4.7).

SECTION 97. IC 21-7-13-4 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 4. "Accredited nonpublic school" means a nonpublic school that has voluntarily become accredited under IC 20-19-2-8.~~

SECTION 98. IC 21-7-13-31.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 31.5. "State accredited nonpublic school" means a nonpublic school that has voluntarily become accredited under IC 20-31-4.1.**

SECTION 99. IC 21-12-6-5, AS AMENDED BY P.L.165-2016, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Unless a student qualifies under subsection (b), to qualify to participate in the program, a student must meet the following requirements:
(1) Be a resident of Indiana.
(2) Be:
(A) enrolled in grade 7 or 8 at a:
(i) public school; or
(ii) nonpublic school that is accredited either by the state board of education or by a national or regional accrediting agency whose accreditation is accepted as a school improvement plan under ~~IC 20-31-4-2;~~ **IC 20-31-4.1-2;** or
(B) otherwise qualified under the rules of the commission that are adopted under IC 21-18.5-4-9(2) to include students who are in grades other than grade 8 as eligible students.
(3) Be a member of a household with an annual income of not more than the amount required for the individual to qualify for free or reduced priced lunches under the national school lunch program, as determined for the immediately preceding taxable year for the household for which the student was claimed as a dependent.
(4) Agree, in writing, together with the student's custodial parents or guardian, that the student will:
(A) graduate from a secondary school located in Indiana that meets the admission criteria of an eligible institution;
(B) not illegally use controlled substances (as defined in IC 35-48-1-9);
(C) not commit a crime or an infraction described in IC 9-30-5;
(D) not commit any other crime or delinquent act (as described in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their repeal));
(E) timely apply, when the eligible student is a senior in high school:
(i) for admission to an eligible institution; and
(ii) for any federal and state student financial assistance available to the eligible student to attend an eligible institution;
(F) achieve a cumulative grade point average upon graduation of:
(i) at least 2.0, if the student graduates from high school before July 1, 2014; and
(ii) at least 2.5, if the student graduates from high school after June 30, 2014;
on a 4.0 grading scale (or its equivalent if another grading scale is used) for courses taken during grades 9, 10, 11, and 12; and
(G) complete an academic success program required under the rules adopted by the commission, if the student initially enrolls in high school after June 30, 2013.

(b) A student qualifies to participate in the program if the student:
(1) before or during grade 7 or grade 8, is placed by or with the consent of the department of child services, by a court order, or by a child placing agency in:
(A) a foster family home;
(B) the home of a relative or other unlicensed caretaker;
(C) a child caring institution; or
(D) a group home;
(2) meets the requirements in subsection (a)(1) through (a)(2); and
(3) agrees in writing, together with the student's caseworker (as defined in IC 31-9-2-11) or legal guardian, to the conditions set forth in subsection (a)(4).

(c) The commission may require that an applicant apply electronically to participate in the program using an online Internet application on the commission's **Internet** web site.

SECTION 100. IC 21-12-8-9, AS AMENDED BY P.L.143-2019, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) This section applies to an applicant who attends or has attended any of the following:

(1) An approved secondary school.

(2) ~~An~~ **A state** accredited nonpublic school.

(3) A nonaccredited nonpublic school.

(b) An applicant is eligible to receive a high value workforce ready credit-bearing grant if the following conditions are met:

(1) The applicant is domiciled in Indiana, as defined by the commission.

(2) The applicant:

(A) has received a diploma of graduation from a school described in subsection (a);

(B) has been granted a:

(i) high school equivalency certificate before July 1, 1995; or

(ii) state of Indiana general educational development (GED) diploma under IC 20-10.1-12.1 (before its repeal), IC 20-20-6 (before its repeal), or IC 22-4.1-18; or

(C) is a student in good standing who is completing a final year of study at a school described in subsection (a) and will be eligible upon graduation to attend an approved institution of higher learning.

(3) The applicant is enrolled in an eligible certificate program, as determined under section 2(4) of this chapter, at Ivy Tech Community College, Vincennes University, or a program approved by the commission.

(4) The applicant enrolls at least half-time for purposes of federal financial aid.

(5) The applicant has not received any grant for the maximum number of academic terms specified for the grant in IC 21-12-13-1 or IC 21-12-13-2.

(6) The applicant is not eligible for any state financial aid program described in IC 21-12-13-1(a) or IC 21-12-13-2(a).

(7) The applicant is identified as financially independent from the applicant's parents as determined by the Free Application for Federal Student Aid (FAFSA).

(8) The applicant has correctly filed the FAFSA and, if eligible for aid, accepts all offered federal scholarships and grants.

(9) Except as provided under subsection (c), the applicant maintains satisfactory academic progress, as determined by the eligible institution.

(10) The applicant has not previously received a baccalaureate degree, an associate degree, or an eligible certificate.

(11) The applicant meets any other minimum criteria established by the commission.

(c) This subsection applies to an applicant who does not maintain satisfactory academic progress under subsection (b)(9) but meets all the other conditions required under subsection (b). An applicant is eligible to receive a high value workforce ready credit-bearing grant if the applicant meets one (1) of the following:

(1) The applicant has not attended an eligible institution for the immediately preceding two (2) academic years.

(2) The applicant:

(A) attended an eligible institution at any time during the immediately preceding two (2) academic years; and

(B) maintained satisfactory academic progress, as determined by the eligible institution, during the period described in clause (A) in which the applicant attended the eligible institution.

(d) If an applicant is identified as dependent as determined by the Free Application for Federal Student Aid (FAFSA), the applicant must:

(1) meet the criteria specified in subsection (b), except for subsection (b)(4), (b)(7), and (b)(9);

(2) enroll full time for purposes of federal financial aid;

(3) maintain satisfactory academic progress, as determined by the eligible institution; and

(4) complete a workforce ready grant success program, as determined by the commission, if the applicant graduates from high school after December 31, 2018.

(e) If the demand for high value workforce ready credit-bearing grants exceeds the available appropriation, as determined by the commission, the commission shall prioritize the applicants identified as independent as determined by the Free Application for Federal Student Aid (FAFSA).

SECTION 101. IC 21-12-16-5, AS ADDED BY P.L.105-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) An applicant who is enrolled in an accredited postsecondary educational institution after June 30, 2017, may qualify for a scholarship under this chapter. To qualify for a scholarship, an applicant must:

(1) apply for a scholarship on a form supplied by the commission;

(2) except as provided in subsection (b), have graduated from an Indiana nonaccredited nonpublic or **state** accredited high school **accredited under IC 20-31-4.1** and either:

(A) graduated in the highest twenty percent (20%) of students in the applicant's high school graduating class; or

(B) received a score in the top twentieth percentile on the SAT or ACT examination;

(3) have participated in school activities and community service activities during high school;

(4) have applied to and been accepted for enrollment in an accredited postsecondary educational institution approved by the commission under section 10 of this chapter;

(5) agree in writing to:

(A) obtain a license to teach under IC 20-28-5; and

(B) teach for at least five (5) consecutive years in a public school or an eligible school (as defined in IC 20-51-1-4.7) in Indiana after graduating with a baccalaureate degree from the accredited postsecondary

educational institution described in subdivision (4); and

(6) meet any other criteria established by the commission.

(b) A student who graduates from a nonaccredited nonpublic school must meet the requirement described in subsection (a)(2)(B) in order to meet the eligibility requirement described in subsection (a)(2).

SECTION 102. IC 21-13-2-1, AS AMENDED BY P.L.148-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The William A. Crawford minority teacher scholarship fund is established:

(1) to encourage and promote qualified minority individuals to pursue a career in teaching in **state** accredited schools **accredited under IC 20-31-4.1** in Indiana;

(2) to enhance the number of individuals who may serve as role models for the minority students in Indiana; and

(3) to rectify the shortage of minority teachers teaching in **state** accredited schools **accredited under IC 20-31-4.1** in Indiana.

SECTION 103. IC 21-13-2-4, AS AMENDED BY P.L.205-2013, SECTION 318, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. An individual qualifies for an initial scholarship from the fund if the individual:

(1) is a minority student;

(2) is admitted to an eligible institution as a full-time student or already attends an eligible institution as a full-time student;

(3) either:

(A) intends to pursue; or

(B) in the case of a student who is already attending an eligible institution, pursues;

a course of study that would enable the student, upon graduation, to teach in ~~an~~ **a state** accredited school **accredited under IC 20-31-4.1** in Indiana;

(4) agrees, in writing, to apply for a teaching position in ~~an~~ **a state** accredited school **accredited under IC 20-31-4.1** in Indiana following that student's certification as a teacher, and, if hired, to teach for at least three (3) years; and

(5) meets any other minimum criteria established by the commission.

SECTION 104. IC 21-13-7-1, AS AMENDED BY P.L.148-2016, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. An individual may apply for a stipend under this chapter if the individual:

(1) is a student who is enrolled in a course of study at an eligible institution that would enable the student, upon graduation, to teach in ~~an~~ **a state** accredited school **accredited under IC 20-31-4.1** in Indiana in:

(A) special education; or

(B) a high-need field;

(2) will participate in student teaching as part of the student's degree requirements;

(3) has earned a cumulative grade point average upon entering student teaching that:

(A) is required by an eligible institution for admission to the eligible institution's school of education; or

(B) is at least a 2.0 on a 4.0 grading scale or its equivalent as determined by the eligible institution, if the eligible institution's school of education does not require a certain minimum cumulative grade point average;

(4) agrees, in writing, to apply for a teaching position at an accredited school in Indiana following the student's certification as a teacher, and, if hired, to teach for at least three (3) years; and

(5) meets any other minimum criteria established by the commission.

SECTION 105. IC 21-13-8-1, AS AMENDED BY P.L.159-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) The Earline S. Rogers student teaching stipend for minority students is established.

(b) An individual may apply for a stipend under this chapter if the individual:

(1) is a minority student enrolled in an eligible institution;

(2) will participate in:

(A) student teaching as part of the student's degree requirements; or

(B) a school administration internship as part of the student's graduate degree program;

(3) has earned a cumulative grade point average:

(A) upon entering student teaching that:

(i) is required by an eligible institution for admission to the eligible institution's school of education; or

(ii) is at least a 2.0 on a 4.0 grading scale or its equivalent as determined by the eligible institution, if the eligible institution's school of education does not require a certain minimum cumulative grade point average; or

(B) upon beginning a school administration internship that is at least 3.0 on a 4.0 scale, or its equivalent as determined by the eligible institution;

(4) agrees, in writing, in the case of an individual entering student teaching, to apply for a teaching position at ~~an~~ **a state** accredited school **accredited under IC 20-31-4.1** in Indiana following the student's certification as a teacher, and, if hired, to teach for at least three (3) years; and

(5) meets any other minimum criteria established by the commission.

SECTION 106. IC 21-18-12-1, AS ADDED BY P.L.111-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) The Indiana e-transcript program is created to allow students at all **state** accredited high schools **accredited under IC 20-31-4.1** located in Indiana to request that the student's school transcripts be transmitted electronically to state educational institutions, participating Indiana not-for-profit or privately endowed institutions, and participating Indiana institutions authorized by the board for proprietary education established by IC 21-18.5-5-1.

(b) The commission shall administer the program.

(c) Beginning July 1, 2013, the department of education established by IC 20-19-3-1, in collaboration with the state educational institutions and the commission, shall develop a common electronic transcript, using common data fields and formats that are required by state educational institutions.

(d) Not later than July 1, 2015, all public secondary schools shall use the common electronic transcript developed by the department of education.

(e) The governing body of ~~an~~ **a state** accredited nonpublic secondary school may elect to use the common electronic transcript developed by the department of education.

SECTION 107. IC 22-4.1-25-1.5, AS ADDED BY P.L.191-2018, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.5. As used in this chapter, "school" includes a public school, a charter school, ~~an~~ **a state** accredited nonpublic school **(as defined in IC 20-18-2-18.7),** and a nonaccredited nonpublic school.

SECTION 108. IC 34-30-14-7, AS AMENDED BY P.L.146-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. A teacher:

(1) who meets the ~~requirement of IC 20-28-5-3(c);~~ **training or certification requirements prescribed by the state board under IC 20-28-5.5-1(b);** and

(2) who:

(A) performs cardiopulmonary resuscitation on;

(B) performs the Heimlich maneuver on;

(C) removes a foreign body that is obstructing an airway of; or

(D) uses an automated external defibrillator on;

another person, in the course of employment as a teacher;

is not liable in a civil action for damages resulting from an act or omission occurring during the provision of emergency assistance under this section, unless the act or omission constitutes gross negligence or willful and wanton misconduct.

SECTION 109. IC 34-31-10-6, AS ADDED BY P.L.220-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. As used in this chapter, "school" means **a:**

(1) ~~a~~ public school (as defined in IC 20-18-2-15); or

(2) ~~an~~ **state** accredited nonpublic school (as defined in ~~IC 20-18-2-12).~~ **IC 20-18-2-18.7).**

SECTION 110. [EFFECTIVE UPON PASSAGE] **(a) Notwithstanding the repeal of IC 20-31-4 by this act, 511 IAC 6.1 shall remain in effect until the earlier of:**

(1) the date that administrative rules are adopted under IC 20-31-4.1-10, as added by this act; or

(2) July 1, 2021.

(b) This SECTION expires December 31, 2021.

SECTION 111. **An emergency is declared for this act.**

(Reference is to EHB 1003 as reprinted March 3, 2020.)

JORDAN	RAATZ
V. SMITH	KRUSE
House Conferees	Senate Conferees

Roll Call 380: yeas 95, nays 0. Report adopted.

Representatives Morris, who had been present, is now excused.

CONFERENCE COMMITTEE REPORT
EHB 1045–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1045 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 1-1-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 14.5. Honor and Remember Flag

Sec. 1. As used in this chapter, "Honor and Remember flag" means the Honor and Remember, Inc., flag.

Sec. 2. The Honor and Remember flag is designated as the symbol of our state's concern and commitment to honor and remember the lives of all members of the United States armed forces who lost their lives while serving or as a result of service in the armed forces of the United States and their families.

Sec. 3. The symbolism of the Honor and Remember flag is as follows:

(1) The red field represents the blood spilled by brave men and women in America's military throughout our history, who willingly gave their lives so that we all would remain free.

(2) The white border beneath and surrounding the gold star recognizes the purity of that sacrifice. There is no greater price an American can pay than to give his or her life in service to our country.

(3) The blue star represents active service in military conflict. This symbol originated in World War I, but on this flag it signifies service through all generations from the American Revolution to present day.

(4) The gold star signifies the ultimate sacrifice as a warrior in active service who will not return home. The gold color reflects the value of the life given.

(5) The folded flag signifies the final tribute to an individual life that a family sacrificed and gave to the nation.

(6) The flame is an eternal reminder of the spirit that has departed this life yet burns on in the memory of all who knew and loved the fallen hero.

Sec. 4. The Honor and Remember flag may be displayed at:

(1) each state office building;

(2) the Indiana state veterans' cemetery established by IC 10-17-11-4; and

(3) each veterans cemetery managed by the Indiana department of veterans' affairs;

and at all levels of government during the entire month of May annually.

Sec. 5. The Honor and Remember flag may be displayed at any of the entities listed in section 4 of this chapter at any time.

SECTION 2. **An emergency is declared for this act.**

(Reference is to EHB 1045 as printed February 28, 2020.)

ABBOTT	GLICK
MACER	MRVAN
House Conferees	Senate Conferees

Roll Call 381: yeas 94, nays 0. Report adopted.

Representatives Bartlett and Shackleford, who had been present, are now excused.

Representative Morris, who had been excused, is now present.

CONFERENCE COMMITTEE REPORT
EHB 1066–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1066 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 20-19-3-20 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 20. The department shall publish the following information on the department's Internet web site:**

(1) The information reported under IC 20-29-3-15(b)(20) in the most recent report prepared under IC 20-29-3-15.

(2) The number of emergency permits granted by each school corporation, categorized by content area, during the school year or collective bargaining period covered by the most recent report prepared under IC 20-29-3-15.

(3) The total number of teaching candidates who:

(A) are currently enrolled in a teacher preparation program; or

(B) have recently completed a teacher preparation program.

(4) The increase or decrease in kindergarten through grade 12 student enrollments.

(5) The total number of teachers in Indiana.

(6) The teacher workforce growth.

(7) The administrator workforce growth.

(8) For each school corporation, the number of vacant teaching positions by:

(A) grade;

(B) subject; and

(C) required credential;

with critical shortage areas, as determined by unfilled vacancies, highlighted for each school corporation.

SECTION 2. IC 20-19-3-22 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 22. (a) As used in this section, "eligible school" has the meaning set forth in IC 20-51-1-4.7.**

(b) The department shall prepare a report that includes the following information from the 2019-2020 school year:

(1) The following information for each school corporation, charter school, and eligible school for the fall semester or its equivalent:

(A) The number of students who:

(i) were included in the fall count of ADM for the school corporation, charter school, or eligible school; and

(ii) were not reported through the student testing number application center as having completed a course at the school corporation, charter school, or eligible school in the fall semester.

(B) To the extent possible, the number of students described in clause (A) who completed a course in the fall semester at another school and the other school did not include the student in that other school's fall count of ADM.

(C) To the extent possible, the number of students described in clause (A) who:

(i) are not students described in clause (B); and

(ii) were not reported as completing a course at the school corporation, charter school, or eligible school in the fall semester for known reasons, including moving out of state, withdrawing from school, or removal by a parent under IC 20-33-2-28 to provide instruction equivalent to that given in the public schools.

(2) The following information for each school corporation, charter school, and eligible school for the spring semester or its equivalent:

(A) The number of students who:

(i) were included in the spring count of ADM for the school corporation, charter school, or eligible school; and

(ii) were not reported through the student testing number application center as having completed a course at the school corporation, charter school, or eligible school in the spring semester.

(B) To the extent possible, the number of students described in clause (A) who completed a course in the spring semester at another school and the other school did not include the student in the school's spring count of ADM.

(C) To the extent possible, the number of students described in clause (A) who:

(i) are not students described in clause (B); and

(ii) were not reported as completing a course at the school corporation, charter school, or eligible school in the spring semester for known reasons, including moving out of state, completing graduation requirements between the September ADM and February ADM count dates, withdrawing from school, or removal by parents under IC 20-33-2-28 to provide instruction equivalent to that given in the public schools.

(3) The following information:

(A) The number of student

testing numbers assigned for each school.

(B) The number of students for each grade who participated in the most recent statewide assessment, divided by the number of students enrolled in the same grade at that particular school who are not exempted from participation in the statewide assessment because of an individualized education plan or other special education plan.

(C) The number of students who initially enroll in a school during the current school year, and the number of students who initially enrolled in the school during the immediately preceding school year.

(D) The number of students enrolled in a school that are twenty (20) years of age or older who initially enrolled in the school after the particular student's cohort graduated.

(c) The department shall, not later than December 1, 2020:

(1) submit the report prepared under subsection (b) to the legislative council in an electronic format under IC 5-14-6;

(2) post the report on the department's Internet web site; and

(3) provide notice of the posting and a link to the report's location on the department's Internet web site to each:

(A) school and the governing body of each school corporation;

(B) charter school and the organizer and authorizer of the charter school; and

(C) eligible school and the person or agency in active charge and management of the eligible school.

(d) This section expires July 1, 2021.

SECTION 3. IC 20-23-4-21.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 21.5. (a) This section applies to a proposed community school corporation reorganization approved by the:**

(1) state board; and

(2) registered voters in the proposed community school corporation in an election held before July 1, 2020.

(b) A teacher who:

(1) is employed in a school corporation subject to this chapter;

(2) loses his or her job in the school corporation because of a reorganization under this chapter; and

(3) has received a rating of effective or highly effective on his or her most recent performance evaluation;

shall receive an employment preference over other candidates for the same vacant teaching position, for a period of not more than one (1) year after the teacher loses his or her job under subdivision (2), at the community school corporation created by a reorganization under this chapter. In order to qualify for a hiring preference for a vacant teaching position under this section, the teacher must meet the licensing or credential requirements necessary for the teacher to teach the particular grade or subject matter for that particular teaching position.

(c) This section expires July 1, 2023.

SECTION 4. IC 20-23-4-21.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 21.6. (a) This section applies to a proposed community school corporation reorganization approved by the:**

(1) state board; and

(2) registered voters in the proposed community school corporation in an election held before July 1, 2020.

(b) A teacher who:

(1) is employed in a school corporation subject to this chapter;

(2) loses his or her job in the school corporation because of a reorganization under this chapter; and

(3) not later than one (1) year after the teacher loses his or her job as described in subdivision (2), is subsequently employed by a community school corporation created by a reorganization under this chapter;

retains the rights and privileges under IC 20-28-6 through IC 20-28-10 that the teacher held at the time the teacher lost his or her job in the original school corporation.

(c) This section expires July 1, 2023.

SECTION 5. IC 20-25-4-20, AS ADDED BY P.L.1-2005, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20. **(a)** The general school laws of Indiana and all laws and parts of laws applicable to the general system of common schools in school cities, so far as not inconsistent with this chapter and other provisions of this article, and unless made inapplicable by this article, are in full force and effect in a school city to which this chapter applies.

(b) Notwithstanding IC 20-25-13, staff performance evaluation plans in a school city shall be developed and implemented as provided in IC 20-28-11.5-4.

SECTION 6. IC 20-25.7-5-5, AS AMENDED BY P.L.130-2018, SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) IC 20-24-5-5 (with the exception of IC 20-24-5-5(f)) does not apply to a participating innovation network charter school that enters into an agreement with the board to reconstitute or establish an eligible school.

(b) Except as provided in subsections (c) and (d), a participating innovation network charter school must enroll any eligible student who submits a timely application for enrollment.

(c) A participating innovation network charter school that reconstitutes or establishes an eligible school may limit new admissions to the participating innovation network charter school to:

(1) ensure that any student with legal settlement in the attendance area, or in the school corporation if the school does not have a defined attendance area, may attend the charter school;

(2) ensure that a student who attends the participating innovation network charter school during a school year may continue to attend the charter school in subsequent years;

(3) allow the siblings of a student **alumnus or a current student** who attends the participating innovation network charter school to attend the charter school; ~~and~~

(4) allow preschool students who attend a Level 3 or Level 4 Paths to QUALITY program preschool to attend kindergarten at the

participating innovation network charter school if the participating innovation network charter school and the school corporation or preschool provider have entered into an agreement to share services or facilities;

(5) allow each student who qualifies for free or reduced price lunch under the national school lunch program to receive preference for admission to the participating innovation network charter school if the preference is specifically provided for in the charter and is approved by the authorizer; and

(6) allow each student who attended a turnaround academy under IC 20-31-9.5 or attends a school that is located in the same school building as the participating innovation network charter school to receive preference for admission to the participating innovation network charter school if the preference is specifically provided for in the participating innovation network charter school's charter and is approved by the authorizer of the participating innovation network charter school.

(d) A participating innovation network charter school with a curriculum that includes study in a foreign country may deny admission to a student if:

(1) the student:

(A) has completed fewer than twenty-two (22) academic credits required for graduation; and

(B) will be in the grade 11 cohort during the school year in which the student seeks to enroll in the participating innovation network charter school; or

(2) the student has been suspended (as defined in IC 20-33-8-7) or expelled (as defined in IC 20-33-8-3) during the twelve (12) months immediately preceding the student's application for enrollment for:

(A) ten (10) or more school days;

(B) a violation under IC 20-33-8-16;

(C) causing physical injury to a student, a school employee, or a visitor to the school; or

(D) a violation of a school corporation's drug or alcohol rules.

For purposes of subdivision (2)(A), student discipline received under IC 20-33-8-25(b)(7) for a violation described in subdivision (2)(B) through (2)(D) must be included in the calculation of the number of school days that a student has been suspended.

(e) A participating innovation network charter school may give enrollment preferences to children of the participating innovation network charter school's founders, governing board members, and participating innovation network charter school employees, as long as the enrollment preference under this subsection is not given to more than ten percent (10%) of the participating innovation charter school's total population and there is sufficient capacity for a program, class, grade level, or building to ensure that any student with legal settlement in the attendance area may attend the school.

(f) This subsection applies to an existing charter school that enters into an innovation network agreement with the board. During the charter school's first year of operation as a participating innovation network charter school, the charter school may limit admission to:

(1) those students who were enrolled in the charter school on the date it entered into the innovation network agreement; and

(2) siblings of students described in subdivision (1).

~~(f)~~ **(g)** This subsection applies if the number of applications for a program, class, grade level, or building exceeds the capacity of the program, class, grade level, or building. If a participating innovation network charter school receives a greater number of applications than there are spaces for students, each timely applicant must be given an equal chance of admission. The participating innovation network charter school that is not in a county containing a consolidated city must determine which of the applicants will be admitted to the participating innovation network charter school or the program, class, grade level, or building by random drawing in a public meeting with each timely applicant limited to one (1) entry in the drawing. However, the participating innovation network charter school located in a county with a consolidated city shall determine which of the applicants will be admitted to the participating innovation network charter school or the program, class, grade level, or building by using a publicly verifiable random selection process.

SECTION 7. IC 20-26-11-6.5, AS AMENDED BY P.L.241-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.5. (a) Notwithstanding this chapter, a school corporation shall accept a transferring student who does not have legal settlement in the school corporation ~~and who has a parent who is a current employee of the transferee school corporation:~~

~~(1) with an annual salary of at least eight thousand dollars ($8,000); and~~

~~(2) who resides in Indiana;~~

~~if the transferee school corporation has the capacity to accept the student.~~ **if:**

(1) the student's parent is a current employee of the transferee school corporation with an annual salary of at least:

(A) eight thousand dollars ($8,000); or

(B) three thousand dollars ($3,000) earned due to being included as an employee in the extracurricular portion of the transferee school corporation's current collective bargaining agreement;

(2) the student's parent currently resides in Indiana; and

(3) the transferee school corporation has the capacity to accept the student.

(b) If the number of students who request to transfer to a transferee school corporation under this section causes the school corporation to exceed the school corporation's maximum student capacity, the governing body shall determine which students will be admitted as transfer students by random drawing in a public meeting. However, the governing body of a school corporation located in a county with a consolidated city shall determine which students will be admitted by using a publicly verifiable random selection process.

(c) Notwithstanding this chapter and IC 20-43, if a school corporation has adopted a policy of not accepting the transfer of any student who does not have legal settlement within the school corporation, the school corporation may not enroll and may not report for purposes of state tuition support a student under this section whose parent does not meet the requirements described in subsection (a).

SECTION 8. IC 20-26-11-31, AS AMENDED BY P.L.251-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 31. (a) This

section applies to a school corporation **and to a charter school** that enrolls a student who has legal settlement in another school corporation for the purpose of the student receiving services from an accredited nonpublic alternative high school described in IC 20-19-2-10(e).

(b) A school corporation **or a charter school** is entitled to receive state tuition support for a student described in subsection (a) in an amount equal to:

(1) the amount received by the school corporation **or charter school** in which the student is enrolled for ADM purposes; or

(2) the amount received by the school corporation in which the student has legal settlement;

whichever is greater.

SECTION 9. IC 20-27-9-2, AS AMENDED BY P.L.144-2019, SECTION 13, AND AS AMENDED BY P.L.270-2019, SECTION 20, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. The governing body of a school corporation may allow, by written authorization, the use of a school bus or a special purpose bus for the transportation of adults at least sixty-five (65) years of age or *adults with developmental or physical disabilities.* ~~*disabled adults.*~~

SECTION 10. IC 20-27-9-5, AS AMENDED BY P.L.144-2019, SECTION 14, AND AS AMENDED BY P.L.270-2019, SECTION 21, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) A special purpose bus may be used:

(1) by a school corporation to provide regular transportation of a student between one (1) school and another school but not between the student's residence and the school;

(2) to transport students and their supervisors, including coaches, managers, and sponsors to athletic or other extracurricular school activities and field trips;

(3) by a school corporation to provide transportation between an individual's residence and the school for an individual enrolled in a special program for the habilitation or rehabilitation of persons with a developmental or physical disability, and, if applicable, the individual's sibling;

(4) to transport homeless students under IC 20-27-12; ~~and~~

(5) by a school corporation to provide regular transportation of an individual described in section 4 or 7 of this chapter between the individual's residence and the school; **and**

~~*(5) to transport adults under section 2 of this chapter.*~~

(6) to transport students to career and technical education programs under IC 20-27-12.1.

(b) The mileage limitation of section 3 of this chapter does not apply to special purpose buses.

(c) The operator of a special purpose bus must be at least twenty-one (21) years of age, be authorized by the school corporation, and meet the following requirements:

(1) *Except as provided in subdivision (2)(B) and in addition to the license required under this subdivision,* if the special purpose bus has a capacity of less than sixteen (16) passengers, the operator must hold a valid:

(A) operator's;

(B) chauffeur's;

(C) public passenger chauffeur's; or

(D) commercial driver's;

license.

(2) If the special purpose bus:

(A) has a capacity of more than fifteen (15) passengers; *or*

(B) is used to provide transportation to an individual described in subsection (a)(3) or (a)(5);

the operator must meet the requirements for a school bus driver set out in IC 20-27-8.

(d) A special purpose bus is not required to be constructed, equipped, or painted as specified for school buses under this article or by the rules of the committee.

(e) An owner or operator of a special purpose bus, other than a special purpose bus owned or operated by a school corporation or a nonpublic school, is subject to IC 8-2.1.

SECTION 11. IC 20-27-12.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 12.1. Transportation of Students for Career and Technical Education Training

Sec. 1. As used in this chapter, "appropriate vehicle" has the meaning set forth in IC 20-27-12-0.1.

Sec. 2. As used in this chapter, "career and technical education" has the meaning set forth in IC 20-20-38-1.

Sec. 3. (a) A school corporation may use the following types of vehicles in transporting a student to and from a career and technical education program:

(1) If more than seven (7) students are being transported to or from a career and technical education program, a special purpose bus must be used to transport the students.

(2) If seven (7) or fewer students are being transported to or from a career and technical education program, an appropriate vehicle may be used to transport the students.

(b) The driver of a vehicle used to transport students to or from career and technical education programs under subsection (a) must meet the qualifications set forth in IC 20-27-9-5(c).

SECTION 12. IC 20-28-8-6, AS AMENDED BY P.L.208-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) A contract entered into by a governing body and its superintendent is subject to the following conditions:

(1) If the superintendent holds a license under IC 20-28-5, the basic contract must be in the form of the regular teacher's contract.

(2) The contract may be altered or rescinded for a new one at any time by mutual consent of the governing body and the superintendent. The consent of both parties must be in writing and must be expressed in a manner consistent with this section and section 7 of this chapter.

(3) If the superintendent holds a license under IC 20-28-5, the rights of a superintendent as a teacher under any other law are not affected by the contract. However, if a right of a superintendent as a teacher under any other law conflicts with the conditions under subsection (b), subsection (b) governs.

(4) For a contract entered into or renewed after June 30, 2017, the conditions set forth under subsection (b).

(b) This subsection applies to contracts entered into or renewed after June 30, 2017. A contract entered into by a governing body and its superintendent is subject to the following conditions:

(1) The contract must be for a term of at least

one (1) year and not more than three (3) years. However, a contract may be extended for not more than an additional five (5) years beyond the term of the original contract.

(2) If the contract contains a provision that establishes an amount the governing body must pay to the superintendent to buy out the contract, the amount may not be more than an amount equal to the lesser of:

(A) the superintendent's salary for any one (1) year under the contract; or

(B) two hundred fifty thousand dollars ($250,000).

A superintendent's salary under clause (A) does not include benefits or any other forms of compensation that the superintendent receives as payment under the contract other than the superintendent's salary.

(c) This subsection applies to a governing body in which at least one (1) member is elected. After June 30, 2021, a governing body may not enter into a contract with a superintendent under this section on or after the date of the election for one (1) or more members of the governing body until January 1 of the year immediately following the year of the election. However, this subsection does not apply if the membership of the governing body does not change as a result of the particular election.

SECTION 13. IC 20-29-3-15, AS ADDED BY P.L.161-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. (a) The board shall prepare an annual report covering the previous school year or collective bargaining period that includes at least the information described in subsection (b). Before November 15 each year, the board shall:

(1) submit the report to the budget committee, department of education, state board, and legislative council in an electronic format under IC 5-14-6; and

(2) publish the report on the state's interactive and searchable Internet web site containing local government information (the Indiana gateway for governmental units).

(b) The report must cover at least the following information:

(1) The total number of full-time public school teachers and the number of nonteaching full-time district level administrators.

(2) The average tenure of all full-time public school teachers.

(3) The number of first-year, full-time teachers hired during the previous calendar year.

(4) The number of full-time teachers who retired during the interval between the immediately preceding collective bargaining period and the previous calendar year's collective bargaining period.

(5) The overall average salary of nonteaching full-time district level administrators.

(6) The overall average salary of full-time public school teachers.

(7) The statewide average total compensation of full-time public school teachers, the statewide average daily teacher salary rate, and the statewide average annual teacher contract days.

(8) The statewide average total compensation of full-time public school administrators, the statewide average daily nonteaching, full-time, district level administrator salary rate, and the statewide average annual administrator contract days.

(9) The average salary and total compensation of full-time public school teachers for each school corporation.

(10) The average salary and total compensation of nonteaching, full-time district level administrators, including separately the superintendent, for each school corporation.

(11) The minimum full-time public school teacher salary.

(12) The maximum full-time public school teacher salary.

(13) The minimum nonteaching full-time district level administrative salary.

(14) The maximum nonteaching full-time district level administrative salary.

(15) The number of full-time public school teachers earning a salary under the statewide average.

(16) The number of full-time public school teachers earning a salary in excess of the statewide average.

(17) For each school corporation, the average salary paid to full-time public school teachers in each of the following tenure benchmarks:

(A) First year.

(B) Fifth year.

(C) Tenth year.

(D) Fifteenth year.

(E) Twentieth year.

(F) Twenty-fifth year.

(G) Thirty (30) or more years of service.

(18) For each school corporation, the nominal dollar figures for subdivisions (5), (6), (11), (12), (13), (14), and (17) in nationally recognized, open-source, state-specific cost of living index-adjusted dollars to compare to the figures described in subdivision (19).

(19) Comparative data on overall full-time public school teacher salary averages and by each of the tenure benchmarks listed in subdivision (17) in both nominal dollars and nationally recognized, open-source, state-specific cost of living index-adjusted dollars for each of the following states:

(A) Illinois.

(B) Kentucky.

(C) Michigan.

(D) Ohio.

(E) Wisconsin.

(20) The total number of full-time teachers retained from the previous year.

(21) The total number of newly hired teachers with previous work experience in teaching.

(22) The total number of teaching candidates who:

(A) are currently enrolled in a teacher preparation program; or

(B) have recently completed a teacher preparation program.

(23) The increase or decrease in kindergarten through grade 12 student enrollments.

(24) The total number of teachers in Indiana.

(25) The teacher workforce growth.

(26) The administrator workforce growth.

(27) For each school corporation, the number of vacant teaching positions by:

(A) grade;

(B) subject; and

(C) required credential;

with critical shortage areas, as determined by unfilled vacancies, highlighted for each school corporation.

As used in this subsection, total compensation includes the monetary value of salary, wages, bonuses, stipends, supplemental payments, commissions, employment benefits, and any other form of remuneration paid for personal services.

(c) The board may require schools to submit any school corporation specific information needed to complete the report. Parties to a collective bargaining agreement shall comply with the board's requests for information necessary to complete the report.

SECTION 14. IC 20-30-3-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5. (a) Subject to subsection (b), each school corporation and charter school may place a durable poster or framed picture representing:**

(1) the national motto of the United States, "In God We Trust"; and

(2) an accurate representation of the:

(A) United States flag; and

(B) Indiana state flag;

which may be positioned under the national motto described in subdivision (1);

in each school library and classroom within the school corporation or charter school.

(b) The durable poster or framed picture described in subsection (a) may be at least eleven (11) inches in height by seventeen (17) inches in width. The dimensions of the national motto described in subsection (a)(1) may be at least four (4) inches in height by fifteen (15) inches in width and include print large enough to fill the dimensions established by this subdivision.

(c) If a school corporation or charter school places a poster or framed picture under subsection (a), the representation of the United States flag and the Indiana state flag as described in subsection (a)(2) must comply with any applicable federal or state laws concerning the design, dimensions, or presentation of the respective flags.

SECTION 15. IC 20-30-6.1-3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3. A school corporation, charter school, or nonpublic school with at least one (1) employee may provide a presentation or instruction to students explaining aspects of autism, including behaviors that students with autism may exhibit as well as student interaction with students with autism.**

SECTION 16. IC 20-32-5.1-17, AS AMENDED BY P.L.269-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. (a) The state board shall approve two (2) or more benchmark, formative, interim, or similar assessments to identify students that require remediation and provide individualized instruction in which a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may receive a grant under subsection (c). The benchmark, formative, interim, or similar assessments must show alignment, verified by a third party, to Indiana's academic standards. **The majority of the assessment reporting must indicate the degree to which students are on track for grade level proficiency and college and career readiness.** Approved assessments must also provide predictive study results for student performance on the statewide assessment under section 7 of this chapter, not later than two (2) years after the summative assessment has been first administered.

(b) A school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may elect to administer a benchmark, formative, interim, or similar assessment described in subsection (a). If a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) administers an assessment described in subsection (a), the school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may prescribe the time and the manner in which the assessment is administered.

(c) If a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) elects to administer a benchmark, formative, interim, or similar assessment described in subsection (a), the school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) is entitled to receive a grant or reimbursement from the department in an amount not to exceed the cost of the assessment. The department shall provide grants and reimbursements to a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) under this section from money appropriated to the department for the purpose of carrying out this section.

(d) The state board and the department may not contract with, approve, or endorse the use of a single vendor to provide benchmark, formative, interim, or similar assessments for any grade level or levels of kindergarten through grade 7.

SECTION 17. IC 20-33-2-10, AS AMENDED BY P.L.144-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) Each public school shall and each private school may require a student who initially enrolls in the school to provide:

(1) the name and address of the school the student last attended; and

(2) a certified copy of the student's birth certificate or other reliable proof of the student's date of birth.

(b) Each public school, charter school, and nonpublic school with at least one (1) employee shall provide upon request of another school a copy of a particular student's disciplinary records that are relevant to the safety of students, if the particular student currently attends the requesting school and is currently enrolled in the requesting school.

~~(b)~~ **(c)** Not more than fourteen (14) days after initial enrollment in a school, the school shall request the student's records from the school the student last attended.

~~(c)~~ **(d)** If the document described in subsection (a)(2):

(1) is not provided to the school not more than thirty (30) days after the student's enrollment; or

(2) appears to be inaccurate or fraudulent;

the school shall notify the Indiana clearinghouse for information on missing children and missing endangered adults established under IC 10-13-5-5 and determine if the student has been reported missing.

~~(d)~~ **(e)** A school in Indiana receiving a request for records shall send the records promptly to the requesting school. However, if a request is received for records to which a notice has been attached under IC 31-36-1-5 (or IC 31-6-13-6 before its repeal), the school:

(1) shall immediately notify the Indiana clearinghouse for information on missing children and missing endangered adults;

(2) may not send the school records without the authorization of the clearinghouse; and

(3) may not inform the requesting school that a notice under IC 31-36-1-5 (or IC 31-6-13-6 before its repeal) has been attached to the records.

~~(e)~~ **(f)** Notwithstanding subsection ~~(d),~~ **(e),** if a parent of a child who has enrolled in an accredited nonpublic school is in breach of a contract that conditions release of student records on the payment of outstanding tuition and other fees, the accredited nonpublic school shall provide a requesting school

sufficient verbal information to permit the requesting school to make an appropriate placement decision regarding the child. **However, the accredited nonpublic school must provide the information described in subsection (b) to the requesting school.**

SECTION 18. IC 20-33-8-18, AS AMENDED BY P.L.94-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) A principal may suspend a student for not more than ten (10) school days under section 14, 15, or 16 of this chapter. However, the student may be suspended for more than ten (10) school days under section 23 of this chapter.

(b) A principal may not suspend a student before the principal affords the student an opportunity for a meeting during which the student is entitled to the following:

(1) A written or an oral statement of the charges against the student.

(2) If the student denies the charges, a summary of the evidence against the student.

(3) An opportunity for the student to explain the student's conduct.

(c) When misconduct requires immediate removal of a student, the meeting under subsection (b) must begin as soon as reasonably possible after the student's suspension.

(d) Following a suspension, the principal shall send a written statement to the parent of the suspended student describing the following:

(1) The student's misconduct.

(2) The action taken by the principal.

(e) If a student is suspended, the student is required to complete all assignments and school work assigned during the period of the student's suspension. The principal or the principal's designee shall ensure that the student receives:

(1) notice of any assignments or school work due; ~~and~~

(2) teacher contact information in the event the student has questions regarding the assignments or school work; **and**

(3) credit, in the same manner that a student who is not suspended would receive, for any assignments or school work assigned during the period of the student's suspension that the student completes.

A student may be allowed to make up missed tests or quizzes when the student returns to school.

SECTION 19. IC 20-43-4-6, AS AMENDED BY P.L.169-2016, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) In determining ADM, each pupil enrolled in a public school, including a charter school, and a nonpublic school is to be counted on a full-time equivalency basis if the pupil:

(1) is enrolled in a public school and a nonpublic school;

(2) has legal settlement in a school corporation; and

(3) receives instructional services from ~~the~~ **a** school corporation.

(b) For purposes of this section, full-time equivalency is calculated as follows:

STEP ONE: Determine the result of:

(A) the number of days instructional services will be provided to the pupil, not to exceed one hundred eighty (180); divided by

(B) one hundred eighty (180).

STEP TWO: Determine the result of:

(A) the pupil's public school instructional time (as defined in IC 20-30-2-1); divided by

(B) the actual public school regular instructional day (as defined in IC 20-30-2-2).

STEP THREE: Determine the result of:

(A) the STEP ONE result; multiplied by

(B) the STEP TWO result.

STEP FOUR: Determine the lesser of one (1) or the result of:

(A) the STEP THREE result; multiplied by

(B) one and five hundredths (1.05).

However, the state board may, by rules adopted under IC 4-22-2, specify an equivalent formula if the state board determines that the equivalent formula would more accurately reflect the instructional services provided by a school corporation during a period that a particular ADM count is in effect for the school corporation.

SECTION 20. IC 35-31.5-2-144, AS AMENDED BY P.L.170-2014, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 144. (a) "Governmental entity" means:

(1) the United States or any state, county, township, city, town, separate municipal corporation, special taxing district, or public school corporation;

(2) any authority, board, bureau, commission, committee, department, division, hospital, military body, or other instrumentality of any of those entities; or

(3) a state assisted college or state assisted university.

(b) For purposes of IC 35-33-5, "governmental entity" also includes a person authorized to act on behalf of a state or local agency.

(c) For purposes of IC 35-44.1, "governmental entity" also includes a charter school (as defined in IC 20-24-1-4) and an organizer (as defined in IC 20-24-1-7).

SECTION 21. [EFFECTIVE UPON PASSAGE] **(a) The provisions of SEA 2-2020 apply to an adult high school (as defined under IC 20-24-1-2.3).**

(c) This SECTION expires July 1, 2023.

SECTION 22. [EFFECTIVE JULY 1, 2020] **(a) The following definitions apply throughout this SECTION:**

(1) "Utility career cluster" means a list:

(A) compiled for purposes of college and career pathways relating to career and technical education under IC 20-32-4-1.5(g); and

(B) setting forth industries or occupational fields that:

(i) are related to the provision of utility services; and

(ii) share similar knowledge and skill training requirements.

(2) "Utility services" includes:

(A) production, transmission, or distribution of electricity;

(B) acquisition, transportation, distribution, or storage of natural gas;

(C) provision of communications service (as defined in IC 8-1-32.5-3);

(D) treatment, storage, or distribution of water; and

(E) collection or treatment of wastewater.

(b) The general assembly finds the following:

(1) Careers in utility services provide rewarding, highly stable employment in jobs that offer high wages and benefits.

(2) The number of individuals entering the utility services workforce is insufficient to keep pace with industry demand.

(3) Current Indiana college and career pathways relating to career and technical education are not presently aligned to guide students toward and into careers in utility services and meet utility services industry demand.

(c) The general assembly:

(1) urges the state board of education to approve a utility career cluster for purposes of developing sequences of courses leading to student concentrators in industries or occupational fields related to the provision of utility services under IC 20-32-4-1.5(g);

(2) urges the governor's workforce cabinet, in consultation with the state board of education, the department of education, and the department of workforce development:

(A) to create one (1) or more course sequences:

(i) each of which is comprised of courses approved by the state board of education for purposes of college and career pathways relating to career and technical education under IC 20-32-4-1.5(g); and

(ii) each of which provides students with knowledge and skills necessary for employment in an industry or occupational field in the utility career cluster; and

(B) in creating course sequences under clause (A):

(i) to consider the impact of course sequences on the long term outcomes of students; and

(ii) to prioritize course sequences that lead to high wage, high demand jobs; and

(3) urges the governor's workforce cabinet to:

(A) collect data regarding career clusters approved under subdivision (1) and course sequences created under subdivision (2) to inform decision making around approving, creating, and amending current and future career clusters and course sequence requirements; and

(B) report to the general assembly regarding data collected under clause (A).

(d) This SECTION expires July 1, 2021.

SECTION 23. **An emergency is declared for this act.**

(Reference is to EHB 1066 as reprinted March 3, 2020.)

THOMPSON	RAATZ
V. SMITH	STOOPS
House Conferees	Senate Conferees

Roll Call 382: yeas 93, nays 0. Report adopted.

Representatives Karickhoff and Morrison, who had been present, are now excused.

Representative Bartlett and Shackleford, who had been excused, are now present.

CONFERENCE COMMITTEE REPORT

EHB 1113–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1113 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 5-1-18-6, AS AMENDED BY P.L.137-2012, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. A political subdivision that issues bonds or enters into a lease after December 31, 2005, shall supply the department with a debt issuance report not later than:

(1) one (1) month after the date on which the bonds are issued or the lease is executed, **if the bonds are issued or the lease is executed before October 1; or**

(2) five (5) business days after the date on which the bonds are issued or the lease is executed, if the bonds are issued or the lease is executed after September 30.

SECTION 2. IC 5-1.2-4.5-2, AS ADDED BY P.L.108-2019, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MAY 1, 2020]: Sec. 2. (a) This section applies to:

(1) a public-private agreement to which the authority is a party under IC 8-15.5 and that is originally entered into after May 1, 2019; **and**

(2) any other agreement to which the authority or the state is a party under any provision of the Indiana Code, other than IC 8-15.5, that would increase revenue as the result of the sale or lease of a state asset, or a grant of a license to operate a state asset, and that is entered into after May 1, 2020.

(b) If:

(1) an extension or an amendment to a public-private agreement **described in subsection (a)(1)** would increase the amount to be:

~~(1)~~ **(A)** paid by the authority to the operator, another private entity, or a governmental entity by at least one hundred million dollars ($100,000,000); or

~~(2)~~ **(B)** received by the operator or a party related to the operator by at least one hundred million dollars ($100,000,000); **or**

(2) an agreement described in subsection (a)(2) would increase revenue by at least one hundred million dollars ($100,000,000) as the result of the sale or lease of a state asset, or a grant of a license to operate a state asset;

the authority **or the state** shall submit the proposed extension or amendment to the public-private agreement **described in subdivision (1) or the proposed agreement described in subdivision (2)** to the budget committee established by

IC 4-12-1-3 for its review.

(c) The budget committee may request that the authority, ~~or~~ the department of transportation, or both, **or the state, as applicable,** appear at a public meeting of the budget committee concerning the proposed extension or amendment to the public-private agreement **described in subsection (a)(1) or the proposed agreement described in subsection (a)(2).** The authority **or the state** may not enter into any extension or amendment to the public-private agreement **described in subsection (a)(1) or the proposed agreement described in subsection (a)(2)** until after the budget committee has reviewed the proposed extension or amendment **to the public-private agreement described in subsection (a)(1) or the proposed agreement described in subsection (a)(2).**

SECTION 3. IC 6-1.1-2-8, AS ADDED BY P.L.220-2011, SECTION 117, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) IC 6-1.1-1-3, as amended by P.L.6-1997, and all changes in tax rates, deductions, and limits on indebtedness made by P.L.6-1997 apply only to budget years and property taxes first due and payable after December 31, 2001.

(b) For the purpose of computing:

(1) the ~~assessed value~~ **maximum levy** growth quotient under IC 6-1.1-18.5-2; and

(2) any other value that requires the use of an assessed value from a date before March 1, 2001;

for a budgetary appropriation, state distribution, or property tax levy first due and payable after December 31, 2001, the assessed value from a date before March 1, 2001, must first be increased from thirty-three and thirty-three hundredths percent (33.33%) of true tax value to one hundred percent (100%) of true tax value before the computation is made.

(c) For the purpose of computing:

(1) a tax rate under IC 6-1.1-19-1.5 (before its repeal); and

(2) any other value that requires the use of a tax rate from a date before March 1, 2001;

for a budgetary appropriation, state distribution, or property tax levy first due and payable after December 31, 2001, a tax rate from a date before January 1, 2002, must first be reduced by dividing the tax rate by three (3) before the computation is made.

(d) The ~~state board~~ **department** of ~~tax commissioners~~ **local government finance** shall adjust the tax rates of all taxing units to eliminate the effects of changing assessed values from thirty-three and thirty-three hundredths percent (33.33%) of true tax value to one hundred percent (100%) of true tax value.

(e) If a maximum property tax rate that was enacted before 1997 is not amended by P.L.6-1997, the ~~state board~~ **department** of ~~tax commissioners~~ **local government finance** shall adjust the maximum tax rate to eliminate the effects of changing assessed values from thirty-three and thirty-three hundredths percent (33.33%) of true tax value to one hundred percent (100%) of true tax value.

(f) The state board of tax commissioners shall prepare the initial schedule of adjusted assessed values for all political subdivisions under IC 36-1-15, as added by P.L.6-1997, not later than July 1, 2001.

(g) It is the intent of the general assembly that all adjustments necessary to implement IC 6-1.1-1-3, as amended by P.L.6-1997, be made without raising the revenues available to governmental units more than would have occurred if P.L.6-1997 were not enacted. The ~~state board~~ **department** of ~~tax commissioners~~ **local government finance** shall provide fiscal officers in the taxing units, assessing officials, and members of the board of tax adjustment with instructions on how to implement this section.

(h) If a statute that imposes an assessed value limitation on the aggregate amount of bonds that a political subdivision may issue that was enacted before 1997 is not amended by P.L.6-1997, the ~~state board~~ **department** of ~~tax commissioners~~ **local government finance** shall adjust the assessed value limitation to eliminate the effects of changing assessed values from thirty-three and thirty-three hundredths percent (33.33%) of true tax value to one hundred percent (100%) of true tax value.

(i) The ~~state board~~ **department** of ~~tax commissioners~~ **local government finance** shall, if necessary to protect owners of bonds payable in whole or in part from tax increment, adjust the base assessed value to neutralize the effect of changing assessed values under P.L.6-1997 from thirty-three and thirty-three hundredths percent (33.33%) of true tax value to one hundred percent (100%) of true tax value under the following statutes:

(1) IC 6-1.1-39.
(2) IC 8-22-3.5.
(3) IC 36-7-14.
(4) IC 36-7-14.5.
(5) IC 36-7-15.1.
(6) IC 36-7-30.

SECTION 4. IC 6-1.1-3-22, AS AMENDED BY P.L.245-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 22. (a) Except to the extent that it conflicts with a statute and subject to subsection (f), 50 IAC 4.2 (as in effect January 1, 2001), which was formerly incorporated by reference into this section, is reinstated as a rule.

(b) Tangible personal property within the scope of 50 IAC 4.2 (as in effect January 1, 2001) shall be assessed on the assessment dates in calendar years 2003 and thereafter in conformity with 50 IAC 4.2 (as in effect January 1, 2001).

(c) The publisher of the Indiana Administrative Code shall publish 50 IAC 4.2 (as in effect January 1, 2001) in the Indiana Administrative Code.

(d) 50 IAC 4.3 and any other rule to the extent that it conflicts with this section is void.

(e) A reference in 50 IAC 4.2 to a governmental entity that has been terminated or a statute that has been repealed or amended shall be treated as a reference to its successor.

(f) The department of local government finance may not amend or repeal the following (all as in effect January 1, 2001):

(1) 50 IAC 4.2-4-3(f).
(2) 50 IAC 4.2-4-7.
(3) 50 IAC 4.2-4-9.
(4) 50 IAC 4.2-5-7.
(5) 50 IAC 4.2-5-13.
(6) 50 IAC 4.2-6-1.
(7) 50 IAC 4.2-6-2.
(8) 50 IAC 4.2-8-9.

However, the department of local government finance may amend these rules to conform with statutory changes.

(g) Notwithstanding any other provision of this section, 50 IAC 4.2-4-6(c) is void effective July 1, 2015. The publisher of the Indiana Administrative Code and the Indiana Register shall remove this provision from the Indiana Administrative Code.

SECTION 5. IC 6-1.1-4-19.5, AS AMENDED BY P.L.257-2019, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 19.5. (a) The department of local government finance shall develop a standard contract or standard provisions for contracts to be used in securing professional appraising services.

(b) The standard contract or contract provisions must contain:

(1) a fixed date by which the professional appraiser or appraisal firm shall have completed all responsibilities under the contract;

(2) a penalty clause under which the amount to be paid for appraisal services is decreased for failure to complete specified services within the specified time;

(3) a provision requiring the appraiser, or appraisal firm, to make periodic reports to the county assessor;
(4) a provision stipulating the manner in which, and the time intervals at which, the periodic reports referred to in subdivision (3) of this subsection are to be made;
(5) a precise stipulation of what service or services are to be provided and what class or classes of property are to be appraised;
(6) a provision stipulating that the contractor will generate complete parcel characteristics and parcel assessment data in a manner and format acceptable to the legislative services agency and the department of local government finance;
(7) a provision stipulating that the ~~legislative services agency and the~~ department of local government finance ~~have~~ **has** unrestricted access to the contractor's work product under the contract; and
(8) a provision stating that the contract is void and unenforceable if the appraiser is not certified by the department of local government finance on the date that the contract is executed or the department of local government finance subsequently revokes the professional appraiser's certification under IC 6-1.1-31.7-4 after the contract is executed.

The department of local government finance may devise other necessary provisions for the contracts in order to give effect to this chapter.

(c) In order to comply with the duties assigned to it by this section, the department of local government finance may develop:
(1) one (1) or more model contracts;
(2) one (1) contract with alternate provisions; or
(3) any combination of subdivisions (1) and (2).

The department may approve special contract language in order to meet any unusual situations.

SECTION 6. IC 6-1.1-4-25, AS AMENDED BY P.L.273-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 25. (a) Each township assessor and each county assessor shall keep the assessor's reassessment data and records current by securing the necessary field data and by making changes in the assessed value of real property as changes occur in the use of the real property. The township or county assessor's records shall at all times show the assessed value of real property in accordance with this chapter. The township assessor shall ensure that the county assessor has full access to the assessment records maintained by the township assessor.

(b) The county assessor shall:
(1) maintain an electronic data file of:
(A) the parcel characteristics and parcel assessments of all parcels; and
(B) the personal property return characteristics and assessments by return;
for each township in the county as of each assessment date;
(2) maintain the electronic file in a form that formats the information in the file with the standard data, field, and record coding required and approved by:
(A) the legislative services agency; and
(B) the department of local government finance; and
(3) before September 1 of each year, transmit the data in the file with respect to the assessment date of that year to
~~(A) the legislative services agency; and~~
~~(B)~~ the department of local government finance.

(c) The appropriate county officer, as designated by the county executive, shall:
(1) maintain an electronic data file of the geographic information system characteristics of each parcel for each township in the county as of each assessment date;
(2) maintain the electronic file in a form that formats the information in the file with the standard data, field, and record coding required and approved by the office of technology; and
(3) before September 1 of each year, transmit the data in the file with respect to the assessment date of that year to the geographic information office of the office of technology.

(d) An assessor under subsection (b) and an appropriate county officer under subsection (c) shall do the following:
(1) Transmit the data in a manner that meets the data export and transmission requirements in a standard format, as prescribed by the office of technology established by IC 4-13.1-2-1 and approved by the legislative services agency.
(2) Resubmit the data in the form and manner required under subsection (b) or (c) upon request of the legislative services agency, the department of local government finance, or the geographic information office of the office of technology, as applicable, if data previously submitted under subsection (b) or (c) does not comply with the requirements of subsection (b) or (c), as determined by the legislative services agency, the department of local government finance, or the geographic information office of the office of technology, as applicable.

An electronic data file maintained for a particular assessment date may not be overwritten with data for a subsequent assessment date until a copy of an electronic data file that preserves the data for the particular assessment date is archived in the manner prescribed by the office of technology established by IC 4-13.1-2-1 and approved by the legislative services agency.

SECTION 7. IC 6-1.1-4-42, AS ADDED BY P.L.182-2009(ss), SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 42. (a) This section applies to assessment dates after January 15, 2010.

(b) ~~As used in~~ **The following definitions apply throughout** this section:
(1) "Golf course" means an area of land ~~and yard improvements that are~~ predominately used to play the game of golf **and associated yard improvements.** A golf course consists of a series of holes, each consisting of a teeing area, fairway, rough and other hazards, and the green with the pin and cup.
(2) "Yard improvements" include a clubhouse, irrigation systems, a pro shop, a maintenance building, a driving range, a structure for food and beverage services, or other buildings associated with the operation of and included in the net operating income of a golf course.

(c) The true tax value of real property regularly used as a golf course is the valuation determined by applying the income capitalization appraisal approach. The income capitalization

approach used to determine the true tax value of a golf course must:

(1) incorporate an applicable income capitalization method and appropriate capitalization rates that are developed and used in computations that lead to an indication of value commensurate with the risks for the subject property use;

(2) provide for the uniform and equal assessment of golf courses; ~~of similar grade quality and play length;~~ and

(3) exclude the value of personal property, intangible property, and income derived from personal or intangible property.

(d) For assessment dates after January 15, 2010, and before March 1, 2012, a township assessor (if any) or the county assessor shall gather and process information from the owner of a golf course to carry out this section in accordance with the rules adopted by the department of local government finance under IC 4-22-2.

(e) For assessment dates after February 28, 2012, the department of local government finance shall, by rules adopted under IC 4-22-2, establish uniform income capitalization ~~tables and~~ **rates annually and** procedures to be used for the assessment of golf courses. The department of local government finance may rely on ~~analysis conducted by a state educational institution to develop the income capitalization tables and procedures required under this section.~~ **recognized sources of industry capitalization rates.** Assessing officials shall use the ~~tables and~~ procedures adopted by the department of local government finance to assess, reassess, and annually adjust the assessed value of golf courses.

(f) The department of local government finance may prescribe procedures, forms, and due dates for the collection from the owners or operators of golf courses of the necessary earnings, income, profits, losses, and expenditures data necessary to carry out this section. An owner or operator of a golf course shall comply with the procedures and reporting schedules prescribed by the department of local government finance.

(g) On or before December 31 of each year, assessing officials shall solicit, and the owners or operators of a golf course shall provide to the assessing officials, data for the gross income and allowable operating expenses for the three (3) years immediately preceding the year in which the solicitation and submission of data is being made. Assessing officials may use federal tax returns or other similar evidence as verification that the submissions are correct.

(h) For each assessment date, assessing officials shall examine and evaluate the three (3) consecutive years of financial records and federal tax returns that are submitted under subsection (g) in the year immediately preceding the year of the assessment date to obtain the average net operating income. The three (3) year average should include the most current completed financial records and filed federal tax returns of the golf course as of the assessment date to ensure that the appropriate income and expense information for the subject property is used.

(i) All income and expense information provided to the assessing official under this section is confidential under IC 6-1.1-35-9.

SECTION 8. IC 6-1.1-5.5-3, AS AMENDED BY P.L.111-2014, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) For purposes of this section, "party" includes:

(1) a seller of property that is exempt under the seller's ownership; or

(2) a purchaser of property that is exempt under the purchaser's ownership;

from property taxes under IC 6-1.1-10.

(b) Subject to subsections (g) and (h), before filing a conveyance document with the county auditor under IC 6-1.1-5-4, all the parties to the conveyance must do the following:

(1) Complete and sign a sales disclosure form as prescribed by the department of local government finance under section 5 of this chapter. All the parties may sign one (1) form, or if all the parties do not agree on the information to be included on the completed form, each party may sign and file a separate form. For conveyance transactions involving more than two (2) parties, one (1) transferor and one (1) transferee signing the sales disclosure form is sufficient.

(2) Before filing a sales disclosure form with the county auditor, submit the sales disclosure form to the county assessor. The county assessor must review the accuracy and completeness of each sales disclosure form submitted immediately upon receipt of the form and, if the form is accurate and complete, stamp or otherwise approve the form as eligible for filing with the county auditor and return the form to the appropriate party for filing with the county auditor. If multiple forms are filed in a short period, the county assessor shall process the forms as quickly as possible. For purposes of this subdivision, a sales disclosure form is considered to be accurate and complete if:

(A) the county assessor does not have substantial evidence when the form is reviewed under this subdivision that information in the form is inaccurate; and

(B) both of the following conditions are satisfied:

(i) The form contains the information required by section 5(a)(1) through 5(a)(16) of this chapter as that section applies to the conveyance transaction, subject to the obligation of a party to furnish or correct that information in the manner required by and subject to the penalty provisions of section 12 of this chapter. The form may not be rejected for failure to contain information other than that required by section 5(a)(1) through 5(a)(16) of this chapter.

(ii) The form is submitted to the county assessor in a format usable to the county assessor.

(3) File the sales disclosure form with the county auditor.

(c) The auditor shall review each sales disclosure form and process any deduction for which the form serves as an application under IC 6-1.1-12-44. The auditor shall forward each sales disclosure form to the county assessor. The county assessor shall verify the assessed valuation of the property for the assessment date to which the application applies and transmit that assessed valuation to the auditor. The county assessor shall retain the forms for five (5) years. The county assessor shall forward the sales disclosure form data to the department of local government finance ~~and the legislative services agency~~ in an electronic format specified ~~jointly~~ by the department of local government finance ~~and the legislative services agency~~ on or before April 1 in a year ending before

January 1, 2016, and on or before February 1 in a year beginning after December 31, 2015. The county assessor shall forward a copy of the sales disclosure forms to the township assessors in the county. **The department of local government finance shall make sales disclosure form data received from a county assessor available to the legislative services agency.** The forms may be used by the county assessing officials, the department of local government finance, and the legislative services agency for the purposes established in IC 6-1.1-4-13.6, sales ratio studies, equalization, adoption of rules under IC 6-1.1-31-3 and IC 6-1.1-31-6, and any other authorized purpose.

(d) In a county containing a consolidated city, the auditor shall review each sales disclosure form and process any deduction for which the form serves as an application under IC 6-1.1-12-44. The auditor shall forward the sales disclosure form to the appropriate township assessor (if any). The township assessor shall verify the assessed valuation of the property for the assessment date to which the application applies and transmit that assessed valuation to the auditor. The township or county assessor shall forward the sales disclosure form to the department of local government finance ~~and the legislative services agency~~ in an electronic format specified ~~jointly~~ by the department of local government finance. ~~and the legislative services agency.~~ **The department of local government finance shall make sales disclosure form data received from a township or county assessor available to the legislative services agency.** The forms may be used by the county assessing officials, the county auditor, the department of local government finance, and the legislative services agency for the purposes established in IC 6-1.1-4-13.6, sales ratio studies, equalization, adoption of rules under IC 6-1.1-31-3 and IC 6-1.1-31-6, and any other authorized purpose.

(e) If a sales disclosure form includes the telephone number or Social Security number of a party, the telephone number or Social Security number is confidential.

(f) County assessing officials, county auditors, and other local officials may not establish procedures or requirements concerning sales disclosure forms that substantially differ from the procedures and requirements of this chapter.

(g) Except as provided in subsection (h), a separate sales disclosure form is required for each parcel conveyed, regardless of whether more than one (1) parcel is conveyed under a single conveyance document.

(h) Only one (1) sales disclosure form is required for the conveyance under a single conveyance document of two (2) or more contiguous parcels located entirely within a single taxing district.

SECTION 9. IC 6-1.1-5.5-5, AS AMENDED BY P.L.87-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The department of local government finance shall prescribe a sales disclosure form for use under this chapter. The form prescribed by the department of local government finance must include at least the following information:

(1) The key number (as defined in IC 6-1.1-1-8.5) of each parcel.
(2) With respect to each parcel, whether the entire parcel is being conveyed.
(3) The address of each improved parcel.
(4) The date of the execution of the form.
(5) The date the property was transferred.
(6) Whether the transfer includes an interest in land or improvements, or both.
(7) Whether the transfer includes personal property.
(8) An estimate of the value of any personal property included in the transfer.
(9) The name, address, and telephone number of:
(A) each transferor and transferee; and
(B) the person that prepared the form.
(10) The mailing address to which the property tax bills or other official correspondence should be sent.
(11) The ownership interest transferred.
(12) The classification of the property (as residential, commercial, industrial, agricultural, vacant land, or other).
(13) Subject to subsection (c), the total price actually paid or required to be paid in exchange for the conveyance, whether in terms of money, property, a service, an agreement, or other consideration, but excluding tax payments and payments for legal and other services that are incidental to the conveyance.
(14) The terms of seller provided financing. ~~such as interest rate, points, type of loan, amount of loan, and amortization period, and whether the borrower is personally liable for repayment of the loan.~~
(15) Any family or business relationship existing between the transferor and the transferee.
(16) A legal description of each parcel subject to the conveyance.
(17) Whether the transferee is using the form to claim one (1) or more deductions under IC 6-1.1-12-44 for property taxes first due and payable in a calendar year after 2008.
(18) If the transferee uses the form to claim the standard deduction under IC 6-1.1-12-37, the information required for a standard deduction under IC 6-1.1-12-37.
(19) Sufficient instructions and information to permit a party to terminate a standard deduction under IC 6-1.1-12-37 on any parcel of property on which the party or the spouse of the party will no longer be eligible for the standard deduction under IC 6-1.1-12-37 after the party or the party's spouse begins to reside at the property that is the subject of the sales disclosure form, including an explanation of the tax consequences and applicable penalties if a party unlawfully claims a standard deduction under IC 6-1.1-12-37.
(20) Other information as required by the department of local government finance to carry out this chapter.

If a form under this section includes the telephone number or part or all of the Social Security number of a party, the telephone number or the Social Security number is confidential.

(b) The instructions for completing the form described in subsection (a) must include the information described in IC 6-1.1-12-43(c)(1).

(c) If the conveyance includes more than one (1) parcel as described in section 3(h) of this chapter, the form:

(1) is not required to include the price referred to in subsection (a)(13) for each of the parcels subject to the conveyance; and
(2) may state a single combined price for all of those parcels.

SECTION 10. IC 6-1.1-8.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. As used in this chapter, "industrial facility" means a company's real property that:

(1) has been classified as industrial property under the rules of the department of local

government finance; and

(2) has a true tax value, as estimated by the department, of at least ~~twenty-five~~ **thirty-five** million dollars ~~($25,000,000)~~ **($35,000,000)** in a qualifying county.

The term includes real property that is used under an agreement under which the user exercises the beneficial rights of ownership for the majority of a year. The term does not include real property assessed under IC 6-1.1-8.

SECTION 11. IC 6-1.1-8.5-8, AS AMENDED BY P.L.86-2018, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) For purposes of:

(1) a reassessment of a group of parcels under a county's reassessment plan prepared under IC 6-1.1-4-4.2; or

(2) a new assessment;

the department of local government finance shall assess each industrial facility in a qualifying county.

(b) The following may not assess an industrial facility in a qualifying county:

(1) A county assessor.

(2) A township assessor.

~~(2)~~ **(3)** An assessing official.

(4) A vendor under contract with a county assessor or township assessor.

~~(3)~~ **(5)** A county property tax assessment board of appeals.

SECTION 12. IC 6-1.1-8.5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. The county assessor **and the township assessors, if any,** of the qualifying county in which an industrial facility is located shall provide support to the assessor of the department of local government finance during the course of the assessment of the industrial facility.

SECTION 13. IC 6-1.1-8.7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. As used in this chapter, "industrial facility" means a company's real property that:

(1) has been classified as industrial property under the rules of the department; and

(2) has a true tax value, as estimated by the department, of at least ~~twenty-five~~ **thirty-five** million dollars ~~($25,000,000)~~ **($35,000,000)** in a county.

The term includes real property that is used under an agreement under which the user exercises the beneficial rights of ownership for the majority of a year. The term does not include real property assessed under IC 6-1.1-8.

SECTION 14. IC 6-1.1-8.7-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. The county assessor **and the township assessors, if any,** of the county in which the industrial facility is located shall provide support to the department's assessor during the course of the assessment of an industrial facility.

SECTION 15. IC 6-1.1-11-4, AS AMENDED BY P.L.86-2018, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The exemption application referred to in section 3 of this chapter is not required if the exempt property is owned by the United States, the state, an agency of this state, or a political subdivision (as defined in IC 36-1-2-13). However, this subsection applies only when the property is used, and in the case of real property occupied, by the owner.

(b) The exemption application referred to in section 3 of this chapter is not required if the exempt property is a cemetery:

(1) described by IC 6-1.1-2-7; or

(2) maintained by a township executive under IC 23-14-68.

(c) The exemption application referred to in section 3 of this chapter is not required if the exempt property is owned by the bureau of motor vehicles commission established under IC 9-14-9.

(d) The exemption application referred to in section 3 or 3.5 of this chapter is not required if:

(1) the exempt property is:

(A) tangible property used for religious purposes described in IC 6-1.1-10-21;

(B) tangible property owned by a church or religious society used for educational purposes described in IC 6-1.1-10-16;

(C) other tangible property owned, occupied, and used by a person for educational, literary, scientific, religious, or charitable purposes described in IC 6-1.1-10-16; or

(D) other tangible property owned by a fraternity or sorority (as defined in IC 6-1.1-10-24);

(2) the exemption application referred to in section 3 or 3.5 of this chapter was filed properly at least once for a religious use under IC 6-1.1-10-21, an educational, literary, scientific, religious, or charitable use under IC 6-1.1-10-16, or use by a fraternity or sorority under IC 6-1.1-10-24; and

(3) the property continues to meet the requirements for an exemption under IC 6-1.1-10-16, IC 6-1.1-10-21, or IC 6-1.1-10-24.

(e) If, after an assessment date, an exempt property is transferred or its use is changed resulting in its ineligibility for an exemption under IC 6-1.1-10, the county assessor shall terminate the exemption for ~~that~~ **the next** assessment date. However, if the property remains eligible for an exemption under IC 6-1.1-10 following the transfer or change in use, the exemption shall be left in place for that assessment date. For the following assessment date, the person that obtained the exemption or the current owner of the property, as applicable, shall, under section 3 of this chapter and except as provided in this section, file a certified application in duplicate with the county assessor of the county in which the property that is the subject of the exemption is located. In all cases, the person that obtained the exemption or the current owner of the property shall notify the county assessor for the county where the tangible property is located of the change in ownership or use in the year that the change occurs. The notice must be in the form prescribed by the department of local government finance.

(f) If the county assessor discovers that title to or use of property granted an exemption under IC 6-1.1-10 has changed, the county assessor shall notify the persons entitled to a tax statement under IC 6-1.1-22-8.1 for the property of the change in title or use and indicate that the county auditor will suspend the exemption for the property until the persons provide the county assessor with an affidavit, signed under penalties of perjury, that identifies the new owners or use of the property and indicates whether the property continues to meet the requirements for an exemption under IC 6-1.1-10. Upon receipt of the affidavit, the county assessor shall reinstate the exemption under IC 6-1.1-15-12.1. However, a claim under IC 6-1.1-26-1.1 for a refund of all or a part of a tax installment paid and any correction of error under IC 6-1.1-15-12.1 must be filed not later than three (3) years after the taxes are first due.

SECTION 16. IC 6-1.1-12-9, AS AMENDED BY P.L.114-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) An individual may obtain a deduction from the assessed value of the individual's real property, or mobile home or manufactured

home which is not assessed as real property, if:

(1) the individual is at least sixty-five (65) years of age on or before December 31 of the calendar year preceding the year in which the deduction is claimed;

(2) for assessment dates before January 1, 2020, the combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) of:

(A) the individual and the individual's spouse; or

(B) the individual and all other individuals with whom:

(i) the individual shares ownership; or

(ii) the individual is purchasing the property under a contract;

as joint tenants or tenants in common;

for the calendar year preceding the year in which the deduction is claimed did not exceed twenty-five thousand dollars ($25,000);

(3) for assessment dates after December 31, 2019:

(A) the individual had, in the case of an individual who filed a single return, adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding thirty thousand dollars ($30,000);

(B) the individual had, in the case of an individual who filed a joint income tax return with the individual's spouse, combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding forty thousand dollars ($40,000); or

(C) the combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) of the individual and all other individuals with whom:

(i) the individual shares ownership; or

(ii) the individual is purchasing the property under a contract;

as joint tenants or tenants in common did not exceed forty thousand dollars ($40,000);

for the calendar year preceding by two (2) years the calendar year in which the property taxes are first due and payable;

(4) the individual has owned the real property, mobile home, or manufactured home for at least one (1) year before claiming the deduction; or the individual has been buying the real property, mobile home, or manufactured home under a contract that provides that the individual is to pay the property taxes on the real property, mobile home, or manufactured home for at least one (1) year before claiming the deduction, and the contract or a memorandum of the contract is recorded in the county recorder's office;

(5) for assessment dates:

(A) before January 1, 2020, the individual and any individuals covered by subdivision (2)(B) reside on the real property, mobile home, or manufactured home; or

(B) after December 31, 2019, the individual and any individuals covered by subdivision (3)(C) reside on the real property, mobile home, or manufactured home;

(6) except as provided in subsection (i), the assessed value of the real property, mobile home, or manufactured home does not exceed two hundred thousand dollars ($200,000).

(7) the individual receives no other property tax deduction for the year in which the deduction is claimed, except the deductions provided by sections 1, 37, (for assessment dates after February 28, 2008) 37.5, and 38 of this chapter; and

(8) the person:

(A) owns the real property, mobile home, or manufactured home; or

(B) is buying the real property, mobile home, or manufactured home under contract;

on the date the statement required by section 10.1 of this chapter is filed.

(b) Except as provided in subsection (h), in the case of real property, an individual's deduction under this section equals the lesser of:

(1) one-half (1/2) of the assessed value of the real property; or

(2) fourteen thousand dollars ($14,000).

(c) Except as provided in subsection (h) and section 40.5 of this chapter, in the case of a mobile home that is not assessed as real property or a manufactured home which is not assessed as real property, an individual's deduction under this section equals the lesser of:

(1) one-half (1/2) of the assessed value of the mobile home or manufactured home; or

(2) fourteen thousand dollars ($14,000).

(d) An individual may not be denied the deduction provided under this section because the individual is absent from the real property, mobile home, or manufactured home while in a nursing home or hospital.

(e) For purposes of this section, if real property, a mobile home, or a manufactured home is owned by:

(1) tenants by the entirety;

(2) joint tenants; or

(3) tenants in common;

only one (1) deduction may be allowed. However, the age requirement is satisfied if any one (1) of the tenants is at least sixty-five (65) years of age.

(f) A surviving spouse is entitled to the deduction provided by this section if:

(1) the surviving spouse is at least sixty (60) years of age on or before December 31 of the calendar year preceding the year in which the deduction is claimed;

(2) the surviving spouse's deceased husband or wife was at least sixty-five (65) years of age at the time of a death;

(3) the surviving spouse has not remarried; and

(4) the surviving spouse satisfies the requirements prescribed in subsection (a)(2) through (a)(8).

(g) An individual who has sold real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property may not claim the deduction provided under this section against that real property.

(h) In the case of tenants covered by subsection (a)(2)(B) or (a)(3)(C), if all of the tenants are not at least sixty-five (65) years of age, the deduction allowed under this section shall be reduced by an amount equal to the deduction multiplied by a

fraction. The numerator of the fraction is the number of tenants who are not at least sixty-five (65) years of age, and the denominator is the total number of tenants.

(i) For purposes of determining the assessed value of the real property, mobile home, or manufactured home under subsection (a)(6) for an individual who has received a deduction under this section in a particular year, increases in assessed value ~~due solely to an annual adjustment of the assessed value under IC 6-1.1-4-4.5~~ that occur after the later of:

(1) December 31, 2019; or

(2) the first year that the individual has received the deduction;

are not considered **unless the increase in assessed value is attributable to physical improvements to the property.**

SECTION 17. IC 6-1.1-12-14, AS AMENDED BY P.L.114-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) Except as provided in subsection (c) and except as provided in section 40.5 of this chapter, an individual may have the sum of fourteen thousand dollars ($14,000) deducted from the assessed value of the real property, mobile home not assessed as real property, or manufactured home not assessed as real property that the individual owns (or the real property, mobile home not assessed as real property, or manufactured home not assessed as real property that the individual is buying under a contract that provides that the individual is to pay property taxes on the real property, mobile home, or manufactured home if the contract or a memorandum of the contract is recorded in the county recorder's office) if:

(1) the individual served in the military or naval forces of the United States for at least ninety (90) days;

(2) the individual received an honorable discharge;

(3) the individual either:

(A) has a total disability; or

(B) is at least sixty-two (62) years old and has a disability of at least ten percent (10%);

(4) the individual's disability is evidenced by:

(A) a pension certificate or an award of compensation issued by the United States Department of Veterans Affairs; or

(B) a certificate of eligibility issued to the individual by the Indiana department of veterans' affairs after the Indiana department of veterans' affairs has determined that the individual's disability qualifies the individual to receive a deduction under this section; and

(5) the individual:

(A) owns the real property, mobile home, or manufactured home; or

(B) is buying the real property, mobile home, or manufactured home under contract;

on the date the statement required by section 15 of this chapter is filed.

(b) Except as provided in subsections (c) and (d), the surviving spouse of an individual may receive the deduction provided by this section if:

(1) the individual satisfied the requirements of subsection (a)(1) through (a)(4) at the time of death; or

(2) the individual:

(A) was killed in action;

(B) died while serving on active duty in the military or naval forces of the United States; or

(C) died while performing inactive duty training in the military or naval forces of the United States; and

the surviving spouse satisfies the requirement of subsection (a)(5) at the time the deduction statement is filed. The surviving spouse is entitled to the deduction regardless of whether the property for which the deduction is claimed was owned by the deceased veteran or the surviving spouse before the deceased veteran's death.

(c) Except as provided in subsection (f), no one is entitled to the deduction provided by this section if the assessed value of the individual's Indiana real property, Indiana mobile home not assessed as real property, and Indiana manufactured home not assessed as real property, as shown by the tax duplicate, exceeds the assessed value limit specified in subsection (d).

(d) Except as provided in subsection (f), for the:

(1) January 1, 2017, January 1, 2018, and January 1, 2019, assessment dates, the assessed value limit for purposes of subsection (c) is one hundred seventy-five thousand dollars ($175,000); and

(2) January 1, 2020, assessment date and for each assessment date thereafter, the assessed value limit for purposes of subsection (c) is two hundred thousand dollars ($200,000).

(e) An individual who has sold real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property, mobile home, or manufactured home may not claim the deduction provided under this section against that real property, mobile home, or manufactured home.

(f) For purposes of determining the assessed value of the real property, mobile home, or manufactured home under subsection (d) for an individual who has received a deduction under this section in a particular year, increases in assessed value ~~due solely to an annual adjustment of the assessed value under IC 6-1.1-4-4.5~~ that occur after the later of:

(1) December 31, 2019; or

(2) the first year that the individual has received the deduction;

are not considered **unless the increase in assessed value is attributable to physical improvements to the property.**

SECTION 18. IC 6-1.1-15-1.1, AS AMENDED BY P.L.195-2019, SECTION 1, AND AS AMENDED BY P.L.257-2019, SECTION 30, AND AS AMENDED BY P.L.121-2019, SECTION 2, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.1. (a) A taxpayer may appeal an assessment of a taxpayer's tangible property by filing a notice in writing with the township assessor, or the county assessor if the township is not served by a township assessor. Except as provided in ~~*subsection*~~ *subsections* (e) *and (h),* an appeal under this section may raise any claim of an error related to the following:

(1) The assessed value of the property.

(2) The assessment was against the wrong person.

(3) The approval, denial, or omission of a deduction, credit, exemption, abatement, or tax cap.

(4) A clerical, mathematical, or typographical mistake.

(5) The description of the real property.

(6) The legality or constitutionality of a property tax or assessment.

A written notice under this section must be made on a form

designated by the department of local government finance. A taxpayer must file a separate petition for each parcel.

(b) A taxpayer may appeal an error in the assessed value of the property under subsection (a)(1) any time after the official's action, but not later than the following:

(1) For assessments before January 1, 2019, the earlier of:

(A) forty-five (45) days after the date on which the notice of assessment is mailed by the county; or

(B) forty-five (45) days after the date on which the tax statement is mailed by the county treasurer, regardless of whether the assessing official changes the taxpayer's assessment.

(2) For assessments *of real property* after December 31, 2018, the earlier of:

(A) June 15 of the assessment year, if the notice of assessment is mailed by the county before May 1 of the assessment year; or

(B) June 15 of the year in which the tax statement is mailed by the county treasurer, if the notice of assessment is mailed by the county on or after May 1 of the assessment year.

(3) For assessments of personal property, forty-five (45) days after the date on which the county mails the notice under IC 6-1.1-3-20.

A taxpayer may appeal an error in the assessment under subsection (a)(2), (a)(3), (a)(4), (a)(5), or (a)(6) not later than three (3) years after the taxes were first due.

(c) Except as provided in subsection (d), an appeal under this section applies only to the tax year corresponding to the tax statement or other notice of action.

(d) An appeal under this section applies to a prior tax year if a county official took action regarding a prior tax year, and such action is reflected for the first time in the tax statement. A taxpayer who has timely filed a written notice of appeal under this section may be required to file a petition for each tax year, and each petition filed later must be considered timely.

(e) A taxpayer may not appeal under this section any claim of error related to the following:

(1) The denial of a deduction, exemption, abatement, or credit if the authority to approve or deny is not vested in the county board, county auditor, county assessor, or township assessor.

(2) The calculation of interest and penalties.

(3) A matter under subsection (a) if a separate appeal or review process is statutorily prescribed.

However, a claim may be raised under this section regarding the omission or application of a deduction approved by an authority other than the county board, county auditor, county assessor, or township assessor. ~~under subdivision (2).~~

(f) The filing of a written notice under this section constitutes a request by the taxpayer for a preliminary informal meeting with the township assessor, or the county assessor if the township is not served by a township assessor.

(g) A county or township official who receives a written notice under this section shall forward the notice to:

(1) the county board; *and*

(2) the county auditor, if the taxpayer raises a claim regarding a matter that is in the discretion of the county auditor.

(h) A taxpayer may not raise any claim in an appeal under this section related to the legality or constitutionality of:

(1) a user fee (as defined in IC 33-23-1-10.5);

(2) any other charge, fee, or rate imposed by a political subdivision under any other law; or

(3) any tax imposed by a political subdivision other than a property tax.

SECTION 19. IC 6-1.1-16-1, AS AMENDED BY P.L.232-2017, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Except as provided in section 2 of this chapter, an assessing official or county property tax assessment board of appeals may not change the assessed value claimed by a taxpayer on a personal property return unless the assessing official or county property tax assessment board of appeals takes the action and gives the notice required by IC 6-1.1-3-20 within the following periods:

(1) A township assessor (if any) must make a change in the assessed value and give the notice of the change on or before the later of:

(A) September 15 of the year for which the assessment is made; or

(B) four (4) months from the date the personal property return is filed if the return is filed after the filing date for the personal property tax return.

(2) A county assessor ~~or county property tax assessment board of appeals~~ must make a change in the assessed value ~~including the final determination by the board of an assessment changed by an assessing official,~~ and give the notice of the change on or before the later of:

(A) October 30 of the year for which the assessment is made; or

(B) five (5) months from the date the personal property return is filed if the return is filed after the filing date for the personal property tax return.

(3) A county property tax assessment board of appeals must make a change in the assessed value and give notice of the change on or before the later of:

(A) October 30 of the year for which the assessment is made; or

(B) five (5) months from the date the personal property return is filed if the return is filed after the filing date for the personal property tax return.

This subdivision does not apply to a determination by a county property tax assessment board of appeals acting upon a petition for review filed under subsection (e)(1).

~~(3)~~ **(4)** The department of local government finance must make a preliminary change in the assessed value and give the notice of the change on or before the later of:

(A) October 1 of the year immediately following the year for which the assessment is made; or

(B) sixteen (16) months from the date the personal property return is filed if the return is filed after the filing date for the personal property tax return.

(b) Except as provided in section 2 of this chapter, if an assessing official or a county property tax assessment board of appeals fails to change an assessment and give notice of the change within the time prescribed by this section, the assessed value claimed by the taxpayer on the personal property return

is final.

(c) This section does not limit the authority of a county auditor to correct errors in a tax duplicate under IC 6-1.1-15-12.1.

(d) This section does not apply if the taxpayer:

(1) fails to file a personal property return which substantially complies with this article and the regulations of the department of local government finance; or

(2) files a fraudulent personal property return with the intent to evade the payment of property taxes.

(e) **A taxpayer may appeal a change in the assessed value under this section as follows:**

(1) A taxpayer may appeal a change in the assessed value under subsection (a)(1) or (a)(2) by filing a written notice of review with the county property tax assessment board of appeals under IC 6-1.1-15-1.1.

(2) A taxpayer may appeal a change in the assessed value under subsection (a)(3) by filing a written notice of review with the Indiana board under IC 6-1.1-15-3.

(3) A taxpayer may appeal a preliminary determination of the department of local government finance under subsection ~~(a)(3)~~ **(a)(4)** to the Indiana board. An appeal under this subdivision shall be conducted in the same manner as an appeal under IC 6-1.1-15-4 through IC 6-1.1-15-8. A preliminary determination that is not appealed under this subsection is a final unappealable order of the department of local government finance.

SECTION 20. IC 6-1.1-16-2, AS AMENDED BY P.L.146-2008, SECTION 145, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. ~~(a) If a county property tax assessment board of appeals fails to change an assessed value claimed by a taxpayer on a personal property return and give notice of the change within the time prescribed in section 1(a)(2) of this chapter, the township assessor, or the county assessor if there is no township assessor for the township, may file a petition for review of the assessment by the Indiana board. The township or county assessor must file the petition for review in the manner provided in IC 6-1.1-15-3(d). The period for filing the petition begins to run on the last day that the county board is permitted to act on the assessment under section 1(a)(2) of this chapter as though the board acted and gave notice of its action on that day.~~

~~(b)~~ Notwithstanding section ~~1(a)(3)~~ **1(a)(4)** of this chapter, the department of local government finance shall reassess tangible property when an appealed assessment of the property is remanded to the **Indiana** board under IC 6-1.1-15-8.

SECTION 21. IC 6-1.1-17-0.7, AS ADDED BY P.L.184-2016, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.7. (a) Before ~~May 1~~ **June 15** of each year after ~~2017,~~ **2019,** the fiscal officer of each political subdivision shall provide the department of local government finance with an estimate of the total amount of the political subdivision's debt service obligations (as defined in IC 6-1.1-20.6-9.8) that will be due in the last six (6) months of the current year and in the ensuing year.

(b) Before July 15 of each year after 2017, the department of local government finance shall provide the following to each political subdivision:

(1) An estimate of the maximum property tax rate that may be imposed by the political subdivision for property taxes payable in the ensuing year for each cumulative fund or other fund for which a maximum property tax rate is established by law.

(2) An estimate of the property tax rates that would be imposed by the political subdivision for property taxes payable in the ensuing year for debt service.

(c) The department of local government finance shall before August 1 of each year after 2017 provide to each political subdivision an estimate of the maximum amount of net property tax revenue and miscellaneous revenue that the political subdivision will receive in the ensuing year if the political subdivision's property tax rates are imposed at the maximum allowed under law and if the political subdivision imposes the maximum permissible ad valorem property tax levy allowed under law for the political subdivision. In making each of the estimates under this subsection, the department of local government finance shall consider the estimated amount of any credits that will be granted under IC 6-1.1-20.6 against property taxes imposed by the political subdivision.

SECTION 22. IC 6-1.1-17-3, AS AMENDED BY P.L.257-2019, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The proper officers of a political subdivision shall formulate its estimated budget and its proposed tax rate and tax levy on the form prescribed by the department of local government finance and approved by the state board of accounts. In formulating a political subdivision's estimated budget under this section, the proper officers of the political subdivision must consider the net property tax revenue that will be collected by the political subdivision during the ensuing year, after taking into account the estimate by the department of local government finance under IC 6-1.1-20.6-11.1 of the amount by which the political subdivision's distribution of property taxes will be reduced by credits under IC 6-1.1-20.6-9.5 in the ensuing year, after taking into account the estimate by the department of local government finance under section 0.7 of this chapter of the maximum amount of net property tax revenue and miscellaneous revenue that the political subdivision will receive in the ensuing year, and after taking into account all payments for debt service obligations that are to be made by the political subdivision during the ensuing year. The political subdivision or appropriate fiscal body, if the political subdivision is subject to section 20 of this chapter, shall submit the following information to the department's computer gateway:

(1) The estimated budget.

(2) The estimated maximum permissible levy, as provided by the department under IC 6-1.1-18.5-24.

(3) The current and proposed tax levies of each fund.

(4) The percentage change between the current and proposed tax levies of each fund.

(5) The amount by which the political subdivision's distribution of property taxes may be reduced by credits granted under IC 6-1.1-20.6, as estimated by the department of local government finance under IC 6-1.1-20.6-11.

(6) The amounts of excessive levy appeals to be requested.

(7) The time and place at which the political subdivision or appropriate fiscal body will hold a public hearing on the items described in subdivisions (1) through (6).

(8) The time and place at which the political subdivision or appropriate fiscal body will meet to fix the budget, tax rate, and levy under section 5 of this chapter.

(9) The date, time, and place of the final adoption of the budget, tax rate, and levy under section 5 of this chapter.

The political subdivision or appropriate fiscal body shall submit

this information to the department's computer gateway at least ten (10) days before the public hearing required by this subsection in the manner prescribed by the department. **If the date, time, or place of the final adoption subsequently changes, the political subdivision shall update the information submitted to the department's computer gateway.** The department shall make this information available to taxpayers, at least ten (10) days before the public hearing, through its computer gateway and provide a telephone number through which taxpayers may request mailed copies of a political subdivision's information under this subsection. The department's computer gateway must allow a taxpayer to search for the information under this subsection by the taxpayer's address. The department shall review only the submission to the department's computer gateway for compliance with this section.

(b) The board of directors of a solid waste management district established under IC 13-21 or IC 13-9.5-2 (before its repeal) may conduct the public hearing required under subsection (a):

(1) in any county of the solid waste management district; and

(2) in accordance with the annual notice of meetings published under IC 13-21-5-2.

(c) The trustee of each township in the county shall estimate the amount necessary to meet the cost of township assistance in the township for the ensuing calendar year. The township board shall adopt with the township budget a tax rate sufficient to meet the estimated cost of township assistance. The taxes collected as a result of the tax rate adopted under this subsection are credited to the township assistance fund.

(d) A political subdivision for which any of the information under subsection (a) is not submitted to the department's computer gateway in the manner prescribed by the department shall have its most recent annual appropriations and annual tax levy continued for the ensuing budget year.

(e) If a political subdivision or appropriate fiscal body timely submits the information under subsection (a) but subsequently discovers the information contains an error, the political subdivision or appropriate fiscal body may submit amended information to the department's computer gateway. However, submission of an amendment to information described in subsection (a)(1) through (a)(6) must occur at least ten (10) days before the public hearing held under subsection (a), and submission of an amendment to information described in subsection (a)(7) must occur at least twenty-four (24) hours before the time in which the meeting to fix the budget, tax rate, and levy was originally advertised to commence.

SECTION 23. IC 6-1.1-17-5, AS AMENDED BY P.L.257-2019, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The officers of political subdivisions shall meet each year to fix the budget, tax rate, and tax levy of their respective subdivisions for the ensuing budget year as follows:

(1) The board of school trustees of a school corporation that is located in a city having a population of more than one hundred thousand (100,000) but less than one hundred ten thousand (110,000), not later than:

(A) the time required in section 5.6(b) of this chapter; or

(B) November 1 if a resolution adopted under section 5.6(d) of this chapter is in effect.

(2) Except as provided in section 5.2 of this chapter, the proper officers of all other political subdivisions that are not school corporations, not later than November 1.

(3) The governing body of a school corporation (other than a school corporation described in subdivision (1)) that elects to adopt a budget under section 5.6 of this chapter for budget years beginning after June 30, 2011, not later than the time required under section 5.6(b) of this chapter for budget years beginning after June 30, 2011.

(4) The governing body of a school corporation that is not described in subdivision (1) or (3), not later than November 1.

Except in a consolidated city and county and in a second class city, the public hearing required by section 3 of this chapter must be completed at least ten (10) days before the proper officers of the political subdivision meet to fix the budget, tax rate, and tax levy. In a consolidated city and county and in a second class city, that public hearing, by any committee or by the entire fiscal body, may be held at any time after introduction of the budget.

(b) Ten (10) or more taxpayers may object to a budget, tax rate, or tax levy of a political subdivision fixed under subsection (a) by filing an objection petition with the proper officers of the political subdivision not more than seven (7) days after the hearing. The objection petition must specifically identify the provisions of the budget, tax rate, and tax levy to which the taxpayers object.

(c) If a petition is filed under subsection (b), the fiscal body of the political subdivision shall adopt with its budget a finding concerning the objections in the petition and any testimony presented at the adoption hearing.

(d) A political subdivision shall file the budget adopted by the political subdivision with the department of local government finance not later than five (5) business days after the budget is adopted under subsection (a). The filing with the department of local government finance must be in a manner prescribed by the department.

(e) In a consolidated city and county and in a second class city, the clerk of the fiscal body shall, notwithstanding subsection (d), file the adopted budget and tax ordinances with the department of local government finance within five (5) business days after the ordinances are signed by the executive, or within five (5) business days after action is taken by the fiscal body to override a veto of the ordinances, whichever is later.

(f) If a fiscal body does not fix the budget, tax rate, and tax levy of the political subdivisions for the ensuing budget year as required under this section, the most recent annual appropriations and annual tax levy are continued for the ensuing budget year.

(g) When fixing a budget, tax rate, or tax levy under subsection (a), the political subdivision shall indicate on its adopting document, in the manner prescribed by the department, whether the political subdivision intends to:

(1) issue debt after December 1 of the year preceding the budget year; or

(2) file a shortfall appeal under IC 6-1.1-18.5-16.

SECTION 24. IC 6-1.1-17-16, AS AMENDED BY P.L.257-2019, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) The department of local government finance shall certify the tax rates and tax levies for all funds of political subdivisions subject to the department of local government finance's review.

(b) For a fund of a political subdivision subject to levy limits under IC 6-1.1-18.5-3, the department of local government finance shall calculate and certify the allowable budget of the fund if the political subdivision adopts a tax levy that exceeds the estimated maximum levy limits as provided by the department of local government finance under IC 6-1.1-18.5-24.

(c) For a fund of a political subdivision subject to levy limits under IC 6-1.1-18.5-3 and for which the political subdivision adopts a tax levy that is not more than the levy limits under

IC 6-1.1-18.5-3, the department of local government finance shall review the fund to ensure the adopted budget is fundable based on the unit's adopted tax levy and estimates of available revenues. If the adopted budget is fundable, the department of local government finance shall use the adopted budget as the approved appropriation for the fund for the budget year. As needed, the political subdivision may complete the additional appropriation process through IC 6-1.1-18-5 for these funds during the budget year.

(d) For a fund of the political subdivision subject to levy limits under IC 6-1.1-18.5-3 and for which the political subdivision adopts a tax levy that is not more than the levy limits under IC 6-1.1-18.5-3, if the department of local government finance has determined the adopted budget is not fundable based on the unit's adopted tax levy and estimates of available revenues, the department of local government finance shall calculate and certify the allowable budget that is fundable based on the adopted tax levy and the department's estimates of available revenues.

(e) For all other funds of a political subdivision not described in subsections (b), (c), and (d), the department of local government finance shall certify a budget for the fund.

(f) Except as provided in section 16.1 of this chapter, the department of local government finance is not required to hold a public hearing before the department of local government finance reviews, revises, reduces, or increases a political subdivision's budget by fund, tax rate, or tax levy under this section.

(g) Except as provided in subsection (l), IC 20-46, or IC 6-1.1-18.5, the department of local government finance may not increase a political subdivision's budget by fund, tax rate, or tax levy to an amount which exceeds the amount originally fixed by the political subdivision. However, if the department of local government finance determines that IC 5-3-1-2.3(b) applies to the tax rate, tax levy, or budget of the political subdivision, the maximum amount by which the department may increase the tax rate, tax levy, or budget is the amount originally fixed by the political subdivision, and not the amount that was incorrectly published or omitted in the notice described in IC 5-3-1-2.3(b). The department of local government finance shall give the political subdivision notification electronically in the manner prescribed by the department of local government finance specifying any revision, reduction, or increase the department proposes in a political subdivision's tax levy or tax rate. The political subdivision has ten (10) calendar days from the date the political subdivision receives the notice to provide a response electronically in the manner prescribed by the department of local government finance. The response may include budget reductions, reallocation of levies, a revision in the amount of miscellaneous revenues, and further review of any other item about which, in the view of the political subdivision, the department is in error. The department of local government finance shall consider the adjustments as specified in the political subdivision's response if the response is provided as required by this subsection and shall deliver a final decision to the political subdivision. **The department of local government finance may not consider any adjustments that are suggested by the political subdivision after the expiration of the ten (10) day period allowed for the political subdivision's response.**

(h) The department of local government finance may not approve a levy for lease payments by a city, town, county, library, or school corporation if the lease payments are payable to a building corporation for use by the building corporation for debt service on bonds and if:

(1) no bonds of the building corporation are outstanding; or

(2) the building corporation has enough legally available funds on hand to redeem all outstanding bonds payable from the particular lease rental levy requested.

(i) The department of local government finance shall certify its action to:

(1) the county auditor;

(2) the political subdivision if the department acts pursuant to an appeal initiated by the political subdivision; and

(3) a taxpayer that owns property that represents at least ten percent (10%) of the taxable assessed valuation in the political subdivision.

(j) The following may petition for judicial review of the final determination of the department of local government finance under subsection (i):

(1) If the department acts under an appeal initiated by a political subdivision, the political subdivision.

(2) A taxpayer that owns property that represents at least ten percent (10%) of the taxable assessed valuation in the political subdivision.

The petition must be filed in the tax court not more than forty-five (45) days after the department certifies its action under subsection (i).

(k) The department of local government finance is expressly directed to complete the duties assigned to it under this section as follows:

(1) Not later than December 31 of the year preceding that budget year, unless subdivision (2) applies.

(2) Not later than January 15 of the budget year if **any of the following are true:**

(A) A taxing unit in a county ~~is issuing~~ **intends to issue** debt after December 1 in the year preceding the budget year ~~or~~ **and has indicated its intent to issue debt after December 1 in the year preceding the budget year as specified in section 5 of this chapter.**

(B) A taxing unit intends to file a shortfall appeal under IC 6-1.1-18.5-16 **and has indicated its intent to file a shortfall appeal as specified in section 5 of this chapter.** ~~or~~

~~(B)~~ **(C)** The deadline for a city in the county to fix the budget, tax rate, and tax levy has been extended, in accordance with section 5.2 of this chapter, due to the executive's veto of the ordinance fixing the budget, tax rate, and tax levy.

(l) Subject to the provisions of all applicable statutes, and notwithstanding IC 6-1.1-18-1, the department of local government finance shall, unless the department finds extenuating circumstances, increase a political subdivision's tax levy to an amount that exceeds the amount originally advertised or adopted by the political subdivision if:

(1) the increase is requested in writing by the officers of the political subdivision;

(2) the request includes:

(A) the corrected budget, tax rate, or levy, as applicable; and

(B) the time and place of the meeting described in subdivision (4);

(3) the political subdivision publishes the

requested increase on the department's advertising Internet web site;

(4) the political subdivision adopts the needed changes to its budget, tax levy, or rate in a public meeting of the governing body; and

(5) notice is given to the county fiscal body of the department's correction.

The political subdivision shall publish notice of the meeting described in subdivision (4) on the Indiana transparency Internet web site in the manner prescribed by the department not later than forty-eight (48) hours (excluding weekends and holidays) before the meeting. If the department increases a levy beyond what was advertised or adopted under this subsection, it shall, unless the department finds extenuating circumstances, reduce the certified levy affected below the maximum allowable levy by the lesser of five percent (5%) of the difference between the advertised or adopted levy and the increased levy, or one hundred thousand dollars ($100,000).

SECTION 25. IC 6-1.1-17-16.7, AS AMENDED BY P.L.184-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16.7. (a) A political subdivision that in any year adopts a proposal to establish a cumulative fund or sinking fund under any of the following provisions must submit the proposal to the department of local government finance before August 2 of that year, for years before 2018, and before May 1 of that year, for years after 2017:

IC 3-11-6
IC 8-10-5
IC 8-16-3
IC 8-16-3.1
IC 8-22-3
IC 14-27-6
IC 14-33-21
IC 16-22-5
IC 16-22-8
IC 36-8-8-14.2
IC 36-8-14
IC 36-9-4
IC 36-9-14
IC 36-9-14.5
IC 36-9-15
IC 36-9-15.5
IC 36-9-16
IC 36-9-17
IC 36-9-26
IC 36-9-27
IC 36-10-3
IC 36-10-4
IC 36-10-7.5

(b) If a proposal described in subsection (a) is not submitted to the department of local government finance before August 2 of a year, for years before 2018, and before May 1 of a year, for years after 2017, the political subdivision may not levy a tax for the cumulative fund or sinking fund in the ensuing year.

SECTION 26. IC 6-1.1-17-20.3, AS AMENDED BY SEA 410-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20.3. (a) Except as provided in section 20.4 of this chapter, this section applies only to the governing body of a public library that:

(1) is not comprised of a majority of officials who are elected to serve on the governing body; and

(2) has a percentage increase in the proposed budget for the taxing unit for the ensuing calendar year that is more than the result of:

(A) the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the ensuing calendar year; minus

(B) one (1).

For purposes of this section, an individual who qualifies to be appointed to a governing body or serves on a governing body because of the individual's status as an elected official of another taxing unit shall be treated as an official who was not elected to serve on the governing body.

(b) This section does not apply to an entity whose tax levies are subject to review and modification by a city-county legislative body under IC 36-3-6-9.

(c) If:

(1) the assessed valuation of a public library's territory is entirely contained within a city or town; or

(2) the assessed valuation of a public library's territory is not entirely contained within a city or town but more than fifty percent (50%) of the assessed valuation of the public library's territory is contained within the city or town;

the governing body shall submit its proposed budget and property tax levy to the city or town fiscal body in the manner prescribed by the department of local government finance before September 2 of a year. However, the governing body shall submit its proposed budget and property tax levy to the county fiscal body in the manner provided in subsection (d), rather than to the city or town fiscal body, if more than fifty percent (50%) of the parcels of real property within the jurisdiction of the public library are located outside the city or town.

(d) If subsection (c) does not apply or the public library's territory covers more than one (1) county, the governing body of the public library shall submit its proposed budget and property tax levy to the county fiscal body in the county where the public library has the most assessed valuation. The proposed budget and levy shall be submitted to the county fiscal body in the manner prescribed by the department of local government finance before September 2 of a year.

(e) The fiscal body of the city, town, or county (whichever applies) shall review each budget and proposed tax levy and adopt a final budget and tax levy for the public library. The fiscal body may reduce or modify but not increase the proposed budget or tax levy.

(f) If a public library fails to file the information required in subsection (c) or (d), whichever applies, with the appropriate fiscal body by the time prescribed by this section, the most recent annual appropriations and annual tax levy of that public library are continued for the ensuing budget year.

(g) If the appropriate fiscal body fails to complete the requirements of subsection (e) before the adoption deadline in section 5 of this chapter for any public library subject to this section, the most recent annual appropriations and annual tax levy of the city, town, or county, whichever applies, are continued for the ensuing budget year.

SECTION 27. IC 6-1.1-18-5, AS AMENDED BY P.L.252-2019, SECTION 3, AND AS AMENDED BY P.L.257-2019, SECTION 49, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) If the proper officers of a political subdivision desire to appropriate more money for a particular year than the amount prescribed in the budget for that year as finally determined under this article, they shall give notice of their proposed additional appropriation. The notice shall state the time and place at which a public hearing will be held on the proposal. The notice shall be given once in accordance with IC 5-3-1-2(b).

(b) If the additional appropriation by the political subdivision is made from a fund ~~*that receives:*~~

~~*(1) distributions from the motor vehicle highway account established under IC 8-14-1-1*~~

~~*or the local road and street account established under IC 8-14-2-4; or*~~

~~*(2) revenue from property taxes levied under IC 6-1.1;*~~ *for which the budget, rate, or levy is certified by the department of local government finance under IC 6-1.1-17-16,*

the political subdivision must report the additional appropriation to the department of local government finance. If the additional appropriation is made from a fund described under this subsection, subsections (f), (g), (h), and (i) apply to the political subdivision.

(c) However, if the additional appropriation is not made from a fund described under subsection (b), subsections (f), (g), (h), and (i) do not apply to the political subdivision. Subsections (f), (g), (h), and (i) do not apply to an additional appropriation made from the cumulative bridge fund if the appropriation meets the requirements under IC 8-16-3-3(c).

(d) A political subdivision may make an additional appropriation without approval of the department of local government finance if the additional appropriation is made from a fund that is not described under subsection (b). However, the fiscal officer of the political subdivision shall report the additional appropriation to the department of local government finance.

(e) *Subject to subsections (j) and (k),* after the public hearing, the proper officers of the political subdivision shall file a certified copy of their final proposal and any other relevant information to the department of local government finance **not later than fifteen (15) days after the additional appropriation is adopted by the appropriate fiscal body. If the additional appropriation is not submitted to the department of local government finance within fifteen (15) days after adoption, the department of local government finance may require the political subdivision to conduct a readoption hearing.**

(f) When the department of local government finance receives a certified copy of a proposal for an additional appropriation under subsection (e), the department shall determine whether sufficient funds are available or will be available for the proposal. The determination shall be made in writing and sent to the political subdivision not more than fifteen (15) days after the department of local government finance receives the proposal.

(g) In making the determination under subsection (f), the department of local government finance shall limit the amount of the additional appropriation to revenues available, or to be made available, which have not been previously appropriated.

(h) If the department of local government finance disapproves an additional appropriation under subsection (f), the department shall specify the reason for its disapproval on the determination sent to the political subdivision.

(i) A political subdivision may request a reconsideration of a determination of the department of local government finance under this section by filing a written request for reconsideration. A request for reconsideration must:

(1) be filed with the department of local government finance within fifteen (15) days of the receipt of the determination by the political subdivision; and

(2) state with reasonable specificity the reason for the request.

The department of local government finance must act on a request for reconsideration within fifteen (15) days of receiving the request.

(j) This subsection applies to an additional appropriation by a political subdivision that must have the political subdivision's annual appropriations and annual tax levy adopted by a city, town, or county fiscal body under IC 6-1.1-17-20 or IC 36-1-23 or by a legislative or fiscal body under IC 36-3-6-9. The fiscal or legislative body of the city, town, or county that adopted the political subdivision's annual appropriation and annual tax levy must adopt the additional appropriation by ordinance before the department of local government finance may approve the additional appropriation.

(k) This subsection applies to a public library that is not required to submit the public library's budgets, tax rates, and tax levies for binding review and approval under IC 6-1.1-17-20 *or IC 6-1.1-17-20.4.* If a public library subject to this subsection proposes to make an additional appropriation for a year, and the additional appropriation would result in the budget for the library for that year increasing (as compared to the previous year) by a percentage that is greater than the result of the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the calendar year minus one (1), the additional appropriation must first be approved by the city, town, or county fiscal body described in IC 6-1.1-17-20.3(c) or ~~*IC 6-1.1-17-20(d),*~~ *IC 6-1.1-17-20.3(d),* as appropriate.

SECTION 28. IC 6-1.1-18-30 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 30. (a) This section applies only to Sullivan County.**

(b) The executive of the county may, upon approval by the fiscal body of the county, submit a petition to the department of local government finance for an increase in the county's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2021. A petition must be submitted not later than September 1, 2020.

(c) If a petition is submitted under subsection (b), the department of local government finance shall increase the county's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2021. The amount of the increase under this section is equal to the difference between:

(1) the lesser of:

(A) the county's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2020; or

(B) the ad valorem property tax levy adopted by the county fiscal body for property taxes due and payable in 2020; and

(2) the county's ad valorem property tax levy under IC 6-1.1-18.5 as certified by the department of local government finance for property taxes due and payable in 2020.

(d) The adjustment under this section is a temporary, one (1) time increase to the county's maximum permissible ad valorem property tax levy for purposes of IC 6-1.1-18.5.

(e) This section expires June 30, 2023.

SECTION 29. IC 6-1.1-18-31 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 31. (a) This section applies only to the Wabash city school corporation.**

(b) The superintendent of the Wabash city school corporation may, upon approval by the governing board of the school corporation, submit a petition to the department of local government finance for an increase in the school corporation's maximum permissible ad valorem property tax levy under IC 20-46-8-1 for its operations fund for property taxes due and payable in 2021. A petition must be submitted not later than September 1, 2020.

(c) If a petition is submitted under subsection (b), the department of local government finance shall increase the school corporation's maximum permissible ad valorem property tax levy under IC 20-46-8-1 for its operations fund for property taxes due and payable in 2021. The amount of the increase under this section is equal to the difference

between:

(1) the lesser of:

(A) the school corporation's maximum permissible ad valorem property tax levy under IC 20-46-8-1 for the operations fund for property taxes due and payable in 2020; or

(B) the ad valorem property tax levy for the operations fund adopted for the school corporation for property taxes due and payable in 2020; and

(2) the school corporation's ad valorem property tax levy under IC 20-46-8-1 for the operations fund as certified by the department of local government finance for property taxes due and payable in 2020.

(d) The adjustment under this section is a temporary, one (1) time increase to the school corporation's maximum permissible ad valorem property tax levy for purposes of IC 20-46-8-1.

(e) This section expires June 30, 2023.

SECTION 30. IC 6-1.1-18-32 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 32. (a) This section applies only to the city of Wabash.**

(b) The executive of the city may, upon approval by the fiscal body of the city, submit a petition to the department of local government finance for an increase in the city's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2021. A petition must be submitted not later than September 1, 2020.

(c) If a petition is submitted under subsection (b), the department of local government finance shall increase the city's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2021. The amount of the increase under this section is equal to the difference between:

(1) the lesser of:

(A) the city's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2020; or

(B) the ad valorem property tax levy adopted by the city fiscal body for property taxes due and payable in 2020; and

(2) the city's ad valorem property tax levy as certified by the department of local government finance for property taxes due and payable in 2020.

(d) The adjustment under this section is a temporary, one (1) time increase to the city's maximum permissible ad valorem property tax levy for purposes of IC 6-1.1-18.5.

(e) This section expires June 30, 2023.

SECTION 31. IC 6-1.1-18.5-2, AS AMENDED BY P.L.238-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) As used in this section, "Indiana nonfarm personal income" means the estimate of total nonfarm personal income for Indiana in a calendar year as computed by the federal Bureau of Economic Analysis using any actual data for the calendar year and any estimated data determined appropriate by the federal Bureau of Economic Analysis.

(b) Except as provided in subsection (c), for purposes of determining a civil taxing unit's maximum permissible ad valorem property tax levy for an ensuing calendar year, the civil taxing unit shall use the ~~assessed value~~ **maximum levy** growth quotient determined in the last STEP of the following STEPS:

STEP ONE: For each of the six (6) calendar years immediately preceding the year in which a budget is adopted under IC 6-1.1-17-5 for the ensuing calendar year, divide the Indiana nonfarm personal income for the calendar year by the Indiana nonfarm personal income for the calendar year immediately preceding that calendar year, rounding to the nearest one-thousandth (0.001).

STEP TWO: Determine the sum of the STEP ONE results.

STEP THREE: Divide the STEP TWO result by six (6), rounding to the nearest one-thousandth (0.001).

STEP FOUR: Determine the lesser of the following:

(A) The STEP THREE quotient.

(B) One and six-hundredths (1.06).

(c) A school corporation shall use for its operations fund maximum levy calculation under IC 20-46-8-1 the ~~assessed value~~ **maximum levy** growth quotient determined in the last STEP of the following STEPS:

STEP ONE: Determine for each school corporation, the average annual growth in net assessed value using the three (3) calendar years immediately preceding the year in which a budget is adopted under IC 6-1.1-17-5 for the ensuing calendar year.

STEP TWO: Determine the greater of:

(A) zero (0); or

(B) the STEP ONE amount minus the sum of:

(i) the ~~assessed value~~ **maximum levy** growth quotient determined under subsection (b) minus one (1); plus

(ii) two-hundredths (0.02).

STEP THREE: Determine the lesser of:

(A) the STEP TWO amount; or

(B) four-hundredths (0.04).

STEP FOUR: Determine the sum of:

(A) the STEP THREE amount; plus

(B) the ~~assessed value~~ **maximum levy** growth quotient determined under subsection (b).

STEP FIVE: Determine the greater of:

(A) the STEP FOUR amount; or

(B) the ~~assessed value~~ **maximum levy** growth quotient determined under subsection (b).

(d) The budget agency shall provide the ~~assessed value~~ **maximum levy** growth quotient for the ensuing year to civil taxing units, school corporations, and the department of local government finance before July 1 of each year.

SECTION 32. IC 6-1.1-18.5-7, AS AMENDED BY P.L.203-2016, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) A civil taxing unit is not subject to the levy limits imposed by section 3 of this chapter for an ensuing calendar year if the civil taxing unit did not adopt an ad valorem property tax levy for the immediately preceding calendar year.

(b) If under subsection (a) a civil taxing unit is not subject to the levy limits imposed under section 3 of this chapter for ~~a~~ **an ensuing** calendar year, the civil taxing unit shall, **before June 30 of the immediately preceding year,** refer its proposed budget, ad valorem property tax levy, and property tax rate for ~~that~~ **the ensuing** calendar year to the department of local government finance. The department of local government

finance shall make a final determination of the civil taxing unit's budget, ad valorem property tax levy, and property tax rate for ~~that~~ **the ensuing** calendar year. However, a civil taxing unit may not impose a property tax levy for ~~a~~ **an ensuing calendar** year if the unit did not exist as of January 1 of the **immediately** preceding year.

(c) This subsection does not apply to an ad valorem property tax levy imposed by a civil taxing unit for fire protection services within a fire protection territory under IC 36-8-19. In determining a budget, ad valorem property tax levy, and property tax rate under subsection (b), the department shall consider the effect of a property tax levy on a local income tax distribution to the civil taxing unit under IC 6-3.6-6.

SECTION 33. IC 6-1.1-18.5-10, AS AMENDED BY P.L.76-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) The ad valorem property tax levy limits imposed by section 3 of this chapter do not apply to ad valorem property taxes imposed by a civil taxing unit to be used to fund:

(1) community mental health centers under:

(A) IC 12-29-2-1.2, for only those civil taxing units that authorized financial assistance under IC 12-29-1 before 2002 for a community mental health center as long as the tax levy under this section does not exceed the levy authorized in 2002;

(B) IC 12-29-2-2 through IC 12-29-2-4; and

(C) IC 12-29-2-13; or

(2) community intellectual disability and other developmental disabilities centers under IC 12-29-1-1.

(b) For purposes of computing the ad valorem property tax levy limits imposed on a civil taxing unit by section 3 of this chapter, the civil taxing unit's ad valorem property tax levy for a particular calendar year does not include that part of the levy described in subsection (a).

(c) This subsection applies to property taxes first due and payable after December 31, 2008. Notwithstanding subsections (a) and (b) or any other law, any property taxes imposed by a civil taxing unit that are exempted by this section from the ad valorem property tax levy limits imposed by section 3 of this chapter may not increase annually by a percentage greater than the result of:

(1) the ~~assessed value~~ **maximum levy** growth quotient determined under section 2 of this chapter; minus

(2) one (1).

(d) Before July 15 of each year, the department of local government finance shall provide to each county an estimate of the maximum amount of property taxes imposed for community mental health centers or community intellectual disability and other developmental disabilities centers that are exempt from the levy limits for the ensuing year.

SECTION 34. IC 6-1.1-18.5-10.5, AS AMENDED BY P.L.245-2015, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.5. (a) The ad valorem property tax levy limits imposed by section 3 of this chapter do not apply to ad valorem property taxes imposed by a civil taxing unit for fire protection services within a fire protection territory under IC 36-8-19, if the civil taxing unit is a participating unit in a fire protection territory established before August 1, 2001. For purposes of computing the ad valorem property tax levy limits imposed on a civil taxing unit by section 3 of this chapter on a civil taxing unit that is a participating unit in a fire protection territory, established before August 1, 2001, the civil taxing unit's ad valorem property tax levy for a particular calendar year does not include that part of the levy imposed under IC 36-8-19. Any property taxes imposed by a civil taxing unit that are exempted by this subsection from the ad valorem property tax levy limits imposed by section 3 of this chapter and first due and payable after December 31, 2008, may not increase annually by a percentage greater than the result of:

(1) the ~~assessed value~~ **maximum levy** growth quotient determined under section 2 of this chapter; minus

(2) one (1).

(b) The department of local government finance may, under this subsection, increase the maximum permissible ad valorem property tax levy that would otherwise apply to a civil taxing unit under section 3 of this chapter to meet the civil taxing unit's obligations to a fire protection territory established under IC 36-8-19. To obtain an increase in the civil taxing unit's maximum permissible ad valorem property tax levy, a civil taxing unit shall submit a petition to the department of local government finance in the year immediately preceding the first year in which the civil taxing unit levies a tax to support the fire protection territory. The petition must be filed before the date specified in section 12(a)(1) of this chapter of that year. The department of local government finance shall make a final determination of the civil taxing unit's budget, ad valorem property tax levy, and property tax rate for the fire protection territory for the ensuing calendar year. In making its determination under this subsection, the department of local government finance shall consider the amount that the civil taxing unit is obligated to provide to meet the expenses of operation and maintenance of the fire protection services within the territory, including the participating unit's reasonable share of an operating balance for the fire protection territory. The department of local government finance shall determine the entire amount of the allowable adjustment in the final determination. The department shall order the adjustment implemented in the amounts and over the number of years, not exceeding three (3), requested by the petitioning civil taxing unit. However, the department of local government finance may not approve under this subsection a property tax levy greater than zero (0) if the civil taxing unit did not exist as of the assessment date for which the tax levy will be imposed. For purposes of applying this subsection to the civil taxing unit's maximum permissible ad valorem property tax levy in subsequent calendar years, the department of local government finance may determine not to consider part or all of the part of the property tax levy imposed to establish the operating balance of the fire protection territory.

SECTION 35. IC 6-1.1-18.5-12, AS AMENDED BY P.L.84-2016, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) Any civil taxing unit that determines that it cannot carry out its governmental functions for an ensuing calendar year under the levy limitations imposed by section 3 **or 25** of this chapter, **as applicable,** may:

(1) before October 20 of the calendar year immediately preceding the ensuing calendar year; or

(2) in the case of a request described in section 16 of this chapter, before December 31 of the calendar year immediately preceding the ensuing calendar year;

appeal to the department of local government finance for relief from those levy limitations. In the appeal the civil taxing unit must state that it will be unable to carry out the governmental functions committed to it by law unless it is given the authority that it is petitioning for. The civil taxing unit must support these allegations by reasonably detailed statements of fact.

(b) The department of local government finance shall immediately proceed to the examination and consideration of

the merits of the civil taxing unit's appeal.

(c) In considering an appeal, the department of local government finance has the power to conduct hearings, require any officer or member of the appealing civil taxing unit to appear before it, or require any officer or member of the appealing civil taxing unit to provide the department with any relevant records or books.

(d) If an officer or member:

(1) fails to appear at a hearing after having been given written notice requiring that person's attendance; or

(2) fails to produce the books and records that the department by written notice required the officer or member to produce;

then the department may file an affidavit in the circuit court, superior court, or probate court in the jurisdiction in which the officer or member may be found setting forth the facts of the failure.

(e) Upon the filing of an affidavit under subsection (d), the court shall promptly issue a summons, and the sheriff of the county within which the court is sitting shall serve the summons. The summons must command the officer or member to appear before the department to provide information to the department or to produce books and records for the department's use, as the case may be. Disobedience of the summons constitutes, and is punishable as, a contempt of the court that issued the summons.

(f) All expenses incident to the filing of an affidavit under subsection (d) and the issuance and service of a summons shall be charged to the officer or member against whom the summons is issued, unless the court finds that the officer or member was acting in good faith and with reasonable cause. If the court finds that the officer or member was acting in good faith and with reasonable cause or if an affidavit is filed and no summons is issued, the expenses shall be charged against the county in which the affidavit was filed and shall be allowed by the proper fiscal officers of that county.

(g) The fiscal officer of a civil taxing unit that appeals under section 16 of this chapter for relief from levy limitations shall immediately file a copy of the appeal petition with the county auditor and the county treasurer of the county in which the unit is located.

SECTION 36. IC 6-1.1-18.5-13, AS AMENDED BY P.L.86-2018, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. (a) With respect to an appeal filed under section 12 of this chapter, the department may find that a civil taxing unit should receive any one (1) or more of the following types of relief:

(1) Permission to the civil taxing unit to increase its levy in excess of the limitations established under section 3 **or 25** of this chapter, **as applicable,** if in the judgment of the department the increase is reasonably necessary due to increased costs of the civil taxing unit resulting from annexation, consolidation, or other extensions of governmental services by the civil taxing unit to additional geographic areas. With respect to annexation, consolidation, or other extensions of governmental services in a calendar year, if those increased costs are incurred by the civil taxing unit in that calendar year and more than one (1) immediately succeeding calendar year, the unit may appeal under section 12 of this chapter for permission to increase its levy under this subdivision based on those increased costs in any of the following:

(A) The first calendar year in which those costs are incurred.

(B) One (1) or more of the immediately succeeding four (4) calendar years.

(2) Permission to the civil taxing unit to increase its levy in excess of the limitations established under section 3 **or 25** of this chapter, **as applicable,** if the department finds that the quotient determined under STEP SIX of the following formula is equal to or greater than one and two-hundredths (1.02):

STEP ONE: Determine the three (3) calendar years that most immediately precede the ensuing calendar year.

STEP TWO: Compute separately, for each of the calendar years determined in STEP ONE, the quotient (rounded to the nearest ten-thousandth (0.0001)) of the sum of the civil taxing unit's total assessed value of all taxable property and:

(i) for a particular calendar year before 2007, the total assessed value of property tax deductions in the unit under IC 6-1.1-12-41 (repealed) or IC 6-1.1-12-42 in the particular calendar year; or

(ii) for a particular calendar year after 2006, the total assessed value of property tax deductions that applied in the unit under IC 6-1.1-12-42 in 2006 plus for a particular calendar year after 2009, the total assessed value of property tax deductions that applied in the unit under IC 6-1.1-12-37.5 in 2008;

divided by the sum determined under this STEP for the calendar year immediately preceding the particular calendar year.

STEP THREE: Divide the sum of the three (3) quotients computed in STEP TWO by three (3).

STEP FOUR: Compute separately, for each of the calendar years determined in STEP ONE, the quotient (rounded to the nearest ten-thousandth (0.0001)) of the sum of the total assessed value of all taxable property in all counties and:

(i) for a particular calendar year before 2007, the total assessed value of property tax deductions in all counties under IC 6-1.1-12-41 (repealed) or IC 6-1.1-12-42 in the particular calendar year; or

(ii) for a particular calendar year after 2006, the total assessed value of property tax deductions that applied in all counties under IC 6-1.1-12-42 in 2006 plus for a particular calendar year after 2009, the total assessed value of property tax deductions that applied in the unit under IC 6-1.1-12-37.5 in 2008;

divided by the sum determined under this STEP for the calendar year immediately preceding the particular calendar year.

STEP FIVE: Divide the sum of the three (3) quotients computed in STEP FOUR by three (3).

STEP SIX: Divide the STEP THREE amount by the STEP FIVE amount.

The civil taxing unit may increase its levy by a percentage not greater than the percentage by which the STEP THREE amount exceeds the percentage by which the civil taxing unit may increase its levy under section 3 **or 25** of this chapter, **as applicable,** based on the ~~assessed value~~ **maximum levy** growth quotient determined under section 2 of this chapter.

(3) A levy increase may be granted under this subdivision only for property taxes first due and payable after December 31, 2008. Permission to a civil taxing unit to increase its levy in excess of the limitations established under section 3 **or 25** of this chapter, **as applicable,** if the civil taxing unit cannot carry out its governmental functions for an ensuing calendar year under the levy limitations imposed by section 3 **or 25** of this chapter, **as applicable,** due to a natural disaster, an accident, or another unanticipated emergency.

(b) The department of local government finance shall increase the maximum permissible ad valorem property tax levy under section 3 of this chapter for the city of Goshen for 2012 and thereafter by an amount equal to the greater of zero (0) or the result of:

(1) the city's total pension costs in 2009 for the 1925 police pension fund (IC 36-8-6) and the 1937 firefighters' pension fund (IC 36-8-7); minus

(2) the sum of:

(A) the total amount of state funds received in 2009 by the city and used to pay benefits to members of the 1925 police pension fund (IC 36-8-6) or the 1937 firefighters' pension fund (IC 36-8-7); plus

(B) any previous permanent increases to the city's levy that were authorized to account for the transfer to the state of the responsibility to pay benefits to members of the 1925 police pension fund (IC 36-8-6) and the 1937 firefighters' pension fund (IC 36-8-7).

SECTION 37. IC 6-1.1-18.5-14, AS AMENDED BY P.L.182-2009(ss), SECTION 134, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) The department of local government finance may order a correction of any advertising error, mathematical error, or error in data made at the local level for any calendar year if the department finds that the error affects the determination of the limitations established by section 3 **or 25** of this chapter, **as applicable,** or the tax rate or levy of a civil taxing unit. The department of local government finance may on its own initiative correct such an advertising error, mathematical error, or error in data for any civil taxing unit.

(b) A correction made under subsection (a) for a prior calendar year shall be applied to the civil taxing unit's levy limitations, rate, and levy for the ensuing calendar year to offset any cumulative effect that the error caused in the determination of the civil taxing unit's levy limitations, rate, or levy for the ensuing calendar year.

SECTION 38. IC 6-1.1-18.5-16, AS AMENDED BY P.L.257-2019, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) A civil taxing unit may request permission from the department to impose an ad valorem property tax levy that exceeds the limits imposed by section 3 of this chapter if:

(1) the civil taxing unit experienced a property tax revenue shortfall that resulted from erroneous assessed valuation figures being provided to the civil taxing unit;

(2) the erroneous assessed valuation figures were used by the civil taxing unit in determining its total property tax rate; and

(3) the error in the assessed valuation figures was found after the civil taxing unit's property tax levy resulting from that total rate was finally approved by the department of local government finance.

However, a civil taxing unit may not make a request described in this subsection on account of a revenue shortfall experienced in excess of five (5) years from the date of the most recent certified budget, tax rate, and levy of the civil taxing unit under IC 6-1.1-17-16.

(b) A civil taxing unit may request permission from the department to impose an ad valorem property tax levy that exceeds the limits imposed by section 3 **or 25** of this chapter, **as applicable,** if the civil taxing unit experienced a property tax revenue shortfall because of the payment of refunds that resulted from appeals under this article and IC 6-1.5. However, a civil taxing unit may not make a request described in this subsection on account of a revenue shortfall experienced in excess of five (5) years from the date of the most recent certified budget, tax rate, and levy of the civil taxing unit under IC 6-1.1-17-16.

(c) If the department determines that a shortfall described in subsection (a) or (b) has occurred, the department of local government finance may find that the civil taxing unit should be allowed to impose a property tax levy exceeding the limit imposed by section 3 **or 25** of this chapter, **as applicable.** However, the maximum amount by which the civil taxing unit's levy may be increased over the limits imposed by section 3 **or 25** of this chapter, **as applicable,** equals the remainder of the civil taxing unit's property tax levy for the particular calendar year as finally approved by the department of local government finance minus the actual property tax levy collected by the civil taxing unit for that particular calendar year.

(d) Any property taxes collected by a civil taxing unit over the limits imposed by section 3 **or 25** of this chapter, **as applicable,** under the authority of this section may not be treated as a part of the civil taxing unit's maximum permissible ad valorem property tax levy for purposes of determining its maximum permissible ad valorem property tax levy for future years.

(e) If the department of local government finance authorizes an excess tax levy under this section, it shall take appropriate steps to insure that the proceeds are first used to repay any loan made to the civil taxing unit for the purpose of meeting its current expenses.

SECTION 39. IC 6-1.1-18.5-25, AS ADDED BY P.L.180-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 25. (a) The ad valorem property tax levy limits imposed under section 3 of this chapter do not apply to a municipality in a year if all the following apply:

(1) The percentage growth in the municipality's assessed value for the preceding year compared to the year before the preceding year is at least two (2) times the ~~assessed value~~ **maximum levy** growth quotient determined under section 2 of this chapter for the preceding year.

(2) The municipality's population increased by

at least one hundred fifty percent (150%) between the last two (2) decennial censuses.

(b) A municipality that meets all the requirements under subsection (a) may increase its ad valorem property tax levy in excess of the limits imposed under section 3 of this chapter by a percentage equal to the lesser of:

(1) the percentage growth in the municipality's assessed value for the preceding year compared to the year before the preceding year; or

(2) six percent (6%).

(c) A municipality's ~~assessed value~~ **maximum levy** growth that results from either annexation or the pass through of assessed value from a tax increment financing district may not be included for the purposes of determining a municipality's ~~assessed value~~ **maximum levy** growth under this section.

(d) This section applies to property tax levies imposed after December 31, 2016.

SECTION 40. IC 6-1.1-20-1.1, AS AMENDED BY P.L.246-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.1. As used in this chapter, "controlled project" means any project financed by bonds or a lease, except for the following:

(1) A project for which the political subdivision reasonably expects to pay:

(A) debt service; or

(B) lease rentals;

from funds other than property taxes that are exempt from the levy limitations of IC 6-1.1-18.5 or (before January 1, 2009) IC 20-45-3. A project is not a controlled project even though the political subdivision has pledged to levy property taxes to pay the debt service or lease rentals if those other funds are insufficient.

(2) A project that will not cost the political subdivision more than the lesser of the following:

(A) An amount equal to the following:

(i) In the case of an ordinance or resolution adopted before January 1, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, two million dollars ($2,000,000).

(ii) In the case of an ordinance or resolution adopted after December 31, 2017, and before January 1, 2019, making a preliminary determination to issue bonds or enter into a lease for the project, five million dollars ($5,000,000).

(iii) In the case of an ordinance or resolution adopted in a calendar year after December 31, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, an amount (as determined by the department of local government finance) equal to the result of the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the year multiplied by the amount determined under this clause for the preceding calendar year.

The department of local government finance shall publish the threshold determined under item (iii) in the Indiana Register under IC 4-22-7-7 not more than sixty (60) days after the date the budget agency releases the **maximum levy** growth quotient for the ensuing year under IC 6-1.1-18.5-2.

(B) An amount equal to the following:

(i) One percent (1%) of the total gross assessed value of property within the political subdivision on the last assessment date, if that total gross assessed value is more than one hundred million dollars ($100,000,000).

(ii) One million dollars ($1,000,000), if the total gross assessed value of property within the political subdivision on the last assessment date is not more than one hundred million dollars ($100,000,000).

(3) A project that is being refinanced for the purpose of providing gross or net present value savings to taxpayers.

(4) A project for which bonds were issued or leases were entered into before January 1, 1996, or where the state board of tax commissioners has approved the issuance of bonds or the execution of leases before January 1, 1996.

(5) A project that is required by a court order holding that a federal law mandates the project.

(6) A project that is in response to:

(A) a natural disaster;

(B) an accident; or

(C) an emergency;

in the political subdivision that makes a building or facility unavailable for its intended use.

(7) A project that was not a controlled project under this section as in effect on June 30, 2008, and for which:

(A) the bonds or lease for the project were issued or entered into before July 1, 2008; or

(B) the issuance of the bonds or the execution of the lease for the project was approved by the department of local government finance before July 1, 2008.

(8) A project of the Little Calumet River basin development commission for which bonds are payable from special assessments collected under IC 14-13-2-18.6.

SECTION 41. IC 6-1.1-20-3.1, AS AMENDED BY P.L.246-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.1. (a) Subject to section 3.5(a)(1)(C) of this chapter, this section applies only to the following:

(1) A controlled project (as defined in section 1.1 of this chapter as in effect June 30, 2008) for which the proper officers of a political subdivision make a preliminary determination in the manner described in subsection (b) before July 1, 2008.

(2) An elementary school building, middle school building, high school building, or other school building for academic instruction that:

(A) is a controlled project;

(B) will be used for any combination of kindergarten through grade 12; and

(C) will not cost more than the lesser of the following:

(i) The threshold amount determined under this item. In the case of an ordinance or resolution adopted before January 1, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is ten million dollars ($10,000,000). In the case of an ordinance or resolution adopted after December 31, 2017, and before January 1, 2019, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is fifteen million dollars ($15,000,000). In the case of an ordinance or resolution adopted in a calendar year after December 31, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is an amount (as determined by the department of local government finance) equal to the result of the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the year multiplied by the threshold amount determined under this item for the preceding calendar year. In the case of a threshold amount determined under this item that applies for a calendar year after December 31, 2018, the department of local government finance shall publish the threshold in the Indiana Register under IC 4-22-7-7 not more than sixty (60) days after the date the budget agency releases the ~~assessed value~~ **maximum levy** growth quotient for the ensuing year under IC 6-1.1-18.5-2.

(ii) An amount equal to one percent (1%) of the total gross assessed value of property within the political subdivision on the last assessment date, if that total gross assessed value is more than one billion dollars ($1,000,000,000), or ten million dollars ($10,000,000), if the total gross assessed value of property within the political subdivision on the last assessment date is not more than one billion dollars ($1,000,000,000).

(3) Any other controlled project that:

(A) is not a controlled project described in subdivision (1) or (2); and

(B) will not cost the political subdivision more than the lesser of the following:

(i) The threshold amount determined under this item. In the case of an ordinance or resolution adopted before January 1, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is twelve million dollars ($12,000,000). In the case of an ordinance or resolution adopted after December 31, 2017, and before January 1, 2019, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is fifteen million dollars ($15,000,000). In the case of an ordinance or resolution adopted in a calendar year after December 31, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is an amount (as determined by the department of local government finance) equal to the result of the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the year multiplied by the threshold amount determined under this item for the preceding calendar year. In the case of a threshold amount determined under this item that applies for a calendar year after December 31, 2018, the department of local government finance shall publish the threshold in the Indiana Register under IC 4-22-7-7 not more than sixty (60) days after the date the budget agency releases the ~~assessed value~~ **maximum levy** growth quotient for the ensuing year under IC 6-1.1-18.5-2.

(ii) An amount equal to one percent (1%) of the total gross assessed value of property within the political subdivision on the last assessment date, if that total gross assessed value is more than one hundred million dollars ($100,000,000), or one million dollars ($1,000,000), if the total gross assessed value of property within the political subdivision on the last assessment date is not more than one hundred million dollars ($100,000,000).

(b) A political subdivision may not impose property taxes to pay debt service on bonds or lease rentals on a lease for a controlled project without completing the following procedures:

(1) The proper officers of a political subdivision shall publish notice in accordance with IC 5-3-1 and send notice by first class mail to the circuit court clerk and to any organization that delivers to the officers, before January 1 of that year, an annual written request for such notices of any meeting to consider adoption of a resolution or an ordinance making a preliminary determination to issue bonds or

enter into a lease and shall conduct at least two (2) public hearings on a preliminary determination before adoption of the resolution or ordinance. The political subdivision must at each of the public hearings on the preliminary determination allow the public to testify regarding the preliminary determination and must make the following information available to the public at each of the public hearings on the preliminary determination, in addition to any other information required by law:

(A) The result of the political subdivision's current and projected annual debt service payments divided by the net assessed value of taxable property within the political subdivision.

(B) The result of:

(i) the sum of the political subdivision's outstanding long term debt plus the outstanding long term debt of other taxing units that include any of the territory of the political subdivision; divided by

(ii) the net assessed value of taxable property within the political subdivision.

(C) The information specified in subdivision (3)(A) through (3)(H).

(2) When the proper officers of a political subdivision make a preliminary determination to issue bonds or enter into a lease for a controlled project, the officers shall give notice of the preliminary determination by:

(A) publication in accordance with IC 5-3-1; and

(B) first class mail to the circuit court clerk and to the organizations described in subdivision (1).

(3) A notice under subdivision (2) of the preliminary determination of the political subdivision to issue bonds or enter into a lease for a controlled project must include the following information:

(A) The maximum term of the bonds or lease.

(B) The maximum principal amount of the bonds or the maximum lease rental for the lease.

(C) The estimated interest rates that will be paid and the total interest costs associated with the bonds or lease.

(D) The purpose of the bonds or lease.

(E) A statement that any owners of property within the political subdivision or registered voters residing within the political subdivision who want to initiate a petition and remonstrance process against the proposed debt service or lease payments must file a petition that complies with subdivisions (4) and (5) not later than thirty (30) days after publication in accordance with IC 5-3-1.

(F) With respect to bonds issued or a lease entered into to open:

(i) a new school facility; or

(ii) an existing facility that has not been used for at least three (3) years and that is being reopened to provide additional classroom space;

the estimated costs the school corporation expects to incur annually to operate the facility.

(G) A statement of whether the school corporation expects to appeal for a new facility adjustment (as defined in IC 20-45-1-16 (repealed) before January 1, 2009) for an increased maximum permissible tuition support levy to pay the estimated costs described in clause (F).

(H) The following information:

(i) The political subdivision's current debt service levy and rate.

(ii) The estimated increase to the political subdivision's debt service levy and rate that will result if the political subdivision issues the bonds or enters into the lease.

(iii) The estimated amount of the political subdivision's debt service levy and rate that will result during the following ten (10) years if the political subdivision issues the bonds or enters into the lease, after also considering any changes that will occur to the debt service levy and rate during that period on account of any outstanding bonds or lease obligations that will mature or terminate during that period.

(I) The information specified in subdivision (1)(A) through (1)(B).

(4) After notice is given, a petition requesting the application of a petition and remonstrance process may be filed by the lesser of:

(A) five hundred (500) persons who are either owners of property within the political subdivision or registered voters residing within the political subdivision; or

(B) five percent (5%) of the registered voters residing within the political subdivision.

(5) The state board of accounts shall design and, upon request by the county voter registration office, deliver to the county voter registration office or the county voter registration office's designated printer the petition forms to be used solely in the petition process described in this section. The county voter registration office shall issue to an owner or owners of property within the political subdivision or a registered voter residing within the political subdivision the number of petition forms requested by the owner or owners or the registered voter. Each form must be accompanied by instructions detailing the requirements that:

(A) the carrier and signers must be owners of property or registered voters;

(B) the carrier must be a signatory on at least one (1) petition;
(C) after the signatures have been collected, the carrier must swear or affirm before a notary public that the carrier witnessed each signature; and
(D) govern the closing date for the petition period.

Persons requesting forms may be required to identify themselves as owners of property or registered voters and may be allowed to pick up additional copies to distribute to other owners of property or registered voters. Each person signing a petition must indicate whether the person is signing the petition as a registered voter within the political subdivision or is signing the petition as the owner of property within the political subdivision. A person who signs a petition as a registered voter must indicate the address at which the person is registered to vote. A person who signs a petition as an owner of property must indicate the address of the property owned by the person in the political subdivision.

(6) Each petition must be verified under oath by at least one (1) qualified petitioner in a manner prescribed by the state board of accounts before the petition is filed with the county voter registration office under subdivision (7).

(7) Each petition must be filed with the county voter registration office not more than thirty (30) days after publication under subdivision (2) of the notice of the preliminary determination.

(8) The county voter registration office shall determine whether each person who signed the petition is a registered voter. However, after the county voter registration office has determined that at least five hundred twenty-five (525) persons who signed the petition are registered voters within the political subdivision, the county voter registration office is not required to verify whether the remaining persons who signed the petition are registered voters. If the county voter registration office does not determine that at least five hundred twenty-five (525) persons who signed the petition are registered voters, the county voter registration office shall, not more than fifteen (15) business days after receiving a petition, forward a copy of the petition to the county auditor. Not more than ten (10) business days after receiving the copy of the petition, the county auditor shall provide to the county voter registration office a statement verifying:

(A) whether a person who signed the petition as a registered voter but is not a registered voter, as determined by the county voter registration office, is the owner of property in the political subdivision; and
(B) whether a person who signed the petition as an owner of property within the political subdivision does in fact own property within the political subdivision.

(9) The county voter registration office, not more than ten (10) business days after determining that at least five hundred twenty-five (525) persons who signed the petition are registered voters or receiving the statement from the county auditor under subdivision (8), as applicable, shall make the final determination of the number of petitioners that are registered voters in the political subdivision and, based on the statement provided by the county auditor, the number of petitioners that own property within the political subdivision. Whenever the name of an individual who signs a petition form as a registered voter contains a minor variation from the name of the registered voter as set forth in the records of the county voter registration office, the signature is presumed to be valid, and there is a presumption that the individual is entitled to sign the petition under this section. Except as otherwise provided in this chapter, in determining whether an individual is a registered voter, the county voter registration office shall apply the requirements and procedures used under IC 3 to determine whether a person is a registered voter for purposes of voting in an election governed by IC 3. However, an individual is not required to comply with the provisions concerning providing proof of identification to be considered a registered voter for purposes of this chapter. A person is entitled to sign a petition only one (1) time in a particular petition and remonstrance process under this chapter, regardless of whether the person owns more than one (1) parcel of real property, mobile home assessed as personal property, or manufactured home assessed as personal property, or a combination of those types of property within the subdivision and regardless of whether the person is both a registered voter in the political subdivision and the owner of property within the political subdivision. Notwithstanding any other provision of this section, if a petition is presented to the county voter registration office within forty-five (45) days before an election, the county voter registration office may defer acting on the petition, and the time requirements under this section for action by the county voter registration office do not begin to run until five (5) days after the date of the election.

(10) The county voter registration office must file a certificate and each petition with:

(A) the township trustee, if the political subdivision is a township, who shall present the petition or petitions to the township board; or
(B) the body that has the authority to authorize the issuance of the bonds or the execution of a lease, if the political subdivision is not a township;

within thirty-five (35) business days of the filing of the petition requesting a petition and remonstrance process. The certificate must state the number of petitioners that are owners of property within the political subdivision and the number of petitioners who are registered voters residing within the political subdivision.

If a sufficient petition requesting a petition and remonstrance process is not filed by owners of property or registered voters as set forth in this section, the political subdivision may issue

bonds or enter into a lease by following the provisions of law relating to the bonds to be issued or lease to be entered into.

(c) A political subdivision may not divide a controlled project in order to avoid the requirements of this section and section 3.2 of this chapter. A person that owns property within a political subdivision or a person that is a registered voter residing within a political subdivision may file a petition with the department of local government finance objecting that the political subdivision has divided a controlled project in order to avoid the requirements of this section and section 3.2 of this chapter. The petition must be filed not more than ten (10) days after the political subdivision gives notice of the political subdivision's decision to issue bonds or enter into leases for a capital project that the person believes is the result of a division of a controlled project that is prohibited by this subsection. If the department of local government finance receives a petition under this subsection, the department shall not later than thirty (30) days after receiving the petition make a final determination on the issue of whether the political subdivision divided a controlled project in order to avoid the requirements of this section and section 3.2 of this chapter. If the department of local government finance determines that a political subdivision divided a controlled project in order to avoid the requirements of this section and section 3.2 of this chapter and the political subdivision continues to desire to proceed with the project, the political subdivision shall fulfill the requirements of this section and section 3.2 of this chapter, if applicable, regardless of the cost of the project in dispute. A political subdivision shall be considered to have divided a capital project in order to avoid the requirements of this section and section 3.2 of this chapter if the result of one (1) or more of the subprojects cannot reasonably be considered an independently desirable end in itself without reference to another capital project. This subsection does not prohibit a political subdivision from undertaking a series of capital projects in which the result of each capital project can reasonably be considered an independently desirable end in itself without reference to another capital project.

SECTION 42. IC 6-1.1-20-3.5, AS AMENDED BY P.L.272-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. (a) This section applies only to a controlled project that meets the following conditions:

(1) The controlled project is described in one (1) of the following categories:

(A) An elementary school building, middle school building, high school building, or other school building for academic instruction that will be used for any combination of kindergarten through grade 12 and will cost more than the lesser of the following:

(i) The threshold amount determined under this item. In the case of an ordinance or resolution adopted before January 1, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is ten million dollars ($10,000,000). In the case of an ordinance or resolution adopted after December 31, 2017, and before January 1, 2019, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is fifteen million dollars ($15,000,000). In the case of an ordinance or resolution adopted in a calendar year after December 31, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is an amount (as determined by the department of local government finance) equal to the result of the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the year multiplied by the threshold amount determined under this item for the preceding calendar year. In the case of a threshold amount determined under this item that applies for a calendar year after December 31, 2018, the department of local government finance shall publish the threshold in the Indiana Register under IC 4-22-7-7 not more than sixty (60) days after the date the budget agency releases the ~~assessed value~~ **maximum levy** growth quotient for the ensuing year under IC 6-1.1-18.5-2.

(ii) An amount equal to one percent (1%) of the total gross assessed value of property within the political subdivision on the last assessment date, if that total gross assessed value is more than one billion dollars ($1,000,000,000), or ten million dollars ($10,000,000), if the total gross assessed value of property within the political subdivision on the last assessment date is not more than one billion dollars ($1,000,000,000).

(B) Any other controlled project that is not a controlled project described in clause (A) and will cost the political subdivision more than the lesser of the following:

(i) The threshold amount determined under this item. In the case of an ordinance or resolution adopted before January 1, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is twelve million dollars ($12,000,000). In the case of an ordinance or resolution adopted after December 31, 2017, and before January 1, 2019, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is fifteen million dollars ($15,000,000). In the case of an ordinance or resolution adopted in a calendar year after December 31, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is an amount (as determined by the department

of local government finance) equal to the result of the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the year multiplied by the threshold amount determined under this item for the preceding calendar year. In the case of a threshold amount determined under this item that applies for a calendar year after December 31, 2018, the department of local government finance shall publish the threshold in the Indiana Register under IC 4-22-7-7 not more than sixty (60) days after the date the budget agency releases the ~~assessed value~~ **maximum levy** growth quotient for the ensuing year under IC 6-1.1-18.5-2.

(ii) An amount equal to one percent (1%) of the total gross assessed value of property within the political subdivision on the last assessment date, if that total gross assessed value is more than one hundred million dollars ($100,000,000), or one million dollars ($1,000,000), if the total gross assessed value of property within the political subdivision on the last assessment date is not more than one hundred million dollars ($100,000,000).

(C) Any other controlled project for which a political subdivision adopts an ordinance or resolution making a preliminary determination to issue bonds or enter into a lease for the project, if the sum of:

(i) the cost of that controlled project; plus

(ii) the costs of all other controlled projects for which the political subdivision has previously adopted within the preceding three hundred sixty-five (365) days an ordinance or resolution making a preliminary determination to issue bonds or enter into a lease for those other controlled projects;

exceeds twenty-five million dollars ($25,000,000).

(2) The proper officers of the political subdivision make a preliminary determination after June 30, 2008, in the manner described in subsection (b) to issue bonds or enter into a lease for the controlled project.

(b) Subject to subsection (d), a political subdivision may not impose property taxes to pay debt service on bonds or lease rentals on a lease for a controlled project without completing the following procedures:

(1) The proper officers of a political subdivision shall publish notice in accordance with IC 5-3-1 and send notice by first class mail to the circuit court clerk and to any organization that delivers to the officers, before January 1 of that year, an annual written request for notices of any meeting to consider the adoption of an ordinance or a resolution making a preliminary determination to issue bonds or enter into a lease and shall conduct at least two (2) public hearings on the preliminary determination before adoption of the ordinance or resolution. The political subdivision must at each of the public hearings on the preliminary determination allow the public to testify regarding the preliminary determination and must make the following information available to the public at each of the public hearings on the preliminary determination, in addition to any other information required by law:

(A) The result of the political subdivision's current and projected annual debt service payments divided by the net assessed value of taxable property within the political subdivision.

(B) The result of:

(i) the sum of the political subdivision's outstanding long term debt plus the outstanding long term debt of other taxing units that include any of the territory of the political subdivision; divided by

(ii) the net assessed value of taxable property within the political subdivision.

(C) The information specified in subdivision (3)(A) through (3)(G).

(2) If the proper officers of a political subdivision make a preliminary determination to issue bonds or enter into a lease, the officers shall give notice of the preliminary determination by:

(A) publication in accordance with IC 5-3-1; and

(B) first class mail to the circuit court clerk and to the organizations described in subdivision (1).

(3) A notice under subdivision (2) of the preliminary determination of the political subdivision to issue bonds or enter into a lease must include the following information:

(A) The maximum term of the bonds or lease.

(B) The maximum principal amount of the bonds or the maximum lease rental for the lease.

(C) The estimated interest rates that will be paid and the total interest costs associated with the bonds or lease.

(D) The purpose of the bonds or lease.

(E) A statement that the proposed debt service or lease payments must be approved in an election on a local public question held under section 3.6 of this chapter.

(F) With respect to bonds issued or a lease entered into to open:

(i) a new school facility; or

(ii) an existing facility that has not been used for at least three (3) years and that is being reopened to provide additional classroom

space;
the estimated costs the school corporation expects to annually incur to operate the facility.
(G) The following information:
(i) The political subdivision's current debt service levy and rate.
(ii) The estimated increase to the political subdivision's debt service levy and rate that will result if the political subdivision issues the bonds or enters into the lease.
(iii) The estimated amount of the political subdivision's debt service levy and rate that will result during the following ten (10) years if the political subdivision issues the bonds or enters into the lease, after also considering any changes that will occur to the debt service levy and rate during that period on account of any outstanding bonds or lease obligations that will mature or terminate during that period.
(H) The information specified in subdivision (1)(A) through (1)(B).

(4) After notice is given, a petition requesting the application of the local public question process under section 3.6 of this chapter may be filed by the lesser of:
(A) five hundred (500) persons who are either owners of property within the political subdivision or registered voters residing within the political subdivision; or
(B) five percent (5%) of the registered voters residing within the political subdivision.

(5) The state board of accounts shall design and, upon request by the county voter registration office, deliver to the county voter registration office or the county voter registration office's designated printer the petition forms to be used solely in the petition process described in this section. The county voter registration office shall issue to an owner or owners of property within the political subdivision or a registered voter residing within the political subdivision the number of petition forms requested by the owner or owners or the registered voter. Each form must be accompanied by instructions detailing the requirements that:
(A) the carrier and signers must be owners of property or registered voters;
(B) the carrier must be a signatory on at least one (1) petition;
(C) after the signatures have been collected, the carrier must swear or affirm before a notary public that the carrier witnessed each signature; and
(D) govern the closing date for the petition period.

Persons requesting forms may be required to identify themselves as owners of property or registered voters and may be allowed to pick up additional copies to distribute to other owners of property or registered voters. Each person signing a petition must indicate whether the person is signing the petition as a registered voter within the political subdivision or is signing the petition as the owner of property within the political subdivision. A person who signs a petition as a registered voter must indicate the address at which the person is registered to vote. A person who signs a petition as an owner of property must indicate the address of the property owned by the person in the political subdivision.

(6) Each petition must be verified under oath by at least one (1) qualified petitioner in a manner prescribed by the state board of accounts before the petition is filed with the county voter registration office under subdivision (7).

(7) Each petition must be filed with the county voter registration office not more than thirty (30) days after publication under subdivision (2) of the notice of the preliminary determination.

(8) The county voter registration office shall determine whether each person who signed the petition is a registered voter. However, after the county voter registration office has determined that at least five hundred twenty-five (525) persons who signed the petition are registered voters within the political subdivision, the county voter registration office is not required to verify whether the remaining persons who signed the petition are registered voters. If the county voter registration office does not determine that at least five hundred twenty-five (525) persons who signed the petition are registered voters, the county voter registration office, not more than fifteen (15) business days after receiving a petition, shall forward a copy of the petition to the county auditor. Not more than ten (10) business days after receiving the copy of the petition, the county auditor shall provide to the county voter registration office a statement verifying:
(A) whether a person who signed the petition as a registered voter but is not a registered voter, as determined by the county voter registration office, is the owner of property in the political subdivision; and
(B) whether a person who signed the petition as an owner of property within the political subdivision does in fact own property within the political subdivision.

(9) The county voter registration office, not more than ten (10) business days after determining that at least five hundred twenty-five (525) persons who signed the petition are registered voters or after receiving the statement from the county auditor under subdivision (8), as applicable, shall make the final determination of whether a sufficient number of persons have signed the petition. Whenever the name of an individual who signs a petition form as a registered voter contains a minor variation from the name of the registered voter as set forth in the records of the county voter registration office, the signature is presumed to be valid, and there is a presumption that the individual is entitled to

sign the petition under this section. Except as otherwise provided in this chapter, in determining whether an individual is a registered voter, the county voter registration office shall apply the requirements and procedures used under IC 3 to determine whether a person is a registered voter for purposes of voting in an election governed by IC 3. However, an individual is not required to comply with the provisions concerning providing proof of identification to be considered a registered voter for purposes of this chapter. A person is entitled to sign a petition only one (1) time in a particular referendum process under this chapter, regardless of whether the person owns more than one (1) parcel of real property, mobile home assessed as personal property, or manufactured home assessed as personal property or a combination of those types of property within the political subdivision and regardless of whether the person is both a registered voter in the political subdivision and the owner of property within the political subdivision. Notwithstanding any other provision of this section, if a petition is presented to the county voter registration office within forty-five (45) days before an election, the county voter registration office may defer acting on the petition, and the time requirements under this section for action by the county voter registration office do not begin to run until five (5) days after the date of the election.

(10) The county voter registration office must file a certificate and each petition with:

(A) the township trustee, if the political subdivision is a township, who shall present the petition or petitions to the township board; or

(B) the body that has the authority to authorize the issuance of the bonds or the execution of a lease, if the political subdivision is not a township;

within thirty-five (35) business days of the filing of the petition requesting the referendum process. The certificate must state the number of petitioners who are owners of property within the political subdivision and the number of petitioners who are registered voters residing within the political subdivision.

(11) If a sufficient petition requesting the local public question process is not filed by owners of property or registered voters as set forth in this section, the political subdivision may issue bonds or enter into a lease by following the provisions of law relating to the bonds to be issued or lease to be entered into.

(c) If the proper officers of a political subdivision make a preliminary determination to issue bonds or enter into a lease, the officers shall provide to the county auditor:

(1) a copy of the notice required by subsection (b)(2); and

(2) any other information the county auditor requires to fulfill the county auditor's duties under section 3.6 of this chapter.

(d) In addition to the procedures in subsection (b), if any capital improvement components addressed in the most recent:

(1) threat assessment of the buildings within the school corporation; or

(2) school safety plan (as described in IC 20-26-18.2-2(b));

concerning a particular school have not been completed or require additional funding to be completed, before the school corporation may impose property taxes to pay debt service on bonds or lease rentals for a lease for a controlled project, and in addition to any other components of the controlled project, the controlled project must include any capital improvements necessary to complete those components described in subdivisions (1) and (2) that have not been completed or that require additional funding to be completed.

SECTION 43. IC 6-1.1-20.6-8.5, AS AMENDED BY P.L.114-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8.5. (a) This section applies to an individual who:

(1) qualified for a standard deduction granted under IC 6-1.1-12-37 for the individual's homestead property in the immediately preceding calendar year (or was married at the time of death to a deceased spouse who qualified for a standard deduction granted under IC 6-1.1-12-37 for the individual's homestead property in the immediately preceding calendar year);

(2) qualifies for a standard deduction granted under IC 6-1.1-12-37 for the same homestead property in the current calendar year;

(3) is or will be at least sixty-five (65) years of age on or before December 31 of the calendar year immediately preceding the current calendar year; and

(4) had:

(A) in the case of an individual who filed a single return, adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding thirty thousand dollars ($30,000); or

(B) in the case of an individual who filed a joint income tax return with the individual's spouse, combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding forty thousand dollars ($40,000);

for the calendar year preceding by two (2) years the calendar year in which property taxes are first due and payable.

(b) Except as provided in subsection (g), this section does not apply if:

(1) for an individual who received a credit under this section before January 1, 2020, the gross assessed value of the homestead on the assessment date for which property taxes are imposed is at least two hundred thousand dollars ($200,000); or

(2) for an individual who initially applies for a credit under this section after December 31, 2019, the assessed value of the individual's Indiana real property is at least two hundred thousand dollars ($200,000).

(c) An individual is entitled to an additional credit under this section for property taxes first due and payable for a calendar year on a homestead if:

(1) the individual and the homestead qualify for the credit under subsection (a) for the calendar year;

(2) the homestead is not disqualified for the credit under subsection (b) for the calendar year; and

(3) the filing requirements under subsection (e) are met.

(d) The amount of the credit is equal to the greater of zero (0) or the result of:

(1) the property tax liability first due and payable on the homestead property for the calendar year; minus

(2) the result of:

(A) the property tax liability first due and payable on the qualified homestead property for the immediately preceding year after the application of the credit granted under this section for that year; multiplied by

(B) one and two hundredths (1.02).

However, property tax liability imposed on any improvements to or expansion of the homestead property after the assessment date for which property tax liability described in subdivision (2) was imposed shall not be considered in determining the credit granted under this section in the current calendar year.

(e) Applications for a credit under this section shall be filed in the manner provided for an application for a deduction under IC 6-1.1-12-9. However, an individual who remains eligible for the credit in the following year is not required to file a statement to apply for the credit in the following year. An individual who receives a credit under this section in a particular year and who becomes ineligible for the credit in the following year shall notify the auditor of the county in which the homestead is located of the individual's ineligibility not later than sixty (60) days after the individual becomes ineligible.

(f) The auditor of each county shall, in a particular year, apply a credit provided under this section to each individual who received the credit in the preceding year unless the auditor determines that the individual is no longer eligible for the credit.

(g) For purposes of determining the:

(1) assessed value of the homestead on the assessment date for which property taxes are imposed under subsection (b)(1); or

(2) assessed value of the individual's Indiana real property under subsection (b)(2);

for an individual who has received a credit under this section in a particular year, increases in assessed value ~~due solely to an annual adjustment of the assessed value under IC 6-1.1-4-4.5~~ that occur after the later of December 31, 2019, or the first year that the individual has received the credit are not considered **unless the increase in assessed value is attributable to physical improvements to the property.**

SECTION 44. IC 6-1.1-22-8.1, AS AMENDED BY P.L.232-2017, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8.1. (a) The county treasurer shall:

(1) except as provided in subsection (h), mail to the last known address of each person liable for any property taxes or special assessment, as shown on the tax duplicate or special assessment records, or to the last known address of the most recent owner shown in the transfer book; and

(2) transmit by written, electronic, or other means to a mortgagee maintaining an escrow account for a person who is liable for any property taxes or special assessments, as shown on the tax duplicate or special assessment records;

a statement in the form required under subsection (b).

(b) The department of local government finance shall prescribe a form, subject to the approval of the state board of accounts, for the statement under subsection (a) that includes at least the following:

(1) A statement of the taxpayer's current and delinquent taxes and special assessments.

(2) A breakdown showing the total property tax and special assessment liability and the amount of the taxpayer's liability that will be distributed to each taxing unit in the county.

(3) An itemized listing for each property tax levy, including:

(A) the amount of the tax rate;

(B) the entity levying the tax owed; and

(C) the dollar amount of the tax owed.

(4) Information designed to show the manner in which the taxes and special assessments billed in the tax statement are to be used.

(5) Information regarding how a taxpayer can obtain information regarding the taxpayer's notice of assessment or reassessment under IC 6-1.1-4-22.

~~(5)~~ **(6)** A comparison showing any change in the assessed valuation for the property as compared to the previous year.

~~(6)~~ **(7)** A comparison showing any change in the property tax and special assessment liability for the property as compared to the previous year. The information required under this subdivision must identify:

(A) the amount of the taxpayer's liability distributable to each taxing unit in which the property is located in the current year and in the previous year; and

(B) the percentage change, if any, in the amount of the taxpayer's liability distributable to each taxing unit in which the property is located from the previous year to the current year.

~~(7)~~ **(8)** An explanation of the following:

(A) Homestead credits under IC 6-1.1-20.4, IC 6-3.6-5, or another law that are available in the taxing district where the property is located.

(B) All property tax deductions that are available in the taxing district where the property is located.

(C) The procedure and deadline for filing for any available homestead credits under IC 6-1.1-20.4, IC 6-3.6-5, or another law and each deduction.

(D) The procedure that a taxpayer must follow to:

(i) appeal a current assessment; or

(ii) petition for the correction of an error related to the taxpayer's property tax and special assessment liability.

(E) The forms that must be filed for an appeal or a petition described in clause (D).

(F) The procedure and deadline that a taxpayer must follow and the forms that must be used if a credit or deduction has been granted for the property and the taxpayer is no longer eligible for the credit or deduction.

(G) Notice that an appeal described in clause (D) requires evidence relevant to the true tax value of the taxpayer's property as of the assessment date that is the basis for the taxes payable on that property.

The department of local government finance shall provide the explanation required by this subdivision to each county treasurer.

~~(8)~~ **(9)** A checklist that shows:

(A) homestead credits under IC 6-1.1-20.4, IC 6-3.6-5, or another law and all property tax deductions; and

(B) whether each homestead credit and property tax deduction applies in the current statement for the property transmitted under subsection (a).

(10) A remittance coupon indicating the payment amounts due at each payment due date and other information determined by the department of local government finance.

(c) The county treasurer shall mail or transmit the statement one (1) time each year on or before April 15. Whenever a person's tax liability for a year is due in one (1) installment under IC 6-1.1-7-7 or section 9 of this chapter, a statement that is mailed must include the date on which the installment is due and denote the amount of money to be paid for the installment. Whenever a person's tax liability is due in two (2) installments, a statement that is mailed must contain the dates on which the first and second installments are due and denote the amount of money to be paid for each installment. If a statement is returned to the county treasurer as undeliverable and the forwarding order is expired, the county treasurer shall notify the county auditor of this fact. Upon receipt of the county treasurer's notice, the county auditor may, at the county auditor's discretion, treat the property as not being eligible for any deductions under IC 6-1.1-12 or any homestead credits under IC 6-1.1-20.4 and IC 6-3.6-5.

(d) All payments of property taxes and special assessments shall be made to the county treasurer. The county treasurer, when authorized by the board of county commissioners, may open temporary offices for the collection of taxes in cities and towns in the county other than the county seat.

(e) The county treasurer, county auditor, and county assessor shall cooperate to generate the information to be included in the statement under subsection (b).

(f) The information to be included in the statement under subsection (b) must be simply and clearly presented and understandable to the average individual.

(g) After December 31, 2007, a reference in a law or rule to IC 6-1.1-22-8 (expired January 1, 2008, and repealed) shall be treated as a reference to this section.

(h) Transmission of statements and other information under this subsection applies in a county only if the county legislative body adopts an authorizing ordinance. Subject to subsection (i), in a county in which an ordinance is adopted under this subsection for property taxes and special assessments, a person may, in any manner permitted by subsection (n), direct the county treasurer and county auditor to transmit the following to the person by electronic mail:

(1) A statement that would otherwise be sent by the county treasurer to the person by regular mail under subsection (a)(1), including a statement that reflects installment payment due dates under section 9.5 or 9.7 of this chapter.

(2) A provisional tax statement that would otherwise be sent by the county treasurer to the person by regular mail under IC 6-1.1-22.5-6.

(3) A reconciling tax statement that would otherwise be sent by the county treasurer to the person by regular mail under any of the following:

(A) Section 9 of this chapter.

(B) Section 9.7 of this chapter.

(C) IC 6-1.1-22.5-12, including a statement that reflects installment payment due dates under IC 6-1.1-22.5-18.5.

(4) Any other information that:

(A) concerns the property taxes or special assessments; and

(B) would otherwise be sent:

(i) by the county treasurer or the county auditor to the person by regular mail; and

(ii) before the last date the property taxes or special assessments may be paid without becoming delinquent.

The information listed in this subsection may be transmitted to a person by using electronic mail that provides a secure Internet link to the information.

(i) For property with respect to which more than one (1) person is liable for property taxes and special assessments, subsection (h) applies only if all the persons liable for property taxes and special assessments designate the electronic mail address for only one (1) individual authorized to receive the statements and other information referred to in subsection (h).

(j) The department of local government finance shall create a form to be used to implement subsection (h). The county treasurer and county auditor shall:

(1) make the form created under this subsection available to the public;

(2) transmit a statement or other information by electronic mail under subsection (h) to a person who files, on or before March 15, the form created under this subsection:

(A) with the county treasurer; or

(B) with the county auditor; and

(3) publicize the availability of the electronic mail option under this subsection through appropriate media in a manner reasonably designed to reach members of the public.

(k) The form referred to in subsection (j) must:

(1) explain that a form filed as described in subsection (j)(2) remains in effect until the person files a replacement form to:

(A) change the person's electronic mail address; or

(B) terminate the electronic mail option under subsection (h); and

(2) allow a person to do at least the following with respect to the electronic mail option under subsection (h):

(A) Exercise the option.

(B) Change the person's electronic mail address.

(C) Terminate the option.

(D) For a person other than an individual, designate the electronic mail address for only one (1) individual authorized to receive the statements and other information referred to in subsection (h).

(E) For property with respect to which more than one (1) person is liable for property taxes and

special assessments, designate the electronic mail address for only one (1) individual authorized to receive the statements and other information referred to in subsection (h).

(l) The form created under subsection (j) is considered filed with the county treasurer or the county auditor on the postmark date or on the date it is electronically submitted. If the postmark is missing or illegible, the postmark is considered to be one (1) day before the date of receipt of the form by the county treasurer or the county auditor.

(m) The county treasurer shall maintain a record that shows at least the following:

(1) Each person to whom a statement or other information is transmitted by electronic mail under this section.

(2) The information included in the statement.

(3) Whether the county treasurer received a notice that the person's electronic mail was undeliverable.

(n) A person may direct the county treasurer and county auditor to transmit information by electronic mail under subsection (h) on a form prescribed by the department submitted:

(1) in person;

(2) by mail; or

(3) in an online format developed by the county and approved by the department.

SECTION 45. IC 6-1.1-24-5.3, AS AMENDED BY P.L.149-2016, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5.3. (a) This section applies to the following:

(1) A person who:

(A) owns a fee interest, a life estate interest, or the equitable interest of a contract purchaser in an unsafe building or unsafe premises; and

(B) is subject to an order issued under IC 36-7-9-5(a)(2), IC 36-7-9-5(a)(3), IC 36-7-9-5(a)(4), or IC 36-7-9-5(a)(5) regarding which the conditions set forth in IC 36-7-9-10(a)(1) through IC 36-7-9-10(a)(4) exist.

(2) A person who:

(A) owns a fee interest, a life estate interest, or the equitable interest of a contract purchaser in an unsafe building or unsafe premises; and

(B) is subject to an order issued under IC 36-7-9-5(a), other than an order issued under IC 36-7-9-5(a)(2), IC 36-7-9-5(a)(3), IC 36-7-9-5(a)(4), or IC 36-7-9-5(a)(5), regarding which the conditions set forth in IC 36-7-9-10(b)(1) through IC 36-7-9-10(b)(4) exist.

(3) A person who is the defendant in a court action brought under IC 36-7-9-18, IC 36-7-9-19, IC 36-7-9-20, IC 36-7-9-21, or IC 36-7-9-22 that has resulted in a judgment in favor of the plaintiff and the unsafe condition that caused the action to be brought has not been corrected.

(4) A person who has any of the following relationships to a person, partnership, corporation, or legal entity described in subdivision (1), (2), ~~or~~ (3), **or (5):**

(A) A partner of a partnership.

(B) A member of a limited liability company.

~~(B)~~ **(C)** An officer, **director,** or majority stockholder of a corporation.

~~(C)~~ **(D)** The person who **controls or** directs the activities or has a majority ownership in a legal entity other than a partnership or corporation.

(5) A person who owes:

(A) delinquent taxes;

(B) special assessments;

(C) penalties;

(D) interest; or

(E) costs directly attributable to a prior tax sale;

on a tract or an item of real property listed under section 1 of this chapter.

(6) A person who owns a fee interest, a life estate interest, or the equitable interest of a contract purchaser in a vacant or abandoned structure subject to an enforcement order under IC 32-30-6, IC 32-30-7, IC 32-30-8, or IC 36-7-9, or a court order under IC 36-7-37.

(7) A person who is an agent of the person described in this subsection.

(b) A person subject to this section may not **bid on or** purchase a tract offered for sale under section 5 or 6.1 of this chapter. However, this section does not prohibit a person from bidding on a tract that is owned by the person and offered for sale under section 5 of this chapter.

(c) The county treasurer shall require each person who will be bidding at the tax sale to sign a statement in a form substantially similar to the following:

"Indiana law prohibits a person who owes delinquent taxes, special assessments, penalties, interest, or costs directly attributable to a prior tax sale of a tract or item of real property listed under IC 6-1.1-24-1 from **bidding on or** purchasing tracts or items of real property at a tax sale. I hereby affirm under the penalties for perjury that I do not owe delinquent taxes, special assessments, penalties, interest, costs directly attributable to a prior tax sale, amounts from a final adjudication in favor of a political subdivision, any civil penalties imposed for the violation of a building code or county ordinance, or any civil penalties imposed by a county health department. **I also affirm that I am not purchasing tracts or items of real property on behalf of or as an agent for a person who is prohibited from purchasing at a tax sale.** Further, I hereby acknowledge that any successful bid I make in violation of this statement is subject to forfeiture. In the event of forfeiture, the amount by which my bid exceeds the minimum bid on the tract or item or real property under IC 6-1.1-24-5(e), if any, shall be applied to the delinquent taxes, special assessments, penalties, interest, costs, judgments, or civil penalties I owe, and a certificate will be issued to the county executive.".

(d) If a person purchases a tract that the person was not eligible to purchase under this section, the sale of the property is subject to forfeiture. If the county treasurer determines or is

notified not more than six (6) months after the date of the sale that the sale of the property should be forfeited, the county treasurer shall:

(1) notify the person in writing that the sale is subject to forfeiture if the person does not pay the amounts that the person owes within thirty (30) days of the notice;

(2) if the person does not pay the amounts that the person owes within thirty (30) days after the notice, apply the surplus amount of the person's bid to the person's delinquent taxes, special assessments, penalties, and interest;

(3) remit the amounts owed from a final adjudication or civil penalties in favor of a political subdivision to the appropriate political subdivision; and

(4) notify the county auditor that the sale has been forfeited.

Upon being notified that a sale has been forfeited, the county auditor shall issue a certificate to the county executive under section 6 of this chapter.

(e) A county treasurer may decline to forfeit a sale under this section because of inadvertence or mistake, lack of actual knowledge by the bidder, substantial harm to other parties with interests in the tract or item of real property, or other substantial reasons. If the treasurer declines to forfeit a sale, the treasurer shall:

(1) prepare a written statement explaining the reasons for declining to forfeit the sale; and

(2) retain the written statement as an official record.

(f) If a sale is forfeited under this section and the tract or item of real property is redeemed from the sale, the county auditor shall deposit the amount of the redemption into the county general fund and notify the county executive of the redemption. Upon being notified of the redemption, the county executive shall surrender the certificate to the county auditor.

SECTION 46. IC 6-1.1-26-4.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: **Sec. 4.2. (a) This section applies to any refund for a property resulting from a real property tax assessment appeal for the property for an assessment date occurring after December 31, 2014. This section does not apply if any refund for a property under appeal has been paid before January 1, 2020. Except as modified by this section, all other provisions of IC 6-1.1 apply regarding the payment of refunds and application of credits.**

(b) If, upon conclusion of a real property tax assessment appeal, the total amount of property taxes owed to the taxpayer as a result of the appeal is five hundred thousand dollars ($500,000) or more for the assessment dates under appeal, the auditor of the county in which the property is located may, instead of a refund, elect to apply credits in equal installments to future property tax installments for the property over a period of not more than:

(1) five (5) years following the date of the conclusion of the assessment appeal, if the total amount of property taxes owed to the taxpayer as a result of the appeal is:

(A) greater than or equal to five hundred thousand dollars ($500,000); and

(B) less than five million dollars ($5,000,000);

(2) seven (7) years following the date of the conclusion of the assessment appeal, if the total amount of property taxes owed to the taxpayer as a result of the appeal is:

(A) greater than or equal to five million dollars ($5,000,000); and

(B) less than ten million dollars ($10,000,000); or

(3) ten (10) years following the date of the conclusion of the assessment appeal, if the total amount of property taxes owed to the taxpayer as a result of the appeal is greater than or equal to ten million dollars ($10,000,000).

The auditor may elect to accelerate credits or to provide a full or partial refund within the period specified under subdivision (1), (2), or (3), as applicable.

(c) Notwithstanding subsection (b), if a claimant is no longer the taxpayer for the property on which the appeal was filed, the overpayment shall not be applied as a credit and the overpayment may be refunded in equal installments over the period specified in subsection (b)(1), (b)(2), or (b)(3), as applicable.

SECTION 47. IC 6-1.1-30-16 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 16. The department of local government finance is the agency through which public access to information provided for a county to both the department of local government finance and the legislative services agency shall be provided. This information to which this section applies includes information provided under the following:~~

~~(1) IC 5-14-1.5-2.~~

~~(2) IC 6-1.1-4-18.5.~~

~~(3) IC 6-1.1-4-19.5.~~

~~(4) IC 6-1.1-4-25.~~

~~(5) IC 6-1.1-5.5-3.~~

~~(6) IC 6-1.1-11-8.~~

~~(7) IC 6-1.1-31.5-3.5.~~

~~(8) IC 6-1.1-33.5-3.~~

~~(9) IC 36-2-9-20.~~

SECTION 48. IC 6-1.1-31-1, AS AMENDED BY P.L.257-2019, SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) The department of local government finance shall do the following:

(1) Prescribe the property tax forms and returns which taxpayers are to complete and on which the taxpayers' assessments will be based.

(2) Prescribe the forms to be used to give taxpayers notice of assessment actions.

(3) Adopt rules concerning the assessment of tangible property.

(4) Develop specifications that prescribe state requirements for computer software and hardware to be used by counties for assessment purposes. The specifications developed under this subdivision apply only to computer software and hardware systems purchased for assessment purposes after July 1, 1993. The specifications, including specifications in a rule or other standard adopted under IC 6-1.1-31.5, must provide for:

(A) maintenance of data in a form that formats the information in the file with the standard data, field, and record coding jointly required and approved by the department of local government finance and the legislative services agency;

(B) data export and transmission that is compatible with the data export and transmission requirements in a standard format prescribed by the office of technology established by IC 4-13.1-2-1 and jointly approved by the department of local

government finance and legislative services agency; and

(C) maintenance of data in a manner that ensures prompt and accurate transfer of data to the department of local government finance, ~~and the legislative services agency,~~ as jointly approved by the department of local government finance and the legislative services agency.

(5) Adopt rules establishing criteria for the revocation of a certification under IC 6-1.1-35.5-6.

~~(6) Prescribe the state address confidentiality form to be used by a covered person (as defined in IC 36-1-8.5-2) under IC 36-1-8.5 to restrict access to the person's address maintained in a public property data base.~~

(6) Notwithstanding IC 2-5-1.7, provide to the legislative services agency:

(A) parcel level real property assessment and tax data; and

(B) return level personal property assessment and tax data, including depreciation schedules;

received from counties within one (1) business day of receipt.

(7) Notwithstanding IC 2-5-1.7, provide the following to the legislative services agency upon request:

(A) Sales disclosure form data received from county and township assessors under IC 6-1.1-5.5-3.

(B) Public utility assessment return data, including depreciation schedules, received under IC 6-1.1-8.

(C) Public utility tax data for taxes determined under IC 6-1.1-8.

(b) The department of local government finance may adopt rules that are related to property taxation or the duties or the procedures of the department.

(c) The department of local government finance may adopt rules for procedures related to local government budgeting. Notwithstanding any contrary provision in IC 4-22-2, the adoption, amendment, or repeal of a rule by the department of local government finance under this subsection may not take effect before March 1 or after July 31 of a particular year.

(d) Rules of the state board of tax commissioners are for all purposes rules of the department of local government finance and the Indiana board until the department and the Indiana board adopt rules to repeal or supersede the rules of the state board of tax commissioners.

SECTION 49. IC 6-1.1-31.5-3.5, AS AMENDED BY P.L.146-2008, SECTION 273, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. (a) Until the system described in subsection (e) is implemented, each county shall maintain a state certified computer system that has the capacity to:

(1) process and maintain assessment records;

(2) process and maintain standardized property tax forms;

(3) process and maintain standardized property assessment notices;

(4) maintain complete and accurate assessment records for the county; and

(5) process and compute complete and accurate assessments in accordance with Indiana law.

The county assessor shall select the computer system.

(b) All information on a computer system referred to in subsection (a) shall be readily accessible to:

(1) the department of local government finance; and

(2) assessing officials.

(c) The certified system referred to in subsection (a) used by the counties must be:

(1) compatible with the data export and transmission requirements in a standard format prescribed by the office of technology established by IC 4-13.1-2-1 and approved by the legislative services agency; and

(2) maintained in a manner that ensures prompt and accurate transfer of data to the department of local government finance. ~~and the legislative services agency.~~

(d) All standardized property forms and notices on the certified computer system referred to in subsection (a) shall be maintained by the county assessor in an accessible location and in a format that is easily understandable for use by persons of the county.

(e) The department shall adopt rules before July 1, 2006, for the establishment of:

(1) a uniform and common property tax management system for all counties that:

(A) includes a combined mass appraisal and county auditor system integrated with a county treasurer system; and

(B) replaces the computer system referred to in subsection (a); and

(2) a schedule for implementation of the system referred to in subdivision (1) structured to result in the implementation of the system in all counties with respect to an assessment date:

(A) determined by the department; and

(B) specified in the rule.

(f) The department shall appoint an advisory committee to assist the department in the formulation of the rules referred to in subsection (e). The department shall determine the number of members of the committee. The committee:

(1) must include at least:

(A) one (1) township assessor;

(B) one (1) county assessor;

(C) one (1) county auditor; and

(D) one (1) county treasurer; and

(2) shall meet at times and locations determined by the department.

(g) Each member of the committee appointed under subsection (f) who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(h) Each member of the committee appointed under subsection (f) who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(i) The department shall report to the budget committee in writing the department's estimate of the cost of implementation

of the system referred to in subsection (e).

SECTION 50. IC 6-1.1-33.5-8, AS ADDED BY P.L.146-2008, SECTION 276, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) This section applies to a system designed to permit the department of local government finance or a provider in a partnership or another arrangement with the department of local government finance to do any of the following:

(1) Receive data subject to IC 6-1.1-4-25, IC 6-1.1-5.5-3, or IC 36-2-9-20 in a uniform format through a secure connection over the Internet.

(2) Maintain data subject to IC 6-1.1-4-25, IC 6-1.1-5.5-3, or IC 36-2-9-20 in an electronic data base.

(3) Provide public access to data subject to IC 6-1.1-4-25, IC 6-1.1-5.5-3, or IC 36-2-9-20.

(b) A system described in subsection (a) must do the following:

(1) Maintain the confidentiality of data that is declared to be confidential by IC 6-1.1-5.5-3, IC 6-1.1-5.5-5, IC 6-1.1-35-9, or other provisions of law.

(2) Provide prompt notice to the department of local government finance ~~and legislative services agency~~ of the receipt of data from counties and townships and other critical events, as ~~jointly~~ determined by the department of local government finance. ~~and the legislative services agency.~~

(3) Maintain data in a form that formats the information in the file with the standard data, field, and record coding jointly required and approved by the department of local government finance and the legislative services agency.

(4) Provide data export and transmission capabilities that are compatible with the data export and transmission requirements prescribed by the office of technology established by IC 4-13.1-2-1 and jointly approved by the department of local government finance and the legislative services agency.

(5) Provide to the legislative services agency and the department of local government finance unrestricted on line access and access through data export and transmission protocols to:

(A) the data transmitted to the system; and

(B) hardware, software, and other work product associated with the system;

including access to conduct the tests and inspections of the system and data determined necessary by the ~~legislative services agency~~ **department of local government finance** and access to data received from counties and townships in the form submitted by the counties and townships.

(6) Maintain data in a manner that provides for prompt and accurate transfer of data to the department of local government finance, ~~and the legislative services agency,~~ as jointly approved by the department of local government finance and the legislative services agency.

~~(c) The department of local government finance and any third party system provider shall provide for regular consultation with the legislative services agency concerning the development and operation of the system and shall provide the legislative services agency with copies of system documentation of the procedures, standards, and internal controls and any written agreements related to the receipt of data and the management, operation, and use of the system.~~

SECTION 51. IC 6-1.1-35.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. The department of local government finance shall design two (2) assessor-appraiser examinations, to be called "level one" and "level two". ~~All citizens of Indiana are eligible to apply for and to be examined under "level one" and "level two" examinations, subject only to the resources and limitations of the department of local government finance in conducting the examinations.~~ Both examinations should cover the subjects of real estate appraising, accounting, and property tax law. Successful performance on the level one examination requires the minimum knowledge needed for effective performance as a county or township assessor under this article. Success on the level two examination requires substantial knowledge of the subjects covered in the examination.

SECTION 52. IC 6-1.1-35.5-5, AS AMENDED BY P.L.219-2007, SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. A county or township assessor, a member or hearing officer of the county property tax assessment board of appeals, or a member of the public may apply for and take the level one examination. A person who is successful on the level one examination may apply for and take the level two examination. A person who is successful on the level two examination may apply for level three certification **upon completion of the requirements specified in section 4.5 of this chapter.**

SECTION 53. IC 6-1.1-41-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. This chapter applies to establishing and imposing a tax levy for cumulative funds under the following:

(1) IC 3-11-6.
(2) IC 8-10-5.
(3) IC 8-16-3.
(4) IC 8-16-3.1.
(5) IC 8-22-3.
(6) IC 14-27-6.
(7) IC 14-33-21.
(8) IC 16-22-4.
(9) IC 16-22-8.
(10) IC 36-8-8-14.2.
~~(10)~~ **(11)** IC 36-8-14.
~~(11)~~ **(12)** IC 36-9-4.
~~(12)~~ **(13)** IC 36-9-14.
~~(13)~~ **(14)** IC 36-9-14.5.
~~(14)~~ **(15)** IC 36-9-15.
~~(15)~~ **(16)** IC 36-9-15.5.
~~(16)~~ **(17)** IC 36-9-16.
~~(17)~~ **(18)** IC 36-9-17.
~~(18)~~ **(19)** IC 36-9-17.5.
~~(19)~~ **(20)** IC 36-9-26.
~~(20)~~ **(21)** IC 36-9-27.
~~(21)~~ **(22)** IC 36-10-3.
~~(22)~~ **(23)** IC 36-10-4.
~~(23)~~ **(24)** IC 36-10-7.5.
~~(24)~~ **(25)** Any other statute that specifies that a property tax levy may be imposed under this chapter.

SECTION 54. IC 6-3.6-3-2, AS AMENDED BY P.L.257-2019, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) An adopting body or, if authorized by this article, another governmental entity that is not an adopting body, may take an action under this article only by ordinance, unless this article permits the action to be taken by resolution.

(b) The department of local government finance, in consultation with the department of state revenue, may make electronically available uniform notices, ordinances, and resolutions that an adopting body or other governmental entity

may use to take an action under this article. An adopting body or other governmental entity may submit a proposed notice, ordinance, or resolution to the department of local government finance for review not later than thirty (30) days prior to the date that the adopting body or governing body intends to submit the notice, adopting ordinance or resolution, and vote results on an ordinance or resolution under subsection (d). **If the adopting body or other governmental entity wishes to submit the proposed notice, ordinance, or resolution to the department of local government finance for review, the adopting body or other governmental entity shall submit the proposed notice, ordinance, or resolution to the department of local government finance on the prescribed forms.** The department of local government finance shall provide to the submitting entity a determination of the appropriateness of the proposed notice, ordinance, or resolution, including recommended modifications, within thirty (30) days of receiving the proposed notice, ordinance, or resolution.

(c) An ordinance or resolution adopted under this article must comply with the notice and hearing requirements set forth in IC 5-3-1.

(d) The department of local government finance shall prescribe the procedures to be used by the adopting body or governmental entity for submitting to the department the notice, the adopting ordinance or resolution, and the vote results on an ordinance or resolution. The department of local government finance shall notify the submitting entity within thirty (30) days after submission whether the department has received the necessary information required by the department. A final action taken by an adopting body or governmental entity under this article to impose a new tax or amend an existing tax is not effective until the department of local government finance notifies the adopting body or governmental entity that it has received the required information from the submitting entity.

SECTION 55. IC 6-3.6-11-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9. (a) This section applies to the calculation and allocation of certified shares among civil taxing units in Hamilton County after 2020 and before 2024.**

(b) For each calendar year to which this section applies, the amount of a civil taxing unit's certified shares is equal to:

(1) the amount of the civil taxing unit's certified shares determined under IC 6-3.6-6, for a civil taxing unit other than the city of Carmel or the city of Fishers;

(2) the adjusted amount determined under subsection (c), for the city of Carmel; or

(3) the adjusted amount determined under subsection (d), for the city of Fishers.

(c) For each calendar year to which this section applies, the adjusted amount of the city of Carmel's certified shares is equal to the lesser of:

(1) the amount of the city of Carmel's certified shares determined under IC 6-3.6-6, without regard to this section; or

(2) the product of:

(A) the amount of the city of Carmel's certified shares determined for the immediately preceding calendar year under IC 6-3.6-6, for 2021, or this section, after 2021; and

(B) one and twenty-five thousandths (1.025).

(d) For each calendar year to which this section applies, the adjusted amount of the city of Fishers' certified shares is equal to:

(1) the sum of:

(A) the amount of the city of Carmel's certified shares determined under IC 6-3.6-6, without regard to this section; and

(B) the amount of the city of Fishers' certified shares determined under IC 6-3.6-6, without regard to this section; minus

(2) the adjusted amount of the city of Carmel's certified shares determined under subsection (c).

SECTION 56. IC 12-20-21-3.2, AS AMENDED BY P.L.249-2015, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.2. (a) This section applies only to a township if the township's township assistance property tax rate (as defined in IC 6-1.1-20.3-6.7(a)) for property taxes first due and payable in 2013 or any year thereafter is more than the result of:

(1) the statewide average township assistance property tax rate (as determined by the department of local government finance) for property taxes first due and payable in the preceding year; multiplied by

(2) twelve (12).

(b) Notwithstanding any other law, beginning with property taxes first due and payable in the year following the year in which this section first applies to the township, as provided in subsection (a), the department of local government finance shall do the following in the case of a township subject to this section:

(1) Remove the township assistance property tax levy from the maximum permissible ad valorem property tax levy for the township's general fund.

(2) Require the township to separate its township assistance property tax levy into the following two (2) property tax levies:

(A) A township assistance benefits property tax levy.

(B) A township assistance administration property tax levy.

(3) Calculate a separate maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for each of the township's property tax levies described in subdivision (2).

(c) The department of local government finance shall, for property taxes first due and payable in the year following the year in which this section first applies to the township, as provided in subsection (a), determine the initial maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for a township's township assistance administration property tax levy.

(d) The initial maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for a township's township assistance benefits property tax levy for property taxes first due and payable in the year following the year in which this section first applies to the township, as provided in subsection (a), is equal to the amount determined in the following STEPS:

STEP ONE: Determine the result of:

(A) the township's township assistance property tax levy for property taxes first due and payable in the year in which this section first applies to the township, as provided in subsection (a); minus

(B) the result determined by the department of local government

finance for the township under subsection (c).

STEP TWO: Multiply the STEP ONE result by the ~~assessed value~~ **maximum levy** growth quotient under IC 6-1.1-18.5-2 that is applicable to the township for property taxes first due and payable in the year following the year in which this section first applies to the township, as provided in subsection (a).

(e) The maximum permissible ad valorem property tax levy for the township's general fund shall be adjusted as determined in the following STEPS:

STEP ONE: Multiply:

(A) the township's township assistance property tax levy for property taxes first due and payable in the year in which this section first applies to the township, as provided in subsection (a); by

(B) the ~~assessed value~~ **maximum levy** growth quotient under IC 6-1.1-18.5-2 that is applicable to the township for property taxes first due and payable in the year following the year in which this section first applies to the township, as provided in subsection (a).

STEP TWO: Subtract the STEP ONE result from the maximum permissible ad valorem property tax levy that would otherwise apply for the township's general fund.

The adjustment under this subsection applies beginning with property taxes first due and payable in the year following the year in which this section first applies to the township, as provided in subsection (a).

(f) The property taxes collected from a township's township assistance administration property tax levy:

(1) shall be deposited into a separate fund;

(2) shall be used only for the administration of township assistance within the township; and

(3) shall not be used to pay township assistance to any person.

(g) The property taxes collected from a township's township assistance benefits property tax levy:

(1) shall be deposited into a separate fund;

(2) shall be used only for the purpose of paying township assistance to eligible recipients; and

(3) shall not be used to pay for the administration of township assistance within the township.

(h) Except as provided in this section, references in the Indiana Code to a township assistance property tax levy shall, in the case of a township subject to this section, be considered a reference to the township's township assistance benefits property tax levy and the township's township assistance administration property tax levy.

SECTION 57. IC 12-29-1-1, AS AMENDED BY P.L.184-2016, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) The county executive of a county may authorize the furnishing of financial assistance to a community intellectual disability and other developmental disabilities center that is located or will be located in the county.

(b) Assistance authorized under this section shall be used for the following purposes:

(1) Constructing a center.

(2) Operating a center.

(c) Upon request of the county executive, the county fiscal body may appropriate annually from the county's general fund the money to provide financial assistance for the purposes described in subsection (b). For property taxes first due and payable before January 1, 2017, the appropriation may not exceed the amount that could be collected from an annual tax levy of not more than three and thirty-three hundredths cents ($0.0333) on each one hundred dollars ($100) of taxable property within the county.

(d) For property taxes first due and payable after December 31, 2016, the maximum allowable appropriation for the purposes described in subsection (b) is equal to the result of:

(1) the maximum allowable appropriation by the county for the preceding year; multiplied by

(2) the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the year.

(e) For purposes of this subsection, "first calendar year" refers to the first calendar year after 2008 in which the county imposes an ad valorem property tax levy for the county general fund to provide financial assistance under this chapter. If a county did not provide financial assistance under this chapter in 2008, the county for a following calendar year:

(1) may propose a financial assistance budget; and

(2) shall refer its proposed financial assistance budget for the first calendar year to the department of local government finance before the tax levy is advertised.

The ad valorem property tax levy to fund the budget for the first calendar year is subject to review and approval under IC 6-1.1-18.5-10.

SECTION 58. IC 12-29-1-2, AS AMENDED BY P.L.184-2016, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) If a community intellectual disability and other developmental disabilities center is organized to provide services to at least two (2) counties, the county executive of each county may authorize the furnishing of financial assistance for the purposes described in section 1(b) of this chapter.

(b) Upon the request of the county executive of the county, the county fiscal body of each county may appropriate annually from the county's general fund the money to provide financial assistance for the purposes described in section 1(b) of this chapter. For property taxes first due and payable before January 1, 2017, the appropriation of each county may not exceed the amount that could be collected from an annual tax levy of three and thirty-three hundredths cents ($0.0333) on each one hundred dollars ($100) of taxable property within the county.

(c) For property taxes first due and payable after December 31, 2016, the maximum allowable appropriation by each county for the purposes described in section 1(b) of this chapter is equal to the result of:

(1) the maximum allowable appropriation by the county for the preceding year; multiplied by

(2) the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the year.

SECTION 59. IC 12-29-1-3, AS AMENDED BY P.L.184-2016, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The county executive of each county whose residents may receive services from a community intellectual disability and other developmental disabilities center may authorize the furnishing of a share of financial assistance for the purposes described in section 1(b) of this chapter if the following conditions are met:

(1) The facilities for the center are located in a state adjacent to Indiana.

(2) The center is organized to provide services to Indiana residents.

(b) Upon the request of the county executive of a county, the county fiscal body of the county may appropriate annually from

the county's general fund the money to provide financial assistance for the purposes described in section 1(b) of this chapter. For property taxes first due and payable before January 1, 2017, the appropriations of the county may not exceed the amount that could be collected from an annual tax levy of three and thirty-three hundredths cents ($0.0333) on each one hundred dollars ($100) of taxable property within the county.

(c) For property taxes first due and payable after December 31, 2016, the maximum allowable appropriation by the county for the purposes described in section 1(b) of this chapter is equal to the result of:

(1) the maximum allowable appropriation by the county for the preceding year; multiplied by

(2) the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the year.

SECTION 60. IC 12-29-2-2, AS AMENDED BY P.L.257-2019, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A county shall provide funding for the operation of community mental health centers in the amount determined under subsection (b) or, in the case of Marion County for calendar year 2019, calendar year 2020, and calendar year 2021, the amount determined under subsection (c).

(b) Except as provided in subsection (c), the amount of funding under subsection (a) for a calendar year is equal to the following:

(1) The county's maximum appropriation amount for the operation of community mental health centers determined under this chapter in the previous calendar year, if the STEP THREE result under the following formula is less than or equal to zero (0):

STEP ONE: Determine the amount of the certified levy for funds subject to the civil maximum levy in the immediately preceding calendar year minus the amount of credits granted under IC 6-1.1-20.6 that were allocated to funds subject to the civil maximum levy in the immediately preceding calendar year, as determined by the department of local government finance under IC 6-1.1-20.6-11.

STEP TWO: Determine the amount of the certified levy for funds subject to the civil maximum levy in the year prior to the immediately preceding calendar year minus the amount of credits granted under IC 6-1.1-20.6 that were allocated to funds subject to the civil maximum levy in the year prior to the immediately preceding calendar year, as determined by the department of local government finance under IC 6-1.1-20.6-11.

STEP THREE: Determine the remainder of the STEP ONE amount minus the STEP TWO amount.

(2) If the STEP THREE result under the formula in subdivision (1) is greater than zero (0), then the county's maximum appropriation amount for the operation of community mental health centers determined under this chapter in the previous calendar year, multiplied by the greater of:

(A) one (1); or

(B) the result of STEP SIX of the following formula:

STEP ONE: Determine the ~~assessed value~~ **maximum levy** growth quotient for the year under IC 6-1.1-18.5 minus one (1).

STEP TWO: Determine the amount of the certified levy for funds subject to the civil maximum levy in the immediately preceding calendar year minus the amount of credits granted under IC 6-1.1-20.6 that were allocated to funds subject to the civil maximum levy in the immediately preceding calendar year, as determined by the department of local government finance under IC 6-1.1-20.6-11.

STEP THREE: Determine the amount of the certified levy for funds subject to the civil maximum levy in the immediately preceding calendar year.

STEP FOUR: Determine the result of the STEP TWO amount divided by the STEP THREE amount.

STEP FIVE: Determine the product of the STEP ONE amount multiplied by the STEP FOUR result.

STEP SIX: Determine the STEP FIVE amount plus one (1).

The department of local government finance shall verify the maximum appropriation calculation under this subsection as part of the certification of the county's budget under IC 6-1.1-17. For taxes due and payable in 2020, the department of local government finance shall calculate the maximum appropriation under this subsection as if the taxes were due and payable in 2019.

(c) This subsection applies only in calendar year 2019, calendar year 2020, and calendar year 2021. In the case of Marion County, the amount of funding under subsection (a) for a calendar year is determined under this subsection and is equal to the following:

(1) For calendar year 2019, the sum of:

(A) the actual amount of the appropriations by the county for community mental health centers under this chapter in 2018; plus

(B) the result of thirty-three percent (33%) multiplied by the result of:

(i) the amount that would have, except for the application of this subsection, applied to the county under subsection (b) for calendar year 2019; minus

(ii) the actual amount of the appropriations by the county for community mental health centers under this chapter in 2018.

(2) For calendar year 2020, the sum of:

(A) the actual amount of the appropriations by the county for community mental health centers under this chapter in 2019; plus

(B) the result of sixty-six percent (66%) multiplied by the result of:

(i) the amount that would have,

except for the application of this subsection, applied to the county under subsection (b) for calendar year 2020; minus

(ii) the actual amount of the appropriations by the county for community mental health centers under this chapter in 2019.

(3) For calendar year 2021, the amount that would have, except for the application of this subsection, applied to the county under subsection (b) for calendar year 2021.

The department of local government finance shall verify the maximum appropriation calculation under this subsection as part of the certification of the county's budget under IC 6-1.1-17. This subsection expires January 1, 2022.

(d) The funding provided by a county under this section shall be used solely for:

(1) the operations of community mental health centers serving the county; or

(2) contributing to the nonfederal share of medical assistance payments to community mental health centers serving the county.

SECTION 61. IC 13-21-15-3, AS ADDED BY P.L.189-2016, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) This section applies to the imposition of property taxes in a county that:

(1) dissolves its county solid waste management district as described in section 1(a) of this chapter; or

(2) withdraws from a joint solid waste management district and determines that it will no longer be a member of a joint solid waste management district or be designated as a county district as described in section 2(a) of this chapter.

(b) The following apply to a county that dissolves its county solid waste management district as described in section 1(a) of this chapter:

(1) Subject to the limitations of this subsection, the authority of the county solid waste management district to impose property taxes for purposes of this article is transferred to the county.

(2) For property taxes first due and payable in the first year in which the county no longer has a county solid waste management district, the department of local government finance shall establish a separate solid waste management maximum permissible ad valorem property tax levy for the county that is equal to:

(A) the county solid waste management district's maximum permissible ad valorem property tax levy for the last year in which the county solid waste management district was in existence; multiplied by

(B) the ~~assessed value~~ **maximum levy** growth quotient under IC 6-1.1-18.5-2 that applies to the determination of maximum permissible ad valorem property tax levies for the first year in which the county no longer has a county solid waste management district.

(3) Property taxes collected by the county under the property tax levy authorized under this subsection may be used only for those purposes for which a property tax levy imposed by a solid waste management district under this article may be used.

(c) The following apply to a county that withdraws from a joint district and determines that it will no longer be a member of a joint district or be designated as a county district as described in section 2(a) of this chapter:

(1) Subject to the limitations of this subsection, the county has the authority to impose property taxes for purposes of this article.

(2) For property taxes first due and payable in the first year in which the county is no longer a member of the joint district, the department of local government finance shall establish a separate solid waste management maximum permissible ad valorem property tax levy for the county that is equal to:

(A) the joint solid waste management district's maximum permissible property tax levy for the last year in which the county was a member of the joint district; multiplied by

(B) a fraction equal to:

(i) the certified assessed valuation of the county for taxes payable in the last year in which the county was a member of the joint district; divided by

(ii) the certified assessed valuation of the joint solid waste management district for taxes payable in the last year in which the county was a member of the joint district; multiplied by

(C) the ~~assessed value~~ **maximum levy** growth quotient under IC 6-1.1-18.5-2 that applies to the determination of maximum permissible ad valorem property tax levies for the first year in which the county is no longer a member of the joint district.

(3) For property taxes first due and payable in the first year in which the county is no longer a member of the joint district, the department of local government finance shall reduce the joint solid waste management district's maximum permissible property tax levy that would otherwise apply by the amount determined under subdivision (2) for the withdrawing county.

(4) Property taxes collected by the county under the property tax levy authorized under this subsection may be used only for those purposes for which a property tax levy imposed by a solid waste management district under this article may be used.

SECTION 62. IC 20-29-6-12.5, AS AMENDED BY P.L.272-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12.5. (a) Before September 15 of the first year of the state budget biennium, the department shall provide the parties with an estimate of the general fund (before January 1, 2019) or education fund (after December 31, 2018) revenue available for bargaining in the school corporation from the school funding formula.

(b) Within thirty (30) days after the date of the fall count of ADM of the school year in the first year of the state budget biennium, the department shall provide the parties with a

certification of estimated general fund (before January 1, 2019) or education fund (after December 31, 2018) revenue available for bargaining from the school funding formula. If the parties do not receive a certified estimate from the department within thirty (30) days after the fall count of ADM, the parties may use the school corporation's estimate of the general fund (before January 1, 2019) or education fund (after December 31, 2018) revenue available based on the school corporation's fall count of ADM for purposes of collective bargaining. However, if the parties subsequently receive the certification of estimated general fund (before January 1, 2019) or education fund (after December 31, 2018) revenue available for bargaining before an impasse is declared, the parties shall use the certified general fund (before January 1, 2019) or education fund (after December 31, 2018) revenue from the school funding formula for purposes of collective bargaining.

~~(c) A school employer for which the voters have passed a general fund operating referendum (before January 1, 2019), an operating referendum tax levy (after December 31, 2018) under IC 20-46-1, or a school safety referendum tax levy under IC 20-46-9 must have that amount certified by the department of local government finance.~~

~~(d)~~ **(c)** A school employer that passes a resolution under section 3(c) of this chapter to consider a portion or percentage of money transferred from the school employer's operations fund to the education fund as education fund revenue for purposes of determining whether an agreement places a school corporation in a position of deficit financing must submit a copy of the resolution to the department of local government finance on or before November 1. The resolution shall include:

(1) all transfers between the operations fund and the education fund; and

(2) a statement regarding whether or not the transfer is for the purpose of funding teacher contracts.

~~(e)~~ **(d)** ~~The school corporation must obtain the certification described in subsection (c) before the conclusion of bargaining.~~ The certifications or estimate described in subsection (b) must be the basis for determinations throughout impasse proceedings under this chapter.

SECTION 63. IC 20-46-7-12, AS AMENDED BY P.L.229-2011, SECTION 220, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) Except as provided by IC 5-1-14-10 **and subsection (c),** the maximum term or repayment period for bonds issued by a school corporation for a school building construction project may not exceed twenty (20) years after the date of the issuance of the bonds.

(b) If a school corporation is an eligible school corporation under IC 5-1-5-2.5, the school corporation may extend the repayment period beyond the maximum repayment period that applied to the bond, loan, or lease at the time the obligation was incurred as provided by IC 5-1-5-2.5.

(c) Except as provided by IC 5-1-14-10, the maximum term or repayment period for bonds issued by a school corporation for a school building construction project and to repay loans made or guaranteed by a federal agency may not exceed forty (40) years after the date of the issuance of the bonds.

SECTION 64. IC 20-46-8-1, AS AMENDED BY P.L.140-2018, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A school corporation may impose an annual property tax levy for its operations fund.

(b) For property taxes first due and payable in 2019, the maximum permissible property tax levy a school corporation may impose for its operations fund (IC 20-40-18) is the following:

STEP ONE: Determine the sum of the following:

(A) The 2018 maximum permissible transportation levy determined under IC 20-46-4 (repealed January 1, 2019).

(B) The 2018 maximum permissible school bus replacement levy determined under IC 20-46-5 (repealed January 1, 2019).

(C) The 2018 amount that would be raised from a capital projects fund tax rate equal to the sum of:

(i) the maximum capital projects fund rate that the school corporation was authorized to impose for 2018 under IC 20-46-6 (repealed January 1, 2019), after any adjustment under IC 6-1.1-18-12 (but excluding any rate imposed for qualified utility and insurance costs); plus

(ii) the capital projects fund rate imposed for qualified utility and insurance costs in 2018.

(D) For school corporations described in IC 36-10-13-7, the 2018 levy as provided in section 6 of this chapter (repealed January 1, 2019) to provide funding for an art association.

(E) For a school corporation in a county having a population of more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000), the 2018 levy as provided in section 7 of this chapter (repealed January 1, 2019) to provide funding for a historical society.

(F) For a school corporation described in IC 36-10-14-1, the 2018 levy as provided in section 8 of this chapter (repealed January 1, 2019) to provide funding for a public playground.

STEP TWO: Determine the product of:

(A) The amount determined in STEP ONE, after eliminating the effects of temporary excessive levy appeals and any other temporary adjustments made to each of these levies for 2018 (regardless of whether the school corporation imposed the entire amount of that maximum permissible levy for the previous year); multiplied by

(B) the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2.

STEP THREE: Determine the result of the following:

(A) Determine the sum of:

(i) the amount determined in STEP TWO; plus

(ii) the amount granted due to an appeal to increase the levy for transportation for 2019.

(B) Make the school bus

replacement adjustment for 2019.

(c) After 2019, the maximum permissible property tax levy a school corporation may impose for its operations fund for a particular year is the following:

STEP ONE: Determine the product of:

(A) the maximum permissible property tax levy for the school corporation's operations fund for the previous year, after eliminating the effects of temporary excessive levy appeals and any other temporary adjustments made to the levy for the previous year (regardless of whether the school corporation imposed the entire amount of the maximum permissible levy for the previous year); multiplied by

(B) the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2.

STEP TWO: Determine the result of the following:

(A) Determine the sum of:

(i) the amount determined in STEP ONE; plus

(ii) the amount granted due to an appeal to increase the maximum permissible operations fund levy for the year under section 3 of this chapter for transportation.

(B) Make the school bus replacement adjustment permitted by section **~~4~~ 3** of this chapter.

SECTION 65. IC 20-46-8-3, AS AMENDED BY P.L.140-2018, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. A school corporation may appeal to the department of local government finance under IC 6-1.1-19 to increase the school corporation's maximum permissible operations fund levy. The appeal must be filed with the department of local government finance before October 20 of the year before the increase is proposed to take effect. To be granted an increase by the department of local government finance, the school corporation must establish that the increase is necessary because of **either or both of the following:**

(1) A cost increase of at least ten percent (10%) over the preceding year for at least one (1) of the following:

~~(1)~~ **(A)** A fuel expense increase.

~~(2)~~ **(B)** A cost increase due to an increase in the number of students enrolled in the school corporation who need transportation or an increase in the mileage traveled by the school corporation's buses compared with the previous year.

~~(3)~~ **(C)** A cost increase due to an increase in the number of students enrolled in special education who need transportation or an increase in the mileage traveled by the school corporation's buses due to students enrolled in special education as compared with the previous year.

~~(4)~~ **(D)** Increased transportation operating costs due to compliance with a court ordered desegregation plan.

~~(5)~~ **(E)** A cost increase due to the closure of a school building within the school corporation that results in a significant increase in the distances that students must be transported to attend another school building.

~~(6)~~ **(F)** A cost increase due to restructuring or redesigning transportation services due to a need for additional, expanded, consolidated, or modified routes.

~~(7)~~ **(G)** A labor cost increase due to a labor shortage affecting the school corporation's ability to hire qualified transportation employees.

To obtain the increase, the school corporation must establish that it will be unable to provide transportation services without an increase.

(2) A cost increase associated with the school corporation's bus replacement plan adopted or amended under IC 20-40-18-9 (after December 31, 2018). To obtain the increase, the school corporation must show that the school corporation must incur reasonable and necessary expenses to acquire additional buses under the plan.

~~In addition, before the department of local government finance may grant a maximum permissible operations fund levy increase, the school corporation must establish that the school corporation will be unable to provide transportation services without an increase.~~ The department of local government finance may grant a levy increase that is less than the increase requested by the school corporation. If the department of local government finance determines that a permanent increase in the maximum permissible levy is necessary, the increase granted under this section shall be added to the school corporation's maximum permissible operations fund levy as provided in section 1 of this chapter.

SECTION 66. IC 20-46-8-4 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 4. The department of local government finance may, upon petition by a school corporation, adjust the school corporation's maximum permissible levy for its operations fund under section 1 of this chapter to reflect the school corporation's plan adopted or amended under IC 20-46-5 (before its repeal January 1, 2019) or IC 20-40-18-9 (after December 31, 2018). The petition must be filed with the department of local government finance before October 20 of the year before the adjustment is proposed to take effect.~~

SECTION 67. IC 20-46-8-9, AS ADDED BY P.L.76-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) This section applies only to the North Spencer County School Corporation (school corporation) due to unique circumstances regarding the calculation of the capital projects fund levy component that was used in determining the school corporation's 2019 maximum permissible operations fund property tax levy.

(b) For property taxes first due and payable in 2020, the maximum permissible operations fund property tax levy of a school corporation subject to this section is equal to the amount determined in the following STEPS, instead of the amount determined under section 1 of this chapter:

STEP ONE: Determine the result under section 1(c) of this chapter, without regard to this section.

STEP TWO: Determine the result of:

(A) six hundred forty thousand three hundred thirty-five dollars

($640,335); multiplied by
(B) the 2020 ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2.
STEP THREE: Determine the sum of:
(A) the STEP ONE amount; plus
(B) the STEP TWO amount.

(c) For purposes of determining the school corporation's 2021 maximum permissible operations fund property tax levy, the amount to be used for purposes of STEP ONE (A) of section 1(c) of this chapter is equal to the amount determined under STEP THREE of subsection (b).

(d) This section expires January 1, 2022.

SECTION 68. IC 20-46-8-10, AS ADDED BY P.L.238-2019, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) This section applies to a school corporation in a county having a population of more than one hundred seventy-five thousand (175,000) but less than one hundred eighty-five thousand (185,000).

(b) For property taxes first due and payable in 2020, the maximum permissible operations fund property tax levy of a school corporation subject to this section is equal to the amount determined in the following STEPS, instead of the amount determined under section 1 of this chapter:

STEP ONE: Determine the result under section 1(c) of this chapter, without regard to this section.
STEP TWO: Determine the result of:
(A) the amount of the school corporation's 2018 historical society fund levy under IC 36-10-13-5 (as it existed on December 31, 2018); multiplied by
(B) the 2019 ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2.
STEP THREE: Determine the result of:
(A) the STEP TWO amount; multiplied by
(B) the 2020 ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2.
STEP FOUR: Determine the sum of:
(A) the STEP ONE amount;
(B) the STEP TWO amount; and
(C) the STEP THREE amount.

(c) For purposes of determining the 2021 maximum permissible property tax levy for the school corporation's operations fund, the amount to be used for purposes of STEP ONE (A) of section 1(c) of this chapter is equal to the remainder of:

(1) the amount determined under STEP FOUR of subsection (b); minus
(2) the amount determined under STEP TWO of subsection (b).

(d) This section expires January 1, 2022.

SECTION 69. IC 24-7-5-12, AS ADDED BY P.L.222-2013, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) A lessor may contract for and receive a fee for accepting rental payments by telephone in connection with a rental purchase agreement, if all of the following conditions are met:

(1) The fee is assessed only upon request by the lessee for the underlying payment by telephone service.
(2) The payment by telephone service is not established in advance, under the rental purchase agreement or otherwise, as the expected method for making rental payments under the rental purchase agreement.
(3) The fee does not exceed ~~one dollar and fifty cents ($1.50).~~ **three dollars ($3).**
(4) The lessee retains the right to make rental payments by payment methods in connection with which no additional fee would be assessed or incurred (including in-person payments and payments by mail) as a result of such alternative payment methods.
(5) The fee is contracted for and disclosed by the lessor in the rental purchase agreement.
(6) The lessor posts a sign at each store location disclosing to existing and prospective lessees:
(A) the amount of the fee;
(B) the lessee's right and option to make rental payments by alternative payment methods and not be assessed or incur an additional fee; and
(C) the alternative payment methods offered by the lessor in connection with which no additional fee would be assessed or incurred.
(7) The lessor's books and records provide an audit trail sufficient to allow the department and its examiners to confirm the lessee's compliance with the conditions listed in subdivisions (1) through (6).

(b) A fee may not be charged under this section unless there is interaction between a live employee or representative of the lessor and the lessee.

SECTION 70. IC 36-1-8-17.5, AS AMENDED BY P.L.183-2014, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17.5. A political subdivision must report, in the manner specified by the ~~department of local government finance,~~ **state board of accounts,** information and data on its retiree benefits and expenditures by March 1 of each year.

SECTION 71. IC 36-1-8.5-5.5 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 5.5. As used in this chapter, "state address confidentiality form" means the form prescribed by the department of local government finance under IC 6-1.1-31-1(a)(6).~~

SECTION 72. IC 36-1-8.5-7, AS AMENDED BY P.L.111-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) A covered person who wants to restrict access to the covered person's home address by means of a public property data base **Internet** web site must submit a ~~state address confidentiality form~~ **written request** to the unit that operates the public property data base **Internet** web site. ~~However, the unit may accept a written request from a covered person as an alternative to the state address confidentiality form.~~

(b) A unit that operates a public property data base **Internet** web site, directly or through a third party, shall establish a process to prevent a member of the general public from gaining access to the home address of a covered person by means of the public property data base **Internet** web site.

(c) In establishing a process under subsection (b), a unit shall do all of the following:

(1) Determine which person or department of the unit will receive and process the request.
(2) Provide a method under which a covered person is notified of the procedure to be used to restrict or allow disclosure of the home address of the covered person under this chapter.

(d) A unit may charge a covered person a reasonable fee to make a written request under this section.

SECTION 73. IC 36-1-8.5-9, AS AMENDED BY

P.L.111-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) This section applies to a covered person who has ~~applied for address confidentiality~~ **submitted a written request** under section 7(a) of this chapter.

(b) A unit shall restrict access to the home address of a covered person until the covered person submits a written request to the unit to allow public access to the person's home address on the public property data base web site. The unit shall take reasonable steps to verify the authenticity of the written request, including requiring the covered person to provide appropriate identification.

SECTION 74. IC 36-1-8.5-11, AS AMENDED BY P.L.111-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. A ~~state address confidentiality form,~~ written request, notification of name change, or any other information submitted to the unit by a covered person under this chapter is confidential under IC 5-14-3-4(a).

SECTION 75. IC 36-1-11-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) This section applies to the following:

(1) A person who owes delinquent taxes, special assessments, penalties, interest, or costs directly attributable to a prior tax sale on a tract of real property listed under IC 6-1.1-24-1.

(2) A person who is an agent of the person described in subdivision (1).

(3) A person who has any of the following relationships to a person, partnership, corporation, or legal entity described in subdivision (1):

(A) A partner of a partnership.

(B) A member of a limited liability company.

(C) An officer, director, or majority stockholder of a corporation.

(D) The person who controls or directs the activities or has a majority ownership in a legal entity other than a partnership or corporation.

(b) A person subject to this section may not **bid on,** purchase, receive, or lease a tract that is offered in a sale, exchange, or lease under this chapter.

(c) If a person purchases, receives, or leases a tract that the person was not eligible to purchase, receive, or lease under this section, the sale, transfer, or lease of the property is void and the county retains the interest in the tract it possessed before the sale, transfer, or lease of the tract.

SECTION 76. IC 36-1.5-3-5, AS AMENDED BY P.L.238-2019, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) This subsection applies to the plan of reorganization of a political subdivision other than a school corporation. The plan of reorganization must specify the amount (if any) of the decrease that the department of local government finance shall make to the maximum permissible property tax levies, maximum permissible property tax rates, and budgets under IC 6-1.1-17 and IC 6-1.1-18.5 of the reorganized political subdivision to:

(1) eliminate double taxation for services or goods provided by the reorganized political subdivision; or

(2) eliminate any excess by which the amount of property taxes imposed by the reorganized political subdivision exceeds the amount necessary to pay for services or goods provided under this article.

(b) This subsection applies to a plan of reorganization for a school corporation. The plan of reorganization must specify the adjustments that the department of local government finance shall make to the maximum permissible property tax levies, maximum permissible property tax rates, and budgets under IC 6-1.1-17 and IC 6-1.1-18.5 of the reorganized school corporation. The following apply to a school corporation reorganized under this article:

(1) The new maximum permissible tax levy under IC 20-46-8 (operations fund property tax levy) for the first calendar year in which the reorganization is effective equals the following:

STEP ONE: Determine for each school corporation that is part of the reorganization the sum of the maximum levies under IC 20-46-8 (operations fund property tax levy) for the ensuing calendar year, including the ~~assessed value~~ **maximum levy** growth quotient (IC 6-1.1-18.5-2) adjustment for the ensuing calendar year.

STEP TWO: Determine the sum of the STEP ONE amounts.

STEP THREE: Multiply the STEP TWO amount by one hundred three percent (103%).

(2) The new debt service levy under IC 20-46-7 for the first calendar year in which the reorganization is effective equals the sum of the debt service fund levies for each school corporation that is part of the reorganization that would have been permitted under IC 20-46-7 in the calendar year.

(c) The fiscal body of the reorganized political subdivision shall determine and certify to the department of local government finance the amount of the adjustment (if any) under subsection (a).

(d) The amount of the adjustment (if any) under subsection (a) or (b) must comply with the reorganization agreement under which the political subdivision or school corporation is reorganized under this article.

SECTION 77. IC 36-1.5-4-40.5, AS ADDED BY P.L.255-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 40.5. The following apply in the case of a reorganization under this article that includes a township and another political subdivision:

(1) If the township borrowed money from a township fund under IC 36-6-6-14(c) to pay the operating expenses of the township fire department or a volunteer fire department before the reorganization:

(A) the reorganized political subdivision is not required to repay the entire loan during the following year; and

(B) the reorganized political subdivision may repay the loan in installments during the following five (5) years.

(2) Except as provided in subdivision (3):

(A) the reorganized political subdivision continues to be responsible after the reorganization for providing township services in all areas of the township, including within the territory of a municipality in the township that does not participate in the reorganization; and

(B) the reorganized political

subdivision retains the powers of a township after the reorganization in order to provide township services as required by clause (A).

(3) Powers and duties of the reorganized political subdivision may be transferred as authorized in an interlocal cooperation agreement approved under IC 36-1-7 or as authorized in a cooperative agreement approved under IC 36-1.5-5.

(4) If all or part of a municipality in the township is not participating in the reorganization, not less than ten (10) township taxpayers who reside within territory that is not participating in the reorganization may file a petition with the county auditor protesting the reorganized political subdivision's township assistance levy. The petition must be filed not more than thirty (30) days after the reorganized political subdivision finally adopts the reorganized political subdivision's township assistance levy. The petition must state the taxpayers' objections and the reasons why the taxpayers believe the reorganized political subdivision's township assistance levy is excessive or unnecessary. The county auditor shall immediately certify a copy of the petition, together with other data necessary to present the questions involved, to the department of local government finance. Upon receipt of the certified petition and other data, the department of local government finance shall fix a time and place for the hearing of the matter. The hearing shall be held not less than five (5) days and not more than thirty (30) days after the receipt of the certified documents. The hearing shall be held in the county where the petition arose. Notice of the hearing shall be given by the department of local government finance to the reorganized political subdivision and to the first ten (10) taxpayer petitioners listed on the petition by letter. The letter shall be sent to the first ten (10) taxpayer petitioners at the taxpayers' usual place of residence at least five (5) days before the date of the hearing. After the hearing, the department of local government finance may reduce the reorganized political subdivision's township assistance levy to the extent that the levy is excessive or unnecessary. A taxpayer who signed a petition under this subdivision or a reorganized political subdivision against which a petition under this subdivision is filed may petition for judicial review of the final determination of the department of local government finance under this subdivision. The petition must be filed in the tax court not more than forty-five (45) days after the date of the department of local government finance's final determination.

(5) Section 40 of this chapter applies to the debt service levy of the reorganized political subdivision and to the department of local government finance's determination of the new maximum permissible ad valorem property tax levy for the reorganized political subdivision.

(6) The reorganized political subdivision may not borrow money under IC 36-6-6-14(b) or IC 36-6-6-14(c).

(7) The new maximum permissible ad valorem property tax levy for the reorganized political subdivision's firefighting fund under IC 36-8-13-4 is equal to:

(A) the result of:

(i) the maximum permissible ad valorem property tax levy for the township's firefighting fund under IC 36-8-13-4 in the year preceding the year in which the reorganization is effective; multiplied by

(ii) the ~~assessed value~~ **maximum levy** growth quotient applicable for property taxes first due and payable in the year in which the reorganization is effective; plus

(B) any amounts borrowed by the township under IC 36-6-6-14(b) or IC 36-6-6-14(c) in the year preceding the year in which the reorganization is effective.

SECTION 78. IC 36-2-9-20, AS AMENDED BY P.L.137-2012, SECTION 117, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20. The county auditor shall:

(1) maintain an electronic data file of the information contained on the tax duplicate for all:

(A) parcels; and

(B) personal property returns;

for each township in the county as of each assessment date;

(2) maintain the electronic data file in a form that formats the information in the file with the standard data, field, and record coding required and approved by:

(A) the legislative services agency; and

(B) the department of local government finance;

(3) transmit the data in the file with respect to the assessment date of each year before March 16 of the next year to

~~(A) the legislative services agency in an electronic format under IC 5-14-6; and~~

~~(B)~~ the department of local government finance

in a manner that meets the data export and transmission requirements in a standard format, as prescribed by the office of technology established by IC 4-13.1-2-1 and approved by the legislative services agency; and

(4) resubmit the data in the form and manner required under this subsection, upon request of the legislative services agency or the department of local government finance, if data previously submitted under this subsection does not comply with the requirements of this subsection, as determined by the legislative services agency or the department of local government finance.

An electronic data file maintained for a particular assessment date may not be overwritten with data for a subsequent assessment date until a copy of an electronic data file that preserves the data for the particular assessment date is archived in the manner prescribed by the office of technology established by IC 4-13.1-2-1 and approved by the legislative services agency.

SECTION 79. IC 36-6-6-16, AS ADDED BY P.L.129-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS

[EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 16. (a) This section does not apply to a township that is a distressed political subdivision under IC 6-1.1-20.3.

(b) As used in this section, "township fund" does not include a debt service fund of a township.

(c) Notwithstanding any other law, a township legislative body, in a public meeting, may authorize a one (1) time transfer of any excess balance or part of an excess balance from any township fund to any other township fund. A township legislative body may transfer excess balances from multiple township funds; however, all transfers must be authorized by the township legislative body at one (1) time. Subject to subsection (d), a township must complete all transfers that are authorized by this section not later than September 1, ~~2020.~~ **2021.** Any money transferred under this section may be used for any lawful purpose for which money in the fund to which the balance is transferred may be used.

(d) If IC 36-6-9 applies to the township, the township must adopt the township capital improvement plan before the township may complete a transfer of money under this section.

(e) A township may not spend any money that is transferred until the expenditure of the money has been included in a budget that has been approved by the department of local government finance under IC 6-1.1-17. ~~For purposes of fixing its budget and for purposes of the ad valorem property tax levy limits imposed under IC 6-1.1-18.5, the township shall treat the money transferred under this section that the department of local government finance permits it to spend during a particular calendar year as part of its ad valorem property tax levy for that same calendar year.~~

(f) This section expires January 1, ~~2021.~~ **2022.**

SECTION 80. IC 36-6-6-17 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 17. (a) This section does not apply to a township located in a county having a consolidated city.**

(b) As used in this section, "immediate family member" refers only to any of the following relatives of an individual:

(1) A parent.

(2) A sibling.

(3) A spouse.

(4) A child.

A relative by adoption, half-blood, marriage, or remarriage is considered as a relative of whole kinship.

(c) A member of the township board may not participate in a vote on the adoption of the township's budget and tax levies if the member is an immediate family member of the township trustee.

(d) Notwithstanding any other law, if at least a majority of the members of the township board are precluded from voting on the township's budget and tax levies under subsection (c), the township's most recent annual appropriations are continued for the ensuing budget year, subject to the following:

(1) The township trustee may petition the county fiscal body for an increase in the township's budget under subsection (e).

(2) The township trustee may petition the county fiscal body for any additional appropriations under subsection (f).

(e) If subsection (d) applies, the township trustee may petition the county fiscal body for an increase in the township's budget and property tax levies. The county fiscal body may grant or deny the petition only after conducting a public hearing on the petition.

(f) If subsection (d) applies, the county fiscal body may adopt any additional appropriations of the township by ordinance before the department of local government finance may approve the additional appropriation.

SECTION 81. IC 36-7-9-13, AS AMENDED BY P.L.169-2006, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. (a) If all or any part of the costs listed in section 12 of this chapter remain unpaid for any unsafe premises (other than unsafe premises owned by a governmental entity) for more than fifteen (15) days after the completion of the work, the enforcement authority does not act under section 13.5 of this chapter, and the enforcement authority determines that there is a reasonable probability of obtaining recovery, the enforcement authority shall prepare a record stating:

(1) the name and last known address of each person who held a known or recorded fee interest, life estate interest, or equitable interest of a contract purchaser in the unsafe premises from the time the order requiring the work to be performed was recorded to the time that the work was completed;

(2) the legal description or address of the unsafe premises that were the subject of work;

(3) the nature of the work that was accomplished;

(4) the amount of the unpaid bid price of the work that was accomplished; and

(5) the amount of the unpaid average processing expense.

~~The record must be in a form approved by the state board of accounts.~~

(b) The enforcement authority, or its head, shall swear to the accuracy of the record before the clerk of the circuit court and deposit the record in the clerk's office. Notice that the record has been filed and that a hearing on the amounts indicated in the record may be held must be sent in the manner prescribed by section 25 of this chapter to all of the following:

(1) The persons named in the record.

(2) Any mortgagee that has a known or recorded substantial property interest.

(c) If, within thirty (30) days after the notice required by subsection (b), a person named in the record or a mortgagee files with the clerk of the circuit court a written petition objecting to the claim for payment and requesting a hearing, the clerk shall enter the cause on the docket of the circuit or superior court as a civil action, and a hearing shall be held on the question in the manner prescribed by IC 4-21.5. However, issues that could have been determined under section 8 of this chapter may not be entertained at the hearing. At the conclusion of the hearing, the court shall either sustain the petition or enter a judgment against the persons named in the record for the amounts recorded or for modified amounts.

(d) If no petition is filed under subsection (c), the clerk of the circuit court shall enter the cause on the docket of the court and the court shall enter a judgment for the amounts stated in the record.

(e) A judgment under subsection (c) or (d), to the extent that it is not satisfied under IC 27-2-15, is a debt and a lien on all the real and personal property of the person named, or a joint and several debt and lien on the real and personal property of the persons named in the record prepared under subsection (a). The lien on real property is perfected against all creditors and purchasers when the judgment is entered on the judgment docket of the court. The lien on personal property is perfected by filing a lis pendens notice in the appropriate filing office, as prescribed by the Indiana Rules of Trial Procedure.

(f) Judgments rendered under this section may be enforced in the same manner as all other judgments are enforced.

SECTION 82. IC 36-7-15.6-23 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE MARCH 1, 2020 (RETROACTIVE)]: **Sec. 23. (a) This section applies only to a district established after December 31, 2019.**

(b) Notwithstanding section 16(d) of this chapter, money

in the fund of a district may be used for a flood control works project in a location outside the boundaries of the district if the flood control works project outside the boundaries of the district directly benefits special flood hazard property within the district.

(c) Notwithstanding section 17(a) and 17(g) of this chapter, money received by a district from bonds issued under section 17 of this chapter may be applied to the payment or reimbursement of the cost of a flood control works project in a location outside the boundaries of the district if the flood control works project outside the boundaries of the district directly benefits special flood hazard property within the district.

(d) Notwithstanding section 19(a) and 19(d) of this chapter:

(1) money received from bonds described in section 19(a) of this chapter may be applied to the payment of the costs of a flood control works project of a district; and

(2) money in the flood control improvement fund of the district may be applied to reimburse debt service payments on the bonds described in section 19(a) of this chapter;

even though the flood control works project was in a location outside the boundaries of the district, if the flood control works project directly benefits special flood hazard property within the district.

(e) This section expires March 1, 2022.

SECTION 83. IC 36-8-8-14.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14.2. (a) This section applies to every unit that is an employer of one (1) or more individuals who are active members of the 1977 fund.**

(b) As used in this section, "survivor" means:

(1) a surviving spouse of a deceased member of the 1977 fund; or

(2) a surviving natural child, stepchild, or adopted child of a deceased member of the 1977 fund;

who is entitled to health insurance coverage under section 14.1(h) of this chapter.

(c) If a unit is obligated under section 14.1(h) of this chapter to pay for health insurance coverage for one (1) or more survivors of a deceased member of the 1977 fund who died in the line of duty, the legislative body of the unit may establish a public safety officer survivors' health coverage cumulative fund under this section to pay for health coverage under section 14.1(h) of this chapter.

(d) The fiscal body of a unit may provide money for a public safety officer survivors' health coverage cumulative fund established under subsection (c) by levying a tax in compliance with IC 6-1.1-41 on the taxable property in the unit.

(e) The property tax rate that may be imposed under this section for property taxes first due and payable during a particular year may not exceed the rate necessary to pay the annual cost of the health coverage that the unit is obligated to pay under section 14.1(h) of this chapter. The unit shall provide any documentation requested by the department of local government finance that is necessary to certify the rate adopted by the unit. The unit's maximum permissible ad valorem property tax levy determined under IC 6-1.1-18.5-3 excludes the property tax levied under this section.

(f) The tax money collected under this section shall be held in a special fund to be known as the public safety officer survivors' health coverage cumulative fund.

(g) In a consolidated city, money may be transferred from the public safety officer survivors' health coverage cumulative fund to the fund of a department of the consolidated city responsible for carrying out a purpose for which the public safety officer survivors' health coverage cumulative fund was created. The department may not expend any money transferred under this subsection until an appropriation is made, and the department may not expend any money transferred under this subsection for operating costs of the department.

SECTION 84. IC 36-12-3-12, AS AMENDED BY P.L.257-2019, SECTION 167, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) The library board shall determine the rate of taxation for the library district that is necessary for the proper operation of the library. The library board shall certify the rate to the county auditor. An additional rate may be levied under section 10(4) of this chapter.

(b) If the library board fails to:

(1) give:

(A) a first published notice to the board's taxpayers of the board's proposed budget and tax levy for the ensuing year at least ten (10) days before the public hearing required under IC 6-1.1-17-3; and

(B) a second published notice to the board's taxpayers of the board's proposed budget and tax levy for the ensuing year at least three (3) days before the public hearing required under IC 6-1.1-17-3; or

(2) finally adopt the budget and fix the tax levy not later than ~~September 30,~~ **November 1;**

the last preceding annual appropriation made for the public library is renewed for the ensuing year, and the last preceding annual tax levy is continued. Under this subsection, the treasurer of the library board shall report the continued tax levy to the county auditor not later than ~~September 30.~~ **November 1.**

SECTION 85. [EFFECTIVE JANUARY 1, 2017 (RETROACTIVE)] **(a) This SECTION applies notwithstanding IC 6-1.1-10, IC 6-1.1-11, or any other law or administrative rule or provision.**

(b) This SECTION applies to an assessment date occurring after December 31, 2016, and before January 1, 2020.

(c) As used in this SECTION, "eligible property" means real property:

(1) on which property taxes were imposed for the 2017, 2018, and 2019 assessment dates; and

(2) that would have been eligible for an exemption from property taxation under IC 6-1.1-10-25(a)(8) for the 2017, 2018, and 2019 assessment dates if an exemption application had been properly and timely filed under IC 6-1.1 for the real property.

(d) As used in this SECTION, "qualified taxpayer" refers to a nonprofit veterans organization that owns eligible property.

(e) A qualified taxpayer may, before September 1, 2020, file a property tax exemption application and supporting documents claiming a property tax exemption under IC 6-1.1-10-16 or IC 6-1.1-10-25(a)(8) for any assessment date described in subsection (b).

(f) A property tax exemption application filed under subsection (e) by a qualified taxpayer is considered to have been properly and timely filed.

(g) If a qualified taxpayer files property tax exemption applications under subsection (e), the following apply:

(1) The property tax exemption for the eligible property is allowed and granted for the 2017, 2018, and 2019 assessment dates by

the county assessor and county auditor of the county in which the eligible property is located.

(2) The qualified taxpayer is not required to pay any property taxes, penalties, interest, or tax sale reimbursement expenses with respect to the eligible property exempted under this SECTION for the 2017, 2018, and 2019 assessment dates.

(3) If the eligible property was placed on the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5 or was otherwise subject to a tax sale under IC 6-1.1-24 and IC 6-1.1-25 because one (1) or more installments of property taxes due for the eligible property for the 2017, 2018, and 2019 assessment dates were not timely paid:

(A) the county auditor shall remove the eligible property from the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5; and

(B) a tax deed may not be issued under IC 6-1.1-25 for the eligible property for any tax sale of the eligible property under IC 6-1.1-24 and IC 6-1.1-25 that was held because one (1) or more installments of property taxes due for the eligible property for the 2017, 2018, and 2019 assessment dates were not timely paid.

(h) A taxpayer is entitled to the exemption from real property tax as claimed on a property tax exemption application filed under this SECTION, regardless of whether:

(1) a property tax exemption application was previously filed for the same or similar property for the assessment date;

(2) the county property tax assessment board of appeals has issued a final determination regarding any previously filed property tax exemption application for the assessment date;

(3) the taxpayer appealed any denial of a previously filed property tax exemption application for the assessment date; or

(4) the records of the county in which the property subject to the property tax exemption application is located identified the taxpayer as the owner of the property on the assessment date described in subsection (b) for which the property tax exemption is claimed.

(i) The exemption allowed by this SECTION shall be applied and considered approved without the need for any further ruling or action by the county assessor, the county auditor, or the county property tax assessment board of appeals of the county in which the eligible property is located or by the Indiana board of tax review. The exemption approval is final and may not be appealed by the county assessor, the county property tax assessment board of appeals, or any member of the county property tax assessment board of appeals.

(j) To the extent the qualified taxpayer has paid any property taxes, penalties, or interest with respect to the eligible property for the 2017, 2018, and 2019 assessment dates, the eligible taxpayer is entitled to a refund of the amounts paid. Notwithstanding the filing deadlines for a claim in IC 6-1.1-26, any claim for a refund filed by an eligible taxpayer under this subsection before September 1, 2020, is considered timely filed. The county auditor shall pay the refund due under this SECTION in one (1) installment.

(k) This SECTION expires July 1, 2023.

SECTION 86. [EFFECTIVE JANUARY 1, 2018 (RETROACTIVE)] **(a) This SECTION applies notwithstanding IC 6-1.1-10, IC 6-1.1-11, or any other law or administrative rule or provision.**

(b) This SECTION applies to an assessment date occurring after December 31, 2017, and before January 1, 2020.

(c) As used in this SECTION, "eligible property" means real property:

(1) that was conveyed to an eligible taxpayer in 2014 or 2017;

(2) on which property taxes were imposed for the 2018 and 2019 assessment dates; and

(3) that would have been eligible for an exemption from property taxation under IC 6-1.1-10-16 for the 2018 and 2019 assessment dates if an exemption application had been properly and timely filed under IC 6-1.1 for the real property.

(d) As used in this SECTION, "qualified taxpayer" refers to a nonprofit corporation created in 1903 that owns eligible property.

(e) A qualified taxpayer may, before September 1, 2020, file a property tax exemption application and supporting documents claiming a property tax exemption under IC 6-1.1-10-16 for any assessment date described in subsection (b).

(f) A property tax exemption application filed under subsection (e) by a qualified taxpayer is considered to have been properly and timely filed.

(g) If a qualified taxpayer files the property tax exemption applications under subsection (e), the following apply:

(1) The property tax exemption for the eligible property is allowed and granted for the 2018 and 2019 assessment dates by the county assessor and county auditor of the county in which the eligible property is located.

(2) The qualified taxpayer is not required to pay any property taxes, penalties, interest, or tax sale reimbursement expenses with respect to the eligible property exempted under this SECTION for the 2018 and 2019 assessment dates.

(3) If the eligible property was placed on the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5 or was otherwise subject to a tax sale under IC 6-1.1-24 and IC 6-1.1-25 because one (1) or more installments of property taxes due for the eligible property for the 2018 and 2019 assessment dates were not timely paid:

(A) the county auditor shall remove the eligible property from the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5; and

(B) a tax deed may not be issued under IC 6-1.1-25 for the eligible property for any tax sale of the eligible property under IC 6-1.1-24 and IC 6-1.1-25 that was held because one (1) or more installments of property taxes due for the eligible

property for the 2018 and 2019 assessment dates were not timely paid.

(h) A taxpayer is entitled to the exemption from real property tax as claimed on a property tax exemption application filed under this SECTION, regardless of whether:

(1) a property tax exemption application was previously filed for the same or similar property for the assessment date;

(2) the county property tax assessment board of appeals has issued a final determination regarding any previously filed property tax exemption application for the assessment date;

(3) the taxpayer appealed any denial of a previously filed property tax exemption application for the assessment date; or

(4) the records of the county in which the property subject to the property tax exemption application is located identified the taxpayer as the owner of the property on the assessment date described in subsection (b) for which the property tax exemption is claimed.

(i) The exemption allowed by this SECTION shall be applied and considered approved without the need for any further ruling or action by the county assessor, the county auditor, or the county property tax assessment board of appeals of the county in which the eligible property is located or by the Indiana board of tax review. The exemption approval is final and may not be appealed by the county assessor, the county property tax assessment board of appeals, or any member of the county property tax assessment board of appeals.

(j) To the extent the qualified taxpayer has paid any property taxes, penalties, or interest with respect to the eligible property for the 2018 and 2019 assessment dates, the eligible taxpayer is entitled to a refund of the amounts paid. Notwithstanding the filing deadlines for a claim in IC 6-1.1-26, any claim for a refund filed by an eligible taxpayer under this subsection before September 1, 2020, is considered timely filed. The county auditor shall pay the refund due under this SECTION in one (1) installment.

(k) This SECTION expires July 1, 2023.

SECTION 87. [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)] **(a) This SECTION applies notwithstanding IC 6-1.1-10, IC 6-1.1-11, or any other law or administrative rule or provision.**

(b) This SECTION applies to assessment dates after December 31, 2017, and before January 1, 2020.

(c) As used in this SECTION, "eligible property" means any real property:

(1) that is owned, occupied, and used by a taxpayer that is a church or religious society and is used for one (1) or more of the purposes described in IC 6-1.1-10-16 or IC 6-1.1-10-21;

(2) for which an exemption application was filed after June 8, 2019, and before June 15, 2019; and

(3) that would have been eligible for an exemption under IC 6-1.1-10-16 or IC 6-1.1-10-21 for assessment dates after December 31, 2017, and before January 1, 2020, if an exemption application had been properly and timely filed under IC 6-1.1 for the property.

(d) Before September 1, 2020, the owner of eligible property may file a property tax exemption application and supporting documents claiming a property tax exemption under this SECTION for the eligible property for an assessment date after December 31, 2017, and before January 1, 2020.

(e) A property tax exemption application filed as provided in subsection (d) is considered to have been properly and timely filed for each assessment date.

(f) The following apply if the owner of eligible property files a property tax exemption application as provided in subsection (d):

(1) The property tax exemption for the eligible property shall be allowed and granted for the applicable assessment date by the county assessor and county auditor of the county in which the eligible property is located.

(2) The owner of the eligible property is not required to pay any property taxes, penalties, or interest with respect to the eligible property for the applicable assessment date.

(g) The exemption allowed by this SECTION shall be applied without the need for any further ruling or action by the county assessor, the county auditor, or the county property tax assessment board of appeals of the county in which the eligible property is located or by the Indiana board of tax review.

(h) To the extent the owner of the eligible property has paid any property taxes, penalties, or interest with respect to the eligible property for an applicable date and to the extent that the eligible property is exempt from taxation as provided in this SECTION, the owner of the eligible property is entitled to a refund of the amounts paid. The owner is not entitled to any interest on the refund under IC 6-1.1 or any other law to the extent interest has not been paid by or on behalf of the owner. Notwithstanding the filing deadlines for a claim under IC 6-1.1-26, any claim for a refund filed by the owner of eligible property under this SECTION before September 1, 2020, is considered timely filed. The county auditor shall pay the refund due under this SECTION in one (1) installment.

(i) This SECTION expires June 30, 2022.

SECTION 88. [EFFECTIVE UPON PASSAGE] **(a) IC 6-1.1-12-9, IC 6-1.1-12-14, and IC 6-1.1-20.6-8.5, all as amended by this act, apply to assessment dates after December 31, 2019.**

(b) This SECTION expires June 30, 2023.

SECTION 89. **An emergency is declared for this act.**

(Reference is to EHB 1113 as reprinted February 28, 2020.)

LEONARD	BASSLER
PRYOR	MELTON
House Conferees	Senate Conferees

Roll Call 383: yeas 90, nays 3. Report adopted.

Representatives Errington and Shackleford, who had been present, are now excused.

Representative Karickhoff, who had been excused, is now present.

CONFERENCE COMMITTEE REPORT
EHB 1131–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1131 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 8-1-1.9-3, AS ADDED BY P.L.126-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. As used in this chapter, "water or wastewater utility" means:

(1) a public utility that provides water service, wastewater service, or both water service and wastewater service to the public; **or**

(2) a municipally owned utility that provides water service to less than eight thousand (8,000) customers.

SECTION 2. IC 8-1-1.9-4, AS ADDED BY P.L.126-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Notwithstanding IC 8-1-2.7 and any other law under which a water or wastewater utility is exempt from or may withdraw from the jurisdiction of the commission, a water or wastewater utility that is organized ~~as a legal entity~~ after June 30, 2018, is subject to the jurisdiction of the commission with respect to:

(1) rates and charges;

(2) stocks, bonds, notes, or other evidence of indebtedness;

(3) rules; and

(4) the annual report filing requirement;

for the period of ten (10) years beginning on the day on which the water or wastewater utility is organized. ~~as a legal entity.~~

(b) This section does not affect:

(1) any statutes requiring or permitting a water or wastewater utility to petition the commission before providing service to the public; or

(2) the commission's jurisdiction regarding statutes and petitions referred to in subdivision (1).

SECTION 3. IC 8-1-2-46.2, AS ADDED BY P.L.91-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 46.2. (a) As used in this section, "water or wastewater utility" means a public utility, other than a not-for-profit utility, as defined in section 125(a) of this chapter, that provides water or wastewater service to the public.

(b) Notwithstanding any law or rule governing extension of service, a water or wastewater utility may, on a nondiscriminatory basis, extend service for economic development purposes or to rural areas without a deposit or other adequate assurance of performance from the customer, to the extent that the extension of service results in a positive contribution to the utility's overall cost of service over a twenty (20) year period. However, if the water or wastewater utility determines that the extension of service will not result in a positive contribution to the utility's overall cost of service over a twenty (20) year period, the water or wastewater utility may require a deposit or other adequate assurance of performance from:

(1) the developer of the project; or

(2) a local, regional, or state economic development organization.

(c) Subsection (d) applies if:

(1) a county executive, a municipal legislative body, or, in Marion County, the county fiscal body, establishes an infrastructure development zone under IC 6-1.1-12.5-4; and

(2) the county executive, municipal legislative body, or county fiscal body requests a public utility to extend water or wastewater utility service to the geographic territory established as the infrastructure development zone.

(d) A water or wastewater utility that receives a request described in subsection (c)(2) may file a petition with the commission seeking approval of the requested extension of service. If the commission approves the petition, in future general rate cases, the commission shall approve rate schedules that include a surcharge payable only by customers located in the geographic area within the jurisdiction of the governmental entity described in subsection (c), ~~including~~ **or, if requested by the governmental entity, only within** the geographic area established as an infrastructure development zone. The surcharge shall recover depreciation expense, weighted cost of capital, and federal and state income tax applicable to the extension of water or wastewater utility service.

SECTION 4. IC 8-1-2-101.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 101.5. (a) This section applies to:**

(1) a water main extension;

(2) a wastewater main extension; or

(3) an agreement that:

(A) is for a water main extension or a wastewater main extension; and

(B) is entered into after June 30, 2020, by a utility and the person requesting the extension.

(b) As used in this section, "utility" means a municipally owned utility (as defined in IC 8-1-2-1(h)) that provides water service or wastewater service, or both, to the public.

(c) With respect to any water main extension or wastewater main extension, a utility shall comply with the commission's rules governing water main extensions or wastewater main extensions, as applicable, including:

(1) 170 IAC 6-1.5, in the case of a water main extension; or

(2) 170 IAC 8.5-4, in the case of a wastewater main extension;

as may be amended by the commission, regardless of whether the utility is subject to the jurisdiction of the commission for the approval of rates and charges. However, a utility is not required to comply with any provisions in the commission's main extension rules that require reporting to the commission.

(d) Disputes arising under this section may be submitted as informal complaints to the commission's consumer affairs division, in accordance with IC 8-1-2-34.5(b) and the commission's rules under 170 IAC 16, including provisions for referrals and appeals to the full commission, regardless of whether the person requesting the extension is a customer of the utility.

(e) The commission shall adopt by:

(1) order; or

(2) rule under IC 4-22-2;

other procedures not inconsistent with this section that the commission determines to be reasonable or necessary to administer this section. In adopting the rules under this section, the commission may adopt emergency rules in the manner provided by IC 4-22-2-37.1. Notwithstanding IC 4-22-2-37.1(g), an emergency rule adopted by the commission under this subsection and in the manner provided by IC 4-22-2-37.1 expires on the date on which a rule that supersedes the emergency rule is adopted by the commission under IC 4-22-2-24 through IC 4-22-2-36.

(f) If the commission determines that it requires additional staff to handle the volume of informal complaints submitted under this section, the commission may impose a fee under this section. Any fee charged by the commission under this section may:

(1) not exceed:

(A) the commission's actual costs in administering this section; or

(B) seven hundred fifty dollars ($750);

whichever is less; and

(2) be assessed against the party against whom a decision is rendered under this section.

SECTION 5. IC 8-1-30.3-5, AS AMENDED BY P.L.229-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) This section applies if:

(1) a utility company acquires property from an offered utility in a transaction involving a willing buyer and a willing seller; and

(2) at least one (1) utility company described in subdivision (1) is subject to the jurisdiction of the commission under this article.

(b) Subject to subsection (c), there is a rebuttable presumption that a cost differential is reasonable.

(c) If the acquisition:

(1) is made under IC 8-1.5-2-6.1, and to the extent the purchase price does not exceed the appraised value as determined under IC 8-1.5-2-5; **or**

(2) is not made under IC 8-1.5-2-6.1, and to the extent the purchase price does not exceed the appraised value as determined under section 5.5 of this chapter;

the purchase price is considered reasonable for purposes of subsection (d) and any resulting cost differential is considered reasonable.

(d) Before closing on the acquisition, the utility company that acquires the utility property may petition the commission to include any cost differential as part of its rate base in future rate cases. The commission shall approve the petition if the commission finds the following:

(1) The utility property is used and useful to the offered utility in providing water service, wastewater service, or both water and wastewater service.

(2) The offered utility is too small to capture economies of scale or has failed to furnish or maintain adequate, efficient, safe, and reasonable service and facilities.

(3) The utility company will improve economies of scale or, if otherwise needed, make reasonable and prudent improvements to the offered utility's plant, the offered utility's operations, or both, so that customers of the offered utility will receive adequate, efficient, safe, and reasonable service.

(4) The acquisition of the utility property is the result of a mutual agreement made at arms length.

(5) The actual purchase price of the utility property is reasonable.

(6) The utility company and the offered utility are not affiliated and share no ownership interests.

(7) The rates charged by the utility company will not increase unreasonably in future general rate cases solely as a result of acquiring the utility property from the offered utility. For purposes of this subdivision, the rates and charges will not increase unreasonably in future general rate cases so long as the net original cost proposed to be recorded under subsection (f) is not greater than two percent (2%) of the acquiring utility's net original cost rate base as determined in the acquiring utility's most recent general rate case. If the amount proposed to be recorded under subsection (f) is greater than two percent (2%) of the acquiring utility's net original cost rate base as determined in the acquiring utility's most recent general rate case, the commission shall proceed to determine whether the rates charged by the utility company will increase unreasonably in future general rate cases solely as a result of acquiring the utility property from the offered utility and, in making the determination, may consider evidence of:

(A) the anticipated dollar value increase; and

(B) the increase as a percentage of the average bill.

(8) The cost differential will be added to the utility company's rate base to be amortized as an addition to expense over a reasonable time with corresponding reductions in the rate base.

(e) In connection with its petition under subsection (d), the acquiring utility company shall provide the following:

(1) Notice to customers of the acquiring utility company that a petition has been filed with the commission under this chapter. The notice provided under this subdivision must include the cause number assigned to the petition. Notice under this subdivision may be provided to customers in a billing insert.

(2) Notice to the office of the utility consumer counselor.

(3) A statement of known infrastructure, environmental, or other issues affecting the offered utility, and the process for determining reasonable and prudent improvements upon completing the acquisition.

(f) In a proceeding under subsection (d), the commission shall issue its final order not later than two hundred ten (210) days after the filing of the petitioner's case in chief. If the commission grants the petition, the commission's order shall authorize the acquiring utility company to make accounting entries recording the acquisition and that reflect:

(1) the full purchase price;

(2) incidental expenses; and

(3) other costs of acquisition;

as the net original cost of the utility plant in service assets being acquired, allocated in a reasonable manner among appropriate utility plant in service accounts.

SECTION 6. IC 8-1-30.3-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5.5. (a) For purposes of this section, an individual, or the company employing the individual, is qualified to perform an appraisal if the individual is:**

(1) an engineer registered under IC 25-31; or

(2) an appraiser licensed under IC 25-34.1-8.

(b) For purposes of this section, an individual performing an appraisal, or the company employing the individual, is disinterested if:

(1) the fee for the appraisal services is fixed before the individual performs the appraisal;

(2) the individual is not an employee of one (1) of the parties to the acquisition;

(3) the individual is not a state or municipal employee; and

(4) the:

(A) individual; and

(B) company, if applicable;

do not have affiliated interests (as defined in IC 8-1-2-49) in one (1) of the parties to the acquisition.

(c) An appraisal under section 5(c)(2) of this chapter must be performed by three (3) qualified and disinterested appraisers, including:

(1) at least one (1) appraiser qualified under

subsection (a)(1); and

(2) at least one (1) appraiser qualified under subsection (a)(2).

(d) If the three (3) appraisers performing an appraisal for purposes of section 5(c)(2) of this chapter cannot agree as to an appraised value, the appraisal is sufficient for purposes of section 5(c)(2) of this chapter if the appraisal is signed by two (2) of the appraisers.

SECTION 7. IC 8-1-30.3-6, AS AMENDED BY P.L.229-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. For purposes of section 5(d)(2) of this chapter, an offered utility is too small to capture economies of scale or is not furnishing or maintaining adequate, efficient, safe, and reasonable service and facilities if the commission finds one (1) or more of the following:

(1) The offered utility violated one (1) or more state or federal statutory or regulatory requirements in a manner that the commission determines affects the safety, adequacy, efficiency, or reasonableness of its services or facilities.

(2) The offered utility has inadequate financial, managerial, or technical ability or expertise.

(3) The offered utility fails to provide water in sufficient amounts, that is palatable, or at adequate volume or pressure.

(4) The offered utility, due to necessary improvements to its plant or distribution or collection system or operations, is unable to furnish and maintain adequate service to its customers at rates equal to or less than those of the acquiring utility company.

(5) The offered utility serves fewer than ~~five~~ **eight** thousand ~~(5,000)~~ **(8,000)** customers.

(6) Any other facts that the commission determines demonstrate the offered utility's inability to capture economies of scale or to furnish or maintain adequate, efficient, safe, or reasonable service or facilities.

SECTION 8. IC 36-4-3-4, AS AMENDED BY P.L.206-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The legislative body of a municipality may, by ordinance, annex any of the following:

(1) Territory that is contiguous to the municipality.

(2) Territory that is not contiguous to the municipality and is occupied by a municipally owned or operated as either of the following:

(A) An airport or landing field.

(B) A wastewater treatment facility or water treatment facility. After a municipality annexes territory under this clause, the municipality may annex additional territory to enlarge the territory for the use of the wastewater treatment facility or water treatment facility only if the county legislative body approves that use of the additional territory by ordinance.

(3) Territory that is not contiguous to the municipality but is found by the legislative body to be occupied by:

(A) a municipally owned or regulated sanitary landfill, golf course, or hospital; or

(B) a police station of the municipality.

However, if territory annexed under subdivision (2) or (3) ceases to be used for the purpose for which the territory was annexed for at least one (1) year, the territory reverts to the jurisdiction of the unit having jurisdiction before the annexation if the unit that had jurisdiction over the territory still exists. If the unit no longer exists, the territory reverts to the jurisdiction of the unit that would currently have jurisdiction over the territory if the annexation had not occurred. The clerk of the municipality shall notify the offices required to receive notice of a disannexation under section 19 of this chapter when the territory reverts to the jurisdiction of the unit having jurisdiction before the annexation. Territory that is annexed under subdivision (2) (including territory that is enlarged under subdivision (2)(B) for the use of the wastewater treatment facility or water treatment facility) or subdivision (3) may not be considered a part of the municipality for purposes of annexing additional territory.

(b) This subsection applies to municipalities in a county having any of the following populations:

(1) More than seventy thousand fifty (70,050) but less than seventy-one thousand (71,000).

(2) More than seventy-five thousand (75,000) but less than seventy-seven thousand (77,000).

(3) More than seventy-one thousand (71,000) but less than seventy-five thousand (75,000).

(4) More than forty-seven thousand (47,000) but less than forty-seven thousand five hundred (47,500).

(5) More than thirty-eight thousand five hundred (38,500) but less than thirty-nine thousand (39,000).

(6) More than thirty-seven thousand (37,000) but less than thirty-seven thousand one hundred twenty-five (37,125).

(7) More than thirty-three thousand three hundred (33,300) but less than thirty-three thousand five hundred (33,500).

(8) More than twenty-three thousand three hundred (23,300) but less than twenty-four thousand (24,000).

(9) More than one hundred eighty-five thousand (185,000) but less than two hundred fifty thousand (250,000).

(10) More than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000).

(11) More than thirty-two thousand five hundred (32,500) but less than thirty-three thousand (33,000).

(12) More than seventy-seven thousand (77,000) but less than eighty thousand (80,000).

Except as provided in subsection (c), the legislative body of a municipality to which this subsection applies may, by ordinance, annex territory that is not contiguous to the municipality, has its entire area not more than two (2) miles from the municipality's boundary, is to be used for an industrial park containing one (1) or more businesses, and is either owned by the municipality or by a property owner who consents to the annexation. However, if territory annexed under this subsection is not used as an industrial park within five (5) years after the date of passage of the annexation ordinance, or if the territory ceases to be used as an industrial park for at least one (1) year, the territory reverts to the jurisdiction of the unit having jurisdiction before the annexation if the unit that had jurisdiction over the territory still exists. If the unit no longer exists, the territory reverts to the jurisdiction of the unit that would currently have jurisdiction over the territory if the annexation had not occurred. The clerk of the municipality shall notify the offices entitled to receive notice of a disannexation under section 19 of this chapter when the territory reverts to the

jurisdiction of the unit having jurisdiction before the annexation.

(c) A city in a county with a population of more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000) may not annex territory as prescribed in subsection (b) until the territory is zoned by the county for industrial purposes.

(d) Notwithstanding any other law, territory that is annexed under subsection (b) or (h) is not considered a part of the municipality for the purposes of:

(1) annexing additional territory:

(A) in a county that is not described by clause (B); or

(B) in a county having a population of more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000), unless the boundaries of the noncontiguous territory become contiguous to the city, as allowed by Indiana law;

(2) expanding the municipality's extraterritorial jurisdictional area; or

(3) changing an assigned service area under IC 8-1-2.3-6(1).

(e) As used in this section, "airport" and "landing field" have the meanings prescribed by IC 8-22-1.

(f) As used in this section, "hospital" has the meaning prescribed by IC 16-18-2-179(b).

(g) An ordinance adopted under this section must assign the territory annexed by the ordinance to at least one (1) municipal legislative body district.

(h) This subsection applies to a city having a population of more than twenty-nine thousand nine hundred (29,900) but less than thirty-one thousand (31,000). The city legislative body may, by ordinance, annex territory that:

(1) is not contiguous to the city;

(2) has its entire area not more than eight (8) miles from the city's boundary;

(3) does not extend more than:

(A) one and one-half (1 1/2) miles to the west;

(B) three-fourths (3/4) mile to the east;

(C) one-half (1/2) mile to the north; or

(D) one-half (1/2) mile to the south;

of an interchange of an interstate highway (as designated by the federal highway authorities) and a state highway (as designated by the state highway authorities); and

(4) is owned by the city or by a property owner that consents to the annexation.

(i) This subsection applies to a city having a population of more than thirty-one thousand seven hundred twenty-five (31,725) but less than thirty-five thousand (35,000) in a county having a population of at least one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000). The city legislative body may, by ordinance, annex territory under section 5.1 of this chapter:

(1) that is not contiguous to the city;

(2) that is south of the southernmost boundary of the city;

(3) the entire area of which is not more than four (4) miles from the city's boundary; and

(4) that does not extend more than one (1) mile to the east of a state highway (as designated by the state highway authorities).

Territory annexed under this subsection is not considered a part of the city for purposes of annexation of additional territory. A city may not require connection to a sewer installed to provide service to territory annexed under this subsection.

SECTION 9. IC 36-4-3-5.1, AS AMENDED BY P.L.228-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5.1. (a) Owners of land **that is** located outside but contiguous to a municipality **or that is located in territory described in section 4(i) of this chapter** may file a petition with the legislative body of the municipality:

(1) requesting an ordinance annexing the area described in the petition; and

(2) signed by:

(A) one hundred percent (100%) of the landowners that reside within the territory that is proposed to be annexed, in the case of a petition filed before July 1, 2015; and

(B) in the case of a petition filed after June 30, 2015, one hundred percent (100%) of the owners of land within the territory that is proposed to be annexed.

(b) Sections 2.1 and 2.2 of this chapter do not apply to an annexation under this section.

(c) The petition circulated by the landowners must include on each page where signatures are affixed a heading that is substantially similar to the following:

"PETITION FOR ANNEXATION INTO THE (insert whether city or town) OF (insert name of city or town).".

(d) The municipality may:

(1) adopt an annexation ordinance annexing the territory; and

(2) adopt a fiscal plan and establish a definite policy by resolution of the legislative body;

after the legislative body has held a public hearing on the proposed annexation.

(e) The municipality may introduce and hold the public hearing on the annexation ordinance not later than thirty (30) days after the petition is filed with the legislative body. Notice of the public hearing may be published one (1) time in accordance with IC 5-3-1 at least twenty (20) days before the hearing. All interested parties must have the opportunity to testify at the hearing as to the proposed annexation.

(f) The municipality may adopt the annexation ordinance not earlier than fourteen (14) days after the public hearing under subsection (e).

(g) A landowner may withdraw the landowner's signature from the petition not more than thirteen (13) days after the municipality adopts the fiscal plan by providing written notice to the office of the clerk of the municipality. If a landowner withdraws the landowner's signature, the petition shall automatically be considered a voluntary petition that is filed with the legislative body under section 5 of this chapter, fourteen (14) days after the date the fiscal plan is adopted. All provisions applicable to a petition initiated under section 5 of this chapter apply to the petition.

(h) If the municipality does not adopt an annexation ordinance within sixty (60) days after the landowners file the petition with the legislative body, the landowners may file a duplicate petition with the circuit or superior court of a county in which the territory is located. The court shall determine whether the annexation shall take place as set forth in section 5 of this chapter.

(i) A remonstrance under section 11 of this chapter may not be filed. However, an appeal under section 15.5 of this chapter may be filed.

(j) In the absence of an appeal under section 15.5 of this chapter, an annexation ordinance adopted under this section

takes effect not less than thirty (30) days after the adoption of the ordinance and upon the filing and recording of the ordinance under section 22 of this chapter.

SECTION 10. IC 36-9-25-11.3, AS ADDED BY P.L.175-2006, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11.3. (a) This section applies to:

(1) a board and district created under section 3(b)(2) of this chapter; **and**

(2) a board and district to which the following apply:

(A) The district is within the jurisdiction of a department established under section 1(a)(2) of this chapter.

(B) The district is under an order or party to an agreement with one (1) or more state or federal agencies to remediate environmental conditions.

(b) For purposes of this section, "commission" refers to the Indiana utility regulatory commission created by IC 8-1-1-2.

(c) For purposes of this section, "fees" means fees:

(1) for the treatment and disposal of sewage and other waste discharged into the sewer system of the district; and

(2) related to property that is subject to full taxation.

(d) Fees do not take effect until the fees are:

(1) approved by the board; and

(2) either:

(A) approved in an ordinance adopted by the legislative body of each municipality in the district; or

(B) established by the commission under this section.

(e) Not earlier than thirty (30) days after fees are approved under subsection (d)(1), the board may petition the commission to establish the fees under:

(1) the procedures set forth in IC 8-1-2; and

(2) subsection (f).

(f) The commission shall observe the following requirements when establishing fees for a district:

(1) Fees must be sufficient to enable the district to furnish reasonably adequate services and facilities.

(2) Fees for a service must be nondiscriminatory, reasonable, and just and must produce sufficient revenue, together with taxes levied under this chapter, to do the following:

(A) Pay all legal and other necessary expenses incident to the operation of the utility, including the following:

(i) Maintenance costs.

(ii) Operating charges.

(iii) Upkeep.

(iv) Repairs.

(v) Depreciation.

(vi) Interest charges on bonds or other obligations, including leases.

(B) Provide a sinking fund for the liquidation of bonds or other obligations, including leases.

(C) Provide a debt service reserve for bonds or other obligations, including leases, in an amount established by the board. The amount may not exceed the maximum annual debt service on the bonds or obligations or the maximum annual lease rentals, if any.

(D) Provide adequate money for working capital.

(E) Provide adequate money for making extensions and replacements to the extent not provided for through depreciation in clause (A).

(F) Provide money for the payment of taxes that may be assessed against the district.

(3) The fees charged by the district must produce an income sufficient to maintain district property in a sound physical and financial condition to render adequate and efficient service. Fees may not be too low to meet these requirements.

(4) If the board petitions the commission under subsection (e), the fees established must produce a reasonable return on the sanitary district facilities.

(5) Fees other than fees established for a municipally owned utility taxed under IC 6-1.1-8-3 must be sufficient to compensate the municipality for taxes that would be due the municipality on the utility property located in the municipality if the property were privately owned.

(6) The commission must grant a request by the board to postpone an increase in fees until after the occurrence of a future event.

(g) The board may transfer fees in lieu of taxes established under subsection (f)(5) to the general fund of the appropriate municipality.

(h) Fees established by the commission under this section take effect to the same extent as if the fees were approved by an ordinance adopted by the legislative body of each municipality in the district.

SECTION 11. **An emergency is declared for this act.**

(Reference is to EHB 1131 as reprinted February 28, 2020.)

PRESSEL	BOOTS
PIERCE	GARTEN
House Conferees	Senate Conferees

Roll Call 384: yeas 92, nays 0. Report adopted.

Representatives Karickhoff and Negele, who had been present, are now excused.

Representatives Errington, Morrison and Shackleford, who had been excused, are now present.

CONFERENCE COMMITTEE REPORT

ESB 1–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 1 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 7.1-1-3-25, AS AMENDED BY P.L.176-2015, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 25. ~~(a)~~ "Minor" ~~except as provided in subsection (b),~~ means a person less than

twenty-one (21) years of age.

~~(b) "Minor", for purposes of IC 7.1-7, has the meaning set forth in IC 7.1-7-2-17.~~

SECTION 2. IC 7.1-2-3-33, AS AMENDED BY P.L.214-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 33. The commission is authorized to:

(1) investigate a violation of; and

(2) enforce a penalty for a violation of;

IC 35-46-1-10, IC 35-46-1-10.2, IC 35-46-1-11, IC 35-46-1-11.2, **IC 35-46-1-11.4,** IC 35-46-1-11.5, IC 35-46-1-11.7, or IC 35-46-1-11.8.

SECTION 3. IC 7.1-3-18.5-2, AS AMENDED BY P.L.231-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A person who desires a certificate must provide the following to the commission:

(1) The applicant's name and mailing address and the address of the premises for which the certificate is being issued.

(2) Except as provided in section 6(c) of this chapter, a fee of two hundred dollars ($200).

(3) The name under which the applicant transacts or intends to transact business.

(4) The address of the applicant's principal place of business or headquarters, if any.

(5) The statement required under section 2.6 of this chapter.

(b) A separate certificate is required for each location where the tobacco products or electronic cigarettes are sold or distributed.

(c) A certificate holder shall conspicuously display the holder's certificate on the holder's premises where the tobacco products or electronic cigarettes are sold or distributed.

(d) Any intentional misstatement or suppression of a material fact in an application filed under this section constitutes grounds for denial of the certificate.

(e) A certificate may be issued only to a person who meets the following requirements:

(1) If the person is an individual, the person must be at least ~~eighteen (18)~~ **twenty-one (21)** years of age.

(2) The person must be authorized to do business in Indiana.

(3) The person has not had an interest in a certificate revoked by the commission for that business location within the preceding one (1) year.

(f) The fees collected under this section shall be deposited in the enforcement and administration fund under IC 7.1-4-10.

SECTION 4. IC 7.1-3-18.5-5, AS AMENDED BY P.L.214-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) Subject to subsection (b), the commission may suspend the certificate of a person who fails to pay a civil penalty imposed for violating IC 35-46-1-10, IC 35-46-1-10.2, IC 35-46-1-11, IC 35-46-1-11.2, **IC 35-46-1-11.4,** IC 35-46-1-11.5, IC 35-46-1-11.7, or IC 35-46-1-11.8.

(b) Before enforcing the imposition of a civil penalty or suspending or revoking a certificate under this chapter, the commission shall provide written notice of the alleged violation to the certificate holder and conduct a hearing. The commission shall provide written notice of the civil penalty or suspension or revocation of a certificate to the certificate holder.

(c) Subject to subsection (b), the commission shall revoke the certificate of a person upon a finding by a preponderance of the evidence that the person:

(1) has violated IC 35-45-5-3, IC 35-45-5-3.5, IC 35-45-5-4, IC 35-46-1-11, IC 35-46-1-11.2, **IC 35-46-1-11.4,** or IC 35-46-1-11.8;

(2) has committed habitual illegal sale of tobacco as established under ~~IC 35-46-1-10.2(h);~~ **IC 35-46-1-10.2(j);** or

(3) has committed habitual illegal entrance by a minor as established under IC 35-46-1-11.7(f).

SECTION 5. IC 7.1-3-18.5-6, AS AMENDED BY P.L.214-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) If a certificate has:

(1) expired; or

(2) been suspended;

the commission may not reinstate or renew the certificate until all civil penalties imposed against the certificate holder for violating IC 35-46-1-10, IC 35-46-1-10.2, IC 35-46-1-11, IC 35-46-1-11.2, **IC 35-46-1-11.4,** IC 35-46-1-11.5, IC 35-46-1-11.7, or IC 35-46-1-11.8 have been paid.

(b) The failure to pay a civil penalty described in subsection (a) is a Class B infraction.

(c) If a certificate has been revoked, the commission may not reinstate or renew the certificate for at least one hundred eighty (180) days after the date of revocation. The commission may reinstate or renew the certificate only upon a reasonable showing by the applicant that the applicant shall:

(1) exercise due diligence in the sale of tobacco products or electronic cigarettes on the applicant's premises where the tobacco products or electronic cigarettes are sold or distributed; and

(2) properly supervise and train the applicant's employees or agents in the handling and sale of tobacco products or electronic cigarettes.

If a certificate is reinstated or renewed, the applicant of the certificate shall pay an application fee of one thousand dollars ($1,000).

(d) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the youth tobacco education and enforcement fund established under IC 7.1-6-2-6.

SECTION 6. IC 7.1-3-18.5-8, AS AMENDED BY P.L.214-2016, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. The commission may mitigate civil penalties imposed against a certificate holder for violating IC 35-46-1-10, IC 35-46-1-10.2, IC 35-46-1-11, IC 35-46-1-11.2, **IC 35-46-1-11.4,** IC 35-46-1-11.5, IC 35-46-1-11.7, IC 35-46-1-11.8, or any of the provisions of this chapter if a certificate holder provides a training program for the certificate holder's employees that includes at least the following topics:

(1) Laws governing the sale of tobacco products and electronic cigarettes.

(2) Methods of recognizing and handling customers who are less than ~~eighteen (18)~~ **twenty-one (21)** years of age.

(3) Procedures for proper examination of identification cards to verify that customers are under ~~eighteen (18)~~ **twenty-one (21)** years of age.

SECTION 7. IC 7.1-3-18.5-9, AS AMENDED BY P.L.231-2015, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. A certificate holder shall exercise due diligence in the supervision and training of the certificate holder's employees or agents in the handling and sale of tobacco products and electronic cigarettes on the holder's retail premises. Proof that employees or agents of the certificate holder, while in the scope of their employment, committed at least six (6) violations relating to ~~IC 35-46-1-10.2(a)~~ **IC 35-46-1-10.2(b)** in any one ~~hundred eighty (180) day~~ **(1) year** period shall be prima facie evidence of a lack of due diligence by the certificate holder in the supervision and training of the certificate holder's employees or

agents.

SECTION 8. IC 7.1-5-12-5, AS AMENDED BY HEA 1210-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) Except as provided in subsection (c) and subject to section 13 of this chapter, smoking may be allowed in the following:

(1) A horse racing facility operated under a permit under IC 4-31-5 and any other permanent structure on land owned or leased by the owner of the facility that is adjacent to the facility.

(2) A riverboat (as defined in IC 4-33-2-17) and any other permanent structure that is:

(A) owned or leased by the owner of the riverboat; and

(B) located on land that is adjacent to:

(i) the dock to which the riverboat is moored; or

(ii) the land on which the riverboat is situated in the case of a riverboat described in IC 4-33-2-17(2).

(3) A facility that operates under a gambling game license under IC 4-35-5 and any other permanent structure on land owned or leased by the owner of the facility that is adjacent to the facility.

(4) A satellite facility licensed under IC 4-31-5.5.

(5) An establishment owned or leased by a business that meets the following requirements:

(A) The business was in business and permitted smoking on December 31, 2012.

(B) The business prohibits entry by an individual who is less than twenty-one (21) years of age.

(C) The owner or operator of the business holds a beer, liquor, or wine retailer's permit.

(D) The business limits smoking in the establishment to smoking with a waterpipe or hookah device.

(E) During the preceding calendar year, at least ten percent (10%) of the business's annual gross income was from the sale of loose tobacco for use in a waterpipe or hookah device.

(F) The person in charge of the business posts in the establishment conspicuous signs that display the message that cigarette smoking is prohibited.

(6) An establishment owned or leased by a business that meets the following requirements:

(A) The business prohibits entry by an individual who is less than twenty-one (21) years of age.

(B) The owner or operator of the business holds a beer, liquor, or wine retailer's permit.

(C) The business limits smoking in the establishment to cigar smoking.

(D) During the preceding calendar year, at least ten percent (10%) of the business's annual gross income was from the sale of cigars and the rental of onsite humidors.

(E) The person in charge of the business posts in the establishment conspicuous signs that display the message that cigarette smoking is prohibited.

(7) A premises owned or leased by and regularly used for the activities of a business that meets all of the following:

(A) The business is exempt from federal income taxation under 26 U.S.C. 501(c).

(B) The business:

(i) meets the requirements to be considered a club under IC 7.1-3-20-1; or

(ii) is a fraternal club (as defined in IC 7.1-3-20-7).

(C) The business provides food or alcoholic beverages only to its bona fide members and their guests.

(D) The business:

(i) provides a separate, enclosed, designated smoking room or area that is adequately ventilated to prevent migration of smoke to nonsmoking areas of the premises;

(ii) allows smoking only in the room or area described in item (i);

(iii) does not allow an individual who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age to enter into the room or area described in item (i); and

(iv) allows a guest in the smoking room or area described in item (i) only when accompanied by a bona fide member of the business.

(8) A retail tobacco store used primarily for the sale of tobacco products and tobacco accessories that meets the following requirements:

(A) The owner or operator of the store holds a valid tobacco sales certificate issued under IC 7.1-3-18.5.

(B) The store prohibits entry by an individual who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age.

(C) The sale of products other than tobacco products and tobacco accessories is merely incidental.

(D) The sale of tobacco products accounts for at least eighty-five percent (85%) of the store's annual gross sales.

(E) Food or beverages are not sold in a manner that requires consumption on the premises, and there is not an area set aside for customers to consume food or beverages on the premises.

(9) A bar or tavern:

(A) for which a permittee holds:

(i) a beer retailer's permit under IC 7.1-3-4;

(ii) a liquor retailer's permit under IC 7.1-3-9; or

(iii) a wine retailer's permit under IC 7.1-3-14;

(B) that does not employ an

individual who is less than eighteen (18) years of age;

(C) that does not allow an individual who:

(i) is less than twenty-one (21) years of age; and

(ii) is not an employee of the bar or tavern;

to enter any area of the bar or tavern; and

(D) that is not located in a business that would otherwise be subject to this chapter.

(10) A cigar manufacturing facility that does not offer retail sales.

(11) A premises of a cigar specialty store to which all of the following apply:

(A) The owner or operator of the store holds a valid tobacco sales certificate issued under IC 7.1-3-18.5.

(B) The sale of tobacco products and tobacco accessories account for at least fifty percent (50%) of the store's annual gross sales.

(C) The store has a separate, enclosed, designated smoking room that is adequately ventilated to prevent migration of smoke to nonsmoking areas.

(D) Smoking is allowed only in the room described in clause (C).

(E) Individuals who are less than ~~eighteen (18)~~ **twenty-one (21)** years of age are prohibited from entering into the room described in clause (C).

(F) Cigarette smoking is not allowed on the premises of the store.

(G) The owner or operator of the store posts a conspicuous sign on the premises of the store that displays the message that cigarette smoking is prohibited.

(H) The store does not prepare any food or beverage that would require a certified food ~~handler~~ **protection manager** under IC 16-42-5.2.

(12) The premises of a business that is located in the business owner's private residence (as defined in IC 3-5-2-42.5) if the only employees of the business who work in the residence are the owner and other individuals who reside in the residence.

(b) The owner, operator, manager, or official in charge of an establishment or premises in which smoking is allowed under this section shall post conspicuous signs in the establishment that read "WARNING: Smoking Is Allowed In This Establishment" or other similar language.

(c) This section does not allow smoking in the following enclosed areas of an establishment or premises described in subsection (a)(1) through (a)(11):

(1) Any hallway, elevator, or other common area where an individual who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age is permitted.

(2) Any room that is intended for use by an individual who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age.

(d) The owner, operator, or manager of an establishment or premises that is listed under subsection (a) and that allows smoking shall provide a verified statement to the commission that states that the establishment or premises qualifies for the exemption. The commission may require the owner, operator, or manager of an establishment or premises to provide documentation or additional information concerning the exemption of the establishment or premises.

SECTION 9. IC 7.1-6-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. The division of mental health and addiction established under IC 12-21 shall coordinate the conduct of random unannounced inspections at locations where tobacco products, **e-liquids, or electronic cigarettes** are sold or distributed to ensure compliance with this article. Only the commission, an Indiana law enforcement agency, the office of the sheriff of a county, or an organized police department of a municipal corporation may conduct the random unannounced inspections. These entities may use retired or off-duty law enforcement officers to conduct inspections under this section.

SECTION 10. IC 7.1-6-2-4, AS AMENDED BY P.L.20-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) An enforcement officer vested with full police powers and duties may engage a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age as part of an enforcement action under this article if the initial or contemporaneous receipt or purchase of a tobacco product, **e-liquid,** or electronic cigarette by a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age occurs under the direction of an enforcement officer vested with full police powers and duties and is part of the enforcement action.

(b) An enforcement officer vested with full police powers and duties shall not:

(1) recruit or attempt to recruit a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age to participate in an enforcement action under subsection (a) at the scene of a violation of section 2 of this chapter; or

(2) allow a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age to purchase or receive a tobacco product, **e-liquid,** or electronic cigarette as part of an enforcement action under subsection (a) without the written permission of the person's parents or legal guardians.

SECTION 11. IC 7.1-7-2-6.3, AS ADDED BY P.L.206-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.3. "Delivery sale" means a sale of ~~e-liquids~~ **an e-liquid** to a purchaser in Indiana in which the purchaser submits the order for the sale:

(1) by telephone;

(2) over the Internet; or

(3) through the mail or another delivery system;

and the ~~e-liquids are~~ **e-liquid is** shipped through a delivery service. "Delivery sale" does not include a sale of ~~e-liquids~~ **an e-liquid** not for personal consumption to a person who is a retailer.

SECTION 12. IC 7.1-7-2-17 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 17. "Minor" means an individual who is less than eighteen (18) years of age.~~

SECTION 13. IC 7.1-7-4-1, AS AMENDED BY P.L.206-2017, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A manufacturer of e-liquid may not mix, bottle, package, or sell e-liquid to retailers, consumers, or distributors in Indiana without a permit issued by the commission under this article.

(b) ~~All e-liquids~~ **An e-liquid** manufactured by an e-liquids manufacturer approved by the commission under this article before July 1, 2017, may be distributed and sold for retail until the expiration date of the ~~e-liquids.~~ **e-liquid.**

(c) A manufacturing permit issued by the commission is valid for five (5) years. A manufacturing permit issued by the commission under this article before July 1, 2017, does not expire before July 1, 2020.

(d) An initial application for a manufacturing permit must include the following:

(1) The name, telephone number, and address of the applicant.

(2) The name, telephone number, and address of the manufacturing facility.

(3) The name, telephone number, title, and address of the person responsible for the manufacturing facility.

(4) Verification that the facility will comply with applicable tobacco products good manufacturing practices promulgated under 21 U.S.C. 387f(e) of the federal Food, Drug, and Cosmetic Act.

(5) Verification that the manufacturer will comply with the applicable ingredient listing required by 21 U.S.C. 387d(a)(1) of the federal Food, Drug, and Cosmetic Act.

(6) Written consent allowing the state police department to conduct a state or national criminal history background check on any person listed on the application.

(7) A nonrefundable initial application fee of one thousand dollars ($1,000).

(e) The fees collected under subsection (d)(7) shall be deposited in the enforcement and administration fund established under IC 7.1-4-10.

SECTION 14. IC 7.1-7-5.5-1, AS ADDED BY P.L.206-2017, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. A retailer may not make a delivery sale of e-liquid to ~~a minor~~ **an individual who does not meet the minimum age requirement** as set forth in IC 7.1-7-6-5.

SECTION 15. IC 7.1-7-5.5-2, AS ADDED BY P.L.206-2017, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. A retailer may not ship ~~e-liquids~~ **an e-liquid** without first making a good faith effort to verify the age of the purchaser of the ~~e-liquids~~ **e-liquid** as set forth in IC 7.1-7-6-6.

SECTION 16. IC 7.1-7-5.5-3, AS ADDED BY P.L.206-2017, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Before ~~e-liquids are~~ **an e-liquid is** shipped in a delivery sale, a retailer must be fully paid for the purchase and shall accept payment from the purchaser:

(1) by a check drawn on an account in the purchaser's name;

(2) by a credit card issued in the purchaser's name; or

(3) by a debit card issued in the purchaser's name.

(b) A retailer may ship ~~e-liquids~~ **an e-liquid** only to a purchaser.

SECTION 17. IC 7.1-7-5.5-5, AS ADDED BY P.L.206-2017, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. A retailer who ships ~~e-liquids~~ **an e-liquid** from a delivery sale order shall include as part of the shipping documents a document with the following statement: "E-LIQUIDS: Indiana law prohibits the sale of this product to a person who is less than ~~18~~ **21** years of age.".

SECTION 18. IC 7.1-7-6-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 2. (a) This subsection does not apply to a delivery sale as defined in IC 7.1-7-2-6.3. If a retailer:~~

~~(1) knowingly and intentionally sells e-liquid to a minor; or~~

~~(2) knowingly, intentionally, or negligently fails to verify the age of a person who appears to be less than twenty-seven (27) years of age by checking a government issued identification and sells the person e-liquid;~~

~~the retailer commits a Class C infraction. For a sale to take place under this section, the buyer must pay the retail establishment for the e-liquid.~~

~~(b) Notwithstanding IC 34-28-5-4(c), a civil judgment for an infraction committed under this section must be imposed as follows:~~

~~(1) If the retail establishment at that specific business location has not been issued a citation or summons for a violation of this section in the previous one hundred eighty (180) days, a civil penalty of up to two hundred dollars ($200).~~

~~(2) If the retail establishment at that specific business location has had one (1) citation or summons issued for a violation of this section in the previous one hundred eighty (180) days, a civil penalty of up to four hundred dollars ($400).~~

~~(3) If the retail establishment at that specific business location has had two (2) citations or summonses issued for a violation of this section in the previous one hundred eighty (180) days, a civil penalty of up to seven hundred dollars ($700).~~

~~(4) If the retail establishment at that specific business location has had three (3) or more citations or summonses issued for a violation of this section in the previous one hundred eighty (180) days, a civil penalty of up to one thousand dollars ($1,000).~~

~~A retail establishment may not be issued a citation or summons for a violation of this section more than once every twenty-four (24) hours for each specific business location.~~

~~(c) It is not a defense that the person to whom e-liquid was sold or distributed did not inhale or otherwise consume e-liquid.~~

~~(d) The following defenses are available to a retail establishment accused of selling or distributing e-liquid to a person who is less than eighteen (18) years of age:~~

~~(1) The buyer or recipient produced a driver's license bearing the purchaser's or recipient's photograph showing that the purchaser or recipient was of legal age to make the purchase.~~

~~(2) The buyer or recipient produced a photographic identification card issued under IC 9-24-16-1 or a similar card issued under the laws of another state or the federal government showing that the purchaser or recipient was of legal age to make the purchase.~~

~~(3) The appearance of the purchaser or recipient was such that an ordinary prudent person would believe that the purchaser or recipient was not less than the age that complies with regulations promulgated by the federal Food and Drug Administration.~~

~~(e) It is a defense that the accused retail establishment sold or delivered e-liquid to a person who acted in the ordinary course of employment or a business concerning e-liquid:~~

~~(1) agriculture;~~

~~(2) processing;~~

~~(3) transporting;~~

~~(4) wholesaling; or~~

~~(5) retailing.~~

~~(f) As used in this section, "distribute" means to give e-liquid to another person as a means of promoting, advertising, or marketing e-liquid to the general public.~~

~~(g) Unless a person buys or receives e-liquid under the direction of a law enforcement officer as part of an enforcement~~

~~action, a retail establishment that sells or distributes e-liquid is not liable for a violation of this section unless the person less than eighteen (18) years of age who bought or received the e-liquid is issued a citation or summons in violation of this article.~~

~~(h) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund (IC 7.1-6-2-6).~~

~~(i) A person who violates subsection (a) at least six (6) times in any one hundred eighty (180) day period commits habitual illegal sale of e-liquid, a Class B infraction.~~

SECTION 19. IC 7.1-7-6-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.1. A person who sells or distributes an e-liquid to a person less than twenty-one (21) years of age may be in violation of IC 35-46-1.**

SECTION 20. IC 7.1-7-6-5, AS ADDED BY P.L.206-2017, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. A person who knowingly or intentionally makes a delivery sale of ~~e-liquids~~ **an e-liquid** to ~~a minor~~ **an individual who is less than twenty-one (21) years of age** commits a Class C infraction.

SECTION 21. IC 7.1-7-6-6, AS ADDED BY P.L.206-2017, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) As used in this section, "good faith effort to verify the age of ~~a~~ **the** purchaser of ~~e-liquids"~~ **the e-liquid"** means:

(1) verifying the age of the purchaser in a commercially available database; or

(2) obtaining a photocopy of a government issued identification;

that indicates the birth date or age of the purchaser.

(b) A person who knowingly or intentionally ships ~~e-liquids~~ **an e-liquid** without first making a good faith effort to verify the age of the purchaser of the ~~e-liquids~~ **e-liquid** commits a Class C infraction.

SECTION 22. IC 24-3-5-4, AS AMENDED BY P.L.160-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. Subject to section 4.5 of this chapter, a merchant may not mail or ship cigarettes as part of a delivery sale unless, before mailing or shipping the cigarettes, the merchant:

(1) obtains from the prospective customer a written statement signed by the prospective customer under penalty of perjury:

(A) providing the prospective customer's address and date of birth;

(B) advising the prospective customer that:

(i) signing another person's name to the statement required under this subdivision may subject the person to a civil monetary penalty of not more than one thousand dollars ($1,000); and

(ii) purchasing cigarettes by a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age is a Class C infraction under IC 35-46-1-10.5;

(C) confirming that the cigarette order was placed by the prospective customer;

(D) providing a warning under 15 U.S.C. 1333(a)(1); and

(E) stating the sale of cigarettes by delivery sale is a taxable event for purposes of IC 6-7-1;

(2) makes a good faith effort to verify the information in the written statement obtained under subdivision (1) by using a federal or commercially available data base; and

(3) receives payment for the delivery sale by a credit or debit card issued in the name of the prospective purchaser.

SECTION 23. IC 24-3-5-5, AS AMENDED BY P.L.160-2005, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) A merchant who mails or ships cigarettes as part of a delivery sale shall:

(1) use a mailing or shipping service that requires the customer or a person at least ~~eighteen (18)~~ **twenty-one (21)** years of age who is designated by the customer to:

(A) sign to accept delivery of the cigarettes; and

(B) present a valid operator's license issued under IC 9-24-3 or an identification card issued under IC 9-24-16 if the customer or the customer's designee, in the opinion of the delivery agent or employee of the mailing or shipping service, appears to be less than ~~twenty-seven (27)~~ **thirty (30)** years of age;

(2) provide to the mailing or shipping service used under subdivision (1) proof of compliance with section 6(a) of this chapter; and

(3) include the following statement in bold type or capital letters on an invoice or shipping document:

INDIANA LAW PROHIBITS THE MAILING OR SHIPPING OF CIGARETTES TO A PERSON LESS THAN ~~EIGHTEEN (18)~~ **TWENTY-ONE (21)** YEARS OF AGE AND REQUIRES PAYMENT OF ALL APPLICABLE TAXES.

(b) The commission may impose a civil penalty of not more than one thousand dollars ($1,000) if a mailing or shipping service:

(1) delivers cigarettes as part of a delivery sale without first receiving proof from the merchant of compliance with section 6(a) of this chapter; or

(2) fails to obtain a signature and proof of identification of the customer or the customer's designee under subsection (a)(1).

The commission shall deposit amounts collected under this subsection into the **Richard D. Doyle** youth tobacco education and enforcement fund established by IC 7.1-6-2-6.

(c) The following apply to a merchant that mails or ships cigarettes as part of a delivery sale without using a third party service as required by subsection (a)(1):

(1) The merchant shall require the customer or a person at least ~~eighteen (18)~~ **twenty-one (21)** years of age who is designated by the customer to:

(A) sign to accept delivery of the cigarettes; and

(B) present a valid operator's license issued under IC 9-24-3 or identification card issued under IC 9-24-16 if the customer or the customer's designee, in the opinion

of the merchant or the merchant's employee making the delivery, appears to be less than ~~twenty-seven (27)~~ **thirty (30)** years of age.

(2) The commission may impose a civil penalty of not more than one thousand dollars ($1,000) if the merchant:

(A) delivers the cigarettes without first complying with section 6(a) of this chapter; or

(B) fails to obtain a signature and proof of identification of the customer or the customer's designee under subdivision (1).

The commission shall deposit amounts collected under this subdivision into the **Richard D. Doyle** youth tobacco education and enforcement fund established by IC 7.1-6-2-6.

SECTION 24. IC 24-3-5-8, AS AMENDED BY P.L.160-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. The commission may impose a civil penalty of not more one thousand dollars ($1,000) on a:

(1) customer who signs another person's name to a statement required under section 4(1) of this chapter; or

(2) merchant who sells cigarettes by delivery sale to a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age.

The commission shall deposit amounts collected under this section into the **Richard D. Doyle** youth tobacco education and enforcement fund established by IC 7.1-6-2-6.

SECTION 25. IC 35-31.5-2-100, AS AMENDED BY P.L.185-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 100. (a) "Distribute", for purposes of IC 35-45-4-8, has the meaning set forth in IC 35-45-4-8.

(b) "Distribute", for purposes of IC 35-46-1-10, has the meaning set forth in ~~IC 35-46-1-10(c).~~ **IC 35-46-1-10(f).**

(c) "Distribute", for purposes of IC 35-46-1-10.2, has the meaning set forth in ~~IC 35-46-1-10.2(c).~~ **IC 35-46-1-10.2(g).**

(d) "Distribute", for purposes of IC 35-47.5, has the meaning set forth in IC 35-47.5-2-6.

(e) "Distribute", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-14.

(f) "Distribute", for purposes of IC 35-49, has the meaning set forth in IC 35-49-1-2.

SECTION 26. IC 35-31.5-2-107.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 107.5. "E-liquid", for purposes of IC 35-46-1, has the meaning set forth in IC 35-46-1-1.4.**

SECTION 27. IC 35-43-5-3.8, AS AMENDED BY P.L.158-2013, SECTION 473, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.8. (a) A person who knowingly or intentionally obtains, possesses, transfers, or uses the synthetic identifying information:

(1) with intent to harm or defraud another person;

(2) with intent to assume another person's identity; or

(3) with intent to profess to be another person;

commits synthetic identity deception, a Level 6 felony.

(b) The offense under subsection (a) is a Level 5 felony if:

(1) a person obtains, possesses, transfers, or uses the synthetic identifying information of more than one hundred (100) persons; or

(2) the fair market value of the fraud or harm caused by the offense is at least fifty thousand dollars ($50,000).

(c) The conduct prohibited in subsections (a) and (b) does not apply to:

(1) a person less than twenty-one (21) years of age who uses the synthetic identifying information of another person to acquire:

(A) an alcoholic beverage (as defined in IC 7.1-1-3-5); or

(B) a cigarette, e-liquid, or tobacco product (as defined in IC 6-7-2-5); or

(2) a minor (as defined in IC 35-49-1-4) who uses the synthetic identifying information of another person to acquire:

~~(A) a cigarette or tobacco product (as defined in IC 6-7-2-5);~~

~~(B)~~ **(A)** a periodical, a videotape, or other communication medium that contains or depicts nudity (as defined in IC 35-49-1-5);

~~(C)~~ **(B)** admittance to a performance (live or on film) that prohibits the attendance of the minor based on age; or

~~(D)~~ **(C)** an item that is prohibited by law for use or consumption by a minor.

(d) It is not a defense in a prosecution under subsection (a) or (b) that no person was harmed or defrauded.

SECTION 28. IC 35-46-1-1, AS AMENDED BY P.L.99-2007, SECTION 210, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. As used in this chapter:

"Dependent" means:

(1) an unemancipated person who is under eighteen (18) years of age; or

(2) a person of any age who has a mental or physical disability.

"Endangered adult" has the meaning set forth in IC 12-10-3-2.

"Support" means food, clothing, shelter, or medical care.

"Tobacco and vaping business" means a sole proprietorship, partnership, or other enterprise in which:

(1) the primary activity is the sale of:

(A) e-liquids;

(B) e-liquid accessories;

(C) electronic cigarettes;

(D) tobacco;

(E) tobacco products;

(F) tobacco accessories; or

(G) any combination of the products listed in clauses (A) through (F); and

(2) the sale of other products is incidental.

"Tobacco business" means a sole proprietorship, corporation, partnership, or other enterprise in which:

(1) the primary activity is the sale of tobacco, tobacco products, and tobacco accessories; and

(2) the sale of other products is incidental.

SECTION 29. IC 35-46-1-1.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.4. As used in this chapter, "e-liquid" has the meaning set forth in IC 7.1-7-2-10.**

SECTION 30. IC 35-46-1-10, AS AMENDED BY P.L.20-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) **A person may not be charged with a violation under this section and a violation under IC 7.1-7-6-5.**

(b) A person who knowingly:

(1) sells or distributes tobacco, **an e-liquid,** or an electronic cigarette to a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age; or
(2) purchases tobacco, **an e-liquid,** or an electronic cigarette for delivery to another person who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age;

commits a Class C infraction. For a sale to take place under this section, the buyer must pay the seller for the tobacco product, **the e-liquid,** or the electronic cigarette.

~~(b)~~ **(c)** It is not a defense that the person to whom the tobacco, **the e-liquid,** or electronic cigarette was sold or distributed did not smoke, chew, inhale, or otherwise consume the tobacco, **e-liquid,** or the electronic cigarette.

~~(c)~~ **(d)** The following defenses are available to a person accused of selling or distributing tobacco, **an e-liquid,** or an electronic cigarette to a person who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age:

(1) The buyer or recipient produced a driver's license bearing the purchaser's or recipient's photograph, showing that the purchaser or recipient was of legal age to make the purchase.
(2) The buyer or recipient produced a photographic identification card issued under IC 9-24-16-1, or a similar card issued under the laws of another state or the federal government, showing that the purchaser or recipient was of legal age to make the purchase.
(3) The appearance of the purchaser or recipient was such that an ordinary prudent person would believe that the purchaser or recipient was not less than ~~the age that complies with regulations~~ **thirty (30) years of age.** ~~promulgated by the federal Food and Drug Administration.~~

~~(d)~~ **(e)** It is a defense that the accused person sold or delivered the tobacco, **e-liquid,** or electronic cigarette to a person who acted in the ordinary course of employment or a business concerning tobacco, **an e-liquid,** or electronic cigarettes **including the following activities:**

(1) Agriculture.
(2) Processing.
(3) Transporting.
(4) Wholesaling. ~~or~~
(5) Retailing.

~~(e)~~ **(f)** As used in this section, "distribute" means to give tobacco, **an e-liquid,** or an electronic cigarette to another person as a means of promoting, advertising, or marketing the tobacco, **e-liquid,** or electronic cigarette to the general public.

~~(f)~~ **(g)** Unless the person buys or receives tobacco, **an e-liquid,** or an electronic cigarette under the direction of a law enforcement officer as part of an enforcement action, a person who sells or distributes tobacco, **an e-liquid,** or an electronic cigarette is not liable for a violation of this section unless the person less than ~~eighteen (18)~~ **twenty-one (21)** years of age who bought or received the tobacco, **e-liquid,** or electronic cigarette is issued a citation or summons under section 10.5 of this chapter.

~~(g)~~ **(h)** Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund (IC 7.1-6-2-6).

SECTION 31. IC 35-46-1-10.2, AS AMENDED BY P.L.20-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.2. (a) **A person may not be charged with a violation under this section and a violation under IC 7.1-7-6-5.**

(b) A retail establishment that sells or distributes tobacco, **an e-liquid,** or an electronic cigarette to a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age commits a Class C infraction. For a sale to take place under this section, the buyer must pay the retail establishment for the tobacco product, **an e-liquid,** or electronic cigarette.

(c) Notwithstanding IC 34-28-5-4(c), a civil judgment for an infraction committed under this section must be imposed as follows:

(1) If the retail establishment at that specific business location has not been issued a citation or summons for a violation of this section in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~two~~ **four** hundred dollars ~~($200).~~ **($400).**
(2) If the retail establishment at that specific business location has had one (1) citation or summons issued for a violation of this section in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~four~~ **eight** hundred dollars ~~($400).~~ **($800).**
(3) If the retail establishment at that specific business location has had two (2) citations or summonses issued for a violation of this section in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~seven~~ **one thousand four** hundred dollars ~~($700).~~ **($1,400).**
(4) If the retail establishment at that specific business location has had three (3) or more citations or summonses issued for a violation of this section in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~one~~ **two** thousand dollars ~~($1,000).~~ **($2,000).**

A retail establishment may not be issued a citation or summons for a violation of this section more than once every twenty-four (24) hours for each specific business location.

~~(b)~~ **(d)** It is not a defense that the person to whom the tobacco, **an e-liquid,** or electronic cigarette was sold or distributed did not smoke, chew, inhale, or otherwise consume the tobacco, **e-liquid,** or electronic cigarette.

~~(c)~~ **(e)** The following defenses are available to a retail establishment accused of selling or distributing tobacco, **an e-liquid,** or an electronic cigarette to a person who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age:

(1) The buyer or recipient produced a driver's license bearing the purchaser's or recipient's photograph showing that the purchaser or recipient was of legal age to make the purchase.
(2) The buyer or recipient produced a photographic identification card issued under IC 9-24-16-1 or a similar card issued under the laws of another state or the federal government showing that the purchaser or recipient was of legal age to make the purchase.
(3) The appearance of the purchaser or recipient was such that an ordinary prudent person would believe that the purchaser or recipient was not less than ~~the age that complies with regulations~~ **thirty (30) years of age.** ~~promulgated by the federal Food and Drug Administration.~~

~~(d)~~ **(f)** It is a defense that the accused retail establishment sold or delivered the tobacco, **e-liquid,** or electronic cigarette to a person who acted in the ordinary course of employment or a business concerning tobacco, **an e-liquid,** or electronic cigarettes **for the following activities:**

(1) Agriculture.
(2) Processing.
(3) Transporting.
(4) Wholesaling. ~~or~~
(5) Retailing.

~~(e)~~ **(g)** As used in this section, "distribute" means to give tobacco, **an e-liquid,** or an electronic cigarette to another person as a means of promoting, advertising, or marketing the

tobacco or electronic cigarette to the general public.

~~(f)~~ **(h)** Unless a person buys or receives tobacco, **an e-liquid,** or an electronic cigarette under the direction of a law enforcement officer as part of an enforcement action, a retail establishment that sells or distributes tobacco, **an e-liquid,** or an electronic cigarette is not liable for a violation of this section unless the person less than ~~eighteen (18)~~ **twenty-one (21)** years of age who bought or received the tobacco, **an e-liquid,** or electronic cigarette is issued a citation or summons under section 10.5 of this chapter.

~~(g)~~ **(i)** Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund (IC 7.1-6-2-6).

~~(h)~~ **(j)** A person who violates subsection ~~(a)~~ **(b)** at least six (6) times in any one ~~hundred eighty (180) day period~~ **(1) year** commits habitual illegal sale of tobacco, a Class B infraction.

SECTION 32. IC 35-46-1-10.5, AS AMENDED BY P.L.20-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.5. (a) A person less than ~~eighteen (18)~~ **twenty-one (21)** years of age who:

(1) purchases tobacco, **an e-liquid,** or an electronic cigarette;

(2) accepts tobacco, **an e-liquid,** or an electronic cigarette for personal use; or

(3) possesses tobacco, **an e-liquid,** or an electronic cigarette on ~~his~~ **the person's** person;

commits a Class C infraction.

(b) It is a defense under subsection (a) that the accused person acted in the ordinary course of employment in a business concerning tobacco, **an e-liquid,** or **an** electronic ~~cigarettes.~~ **cigarette for the following activities:**

(1) Agriculture.

(2) Processing.

(3) Transporting.

(4) Wholesaling. ~~or~~

(5) Retailing.

SECTION 33. IC 35-46-1-11, AS AMENDED BY P.L.20-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) A tobacco or electronic cigarette vending machine that is located in a public place must bear the following conspicuous notices:

(1) A notice:

(A) that reads as follows, with the capitalization indicated: "If you are under ~~18~~ **21** years of age, YOU ARE FORBIDDEN by Indiana law to buy tobacco or electronic cigarettes from this machine."; or

(B) that:

(i) conveys a message substantially similar to the message described in clause (A); and

(ii) is formatted with words and in a form authorized under the rules adopted by the alcohol and tobacco commission.

(2) A notice that reads as follows, "Smoking by Pregnant Women May Result in Fetal Injury, Premature Birth, and Low Birth Weight.".

(3) A notice printed in letters and numbers at least one-half (1/2) inch high that displays a toll free phone number for assistance to callers in quitting smoking, as determined by the state department of health.

(b) A person who owns or has control over a tobacco or electronic cigarette vending machine in a public place and who:

(1) fails to post a notice required by subsection (a) on the vending machine; or

(2) fails to replace a notice within one (1) month after it is removed or defaced;

commits a Class C infraction.

(c) An establishment selling tobacco or electronic cigarettes at retail shall post and maintain in a conspicuous place, at the point of sale, the following:

(1) Signs printed in letters at least one-half (1/2) inch high, reading as follows:

(A) "The sale of tobacco or electronic cigarettes to persons under ~~18~~ **21** years of age is forbidden by Indiana law.".

(B) "Smoking by Pregnant Women May Result in Fetal Injury, Premature Birth, and Low Birth Weight.".

(2) A sign printed in letters and numbers at least one-half (1/2) inch high that displays a toll free phone number for assistance to callers in quitting smoking, as determined by the state department of health.

(d) A person who:

(1) owns or has control over an establishment selling tobacco or electronic cigarettes at retail; and

(2) fails to post and maintain the sign required by subsection (c);

commits a Class C infraction.

SECTION 34. IC 35-46-1-11.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11.2. (a) This section does not apply to a tobacco business:

(1) operating as a tobacco business before April 1, 1996; ~~or~~

(2) that ~~begins~~ **began** operating as a tobacco business after April 1, 1996, if at the time the tobacco business ~~begins operation~~ **began operating** the tobacco business ~~is~~ **was** not located in an area prohibited under this section; **or**

(3) that began operating after June 30, 2020.

(b) A person may not operate a tobacco business within two hundred (200) feet of a public or private elementary or secondary school, as measured between the nearest point of the premises occupied by the tobacco business and the nearest point of a building used by the school for instructional purposes.

(c) A person who violates this section commits a Class C misdemeanor.

SECTION 35. IC 35-46-1-11.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 11.4. (a) This section does not apply to a tobacco and vaping business:**

(1) operating as a tobacco and vaping business before July 1, 2020; or

(2) that began operating as a tobacco and vaping business after June 30, 2020, if at the time the tobacco and vaping business began operating the tobacco and vaping business was not located in an area prohibited under this section.

(b) A person may not operate a tobacco and vaping business within one thousand (1,000) feet of a public or private elementary or secondary school, as measured between the nearest point of the premises occupied by the tobacco and vaping business and the nearest point of a building used by the school for instructional purposes.

(c) A person who violates this section commits a Class C misdemeanor.

SECTION 36. IC 35-46-1-11.5, AS AMENDED BY P.L.20-2013, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11.5. (a)

Except for a coin machine that is placed in or directly adjacent to an entranceway or an exit, or placed in a hallway, a restroom, or another common area that is accessible to persons who are less than ~~eighteen (18)~~ **twenty-one (21)** years of age, this section does not apply to a coin machine that is located in the following:

(1) That part of a licensed premises (as defined in IC 7.1-1-3-20) where entry is limited to persons who are at least ~~eighteen (18)~~ **twenty-one (21)** years of age.

(2) Private industrial or office locations that are customarily accessible only to persons who are at least ~~eighteen (18)~~ **twenty-one (21)** years of age.

(3) Private clubs if the membership is limited to persons who are at least ~~eighteen (18)~~ **twenty-one (21)** years of age.

(4) Riverboats where entry is limited to persons who are at least twenty-one (21) years of age and on which lawful gambling is authorized.

(b) As used in this section, "coin machine" has the meaning set forth in IC 35-43-5-1.

(c) Except as provided in subsection (a), an owner of a retail establishment may not:

(1) distribute or sell tobacco or electronic cigarettes by use of a coin machine; or

(2) install or maintain a coin machine that is intended to be used for the sale or distribution of tobacco or electronic cigarettes.

(d) An owner of a retail establishment who violates this section commits a Class C infraction. A citation or summons issued under this section must provide notice that the coin machine must be moved within two (2) business days. Notwithstanding IC 34-28-5-4(c), a civil judgment for an infraction committed under this section must be imposed as follows:

(1) If the owner of the retail establishment has not been issued a citation or summons for a violation of this section in the previous ninety (90) days, a civil penalty of fifty dollars ($50).

(2) If the owner of the retail establishment has had one (1) citation or summons issued for a violation of this section in the previous ninety (90) days, a civil penalty of two hundred fifty dollars ($250).

(3) If the owner of the retail establishment has had two (2) citations or summonses issued for a violation of this section in the previous ninety (90) days for the same machine, the coin machine shall be removed or impounded by a law enforcement officer having jurisdiction where the violation occurs.

An owner of a retail establishment may not be issued a citation or summons for a violation of this section more than once every two (2) business days for each business location.

(e) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund established under IC 7.1-6-2-6.

SECTION 37. IC 35-46-1-11.7, AS AMENDED BY P.L.94-2008, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11.7. (a) A retail establishment ~~that has as its~~ **in which tobacco products, electronic cigarettes, and e-liquids account for at least eighty-five percent (85%) of the retail establishment's gross sales** ~~primary purpose the sale of tobacco products,~~ may not allow an individual who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age to enter the retail establishment.

(b) An individual who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age may not enter a retail establishment described in subsection (a).

(c) A retail establishment described in subsection (a) must conspicuously post on all entrances to the retail establishment the following:

(1) A sign in boldface type that states "NOTICE: It is unlawful for a person less than ~~18~~ **21** years old to enter this store.".

(2) A sign printed in letters and numbers at least one-half (1/2) inch high that displays a toll free phone number for assistance to callers in quitting smoking, as determined by the state department of health.

(d) A person who violates this section commits a Class C infraction. Notwithstanding IC 34-28-5-4(c), a civil judgment for an infraction committed under this section must be imposed as follows:

(1) If the person has not been cited for a violation of this section in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~two~~ **four** hundred dollars ~~($200).~~ **($400).**

(2) If the person has had one (1) violation in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~four~~ **eight** hundred dollars ~~($400).~~ **($800).**

(3) If the person has had two (2) violations in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~seven~~ **one thousand four** hundred dollars ~~($700).~~ **($1,400).**

(4) If the person has had three (3) or more violations in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~one~~ **two** thousand dollars ~~($1,000).~~ **($2,000).**

A person may not be cited more than once every twenty-four (24) hours.

(e) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund established under IC 7.1-6-2-6.

(f) A person who violates subsection (a) at least six (6) times in any one ~~hundred eighty (180) day~~ **(1) year** period commits habitual illegal entrance by a minor, a Class B infraction.

SECTION 38. IC 35-46-1-11.8, AS AMENDED BY P.L.20-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11.8. (a) As used in this section, "self-service display" means a display that contains tobacco or electronic cigarettes in an area where a customer:

(1) is permitted; and

(2) has access to the tobacco or electronic cigarettes without assistance from a sales person.

(b) This section does not apply to a self-service display located in a retail establishment: ~~that:~~

(1) ~~has a primary purpose to sell tobacco or electronic cigarettes;~~ **in which tobacco products, electronic cigarettes, and e-liquids account for at least eighty-five percent (85%) of the retail establishment's gross sales;** and

(2) **that** prohibits entry by persons who are less than ~~eighteen (18)~~ **twenty-one (21)** years of age.

(c) The owner of a retail establishment that sells or distributes tobacco or electronic cigarettes through a self-service display, other than a coin operated machine operated under IC 35-46-1-11 or IC 35-46-1-11.5, commits a Class C infraction.

(d) Notwithstanding IC 34-28-5-5(c), civil penalties

collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund (IC 7.1-6-2-6).

SECTION 39. IC 35-46-1-11.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 11.9. A person who knowingly sells tobacco, an e-liquid, or an electronic cigarette that contains vitamin E acetate commits a Class B infraction.**

(Reference is to ESB 1 as reprinted March 3, 2020.)

CHARBONNEAU	KIRCHHOFER
STOOPS	SHACKLEFORD
Senate Conferees	House Conferees

Roll Call 385: yeas 77, nays 16. Report adopted.

Representative Soliday, who had been present, is now excused.

Representative Negele, who had been excused, is now present.

CONFERENCE COMMITTEE REPORT
ESB 47–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 47 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 24-4-18-1, AS AMENDED BY P.L.112-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) As used in this chapter, "criminal history information" means information:

(1) concerning:

(A) a criminal conviction in Indiana; **or**

(B) an Indiana civil protection order under IC 34-26-5; and

(2) available in records kept by a clerk of a circuit, superior, city, or town court with jurisdiction in Indiana.

(b) The term consists of the following:

(1) Identifiable descriptions and notations of arrests, indictments, informations, or other formal criminal charges.

(2) Protection order records (as defined in IC 34-26-7.5-2).

~~(2)~~ **(3)** Information, including a photograph, regarding a sex or violent offender (as defined in IC 11-8-8-5) obtained through sex or violent offender registration under IC 11-8-8.

~~(3)~~ **(4)** Any disposition, including sentencing, and correctional system intake, transfer, and release.

~~(4)~~ **(5)** A photograph of the person who is the subject of the information described in ~~subdivisions (1) through (3).~~ **this subsection.**

(c) The term includes fingerprint information described in IC 10-13-3-24(f).

SECTION 2. IC 34-6-2-121.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 121.7. "Protection order records", for purposes of IC 34-26-7.5, has the meaning set forth in IC 34-26-7.5-2.**

SECTION 3. IC 34-26-7.5-1, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. This chapter applies to a person named as the subject of a protection order, and if one (1) of the following applies:

(1) A protection order was issued to the plaintiff, but is subsequently terminated due to the:

(A) dismissal of the petition before a court hearing on the protection order;

(B) denial of the protection order upon the order of the court; or

(C) failure of the plaintiff to appear to the court hearing on the protection order.

(2) A protection order was reversed or vacated by an appellate court.

(3) A petition for a protection order was filed but the court did not grant the petition.

SECTION 4. IC 34-26-7.5-2, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. The following definitions apply throughout this chapter:

(1) "Protection order" means an Indiana civil protection order under IC 34-26-5. The term includes an order for protection and an order for protection ex parte.

(2) "Protection order records" means an Indiana civil protection order under IC 34-26-5 and all records that relate to the protection order, including the petition for the protection order.

~~(2)~~ **(3)** "Subject of a protection order" means the person against whom a protection order was issued.

~~(3)~~ **(4)** "Plaintiff" means the person for whom a protection order was issued.

~~(4)~~ **(5)** "Expungement" means the sealing of protection order ~~court~~ records from public inspection, but not from a law enforcement agency or the court.

SECTION 5. IC 34-26-7.5-3, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) At any time after a court dismisses or denies an order for protection following issuance of an order for protection ex parte, as described in section 1(1) of this chapter, the subject of the protection order may petition to expunge ~~the~~ protection order **records:**

(1) with the court that issued or denied the protection order; and

(2) in the cause the protection order was issued under.

(b) A petition seeking to expunge ~~a~~ protection order **records** must be filed under seal, verified, and include the following information:

(1) The petitioner's full name.

(2) The petitioner's date of birth.

(3) The petitioner's address.

(4) The case number or court cause number, if available.

(5) The petitioner's Social Security number.

(6) The petitioner's driver's license number.

(7) The date of the order for protection or order for protection ex parte, if applicable.

(8) A description of why the petitioner is entitled to relief, including all relevant dates.

(9) Certified copies of the following, if applicable:

(A) The order for protection.
(B) The order for protection ex parte.
(C) The order denying an order for protection.
(D) The opinion from the appellate court reversing or vacating an order for protection or an order for protection ex parte.

(c) The petition may include any other information that the petitioner believes may assist the court.

SECTION 6. IC 34-26-7.5-5, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. The petitioner bears the burden of proof in a proceeding to expunge ~~a~~ protection order **records.** The court shall order the protection order **records** expunged if the petitioner proves by a preponderance of the evidence that the petitioner is entitled to relief.

SECTION 7. IC 34-26-7.5-6, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) If a court orders ~~a~~ protection order **records** expunged under this chapter, the court shall do the following with respect to the specific records expunged by the court:

(1) Order the office of judicial administration to remove the protection order from the Indiana protective order registry established under IC 5-2-9-5.5.
(2) Redact or permanently seal the court's own records relating to the protection order.

(b) If an appellate court reverses or vacates a protection order, and the protection order is then expunged, the appellate court shall:

(1) redact the opinion or memorandum decision as it appears on the computer gateway administered by the office of technology so that it does not include the name of the subject of the protection order (in the same manner that opinions involving juveniles are redacted); and
(2) provide a redacted copy of the opinion to any publisher or organization to whom the opinion or memorandum decision is provided after the date of the order of expungement.

The supreme court and the court of appeals are not required to redact, destroy, or otherwise dispose of any existing copy of an opinion or memorandum decision that includes the name of the subject of the protection order.

SECTION 8. IC 34-26-7.5-7, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. A petitioner whose ~~record is~~ **protection order records are** expunged under this chapter:

(1) shall be treated as if the protection order **and petition for protection order** had never been filed; and
(2) may answer truthfully to a question from the petitioner's employer or prospective employer that a petition or order of protection has never been filed against the petitioner.

SECTION 9. IC 35-38-9-2, AS AMENDED BY P.L.219-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Except as provided in subsection (b) and section 8.5 of this chapter, this section applies only to a person convicted of a misdemeanor, including a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) reduced to a misdemeanor.

(b) This section does not apply to the following:

(1) A person convicted of two (2) or more felony offenses that:
(A) involved the unlawful use of a deadly weapon; and
(B) were not committed as part of the same episode of criminal conduct.
(2) A sex or violent offender (as defined in IC 11-8-8-5).

(c) Not earlier than five (5) years after the date of conviction (unless the prosecuting attorney consents in writing to an earlier period) **for the misdemeanor or the felony reduced to a misdemeanor pursuant to IC 35-38-1-1.5 or IC 35-50-2-7,** the person convicted of the misdemeanor **or the felony reduced to a misdemeanor** may petition a court to expunge all conviction records, including records contained in:

(1) a court's files;
(2) the files of the department of correction;
(3) the files of the bureau of motor vehicles; and
(4) the files of any other person who provided treatment or services to the petitioning person under a court order;

that relate to the person's misdemeanor conviction, including records of a collateral action.

(d) A person who files a petition to expunge conviction records, including any records relating to the conviction and any records concerning a collateral action, shall file the petition in a circuit or superior court in the county of conviction.

(e) If the court finds by a preponderance of the evidence that:

(1) the period required by this section has elapsed;
(2) no charges are pending against the person;
(3) the person has paid all fines, fees, and court costs, and satisfied any restitution obligation placed on the person as part of the sentence; and
(4) the person has not been convicted of a crime within the previous five (5) years (or within a shorter period agreed to by the prosecuting attorney if the prosecuting attorney has consented to a shorter period under subsection (c));

the court shall order the conviction records described in subsection (c), including any records relating to the conviction and any records concerning a collateral action, expunged in accordance with section 6 of this chapter.

SECTION 10. IC 35-38-9-9.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9.5. (a) This section applies to a collateral action adjudicated or conducted in a county other than the county in which a court granted an expungement.**

(b) Upon receipt of a request to expunge records related to a collateral action and a properly certified expungement order, a circuit or superior court in the county in which the collateral action occurred shall:

(1) notify the prosecuting attorney of the county in which the court is located of the request to expunge records related to a collateral action and set the matter for hearing; or
(2) if it conclusively appears from the court's records that the person is entitled to expungement as described in subsection (c), order the records expunged without a hearing.

(c) The circuit or superior court in the county in which the collateral action was adjudicated or conducted shall order records of the collateral action expunged (for an expungement granted under sections 1 through 3 of this chapter) or marked as expunged (for an expungement granted under sections 4 through 5 of this chapter), unless

the court finds that the collateral action does not relate to the expunged arrest or conviction.

(d) A request to expunge records of a collateral action may be made at any time after the original expungement order is issued.

(e) A request to expunge records shall be filed under the cause number of the collateral action, if applicable. A person who requests expungement of records of a collateral action under this section is not required to pay a filing fee, even if the request is filed under a new cause of action.

SECTION 11. IC 35-38-9-10, AS AMENDED BY P.L.219-2019, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) This section does not apply to a person to whom sealed records may be disclosed under section 6(a)(3) of this chapter. **With respect to a person seeking employment with a law enforcement agency or a probation or community corrections department, including volunteer employment, subsections (b), (d), (e), and (f) do not apply to the law enforcement agency or the probation or community corrections department.**

(b) It is unlawful discrimination for any person to:

(1) suspend;
(2) expel;
(3) refuse to employ;
(4) refuse to admit;
(5) refuse to grant or renew a license, permit, or certificate necessary to engage in any activity, occupation, or profession; or
(6) otherwise discriminate against;

any person because of a conviction or arrest record expunged or sealed under this chapter.

(c) Except as provided in section 6(f) of this chapter, the civil rights of a person whose conviction has been expunged shall be fully restored, including the right to vote, to hold public office, to be a proper person under IC 35-47-1-7(2), and to serve as a juror.

(d) In any application for employment, a license, or other right or privilege, a person may be questioned about a previous criminal record only in terms that exclude expunged convictions or arrests, such as: "Have you ever been arrested for or convicted of a crime that has not been expunged by a court?".

(e) A person whose record is expunged shall be treated as if the person had never been convicted of the offense. However, upon a subsequent arrest or conviction for an unrelated offense, the prior expunged conviction:

(1) may be considered by the court in determining the sentence imposed for the new offense;
(2) is a prior unrelated conviction for purposes of:
    (A) a habitual offender enhancement; and
    (B) enhancing the new offense based on a prior conviction; and
(3) may be admitted as evidence in the proceeding for a new offense as if the conviction had not been expunged.

(f) Any person that discriminates against a person as described in subsection (b) commits a Class C infraction and may be held in contempt by the court issuing the order of expungement or by any other court of general jurisdiction. Any person may file a written motion of contempt to bring an alleged violation of this section to the attention of a court. In addition, the person is entitled to injunctive relief.

(g) In any judicial or administrative proceeding alleging negligence or other fault, an order of expungement may be introduced as evidence of the person's exercise of due care in hiring, retaining, licensing, certifying, admitting to a school or program, or otherwise transacting business or engaging in activity with the person to whom the order of expungement was issued.

(h) A conviction, including any records relating to the conviction and any records concerning a collateral action, that has been expunged under this chapter is not admissible as evidence in an action for negligent hiring, admission, or licensure against a person or entity who relied on the order.

(i) An expungement case, and all documents filed in the case, becomes confidential when the court issues the order granting the petition. However, until the court issues the order granting the petition, documents filed in the case are not confidential, and any hearing held in the case shall be open.

SECTION 12. **An emergency is declared for this act.**

(Reference is to ESB 47 as printed February 28, 2020.)

FREEMAN	YOUNG, J.
YOUNG, M.	PIERCE
Senate Conferees	House Conferees

Roll Call 386: yeas 89, nays 4. Report adopted.

Representatives Barrett and Jackson, who had been present, are now excused.

CONFERENCE COMMITTEE REPORT
ESB 80–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 80 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Page 6, after line 25, begin a new paragraph and insert:

"SECTION 1. IC 34-30-14-2, AS AMENDED BY P.L.166-2007, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 2. If compliance with sections 3 and 4 of this chapter has occurred, a school administrator, teacher, or other school employee designated by the school administrator, after consultation with the school nurse, who in good faith administers to a pupil:

(1) a nonprescription medication in compliance with the written permission of the pupil's parent or guardian, except in the case of a life threatening emergency;
(2) a legend drug (as defined in IC 16-18-2-199) ~~and including~~ **or** injectable insulin in compliance with the:
    (A) written order of a practitioner; and
    (B) written permission of the pupil's parent or guardian, except in the case of a life threatening emergency;
(3) a glucose test in compliance with the written order of a practitioner;
(4) health care services, basic life support, or other services that require the administrator, teacher, or employee to place the administrator's, teacher's, or employee's hands on the pupil for therapeutic or sanitary purposes; or
(5) any combination of subdivisions (1) through (4);

is not personally liable for civil damages for any act that is incident to or within the scope of the duties of the employee as a result of the administration except for an act or omission amounting to gross negligence or willful and wanton misconduct.

SECTION 2. IC 5-10-5.5-0.1, AS AMENDED BY SEA 181-2020, SECTION 1, AND AS AMENDED BY SEA 406-2020, SECTION 1, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.1. (a) As used in this section, "plan" refers to the state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan established by section 2 of this chapter.

(b) The following amendments to this chapter apply as follows:

(1) The addition of section 7.5 of this chapter by P.L.180-2007 applies after June 30, 2007, to active participants of the plan.

(2) The amendments made to section 8 of this chapter by P.L.180-2007 apply after June 30, 2007, to active participants of the plan.

(3) The amendments made to sections 10, 11, and 12 of this chapter by P.L.180-2007 apply to participants of the plan who retire after June 30, 2007.

(4) The amendments made to sections 7 and 13.5 of this chapter by P.L.180-2007 apply to participants of the plan who become disabled after June 30, 2007.

(5) The addition of section 22 of this chapter by P.L.128-2008 applies only to a participant in the plan who is in active service after June 30, 2008.

(6) The amendments made to sections 9 and 10 of this chapter by P.L.128-2008 apply only to a participant in the plan who is in active service after June 30, 2008.

(7) The amendments made to section 22 of this chapter during the 2020 regular session of the general assembly apply only to a participant who:

(A) enters the DROP, before, on, or after June 30, 2020; and

(B) dies after June 30, 2020.

(c) Notwithstanding any other law, if a participant dies in the line of duty after January 31, 2018, and before April 1, 2020, and a survivors' benefit is paid under section 17(b) of this chapter to the participant's survivor, either:

(1) the survivor may repay the full amount distributed under section 17(b) of this chapter and the board shall provide the full annual survivors' allowance allowed under section 16.6 of this chapter; or

(2) the board may adjust the amount of the full annual survivors' allowance allowed under section 16.6 of this chapter to account for any amount distributed under section 17(b) of this chapter.

SECTION 3. IC 34-30-2-24.2, AS AMENDED BY SEA 267-2020, SECTION 10, AND AS AMENDED BY SEA 343-2020, SECTION 23, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 24.2. (a) IC 8-1-2.8-25 (Concerning InTRAC or a local exchange company for the development, adoption, implementation, maintenance, or operation of dual party relay services or telecommunications devices).

(b) IC 8-1-17.5-16 (Concerning a member or director of a rural electric membership corporation or ~~*telephone*~~ *communications* cooperative corporation that is merged or consolidated).

~~*(c) IC 8-1-19.5-10 (Concerning a recognized 211 service provider and its employees, directors, officers, and agents for injuries or loss to persons or property as a result of an act or omission in connection with developing and providing 211 services).*~~

SECTION 4. IC 35-40.5-4-2, AS ADDED BY SEA 146-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. Before a provider commences a forensic medical examination, or as soon as possible, the provider shall inform the victim of the following:

(1) The victim's rights under this article and other relevant law in a document to be developed by the state sexual assault response team, ~~as described in IC 16-21-8-2,~~ which shall be signed by the victim to confirm receipt, unless the victim has already been provided with the document under IC 35-40.5-5-1.

(2) The victim's right to speak with a victim advocate or victim service provider. If a victim advocate or victim service provider is not available, a victim has the right to speak with victims assistance or a social worker.

SECTION 5. IC 35-40.5-5-1, AS ADDED BY SEA 146-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. Before a law enforcement officer commences an interview of a victim, the law enforcement officer shall inform the victim of the following:

(1) The victim's rights under this article and other relevant law in a document to be developed by the state sexual assault response team, ~~as described in IC 16-21-8-2,~~ which shall be signed by the victim to confirm receipt, unless the victim has already been provided with the document under IC 35-40.5-4-2.

(2) The victim's right to speak with a victim advocate or victim service provider during the course of the investigation, and that the victim has the right to speak to victims assistance or a social worker if a victim advocate or victim service provider is not available.

SECTION 6. IC 35-40.5-7-1, AS ADDED BY SEA 146-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Upon initial interaction with a victim, a law enforcement officer or provider shall provide the victim with a document developed by the state sexual assault response team ~~as described in IC 16-21-8-2,~~ that explains the rights of victims:

(1) under this article and other relevant law;

(2) in a format accessible to persons with visual disabilities; and

(3) in English, Spanish, and German.

(b) The document described in subsection (a) shall include the following:

(1) A clear statement that a victim is not required to receive a medical evidentiary or physical examination in order to retain the rights provided under this article or any other relevant law.

(2) Information concerning state and federal victim compensation funds for medical and other costs associated with the sexual assault.

SECTION 7. IC 5-10-8-7.3, AS AMENDED BY HEA 1176-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 7.3. (a) As used in this section, "covered individual" means an individual who is:

(1) covered under a self-insurance program established under section 7(b) of this chapter to provide group health coverage; or

(2) entitled to services under a contract with a prepaid health care delivery plan that is entered into or renewed under section 7(c) of this chapter.

(b) As used in this section, "early intervention services"

means services provided to a first steps child under IC 12-12.7-2 and 20 U.S.C. 1432(4).

(c) As used in this section, "first steps child" means an infant or toddler from birth through two (2) years of age who is enrolled in the Indiana first steps program and is a covered individual.

(d) As used in this section, "first steps program" refers to the program established under IC 12-12.7-2 and 20 U.S.C. 1431 et seq. to meet the needs of:

(1) children who are eligible for early intervention services; and

(2) their families.

The term includes the coordination of all available federal, state, local, and private resources available to provide early intervention services within Indiana.

(e) As used in this section, "health benefits plan" means a:

(1) self-insurance program established under section 7(b) of this chapter to provide group health coverage; or

(2) contract with a prepaid health care delivery plan that is entered into or renewed under section 7(c) of this chapter.

(f) A health benefits plan that provides coverage for early intervention services shall reimburse the first steps program a monthly fee established by the division of disability and rehabilitative services established by IC 12-9-1-1. Except when the monthly fee is less than the product determined under IC 12-12.7-2-23(b), the monthly fee shall be provided instead of claims processing of individual claims.

(g) The reimbursement required under subsection (f) may not be applied to any annual or aggregate lifetime limit on the first steps child's coverage under the health benefits plan.

(h) The first steps program may pay required deductibles, copayments, or other out-of-pocket expenses for a first steps child directly to a provider. A health benefits plan shall apply any payments made by the first steps program to the health benefits plan's deductibles, copayments, or other out-of-pocket expenses according to the terms and conditions of the health benefits plan.

(i) A health benefits plan may not require authorization for services specified in the covered individual's individualized family service plan, if those services are a covered benefit under the ~~plan~~ **plan,** once the individualized family service plan is signed by a physician.

(j) The department of insurance shall adopt rules under IC 4-22-2 to ensure compliance with this section.

SECTION 8. IC 21-38-6-1, AS AMENDED BY HEA 1176-2020, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. (a) An employee health plan that provides coverage for early intervention services shall reimburse the first steps program a monthly fee established by the division of disability and rehabilitative services. Except when the monthly fee is less than the product determined under IC 12-12.7-2-23(b), the monthly fee shall be provided instead of claims processing of individual claims.

(b) An employee health plan may not require authorization for services specified in the covered individual's individualized family service plan, if those services are a covered benefit under the ~~plan~~ **plan,** once the individualized family service plan is signed by a physician.

(c) The department of insurance shall adopt rules under IC 4-22-2 to ensure compliance with this section.

SECTION 9. IC 27-8-27-6, AS AMENDED BY HEA 1176-2020, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 6. (a) A health insurance plan that provides coverage for early intervention services shall reimburse the first steps program a monthly fee established by the division of disability and rehabilitative services. Except when the monthly fee is less than the product determined under IC 12-12.7-2-23(b), the monthly fee shall be provided instead of claims processing of individual claims.

(b) A health insurance plan may not require authorization for services specified in the covered individual's individualized family service plan, if those services are a covered benefit under the ~~plan~~ **plan,** once the individualized family service plan is signed by a physician.

(c) The department of insurance shall adopt rules under IC 4-22-2 to ensure compliance with this section.

SECTION 10. IC 35-44.1-3-1, AS AMENDED BY HEA 1032-2020, SECTION 1, AND AS AMENDED BY HEA 1225-2020, SECTION 4, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A person who knowingly or intentionally:

(1) forcibly resists, obstructs, or interferes with a law enforcement officer or a person assisting the officer while the officer is lawfully engaged in the execution of the officer's duties;

(2) forcibly resists, obstructs, or interferes with the authorized service or execution of a civil or criminal process or order of a court; or

(3) flees from a law enforcement officer after the officer has, by visible or audible means, including operation of the law enforcement officer's siren or emergency lights, identified himself or herself and ordered the person to stop;

commits resisting law enforcement, a Class A misdemeanor, except as provided in subsection (c).

(b) A person who, having been denied entry by ~~a~~ *an emergency medical services provider or a* law enforcement officer, knowingly or intentionally enters an area that is marked off with barrier tape or other physical barriers, commits interfering with ~~*law enforcement,*~~ *public safety,* a Class B misdemeanor, except as provided in subsection (c) or ~~*(f).*~~ *(k).*

(c) The offense under subsection (a) or (b) is a:

(1) Level 6 felony if:

(A) the person uses a vehicle to commit the offense; or

(B) while committing the offense, the person draws or uses a deadly weapon, inflicts bodily injury on or otherwise causes bodily injury to another person, or operates a vehicle in a manner that creates a substantial risk of bodily injury to another person;

(2) Level 5 felony if, while committing the offense, the person operates a vehicle in a manner that causes serious bodily injury to another person;

(3) Level 3 felony if, while committing the offense, the person operates a vehicle in a manner that causes the death or catastrophic injury of another person; and

(4) Level 2 felony if, while committing any offense described in subsection (a), the person operates a vehicle in a manner that causes the death or catastrophic injury of ~~a~~ *an emergency medical services provider or a* law enforcement officer while the *emergency medical services provider or* law enforcement officer is engaged in the ~~*officer's*~~ *emergency medical services provider's or officer's* official duties.

(d) The offense under subsection (a) is a Level 6 felony if, while committing an offense under:

(1) subsection (a)(1) or (a)(2), the person:

(A) creates a substantial risk of bodily injury to the person or

another person; and

(B) has two (2) or more prior unrelated convictions under subsection (a); or

(2) subsection (a)(3), the person has two (2) or more prior unrelated convictions under subsection (a).

~~(d)~~ *(e)* If a person uses a vehicle to commit a felony offense under subsection (c)(1)(B), (c)(2), (c)(3), or (c)(4), as part of the criminal penalty imposed for the offense, the court shall impose a minimum executed sentence of at least:

(1) thirty (30) days, if the person does not have a prior unrelated conviction under this section;

(2) one hundred eighty (180) days, if the person has one (1) prior unrelated conviction under this section; or

(3) one (1) year, if the person has two (2) or more prior unrelated convictions under this section.

~~(e)~~ *(f)* Notwithstanding IC 35-50-2-2.2 and IC 35-50-3-1, the mandatory minimum sentence imposed under subsection ~~(d)~~ *(e)* may not be suspended.

~~(f)~~ *(g)* If a person is convicted of an offense involving the use of a motor vehicle under:

(1) subsection (c)(1)(A), if the person exceeded the speed limit by at least twenty (20) miles per hour while committing the offense;

(2) subsection (c)(2); or

(3) subsection (c)(3);

the court may notify the bureau of motor vehicles to suspend or revoke the person's driver's license and all certificates of registration and license plates issued or registered in the person's name in accordance with IC 9-30-4-6.1(b)(3) for the period described in IC 9-30-4-6.1(d)(1) or IC 9-30-4-6.1(d)(2). The court shall inform the bureau whether the person has been sentenced to a term of incarceration. At the time of conviction, the court may obtain the person's current driver's license and return the license to the bureau of motor vehicles.

~~(g)~~ *(h)* A person may not be charged or convicted of a crime under subsection (a)(3) if the law enforcement officer is a school resource officer acting in the officer's capacity as a school resource officer.

~~(h)~~ *(i)* A person who commits an offense described in subsection ~~(b)~~ *(c)* commits a separate offense for each person whose bodily injury, serious bodily injury, catastrophic injury, or death is caused by a violation of subsection ~~(b)~~. *(c).*

~~(i)~~ *(j)* A court may order terms of imprisonment imposed on a person convicted of more than one (1) offense described in subsection ~~(b)~~ *(c)* to run consecutively. Consecutive terms of imprisonment imposed under this subsection are not subject to the sentencing restrictions set forth in IC 35-50-1-2(c) through IC 35-50-1-2(d).

~~(j)~~ *(k)* As used in this subsection, "family member" means a child, grandchild, parent, grandparent, or spouse of the person. It is a defense to a prosecution under subsection (b) that the person reasonably believed that the person's family member:

(1) was in the marked off area; and

(2) had suffered bodily injury or was at risk of suffering bodily injury;

if the person is not charged as a defendant in connection with the offense, if applicable, that caused the area to be secured by barrier tape or other physical barriers.

SECTION 11. IC 4-3-27-3, AS AMENDED BY HEA 1153-2020, SECTION 1, AND AS AMENDED BY HEA 1419-2020, SECTION 1, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. The governor's workforce cabinet is established under the applicable state and federal programs to do the following:

(1) Review the services and use of funds and resources under applicable state and federal programs and advise the governor, general assembly, commission for higher education, and state board of education on methods of coordinating the services and use of funds and resources consistent with the laws and regulations governing the particular applicable state and federal programs.

(2) Advise the governor, general assembly, commission for higher education, and state board of education on:

(A) the development and implementation of state and local standards and measures; and

(B) the coordination of the standards and measures;

concerning the applicable federal programs.

(3) Perform the duties as set forth in federal law of the particular advisory bodies for applicable federal programs described in section 4 of this chapter.

(4) Identify the workforce needs in Indiana and recommend to the governor, general assembly, commission for higher education, and state board of education goals to meet the investment needs.

(5) Recommend to the governor, general assembly, commission for higher education, and state board of education goals for the development and coordination of the talent development system in Indiana.

(6) Prepare and recommend to the governor, general assembly, commission for higher education, and state board of education a strategic plan to accomplish the goals developed under subdivisions (4) and (5).

(7) Monitor and direct the implementation of and evaluate the effectiveness of the strategic plan described in subdivision (6).

(8) Advise the governor, general assembly, commission for higher education, and state board of education on the coordination of federal, state, and local education and training programs and on the allocation of state and federal funds in Indiana to promote effective services, service delivery, and innovative programs.

(9) Review and approve regional workforce development board plans, and work with regional workforce development boards to determine appropriate metrics for workforce programming at the state and local levels.

(10) Design for implementation a comprehensive career navigation and coaching system as described in section 11 of this chapter.

(11) Conduct a systematic and comprehensive review, analysis, and evaluation of workforce funding described in section 12 of this chapter.

(12) Conduct a systematic and comprehensive review, analysis, and evaluation of the college and career funding described in section 13 of this chapter.

(13) Based on the reviews in sections 12 and 13 of this chapter, direct the appropriate state agencies to implement administrative changes to the delivery of these programs that align with Indiana's workforce goals, and make recommendations to:

(A) the governor;
(B) the commission for higher education;
(C) the state board of education; and
(D) the general assembly in an electronic format under IC 5-14-6;

on possible legislative changes in the future.

(14) Study the advisability of establishing one (1) or more real world career readiness programs as described in section 14 of this chapter and report to:
(A) the governor;
(B) the commission for higher education;
(C) the state board of education; and
(D) the general assembly in an electronic format under IC 5-14-6;

concerning the results of the study.

(15) Conduct a systematic and comprehensive review, analysis, and evaluation of whether:
(A) Indiana's *early childhood,* primary, secondary, and postsecondary education systems are aligned with employer needs; and
(B) Indiana's students and workforce are prepared for success in the twenty-first century economy.

(16) *On or before December 1, 2020,* create a comprehensive strategic plan to ensure alignment between Indiana's *early childhood,* primary, secondary, and postsecondary education systems with Indiana's workforce training programs and employer needs.

(17) Administer the workforce diploma reimbursement program established by IC 22-4.1-27-7.

(18) Work with stakeholders from early learning to the workforce to establish alignment and coordination between the early learning advisory committee (established by IC 12-17.2-3.8-5), state board of education, commission for higher education, and department of workforce development.

~~(18)~~ *(19)* Carry out other policy duties and tasks as assigned by the governor.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 80 as printed February 11, 2020.)

YOUNG, M.	YOUNG, J.
TAYLOR	DELANEY
Senate Conferees	House Conferees

Roll Call 387: yeas 91, nays 0. Report adopted.

Representative Jackson, who had been excused, is now present.

CONFERENCE COMMITTEE REPORT
ESB 295–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 295 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 20-30-5-5.7, AS ADDED BY P.L.115-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5.7. (a) Not later than December 15, ~~2018,~~ **2020,** and each December 15 thereafter, each public school, including a charter school, and accredited nonpublic school shall provide age appropriate: ~~and~~
(1) research and evidence based; **or**
(2) research or evidence based;

instruction on child abuse and child sexual abuse to students in kindergarten through grade 12.

(b) The department, in consultation with school safety specialists, ~~and~~ school counselors, **school social workers, or school psychologists,** shall identify outlines or materials for the instruction described in subsection (a) and incorporate the instruction in kindergarten through grade 12.

(c) Any outlines and materials identified under subsection (b) must be demonstrated to be effective and promising.

~~(c)~~ **(d)** Instruction on child abuse and child sexual abuse may be delivered by a school safety specialist, school counselor, or any other person with training and expertise in the area of child abuse and child sexual abuse.

SECTION 2. IC 20-30-5-14, AS AMENDED BY P.L.57-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) As used in this section, "Indiana career explorer program and standards" refers to the:
(1) **software or** Internet based system approved by the department of workforce development; and
(2) standards established by the department of workforce development that are aligned to interdisciplinary employability skills standards prescribed in subsection (c);

that provides students with career and college planning resources.

(b) To:
(1) educate students on the importance of their future career choices;
(2) prepare students for the realities inherent in the work environment; and
(3) instill in students work values that will enable them to succeed in their respective careers;

each school within a school corporation shall include in the school's curriculum for all students in grades 1 through 12 instruction concerning employment matters and work values described in subsection (c).

(c) ~~Not later than July 1, 2019,~~ Each school within a school corporation shall include interdisciplinary employability skills standards established by the department, in conjunction with the department of workforce development, and approved by the state board in the school's curriculum.

(d) Each school shall:
(1) integrate within the curriculum instruction that is; or
(2) conduct activities or special events periodically that are;

designed to foster overall career awareness and career development as described in subsection (b).

(e) The department shall develop career awareness and career development models as described in subsection (f) to assist schools in complying with this section.

(f) The models described in this subsection must be developed in accordance with the following:
(1) For grades 1 through 5, career awareness models to introduce students to work values and basic employment concepts.

(2) For grades 6 through 8, initial career information models that focus on career choices as they relate to student interest and skills.

(3) For grades 9 through ~~10,~~ **12,** career exploration models that offer students insight into future employment options **and**

~~(4) For grades 11 through 12,~~ career preparation models that provide job or further education counseling, including the following:

(A) Initial job counseling, including the use of job service officers to provide school based assessment, information, and guidance on employment options and the rights of students as employees.

(B) Workplace orientation visits.

(C) On-the-job experience exercises.

(g) The department, with assistance from the department of labor and the department of workforce development, shall:

(1) develop and make available teacher guides; and

(2) conduct seminars or other teacher education activities;

to assist teachers in providing the instruction described in this section.

(h) The department shall, with assistance from the department of workforce development, design and implement innovative career preparation demonstration projects for students in at least grade 9.

~~(i) Beginning July 1, 2017, the department, in consultation with the department of workforce development, shall implement a pilot program for instruction in and use of the Indiana career explorer program and standards by all students in grade 8 attending schools in fifteen (15) schools. The department shall select the following to participate in the pilot program:~~

~~(1) Five (5) urban schools.~~

~~(2) Five (5) rural schools.~~

~~(3) Five (5) suburban schools.~~

~~The pilot program expires July 1, 2018, unless the department determines that the pilot program should be continued for an additional year. If the department determines that the pilot program should be extended, the department, in consultation with the department of workforce development, shall increase the number of schools involved in the pilot program by at least fifteen (15) additional schools in the second year of the pilot program, if possible based on the interest from schools. The pilot program expires July 1, 2019.~~

~~(j) Beginning July 1 in the year in which the pilot program described in subsection (i) expires,~~ **(i)** Each school in a school corporation and each charter school:

(1) shall include in the school's curriculum state developed career standards for all students in grade 8 that include instruction in and use of either:

~~(1)~~ **(A)** the Indiana career explorer program and standards; or

~~(2)~~ **(B)** an alternative Internet based system and standards that provide students with career and college planning resources that have been approved by the state board under subsection ~~(k);~~ **(j); and**

(2) except as provided in subdivision (1), may include in the school's curriculum state developed career standards for all students in any grade level that include instruction in and use of the program and standards or system and standards described in subdivision (1)(A) or (1)(B).

~~(k)~~ **(j)** A school corporation or charter school may submit a request to the state board to approve an alternative Internet based system and standards that provide students with career and college planning resources. The state board, in consultation with the department and the department of workforce development, may approve an alternative system and standards if the state board determines that the alternative system:

(1) has an aptitude assessment tool;

(2) contains educational course track information;

(3) has a tool for the preparation and development of the graduation plan prescribed in IC 20-30-4, including a parent sign in component;

(4) allows access to education and career demand information using data prepared by the department of workforce development; and

(5) is aligned to interdisciplinary employability skills standards prescribed in subsection (c).

(k) Beginning July 1, 2021, the department of workforce development shall implement an Indiana career explorer program that includes software or an Internet based system that does the following:

(1) Provides access to education and career demand information using data prepared by the department of workforce development.

(2) Provides educational and career assessments or tools that:

(A) must include an aptitude and career assessment;

(B) are aligned to interdisciplinary employability skills standards prescribed in subsection (c); and

(C) may include:

(i) educational course track information; and

(ii) a tool for the preparation and development of the graduation plan prescribed in IC 20-30-4, including a parent sign in component.

SECTION 3. IC 20-30-5-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14.5. (a) Not later than December 31, 2020, the department of workforce development shall issue a request for proposals in accordance with IC 5-22-9 for the purpose of entering a public-private partnership for the provision of educational and career assessments or tools described in section 14(k)(2) of this chapter.**

(b) The department of workforce development shall complete the request for proposals process and implement the Indiana career explorer program described in section 14(k) of this chapter not later than July 1, 2021.

(c) The department of workforce development may adopt rules under IC 4-22-2 to implement this section and section 14(k) of this chapter.

(d) This section expires July 1, 2022.

SECTION 4. IC 20-30-5-23, AS ADDED BY P.L.132-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 23. (a) After June 30, 2021, each public high school, including each charter school, shall offer at least one (1) computer science course as a one (1) semester elective in the public high school's curriculum at least once each school year for high school students.

(b) After June 30, 2021, each public school, including each charter school, shall include computer science in the public school's curriculum for students in kindergarten through grade

12. A public high school fulfills the requirements under this subsection by meeting the requirements under subsection (a).

(c) If a public school fails to comply with this section, the department shall assist the public school in meeting the requirements under this section.

(d) The department shall:

(1) prepare an annual report concerning the implementation of computer science courses in public high schools, including charter schools, that includes the information described in subsection (e); and

(2) submit, before December 1 of each year, the report to the following:

(A) The state board.

(B) The general assembly.

(C) The commission for higher education.

The department shall submit the written report to the general assembly in an electronic format under IC 5-14-6.

(e) The report under subsection (d) must include the following information:

(1) The total number and percentage of computer science unique student course enrollments and course completions for each public high school, including each charter school, and by each course title approved by the department.

(2) The number and percentage of unique student enrollments and course completions in a computer science course by each course title approved by the department and disaggregated by:

(A) race;

(B) gender;

(C) grade;

(D) ethnicity;

(E) limited English language proficiency;

(F) free or reduced price lunch status; and

(G) eligibility for special education.

(3) The number of computer science instructors at each school disaggregated by:

(A) gender;

(B) certification, if applicable; and

(C) academic degree.

(4) Any other pertinent matters.

(f) The department shall post the report described in subsections (d) and (e) on the department's Internet web site.

SECTION 5. IC 20-31-5-4, AS AMENDED BY P.L.143-2019, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) A plan must:

(1) state objectives for a three (3) year period; and

(2) be annually reviewed and revised to accomplish the achievement objectives of the school.

(b) A plan must establish objectives for the school to achieve.

(c) A plan must address the learning needs of all students, including programs and services for exceptional learners.

(d) A plan must specify how and to what extent the school expects to make continuous improvement in all areas of the education system where results are measured by setting benchmarks for progress on an individual school basis.

(e) A plan must note specific areas where improvement is needed immediately.

(f) ~~On or before November 1 of the year in which the pilot program described in IC 20-30-5-14(i) expires,~~ Each school in a school corporation and each charter school shall include in the plan a summary of how the school will implement the curriculum described in IC 20-30-5-14(f), including the proposed student activities. A school may subsequently amend the school's plan under this subsection in a manner prescribed by the department. The department shall review the submitted plans under this subsection every two (2) years and may review a plan at random to review the relevancy of the plan to the changing economy. The department shall assist schools in incorporating best practices from around the state.

(g) Each year before November 1, the budget agency shall estimate the costs incurred by each school corporation in the immediately preceding school year to implement the curriculum described in IC 20-30-5-14(f), including the proposed student activities, and submit a report of these costs by school corporation to the general assembly in an electronic format under IC 5-14-6.

(Reference is to ESB 295 as printed February 25, 2020.)

RAATZ	BEHNING
MELTON	GOODIN
Senate Conferees	House Conferees

Roll Call388: yeas 92, nays 0. Report adopted.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 9:08 p.m. with the Speaker in the Chair.

Upon request of Representative Pryor, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 389: 69 present. The Speaker declared a quorum present.

ACTION ON RULES SUSPENSIONS AND CONFERENCE COMMITTEE REPORTS

COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures has had under consideration House Rule 161.2 and recommends that it be suspended so that the following conference committee reports are eligible for consideration after March 3, 2020; we further recommend that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 2 hours, so that they may be eligible to be placed before the House for action:

Engrossed House Bills 1006, 1108, 1372 and 1065

Engrossed Senate Bills 335

LEONARD, Chair

Report adopted.

HOUSE MOTION

Mr. Speaker: I move House Rule 161.2 be suspended so that the following conference committee reports are eligible for consideration after March 3, 2020, and that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 2 hours, so that they may be eligible to be placed before the House for action:

Engrossed House Bills 1006, 1108, 1372 and 1065

Engrossed Senate Bills 335

LEONARD, Chair

Motion prevailed.

Representatives Bauer and Kirchhofer, who had been present, is now excused.

Representative Barrett, Karickhoff and Soliday, who had been excused, is now present.

CONFERENCE COMMITTEE REPORT
EHB 1006–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1006 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 31-9-2-7, AS AMENDED BY P.L.191-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) "Adult", for purposes of IC 31-19-17 through IC 31-19-25.5, means a person who is at least twenty-one (21) years of age.

(b) "Adult", for purposes of the juvenile law, means a person other than a child.

(c) "Adult", for purposes of IC 31-11, means:

(1) a person at least eighteen (18) years of age; or

(2) a:

(A) married minor who is at least sixteen (16) years of age; or

(B) minor who has been completely emancipated by a court;

subject to specific constitutional and statutory age requirements and health and safety regulations that remain applicable to the person because of the person's age.

SECTION 2. IC 31-9-2-133.1, AS AMENDED BY P.L.144-2018, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 133.1. "Victim of human or sexual trafficking", for purposes of IC 31-34-1-3.5, refers to a child who is recruited, harbored, transported, or engaged in:

(1) forced labor;

(2) involuntary servitude;

(3) prostitution;

(4) juvenile prostitution, as defined in IC 35-31.5-2-178.5;

(5) child exploitation, as defined in IC 35-42-4-4(b);

(6) marriage, unless authorized by a court under ~~IC 31-11-1-6;~~ **IC 31-11-1-7;**

(7) trafficking for the purpose of prostitution, juvenile prostitution, or participation in sexual conduct as defined in IC 35-42-4-4(a)(4); or

(8) human trafficking as defined in IC 35-42-3.5-0.5.

SECTION 3. IC 31-11-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. Except as provided in ~~section~~ **sections** 5 ~~or 6~~ **and 7** of this chapter, two (2) individuals may not marry each other unless both individuals are at least eighteen (18) years of age.

SECTION 4. IC 31-11-1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. Two (2) individuals may marry each other if:

(1) both individuals are at least ~~seventeen (17)~~ **sixteen (16)** years of age;

(2) one (1) of the individuals is not more than four (4) years older than the other individual if the other individual is sixteen (16) or seventeen (17) years of age;

~~(2)~~ **(3)** each individual who is less than eighteen (18) years of age: ~~receives the consent required by IC 31-11-2;~~

(A) has been granted an order by a juvenile court under section 7 of this chapter granting the individual approval to marry and completely emancipating the individual; and

(B) not earlier than fifteen (15) days after the issuance of the order described in clause (A), presents to the clerk of the circuit court an application for a marriage license accompanied by:

(i) a certified copy of the order; and

(ii) a certificate of completion of any premarital counseling required under the order; and

~~(3)~~ **(4)** the individuals are not prohibited from marrying each other for a reason set forth in this article.

SECTION 5. IC 31-11-1-6 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 6. (a) Two (2) individuals may marry each other if:~~

~~(1) the individuals are not prohibited from marrying for a reason set forth in this article; and~~

~~(2) a circuit or superior court of the county of residence of either individual considers the information required to be submitted by subsection (b) and authorizes the clerk of the circuit court to issue the individuals a marriage license.~~

~~(b) A court may not authorize the clerk of the circuit court to issue a marriage license under subsection (a) unless:~~

~~(1) the individuals have filed with the court a verified petition that includes allegations that:~~

~~(A) the female is at least fifteen (15) years of age;~~

~~(B) the female is pregnant or is a mother;~~

~~(C) each of the individuals who is less than eighteen (18) years of age has received the consent required by IC 31-11-2;~~

~~(D) the male is at least fifteen (15) years of age and is either:~~

~~(i) the putative father of the expected child of the female; or~~

~~(ii) the father of the female's child; and~~

~~(E) the individuals desire to marry each other;~~

~~(2) the court has provided notice of the hearing required by this section to both parents of both petitioners or, if applicable to either petitioner:~~

~~(A) to the legally appointed guardian or custodian of a petitioner; or~~

~~(B) to one (1) parent of a petitioner if the other parent:~~

~~(i) is deceased;~~
~~(ii) has abandoned the petitioner;~~
~~(iii) is mentally incompetent;~~
~~(iv) is an individual whose whereabouts is unknown; or~~
~~(v) is a noncustodial parent who is delinquent in the payment of court ordered child support on the date the petition is filed;~~
~~(3) a hearing is held on the petition in which the petitioners and interested persons, including parents, guardians, and custodians, are given an opportunity to appear and present evidence; and~~
~~(4) the allegations of the petition filed under subdivision (1) have been proven.~~
~~(c) A court's authorization granted under subsection (a):~~
~~(1) constitutes part of the confidential files of the clerk of the circuit court; and~~
~~(2) may be inspected only by written permission of a circuit, superior, or juvenile court.~~

SECTION 6. IC 31-11-1-7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 7. (a) A minor who is sixteen (16) or seventeen (17) years of age may petition the juvenile court in the county in which the minor resides for an order granting the minor approval to marry and completely emancipating the minor. The petition must contain the following information:**

(1) The minor's name, gender, and age.
(2) Documentary proof of the minor's date of birth.
(3) The minor's address, and how long the minor has resided at that address.
(4) The following information with regard to the intended spouse:
(A) The intended spouse's name, gender, and age.
(B) Documentary proof of the intended spouse's date of birth.
(C) The intended spouse's address, and how long the intended spouse has resided at that address.
(5) A statement of:
(A) the reasons the minor desires to marry;
(B) how the minor and the intended spouse came to know each other; and
(C) how long the minor and the intended spouse have known each other.
(6) Copies of:
(A) any criminal records of the minor and of the intended spouse; and
(B) any protective order:
(i) issued to protect or restrain either the minor or the intended spouse; and
(ii) relating to domestic or family violence, a sexual offense, or stalking.
(7) Evidence that the minor has demonstrated maturity and capacity for self-sufficiency and self-support independent of the minor's parents or legal guardians or the intended spouse, including proof that the minor:
(A) has graduated from high school;
(B) has obtained a high school equivalency diploma;
(C) has a plan for continued education;
(D) has completed a vocational training or certificate program;
(E) has attained a professional licensure or certification; or
(F) has maintained stable housing or employment for at least three (3) consecutive months prior to filing the petition.

(b) A court with which a petition under subsection (a) is filed shall:
(1) set a date for an evidentiary hearing on the petition;
(2) provide reasonable notice of the hearing to the minor and the minor's parents or legal guardians; and
(3) appoint an attorney to serve as guardian ad litem for the minor.

(c) At the evidentiary hearing, the court shall conduct an in camera interview with the minor separate from the minor's parents or legal guardians and intended spouse.

(d) Following the evidentiary hearing, and subject to subsection (e), the court may grant the petition if the court finds all of the following:
(1) The minor is a county resident who is at least sixteen (16) years of age.
(2) The intended spouse is not more than four (4) years older than the minor.
(3) The minor's decision to marry is voluntary, and free from force, fraud, or coercion.
(4) The minor is mature enough to make a decision to marry.
(5) The minor has established the minor's capacity to be self-sufficient and self-supporting independent of the minor's parents, legal guardians, and intended spouse.
(6) The minor understands the rights and responsibilities of parties to marriage and of completely emancipated minors.
(7) It is in the best interests of the minor for the court to grant the petition to marry and to completely emancipate the minor. In making the determination under this subdivision, the court shall consider how marriage and emancipation may affect the minor's health, safety, education, and welfare.

A court that grants a petition under this section shall issue written findings regarding the court's conclusions under subdivisions (1) through (7).

(e) The following, considered independently or together, are not sufficient to determine the best interests of a minor for purposes of this section:
(1) The fact that the minor or the intended spouse is pregnant or has had a child.
(2) The wishes of the parents or legal guardians of the minor.

However, there is a rebuttable presumption that marriage and emancipation are not in the best interests of the minor if both parents of the minor oppose the minor's marriage and emancipation.

(f) The juvenile court shall deny a petition under this section if the court finds any of the following:
(1) The intended spouse:
(A) is or was in a position of authority or special trust in

relation to the minor; or

(B) has or had a professional relationship with the minor, as defined in IC 35-42-4-7.

(2) The intended spouse has been convicted of, or entered into a diversion program for, an offense under IC 35-42:

(A) that involves an act of violence;

(B) of which a child was the victim; or

(C) that is an offense under:

(i) IC 35-42-3.5; or

(ii) IC 35-42-4.

(3) Either the minor or the intended spouse is pregnant or is the mother of a child, and the court finds by a preponderance of evidence that:

(A) the other party to the marriage is the father of the child or unborn child; and

(B) the conception of the child or unborn child resulted from the commission of an offense under:

(i) IC 35-42-4-3 (child molesting);

(ii) IC 35-42-4-6 (child solicitation);

(iii) IC 35-42-4-7 (child seduction); or

(iv) IC 35-42-4-9 (sexual misconduct with a minor).

(4) The intended spouse has previously been enjoined by a protective order relating to domestic or family violence, a sexual offense, or stalking, regardless of whether the person protected by the order was the minor.

(g) If a court grants a petition under this section, the court shall also issue an order of complete emancipation of the minor and provide a certified copy of the order to the minor.

(h) A minor emancipated under this section is considered to have all the rights and responsibilities of an adult, except as provided under specific constitutional or statutory age requirements that apply to the minor because of the minor's age, including requirements related to voting, use of alcoholic beverages or tobacco products, and other health and safety regulations.

(i) A court hearing a petition under this section may issue any other order the court considers appropriate for the minor's protection.

(j) A court that grants a petition under this section may require that both parties to the marriage complete premarital counseling with a marriage and family therapist licensed under IC 25-22.5, IC 25-23.6-8, or IC 25-33.

(k) A court that grants a petition under this section may impose any other condition on the grant of the petition that the court determines is reasonable under the circumstances.

SECTION 7. IC 31-11-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. (Consent to Marry Required for Certain Individuals).

SECTION 8. IC 31-11-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. Each individual who applies for a marriage license must submit to the clerk of the circuit court **documentary proof of the individual's age, in the form of:**

(1) a:

(A) certified copy of the individual's birth certificate;

(B) copy of a birth record; or

(C) certification of birth issued by the state department of health, a local registrar of vital statistics, or another public office charged with similar duties under the law of another state, territory, or country;

(2) a certified copy of a judicial decree issued under IC 34-28-1 (or IC 34-4-3 before its repeal) that establishes the date of the individual's birth;

~~(3) any written evidence of the individual's date of birth that is satisfactory to the clerk; or~~

(3) a passport;

(4) a valid operator's license or other identification **that is** issued by a state **or another governmental entity and** that contains the individual's date of birth and current address;

(5) an immigration or naturalization record showing the individual's date of birth;

(6) a United States selective service card or armed forces record showing the individual's date of birth; or

(7) a:

(A) court record; or

(B) document or record issued by a governmental entity;

showing the individual's date of birth.

SECTION 9. IC 31-11-4-8 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 8. If a written consent is required by IC 31-11-2, a clerk of a circuit court may not receive an application for a marriage license unless:~~

~~(1) the clerk has filed the consent form in the clerk's office; and~~

~~(2) the clerk has entered a notice of the filing on the marriage license docket.~~

SECTION 10. IC 31-11-8-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. A marriage is void if the parties to the marriage:

(1) are residents of Indiana;

(2) had their marriage solemnized in another state with the intent to:

(A) evade **IC 31-11-1-4,** IC 31-11-4-4, or IC 31-11-4-11 (or IC 31-7-3-3 or IC 31-7-3-10 before their repeal); and

(B) subsequently return to Indiana and reside in Indiana; and

(3) without having established residence in another state in good faith, return to Indiana and reside in Indiana after the marriage is solemnized.

SECTION 11. IC 31-11-11-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 2. A person who knowingly furnishes false information in a verified written consent under IC 31-11-2 commits a Level 6 felony.~~

SECTION 12. IC 31-34-20-6, AS AMENDED BY P.L.85-2017, SECTION 104, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) The juvenile court **for the county in which a child resides** may emancipate ~~a~~ **the** child under section 1(a)(5) of this chapter **upon a petition brought by the child.**

(b) The court in which a petition is filed under subsection (a) shall appoint an attorney to serve as guardian ad litem for the child. The guardian ad litem shall investigate the statements contained in the petition and file a report of the investigation with the court.

(c) After receiving the report of the guardian ad litem under subsection (b) and holding a hearing, the court may grant the petition if the court finds:

(1) that emancipation is in the child's best

interests; and

(2) that the child:

~~(1)~~ **(A)** wishes to be free from parental control and protection and no longer needs that control and protection;

~~(2)~~ **(B)** has sufficient money for the child's own support;

~~(3)~~ **(C)** understands the consequences of being free from parental control and protection; and

~~(4)~~ **(D)** has an acceptable plan for independent living.

~~(b)~~ **(d)** If the juvenile court **completely emancipates the child, the child has all the rights and responsibilities of an adult. If the juvenile court** partially ~~or completely~~ emancipates the child, the court shall specify the terms of the emancipation, which may include the following:

(1) Suspension of the parent's or guardian's duty to support the child. In this case, the judgment of emancipation supersedes the support order of a court.

(2) Suspension of the following:

(A) The parent's or guardian's right to the control or custody of the child.

(B) The parent's right to the child's earnings.

~~(3) Empowering the child to consent to marriage.~~

~~(4)~~ **(3)** Empowering the child to consent to military enlistment.

~~(5)~~ **(4)** Empowering the child to consent to:

(A) medical;

(B) psychological;

(C) psychiatric;

(D) educational; or

(E) social;

services.

~~(6)~~ **(5)** Empowering the child to contract.

~~(7)~~ **(6)** Empowering the child to own property.

~~(c)~~ **(e)** An emancipated child remains subject to the following:

(1) IC 20-33-2 concerning compulsory school attendance.

(2) The continuing jurisdiction of the court.

(3) IC 31-11-1-4 concerning minimum age for marriage.

(4) Other specific constitutional and statutory age requirements applicable to the emancipated child because of the emancipated child's age, including requirements regarding voting, use of alcoholic beverages or tobacco products, and other health and safety regulations.

SECTION 13. IC 31-37-19-27, AS AMENDED BY P.L.85-2017, SECTION 107, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 27. (a) The juvenile court **for the county in which a child resides** may emancipate ~~a~~ **the** child under section 1(a)(5) or 5(b)(5) of this chapter **upon a petition brought by the child.**

(b) The court in which a petition is filed under subsection (a) shall appoint an attorney to serve as guardian ad litem for the child. The guardian ad litem shall investigate the statements contained in the petition and file a report of the investigation with the court.

(c) After receiving the report of the guardian ad litem under subsection (b) and holding a hearing, the court may grant the petition if the court finds that the child:

(1) wishes to be free from parental control and protection and no longer needs that control and protection;

(2) has sufficient money for the child's own support;

(3) understands the consequences of being free from parental control and protection; and

(4) has an acceptable plan for independent living.

~~(b)~~ **(d)** ~~Whenever~~ **If** the juvenile court **completely emancipates the child, the child has all the rights and responsibilities of an adult. If the juvenile court** partially ~~or completely~~ emancipates the child, the court shall specify the terms of the emancipation, which may include the following:

(1) Suspension of the parent's or guardian's duty to support the child. In this case, the judgment of emancipation supersedes the support order of a court.

(2) Suspension of:

(A) the parent's or guardian's right to the control or custody of the child; and

(B) the parent's right to the child's earnings.

~~(3) Empowering the child to consent to marriage.~~

~~(4)~~ **(3)** Empowering the child to consent to military enlistment.

~~(5)~~ **(4)** Empowering the child to consent to:

(A) medical;

(B) psychological;

(C) psychiatric;

(D) educational; or

(E) social;

services.

~~(6)~~ **(5)** Empowering the child to contract.

~~(7)~~ **(6)** Empowering the child to own property.

~~(c)~~ **(e)** An emancipated child remains subject to **the following:**

(1) IC 20-33-2 concerning compulsory school attendance. ~~and~~

(2) The continuing jurisdiction of the court.

(3) IC 31-11-1-4 concerning minimum age for marriage.

(4) Other specific constitutional and statutory age requirements applicable to the emancipated child because of the emancipated child's age, including requirements regarding voting, use of alcoholic beverages or tobacco products, and other health and safety regulations.

SECTION 14. IC 35-52-31-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 2. IC 31-11-11-2 defines a crime concerning marriage.~~

(Reference is to EHB 1006 as reprinted March 3, 2020.)

ENGLEMAN	CHARBONNEAU
WRIGHT	STOOPS
House Conferees	Senate Conferees

Roll Call 390: yeas 93, nays 0. Report adopted.

CONFEREES AND ADVISORS APPOINTED

The Speaker announced the following changes in appointment of Representatives as conferees and advisors:

EHB 1004 Conferee: Representative Schaibley replacing Representative Austin
Advisor: Remove Representative Schaibley

Representative Bacon, who had been present, is now ecused.

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT
EHB 1065–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1065 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 6-1.1-1-8.4, AS AMENDED BY P.L.235-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2014 (RETROACTIVE)]: Sec. 8.4. (a) "Inventory" means:

(1) materials held for processing or for use in production;

(2) finished or partially finished goods of a manufacturer or processor; ~~and~~

(3) property held for sale in the ordinary course of trade or business; **and**

(4) uniforms, garments, linens, and facilities services supplies owned, held, possessed, or controlled for the purpose of rental or lease in the ordinary course of trade or business.

(b) The term includes:

(1) items that qualify as inventory under 50 IAC 4.2-5-1 (as effective December 31, 2008); and

(2) subject to subsection (c), a mobile home or manufactured home that:

(A) does not qualify as real property;

(B) is located in a mobile home community;

(C) is unoccupied; and

(D) is owned and held for sale or lease by the owner of the mobile home community.

(c) Subsection (b)(2) applies regardless of whether the mobile home that is held for sale or lease is new or was previously owned.

SECTION 2. IC 6-1.1-4-12, AS AMENDED BY P.L.257-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) As used in this section, "land developer" means a person that holds land for sale in the ordinary course of the person's trade or business. The term includes a financial institution (as defined in IC 28-1-1-3(1)) if the financial institution's land in inventory is purchased, acquired, or held for one (1) or more of the purposes established under IC 28-1-11-5(a)(2), IC 28-1-11-5(a)(3), and IC 28-1-11-5(a)(4). **The determination of whether a person qualifies as a land developer shall be based upon whether such person satisfies the requirements contained in this subsection, and no consideration shall be given to either the person's industry classification, such as classification as a developer or builder, or any other activities undertaken by the person in addition to holding land for sale in the ordinary course of the person's trade or business.**

(b) As used in this section, "land in inventory" means:

(1) a lot; or

(2) a tract that has not been subdivided into lots;

to which a land developer holds title in the ordinary course of the land developer's trade or business.

(c) As used in this section, "title" refers to legal or equitable title, including the interest of a contract purchaser.

(d) For purposes of this section, land purchased, acquired, or held by a financial institution for one (1) or more of the purposes established under IC 28-1-11-5(a)(2), IC 28-1-11-5(a)(3), and IC 28-1-11-5(a)(4) is considered held for sale in the ordinary course of the financial institution's trade or business.

(e) Except as provided in subsections (i), (j), and (k), if:

(1) land assessed on an acreage basis is subdivided into lots; or

(2) land is rezoned for, or put to, a different use;

the land shall be reassessed on the basis of its new classification.

(f) If improvements are added to real property, the improvements shall be assessed.

(g) An assessment or reassessment made under this section is effective on the next assessment date.

(h) No petition to the department of local government finance is necessary with respect to an assessment or reassessment made under this section.

(i) Except as provided in subsection (k) and subject to subsection (j), land in inventory may not be reassessed until the next assessment date following the earliest of:

(1) the date on which title to the land is transferred by:

(A) the land developer; or

(B) a successor land developer that acquires title to the land;

to a person that is not a land developer;

(2) the date on which construction of a structure begins on the land; or

(3) the date on which a building permit is issued for construction of a building or structure on the land.

(j) Subsection (i) applies regardless of whether the land in inventory is rezoned while a land developer holds title to the land.

(k) This subsection applies to land in inventory that a for-profit land developer acquires from a:

(1) school corporation; or

(2) local unit of government (as defined in IC 14-22-31.5-1), but only if the local unit of government:

(A) acquired the land in a tax sale procedure under IC 6-1.1; or

(B) has held the land for not less than three (3) years prior to the date on which the for-profit land developer acquires it from the local unit of government.

Land in inventory to which this subsection applies shall be assessed on the first assessment date immediately following the date on which the land developer acquires title to the land in inventory. Notwithstanding section 13(a) of this chapter, land in inventory to which this subsection applies is considered to be devoted to agricultural use and shall be assessed at the agricultural land base rate. After the initial assessment under this subsection, land in inventory to which this subsection applies shall be reassessed in accordance with subsection (i).

SECTION 3. IC 6-1.1-9-10, AS ADDED BY P.L.154-2006, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)]: Sec. 10. (a) If in the course of a review of a taxpayer's personal property assessment under this chapter an assessing official or the assessing official's representative or contractor discovers an error indicating that the taxpayer has overreported a personal property assessment, the assessing official shall:

(1) adjust the personal property assessment to correct the error; and

(2) process a refund or credit for any resulting overpayment.

(b) Application of subsection (a) is subject to the restrictions of IC 6-1.1-11-1.

(c) If a taxpayer believes that the taxpayer overreported a personal property assessment that is discovered in the course of a review of the taxpayer's personal property assessment under this chapter for which the assessing official fails to make an adjustment to correct the error under this section either in whole or in part, the taxpayer may:

(1) initiate an appeal of the assessment under IC 6-1.1-15-1.1 for a credit to offset any resulting overpayment against the taxpayer's current personal property tax liability; or

(2) file a claim for refund under IC 6-1.1-26-1.1 of personal property taxes paid with regard to any resulting overpayment.

SECTION 4. IC 6-1.1-15-3, AS AMENDED BY P.L.121-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)]: Sec. 3. (a) A taxpayer may obtain a review by the Indiana board of:

(1) a county board's action with respect to a claim under section 1.1 of this chapter; **or**

(2) a denial by the county auditor, the county assessor, or the county treasurer of a claim for refund under IC 6-1.1-9-10(c)(2) that is appealed to the Indiana board as authorized in IC 6-1.1-26-2.1(d)(2).

(b) The county assessor is the party to ~~the~~ **a** review under ~~this section~~ **subsection (a)(1)** to defend the determination of the county board. The county auditor may appear as an additional party to the review if the determination concerns a matter that is in the discretion of the county auditor. At the time the notice of that determination is given to the taxpayer, the taxpayer shall also be informed in writing of:

(1) the taxpayer's opportunity for review under ~~this section;~~ **subsection (a)(1);** and

(2) the procedures the taxpayer must follow in order to obtain review under this section.

(c) A county assessor who dissents from the determination of the county board may obtain a review by the Indiana board. A county auditor who dissents from the determination of the county board concerning a matter that is in the discretion of the county auditor may obtain a review by the Indiana board.

(d) In order to obtain a review by the Indiana board under ~~this section,~~ **subsection (a)(1),** the party must, not later than forty-five (45) days after the date of the notice given to the party or parties of the determination of the county board:

(1) file a petition for review with the Indiana board; and

(2) mail a copy of the petition to the other party.

(e) The Indiana board shall prescribe the form of the petition for review under this chapter. The Indiana board shall issue instructions for completion of the form. The form and the instructions must be clear, simple, and understandable to the average individual. A petition for review of such a determination must be made on the form prescribed by the Indiana board. The form must require the petitioner to specify the reasons why the petitioner believes that the determination by the county board is erroneous.

(f) If the action for which a taxpayer seeks review under this section is the assessment of tangible property, the taxpayer is not required to have an appraisal of the property in order to do the following:

(1) Initiate the review.

(2) Prosecute the review.

(g) If an owner petitions the Indiana board under IC 6-1.1-11-7(d), the Indiana board is authorized to approve or disapprove an exemption application:

(1) previously submitted to a county board under IC 6-1.1-11-6; and

(2) that is not approved or disapproved by the county board within one hundred eighty (180) days after the owner filed the application for exemption under IC 6-1.1-11.

The county assessor is a party to a petition to the Indiana board under IC 6-1.1-11-7(d).

(h) This subsection applies only to the review by the Indiana board of a denial of a refund claim described in subsection (a)(2). The county assessor is the party to a review under subsection (a)(2) to defend the denial of the refund under IC 6-1.1-26-2.1. In order to obtain a review by the Indiana board under subsection (a)(2), the taxpayer must, within forty-five (45) days of the notice of denial under IC 6-1.1-26-2.1(d):

(1) file a petition for review with the Indiana board; and

(2) mail a copy of the petition to the county auditor.

SECTION 5. IC 6-1.1-18-28 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 28. (a) The executive of a township may, upon approval by the township fiscal body, submit a petition to the department of local government finance for an increase in the township's maximum permissible ad valorem property tax levy for its township firefighting fund under IC 36-8-13-4 for property taxes first due and payable in 2021 or for any year thereafter for which a petition is submitted under this section.**

(b) If the township submits a petition as provided in subsection (a) before August 1, 2020, or April 1 of a year thereafter, the department of local government finance shall increase the township's maximum permissible ad valorem property tax levy for the township firefighting fund under IC 36-8-13-4 for property taxes first due and payable in the immediately succeeding year by using the following formula for purposes of subsection (c)(2):

STEP ONE: Determine the percentage increase in the population, as determined by the township fiscal body and as may be prescribed by the department of local government finance, that is within the fire protection and emergency services area of the township during the ten (10) year period immediately preceding the year in which the petition is submitted under subsection (a). The township fiscal body may use the most recently available population data issued by the Bureau of the Census during the ten (10) year period immediately preceding the petition.

STEP TWO: Determine the greater of zero (0) or the result of:

(A) the STEP ONE percentage; minus

(B) six percent (6%);

expressed as a decimal.

STEP THREE: Determine a rate that is the lesser of:

(A) fifteen-hundredths (0.15); or

(B) the STEP TWO result.

STEP FOUR: Reduce the STEP THREE rate by any rate increase in the township's property tax rate for its township firefighting fund within the immediately preceding ten (10) year period that was made based on a petition submitted by the township under this section.

(c) The township's maximum permissible ad valorem

property tax levy for its township firefighting fund under IC 36-8-13-4 for property taxes first due and payable in a given year, as adjusted under this section, shall be calculated as:

(1) the amount of the ad valorem property tax levy increase for the township firefighting fund without regard to this section; plus

(2) an amount equal to the result of:

(A) the rate determined under the formula in subsection (b); multiplied by

(B) the net assessed value of the fire protection and emergency services area divided by one hundred (100).

The calculation under this subsection shall be used in the determination of the township's maximum permissible ad valorem property tax levy under IC 36-8-13-4 for property taxes first due and payable in the first year of the increase and thereafter.

SECTION 6. IC 6-1.1-18-29 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 29. (a) The board of trustees of a fire protection district may, upon approval by the county legislative body, submit a petition to the department of local government finance for an increase in the fire protection district's maximum permissible ad valorem property tax levy for property taxes first due and payable in 2021 or for any year thereafter for which a petition is submitted under this section.**

(b) If a petition is submitted as provided in subsection (a) before August 1, 2020, or April 1 of a year thereafter, the department of local government finance shall increase the fire protection district's maximum permissible ad valorem property tax levy for property taxes first due and payable in the immediately succeeding year by using the following formula for purposes of subsection (c)(2):

STEP ONE: Determine the percentage increase in the population, as determined by the county legislative body and as may be prescribed by the department of local government finance, that is within the fire protection district area during the ten (10) year period immediately preceding the year in which the petition is submitted under subsection (a). The county legislative body may use the most recently available population data issued by the Bureau of the Census during the ten (10) year period immediately preceding the petition.

STEP TWO: Determine the greater of zero (0) or the result of:

(A) the STEP ONE percentage; minus

(B) six percent (6%);

expressed as a decimal.

STEP THREE: Determine a rate that is the lesser of:

(A) fifteen-hundredths (0.15); or

(B) the STEP TWO result.

STEP FOUR: Reduce the STEP THREE rate by any rate increase in the fire protection district's property tax rate within the immediately preceding ten (10) year period that was made based on a petition submitted by the fire protection district under this section.

(c) The fire protection district's maximum permissible ad valorem property tax levy for property taxes first due and payable in a given year, as adjusted under this section, shall be calculated as:

(1) the amount of the ad valorem property tax levy increase for the fire protection district without regard to this section; plus

(2) an amount equal to the result of:

(A) the rate determined under the formula in subsection (b); multiplied by

(B) the net assessed value of the fire protection district area divided by one hundred (100).

The calculation under this subsection shall be used in the determination of the fire protection district's maximum permissible ad valorem property tax levy for property taxes first due and payable in the first year of the increase and thereafter.

SECTION 7. IC 6-1.1-20.3-17, AS ADDED BY P.L.257-2019, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. **(a)** If the distressed unit appeal board delays or suspends, for a period determined by the board, any payments on loans or advances from the common school fund under section 6.8 of this chapter, the distressed unit appeal board may recommend to the state board of finance that the term of the loans or advances be extended. If the distressed unit appeal board makes a recommendation to extend the term of the loan or advances, the state board of finance may extend the term of the loans or advances for a period of time that is equal to or less than the number of months for which the payments are delayed or suspended.

(b) If payments on loans or advances from the common school fund are suspended under section 6.8 of this chapter, the distressed unit appeal board shall require that the school corporation:

(1) establish a school improvement fund; and

(2) transfer to the school improvement fund an amount equal to the payments that are delayed or suspended.

(c) A school improvement fund established under subsection (b)(1) may be used only for the following purposes:

(1) Repair, renovation, or other improvements to school buildings and property being used for education purposes as of July 1, 2020.

(2) Demolition of school buildings or other structures on school property in existence as of July 1, 2020.

(d) All expenditures from a school improvement fund established under subsection (b)(1) must be approved by the distressed unit appeal board.

(e) A school corporation may, on an annual basis, levy a tax in the debt service fund equal to the amount that would have been deducted from the distribution of state tuition support for the payment of loans made under section 6.8 of this chapter during calendar year 2020 if the loans had not been suspended. The amount received from a tax under this subsection must be transferred from the debt service fund to the education fund.

(f) With the approval of the distressed unit appeal board, a school corporation may spend other funds of the school corporation for the purposes described in subsection (c) and reimburse the expenditures from a school improvement fund established under subsection (b)(1).

(g) This section expires January 1, 2025.

SECTION 8. IC 6-1.1-26-2.1, AS ADDED BY P.L.232-2017, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)]: Sec. 2.1. (a) The county auditor shall approve or deny a claim for refund.

(b) If the county auditor approves the claim for refund, the county auditor shall forward the claim to the county treasurer

and county assessor for approval or denial. The county treasurer and county assessor shall each certify their approval or denial and return the claim to the county auditor not later than seventy-five (75) days after the date of the filing of the claim under section 1.1 of this chapter.

(c) If the county auditor, the county assessor, and the county treasurer approve the refund, the county auditor shall issue a warrant to the claimant payable on the general fund for the amount due under this section within forty-five (45) days of the approval of a claim for refund. In addition, the taxpayer is entitled to interest on any overpayment of property taxes. Interest shall be computed:

(1) from the date on which the taxes were paid or due, whichever is later, to the date on which the county auditor and the county treasurer approve the refund; and

(2) using the rate in effect under IC 6-8.1-10-1 for each particular year covered by the refund.

If the taxpayer no longer owns the property on which the tax was assessed and paid, the county auditor shall pay the refunds to the taxpayer or other lawful claimant.

(d) If the county auditor, the county assessor, or the county treasurer denies a refund, the county auditor shall send a notice to the claimant. The claimant may, within forty-five (45) days of the notice of denial:

(1) file an original action claiming a refund in a court of competent jurisdiction in the county where the property is located; **or**

(2) in the case of notice of denial of a claim for refund that is filed pursuant to IC 6-1.1-9-10(c)(2), file a petition for review with the Indiana board under the procedures set forth in IC 6-1.1-15-3.

(e) If a credit is not applied or a refund is not paid within one hundred twenty (120) days from the date a claim was filed under section 1.1 of this chapter, a claimant may file an original action claiming a refund in a court of competent jurisdiction in the county where the property is located. An original action must be filed by the later of four (4) years after the tax is paid, or four (4) years after the final disposition of an appeal by the county board, board of tax review, department of local government finance, or a court, with respect to a particular tax year.

(f) The county auditor shall correct the tax duplicate for refunds. In the June or December settlement and apportionment of taxes, or both the June and December settlement and apportionment of taxes, immediately following a refund made under this section the county auditor shall deduct the amount refunded from the gross tax collections of the taxing units for which the refunded taxes were originally paid and shall pay the amount so deducted out of the general fund. However, the county auditor shall make the deductions and payments required by this subsection not later than the December settlement and apportionment. The county auditor shall notify the county executive of the payment of the amount due.

SECTION 9. IC 6-3-3-10, AS AMENDED BY P.L.182-2009(ss), SECTION 197, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) As used in this section:

"Base period wages" means the following:

(1) In the case of a taxpayer other than a pass through entity, wages paid or payable by a taxpayer to its employees during the year that ends on the last day of the month that immediately precedes the month in which an enterprise zone is established, to the extent that the wages would have been qualified wages if the enterprise zone had been in effect for that year. If the taxpayer did not engage in an active trade or business during that year in the area that is later designated as an enterprise zone, then the base period wages equal zero (0). If the taxpayer engaged in an active trade or business during only part of that year in an area that is later designated as an enterprise zone, then the department shall determine the amount of base period wages.

(2) In the case of a taxpayer that is a pass through entity, base period wages equal zero (0).

"Enterprise zone" means an enterprise zone created under IC 5-28-15.

"Enterprise zone adjusted gross income" means adjusted gross income of a taxpayer that is derived from sources within an enterprise zone. Sources of adjusted gross income shall be determined with respect to an enterprise zone, to the extent possible, in the same manner that sources of adjusted gross income are determined with respect to the state of Indiana under IC 6-3-2-2.

"Enterprise zone gross income" means gross income of a taxpayer that is derived from sources within an enterprise zone.

"Enterprise zone insurance premiums" means insurance premiums derived from sources within an enterprise zone.

"Monthly base period wages" means base period wages divided by twelve (12).

"Qualified employee" means an individual who is employed by a taxpayer and who:

(1) has the individual's principal place of residence in the enterprise zone in which the individual is employed;

(2) performs services for the taxpayer, ninety percent (90%) of which are directly related to the conduct of the taxpayer's trade or business that is located in an enterprise zone;

(3) performs at least fifty percent (50%) of the individual's services for the taxpayer during the taxable year in the enterprise zone; and

(4) in the case of an individual who is employed by a taxpayer that is a pass through entity, was first employed by the taxpayer after December 31, 1998.

"Qualified increased employment expenditures" means the following:

(1) For a taxpayer's taxable year other than the taxpayer's taxable year in which the enterprise zone is established, the amount by which qualified wages paid or payable by the taxpayer during the taxable year to qualified employees exceeds the taxpayer's base period wages.

(2) For the taxpayer's taxable year in which the enterprise zone is established, the amount by which qualified wages paid or payable by the taxpayer during all of the full calendar months in the taxpayer's taxable year that succeed the date on which the enterprise zone was established exceed the taxpayer's monthly base period wages multiplied by that same number of full calendar months.

"Qualified state tax liability" means a taxpayer's total income tax liability incurred under:

(1) IC 6-3-1 through IC 6-3-7 (adjusted gross income tax) with respect to enterprise zone adjusted gross income;

(2) IC 27-1-18-2 (insurance premiums tax) with respect to enterprise zone insurance premiums; ~~and~~

(3) IC 6-5.5 (the financial institutions tax); **and**

(4) IC 6-8-15 (nonprofit agricultural organization health coverage tax);

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by

this section.

"Qualified wages" means the wages paid or payable to qualified employees during a taxable year.

"Taxpayer" includes a pass through entity.

(b) A taxpayer is entitled to a credit against the taxpayer's qualified state tax liability for a taxable year in the amount of the lesser of:

(1) the product of ten percent (10%) multiplied by the qualified increased employment expenditures of the taxpayer for the taxable year; or

(2) one thousand five hundred dollars ($1,500) multiplied by the number of qualified employees employed by the taxpayer during the taxable year.

(c) The amount of the credit provided by this section that a taxpayer uses during a particular taxable year may not exceed the taxpayer's qualified state tax liability for the taxable year. If the credit provided by this section exceeds the amount of that tax liability for the taxable year it is first claimed, then the excess may be carried back to preceding taxable years or carried over to succeeding taxable years and used as a credit against the taxpayer's qualified state tax liability for those taxable years. Each time that the credit is carried back to a preceding taxable year or carried over to a succeeding taxable year, the amount of the carryover is reduced by the amount used as a credit for that taxable year. Except as provided in subsection (e), the credit provided by this section may be carried forward and applied in the ten (10) taxable years that succeed the taxable year in which the credit accrues. The credit provided by this section may be carried back and applied in the three (3) taxable years that precede the taxable year in which the credit accrues.

(d) A credit earned by a taxpayer in a particular taxable year shall be applied against the taxpayer's qualified state tax liability for that taxable year before any credit carryover or carryback is applied against that liability under subsection (c).

(e) Notwithstanding subsection (c), if a credit under this section results from wages paid in a particular enterprise zone, and if that enterprise zone terminates in a taxable year that succeeds the last taxable year in which a taxpayer is entitled to use the credit carryover that results from those wages under subsection (c), then the taxpayer may use the credit carryover for any taxable year up to and including the taxable year in which the enterprise zone terminates.

(f) A taxpayer is not entitled to a refund of any unused credit.

(g) A taxpayer that:

(1) does not own, rent, or lease real property outside of an enterprise zone that is an integral part of its trade or business; and

(2) is not owned or controlled directly or indirectly by a taxpayer that owns, rents, or leases real property outside of an enterprise zone;

is exempt from the allocation and apportionment provisions of this section.

(h) If a pass through entity is entitled to a credit under subsection (b) but does not have state tax liability against which the tax credit may be applied, an individual who is a shareholder, partner, beneficiary, or member of the pass through entity is entitled to a tax credit equal to:

(1) the tax credit determined for the pass through entity for the taxable year; multiplied by

(2) the percentage of the pass through entity's distributive income to which the shareholder, partner, beneficiary, or member is entitled.

The credit provided under this subsection is in addition to a tax credit to which a shareholder, partner, beneficiary, or member of a pass through entity is entitled. However, a pass through entity and an individual who is a shareholder, partner, beneficiary, or member of a pass through entity may not claim more than one (1) credit for the qualified expenditure.

SECTION 10. IC 6-3-3-12, AS AMENDED BY P.L.214-2018(ss), SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 12. (a) As used in this section, "account" has the meaning set forth in IC 21-9-2-2.

(b) As used in this section, "account beneficiary" has the meaning set forth in IC 21-9-2-3.

(c) As used in this section, "account owner" has the meaning set forth in IC 21-9-2-4.

(d) As used in this section, "college choice 529 education savings plan" refers to a college choice 529 plan established under IC 21-9.

(e) As used in this section, "contribution" means the amount of money directly provided to a college choice 529 education savings plan account by a taxpayer. A contribution does not include any of the following:

(1) Money credited to an account as a result of bonus points or other forms of consideration earned by the taxpayer that result in a transfer of money to the account.

(2) Money transferred from any other qualified tuition program under Section 529 of the Internal Revenue Code or from any other similar plan.

(3) Money that is credited to an account and that will be transferred to an ABLE account (as defined in Section 529A of the Internal Revenue Code).

(f) As used in this section, "nonqualified withdrawal" means a withdrawal or distribution from a college choice 529 education savings plan that is not a qualified withdrawal.

(g) As used in this section, "qualified higher education expenses" has the meaning set forth in IC 21-9-2-19.5, **except that the term does not include qualified education loan repayments under Section 529(c)(9) of the Internal Revenue Code.**

(h) As used in this section, "qualified K-12 education expenses" means expenses that are for tuition in connection with enrollment or attendance at an elementary or secondary public, private, or religious school located in Indiana and are permitted under Section 529 of the Internal Revenue Code.

(i) As used in this section, "qualified withdrawal" means a withdrawal or distribution from a college choice 529 education savings plan that is made:

(1) to pay for qualified higher education expenses, excluding any withdrawals or distributions used to pay for qualified higher education expenses, if the withdrawals or distributions are made from an account of a college choice 529 education savings plan that is terminated within twelve (12) months after the account is opened;

(2) as a result of the death or disability of an account beneficiary;

(3) because an account beneficiary received a scholarship that paid for all or part of the qualified higher education expenses of the account beneficiary, to the extent that the withdrawal or distribution does not exceed the amount of the scholarship; or

(4) by a college choice 529 education savings plan as the result of a transfer of funds by a college choice 529 education savings plan from one (1) third party custodian to another.

However, a qualified withdrawal does not include a withdrawal or distribution that will be used for expenses that are for tuition in connection with enrollment or attendance at an elementary or secondary public, private, or religious school unless the school is located in Indiana. A qualified withdrawal does not include

a rollover distribution or transfer of assets from a college choice 529 education savings plan to any other qualified tuition program under Section 529 of the Internal Revenue Code or to any other similar plan.

(j) As used in this section, "taxpayer" means:

(1) an individual filing a single return; ~~or~~

(2) a married couple filing a joint return; **or**

(3) for taxable years beginning after December 31, 2019, a married individual filing a separate return.

(k) A taxpayer is entitled to a credit against the taxpayer's adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for a taxable year equal to the least of the following:

(1) The following amount:

(A) For taxable years beginning before January 1, 2019, the sum of twenty percent (20%) multiplied by the amount of the total contributions that are made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year and that will be used to pay for qualified higher education expenses that are not qualified K-12 education expenses, plus the lesser of:

(i) five hundred dollars ($500); or

(ii) ten percent (10%) multiplied by the amount of the total contributions that are made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year and that will be used to pay for qualified K-12 education expenses.

(B) For taxable years beginning after December 31, 2018, the sum of:

(i) twenty percent (20%) multiplied by the amount of the total contributions that are made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year and that are designated to pay for qualified higher education expenses that are not qualified K-12 education expenses; plus

(ii) twenty percent (20%) multiplied by the amount of the total contributions that are made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year and that are designated to pay for qualified K-12 education expenses.

(2) One thousand dollars ($1,000), **or five hundred dollars ($500) in the case of a married individual filing a separate return.**

(3) The amount of the taxpayer's adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for the taxable year, reduced by the sum of all credits (as determined without regard to this section) allowed by IC 6-3-1 through IC 6-3-7.

(l) This subsection applies after December 31, 2018. At the time a contribution is made to or a withdrawal is made from an account or accounts of a college choice 529 education savings plan, the person making the contribution or withdrawal shall designate whether the contribution is made for or the withdrawal will be used for:

(1) qualified higher education expenses that are not qualified K-12 education expenses; or

(2) qualified K-12 education expenses.

The Indiana education savings authority (IC 21-9-3) shall use subaccounting to track the designations.

(m) A taxpayer who makes a contribution to a college choice 529 education savings plan is considered to have made the contribution on the date that:

(1) the taxpayer's contribution is postmarked or accepted by a delivery service, for contributions that are submitted to a college choice 529 education savings plan by mail or delivery service; or

(2) the taxpayer's electronic funds transfer is initiated, for contributions that are submitted to a college choice 529 education savings plan by electronic funds transfer.

(n) A taxpayer is not entitled to a carryback, carryover, or refund of an unused credit.

(o) A taxpayer may not sell, assign, convey, or otherwise transfer the tax credit provided by this section.

(p) To receive the credit provided by this section, a taxpayer must claim the credit on the taxpayer's annual state tax return or returns in the manner prescribed by the department. The taxpayer shall submit to the department all information that the department determines is necessary for the calculation of the credit provided by this section.

(q) An account owner of an account of a college choice 529 education savings plan must repay all or a part of the credit in a taxable year in which any nonqualified withdrawal is made from the account. The amount the taxpayer must repay is equal to the lesser of:

(1) twenty percent (20%) of the total amount of nonqualified withdrawals made during the taxable year from the account; or

(2) the excess of:

(A) the cumulative amount of all credits provided by this section that are claimed by any taxpayer with respect to the taxpayer's contributions to the account for all prior taxable years beginning on or after January 1, 2007; over

(B) the cumulative amount of repayments paid by the account owner under this subsection for all prior taxable years beginning on or after January 1, 2008.

(r) Any required repayment under subsection (q) shall be reported by the account owner on the account owner's annual state income tax return for any taxable year in which a nonqualified withdrawal is made.

(s) A nonresident account owner who is not required to file an annual income tax return for a taxable year in which a nonqualified withdrawal is made shall make any required repayment on the form required under IC 6-3-4-1(2). If the nonresident account owner does not make the required repayment, the department shall issue a demand notice in accordance with IC 6-8.1-5-1.

(t) The executive director of the Indiana education savings authority shall submit or cause to be submitted to the department a copy of all information returns or statements issued to account owners, account beneficiaries, and other taxpayers for each taxable year with respect to:

(1) nonqualified withdrawals made from accounts, including subaccounts of a college

choice 529 education savings plan for the taxable year; or

(2) account closings for the taxable year.

SECTION 11. IC 6-3.1-7-1, AS AMENDED BY P.L.4-2005, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. As used in this chapter:

"Enterprise zone" means an enterprise zone created under IC 5-28-15.

"Pass through entity" means a:

(1) corporation that is exempt from the adjusted gross income tax under IC 6-3-2-2.8(2);

(2) partnership;

(3) trust;

(4) limited liability company; or

(5) limited liability partnership.

"Qualified loan" means a loan made to an entity that uses the loan proceeds for:

(1) a purpose that is directly related to a business located in an enterprise zone;

(2) an improvement that increases the assessed value of real property located in an enterprise zone; or

(3) rehabilitation, repair, or improvement of a residence.

"State tax liability" means a taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);

(2) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);** and

(3) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this chapter.

"Taxpayer" means any person, corporation, limited liability company, partnership, or other entity that has any state tax liability. The term includes a pass through entity.

SECTION 12. IC 6-3.1-7-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) A credit to which a taxpayer is entitled under this chapter shall be applied against taxes owed by the taxpayer in the following order:

(1) First, against the taxpayer's adjusted gross income tax liability (IC 6-3-1 through IC 6-3-7) for the taxable year.

(2) Second, against the taxpayer's insurance premiums tax liability (IC 27-1-18-2) **or nonprofit agricultural organization health coverage tax liability (IC 6-8-15)** for the taxable year.

(3) Third, against the taxpayer's financial institutions tax liability (IC 6-5.5) for the taxable year.

(b) If the tax paid by the taxpayer under a tax provision listed in subsection (a) is a credit against the liability or a deduction in determining the tax base under another Indiana tax provision, the credit or deduction shall be computed without regard to the credit to which a taxpayer is entitled under this chapter.

SECTION 13. IC 6-3.1-11-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. As used in this chapter, "state tax liability" means the taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);

(2) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);** and

(3) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this chapter.

SECTION 14. IC 6-3.1-11-16, AS AMENDED BY SEA 272-2020, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) Subject to entering into an agreement with the corporation under section 19.5 of this chapter and subject to section 21 of this chapter, a taxpayer is entitled to a credit against the taxpayer's state tax liability for a taxable year if the taxpayer makes a qualified investment **as certified by the corporation for** ~~in~~ that year.

(b) The amount of the credit to which a taxpayer is entitled is the qualified investment made by the taxpayer **and certified by the corporation for a** ~~during the~~ taxable year multiplied by the applicable percentage.

(c) The taxpayer may assign any part of the credit that the taxpayer may claim under this chapter. A credit that is assigned under this subsection remains subject to this chapter. **If a taxpayer assigns a part of a credit during a taxable year, the assignee may not subsequently assign all or part of the credit to another taxpayer. Nothing in this subsection shall prohibit a taxpayer from making more than one (1) assignment of any part of the credit, but a taxpayer may not assign the same part of a credit more than once.**

(d) ~~If a taxpayer assigns a part of a credit during a taxable year, the assignee may not subsequently assign all or part of the credit to another taxpayer. A taxpayer may make only one (1) assignment of a credit.~~ Before a credit may be assigned, the taxpayer must notify the corporation of the assignment of the credit in the manner prescribed by the corporation. An assignment of a credit must be in writing, and both the taxpayer and assignee shall report the assignment on the taxpayer's and the assignee's state tax returns for the year in which the assignment is made, in the manner prescribed by the department. A taxpayer may not receive value in connection with an assignment under this section that exceeds the value of the part of the credit assigned.

SECTION 15. IC 6-3.1-11-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 22. (a) A credit to which a taxpayer is entitled under this chapter shall be applied against taxes owed by the taxpayer in the following order:

(1) Against the taxpayer's adjusted gross income tax liability (IC 6-3-1 through IC 6-3-7) for the taxable year.

(2) Against the taxpayer's insurance premiums tax liability (IC 27-1-18-2) **or nonprofit agricultural organization health coverage tax (IC 6-8-15)** for the taxable year.

(3) Against the taxpayer's financial institutions tax (IC 6-5.5) for the taxable year.

(b) Whenever the tax paid by the taxpayer under any of the tax provisions listed in subsection (a) is a credit against the liability or a deduction in determining the tax base under another Indiana tax provision, the credit or deduction shall be computed without regard to the credit to which a taxpayer is entitled under this chapter.

SECTION 16. IC 6-3.1-13-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. As used in this chapter, "state tax liability" means a taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);

(2) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);** and

(3) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

SECTION 17. IC 6-3.1-19-1, AS AMENDED BY P.L.197-2016, SECTION 30, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. As used in this chapter, "state and local tax liability" means a taxpayer's total tax liability incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
(2) IC 6-3.6 (local income tax);
(3) IC 6-5.5 (the financial institutions tax); and
(4) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);**

as computed after the application of all credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

SECTION 18. IC 6-3.1-24-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. As used in this chapter, "state tax liability" means a taxpayer's total tax liability that is incurred under:

(1) IC 6-2.5 (state gross retail and use tax);
(2) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
(3) IC 6-5.5 (the financial institutions tax); and
(4) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);**

as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

SECTION 19. IC 6-3.1-26-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. As used in this chapter, "state tax liability" means a taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
(2) IC 27-1-18-2 (the insurance premiums tax); and
(3) IC 6-5.5 (the financial institutions tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);**

as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

SECTION 20. IC 6-3.1-30.5-5, AS ADDED BY P.L.182-2009(ss), SECTION 205, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. As used in this chapter, "state tax liability" means a taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
(2) IC 6-5.5 (the financial institutions tax); and
(3) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);**

as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

SECTION 21. IC 6-3.1-34-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3.5. As used in this chapter, "mine reclamation site" means:**

(1) land that has been mined using surface mining methods or underground mining methods, specifically and primarily for the removal of coal; and
(2) land that is contiguous to land described in subdivision (1).

SECTION 22. IC 6-3.1-34-6, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. As used in this chapter, "qualified redevelopment site" means:

(1) land on which a vacant building or complex of buildings was placed in service at least fifteen (15) years before the date on which the application is filed with the corporation under this chapter;
(2) land on which a vacant building or complex of buildings:
(A) was placed in service at least fifteen (15) years before the date on which the demolition of the vacant building or complex of buildings was completed; and
(B) that was demolished in an effort to protect the health, safety, and welfare of the community;
(3) land on which a vacant building or complex of buildings:
(A) was placed in service at least fifteen (15) years before the date on which the demolition of the vacant building or complex of buildings was completed;
(B) was placed in service as a public building;
(C) was owned by a unit of local government; and
(D) has not been redeveloped since the building was taken out of service as a public building;
(4) vacant land; ~~or~~
(5) mine reclamation site; or
~~(5)~~ **(6)** brownfields consisting of more than fifty (50) acres.

For a complex of buildings to be considered a qualified redevelopment site under subdivision (1), (2) or (3), the buildings must have been located on a single parcel or contiguous parcels of land that were under common ownership at the time the site was placed in service.

SECTION 23. IC 6-3.1-34-9, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. As used in this chapter, "state tax liability" means the taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
(2) IC 27-1-18-2 (the insurance premiums tax); and
(3) IC 6-5.5 (the financial institutions tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);**

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this chapter.

SECTION 24. IC 6-3.1-34-10, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. As used in this chapter, "taxpayer" means any person, corporation, limited liability company, partnership, or other entity that has any state tax liability. The term includes the owner or the developer of the qualified development site property, a pass through entity, and ~~a person~~ **an assignee** that is assigned part or all of a credit under section 14 of this chapter.

SECTION 25. IC 6-3.1-34-12, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) A tax credit that a taxpayer may claim under this chapter shall be applied against taxes owed by the taxpayer in the following order:

(1) First, against the taxpayer's adjusted gross income tax liability (IC 6-3-1 through IC 6-3-7) for the taxable year.

(2) Second, against the taxpayer's insurance premiums tax liability (IC 27-1-18-2) **or nonprofit agricultural organization health coverage tax liability (IC 6-8-15)** for the taxable year.

(3) Third, against the taxpayer's financial institutions tax liability (IC 6-5.5) for the taxable year.

(b) If the tax paid by the taxpayer under a tax provision listed in subsection (a) is a credit against the liability or a deduction in determining the tax base under another Indiana tax provision, the credit or deduction shall be computed without regard to the credit to which a taxpayer may claim under this chapter.

SECTION 26. IC 6-3.1-34-14, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14.(a) If a taxpayer is awarded a credit under this chapter before July 1, 2029, the taxpayer may assign any part of the credit that the taxpayer may claim under this chapter. A credit that is assigned under this subsection remains subject to this chapter.

(b) If a taxpayer assigns a part of a credit during a taxable year, the assignee may not subsequently assign all or part of the credit to another ~~person.~~ **taxpayer.** A taxpayer may make only one (1) assignment of a credit. Before a credit may be assigned, the taxpayer must notify the corporation of the assignment of the credit in the manner prescribed by the corporation. An assignment of a credit must be in writing, and both the taxpayer and assignee shall report the assignment on the taxpayer's and assignee's state tax returns for the year in which the assignment is made, in the manner prescribed by the department. A taxpayer may not receive value in connection with an assignment under this section that exceeds the value of that part of the credit assigned.

(c) The corporation shall collect and compile data on the assignments of tax credits under this chapter and determine the effectiveness of each assignment in getting projects completed. The corporation shall report its findings under this subsection to the legislative council in an electronic format under IC 5-14-6 before November 1, 2022.

SECTION 27. IC 6-3.1-34-17, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. (a) The following apply if the corporation determines that a credit should be awarded under this chapter:

(1) The corporation shall require the taxpayer to enter into an agreement with the corporation as a condition of receiving a credit under this chapter.

(2) The agreement with the corporation must:

(A) prescribe the method of certifying the taxpayer's qualified investment; and

(B) include provisions that authorize the corporation to work with the department and the taxpayer, if the corporation determines that the taxpayer is noncompliant with the terms of the agreement or the provisions of this chapter, to bring the taxpayer into compliance or to protect the interests of the state.

(3) The corporation shall specify the taxpayer's expenditures that will be considered a qualified investment.

(4) The corporation shall determine the applicable credit percentage under subsections (b) and (c).

(b) If the corporation determines that a credit should be awarded under this chapter, the corporation shall determine the applicable credit percentage for a qualified investment certified by the corporation. However, and except as provided in subsection (c), the applicable credit percentage may not exceed the following:

(1) If the qualified redevelopment site was placed in service at least fifteen (15) years ago but less than thirty (30) years ago, or is vacant land or a brownfield described in section ~~6(5)~~ **6(6)** of this chapter:

(A) fifteen percent (15%), if the qualified redevelopment site is part of a development plan of a regional development authority established under IC 36-7.5-2-1 or IC 36-7.6-2-3; or

(B) ten percent (10%), if the qualified redevelopment site is not part of a development plan of a regional development authority described under clause (A).

(2) If the qualified redevelopment site was placed in service at least thirty (30) years ago but less than forty (40) years ago:

(A) twenty percent (20%), if the qualified redevelopment site is part of a development plan of a regional development authority established under IC 36-7.5-2-1 or IC 36-7.6-2-3; or

(B) ten percent (10%), if the qualified redevelopment site is not part of a development plan of a regional development authority described under clause (A).

(3) If the qualified redevelopment site was placed in service at least forty (40) years ago:

(A) twenty-five percent (25%), if the qualified redevelopment site is part of a development plan of a regional development authority established under IC 36-7.5-2-1 or IC 36-7.6-2-3; or

(B) fifteen percent (15%), if the qualified redevelopment site is not part of a development plan of a regional development authority described under clause (A).

(c) The corporation may increase the credit amount by not more than an additional five percent (5%) if:

(1) the qualified redevelopment site is located in a federally designated qualified opportunity zone (Section 1400Z-1 and 1400Z-2 of the Internal Revenue Code); or

(2) the project qualifies for federal new markets tax credits under Section 45D of the Internal Revenue Code.

(d) To be eligible for the credit for a qualified investment, a taxpayer's expenditures that are considered a qualified investment must be certified by the corporation not later than two (2) taxable years after the end of the calendar year in which the taxpayer's expenditures are made.

SECTION 28. IC 6-3.6-2-7.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.4. "County with a single voting bloc" means a county that has a local income tax council in which one (1) city that is a member of the local income tax council or one (1) town that is a member of the local income tax council is allocated more than fifty percent (50%) of the total one hundred (100) votes allocated under IC 6-3.6-3-6(d). This section**

expires May 31, 2021.

SECTION 29. IC 6-3.6-3-5, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The auditor of a county shall record all votes taken on ordinances presented for a vote under this article and not more than ten (10) days after the vote, send a certified copy of the results to:

(1) the commissioner of the department of state revenue; and

(2) the commissioner of the department of local government finance;

in an electronic format approved by the commissioner of the department of local government finance.

(b) **Except as provided in subsection (c),** this subsection applies only to a county that has a local income tax council The county auditor may cease sending certified copies after the county auditor sends a certified copy of results showing that members of the local income tax council have cast a majority of the votes on the local income tax council for or against the proposed ordinance.

(c) This subsection applies only to a county with a single voting bloc that proposes to increase (but not decrease) a tax rate in the county. The county auditor may cease sending certified copies of the votes on the local income tax council voting as a whole under section 9.5 of this chapter after the county auditor sends a certified copy of results showing that the individuals who sit on the fiscal bodies of the county, cities, and towns that are members of the local income tax council have cast a majority of the votes on the local income tax council voting as a whole under section 9.5 of this chapter for or against the proposed ordinance. This subsection expires May 31, 2021.

SECTION 30. IC 6-3.6-3-6, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) This section applies to a county in which the county adopting body is a local income tax council.

(b) In the case of a city or town that lies within more than one (1) county, the county auditor of each county shall base the allocations required by subsection (c) on the population of that part of the city or town that lies within the county for which the allocations are being made.

(c) Each local income tax council has a total of one hundred (100) votes.

(d) Each **county, city, or town that is a** member of a local income tax council is allocated a percentage of the total one hundred (100) votes that may be cast. The percentage that a city or town is allocated for a year equals the same percentage that the population of the city or town bears to the population of the county. The percentage that the county is allocated for a year equals the same percentage that the population of all areas in the county not located in a city or town bears to the population of the county.

(e) This subsection applies only to a county with a single voting bloc. Each individual who sits on the fiscal body of a county, city, or town that is a member of the local income tax council is allocated for a year the number of votes equal to the total number of votes allocated to the particular county, city, or town under subsection (d) divided by the number of members on the fiscal body of the county, city, or town. This subsection expires May 31, 2021.

(f) On or before January 1 of each year, the county auditor shall certify to each member of the local income tax council the number of votes, rounded to the nearest one hundredth (0.01), each member has for that year.

(g) This subsection applies only to a county with a single voting bloc. On or before January 1 of each year, in addition to the certification to each member of the local income tax council under subsection (f), the county auditor shall certify to each individual who sits on the fiscal body of each county, city, or town that is a member of the local income tax council the number of votes, rounded to the nearest one hundredth (0.01), each individual has under subsection (e) for that year. This subsection expires May 31, 2021.

SECTION 31. IC 6-3.6-3-7, AS AMENDED BY P.L.247-2017, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) This section applies to a county in which the county adopting body is a local income tax council.

(b) Before a member of the local income tax council may propose an ordinance **under section 8 of this chapter,** or vote on a proposed ordinance **(including a proposed ordinance under section 8(e) of this chapter that is being considered by the local income tax council as a whole as required under section 9.5 of this chapter (before its expiration)),** the member must hold a public hearing on the proposed ordinance and provide the public with notice of the time and place where the public hearing will be held.

(c) The notice required by subsection (b) must be given in accordance with IC 5-3-1 and include the proposed ordinance or resolution to propose an ordinance.

(d) In addition to the notice required by subsection (b), the adopting body shall also provide a copy of the notice to all taxing units in the county at least ten (10) days before the public hearing.

SECTION 32. IC 6-3.6-3-8, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) This section applies to a county in which the county adopting body is a local income tax council.

(b) **Except as provided in subsection (e),** any member of a local income tax council may present an ordinance for passage. To do so, the member must adopt a resolution to propose the ordinance to the local income tax council and distribute a copy of the proposed ordinance to the county auditor. The county auditor shall treat any proposed ordinance distributed to the auditor under this section as a casting of all that member's votes in favor of the proposed ordinance.

(c) **Except as provided in subsection (f),** the county auditor shall deliver copies of a proposed ordinance the auditor receives to all members of the local income tax council within ten (10) days after receipt. Subject to subsection (d), once a member receives a proposed ordinance from the county auditor, the member shall vote on it within thirty (30) days after receipt.

(d) **Except as provided in subsection (h),** if, before the elapse of thirty (30) days after receipt of a proposed ordinance, the county auditor notifies the member that the members of the local income tax council have cast a majority of the votes on the local income tax council for or against the proposed ordinance the member need not vote on the proposed ordinance.

(e) This subsection applies only to a county with a single voting bloc that proposes to increase (but not decrease) a tax rate in the county. The fiscal body of any county, city, or town that is a member of a local income tax council may adopt a resolution to propose an ordinance to increase a tax rate in the county to be voted on by the local income tax council as a whole as required under section 9.5 of this chapter and distribute a copy of the proposed ordinance to the county auditor. The county auditor shall treat the vote tally on the resolution adopted under this subsection for each individual who is a member of the fiscal body of the county, city, or town as the voting record for that individual either for or against the ordinance being proposed for consideration by the local income tax council as a whole under section 9.5 of this chapter. This subsection expires May 31, 2021.

(f) This subsection applies only to a county with a single voting bloc that proposes to increase (but not decrease) a tax rate in the county. The county auditor shall deliver copies of a proposed ordinance the auditor receives under

subsection (e) to the fiscal officers of all members of the local income tax council (other than the member proposing the ordinance under subsection (e)) within ten (10) days after receipt. Subject to subsection (h), once a member receives a proposed ordinance from the county auditor, the member shall vote on it within thirty (30) days after receipt. This subsection expires May 31, 2021.

(g) This subsection applies only to a county with a single voting bloc that proposes to increase (but not decrease) a tax rate in the county. The fiscal body of each county, city, or town voting on a resolution to propose an ordinance under subsection (e), or voting on a proposed ordinance being considered by the local income tax council as a whole under section 9.5 of this chapter, must take a roll call vote on the resolution or the proposed ordinance. If an individual who sits on the fiscal body is absent from the meeting in which a vote is taken or abstains from voting on the resolution or proposed ordinance, the fiscal officer of the county, city, or town shall nevertheless consider that individual's vote as a "no" vote against the resolution or the proposed ordinance being considered, whichever is applicable, for purposes of the vote tally under this section and shall note on the vote tally that the individual's "no" vote is due to absence or abstention. The fiscal body of each county, city, or town shall certify the roll call vote on a resolution or a proposed ordinance, either for or against, to the county auditor as set forth under this chapter. This subsection expires May 31, 2021.

(h) This subsection applies only to a county with a single voting bloc that proposes to increase (but not decrease) a tax rate in the county. If, before the elapse of thirty (30) days after receipt of a proposed ordinance under subsection (e), the county auditor notifies the member that the individuals who sit on the fiscal bodies of the county, cities, and towns that are members of the local income tax council have cast a majority of the votes on the local income tax council for or against a proposed ordinance voting as a whole under section 9.5 of this chapter, the member need not vote on the proposed ordinance under subsection (e). This subsection expires May 31, 2021.

SECTION 33. IC 6-3.6-3-9, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) **Except as provided in subsection (d),** this section applies to a county in which the county adopting body is a local income tax council.

(b) A member of the local income tax council may exercise its votes by passing a resolution and transmitting the resolution to the county auditor.

(c) A resolution passed by a member of the local income tax council exercises all votes of the member on the proposed ordinance, and those votes may not be changed during the year.

(d) This section does not apply to a county in which the county adopting body is a local income tax council to which section 9.5 of this chapter applies. This subsection expires May 31, 2021.

SECTION 34. IC 6-3.6-3-9.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 9.5. (a) This section applies to a county:**

(1) in which the county adopting body is a local income tax council;
(2) that is a county with a single voting bloc; and
(3) that proposes to increase a tax rate in the county.

However, the provisions under section 9 of this chapter shall apply to a county described in subdivisions (1) and (2) that proposes to decrease a tax rate in the county.

(b) A local income tax council described in subsection (a) must vote as a whole to exercise its authority to increase a tax rate under this article.

(c) A resolution passed by the fiscal body of a county, city, or town that is a member of the local income tax council exercises the vote of each individual who sits on the fiscal body of the county, city, or town on the proposed ordinance, and the individual's vote may not be changed during the year.

(d) This section expires May 31, 2021.

SECTION 35. IC 6-3.6-3-11 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: **Sec. 11. (a) This section applies to a county in which the county adopting body is the local income tax council and is a county with a single voting bloc.**

(b) Notwithstanding any other law, any action taken under this chapter after December 31, 2019, and before April 1, 2020, by:

(1) a member of a local income tax council; or
(2) the local income tax council;

on a resolution or proposed ordinance to increase a local income tax rate in the county is void. However, this subsection does not apply to any action taken under this chapter on a resolution or proposed ordinance to decrease a local income tax rate in the county.

(c) This section expires May 31, 2021.

SECTION 36. IC 6-3.6-7-10, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015 (RETROACTIVE)]: Sec. 10. (a) This section applies only to Howard County.

(b) Maintaining low property tax rates is essential to economic development, and the use of a tax under this section, as needed in the county, to carry out the purposes of this section, rather than the use of property taxes, promotes these purposes.

(c) The county fiscal body may impose a tax rate on the adjusted gross income of local taxpayers that does not exceed twenty-five hundredths percent (0.25%).

(d) Revenues raised from a tax imposed under this section may be used only ~~for the purposes of funding a property tax credit to reduce the property tax liability imposed by a county~~ to fund the county's operation and maintenance of a jail or a juvenile detention center, or both.

~~(e) The total of all tax credits granted under this section for a year may not exceed the amount of revenue raised by the tax imposed under this section. If the amount available in a year for property tax credits under this section is less than the amount necessary to provide all the property tax credits authorized by the adopting body, the county auditor shall reduce the property tax credits granted to eliminate the excess. The county auditor shall reduce credits uniformly in proportion to the tax liability incurred by each taxpayer.~~

~~(f) The total of all tax credits granted under this section for a year may not exceed the amount necessary to offset the property tax liability imposed for the purposes of this section. If the amount available in a year for property tax credits under this section is greater than the amount necessary to provide property tax credits to offset the property tax liability imposed for the purposes of this section, the county auditor shall retain and apply the excess, as necessary, to provide the property tax credits for the purposes of this section for the following year.~~

~~(g) The county auditor shall allocate the amount of revenue applied as tax credits under this section to the county.~~

SECTION 37. IC 6-3.6-7-16, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015 (RETROACTIVE)]: Sec. 16. (a) This section applies only to Monroe County.

(b) Maintaining low property tax rates is essential to

economic development, and the use of a tax under this section, as needed in the county, to carry out the purposes of this section, rather than the use of property taxes, promotes these purposes.

(c) The county fiscal body may impose a tax rate on the adjusted gross income of local taxpayers that does not exceed twenty-five hundredths percent (0.25%).

(d) Revenues raised from a tax imposed under this section may be used only ~~for the purposes of funding a property tax credit to reduce the property tax liability imposed by a county~~ to fund the operation and maintenance of a juvenile detention center and other facilities to provide juvenile services.

~~(e) The total of all tax credits granted under this section for a year may not exceed the amount of revenue raised by the tax imposed under this section. If the amount available in a year for property tax credits under this section is less than the amount necessary to provide all the property tax credits authorized by the adopting body, the county auditor shall reduce the property tax credits granted to eliminate the excess. The county auditor shall reduce credits uniformly in proportion to the tax liability incurred by each taxpayer.~~

~~(f) The total of all tax credits granted under this section for a year may not exceed the amount necessary to offset the property tax liability imposed for the purposes of this section. If the amount available in a year for property tax credits under this section is greater than the amount necessary to provide property tax credits to offset the property tax liability imposed for the purposes of this section, the county auditor shall retain and apply the excess, as necessary, to provide the property tax credits for the purposes of this section for the following year.~~

~~(g) The county auditor shall allocate the amount of revenue applied as tax credits under this section to the county.~~

SECTION 38. IC 6-8-15 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 15. Nonprofit Agricultural Organization Health Coverage Tax

Sec. 1. As used in this chapter, "commissioner" refers to the insurance commissioner appointed under IC 27-1-1-2.

Sec. 2. As used in this chapter, "department" refers to the Indiana department of insurance created by IC 27-1-1-1.

Sec. 3. As used in this chapter, "nonprofit agricultural organization" means an organization:

(1) that is exempt from taxation under Section 501(c)(5) of the Internal Revenue Code;
(2) that is domiciled in Indiana;
(3) that was in existence before 1950; and
(4) the members of which include residents of every county in Indiana.

Sec. 4. As used in this chapter, "nonprofit agricultural organization coverage" means health benefit coverage that is:

(1) sponsored by:
(A) a nonprofit agricultural organization; or
(B) an affiliate of a nonprofit agricultural organization;
(2) offered only to:
(A) members of the nonprofit agricultural organization; and
(B) families of the members of the nonprofit agricultural organization;
(3) deemed by the nonprofit agricultural organization to be important in assisting its members to live long and productive lives; and
(4) offered to members of the nonprofit agricultural organization in every county in Indiana.

Sec. 5. If an organization provides nonprofit agricultural organization coverage in Indiana, the organization is subject to a nonprofit agricultural organization health coverage tax under this chapter.

Sec. 6. (a) Before March 1 of each year, an organization providing nonprofit agricultural organization coverage shall report to the department, under the oath of the president and secretary, the gross premiums received from providing nonprofit agricultural organization coverage during the twelve (12) month period ending on December 31 of the preceding calendar year.

(b) Any organization providing nonprofit agricultural organization coverage shall pay into the treasury of Indiana an amount equal to one and three-tenths percent (1.3%) of gross premiums collected during the previous calendar year. In the computation of the tax, the organization providing nonprofit agricultural organization coverage shall be entitled to deduct any annual Indiana gross premiums returned on account of cancellation or dividends returned to members or expenditures used for the purchase of reinsurance or stop-loss coverage.

(c) Payments of the nonprofit agricultural organization health coverage tax imposed by this chapter shall be made on a quarterly estimated basis. The amounts of the quarterly installments shall be computed on the basis of the total estimated tax liability for the current calendar year and the installments shall be due and payable on or before April 15, June 15, September 15, and December 15 of the current calendar year.

(d) Any balance due shall be paid on or before April 15 of the next succeeding calendar year.

(e) Any overpayment of the estimated tax during the preceding calendar year shall be allowed as a credit against the liability for the first installment of the current calendar year.

(f) If an organization providing nonprofit agricultural organization coverage fails to make any quarterly payment in an amount equal to at least:

(1) twenty-five percent (25%) of the total tax paid during the preceding calendar year; or
(2) twenty percent (20%) of the actual tax for the current calendar year;

the organization shall be liable, in addition to the amount due, for interest in the amount of one percent (1%) of the amount due and unpaid for each month or part of a month that the amount due, together with interest, remains unpaid. This interest penalty shall be exclusive of and in addition to any other fee, assessment, or charge made by the department.

(g) The nonprofit agricultural organization health coverage tax under this chapter shall be in lieu of all license fees or privilege or other tax levied or assessed by Indiana or by any municipality, county, or other political subdivision of Indiana. No municipality, county, or other political subdivision of Indiana shall impose any license fee or privilege or other tax upon any nonprofit agricultural organization or any of its agents for the privilege of providing nonprofit agricultural organization coverage in the municipality, county, or other political subdivision, except the tax authorized by IC 22-12-6-5. However, the taxes authorized under IC 22-12-6-5 shall be credited against the taxes provided for under this chapter. This section shall not be construed to prohibit the levy and collection of state, county, or municipal taxes upon real and tangible personal property of an organization providing nonprofit agricultural organization coverage or to prohibit the levy of any retaliatory tax, fine, penalty, or fee provided by law. However, all organizations providing nonprofit agricultural organization coverage paying taxes in Indiana predicated in part on their income from nonprofit agricultural organization coverage provided shall have the

same rights and privileges from further taxation, and shall be given the same credits wherever applicable, as those set out for insurance companies paying only a tax on premiums as set out in IC 27-1-18-2.

(h) Any organization providing nonprofit agricultural organization coverage that fails or refuses, for more than thirty (30) days, to:

(1) render an accurate account of its receipts as provided in this chapter; and

(2) pay the nonprofit agricultural organization health coverage tax due thereon;

shall be subject to a penalty of one hundred dollars ($100) for each additional day such report and payment shall be delayed, not to exceed a maximum penalty of ten thousand dollars ($10,000). The penalty may be ordered by the commissioner after a hearing under IC 4-21.5-3. The commissioner may revoke all authority of the defaulting nonprofit agricultural organization to provide nonprofit agricultural organization coverage or suspend the nonprofit agricultural organization's authority during the period of the default, in the discretion of the commissioner.

SECTION 39. IC 20-24-7-6, AS AMENDED BY P.L.244-2017, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. **(a)** With the approval of a majority of the members of the governing body, a school corporation may distribute a proportionate share of the school corporation's operations fund to a charter school. **A charter school may elect to distribute a proportionate share of the charter school's operations fund to the school corporation in whose district the charter school is located.**

(b) A governing body may distribute money that is received as part of a tax levy collected under IC 20-46-1 from the school corporation's education fund to a charter school, excluding a virtual charter school, in the manner provided by IC 20-46-1-8(d).

(c) A governing body may distribute money from the school safety referendum tax levy fund to a charter school, excluding a virtual charter school, in the manner prescribed by IC 20-46-9-6(b).

SECTION 40. IC 20-40-3-5, AS AMENDED BY P.L.244-2017, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. **(a)** Money in the fund may be used for any lawful school expenses, including making a transfer to the school corporation's education fund (IC 20-40-2) or operations fund (IC 20-40-18).

(b) A school corporation may distribute proceeds of a tax levy collected under IC 20-46-1 that is transferred to the school corporation's education fund to a charter school, excluding a virtual charter school, that is located within the attendance area of the school corporation.

SECTION 41. IC 20-40-20-6, AS ADDED BY P.L.272-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) Subject to subsections ~~(b) and (c),~~ **(c) and (d),** money in the fund may be used only for the following purposes:

(1) To employ or compensate a school resource officer or school resource officers.

(2) To establish or fund a school safety office.

(3) To conduct a threat assessment of a school building.

(4) To create or update a school safety plan.

(5) To develop or update school emergency response systems.

(6) To purchase equipment to improve the safety of a school building, school grounds, or school buses.

(7) To pay capital expenses to improve the safety of a school building.

(8) To establish and administer programs to address youth specific mental illness, addiction, anger management, bullying, and school violence.

(9) To develop and administer professional development programs for teachers, administrators, and other school employees designed to improve school safety and reduce violence.

(b) A school corporation may distribute, with the approval of the majority of members of the governing body, a portion of the proceeds of a tax levy collected under IC 20-46-9 that is deposited in the fund to a charter school, excluding a virtual charter school, that is located within the attendance area of the school corporation, to be used by the charter school for the purposes described in subsection (a).

~~(b)~~ **(c)** Expenditures paid using money collected from the levy shall be included in a school's safety plan.

~~(c)~~ **(d)** Local law enforcement shall participate in:

(1) development of a school safety plan;

(2) development or updates to school emergency response systems; and

(3) determination of capital expenses that would improve the safety of a school building.

~~(d)~~ **(e)** Money in the fund may be transferred to the school corporation's education fund (IC 20-40-2), operations fund (IC 20-40-18), or school safety referendum debt service fund (IC 20-40-21), as applicable, to pay for expenditures listed in subsection (a).

SECTION 42. IC 20-43-8-15, AS AMENDED BY P.L.108-2019, SECTION 230, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) This subsection applies to the state fiscal year beginning July 1, 2019. A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the amounts determined under the following STEPS:

STEP ONE: Determine for each career and technical education program provided by the school corporation:

(A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3) credits); multiplied by

(B) the number of pupils enrolled in the program; multiplied by

(C) the following applicable amount:

(i) Six hundred eighty dollars ($680) for a career and technical education program designated by the department of workforce development as a high value program under section 7.5 of this chapter.

(ii) Four hundred dollars ($400) for a career and technical education program designated by the department of workforce development as a moderate value program under section 7.5 of this chapter.

(iii) Two hundred dollars ($200) for a career and technical education program designated by the department of workforce development as a less than moderate value program under section 7.5 of this chapter.

STEP TWO: Determine the number of pupils enrolled in an apprenticeship program, a cooperative education program, a foundational

career and technical education course, or a work based learning course designated under section 7.5 of this chapter multiplied by one hundred fifty dollars ($150).

STEP THREE: Determine the number of pupils enrolled in an introductory program designated under section 7.5 of this chapter multiplied by three hundred dollars ($300).

STEP FOUR: Determine the number of pupils who travel from the school in which they are currently enrolled to another school to participate in a career and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars ($150).

(b) This subsection applies to state fiscal years beginning after June 30, 2020. A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the amounts determined under the following STEPS:

STEP ONE: Determine for each career and technical education program provided by the school corporation:

(A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3) credits); multiplied by

(B) the number of pupils enrolled in the program; multiplied by

(C) the following applicable amount:

(i) Six hundred eighty dollars ($680) for a career and technical education program designated by the department of workforce development as a high value level 1 program under section 7.5 of this chapter.

(ii) One thousand twenty dollars ($1,020) for a career and technical education program designated by the department of workforce development as a high value level 2 program under section 7.5 of this chapter.

(iii) Four hundred dollars ($400) for a career and technical education program designated by the department of workforce development as a moderate value level 1 program under section 7.5 of this chapter.

(iv) Six hundred dollars ($600) for a career and technical education program designated by the department of workforce development as a moderate value level 2 program under section 7.5 of this chapter.

(v) Two hundred dollars ($200) for a career and technical education program designated by the department of workforce development as a less than moderate value level 1 program under section 7.5 of this chapter.

(vi) Three hundred dollars ($300) for a career and technical education program designated by the department of workforce development as a less than moderate value level 2 program under section 7.5 of this chapter.

STEP TWO: Determine the number of pupils enrolled in an apprenticeship program or a work based learning program designated under section 7.5 of this chapter multiplied by five hundred dollars ($500).

STEP THREE: Determine the number of pupils enrolled in an introductory program designated under section 7.5 of this chapter multiplied by three hundred dollars ($300).

STEP FOUR: Determine the number of pupils enrolled in a planning for college and career course under section 7.5 of this chapter at the school corporation that is approved by the department of workforce development multiplied by one hundred fifty dollars ($150).

STEP FIVE: Determine the number of pupils who travel from the school in which they are currently enrolled to another school to participate in a career and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars ($150).

~~(c) The amount distributed under subsection (b) may not exceed one hundred thirty million dollars ($130,000,000) for a state fiscal year. If the amount determined under subsection (b) will exceed one hundred thirty million dollars ($130,000,000) for a state fiscal year, the amount distributed to each recipient during the remaining months of the state fiscal year shall be proportionately reduced so that the total reductions equal the amount of the excess for the state fiscal year.~~

SECTION 43. IC 20-46-1-8, AS AMENDED BY P.L.272-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) Subject to subsection (c) and this chapter, the governing body of a school corporation may adopt a resolution to place a referendum under this chapter on the ballot for ~~either~~ **any** of the following purposes:

(1) The governing body of the school corporation determines that it cannot, in a calendar year, carry out its public educational duty unless it imposes a referendum tax levy under this chapter.

(2) The governing body of the school corporation determines that a referendum tax levy under this chapter should be imposed to replace property tax revenue that the school corporation will not receive because of the application of the credit under IC 6-1.1-20.6.

(3) The governing body makes the determination required under subdivision (1) or (2) and determines to share a portion of the referendum proceeds with a charter school, excluding a virtual charter school, in the manner prescribed in subsection (d).

(b) The governing body of the school corporation shall certify a copy of the resolution **to place a referendum on the ballot** to the following:

(1) The department of local government finance, including the language for the question required by section 10 of this chapter, or in the case of a resolution to extend a referendum levy certified to the department of local government finance after March 15, 2016, section 10.1 of this chapter. The department shall review the language for compliance with section 10 or 10.1 of this chapter, whichever is applicable, and either approve or reject the language. The department shall send its decision to the

governing body of the school corporation not more than ten (10) days after the resolution is submitted to the department. If the language is approved, the governing body of the school corporation shall certify a copy of the resolution, including the language for the question and the department's approval.

(2) The county fiscal body of each county in which the school corporation is located (for informational purposes only).

(3) The circuit court clerk of each county in which the school corporation is located.

(c) If a school safety referendum tax levy under IC 20-46-9 has been approved by the voters in a school corporation at any time in the previous three (3) years, the school corporation may not:

(1) adopt a resolution to place a referendum under this chapter on the ballot; or

(2) otherwise place a referendum under this chapter on the ballot.

(d) The resolution described in subsection (a) must indicate whether proceeds in the school corporation's education fund collected from a tax levy under this chapter will be used to provide a distribution to a charter school or charter schools, excluding a virtual charter school, under IC 20-40-3-5 as well as the amount that will be distributed to the particular charter school or charter schools. A school corporation may request from the designated charter school or charter schools any financial documentation necessary to demonstrate the financial need of the charter school or charter schools.

SECTION 44. IC 20-46-1-18, AS AMENDED BY P.L.1-2009, SECTION 126, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. A school corporation's levy may not be considered in the determination of the school corporation's **or a charter school's (excluding a virtual charter school)** state tuition support distribution under IC 20-43 or the determination of any other property tax levy imposed by the school corporation.

SECTION 45. IC 20-46-9-6, AS ADDED BY P.L.272-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) Subject to this chapter, the governing body of a school corporation may adopt a resolution to place a referendum under this chapter on the ballot if the governing body of the school corporation determines that a referendum levy should be imposed for measures to improve school safety as described in IC 20-40-20-6(a) **or IC 20-40-20-6(b).**

(b) A school corporation may, with the approval of the majority of members of the governing body, distribute a portion of the proceeds of a tax levy collected under this chapter that is deposited in the fund to a charter school, excluding a virtual charter school, that is located within the attendance area of the school corporation, to be used by the charter school for the purposes described in IC 20-40-20-6(a).

~~(b)~~ **(c)** The governing body of the school corporation shall certify a copy of the resolution to the following:

(1) The department of local government finance, including the language for the question required by section 9 of this chapter, or in the case of a resolution to extend a referendum levy certified to the department of local government finance, section 10 of this chapter. The department shall review the language for compliance with section 9 or 10 of this chapter, whichever is applicable, and either approve or reject the language. The department shall send its decision to the governing body of the school corporation not more than ten (10) days after the resolution is submitted to the department. If the language is approved, the governing body of the school corporation shall certify a copy of the resolution, including the language for the question and the department's approval.

(2) The county fiscal body of each county in which the school corporation is located (for informational purposes only).

(3) The circuit court clerk of each county in which the school corporation is located.

(d) The resolution described in subsection (a) must indicate whether proceeds in the school corporation's fund collected from a tax levy under this chapter will be used to provide a distribution to a charter school or charter schools, excluding a virtual charter school, under IC 20-40-20-6(b) as well as the amount that will be distributed to the particular charter school or charter schools. A school corporation may request from the designated charter school or charter schools any financial documentation necessary to demonstrate the financial need of the charter school or charter schools.

SECTION 46. IC 36-7-4-1103, AS AMENDED BY P.L.119-2012, SECTION 195, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1103. ~~(a) This section does not apply to a plan commission exercising jurisdiction in a county having a population of more than twenty thousand nine hundred (20,900) but less than twenty-one thousand (21,000).~~

~~(b)~~ **(a)** ADVISORY—AREA. For purposes of this section, urban areas include all lands and lots within the corporate boundaries of a municipality, any other lands or lots used for residential purposes where there are at least eight (8) residences within any quarter mile square area, and other lands or lots that have been or are planned for residential areas contiguous to the municipality.

~~(c)~~ **(b)** ADVISORY—AREA. This chapter does not authorize an ordinance or action of a plan commission that would prevent, outside of urban areas, the complete use and alienation of any mineral resources or forests by the owner or alienee of them.

SECTION 47. IC 36-7-14-0.5, AS AMENDED BY P.L.235-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.5. (a) The definitions in this section apply throughout this chapter.

(b) "Obligation" means any bond, note, warrant, lease, or other instrument under which money is borrowed.

(c) "Public funds" means all fees, payments, tax receipts, and funds of whatever kind or character coming into the possession of a:

(1) redevelopment commission; or

(2) department of redevelopment.

(d) "Residential housing" means housing or workforce housing that consists of single family dwelling units sufficient to secure quality housing in reasonable proximity to employment. **The term includes condominiums and townhouses located within an economic development target area that is designated under IC 6-1.1-12.1-7.**

(e) "Residential housing development program" means a residential housing development program for the:

(1) construction of new residential housing; or

(2) renovation of existing residential housing;

established by a commission under section 53 of this chapter.

(f) "Workforce housing" means housing that is affordable for households with earned income that is sufficient to secure quality housing in reasonable proximity to employment.

SECTION 48. IC 36-7-14-53, AS ADDED BY P.L.235-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 53. (a) Subject to subsection (g), a commission may establish a residential housing development program by resolution for the

construction of new residential housing or the renovation of existing residential housing **in an area within the jurisdiction of the commission** if:

(1) for a commission established by a county, the average of new, single family residential houses constructed ~~in the unincorporated~~ **within the township in which the** area ~~of the county~~ **is located** during the preceding three (3) calendar years is less than one percent (1%) of the total number of single family residential houses within ~~the unincorporated area of the county~~ **that township** on January 1 of the year in which the resolution is adopted; or

(2) for a commission established by a municipality, the average of new, single family residential houses constructed within the municipal boundaries during the preceding three (3) calendar years is less than one percent (1%) of the total number of single family residential houses within the boundaries of the municipality on January 1 of the year in which the resolution is adopted.

However, the calculations described in subdivisions (1) and (2) and the provisions of subsection (f) do not apply for purposes of establishing a residential housing development program within an economic development target area designated under IC 6-1.1-12.1-7.

(b) The program, which may include any relevant elements the commission considers appropriate, may be adopted as part of a redevelopment plan or amendment to a redevelopment plan, and must establish an allocation area for purposes of sections 39 and 56 of this chapter for the accomplishment of the program. The program must be approved by the municipal legislative body or county executive as specified in section 17 of this chapter.

(c) The notice and hearing provisions of sections 17 and 17.5 of this chapter, including notice under section 17(c) of this chapter to a taxing unit that is wholly or partly located within an allocation area, apply to the resolution adopted under subsection (b). Judicial review of the resolution may be made under section 18 of this chapter.

(d) Before formal submission of any residential housing development program to the commission, the department of redevelopment shall:

(1) consult with persons interested in or affected by the proposed program, **including the superintendents and governing body presidents of all school corporations located within the proposed allocation area;**

(2) provide the affected neighborhood associations, residents, and township assessors with an adequate opportunity to participate in an advisory role in planning, implementing, and evaluating the proposed program; and

(3) hold ~~public meetings in the affected neighborhood~~ **at least one (1) public meeting** to obtain the views of neighborhood associations and residents **of the affected neighborhood. The department of redevelopment shall send notice thirty (30) days prior to the public meeting to the fiscal officer of all affected taxing units and to the superintendents and governing body presidents of all school corporations located within the proposed allocation area.**

(e) A residential housing development program established under this section must terminate not later than ~~twenty (20) years after the date the program is established under subsection (b).~~ **twenty-five (25) years after the date on which the first obligation was incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues from the program.**

(f) The department of local government finance in cooperation with either the appropriate county agency or the appropriate municipal agency, or both, shall determine whether a county or municipality meets the **threshold** requirements under subsection (a). **In making the determination, the department of local government finance may request information necessary to make the determination.** A county or municipality may request from the department of local government finance a report, if it exists, describing the effect of current assessed value allocated to tax increment financing allocation areas on the amount of the tax levy or proceeds and the credit for excessive property taxes under IC 6-1.1-20.6 for the taxing units within the boundaries of the residential housing development program.

(g) A program established under subsection (a) may not take effect until the governing body of each school corporation affected by the program passes a resolution approving the program.

SECTION 49. IC 36-7-32-8, AS AMENDED BY P.L.158-2019, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. As used in this chapter, "income tax base period amount" means ~~the following:~~

~~(1) Except as provided in subdivision (2),~~ the aggregate amount of the following taxes paid by employees employed in the territory comprising a certified technology park with respect to wages and salary earned for work in the certified technology park for the state fiscal year that precedes the date on which the certified technology park was designated under section 11 of this chapter:

~~(A)~~ **(1)** The adjusted gross income tax.

~~(B)~~ **(2)** The local income tax (IC 6-3.6).

~~(2) In the case of a certified technology park for which the amount limit under section 22(c) or 22(d) of this chapter has been exceeded, the aggregate amount of adjusted gross income taxes and local income taxes (IC 6-3.6) paid by employees employed in the territory comprising a certified technology park with respect to wages and salary earned for work in the certified technology park for:~~

~~(A) the state fiscal year in which the total deposits in the incremental tax financing fund for the certified technology park first exceeded the amount limit under section 22(c) or 22(d) of this chapter; or~~

~~(B) the state fiscal year beginning July 1, 2019, and ending June 30, 2020, in the case of a certified technology park for which the amount limit under section 22(c) or 22(d) of this chapter was exceeded before July 1, 2020.~~

SECTION 50. IC 36-7-32-8.5, AS AMENDED BY P.L.158-2019, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8.5. As used in this chapter, "income tax incremental amount" means the following:

(1) Except as provided in subdivision (2), the remainder of:

(A) the total amount of state adjusted gross income taxes and

local income taxes paid by employees employed in the territory comprising the certified technology park with respect to wages and salary earned for work in the territory comprising the certified technology park for a particular state fiscal year; minus

(B) the sum of the:

(i) income tax base period amount as defined in section ~~8(1)~~ **8** of this chapter; and

(ii) tax credits awarded by the Indiana economic development corporation under IC 6-3.1-13 to businesses operating in a certified technology park as the result of wages earned for work in the certified technology park for the state fiscal year;

as determined by the department of state revenue.

(2) In the case of a certified technology park for which the amount limit under section 22(c) or 22(d) of this chapter has been exceeded, the remainder of:

(A) the total amount of state adjusted gross income taxes and local income taxes paid by employees employed in the territory comprising the certified technology park with respect to wages and salary earned for work in the territory comprising the certified technology park for a particular state fiscal year; minus

(B) the sum of the:

(i) income tax base period amount as defined in section ~~8(2)~~ **8** of this chapter; and

(ii) tax credits awarded by the Indiana economic development corporation under IC 6-3.1-13 to businesses operating in a certified technology park as the result of wages earned for work in the certified technology park for the state fiscal year;

as determined by the department of state revenue.

SECTION 51. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to the interim study committee on fiscal policy during the 2020 legislative interim the task of studying tax credits and other fiscal incentives for a film and media production program.**

(b) If the legislative council assigns the task described in subsection (a) to the interim study committee on fiscal policy during the 2020 legislative interim, the legislative services agency shall prepare a study of film and media production tax incentives in other states and submit the study to the interim study committee on fiscal policy before October 1, 2020. The study must include at least the following:

(1) Information concerning film and media production incentives offered in all other states.

(2) Information concerning the effectiveness of film and media production incentives offered in all other states.

(c) This SECTION expires July 1, 2023.

SECTION 52. [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)] **(a) IC 6-3-3-12, as amended by this act, applies only to taxable years beginning after December 31, 2019.**

(b) This SECTION expires July 1, 2021.

SECTION 53. [EFFECTIVE UPON PASSAGE] **Notwithstanding the January 1, 2020, effective date contained in P.L.121-2019, SECTION 4, the revisor of statutes shall publish IC 6-1.1-15-3, as amended by this act, effective January 1, 2019.**

SECTION 54. **An emergency is declared for this act.**

(Reference is to EHB 1065 as reprinted March 3, 2020.)

THOMPSON	HOLDMAN
JORDAN	CHARBONNEAU
House Conferees	Senate Conferees

Roll Call 391: yeas 52, nays 40. Report adopted.

CONFERENCE COMMITTEE REPORT
EHB 1108–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1108 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 2-5-1.1-6.3, AS ADDED BY P.L.104-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.3. (a) The following definitions apply throughout this section:

(1) "Audit committee" refers to the audit and financial reporting subcommittee of the legislative council established by subsection (b).

(2) "Audited entity" refers to the state, a municipality, a public hospital, or another person or entity that is subject to an examination by the state board of accounts under IC 5-11-1 or another law. However, the term applies to an entity (as defined in IC 5-11-1-16(e)) to the extent that the entity is required to be examined under IC 5-11-1-9 or another law.

(3) "Examination" refers to an audit, examination, or other engagement by the state board of accounts, its field examiners, or private examiners under IC 5-11-1 or another law.

(b) The audit and financial reporting subcommittee of the legislative council is established to assure the independence of the state board of accounts. The subcommittee is comprised of five (5) voting members and one (1) advisory member, who shall be the director of the office of management and budget, or the director's designee. The chairman of the legislative council, with the advice of the vice chairman of the legislative council, shall appoint the voting members of the audit committee and its chairperson. The audit committee may have members who are not members of the legislative council. If the individual appointed is not a member of the general assembly, the term of the member is three (3) years. If the individual appointed is a member of the general assembly, the term of the member is one (1) year. However, to stagger the terms of the members, if the individual appointed is not a member of the general assembly, the initial term of two (2) of these members is two (2) years instead of three (3) years. All members of the audit committee must possess or obtain a basic understanding of governmental

financial reporting and auditing. To ensure the audit committee's independence and effectiveness, a member of the audit committee may not exercise managerial responsibilities that fall within the scope of an examination required by IC 5-11-1.

(c) It is the responsibility of the audit committee to provide independent review and oversight of the state board of accounts and the examination process used by the state board of accounts. To carry out this responsibility, the audit committee shall do at least the following:

(1) Review and monitor the independence and objectivity of the state board of accounts and the effectiveness of the examination process, taking into consideration relevant professional and regulatory requirements.

(2) Evaluate the findings and recommendations of any peer review of the state board of accounts that is required by recognized government auditing standards.

(3) Receive and review reports of examinations submitted under IC 5-11-5-1 or another law to monitor the integrity of the financial reporting process and the effectiveness of the state board of accounts in evaluating the internal accounting controls of audited entities.

(4) Monitor the actions of the examined entities to follow up on reported findings to assure corrective action is taken.

(5) Review the policy on the engagement of the state board of accounts, its field examiners, and private examiners to supply nonaudit services, taking into account relevant ethical guidance regarding the provision of nonaudit services by the state board of accounts.

(6) Provide guidance to the state board of accounts on any accounting, examination, or financial reporting matter requested by the state board of accounts.

(7) At least annually, report to the legislative council on how the audit committee has discharged its duties and met its responsibilities.

(d) An examined entity shall provide the audit committee with information, including any reports of internal auditors and annual internal audit work plans, that the audit committee requests as necessary or appropriate to carry out the responsibilities of the audit committee.

(e) IC 2-5-1.2 applies to the committee. In addition, the audit committee may retain the services of at least one (1) financial expert who is either an audit committee member or an outside party engaged by the audit committee for this purpose. The financial expert must, through both education and experience and in a manner specifically relevant to the government sector, possess:

(1) an understanding of generally accepted accounting principles and financial statements;

(2) experience in preparing or auditing financial statements of comparable entities;

(3) experience in applying such principles in connection with the accounting for estimates, accruals, and reserves;

(4) experience with internal accounting controls; and

(5) an understanding of audit committee functions.

The expenses of the audit committee shall be paid from appropriations for the legislative council and the legislative services agency.

(f) The audit committee shall receive appeals and conduct hearings as described in IC 5-11-1-9.3.

SECTION 2. IC 5-11-1-2, AS AMENDED BY P.L.176-2009, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. The state board of accounts shall formulate, prescribe, and install a system of accounting and reporting in conformity with this chapter **for use by an audited entity,** which must comply with the following:

(1) Be uniform for every public office and every public account of the same class and contain written standards that an entity that is subject to audit must observe.

(2) Exhibit true accounts and detailed statements of funds collected, received, obligated, and expended for or on account of the public for any and every purpose whatever, and by all public officers, employees, or other individuals.

(3) Show the receipt, use, and disposition of all public property and the income, if any, derived from the property.

(4) Show all sources of public income and the amounts due and received from each source.

(5) Show all receipts, vouchers, contracts, obligations, and other documents kept, or that may be required to be kept, to prove the validity of every transaction.

The state board of accounts shall formulate or approve all statements and reports necessary for the internal administration of the office to which the statements and reports pertain. The state board of accounts shall approve all reports that are published or that are required to be filed in the office of state examiner. The state board of accounts shall from time to time make and enforce changes in the system and forms of accounting and reporting as necessary to conform to law.

SECTION 3. IC 5-11-1-4, AS AMENDED BY P.L.244-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The state examiner shall require from every ~~municipality and every state or local governmental unit, entity, or instrumentality~~ **audited entity** financial reports covering the full period of each fiscal year. These reports shall be prepared, verified, and filed with the state examiner not later than sixty (60) days after the close of each fiscal year. The reports must be in the form and content prescribed by the state examiner and filed electronically in the manner prescribed under IC 5-14-3.8-7.

(b) The department of local government finance may not approve the budget of a political subdivision or a supplemental appropriation for a political subdivision until the political subdivision files an annual report under subsection (a) for the preceding calendar year.

(c) As used in this subsection, "bonds" means any bonds, notes, or other evidences of indebtedness, whether payable from property taxes, other taxes, revenues, fees, or any other source. However, the term does not include notes, warrants, or other evidences of indebtedness that have a maturity of not more than five (5) years and that are made in anticipation of and to be paid from revenues of the political subdivision. Notwithstanding any other law, a county or municipality may not issue any bonds unless the county or municipality has filed an annual financial report with the state examiner for the preceding fiscal year. The requirements under this subsection for the issuance of bonds by a county or municipality are in addition to any other requirements imposed under any other law. This subsection applies to the issuance of bonds authorized under any statute, regardless of whether that statute specifically references this subsection or the requirements under this subsection.

SECTION 4. IC 5-11-1-9, AS AMENDED BY P.L.209-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) The state examiner, personally or through the deputy examiners, field examiners, or private examiners, shall examine all accounts and all financial affairs of every ~~public office and officer, state~~

~~office, state institution, and entity.~~ **audited entity.** However, an examination of an entity under this subsection shall be limited to matters relevant to the use of the public money received by the entity.

(b) An examination of an entity that is organized as a not-for-profit corporation deriving:

(1) less than fifty percent (50%); or

(2) subject to subsection (i), at least fifty percent (50%) but less than seven hundred fifty thousand dollars ($750,000);

of its disbursements during the period subject to an examination from appropriations, public funds, taxes, and other sources of public expense shall be limited to matters relevant to the use of the public money received by the entity.

(c) The examination of an entity described in subsection (b) may be waived by the state examiner if the state examiner determines that:

(1) in consideration of the applicable risk based examination criteria described in and approved under section 25 of this chapter; and

(2) based on submitted information;

there are no compelling reasons to conclude that disbursements of public money during the period subject to examination were inconsistent with the purposes for which the money was received. However, the state examiner may revoke a waiver granted under this subsection if the state examiner determines that revocation of the waiver is necessary in accordance with the risk based examination criteria set forth in section 25 of this chapter. The state examiner shall communicate the determination to grant or revoke a waiver under this subsection to the entity in writing.

(d) Notwithstanding any other law, the:

(1) Indiana economic development corporation created by IC 5-28-3 and the corporation's funds, accounts, and financial affairs shall be examined by the state board of accounts unless the examination is waived under subsection (j); and

(2) department of financial institutions established by IC 28-11-1-1 and the department's funds, accounts, and financial affairs shall be examined by the state board of accounts.

(e) On every examination under this section, inquiry shall be made as to the following:

(1) The financial condition and resources of each ~~municipality, office, institution, or entity.~~ **audited entity.**

(2) Whether the laws of the state and the uniform compliance guidelines of the state board of accounts established under section 24 of this chapter have been complied with.

(3) The methods and accuracy of the accounts and reports of the person examined.

The examinations may be made without notice.

(f) If during an examination of a state office **or a body corporate and politic** under this chapter the examiner encounters an inefficiency in the operation of the state office **or the body corporate and politic,** the examiner may comment on the inefficiency in the examiner's report.

(g) The state examiner, deputy examiners, any field examiner, or any private examiner, when engaged in making any examination or when engaged in any official duty devolved upon them by the state examiner, is entitled to do the following:

(1) Enter into any state, county, city, township, or other public office in this state, or any entity, agency, or instrumentality, and examine any books, papers, documents, or electronically stored information for the purpose of making an examination.

(2) Have access, in the presence of the custodian or the custodian's deputy, to the cash drawers and cash in the custody of the officer.

(3) During business hours, examine the public accounts in any depository that has public funds in its custody pursuant to the laws of this state.

(h) The state examiner, deputy examiner, or any field examiner, when engaged in making any examination authorized by law, may issue subpoenas for witnesses to appear before the examiner in person or to produce books, papers, or other records (including records stored in electronic data processing systems) for inspection and examination. **The state examiner, deputy examiner, or any field examiner may issue a subpoena to enforce the filing of the annual financial report.** The state examiner, deputy examiner, and any field examiner may administer oaths and examine witnesses under oath orally or by interrogatories concerning the matters under investigation and examination. Under the authority of the state examiner, the oral examinations may be transcribed with the reasonable expense paid by the examined person in the same manner as the compensation of the field examiner is paid. The subpoenas shall be served by any person authorized to serve civil process from any court in this state. If a witness **or officer** duly subpoenaed refuses to attend, refuses to produce information required in the subpoena, or attends and refuses to be sworn or affirmed, or to testify when called upon to do so, the examiner may apply to the circuit court having jurisdiction of the witness **or officer** for the enforcement of attendance and answers to questions as provided by the law governing the taking of depositions **or to enforce the filing of any report referred to in this subsection.**

(i) The definitions in IC 20-24-1 apply throughout this subsection. Appropriations, public funds, taxes, and other sources of public money received by a nonprofit corporation as a charter school or organizer of a charter school for the purposes of a charter school may not be counted for the purpose of applying subsection (b)(2). Unless the nonprofit corporation receives other public money that would qualify the nonprofit corporation for a full examination of all accounts and financial affairs of the entity under subsection (b)(2), an examination of a charter school or organizer of a charter school must be limited to matters relevant to the use of the public money received for the charter school. This subsection does not prohibit the state examiner, personally or through the deputy examiners, field examiners, or private examiners, from examining the accounts in which appropriations, public funds, taxes, or other sources of public money are applied that are received by a nonprofit corporation as a charter school or organizer of a charter school relating to the operation of the charter school.

(j) The state examiner may waive the examination of the Indiana economic development corporation and a nonprofit subsidiary corporation established under IC 5-28-5-13 if:

(1) an independent certified public accounting firm conducts an examination under IC 5-28-3-2(c) of:

(A) the Indiana economic development corporation and the Indiana economic development corporation's funds, accounts, and financial affairs; and

(B) the nonprofit subsidiary corporation;

for the year;

(2) the Indiana economic development corporation submits the examination report to the state board of accounts; and

(3) the state board of accounts reviews the examination report and determines that the examination and examination report comply with the uniform compliance guidelines,

directives, and standards established by the state board of accounts.

(k) Notwithstanding the waiver of an examination of the Indiana economic development corporation and its nonprofit subsidiary corporation by the state examiner, the state board of accounts may examine the Indiana economic development corporation and its nonprofit subsidiary corporation at any time.

SECTION 5. IC 5-11-1-9.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9.3. (a) This section applies only to a body corporate and politic whose enabling statute does not provide for an annual audit, examination, or other engagement by:**

(1) the state board of accounts; or

(2) an independent public accounting firm;

concerning financial or compliance related matters of the body corporate and politic.

(b) This section does not affect a body corporate and politic whose enabling statute provides for an annual audit, examination, or other engagement by the state board of accounts or an independent public accounting firm.

(c) As used in this section, "audit committee" refers to the audit and financial reporting subcommittee of the legislative council established by IC 2-5-1.1-6.3(b).

(d) As used in this section, "enabling statute" refers to a statute, including a statute enacted after June 30, 2020, that establishes a body corporate and politic.

(e) The state board of accounts may conduct an examination of a body corporate and politic described in this section. The state board of accounts shall permit a body corporate and politic to request in writing to the state examiner that an examination under this section be performed by an independent public accounting firm. The state examiner may approve a request under this section based on the applicable risk based examination criteria described in and approved under section 25 of this chapter.

(f) If a request under subsection (e) for an independent public accounting firm to conduct an examination is denied by the state examiner, the body corporate and politic may file an appeal of the denial with the audit committee. The audit committee shall hold a public hearing concerning the appeal and prepare a written decision determining whether the independent public accounting firm selected by the body corporate and politic is permitted to conduct the examination under this section. The audit committee's written decision is binding, and the state board of accounts shall allow the independent public accounting firm to conduct the examination if the audit committee determines the independent public accounting firm is permitted. The audit committee shall provide a copy of the written decision to the state board of accounts and to the body corporate and politic. The audit committee shall post a copy of the written decision on the audit committee's Internet web site.

(g) An examination of a body corporate and politic conducted under this section by the state board of accounts or an independent public accounting firm shall be filed with:

(1) the state board of accounts in the manner provided by this article; and

(2) the auditor of state.

SECTION 6. IC 5-11-1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. **(a)** A public officer **or responsible officer of an audited entity** who:

(1) fails to make, verify, and file with the state examiner any report required by this chapter;

(2) fails to follow the directions of the state examiner in keeping the accounts of the officer's office;

(3) refuses the state examiner, deputy examiner, field examiner, or private examiner access to the books, accounts, papers, documents, cash drawer, or cash of the officer's office; or

(4) interferes with an examiner in the discharge of the examiner's official duties;

commits a Class B infraction. ~~and forfeits office.~~ **The court may also order the officer described in this subsection to forfeit the officer's office.**

(b) As an alternative to an order to forfeit office under subsection (a), a court in which an action described in subsection (a) is filed may impose a civil penalty that does not exceed five hundred dollars ($500) for each day, beginning on the day that the court imposes the civil penalty and each day thereafter, that the public officer or responsible officer continues to violate an obligation described in subsection (a). The individual is personally liable for a civil penalty imposed on the individual under this section.

(c) The state board of accounts may collect the expenses incurred in carrying out the audit, examination, or engagement from the audited entity of the officer described in this section.

SECTION 7. IC 5-11-1-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. (a) The state examiner, deputy examiners, and field examiners shall each give bond for the faithful performance of the examiner's duties ~~as follows:~~

~~(1) The state examiner in the sum of five thousand dollars ($5,000), to be approved by the governor.~~

~~(2) Each deputy examiner in the sum of three thousand dollars ($3,000), to be approved by the governor.~~

~~(3) Each field examiner in the sum of one thousand dollars ($1,000), to be approved by the state examiner.~~ **in an amount determined by the audit committee and based on applicable risk considerations.** However, field examiners may be covered by a blanket bond or crime insurance policy endorsed to include faithful performance under IC 5-4-1-15.1 subject to approval of the **audit committee and** state examiner.

(b) The commissioner of insurance shall prescribe the form of the bonds or crime policies required by this section.

SECTION 8. IC 5-11-1-16, AS AMENDED BY P.L.257-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) As used in this article, "municipality" means any county, township, city, town, school corporation, special taxing district, or other political subdivision of Indiana.

(b) As used in this article, "state" means any board, commission, department, division, bureau, committee, agency, governmental subdivision, military body, authority, or other instrumentality of the state, but does not include a municipality.

(c) As used in this article, "public office" means the office of any and every individual who for or on behalf of the state or any municipality or any public hospital holds, receives, disburses, or keeps the accounts of the receipts and disbursements of any public funds.

(d) As used in this article, "public officer" means any individual who holds, receives, disburses, or is required by law to keep any account of public funds or other funds for which the individual is accountable by virtue of the individual's public office.

(e) As used in this article, "entity" means any provider of goods, services, or other benefits that is:

(1) maintained in whole or in part at public expense; or

(2) supported in whole or in part by appropriations or public funds or by taxation.

The term does not include the state or a municipality (as

defined in this section).

(f) As used in this article, a "public hospital" means either of the following:

(1) An institution licensed under IC 16-21 and which is owned by the state or an agency of the state or one which is a municipal corporation. A hospital is a municipal corporation if its governing board members are appointed by elected officials of a municipality.

(2) A state institution (as defined in IC 12-7-2-184).

(g) As used in this article, "audit committee" refers to the audit and financial reporting subcommittee of the legislative council established by IC 2-5-1.1-6.3.

(h) As used in this article, "audited entity" has the meaning set forth in IC 2-5-1.1-6.3.

(i) As used in this article, "development authority" has the meaning set forth in the following:

(1) IC 36-7.5-1-8.

(2) IC 36-7.6-1-8.

(j) As used in this article, "responsible officer of an audited entity" refers to the chief executive officer or another individual who has executive decision making authority for the audited entity with respect to a compliance obligation prescribed by or established under this article or another law.

SECTION 9. IC 5-11-1-18, AS AMENDED BY P.L.181-2015, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. All examinations under this chapter may be made without notice to the **audited entities or** officers whose accounts are to be examined, and without notice to any clerk, deputy, employee, or other person employed in or connected with the office or the business of such an **audited entity or** officer. A person who recklessly communicates knowledge of any proposed examination of any public account:

(1) that the board has determined to make without notice under this section; and

(2) to the officer in charge of the account or to any other unauthorized person;

commits a Class B misdemeanor.

SECTION 10. IC 5-11-1-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 21. **(a)** All public officers **and responsible officers of audited entities** shall adopt and use the books, forms, records, and systems of accounting and reporting adopted by the state board of accounts, when directed so to do by the board, and all forms, books, and records shall be purchased by those officers in the manner provided by law. An officer **described in this subsection** who refuses to provide such books, forms, or records, fails to use them, or fails to keep the accounts of ~~his~~ **the officer's** office as directed by the board commits a Class C infraction. ~~and forfeits his office.~~ **The court may also order the officer to forfeit the officer's office.**

(b) As an alternative to an order to forfeit office under subsection (a), a court in which an action described in subsection (a) is filed may impose a civil penalty that does not exceed five hundred dollars ($500) for each day, beginning on the day that the court imposes the civil penalty and each day thereafter, that the public officer or responsible officer continues to violate an obligation described in subsection (a). The individual is personally liable for a civil penalty imposed on the individual under this section.

(c) The state board of accounts may collect the expenses incurred in carrying out the audit, examination, or engagement from the audited entity of the officer described in this section.

SECTION 11. IC 5-11-1-22 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 22. The provisions of this chapter shall not be construed to relieve any officer of any duties required by law of him on April 5, 1909, with relation to the auditing of public accounts or the disbursement of public funds, but the provisions of this chapter shall be construed to be supplemental to all provisions of law existing on April 5, 1909, safeguarding the care and disbursement of public funds; and provided further, that the provisions of this chapter shall not be construed to limit or curtail the power of the governor of the state under laws existing on April 5, 1909, to make examination or investigation of any public office or to require reports therefrom.~~

SECTION 12. IC 5-11-1-25, AS AMENDED BY P.L.257-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 25. (a) This section and section 24.4 of this chapter do not limit the application of any law that requires a municipality, a public hospital, another public office or public officer, an entity, or another person or organization to be audited or otherwise examined on an annual or other basis by:

(1) a certified public accountant; or

(2) a person other than the state examiner or the state board of accounts.

(b) Subject to section 9 of this chapter and subsections (c) and (d), the state board of accounts shall conduct examinations of audited entities at the times determined by the state board of accounts, but not less than once every four (4) years, using risk based examination criteria that are established by the state board of accounts and approved by the audit committee. The risk based examination criteria must include the following risk factors:

(1) An audited entity has a newly elected or appointed fiscal officer.

(2) An audited entity:

(A) has not timely filed; or

(B) has filed a materially incorrect or incomplete;

annual financial report required by section 4 of this chapter.

(3) A ratings agency that rates debt maintained by an audited entity has determined an examination of the audited entity is required more frequently than once every four (4) years.

~~(3)~~ **(4)** Any other factor determined by the state examiner and approved by the audit committee.

(c) Examinations must be conducted annually for the following:

(1) The state.

(2) An audited entity (other than a school corporation) that requires an annual audit:

(A) because of the receipt of federal financial assistance in an amount that subjects the audited entity to an annual federal audit;

(B) due to continuing disclosure requirements; or

(C) as a condition of a public bond issuance.

(3) A development authority.

An audited entity shall, under the guidelines established by the state board of accounts, provide notice to the state examiner not later than sixty (60) days after the close of the audited entity's fiscal year that the audited entity is required to have an annual audit under subdivision (2).

(d) As permitted under this section since September 1, 1986 (the effective date of P.L.3-1986, SECTION 16), examinations of school corporations shall be conducted biennially.

SECTION 13. IC 5-11-5-1, AS AMENDED BY P.L.209-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Whenever an examination is made under this article, a report of

the examination shall be made. The report must include a list of findings and shall be signed and verified by the examiner making the examination. A finding that is critical of an examined entity must be based upon one (1) of the following:

(1) Failure of the entity to observe a uniform compliance guideline established under IC 5-11-1-24(a).

(2) Failure of the entity to comply with a specific law.

A report that includes a finding that is critical of an examined entity must designate the uniform compliance guideline or the specific law upon which the finding is based. **Except as provided in subsection (g), the state board of accounts may also issue confidential management letters, based on professional auditing standards, to an audited entity (as defined in section 1.5(a) of this chapter) in a situation involving noncompliance that does not result in the establishment of a corrective action plan but that must be brought to the attention of the audited entity's governing body. If issues addressed in the confidential management letter become part of a finding in the subsequent audit period, it shall be noted in the public report.** The reports shall immediately be filed with the state examiner, and, after inspection of the report, the state examiner shall immediately file one (1) copy with the officer or person examined, one (1) copy with the auditing department of the municipality examined and reported upon (if the subject of the report is a municipality), and one (1) copy in an electronic format under IC 5-14-6 with the legislative services agency, as staff to the audit committee and the general assembly. Upon filing, the report becomes a part of the public records of the office of the state examiner, of the office or the person examined, of the auditing department of the municipality examined and reported upon, and of the legislative services agency, as staff to the audit committee and the general assembly. A report is open to public inspection at all reasonable times after it is filed. If an examination discloses malfeasance, misfeasance, or nonfeasance in office or of any officer or employee, a copy of the report, signed and verified, shall be placed by the state examiner with the attorney general and the inspector general. The attorney general shall diligently institute and prosecute civil proceedings against the delinquent officer **or employee,** or upon the officer's **or employee's** official bond, or both, and against any other proper person that will secure to the state or to the proper municipality the recovery of any funds misappropriated, diverted, or unaccounted for.

(b) Before an examination report is signed, verified, and filed as required by subsection (a), the officer or the chief executive officer of the state office, municipality, or entity examined must have an opportunity to review the report and to file with the state examiner a written response to that report. If a written response is filed, it becomes a part of the examination report that is signed, verified, and filed as required by subsection (a). As part of the review of the examination report, the state examiner shall hold a gathering of the officer or chief executive officer of the state office, municipality, or entity examined, any employees or agents of the state office, municipality, or entity examined who are requested to attend by the officer or chief executive officer of the state office, municipality, or entity examined, and the members of the legislative and fiscal bodies of the municipality or entity examined. Such a gathering is referred to as an "exit conference" for purposes of this subsection. The following apply to an exit conference:

(1) All information discussed and materials presented or delivered by any person during an exit conference are confidential and may not be discussed or shared publicly until the earliest of the occurrences set forth in subsection (g). However, the information discussed and materials presented or delivered during an exit conference may be shared with an officer, employee, consultant, adviser, or attorney of the officer or chief executive officer of the state office, municipality, or entity examined who was not present at the exit conference. An individual with whom information and materials are shared must maintain the confidentiality of the information and materials as provided in this subdivision until the earliest of the occurrences set forth in subsection (g).

(2) An individual attending an exit conference may not electronically record the exit conference.

(3) If a majority of a governing body (as defined in IC 5-14-1.5-2(b)) is present during an exit conference, the governing body shall be considered in an executive session under IC 5-14-1.5. However, the governing body has no obligation to give notice as prescribed by IC 5-14-1.5-5 when it participates in the exit conference.

(4) If the state examiner determines after the exit conference that additional actions must be undertaken by a deputy examiner, field examiner, or private examiner with respect to information discussed or materials presented at the exit conference, the state examiner may call for an additional exit conference to be held.

(5) Not more than thirty (30) days after the initial exit conference is held under this subsection, the legislative body of the municipality or entity examined and reported upon may adopt a resolution, approved by at least a two-thirds (2/3) vote of the legislative body, requesting that an additional exit conference be held. The legislative body shall notify the state board of accounts if the legislative body adopts a resolution under this subdivision. If a legislative body adopts a resolution under this subdivision, the state board of accounts shall conduct an additional exit conference not more than sixty (60) days after the state board of accounts receives notice of the adoption of the resolution. The municipality or entity examined must pay the travel and staff costs incurred by the state board of accounts in conducting an additional exit conference under this subdivision.

(6) Except as provided in subdivision (7), a final report under subsection (a) may not be issued earlier than forty-five (45) days after the initial exit conference is held under this subsection.

(7) If:

(A) the state examiner does not call for an additional exit conference to be held as described in subdivision (4); and

(B) the:

(i) legislative body of the municipality or entity examined and reported upon provides written notice to the state examiner that the legislative body waives an additional exit conference described in subdivision (5); or

(ii) state examiner determines that a final report under subsection (a) must be issued as soon as possible;

the final report may be issued earlier than forty-five (45) days after the initial exit

conference is held under this subsection.

(c) Except as provided by subsections (b), (d), and (e), it is unlawful for any person, before an examination report is made public as provided by this section, to make any disclosure of the result of any examination of any public account, except:

(1) to the state examiner;

(2) if directed to give publicity to the examination report by the state examiner or by any court;

(3) to another deputy examiner, field examiner, or private examiner engaged in conducting the examination; or

(4) if directed by the state examiner, to the chair of the audit committee or the members of the audit committee acting in executive session, or both.

If an examination report shows or discloses the commission of a crime by any person, it is the duty of the state examiner to transmit and present the examination report to the prosecuting attorney of the county in which the crime was committed. The state examiner shall furnish to the prosecuting attorney all evidence at the state examiner's command necessary in the investigation and prosecution of the crime.

(d) If, during an examination under this article, a deputy examiner, field examiner, or private examiner acting as an agent of the state examiner determines that the following conditions are satisfied, the examiner shall report the determination to the state examiner:

(1) A substantial amount of public funds has been misappropriated or diverted.

(2) The deputy examiner, field examiner, or private examiner acting as an agent of the state examiner has a reasonable belief that the malfeasance or misfeasance that resulted in the misappropriation or diversion of the public funds was committed by the officer or an employee of the office **or entity.**

(e) After receiving a preliminary report under subsection (d), the state examiner may provide a copy of the report to the attorney general. The attorney general may institute and prosecute civil proceedings against the delinquent officer or employee, or upon the officer's or employee's official bond, or both, and against any other proper person that will secure to the state or to the proper municipality the recovery of any funds misappropriated, diverted, or unaccounted for.

(f) In an action under subsection (e), the attorney general may attach the defendant's property under IC 34-25-2.

(g) Except as permitted in this section, the information and materials that are part of an exit conference under subsection (b), ~~and~~ the results of an examination, including a preliminary report under subsection (d), are confidential until the occurrence of the earliest of the following:

(1) The final report is made public under subsection (a).

(2) The results of the examination are publicized under subsection (c)(2).

(3) The attorney general institutes an action under subsection (e) on the basis of the preliminary report.

(h) Except as permitted in this section, an individual, a public agency (as defined in IC 5-14-3-2), a public employee, a public official, or an employee or officer of a contractor or subcontractor of a public agency that knowingly or intentionally discloses information in violation of subsection (b) or (g), regardless of whether the information is received orally or by any other means, is subject to the following:

(1) A public agency (as defined in IC 5-14-3-2), a public employee, a public official, or an employee or officer of a contractor or subcontractor of a public agency commits a Class A infraction under IC 5-14-3-10.

(2) If the disclosure is by a person who is not described in subdivision (1), the person commits a Class A infraction.

(i) Unless in accordance with a judicial order or as otherwise provided in this section, the state board of accounts or its employees, former employees, counsel, or agents, or any other person may not divulge the examination workpapers and investigation records of a deputy examiner, a field examiner, or a private examiner acting as an agent of the state examiner, except to:

(1) employees and members of the state board of accounts;

(2) the audit committee;

(3) law enforcement officers, the attorney general, a prosecuting attorney, or any other legal representative of the state in any action with respect to the misappropriation or diversion of public funds;

(4) an authorized representative of the United States;

(5) a successor examiner or auditor, in accordance with applicable professional auditing standards; or

(6) another individual for any other factor that constitutes good cause as set forth in criteria established by the state examiner and approved by the audit committee.

(j) An individual described in subsection (i)(3) or (i)(4) who receives examination workpapers and investigation records described in subsection (i) may divulge the workpapers and records in any action with respect to the misappropriation or diversion of public funds.

SECTION 14. IC 5-11-5-1.5, AS ADDED BY P.L.176-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.5. (a) As used in this section, "audited entity" includes only the following:

(1) A state agency (as defined in IC 4-13-1-1).

(2) A public hospital.

(3) A municipality.

(4) A body corporate and politic.

(5) A state educational institution.

(6) An entity to the extent that the entity is required to be examined under IC 5-11-1-9 or another law.

(b) If an examination report contains a finding that an audited entity failed to observe a uniform compliance guideline established under IC 5-11-1-24(a) or to comply with a specific law, the audited entity shall take action to address the audit finding.

(c) If a subsequent examination report of the audited entity contains a finding that is the same as or substantially similar to the finding contained in the previous examination report described in subsection (b), the public officer of the audited entity shall file a corrective action plan as a written response to the report under section 1(b) of this chapter.

(d) The state board of accounts shall create guidelines for use by an audited entity to establish a corrective action plan described in subsection (c). The guidelines must include a requirement that the issue that is the subject of a finding described in subsection (c) must be corrected not later than six (6) months after the date on which the corrective action plan is filed.

(e) After the successful completion of a corrective action plan by an audited entity that was required to file a corrective action plan under subsection (c), the audited entity shall notify the state board of accounts. The state board of accounts shall review each corrective action plan. If a corrective action plan is not implemented or the issue that is the subject of the finding

is not corrected within six (6) months, the state board of accounts shall prepare a memorandum summarizing:

(1) the examination report finding;
(2) the corrective action plan;
(3) the manner by which the examination report finding was or was not addressed; and
(4) a recommended course of action.

(f) The state board of accounts shall present to the audit committee established by IC 2-5-1.1-6.3 a memorandum described in subsection (e). If the audit committee determines that further action should be taken, the audit committee may do any of the following:

(1) Request a written statement from the public officer of the audited entity.
(2) Request the personal attendance of the public officer of the audited entity at the next audit committee meeting.
(3) Request that the public officer of the audited entity take corrective action.
(4) Notify the:
(A) office of management and budget (in the case of an audited entity that is a state agency, a body corporate and politic, or a state educational institution); or
(B) officer or chief executive officer, legislative body, and fiscal body of the audited entity and the department of local government finance (in the case of any other audited entity);
that the audited entity refused to correct the audited entity's failure to observe a uniform compliance guideline established under IC 5-11-1-24(a), or refused to comply with a specific law, with notice of the recommendation described in subsection (e)(4) published on the general assembly's Internet web site.
(5) Refer the facts drawn from the examination and the actions taken under this section for investigation and prosecution of a violation of IC 5-11-1-10 or IC 5-11-1-21 to the:
(A) inspector general, in the case of an audited entity that is a state agency, a body corporate and politic, or a state educational institution; or
(B) prosecuting attorney of the county in which a violation of IC 5-11-1-10 or IC 5-11-1-21 may have been committed, in the case of any other audited entity;
with notice of the referral published on the general assembly's Internet web site. Notice of a referral described in clause (B) must be sent to the officer or chief executive officer, legislative body, and fiscal body of the audited entity.
(6) Recommend that legislation be introduced in the general assembly to amend any statute under which the audited entity is found to be noncompliant.
(7) Recommend that the state board of accounts examine the audited entity within the calendar year following the year in which the audited entity was required to file a corrective action plan under subsection (c).

(g) When implementing this section, the state board of accounts may issue confidential management letters, based on professional auditing standards, to an audited entity in a situation involving noncompliance that does not result in the establishment of a corrective action plan but that must be brought to the attention of the audited entity's governing body.

SECTION 15. IC 5-11-13-1, AS AMENDED BY P.L.137-2012, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) ~~Every state, county, city, town, township, or school official, elective or appointive, who is the head of or in charge of any office, department, board, or commission of the state or of any county, city, town, or township, and every state, county, city, town, or township employee or agent who is the head of, or in charge of, or the executive officer of any department, bureau, board, or commission of the state, county, city, town, or township, and every executive officer by whatever title designated, who is in charge of any state educational institution or of any other state, county, or city institution,~~ **As used in this section, "audited entity" includes only the following:**

(1) The state.
(2) A municipality.
(3) A state educational institution.

(b) Each audited entity shall during the month of January of each year prepare, make, and sign a certified report, correctly and completely showing the names and business addresses of ~~each and all~~ **the** officers, employees, and agents ~~in their respective offices, departments, boards, commissions, and institutions, and~~ **of the audited entity. The report shall indicate** the respective duties and compensation of each ~~and~~ **officer, employee, and agent of the audited entity. The audited entity** shall ~~forthwith~~ file ~~said~~ **the** report in the office of the state examiner of the state board of accounts. The report must also indicate whether the political subdivision offers a health plan, a pension, and other benefits to full-time and part-time employees. However, no more than one (1) report covering the same officers, employees, and agents need be made from the state or any county, city, town, township, or school unit in any one year. The certification must be filed electronically in the manner prescribed under IC 5-14-3.8-7.

~~(b)~~ **(c)** The department of local government finance may not approve the budget of a county, city, town, or township or a supplemental appropriation for a county, city, town, or township until the county, city, town, or township files an annual report under subsection ~~(a)~~ **(b)** for the preceding calendar year.

(Reference is to EHB 1108 as reprinted February 28, 2020.)

LEHMAN	BASSLER
PORTER	NIEZGODSKI
House Conferees	Senate Conferees

Roll Call 392: yeas 92, nays 0. Report adopted.

Representative Bosma, who had been present, is now excused.

CONFERENCE COMMITTEE REPORT
EHB 1372–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1372 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 5-10-8-24 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 24. (a) As used in this section, "state employee health plan" means the following:**

(1) A self-insurance program established

under section 7(b) of this chapter.

(2) A contract for prepaid health services entered into under section 7(c) of this chapter.

(b) A state employee health plan must provide coverage for treatment of:

(1) pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS); and

(2) pediatric acute-onset neuropsychiatric syndrome (PANS);

including treatment with intravenous immunoglobulin therapy.

(c) The coverage required by this section may not be subject to annual or lifetime limitation, deductible, copayment, or coinsurance provisions that are more restrictive than the annual or lifetime limitation, deductible, copayment, or coinsurance provisions that apply generally under the state employee health plan.

SECTION 2. IC 27-1-12-2, AS AMENDED BY P.L.124-2018, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) The following definitions apply to this section:

(1) "Acceptable collateral" means, as to securities lending transactions:

(A) cash;

(B) cash equivalents;

(C) letters of credit; and

(D) direct obligations of, or securities that are fully guaranteed as to principal and interest by, the government of the United States or any agency of the United States, including the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

(2) "Acceptable collateral" means, as to lending foreign securities, sovereign debt that is rated:

(A) A- or higher by Standard & Poor's Corporation;

(B) A3 or higher by Moody's Investors Service, Inc.;

(C) A- or higher by Duff and Phelps, Inc.; or

(D) 1 by the Securities Valuation Office.

(3) "Acceptable collateral" means, as to repurchase transactions:

(A) cash;

(B) cash equivalents; and

(C) direct obligations of, or securities that are fully guaranteed as to principal and interest by, the government of the United States or any agency of the United States, including the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

(4) "Acceptable collateral" means, as to reverse repurchase transactions:

(A) cash; and

(B) cash equivalents.

(5) "Admitted assets" means assets permitted to be reported as admitted assets on the statutory financial statement of the life insurance company most recently required to be filed with the commissioner.

(6) "Business entity" means:

(A) a sole proprietorship;

(B) a corporation;

(C) a limited liability company;

(D) an association;

(E) a partnership;

(F) a joint stock company;

(G) a joint venture;

(H) a mutual fund;

(I) a trust;

(J) a joint tenancy; or

(K) other, similar form of business organization;

whether organized for-profit or not-for-profit.

(7) "Cash" means any of the following:

(A) United States denominated paper currency and coins.

(B) Negotiable money orders and checks.

(C) Funds held in any time or demand deposit in any depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation.

(8) "Cash equivalent" means any of the following:

(A) A certificate of deposit issued by a depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation.

(B) A banker's acceptance issued by a depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation.

(C) A government money market mutual fund.

(D) A class one money market mutual fund.

(9) "Class one money market mutual fund" means a money market mutual fund that at all times qualifies for investment pursuant to the Purposes and Procedures Manual of the NAIC Investment Analysis Office either using the bond class one reserve factor or because it is exempt from asset valuation reserve requirements.

(10) "Dollar roll transaction" means two (2) simultaneous transactions that have settlement dates not more than ninety-six (96) days apart and that meet the following description:

(A) In one (1) transaction, a life insurance company sells to a business entity one (1) or both of the following:

(i) Asset-backed securities that are issued, assumed, or guaranteed by the Government National Mortgage Association, the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation.

(ii) Other asset-backed securities referred to in Section 106 of Title I of the Secondary Mortgage Market Enhancement Act of 1984 (15 U.S.C. 77r-1).

(B) In the other transaction, the life insurance company is obligated to purchase from the

same business entity securities that are substantially similar to the securities sold under clause (A).

(11) "Domestic jurisdiction" means:

(A) the United States;

(B) any state, territory, or possession of the United States;

(C) the District of Columbia;

(D) Canada; or

(E) any province of Canada.

(12) "Earnings available for fixed charges" means income, after deducting:

(A) operating and maintenance expenses other than expenses that are fixed charges;

(B) taxes other than federal and state income taxes;

(C) depreciation; and

(D) depletion;

but excluding extraordinary nonrecurring items of income or expense appearing in the regular financial statements of a business entity.

(13) "Fixed charges" includes:

(A) interest on funded and unfunded debt;

(B) amortization of debt discount; and

(C) rentals for leased property.

(14) "Foreign currency" means a currency of a foreign jurisdiction.

(15) "Foreign jurisdiction" means a jurisdiction other than a domestic jurisdiction.

(16) "Government money market mutual fund" means a money market mutual fund that at all times:

(A) invests only in:

(i) obligations that are issued, guaranteed, or insured by the United States; or

(ii) collateralized repurchase agreements composed of obligations that are issued, guaranteed, or insured by the United States; and

(B) qualifies for investment without a reserve pursuant to the Purposes and Procedures Manual of the NAIC Investment Analysis Office.

(17) "Guaranteed or insured," when used in reference to an obligation acquired under this section, means that the guarantor or insurer has agreed to:

(A) perform or insure the obligation of the obligor or purchase the obligation; or

(B) be unconditionally obligated, until the obligation is repaid, to maintain in the obligor a minimum net worth, fixed charge coverage, stockholders' equity, or sufficient liquidity to enable the obligor to pay the obligation in full.

(18) "Investment company" means:

(A) an investment company as defined in Section 3(a) of the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.); or

(B) a person described in Section 3(c) of the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.).

(19) "Investment company series" means an investment portfolio of an investment company that is organized as a series company to which assets of the investment company have been specifically allocated.

(20) "Letter of credit" means a clean, irrevocable, and unconditional letter of credit that is:

(A) issued or confirmed by; and

(B) payable and presentable at;

a financial institution on the list of financial institutions meeting the standards for issuing letters of credit under the Purposes and Procedures Manual of the NAIC Investment Analysis Office. To constitute acceptable collateral for the purposes of paragraph 29 of subsection (b), a letter of credit must have an expiration date beyond the term of the subject transaction.

(21) "Market value" means the following:

(A) As to cash, the amount of the cash.

(B) As to cash equivalents, the amount of the cash equivalents.

(C) As to letters of credit, the amount of the letters of credit.

(D) As to a security as of any date:

(i) the price for the security on that date obtained from a generally recognized source, or the most recent quotation from such a source; or

(ii) if no generally recognized source exists, the price for the security as determined in good faith by the parties to a transaction;

plus accrued but unpaid income on the security to the extent not included in the price as of that date.

(22) "Money market mutual fund" means a mutual fund that meets the conditions of 17 CFR 270.2a-7, under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.).

(23) "Multilateral development bank" means an international development organization of which the United States is a member.

(24) "Mutual fund" means:

(A) an investment company; or

(B) in the case of an investment company that is organized as a series company, an investment company series;

that is registered with the United States Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.).

(25) "Obligation" means any of the following:

(A) A bond.

(B) A note.

(C) A debenture.

(D) Any other form of evidence of debt.

(26) "Person" means:

(A) an individual;

(B) a business entity;

(C) a multilateral development bank; or

(D) a government or quasi-governmental body, such as a political subdivision or a government sponsored enterprise.

(27) "Repurchase transaction" means a transaction in which a life insurance company purchases securities from a business entity that is obligated to repurchase the purchased securities or equivalent securities from the life insurance company at a specified price, either within a specified period of time or upon demand.

(28) "Reverse repurchase transaction" means a transaction in which a life insurance company sells securities to a business entity and is obligated to repurchase the sold securities or equivalent securities from the business entity at a specified price, either within a specified period of time or upon demand.

(29) "Securities lending transaction" means a transaction in which securities are loaned by a life insurance company to a business entity that is obligated to return the loaned securities or equivalent securities to the life insurance company, either within a specified period of time or upon demand.

(30) "Securities Valuation Office" refers to the Securities Valuation Office of the NAIC.

(31) "Series company" means an investment company that is organized as a series company (as defined in Rule 18f-2(a) adopted under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.)).

(32) "Supported", when used in reference to an obligation, by whomever issued or made, means that:

(A) repayment of the obligation by:

(i) a domestic jurisdiction or by an administration, agency, authority, or instrumentality of a domestic jurisdiction; or

(ii) a business entity;

as the case may be, is secured by real or personal property of value at least equal to the principal amount of the obligation by means of mortgage, assignment of vendor's interest in one (1) or more conditional sales contracts, other title retention device, or by means of other security interest in such property for the benefit of the holder of the obligation; and

(B) the:

(i) domestic jurisdiction or administration, agency, authority, or instrumentality of the domestic jurisdiction; or

(ii) business entity;

as the case may be, has entered into a firm agreement to rent or use the property pursuant to which it is obligated to pay money as rental or for the use of such property in amounts and at times which shall be sufficient, after provision for taxes upon and other expenses of use of the property, to repay in full the obligation with interest and when such agreement and the money obligated to be paid thereunder are assigned, pledged, or secured for the benefit of the holder of the obligation. However, where the security for the repayment of the obligation consists of a first mortgage lien or deed of trust on a fee interest in real property, the obligation may provide for the amortization, during the initial, fixed period of the lease or contract, of less than one hundred percent (100%) of the obligation if there is pledged or assigned, as additional security for the obligation, sufficient rentals payable under the lease, or of contract payments, to secure the amortized obligation payments required during the initial, fixed period of the lease or contract, including but not limited to payments of principal, interest, and taxes other than the income taxes of the borrower, and if there is to be left unamortized at the end of such period an amount not greater than the original appraised value of the land only, exclusive of all improvements, as prescribed by law.

(b) Investments of domestic life insurance companies at the time they are made shall conform to the following categories, conditions, limitations, and standards:

1. Obligations of a domestic jurisdiction or of any administration, agency, authority, or instrumentality of a domestic jurisdiction.

2. Obligations guaranteed, supported, or insured as to principal and interest by a domestic jurisdiction or by an administration, agency, authority, or instrumentality of a domestic jurisdiction.

3. Obligations issued under or pursuant to the Farm Credit Act of 1971 (12 U.S.C. 2001 through 2279aa-14) as in effect on December 31, 1990, or the Federal Home Loan Bank Act (12 U.S.C. 1421 through 1449) as in effect on December 31, 1990, interest bearing obligations of the FSLIC Resolution Fund or shares of any institution whose deposits are insured by the Federal Deposit Insurance Corporation to the extent that such shares are insured, obligations issued or guaranteed by a multilateral development bank, and obligations issued or guaranteed by the African Development Bank.

4. Obligations issued, guaranteed, or insured as to principal and interest by a city, county, drainage district, road district, school district, tax district, town, township, village, or other civil administration, agency, authority, instrumentality, or subdivision of a domestic jurisdiction, providing such obligations are authorized by law and are:

(a) direct and general obligations of the issuing, guaranteeing or insuring governmental unit, administration, agency, authority, district, subdivision, or instrumentality;

(b) payable from designated revenues pledged to the payment of the principal and interest thereof; or

(c) improvement bonds or other obligations constituting a first lien, except for tax liens, against all of the real estate within the improvement district or on that part of such real estate not discharged from such lien through payment of the assessment. The area to which

such improvement bonds or other obligations relate shall be situated within the limits of a town or city and at least fifty percent (50%) of the properties within such area shall be improved with business buildings or residences.

5. Loans evidenced by obligations secured by first mortgage liens on otherwise unencumbered real estate or otherwise unencumbered leaseholds having at least fifty (50) years of unexpired term, such real estate, or leaseholds to be located in a domestic jurisdiction. Such loans shall not exceed eighty percent (80%) of the fair value of the security determined in a manner satisfactory to the department, except that the percentage stated may be exceeded if and to the extent such excess is guaranteed or insured by:

(a) a domestic jurisdiction or by an administration, agency, authority, or instrumentality of any domestic jurisdiction; or

(b) a private mortgage insurance corporation approved by the department.

If improvements constitute a part of the value of the real estate or leaseholds, such improvements shall be insured against fire for the benefit of the mortgagee in an amount not less than the difference between the value of the land and the unpaid balance of the loan.

For the purpose of this section, real estate or a leasehold shall not be deemed to be encumbered by reason of the existence in relation thereto of:

(1) liens inferior to the lien securing the loan made by the life insurance company;

(2) taxes or assessment liens not delinquent;

(3) instruments creating or reserving mineral, oil, water or timber rights, rights-of-way, common or joint driveways, sewers, walls, or utility connections;

(4) building restrictions or other restrictive covenants; or

(5) an unassigned lease reserving rents or profits to the owner.

A loan that is authorized by this paragraph remains qualified under this paragraph notwithstanding any refinancing, modification, or extension of the loan. Investments authorized by this paragraph shall not in the aggregate exceed forty-five percent (45%) of the life insurance company's admitted assets.

6. Loans evidenced by obligations guaranteed or insured, but only to the extent guaranteed or insured, by a domestic jurisdiction or by any agency, administration, authority, or instrumentality of any domestic jurisdiction, and secured by second or subsequent mortgages or deeds of trust on real estate or leaseholds, provided the terms of the leasehold mortgages or deeds of trust shall not exceed four-fifths (4/5) of the unexpired lease term, including enforceable renewable options remaining at the time of the loan.

7. Real estate contracts involving otherwise unencumbered real estate situated in a domestic jurisdiction, to be secured by the title to such real estate, which shall be transferred to the life insurance company or to a trustee or nominee of its choosing. For statement and deposit purposes, the value of a contract acquired pursuant to this paragraph shall be whichever of the following amounts is the least:

(a) eighty percent (80%) of the contract price of the real estate;

(b) eighty percent (80%) of the fair value of the real estate at the time the contract is purchased, such value to be determined in a manner satisfactory to the department; or

(c) the amount due under the contract.

For the purpose of this paragraph, real estate shall not be deemed encumbered by reason of the existence in relation thereto of: (1) taxes or assessment liens not delinquent; (2) instruments creating or reserving mineral, oil, water or timber rights, rights-of-way, common or joint driveways, sewers, walls or utility connections; (3) building restrictions or other restrictive covenants; or (4) an unassigned lease reserving rents or profits to the owner. Fire insurance upon improvements constituting a part of the real estate described in the contract shall be maintained in an amount at least equal to the unpaid balance due under the contract or the fair value of improvements, whichever is the lesser.

8. Improved or unimproved real property, whether encumbered or unencumbered, or any interest therein, held directly or evidenced by joint venture interests, general or limited partnership interests, trust certificates, or any other instruments, and acquired by the life insurance company as an investment, which real property, if unimproved, is developed within five (5) years. Real property acquired for investment under this paragraph, whether leased or intended to be developed for commercial or residential purposes or otherwise lawfully held, is subject to the following conditions and limitations:

(a) The real estate shall be located in a domestic jurisdiction.

(b) The admitted assets of the life insurance company must exceed twenty-five million dollars ($25,000,000).

(c) The life insurance company shall have the right to expend from time to time whatever amount or amounts may be necessary to conform the real estate to the needs and purposes of the lessee and the amount so expended shall be added to and become a part of the investment in such real estate.

(d) The value for statement and deposit purposes of an investment under this paragraph shall be reduced annually by amortization of the costs of improvement and development, less land costs, over the expected life of the property, which value and amortization shall for statement and deposit purposes be determined in a manner satisfactory to the commissioner. In determining such value with respect to the calendar years in which an investment begins or ends with respect to a point in time other than the beginning or end of a calendar year, the amortization provided above shall be made on a proportional basis.

(e) Fire insurance shall be maintained in an amount at least equal to the insurable value of the improvements or the difference between the value of the land and the value at which such real estate is carried for statement and deposit purposes, whichever amount is smaller.

(f) Real estate acquired in any of the manners described and sanctioned under section 3 of this chapter, or otherwise lawfully held, except paragraph 5 of that section which specifically relates to the acquisition of real estate under this paragraph, shall not be affected in any respect by this paragraph unless such real estate at or subsequent to its acquisition fulfills the conditions and limitations of this paragraph, and is declared by the life insurance company in a writing filed with the department to be an investment under this paragraph. The value of real estate acquired under section 3 of this chapter, or otherwise lawfully held, and invested under this paragraph shall be initially that at which it was carried for statement and deposit purposes under that section.

(g) Neither the cost of each parcel of improved real property nor the aggregate cost of all

unimproved real property acquired under the authority of this paragraph may exceed two percent (2%) of the life insurance company's admitted assets. For purposes of this paragraph, "unimproved real property" means land containing no structures intended for commercial, industrial, or residential occupancy, and "improved real property" consists of all land containing any such structure. When applying the limitations of subparagraph (d) of this paragraph, unimproved real property becomes improved real property as soon as construction of any commercial, industrial, or residential structure is so completed as to be capable of producing income. In the event the real property is mortgaged with recourse to the life insurance company or the life insurance company commences a plan of construction upon real property at its own expense or guarantees payment of borrowed funds to be used for such construction, the total project cost of the real property will be used in applying the two percent (2%) test. Further, no more than ten percent (10%) of the life insurance company's admitted assets may be invested in all property, measured by the property value for statement and deposit purposes as defined in this paragraph, held under this paragraph at the same time.

9. Deposits of cash in a depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation, or certificates of deposit issued by a depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation.

10. Bank and bankers' acceptances and other bills of exchange of kinds and maturities eligible for purchase or rediscount by federal reserve banks.

11. Obligations that are issued, guaranteed, assumed, or supported by a business entity organized under the laws of a domestic jurisdiction and that are rated:

(a) BBB- or higher by Standard & Poor's Corporation (or A-2 or higher in the case of commercial paper);

(b) Baa 3 or higher by Moody's Investors Service, Inc. (or P-2 or higher in the case of commercial paper);

(c) BBB- or higher by Duff and Phelps, Inc. (or D-2 or higher in the case of commercial paper); or

(d) 1 or 2 by the Securities Valuation Office.

Investments may also be made under this paragraph in obligations that have not received a rating if the earnings available for fixed charges of the business entity for the period of its five (5) fiscal years next preceding the date of purchase shall have averaged per year not less than one and one-half (1 1/2) times its average annual fixed charges applicable to such period and if during either of the last two (2) years of such period such earnings available for fixed charges shall have been not less than one and one-half (1 1/2) times its fixed charges for such year. However, if the business entity is a finance company or other lending institution at least eighty percent (80%) of the assets of which are cash and receivables representing loans or discounts made or purchased by it, the multiple shall be one and one-quarter (1 1/4) instead of one and one-half (1 1/2).

11.(A) Obligations issued, guaranteed, or assumed by a business entity organized under the laws of a domestic jurisdiction, which obligations have not received a rating or, if rated, have not received a rating that would qualify the obligations for investment under paragraph 11 of this section. Investments authorized by this paragraph may not exceed ~~ten percent (10%)~~ **twenty percent (20%)** of the life insurance company's admitted assets.

12. Preferred stock of, or common or preferred stock guaranteed as to dividends by, any corporation organized under the laws of a domestic jurisdiction, which over the period of the seven (7) fiscal years immediately preceding the date of purchase earned an average amount per annum at least equal to five percent (5%) of the par value of its common and preferred stock (or, in the case of stocks having no par value, of its issued or stated value) outstanding at date of purchase, or which over such period earned an average amount per annum at least equal to two (2) times the total of its annual interest charges, preferred dividends and dividends guaranteed by it, determined with reference to the date of purchase. No investment shall be made under this paragraph in a stock upon which any dividend is in arrears or has been in arrears for ninety (90) days within the immediately preceding five (5) year period.

13. Common stock of any solvent corporation organized under the laws of a domestic jurisdiction which over the seven (7) fiscal years immediately preceding purchase earned an average amount per annum at least equal to six percent (6%) of the par value of its capital stock (or, in the case of stock having no par value, of the issued or stated value of such stock) outstanding at date of purchase, but the conditions and limitations of this paragraph shall not apply to the special area of investment to which paragraph 23 of this section pertains.

13.(A) Stock or shares of any mutual fund that:

(a) has been in existence for a period of at least five (5) years immediately preceding the date of purchase, has assets of not less than twenty-five million dollars ($25,000,000) at the date of purchase, and invests substantially all of its assets in investments permitted under this section; or

(b) is a class one money market mutual fund or a class one bond mutual fund.

Investments authorized by this paragraph 13(A) in mutual funds having the same or affiliated investment advisers shall not at any one (1) time exceed in the aggregate ten percent (10%) of the life insurance company's admitted assets. The limitations contained in paragraph 22 of this subsection apply to investments in the types of mutual funds described in subparagraph (a). For the purposes of this paragraph, "class one bond mutual fund" means a mutual fund that at all times qualifies for investment using the bond class one reserve factor under the Purposes and Procedures Manual of the NAIC Investment Analysis Office.

The aggregate amount of investments under this paragraph may be limited by the commissioner if the commissioner finds that investments under this paragraph may render the operation of the life insurance company hazardous to the company's policyholders or creditors or to the general public.

14. Loans upon the pledge of any of the investments described in this section other than real estate and those qualifying solely under paragraph 20 of this subsection, but the amount of such a loan shall not exceed seventy-five percent (75%) of the value of the investment pledged.

15. Real estate acquired or otherwise lawfully held under the provisions of IC 27-1, except under paragraph 7 or 8 of this subsection, which real estate as an investment shall also include the value of improvements or betterments made thereon subsequent to its acquisition. The value of such real estate for deposit and statement purposes is to be determined in a manner satisfactory to the department.

15.(A) Tangible personal property, equipment trust obligations, or other instruments evidencing an ownership interest or other interest in tangible personal property when the life insurance company purchasing such property has admitted assets in excess of twenty-five million dollars ($25,000,000), and where there is a right to receive determined portions of

rental, purchase, or other fixed obligatory payments for the use of such personal property from a corporation whose obligations would be eligible for investment under the provisions of paragraph 11 of this subsection, provided that the aggregate of such payments together with the estimated salvage value of such property at the end of its minimum useful life, to be determined in a manner acceptable to the insurance commissioner, and the estimated tax benefits to the insurer resulting from ownership of such property, is adequate to return the cost of the investment in such property, and provided further, that each net investment in tangible personal property for which any single private corporation is obligated to pay rental, purchase, or other obligatory payments thereon does not exceed one-half of one percent (1/2%) of the life insurance company's admitted assets, and the aggregate net investments made under the provisions of this paragraph do not exceed five percent (5%) of the life insurance company's admitted assets.

16. Loans to policyholders of the life insurance company in amounts not exceeding in any case the reserve value of the policy at the time the loan is made.

17. A life insurance company doing business in a foreign jurisdiction may, if permitted or required by the laws of such jurisdiction, invest funds equal to its obligations in such jurisdiction in investments legal for life insurance companies domiciled in such jurisdiction or doing business therein as alien companies.

17.(A) Investments in (i) obligations issued, guaranteed, assumed, or supported by a foreign jurisdiction or by a business entity organized under the laws of a foreign jurisdiction and (ii) preferred stock and common stock issued by any such business entity, if the obligations of such foreign jurisdiction or business entity, as appropriate, are rated:

(a) BBB- or higher by Standard & Poor's Corporation (or A-2 or higher in the case of commercial paper);

(b) Baa 3 or higher by Moody's Investors Service, Inc. (or P-2 or higher in the case of commercial paper);

(c) BBB- or higher by Duff and Phelps, Inc. (or D-2 or higher in the case of commercial paper); or

(d) 1 or 2 by the Securities Valuation Office.

If the obligations issued by a business entity organized under the laws of a foreign jurisdiction have not received a rating, investments may nevertheless be made under this paragraph in such obligations and in the preferred and common stock of the business entity if the earnings available for fixed charges of the business entity for a period of five (5) fiscal years preceding the date of purchase have averaged at least three (3) times its average fixed charges applicable to such period, and if during either of the last two (2) years of such period, the earnings available for fixed charges were at least three (3) times its fixed charges for such year. Investments authorized by this paragraph in a single foreign jurisdiction shall not exceed ten percent (10%) of the life insurance company's admitted assets. Subject to section 2.2(g) of this chapter, investments authorized by this paragraph denominated in foreign currencies shall not in the aggregate exceed ten percent (10%) of a life insurance company's admitted assets, and investments in any one (1) foreign currency shall not exceed five percent (5%) of the life insurance company's admitted assets. Investments authorized by this paragraph and paragraph 17(B) shall not in the aggregate exceed twenty percent (20%) of the life insurance company's admitted assets. This paragraph in no way limits or restricts investments which are otherwise specifically eligible for deposit under this section.

17.(B) Investments in:

(a) obligations issued, guaranteed, or assumed by a foreign jurisdiction or by a business entity organized under the laws of a foreign jurisdiction; and

(b) preferred stock and common stock issued by a business entity organized under the laws of a foreign jurisdiction;

which investments are not eligible for investment under paragraph 17.(A).

Investments authorized by this paragraph 17(B) shall not in the aggregate exceed five percent (5%) of the life insurance company's admitted assets. Subject to section 2.2(g) of this chapter, if investments authorized by this paragraph 17(B) are denominated in a foreign currency, the investments shall not, as to such currency, exceed two percent (2%) of the life insurance company's admitted assets. Investments authorized by this paragraph 17(B) in any one (1) foreign jurisdiction shall not exceed two percent (2%) of the life insurance company's admitted assets.

Investments authorized by paragraph 17(A) of this subsection and this paragraph 17(B) shall not in the aggregate exceed twenty percent (20%) of the life insurance company's admitted assets.

18. To protect itself against loss, a company may in good faith receive in payment of or as security for debts due or to become due, investments or property which do not conform to the categories, conditions, limitations, and standards set out above.

19. A life insurance company may purchase for its own benefit any of its outstanding annuity or insurance contracts or other obligations and the claims of holders thereof.

20. A life insurance company may make investments although not conforming to the categories, conditions, limitations, and standards contained in paragraphs 1 through 11, 12 through 19, and 29 through 31 of this subsection, but limited in aggregate amount to the ~~lesser~~ **greater** of:

(a) ten percent (10%) of the company's admitted assets; or

(b) ~~the aggregate of the company's capital,~~ **seventy-five percent (75%) of the company's capital and** surplus ~~and contingency reserves~~ reported on the statutory financial statement of the insurer most recently required to be filed with the commissioner.

This paragraph 20 does not apply to investments authorized by paragraph 11.(A) of this subsection.

20.(A) Investments under paragraphs 1 through 20 and paragraphs 29 through 31 of this subsection are subject to the general conditions, limitations, and standards contained in paragraphs 21 through 28 of this subsection.

21. Investments in obligations (other than real estate mortgage indebtedness) and capital stock of, and in real estate and tangible personal property leased to, a single corporation, shall not exceed ~~two percent (2%)~~ **three percent (3%)** of the life insurance company's admitted assets, taking into account the provisions of section 2.2(h) of this chapter. The conditions and limitations of this paragraph shall not apply to investments under paragraph 13(A) of this subsection or the special area of investment to which paragraph 23 of this subsection pertains.

22. Investments in:

(a) preferred stock; and

(b) common stock;

shall not, in the aggregate, exceed twenty percent (20%) of the life insurance company's admitted assets, exclusive of assets held in segregated accounts of the nature defined in class 1(c) of IC 27-1-5-1. These limitations shall not apply to investments for the special purposes described in paragraph 23 of this subsection nor to investments in connection with segregated accounts provided for in class 1(c) of IC 27-1-5-1.

23. Investments in subsidiary companies must be made in accordance with IC 27-1-23-2.6.

24. No investment, other than commercial bank deposits and loans on life insurance policies, shall be made unless authorized

by the life insurance company's board of directors or a committee designated by the board of directors and charged with the duty of supervising loans or investments.

25. No life insurance company shall subscribe to or participate in any syndicate or similar underwriting of the purchase or sale of securities or property or enter into any transaction for such purchase or sale on account of said company, jointly with any other corporation, firm, or person, or enter into any agreement to withhold from sale any of its securities or property, but the disposition of its assets shall at all times be within its control. Nothing contained in this paragraph shall be construed to invalidate or prohibit an agreement by two (2) or more companies to join and share in the purchase of investments for bona fide investment purposes.

26. No life insurance company may invest in the stocks or obligations, except investments under paragraphs 9 and 10 of this subsection, of any corporation in which an officer of such life insurance company is either an officer or director. However, this limitation shall not apply with respect to such investments in:

(a) a corporation which is a subsidiary or affiliate of such life insurance company; or

(b) a trade association, provided such investment meets the requirements of paragraph 5 of this subsection.

27. Except for the purpose of mutualization provided for in section 23 of this chapter, or for the purpose of retirement of outstanding shares of capital stock pursuant to amendment of its articles of incorporation, or in connection with a plan approved by the commissioner for purchase of such shares by the life insurance company's officers, employees, or agents, no life insurance company shall invest in its own stock.

28. In applying the conditions, limitations, and standards prescribed in paragraphs 11, 12, and 13 of this subsection to the stocks or obligations of a corporation which in the seven (7) year period preceding purchase of such stocks or obligations acquired its property or a substantial part thereof through consolidation, merger, or purchase, the earnings of the several predecessors or constituent corporations shall be consolidated.

29. A. Before a life insurance company may engage in securities lending transactions, repurchase transactions, reverse repurchase transactions, or dollar roll transactions, the life insurance company's board of directors must adopt a written plan that includes guidelines and objectives to be followed, including the following:

(1) A description of how cash received will be invested or used for general corporate purposes of the company.

(2) Operational procedures for managing interest rate risk, counterparty default risk, and the use of acceptable collateral in a manner that reflects the liquidity needs of the transaction.

(3) A statement of the extent to which the company may engage in securities lending transactions, repurchase transactions, reverse repurchase transactions, and dollar roll transactions.

B. A life insurance company must enter into a written agreement for all transactions authorized by this paragraph, other than dollar roll transactions. The written agreement:

(1) must require the termination of each transaction not more than one (1) year after its inception or upon the earlier demand of the company; and

(2) must be with the counterparty business entity, except that, for securities lending transactions, the agreement may be with an agent acting on behalf of the life insurance company if:

(A) the agent is:

(i) a business entity, the obligations of which are rated BBB- or higher by Standard & Poor's Corporation (or A-2 or higher in the case of commercial paper), Baa3 or higher by Moody's Investors Service, Inc. (or P-2 or higher in the case of commercial paper), BBB- or higher by Duff and Phelps, Inc. (or D-2 or higher in the case of commercial paper), or 1 or 2 by the Securities Valuation Office;

(ii) a business entity that is a primary dealer in United States government securities, recognized by the Federal Reserve Bank of New York; or

(iii) any other business entity approved by the commissioner; and

(B) the agreement requires the agent to enter into with each counterparty separate agreements that are consistent with the requirements of this paragraph.

C. Cash received in a transaction under this paragraph shall be:

(1) invested:

(A) in accordance with this section 2; and

(B) in a manner that recognizes the liquidity needs of the transaction; or

(2) used by the life insurance company for its general corporate purposes.

D. For as long as a transaction under this paragraph remains outstanding, the life insurance company or its agent or custodian shall maintain, as to acceptable collateral received in the transaction, either physically or through book entry systems of the Federal Reserve, the Depository Trust Company, the Participants Trust Company, or another securities depository approved by the commissioner:

(1) possession of the acceptable collateral;

(2) a perfected security interest in the acceptable collateral; or

(3) in the case of a jurisdiction outside the United States:

(A) title to; or

(B) rights of a secured creditor to;

the acceptable collateral.

E. The limitations set forth in paragraphs 17 and 21 of this subsection do not apply to transactions under this paragraph 29. For purposes of calculations made to determine compliance with this paragraph, no effect may be given to the future obligation of the life insurance company to:

(1) resell securities, in the case of a repurchase transaction; or

(2) repurchase securities, in the case of a reverse repurchase transaction.

F. A life insurance company shall not enter into a transaction under this paragraph if, as a result of the transaction, and after giving effect to the transaction:

(1) the aggregate amount of securities then loaned, sold to, or purchased from any one (1) business entity under this paragraph would exceed five percent (5%) of the company's admitted assets (but in calculating the amount sold to or purchased from a business entity under repurchase or reverse repurchase

transactions, effect may be given to netting provisions under a master written agreement); or

(2) the aggregate amount of all securities then loaned, sold to, or purchased from all business entities under this paragraph would exceed forty percent (40%) of the admitted assets of the company (provided, however, that this limitation does not apply to a reverse repurchase transaction if the borrowing is used to meet operational liquidity requirements resulting from an officially declared catastrophe and is subject to a plan approved by the commissioner).

G. The following collateral requirements apply to all transactions under this paragraph:

(1) In a securities lending transaction, the life insurance company must receive acceptable collateral having a market value as of the transaction date at least equal to one hundred two percent (102%) of the market value of the securities loaned by the company in the transaction as of that date. If at any time the market value of the acceptable collateral received from a particular business entity is less than the market value of all securities loaned by the company to that business entity, the business entity shall be obligated to deliver additional acceptable collateral to the company, the market value of which, together with the market value of all acceptable collateral then held in connection with all securities lending transactions with that business entity, equals at least one hundred two percent (102%) of the market value of the loaned securities.

(2) In a reverse repurchase transaction, other than a dollar roll transaction, the life insurance company must receive acceptable collateral having a market value as of the transaction date equal to at least ninety-five percent (95%) of the market value of the securities transferred by the company in the transaction as of that date. If at any time the market value of the acceptable collateral received from a particular business entity is less than ninety-five percent (95%) of the market value of all securities transferred by the company to that business entity, the business entity shall be obligated to deliver additional acceptable collateral to the company, the market value of which, together with the market value of all acceptable collateral then held in connection with all reverse repurchase transactions with that business entity, equals at least ninety-five percent (95%) of the market value of the transferred securities.

(3) In a dollar roll transaction, the life insurance company must receive cash in an amount at least equal to the market value of the securities transferred by the company in the transaction as of the transaction date.

(4) In a repurchase transaction, the life insurance company must receive acceptable collateral having a market value equal to at least one hundred two percent (102%) of the purchase price paid by the company for the securities. If at any time the market value of the acceptable collateral received from a particular business entity is less than one hundred percent (100%) of the purchase price paid by the life insurance company in all repurchase transactions with that business entity, the business entity shall be obligated to provide additional acceptable collateral to the company, the market value of which, together with the market value of all acceptable collateral then held in connection with all repurchase transactions with that business entity, equals at least one hundred two percent (102%) of the purchase price. Securities acquired by a life insurance company in a repurchase transaction shall not be:

(A) sold in a reverse repurchase transaction;

(B) loaned in a securities lending transaction; or

(C) otherwise pledged.

30. A life insurance company may invest in obligations or interests in trusts or partnerships regardless of the issuer, which are secured by:

(a) investments authorized by paragraphs 1, 2, 3, 4, or 11 of this subsection; or

(b) collateral with the characteristics and limitations prescribed for loans under paragraph 5 of this subsection.

For the purposes of this paragraph 30, collateral may be substituted for other collateral if it is in the same amount with the same or greater interest rate and qualifies as collateral under subparagraph (a) or (b) of this paragraph.

31. A life insurance company may invest in obligations or interests in trusts or partnerships, regardless of the issuer, secured by any form of collateral other than that described in subparagraphs (a) and (b) of paragraph 30 of this subsection, which obligations or interests in trusts or partnerships are rated:

(a) ~~A-~~ **BBB-** or higher by Standard & Poor's Corporation or Duff and Phelps, Inc.;

(b) ~~A 3~~ **Baa3** or higher by Moody's Investor Service, Inc.; or

(c) 1 **or 2** by the Securities Valuation Office.

Investments authorized by this paragraph may not exceed ~~ten percent (10%)~~ **twenty percent (20%)** of the life insurance company's admitted assets.

32. A. A life insurance company may invest in short-term pooling arrangements as provided in this paragraph.

B. The following definitions apply throughout this paragraph:

(1) "Affiliate" means, as to any person, another person that, directly or indirectly through one (1) or more intermediaries, controls, is controlled by, or is under common control with the person.

(2) "Control" means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract (other than a commercial contract for goods or non-management services), or otherwise, unless the power is the result of an official position with or corporate office held by the person. Control shall be presumed to exist if a person, directly or indirectly, owns, controls, holds with the power to vote or holds proxies representing ten percent (10%) or more of the voting securities of another person. This presumption may be rebutted by a showing that control does not exist in fact. The commissioner may determine, after furnishing all interested persons notice and an opportunity to be heard and making specific findings of fact to support the determination, that control exists in fact, notwithstanding the absence of a presumption to that effect.

(3) "Qualified bank" means a national bank,

state bank, or trust company that at all times is not less than adequately capitalized as determined by standards adopted by United States banking regulators and that is either regulated by state banking laws or is a member of the Federal Reserve System.

C. A life insurer may participate in investment pools qualified under this paragraph that invest only in:

(1) obligations that are rated BBB- or higher by Standard & Poor's Corporation (or A-2 or higher in the case of commercial paper), Baa 3 or higher by Moody's Investors Service, Inc. (or P-2 or higher in the case of commercial paper), BBB- or higher by Duff and Phelps, Inc. (or D-2 or higher in the case of commercial paper), or 1 or 2 by the Securities Valuation Office, and have:

(A) a remaining maturity of three hundred ninety-seven (397) days or less or a put that entitles the holder to receive the principal amount of the obligation which put may be exercised through maturity at specified intervals not exceeding three hundred ninety-seven (397) days; or

(B) a remaining maturity of three (3) years or less and a floating interest rate that resets not less frequently than quarterly on the basis of a current short-term index (for example, federal funds, prime rate, treasury bills, London InterBank Offered Rate (LIBOR) or commercial paper) and is not subject to a maximum limit, if the obligations do not have an interest rate that varies inversely to market interest rate changes;

(2) government money market mutual funds or class one money market mutual funds; or

(3) securities lending, repurchase, and reverse repurchase and dollar roll transactions that meet the requirements of paragraph 29 of this subsection and any applicable regulations of the department;

provided that the investment pool shall not acquire investments in any one (1) business entity that exceed ten percent (10%) of the total assets of the investment pool.

D. For an investment pool to be qualified under this paragraph, the investment pool shall not:

(1) acquire securities issued, assumed, guaranteed, or insured by the life insurance company or an affiliate of the company; or

(2) borrow or incur any indebtedness for borrowed money, except for securities lending, reverse repurchase, and dollar roll transactions that meet the requirements of paragraph 29 of this subsection.

E. A life insurance company shall not participate in an investment pool qualified under this paragraph if, as a result of and after giving effect to the participation, the aggregate amount of participation then held by the company in all investment pools under this paragraph and section 2.4 of this chapter would exceed thirty-five percent (35%) of its admitted assets.

F. For an investment pool to be qualified under this paragraph:

(1) the manager of the investment pool must:

(A) be organized under the laws of the United States, a state or territory of the United States, or the District of Columbia, and designated as the pool manager in a pooling agreement; and

(B) be the life insurance company, an affiliated company, a business entity affiliated with the company, or a qualified bank or a business entity registered under the Investment Advisors Act of 1940 (15 U.S.C. 80a-1 et seq.);

(2) the pool manager or an entity designated by the pool manager of the type set forth in subdivision (1) of this subparagraph F shall compile and maintain detailed accounting records setting forth:

(A) the cash receipts and disbursements reflecting each participant's proportionate participation in the investment pool;

(B) a complete description of all underlying assets of the investment pool (including amount, interest rate, maturity date (if any) and other appropriate designations); and

(C) other records which, on a daily basis, allow third parties to verify each participant's interest in the investment pool; and

(3) the assets of the investment pool shall be held in one (1) or more accounts, in the name of or on behalf of the investment pool, under a custody agreement or trust agreement with a qualified bank, which must:

(A) state and recognize the claims and rights of each participant;

(B) acknowledge that the underlying assets of the investment pool are held solely for the benefit of each participant in proportion to the aggregate amount of its participation in the investment pool; and

(C) contain an agreement that the underlying assets of the investment pool shall not be commingled with the general assets of the qualified bank or any other person.

G. The pooling agreement for an investment pool qualified under this paragraph must be in writing and must include the following provisions:

(1) Insurers, subsidiaries, or affiliates of insurers holding interests in the pool, or any pension or profit sharing plan of such insurers or their subsidiaries or affiliates, shall, at all times, hold one hundred percent (100%) of the interests in the investment pool.

(2) The underlying assets of the investment pool shall not be commingled with the general assets of the pool manager or any other person.

(3) In proportion to the aggregate amount of each pool participant's interest in the investment pool:

(A) each participant owns an undivided interest in the underlying assets of the investment pool; and

(B) the underlying assets of the

investment pool are held solely for the benefit of each participant.

(4) A participant or (in the event of the participant's insolvency, bankruptcy, or receivership) its trustee, receiver, or other successor-in-interest may withdraw all or any portion of its participation from the investment pool under the terms of the pooling agreement.

(5) Withdrawals may be made on demand without penalty or other assessment on any business day, but settlement of funds shall occur within a reasonable and customary period thereafter. Payments upon withdrawals under this paragraph shall be calculated in each case net of all then applicable fees and expenses of the investment pool. The pooling agreement shall provide for such payments to be made to the participants in one (1) of the following forms, at the discretion of the pool manager:

(A) in cash, the then fair market value of the participant's pro rata share of each underlying asset of the investment pool;

(B) in kind, a pro rata share of each underlying asset; or

(C) in a combination of cash and in kind distributions, a pro rata share in each underlying asset.

(6) The records of the investment pool shall be made available for inspection by the commissioner.

SECTION 3. IC 27-1-12.1-9, AS ADDED BY P.L.115-2011, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. A limited purpose subsidiary that is granted a certificate of authority by the commissioner under this chapter:

(1) is authorized to engage in the business of reinsurance for purposes of ~~IC 27-6-10~~ **IC 27-6-10.1** only for the lines of insurance for which the:

(A) organizing domestic life insurance company; and

(B) affiliates of the organizing domestic life insurance company;

are authorized;

(2) may reinsure only risks of:

(A) the organizing domestic life insurance company; and

(B) affiliates of the organizing domestic life insurance company; and

(3) may access alternative forms of financing.

SECTION 4. IC 27-1-13-3, AS AMENDED BY P.L.124-2018, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The following definitions apply throughout this section:

(1) "Acceptable collateral" means the following:

(A) As to securities lending transactions and for the purpose of calculating counterparty exposure:

(i) cash;

(ii) cash equivalents;

(iii) letters of credit; and

(iv) direct obligations of, or securities that are fully guaranteed as to principal and interest by, the government of the United States or any agency of the United States, including the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

(B) As to lending foreign securities, sovereign debt rated 1 by the Securities Valuation Office.

(C) As to repurchase transactions:

(i) cash;

(ii) cash equivalents; and

(iii) direct obligations of, or securities that are fully guaranteed as to principal and interest by, the government of the United States or any agency of the United States, including the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

(D) As to reverse repurchase transactions:

(i) cash; and

(ii) cash equivalents.

(2) "Admitted assets" means assets permitted to be reported as admitted assets on the statutory financial statement of the insurer most recently required to be filed with the commissioner.

(3) "Business entity" means any of the following:

(A) A sole proprietorship.

(B) A corporation.

(C) A limited liability company.

(D) An association.

(E) A general partnership.

(F) A limited partnership.

(G) A limited liability partnership.

(H) A joint stock company.

(I) A joint venture.

(J) A trust.

(K) A joint tenancy.

(L) Any other similar form of business organization, whether for profit or nonprofit.

(4) "Cash" means any of the following:

(A) United States denominated paper currency and coins.

(B) Negotiable money orders and checks.

(C) Funds held in any time or demand deposit in any depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation.

(5) "Cash equivalent" means any of the following:

(A) A certificate of deposit issued by a depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation.

(B) A banker's acceptance issued by a depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation.

(C) A government money market mutual fund.

(D) A class one (1) money market mutual fund.

(6) "Class one (1) money market mutual fund" means a money market mutual fund that at all times qualifies for investment using the bond

class one (1) reserve factor pursuant to the Purposes and Procedures Manual of the NAIC Investment Analysis Office.

(7) "Derivative transaction" has the meaning set forth in IC 27-1-12-2.2(a)(14).

(8) "Government money market mutual fund" means a money market mutual fund that at all times:

(A) invests only in obligations issued, guaranteed, or insured by the United States or collateralized repurchase agreements composed of these obligations; and

(B) qualifies for investment without a reserve pursuant to the Purposes and Procedures Manual of the NAIC Investment Analysis Office.

(9) "Money market mutual fund" means a mutual fund that meets the conditions of 17 CFR 270.2a-7, under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.).

(10) "Mutual fund" means:

(A) an investment company; or

(B) in the case of an investment company that is organized as a series company, an investment company series;

that is registered with the United States Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.).

(11) "Obligation" means any of the following:

(A) A bond.

(B) A note.

(C) A debenture.

(D) Any other form of evidence of debt.

(12) "Qualified business entity" means a business entity that is:

(A) an issuer of obligations or preferred stock that is rated one (1) or two (2) or is rated the equivalent of one (1) or two (2) by the Securities Valuation Office or by a nationally recognized statistical rating organization recognized by the Securities Valuation Office; or

(B) a primary dealer in United States government securities, recognized by the Federal Reserve Bank of New York.

(13) "Securities Valuation Office" refers to the Securities Valuation Office of the NAIC.

(b) Any company, other than one organized as a life insurance company, organized under the provisions of IC 27-1 or any other law of this state and authorized to make any or all kinds of insurance described in class 2 or class 3 of IC 27-1-5-1 shall invest its capital or guaranty fund as follows and not otherwise:

(1) In cash.

(2) In:

(A) direct obligations of the United States; or

(B) obligations secured or guaranteed as to principal and interest by the United States.

(3) In:

(A) direct obligations; or

(B) obligations secured by the full faith and credit;

of any state of the United States or the District of Columbia.

(4) In obligations of any county, township, city, town, village, school district, or other municipal district within the United States which are a direct obligation of the county, township, city, town, village, or district issuing the same.

(5) In obligations secured by mortgages or deeds of trust or unencumbered real estate or perpetual leases thereon in the United States not exceeding eighty percent (80%) of the fair value of the security determined in a manner satisfactory to the department, except that the percentage stated may be exceeded if and to the extent such excess is guaranteed or insured by the United States, any state, territory, or possession of the United States, the District of Columbia, Canada, any province of Canada, or by an administration, agency, authority, or instrumentality of any such governmental units. Where improvements on the land constitute a part of the value on which the loan is made, the improvements shall be insured against fire and tornado for the benefit of the mortgagee. For the purposes of this section, real estate may not be deemed to be encumbered by reason of the existence of taxes or assessments that are not delinquent, instruments creating or reserving mineral, oil, or timber rights, rights-of-way, joint driveways, sewer rights, rights-in-walls, nor by reason of building restrictions, or other restrictive covenants, nor when such real estate is subject to lease in whole or in part whereby rents or profits are reserved to the owner. The restrictions contained in this subdivision do not apply to loans or investments made under section 5 of this chapter.

(c) Any company organized under the provisions of this article or any other law of this state and authorized to make any or all of the kinds of insurance described in class 2 or class 3 of IC 27-1-5-1 shall invest its funds over and above its required capital stock or required guaranty fund as follows, and not otherwise:

(1) In cash or cash equivalents. However, not more than ten percent (10%) of admitted assets may be invested in any single government money market mutual fund or class one (1) money market mutual fund.

(2) In direct obligations of the United States or obligations secured or guaranteed as to principal and interest by the United States.

(3) In obligations issued, guaranteed, or insured as to principal and interest by a city, county, drainage district, road district, school district, tax district, town, township, village or other civil administration, agency, authority, instrumentality or subdivision of a state, territory, or possession of the United States, the District of Columbia, Canada, or any province of Canada, providing such obligations are authorized by law and are either:

(A) direct and general obligations of the issuing, guaranteeing, or insuring governmental unit, administration, agency, authority, district, subdivision, or instrumentality;

(B) payable from designated revenues pledged to the payment of the principal and interest of the obligations; or

(C) improvement bonds or other obligations constituting a first lien, except for tax liens, against all of the real estate within the improvement district or on that part of such real estate not discharged from such lien through payment of the assessment.

The area to which the improvement bonds or other obligations under clause (C) relate must be situated within the limits of a town or city and at least fifty percent (50%) of the properties within that area must be improved with business buildings or residences.

(4) In:

(A) direct obligations; or

(B) obligations secured by the full faith and credit;

of any state of the United States, the District of Columbia, or Canada or any province thereof.

(5) In obligations guaranteed, supported, or insured as to principal and interest by the United States, any state, territory, or possession of the United States, the District of Columbia, Canada, any province of Canada, or by an administration, agency, authority, or instrumentality of any of the political units listed in this subdivision. An obligation is "supported" for the purposes of this subdivision when repayment of the obligation is secured by real or personal property of value at least equal to the principal amount of the indebtedness by means of mortgage, assignment of vendor's interest in one (1) or more conditional sales contracts, other title retention device, or by means of other security interest in the property for the benefit of the holder of the obligation, and one (1) of the political units listed in this subdivision, or an administration, agency, authority, or instrumentality listed in this subdivision, has entered into a firm agreement to rent or use the property pursuant to which entity is obligated to pay money as rental or for the use of the property in amounts and at times that are sufficient, after provision for taxes upon and for other expenses of the use of the property, to repay in full the indebtedness, both principal and interest, and when the firm agreement and the money obligated to be paid under the agreement are assigned, pledged, or secured for the benefit of the holder of the obligation. However, where the security consists of a first mortgage lien or deed of trust on a fee interest in real property, the obligation may provide for the amortization, during the initial fixed period of the lease or contract of less than one hundred percent (100%) of the indebtedness if there is pledged or assigned, as additional security for the obligation, sufficient rentals payable under the lease, or of contract payments, to secure the amortized obligation payments required during the initial, fixed period of the lease or contract, including but not limited to payments of principal, interest, and taxes other than the income taxes of the borrower, and if there is to be left unamortized at the end of the period an amount not greater than the original appraised value of the land only, exclusive of all improvements, as prescribed by law.

(6) In obligations secured by mortgages or deeds of trust or unencumbered real estate or perpetual leases thereon, in any state in the United States, the District of Columbia, Canada, or any province of Canada, not exceeding eighty percent (80%) of the fair value of the security determined in a manner satisfactory to the department, except that the percentage stated may be exceeded if and to the extent that the excess is guaranteed or insured by the United States, any state, territory, or possession of the United States, the District of Columbia, Canada, any province of Canada, or by an administration, agency, authority, or instrumentality of any of such governmental units. The value of the real estate must be determined by a method and in a manner satisfactory to the department. The restrictions contained in this subdivision do not apply to loans or investments made under section 5 of this chapter.

(7) In obligations issued under or pursuant to the Farm Credit Act of 1971 (12 U.S.C. 2001 through 2279aa-14) as in effect on December 31, 1990, or the Federal Home Loan Bank Act (12 U.S.C. 1421 through 1449) as in effect on December 31, 1990, interest bearing obligations of the FSLIC Resolution Fund and shares of any institution that is insured by the Federal Deposit Insurance Corporation to the extent that the shares are insured, obligations issued or guaranteed by the International Bank for Reconstruction and Development, obligations issued or guaranteed by the Inter-American Development Bank, and obligations issued or guaranteed by the African Development Bank.

(8) In any mutual fund that:

(A) has been registered with the Securities and Exchange Commission for a period of at least five (5) years immediately preceding the date of purchase;

(B) has net assets of at least twenty-five million dollars ($25,000,000) on the date of purchase; and

(C) invests substantially all of its assets in investments permitted under this subsection.

The amount invested in any single mutual fund shall not exceed ten percent (10%) of admitted assets. The aggregate amount of investments under this subdivision may be limited by the commissioner if the commissioner finds that investments under this subdivision may render the operation of the company hazardous to the company's policyholders, to the company's creditors, or to the general public. This subdivision in no way limits or restricts investments that are otherwise specifically permitted under this section.

(9) In obligations payable in United States dollars and issued, guaranteed, assumed, insured, or accepted by a foreign government or by a solvent business entity existing under the laws of a foreign government, if the obligations of the foreign government or business entity meet at least one (1) of the following criteria:

(A) The obligations carry a rating of at least A3 conferred by Moody's Investor Services, Inc.

(B) The obligations carry a rating

of at least A- conferred by Standard & Poor's Corporation.

(C) The earnings available for fixed charges of the business entity for a period of five (5) fiscal years preceding the date of purchase have averaged at least three (3) times the average fixed charges of the business entity applicable to the period, and if during either of the last two (2) years of the period, the earnings available for fixed charges were at least three (3) times the fixed charges of the business entity for the year. As used in this subdivision, the terms "earnings available for fixed charges" and "fixed charges" have the meanings set forth in IC 27-1-12-2(a).

Foreign investments authorized by this subdivision shall not exceed twenty percent (20%) of the company's admitted assets. This subdivision in no way limits or restricts investments that are otherwise specifically permitted under this section. Canada is not a foreign government for purposes of this subdivision.

(10) In the obligations of any solvent business entity existing under the laws of the United States, any state of the United States, the District of Columbia, Canada, or any province of Canada, provided that interest on the obligations is not in default.

(11) In the preferred or guaranteed shares of any solvent business entity, so long as the business entity is not and has not been for the preceding five (5) years in default in the payment of interest due and payable on its outstanding debt or in arrears in the payment of dividends on any issue of its outstanding preferred or guaranteed stock.

(12) In the shares, other than those specified in subdivision (7), of any solvent business entity existing under the laws of any state of the United States, the District of Columbia, Canada, or any province of Canada, and in the shares of any institution wherever located which has the insurance protection provided by the Federal Deposit Insurance Corporation. Except for the purpose of mutualization or for the purpose of retirement of outstanding shares of capital stock pursuant to amendment of its articles of incorporation, or in connection with a plan approved by the commissioner for purchase of such shares by the insurance company's officers, employees, or agents, or for the elimination of fractional shares, no company subject to the provisions of this section may invest in its own stock.

(13) In loans upon the pledge of any mortgage, stocks, bonds, or other evidences of indebtedness, acceptable as investments under the terms of this chapter, if the current value of the mortgage, stock, bond, or other evidences of indebtedness is at least twenty-five percent (25%) more than the amount loaned on it.

(14) In real estate, subject to subsections (d) and (e).

(15) In securities lending, repurchase, and reverse repurchase transactions with business entities, subject to the following requirements:

(A) The company's board of directors shall adopt a written plan that specifies guidelines and objectives to be followed, such as:

(i) a description of how cash received will be invested or used for general corporate purposes of the company;

(ii) operational procedures to manage interest rate risk, counterparty default risk, and the use of acceptable collateral in a manner that reflects the liquidity needs of the transaction; and

(iii) the extent to which the company may engage in these transactions.

(B) The company shall enter into a written agreement for all transactions authorized in this subdivision. The written agreement shall require the termination of each transaction not more than one (1) year from its inception or upon the earlier demand of the company. The agreement shall be with the counterparty business entity but, for securities lending transactions, the agreement may be with an agent acting on behalf of the company if the agent is a qualified business entity and if the agreement:

(i) requires the agent to enter into separate agreements with each counterparty that are consistent with the requirements of this section; and

(ii) prohibits securities lending transactions under the agreement with the agent or its affiliates.

(C) Cash received in a transaction under this section shall be invested in accordance with this section and in a manner that recognizes the liquidity needs of the transaction or used by the company for its general corporate purposes. For as long as the transaction remains outstanding, the company or its agent or custodian shall maintain, as to acceptable collateral received in a transaction under this section, either physically or through book entry systems of the Federal Reserve, Depository Trust Company, Participants Trust Company, or other securities depositories approved by the commissioner:

(i) possession of the acceptable collateral;

(ii) a perfected security interest in the acceptable collateral; or

(iii) in the case of a jurisdiction outside the United States, title to, or rights of a secured creditor to, the acceptable collateral.

(D) For purposes of calculations made to determine compliance with this subdivision, no effect may be given to the company's future obligation to resell securities in the case of a repurchase transaction, or to repurchase securities in the case of a reverse repurchase transaction. A company shall not enter into a transaction under this subdivision if, as a result of and after giving effect to the transaction:

(i) the aggregate amount of securities then loaned, sold to, or purchased from any one (1) business entity pursuant to this subdivision would exceed five percent (5%) of its admitted assets (but, in calculating the amount sold to or purchased from a business entity pursuant to repurchase or reverse repurchase transactions, effect may be given to netting provisions under a master written agreement); or

(ii) the aggregate amount of all securities then loaned, sold to, or purchased from all business entities under this subdivision would exceed forty percent (40%) of its admitted assets.

(E) In a securities lending transaction, the company shall receive acceptable collateral having a market value as of the transaction date at least equal to one hundred two percent (102%) of the market value of the securities loaned by the company in the transaction as of that date. If at any time the market value of the acceptable collateral is less than the market value of the loaned securities, the business entity shall be obligated to deliver additional acceptable collateral, the market value of which, together with the market value of all acceptable collateral then held in connection with the transaction, at least equals one hundred two percent (102%) of the market value of the loaned securities.

(F) In a reverse repurchase transaction, the company shall receive acceptable collateral having a market value as of the transaction date at least equal to ninety-five percent (95%) of the market value of the securities transferred by the company in the transaction as of that date. If at any time the market value of the acceptable collateral is less than ninety-five percent (95%) of the market value of the securities so transferred, the business entity shall be obligated to deliver additional acceptable collateral, the market value of which, together with the market value of all acceptable collateral then held in connection with the transaction, equals at least ninety-five percent (95%) of the market value of the transferred securities.

(G) In a repurchase transaction, the company shall receive as acceptable collateral transferred securities having a market value equal to at least one hundred two percent (102%) of the purchase price paid by the company for the securities. If at any time the market value of the acceptable collateral is less than one hundred percent (100%) of the purchase price paid by the company, the business entity shall be obligated to provide additional acceptable collateral, the market value of which, together with the market value of all acceptable collateral then held in connection with the transaction, equals at least one hundred two percent (102%) of the purchase price. Securities acquired by a company in a repurchase transaction shall not be sold in a reverse repurchase transaction, loaned in a securities lending transaction, or otherwise pledged.

(16) In mortgage backed securities, including collateralized mortgage obligations, mortgage pass through securities, mortgage backed bonds, and real estate mortgage investment conduits, adequately secured by a pool of mortgages, which mortgages are fully guaranteed or insured by the government of the United States or any agency of the United States, including the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation.

(17) In mortgage backed securities, including collateralized mortgage obligations, mortgage pass through securities, mortgage backed bonds, and real estate mortgage investment conduits, adequately secured by a pool of mortgages, if the securities carry a rating of at least:

(A) ~~A3~~ **Baa3** conferred by Moody's Investor Services, Inc.; or

(B) ~~A-~~ **BBB-** conferred by Standard & Poor's Corporation.

The amount invested in any one (1) obligation or pool of obligations described in this subdivision shall not exceed five percent (5%) of admitted assets. The aggregate amount of all investments under this subdivision shall not exceed ten percent (10%) of admitted assets.

(18) Any other investment acquired in good faith as payment on account of existing indebtedness or in connection with the refinancing, restructuring, or workout of existing indebtedness, if taken to protect the interests of the company in that investment.

(19) In obligations or interests in trusts or partnerships in which a life insurance company may invest as described in paragraph 31 of IC 27-1-12-2(b). Investments authorized by this paragraph may not exceed ~~ten percent (10%)~~

twenty percent (20%) of the company's admitted assets.

(20) In any other investment. The total of all investments under this subdivision, except for investments in subsidiary companies under IC 27-1-23-2.6, may not exceed ~~an aggregate amount~~ **the greater** of ten percent (10%) of the insurer's admitted assets **or fifty percent (50%) of the insurer's capital and surplus.** Investments are not permitted under this subdivision:

(A) if expressly prohibited by statute; or

(B) in an insolvent organization or an organization in default with respect to the payment of principal or interest on its obligations.

(d) Any company subject to the provisions of this section shall have power to acquire, hold, or convey real estate, or an interest therein, as described below, and no other:

(1) Leaseholds, provided the mortgage term shall not exceed four-fifths (4/5) of the unexpired lease term, including enforceable renewable options, remaining at the time of the loan, such real estate or leaseholds to be located in the United States, any territory or possession of the United States, or Canada, the value of such leasehold for statement purposes shall be determined in a manner and form satisfactory to the department. At the time the leasehold is acquired and approved by the department, a schedule of annual depreciation shall be set up by the department in which the value of said leasehold is to be depreciated, and said depreciation is to be averaged out over not exceeding a period of fifty (50) years.

(2) The building in which it has its principal office and the land on which it stands.

(3) Such as shall be necessary for the convenient transaction of its business.

(4) Such as shall have been acquired for the accommodation of its business.

(5) Such as shall have been mortgaged to it in good faith by way of security for loans previously contracted or for money due.

(6) Such as shall have been conveyed to it in connection with its investments in real estate contracts or its investments in real estate under lease or for the purpose of leasing or such as shall have been acquired for the purpose of investment under any law, order, or regulation authorizing such investment, for statement purposes, the value of such real estate shall be determined in a manner satisfactory to the department.

(7) Such as shall have been conveyed to it in satisfaction of debts previously contracted in the course of its dealings, or in exchange for real estate so conveyed to it.

(8) Such as it shall have purchased at sales on judgments, decrees, or mortgages obtained or made for such debts.

(e) All real estate described in subsection (d)(4) through (d)(8) which is not necessary for the convenient transaction of its business shall be sold by said company and disposed of within ten (10) years after it acquired title to the same, or within five (5) years after the same has ceased to be necessary for the accommodation of its business, unless the company procures the certificate of the commissioner that its interests will suffer materially by a forced sale of the real estate, in which event the time for the sale may be extended to such time as the commissioner directs in the certificate.

(f) The board of directors of a company, other than a company organized as a life insurance company, shall do all the following:

(1) Before engaging in derivatives transactions, approve a written plan that specifies guidelines, systems, and objectives to be followed, such as:

(A) investment of or, if applicable, underwriting objectives and risk constraints, such as credit risk limits;

(B) permissible transactions and the relationship of those transactions to the insurer's operations;

(C) internal control procedures;

(D) a system for determining whether a derivative instrument used for hedging has been effective;

(E) a credit risk management system for over-the-counter derivatives transactions that measures credit risk exposure using the counterparty exposure amount; and

(F) a mechanism for reviewing and auditing compliance with the guidelines, systems, and objectives specified in the written plan.

(2) Before engaging in derivatives transactions, make a determination that the insurer's investment managers have adequate professional personnel, technical expertise, and systems to implement the insurer's intended investment practices involving derivative instruments.

(3) Review whether derivatives transactions have been made in accordance with the approved guidelines and are consistent with stated objectives.

(4) Take action to correct any deficiencies in internal controls relating to derivatives transactions.

SECTION 5. IC 27-1-25-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. All claims paid by an administrator from funds collected on behalf of an insurer shall ~~only~~ be paid: ~~on~~

(1) by ~~drafts~~ **draft** or ~~checks~~ **check; or**

(2) via electronic payment;

as authorized by the insurer.

SECTION 6. IC 27-1-28-15, AS ADDED BY P.L.11-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. (a) Except as provided in section 16 of this chapter **and in subsection (e),** an individual who applies for an independent adjuster license under this chapter must pass a written examination that is:

(1) developed and conducted according to rules adopted by the commissioner under IC 4-22-2; and

(2) intended to test the knowledge of the individual concerning:

(A) the lines of authority in which the individual has applied for licensing under this chapter;

(B) the duties and responsibilities of an independent adjuster; and

(C) Indiana insurance law.

(b) The commissioner may contract with a nongovernmental

entity to administer the written examination required by this section.

(c) An individual described in subsection (a) shall remit, with the application to take the written examination required by this section, a nonrefundable examination fee in an amount set by the commissioner or the organization administering the examination.

(d) If an individual:

(1) fails to appear for or to pass an examination; and

(2) desires to reschedule the examination;

the individual shall reapply for the written examination and remit all fees and forms before scheduling an examination date.

(e) An individual who holds a current claims certification issued by a national or state claims association whose certification program includes:

(1) a precertification course for new adjusters that is approved by the department;

(2) an examination for new adjusters that is approved by the department; and

(3) a continuing education program that is approved by the department;

is not required to complete a prelicensing course described in section 12(b)(5) of this chapter or pass a written examination described in subsection (a) to be issued an independent adjuster license under this chapter.

SECTION 7. IC 27-1-28-16, AS ADDED BY P.L.11-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) An individual who applies for an independent adjuster license under this chapter and who:

(1) possesses an independent adjuster license for the same line of authority in which the individual has applied for licensing under this chapter in a state in which a prelicensing independent adjuster licensure examination is required;

(2) possessed an independent adjuster license that:

(A) was for the same line of authority in which the individual has applied for licensing under this chapter in a state in which a prelicensing independent adjuster licensure examination is required; and

(B) expired less than ninety (90) days before the date the commissioner receives the application; or

(3) provides proof from contracting insurers that the individual has participated in claims adjudication in the same line of authority during the five (5) years immediately preceding the date of application;

is not required to complete a prelicensing course as described in section 12(b)(5) of this chapter or pass a written examination under section 15 of this chapter before being licensed under this chapter.

(b) An applicant who meets the criteria set forth in subsection (a)(1) or (a)(2) must provide certification from the other state that the applicant's independent adjuster license:

(1) is currently in good standing; or

(2) was in good standing at the time of expiration.

(c) A person:

(1) ~~that:~~ **who:**

~~(1)~~ **(A)** is licensed as an independent adjuster in another state where a prelicensing independent adjuster licensure examination is required;

~~(2)~~ **(B)** establishes legal residency in Indiana; and

~~(3)~~ **(C)** applies for a resident independent adjuster license under this chapter less than ninety (90) days after the person establishes legal residency in Indiana; **or**

(2) who holds a current claims certification issued by a national or state claims association whose certification program includes:

(A) a precertification course for new adjusters that is approved by the department;

(B) an examination for new adjusters that is approved by the department; and

(C) a continuing education program that is approved by the department;

is not required to complete a prelicensing course as described in section 12(b)(5) of this chapter or pass a written examination under section 15 of this chapter before being licensed under this chapter.

SECTION 8. IC 27-1-28-19, AS ADDED BY P.L.11-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 19. (a) Except as provided in subsection (b), an individual who holds a license under this chapter shall, every two (2) years, satisfactorily complete a minimum of twenty-four (24) hours of continuing education courses and report the completion of the courses to the commissioner.

(b) This section does not apply to the following:

(1) An individual who is licensed for less than twelve (12) months before the end of the applicable continuing education biennium.

(2) A licensed nonresident independent adjuster who has met the continuing education requirements of the licensed nonresident independent adjuster's designated home state.

(3) An individual holding a current claims certification if:

(A) the claims certification is issued by a national or state claims association whose certification program is approved by the department for purposes of this section;

(B) the number of hours of study required to complete the certification program described in clause (A) is not less than the number of hours of continuing education that an individual is required to complete every two (2) years under subsection (a);

(C) the content of the certification program described in clause (A):

(i) includes the content of the prelicensing course of study required by section 12(b)(5) of this chapter for the line of authority in which the individual has applied for or obtained licensing under this chapter; and

(ii) is made available for review

and audit by the commissioner through an electronic portal maintained by the association;

(D) the claims association referred to in clause (A) is approved as a continuing education provider in Indiana;

(E) the claims association referred to in clause (A) reports the individual's completion of the certification program described in clause (A) to the commissioner through an electronic portal maintained by the commissioner; and

(F) the association, through an electronic portal maintained by the association, provides the commissioner access to the individual's transcript showing the individual's completion of the certification program described in clause (A).

SECTION 9. IC 27-1-34-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.5. A multiple employer welfare arrangement may be established through an interlocal cooperation agreement under IC 36-1-7.**

SECTION 10. IC 27-2-27 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 27. Insurance Data Security

Sec. 1. This chapter applies after June 30, 2021.

Sec. 2. As used in this chapter, "authorized individual" means an individual authorized by the licensee to have access to the nonpublic information held by the licensee and its information systems.

Sec. 3. As used in this chapter, "commissioner" refers to the insurance commissioner appointed under IC 27-1-1-2.

Sec. 4. As used in this chapter, "consumer" means a resident of Indiana whose nonpublic information is in a licensee's possession, custody, or control.

Sec. 5. As used in this chapter, "cybersecurity event" means an event resulting in unauthorized access to or a disruption or misuse of an information system or nonpublic information stored on the information system that has a reasonable likelihood of materially harming a consumer or any material part of the normal operations of the licensee. However, the term does not include the following:

(1) The unauthorized acquisition of encrypted nonpublic information if the encryption, process, or key is not also acquired, released, or used without authorization.

(2) An event in which a licensee has determined that the nonpublic information accessed by an unauthorized person has not been used or released and has been returned or destroyed.

Sec. 6. As used in this chapter, "department" means the department of insurance created by IC 27-1-1-1.

Sec. 7. As used in this chapter, "encrypted" means the transformation of data into a form that results in a low probability of assigning meaning without the use of a protective process or key.

Sec. 8. As used in this chapter, "information security program" means the administrative, technical, and physical safeguards that a licensee uses to access, collect, distribute, process, protect, store, use, transmit, dispose of, or otherwise handle nonpublic information.

Sec. 9. As used in this chapter, "information system" means either of the following:

(1) A discrete set of electronic information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of nonpublic information.

(2) Any specialized system, such as industrial or process control systems, telephone switching systems, private exchange systems, and environmental control systems.

Sec. 10. (a) As used in this chapter, "licensee" means a person that is:

(1) licensed, authorized to operate, or registered; or

(2) required to be licensed, authorized to operate, or registered;

under this title and the rules adopted under this title.

(b) The term does not include any of the following:

(1) A purchasing group or risk retention group that is chartered and licensed in another state.

(2) A person that is:

(A) acting as an assuming insurer; and

(B) domiciled in a state or jurisdiction other than Indiana.

Sec. 11. As used in this chapter, "multi-factor authentication" means authentication through verification of at least two (2) of the following types of authentication factors:

(1) Knowledge factors, such as a password.

(2) Possession factors, such as a token or text message on a mobile phone.

(3) Inherence factors, such as a biometric characteristic.

Sec. 12. As used in this chapter, "nonpublic information" means electronic information that is not publicly available information and is described in either of the following subdivisions:

(1) Any information concerning a consumer, which because of name, number, personal mark, or other identifier can be used, in combination with any one (1) or more of the following data elements, to identify the consumer:

(A) Social Security number.

(B) Driver's license number or nondriver identification card number.

(C) Financial account number, credit card number, or debit card number.

(D) Any security code, access code, or password that would permit access to a consumer's financial account.

(E) Biometric records.

(2) Any information or data, except age or gender, in any form or medium created by or derived from a health care provider or a consumer that can be used to identify a consumer and relates to:

(A) the past, present, or future physical, mental, or behavioral health or condition of the consumer or a member of the consumer's family;

(B) the provision of health care to the consumer; or

(C) payment for the provision of health care provided to the

consumer.

Sec. 13. As used in this chapter, "publicly available information" means any information that a licensee has a reasonable basis to believe is lawfully made available to the general public from:

(1) federal, state, or local government records;

(2) widely distributed media; or

(3) disclosures to the general public that are required to be made by federal, state, or local law.

Sec. 14. As used in this chapter, "risk assessment" means the assessment a licensee is required to conduct under section 17 of this chapter.

Sec. 15. As used in this chapter, "third party service provider" means a person that contracts with a licensee to maintain, process, store, or otherwise is permitted access to nonpublic information through its provision of services to the licensee.

Sec. 16. (a) A licensee shall develop, implement, and maintain a comprehensive, written information security program that:

(1) is based on the risk assessment required under section 17 of this chapter; and

(2) contains administrative, technical, and physical safeguards for the protection of nonpublic information and the licensee's information systems.

(b) An information security program must accomplish the following:

(1) Protect the security and confidentiality of nonpublic information and information systems.

(2) Protect against any threats or hazards to the security or integrity of nonpublic information and information systems.

(3) Protect against unauthorized access to or use of nonpublic information and minimize the likelihood of harm to a consumer.

(4) Define and periodically reevaluate a schedule for retention of nonpublic information and a procedure for its destruction when no longer needed.

Sec. 17. A licensee shall conduct a risk assessment of its information systems and treatment of nonpublic information by doing the following:

(1) Designating one (1) or more employees, an affiliate, or an outside vendor designated to act on behalf of the licensee information security program.

(2) Identifying reasonably foreseeable internal or external threats that could result in a cybersecurity event, including threats to information systems and nonpublic information held or accessed by third party service providers.

(3) Assessing the likelihood and potential damage of the threats identified in subdivision (2), taking into consideration the sensitivity of the nonpublic information.

(4) Assessing the sufficiency of the policies, procedures, information systems, and other safeguards currently in place to manage the threats identified in subdivision (2), including an assessment of threats in each relevant area of the licensee's operations, including the following:

(A) Employee training and management.

(B) Information systems, including network and software design, and information classification, governance, processing, storage, transmission, and disposal.

(C) Procedures for detecting, preventing, and responding to cybersecurity events or other systems failures.

(5) Implementing information safeguards to manage the threats identified under subdivision (2), and assessing the effectiveness of the safeguards' key controls, systems, and procedures at least one (1) time each year.

Sec. 18. Based on the results of the risk assessment, a licensee shall do the following:

(1) Design its information security program to mitigate the identified risks, commensurate with:

(A) the licensee's size and complexity;

(B) the nature and scope of the licensee's activities; and

(C) the sensitivity of the nonpublic information in the licensee's control.

(2) Determine and implement appropriate security measures, which may include the following:

(A) Placing access controls on information systems, including controls to authenticate and permit only authorized individuals to have access to nonpublic information.

(B) Identifying and managing the data, personnel, devices, systems, and facilities that enable the licensee to achieve business purposes in accordance with their relative importance to business objectives and risk strategy.

(C) Restricting physical access to nonpublic information to authorized individuals only.

(D) Protecting by encryption or other appropriate means all nonpublic information while being transmitted over an external network and all nonpublic information stored on a laptop computer or other portable computing or storage device or media.

(E) Adopting secure development practices for in-house developed applications used by the licensee.

(F) Modifying information systems in accordance with the licensee's information security program.

(G) Using effective controls, which may include multi-factor authentication procedures for any employees accessing nonpublic information.

(H) Regularly testing and monitoring systems and procedures to detect actual and

attempted attacks on, or intrusions into, information systems.

(I) Including audit trails within the information security program designed to detect and respond to a cybersecurity event and designed to reconstruct material financial transactions sufficient to support normal operations and obligations of the licensee.

(J) Implementing measures to protect against destruction, loss, or damage of nonpublic information due to environmental hazards, such as fire and water damage or other catastrophes or technological failures.

(K) Developing, implementing, and maintaining procedures for the secure disposal of nonpublic information in any format.

(3) Include cybersecurity risks in the licensee's enterprise risk management process.

(4) Stay informed regarding emerging threats or vulnerabilities.

(5) Use reasonable security measures when sharing information, relative to the character of the sharing and the type of information shared.

(6) Provide personnel with cybersecurity awareness training that is updated as necessary to reflect risks identified in the risk assessment.

Sec. 19. (a) If the licensee has a board of directors, the board of directors shall require the licensee's executive management or its delegates to develop, implement, and maintain the licensee's information security program.

(b) If the licensee's executive management delegates any of its responsibilities under this section, it shall:

(1) oversee the development, implementation, and maintenance of the licensee's information security program prepared by the delegate; and

(2) receive a report from the delegate concerning:

(A) the overall status of the information security program;

(B) the licensee's compliance with this chapter; and

(C) material matters related to the information security program addressing such issues as:

(i) risk assessment;

(ii) risk management and control decisions;

(iii) third party service provider arrangements;

(iv) results of testing;

(v) cybersecurity events and management's responses to cybersecurity events; and

(vi) recommendations for changes in the information security program.

Sec. 20. (a) As part of its information security program, a licensee shall establish a written incident response plan designed to promptly respond to, and recover from, any cybersecurity event.

(b) An incident response plan must include the following:

(1) The internal process for responding to a cybersecurity event.

(2) The goals of the incident response plan.

(3) The definition of clear roles, responsibilities, and levels of decision making authority.

(4) External and internal communications and information sharing.

(5) Identification of requirements for the remediation of any identified weaknesses in information systems and associated controls.

(6) Documentation and reporting regarding cybersecurity events and related incident response activities.

(7) The evaluation and revision, as necessary, of the incident response plan.

(c) Annually, not later than April 15, each insurer domiciled in Indiana shall submit to the commissioner a written statement certifying that the insurer is in compliance with the requirements set forth in sections 16 through 19 of this chapter and this section. Each insurer shall maintain for examination by the department all records, schedules, and data supporting this certificate for a period of five (5) years. To the extent an insurer has identified areas, systems, or processes that require material improvement, updating, or redesign, the insurer shall document the identification of the areas, systems, or processes and the remedial efforts planned and underway to address the areas, systems, or processes. The documentation must be available for inspection by the commissioner.

Sec. 21. (a) If a licensee learns that a cybersecurity event has or may have occurred, the licensee, or an outside vendor or service provider designated to act on the licensee's behalf, shall conduct a prompt investigation. During the investigation, the licensee or outside vendor or service provider designated to act on the licensee's behalf shall:

(1) determine:

(A) whether a cybersecurity event has occurred;

(B) if so, the nature and scope of the cybersecurity event; and

(C) whether any nonpublic information may have been involved in the cybersecurity event; and

(2) perform or oversee reasonable measures to restore the security of the information systems compromised in the cybersecurity event in order to prevent further unauthorized acquisition, release, or use of nonpublic information in the licensee's possession, custody, or control.

(b) A licensee shall maintain records concerning all cybersecurity events for at least five (5) years after the date of the cybersecurity event. A licensee shall produce these records upon demand of the commissioner.

(c) A licensee shall notify the commissioner as promptly as possible but not later than three (3) business days after a determination that a cybersecurity event involving nonpublic information that is in the possession of the licensee has occurred if either of the following applies:

(1) Indiana is the licensee's state of domicile, if the licensee is an insurer, or the licensee's home state, if the licensee is a producer, and the cybersecurity event has a reasonable likelihood of materially harming a consumer

residing in Indiana or materially harming any material part of the normal operations of the licensee.

(2) The licensee reasonably believes that the nonpublic information of at least two hundred fifty (250) consumers residing in Indiana was affected by the cybersecurity event and that the cybersecurity event is either of the following:

(A) A cybersecurity event impacting the licensee of which notice is required to be provided by any other state, federal, or local law.

(B) A cybersecurity event that has a reasonable likelihood of materially harming:

(i) a consumer residing in Indiana; or

(ii) any material part of the normal operations of the licensee.

(d) After learning that a cybersecurity event has or may have occurred, a licensee shall provide as much of the following information as possible in electronic form, as directed by the commissioner:

(1) The date of the cybersecurity event.

(2) A description of how the information was exposed, lost, stolen, or breached, including the specific roles and responsibilities of any third party service providers.

(3) How the cybersecurity event was discovered.

(4) Whether any lost, stolen, or breached information has been recovered and, if so, how this was done.

(5) The identity of the source of the cybersecurity event.

(6) Whether the licensee has filed a police report or has notified any regulatory, government, or law enforcement agencies and, if so, when the notification was provided.

(7) A description of the specific types of information acquired without authorization. Specific types of information means particular data elements including, for example, types of medical information, types of financial information, or types of information allowing identification of the consumer.

(8) The period during which the information system was compromised by the cybersecurity event.

(9) The total number of consumers in Indiana affected by the cybersecurity event. The licensee shall provide the best estimate in the initial report to the commissioner and update this estimate with each subsequent report to the commissioner under this section.

(10) The results of any internal review:

(A) identifying a lapse in either automated controls or internal procedures; or

(B) confirming that all automated controls or internal procedures were followed.

(11) A description of efforts being undertaken to remediate the situation that permitted the cybersecurity event to occur.

(12) A copy of the licensee's privacy policy and a statement outlining the steps the licensee will take to investigate and notify consumers affected by the cybersecurity event.

(13) The name of a contact person who is both familiar with the cybersecurity event and authorized to act for the licensee.

(e) The licensee has a continuing obligation to update and supplement initial and subsequent notifications to the commissioner regarding material changes to previously provided information relating to the cybersecurity event.

(f) A licensee shall comply with IC 24-4.9, as applicable, and provide a copy of the notice sent to consumers under IC 24-4.9 to the commissioner if the licensee is required to notify the commissioner under subsection (c).

(g) Nothing in this chapter abrogates or prevents an agreement between a licensee and:

(1) another licensee;

(2) a third party service provider; or

(3) any other party;

to fulfill any investigation requirements imposed under subsection (a) or notice requirements imposed under subsections (c) through (f).

Sec. 22. (a) In the case of a cybersecurity event involving nonpublic information that:

(1) is used by a licensee acting as an assuming insurer; or

(2) is in the possession, custody, or control of a licensee that:

(A) is acting as an assuming insurer; and

(B) does not have a direct contractual relationship with the affected consumers;

the assuming insurer shall notify its affected ceding insurers and the commissioner of its state of domicile within three (3) business days after making the determination that a cybersecurity event has occurred and the ceding insurers that have a direct contractual relationship with affected consumers shall fulfill the consumer notification requirements imposed under IC 24-4.9 and any other notification requirements relating to a cybersecurity event imposed under section 21(c) through 21(f) of this chapter.

(b) In the case of a cybersecurity event involving nonpublic information that is in the possession, custody, or control of a third party service provider of a licensee that is an assuming insurer:

(1) the assuming insurer shall notify its affected ceding insurers and the commissioner of its state of domicile within three (3) business days after receiving notice from its third party service provider that a cybersecurity event has occurred; and

(2) the ceding insurers that have a direct contractual relationship with affected consumers shall fulfill the consumer notification requirements imposed under IC 24-4.9 and any other notification requirements relating to a cybersecurity event imposed under section 21(c) through 21(f) of this chapter.

(c) Except for the obligations set forth in this section, a licensee acting as assuming insurer has no notice obligations relating to a cybersecurity event or other data breach under section 21 of this chapter or any other law of Indiana.

Sec. 23. (a) In the case of a cybersecurity event:

(1) that involves nonpublic information:

(A) that is in the possession, custody, or control of a licensee that is an insurer or its third party service provider; and

(B) for which a consumer

accessed the insurer's services through an independent insurance producer; and

(2) for which consumer notice is required by IC 24-4.9;

the insurer shall notify the producers of record of all affected consumers of the cybersecurity event not later than the time at which notice is provided to the affected consumers.

(b) The insurer is excused from the obligation set forth in subsection (a):

(1) for any producers who are not authorized by law or contract to sell, solicit, or negotiate on behalf of the insurer; and

(2) in those instances in which the insurer does not have the current producer of record information for an individual consumer.

Sec. 24. (a) The commissioner may examine and investigate into the affairs of any licensee to determine whether the licensee has been or is engaged in any conduct in violation of this chapter. This power is in addition to the other powers the commissioner has under this title. Any investigation or examination of a licensee under this section shall be conducted pursuant to IC 27-1.

(b) Whenever the commissioner has reason to believe that a licensee has been or is engaged in conduct in Indiana that violates this chapter, the commissioner may take action that is necessary or appropriate to enforce this chapter.

Sec. 25. (a) Any documents, materials, or other information in the control or possession of the department that are:

(1) furnished by a licensee or an employee or agent acting on behalf of a licensee under section 20(c), 21(d)(2) through 21(d)(5), 21(d)(8), or 21(d)(10) through 21(d)(11) of this chapter; or

(2) obtained by the commissioner in an investigation or examination under section 24 of this chapter;

are confidential by law and privileged, are not subject to IC 5-14-3, are not subject to subpoena, and are not subject to discovery or admissible in evidence in any private civil action. However, the commissioner is authorized to use the documents, materials, or other information in the furtherance of any regulatory or legal action brought as a part of the commissioner's duties. The commissioner shall not otherwise make the documents, materials, or other information public without the prior written consent of the licensee.

(b) Neither the commissioner nor any person who received documents, materials, or other information while acting under the authority of the commissioner shall be permitted or required to testify in any private civil action concerning any confidential documents, materials, or information subject to subsection (a).

(c) In order to assist in the performance of the commissioner's duties under this chapter, the commissioner:

(1) may share documents, materials, or other information, including the confidential and privileged documents, materials, or information subject to subsection (a), with other state, federal, and international regulatory agencies, with the NAIC and its affiliates or subsidiaries, and with state, federal, and international law enforcement authorities, provided that the recipient agrees in writing to maintain the confidentiality and privileged status of the document, material, or other information;

(2) may receive documents, materials, or information, including otherwise confidential and privileged documents, materials, or information, from the NAIC and its affiliates or subsidiaries and from regulatory and law enforcement officials of other foreign or domestic jurisdictions, and shall maintain as confidential or privileged any document, material, or information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the document, material, or information;

(3) may share documents, materials, or other information subject to subsection (a), with a third party consultant or vendor provided the consultant or vendor agrees in writing to maintain the confidentiality and privileged status of the document, material, or other information; and

(4) may enter into agreements governing sharing and use of information consistent with this subsection.

(d) No waiver of any applicable privilege or claim of confidentiality in the documents, materials, or information shall occur as a result of disclosure to the commissioner under this section or as a result of sharing as authorized in subsection (c).

(e) Nothing in this chapter prohibits the commissioner from releasing final, adjudicated actions that are open to public inspection under IC 5-14-3 to a data base or other clearinghouse service maintained by the NAIC, its affiliates, or subsidiaries.

(f) Documents, materials, or other information in the possession or control of the NAIC or a third party consultant or vendor under this chapter shall be confidential by law and privileged, shall not be subject to IC 5-14-3, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action.

Sec. 26. (a) A licensee is exempt from sections 16 through 20 of this chapter if the licensee has:

(1) fewer than fifty (50) employees;

(2) less than five million dollars ($5,000,000) in gross annual revenue; or

(3) less than ten million dollars ($10,000,000) in year-end total assets.

(b) A licensee that:

(1) is subject to the federal Health Insurance Portability and Accountability Act (Pub.L. 104–191, 110 Stat. 1936, enacted August 21, 1996); and

(2) has established and maintains an information security program pursuant to that federal act and the regulations, procedures, or guidelines established under that act;

will be considered as meeting the requirements of this chapter, except for the notice requirements described in section 21 of this chapter.

(c) An individual who:

(1) is an employee, agent, representative, or designee of a licensee; and

(2) is also a licensee;

is exempt from sections 16 through 20 of this chapter and need not develop the individual's own information security program to the extent that the individual is covered by the information security program of the licensee of which the individual is an employee, agent, representative, or designee.

(d) A licensee shall be considered to have complied with sections 16 through 20 of this chapter if the licensee is affiliated with a financial institution (as defined in 15 U.S.C.

6809) that maintains an information security program in compliance with the Interagency Guidelines Establishing Standards for Safeguarding Consumer Information adopted under Sections 501 and 505(b) of the Gramm-Leach-Bliley Act (15 U.S.C. 6801 and 6805(b)).

(e) If a licensee ceases to qualify for an exception under subsection (a), (b), (c), or (d), the licensee must comply with sections 16 through 20 of this chapter not more than one hundred eighty (180) days after the licensee ceases to qualify for the exception.

Sec. 27. If a licensee violates this chapter, the insurance commissioner may, after notice and hearing under IC 4-21.5, suspend or revoke the license, certificate of authority, or registration of the licensee.

Sec. 28. The insurance commissioner may adopt rules under IC 4-22-2 to carry out the provisions of this chapter.

Sec. 29. This chapter does not create a private right of action against any person.

Sec. 30. Notwithstanding any other provision of law, this chapter establishes the exclusive state standards applying to licensees for:

(1) data security;

(2) the investigation of a cybersecurity event; and

(3) notification to the insurance commissioner concerning a cybersecurity event.

Sec. 31. The requirements of this chapter do not apply to a financial institution (as defined in 15 U.S.C. 6809), except to the extent the financial institution transacts insurance business.

Sec. 32. (a) A licensee that satisfies the requirements of this chapter is entitled to an affirmative defense to any cause of action sounding in tort that:

(1) is brought under the laws or in the courts of this state; and

(2) alleges that the failure to implement reasonable information security controls resulted in a data breach concerning nonpublic information.

(b) The affirmative defense available under this section does not limit any other affirmative defenses available to a licensee.

SECTION 11. IC 27-6-10 IS REPEALED [EFFECTIVE JULY 1, 2020]. (Credit for Reinsurance).

SECTION 12. IC 27-6-10.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 10.1. Credit for Reinsurance

Sec. 1. (a) The purpose of this chapter is to protect the interest of insureds, claimants, ceding insurers, assuming insurers, and the public generally.

(b) The general assembly declares that its intent is to ensure adequate regulation of insurers and reinsurers and adequate protection for those to whom they owe obligations. In furtherance of that state interest, the general assembly provides a mandate that upon the insolvency of a non-U.S. insurer or reinsurer that provides security to fund its U.S. obligations in accordance with this chapter, the assets representing the security shall be maintained in the United States and claims shall be filed with and valued by the state insurance commissioner with regulatory oversight, and the assets shall be distributed, in accordance with the insurance laws of the state in which the trust is domiciled that are applicable to the liquidation of domestic U.S. insurance companies.

(c) The general assembly declares that the matters contained in this chapter are fundamental to the business of insurance in accordance with 15 U.S.C. 1011 through 15 U.S.C. 1012.

Sec. 2. Credit Allowed a Domestic Ceding Insurer. Credit for reinsurance shall be allowed a domestic ceding insurer as either an asset or a reduction from liability on account of reinsurance ceded only when the reinsurer meets the requirements of Subsection A, B, C, D, E, F, or G; provided further, that the insurance commissioner may adopt by regulation pursuant to Section 5B of this chapter specific additional requirements relating to or setting forth: (1) the valuation of assets or reserve credits; (2) the amount and forms of security supporting reinsurance arrangements described in Section 5B of this chapter; and/or (3) the circumstances pursuant to which credit will be reduced or eliminated. Credit shall be allowed under Subsection A, B, or C only as respects cessions of those kinds or classes of business which the assuming insurer is licensed or otherwise permitted to write or assume in its state of domicile or, in the case of a U.S. branch of an alien assuming insurer, in the state through which it is entered and licensed to transact insurance or reinsurance. Credit shall be allowed under Subsection C or D only if the applicable requirements of Subsection H have been satisfied.

A. Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is licensed to transact insurance or reinsurance in Indiana.

B. Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is accredited by the insurance commissioner as a reinsurer in Indiana. In order to be eligible for accreditation, a reinsurer must:

(1) file with the insurance commissioner evidence of its submission to Indiana's jurisdiction;

(2) submit to Indiana's authority to examine its books and records;

(3) be licensed to transact insurance or reinsurance in at least one (1) state, or in the case of a U.S. branch of an alien assuming insurer, be entered through and licensed to transact insurance or reinsurance in at least one (1) state;

(4) file annually with the insurance commissioner a copy of its annual statement filed with the insurance department of its state of domicile and a copy of its most recent audited financial statement; and

(5) demonstrate to the satisfaction of the insurance commissioner that it has adequate financial capacity to meet its reinsurance obligations and is otherwise qualified to assume reinsurance from domestic insurers. An assuming insurer is deemed to meet this requirement as of the time of its application if it maintains a surplus as regards policyholders in an amount not less than twenty million dollars ($20,000,000) and its accreditation has not been denied by the insurance commissioner within ninety (90) days after submission of its application.

C. (1) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is domiciled in, or in the case of a U.S. branch of an alien assuming insurer is entered through, a state that employs standards regarding credit for reinsurance substantially similar to those applicable under this statute and the assuming insurer or U.S. branch of an alien assuming insurer:

(a) maintains a surplus as regards policyholders in an amount not less than twenty million dollars ($20,000,000);

and

(b) submits to the authority of Indiana to examine its books and records.

(2) The requirement of Paragraph (1)(a) of this subsection does not apply to reinsurance ceded and assumed pursuant to pooling arrangements among insurers in the same holding company system.

D. (1) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that maintains a trust fund in a qualified U.S. financial institution, as defined in Section 4B of this chapter, for the payment of the valid claims of its U.S. ceding insurers, their assigns, and successors in interest. To enable the insurance commissioner to determine the sufficiency of the trust fund, the assuming insurer shall report annually to the insurance commissioner information substantially the same as that required to be reported on the NAIC Annual Statement form by licensed insurers. The assuming insurer shall submit to examination of its books and records by the insurance commissioner and bear the expense of examination.

(2) (a) Credit for reinsurance shall not be granted under this subsection unless the form of the trust and any amendments to the trust have been approved by:

(i) the insurance commissioner of the state where the trust is domiciled; or

(ii) the insurance commissioner of another state who, pursuant to the terms of the trust instrument, has accepted principal regulatory oversight of the trust.

(b) The form of the trust and any trust amendments also shall be filed with the insurance commissioner of every state in which the ceding insurer beneficiaries of the trust are domiciled. The trust instrument shall provide that contested claims shall be valid and enforceable upon the final order of any court of competent jurisdiction in the United States. The trust shall vest legal title to its assets in its trustees for the benefit of the assuming insurer's U.S. ceding insurers, their assigns, and successors in interest. The trust and the assuming insurer shall be subject to examination as determined by the insurance commissioner.

(c) The trust shall remain in effect for as long as the assuming insurer has outstanding obligations due under the reinsurance agreements subject to the trust. No later than February 28 of each year the trustee of the trust shall report to the insurance commissioner in writing the balance of the trust, provide a listing of the trust's investments at the preceding year end, and certify the date of termination of the trust, if so planned, or certify that the trust will not expire prior to the following December 31.

(3) The following requirements apply to the following categories of assuming insurer:

(a) The trust fund for a single assuming insurer shall consist of funds in trust in an amount not less than the assuming insurer's liabilities attributable to reinsurance ceded by U.S. ceding insurers, and, in addition, the assuming insurer shall maintain a trusteed surplus of not less than twenty million dollars ($20,000,000), except as provided in Paragraph 3(b) of this subsection.

(b) At any time after the assuming insurer has permanently discontinued underwriting new business secured by the trust for at least three (3) full years, the insurance commissioner with principal regulatory oversight of the trust may authorize a reduction in the required trusteed surplus, but only after a finding, based on an assessment of the risk, that the new required surplus level is adequate for the protection of U.S. ceding insurers, policyholders, and claimants in light of reasonably foreseeable adverse loss development. The risk assessment may involve an actuarial review, including an independent analysis of reserves and cash flows, and shall consider all material risk factors, including when applicable the lines of business involved, the stability of the incurred loss estimates and the effect of the surplus requirements on the assuming insurer's liquidity or solvency. The minimum required trusteed surplus may not be reduced to an amount less than thirty percent (30%) of the assuming insurer's liabilities attributable to reinsurance ceded by U.S. ceding insurers covered by the trust.

(c) (i) In the case of a group including incorporated and individual unincorporated underwriters:

(I) for reinsurance ceded under reinsurance agreements with an inception, amendment, or renewal date on or after January 1, 1993, the trust shall consist of a trusteed account in an amount not less than the respective underwriters' several

liabilities attributable to business ceded by U.S. domiciled ceding insurers to any underwriter of the group;

(II) for reinsurance ceded under reinsurance agreements with an inception date on or before December 31, 1992, and not amended or renewed after that date, notwithstanding the other provisions of this chapter, the trust shall consist of a trusteed account in an amount not less than the respective underwriters' several insurance and reinsurance liabilities attributable to business written in the United States; and

(III) in addition to these trusts, the group shall maintain in trust a trusteed surplus of which one hundred million dollars ($100,000,000) shall be held jointly for the benefit of the U.S. domiciled ceding insurers of any member of the group for all years of account; and

(ii) the incorporated members of the group shall not be engaged in any business other than underwriting as a member of the group and shall be subject to the same level of regulation and solvency control by the group's domiciliary regulator as are the unincorporated members; and

(iii) within ninety (90) days after its financial statements are due to be filed with the group's domiciliary regulator, the group shall provide to the insurance commissioner an annual certification by the group's domiciliary regulator of the solvency of each underwriter member; or if a certification is unavailable, financial statements, prepared by independent public accountants, of each underwriter member of the group.

(d) In the case of a group of incorporated underwriters under common administration, the group shall:

(i) have continuously transacted an insurance business outside the United States for at least three (3) years immediately prior to making application for accreditation;

(ii) maintain aggregate policyholders' surplus of at least ten billion dollars ($10,000,000,000);

(iii) maintain a trust fund in an amount not less than the group's several liabilities attributable to business ceded by U.S. domiciled ceding insurers to any member of the group pursuant to reinsurance contracts issued in the name of the group;

(iv) in addition, maintain a joint trusteed surplus of which one hundred million dollars ($100,000,000) shall be held jointly for the benefit of U.S. domiciled ceding insurers of any member of the group as additional security for these liabilities; and

(v) within ninety (90) days after its financial statements are due to be filed with the group's domiciliary regulator, make available to the insurance commissioner an annual certification of each underwriter member's solvency by the member's domiciliary regulator and financial statements of each underwriter member of the group prepared by its independent public accountant.

E. Credit shall be allowed when the reinsurance is ceded to an assuming insurer that has been certified by the insurance commissioner as a reinsurer in Indiana and secures its obligations in accordance with the requirements of this subsection.

(1) In order to be eligible for certification, the assuming insurer shall meet all of the following requirements:

(a) The assuming insurer must be domiciled and licensed to transact insurance or reinsurance in a qualified jurisdiction, as determined by the insurance commissioner pursuant to Paragraph (3) of this subsection.

(b) The assuming insurer must maintain minimum capital and surplus, or its equivalent, in an amount to be determined by the insurance commissioner pursuant to regulation.

(c) The assuming insurer must maintain financial strength ratings from two (2) or more rating agencies deemed acceptable by the insurance commissioner pursuant to regulation.

(d) The assuming insurer must agree to submit to the jurisdiction of Indiana, appoint the insurance commissioner as its agent for service of process in Indiana, and agree to provide security for one hundred percent (100%) of the assuming insurer's liabilities attributable to reinsurance ceded by U.S. ceding insurers if it resists enforcement of a final U.S. judgment.

(e) The assuming insurer must agree to meet applicable information filing requirements as determined by the insurance commissioner, both with respect

to an initial application for certification and on an ongoing basis.

(f) The assuming insurer must satisfy any other requirements for certification deemed relevant by the insurance commissioner.

(2) An association including incorporated and individual unincorporated underwriters may be a certified reinsurer. In order to be eligible for certification, in addition to satisfying requirements of Paragraph (1) of this subsection:

(a) the association shall satisfy its minimum capital and surplus requirements through the capital and surplus equivalents (net of liabilities) of the association and its members, which shall include a joint central fund that may be applied to any unsatisfied obligation of the association or any of its members, in an amount determined by the insurance commissioner to provide adequate protection;

(b) the incorporated members of the association shall not be engaged in any business other than underwriting as a member of the association and shall be subject to the same level of regulation and solvency control by the association's domiciliary regulator as are the unincorporated members; and

(c) within ninety (90) days after its financial statements are due to be filed with the association's domiciliary regulator, the association shall provide to the insurance commissioner an annual certification by the association's domiciliary regulator of the solvency of each underwriter member; or if a certification is unavailable, financial statements, prepared by independent public accountants, of each underwriter member of the association.

(3) The insurance commissioner shall create and publish a list of qualified jurisdictions, under which an assuming insurer licensed and domiciled in such jurisdiction is eligible to be considered for certification by the insurance commissioner as a certified reinsurer.

(a) In order to determine whether the domiciliary jurisdiction of a non-U.S. assuming insurer is eligible to be recognized as a qualified jurisdiction, the insurance commissioner shall evaluate the appropriateness and effectiveness of the reinsurance supervisory system of the jurisdiction, both initially and on an ongoing basis, and consider the rights, benefits and the extent of reciprocal recognition afforded by the non-U.S. jurisdiction to reinsurers licensed and domiciled in the U.S. A qualified jurisdiction must agree to share information and cooperate with the insurance commissioner with respect to all certified reinsurers domiciled within that jurisdiction. A jurisdiction may not be recognized as a qualified jurisdiction if the insurance commissioner has determined that the jurisdiction does not adequately and promptly enforce final U.S. judgments and arbitration awards. Additional factors may be considered in the discretion of the insurance commissioner.

(b) A list of qualified jurisdictions shall be published through the NAIC Committee Process. The insurance commissioner shall consider this list in determining qualified jurisdictions. If the insurance commissioner approves a jurisdiction as qualified that does not appear on the list of qualified jurisdictions, the commissioner shall provide thoroughly documented justification in accordance with criteria to be developed under regulations.

(c) U.S. jurisdictions that meet the requirement for accreditation under the NAIC financial standards and accreditation program shall be recognized as qualified jurisdictions.

(d) If a certified reinsurer's domiciliary jurisdiction ceases to be a qualified jurisdiction, the insurance commissioner has the discretion to suspend the reinsurer's certification indefinitely, in lieu of revocation.

(4) The insurance commissioner shall assign a rating to each certified reinsurer, giving due consideration to the financial strength ratings that have been assigned by rating agencies deemed acceptable to the insurance commissioner pursuant to regulation. The insurance commissioner shall publish a list of all certified reinsurers and their ratings.

(5) A certified reinsurer shall secure obligations assumed from U.S. ceding insurers under this subsection at a level consistent with its rating, as specified in regulations promulgated by the insurance commissioner.

(a) In order for a domestic ceding insurer to qualify for full financial statement credit for reinsurance ceded to a certified reinsurer, the certified reinsurer

shall maintain security in a form acceptable to the insurance commissioner and consistent with the provisions of Section 3 of this chapter, or in a multibeneficiary trust in accordance with Subsection D, except as otherwise provided in this subsection.

(b) If a certified reinsurer maintains a trust to fully secure its obligations subject to Subsection D, and chooses to secure its obligations incurred as a certified reinsurer in the form of a multibeneficiary trust, the certified reinsurer shall maintain separate trust accounts for its obligations incurred under reinsurance agreements issued or renewed as a certified reinsurer with reduced security as permitted by this subsection or comparable laws of other U.S. jurisdictions and for its obligations subject to Subsection D. It shall be a condition to the grant of certification under this subsection that the certified reinsurer shall have bound itself, by the language of the trust and agreement with the insurance commissioner with principal regulatory oversight of each such trust account, to fund, upon termination of any such trust account, out of the remaining surplus of such trust any deficiency of any other such trust account.

(c) The minimum trusteed surplus requirements provided in Subsection D are not applicable with respect to a multibeneficiary trust maintained by a certified reinsurer for the purpose of securing obligations incurred under this subsection, except that such trust shall maintain a minimum trusteed surplus of ten million dollars ($10,000,000).

(d) With respect to obligations incurred by a certified reinsurer under this subsection, if the security is insufficient, the insurance commissioner shall reduce the allowable credit by an amount proportionate to the deficiency, and has the discretion to impose further reductions in allowable credit upon finding that there is a material risk that the certified reinsurer's obligations will not be paid in full when due.

(e) For purposes of this subsection, a certified reinsurer whose certification has been terminated for any reason shall be treated as a certified reinsurer required to secure one hundred percent (100%) of its obligations.

(i) As used in this subsection, the term "terminated" refers to revocation, suspension, voluntary surrender, and inactive status.

(ii) If the insurance commissioner continues to assign a higher rating as permitted by other provisions of this section, this requirement does not apply to a certified reinsurer in inactive status or to a reinsurer whose certification has been suspended.

(6) If an applicant for certification has been certified as a reinsurer in an NAIC accredited jurisdiction, the insurance commissioner has the discretion to defer to that jurisdiction's certification, and has the discretion to defer to the rating assigned by that jurisdiction, and such assuming insurer shall be considered to be a certified reinsurer in Indiana.

(7) A certified reinsurer that ceases to assume new business in Indiana may request to maintain its certification in inactive status in order to continue to qualify for a reduction in security for its in force business. An inactive certified reinsurer shall continue to comply with all applicable requirements of this subsection, and the insurance commissioner shall assign a rating that takes into account, if relevant, the reasons why the reinsurer is not assuming new business.

F. (1) Credit shall be allowed when the reinsurance is ceded to an assuming insurer meeting each of the conditions set forth below.

(a) The assuming insurer must have its head office or be domiciled in, as applicable, and be licensed in a Reciprocal Jurisdiction. A "Reciprocal Jurisdiction" is a jurisdiction that meets one (1) of the following:

(i) A non-U.S. jurisdiction that is subject to an in force covered agreement with the United States, each within its legal authority, or, in the case of a covered agreement between the United States and European Union, is a member state of the European Union. For purposes of this subsection, a "covered agreement" is an agreement entered into pursuant to Dodd-Frank Wall Street Reform and Consumer Protection Act, 31 U.S.C. 313 and 31 U.S.C 314, that is currently in effect or in a period of provisional application and addresses the elimination, under specified conditions, of collateral requirements as a condition for entering into any reinsurance agreement with a ceding insurer domiciled in

Indiana or for allowing the ceding insurer to recognize credit for reinsurance.
(ii) A U.S. jurisdiction that meets the requirements for accreditation under the NAIC financial standards and accreditation program.
(iii) A qualified jurisdiction, as determined by the insurance commissioner pursuant to Subsection E(3), which is not otherwise described in Subparagraphs (a)(i) or (a)(ii) and which meets certain additional requirements, consistent with the terms and conditions of in force covered agreements, as specified by the insurance commissioner in regulation.
(b) The assuming insurer must have and maintain, on an ongoing basis, minimum capital and surplus, or its equivalent, calculated according to the methodology of its domiciliary jurisdiction, in an amount to be set forth in regulation. If the assuming insurer is an association, including incorporated and individual unincorporated underwriters, it must have and maintain, on an ongoing basis, minimum capital and surplus equivalents (net of liabilities), calculated according to the methodology applicable in its domiciliary jurisdiction, and a central fund containing a balance in amounts to be set forth in regulation.
(c) The assuming insurer must have and maintain, on an ongoing basis, a minimum solvency or capital ratio, as applicable, which will be set forth in regulation. If the assuming insurer is an association, including incorporated and individual unincorporated underwriters, it must have and maintain, on an ongoing basis, a minimum solvency or capital ratio in the Reciprocal Jurisdiction where the assuming insurer has its head office or is domiciled, as applicable, and is also licensed.
(d) The assuming insurer must agree and provide adequate assurance to the insurance commissioner, in a form specified by the insurance commissioner pursuant to regulation, as follows:
(i) The assuming insurer must provide prompt written notice and explanation to the insurance commissioner if it falls below the minimum requirements set forth in Subparagraph (b) or (c) of this section, or if any regulatory action is taken against it for serious noncompliance with applicable law.
(ii) The assuming insurer must consent in writing to the jurisdiction of the courts of Indiana and to the appointment of the insurance commissioner as agent for service of process. The insurance commissioner may require that consent for service of process be provided to the insurance commissioner and included in each reinsurance agreement. Nothing in this provision shall limit, or in any way alter, the capacity of parties to a reinsurance agreement to agree to alternative dispute resolution mechanisms, except to the extent such agreements are unenforceable under applicable insolvency or delinquency laws.
(iii) The assuming insurer must consent in writing to pay all final judgments, wherever enforcement is sought, obtained by a ceding insurer or its legal successor, that have been declared enforceable in the jurisdiction where the judgment was obtained.
(iv) Each reinsurance agreement must include a provision requiring the assuming insurer to provide security in an amount equal to one hundred percent (100%) of the assuming insurer's liabilities attributable to reinsurance ceded pursuant to that agreement if the assuming insurer resists enforcement of a final judgment that is enforceable under the law of the jurisdiction in which it was obtained or a properly enforceable arbitration award, whether obtained by the ceding insurer or by its legal successor on behalf of its resolution estate.
(v) The assuming insurer must confirm that it is not presently participating in any solvent scheme of arrangement which involves Indiana's ceding insurers, and agree to notify the ceding insurer and the insurance commissioner and to provide security in an amount equal to one hundred percent (100%) of the assuming insurer's liabilities to the ceding insurer, should the assuming insurer enter into such a solvent scheme of arrangement. Such security shall be in a form consistent with the provisions of Subsection E and Section 3 of this chapter and as specified by the insurance

commissioner in regulation.

(e) The assuming insurer or its legal successor must provide, if requested by the insurance commissioner, on behalf of itself and any legal predecessors, certain documentation to the insurance commissioner, as specified by the insurance commissioner in regulation.

(f) The assuming insurer must maintain a practice of prompt payment of claims under reinsurance agreements, pursuant to criteria set forth in regulation.

(g) The assuming insurer's supervisory authority must confirm to the insurance commissioner on an annual basis, as of the preceding December 31 or at the annual date otherwise statutorily reported to the Reciprocal Jurisdiction, that the assuming insurer complies with the requirements set forth in Subparagraphs (b) and (c) of this section.

(h) Nothing in this provision precludes an assuming insurer from providing the insurance commissioner with information on a voluntary basis.

(2) The insurance commissioner shall timely create and publish a list of Reciprocal Jurisdictions.

(a) A list of Reciprocal Jurisdictions is published through the NAIC Committee Process. The insurance commissioner's list shall include any Reciprocal Jurisdiction as defined under Subsection F(1)(a)(i) and F(1)(a)(ii), and shall consider any other Reciprocal Jurisdiction included on the NAIC list. The insurance commissioner may approve a jurisdiction that does not appear on the NAIC list of Reciprocal Jurisdictions in accordance with criteria to be developed under regulations issued by the insurance commissioner.

(b) The insurance commissioner may remove a jurisdiction from the list of Reciprocal Jurisdictions upon a determination that the jurisdiction no longer meets the requirements of a Reciprocal Jurisdiction, in accordance with a process set forth in regulations issued by the insurance commissioner, except that the insurance commissioner shall not remove from the list a Reciprocal Jurisdiction as defined under Subsection F(1)(a)(i) and F(1)(a)(ii). Upon removal of a Reciprocal Jurisdiction from this list credit for reinsurance ceded to an assuming insurer which has its home office or is domiciled in that jurisdiction shall be allowed, if otherwise allowed pursuant to Indiana law.

(3) The insurance commissioner shall timely create and publish a list of assuming insurers that have satisfied the conditions set forth in this subsection and to which cessions shall be granted credit in accordance with this subsection. The insurance commissioner may add an assuming insurer to such list if an NAIC accredited jurisdiction has added such assuming insurer to a list of such assuming insurers or if, upon initial eligibility, the assuming insurer submits the information to the insurance commissioner as required under Paragraph (1)(d) of this subsection and complies with any additional requirements that the insurance commissioner may impose by regulation, except to the extent that they conflict with an applicable covered agreement.

(4) If the insurance commissioner determines that an assuming insurer no longer meets one (1) or more of the requirements under this subsection, the insurance commissioner may revoke or suspend the eligibility of the assuming insurer for recognition under this subsection in accordance with procedures set forth in regulation.

(a) While an assuming insurer's eligibility is suspended, no reinsurance agreement issued, amended, or renewed after the effective date of the suspension qualifies for credit except to the extent that the assuming insurer's obligations under the contract are secured in accordance with Section 3 of this chapter.

(b) If an assuming insurer's eligibility is revoked, no credit for reinsurance may be granted after the effective date of the revocation with respect to any reinsurance agreements entered into by the assuming insurer, including reinsurance agreements entered into prior to the date of revocation, except to the extent that the assuming insurer's obligations under the contract are secured in a form acceptable to the insurance commissioner and consistent with the provisions of Section 3 of this chapter.

(5) If subject to a legal process of rehabilitation, liquidation, or conservation, as applicable, the ceding insurer, or its representative, may seek and, if determined appropriate by the court in which the proceedings are pending, may obtain an order requiring that the assuming insurer post security for all outstanding ceded liabilities.

(6) Nothing in this subsection shall limit or in

any way alter the capacity of parties to a reinsurance agreement to agree on requirements for security or other terms in that reinsurance agreement, except as expressly prohibited by this chapter or other applicable law or regulation.

(7) Credit may be taken under this subsection only for reinsurance agreements entered into, amended, or renewed on or after the effective date of the statute adding this subsection, and only with respect to losses incurred and reserves reported on or after the later of: (i) the date on which the assuming insurer has met all eligibility requirements pursuant to Subsection F(1) herein; and (ii) the effective date of the new reinsurance agreement, amendment, or renewal.

(a) This paragraph does not alter or impair a ceding insurer's right to take credit for reinsurance, to the extent that credit is not available under this subsection, as long as the reinsurance qualifies for credit under any other applicable provision of this chapter.

(b) Nothing in this subsection shall authorize an assuming insurer to withdraw or reduce the security provided under any reinsurance agreement except as permitted by the terms of the agreement.

(c) Nothing in this subsection shall limit, or in any way alter, the capacity of parties to any reinsurance agreement to renegotiate the agreement.

G. Credit shall be allowed when the reinsurance is ceded to an assuming insurer not meeting the requirements of Subsection A, B, C, D, E, or F, but only as to the insurance of risks located in jurisdictions where the reinsurance is required by applicable law or regulation of that jurisdiction.

H. If the assuming insurer is not licensed, accredited or certified to transact insurance or reinsurance in Indiana, the credit permitted by Subsections C and D shall not be allowed unless the assuming insurer agrees in the reinsurance agreements:

(1) (a) That in the event of the failure of the assuming insurer to perform its obligations under the terms of the reinsurance agreement, the assuming insurer, at the request of the ceding insurer, shall submit to the jurisdiction of any court of competent jurisdiction in any state of the United States, will comply with all requirements necessary to give the court jurisdiction, and will abide by the final decision of the court or of any appellate court in the event of an appeal; and

(b) To designate the insurance commissioner or a designated attorney as its true and lawful attorney upon whom may be served any lawful process in any action, suit, or proceeding instituted by or on behalf of the ceding insurer.

(2) This subsection is not intended to conflict with or override the obligation of the parties to a reinsurance agreement to arbitrate their disputes, if this obligation is created in the agreement.

I. If the assuming insurer does not meet the requirements of Subsection A, B, C, or F, the credit permitted by Subsection D or E shall not be allowed unless the assuming insurer agrees in the trust agreements to all of the following conditions:

(1) Notwithstanding any other provisions in the trust instrument, if the trust fund is inadequate because it contains an amount less than the amount required by Subsection D(3), or if the grantor of the trust has been declared insolvent or placed into receivership, rehabilitation, liquidation, or similar proceedings under the laws of its state or country of domicile, the trustee shall comply with an order of the insurance commissioner with regulatory oversight over the trust or with an order of a court of competent jurisdiction directing the trustee to transfer to the insurance commissioner with regulatory oversight all of the assets of the trust fund.

(2) The assets shall be distributed by and claims shall be filed with and valued by the insurance commissioner with regulatory oversight in accordance with the laws of the state in which the trust is domiciled that are applicable to the liquidation of domestic insurance companies.

(3) If the insurance commissioner with regulatory oversight determines that the assets of the trust fund or any part thereof are not necessary to satisfy the claims of the U.S. ceding insurers of the grantor of the trust, the assets or part thereof shall be returned by the insurance commissioner with regulatory oversight to the trustee for distribution in accordance with the trust agreement.

(4) The grantor shall waive any right otherwise available to it under U.S. law that is inconsistent with this provision.

J. If an accredited or certified reinsurer ceases to meet the requirements for accreditation or certification, the insurance commissioner may suspend or revoke the reinsurer's accreditation or certification.

(1) The insurance commissioner must give the reinsurer notice and opportunity for hearing. The suspension or revocation may not take effect until after the insurance commissioner's order on hearing, unless:

(a) the reinsurer waives its right to hearing;

(b) the insurance commissioner's order is based on regulatory action by the reinsurer's domiciliary jurisdiction or the voluntary surrender or termination of the reinsurer's eligibility to transact insurance or reinsurance business in its domiciliary jurisdiction or in the primary certifying state of the reinsurer under Subsection E(6); or

(c) the insurance commissioner finds that an emergency requires immediate action and a court of competent jurisdiction has not stayed the insurance commissioner's action.

(2) While a reinsurer's accreditation or certification is suspended, no reinsurance contract issued or renewed after the effective date of the suspension qualifies for credit except to the extent that the reinsurer's obligations under the contract are secured in accordance with Section 3 of this chapter. If a reinsurer's accreditation or certification is revoked, no credit for reinsurance may be granted after the effective date of the revocation except to the extent that the reinsurer's obligations under the contract are secured in accordance with Subsection E(5) or Section 3 of this chapter.

K. Concentration Risk.

(1) A ceding insurer shall take steps to manage its reinsurance recoverables proportionate to its own book of business. A domestic ceding insurer shall notify the insurance commissioner within thirty (30) days after reinsurance recoverables from any single assuming insurer, or group of affiliated assuming insurers, exceeds fifty percent (50%) of the domestic ceding insurer's last reported surplus to policyholders, or after it is determined that reinsurance recoverables from any single assuming insurer, or group of affiliated assuming insurers, is likely to exceed this limit. The notification shall demonstrate that the exposure is safely managed by the domestic ceding insurer.

(2) A ceding insurer shall take steps to diversify its reinsurance program. A domestic ceding insurer shall notify the insurance commissioner within thirty (30) days after ceding to any single assuming insurer, or group of affiliated assuming insurers, more than twenty percent (20%) of the ceding insurer's gross written premium in the prior calendar year, or after it has determined that the reinsurance ceded to any single assuming insurer, or group of affiliated assuming insurers, is likely to exceed this limit. The notification shall demonstrate that the exposure is safely managed by the domestic ceding insurer.

Sec. 3. Asset or Reduction from Liability for Reinsurance Ceded by a Domestic Insurer to an Assuming Insurer not Meeting the Requirements of Section 2 of this chapter. An asset or a reduction from liability for the reinsurance ceded by a domestic insurer to an assuming insurer not meeting the requirements of Section 2 of this chapter shall be allowed in an amount not exceeding the liabilities carried by the ceding insurer; provided further, that the insurance commissioner may adopt by regulation pursuant to Section 5B of this chapter specific additional requirements relating to or setting forth: (1) the valuation of assets or reserve credits; (2) the amount and forms of security supporting reinsurance arrangements described in Section 5B of this chapter; and/or (3) the circumstances pursuant to which credit will be reduced or eliminated. The reduction shall be in the amount of funds held by or on behalf of the ceding insurer, including funds held in trust for the ceding insurer, under a reinsurance contract with the assuming insurer as security for the payment of obligations thereunder, if the security is held in the United States subject to withdrawal solely by, and under the exclusive control of, the ceding insurer; or, in the case of a trust, held in a qualified U.S. financial institution, as defined in Section 4B of this chapter. This security may be in the form of:

A. cash;

B. securities listed by the Securities Valuation Office of the NAIC, including those deemed exempt from filing as defined by the Purposes and Procedures Manual of the Securities Valuation Office, and qualifying as admitted assets;

C. (1) clean, irrevocable, unconditional letters of credit, issued or confirmed by a qualified U.S. financial institution, as defined in Section 4A of this chapter, effective no later than December 31 of the year for which the filing is being made, and in the possession of, or in trust for, the ceding insurer on or before the filing date of its annual statement;

(2) letters of credit meeting applicable standards of issuer acceptability as of the dates of their issuance (or confirmation) shall, notwithstanding the issuing (or confirming) institution's subsequent failure to meet applicable standards of issuer acceptability, continue to be acceptable as security until their expiration, extension, renewal, modification, or amendment, whichever first occurs; or

D. any other form of security acceptable to the insurance commissioner.

Sec. 4. Qualified U.S. Financial Institutions

A. For purposes of Section 3C of this chapter, a "qualified U.S. financial institution" means an institution that:

(1) is organized or (in the case of a U.S. office of a foreign banking organization) licensed, under the laws of the United States or any state thereof;

(2) is regulated, supervised, and examined by U.S. federal or state authorities having regulatory authority over banks and trust companies; and

(3) has been determined by either the commissioner or the Securities Valuation Office of the NAIC to meet such standards of financial condition and standing as are considered necessary and appropriate to regulate the quality of financial institutions whose letters of credit will be acceptable to the commissioner.

B. A "qualified U.S. financial institution" means, for purposes of those provisions of this chapter specifying those institutions that are eligible to act as a fiduciary of a trust, an institution that:

(1) is organized, or, in the case of a U.S. branch or agency office of a foreign banking organization, licensed, under the laws of the United States or any state thereof and has been granted authority to operate with fiduciary powers; and

(2) is regulated, supervised and examined by federal or state authorities having regulatory authority over banks and trust companies.

Sec. 5. Rules and Regulations.

A. The insurance commissioner may adopt rules and regulations under IC 4-22-2 implementing the provisions of this chapter.

B. The insurance commissioner is further

authorized to adopt rules and regulations under IC 4-22-2 applicable to reinsurance arrangements described in Paragraph (1) of this subsection.

(1) A regulation adopted pursuant to this subsection may apply only to reinsurance relating to:

(a) life insurance policies with guaranteed nonlevel gross premiums or guaranteed nonlevel benefits;

(b) universal life insurance policies with provisions resulting in the ability of a policyholder to keep a policy in force over a secondary guarantee period;

(c) variable annuities with guaranteed death or living benefits;

(d) long term care insurance policies; or

(e) such other life and health insurance and annuity products as to which the NAIC adopts model regulatory requirements with respect to credit for reinsurance.

(2) A regulation adopted pursuant to Paragraph 1(a) or 1(b) of this subsection may apply to any treaty containing: (i) policies issued on or after January 1, 2015; and/or (ii) policies issued prior to January 1, 2015, if risk pertaining to such pre-2015 policies is ceded in connection with the treaty, in whole or in part, on or after January 1, 2015.

(3) A regulation adopted pursuant to this subsection may require the ceding insurer, in calculating the amounts or forms of security required to be held under regulations promulgated under this authority, to use the Valuation Manual adopted by the NAIC under Section 11B(1) of the NAIC Standard Valuation Law, including all amendments adopted by the NAIC and in effect on the date as of which the calculation is made, to the extent applicable.

(4) A regulation adopted pursuant to this subsection shall not apply to cessions to an assuming insurer that:

(a) meets the conditions set forth in Section 2F of this chapter in Indiana;

(b) is certified in Indiana; or

(c) maintains at least two hundred fifty million dollars ($250,000,000) in capital and surplus when determined in accordance with the NAIC Accounting Practices and Procedures Manual, including all amendments thereto adopted by the NAIC, excluding the impact of any permitted or prescribed practices; and is:

(i) licensed in at least twenty-six (26) states; or

(ii) licensed in at least ten (10) states, and licensed or accredited in a total of at least thirty-five (35) states.

(5) The authority to adopt regulations pursuant to this subsection does not limit the insurance commissioner's general authority to adopt regulations pursuant to Subsection A.

Sec. 6. Reinsurance Agreements Affected. This chapter shall apply to all cessions after June 30, 2020, under reinsurance agreements that have an inception, anniversary, or renewal date not less than six (6) months after July 1, 2020.

SECTION 13. IC 27-7-5-2, AS AMENDED BY P.L.208-2018, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) Except as provided in subsections (d), (f), and (h), the insurer shall make available, in each automobile liability or motor vehicle liability policy of insurance which is delivered or issued for delivery in this state with respect to any motor vehicle registered or principally garaged in this state, insuring against loss resulting from liability imposed by law for bodily injury or death suffered by any person and for injury to or destruction of property to others arising from the ownership, maintenance, or use of a motor vehicle, or in a supplement to such a policy, the following types of coverage:

(1) in limits for bodily injury or death and for injury to or destruction of property not less than those set forth in IC 9-25-4-5 under policy provisions approved by the commissioner of insurance, for the protection of persons insured under the policy who are legally entitled to recover damages from owners or operators of uninsured or underinsured motor vehicles because of bodily injury, sickness or disease, including death, and for the protection of persons insured under the policy who are legally entitled to recover damages from owners or operators of uninsured motor vehicles for injury to or destruction of property resulting therefrom; or

(2) in limits for bodily injury or death not less than those set forth in IC 9-25-4-5 under policy provisions approved by the commissioner of insurance, for the protection of persons insured under the policy provisions who are legally entitled to recover damages from owners or operators of uninsured or underinsured motor vehicles because of bodily injury, sickness or disease, including death resulting therefrom.

The uninsured and underinsured motorist coverages must be provided by insurers for either a single premium or for separate premiums, in limits at least equal to the limits of liability specified in the bodily injury liability provisions of an insured's policy, unless such coverages have been rejected in writing by the insured. However, underinsured motorist coverage must be made available in limits of not less than fifty thousand dollars ($50,000). At the insurer's option, the bodily injury liability provisions of the insured's policy may be required to be equal to the insured's underinsured motorist coverage. Insurers may not sell or provide underinsured motorist coverage in an amount less than fifty thousand dollars ($50,000). Insurers must make underinsured motorist coverage available to all existing policyholders on the date of the first renewal of existing policies that occurs on or after January 1, 1995, and on any policies newly issued or delivered on or after January 1, 1995. Uninsured motorist coverage or underinsured motorist coverage may be offered by an insurer in an amount exceeding the limits of liability specified in the bodily injury and property damage liability provisions of the insured's policy.

(b) A named insured of an automobile or motor vehicle liability policy has the right, in writing, to:

(1) reject both the uninsured motorist coverage and the underinsured motorist coverage

provided for in this section; or

(2) reject either the uninsured motorist coverage alone or the underinsured motorist coverage alone, if the insurer provides the coverage not rejected separately from the coverage rejected.

A rejection of coverage under this subsection by a named insured is a rejection on behalf of all other named insureds, all other insureds, and all other persons entitled to coverage under the policy. No insured may have uninsured motorist property damage liability insurance coverage under this section unless the insured also has uninsured motorist bodily injury liability insurance coverage under this section. Following rejection of either or both uninsured motorist coverage or underinsured motorist coverage, unless later requested in writing, the insurer need not offer uninsured motorist coverage or underinsured motorist coverage in or supplemental to a renewal or replacement policy issued to the same insured by the same insurer or a subsidiary or an affiliate of the originally issuing insurer. Renewals of policies issued or delivered in this state which have undergone interim policy endorsement or amendment do not constitute newly issued or delivered policies for which the insurer is required to provide the coverages described in this section.

(c) A rejection under subsection (b) must specify:

(1) that the named insured is rejecting:

(A) the uninsured motorist coverage;

(B) the underinsured motorist coverage; or

(C) both the uninsured motorist coverage and the underinsured motorist coverage;

that would otherwise be provided under the policy; and

(2) the date on which the rejection is effective.

(d) The following apply to the coverage described in subsection (a) in connection with a commercial umbrella or excess liability policy, including a commercial umbrella or excess liability policy that is issued or delivered to a motor carrier (as defined in IC 8-2.1-17-10) that is in compliance with the minimum levels of financial responsibility set forth in 49 CFR Part 387:

(1) An insurer is not required to make available in a commercial umbrella or excess liability policy the coverage described in subsection (a).

(2) An insurer that, through a rider or an endorsement, reduces or removes from a commercial umbrella or excess liability policy the coverage described in subsection (a) shall:

(A) through the United States mail; or

(B) by electronic means;

provide to the named insured written notice of the reduction or removal.

(3) An insurer that makes available in a commercial umbrella or excess liability policy the coverage described in subsection (a):

(A) may make available the coverage in limits determined by the insurer; and

(B) is not required to make available the coverage in limits equal to the limits specified in the commercial umbrella or excess liability policy.

(e) A rejection under subsection (b) of uninsured motorist coverage or underinsured motorist coverage in an underlying commercial policy of insurance is also a rejection of uninsured motorist coverage or underinsured motorist coverage in a commercial umbrella or excess liability policy.

(f) An insurer is not required to make available the coverage described in subsection (a) in connection with coverage that:

(1) is related to or included in a commercial policy of property and casualty insurance described in Class 2 or Class 3 of IC 27-1-5-1; and

(2) covers a loss related to a motor vehicle:

(A) of which the insured is not the owner; and

(B) that is used:

(i) by the insured or an agent of the insured; and

(ii) for purposes authorized by the insured.

(g) For purposes of subsection (f), "owner" means:

(1) a person who holds the legal title to a motor vehicle;

(2) a person who rents or leases a motor vehicle and has exclusive use of the motor vehicle for more than thirty (30) days;

(3) the conditional vendee or lessee under an agreement for the conditional sale or lease of a motor vehicle; or

(4) the mortgagor under an agreement for the conditional sale or lease of a motor vehicle under which the mortgagor has:

(A) the right to purchase; and

(B) an immediate right of possession of;

the motor vehicle upon the performance of the conditions stated in the agreement.

(h) The following apply to the coverage described in subsection (a) in relation to a personal umbrella or excess liability policy:

(1) An insurer is not required to make available the coverage described in subsection (a) under a personal umbrella or excess liability policy.

(2) An insurer that reduces or removes, through a rider or an endorsement, coverage described in subsection (a) under a personal umbrella or excess liability policy shall:

(A) through the United States mail; or

(B) by electronic means;

provide to the named insured written notice of the reduction or removal.

(3) An insurer that makes available the coverage described in subsection (a) under a personal umbrella or excess liability policy:

(A) may make available the coverage in limits determined by the insurer; and

(B) is not required to make available the coverage in limits equal to the limits specified in the personal umbrella or excess liability policy.

(4) A rejection under subsection (b) of uninsured motorist coverage or underinsured motorist coverage in an underlying personal policy of insurance is also a rejection of uninsured motorist coverage or underinsured motorist coverage in a personal umbrella or excess liability policy.

SECTION 14. IC 27-8-37 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 37. Coverage for Pediatric Neuropsychiatric Disorders

Sec. 1. As used in this chapter, "policy of accident and sickness insurance" has the meaning set forth in IC 27-8-5-1, offered on an individual or group basis.

Sec. 2. A policy of accident and sickness insurance must provide coverage for treatment of:

(1) pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS); and

(2) pediatric acute-onset neuropsychiatric syndrome (PANS);

including treatment with intravenous immunoglobulin therapy.

Sec. 3. The coverage required by this chapter may not be subject to annual or lifetime limitation, deductible, copayment, or coinsurance provisions that are more restrictive than the annual or lifetime limitation, deductible, copayment, or coinsurance provisions that apply generally under the policy of accident and sickness insurance.

SECTION 15. IC 27-13-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Subject to section 3 of this chapter, the powers of a health maintenance organization include the following:

(1) The purchase, lease, construction, renovation, operation, or maintenance of:

(A) hospitals and medical facilities;

(B) equipment for hospitals and medical facilities; and

(C) other property reasonably required for the principal office of the health maintenance organization or for purposes necessary in the transaction of the business of the organization.

(2) Engaging in transactions between affiliated entities, including loans and the transfer of responsibility under any or all contracts:

(A) between affiliates; or

(B) between the health maintenance organization and the parent organization of the health maintenance organization.

(3) The furnishing of health care services through:

(A) providers;

(B) provider associations; and

(C) agents for providers;

who are under contract with or are employed by the health maintenance organization. The contracts with providers, provider associations, or agents of providers may include fee for service, cost plus, capitation, or other payment or risk-sharing arrangements.

(4) Contracting with any person for the performance on behalf of the health maintenance organization of certain functions, including:

(A) marketing;

(B) enrollment; and

(C) administration.

(5) Contracting with:

(A) an insurance company licensed in Indiana;

(B) an authorized reinsurer; or

(C) a hospital authorized to conduct business in Indiana;

for the provision of insurance, indemnity, or reimbursement against the cost of health care services provided by the health maintenance organization.

(6) The offering of point-of-service products.

(7) The joint marketing of products with:

(A) an insurance company that is licensed in Indiana; or

(B) a hospital that is authorized to conduct business in Indiana;

if the company that is offering each product is clearly identified.

(8) Administration of the provision of health care services at the expense of a self-funded plan.

(b) A health maintenance organization may offer any of the following:

(1) Plans that include only basic health care services.

(2) Plans that include basic health care services and other health care services.

(3) Plans that include health care services other than basic health care services so long as at least one (1) of the plans offered by the health maintenance organization includes basic health care services.

(c) Notwithstanding subsection (a)(5), a health maintenance organization may not take credit for reinsurance unless the risk is ceded to a reinsurer qualified under ~~IC 27-6-10.~~ **IC 27-6-10.1.**

SECTION 16. IC 27-13-7-26 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 26. (a) An individual contract and a group contract must provide coverage for treatment of:**

(1) pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS); and

(2) pediatric acute-onset neuropsychiatric syndrome (PANS);

including treatment with intravenous immunoglobulin therapy.

(b) The coverage required by this section may not be subject to annual or lifetime limitation, deductible, copayment, or coinsurance provisions that are more restrictive than the annual or lifetime limitation, deductible, copayment, or coinsurance provisions that apply generally under the individual contract or group contract.

SECTION 17. [EFFECTIVE JULY 1, 2020] **(a) IC 5-10-8-24, as added by this act, applies to a state employee health plan that is established, entered into, amended, or renewed after June 30, 2020.**

(b) IC 27-8-37, as added by this act, applies to a policy of accident and sickness insurance that is issued, delivered, amended, or renewed after June 30, 2020.

(c) IC 27-13-7-26, as added by this act, applies to an individual contract or a group contract that is entered into, delivered, amended, or renewed after June 30, 2020.

(d) This SECTION expires July 1, 2023.

SECTION 18. [EFFECTIVE UPON PASSAGE] **(a) The following definitions apply throughout this SECTION:**

(1) "Covered individual" means an individual who is entitled to coverage under a health plan.

(2) "Health care services" has the meaning set forth in IC 27-8-11-1.

(3) "Health plan" means a plan through which coverage is provided for health care services through insurance, prepayment, reimbursement, or otherwise. The term:

(A) includes:

(i) a policy of accident and sickness insurance (as defined in IC 27-8-5-1);

(ii) an individual contract (as defined in IC 27-13-1-21) or a

group contract (as defined in IC 27-13-1-16);
(iii) a state employee health plan offered under IC 5-10-8;
(iv) an employee welfare benefit plan (as defined in 29 U.S.C. 1002 et seq.) to the extent allowable under federal law;
(v) accident only insurance; and
(vi) medicare supplement insurance; but
(B) does not include:
(i) credit, long term care, or disability income insurance;
(ii) liability insurance coverage;
(iii) worker's compensation or similar insurance;
(iv) medical payment coverage;
(v) a specified disease policy issued as an individual policy; or
(vi) a policy that provides a stipulated daily, weekly, or monthly payment to an insured during hospital confinement, without regard to the actual expense of the confinement.
(4) "Medical payment coverage" means an insurance policy benefit that provides payment for expenses incurred by an individual as a result of injury, illness, or death arising from:
(A) the operation of a motor vehicle; or
(B) the presence of an individual on a premises;
that is covered by the insurance policy.
(b) The legislative council is urged to assign to an appropriate interim study committee the task of studying medical payment coverage, including:
(1) whether medical payment coverage should be supplemental to the benefits:
(A) to which a covered individual is entitled under a health plan; and
(B) that are the same as or similar to benefits available to the covered individual under the medical payment coverage; and
(2) whether a health plan should be prohibited from requiring the use or exhaustion of medical payment coverage as a condition of payment of benefits under the health plan for health care services rendered to a covered individual.
(c) This SECTION expires January 1, 2021.
SECTION 19. **An emergency is declared for this act.**
(Reference is to EHB 1372 as reprinted February 28, 2020.)

CARBAUGH	BASSLER
AUSTIN	NIEZGODSKI
House Conferees	Senate Conferees

Roll Call 393: yeas 88, nays 3. Report adopted.

Representative Bosma, who had been excused, is now present.

Representative Porter, who had been present, is now excused.

CONFERENCE COMMITTEE REPORT
ESB 335–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 335 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 1-1-2-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. (a) This section applies to every crime in which proof that a person has a prior conviction or judgment for an infraction increases:**
(1) the class or level of the crime;
(2) the penalty for the crime from a misdemeanor to a felony; or
(3) the penalty for an infraction to a misdemeanor or felony.
(b) This section does not apply to a sentencing provision that increases the penalty that may be imposed for an infraction or crime but does not increase:
(1) the class or level of the crime;
(2) the penalty for the crime from a misdemeanor to a felony; or
(3) the penalty for an infraction to a misdemeanor or felony;
including IC 35-50-2-8 (habitual offenders), IC 35-50-2-9 (death penalty sentencing), IC 9-30-15.5 (habitual vehicular substance offender), and IC 35-50-2-14 (repeat sexual offender).
(c) This section does not apply to a crime that contains a specific lookback period for a prior conviction or judgment for an infraction.
(d) Subject to subsection (e), and except as provided in subsection (f), a prior conviction or a prior judgment for an infraction increases the class or level of the crime, the penalty for the crime from a misdemeanor to a felony, or the penalty for an infraction to a misdemeanor or felony only if the current crime was committed not later than twelve (12) years from the date the defendant was:
(1) convicted of the prior crime, if the defendant was not sentenced to a term of incarceration or probation;
(2) adjudicated to have committed the infraction; or
(3) released from a term of incarceration, probation, or parole (whichever occurs later) imposed for the prior conviction;
whichever occurred last.
(e) If a crime described in subsection (a) requires proof of more than one (1) criminal conviction or judgment for an infraction, the increased penalty applies only if the current crime was committed not later than twelve (12) years from the date the defendant was:
(1) convicted of one (1) of the prior crimes, if the person was not sentenced to a term of incarceration or probation;
(2) adjudicated to have committed one (1) of the infractions; or
(3) released from a term of incarceration, probation, or parole (whichever occurs later) imposed for one (1) of the prior convictions;
whichever occurred last.
(f) This section does not apply if the crime described in subsection (a) is one (1) or more of the following:
(1) A crime of violence (as defined by IC 35-50-1-2).
(2) A crime that results in bodily injury or death to a victim.

(3) A sex offense (as defined by IC 11-8-8-5.2).
(4) Domestic battery (IC 35-42-2-1.3).
(5) Strangulation (IC 35-42-2-9).
(6) Operating while intoxicated with a prior conviction for operating while intoxicated that resulted in death, serious bodily injury, or catastrophic injury (IC 9-30-5-3(b)).
(7) Dealing in cocaine or a narcotic drug (IC 35-48-4-1).
(8) Dealing in methamphetamine (IC 35-48-4-1.1).
(9) Manufacturing methamphetamine (IC 35-48-4-1.2).
(10) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).

(g) If there is a conflict between a provision in this section and another provision of the Indiana Code, this section controls.

SECTION 2. IC 1-1-2-4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 4. (a) As used in this section, "reference to a conviction for an Indiana criminal offense" means both a specific reference to a conviction for a criminal offense in Indiana (with or without an Indiana Code citation reference) and a general reference to a conviction for a class or type of criminal offense, such as:**

(1) a felony;
(2) a misdemeanor;
(3) a sex offense;
(4) a violent crime;
(5) a crime of domestic violence;
(6) a crime of dishonesty;
(7) fraud;
(8) a crime resulting in a specified injury or committed against a specified victim; or
(9) a crime under IC 35-42 or IC 9-30-5 or under any other statute describing one (1) or more criminal offenses.

(b) Except as provided in subsection (c), a reference to a conviction for an Indiana criminal offense appearing within the Indiana Code also includes a conviction for any of the following:

(1) An attempt to commit the offense, unless the offense is murder (IC 35-42-1-1).
(2) A conspiracy to commit the offense.
(3) A substantially similar offense committed in another jurisdiction, including an attempt or conspiracy to commit the offense, even if the reference to the conviction for the Indiana criminal offense specifically refers to an "Indiana conviction" or a conviction "in Indiana" or under "Indiana law" or "laws of this state".

(c) A reference to a conviction for an Indiana criminal offense appearing within the Indiana Code does not include an offense described in subsection (b)(1) through (b)(3) if:

(1) the reference expressly excludes an offense described in subsection (b)(1) through (b)(3); or
(2) with respect to an offense described in subsection (b)(3), the reference imposes an additional qualifier on the offense committed in another jurisdiction.

(d) If there is a conflict between a provision in this section and another provision of the Indiana Code, this section controls.

SECTION 3. IC 3-8-1-5, AS AMENDED BY P.L.74-2017, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction ~~in any jurisdiction~~ for which the convicted person might have been imprisoned for more than one (1) year.

(c) A person is not disqualified under this section for:

(1) a felony conviction for which the person has been pardoned;
(2) a felony conviction that has been:
(A) reversed;
(B) vacated;
(C) set aside;
(D) not entered because the trial court did not accept the person's guilty plea; or
(E) expunged under IC 35-38-9; or
(3) a person's plea of guilty or nolo contendere at a guilty plea hearing that is not accepted and entered by a trial court.

(d) A person is disqualified from assuming or being a candidate for an elected office if:

(1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;
(2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;
(3) in a:
(A) jury trial, a jury publicly announces a verdict against the person for a felony;
(B) bench trial, the court publicly announces a verdict against the person for a felony; or
(C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;
(4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;
(5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or
(6) the person is subject to:
(A) 5 U.S.C. 1502 (the Little Hatch Act); or
(B) 5 U.S.C. 7321-7326 (the Hatch Act);
and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

(e) The subsequent reduction of a felony to a Class A misdemeanor under IC 35 after the:

(1) jury has announced its verdict against the person for a felony;
(2) court has announced its verdict against the person for a felony; or
(3) person has pleaded guilty or nolo contendere to a felony;
does not affect the operation of subsection (d).

SECTION 4. IC 4-33-8-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) An individual who is disqualified under section 3(2) of this chapter due to a conviction for a felony may apply to the commission for a waiver of the requirements of section 3(2) of this chapter.

(b) The commission may waive the requirements of section 3(2) of this chapter with respect to an individual applying for an occupational license if:

(1) the individual qualifies for a waiver under subsection (e) or (f); and
(2) the commission determines that the individual has demonstrated by clear and convincing evidence the individual's rehabilitation.

(c) In determining whether the individual applying for the occupational license has demonstrated rehabilitation under subsection (b), the commission shall consider the following factors:

(1) The nature and duties of the position applied for by the individual.
(2) The nature and seriousness of the offense or conduct.
(3) The circumstances under which the offense or conduct occurred.
(4) The date of the offense or conduct.
(5) The age of the individual when the offense or conduct was committed.
(6) Whether the offense or conduct was an isolated or a repeated incident.
(7) A social condition that may have contributed to the offense or conduct.
(8) Evidence of rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received, acquisition of additional academic or vocational education, successful participation in a correctional work release program, or the recommendation of a person who has or has had the individual under the person's supervision.
(9) The complete criminal record of the individual.
(10) The prospective employer's written statement that:
(A) the employer has been advised of all of the facts and circumstances of the individual's criminal record; and
(B) after having considered the facts and circumstances, the prospective employer will hire the individual if the commission grants a waiver of the requirements of section 3(2) of this chapter.

(d) The commission may not waive the requirements of section 3(2) of this chapter for an individual who has been convicted of committing any of the following:

(1) A felony in violation of federal law (as classified in 18 U.S.C. 3559).
(2) A felony of fraud, deceit, or misrepresentation. ~~under the laws of Indiana or any other jurisdiction.~~
~~(3) A felony of conspiracy to commit a felony described in subdivision (1), (2), or (4) under the laws of Indiana or any other jurisdiction.~~
~~(4)~~ **(3)** A felony of gambling under IC 35-45-5 or IC 35-45-6. ~~or a crime in any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a crime described in IC 35-45-5 or IC 35-45-6.~~

(e) The commission may waive the requirements of section 3(2) of this chapter for an individual if:

(1) the individual has been convicted of committing:
(A) a felony described in IC 35-42 against another human being or a felony described in IC 35-48-4; **or**
(B) a felony ~~under Indiana law~~ that results in bodily injury, serious bodily injury, or death to another human being; ~~or~~
~~(C) a crime in any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a felony described in clause (A) or (B);~~ and
(2) ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later, for the conviction described in subdivision (1).

(f) The commission may waive the requirements of section 3(2) of this chapter for an individual if:

(1) the individual has been convicted in Indiana or any other jurisdiction of committing a felony not described in subsection (d) or (e); and
(2) five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later, for the conviction described in subdivision (1).

(g) To enable a prospective employer to determine, for purposes of subsection (c)(10), whether the prospective employer has been advised of all of the facts and circumstances of the individual's criminal record, the commission shall notify the prospective employer of all information that the commission:

(1) has obtained concerning the individual; and
(2) is authorized to release under IC 5-14.

(h) The commission shall deny the individual's request to waive the requirements of section 3(2) of this chapter if the individual fails to disclose to both the commission and the prospective employer all information relevant to this section.

SECTION 5. IC 4-35-6.5-11, AS ADDED BY P.L.233-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) An individual who is disqualified under section 3(2) of this chapter due to a conviction for a felony may apply to the commission for a waiver of the requirements of section 3(2) of this chapter.

(b) The commission may waive the requirements of section 3(2) of this chapter with respect to an individual applying for an occupational license if:

(1) the individual qualifies for a waiver under subsection (e) or (f); and
(2) the commission determines that the individual has demonstrated by clear and convincing evidence the individual's rehabilitation.

(c) In determining whether the individual applying for the occupational license has demonstrated rehabilitation under subsection (b), the commission shall consider the following factors:

(1) The nature and duties of the position applied for by the individual.
(2) The nature and seriousness of the offense or conduct.
(3) The circumstances under which the offense or conduct occurred.
(4) The date of the offense or conduct.
(5) The age of the individual when the offense or conduct was committed.
(6) Whether the offense or conduct was an isolated or a repeated incident.
(7) A social condition that may have contributed to the offense or conduct.
(8) Evidence of rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received,

acquisition of additional academic or vocational education, successful participation in a correctional work release program, or the recommendation of a person who has or has had the individual under the person's supervision.

(9) The complete criminal record of the individual.

(10) The prospective employer's written statement that:

(A) the employer has been advised of all of the facts and circumstances of the individual's criminal record; and

(B) after having considered the facts and circumstances, the prospective employer will hire the individual if the commission grants a waiver of the requirements of section 3(2) of this chapter.

(d) The commission may not waive the requirements of section 3(2) of this chapter for an individual who has been convicted of committing any of the following:

(1) A felony in violation of federal law (as classified in 18 U.S.C. 3559).

(2) A felony of fraud, deceit, or misrepresentation. ~~under the laws of Indiana or any other jurisdiction.~~

~~(3) A felony of conspiracy to commit a felony described in subdivision (1), (2), or (4) under the laws of Indiana or any other jurisdiction.~~

~~(4)~~ **(3)** A felony of gambling under IC 35-45-5 or IC 35-45-6. ~~or a crime in any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a crime described in IC 35-45-5 or IC 35-45-6.~~

(e) The commission may waive the requirements of section 3(2) of this chapter for an individual if:

(1) the individual has been convicted of committing:

(A) a felony described in IC 35-42 against another human being or a felony described in IC 35-48-4; **or**

(B) a felony under Indiana law that results in bodily injury, serious bodily injury, or death to another human being; ~~or~~

~~(C) a crime in any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a felony described in clause (A) or (B);~~ and

(2) ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later, for the conviction described in subdivision (1).

(f) The commission may waive the requirements of section 3(2) of this chapter for an individual if:

(1) the individual has been convicted in Indiana or any other jurisdiction of committing a felony not described in subsection (d) or (e); and

(2) five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later, for the conviction described in subdivision (1).

(g) To enable a prospective employer to determine, for purposes of subsection (c)(10), whether the prospective employer has been advised of all of the facts and circumstances of the individual's criminal record, the commission shall notify the prospective employer of all information that the commission:

(1) has obtained concerning the individual; and

(2) is authorized to release under IC 5-14.

(h) The commission shall deny the individual's request to waive the requirements of section 3(2) of this chapter if the individual fails to disclose to both the commission and the prospective employer all information relevant to this section.

SECTION 6. IC 7.1-1-3-13.5, AS AMENDED BY P.L.196-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13.5. "Conviction for operating while intoxicated" means a conviction (as defined in IC 9-13-2-38)

~~(1) in Indiana~~ for a crime under IC 9-30-5-1 through IC 9-30-5-9, IC 35-46-9-6, or IC 14-15-8 (before its repeal). ~~or~~

~~(2) in any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a crime described in IC 9-30-5-1 through IC 9-30-5-9, IC 35-46-9-6, or IC 14-15-8-8 (before its repeal).~~

SECTION 7. IC 9-13-2-130 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 130. "Previous conviction of operating while intoxicated" means a previous conviction **for:**

~~(1) in Indiana of:~~

~~(A)~~ **(1)** an alcohol related or drug related crime under Acts 1939, c.48, s.52, as amended, IC 9-4-1-54 (repealed September 1, 1983), or IC 9-11-2 (repealed July 1, 1991); or

~~(B)~~ **(2)** a crime under IC 9-30-5-1 through IC 9-30-5-9. ~~or~~

~~(2) in any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a crime described in IC 9-30-5-1 through IC 9-30-5-9.~~

SECTION 8. IC 9-30-5-1, AS AMENDED BY P.L.63-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A person who operates a vehicle with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol but less than fifteen-hundredths (0.15) gram of alcohol per:

(1) one hundred (100) milliliters of the person's blood; or

(2) two hundred ten (210) liters of the person's breath;

commits a Class C misdemeanor.

(b) A person who operates a vehicle with an alcohol concentration equivalent to at least fifteen-hundredths (0.15) gram of alcohol per:

(1) one hundred (100) milliliters of the person's blood; or

(2) two hundred ten (210) liters of the person's breath;

commits a Class A misdemeanor.

(c) A person who operates a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's ~~body~~ **blood** commits a Class C misdemeanor.

(d) It is a defense to subsection (c) that the accused person consumed the controlled substance in accordance with a valid prescription or order of a practitioner (as defined in IC 35-48-1) who acted in the course of the practitioner's professional practice.

SECTION 9. IC 9-30-5-3, AS AMENDED BY P.L.184-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Except

as provided in subsection (b), a person who violates section 1 or 2 of this chapter commits a Level 6 felony if:

(1) the person has a previous conviction of operating while intoxicated that occurred within the seven (7) years immediately preceding the occurrence of the violation of section 1 or 2 of this chapter; or

(2) the person:

(A) is at least twenty-one (21) years of age;

(B) violates section 1(b), **1(c),** or 2(b) of this chapter; and

(C) operated a vehicle in which at least one (1) passenger was less than eighteen (18) years of age.

(b) A person who violates section 1 or 2 of this chapter or subsection (a)(2) commits a Level 5 felony if:

(1) the person has a previous conviction of operating while intoxicated causing death or catastrophic injury (IC 9-30-5-5); or

(2) the person has a previous conviction of operating while intoxicated causing serious bodily injury (IC 9-30-5-4).

SECTION 10. IC 10-13-3-27, AS AMENDED BY P.L.32-2019, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 27. (a) Except as provided in subsection (b), on request, a law enforcement agency shall release a limited criminal history to or allow inspection of a limited criminal history by noncriminal justice organizations or individuals only if the subject of the request:

(1) has applied for employment with a noncriminal justice organization or individual;

(2) has:

(A) applied for a license or is maintaining a license; and

(B) provided criminal history data as required by law to be provided in connection with the license;

(3) is a candidate for public office or a public official;

(4) is in the process of being apprehended by a law enforcement agency;

(5) is placed under arrest for the alleged commission of a crime;

(6) has charged that the subject's rights have been abused repeatedly by criminal justice agencies;

(7) is the subject of a judicial decision or determination with respect to the setting of bond, plea bargaining, sentencing, or probation;

(8) has volunteered services that involve contact with, care of, or supervision over a child who is being placed, matched, or monitored by a social services agency or a nonprofit corporation;

(9) is currently residing in a location designated by the department of child services (established by IC 31-25-1-1) or by a juvenile court as the out-of-home placement for a child at the time the child will reside in the location;

(10) has volunteered services at a public school (as defined in IC 20-18-2-15) or nonpublic school (as defined in IC 20-18-2-12) that involve contact with, care of, or supervision over a student enrolled in the school;

(11) is being investigated for welfare fraud by an investigator of the division of family resources or a county office of the division of family resources;

(12) is being sought by the parent locator service of the child support bureau of the department of child services;

(13) is or was required to register as a sex or violent offender under IC 11-8-8;

(14) has been convicted of any of the following:

(A) Rape (IC 35-42-4-1), if the victim is less than eighteen (18) years of age.

(B) Criminal deviate conduct (IC 35-42-4-2) (repealed), if the victim is less than eighteen (18) years of age.

(C) Child molesting (IC 35-42-4-3).

(D) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).

(E) Possession of child pornography (IC 35-42-4-4(d) or IC 35-42-4-4(e)).

(F) Vicarious sexual gratification (IC 35-42-4-5).

(G) Child solicitation (IC 35-42-4-6).

(H) Child seduction (IC 35-42-4-7).

(I) Sexual misconduct with a minor as a felony (IC 35-42-4-9).

(J) Incest (IC 35-46-1-3), if the victim is less than eighteen (18) years of age;

~~(K) Attempt under IC 35-41-5-1 to commit an offense listed in clauses (A) through (J).~~

~~(L) Conspiracy under IC 35-41-5-2 to commit an offense listed in clauses (A) through (J).~~

~~(M) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described under clauses (A) through (J);~~

(15) is identified as a possible perpetrator of child abuse or neglect in an assessment conducted by the department of child services under IC 31-33-8; or

(16) is:

(A) a parent, guardian, or custodian of a child; or

(B) an individual who is at least eighteen (18) years of age and resides in the home of the parent, guardian, or custodian;

with whom the department of child services or a county probation department has a case plan, dispositional decree, or permanency plan approved under IC 31-34 or IC 31-37 that provides for reunification following an out-of-home placement.

However, limited criminal history information obtained from the National Crime Information Center may not be released under this section except to the extent permitted by the Attorney General of the United States.

(b) A law enforcement agency shall allow inspection of a limited criminal history by and release a limited criminal history to the following noncriminal justice organizations:

(1) Federally chartered or insured banking institutions.

(2) Officials of state and local government for any of the following purposes:

(A) Employment with a state or local governmental entity.
(B) Licensing.
(3) Segments of the securities industry identified under 15 U.S.C. 78q(f)(2).

(c) Any person who knowingly or intentionally uses limited criminal history for any purpose not specified under this section commits a Class C infraction. However, the violation is a Class A misdemeanor if the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years.

SECTION 11. IC 10-13-6-10, AS AMENDED BY P.L.111-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) This section applies to the following:

(1) A person arrested for a felony after December 31, 2017.
(2) A person convicted of a felony under IC 35-42 (offenses against the person) or IC 35-43-2-1 (burglary):
(A) after June 30, 1996, whether or not the person is sentenced to a term of imprisonment; or
(B) before July 1, 1996, if the person is held in jail or prison on or after July 1, 1996.
(3) A person convicted of a criminal law in effect before October 1, 1977, that penalized an act substantially similar to a felony described in IC 35-42 or IC 35-43-2-1 or that would have been an included offense of a felony described in IC 35-42 or IC 35-43-2-1 if the felony had been in effect:
(A) after June 30, 1998, whether or not the person is sentenced to a term of imprisonment; or
(B) before July 1, 1998, if the person is held in jail or prison on or after July 1, 1998.
(4) A person convicted of a felony: ~~conspiracy to commit a felony, or attempt to commit a felony:~~
(A) after June 30, 2005, whether or not the person is sentenced to a term of imprisonment; or
(B) before July 1, 2005, if the person is held in jail or prison on or after July 1, 2005.

(b) A person described in subsection (a) shall provide a DNA sample to the:

(1) department of correction or the designee of the department of correction if the offender is committed to the department of correction;
(2) county sheriff or the designee of the county sheriff if the offender is held in a county jail or other county penal facility, placed in a community corrections program (as defined in IC 35-38-2.6-2), placed on probation, or released on bond;
(3) agency that supervises the person, or the agency's designee, if the person is on conditional release in accordance with IC 35-38-1-27; or
(4) sheriff, in the case of a person arrested for a felony.

A DNA sample provided under subdivision (4) may be obtained only by buccal swab. A person is not required to submit a blood sample if doing so would present a substantial and an unreasonable risk to the person's health.

(c) The detention, arrest, or conviction of a person based on a data base match or data base information is not invalidated if a court determines that the DNA sample was obtained or placed in the Indiana DNA data base by mistake.

(d) The officer, employee, or designee who obtains a DNA sample from a person under this section shall:

(1) inform the person of the person's right to DNA removal under section 18 of this chapter; and
(2) provide the person with instructions and a form that may be used for DNA removal.

(e) This subsection applies only to a DNA sample provided by a person arrested for a felony. A person described in subsection (b)(1), (b)(2), (b)(3), or (b)(4) may not ship a DNA sample collected from a felony arrestee for DNA identification testing unless:

(1) the arrestee was arrested pursuant to a felony arrest warrant; or
(2) a court has found probable cause for the felony arrest.

SECTION 12. IC 11-8-8-4.5, AS AMENDED BY P.L.144-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4.5. (a) Except as provided in section 22 of this chapter, as used in this chapter, "sex offender" means a person convicted of any of the following offenses:

(1) Rape (IC 35-42-4-1).
(2) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
(3) Child molesting (IC 35-42-4-3).
(4) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).
(5) Vicarious sexual gratification (including performing sexual conduct in the presence of a minor) (IC 35-42-4-5).
(6) Child solicitation (IC 35-42-4-6).
(7) Child seduction (IC 35-42-4-7).
(8) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a crime committed after June 30, 2014), unless:
(A) the person is convicted of sexual misconduct with a minor as a Class C felony (for a crime committed before July 1, 2014) or a Level 5 felony (for a crime committed after June 30, 2014);
(B) the person is not more than:
(i) four (4) years older than the victim if the offense was committed after June 30, 2007; or
(ii) five (5) years older than the victim if the offense was committed before July 1, 2007; and
(C) the sentencing court finds that the person should not be required to register as a sex offender.
(9) Incest (IC 35-46-1-3).
(10) Sexual battery (IC 35-42-4-8).
(11) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age, and the person who kidnapped the victim is not the victim's parent or guardian.
(12) Criminal confinement (IC 35-42-3-3), if the victim is less than eighteen (18) years of age, and the person who confined or removed the victim is not the victim's parent or guardian.
(13) Possession of child pornography (IC 35-42-4-4(d) or IC 35-42-4-4(e)).

(14) Promoting prostitution (IC 35-45-4-4) as a Class B felony (for a crime committed before July 1, 2014) or a Level 4 felony (for a crime committed after June 30, 2014).
(15) Promotion of human sexual trafficking under IC 35-42-3.5-1.1.
(16) Promotion of child sexual trafficking under IC 35-42-3.5-1.2(a).
(17) Promotion of sexual trafficking of a younger child (IC 35-42-3.5-1.2(c)).
(18) Child sexual trafficking (IC 35-42-3.5-1.3).
(19) Human trafficking under IC 35-42-3.5-1.4 if the victim is less than eighteen (18) years of age.
(20) Sexual misconduct by a service provider with a detained or supervised child (IC 35-44.1-3-10(c)).
~~(21) An attempt or conspiracy to commit a crime listed in this subsection.~~
~~(22) A crime under the laws of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in this subsection.~~

(b) The term includes:
(1) a person who is required to register as a sex offender in any jurisdiction; and
(2) a child who has committed a delinquent act and who:
(A) is at least fourteen (14) years of age;
(B) is on probation, is on parole, is discharged from a facility by the department of correction, is discharged from a secure private facility (as defined in IC 31-9-2-115), or is discharged from a juvenile detention facility as a result of an adjudication as a delinquent child for an act that would be an offense described in subsection (a) if committed by an adult; and
(C) is found by a court by clear and convincing evidence to be likely to repeat an act that would be an offense described in subsection (a) if committed by an adult.

(c) In making a determination under subsection (b)(2)(C), the court shall consider expert testimony concerning whether a child is likely to repeat an act that would be an offense described in subsection (a) if committed by an adult.

SECTION 13. IC 11-8-8-5, AS AMENDED BY P.L.144-2018, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) Except as provided in section 22 of this chapter, as used in this chapter, "sex or violent offender" means a person convicted of any of the following offenses:
(1) Rape (IC 35-42-4-1).
(2) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
(3) Child molesting (IC 35-42-4-3).
(4) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).
(5) Vicarious sexual gratification (including performing sexual conduct in the presence of a minor) (IC 35-42-4-5).
(6) Child solicitation (IC 35-42-4-6).
(7) Child seduction (IC 35-42-4-7).
(8) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a crime committed after June 30, 2014), unless:
(A) the person is convicted of sexual misconduct with a minor as a Class C felony (for a crime committed before July 1, 2014) or a Level 5 felony (for a crime committed after June 30, 2014);
(B) the person is not more than:
(i) four (4) years older than the victim if the offense was committed after June 30, 2007; or
(ii) five (5) years older than the victim if the offense was committed before July 1, 2007; and
(C) the sentencing court finds that the person should not be required to register as a sex offender.
(9) Incest (IC 35-46-1-3).
(10) Sexual battery (IC 35-42-4-8).
(11) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age, and the person who kidnapped the victim is not the victim's parent or guardian.
(12) Criminal confinement (IC 35-42-3-3), if the victim is less than eighteen (18) years of age, and the person who confined or removed the victim is not the victim's parent or guardian.
(13) Possession of child pornography (IC 35-42-4-4(d) or IC 35-42-4-4(e)).
(14) Promoting prostitution (IC 35-45-4-4) as a Class B felony (for a crime committed before July 1, 2014) or a Level 4 felony (for a crime committed after June 30, 2014).
(15) Promotion of human sexual trafficking under IC 35-42-3.5-1.1.
(16) Promotion of child sexual trafficking under IC 35-42-3.5-1.2(a).
(17) Promotion of sexual trafficking of a younger child (IC 35-42-3.5-1.2(c)).
(18) Child sexual trafficking (IC 35-42-3.5-1.3).
(19) Human trafficking under IC 35-42-3.5-1.4 if the victim is less than eighteen (18) years of age.
(20) Murder (IC 35-42-1-1).
(21) Voluntary manslaughter (IC 35-42-1-3).
(22) Sexual misconduct by a service provider with a detained or supervised child (IC 35-44.1-3-10(c)).
~~(23) An attempt or conspiracy to commit a crime listed in this subsection.~~
~~(24) A crime under the laws of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in this subsection.~~

(b) The term includes:
(1) a person who is required to register as a sex or violent offender in any jurisdiction; and
(2) a child who has committed a delinquent act and who:
(A) is at least fourteen (14) years of age;
(B) is on probation, is on parole, is discharged from a facility by the department of correction, is discharged from a secure private

facility (as defined in IC 31-9-2-115), or is discharged from a juvenile detention facility as a result of an adjudication as a delinquent child for an act that would be an offense described in subsection (a) if committed by an adult; and

(C) is found by a court by clear and convincing evidence to be likely to repeat an act that would be an offense described in subsection (a) if committed by an adult.

(c) In making a determination under subsection (b)(2)(C), the court shall consider expert testimony concerning whether a child is likely to repeat an act that would be an offense described in subsection (a) if committed by an adult.

SECTION 14. IC 11-8-8-17, AS AMENDED BY P.L.44-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. (a) A sex or violent offender who knowingly or intentionally:

(1) fails to register when required to register under this chapter;

(2) fails to register in every location where the sex or violent offender is required to register under this chapter;

(3) makes a material misstatement or omission while registering as a sex or violent offender under this chapter;

(4) fails to register in person as required under this chapter; or

(5) does not reside at the sex or violent offender's registered address or location;

commits a Level 6 felony.

(b) The offense described in subsection (a) is a Level 5 felony if the sex or violent offender has a prior unrelated conviction for an offense:

(1) under this section;

(2) based on the person's failure to comply with any requirement imposed on a sex or violent offender under this chapter or under IC 5-2-12 before its repeal; or

(3) that

~~(A) is a crime under the laws of another jurisdiction, including a military court; and~~

~~(B) is:~~

~~(i) the same or substantially similar to an offense under this section; or~~

~~(ii)~~ **is** based on the person's failure to comply with a requirement imposed on the person that is the same or substantially similar to a requirement imposed on a sex or violent offender under this chapter or under IC 5-2-12 before its repeal.

(c) It is not a defense to a prosecution under this section that the sex or violent offender was unable to pay the sex or violent offender registration fee or the sex or violent offender address change fee described under IC 36-2-13-5.6.

SECTION 15. IC 11-12-3.7-6, AS AMENDED BY P.L.211-2019, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. As used in this chapter, "violent offense" means one (1) or more of the following offenses:

(1) Murder (IC 35-42-1-1).

(2) Attempted murder (IC 35-41-5-1).

(3) Voluntary manslaughter (IC 35-42-1-3).

(4) Involuntary manslaughter (IC 35-42-1-4).

(5) Reckless homicide (IC 35-42-1-5).

(6) Aggravated battery (IC 35-42-2-1.5).

(7) Battery (IC 35-42-2-1) as a:

(A) Class A felony, Class B felony, or Class C felony (for a crime committed before July 1, 2014); or

(B) Level 2 felony, Level 3 felony, or Level 5 felony (for a crime committed after June 30, 2014).

(8) Kidnapping (IC 35-42-3-2).

(9) A sex crime listed in IC 35-42-4-1 through IC 35-42-4-8 that is a:

(A) Class A felony, Class B felony, or Class C felony (for a crime committed before July 1, 2014); or

(B) Level 1 felony, Level 2 felony, Level 3 felony, Level 4 felony, or Level 5 felony (for a crime committed after June 30, 2014).

(10) Sexual misconduct with a minor (IC 35-42-4-9) as a:

(A) Class A felony or Class B felony (for a crime committed before July 1, 2014); or

(B) Level 1 felony, Level 2 felony, or Level 4 felony (for a crime committed after June 30, 2014).

(11) Incest (IC 35-46-1-3).

(12) Robbery (IC 35-42-5-1) as a:

(A) Class A felony or a Class B felony (for a crime committed before July 1, 2014); or

(B) Level 2 felony or Level 3 felony (for a crime committed after June 30, 2014).

(13) Burglary (IC 35-43-2-1) as a:

(A) Class A felony or a Class B felony (for a crime committed before July 1, 2014); or

(B) Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (for a crime committed after June 30, 2014).

(14) Carjacking (IC 35-42-5-2) (repealed).

(15) Assisting a criminal (IC 35-44.1-2-5) as a:

(A) Class C felony (for a crime committed before July 1, 2014); or

(B) Level 5 felony (for a crime committed after June 30, 2014).

(16) Escape (IC 35-44.1-3-4) as a:

(A) Class B felony or Class C felony (for a crime committed before July 1, 2014); or

(B) Level 4 felony or Level 5 felony (for a crime committed after June 30, 2014).

(17) Trafficking with an inmate (IC 35-44.1-3-5) as a:

(A) Class C felony (for a crime committed before July 1, 2014); or

(B) Level 5 felony (for a crime committed after June 30, 2014).

(18) Causing death or catastrophic injury when operating a vehicle (IC 9-30-5-5).

(19) Criminal confinement (IC 35-42-3-3) as a:

(A) Class B felony (for a crime committed before July 1, 2014); or

(B) Level 3 felony (for a crime

committed after June 30, 2014).

(20) Arson (IC 35-43-1-1) as a:

(A) Class A or Class B felony (for a crime committed before July 1, 2014); or

(B) Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014).

(21) Possession, use, or manufacture of a weapon of mass destruction (IC 35-46.5-2-1) (or IC 35-47-12-1 before its repeal).

(22) Terroristic mischief (IC 35-46.5-2-3) (or IC 35-47-12-3 before its repeal) as a:

(A) Class B felony (for a crime committed before July 1, 2014); or

(B) Level 4 felony (for a crime committed after June 30, 2014).

(23) Hijacking or disrupting an aircraft (IC 35-47-6-1.6).

(24) A violation of IC 35-47.5 (controlled explosives) as a:

(A) Class A or Class B felony (for a crime committed before July 1, 2014); or

(B) Level 2 or Level 4 felony (for a crime committed after June 30, 2014).

(25) Domestic battery (IC 35-42-2-1.3) as a Level 2 felony, Level 3 felony, or Level 5 felony.

~~(26) A crime under the laws of another jurisdiction, including a military court, that is substantially similar to any of the offenses listed in this subdivision.~~

~~(27)~~ **(26)** Any other crimes evidencing a propensity or history of violence.

SECTION 16. IC 12-7-2-53.2, AS AMENDED BY P.L.168-2014, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 53.2. "Dangerous felony", for purposes of IC 12-17.2, means one (1) or more of the following felonies:

(1) Murder (IC 35-42-1-1).

(2) Attempted murder (IC 35-41-5-1).

(3) Voluntary manslaughter (IC 35-42-1-3).

(4) Involuntary manslaughter (IC 35-42-1-4).

(5) Reckless homicide (IC 35-42-1-5).

(6) Aggravated battery (IC 35-42-2-1.5).

(7) Kidnapping (IC 35-42-3-2).

(8) Rape (IC 35-42-4-1).

(9) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).

(10) Child molesting (IC 35-42-4-3).

(11) Sexual misconduct with a minor as a Class A felony (for a crime committed before July 1, 2014) or a Level 1 felony (for a crime committed after June 30, 2014) under IC 35-42-4-9(a)(2) or a Class B felony (for a crime committed before July 1, 2014) or a Level 2 felony (for a crime committed after June 30, 2014) under IC 35-42-4-9(b)(2).

(12) Robbery as a Class A or Class B felony (for a crime committed before July 1, 2014) or a Level 2 or Level 3 felony (for a crime committed after June 30, 2014) (IC 35-42-5-1).

(13) Burglary as a Class A or Class B felony (for a crime committed before July 1, 2014) or a Level 2 or Level 3 felony (for a crime committed after June 30, 2014) (IC 35-43-2-1).

(14) Battery as a felony (IC 35-42-2-1).

(15) Domestic battery (IC 35-42-2-1.3).

(16) Strangulation (IC 35-42-2-9).

(17) Criminal confinement (IC 35-42-3-3).

(18) Sexual battery (IC 35-42-4-8).

~~(19) A felony committed in another jurisdiction that is substantially similar to a felony in this section.~~

~~(20) An attempt to commit or a conspiracy to commit an offense listed in subdivisions (1) through (19).~~

SECTION 17. IC 14-15-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. **(a) Subject to subsection (b),** the operator of a boat involved in an accident or a collision resulting in injury to or death of a person or damage to a boat or other property, shall do the following:

(1) **If the action described in this subdivision can be done without endangering a person,** stop the boat immediately and as close as possible to the scene of the accident.

(2) **If the action described in this subdivision can be done without endangering a person,** return to the scene of the accident and remain there until the operator has complied with this section.

(3) Give:

(A) the operator's name and address;

(B) a full identification of the boat operated; and

(C) the name and address of the owner;

to the operator of each other boat and each person injured.

(4) Upon request, exhibit the operator's license to the operator of each other boat and each person injured.

(5) **Notify emergency services as soon as possible, and** provide reasonable assistance to each person injured, including carrying or arranging for carrying each injured person to a physician, surgeon, or hospital for medical or surgical treatment if:

(A) it is apparent that treatment is necessary; or

(B) the injured person so requests.

(b) An operator described in subsection (a) shall make a reasonable and good faith effort to perform the actions described in subsection (a). However, an operator is not required to perform an act that would endanger a person.

SECTION 18. IC 16-27-2-5, AS AMENDED BY P.L.51-2016, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) Except as provided in subsection (b), a person who operates a home health agency under IC 16-27-1 or a personal services agency under IC 16-27-4 may not employ a person to provide services in a patient's or client's temporary or permanent residence if that person's national criminal history background check or expanded criminal history check indicates that the person has been convicted of any of the following:

(1) Rape (IC 35-42-4-1).

(2) Criminal deviate conduct (IC 35-42-4-2) (repealed).

(3) Exploitation of an endangered adult (IC 35-46-1-12).

(4) Failure to report battery, neglect, or exploitation of an endangered adult (IC 35-46-1-13).

(5) Theft (IC 35-43-4), if the conviction for theft occurred less than ten (10) years before the person's employment application date.

~~(6) A felony that is substantially equivalent to a~~

~~felony listed in:~~

~~(A) subdivisions (1) through (4); or~~

~~(B) subdivision (5), if the conviction for theft occurred less than ten (10) years before the person's employment application date;~~

~~for which the conviction was entered in another state.~~

(b) A home health agency or personal services agency may not employ a person to provide services in a patient's or client's temporary or permanent residence for more than twenty-one (21) calendar days without receipt of that person's national criminal history background check or expanded criminal history check required by section 4 of this chapter, unless the state police department, the Federal Bureau of Investigation under IC 10-13-3-39, or the private agency providing the expanded criminal history check is responsible for failing to provide the person's national criminal history background check or expanded criminal history check to the home health agency or personal services agency within the time required under this subsection.

SECTION 19. IC 16-31-3-14, AS AMENDED BY P.L.80-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) A person holding a certificate or license issued under this article must comply with the applicable standards and rules established under this article. A certificate holder or license holder is subject to disciplinary sanctions under subsection (b) if the department of homeland security determines that the certificate holder or license holder:

(1) engaged in or knowingly cooperated in fraud or material deception in order to obtain a certificate or license, including cheating on a certification or licensure examination;

(2) engaged in fraud or material deception in the course of professional services or activities;

(3) advertised services or goods in a false or misleading manner;

(4) falsified or knowingly allowed another person to falsify attendance records or certificates of completion of continuing education courses required under this article or rules adopted under this article;

(5) is convicted of a crime, if the act that resulted in the conviction has a direct bearing on determining if the certificate holder or license holder should be entrusted to provide emergency medical services;

(6) is convicted of violating IC 9-19-14.5;

(7) fails to comply and maintain compliance with or violates any applicable provision, standard, or other requirement of this article or rules adopted under this article;

(8) continues to practice if the certificate holder or license holder becomes unfit to practice due to:

(A) professional incompetence that includes the undertaking of professional activities that the certificate holder or license holder is not qualified by training or experience to undertake;

(B) failure to keep abreast of current professional theory or practice;

(C) physical or mental disability; or

(D) addiction to, abuse of, or dependency on alcohol or other drugs that endanger the public by impairing the certificate holder's or license holder's ability to practice safely;

(9) engages in a course of lewd or immoral conduct in connection with the delivery of services to the public;

(10) allows the certificate holder's or license holder's name or a certificate or license issued under this article to be used in connection with a person who renders services beyond the scope of that person's training, experience, or competence;

(11) is subjected to disciplinary action in another state or jurisdiction on grounds similar to those contained in this chapter. For purposes of this subdivision, a certified copy of a record of disciplinary action constitutes prima facie evidence of a disciplinary action in another jurisdiction;

(12) assists another person in committing an act that would constitute a ground for disciplinary sanction under this chapter; or

(13) allows a certificate or license issued by the commission to be:

(A) used by another person; or

(B) displayed to the public when the certificate or license is expired, inactive, invalid, revoked, or suspended.

(b) The department of homeland security may issue an order under IC 4-21.5-3-6 to impose one (1) or more of the following sanctions if the department of homeland security determines that a certificate holder or license holder is subject to disciplinary sanctions under subsection (a):

(1) Revocation of a certificate holder's certificate or license holder's license for a period not to exceed seven (7) years.

(2) Suspension of a certificate holder's certificate or license holder's license for a period not to exceed seven (7) years.

(3) Censure of a certificate holder or license holder.

(4) Issuance of a letter of reprimand.

(5) Assessment of a civil penalty against the certificate holder or license holder in accordance with the following:

(A) The civil penalty may not exceed five hundred dollars ($500) per day per violation.

(B) If the certificate holder or license holder fails to pay the civil penalty within the time specified by the department of homeland security, the department of homeland security may suspend the certificate holder's certificate or license holder's license without additional proceedings.

(6) Placement of a certificate holder or license holder on probation status and requirement of the certificate holder or license holder to:

(A) report regularly to the department of homeland security upon the matters that are the basis of probation;

(B) limit practice to those areas prescribed by the department of homeland security;

(C) continue or renew professional education approved by the

department of homeland security until a satisfactory degree of skill has been attained in those areas that are the basis of the probation; or

(D) perform or refrain from performing any acts, including community restitution or service without compensation, that the department of homeland security considers appropriate to the public interest or to the rehabilitation or treatment of the certificate holder or license holder.

The department of homeland security may withdraw or modify this probation if the department of homeland security finds after a hearing that the deficiency that required disciplinary action is remedied or that changed circumstances warrant a modification of the order.

(c) If an applicant or a certificate holder or license holder has engaged in or knowingly cooperated in fraud or material deception to obtain a certificate or license, including cheating on the certification or licensure examination, the department of homeland security may rescind the certificate or license if it has been granted, void the examination or other fraudulent or deceptive material, and prohibit the applicant from reapplying for the certificate or license for a length of time established by the department of homeland security.

(d) The department of homeland security may deny certification or licensure to an applicant who would be subject to disciplinary sanctions under subsection (b) if that person were a certificate holder or license holder, has had disciplinary action taken against the applicant or the applicant's certificate or license to practice in another state or jurisdiction, or has practiced without a certificate or license in violation of the law. A certified copy of the record of disciplinary action is conclusive evidence of the other jurisdiction's disciplinary action.

(e) The department of homeland security may order a certificate holder or license holder to submit to a reasonable physical or mental examination if the certificate holder's or license holder's physical or mental capacity to practice safely and competently is at issue in a disciplinary proceeding. Failure to comply with a department of homeland security order to submit to a physical or mental examination makes a certificate holder or license holder liable to temporary suspension under subsection (i).

(f) Except as provided under subsection (a), subsection (g), and section 14.5 of this chapter, a certificate or license may not be denied, revoked, or suspended because the applicant, certificate holder, or license holder has been convicted of an offense. The acts from which the applicant's, certificate holder's, or license holder's conviction resulted may be considered as to whether the applicant or certificate holder or license holder should be entrusted to serve the public in a specific capacity.

(g) The department of homeland security may deny, suspend, or revoke a certificate or license issued under this article if the individual who holds or is applying for the certificate or license is convicted of any of the following:

(1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.

(2) Possession of methamphetamine under IC 35-48-4-6.1.

(3) Possession of a controlled substance under IC 35-48-4-7(a).

(4) Fraudulently obtaining a controlled substance under IC 35-48-4-7(c).

(5) Manufacture of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.1(b).

(6) Dealing in paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.5(b).

(7) Possession of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.3(b) (before its amendment on July 1, 2015).

(8) Possession of marijuana, hash oil, hashish, or salvia as a Class D felony (for a crime committed before July 1, 2014) or Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-11.

(9) A felony offense under IC 35-48-4 involving:

(A) possession of a synthetic drug (as defined in IC 35-31.5-2-321);

(B) possession of a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:

(i) Class D felony (for a crime committed before July 1, 2014); or

(ii) Level 6 felony (for a crime committed after June 30, 2014);

under IC 35-48-4-11.5 (before its repeal on July 1, 2019); or

(C) possession of a controlled substance analog (as defined in IC 35-48-1-9.3).

(10) Maintaining a common nuisance under IC 35-48-4-13 (repealed) or IC 35-45-1-5, if the common nuisance involves a controlled substance.

(11) An offense relating to registration, labeling, and prescription forms under IC 35-48-4-14.

~~(12) Conspiracy under IC 35-41-5-2 to commit an offense listed in this section.~~

~~(13) Attempt under IC 35-41-5-1 to commit an offense listed in this section.~~

~~(14) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described in this section.~~

(h) A decision of the department of homeland security under subsections (b) through (g) may be appealed to the commission under IC 4-21.5-3-7.

(i) The department of homeland security may temporarily suspend a certificate holder's certificate or license holder's license under IC 4-21.5-4 before a final adjudication or during the appeals process if the department of homeland security finds that a certificate holder or license holder would represent a clear and immediate danger to the public's health, safety, or property if the certificate holder or license holder were allowed to continue to practice.

(j) On receipt of a complaint or information alleging that a person certified or licensed under this chapter or IC 16-31-3.5 has engaged in or is engaging in a practice that is subject to disciplinary sanctions under this chapter, the department of homeland security must initiate an investigation against the person.

(k) The department of homeland security shall conduct a factfinding investigation as the department of homeland security considers proper in relation to the complaint.

(l) The department of homeland security may reinstate a

certificate or license that has been suspended under this section if the department of homeland security is satisfied that the applicant is able to practice with reasonable skill, competency, and safety to the public. As a condition of reinstatement, the department of homeland security may impose disciplinary or corrective measures authorized under this chapter.

(m) The department of homeland security may not reinstate a certificate or license that has been revoked under this chapter.

(n) The department of homeland security must be consistent in the application of sanctions authorized in this chapter. Significant departures from prior decisions involving similar conduct must be explained in the department of homeland security's findings or orders.

(o) A certificate holder may not surrender the certificate holder's certificate, and a license holder may not surrender the license holder's license, without the written approval of the department of homeland security, and the department of homeland security may impose any conditions appropriate to the surrender or reinstatement of a surrendered certificate or license.

(p) For purposes of this section, "certificate holder" means a person who holds:

(1) an unlimited certificate;
(2) a limited or probationary certificate; or
(3) an inactive certificate.

(q) For purposes of this section, "license holder" means a person who holds:

(1) an unlimited license;
(2) a limited or probationary license; or
(3) an inactive license.

SECTION 20. IC 16-31-3-14.5, AS AMENDED BY P.L.80-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14.5. The department of homeland security may issue an order under IC 4-21.5-3-6 to deny an applicant's request for certification or licensure or permanently revoke a certificate or license under procedures provided by section 14 of this chapter if the individual who holds the certificate or license issued under this title is convicted of any of the following:

(1) Dealing in a controlled substance resulting in death under IC 35-42-1-1.5.
(2) Dealing in or manufacturing cocaine or a narcotic drug under IC 35-48-4-1.
(3) Dealing in methamphetamine under IC 35-48-4-1.1.
(4) Manufacturing methamphetamine under IC 35-48-4-1.2.
(5) Dealing in a schedule I, II, or III controlled substance under IC 35-48-4-2.
(6) Dealing in a schedule IV controlled substance under IC 35-48-4-3.
(7) Dealing in a schedule V controlled substance under IC 35-48-4-4.
(8) Dealing in a substance represented to be a controlled substance under IC 35-48-4-4.5 (repealed).
(9) Knowingly or intentionally manufacturing, advertising, distributing, or possessing with intent to manufacture, advertise, or distribute a substance represented to be a controlled substance under IC 35-48-4-4.6.
(10) Dealing in a counterfeit substance under IC 35-48-4-5.
(11) Dealing in marijuana, hash oil, hashish, or salvia as a felony under IC 35-48-4-10.
(12) An offense under IC 35-48-4 involving the manufacture or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in IC 35-48-1-9.3), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).
~~(13) Conspiracy under IC 35-41-5-2 to commit an offense listed in this section.~~
~~(14) Attempt under IC 35-41-5-1 to commit an offense listed in this section.~~
~~(15)~~ **(13)** A crime of violence (as defined in IC 35-50-1-2(a)).
~~(16) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described under this section.~~

SECTION 21. IC 20-26-5-11, AS AMENDED BY P.L.85-2017, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) This section applies to:

(1) a school corporation;
(2) a charter school; and
(3) an entity:
(A) with which the school corporation contracts for services; and
(B) that has employees who are likely to have direct, ongoing contact with children within the scope of the employees' employment.

(b) A school corporation, charter school, or entity may use information obtained under section 10 of this chapter concerning an individual's conviction for one (1) of the following offenses as grounds to not employ or contract with the individual:

(1) Murder (IC 35-42-1-1).
(2) Causing suicide (IC 35-42-1-2).
(3) Assisting suicide (IC 35-42-1-2.5).
(4) Voluntary manslaughter (IC 35-42-1-3).
(5) Reckless homicide (IC 35-42-1-5).
(6) Battery (IC 35-42-2-1) unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
(7) Aggravated battery (IC 35-42-2-1.5).
(8) Kidnapping (IC 35-42-3-2).
(9) Criminal confinement (IC 35-42-3-3).
(10) A sex offense under IC 35-42-4.
(11) Carjacking (IC 35-42-5-2) (repealed).
(12) Arson (IC 35-43-1-1), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
(13) Incest (IC 35-46-1-3).
(14) Neglect of a dependent as a Class B felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 3 felony (for a crime committed after June 30, 2014) (IC 35-46-1-4(b)(2)), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
(15) Child selling (IC 35-46-1-4(d)).
(16) Contributing to the delinquency of a minor (IC 35-46-1-8), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.
(17) An offense involving a weapon under IC 35-47 or IC 35-47.5, unless ten (10) years

have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

(18) An offense relating to controlled substances under IC 35-48-4, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

(19) An offense relating to material or a performance that is harmful to minors or obscene under IC 35-49-3, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

(20) An offense relating to operating a motor vehicle while intoxicated under IC 9-30-5, unless five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

(21) Domestic battery (IC 35-42-2-1.3), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is latest.

~~(22) An offense that is substantially equivalent to any of the offenses listed in this subsection in which the judgment of conviction was entered under the law of any other jurisdiction.~~

(c) An individual employed by a school corporation, charter school, or entity described in subsection (a) shall notify the governing body of the school corporation, if during the course of the individual's employment, the individual is convicted in Indiana or another jurisdiction of an offense described in subsection (b).

(d) A school corporation, charter school, or entity may use information obtained under section 10 of this chapter concerning an individual being the subject of a substantiated report of child abuse or neglect as grounds to not employ or contract with the individual.

(e) An individual employed by a school corporation, charter school, or entity described in subsection (a) shall notify the governing body of the school corporation, if during the course of the individual's employment, the individual is the subject of a substantiated report of child abuse or neglect.

SECTION 22. IC 20-26-14-8, AS ADDED BY P.L.169-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) The department shall notify the association of any license revocation or suspension involving a licensed teacher (as defined in IC 20-18-2-22) under IC 20-28-5-8 who:

(1) has:

(A) been convicted of an offense described in IC 20-28-5-8(c); ~~or of a known comparable offense in another state;~~ or

(B) committed misconduct described in IC 20-28-5-7(1) or IC 20-28-5-7(2); and

(2) is also a coach accredited by the association.

(b) A school corporation, charter high school, or nonpublic high school with at least one (1) employee must report to the association, in a manner prescribed by the association, when a nonteaching or volunteer coach accredited by the association has been convicted of an offense described in IC 20-28-5-8(c). ~~or of a known comparable offense in another state.~~

(c) The association shall develop a rule, as soon as practicable, to suspend or revoke the coaching accreditation of a teacher who has been reported to the association under subsection (a) for committing misconduct described in IC 20-28-5-7(1) or IC 20-28-5-7(2).

(d) The association shall revoke the accreditation of any coach who has been convicted of an offense described in IC 20-28-5-8. The association may, after holding a hearing on the matter, reinstate the accreditation of an individual whose accreditation has been revoked by the association if the individual's conviction has been reversed, vacated, or set aside on appeal.

(e) Nothing in this section shall be construed to prohibit the association from revoking a coaching accreditation or otherwise imposing any other form of discipline for misconduct not described in IC 20-28-5-7(1), IC 20-28-5-7(2), or IC 20-28-5-8.

(f) The:

(1) association or its employees;

(2) department or its employees; or

(3) school corporation, charter high school, or nonpublic high school with at least one (1) employee or its employees;

are immune from civil liability for any act done or omitted under this section or section 9 of this chapter unless the action constitutes gross negligence or willful or wanton misconduct.

SECTION 23. IC 22-15-5-16, AS AMENDED BY P.L.80-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) A practitioner shall comply with the standards established under this licensing program. A practitioner is subject to the exercise of the disciplinary sanctions under subsection (b) if the department finds that a practitioner has:

(1) engaged in or knowingly cooperated in fraud or material deception in order to obtain a license to practice, including cheating on a licensing examination;

(2) engaged in fraud or material deception in the course of professional services or activities;

(3) advertised services or goods in a false or misleading manner;

(4) falsified or knowingly allowed another person to falsify attendance records or certificates of completion of continuing education courses provided under this chapter;

(5) been convicted of a crime that has a direct bearing on the practitioner's ability to continue to practice competently;

(6) knowingly violated a state statute or rule or federal statute or regulation regulating the profession for which the practitioner is licensed;

(7) continued to practice although the practitioner has become unfit to practice due to:

(A) professional incompetence;

(B) failure to keep abreast of current professional theory or practice;

(C) physical or mental disability; or

(D) addiction to, abuse of, or severe dependency on alcohol or other drugs that endanger the public by impairing a practitioner's ability to practice safely;

(8) engaged in a course of lewd or immoral conduct in connection with the delivery of services to the public;

(9) allowed the practitioner's name or a license issued under this chapter to be used in connection with an individual or business who renders services beyond the scope of that individual's or business's training, experience, or competence;

(10) had disciplinary action taken against the practitioner or the practitioner's license to practice in another state or jurisdiction on grounds similar to those under this chapter;

(11) assisted another person in committing an act that would constitute a ground for disciplinary sanction under this chapter; or

(12) allowed a license issued by the department to be:

(A) used by another person; or

(B) displayed to the public when the license has expired, is inactive, is invalid, or has been revoked or suspended.

For purposes of subdivision (10), a certified copy of a record of disciplinary action constitutes prima facie evidence of a disciplinary action in another jurisdiction.

(b) The department may impose one (1) or more of the following sanctions if the department finds that a practitioner is subject to disciplinary sanctions under subsection (a):

(1) Permanent revocation of a practitioner's license.

(2) Suspension of a practitioner's license.

(3) Censure of a practitioner.

(4) Issuance of a letter of reprimand.

(5) Assessment of a civil penalty against the practitioner in accordance with the following:

(A) The civil penalty may not be more than one thousand dollars ($1,000) for each violation listed in subsection (a), except for a finding of incompetency due to a physical or mental disability.

(B) When imposing a civil penalty, the department shall consider a practitioner's ability to pay the amount assessed. If the practitioner fails to pay the civil penalty within the time specified by the department, the department may suspend the practitioner's license without additional proceedings. However, a suspension may not be imposed if the sole basis for the suspension is the practitioner's inability to pay a civil penalty.

(6) Placement of a practitioner on probation status and requirement of the practitioner to:

(A) report regularly to the department upon the matters that are the basis of probation;

(B) limit practice to those areas prescribed by the department;

(C) continue or renew professional education approved by the department until a satisfactory degree of skill has been attained in those areas that are the basis of the probation; or

(D) perform or refrain from performing any acts, including community restitution or service without compensation, that the department considers appropriate to the public interest or to the rehabilitation or treatment of the practitioner.

The department may withdraw or modify this probation if the department finds after a hearing that the deficiency that required disciplinary action has been remedied or that changed circumstances warrant a modification of the order.

(c) If an applicant or a practitioner has engaged in or knowingly cooperated in fraud or material deception to obtain a license to practice, including cheating on the licensing examination, the department may rescind the license if it has been granted, void the examination or other fraudulent or deceptive material, and prohibit the applicant from reapplying for the license for a length of time established by the department.

(d) The department may deny licensure to an applicant who has had disciplinary action taken against the applicant or the applicant's license to practice in another state or jurisdiction or who has practiced without a license in violation of the law. A certified copy of the record of disciplinary action is conclusive evidence of the other jurisdiction's disciplinary action.

(e) The department may order a practitioner to submit to a reasonable physical or mental examination if the practitioner's physical or mental capacity to practice safely and competently is at issue in a disciplinary proceeding. Failure to comply with a department order to submit to a physical or mental examination makes a practitioner liable to temporary suspension under subsection (j).

(f) Except as provided under subsection (g) or (h), a license may not be denied, revoked, or suspended because the applicant or holder has been convicted of an offense. The acts from which the applicant's or holder's conviction resulted may, however, be considered as to whether the applicant or holder should be entrusted to serve the public in a specific capacity.

(g) The department may deny, suspend, or revoke a license issued under this chapter if the individual who holds the license is convicted of any of the following:

(1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.

(2) Possession of methamphetamine under IC 35-48-4-6.1.

(3) Possession of a controlled substance under IC 35-48-4-7(a).

(4) Fraudulently obtaining a controlled substance under IC 35-48-4-7(b) (for a crime committed before July 1, 2014) or IC 35-48-4-7(c) (for a crime committed after June 30, 2014).

(5) Manufacture of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.1(b).

(6) Dealing in paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.5(b).

(7) Possession of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.3(b) (before its amendment on July 1, 2015).

(8) Possession of marijuana, hash oil, hashish, or salvia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-11.

(9) A felony offense under IC 35-48-4 involving possession of a synthetic drug (as defined in IC 35-31.5-2-321), possession of a controlled substance analog (as defined in IC 35-48-1-9.3), or possession of a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:

(A) Class D felony for a crime committed before July 1, 2014; or

(B) Level 6 felony for a crime committed after June 30, 2014;

under IC 35-48-4-11.5 (before its repeal on July 1, 2019).

(10) Maintaining a common nuisance under IC 35-48-4-13 (repealed) or IC 35-45-1-5, if the common nuisance involves a controlled substance.

(11) An offense relating to registration, labeling, and prescription forms under IC 35-48-4-14.

~~(12) Conspiracy under IC 35-41-5-2 to commit an offense listed in this subsection.~~

~~(13) Attempt under IC 35-41-5-1 to commit an offense listed in this subsection.~~

~~(14) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described in this subsection.~~

(h) The department shall deny, revoke, or suspend a license issued under this chapter if the individual who holds the license is convicted of any of the following:

(1) Dealing in a controlled substance resulting in death under IC 35-42-1-1.5.

(2) Dealing in cocaine or a narcotic drug under IC 35-48-4-1.

(3) Dealing in methamphetamine under IC 35-48-4-1.1.

(4) Manufacturing methamphetamine under IC 35-48-4-1.2.

(5) Dealing in a schedule I, II, or III controlled substance under IC 35-48-4-2.

(6) Dealing in a schedule IV controlled substance under IC 35-48-4-3.

(7) Dealing in a schedule V controlled substance under IC 35-48-4-4.

(8) Dealing in a substance represented to be a controlled substance under IC 35-48-4-4.5 (repealed).

(9) Knowingly or intentionally manufacturing, advertising, distributing, or possessing with intent to manufacture, advertise, or distribute a substance represented to be a controlled substance under IC 35-48-4-4.6.

(10) Dealing in a counterfeit substance under IC 35-48-4-5.

(11) Dealing in marijuana, hash oil, hashish, or salvia as a felony under IC 35-48-4-10.

(12) An offense under IC 35-48-4 involving the manufacture or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in IC 35-48-1-9.3), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).

~~(13) Conspiracy under IC 35-41-5-2 to commit an offense listed in this subsection.~~

~~(14) Attempt under IC 35-41-5-1 to commit an offense listed in this subsection.~~

~~(15) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described in this subsection.~~

~~(16)~~ **(13)** A violation of any federal or state drug law or rule related to wholesale legend drug distributors licensed under IC 25-26-14.

(i) A decision of the department under subsections (b) through (h) may be appealed to the commission under IC 4-21.5-3-7.

(j) The department may temporarily suspend a practitioner's license under IC 4-21.5-4 before a final adjudication or during the appeals process if the department finds that a practitioner represents a clear and immediate danger to the public's health, safety, or property if the practitioner is allowed to continue to practice.

(k) On receipt of a complaint or an information alleging that a person licensed under this chapter has engaged in or is engaging in a practice that jeopardizes the public health, safety, or welfare, the department shall initiate an investigation against the person.

(l) Any complaint filed with the office of the attorney general alleging a violation of this licensing program shall be referred to the department for summary review and for its general information and any authorized action at the time of the filing.

(m) The department shall conduct a fact finding investigation as the department considers proper in relation to the complaint.

(n) The department may reinstate a license that has been suspended under this section if, after a hearing, the department is satisfied that the applicant is able to practice with reasonable skill, safety, and competency to the public. As a condition of reinstatement, the department may impose disciplinary or corrective measures authorized under this chapter.

(o) The department may not reinstate a license that has been revoked under this chapter. An individual whose license has been revoked under this chapter may not apply for a new license until seven (7) years after the date of revocation.

(p) The department shall seek to achieve consistency in the application of sanctions authorized in this chapter. Significant departures from prior decisions involving similar conduct must be explained in the department's findings or orders.

(q) A practitioner may petition the department to accept the surrender of the practitioner's license instead of having a hearing before the commission. The practitioner may not surrender the practitioner's license without the written approval of the department, and the department may impose any conditions appropriate to the surrender or reinstatement of a surrendered license.

(r) A practitioner who has been subjected to disciplinary sanctions may be required by the commission to pay the costs of the proceeding. The practitioner's ability to pay shall be considered when costs are assessed. If the practitioner fails to pay the costs, a suspension may not be imposed solely upon the practitioner's inability to pay the amount assessed. The costs are limited to costs for the following:

(1) Court reporters.

(2) Transcripts.

(3) Certification of documents.

(4) Photo duplication.

(5) Witness attendance and mileage fees.

(6) Postage.

(7) Expert witnesses.

(8) Depositions.

(9) Notarizations.

SECTION 24. IC 24-5-26-1, AS ADDED BY P.L.137-2009, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. As used in this chapter, "identity theft" means:

(1) identity deception (IC 35-43-5-3.5); **or**

(2) synthetic identity deception (IC 35-43-5-3.8). ~~or~~

~~(3) a substantially similar crime committed in another jurisdiction.~~

SECTION 25. IC 25-1-1.1-2, AS AMENDED BY P.L.80-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. Notwithstanding IC 25-1-7, a board, a commission, or a

committee may suspend, deny, or revoke a license or certificate issued under this title by the board, the commission, or the committee without an investigation by the office of the attorney general if the individual who holds the license or certificate is convicted of any of the following and the board, commission, or committee determines, after the individual has appeared in person, that the offense affects the individual's ability to perform the duties of the profession:

(1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.

(2) Possession of methamphetamine under IC 35-48-4-6.1.

(3) Possession of a controlled substance under IC 35-48-4-7(a).

(4) Fraudulently obtaining a controlled substance under IC 35-48-4-7(c).

(5) Manufacture of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.1(b).

(6) Dealing in paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.5(b).

(7) Possession of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.3(b) (before its amendment on July 1, 2015).

(8) Possession of marijuana, hash oil, hashish, or salvia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-11.

(9) A felony offense under IC 35-48-4 involving possession of a synthetic drug (as defined in IC 35-31.5-2-321), possession of a controlled substance analog (as defined in IC 35-48-1-9.3), or possession of a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:

(A) Class D felony for a crime committed before July 1, 2014; or

(B) Level 6 felony for a crime committed after June 30, 2014;

under IC 35-48-4-11.5 (before its repeal on July 1, 2019).

(10) Maintaining a common nuisance under IC 35-48-4-13 (repealed) or IC 35-45-1-5, if the common nuisance involves a controlled substance.

(11) An offense relating to registration, labeling, and prescription forms under IC 35-48-4-14.

~~(12) Conspiracy under IC 35-41-5-2 to commit an offense listed in this section.~~

~~(13) Attempt under IC 35-41-5-1 to commit an offense listed in this section.~~

~~(14)~~ **(12)** A sex crime under IC 35-42-4.

~~(15)~~ **(13)** A felony that reflects adversely on the individual's fitness to hold a professional license.

~~(16) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described in this section.~~

SECTION 26. IC 25-1-1.1-3, AS AMENDED BY P.L.80-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. A board, a commission, or a committee shall revoke or suspend a license or certificate issued under this title by the board, the commission, or the committee if the individual who holds the license or certificate is convicted of any of the following:

(1) Dealing in a controlled substance resulting in death under IC 35-42-1-1.5.

(2) Dealing in or manufacturing cocaine or a narcotic drug under IC 35-48-4-1.

(3) Dealing in methamphetamine under IC 35-48-4-1.1.

(4) Manufacturing methamphetamine under IC 35-48-4-1.2.

(5) Dealing in a schedule I, II, or III controlled substance under IC 35-48-4-2.

(6) Dealing in a schedule IV controlled substance under IC 35-48-4-3.

(7) Dealing in a schedule V controlled substance under IC 35-48-4-4.

(8) Dealing in a substance represented to be a controlled substance under IC 35-48-4-4.5 (before its repeal on July 1, 2019).

(9) Knowingly or intentionally manufacturing, advertising, distributing, or possessing with intent to manufacture, advertise, or distribute a substance represented to be a controlled substance under IC 35-48-4-4.6.

(10) Dealing in a counterfeit substance under IC 35-48-4-5.

(11) Dealing in marijuana, hash oil, hashish, or salvia as a felony under IC 35-48-4-10.

(12) An offense under IC 35-48-4 involving the manufacture or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in IC 35-48-1-9.3), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).

~~(13) Conspiracy under IC 35-41-5-2 to commit an offense listed in this section.~~

~~(14) Attempt under IC 35-41-5-1 to commit an offense listed in this section.~~

~~(15) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described in this section.~~

~~(16)~~ **(13)** A violation of any federal or state drug law or rule related to wholesale legend drug distributors licensed under IC 25-26-14.

SECTION 27. IC 25-23.6-1-5.7, AS ADDED BY P.L.122-2009, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5.7. (a) "Practice of addiction counseling" means the providing of professional services that are delivered by a licensed addiction counselor, that are designed to change substance use or addictive behavior, and that involve specialized knowledge and skill related to addictions and addictive behaviors, including understanding addiction, knowledge of the treatment process, application to practice, and professional readiness. The term includes:

(1) gathering information through structured interview screens using routine protocols;

(2) reviewing assessment findings to assist in the development of a plan individualized for treatment services and to coordinate services;

(3) referring for assessment, diagnosis,

evaluation, and mental health therapy;
(4) providing client and family education related to addictions;
(5) providing information on social networks and community systems for referrals and discharge planning;
(6) participating in multidisciplinary treatment team meetings or consulting with clinical addiction professionals;
(7) counseling, through individual and group counseling, as well as group and family education, to treat addiction and substance abuse in a variety of settings, including:
(A) mental and physical health facilities; and
(B) child and family service agencies; and
(8) maintaining the highest level of professionalism and ethical responsibility.

(b) The term does not include the use of psychotherapy or diagnosis (as defined in IC 25-22.5-1-1.1(c) or as defined as the practice of psychology under IC 25-33-1-2(a)).

(c) For an individual who obtains a license as an addiction counselor by:
(1) holding a valid:
(A) level II or higher certification or the equivalent certification from a credentialing agency approved by the division of mental health and addiction; or
(B) certification as an addiction counselor or addiction therapist from a credentialing agency that is approved by the board;
(2) having at least ten (10) years of experience in addiction counseling;
(3) furnishing satisfactory evidence to the board that the individual does not have:
(A) a conviction for a crime of violence (as defined in ~~IC 35-50-1-2(a)(1) through IC 35-50-1-2(a)(13));~~ **IC 35-50-1-2);** or
(B) a conviction in the previous two (2) years that has a direct bearing on the individual's ability to practice competently; and
(4) filing an initial application with the board before July 1, 2010;
the term includes the provision of addiction counseling services in private practice in consultation with other licensed professionals as required by the client's individualized treatment plan.

SECTION 28. IC 25-23.6-10.5-1, AS ADDED BY P.L.122-2009, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. An individual who applies for a license as an addiction counselor must meet the following requirements:
(1) Furnish satisfactory evidence to the board that the individual has:
(A) received a baccalaureate or higher degree in addiction counseling or in a related area as determined by the board from:
(i) an eligible postsecondary educational institution that meets the requirements under section 3(1) of this chapter; or
(ii) a foreign school that has a program of study that meets the requirements under section 3(2) or 3(3) of this chapter;
(B) completed the educational requirements under section 5 of this chapter; and
(C) completed the experience requirements under section 7 of this chapter.
(2) Furnish satisfactory evidence to the board that the individual does not have a:
(A) conviction for a crime of violence (as defined in ~~IC 35-50-1-2(a)(1) through IC 35-50-1-2(a)(13));~~ **IC 35-50-1-2);** or
(B) conviction in the previous two (2) years that has a direct bearing on the individual's ability to practice competently.
(3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as an addiction counselor without endangering the public.
(4) Pass an examination established by the board.
(5) Pay the fee established by the board.

SECTION 29. IC 25-23.6-10.5-1.5, AS AMENDED BY P.L.195-2018, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.5. (a) An individual who applies for a license as an addiction counselor associate must meet the following requirements:
(1) Furnish satisfactory evidence to the board that the individual has:
(A) received a baccalaureate or higher degree in addiction counseling, or in a related area as determined by the board from:
(i) an eligible postsecondary educational institution that meets the requirement under section 3(1) of this chapter; or
(ii) a foreign school that has a program of study that meets the requirement under section 3(2) or 3(3) of this chapter; and
(B) completed the educational requirements under section 5 of this chapter.
(2) Furnish satisfactory evidence to the board that the individual does not have a:
(A) conviction for a crime of violence (as defined in ~~IC 35-50-1-2(a)(1) through IC 35-50-1-2(a)(19));~~ **IC 35-50-1-2);** or
(B) conviction in the previous two (2) years that has a direct bearing on the individual's ability to practice competently.
(3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as an addiction counselor associate without endangering the public.

(4) Pass an examination established by the board.

(5) Pay the fee established by the board.

(b) The board shall issue an associate temporary permit to practice addiction counseling or clinical addiction counseling to an individual who:

(1) meets the educational requirements for a license as an addiction counselor or clinical addiction counselor;

(2) is pursuing the required clinical supervisory hours for a license as an addiction counselor or clinical addiction counselor; and

(3) pays a fee for the temporary permit set by the board.

An associate temporary permit issued under this subsection expires one (1) year after the date the permit is issued, without regard to the number of times the individual passes or fails the required examination to become a licensed addiction counselor or clinical addiction counselor. The temporary permit may not be renewed.

SECTION 30. IC 25-23.6-10.5-2, AS ADDED BY P.L.122-2009, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. An individual who applies for a license as a clinical addiction counselor must meet the following requirements:

(1) Furnish satisfactory evidence to the board that the individual has:

(A) received a master's or doctor's degree in addiction counseling, addiction therapy, or a related area as determined by the board from an eligible postsecondary educational institution that meets the requirements under section 4(a)(1) of this chapter or from a foreign school that has a program of study that meets the requirements under section 4(a)(2) or 4(a)(3) of this chapter;

(B) completed the educational requirements under section 6 of this chapter; and

(C) completed the experience requirements under section 8 of this chapter.

(2) Furnish satisfactory evidence to the board that the individual does not have a:

(A) conviction for a crime of violence (as defined in ~~IC 35-50-1-2(a)(1) through IC 35-50-1-2(a)(13)~~; **IC 35-50-1-2);** or

(B) conviction in the previous two (2) years that has a direct bearing on the individual's ability to practice competently.

(3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as a clinical addiction counselor without endangering the public.

(4) Pass an examination established by the board.

(5) Pay the fee established by the board.

SECTION 31. IC 25-23.6-10.5-2.5, AS AMENDED BY P.L.80-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2.5. An individual who applies for a license as a clinical addiction counselor associate must meet the following requirements:

(1) Furnish satisfactory evidence to the board that the individual has:

(A) received a master's or doctor's degree in addiction counseling, or in a related area as determined by the board from:

(i) an eligible postsecondary educational institution that meets the requirements under section 4(a)(1) of this chapter; or

(ii) a foreign school that has a program of study that meets the requirements under section 4(a)(2) or 4(a)(3) of this chapter; and

(B) completed the education requirements under section 6 of this chapter.

(2) Furnish satisfactory evidence to the board that the individual does not have a:

(A) conviction for a crime of violence (as defined in ~~IC 35-50-1-2(a)(1) through IC 35-50-1-2(a)(19))~~; **IC 35-50-1-2);** or

(B) conviction in the previous two (2) years that has a direct bearing on the individual's ability to practice competently.

(3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as a clinical addiction counselor associate without endangering the public.

(4) Pass an examination established by the board.

(5) Pay the fee established by the board.

SECTION 32. IC 29-1-2-1, AS AMENDED BY P.L.143-2009, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) The estate of a person dying intestate shall descend and be distributed as provided in this section.

(b) Except as otherwise provided in subsection (c), the surviving spouse shall receive the following share:

(1) One-half (1/2) of the net estate if the intestate is survived by at least one (1) child or by the issue of at least one (1) deceased child.

(2) Three-fourths (3/4) of the net estate, if there is no surviving issue, but the intestate is survived by one (1) or both of the intestate's parents.

(3) All of the net estate, if there is no surviving issue or parent.

(c) If the surviving spouse is a second or other subsequent spouse who did not at any time have children by the decedent, and the decedent left surviving the decedent a child or children or the descendants of a child or children by a previous spouse, the surviving second or subsequent childless spouse shall take only an amount equal to twenty-five percent (25%) of the remainder of:

(1) the fair market value as of the date of death of the real property of the deceased spouse; minus

(2) the value of the liens and encumbrances on the real property of the deceased spouse.

The fee shall, at the decedent's death, vest at once in the decedent's surviving child or children, or the descendants of the

decedent's child or children who may be dead. A second or subsequent childless spouse described in this subsection shall, however, receive the same share of the personal property of the decedent as is provided in subsection (b) with respect to surviving spouses generally.

(d) The share of the net estate not distributable to the surviving spouse, or the entire net estate if there is no surviving spouse, shall descend and be distributed as follows:

(1) To the issue of the intestate, if they are all of the same degree of kinship to the intestate, they shall take equally, or if of unequal degree, then those of more remote degrees shall take by representation.

(2) Except as provided in subsection (e), if there is a surviving spouse but no surviving issue of the intestate, then to the surviving parents of the intestate.

(3) Except as provided in subsection (e), if there is no surviving spouse or issue of the intestate, then to the surviving parents, brothers, and sisters, and the issue of deceased brothers and sisters of the intestate. Each living parent of the intestate shall be treated as of the same degree as a brother or sister and shall be entitled to the same share as a brother or sister. However, the share of each parent shall be not less than one-fourth (1/4) of the decedent's net estate. Issue of deceased brothers and sisters shall take by representation.

(4) If there is no surviving parent or brother or sister of the intestate, then to the issue of brothers and sisters. If the distributees described in this subdivision are all in the same degree of kinship to the intestate, they shall take equally or, if of unequal degree, then those of more remote degrees shall take by representation.

(5) If there is no surviving issue or parent of the intestate or issue of a parent, then to the surviving grandparents of the intestate equally.

(6) If there is no surviving issue or parent or issue of a parent, or grandparent of the intestate, then the estate of the decedent shall be divided into that number of shares equal to the sum of:

(A) the number of brothers and sisters of the decedent's parents surviving the decedent; plus

(B) the number of deceased brothers and sisters of the decedent's parents leaving issue surviving both them and the decedent;

and one (1) of the shares shall pass to each of the brothers and sisters of the decedent's parents or their respective issue per stirpes.

(7) If interests in real estate go to a husband and wife under this subsection, the aggregate interests so descending shall be owned by them as tenants by the entireties. Interests in personal property so descending shall be owned as tenants in common.

(8) If there is no person mentioned in subdivisions (1) through (7), then to the state.

(e) A parent may not receive an intestate share of the estate of the parent's minor or adult child if the parent was convicted of causing the death of the child's other parent by:

(1) murder (IC 35-42-1-1);

(2) voluntary manslaughter (IC 35-42-1-3); **or**

(3) another criminal act, if the death does not result from the operation of a vehicle. ~~or~~

~~(4) a crime in any other jurisdiction in which the elements of the crime are substantially similar to the elements of a crime listed in subdivisions (1) through (3).~~

If a parent is disqualified from receiving an intestate share under this subsection, the estate of the deceased child shall be distributed as though the parent had predeceased the child.

SECTION 33. IC 29-3-7-7, AS AMENDED BY P.L.86-2018, SECTION 213, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. A court may not appoint a person to serve as the guardian or permit a person to continue to serve as a guardian if the person:

(1) is a sexually violent predator (as described in IC 35-38-1-7.5);

(2) was at least eighteen (18) years of age at the time of the offense and was convicted of child molesting (IC 35-42-4-3) or sexual misconduct with a minor (IC 35-42-4-9) against a child less than sixteen (16) years of age:

(A) by using or threatening the use of deadly force;

(B) while armed with a deadly weapon; or

(C) that resulted in serious bodily injury; or

(3) was less than eighteen (18) years of age at the time of the offense and was convicted as an adult of

~~(A)~~ an offense described in:

~~(i)~~ **(A)** IC 35-42-4-1;

~~(ii)~~ **(B)** IC 35-42-4-2 (before its repeal);

~~(iii)~~ **(C)** IC 35-42-4-3 as a Class A or Class B felony (for crimes committed before July 1, 2014) or as a Level 1, Level 2, Level 3, or Level 4 felony (for crimes committed after June 30, 2014);

~~(iv)~~ **(D)** IC 35-42-4-5(a)(1);

~~(v)~~ **(E)** IC 35-42-4-5(a)(2);

~~(vi)~~ **(F)** IC 35-42-4-5(a)(3) (before that provision was redesignated by P.L.158-2013, SECTION 441);

~~(vii)~~ **(G)** IC 35-42-4-5(b)(1) as a Class A or Class B felony (for crimes committed before July 1, 2014) or as a Level 2, Level 3, or Level 4 felony (for crimes committed after June 30, 2014);

~~(viii)~~ **(H)** IC 35-42-4-5(b)(2); or

~~(ix)~~ **(I)** IC 35-42-4-5(b)(3) as a Class A or Class B felony (for crimes committed before July 1, 2014) or as a Level 2, Level 3, or Level 4 felony (for crimes committed after June 30, 2014).

~~(B) an attempt or conspiracy to commit a crime listed in clause (A); or~~

~~(C) a crime under the laws of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in clauses (A) and (B).~~

SECTION 34. IC 31-9-2-84.8, AS AMENDED BY P.L.243-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 84.8. "Nonwaivable offense", for purposes of this title, means a conviction of any of the following felonies:

(1) Murder (IC 35-42-1-1).

(2) Causing suicide (IC 35-42-1-2).

(3) Assisting suicide (IC 35-42-1-2.5).
(4) Voluntary manslaughter (IC 35-42-1-3).
(5) Involuntary manslaughter (IC 35-42-1-4).
(6) Reckless homicide (IC 35-42-1-5).
(7) Feticide (IC 35-42-1-6).
(8) Battery (IC 35-42-2-1) within the past five (5) years.
(9) Domestic battery (IC 35-42-2-1.3).
(10) Aggravated battery (IC 35-42-2-1.5).
(11) Criminal recklessness (IC 35-42-2-2) within the past five (5) years.
(12) Strangulation (IC 35-42-2-9).
(13) Kidnapping (IC 35-42-3-2).
(14) Criminal confinement (IC 35-42-3-3) within the past five (5) years.
(15) Human and sexual trafficking (IC 35-42-3.5).
(16) A felony sex offense under IC 35-42-4.
(17) Arson (IC 35-43-1-1) within the past five (5) years.
(18) Incest (IC 35-46-1-3).
(19) Neglect of a dependent (IC 35-46-1-4(a) and IC 35-46-1-4(b)).
(20) Child selling (IC 35-46-1-4(d)).
(21) Reckless supervision (IC 35-46-1-4.1).
(22) Nonsupport of a dependent child (IC 35-46-1-5) within the past five (5) years.
(23) Operating a motorboat while intoxicated (IC 35-46-9-6) within the past five (5) years.
(24) A felony involving a weapon under IC 35-47 within the past five (5) years.
(25) A felony relating to controlled substances under IC 35-48-4 within the past five (5) years.
(26) An offense relating to material or a performance that is harmful to minors or obscene under IC 35-49-3.
(27) A felony under IC 9-30-5 within the past five (5) years.
(28) A felony related to the health or safety of a child (as defined in IC 31-9-2-13(h)) or an endangered adult (as defined in IC 12-10-3-2).
~~(29) Attempt (IC 35-41-5-1) to commit a felony described in subdivisions (1) through (28). If a conviction for a felony is nonwaivable for a stated duration under subdivisions (1) through (28), a conviction for an attempt to commit the felony is nonwaivable for the same duration under this subdivision.~~
~~(30) A felony that is substantially equivalent to a felony described in subdivisions (1) through (29) for which the conviction was entered in another jurisdiction. If a conviction for a felony is nonwaivable for a stated duration under subdivisions (1) through (29), a conviction for a substantially equivalent felony in another jurisdiction is nonwaivable for the same duration under this subdivision.~~

SECTION 35. IC 31-19-9-8, AS AMENDED BY P.L.113-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) Consent to adoption, which may be required under section 1 of this chapter, is not required from any of the following:

(1) A parent or parents if the child is adjudged to have been abandoned or deserted for at least six (6) months immediately preceding the date of the filing of the petition for adoption.
(2) A parent of a child in the custody of another person if for a period of at least one (1) year the parent:
(A) fails without justifiable cause to communicate significantly with the child when able to do so; or
(B) knowingly fails to provide for the care and support of the child when able to do so as required by law or judicial decree.
(3) The biological father of a child born out of wedlock whose paternity has not been established:
(A) by a court proceeding other than the adoption proceeding; or
(B) by executing a paternity affidavit under IC 16-37-2-2.1.
(4) The biological father of a child born out of wedlock who was conceived as a result of:
(A) a rape for which the father was convicted under IC 35-42-4-1;
(B) child molesting (IC 35-42-4-3);
(C) sexual misconduct with a minor (IC 35-42-4-9); **or**
(D) incest (IC 35-46-1-3). ~~or~~
~~(E) a crime in any other jurisdiction in which the elements of the crime are substantially similar to the elements of a crime listed in clauses (A) through (D).~~
(5) The putative father of a child born out of wedlock if the putative father's consent to adoption is irrevocably implied under section 15 of this chapter.
(6) The biological father of a child born out of wedlock if the:
(A) father's paternity is established after the filing of a petition for adoption in a court proceeding or by executing a paternity affidavit under IC 16-37-2-2.1; and
(B) father is required to but does not register with the putative father registry established by IC 31-19-5 within the period required by IC 31-19-5-12.
(7) A parent who has relinquished the parent's right to consent to adoption as provided in this chapter.
(8) A parent after the parent-child relationship has been terminated under IC 31-35 (or IC 31-6-5 before its repeal).
(9) A parent judicially declared incompetent or mentally defective if the court dispenses with the parent's consent to adoption.
(10) A legal guardian or lawful custodian of the person to be adopted who has failed to consent to the adoption for reasons found by the court not to be in the best interests of the child.
(11) A parent if:
(A) a petitioner for adoption proves by clear and convincing evidence that the parent is unfit to be a parent; and
(B) the best interests of the child sought to be adopted would be served if the court dispensed with the parent's consent.
(12) A child's biological father who denies paternity of the child before or after the birth of the child if the denial of paternity:
(A) is in writing;
(B) is signed by the child's father

in the presence of a notary public; and

(C) contains an acknowledgment that:

(i) the denial of paternity is irrevocable; and

(ii) the child's father will not receive notice of adoption proceedings.

A child's father who denies paternity of the child under this subdivision may not challenge or contest the child's adoption.

(b) If a parent has made only token efforts to support or to communicate with the child the court may declare the child abandoned by the parent.

SECTION 36. IC 31-19-9-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. A court shall determine that consent to adoption is not required from a parent if the:

(1) parent is convicted of and incarcerated at the time of the filing of a petition for adoption for:

(A) murder (IC 35-42-1-1);

(B) causing suicide (IC 35-42-1-2); **or**

(C) voluntary manslaughter (IC 35-42-1-3);

~~(D) an attempt under IC 35-41-5-1 to commit a crime described in clauses (A) through (C); or~~

~~(E) a crime in another state that is substantially similar to a crime described in clauses (A) through (D);~~

(2) victim of the crime is the child's other parent; and

(3) court determines, after notice to the convicted parent and a hearing, that dispensing with the parent's consent to adoption is in the child's best interests.

SECTION 37. IC 31-19-9-10, AS AMENDED BY P.L.210-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. A court shall determine that consent to adoption is not required from a parent if:

(1) the parent is convicted of and incarcerated at the time of the filing of a petition for adoption for:

(A) murder (IC 35-42-1-1);

(B) causing suicide (IC 35-42-1-2);

(C) voluntary manslaughter (IC 35-42-1-3);

(D) rape (IC 35-42-4-1);

(E) criminal deviate conduct (IC 35-42-4-2) (before its repeal);

(F) child molesting (IC 35-42-4-3) as a:

(i) Class A or Class B felony, for a crime committed before July 1, 2014; or

(ii) Level 1, Level 2, Level 3, or Level 4 felony, for a crime committed after June 30, 2014;

(G) incest (IC 35-46-1-3) as a:

(i) Class B felony, for a crime committed before July 1, 2014; or

(ii) Level 4 felony, for a crime committed after June 30, 2014;

(H) neglect of a dependent (IC 35-46-1-4) as a:

(i) Class B felony, for a crime committed before July 1, 2014; or

(ii) Level 1 or Level 3 felony, for a crime committed after June 30, 2014;

(I) battery (IC 35-42-2-1) of a child as a:

(i) Class C felony, for a crime committed before July 1, 2014; or

(ii) Level 5 felony, for a crime committed after June 30, 2014;

(J) battery (IC 35-42-2-1) as a:

(i) Class A or Class B felony, for a crime committed before July 1, 2014; or

(ii) Level 2, Level 3, or Level 4 felony, for a crime committed after June 30, 2014;

(K) domestic battery (IC 35-42-2-1.3) as a Level 5, Level 4, Level 3, or Level 2 felony; **or**

(L) aggravated battery (IC 35-42-2-1.5) as a Level 3 or Level 1 felony;

~~(M) an attempt under IC 35-41-5-1 to commit an offense described in this subdivision; or~~

~~(N) a crime in another state that is substantially similar to a crime described in clauses (A) through (M);~~

(2) the child or the child's sibling, half-blood sibling, or step-sibling of the parent's current marriage is the victim of the offense; and

(3) after notice to the parent and a hearing, the court determines that dispensing with the parent's consent to adoption is in the child's best interests.

SECTION 38. IC 31-19-11-1, AS AMENDED BY P.L.243-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Whenever the court has heard the evidence and finds that:

(1) the adoption requested is in the best interest of the child;

(2) the petitioner or petitioners for adoption are of sufficient ability to rear the child and furnish suitable support and education;

(3) the report of the investigation and recommendation under IC 31-19-8-5 has been filed;

(4) the attorney or agency arranging an adoption has filed with the court an affidavit prepared by the state department of health under IC 31-19-5-16 indicating whether a man is entitled to notice of the adoption because the man has registered with the putative father registry in accordance with IC 31-19-5;

(5) proper notice arising under subdivision (4), if notice is necessary, of the adoption has been given;

(6) the attorney or agency has filed with the court an affidavit prepared by the state department of health under:

(A) IC 31-19-6 indicating whether a record of a paternity determination; or

(B) IC 16-37-2-2(g) indicating whether a paternity affidavit executed under IC 16-37-2-2.1;

has been filed in relation to the child;

(7) proper consent, if consent is necessary, to

the adoption has been given;

(8) the petitioner for adoption is not prohibited from adopting the child as the result of an inappropriate criminal history described in subsection (c) or (d); and

(9) the person, licensed child placing agency, or local office that has placed the child for adoption has provided the documents and other information required under IC 31-19-17 to the prospective adoptive parents;

the court shall grant the petition for adoption and enter an adoption decree.

(b) A court may not grant an adoption unless the state department of health's affidavit under IC 31-19-5-16 is filed with the court as provided under subsection (a)(4).

(c) A juvenile adjudication for an act listed in IC 31-9-2-84.8 that would be a felony if committed by an adult, a conviction of a misdemeanor related to the health and safety of a child, or a conviction of a felony not listed in IC 31-9-2-84.8 by a petitioner for adoption or household member is a permissible basis for the court to deny the petition for adoption. In addition, the court may not grant an adoption if a petitioner for adoption has been convicted of a nonwaivable offense under IC 31-9-2-84.8. However, the court is not prohibited from granting an adoption based upon a felony conviction for:

(1) a felony under IC 9-30-5;

(2) battery (IC 35-42-2-1);

(3) criminal recklessness (IC 35-42-2-2) as a felony;

(4) criminal confinement (IC 35-42-3-3);

(5) arson (IC 35-43-1-1);

(6) nonsupport of a dependent child (IC 35-46-1-5);

(7) operating a motorboat while intoxicated (IC 35-46-9-6) as a felony;

(8) a felony involving a weapon under IC 35-47; **or**

(9) a felony relating to controlled substances under IC 35-48-4;

~~(10) attempt to commit a felony listed in subdivisions (1) through (9); or~~

~~(11) a felony that is substantially equivalent to a felony listed in this section for which the conviction was entered in another jurisdiction;~~

if the date of the conviction did not occur within the immediately preceding five (5) year period.

(d) A court may not grant an adoption if the petitioner is a sex or violent offender (as defined in IC 11-8-8-5) or a sexually violent predator (as defined in IC 35-38-1-7.5).

SECTION 39. IC 31-30-1-2.5, AS AMENDED BY P.L.86-2018, SECTION 218, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2.5. A juvenile court may not appoint a person to serve as the guardian or custodian of a child or permit a person to continue to serve as a guardian or custodian of a child if the person:

(1) is a sexually violent predator (as described in IC 35-38-1-7.5);

(2) was at least eighteen (18) years of age at the time of the offense and committed child molesting (IC 35-42-4-3) or sexual misconduct with a minor (IC 35-42-4-9) against a child less than sixteen (16) years of age:

(A) by using or threatening the use of deadly force;

(B) while armed with a deadly weapon; or

(C) that resulted in serious bodily injury; or

(3) was less than eighteen (18) years of age at the time of the offense but was tried and convicted as an adult of

~~(A)~~ an offense described in:

~~(i)~~ **(A)** IC 35-42-4-1;

~~(ii)~~ **(B)** IC 35-42-4-2 (before its repeal);

~~(iii)~~ **(C)** IC 35-42-4-3 as a Class A or Class B felony (for crimes committed before July 1, 2014) or as a Level 1, Level 2, or Level 3 felony (for crimes committed after June 30, 2014);

~~(iv)~~ **(D)** IC 35-42-4-5(a)(1);

~~(v)~~ **(E)** IC 35-42-4-5(a)(2);

~~(vi)~~ **(F)** IC 35-42-4-5(a)(3) (before that provision was redesignated by P.L.158-2013, SECTION 441);

~~(vii)~~ **(G)** IC 35-42-4-5(b)(1) as a Class A or Class B felony (for crimes committed before July 1, 2014) or as a Level 2, Level 3, or Level 4 felony (for crimes committed after June 30, 2014);

~~(viii)~~ **(H)** IC 35-42-4-5(b)(2); or

~~(ix)~~ **(I)** IC 35-42-4-5(b)(3) as a Class A or Class B felony (for crimes committed before July 1, 2014) or as a Level 1, Level 2, or Level 3 felony (for crimes committed after June 30, 2014).

~~(B) an attempt or conspiracy to commit a crime listed in clause (A); or~~

~~(C) a crime under the laws of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in clauses (A) and (B).~~

SECTION 40. IC 31-34-1-2, AS AMENDED BY P.L.71-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A child is a child in need of services if before the child becomes eighteen (18) years of age:

(1) the child's physical or mental health is seriously endangered due to injury by the act or omission of the child's parent, guardian, or custodian; and

(2) the child needs care, treatment, or rehabilitation that:

(A) the child is not receiving; and

(B) is unlikely to be provided or accepted without the coercive intervention of the court.

(b) A child is a child in need of services if, before the child becomes eighteen (18) years of age, the child:

(1) is a victim of:

(A) an offense under IC 35-42-1-2.5;

(B) an offense under IC 35-42-2-1;

(C) an offense under IC 35-42-2-1.3;

(D) an offense under IC 35-42-2-1.5;

(E) an offense under IC 35-42-2-9; **or**

(F) an offense under IC 35-46-1-4; **and**

~~(G) an attempt or conspiracy to commit:~~

~~(i) an offense listed in clauses (A) through (F); or~~

~~(ii) an offense under IC 35-42-1-1, IC 35-42-1-2, IC 35-42-1-3, IC 35-42-1-4, or IC 35-42-1-5; or (II) an offense under the law of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in clauses (A) through (G); and~~

(2) needs care, treatment, or rehabilitation that:

(A) the child is not receiving; and

(B) is unlikely to be provided or accepted without the coercive intervention of the court.

(c) A child is a child in need of services if, before the child becomes eighteen (18) years of age, the child:

(1) lives in the same household as an adult who:

(A) committed:

(i) an offense described in subsection (b)(1); or

(ii) an offense under IC 35-42-1-1, IC 35-42-1-2, IC 35-42-1-3, IC 35-42-1-4, or IC 35-42-1-5;

against another child who lives in the household and the offense resulted in a conviction or a judgment under IC 31-34-11-2; or

(B) has been charged with committing an offense described in clause (A) against another child who lives in the household and is awaiting trial; and

(2) needs care, treatment, or rehabilitation that:

(A) the child is not receiving; and

(B) is unlikely to be provided or accepted without the coercive intervention of the court.

(d) Evidence that the illegal manufacture of a drug or controlled substance is occurring on property where a child resides creates a rebuttable presumption that the child's physical or mental health is seriously endangered.

SECTION 41. IC 31-34-1-3, AS AMENDED BY P.L.144-2018, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A child is a child in need of services if, before the child becomes eighteen (18) years of age:

(1) the child is the victim of an offense under:

(A) IC 35-42-4-1;

(B) IC 35-42-4-2 (before its repeal);

(C) IC 35-42-4-3;

(D) IC 35-42-4-4;

(E) IC 35-42-4-5;

(F) IC 35-42-4-6;

(G) IC 35-42-4-7;

(H) IC 35-42-4-8;

(I) IC 35-42-4-9;

(J) IC 35-45-4-1;

(K) IC 35-45-4-2;

(L) IC 35-45-4-3;

(M) IC 35-45-4-4; **or**

(N) IC 35-46-1-3; ~~or~~

~~(O) the law of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in clauses (A) through (N);~~ and

(2) the child needs care, treatment, or rehabilitation that:

(A) the child is not receiving; and

(B) is unlikely to be provided or accepted without the coercive intervention of the court.

(b) A child is a child in need of services if, before the child becomes eighteen (18) years of age, the child:

(1) lives in the same household as an adult who:

(A) committed an offense described in subsection (a)(1) against a child and the offense resulted in a conviction or a judgment under IC 31-34-11-2; or

(B) has been charged with an offense described in subsection (a)(1) against a child and is awaiting trial; and

(2) needs care, treatment, or rehabilitation that:

(A) the child is not receiving; and

(B) is unlikely to be provided or accepted without the coercive intervention of the court.

(c) A child is a child in need of services if, before the child becomes eighteen (18) years of age:

(1) the child lives in the same household as another child who is the victim of an offense described in subsection (a)(1);

(2) the child needs care, treatment, or rehabilitation that:

(A) the child is not receiving; and

(B) is unlikely to be provided or accepted without the coercive intervention of the court; and

(3) a caseworker assigned to provide services to the child:

(A) places the child in a program of informal adjustment or other family or rehabilitative services based on the existence of the circumstances described in subdivisions (1) and (2), and the caseworker subsequently determines further intervention is necessary; or

(B) determines that a program of informal adjustment or other family or rehabilitative services is inappropriate.

(d) A child is a child in need of services if, before the child becomes eighteen (18) years of age:

(1) the child lives in the same household as an adult who:

(A) committed a human or sexual trafficking offense under IC 35-42-3.5-1 through IC 35-42-3.5-1.4 or the law of another jurisdiction, including federal law, that resulted in a conviction or a judgment under IC 31-34-11-2; or

(B) has been charged with a human or sexual trafficking offense under IC 35-42-3.5-1 through IC 35-42-3.5-1.4 or the law of another jurisdiction, including federal law, and is awaiting trial; and

(2) the child needs care, treatment, or rehabilitation that:

(A) the child is not receiving; and

(B) is unlikely to be provided or accepted without the coercive

intervention of the court.

SECTION 42. IC 31-34-1-3.5, AS ADDED BY P.L.46-2016, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. (a) A child is a child in need of services if, before the child becomes eighteen (18) years of age:

(1) the child is the victim of

~~(A)~~ human or sexual trafficking (as defined in IC 31-9-2-133.1); ~~or~~

~~(B) a human or sexual trafficking offense under the law of another jurisdiction, including federal law, that is substantially equivalent to the act described in clause (A);~~ and

(2) the child needs care, treatment, or rehabilitation that:

(A) the child is not receiving; and

(B) is unlikely to be provided or accepted without the coercive intervention of the court.

(b) A child is considered a victim of human or sexual trafficking regardless of whether the child consented to the conduct described in subsection (a)(1).

SECTION 43. IC 31-34-4-2, AS AMENDED BY P.L.243-2019, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) If a child alleged to be a child in need of services is taken into custody under an order of the court under this chapter and the court orders out-of-home placement, the department is responsible for that placement and care and must consider placing the child with a:

(1) suitable and willing relative; or

(2) de facto custodian;

before considering any other out-of-home placement.

(b) The department shall consider placing a child described in subsection (a) with a relative related by blood, marriage, or adoption before considering any other placement of the child.

(c) Before the department places a child in need of services with a relative or a de facto custodian, the department shall complete an evaluation based on a home visit of the relative's home.

(d) Except as provided in subsection (f), before placing a child in need of services in an out-of-home placement, the department shall conduct a criminal history check of each person who is currently residing in the location designated as the out-of-home placement.

(e) Except as provided in subsection (g), the department may not make an out-of-home placement if a person described in subsection (d) has:

(1) committed an act resulting in a substantiated report of child abuse or neglect; or

(2) been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 or had a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult.

(f) The department is not required to conduct a criminal history check under subsection (d) if the department makes an out-of-home placement to an entity or a facility that is not a residence (as defined in IC 3-5-2-42.5) or that is licensed by the state.

(g) A court may order or the department may approve an out-of-home placement if:

(1) a person described in subsection (d) has:

(A) committed an act resulting in a substantiated report of child abuse or neglect;

(B) been convicted of:

(i) battery (IC 35-42-2-1);

(ii) criminal recklessness (IC 35-42-2-2) as a felony;

(iii) criminal confinement (IC 35-42-3-3) as a felony;

(iv) arson (IC 35-43-1-1) as a felony;

(v) nonsupport of a dependent child (IC 35-46-1-5);

(vi) operating a motorboat while intoxicated (IC 35-46-9-6) as a felony;

(vii) a felony involving a weapon under IC 35-47;

(viii) a felony relating to controlled substances under IC 35-48-4; **or**

(ix) a felony under IC 9-30-5;

~~(x) attempt to commit a felony listed in items (i) through (ix); or~~

~~(xi) a felony that is substantially equivalent to a felony listed in this clause for which the conviction was entered in another jurisdiction;~~

if the conviction did not occur within the past five (5) years; or

(C) had a juvenile adjudication for a nonwaivable offense, as defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony; and

(2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and the placement is in the best interest of the child.

However, a court or the department may not make an out-of-home placement if the person has been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 that is not specifically excluded under subdivision (1)(B).

(h) In considering the placement under subsection (g), the court or the department shall consider the following:

(1) The length of time since the person committed the offense, delinquent act, or abuse or neglect.

(2) The severity of the offense, delinquent act, or abuse or neglect.

(3) Evidence of the person's rehabilitation, including the person's cooperation with a treatment plan, if applicable.

SECTION 44. IC 31-34-20-1.5, AS AMENDED BY P.L.243-2019, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.5. (a) Except as provided in subsection (d), the juvenile court may not enter a dispositional decree approving or ordering placement of a child in another home under section 1(a)(3) of this chapter or awarding wardship to the department that will place the child in another home under section 1(a)(4) of this chapter if a person who is currently residing in the home in which the child would be placed under section 1(a)(3) or 1(a)(4) of this chapter has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(b) The department or caseworker who prepared the predispositional report shall conduct a criminal history check (as defined in IC 31-9-2-22.5) to determine if a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile

adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8. However, the department or caseworker is not required to conduct a criminal history check under this section if criminal history information under IC 31-34-4-2 or IC 31-34-18-6.1 establishes whether a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(c) The department or caseworker is not required to conduct a criminal history check under this section if:

(1) the department or caseworker is considering only an out-of-home placement to an entity or a facility that:

(A) is not a residence (as defined in IC 3-5-2-42.5); or

(B) is licensed by the state; or

(2) placement under this section is undetermined at the time the predispositional report is prepared.

(d) A juvenile court may enter a dispositional decree that approves placement of a child in another home or award wardship to the department that will place the child in a home with a person described in subsection (a) if:

(1) the person described in subsection (a) has:

(A) committed an act resulting in a substantiated report of child abuse or neglect;

(B) been convicted of:

(i) battery (IC 35-42-2-1);

(ii) criminal recklessness (IC 35-42-2-2) as a felony;

(iii) criminal confinement (IC 35-42-3-3) as a felony;

(iv) arson (IC 35-43-1-1) as a felony;

(v) nonsupport of a dependent child (IC 35-46-1-5);

(vi) operating a motorboat while intoxicated (IC 35-46-9-6) as a felony;

(vii) a felony involving a weapon under IC 35-47;

(viii) a felony relating to controlled substances under IC 35-48-4; **or**

(ix) a felony under IC 9-30-5;

~~(x) attempt to commit a felony listed in items (i) through (ix); or~~

~~(xi) a felony that is substantially equivalent to a felony listed in this clause for which the conviction was entered in another jurisdiction;~~

if the conviction did not occur within the past five (5) years; or

(C) had a juvenile adjudication for a nonwaivable offense, as defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony; and

(2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and placing a child in another home or awarding wardship to the department is in the best interest of the child.

However, a court may not enter a dispositional decree that approves placement of a child in another home or awards wardship to the department if the person has been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 that is not specifically excluded under subdivision (1)(B).

(e) In considering the placement under subsection (d), the court shall consider the following:

(1) The length of time since the person committed the offense, delinquent act, or act that resulted in the substantiated report of abuse or neglect.

(2) The severity of the offense, delinquent act, or abuse or neglect.

(3) Evidence of the person's rehabilitation, including the person's cooperation with a treatment plan, if applicable.

SECTION 45. IC 31-34-21-7.5, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7.5. (a) Except as provided in subsection (d), the juvenile court may not approve a permanency plan under subsection ~~(c)(1)(D),~~ **(c)(1)(C),** ~~(c)(1)(E),~~ **(c)(1)(D),** or ~~(c)(1)(F)~~ **(c)(1)(E)** if a person who is currently residing with a person described in subsection ~~(c)(1)(D)~~ **(c)(1)(C)** or ~~(c)(1)(E)~~ **(c)(1)(D)** or in a residence in which the child would be placed under subsection ~~(c)(1)(F)~~ **(c)(1)(E)** has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(b) Before requesting juvenile court approval of a permanency plan, the department shall conduct a criminal history check (as defined in IC 31-9-2-22.5) to determine if a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8. However, the department is not required to conduct a criminal history check under this section if criminal history information under IC 31-34-4-2, IC 31-34-18-6.1, or IC 31-34-20-1.5 establishes whether a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(c) A permanency plan, or plans, if concurrent planning, under this chapter includes the following:

(1) The intended permanent or long term arrangements for care and custody of the child that may include any one (1), or two (2), if concurrent planning, of the following arrangements that the department or the court considers most appropriate and consistent with the best interests of the child:

(A) Return to or continuation of existing custodial care within the home of the child's parent, guardian, or custodian or placement of the child with the child's noncustodial parent.

(B) Placement of the child for adoption.

(C) Placement of the child with a responsible person, including:

(i) an adult sibling;

(ii) a grandparent;

(iii) an aunt;

(iv) an uncle;

(v) a custodial parent of a sibling of the child; or
(vi) another relative;
who is able and willing to act as the child's permanent custodian and carry out the responsibilities required by the permanency plan.
(D) Appointment of a legal guardian. The legal guardian appointed under this section is a caretaker in a judicially created relationship between the child and caretaker that is intended to be permanent and self-sustaining as evidenced by the transfer to the caretaker of the following parental rights with respect to the child:
(i) Care, custody, and control of the child.
(ii) Decision making concerning the child's upbringing.
(E) A supervised independent living arrangement or foster care for the child with a permanency plan of another planned, permanent living arrangement. However, a child less than sixteen (16) years of age may not have another planned, permanent living arrangement as the child's permanency plan.
(2) A time schedule for implementing the applicable provisions of the permanency plan.
(3) Provisions for temporary or interim arrangements for care and custody of the child, pending completion of implementation of the permanency plan.
(4) Other items required to be included in a case plan under IC 31-34-15 or federal law, consistent with the permanent or long term arrangements described by the permanency plan.
(d) A juvenile court may approve a permanency plan if:
(1) a person described in subsection (a) has:
(A) committed an act resulting in a substantiated report of child abuse or neglect;
(B) been convicted of:
(i) battery (IC 35-42-2-1);
(ii) criminal recklessness (IC 35-42-2-2) as a felony;
(iii) criminal confinement (IC 35-42-3-3) as a felony;
(iv) arson (IC 35-43-1-1) as a felony;
(v) nonsupport of a dependent child (IC 35-46-1-5);
(vi) operating a motorboat while intoxicated (IC 35-46-9-6) as a felony;
(vii) a felony involving a weapon under IC 35-47;
(viii) a felony relating to controlled substances under IC 35-48-4; **or**
(ix) a felony under IC 9-30-5;
~~(x) attempt to commit a felony listed in items (i) through (ix); or (xi) a felony that is substantially equivalent to a felony listed in this clause for which the conviction was entered in another jurisdiction;~~
if the conviction did not occur within the past five (5) years; or
(C) had a juvenile adjudication for a nonwaivable offense, as defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony; and
(2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and that approval of the permanency plan is in the best interest of the child.
However, a court may not approve a permanency plan if the person has been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 that is not specifically excluded under subdivision (1)(B), or has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult that is not specifically excluded under subdivision (1)(B).
(e) In making its written finding under subsection (d), the court shall consider the following:
(1) The length of time since the person committed the offense, delinquent act, or act that resulted in the substantiated report of abuse or neglect.
(2) The severity of the offense, delinquent act, or abuse or neglect.
(3) Evidence of the person's rehabilitation, including the person's cooperation with a treatment plan, if applicable.
SECTION 46. IC 31-37-13-5, AS AMENDED BY P.L.168-2014, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. **(a)** If a finding of delinquency is based on a delinquent act that would be a felony if committed by an adult, the juvenile court shall state in the findings the following:
(1) The specific statute that was violated.
(2) The class or level of the felony had the violation been committed by an adult.
(b) If a finding of delinquency is based on a delinquent act that would be a serious violent felony (as defined in IC 35-47-4-5) if committed by an adult, the juvenile court shall, notwithstanding IC 31-39-1, transmit the finding to the office of judicial administration for transmission to NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3.
SECTION 47. IC 31-37-19-6.5, AS AMENDED BY P.L.243-2019, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.5. (a) Except as provided in subsection (d), the juvenile court may not enter a dispositional decree approving placement of a child in another home under section 1(a)(3) or 6(b)(2)(D) of this chapter or awarding wardship to a person or facility that results in a placement with a person under section 1(a)(4) or 6(b)(2)(E) of this chapter if a person who is currently residing in the home in which the child would be placed under section 1(a)(3), 1(a)(4), 6(b)(2)(D), or 6(b)(2)(E) of this chapter has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.
(b) The juvenile probation officer who prepared the predispositional report shall conduct a criminal history check (as defined in IC 31-9-2-22.5) to determine if a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in

IC 31-9-2-84.8. However, the probation officer is not required to conduct a criminal history check under this section if criminal history information obtained under IC 31-37-17-6.1 establishes whether a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(c) The juvenile probation officer is not required to conduct a criminal history check under this section if:

(1) the probation officer is considering only an out-of-home placement to an entity or a facility that:

(A) is not a residence (as defined in IC 3-5-2-42.5); or

(B) is licensed by the state; or

(2) placement under this section is undetermined at the time the predispositional report is prepared.

(d) The juvenile court may enter a dispositional decree approving placement of a child in another home under section 1(a)(3) or 6(b)(2)(D) of this chapter or awarding wardship to a person or facility that results in a placement with a person under section 1(a)(4) or 6(b)(2)(E) of this chapter if:

(1) a person described in subsection (a) has:

(A) committed an act resulting in a substantiated report of child abuse or neglect;

(B) been convicted of:

(i) a felony under IC 9-30-5;

(ii) battery (IC 35-42-2-1);

(iii) criminal recklessness (IC 35-42-2-2) as a felony;

(iv) criminal confinement (IC 35-42-3-3) as a felony;

(v) arson (IC 35-43-1-1) as a felony;

(vi) nonsupport of a dependent child (IC 35-46-1-5);

(vii) operating a motorboat while intoxicated (IC 35-46-9-6) as a felony;

(viii) a felony involving a weapon under IC 35-47; **or**

(ix) a felony relating to controlled substances under IC 35-48-4;

~~(x) attempt to commit a felony listed in items (i) through (ix); or~~

~~(xi) a felony that is substantially equivalent to a felony listed in this clause for which the conviction was entered in another jurisdiction;~~

if the conviction did not occur within the past five (5) years; or

(C) had a juvenile adjudication for a nonwaivable offense, as defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony; and

(2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and placing the child in another home is in the best interest of the child.

However, a court may not enter a dispositional decree placing a child in another home under section 1(a)(3) or 6(b)(2)(D) of this chapter or awarding wardship to a person or facility under this subsection if a person with whom the child is or will be placed has been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 that is not specifically excluded under subdivision (1)(B).

(e) In considering the placement under subsection (d), the court shall consider the following:

(1) The length of time since the person committed the offense, delinquent act, or act that resulted in the substantiated report of abuse or neglect.

(2) The severity of the offense, delinquent act, or abuse or neglect.

(3) Evidence of the person's rehabilitation, including the person's cooperation with a treatment plan, if applicable.

SECTION 48. IC 31-37-22-11, AS ADDED BY P.L.86-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) As used in this section, "trafficked child" means a child who was the victim of human trafficking (IC 35-42-3.5), ~~or a substantially similar human trafficking offense committed in another jurisdiction,~~ regardless of whether the person who committed the human trafficking offense was charged, tried, or convicted. The term includes a person who is now an adult.

(b) Upon the written motion of a trafficked child, or any person acting on behalf of a trafficked child, the court that adjudicated the trafficked child a delinquent child shall vacate the adjudication issued with respect to the trafficked child, if the movant proves by a preponderance of the evidence that:

(1) the child was a trafficked child at the time the child performed the delinquent act that resulted in the adjudication;

(2) the delinquent act did not result in bodily injury to another person; and

(3) at the time the child committed the delinquent act, the child was:

(A) coerced by; or

(B) under the control of;

another person.

(c) Before vacating an adjudication under subsection (b), the court shall:

(1) forward a copy of the motion to the prosecuting attorney; and

(2) conduct a hearing at which the prosecuting attorney and the movant are entitled to be heard.

SECTION 49. IC 31-39-8-3, AS AMENDED BY P.L.86-2017, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A person may initiate a petition for the expungement of records of a child alleged to be a delinquent child or a child in need of services by filing a verified petition in the juvenile court in the county of the original action. The petition must set forth the following:

(1) The allegations and date of adjudication, if applicable, of the juvenile delinquency or child in need of services adjudications.

(2) The court in which juvenile delinquency or child in need of services allegations or petitions were filed.

(3) The law enforcement agency that employs the charging officer, if known.

(4) The case number or court cause number.

(5) Date of birth of the petitioner.

(6) Petitioner's Social Security number.

(7) All juvenile delinquency or child in need of services adjudications and criminal convictions occurring after the adjudication of the action sought to be expunged.

(8) All pending actions under IC 31-34 or IC 31-37 or criminal charges.

(b) A petition described in subsection (a) shall be served on:

(1) the prosecuting attorney; or
(2) in the case of a child in need of services case, the department of child services.

(c) The prosecuting attorney or department of child services has thirty (30) days in which to reply or otherwise object to the petition. The court may reduce the time in which a response must be filed for a show of good cause or within its discretion after a hearing is held.

(d) If the prosecuting attorney or department of child services timely files an objection to the petition, the matter shall be set for a hearing. If no objection is filed, the court may set the petition for a hearing or rule on the petition without a hearing.

(e) In considering whether to grant the petition, the juvenile court may review:

(1) the best interests of the child;
(2) the age of the person during the person's contact with the juvenile court or law enforcement agency;
(3) the nature of any allegations;
(4) whether there was an informal adjustment or an adjudication;
(5) the disposition of the case;
(6) the manner in which the person participated in any court ordered or supervised services;
(7) the time during which the person has been without contact with the juvenile court or with any law enforcement agency;
(8) whether the person acquired a criminal record; ~~and~~
(9) the person's current status;
(10) whether the person has been:
(A) charged with; or
(B) convicted of;
murder or another felony offense as an adult;
(11) whether the person was waived to an adult criminal court for a reason described in IC 31-30-3;
(12) whether an adult sentence for the person was not suspended for a reason described in IC 35-50-2-2.1; and
(13) whether:
(A) the person has been adjudicated a delinquent child for committing an act that would be a serious violent felony (as defined in IC 35-47-4-5) if committed by an adult; and
(B) the:
(i) person is currently suffering from a mental health issue;
(ii) mental health issue described in item (i) is chronic or ongoing;
(iii) person has received, or is receiving, treatment for a current or chronic mental health issue; or
(iv) person is compliant with a treatment regimen recommended by a mental health professional, if applicable.

SECTION 50. IC 32-30-8-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. As used in this chapter, "nuisance" means

~~(1)~~ the use of a property to commit an act constituting an offense under IC 35-48-4. ~~or~~
~~(2) an attempt to commit or a conspiracy to commit an act described in subdivision (1).~~

SECTION 51. IC 33-23-6-2, AS AMENDED BY P.L.55-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) In each county participating in the program under this chapter, there is established an alternative dispute resolution fund for each of the following:

(1) The circuit court.
(2) The superior court.
(3) The probate court established by IC 33-31-1.

(b) Notwithstanding subsection (a), if more than one (1) court exercises jurisdiction over domestic relations and paternity cases in a county, one (1) alternative dispute resolution fund may be established to be used by all the courts to implement this chapter if:

(1) the:
(A) county auditor; and
(B) judge of each court that exercises jurisdiction over domestic relations and paternity cases in the county;
agree to establish one (1) fund; and
(2) the agreement to establish the fund is included in the plan adopted by the county under section 3 of this chapter.

(c) The sources of money for each fund established under subsection (a) or (b) are:

(1) the alternative dispute resolution fee collected under section 1 of this chapter for the circuit court, superior court, or probate court, respectively; and
(2) copayments collected under subsection (d) if:
(A) a county chooses to deposit the copayments into the fund; and
(B) the county specifies in the plan adopted by the county under section 3 of this chapter that the copayments will be deposited in the fund.

(d) The funds shall be used to foster domestic relations alternative dispute resolution, including:

(1) mediation;
(2) reconciliation;
(3) nonbinding arbitration; and
(4) parental counseling.

Litigants referred by the court to services covered by the fund shall make a copayment for the services in an amount determined by the court based on the litigants' ability to pay. The fund shall be administered by the circuit, superior, or probate court that exercises jurisdiction over domestic relations and paternity cases in the county. A fund used by multiple courts under subsection (b) shall be administered jointly by all the courts using the fund. Money in each fund at the end of a fiscal year does not revert to the county general fund but remains in the fund for the uses specified in this section.

(e) Each circuit, superior, or probate court that administers an alternative dispute resolution fund shall ensure that money in the fund is disbursed in a manner that primarily benefits those litigants who have the least ability to pay, in accordance with the plan adopted by the county under section 3 of this chapter.

(f) A court may not order parties into mediation or refer parties to mediation if a party is currently charged with or has been convicted of a crime

~~(1)~~ under IC 35-42. ~~or~~
~~(2) in another jurisdiction that is substantially similar to the elements of a crime described in IC 35-42.~~

SECTION 52. IC 33-23-8-4, AS AMENDED BY P.L.181-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. If a practitioner is convicted under IC 35-43-5-4.5 of

~~(1)~~ insurance fraud,
~~(2) an attempt to commit insurance fraud; or~~
~~(3) conspiracy to commit insurance fraud;~~
the sentencing court shall provide notice of the conviction to each governmental body that has issued a license to the practitioner.

SECTION 53. IC 33-24-6-3, AS AMENDED BY HEA 1313-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The office of judicial administration shall do the following:

(1) Examine the administrative and business methods and systems employed in the offices of the clerks of court and other offices related to and serving the courts and make recommendations for necessary improvement.

(2) Collect and compile statistical data and other information on the judicial work of the courts in Indiana. All justices of the supreme court, judges of the court of appeals, judges of all trial courts, and any city or town courts, whether having general or special jurisdiction, court clerks, court reporters, and other officers and employees of the courts shall, upon notice by the chief administrative officer and in compliance with procedures prescribed by the chief administrative officer, furnish the chief administrative officer the information as is requested concerning the nature and volume of judicial business. The information must include the following:

(A) The volume, condition, and type of business conducted by the courts.

(B) The methods of procedure in the courts.

(C) The work accomplished by the courts.

(D) The receipt and expenditure of public money by and for the operation of the courts.

(E) The methods of disposition or termination of cases.

(3) Prepare and publish reports, not less than one (1) or more than two (2) times per year, on the nature and volume of judicial work performed by the courts as determined by the information required in subdivision (2).

(4) Serve the judicial nominating commission and the judicial qualifications commission in the performance by the commissions of their statutory and constitutional functions.

(5) Administer the civil legal aid fund as required by IC 33-24-12.

(6) Administer the court technology fund established by section 12 of this chapter.

(7) By December 31, 2013, develop and implement a standard protocol for sending and receiving court data:

(A) between the protective order registry, established by IC 5-2-9-5.5, and county court case management systems;

(B) at the option of the county prosecuting attorney, for:

(i) a prosecuting attorney's case management system;

(ii) a county court case management system; and

(iii) a county court case management system developed and operated by the office of judicial administration;

to interface with the electronic traffic tickets, as defined by IC 9-30-3-2.5; and

(C) between county court case management systems and the case management system developed and operated by the office of judicial administration.

The standard protocol developed and implemented under this subdivision shall permit private sector vendors, including vendors providing service to a local system and vendors accessing the system for information, to send and receive court information on an equitable basis and at an equitable cost.

(8) Establish and administer an electronic system for receiving information that relates to certain individuals who may be prohibited from possessing a firearm ~~and~~ **for the purpose of:**

(A) transmitting this information to the Federal Bureau of Investigation for inclusion in the NICS; **and**

(B) beginning July 1, 2021, compiling and publishing certain statistics related to the confiscation and retention of firearms as described under section 14 of this chapter.

(9) Establish and administer an electronic system for receiving drug related felony conviction information from courts. The office of judicial administration shall notify NPLEx of each drug related felony entered after June 30, 2012, and do the following:

(A) Provide NPLEx with the following information:

(i) The convicted individual's full name.

(ii) The convicted individual's date of birth.

(iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.

(iv) The date the individual was convicted of the felony.

Upon receipt of the information from the office of judicial administration, a stop sale alert must be generated through NPLEx for each individual reported under this clause.

(B) Notify NPLEx if the felony of an individual reported under clause (A) has been:

(i) set aside;

(ii) reversed;

(iii) expunged; or

(iv) vacated.

Upon receipt of information under this clause, NPLEx shall remove the stop sale alert issued under clause (A) for the individual.

(10) After July 1, 2018, establish and administer an electronic system for receiving from courts felony conviction information for each felony described in IC 20-28-5-8(c). The

office of judicial administration shall notify the department of education at least one (1) time each week of each felony described in IC 20-28-5-8(c) entered after July 1, 2018, and do the following:

(A) Provide the department of education with the following information:

(i) The convicted individual's full name.

(ii) The convicted individual's date of birth.

(iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.

(iv) The date the individual was convicted of the felony.

(B) Notify the department of education if the felony of an individual reported under clause (A) has been:

(i) set aside;

(ii) reversed; or

(iii) vacated.

(11) Perform legal and administrative duties for the justices as determined by the justices.

(12) Provide staff support for the judicial conference of Indiana established in IC 33-38-9.

(13) Work with the United States Department of Veterans Affairs to identify and address the needs of veterans in the court system.

(b) All forms to be used in gathering data must be approved by the supreme court and shall be distributed to all judges and clerks before the start of each period for which reports are required.

(c) The office of judicial administration may adopt rules to implement this section.

SECTION 54. IC 33-24-6-14 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14. (a) The following definitions apply throughout this section:**

(1) "Dangerous" has the meaning set forth in IC 35-47-14-1.

(2) "Firearm" has the meaning set forth in IC 35-47-1-5.

(3) "Office" means the office of judicial administration created by section 1 of this chapter.

(b) Beginning July 1, 2021, the office shall collect and record the following information:

(1) The law enforcement agency responsible for each confiscation of a firearm under IC 35-47-14-2 and IC 35-47-14-3.

(2) The number of:

(A) warrant based firearm confiscations under IC 35-47-14-2; and

(B) warrantless firearm confiscations under IC 35-47-14-3;

for each county, as applicable, each year.

(3) The total number of:

(A) handguns; and

(B) long guns;

confiscated under IC 35-47-14 for each county, as applicable, each year.

(4) The county in which a court issues an order that finds or does not find an individual to be dangerous under IC 35-47-14-6.

(c) The office shall, beginning July 1, 2021, not later than January 1 of each year, submit a report to the legislative council in an electronic format under IC 5-14-6 that consolidates and presents the information described in subsection (b).

(d) Notwithstanding subsections (b) and (c) and information provided to a law enforcement agency for the purposes of handgun licenses, the office shall not disclose, distribute, transfer, or provide the following information to any person, entity, agency, or department:

(1) The:

(A) name;

(B) date of birth;

(C) Social Security number;

(D) address; or

(E) other unique identifier;

belonging to or associated with an individual alleged to be dangerous by a law enforcement officer or found to be dangerous by a circuit or superior court.

(2) The make, model, or serial number of any handgun, long gun, or firearm seized, confiscated, retained, disposed of, or sold under IC 35-47-14.

(e) Information:

(1) collected by the office; or

(2) used by the office;

to prepare the report described in subsection (c) is confidential and not subject to public inspection or copying under IC 5-14-3-3.

(f) The office shall make the report described in subsection (c) available to the public.

(g) The office may adopt rules under IC 4-22-2 to implement this section.

SECTION 55. IC 34-24-1-1, AS AMENDED BY P.L.211-2019, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) The following may be seized:

(1) All vehicles (as defined by IC 35-31.5-2-346), if they are used or are intended for use by the person or persons in possession of them to transport or in any manner to facilitate the transportation of the following:

(A) A controlled substance for the purpose of committing, attempting to commit, or conspiring to commit any of the following:

(i) Dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1).

(ii) Dealing in methamphetamine (IC 35-48-4-1.1).

(iii) Manufacturing methamphetamine (IC 35-48-4-1.2).

(iv) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).

(v) Dealing in a schedule IV controlled substance (IC 35-48-4-3).

(vi) Dealing in a schedule V controlled substance (IC 35-48-4-4).

(vii) Dealing in a counterfeit substance (IC 35-48-4-5).

(viii) Possession of cocaine or a narcotic drug (IC 35-48-4-6).

(ix) Possession of methamphetamine (IC 35-48-4-6.1).
(x) Dealing in paraphernalia (IC 35-48-4-8.5).
(xi) Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).
(xii) An offense under IC 35-48-4 involving a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in IC 35-48-1-9.3), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).
(B) Any stolen (IC 35-43-4-2) or converted property (IC 35-43-4-3) if the retail or repurchase value of that property is one hundred dollars ($100) or more.
(C) Any hazardous waste in violation of IC 13-30-10-1.5.
(D) A bomb (as defined in IC 35-31.5-2-31) or weapon of mass destruction (as defined in IC 35-31.5-2-354) used to commit, used in an attempt to commit, or used in a conspiracy to commit a felony terrorist offense (as defined in IC 35-50-2-18) or an offense under IC 35-47 as part of or in furtherance of an act of terrorism (as defined by IC 35-31.5-2-329).

(2) All money, negotiable instruments, securities, weapons, communications devices, or any property used to commit, used in an attempt to commit, or used in a conspiracy to commit a felony terrorist offense (as defined in IC 35-50-2-18) or an offense under IC 35-47 as part of or in furtherance of an act of terrorism or commonly used as consideration for a violation of IC 35-48-4 (other than items subject to forfeiture under IC 16-42-20-5 or IC 16-6-8.5-5.1, before its repeal):
(A) furnished or intended to be furnished by any person in exchange for an act that is in violation of a criminal statute;
(B) used to facilitate any violation of a criminal statute; or
(C) traceable as proceeds of the violation of a criminal statute.

(3) Any portion of real or personal property purchased with money that is traceable as a proceed of a violation of a criminal statute.

(4) A vehicle that is used by a person to:
(A) commit, attempt to commit, or conspire to commit;
(B) facilitate the commission of; or
(C) escape from the commission of;
murder (IC 35-42-1-1), dealing in a controlled substance resulting in death (IC 35-42-1-1.5), kidnapping (IC 35-42-3-2), criminal confinement (IC 35-42-3-3), rape (IC 35-42-4-1), child molesting (IC 35-42-4-3), or child exploitation (IC 35-42-4-4), or an offense under IC 35-47 as part of or in furtherance of an act of terrorism.

(5) Real property owned by a person who uses it to commit any of the following as a Level 1, Level 2, Level 3, Level 4, or Level 5 felony:
(A) Dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1).
(B) Dealing in methamphetamine (IC 35-48-4-1.1).
(C) Manufacturing methamphetamine (IC 35-48-4-1.2).
(D) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).
(E) Dealing in a schedule IV controlled substance (IC 35-48-4-3).
(F) Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).
(G) Dealing in a synthetic drug (as defined in IC 35-31.5-2-321) or synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019).
(H) Dealing in a controlled substance resulting in death (IC 35-42-1-1.5).

(6) Equipment and recordings used by a person to commit fraud under IC 35-43-5-4(10).

(7) Recordings sold, rented, transported, or possessed by a person in violation of IC 24-4-10.

(8) Property (as defined by IC 35-31.5-2-253) or an enterprise (as defined by IC 35-45-6-1) that is the object of a corrupt business influence violation (IC 35-45-6-2).

(9) Unlawful telecommunications devices (as defined in IC 35-45-13-6) and plans, instructions, or publications used to commit an offense under IC 35-45-13.

(10) Any equipment, including computer equipment and cellular telephones, used for or intended for use in preparing, photographing, recording, videotaping, digitizing, printing, copying, or disseminating matter in violation of IC 35-42-4.

(11) Destructive devices used, possessed, transported, or sold in violation of IC 35-47.5.

(12) Tobacco products that are sold in violation of IC 24-3-5, tobacco products that a person attempts to sell in violation of IC 24-3-5, and other personal property owned and used by a person to facilitate a violation of IC 24-3-5.

(13) Property used by a person to commit counterfeiting or forgery in violation of IC 35-43-5-2.

(14) After December 31, 2005, if a person is convicted of an offense specified in IC 25-26-14-26(b) or IC 35-43-10, the following real or personal property:
(A) Property used or intended to be used to commit, facilitate, or promote the commission of the offense.
(B) Property constituting, derived

from, or traceable to the gross proceeds that the person obtained directly or indirectly as a result of the offense.

(15) Except as provided in subsection (e), a vehicle used by a person who operates the vehicle:

(A) while intoxicated, in violation of IC 9-30-5-1 through IC 9-30-5-5, if in the previous five (5) years the person has two (2) or more prior unrelated convictions

~~(i)~~ for operating a motor vehicle while intoxicated in violation of IC 9-30-5-1 through IC 9-30-5-5; ~~or~~

~~(ii) for an offense that is substantially similar to IC 9-30-5-1 through IC 9-30-5-5 in another jurisdiction;~~ or

(B) on a highway while the person's driving privileges are suspended in violation of IC 9-24-19-2 through IC 9-24-19-3, if in the previous five (5) years the person has two (2) or more prior unrelated convictions

~~(i)~~ for operating a vehicle while intoxicated in violation of IC 9-30-5-1 through IC 9-30-5-5. ~~or~~

~~(ii) for an offense that is substantially similar to IC 9-30-5-1 through IC 9-30-5-5 in another jurisdiction.~~

If a court orders the seizure of a vehicle under this subdivision, the court shall transmit an order to the bureau of motor vehicles recommending that the bureau not permit a vehicle to be registered in the name of the person whose vehicle was seized until the person possesses a current driving license (as defined in IC 9-13-2-41).

(16) The following real or personal property:

(A) Property used or intended to be used to commit, facilitate, or promote the commission of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or IC 30-2-13-38(f).

(B) Property constituting, derived from, or traceable to the gross proceeds that a person obtains directly or indirectly as a result of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or IC 30-2-13-38(f).

(17) An automated sales suppression device (as defined in IC 35-43-5-4.6(a)(1) or phantom-ware (as defined in IC 35-43-5-4.6(a)(3)).

(18) Real or personal property, including a vehicle, that is used by a person to:

(A) commit, attempt to commit, or conspire to commit;

(B) facilitate the commission of; or

(C) escape from the commission of;

a violation of IC 35-42-3.5-1 through IC 35-42-3.5-1.4 (human trafficking) or IC 35-45-4-4 (promoting prostitution).

(b) A vehicle used by any person as a common or contract carrier in the transaction of business as a common or contract carrier is not subject to seizure under this section, unless it can be proven by a preponderance of the evidence that the owner of the vehicle knowingly permitted the vehicle to be used to engage in conduct that subjects it to seizure under subsection (a).

(c) Equipment under subsection (a)(10) may not be seized unless it can be proven by a preponderance of the evidence that the owner of the equipment knowingly permitted the equipment to be used to engage in conduct that subjects it to seizure under subsection (a)(10).

(d) Money, negotiable instruments, securities, weapons, communications devices, or any property commonly used as consideration for a violation of IC 35-48-4 found near or on a person who is committing, attempting to commit, or conspiring to commit any of the following offenses shall be admitted into evidence in an action under this chapter as prima facie evidence that the money, negotiable instrument, security, or other thing of value is property that has been used or was to have been used to facilitate the violation of a criminal statute or is the proceeds of the violation of a criminal statute:

(1) IC 35-42-1-1.5 (dealing in a controlled substance resulting in death).

(2) IC 35-48-4-1 (dealing in or manufacturing cocaine or a narcotic drug).

(3) IC 35-48-4-1.1 (dealing in methamphetamine).

(4) IC 35-48-4-1.2 (manufacturing methamphetamine).

(5) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled substance).

(6) IC 35-48-4-3 (dealing in a schedule IV controlled substance).

(7) IC 35-48-4-4 (dealing in a schedule V controlled substance) as a Level 4 felony.

(8) IC 35-48-4-6 (possession of cocaine or a narcotic drug) as a Level 3, Level 4, or Level 5 felony.

(9) IC 35-48-4-6.1 (possession of methamphetamine) as a Level 3, Level 4, or Level 5 felony.

(10) IC 35-48-4-10 (dealing in marijuana, hash oil, hashish, or salvia) as a Level 5 felony.

(11) IC 35-48-4-10.5 (before its repeal on July 1, 2019) (dealing in a synthetic drug or synthetic drug lookalike substance) as a Level 5 felony or Level 6 felony (or as a Class C felony or Class D felony under IC 35-48-4-10 before its amendment in 2013).

(e) A vehicle operated by a person who is not:

(1) an owner of the vehicle; or

(2) the spouse of the person who owns the vehicle;

is not subject to seizure under subsection (a)(15) unless it can be proven by a preponderance of the evidence that the owner of the vehicle knowingly permitted the vehicle to be used to engage in conduct that subjects it to seizure under subsection (a)(15).

SECTION 56. IC 35-31.5-2-91, AS AMENDED BY P.L.158-2013, SECTION 365, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 91. "Designated offense", for purposes of IC 35-33.5, means the following:

(1) A Class A, Class B, or Class C felony, for a crime committed before July 1, 2014, or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony, for a crime committed after June 30, 2014, that is a controlled substance offense (IC 35-48-4).

(2) Murder (IC 35-42-1-1).
(3) Kidnapping (IC 35-42-3-2).
(4) Criminal confinement (IC 35-42-3-3).
(5) Robbery (IC 35-42-5-1).
(6) Arson (IC 35-43-1-1).
(7) Child solicitation (IC 35-42-4-6).
(8) Human and sexual trafficking crimes under IC 35-42-3.5.
(9) Escape as a Class B felony or Class C felony, for a crime committed before July 1, 2014, or a Level 4 felony or Level 5 felony, for a crime committed after June 30, 2014 (IC 35-44.1-3-4).
(10) An offense that relates to a weapon of mass destruction (as defined in section 354 of this chapter).
~~(11) An attempt or conspiracy to commit an offense described in subdivisions (1) through (10).~~
~~(12) An offense under the law of the United States or in another state or country that is substantially similar to an offense described in subdivisions (1) through (11).~~

SECTION 57. IC 35-31.5-2-294, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 294. "Serious violent felony", for purposes of IC 35-47-4-5 **and IC 35-47-4-9,** has the meaning set forth in ~~IC 35-47-4-5(b).~~ **IC 35-47-4-5.**

SECTION 58. IC 35-37-4-6, AS AMENDED BY P.L.65-2016, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) This section applies to a criminal action involving the following offenses where the victim is a protected person under subsection (c)(1) or (c)(2):

(1) Sex crimes (IC 35-42-4).
(2) A battery offense included in IC 35-42-2 upon a child less than fourteen (14) years of age.
(3) Kidnapping and confinement (IC 35-42-3).
(4) Incest (IC 35-46-1-3).
(5) Neglect of a dependent (IC 35-46-1-4).
(6) Human and sexual trafficking crimes (IC 35-42-3.5).
~~(7) An attempt under IC 35-41-5-1 to commit an offense listed in this subsection.~~

(b) This section applies to a criminal action involving the following offenses where the victim is a protected person under subsection (c)(3):

(1) Exploitation of a dependent or endangered adult (IC 35-46-1-12).
(2) A sex crime (IC 35-42-4).
(3) A battery offense included in IC 35-42-2.
(4) Kidnapping, confinement, or interference with custody (IC 35-42-3).
(5) Home improvement fraud (IC 35-43-6).
(6) Fraud (IC 35-43-5).
(7) Identity deception (IC 35-43-5-3.5).
(8) Synthetic identity deception (IC 35-43-5-3.8).
(9) Theft (IC 35-43-4-2).
(10) Conversion (IC 35-43-4-3).
(11) Neglect of a dependent (IC 35-46-1-4).
(12) Human and sexual trafficking crimes (IC 35-42-3.5).

(c) As used in this section, "protected person" means:

(1) a child who is less than fourteen (14) years of age;
(2) an individual with a mental disability who has a disability attributable to an impairment of general intellectual functioning or adaptive behavior that:
(A) is manifested before the individual is eighteen (18) years of age;
(B) is likely to continue indefinitely;
(C) constitutes a substantial impairment of the individual's ability to function normally in society; and
(D) reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated; or
(3) an individual who is:
(A) at least eighteen (18) years of age; and
(B) incapable by reason of mental illness, intellectual disability, dementia, or other physical or mental incapacity of:
(i) managing or directing the management of the individual's property; or
(ii) providing or directing the provision of self-care.

(d) A statement or videotape that:

(1) is made by a person who at the time of trial is a protected person;
(2) concerns an act that is a material element of an offense listed in subsection (a) or (b) that was allegedly committed against the person; and
(3) is not otherwise admissible in evidence;

is admissible in evidence in a criminal action for an offense listed in subsection (a) or (b) if the requirements of subsection (e) are met.

(e) A statement or videotape described in subsection (d) is admissible in evidence in a criminal action listed in subsection (a) or (b) if, after notice to the defendant of a hearing and of the defendant's right to be present, all of the following conditions are met:

(1) The court finds, in a hearing:
(A) conducted outside the presence of the jury; and
(B) attended by the protected person in person or by using closed circuit television testimony as described in section 8(f) and 8(g) of this chapter;
that the time, content, and circumstances of the statement or videotape provide sufficient indications of reliability.
(2) The protected person:
(A) testifies at the trial; or
(B) is found by the court to be unavailable as a witness for one (1) of the following reasons:
(i) From the testimony of a psychiatrist, physician, or psychologist, and other evidence, if any, the court finds that the protected person's testifying in the physical presence of the defendant will cause the protected person to suffer serious emotional distress such that the protected person

cannot reasonably communicate.
(ii) The protected person cannot participate in the trial for medical reasons.
(iii) The court has determined that the protected person is incapable of understanding the nature and obligation of an oath.

(f) If a protected person is unavailable to testify at the trial for a reason listed in subsection (e)(2)(B), a statement or videotape may be admitted in evidence under this section only if the protected person was available for cross-examination:
(1) at the hearing described in subsection (e)(1); or
(2) when the statement or videotape was made.

(g) A statement or videotape may not be admitted in evidence under this section unless the prosecuting attorney informs the defendant and the defendant's attorney at least ten (10) days before the trial of:
(1) the prosecuting attorney's intention to introduce the statement or videotape in evidence; and
(2) the content of the statement or videotape.

(h) If a statement or videotape is admitted in evidence under this section, the court shall instruct the jury that it is for the jury to determine the weight and credit to be given the statement or videotape and that, in making that determination, the jury shall consider the following:
(1) The mental and physical age of the person making the statement or videotape.
(2) The nature of the statement or videotape.
(3) The circumstances under which the statement or videotape was made.
(4) Other relevant factors.

(i) If a statement or videotape described in subsection (d) is admitted into evidence under this section, a defendant may introduce a:
(1) transcript; or
(2) videotape;
of the hearing held under subsection (e)(1) into evidence at trial.

SECTION 59. IC 35-37-4-8, AS AMENDED BY P.L.65-2016, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) This section applies to a criminal action under the following:
(1) Sex crimes (IC 35-42-4).
(2) A battery offense included in IC 35-42-2 upon a child less than fourteen (14) years of age.
(3) Kidnapping and confinement (IC 35-42-3).
(4) Incest (IC 35-46-1-3).
(5) Neglect of a dependent (IC 35-46-1-4).
(6) Human and sexual trafficking crimes (IC 35-42-3.5).
~~(7) An attempt under IC 35-41-5-1 for an offense listed in subdivisions (1) through (6).~~

(b) As used in this section, "protected person" has the meaning set forth in section 6 of this chapter.

(c) On the motion of the prosecuting attorney, the court may order that the testimony of a protected person be taken in a room other than the courtroom, and that the questioning of the protected person by the prosecution and the defense be transmitted using a two-way closed circuit television arrangement that:
(1) allows the protected person to see the accused and the trier of fact; and
(2) allows the accused and the trier of fact to see and hear the protected person.

(d) On the motion of the prosecuting attorney or the defendant, the court may order that the testimony of a protected person be videotaped for use at trial. The videotaping of the testimony of a protected person under this subsection must meet the requirements of subsection (c).

(e) The court may not make an order under subsection (c) or (d) unless:
(1) the testimony to be taken is the testimony of a protected person who:
(A) is the alleged victim of an offense listed in subsection (a) for which the defendant is being tried or is a witness in a trial for an offense listed in subsection (a); and
(B) is found by the court to be a protected person who should be permitted to testify outside the courtroom because:
(i) the court finds from the testimony of a psychiatrist, physician, or psychologist and any other evidence that the protected person's testifying in the physical presence of the defendant would cause the protected person to suffer serious emotional harm and the court finds that the protected person could not reasonably communicate in the physical presence of the defendant to the trier of fact;
(ii) a physician has certified that the protected person cannot be present in the courtroom for medical reasons; or
(iii) evidence has been introduced concerning the effect of the protected person's testifying in the physical presence of the defendant, and the court finds that it is more likely than not that the protected person's testifying in the physical presence of the defendant creates a substantial likelihood of emotional or mental harm to the protected person;
(2) the prosecuting attorney has informed the defendant and the defendant's attorney of the intention to have the protected person testify outside the courtroom; and
(3) the prosecuting attorney informed the defendant and the defendant's attorney under subdivision (2) at least ten (10) days before the trial of the prosecuting attorney's intention to have the protected person testify outside the courtroom.

(f) If the court makes an order under subsection (c), only the following persons may be in the same room as the protected person during the protected person's testimony:
(1) A defense attorney if:
(A) the defendant is represented by the defense attorney; and
(B) the prosecuting attorney is also in the same room.
(2) The prosecuting attorney if:
(A) the defendant is represented by a defense attorney; and
(B) the defense attorney is also in the same room.
(3) Persons necessary to operate the closed circuit television equipment.
(4) Persons whose presence the court finds will contribute to the protected person's well-being.

(5) A court bailiff or court representative.

(g) If the court makes an order under subsection (d), only the following persons may be in the same room as the protected person during the protected person's videotaped testimony:

(1) The judge.

(2) The prosecuting attorney.

(3) The defendant's attorney (or the defendant, if the defendant is not represented by an attorney).

(4) Persons necessary to operate the electronic equipment.

(5) The court reporter.

(6) Persons whose presence the court finds will contribute to the protected person's well-being.

(7) The defendant, who can observe and hear the testimony of the protected person with the protected person being able to observe or hear the defendant. However, if the defendant is not represented by an attorney, the defendant may question the protected person.

(h) If the court makes an order under subsection (c) or (d), only the following persons may question the protected person:

(1) The prosecuting attorney.

(2) The defendant's attorney (or the defendant, if the defendant is not represented by an attorney).

(3) The judge.

SECTION 60. IC 35-38-1-7.5, AS AMENDED BY P.L.86-2018, SECTION 332, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7.5. (a) As used in this section, "sexually violent predator" means a person who suffers from a mental abnormality or personality disorder that makes the individual likely to repeatedly commit a sex offense (as defined in IC 11-8-8-5.2). The term includes a person convicted in another jurisdiction who is identified as a sexually violent predator under IC 11-8-8-20. The term does not include a person no longer considered a sexually violent predator under subsection (g).

(b) A person who:

(1) being at least eighteen (18) years of age, commits an offense described in:

(A) IC 35-42-4-1;

(B) IC 35-42-4-2 (before its repeal);

(C) IC 35-42-4-3 as a Class A or Class B felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014);

(D) IC 35-42-4-5(a)(1);

(E) IC 35-42-4-5(a)(2);

(F) IC 35-42-4-5(a)(3) (before that provision was redesignated by P.L.158-2013, SECTION 441);

(G) IC 35-42-4-5(b)(1) as a Class A or Class B felony (for a crime committed before July 1, 2014) or Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014);

(H) IC 35-42-4-5(b)(2); **or**

(I) IC 35-42-4-5(b)(3) as a Class A or Class B felony (for a crime committed before July 1, 2014) or a Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014);

~~(J) an attempt or conspiracy to commit a crime listed in clauses (A) through (I); or~~

~~(K) a crime under the laws of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in clauses (A) through (J);~~

(2) commits a sex offense (as defined in IC 11-8-8-5.2) while having a previous unrelated conviction for a sex offense for which the person is required to register as a sex or violent offender under IC 11-8-8;

(3) commits a sex offense (as defined in IC 11-8-8-5.2) while having had a previous unrelated adjudication as a delinquent child for an act that would be a sex offense if committed by an adult, if, after considering expert testimony, a court finds by clear and convincing evidence that the person is likely to commit an additional sex offense; or

(4) commits a sex offense (as defined in IC 11-8-8-5.2) while having had a previous unrelated adjudication as a delinquent child for an act that would be a sex offense if committed by an adult, if the person was required to register as a sex or violent offender under IC 11-8-8-5(b)(2);

is a sexually violent predator. Except as provided in subsection (g) or (h), a person is a sexually violent predator by operation of law if an offense committed by the person satisfies the conditions set forth in subdivision (1) or (2) and the person was released from incarceration, secure detention, probation, or parole for the offense after June 30, 1994.

(c) This section applies whenever a court sentences a person or a juvenile court issues a dispositional decree for a sex offense (as defined in IC 11-8-8-5.2) for which the person is required to register with the local law enforcement authority under IC 11-8-8.

(d) At the sentencing hearing, the court shall indicate on the record whether the person has been convicted of an offense that makes the person a sexually violent predator under subsection (b).

(e) If a person is not a sexually violent predator under subsection (b), the prosecuting attorney may request the court to conduct a hearing to determine whether the person (including a child adjudicated to be a delinquent child) is a sexually violent predator under subsection (a). If the court grants the motion, the court shall appoint two (2) psychologists or psychiatrists who have expertise in criminal behavioral disorders to evaluate the person and testify at the hearing. After conducting the hearing and considering the testimony of the two (2) psychologists or psychiatrists, the court shall determine whether the person is a sexually violent predator under subsection (a). A hearing conducted under this subsection may be combined with the person's sentencing hearing.

(f) If a person is a sexually violent predator:

(1) the person is required to register with the local law enforcement authority as provided in IC 11-8-8; and

(2) the court shall send notice to the department of correction.

(g) This subsection does not apply to a person who has two (2) or more unrelated convictions for an offense described in IC 11-8-8-4.5 for which the person is required to register under IC 11-8-8. A person who is a sexually violent predator may petition the court to consider whether the person should no longer be considered a sexually violent predator. The person may file a petition under this subsection not earlier than ten (10) years after:

(1) the sentencing court or juvenile court makes its determination under subsection (e); or

(2) the person is released from incarceration or secure detention.

A person may file a petition under this subsection not more than one (1) time per year. A court may dismiss a petition filed under this subsection or conduct a hearing to determine if the person should no longer be considered a sexually violent predator. If the court conducts a hearing, the court shall appoint two (2) psychologists or psychiatrists who have expertise in criminal behavioral disorders to evaluate the person and testify at the hearing. After conducting the hearing and considering the testimony of the two (2) psychologists or psychiatrists, the court shall determine whether the person should no longer be considered a sexually violent predator under subsection (a). If a court finds that the person should no longer be considered a sexually violent predator, the court shall send notice to the department of correction that the person is no longer considered a sexually violent predator or an offender against children. Notwithstanding any other law, a condition imposed on a person due to the person's status as a sexually violent predator, including lifetime parole or GPS monitoring, does not apply to a person no longer considered a sexually violent predator.

(h) A person is not a sexually violent predator by operation of law under subsection (b)(1) if all of the following conditions are met:

(1) The victim was not less than twelve (12) years of age at the time the offense was committed.

(2) The person is not more than four (4) years older than the victim.

(3) The relationship between the person and the victim was a dating relationship or an ongoing personal relationship. The term "ongoing personal relationship" does not include a family relationship.

(4) The offense committed by the person was not any of the following:

(A) Rape (IC 35-42-4-1).

(B) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).

(C) An offense committed by using or threatening the use of deadly force or while armed with a deadly weapon.

(D) An offense that results in serious bodily injury.

(E) An offense that is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge.

(5) The person has not committed another sex offense (as defined in IC 11-8-8-5.2) (including a delinquent act that would be a sex offense if committed by an adult) against any other person.

(6) The person did not have a position of authority or substantial influence over the victim.

(7) The court finds that the person should not be considered a sexually violent predator.

SECTION 61. IC 35-38-10-1, AS ADDED BY P.L.86-2017, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. As used in this chapter, "trafficked person" means a person who was the victim of human trafficking (IC 35-42-3.5), ~~or a substantially similar human trafficking offense committed in another jurisdiction,~~ regardless of whether the person who committed the human trafficking offense was charged, tried, or convicted.

SECTION 62. IC 35-40-14-1, AS ADDED BY P.L.137-2009, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. As used in this chapter, "identity theft" means:

(1) identity deception (IC 35-43-5-3.5); **or**

(2) synthetic identity deception (IC 35-43-5-3.8). ~~or~~

~~(3) a substantially similar crime committed in another jurisdiction.~~

SECTION 63. IC 35-42-2-1, AS AMENDED BY P.L.80-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) As used in this section, "public safety official" means:

(1) a law enforcement officer, including an alcoholic beverage enforcement officer;

(2) an employee of a penal facility or a juvenile detention facility (as defined in IC 31-9-2-71);

(3) an employee of the department of correction;

(4) a probation officer;

(5) a parole officer;

(6) a community corrections worker;

(7) a home detention officer;

(8) a department of child services employee;

(9) a firefighter;

(10) an emergency medical services provider;

(11) a judicial officer;

(12) a bailiff of any court; or

(13) a special deputy (as described in IC 36-8-10-10.6).

(b) As used in this section, "relative" means an individual related by blood, half-blood, adoption, marriage, or remarriage, including:

(1) a spouse;

(2) a parent or stepparent;

(3) a child or stepchild;

(4) a grandchild or stepgrandchild;

(5) a grandparent or stepgrandparent;

(6) a brother, sister, stepbrother, or stepsister;

(7) a niece or nephew;

(8) an aunt or uncle;

(9) a daughter-in-law or son-in-law;

(10) a mother-in-law or father-in-law; or

(11) a first cousin.

(c) Except as provided in subsections (d) through (k), a person who knowingly or intentionally:

(1) touches another person in a rude, insolent, or angry manner; or

(2) in a rude, insolent, or angry manner places any bodily fluid or waste on another person;

commits battery, a Class B misdemeanor.

(d) The offense described in subsection (c)(1) or (c)(2) is a Class A misdemeanor if it:

(1) results in bodily injury to any other person; or

(2) is committed against a member of a foster family home (as defined in IC 35-31.5-2-139.3) by a person who is not a resident of the foster family home if the person who committed the offense is a relative of a person who lived in the foster family home at the time of the offense.

(e) The offense described in subsection (c)(1) or (c)(2) is a Level 6 felony if one (1) or more of the following apply:

(1) The offense results in moderate bodily injury to any other person.

(2) The offense is committed against a public safety official while the official is engaged in the official's official duty.

(3) The offense is committed against a person less than fourteen (14) years of age and is committed by a person at least eighteen (18)

years of age.

(4) The offense is committed against a person of any age who has a mental or physical disability and is committed by a person having the care of the person with the mental or physical disability, whether the care is assumed voluntarily or because of a legal obligation.

(5) The offense is committed against an endangered adult (as defined in IC 12-10-3-2).

(6) The offense:

(A) is committed against a member of a foster family home (as defined in IC 35-31.5-2-139.3) by a person who is not a resident of the foster family home if the person who committed the offense is a relative of a person who lived in the foster family home at the time of the offense; and

(B) results in bodily injury to the member of the foster family.

(f) The offense described in subsection (c)(2) is a Level 6 felony if the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus.

(g) The offense described in subsection (c)(1) or (c)(2) is a Level 5 felony if one (1) or more of the following apply:

(1) The offense results in serious bodily injury to another person.

(2) The offense is committed with a deadly weapon.

(3) The offense results in bodily injury to a pregnant woman if the person knew of the pregnancy.

(4) The person has a previous conviction for a battery offense

~~(A)~~ included in this chapter against the same victim. ~~or~~

~~(B) against the same victim in any other jurisdiction, including a military court, in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a battery offense included in this chapter.~~

(5) The offense results in bodily injury to one (1) or more of the following:

(A) A public safety official while the official is engaged in the official's official duties.

(B) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(C) A person who has a mental or physical disability if the offense is committed by an individual having care of the person with the disability, regardless of whether the care is assumed voluntarily or because of a legal obligation.

(D) An endangered adult (as defined in IC 12-10-3-2).

(h) The offense described in subsection (c)(2) is a Level 5 felony if:

(1) the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus; and

(2) the person placed the bodily fluid or waste on a public safety official.

(i) The offense described in subsection (c)(1) or (c)(2) is a Level 4 felony if it results in serious bodily injury to an endangered adult (as defined in IC 12-10-3-2).

(j) The offense described in subsection (c)(1) or (c)(2) is a Level 3 felony if it results in serious bodily injury to a person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(k) The offense described in subsection (c)(1) or (c)(2) is a Level 2 felony if it results in the death of one (1) or more of the following:

(1) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(2) An endangered adult (as defined in IC 12-10-3-2).

SECTION 64. IC 35-42-2-1.3, AS AMENDED BY P.L.40-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.3. (a) Except as provided in subsections (b) through (f), a person who knowingly or intentionally:

(1) touches a family or household member in a rude, insolent, or angry manner; or

(2) in a rude, insolent, or angry manner places any bodily fluid or waste on a family or household member;

commits domestic battery, a Class A misdemeanor.

(b) The offense under subsection (a)(1) or (a)(2) is a Level 6 felony if one (1) or more of the following apply:

(1) The person who committed the offense has a previous, unrelated conviction:

(A) for a battery offense included in this chapter; **or**

(B) for a strangulation offense under IC 35-42-2-9. ~~or~~

~~(C) in any other jurisdiction, including a military court, in which the elements of the crime for which the conviction was entered are substantially similar to the elements of:~~

~~(i) a battery offense included in this chapter; or~~

~~(ii) a strangulation offense under IC 35-42-2-9.~~

(2) The person who committed the offense is at least eighteen (18) years of age and committed the offense against a family or household member in the physical presence of a child less than sixteen (16) years of age, knowing that the child was present and might be able to see or hear the offense.

(3) The offense results in moderate bodily injury to a family or household member.

(4) The offense is committed against a family or household member who is less than fourteen (14) years of age and is committed by a person at least eighteen (18) years of age.

(5) The offense is committed against a family or household member of any age who has a mental or physical disability and is committed by a person having the care of the family or household member with the mental or physical disability, whether the care is assumed voluntarily or because of a legal obligation.

(6) The offense is committed against a family or household member who is an endangered adult (as defined in IC 12-10-3-2).

(c) The offense described in subsection (a)(1) or (a)(2) is a

Level 5 felony if one (1) or more of the following apply:

(1) The offense results in serious bodily injury to a family or household member.

(2) The offense is committed with a deadly weapon against a family or household member.

(3) The offense results in bodily injury to a pregnant family or household member if the person knew of the pregnancy.

(4) The person has a previous conviction for a battery offense

~~(A)~~ included in this chapter against the same family or household member. ~~or~~

~~(B) against the same family or household member in any other jurisdiction, including a military court, in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a battery offense included in this chapter.~~

(5) The offense results in bodily injury to one (1) or more of the following:

(A) A family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(B) A family or household member who has a mental or physical disability if the offense is committed by an individual having care of the family or household member with the disability, regardless of whether the care is assumed voluntarily or because of a legal obligation.

(C) A family or household member who is an endangered adult (as defined in IC 12-10-3-2).

(d) The offense described in subsection (a)(1) or (a)(2) is a Level 4 felony if it results in serious bodily injury to a family or household member who is an endangered adult (as defined in IC 12-10-3-2).

(e) The offense described in subsection (a)(1) or (a)(2) is a Level 3 felony if it results in serious bodily injury to a family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(f) The offense described in subsection (a)(1) or (a)(2) is a Level 2 felony if it results in the death of one (1) or more of the following:

(1) A family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(2) A family or household member who is an endangered adult (as defined in IC 12-10-3-2).

SECTION 65. IC 35-42-2-9, AS AMENDED BY P.L.40-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) This section does not apply to a medical procedure.

(b) As used in this section, "torso" means any part of the upper body from the collarbone to the hips.

(c) A person who, in a rude, angry, or insolent manner, knowingly or intentionally:

(1) applies pressure to the throat or neck of another person;

(2) obstructs the nose or mouth of the another person; or

(3) applies pressure to the torso of another person;

in a manner that impedes the normal breathing or the blood circulation of the other person commits strangulation, a Level 6 felony.

(d) However, the offense under subsection (c) is a Level 5 felony if:

(1) the offense is committed by a person:

(A) against a pregnant woman; and

(B) who knew the victim was pregnant at the time of the offense;

or

(2) the person has a prior unrelated conviction under this section. ~~or~~

~~(3) the person has a prior unrelated conviction in any jurisdiction, including a military court, in which the elements of the crime for which the conviction was entered are substantially similar to the elements set forth in this section.~~

SECTION 66. IC 35-42-4-11, AS AMENDED BY P.L.220-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) As used in this section, and except as provided in subsection (d), "offender against children" means a person required to register as a sex or violent offender under IC 11-8-8 who has been:

(1) found to be a sexually violent predator under IC 35-38-1-7.5; or

(2) convicted of one (1) or more of the following offenses:

(A) Child molesting (IC 35-42-4-3).

(B) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).

(C) Child solicitation (IC 35-42-4-6).

(D) Child seduction (IC 35-42-4-7).

(E) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age, and the person is not the child's parent or guardian.

~~(F) Attempt to commit or conspiracy to commit an offense listed in clauses (A) through (E).~~

~~(G) An offense in another jurisdiction that is substantially similar to an offense described in clauses (A) through (F).~~

A person is an offender against children by operation of law if the person meets the conditions described in subdivision (1) or (2) at any time.

(b) As used in this section, "reside" means to spend more than three (3) nights in:

(1) a residence; or

(2) if the person does not reside in a residence, a particular location;

in any thirty (30) day period.

(c) An offender against children who knowingly or intentionally:

(1) resides within one thousand (1,000) feet of:

(A) school property, not including property of an institution providing post-secondary education;

(B) a youth program center;

(C) a public park; or

(D) a day care center licensed under IC 12-17.2;

(2) establishes a residence within one (1) mile of the residence of the victim of the offender's

sex offense; or

(3) resides in a residence where a child care provider (as defined by IC 31-33-26-1) provides child care services;

commits a sex offender residency offense, a Level 6 felony.

(d) This subsection does not apply to an offender against children who has two (2) or more unrelated convictions for an offense described in subsection (a). A person who is an offender against children may petition the court to consider whether the person should no longer be considered an offender against children. The person may file a petition under this subsection not earlier than ten (10) years after the person is released from incarceration or parole, whichever occurs last (or, if the person is not incarcerated, not earlier than ten (10) years after the person is released from probation). A person may file a petition under this subsection not more than one (1) time per year. A court may dismiss a petition filed under this subsection or conduct a hearing to determine if the person should no longer be considered an offender against children. If the court conducts a hearing, the court shall appoint two (2) psychologists or psychiatrists who have expertise in criminal behavioral disorders to evaluate the person and testify at the hearing. After conducting the hearing and considering the testimony of the two (2) psychologists or psychiatrists, the court shall determine whether the person should no longer be considered an offender against children. If a court finds that the person should no longer be considered an offender against children, the court shall send notice to the department of correction that the person is no longer considered an offender against children.

SECTION 67. IC 35-42-4-14, AS AMENDED BY P.L.87-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) As used in this section, "serious sex offender" means a person required to register as a sex offender under IC 11-8-8 who is:

(1) found to be a sexually violent predator under IC 35-38-1-7.5; or

(2) convicted of one (1) or more of the following offenses:

(A) Child molesting (IC 35-42-4-3).

(B) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).

(C) Possession of child pornography (IC 35-42-4-4(d) or IC 35-42-4-4(e)).

(D) Vicarious sexual gratification (IC 35-42-4-5(a) and IC 35-42-4-5(b)).

(E) Performing sexual conduct in the presence of a minor (IC 35-42-4-5(c)).

(F) Child solicitation (IC 35-42-4-6).

(G) Child seduction (IC 35-42-4-7).

(H) Sexual misconduct with a minor (IC 35-42-4-9).

~~(I) A conspiracy or an attempt to commit an offense described in clauses (A) through (H).~~

~~(J) An offense in another jurisdiction that is substantially similar to an offense described in clauses (A) through (I).~~

(b) A serious sex offender who knowingly or intentionally enters school property commits unlawful entry by a serious sex offender, a Level 6 felony.

(c) It is a defense to a prosecution under subsection (b) that:

(1) a religious institution or house of worship is located on the school property; and

(2) the person:

(A) enters the school property or other entity described in IC 35-31.5-2-285(1)(A) through IC 35-31.5-2-285(1)(D) when classes, extracurricular activities, or any other school activities are not being held:

(i) for the sole purpose of attending worship services or receiving religious instruction; and

(ii) not earlier than thirty (30) minutes before the beginning of the worship services or religious instruction; and

(B) leaves the school property not later than thirty (30) minutes after the conclusion of the worship services or religious instruction.

SECTION 68. IC 35-43-2-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.1. (a) A person who, with the intent to commit theft under section 2 of this chapter:**

(1) agrees with at least two (2) other persons to commit theft; and

(2) performs an overt act in furtherance of the agreement;

commits organized theft, a Level 6 felony.

(b) It is not a defense to a prosecution under this section that one (1) or more persons with whom the accused person is alleged to have agreed:

(1) has not been prosecuted;

(2) has not been convicted;

(3) has been acquitted;

(4) has been convicted of a different crime;

(5) cannot be prosecuted for any reason; or

(6) lacked the capacity to commit the crime.

(c) A person may not be convicted of an offense under this section and:

(1) an attempt to commit theft; or

(2) a conspiracy to commit theft;

with respect to the same underlying theft.

SECTION 69. IC 35-43-6-13, AS AMENDED BY P.L.238-2015, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. (a) The offense in section 12(a) of this chapter is a Class A misdemeanor:

(1) in the case of an offense under section 12(a)(1) through 12(a)(4) of this chapter or section 12(a)(6) through 12(a)(9) of this chapter, if the home improvement contract price is one thousand dollars ($1,000) or more;

(2) for the second or subsequent offense under this chapter; ~~or in another jurisdiction for an offense that is substantially similar to another offense described in this chapter;~~

(3) if two (2) or more home improvement contracts exceed an aggregate amount of one thousand dollars ($1,000) and are entered into with the same consumer by one (1) or more suppliers as part of or in furtherance of a common fraudulent scheme, design, or intention; or

(4) if, in a violation of section 12(a)(5) of this chapter, the home improvement contract price is at least seven thousand dollars ($7,000), but less than ten thousand dollars ($10,000).

(b) The offense in section 12 of this chapter is a Level 6 felony:

(1) if, in a violation of section 12(a)(5) of this chapter, the home improvement contract price is at least ten thousand dollars ($10,000);
(2) if, in a violation of:
(A) section 12(a)(1) through 12(a)(5); or
(B) section 12(a)(7) through 12(a)(9);
of this chapter, the consumer is at least sixty (60) years of age and the home improvement contract price is less than ten thousand dollars ($10,000);
(3) if, in a violation of section 12(b) of this chapter, the consumer is at least sixty (60) years of age; or
(4) if the home improvement supplier violates more than one (1) subdivision of section 12(a) of this chapter.

(c) The offense in section 12(a) of this chapter is a Level 5 felony:
(1) if, in a violation of:
(A) section 12(a)(1) through 12(a)(5); or
(B) section 12(a)(7) through 12(a)(9);
of this chapter, the consumer is at least sixty (60) years of age and the home improvement contract price is at least ten thousand dollars ($10,000); or
(2) if, in a violation of:
(A) section 12(a)(1) through 12(a)(4); or
(B) section 12(a)(7) through 12(a)(9);
of this chapter, the consumer is at least sixty (60) years of age, and two (2) or more home improvement contracts exceed an aggregate amount of one thousand dollars ($1,000) and are entered into with the same consumer by one (1) or more suppliers as part of or in furtherance of a common fraudulent scheme, design, or intention.

SECTION 70. IC 35-44.1-2-3, AS AMENDED BY P.L.107-2016, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) As used in this section, "consumer product" has the meaning set forth in IC 35-45-8-1.

(b) As used in this section, "misconduct" means a violation of a departmental rule or procedure of a law enforcement agency.

(c) A person who reports, by telephone, telegraph, mail, or other written or oral communication, that:
(1) the person or another person has placed or intends to place an explosive, a destructive device, or other destructive substance in a building or transportation facility;
(2) there has been or there will be tampering with a consumer product introduced into commerce; or
(3) there has been or will be placed or introduced a weapon of mass destruction in a building or a place of assembly;
knowing the report to be false, commits false reporting, a Level 6 felony.

(d) A person who:
(1) gives a false report of the commission of a crime or gives false information in the official investigation of the commission of a crime, knowing the report or information to be false;
(2) gives a false alarm of fire to the fire department of a governmental entity, knowing the alarm to be false;
(3) makes a false request for ambulance service to an ambulance service provider, knowing the request to be false;
(4) gives a false report concerning a missing child (as defined in IC 10-13-5-4) or missing endangered adult (as defined in IC 12-7-2-131.3) or gives false information in the official investigation of a missing child or missing endangered adult knowing the report or information to be false;
(5) makes a complaint against a law enforcement officer to the state or municipality (as defined in IC 8-1-13-3(b)) that employs the officer:
(A) alleging the officer engaged in misconduct while performing the officer's duties; and
(B) knowing the complaint to be false;
(6) makes a false report of a missing person, knowing the report or information is false; ~~or~~
(7) gives a false report of actions, behavior, or conditions concerning:
(A) a septic tank soil absorption system under IC 8-1-2-125 or IC 13-26-5-2.5; or
(B) a septic tank soil absorption system or constructed wetland septic system under IC 36-9-23-30.1;
knowing the report or information to be false; **or**
(8) makes a false report that a person is dangerous (as defined in IC 35-47-14-1) knowing the report or information to be false;
commits false informing, a Class B misdemeanor. However, the offense is a Class A misdemeanor if it substantially hinders any law enforcement process or if it results in harm to another person.

SECTION 71. IC 35-45-4-1, AS AMENDED BY P.L.158-2013, SECTION 524, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A person who knowingly or intentionally, in a public place:
(1) engages in sexual intercourse;
(2) engages in other sexual conduct (as defined in IC 35-31.5-2-221.5);
(3) appears in a state of nudity with the intent to arouse the sexual desires of the person or another person; or
(4) fondles the person's genitals or the genitals of another person;
commits public indecency, a Class A misdemeanor.

(b) A person at least eighteen (18) years of age who knowingly or intentionally, in a public place, appears in a state of nudity with the intent to be seen by a child less than sixteen (16) years of age commits public indecency, a Class A misdemeanor.

(c) However, the offense under subsection (a) or (b) is a Level 6 felony if the person who commits the offense has a prior unrelated conviction
~~(1)~~ under subsection (a) or (b). ~~or~~
~~(2) in another jurisdiction, including a military court, that is substantially equivalent to an offense described in subsection (a) or (b).~~

(d) As used in this section, "nudity" means the showing of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the

nipple, or the showing of covered male genitals in a discernibly turgid state.

(e) A person who, in a place other than a public place, with the intent to be seen by persons other than invitees and occupants of that place:

(1) engages in sexual intercourse;

(2) engages in other sexual conduct (as defined in IC 35-31.5-2-221.5);

(3) fondles the person's genitals or the genitals of another person; or

(4) appears in a state of nudity;

where the person can be seen by persons other than invitees and occupants of that place commits indecent exposure, a Class C misdemeanor.

SECTION 72. IC 35-45-4-5, AS AMENDED BY P.L.107-2017, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The following definitions apply throughout this section:

(1) "Camera" means a camera, a video camera, a device that captures a digital image, or any other type of video recording device.

(2) "Peep" means any looking of a clandestine, surreptitious, prying, or secretive nature.

(3) "Private area" means the naked or undergarment clad genitals, pubic area, or buttocks of an individual.

(b) A person:

(1) who knowingly or intentionally:

(A) peeps; or

(B) goes upon the land of another with the intent to peep;

into an occupied dwelling of another person; or

(2) who knowingly or intentionally peeps into an area where an occupant of the area reasonably can be expected to disrobe, including:

(A) restrooms;

(B) baths;

(C) showers; and

(D) dressing rooms;

without the consent of the other person, commits voyeurism, a Class B misdemeanor.

(c) However, the offense under subsection (b) is a Level 6 felony if:

(1) it is knowingly or intentionally committed by means of a camera; or

(2) the person who commits the offense has a prior unrelated conviction

~~(A)~~ under this section. ~~or~~

~~(B) in another jurisdiction, including a military court, for an offense that is substantially similar to an offense described in this section.~~

(d) A person who:

(1) without the consent of the individual; and

(2) with intent to peep at the private area of an individual;

peeps at the private area of an individual and records an image by means of a camera commits public voyeurism, a Class A misdemeanor.

(e) The offense under subsection (d) is a Level 6 felony if the person has a prior unrelated conviction under this section ~~or in another jurisdiction, including a military court, for an offense that is substantially similar to an offense described in this section,~~ or if the person:

(1) publishes the image;

(2) makes the image available on the Internet; or

(3) transmits or disseminates the image to another person.

(f) It is a defense to a prosecution under subsection (d) that the individual deliberately exposed the individual's private area.

(g) A person who, with the intent to peep, operates an unmanned aerial vehicle in a manner that is intended to cause the unmanned aerial vehicle to enter the space above or surrounding another person's occupied dwelling for the purpose of capturing images, photographs, video recordings, or audio recordings of the other person while the other person is:

(1) within the other person's occupied dwelling; or

(2) on the land or premises:

(A) on which the other person's occupied dwelling is located; and

(B) in a location that is not visible from an area:

(i) open to the general public; or

(ii) where a member of the general public has the right to be;

commits remote aerial voyeurism, a Class A misdemeanor.

(h) The offense under subsection (g) is a Level 6 felony if the person has a prior unrelated conviction under this section ~~or in another jurisdiction, including a military court, for an offense that is substantially similar to an offense described in this section,~~ or if the person:

(1) publishes the images, photographs, or recordings captured;

(2) makes the images, photographs, or recordings captured available on the Internet; or

(3) transmits or disseminates the images, photographs, or recordings captured to another person.

SECTION 73. IC 35-47-2-18, AS AMENDED BY P.L.158-2013, SECTION 582, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) No person shall:

~~(1) change, alter, remove, or obliterate the name of the maker, model, manufacturer's serial number, or other mark of identification on any handgun; or~~

~~(2) possess any handgun on which the name of the maker, model, manufacturer's serial number, or other mark of identification has been changed, altered, removed, or obliterated,~~

~~except as provided by applicable United States statute.~~

(1) remove, obliterate, or alter the importer or manufacturer's serial number on any firearm; or

(2) possess any firearm on which the importer or manufacturer's serial number has been removed, obliterated, or altered.

(b) A person who knowingly or intentionally violates this section commits a Level 5 felony.

SECTION 74. IC 35-47-4-5, AS AMENDED BY P.L.198-2018, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) As used in this section, "serious violent felon" means a person who has been convicted of

~~(1)~~ committing a serious violent felony. ~~in:~~

~~(A) Indiana; or~~

~~(B) any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a serious violent felony; or~~

~~(2) attempting to commit or conspiring to commit a serious violent felony in:~~

~~(A) Indiana as provided under IC 35-41-5-1 or IC 35-41-5-2; or~~

~~(B) any other jurisdiction in which the elements of the crime for~~

~~which the conviction was entered are substantially similar to the elements of attempting to commit or conspiring to commit a serious violent felony.~~

(b) As used in this section, "serious violent felony" means:

(1) murder (IC 35-42-1-1);
(2) voluntary manslaughter (IC 35-42-1-3);
(3) reckless homicide not committed by means of a vehicle (IC 35-42-1-5);
(4) battery (IC 35-42-2-1) as a:
(A) Class A felony, Class B felony, or Class C felony, for a crime committed before July 1, 2014; or
(B) Level 2 felony, Level 3 felony, Level 4 felony, or Level 5 felony, for a crime committed after June 30, 2014;
(5) domestic battery (IC 35-42-2-1.3) as a Level 2 felony, Level 3 felony, Level 4 felony, or Level 5 felony;
(6) aggravated battery (IC 35-42-2-1.5);
(7) kidnapping (IC 35-42-3-2);
(8) criminal confinement (IC 35-42-3-3);
(9) rape (IC 35-42-4-1);
(10) criminal deviate conduct (IC 35-42-4-2) (before its repeal);
(11) child molesting (IC 35-42-4-3);
(12) sexual battery (IC 35-42-4-8) as a:
(A) Class C felony, for a crime committed before July 1, 2014; or
(B) Level 5 felony, for a crime committed after June 30, 2014;
(13) robbery (IC 35-42-5-1);
(14) carjacking (IC 5-42-5-2) (before its repeal);
(15) arson (IC 35-43-1-1(a)) as a:
(A) Class A felony or Class B felony, for a crime committed before July 1, 2014; or
(B) Level 2 felony, Level 3 felony, or Level 4 felony, for a crime committed after June 30, 2014;
(16) burglary (IC 35-43-2-1) as a:
(A) Class A felony or Class B felony, for a crime committed before July 1, 2014; or
(B) Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony, for a crime committed after June 30, 2014;
(17) assisting a criminal (IC 35-44.1-2-5) as a:
(A) Class C felony, for a crime committed before July 1, 2014; or
(B) Level 5 felony, for a crime committed after June 30, 2014;
(18) resisting law enforcement (IC 35-44.1-3-1) as a:
(A) Class B felony or Class C felony, for a crime committed before July 1, 2014; or
(B) Level 2 felony, Level 3 felony, or Level 5 felony, for a crime committed after June 30, 2014;
(19) escape (IC 35-44.1-3-4) as a:
(A) Class B felony or Class C felony, for a crime committed before July 1, 2014; or
(B) Level 4 felony or Level 5 felony, for a crime committed after June 30, 2014;
(20) trafficking with an inmate (IC 35-44.1-3-5) as a:
(A) Class C felony, for a crime committed before July 1, 2014; or
(B) Level 5 felony, for a crime committed after June 30, 2014;
(21) criminal organization intimidation (IC 35-45-9-4);
(22) stalking (IC 35-45-10-5) as a:
(A) Class B felony or Class C felony, for a crime committed before July 1, 2014; or
(B) Level 4 felony or Level 5 felony, for a crime committed after June 30, 2014;
(23) incest (IC 35-46-1-3);
(24) dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1);
(25) dealing in methamphetamine (IC 35-48-4-1.1) or manufacturing methamphetamine (IC 35-48-4-1.2);
(26) dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2);
(27) dealing in a schedule IV controlled substance (IC 35-48-4-3);
(28) dealing in a schedule V controlled substance (IC 35-48-4-4); or
(29) dealing in a controlled substance resulting in death (IC 35-42-1-1.5).

(c) A serious violent felon who knowingly or intentionally possesses a firearm commits unlawful possession of a firearm by a serious violent felon, a Level 4 felony.

SECTION 75. IC 35-47-4-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9. (a) As used in this section, "serious violent felony" has the meaning set forth in section 5 of this chapter.**

(b) A person who:

(1) has been adjudicated a delinquent child for committing an act while armed with a firearm that would be a serious violent felony if committed by an adult;
(2) is less than:
(A) twenty-six (26) years of age, if the delinquent act, if committed by an adult, would have been a:
(i) Level 6 felony;
(ii) Level 5 felony;
(iii) Level 4 felony; or
(iv) Level 3 felony; or
(B) twenty-eight (28) years of age, if the delinquent act, if committed by an adult, would have been:
(i) a Level 2 felony;
(ii) a Level 1 felony; or
(iii) murder; and
(3) knowingly or intentionally possesses a firearm;

commits unlawful possession of a firearm by a dangerous person, a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior unrelated conviction under this section.

SECTION 76. IC 35-47-14-2, AS AMENDED BY P.L.289-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A circuit or superior court may issue a warrant to search for and seize a firearm in the possession of an individual who is dangerous if:

(1) a law enforcement officer provides the court

a sworn affidavit that:

(A) states why the law enforcement officer believes that the individual is dangerous and in possession of a firearm; and

(B) describes the law enforcement officer's interactions and conversations with:

(i) the individual who is alleged to be dangerous; or

(ii) another individual, if the law enforcement officer believes that information obtained from this individual is credible and reliable;

that have led the law enforcement officer to believe that the individual is dangerous and in possession of a firearm;

(2) the affidavit specifically describes the location of the firearm; and

(3) the circuit or superior court determines that probable cause exists to believe that the individual is:

(A) dangerous; and

(B) in possession of a firearm.

(b) A law enforcement agency responsible for the seizure of the firearm under this section shall file a search warrant return with the court setting forth the:

(1) quantity; and

(2) type;

of each firearm seized from an individual under this section. **Beginning July 1, 2021, the court shall provide information described under this subsection to the office of judicial administration in a manner required by the office.**

SECTION 77. IC 35-47-14-3, AS AMENDED BY P.L.289-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) If a law enforcement officer seizes a firearm from an individual whom the law enforcement officer believes to be dangerous without obtaining a warrant, the law enforcement officer shall submit to the circuit or superior court having jurisdiction over the individual believed to be dangerous an affidavit describing the basis for the law enforcement officer's belief that the individual is dangerous.

(b) An affidavit described in subsection (a) shall:

(1) set forth the quantity and type of each firearm seized from the individual under this section; and

(2) be submitted to a circuit or superior court having jurisdiction over the individual believed to be dangerous not later than forty-eight (48) hours after the seizure of the firearm.

(c) The court shall review the affidavit described in subsection (a) as soon as possible.

(d) If the court finds that probable cause exists to believe that the individual is dangerous, the court shall order the law enforcement agency having custody of the firearm to retain the firearm. **Beginning July 1, 2021, the court shall provide information described under this subsection and subsection (b)(1) to the office of judicial administration in a manner required by the office.**

~~(e) A law enforcement agency responsible for the seizure of the firearm under this section shall file a search warrant return with the court setting forth the:~~

~~(1) quantity; and~~

~~(2) type;~~

~~of each firearm seized from an individual under this section.~~

~~(f)~~ **(e)** If the court finds that there is no probable cause to believe that the individual is dangerous, the court shall order the law enforcement agency having custody of the firearm to return the firearm to the individual as quickly as practicable, but not later than five (5) days after the date of the order.

SECTION 78. IC 35-47-14-6, AS AMENDED BY P.L.289-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) The court shall conduct a hearing as required under this chapter.

(b) The state has the burden of proving all material facts by clear and convincing evidence.

(c) If the court determines that the state has proved by clear and convincing evidence that the individual is dangerous, the court shall issue a written order:

(1) finding the individual is dangerous (as defined in section 1 of this chapter);

(2) ordering the law enforcement agency having custody of the seized firearm to retain the firearm;

(3) ordering the individual's license to carry a handgun, if applicable, suspended; and

(4) enjoining the individual from:

(A) renting;

(B) receiving transfer of;

(C) owning; or

(D) possessing;

a firearm; and

determine whether the individual should be referred to further proceedings to consider whether the individual should be involuntarily detained or committed under IC 12-26-6-2(a)(2)(B).

(d) If the court finds that the individual is dangerous under subsection (c), the clerk shall transmit the order of the court to the office of judicial administration:

(1) for transmission to NICS (as defined in IC 35-47-2.5-2.5); **and**

(2) beginning July 1, 2021, for the collection of certain data related to the confiscation and retention of firearms taken from dangerous individuals;

in accordance with IC 33-24-6-3.

(e) If the court orders a law enforcement agency to retain a firearm, the law enforcement agency shall retain the firearm until the court orders the firearm returned or otherwise disposed of.

(f) If the court determines that the state has failed to prove by clear and convincing evidence that the individual is dangerous, the court shall issue a written order that:

(1) the individual is not dangerous (as defined in section 1 of this chapter); and

(2) the law enforcement agency having custody of the firearm shall return the firearm as quickly as practicable, but not later than five (5) days after the date of the order, to the individual from whom it was seized.

SECTION 79. IC 35-47-14-8, AS AMENDED BY P.L.289-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) At least one hundred eighty (180) days after the date on which a court orders a law enforcement agency to retain an individual's firearm under section 6(c) of this chapter, the individual may petition the court for a finding that the individual is no longer dangerous.

(b) Upon receipt of a petition described in subsection (a), the court shall:

(1) enter an order setting a date for a hearing on the petition; and

(2) inform the prosecuting attorney of the date, time, and location of the hearing.

(c) The prosecuting attorney shall represent the state at the hearing on a petition under this section.

(d) In a hearing on a petition under this section, the individual may be represented by an attorney.

(e) In a hearing on a petition under this section filed:

(1) not later than one (1) year after the date of the order issued under section 6(c) of this chapter, the individual must prove by a preponderance of the evidence that the individual is no longer dangerous; and

(2) later than one (1) year after the date of the order issued under section 6(c) of this chapter, the state must prove by clear and convincing evidence that the individual is still dangerous.

(f) If, upon the completion of the hearing and consideration of the record, the court finds that the individual is no longer dangerous, the court shall:

(1) issue a court order that finds that the individual is no longer dangerous;

(2) order the law enforcement agency having custody of any firearm to return the firearm as quickly as practicable, but not later than five (5) days after the date of the order, to the individual;

(3) terminate any injunction issued under section 6 of this chapter; and

(4) terminate the suspension of the individual's license to carry a handgun so that the individual may reapply for a license.

(g) If the court denies an individual's petition under this section, the individual may not file a subsequent petition until at least one hundred eighty (180) days after the date on which the court denied the petition.

(h) If a court issues an order described under subsection (f), the court's order shall be transmitted, as soon as practicable, to the office of judicial administration for transmission to the NICS (as defined in IC 35-47-2.5-2.5) **and, beginning July 1, 2021, for the collection of certain data related to the confiscation and retention of firearms taken from dangerous individuals** in accordance with IC 33-24-6-3.

SECTION 80. IC 35-48-1-16.5, AS AMENDED BY P.L.182-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16.5. "Enhancing circumstance" means one (1) or more of the following:

(1) The person has a prior conviction ~~in any jurisdiction,~~ for dealing in a controlled substance that is not marijuana, hashish, hash oil, or salvia divinorum. ~~including an attempt or conspiracy to commit the offense.~~

(2) The person committed the offense while in possession of a firearm.

(3) The person committed the offense:

(A) on a school bus; or

(B) in, on, or within five hundred (500) feet of:

(i) school property while a person under eighteen (18) years of age was reasonably expected to be present; or

(ii) a public park while a person under eighteen (18) years of age was reasonably expected to be present.

(4) The person delivered or financed the delivery of the drug to a person under eighteen (18) years of age at least three (3) years junior to the person.

(5) The person manufactured or financed the manufacture of the drug.

(6) The person committed the offense in the physical presence of a child less than eighteen (18) years of age, knowing that the child was present and might be able to see or hear the offense.

(7) The person committed the offense on the property of a:

(A) penal facility; or

(B) juvenile facility (as defined in IC 35-44.1-3-5).

(8) The person knowingly committed the offense in, on, or within one hundred (100) feet of a facility. For purposes of this subdivision, "facility" means a place that is:

(A) created and funded under IC 12-23-14 or IC 33-23-16;

(B) certified under IC 12-23-1-6; or

(C) used for the purpose of conducting a recovery or support group meeting;

and at which a drug abuser (as defined in IC 12-7-2-73) may be provided with treatment, care, or rehabilitation.

SECTION 81. IC 35-48-4-10.1, AS ADDED BY P.L.190-2019, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.1. (a) A person who:

(1) knowingly or intentionally:

(A) manufactures;

(B) finances the manufacture of;

(C) delivers;

(D) finances the delivery of; or

(E) possesses;

smokable hemp; or

(2) possesses smokable hemp with intent to:

(A) manufacture;

(B) finance the manufacture of;

(C) deliver; or

(D) finance the delivery of;

smokable hemp;

commits dealing in smokable hemp, a Class A misdemeanor.

(b) Subsection (a)(1)(B), (a)(1)(D), (a)(2)(B), and (a)(2)(D) do not apply to:

(1) a financial institution organized or reorganized under the laws of Indiana, any other state, or the United States; or

(2) any agency or instrumentality of the state or the United States.

(c) Subsection (a)(1)(C), (a)(1)(D), (a)(1)(E), (a)(2)(C), and (a)(2)(D) do not apply to the shipment of smokable hemp from a licensed producer in another state in continuous transit through Indiana to a licensed handler in any state.

SECTION 82. IC 35-48-4-12, AS AMENDED BY P.L.80-2019, SECTION 31, AND AS AMENDED BY P.L.190-2019, SECTION 32, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. If a person who has no prior conviction of an offense under this article ~~or under a law of another jurisdiction~~ relating to controlled substances pleads guilty to possession of marijuana, hashish, ~~*or*~~ salvia, **or** *smokable hemp* ~~*or a synthetic drug or a synthetic drug lookalike substance*~~ as a misdemeanor, the court, without entering a judgment of conviction and with the consent of the person, may defer further proceedings and place the person in the custody of the court under conditions determined by the court. Upon violation of a condition of the custody, the court may enter a judgment of conviction. However, if the person fulfills the conditions of the custody, the court shall dismiss the charges against the person. There may be only one (1) dismissal under this section with respect to a person.

SECTION 83. IC 35-50-1-2, AS AMENDED BY P.L.184-2019, SECTION 15, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) As used in this section, "crime of violence" means the following:

(1) Murder (IC 35-42-1-1).
(2) Attempted murder (IC 35-41-5-1).
(3) Voluntary manslaughter (IC 35-42-1-3).
(4) Involuntary manslaughter (IC 35-42-1-4).
(5) Reckless homicide (IC 35-42-1-5).
(6) Battery (IC 35-42-2-1) as a:
(A) Level 2 felony;
(B) Level 3 felony;
(C) Level 4 felony; or
(D) Level 5 felony.
(7) Domestic battery (IC 35-42-2-1.3) as a:
(A) Level 2 felony;
(B) Level 3 felony;
(C) Level 4 felony; or
(D) Level 5 felony.
~~(7)~~ **(8)** Aggravated battery (IC 35-42-2-1.5).
~~(8)~~ **(9)** Kidnapping (IC 35-42-3-2).
~~(9)~~ **(10)** Rape (IC 35-42-4-1).
~~(10)~~ **(11)** Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
~~(11)~~ **(12)** Child molesting (IC 35-42-4-3).
~~(12)~~ **(13)** Sexual misconduct with a minor as a Level 1 felony under IC 35-42-4-9(a)(2) or a Level 2 felony under IC 35-42-4-9(b)(2).
~~(13)~~ **(14)** Robbery as a Level 2 felony or a Level 3 felony (IC 35-42-5-1).
~~(14)~~ **(15)** Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (IC 35-43-2-1).
~~(15)~~ **(16)** Operating a vehicle while intoxicated causing death or catastrophic injury (IC 9-30-5-5).
~~(16)~~ **(17)** Operating a vehicle while intoxicated causing serious bodily injury to another person (IC 9-30-5-4).
~~(17)~~ **(18)** Child exploitation as a Level 5 felony under IC 35-42-4-4(b) or a Level 4 felony under IC 35-42-4-4(c).
~~(18)~~ **(19)** Resisting law enforcement as a felony (IC 35-44.1-3-1).
~~(19)~~ **(20)** Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5).
(21) Strangulation (IC 35-42-2-9) as a Level 5 felony.

(b) As used in this section, "episode of criminal conduct" means offenses or a connected series of offenses that are closely related in time, place, and circumstance.

(c) Except as provided in subsection (e) or (f) the court shall determine whether terms of imprisonment shall be served concurrently or consecutively. The court may consider the:

(1) aggravating circumstances in IC 35-38-1-7.1(a); and
(2) mitigating circumstances in IC 35-38-1-7.1(b);

in making a determination under this subsection. The court may order terms of imprisonment to be served consecutively even if the sentences are not imposed at the same time. However, except for crimes of violence, the total of the consecutive terms of imprisonment, exclusive of terms of imprisonment under IC 35-50-2-8 and IC 35-50-2-10 (before its repeal) to which the defendant is sentenced for felony convictions arising out of an episode of criminal conduct shall not exceed the period described in subsection (d).

(d) Except as provided in subsection (c), the total of the consecutive terms of imprisonment to which the defendant is sentenced for felony convictions arising out of an episode of criminal conduct may not exceed the following:

(1) If the most serious crime for which the defendant is sentenced is a Level 6 felony, the total of the consecutive terms of imprisonment may not exceed four (4) years.
(2) If the most serious crime for which the defendant is sentenced is a Level 5 felony, the total of the consecutive terms of imprisonment may not exceed seven (7) years.
(3) If the most serious crime for which the defendant is sentenced is a Level 4 felony, the total of the consecutive terms of imprisonment may not exceed fifteen (15) years.
(4) If the most serious crime for which the defendant is sentenced is a Level 3 felony, the total of the consecutive terms of imprisonment may not exceed twenty (20) years.
(5) If the most serious crime for which the defendant is sentenced is a Level 2 felony, the total of the consecutive terms of imprisonment may not exceed thirty-two (32) years.
(6) If the most serious crime for which the defendant is sentenced is a Level 1 felony, the total of the consecutive terms of imprisonment may not exceed forty-two (42) years.

(e) If, after being arrested for one (1) crime, a person commits another crime:

(1) before the date the person is discharged from probation, parole, or a term of imprisonment imposed for the first crime; or
(2) while the person is released:
(A) upon the person's own recognizance; or
(B) on bond;

the terms of imprisonment for the crimes shall be served consecutively, regardless of the order in which the crimes are tried and sentences are imposed.

(f) If the factfinder determines under IC 35-50-2-11 that a person used a firearm in the commission of the offense for which the person was convicted, the term of imprisonment for the underlying offense and the additional term of imprisonment imposed under IC 35-50-2-11 must be served consecutively.

SECTION 84. IC 35-50-2-1, AS AMENDED BY P.L.20-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) As used in this chapter, "Level 6 felony conviction" means:

(1) a conviction in Indiana for:
(A) a Class D felony, for a crime committed before July 1, 2014; or
(B) a Level 6 felony, for a crime committed after June 30, 2014; and
(2) a conviction, in any other jurisdiction at any time, with respect to which the convicted person might have been imprisoned for more than one (1) year but less than two and one-half (2 1/2) years.

However, the term does not include a conviction with respect to which the person has been pardoned, or a conviction of a Class A misdemeanor entered under IC 35-38-1-1.5 or section 7(c) or 7(d) of this chapter.

(b) As used in this chapter, "felony conviction" means a conviction, ~~in any jurisdiction~~ at any time, with respect to which the convicted person might have been imprisoned for more than one (1) year. However, it does not include a conviction with respect to which the person has been pardoned, or a conviction of a Class A misdemeanor under section 7(c) of this chapter.

(c) As used in this chapter, "minimum sentence" means:

(1) for murder, forty-five (45) years;
(2) for a Class A felony, for a crime committed before July 1, 2014, twenty (20) years;
(3) for a Class B felony, for a crime committed

before July 1, 2014, six (6) years;
(4) for a Class C felony, for a crime committed before July 1, 2014, two (2) years;
(5) for a Class D felony, for a crime committed before July 1, 2014, one-half (1/2) year;
(6) for a Level 1 felony, for a crime committed after June 30, 2014, twenty (20) years;
(7) for a Level 2 felony, for a crime committed after June 30, 2014, ten (10) years;
(8) for a Level 3 felony, for a crime committed after June 30, 2014, three (3) years;
(9) for a Level 4 felony, for a crime committed after June 30, 2014, two (2) years;
(10) for a Level 5 felony, for a crime committed after June 30, 2014, one (1) year; and
(11) for a Level 6 felony, for a crime committed after June 30, 2014, one-half (1/2) year.

SECTION 85. IC 35-50-2-2.2, AS AMENDED BY P.L.252-2017, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2.2. (a) Except as provided in subsection (b), (c), (d), or (e), the court may suspend any part of a sentence for a felony.

(b) Except as provided in subsection (d), if a person is convicted of a Level 2 felony or a Level 3 felony, except a Level 2 felony or a Level 3 felony concerning a controlled substance under IC 35-48-4, and has any prior unrelated felony conviction, the court may suspend only that part of a sentence that is in excess of the minimum sentence for the:
(1) Level 2 felony; or
(2) Level 3 felony.

(c) If:
(1) a person has a prior unrelated felony conviction ~~in any jurisdiction~~ for dealing in a controlled substance that is not marijuana, hashish, hash oil, **or** salvia divinorum; ~~or a synthetic drug, including an attempt or conspiracy to commit the offense;~~ and
(2) the person is convicted of a Level 2 felony under IC 35-48-4-1.1 or IC 35-48-4-1.2;
the court may suspend only that part of a sentence that is in excess of the minimum sentence for the Level 2 felony.

(d) If a person:
(1) is convicted of dealing in heroin as a Level 2 or Level 3 felony under IC 35-48-4-1 or IC 35-48-4-2; and
(2) has a prior unrelated felony conviction;
the court may suspend only that part of a sentence that is in excess of the minimum sentence for the Level 2 or Level 3 felony.

(e) The court may suspend only that part of a sentence for murder or a Level 1 felony conviction that is in excess of the minimum sentence for murder or the Level 1 felony conviction.

SECTION 86. IC 35-50-2-14, AS AMENDED BY P.L.125-2009, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) As used in this section, "sex offense" means a felony conviction
~~(1)~~ under IC 35-42-4-1 through IC 35-42-4-9 or under IC 35-46-1-3.
~~(2) for an attempt or conspiracy to commit an offense described in subdivision (1); or~~
~~(3) for an offense under the laws of another jurisdiction, including a military court, that is substantially similar to an offense described in subdivision (1).~~

(b) The state may seek to have a person sentenced as a repeat sexual offender for a sex offense described in subsection ~~(a)(1) or (a)(2)~~ **(a)** by alleging, on a page separate from the rest of the charging instrument, that the person has accumulated one (1) prior unrelated felony conviction for a sex offense described in subsection (a).

(c) After a person has been convicted and sentenced for a felony described in subsection ~~(a)(1) or (a)(2)~~ **(a)** after having been sentenced for a prior unrelated sex offense described in subsection (a), the person has accumulated one (1) prior unrelated felony sex offense conviction. However, a conviction does not count for purposes of this subsection, if:
(1) it has been set aside; or
(2) it is a conviction for which the person has been pardoned.

(d) If the person was convicted of the sex offense in a jury trial, the jury shall reconvene to hear evidence in the enhancement hearing. If the trial was to the court, or the judgment was entered on a guilty plea, the court alone shall hear evidence in the enhancement hearing.

(e) A person is a repeat sexual offender if the jury (if the hearing is by jury) or the court (if the hearing is to the court alone) finds that the state has proved beyond a reasonable doubt that the person had accumulated one (1) prior unrelated felony sex offense conviction.

(f) The court may sentence a person found to be a repeat sexual offender to an additional fixed term that is the advisory sentence for the underlying offense. However, the additional sentence may not exceed ten (10) years.

SECTION 87. IC 35-50-6-3.1, AS AMENDED BY P.L.44-2016, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.1. (a) This section applies to a person who commits an offense after June 30, 2014.

(b) A person assigned to Class A earns one (1) day of good time credit for each day the person is imprisoned for a crime or confined awaiting trial or sentencing.

(c) A person assigned to Class B earns one (1) day of good time credit for every three (3) days the person is imprisoned for a crime or confined awaiting trial or sentencing.

(d) A person assigned to Class C earns one (1) day of good time credit for every six (6) days the person is imprisoned for a crime or confined awaiting trial or sentencing.

(e) A person assigned to Class D earns no good time credit.

(f) A person assigned to Class P earns one (1) day of good time credit for every four (4) days the person serves on pretrial home detention awaiting trial. **A person assigned to Class P does not earn accrued time for time served on pretrial home detention awaiting trial.**

SECTION 88. IC 35-50-6-3.3, AS AMENDED BY HEA 1120-2020, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.3. (a) In addition to any educational credit a person earns under subsection (b), or good time credit a person earns under section 3 or 3.1 of this chapter, a person earns educational credit if the person:
(1) is in credit Class I, Class A, or Class B;
(2) has demonstrated a pattern consistent with rehabilitation; and
(3) successfully completes requirements to obtain one (1) of the following:
(A) A general educational development (GED) diploma under IC 20-20-6 (before its repeal) or IC 22-4.1-18, if the person has not previously obtained a high school diploma.
(B) Except as provided in subsection (o), a high school diploma, if the person has not previously obtained a general educational development (GED) diploma.
(C) An associate degree from an approved postsecondary educational institution (as defined

under IC 21-7-13-6(a)) earned during the person's incarceration.
(D) A bachelor degree from an approved postsecondary educational institution (as defined under IC 21-7-13-6(a)) earned during the person's incarceration.

(b) In addition to any educational credit that a person earns under subsection (a), or good time credit a person earns under section 3 or 3.1 of this chapter, a person may earn educational credit if, while confined by the department of correction, the person:

(1) is in credit Class I, Class A, or Class B;
(2) demonstrates a pattern consistent with rehabilitation; and
(3) successfully completes requirements for at least one (1) of the following:
(A) To obtain a certificate of completion of a career and technical or vocational education program approved by the department of correction.
(B) To obtain a certificate of completion of a substance abuse program approved by the department of correction.
(C) To obtain a certificate of completion of a literacy and basic life skills program approved by the department of correction.
(D) To obtain a certificate of completion of a reformative program approved by the department of correction.
(E) An individualized case management plan approved by the department of correction.

(c) The department of correction shall establish admissions criteria and other requirements for programs available for earning educational credit under subsection (b). A person may not earn educational credit under this section for the same program of study. The department of correction, in consultation with the department of workforce development, shall approve a program only if the program is likely to lead to an employable occupation.

(d) The amount of educational credit a person may earn under this section is the following:

(1) Six (6) months for completion of a state of Indiana general educational development (GED) diploma under IC 20-20-6 (before its repeal) or IC 22-4.1-18.
(2) One (1) year for graduation from high school.
(3) Not more than one (1) year for completion of an associate degree.
(4) Not more than two (2) years for completion of a bachelor degree.
(5) Not more than a total of one (1) year, as determined by the department of correction, for the completion of one (1) or more career and technical or vocational education programs approved by the department of correction.
(6) Not more than a total of six (6) months, as determined by the department of correction, for the completion of one (1) or more substance abuse programs approved by the department of correction.
(7) Not more than a total of six (6) months, as determined by the department of correction, for the completion of one (1) or more literacy and basic life skills programs approved by the department of correction.
(8) Not more than a total of six (6) months, as determined by the department of correction, for completion of one (1) or more reformative programs approved by the department of correction. However, a person who is serving a sentence for an offense listed under IC 11-8-8-4.5 may not earn educational credit under this subdivision.
(9) An amount determined by the department of correction under a policy adopted by the department of correction concerning the individualized case management plan, not to exceed the maximum amount described in subsection (j).

However, a person who does not have a substance abuse problem that qualifies the person to earn educational credit in a substance abuse program may earn not more than a total of twelve (12) months of educational credit, as determined by the department of correction, for the completion of one (1) or more career and technical or vocational education programs approved by the department of correction. If a person earns more than six (6) months of educational credit for the completion of one (1) or more career and technical or vocational education programs, the person is ineligible to earn educational credit for the completion of one (1) or more substance abuse programs.

(e) Educational credit earned under this section must be directly proportional to the time served and course work completed while incarcerated. The department of correction shall adopt rules under IC 4-22-2 necessary to implement this subsection.

(f) Educational credit earned by a person under this section is subtracted from the release date that would otherwise apply to the person by the sentencing court after subtracting all other credit time earned by the person.

(g) A person does not earn educational credit under subsection (a) unless the person completes at least a portion of the degree requirements after June 30, 1993.

(h) A person does not earn educational credit under subsection (b) unless the person completes at least a portion of the program requirements after June 30, 1999.

(i) Educational credit earned by a person under subsection (a) for a diploma or degree completed before July 1, 1999, shall be subtracted from:

(1) the release date that would otherwise apply to the person after subtracting all other credit time earned by the person, if the person has not been convicted of an offense described in subdivision (2); or
(2) the period of imprisonment imposed on the person by the sentencing court, if the person has been convicted of one (1) of the following crimes:
(A) Rape (IC 35-42-4-1).
(B) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
(C) Child molesting (IC 35-42-4-3).
(D) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).
(E) Vicarious sexual gratification (IC 35-42-4-5).
(F) Child solicitation (IC 35-42-4-6).
(G) Child seduction (IC 35-42-4-7).
(H) Sexual misconduct with a minor (IC 35-42-4-9) as a:
(i) Class A felony, Class B felony,

or Class C felony for a crime committed before July 1, 2014; or
(ii) Level 1, Level 2, or Level 4 felony, for a crime committed after June 30, 2014.
(I) Incest (IC 35-46-1-3).
(J) Sexual battery (IC 35-42-4-8).
(K) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age.
(L) Criminal confinement (IC 35-42-3-3), if the victim is less than eighteen (18) years of age.
~~(M) An attempt or a conspiracy to commit a crime listed in clauses (A) through (L).~~

(j) The maximum amount of educational credit a person may earn under this section is the lesser of:
(1) two (2) years; or
(2) one-third (1/3) of the person's total applicable credit time.

(k) Educational credit earned under this section by an offender serving a sentence for stalking (IC 35-45-10-5), a felony against a person under IC 35-42, or for a crime listed in IC 11-8-8-5, shall be reduced to the extent that application of the educational credit would otherwise result in:
(1) postconviction release (as defined in IC 35-40-4-6); or
(2) assignment of the person to a community transition program;
in less than forty-five (45) days after the person earns the educational credit.

(l) A person may earn educational credit for multiple degrees at the same education level under subsection (d) only in accordance with guidelines approved by the department of correction. The department of correction may approve guidelines for proper sequence of education degrees under subsection (d).

(m) A person may not earn educational credit:
(1) for a general educational development (GED) diploma if the person has previously earned a high school diploma; or
(2) for a high school diploma if the person has previously earned a general educational development (GED) diploma.

(n) A person may not earn educational credit under this section if the person:
(1) commits an offense listed in IC 11-8-8-4.5 while the person is required to register as a sex or violent offender under IC 11-8-8-7; and
(2) is committed to the department of correction after being convicted of the offense listed in IC 11-8-8-4.5.

(o) For a person to earn educational credit under subsection (a)(3)(B) for successfully completing the requirements for a high school diploma through correspondence courses, each correspondence course must be approved by the department before the person begins the correspondence course. The department may approve a correspondence course only if the entity administering the course is recognized and accredited by the department of education in the state where the entity is located.

(p) The department of correction shall, before May 1, 2023, submit a report to the legislative council, in an electronic format under IC 5-14-6, concerning the implementation of the individualized case management plan. The report must include the following:
(1) The ratio of case management staff to offenders participating in the individualized case management plan as of January 1, 2023.
(2) The average number of days awarded to offenders participating in the individualized case management plan from January 1, 2022, through December 31, 2022.
(3) The percentage of the prison population currently participating in an individualized case management plan as of January 1, 2023.
(4) Any other data points or information related to the status of the implementation of the individualized case management plan.

This subsection expires June 30, 2023.

SECTION 89. IC 36-1-9.5-48 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 48. (a) An entity may revoke a certificate of qualification only if the entity determines that the contractor or subcontractor has done at least one (1) of the following:
(1) Fails to timely pay or satisfactorily settle any bills due for labor and material on former or existing contracts.
(2) Violates:
(A) a state or federal statute; or
(B) a rule or regulation of a state or federal department, board, bureau, agency, or commission.
(3) Defaults on a contract.
(4) Fails to enter into a contract with the entity.
(5) Falsifies any document required by the entity, the state board of accounts, or any other agency.
(6) Is convicted of a bidding crime. ~~in any jurisdiction.~~
(7) Enters a plea of guilty or nolo contendere to a bidding crime in any state.
(8) Does any of the following:
(A) Makes a public admission concerning a bidding crime in any state.
(B) Makes a presentation as an unindicted co-conspirator in a bidding crime in any state.
(C) Gives testimony that is protected by a grant of immunity in a trial for a bidding crime in any jurisdiction.
(9) Fails to perform any part of an existing or previous contract.
(10) Fails to submit in a timely manner information, documented explanations, or evidence required in the contract documents or proposal.
(11) Has been debarred by a federal agency.
(12) Failed to comply with any proposal requirements established by the entity concerning disadvantaged business enterprise goals or women business enterprise goals.

(b) An entity shall provide notification of a pending action for revocation in writing, setting forth the grounds for the proposed certificate revocation. The revocation becomes effective on the date determined by the entity.

(c) A period of disqualification under this chapter may not exceed two (2) years.

SECTION 90. [EFFECTIVE JULY 1, 2020] **(a) The legislative services agency shall prepare legislation for introduction in the 2021 regular session of the general assembly to make appropriate amendments to the Indiana Code necessary to conform with this act.**

(b) This SECTION expires June 30, 2021.

(Reference is to ESB 335 as reprinted March 3, 2020.)

YOUNG, M.	MCNAMARA
FREEMAN	PIERCE
Senate Conferees	House Conferees

Roll Call 394: yeas 89, nays 2. Report adopted.

Representative Porter, who had been excused, is now present.

Representative Shackleford, who had been present, is now excused.

CONFERENCE COMMITTEE REPORT
EHB 1235–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1235 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 36-8-4-6.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6.5. (a) This section applies to the appointment of a police chief or deputy police chief in all cities.

(b) An applicant must meet the following requirements:

(1) Have five (5) years of service as:

(A) a police officer with a full-time, paid police department or agency; **or**

(B) a federal enforcement officer (as defined in IC 35-31.5-2-129) with a full-time, paid federal law enforcement agency.

(2) Be a citizen of the United States.

(3) Be a high school graduate or equivalent.

(4) Be at least twenty-one (21) years of age.

(5) Be free of mental illness.

(6) Be physically fit.

(7) Have successfully completed:

(A) the minimum basic training requirements established by the law enforcement training board under IC 5-2-1, or have continuous service with the same department to which the applicant was appointed as a law enforcement officer before July 6, 1972; **or**

(B) the minimum basic federal law enforcement training requirements that are substantially equivalent to the training requirements as described in clause (A).

(c) In addition to the requirements of subsection (b), an applicant for appointment as police chief or deputy police chief must have at least five (5) years of continuous service with the police department of that city **or with the same federal law enforcement agency** immediately before the appointment. This requirement may be waived by the city executive.

SECTION 2. IC 36-8-16.6-11, AS AMENDED BY P.L.36-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) The board shall impose an enhanced prepaid wireless charge on each retail transaction. The charge is not required to be paid by an eligible telecommunications carrier that is required to pay the monthly statewide 911 fee under IC 36-8-16.7-32 for the same transaction. The amount of the charge is one dollar ($1). The board may increase the enhanced prepaid wireless charge to ensure adequate revenue for the board to fulfill its duties and obligations under this chapter and IC 36-8-16.7. The following apply to an increase in the enhanced prepaid wireless charge:

(1) The board may increase the charge only one (1) time ~~after June 30, 2015, and before July 1, 2020.~~ **after April 1, 2020, and before July 1, 2023, in an amount not to exceed ten cents ($0.10).**

(2) The board may increase the charge only after review by the budget committee.

~~(3) If the board increases the charge, the amount of the increase must be ten cents ($0.10).~~

(b) A consumer that is the federal government or an agency of the federal government is exempt from the enhanced prepaid wireless charge imposed under this section.

(c) This subsection applies to an eligible telecommunications carrier for purposes of receiving Lifeline reimbursement from the universal service fund through the administrator designated by the Federal Communications Commission. An eligible telecommunications carrier:

(1) is not considered an agency of the federal government for purposes of the exemption set forth in subsection (b); and

(2) with respect to prepaid wireless telecommunications service provided to end users by the eligible telecommunications carrier in its capacity as an eligible telecommunications carrier, is liable for the charge imposed under subsection (d).

(d) Beginning September 1, 2015, and on the first day of each month thereafter, an eligible telecommunications carrier described in subsection (c) shall pay to the board a charge equal to the product of the following factors:

(1) The enhanced prepaid wireless charge established under subsection (a).

(2) The number of unique end users for which the eligible telecommunications carrier received reimbursement from the universal service fund during the immediately preceding month.

The eligible telecommunications carrier may bill and collect from each end user the charges calculated under this subsection with respect to the end user. The eligible telecommunications carrier shall determine the manner in which the eligible telecommunications carrier bills and collects the charges. Except as provided in section 15 of this chapter, an eligible telecommunications carrier may not bill and collect from an end user an amount greater than the charges paid by the eligible telecommunications carrier to the board with respect to the end user.

(e) If the board increases the enhanced prepaid wireless charge under subsection (a), the board shall provide written notice to the department of state revenue not later than sixty (60) days before the date the increase takes effect that includes:

(1) the effective date for the increase; and

(2) the amount of the charge as increased by the board.

SECTION 3. IC 36-8-16.7-22, AS ADDED BY P.L.132-2012, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22. ~~(a)~~ As used in this chapter, "statewide 911 system" means a communications system that uses the three (3) digit number 911 to send:

(1) an emergency call for assistance from the public by voice, text message, or other communication method or a functional

equivalent or successor;

~~(1)~~ **(2)** automatic number identification or its functional equivalent or successor; and

~~(2)~~ **(3)** automatic location information or its functional equivalent or successor;

for reporting police, fire, medical, or other emergency situations.

~~(b) The term includes the following:~~

~~(1) A wireless 911 emergency telephone system funded under IC 36-8-16.5 (before its repeal on July 1, 2012).~~

~~(2) An emergency notification system.~~

~~(c) The term does not include a wireline enhanced emergency telephone system funded under IC 36-8-16 (before its repeal on July 1, 2012).~~

SECTION 4. IC 36-8-16.7-32, AS AMENDED BY P.L.85-2017, SECTION 127, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 32. (a) Except as provided in subsections (b) and (d), and subject to section 48(e) of this chapter, the board shall assess a monthly statewide 911 fee on each standard user that is a customer having a place of primary use in Indiana at a rate that ensures full recovery of the amount needed for the board to make distributions to county treasurers consistent with this chapter and that provides for the proper development, operation, and maintenance of a statewide 911 system. The amount of the fee assessed under this subsection is one dollar ($1). The board may adjust the statewide 911 fee to ensure adequate revenue for the board to fulfill the board's duties and obligations under this chapter, subject to the following:

(1) The following apply to an increase in the fee:

(A) The board may increase the fee only one (1) time ~~after June 30, 2015, and before July 1, 2020.~~ **after April 1, 2020, and before July 1, 2023, in an amount not to exceed ten cents ($0.10).**

(B) The board may increase the fee only after review by the budget committee.

~~(C) If the board increases the fee, the amount of the increase must be ten cents ($0.10).~~

(2) The fee may not be lowered more than one (1) time in a calendar year.

(3) The fee may not be lowered by an amount that is more than ten cents ($0.10) without legislative approval.

(b) The fee assessed under this section does not apply to a prepaid user in a retail transaction under IC 36-8-16.6.

(c) An additional fee relating to the provision of 911 service may not be levied by a state agency or local unit of government. An enhanced prepaid wireless charge (as defined in IC 36-8-16.6-4) is not considered an additional fee relating to the provision of wireless 911 service for purposes of this section.

(d) A user is exempt from the fee if the user is any of the following:

(1) The federal government or an agency of the federal government.

(2) The state or an agency or instrumentality of the state.

(3) A political subdivision (as defined in IC 36-1-2-13) or an agency of a political subdivision.

(4) A user that accesses communications service solely through a wireless data only service plan.

(e) This subsection applies to an eligible telecommunications carrier for purposes of receiving Lifeline reimbursement from the universal service fund through the administrator designated by the Federal Communications Commission. An eligible telecommunications carrier:

(1) is not considered an agency of the federal government for purposes of the exemption set forth in subsection (d); and

(2) with respect to communications service provided to end users by the eligible telecommunications carrier in its capacity as an eligible telecommunications carrier, is liable for the fee assessed under subsection (f).

(f) Beginning September 1, 2015, and on the first day of each month thereafter, an eligible telecommunications carrier described in subsection (e) shall pay to the board a fee equal to the product of the following factors:

(1) The monthly statewide 911 fee established under subsection (a).

(2) The number of unique end users for which the eligible telecommunications carrier received reimbursement from the universal service fund during the immediately preceding month.

The eligible telecommunications carrier may bill and collect from each end user the fees calculated under this subsection with respect to the end user. The eligible telecommunications carrier shall determine the manner in which the eligible telecommunications carrier bills and collects the fees. Except as provided in section 33(c) of this chapter, an eligible telecommunications carrier may not bill and collect from an end user an amount greater than the fees paid by the eligible telecommunications carrier to the board with respect to the end user.

(g) If the board increases the statewide 911 fee under subsection (a), the board shall provide written notice to the department of state revenue not later than sixty (60) days before the date the increase takes effect that includes:

(1) the effective date for the increase; and

(2) the amount of the charge as increased by the board.

SECTION 5. **An emergency is declared for this act.**

(Reference is to EHB 1235 as printed February 26, 2020.)

KARICKHOFF	CRIDER
PORTER	MESSMER
House Conferees	Senate Conferees

Roll Call 395: yeas 79, nays 12. Report adopted.

The House recessed until the fall of the gavel.

RECESS

The House reconvened at 11:26 p.m. with the Speaker in the Chair.

Upon request of Representative GiaQuinta, the Speaker ordered the roll of the House to be called to determine the presence or absence of a quorum. Roll Call 396: 72 present. The Speaker declared a quorum present.

ACTION ON RULES SUSPENSIONS AND CONFERENCE COMMITTEE REPORTS

COMMITTEE REPORT

Mr. Speaker: Your Committee on Rules and Legislative Procedures has had under consideration House Rule 161.2 and recommends that it be suspended so that the following conference committee reports are eligible for consideration after March 3, 2020; we further recommend that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 1 hour, so that they may be eligible to be placed before the House for action:

Engrossed House Bills 1004 and 1207

Engrossed Senate Bills 241 and 367

LEONARD, Chair

Report adopted.

HOUSE MOTION

Mr. Speaker: I move House Rule 161.2 be suspended so that the following conference committee reports are eligible for consideration after March 3, 2020, and that House Rule 163.3 be suspended so that the following conference committee reports may be laid over on the members' desks for 1 hour, so that they may be eligible to be placed before the House for action:

Engrossed House Bills 1004 and 1207

Engrossed Senate Bills 241 and 367

LEONARD, Chair

Motion prevailed.

Representative Cherry, who had been present, is now excused.

Representative Shackleford, who had been excused, is now present.

CONFERENCE COMMITTEE REPORT
EHB 1004–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1004 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 12-15-11-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. **(a)** After a provider signs a provider agreement under this chapter, the office may not exclude the provider from participating in the Medicaid program by entering into an exclusive contract with another provider or group of providers, except as provided under section 7 of this chapter.

(b) The office or a managed care organization contracting with the office may not prohibit a provider from participating in a network of another insurer, managed care organization, or health maintenance organization.

SECTION 2. IC 16-18-2-375.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 375.5. "Weighted average negotiated charge", for purposes of IC 16-21-17 and IC 16-21-24.5, has the meaning set forth in IC 16-21-17-0.5.**

SECTION 3. IC 16-21-17-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.5. As used in this chapter, "weighted average negotiated charge" means the amount determined in STEP SIX of the following formula with respect to a particular procedure:**

STEP ONE: For each insurer with whom the hospital or an ambulatory outpatient surgical center negotiates a charge for a particular procedure, determine the percentage of the hospital's patients or the ambulatory outpatient surgical center's patients insured by the insurer in the previous calendar year rounded to a whole percentage.

STEP TWO: Multiply each percentage determined under STEP ONE by one hundred (100) and express the results as whole numbers so that the sum of the percentage points determined under STEP ONE is one hundred (100).

STEP THREE: For a particular procedure, determine the amount of the negotiated charge for the procedure for each insurer described in STEP ONE.

STEP FOUR: For each insurer described in STEP ONE, multiply the STEP THREE amount determined for a particular procedure by the result determined under STEP TWO for that insurer.

STEP FIVE: For a particular procedure, determine the sum of the amounts determined under STEP FOUR for all of the insurers described in STEP ONE with respect to that procedure.

STEP SIX: For a particular procedure, determine the quotient of:

(A) the sum determined under STEP FIVE for that procedure; divided by

(B) one hundred (100).

SECTION 4. IC 16-21-17-1, AS ADDED BY SEA 5-2020, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Not later than March 31, 2021, a hospital and an ambulatory outpatient surgical center shall post on the Internet web site of the hospital or ambulatory outpatient surgical center pricing and other information specified in this chapter for the following:

(1) For as many of the seventy (70) shoppable services specified in the final rule of the Centers for Medicare and Medicaid Services published in 84 FR 65524 that are provided by the hospital or ambulatory outpatient surgical center.

(2) In addition to the services specified in subdivision (1), the thirty (30) most common services that are provided by the hospital or ambulatory outpatient surgical center not included in subdivision (1).

(b) The following information, to the extent applicable, must be included on the Internet web site by a hospital and an ambulatory outpatient surgical center for the shoppable and common services described in subsection (a):

(1) A description of the shoppable and common service.

(2) The weighted average negotiated charge per service per provider type for each of the following categories:

(A) Any nongovernment sponsored health benefit plan or insurance plan provided by a health carrier in which the provider is in the network.

(B) Medicare, including fee for service and Medicare Advantage.

(C) Self-pay without charitable assistance from the hospital or ambulatory outpatient surgical center.

(D) Self-pay with charitable assistance from the hospital or ambulatory outpatient surgical center.

(E) Medicaid, including fee for service and risk based managed care.

SECTION 5. IC 16-21-24.5-2, AS ADDED BY SEA 5-2020, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) Not later than March 31, 2021, an urgent care facility shall post on the Internet web site of the urgent care facility pricing and other information specified in this chapter for the fifteen (15) most common services that are provided by the urgent care facility.

(b) The following information, to the extent applicable, must be included on the Internet web site by an urgent care facility for the fifteen (15) most common services described in subsection (a):

(1) The number of times each service is provided by the urgent care facility.

(2) A description of the service.

(3) The weighted average negotiated charge per service per provider type for each of the following categories:

(A) Any nongovernment sponsored health benefit plan or insurance provided by a health carrier in which the provider is in the network.

(B) Medicare, including fee for service and Medicare Advantage.

(C) Self-pay without charitable assistance from the urgent care facility.

(D) Self-pay with charitable assistance from the urgent care facility.

(E) Medicaid, including fee for service and risk based managed care.

SECTION 6. IC 25-1-9-23 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 23. (a) This section does not apply to emergency services.**

(b) As used in this section, "covered individual" means an individual who is entitled to be provided health care services at a cost established according to a network plan.

(c) As used in this section, "emergency services" means services that are:

(1) furnished by a provider qualified to furnish emergency services; and

(2) needed to evaluate or stabilize an emergency medical condition.

(d) As used in this section, "in network practitioner" means a practitioner who is required under a network plan to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

(e) As used in this section, "network plan" means a plan under which facilities and practitioners are required by contract to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

(f) As used in this section, "practitioner" means the following:

(1) An individual licensed under IC 25 who provides professional health care services to individuals in a facility.

(2) An organization:

(A) that consists of practitioners described in subdivision (1); and

(B) through which practitioners described in subdivision (1) provide health care services.

(3) An entity that:

(A) is not a facility; and

(B) employs practitioners described in subdivision (1) to provide health care services.

(g) An in network practitioner who provides covered health care services to a covered individual may not charge more for the covered health care services than allowed according to the rate or amount of compensation established by the individual's network plan.

(h) This subsection is effective beginning July 1, 2021. Except as provided in subsection (l), a practitioner shall provide to a covered individual, at least five (5) days before the health care service is scheduled to be provided to the covered individual, a good faith estimate of the amount that the practitioner intends to charge the covered individual for the health care service and in compliance with IC 25-1-9.8-14(a).

(i) An out of network practitioner who provides health care services at an in network facility to a covered individual may not be reimbursed more for the health care services than allowed according to the rate or amount of compensation established by the covered individual's network plan unless all of the following conditions are met:

(1) At least five (5) days before the health care services are scheduled to be provided to the covered individual, the practitioner provides to the covered individual, on a form separate from any other form provided to the covered individual by the practitioner, a statement in conspicuous type at least as large as 14 point type that meets the following requirements:

(A) Includes a notice reading substantially as follows: "[Name of practitioner] intends to charge you more for [name or description of health care services] than allowed according to the rate or amount of compensation established by the network plan applying to your coverage. [Name of practitioner] is not entitled to charge this much for [name or description of health care services] unless you give your written consent to the charge.".

(B) Sets forth the practitioner's good faith estimate of the amount that the practitioner intends to charge for the health care services provided to the covered individual.

(C) Includes a notice reading substantially as follows concerning the good faith estimate set forth under clause (B): "The estimate of our intended charge for [name or description of health care services] set forth in this statement is provided in good faith and is our best estimate of the amount we will charge. If our actual charge for [name or description of health care services] exceeds our estimate, we will explain to you why the charge exceeds the estimate.".

(2) The covered individual signs the statement provided under subdivision (1), signifying the covered individual's consent to the charge for the health care services being greater than allowed according to the rate or

amount of compensation established by the network plan.

(j) If an out of network practitioner does not meet the requirements of subsection (i), the out of network practitioner shall include on any bill remitted to a covered individual a written statement in 14 point type stating that the covered individual is not responsible for more than the rate or amount of compensation established by the covered individual's network plan plus any required copayment, deductible, or coinsurance.

(k) If a covered individual's network plan remits reimbursement to the covered individual for health care services subject to the reimbursement limitation of subsection (i), the network plan shall provide with the reimbursement a written statement in 14 point type that states that the covered individual is not responsible for more than the rate or amount of compensation established by the covered individual's network plan and that is included in the reimbursement plus any required copayment, deductible, or coinsurance.

(l) If the charge of a practitioner for health care services provided to a covered individual exceeds the estimate provided to the covered individual under subsection (i)(1)(B), the facility or practitioner shall explain in a writing provided to the covered individual why the charge exceeds the estimate.

(m) An in network practitioner is not required to provide a covered individual with the good faith estimate required under subsection (h) if the nonemergency health care service is scheduled to be performed by the practitioner within five (5) business days after the health care service is ordered.

(n) The department of insurance shall adopt emergency rules under IC 4-22-2-37.1 to specify the requirements of the notifications set forth in subsections (j) and (k).

SECTION 7. IC 25-1-9.8 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 9.8. Practitioner Good Faith Estimates

Sec. 1. As used in this chapter, "covered individual" means an individual who is entitled to be provided health care services according to a health carrier's network plan.

Sec. 1.5. As used in this chapter, "episode of care" means the medical care ordered to be provided for a specific medical procedure, condition, or illness.

Sec. 2. As used in this chapter, "good faith estimate" means a reasonable estimate of the price a practitioner anticipates charging for an episode of care for nonemergency health care services that:

(1) is made by a practitioner under this chapter upon the request of:

(A) the individual for whom the nonemergency health care service has been ordered; or

(B) the provider facility in which the nonemergency health care service will be provided; and

(2) is not binding upon the practitioner.

Sec. 3. (a) As used in this chapter, "health carrier" means an entity:

(1) that is subject to IC 27 and the administrative rules adopted under IC 27; and

(2) that enters into a contract to:

(A) provide health care services;

(B) deliver health care services;

(C) arrange for health care services; or

(D) pay for or reimburse any of the costs of health care services.

(b) The term includes the following:

(1) An insurer, as defined in IC 27-1-2-3(x), that issues a policy of accident and sickness insurance, as defined in IC 27-8-5-1(a).

(2) A health maintenance organization, as defined in IC 27-13-1-19.

(3) An administrator (as defined in IC 27-1-25-1(a)) that is licensed under IC 27-1-25.

(4) A state employee health plan offered under IC 5-10-8.

(5) A short term insurance plan (as defined by IC 27-8-5.9-3).

(6) Any other entity that provides a plan of health insurance, health benefits, or health care services.

(c) The term does not include:

(1) an insurer that issues a policy of accident and sickness insurance;

(2) a limited service health maintenance organization (as defined in IC 27-13-34-4); or

(3) an administrator;

that only provides coverage for, or processes claims for, dental or vision care services.

Sec. 4. As used in this chapter, "in network", when used in reference to a practitioner, means that the health care services provided by the practitioner are subject to a health carrier's network plan.

Sec. 5. (a) As used in this chapter, "network" means a group of provider facilities and practitioners that:

(1) provide health care services to covered individuals; and

(2) have agreed to, or are otherwise subject to, maximum limits on the prices for the health care services to be provided to the covered individuals.

(b) The term includes the following:

(1) A network described in subsection (a) that is established pursuant to a contract between an insurer providing coverage under a group health policy and:

(A) individual provider facilities and practitioners;

(B) a preferred provider organization; or

(C) an entity that employs or represents providers, including:

(i) an independent practice association; and

(ii) a physician-hospital organization.

(2) A health maintenance organization, as defined in IC 27-13-1-19.

Sec. 6. As used in this chapter, "network plan" means a plan of a health carrier that:

(1) requires a covered individual to receive; or

(2) creates incentives, including financial incentives, for a covered individual to receive;

health care services from one (1) or more providers that are under contract with, managed by, or owned by the health carrier.

Sec. 7. As used in this chapter, "nonemergency health care service" means a discrete service or series of services ordered by a practitioner for an episode of care for the:

(1) diagnosis;

(2) prevention;

(3) treatment;

(4) cure; or

(5) relief;

of a physical, mental, or behavioral health condition, illness, injury, or disease that is not provided on an emergency or urgent care basis.

Sec. 8. (a) As used in this chapter, "practitioner" means an individual or entity duly licensed or legally authorized to provide health care services.

(b) The term does not include the following:

(1) A dentist licensed under IC 25-14.

(2) An optometrist licensed under IC 25-24.

Sec. 8.5. As used in this chapter, "price" means the negotiated rate between the:

(1) provider facility and practitioner; and

(2) covered individual's primary health carrier.

Sec. 9. As used in this chapter, "provider" means:

(1) a provider facility; or

(2) a practitioner.

Sec. 10. (a) As used in this chapter, "provider facility" means any of the following:

(1) A hospital licensed under IC 16-21-2.

(2) An ambulatory outpatient surgery center licensed under IC 16-21-2.

(3) An abortion clinic licensed under IC 16-21-2.

(4) A birthing center licensed under IC 16-21-2.

(5) Except for an urgent care facility (as defined by IC 27-1-46-10.5), a facility that provides diagnostic services to the medical profession or the general public.

(6) A laboratory where clinical pathology tests are carried out on specimens to obtain information about the health of a patient.

(7) A facility where radiologic and electromagnetic images are made to obtain information about the health of a patient.

(8) An infusion center that administers intravenous medications.

(b) The term does not include the following:

(1) A private mental health institution licensed under IC 12-25.

(2) A Medicare certified, freestanding rehabilitation hospital.

Sec. 11. (a) This section does not apply to an individual who is a Medicaid recipient.

(b) An individual for whom a nonemergency health care service has been ordered, scheduled, or referred may request from the practitioner who may provide the nonemergency health care service a good faith estimate of the total price the practitioner will charge for providing the nonemergency health care service.

(c) A practitioner who receives a request from a patient under subsection (b) shall, not more than five (5) business days after receiving relevant information from the individual, provide to the individual a good faith estimate of the price that the practitioner will charge for providing the nonemergency health care service.

(d) A practitioner must ensure that a good faith estimate provided to an individual under this section is accompanied by a notice stating that:

(1) an estimate provided under this section is not binding on the practitioner;

(2) the price the practitioner charges the individual may vary from the estimate based on the individual's medical needs; and

(3) the estimate provided under this section is only valid for thirty (30) days.

(e) A practitioner may not charge an individual for information provided under this section.

Sec. 12. (a) If:

(1) the individual who requests a good faith estimate from a practitioner under this chapter is a covered individual with respect to a network plan; and

(2) the practitioner from which the individual requests the good faith estimate is in network with respect to the same network plan;

the good faith estimate that the practitioner provides to the individual under this chapter must be based on the negotiated price to which the practitioner has agreed as an in network provider.

(b) If the individual who requests a good faith estimate from a practitioner under this chapter:

(1) is not a covered individual with respect to any network plan; or

(2) is not a covered individual with respect to a network plan with respect to which the practitioner is in network;

the good faith estimate that the practitioner provides to the individual under this chapter must be based on the price that the practitioner charges for the nonemergency health care service in the absence of any network plan.

Sec. 13. A practitioner may provide a good faith estimate to an individual under this chapter:

(1) in a writing delivered to the individual;

(2) by electronic mail; or

(3) through a mobile application or other Internet web based method, if available;

according to the preference expressed by the individual.

Sec. 14. (a) A good faith estimate provided by a practitioner to an individual under this chapter must meet the following requirements:

(1) Provide a summary of the services and material items that the good faith estimate is based on.

(2) Include:

(A) the price charged for the services and material items that the practitioner will provide and charge the individual; and

(B) the price that the provider facility in which the health care service will be performed charged for:

(i) the use of the provider facility to care for the individual for the nonemergency health care service;

(ii) the services rendered by the staff of the provider facility in connection with the nonemergency health care service; and

(iii) medication, supplies, equipment, and material items to be provided to or used by the individual while the individual is present in the provider facility in connection with the nonemergency health care service;

for imaging, laboratory services, diagnostic services, therapy, observation services, and other services expected to be provided to the individual for the episode of care.

(3) Include a total figure that is a sum of the estimated prices referred to in subdivisions (1) and (2).

(b) Subsection (a) does not prohibit a practitioner from providing to an individual a good faith estimate that

indicates how much of the total figure stated under subsection (a)(2) will be the individual's out-of-pocket expense after the health carrier's payment of charges.

(c) A health carrier and a provider facility must provide a practitioner with the information needed by the practitioner to comply with the requirements under this chapter not more than two (2) business days after receiving the request. The provider facility shall provide the practitioner with all relevant information for services and costs for the good faith estimate that are to be provided by the provider facility for inclusion in a good faith estimate by the practitioner.

(d) A practitioner is not subject to the penalties under section 19 of this chapter if:

(1) a health carrier or provider facility fails to provide the practitioner with the information as required under subsection (c);

(2) the practitioner provides the individual with a good faith estimate based on any information that the practitioner has; and

(3) the practitioner provides the individual with an updated good faith estimate after the health carrier or provider facility has provided the information required under subsection (c).

Sec. 15. If:

(1) a practitioner is expected to provide a nonemergency health care service to an individual in a provider facility; and

(2) the provider facility receives a request from an individual for a good faith estimate under IC 27-1-46;

the practitioner, upon request from the provider facility, shall provide to the provider facility a good faith estimate of the practitioner's price for providing the nonemergency health care service to enable the provider facility to comply with IC 27-1-46-11.

Sec. 16. (a) A practitioner that has ordered the individual for a nonemergency health care service shall provide to the individual an electronic or paper copy of a written notice that states the following, or words to the same effect: "A patient may at any time ask a health care provider for an estimate of the price the health care providers and health facility will charge for providing a nonemergency medical service. The law requires that the estimate be provided within 5 business days.".

(b) The appropriate board (as defined in IC 25-1-9-1) may adopt rules under IC 4-22-2 to establish requirements for practitioners to provide additional charging information under this section.

Sec. 17. If:

(1) a practitioner receives a request for a good faith estimate under this chapter; and

(2) the patient is eligible for Medicare coverage;

the practitioner shall provide a good faith estimate to the patient within five (5) business days based on available Medicare rates.

Sec. 18. (a) As used in this section, "waiting room" means a space in a building used by a practitioner in which people check in or register to:

(1) be seen by practitioners; or

(2) meet with members of the staff of a practitioner's office.

(b) A practitioner shall ensure that each waiting room of the practitioner's office includes at least one (1) printed notice that:

(1) is designed, lettered, and positioned within the waiting room so as to be conspicuous to and readable by any individual with normal vision who visits the waiting room; and

(2) states the following, or words to the same effect: "A patient may ask for an estimate of the amount the patient will be charged for a nonemergency medical service provided in this practitioner office. The law requires that an estimate be provided within 5 business days.".

(c) If a practitioner maintains an Internet web site, the practitioner shall ensure that the Internet web site includes at least one (1) printed notice that:

(1) is designed, lettered, and featured on the Internet web site so as to be conspicuous to and readable by any individual with normal vision who visits the Internet web site; and

(2) states the following, or words to the same effect: "A patient may ask for an estimate of the amount the patient will be charged for a nonemergency medical service provided in our office. The law requires that an estimate be provided within 5 business days.".

Sec. 19. The appropriate board (as defined in IC 25-1-9-1) may take action against a practitioner:

(1) under IC 25-1-9-9(a)(3) or IC 25-1-9-9(a)(4) for an initial violation or isolated violations of this chapter; or

(2) under IC 25-1-9-9(a)(6) for repeated or persistent violations of this chapter;

concerning the providing of a good faith estimate to an individual for whom a nonemergency health care service has been ordered or the providing of notice in the practitioner's waiting room or on the practitioner's Internet web site that a patient may at any time ask for an estimate of the price that the patient will be charged for a medical service.

SECTION 8. IC 25-22.5-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 5.5. Physician Noncompete Agreements

Sec. 1. This chapter applies to physician noncompete agreements originally entered into on or after July 1, 2020.

Sec. 2. To be enforceable, a physician noncompete agreement must include all of the following provisions:

(1) A provision that requires the employer of the physician to provide the physician with a copy of any notice that:

(A) concerns the physician's departure from the employer; and

(B) was sent to any patient seen or treated by the physician during the two (2) year period preceding the termination of the physician's employment or the expiration of the physician's contract. Provided, however, the patient names and contact information be redacted from the copy of the notice provided from the employer of the physician to the physician.

(2) A provision that requires the physician's employer to, in good faith, provide the physician's last known or current contact and location information to a patient who:

(A) requests updated contact and location information for the physician; and

(B) was seen or treated by the physician during the two (2)

year period preceding the termination of the physician's employment or the expiration of the physician's contract.

(3) A provision that provides the physician with:

(A) access to; or

(B) copies of;

any medical record associated with a patient described in subdivision (1) or (2) upon receipt of the patient's consent.

(4) A provision that provides the physician whose employment has terminated or whose contract has expired with the option to purchase a complete and final release from the terms of the enforceable physician noncompete agreement at a reasonable price. However, in the event the physician elects not to exercise the purchase option, then the option to purchase provision may not be used in any manner to restrict, bar, or otherwise limit the employer's equitable remedies, including the employer's enforcement of the physician noncompete agreement.

(5) A provision that prohibits the providing of patient medical records to a requesting physician in a format that materially differs from the format used to create or store the medical record during the routine or ordinary course of business, unless a different format is mutually agreed upon by the parties. Paper or portable document format copies of the medical records satisfy the formatting provisions of this chapter.

Sec. 3. A person or entity required to create, copy, or transfer a patient medical record for a reason specified in this chapter may charge a reasonable fee for the service as permitted under applicable state or federal law.

Sec. 4. Nothing in this chapter shall be construed to prohibit, limit, impair, or abrogate:

(1) the ability of the parties to negotiate any other term not specified under this chapter; or

(2) any other right, remedy, or relief permitted by law or in equity.

SECTION 9. IC 25-22.5-17 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 17. Physician's Patient Information

Sec. 1. If a physician licensed under this article leaves the employment of an employer, the following apply:

(1) The employer of the physician must provide the physician with a copy of any notice that:

(A) concerns the physician's departure from the employer; and

(B) was sent to any patient seen or treated by the physician during the two (2) year period preceding the termination of the physician's employment or the expiration of the physician's contract. However, the patient names and contact information must be redacted from the copy of the notice provided from the employer of the physician to the physician.

(2) The physician's employer must, in good faith, provide the physician's last known or current contact and location information to a patient who:

(A) requests updated contact and location information for the physician; and

(B) was seen or treated by the physician during the two (2) year period preceding the termination of the physician's employment or the expiration of the physician's contract.

(3) The physician's employer must provide the physician with:

(A) access to; or

(B) copies of;

any medical record associated with a patient described in subdivision (1) or (2) upon receipt of the patient's consent.

(4) The physician's employer may not provide patient medical records to a requesting physician in a format that materially differs from the format used to create or store the medical record during the routine or ordinary course of business, unless a different format is mutually agreed upon by the parties. Paper or portable document format copies of the medical records satisfy the formatting provisions of this chapter.

Sec. 2. A person or entity required to create, copy, or transfer a patient medical record for a reason specified in this chapter may charge a reasonable fee for the service as permitted under applicable state or federal law.

SECTION 10. IC 27-1-37-7, AS ADDED BY SEA 5-2020, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) This section applies to health provider contracts ~~beginning July 1, 2020.~~ **entered into or renewed after June 30, 2020.**

(b) A health provider contract, including a contract with a pharmacy benefit manager or a health facility, may not contain a provision that prohibits the disclosure of health care service claims data to employers providing the coverage. However, any disclosure of claims data must comply with health privacy laws, including the federal Health Insurance Portability and Accountability Act (HIPAA) (P.L. 104-191).

(c) A violation of this section constitutes an unfair or deceptive act or practice in the business of insurance under IC 27-4-1-4.

SECTION 11. IC 27-1-45 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 45. Health Facility Compensation

Sec. 0.5. This chapter does not apply to emergency services.

Sec. 1. As used in this chapter, "covered individual" means an individual who is entitled to be provided health care services at a cost established according to a network plan.

Sec. 1.5. As used in this chapter, "emergency services" means services that are:

(1) furnished by a provider qualified to furnish emergency services; and

(2) needed to evaluate or stabilize an emergency medical condition.

Sec. 2. (a) As used in this chapter, "facility" means an institution in which health care services are provided to individuals. The term includes:

(1) hospitals and other licensed ambulatory surgical centers; and

(2) ambulatory outpatient surgical centers.

(b) The term does not include the following:

(1) A private mental health institution licensed under IC 12-25.
(2) A Medicare certified, freestanding rehabilitation hospital.

Sec. 3. As used in this chapter, "in network provider" means a provider that is required under a network plan to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

Sec. 4. As used in this chapter, "network plan" means a plan under which providers are required by contract to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

Sec. 5. As used in this chapter, "practitioner" means the following:
(1) An individual licensed under IC 25 who provides professional health care services to individuals in a facility.
(2) An organization:
(A) that consists of practitioners described in subdivision (1); and
(B) through which practitioners described in subdivision (1) provide health care services.
(3) An entity that:
(A) is not a facility; and
(B) employs practitioners described in subdivision (1) to provide health care services.

Sec. 6. As used in this chapter, "provider" means:
(1) a facility; or
(2) a practitioner.

Sec. 7. (a) This section is effective beginning July 1, 2021.

(b) Except as provided in subsection (c), a:
(1) facility; and
(2) practitioner;
shall provide to a covered individual, at least five (5) days before a health care service is scheduled to be provided by the facility or practitioner to the covered individual, a good faith estimate of the amount that the facility or practitioner intends to charge for each health care service to be provided to the covered individual and in compliance with IC 27-1-46-11(c).

(c) A facility or a practitioner is not required to provide the good faith estimate required in subsection (b) if the health care service to be provided to the covered individual is scheduled to be performed within five (5) business days after the health care service is ordered.

Sec. 8. (a) An out of network practitioner who provides health care services at an in network facility to a covered individual may not be reimbursed more for the health care services than allowed according to the rate or amount of compensation established by the covered individual's network plan as described in subsection (b) unless all of the following conditions are met:
(1) At least five (5) days before the health care services are scheduled to be provided to the covered individual, the facility or practitioner provides to the covered individual, on a form separate from any other form provided to the covered individual by the facility or practitioner, a statement in conspicuous type at least as large as 14 point type that meets the following requirements:
(A) Includes a notice reading substantially as follows: "[Name of facility or practitioner] intends to charge you more for [name or description of health care services] than allowed according to the rate or amount of compensation established by the network plan applying to your coverage. [Name of facility or practitioner] is not entitled to charge this much for [name or description of health care services] unless you give your written consent to the charge.".
(B) Sets forth the facility's or practitioner's good faith estimate of the amount that the facility or practitioner intends to charge for the health care services provided to the covered individual.
(C) Includes a notice reading substantially as follows concerning the good faith estimate set forth under clause (B): "The estimate of our intended charge for [name or description of health care services] set forth in this statement is provided in good faith and is our best estimate of the amount we will charge. If our actual charge for [name or description of health care services] exceeds our estimate, we will explain to you why the charge exceeds the estimate.".
(2) The covered individual signs the statement provided under subdivision (1), signifying the covered individual's consent to the charge for the health care services being greater than allowed according to the rate or amount of compensation established by the network plan.

(b) If an out of network practitioner does not meet the requirements of subsection (a), the out of network practitioner shall include on any bill remitted to a covered individual a written statement in 14 point type stating that the covered individual is not responsible for more than the rate or amount of compensation established by the covered individual's network plan plus any required copayment, deductible, or coinsurance.

(c) If a covered individual's network plan remits reimbursement to the covered individual for health care services subject to the reimbursement limitation of subsection (a), the network plan shall provide with the reimbursement a written statement in 14 point type that states that the covered individual is not responsible for more than the rate or amount of compensation established by the covered individual's network plan and that is included in the reimbursement plus any required copayment, deductible, or coinsurance.

(d) If the charge of a facility or practitioner for health care services provided to a covered individual exceeds the estimate provided to the covered individual under subsection (a)(1)(B), the facility or practitioner shall explain in a writing provided to the covered individual why the charge exceeds the estimate.

(e) The department shall adopt emergency rules under IC 4-22-2-37.1 to specify the requirements of the notifications set forth in:
(1) subsections (b) and (c); and
(2) IC 25-1-9-23(j) and IC 25-1-9-23(k).

Sec. 9. (a) The insurance commissioner may, after notice and hearing under IC 4-21.5, impose on the provider facility a civil penalty of not more than one thousand dollars ($1,000) for each violation of this chapter.

(b) A civil penalty collected under this section shall be deposited in the department of insurance fund established by IC 27-1-3-28.

SECTION 12. IC 27-1-46 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 46. Provider Facility Good Faith Estimates

Sec. 0.5. Nothing in this chapter prohibits:

(1) a self-funded health benefit plan that complies with the federal Employee Retirement Income Security Act (ERISA) of 1974 (29 U.S.C. 1001 et seq.); or

(2) a:

(A) self-insurance program established to provide group health coverage as described in IC 5-10-8-7(b); or

(B) a contract for health services as described in IC 5-10-8-7(c);

from providing information requested by a practitioner or provider facility under this chapter.

Sec. 1. As used in this chapter, "covered individual" means an individual who is entitled to be provided health care services according to a health carrier's network plan.

Sec. 1.5. As used in this chapter, "episode of care" means the medical care ordered to be provided for a specific medical procedure, condition, or illness.

Sec. 2. As used in this chapter, "good faith estimate" means a reasonable estimate of the price a provider anticipates charging for an episode of care for nonemergency health care services that:

(1) is made by a provider under this chapter upon the request of the individual for whom the nonemergency health care service has been ordered; and

(2) is not binding upon the provider.

Sec. 3. (a) As used in this chapter, "health carrier" means an entity:

(1) that is subject to IC 27 and the administrative rules adopted under IC 27; and

(2) that enters into a contract to:

(A) provide health care services;

(B) deliver health care services;

(C) arrange for health care services; or

(D) pay for or reimburse any of the costs of health care services.

(b) The term includes the following:

(1) An insurer, as defined in IC 27-1-2-3(x), that issues a policy of accident and sickness insurance, as defined in IC 27-8-5-1(a).

(2) A health maintenance organization, as defined in IC 27-13-1-19.

(3) An administrator (as defined in IC 27-1-25-1(a)) that is licensed under IC 27-1-25.

(4) A state employee health plan offered under IC 5-10-8.

(5) A short term insurance plan (as defined by IC 27-8-5.9-3).

(6) Any other entity that provides a plan of health insurance, health benefits, or health care services.

(c) The term does not include:

(1) an insurer that issues a policy of accident and sickness insurance;

(2) a limited service health maintenance organization (as defined in IC 27-13-34-4); or

(3) an administrator; that only provides coverage for, or processes claims for, dental or vision care services.

Sec. 4. As used in this chapter, "in network", when used in reference to a provider, means that the health care services provided by the provider are subject to a health carrier's network plan.

Sec. 5. (a) As used in this chapter, "network" means a group of provider facilities and practitioners that:

(1) provide health care services to covered individuals; and

(2) have agreed to, or are otherwise subject to, maximum limits on the prices for the health care services to be provided to the covered individuals.

(b) The term includes the following:

(1) A network described in subsection (a) that is established pursuant to a contract between an insurer providing coverage under a group health policy and:

(A) individual provider facilities and practitioners;

(B) a preferred provider organization; or

(C) an entity that employs or represents providers, including:

(i) an independent practice association; and

(ii) a physician-hospital organization.

(2) A health maintenance organization, as defined in IC 27-13-1-19.

Sec. 6. As used in this chapter, "network plan" means a plan of a health carrier that:

(1) requires a covered individual to receive; or

(2) creates incentives, including financial incentives, for a covered individual to receive;

health care services from one (1) or more providers that are under contract with, managed by, or owned by the health carrier.

Sec. 7. As used in this chapter, "nonemergency health care service" means a discrete service or series of services ordered by a practitioner for an episode of care for the purpose of:

(1) diagnosis;

(2) prevention;

(3) treatment;

(4) cure; or

(5) relief;

of a physical, mental, or behavioral health condition, illness, injury, or disease that is not provided on an emergency or urgent care basis.

Sec. 8. (a) As used in this chapter, "practitioner" means an individual or entity duly licensed or legally authorized to provide health care services.

(b) The term does not include the following:

(1) A dentist licensed under IC 25-14.

(2) An optometrist licensed under IC 25-24.

Sec. 8.5. As used in this chapter, "price" means the negotiated rate between the:

(1) provider facility and practitioner; and

(2) covered individual's primary health carrier.

Sec. 9. As used in this chapter, "provider" means:

(1) a provider facility; or

(2) a practitioner.

Sec. 10. (a) As used in this chapter, "provider facility"means any of the following:

(1) A hospital licensed under IC 16-21-2.

(2) An ambulatory outpatient surgery center licensed under IC 16-21-2.
(3) An abortion clinic licensed under IC 16-21-2.
(4) A birthing center licensed under IC 16-21-2.
(5) Except for an urgent care facility, a facility that provides diagnostic services to the medical profession or the general public, including outpatient facilities.
(6) A laboratory where clinical pathology tests are carried out on specimens to obtain information about the health of a patient.
(7) A facility where radiologic and electromagnetic images are made to obtain information about the health of a patient.
(8) An infusion center that administers intravenous medications.

(b) The term does not include the following:
(1) A private mental health institution licensed under IC 12-25.
(2) A Medicare certified, freestanding rehabilitation hospital.

Sec. 10.5. (a) As used in this chapter, "urgent care facility" means a freestanding health care facility that offers episodic, walk-in care for the treatment of acute, but not life threatening, health conditions.

(b) The term does not include an emergency department of a hospital or a nonprofit or government operated health clinic.

Sec. 11. (a) This section does not:
(1) apply to a individual who is a Medicaid recipient; or
(2) limit the authority of a legal representative of the patient.

(b) An individual for whom a nonemergency health care service has been ordered, scheduled, or referred may request from the provider facility in which the nonemergency health care service will be provided a good faith estimate of the price that will be charged for the nonemergency health care service.

(c) A provider facility that receives a request from an individual under subsection (b) shall, not more than five (5) business days after receiving relevant information from the individual, provide to the individual a good faith estimate of:
(1) the price that the provider facility in which the health care service will be performed will charge for:
(A) the use of the provider facility to care for the individual for the nonemergency health care service;
(B) the services rendered by the staff of the provider facility in connection with the nonemergency health care service; and
(C) medication, supplies, equipment, and material items to be provided to or used by the individual while the individual is present in the provider facility in connection with the nonemergency health care service; and
(2) the price charged for the services of all practitioners, support staff, and other persons who provide professional health services:
(A) who may provide services to or for the individual during the individual's presence in the provider facility for the nonemergency health care service; and
(B) for whose services the individual will be charged separately from the charge of the provider facility.

(d) The price that must be included in a good faith estimate under this section includes all services under subsection (c)(1) or (c)(2) for imaging, laboratory services, diagnostic services, therapy, observation services, and other services expected to be provided to the individual for the episode of care.

(e) A provider facility shall ensure that a good faith estimate states that:
(1) an estimate provided under this section is not binding on the provider facility;
(2) the price the provider facility charges the individual may vary from the estimate based on the individual's medical needs; and
(3) the estimate provided under this section is only valid for thirty (30) days.

(f) A provider facility may not charge a patient for information provided under this section.

Sec. 12. (a) If:
(1) the individual who requests a good faith estimate from a provider facility under this chapter and has been verified as a covered individual with respect to a network plan; and
(2) the provider facility from which the individual requests the good faith estimate is in network with respect to the same network plan;
the good faith estimate that the provider facility provides to the individual under this chapter must be based on the price to which the provider facility and any practitioners referred to in section 11(c)(2) of this chapter have agreed as in network providers.

(b) If the individual who requests a good faith estimate from a provider facility under this chapter:
(1) is not a covered individual with respect to any network plan; or
(2) is not a covered individual with respect to a network plan with respect to which the provider facility is in network;
the good faith estimate that the provider facility provides to the individual under this chapter must be based on the price that the provider facility and any practitioners referred to in section 11(c)(2) of this chapter charge for the nonemergency health care services in the absence of any network plan.

Sec. 13. A provider facility may provide a good faith estimate to an individual under this chapter:
(1) in a writing delivered to the individual;
(2) by electronic mail; or
(3) through a mobile application or other Internet web based method, if available;
according to the preference expressed by the individual.

Sec. 14. (a) A good faith estimate provided by a provider facility to an individual under this chapter must:
(1) provide a summary of the services and material items that the good faith estimate is based on; and
(2) include a total figure that is a sum of the estimated prices referred to in subdivision (1).

(b) Subsection (a) does not prohibit a provider facility from providing to an individual a good faith estimate that indicates how much of the total figure stated under

subsection (a)(2) will be the individual's out-of-pocket expense after the health carrier's payment of charges.

(c) A health carrier or practitioner must provide a provider facility with the information needed by the provider facility to comply with the requirements under this chapter not more than two (2) business days after receiving the request.

(d) A provider facility is not subject to the penalties under section 17 of this chapter if:

(1) a health carrier or practitioner fails to provide the provider facility with the information as required under subsection (c);

(2) the provider facility provides the individual with a good faith estimate based on any information that the provider facility has; and

(3) the provider facility provides the individual with an updated good faith estimate after the health carrier or practitioner has provided the information required under subsection (c).

Sec. 15. (a) As used in this section, "waiting room" means a space in a building used by a provider facility in which people check in or register to:

(1) be seen by practitioners; or

(2) meet with members of the staff of the provider facility.

(b) A provider facility shall ensure that each waiting room of the provider facility includes at least one (1) printed notice that:

(1) is designed, lettered, and positioned within the waiting room so as to be conspicuous to and readable by any individual with normal vision who visits the waiting room; and

(2) states the following, or words to the same effect: "A patient may ask for an estimate of the amount the patient will be charged for a nonemergency medical service provided in this facility. The law requires that an estimate be provided within 5 business days.".

(c) If a provider facility maintains an Internet web site, the provider facility shall ensure that the Internet web site includes at least one (1) printed notice that:

(1) is designed, lettered, and featured on the Internet web site so as to be conspicuous to and readable by any individual with normal vision who visits the Internet web site; and

(2) states the following, or words to the same effect: "A patient may ask for an estimate of the amount the patient will be charged for a nonemergency medical service provided in our facility. The law requires that an estimate be provided within 5 business days.".

Sec. 16. If:

(1) a provider facility receives a request for a good faith estimate under this chapter; and

(2) the patient is eligible for Medicare coverage;

the provider facility shall provide a good faith estimate to the patient within five (5) business days based on available Medicare rates.

Sec. 17. (a) If a provider facility fails or refuses:

(1) to provide a good faith estimate as required by this chapter; or

(2) to provide notice on the provider facility's Internet web site as required under this chapter;

the insurance commissioner may, after notice and hearing under IC 4-21.5, impose on the provider facility a civil penalty of not more than one thousand dollars ($1,000) for each violation.

(b) A civil penalty collected under this section shall be deposited in the department of insurance fund established by IC 27-1-3-28.

SECTION 13. IC 27-2-25 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 25. Health Carrier Good Faith Estimates

Sec. 0.5. Nothing in this chapter prohibits:

(1) a self-funded health benefit plan that complies with the federal Employee Retirement Income Security Act (ERISA) of 1974 (29 U.S.C. 1001 et seq.); or

(2) a:

(A) self-insurance program established to provide group health coverage as described in IC 5-10-8-7(b); or

(B) contract for health services, as described in IC 5-10-8-7(c);

from providing information requested by a practitioner or provider facility under this chapter.

Sec. 1. As used in this chapter, "coverage" means the right of an individual to receive:

(1) health care services; or

(2) payment or reimbursement for health care services;

from a health carrier.

Sec. 2. As used in this chapter, "covered individual" means an individual who is entitled to coverage from a health carrier.

Sec. 2.5. As used in this chapter, "episode of care" means the medical care ordered to be provided for a specific medical procedure, condition, or illness.

Sec. 3. As used in this chapter, "good faith estimate" means a health carrier's reasonable estimate of:

(1) the amount of the cost of a nonemergency health care service that the health carrier will:

(A) pay for; or

(B) reimburse to;

a covered individual; or

(2) the applicable benefit limitations of the nonemergency health care service a covered individual is entitled to receive;

that a health carrier provides upon request to a covered individual for whom a nonemergency health care service has been ordered.

Sec. 4. (a) As used in this chapter, "health carrier" means an entity:

(1) that is subject to this title and the administrative rules adopted under this title; and

(2) that enters into a contract to:

(A) provide health care services;

(B) deliver health care services;

(C) arrange for health care services; or

(D) pay for or reimburse any of the costs of health care services.

(b) The term includes the following:

(1) An insurer, as defined in IC 27-1-2-3(x), that issues a policy of accident and sickness insurance, as defined in IC 27-8-5-1(a).

(2) A health maintenance organization, as defined in IC 27-13-1-19.

(3) An administrator (as defined in IC 27-1-25-1(a)) that is licensed under IC 27-1-25.

(4) A state employee health plan offered under IC 5-10-8.
(5) A short term insurance plan (as defined by IC 27-8-5.9-3).
(6) Any other entity that provides a plan of health insurance, health benefits, or health care services.

(c) The term does not include:
(1) an insurer that issues a policy of accident and sickness insurance;
(2) a limited service health maintenance organization (as defined in IC 27-13-34-4); or
(3) an administrator;
that only provides coverage for, or processes claims for, dental or vision care services.

Sec. 5. As used in this chapter, "in network", when used in reference to a practitioner, means that the health care services provided by the practitioner are subject to a health carrier's network plan.

Sec. 6. (a) As used in this chapter, "network" means a group of provider facilities and practitioners that:
(1) provide health care services to covered individuals; and
(2) have agreed to, or are otherwise subject to, maximum limits on the prices for the health care services to be provided to the covered individuals.

(b) The term includes the following:
(1) A network described in subsection (a) that is established pursuant to a contract between an insurer providing coverage under a group health policy and:
(A) individual provider facilities and practitioners;
(B) a preferred provider organization; or
(C) an entity that employs or represents providers, including:
(i) an independent practice association; and
(ii) a physician-hospital organization.
(2) A health maintenance organization, as defined in IC 27-13-1-19.

Sec. 7. As used in this chapter, "network plan" means a plan of a health carrier that:
(1) requires a covered individual to receive; or
(2) creates incentives, including financial incentives, for a covered individual to receive;
health care services from one (1) or more providers that are under contract with, managed by, or owned by the health carrier.

Sec. 8. As used in this chapter, "nonemergency health care service" means a discrete service or series of services ordered by a practitioner for an episode of care for the:
(1) diagnosis;
(2) prevention;
(3) treatment;
(4) cure; or
(5) relief;
of a physical, mental, or behavioral health condition, illness, injury, or disease that is not provided on an emergency or urgent care basis.

Sec. 9. (a) As used in this chapter, "practitioner" means an individual or entity duly licensed or legally authorized to provide health care services.

(b) The term does not include the following:
(1) A dentist licensed under IC 25-14.
(2) An optometrist licensed under IC 25-24.

Sec. 9.5. As used in this chapter, "price" means the negotiated rate between the:
(1) provider facility and practitioner; and
(2) covered individual's primary health carrier;
minus the amount that the health carrier will pay.

Sec. 10. As used in this chapter, "provider" means:
(1) a provider facility; or
(2) a practitioner.

Sec. 11. As used in this chapter, "provider facility"means any of the following:
(1) A hospital licensed under IC 16-21-2.
(2) An ambulatory outpatient surgery center licensed under IC 16-21-2.
(3) An abortion clinic licensed under IC 16-21-2.
(4) A birthing center licensed under IC 16-21-2.
(5) Except for an urgent care facility (as defined by IC 27-1-46-10.5), a facility that provides diagnostic services to the medical profession or the general public.
(6) A laboratory where clinical pathology tests are carried out on specimens to obtain information about the health of a patient.
(7) A facility where radiologic and electromagnetic images are made to obtain information about the health of a patient.
(8) An infusion center that administers intravenous medications.

Sec. 12. (a) A covered individual may request from the health carrier a good faith estimate of:
(1) the amount of the cost of the nonemergency health care service that the health carrier will:
(A) pay for; or
(B) reimburse to;
the covered individual; or
(2) the applicable benefit limitations of the ordered nonemergency health care service a covered individual is entitled to receive from the health carrier.

(b) If:
(1) a health carrier provides coverage to a covered individual through a network plan; and
(2) the health carrier receives a request for a good faith estimate from a covered individual for whom a nonemergency health care service has been ordered;
the health carrier shall inform the covered individual whether the provider facility in which the nonemergency health care service will be provided is in network and whether each scheduled practitioner who may provide the nonemergency health care service is in network.

(c) A health carrier that receives a request from a covered individual patient under subsection (b) shall, not more than five (5) business days after receiving relevant information, provide to the individual a good faith estimate as described in section 14 of this chapter.

(d) A health carrier must ensure that a good faith estimate states that the estimate provided under this section is only valid for thirty (30) days and that:
(1) the amount that the health carrier will:
(A) pay; or
(B) reimburse;
for or to the covered individual for the nonemergency health care services the individual receives; and

(2) the applicable benefit limitations of the nonemergency health care services the individual will receive;

may vary from the health carrier's good faith estimate based on the individual's medical needs.

(e) A health carrier may not charge an individual for information provided under this section.

(f) A practitioner and provider facility shall provide a health carrier with the information needed by the health carrier to comply with the requirements under this chapter not more than two (2) business days after receiving the request.

Sec. 13. A health carrier may provide a good faith estimate to an individual under this chapter:

(1) in a writing delivered to the individual;

(2) by electronic mail; or

(3) through a mobile application or other Internet web based method, if available;

according to the preference expressed by the individual.

Sec. 14. (a) A good faith estimate provided by a health carrier to an individual under this chapter must:

(1) in the case of an insurer or another health carrier that pays or reimburses the cost of health care services:

(A) provide a summary of the services and material items that the good faith estimate is based on;

(B) include a total figure that is a sum of the amounts referred to in clause (A); and

(C) state the out-of-pocket costs the covered individual will incur, if any, beyond the amount that the health carrier will pay or reimburse; and

(2) in the case of a health maintenance organization or another health carrier that provides health care services:

(A) provide a summary of the applicable benefit limitations of the health care services to which the covered individual is entitled; and

(B) state the out-of-pocket costs the covered individual will incur, if any, beyond being provided the health care services referred to in clause (A).

(b) A practitioner and provider facility shall provide a health carrier with the information needed by the health carrier to comply with the requirements under this chapter not more than two (2) business days after receiving the request.

(c) A health carrier is not subject to the penalties under section 16 of this chapter if:

(1) a provider facility or practitioner fails to provide the health carrier with the information as required under subsection (b);

(2) the health carrier provides the individual with a good faith estimate based on any information that the health carrier has; and

(3) the health carrier provides the individual with an updated good faith estimate after the provider facility or practitioner has provided the information required under subsection (b).

Sec. 15. A health carrier that provides an Internet web site for the use of its covered individuals shall ensure that the Internet web site includes a printed notice that:

(1) is designed, lettered, and featured on the Internet web site so as to be conspicuous to and readable by any individual with normal vision who visits the Internet web site; and

(2) states the following, or words to the same effect: "A covered individual may at any time ask the health carrier for an estimate of the amount the health carrier will pay for or reimburse to a covered individual for nonemergency health care services that have been ordered for the covered individual or the applicable benefit limitations of the ordered nonemergency health care services a covered individual is entitled to receive from the health carrier. The law requires that an estimate be provided within 5 business days.".

Sec. 16. (a) If a health carrier fails or refuses:

(1) to provide a good faith estimate as required by this chapter; or

(2) to provide notice on the health carrier's Internet web site as required by section 15 of this chapter;

the insurance commissioner may, after notice and hearing under IC 4-21.5, impose on the health carrier a civil penalty of not more than one thousand dollars ($1,000) for each day of noncompliance.

(b) A civil penalty collected under this section shall be deposited in the department of insurance fund established by IC 27-1-3-28.

(Reference is to EHB 1004 as reprinted March 3, 2020.)

SMALTZ	CHARBONNEAU
SCHAIBLEY	BREAUX
House Conferees	Senate Conferees

Roll Call 397: yeas 59, nays 32. Report adopted.

CONFERENCE COMMITTEE REPORT
EHB 1207–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed Senate Amendments to Engrossed House Bill 1207 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 5-10-8-20, AS ADDED BY P.L.209-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20. (a) As used in this section, "covered individual" means an individual entitled to coverage under a state employee plan.

(b) As used in this section, "drug" means a prescription drug.

(c) As used in this section, "pharmacy" refers to a pharmacist or pharmacy that has entered into an agreement with a state employee plan to provide drugs to individuals covered under a state employee plan.

(d) As used in this section, "state employee plan" refers to the following that provide coverage for drugs:

(1) A self-insurance program established under section 7(b) of this chapter to provide group health coverage.

(2) A contract with a prepaid health care delivery plan that is entered into or renewed under section 7(c) of this chapter.

The term includes a person that administers drug benefits on behalf of a state employee plan.

(e) A pharmacy or pharmacist shall have the right to provide a covered individual with information concerning the amount of the covered individual's cost share for a prescription drug. Neither a pharmacy nor a pharmacist shall be proscribed by a pharmacy benefits manager from discussing this information or from selling to the covered individual a more affordable alternative if an affordable alternative is available.

(f) A pharmacy benefits manager that covers prescription drugs may not include a provision that requires a covered individual to make payment for a prescription drug at the point of sale in an amount that exceeds the lesser of:

(1) the contracted copayment amount; or

(2) the amount of total approved charges by the pharmacy benefits manager at the point of sale.

This subsection does not prohibit the adjudication of claims in accordance with the state employee plan administered by a pharmacy benefits manager. The covered individual is not liable for any additional charges or entitled to any credits as a result of the adjudicated claim.

(g) The state employee plan or a pharmacy benefits manager may not require a pharmacy or pharmacist to collect a higher copayment for a prescription drug from a covered individual than the state employee plan or pharmacy benefits manager allows the pharmacy or pharmacist to retain.

SECTION 2. IC 5-10-8-22.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 22.5. (a) As used in this section, "covered individual" means an individual who is entitled to coverage under a state employee health plan.**

(b) As used in this section, "state employee health plan" means the following:

(1) A self-insurance program established under section 7(b) of this chapter.

(2) A contract for prepaid health services under section 7(c) of this chapter.

(c) A state employee health plan shall implement a procedure to allow a covered individual to submit a claim to offset the covered individual's deductible for the cost of a purchase by the covered individual of a prescription drug that:

(1) is covered under the state employee health plan; and

(2) was purchased by the covered individual without submitting at the point of purchase the claim through the state employee health plan.

(d) If a covered individual submits a claim to the state employee health plan in accordance with the procedure established under subsection (c), the state employee health plan shall verify the purchase described under subsection (c) and count the amount paid by the covered individual for the purchased covered prescription drug against the covered individual's deductible.

SECTION 3. IC 16-18-2-338.3, AS ADDED BY P.L.32-2015, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 338.3. **(a)** "Standing order", for purposes of IC 16-31 and IC 16-42-27, means:

(1) a written order; or

(2) an order transmitted by other means of communication;

that is prepared by a person authorized to write a prescription for the distribution and administration of an overdose intervention drug, including any actions and interventions to be used in order to ensure timely access to treatment.

(b) "Standing order", for purposes of IC 16-41-43, means:

(1) a written order; or

(2) an order transmitted by other means of communication;

that is prepared by a person authorized to write a prescription for the distribution and administration of auto-injectable epinephrine, including any actions and interventions to be used in order to ensure timely access to treatment.

SECTION 4. IC 16-41-43-2.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.3. (a) A pharmacist may, by standing order, dispense auto-injectable epinephrine without examining the individual to whom it may be administered if all of the following conditions are met:**

(1) The auto-injectable epinephrine is dispensed to a person who:

(A) presents a certificate of completion issued under section 2.5(c) of this chapter to the pharmacist before the auto-injectable epinephrine is dispensed; and

(B) is an individual who is or may be in a position to assist an individual who is at risk of experiencing anaphylaxis.

(2) The pharmacist provides instruction concerning how to properly administer auto-injectable epinephrine from the specific device being dispensed at the time of the device's dispensing.

(3) The pharmacist instructs the individual receiving the auto-injectable epinephrine to summon emergency medical services either immediately before or immediately after administering the auto-injectable epinephrine to an individual experiencing anaphylaxis.

(b) A person wishing to receive auto-injectable epinephrine by standing order must do the following:

(1) Successfully complete the course described in section 2.5(a) of this chapter.

(2) Present a certificate of completion issued under section 2.5(c) of this chapter to a pharmacist at the time the auto-injectable epinephrine is requested.

(c) An individual described in subsection (a)(1) may administer auto-injectable epinephrine to an individual that the person reasonably believes is experiencing anaphylaxis.

(d) An individual described in subsection (a)(1) may not be considered to be practicing medicine without a license in violation of IC 25-22.5-8-2 if the individual, acting in good faith:

(1) obtains auto-injectable epinephrine from a pharmacist by standing order;

(2) administers auto-injectable epinephrine to an individual that the person reasonably believes is experiencing anaphylaxis in a manner that is consistent with:

(A) the training provided during the course described in section 2.5(a) of this chapter; or

(B) the instruction provided to the person by a pharmacist at the time the auto-injectable epinephrine was dispensed; and

(3) attempts to summon emergency medical services either immediately before or immediately after administering the auto-injectable epinephrine.

(e) The state department shall ensure that a statewide standing order for the dispensing of auto-injectable epinephrine in Indiana is issued under this section. The state health commissioner may, as part of the individual's official capacity, issue a statewide standing order that may be used for the dispensing of auto-injectable epinephrine under this section. The immunity provided in IC 34-13-3-3 applies to an individual described in this subsection.

SECTION 5. IC 16-41-43-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. (a) The state department shall approve courses concerning allergies and the administration of auto-injectable epinephrine that are offered by an approved organization (as defined in IC 25-1-4-0.2).**

(b) The state department shall do the following:

(1) Maintain, on its Internet web site, a list of all approved courses.

(2) Prescribe the certification process for the course described in subsection (a).

(3) Revoke the certification of an organization that fails to comply with any certification prerequisite specified by the state department.

(c) A person who successfully completes a certified course shall receive a certificate of completion. The state department may contract with a third party for the purpose of creating or manufacturing the certificate of completion, which must meet the requirements set forth in subsection (d).

(d) A certificate of completion issued under subsection (c) must:

(1) have dimensions that permit the certificate of completion to be carried in a wallet; and

(2) display the following information:

(A) The first and last name of the person.

(B) The first and last name of the course instructor.

(C) The name of the entity responsible for providing the course, if applicable.

(D) The date the course described in subsection (a) was completed.

(E) Any other information required by the state department.

(e) The state department may adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to implement this section.

SECTION 6. IC 16-41-43-3.5, AS ADDED BY P.L.117-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. Injectable epinephrine that is filled and used in accordance with this chapter must have an expiration date of not less than twelve (12) months from the date that the pharmacy dispenses the injectable epinephrine to the entity **or person, as applicable.**

SECTION 7. IC 16-41-43-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5.5. (a) This chapter does not apply to a person who is eligible for immunity specified in one (1) or more of the following sections:**

(1) Section 6 of this chapter.

(2) IC 20-34-4.5-4.

(3) IC 21-44.5-2-6.

(b) Except as provided in subsection (d), a person who meets all of the following criteria is not liable for civil damages for any act or omission related to the administration of auto-injectable epinephrine:

(1) The person has successfully completed a course described in section 2.5(a) of this chapter before administering auto-injectable epinephrine to a person.

(2) The person administered the auto-injectable epinephrine in a manner that was consistent with:

(A) the training provided during the course described in section 2.5(a) of this chapter; or

(B) the instruction provided to the person by the pharmacist at the time the auto-injectable epinephrine was dispensed to the person.

(3) The person reasonably believed that the recipient of the auto-injectable epinephrine was suffering from anaphylaxis at the time the auto-injectable epinephrine was administered.

(c) A pharmacist who complies with section 2.3(a) of this chapter is not liable for civil damages resulting from the administration of auto-injectable epinephrine.

(d) The immunity described in subsection (b) or (c) does not apply to any act or omission that constitutes gross negligence or willful and wanton misconduct.

SECTION 8. IC 25-1-9.3-8, AS ADDED BY P.L.28-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. A prescriber may issue a prescription for a controlled substance in a written format, a faxed format, or an oral order if any of the following apply:

(1) The prescriber cannot transmit an electronically transmitted prescription due to:

(A) temporary technological or electrical failure; **or**

(B) the technological inability to issue a prescription electronically, including but not limited to failure to possess the requisite technology.

(2) The prescriber issues a prescription to be dispensed by a pharmacy located outside Indiana.

(3) The prescriber and the pharmacist are the same entity.

(4) The prescriber issues a prescription that meets any of the following:

(A) The prescription contains elements that are not supported by the technical standards developed by the National Council for Prescription Drug Programs for electronically transmitted prescriptions (NCPDP SCRIPT).

(B) The federal Food and Drug Administration requires the prescription to contain certain elements that cannot be supported in an electronically transmitted prescription.

(C) The prescription is a non-patient specific prescription in response to a public health emergency or another instance allowable under state law and that requires a non-patient specific prescription under:

(i) a standing order;

(ii) approved protocol for drug therapy;
(iii) collaborative drug management; or
(iv) comprehensive medication management.
(D) The prescription is issued under a research protocol.
(5) The prescriber has received a waiver or a renewal of a previously received waiver from the board in accordance with rules adopted under section 9 of this chapter.
(6) The board, in accordance with rules adopted under section 9 of this chapter, has determined that issuing an electronically transmitted prescription would be impractical and cause delay, adversely impacting the patient's medical condition.
(7) The prescriber reasonably determines that it would be impractical for the patient to obtain an electronic prescription in a timely manner and the delay would adversely affect the patient's medical condition.

SECTION 9. IC 25-1-9.3-9, AS ADDED BY P.L.28-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) The board shall, in consultation with the medical licensing board, adopt rules under IC 4-22-2 to implement this chapter, including:
(1) a process to grant or deny waivers or renewals of waivers from the requirement to issue electronically transmitted prescriptions for controlled substances due to:
(A) economic hardship;
(B) technological limitations outside the control of the prescriber; or
(C) other circumstances determined by the board; and
(2) a list of circumstances in which issuing an electronically transmitted prescription would be impractical and cause delay that would adversely impact the user's medical condition.

(b) Any rules adopted under this chapter must be substantially similar to the requirements and exceptions under 42 U.S.C. 1395w-104.

(c) The board, in consultation with the medical licensing board, may adopt emergency rules in the manner provided in IC 4-22-2-37.1. A rule adopted under this section expires on the earlier of the following:
(1) The date that the rule is superseded, amended, or repealed by a permanent rule adopted under IC 4-22-2.
(2) July 1, 2023.

SECTION 10. IC 25-26-13-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16. (a) A pharmacist shall exercise ~~his~~ **the pharmacist's** professional judgment in the best interest of the patient's health when engaging in the practice of pharmacy.

(b) A pharmacist has a duty to honor all prescriptions from a practitioner or from a physician, podiatrist, dentist, **advanced practice registered nurse, physician assistant,** or veterinarian licensed under the laws of another state. Before honoring a prescription, the pharmacist shall take reasonable steps to determine whether the prescription has been issued in compliance with the laws of the state where it originated. The pharmacist is immune from criminal prosecution or civil liability if ~~he,~~ **the pharmacist,** in good faith, refuses to honor a prescription because, in ~~his~~ **the pharmacist's** professional judgment, the honoring of the prescription would:
(1) be contrary to law;
(2) be against the best interest of the patient;
(3) aid or abet an addiction or habit; or
(4) be contrary to the health and safety of the patient.

SECTION 11. IC 25-26-13-24.8, AS ADDED BY P.L.28-2019, SECTION 16, AND P.L.246-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 24.8. **(a)** Upon request of a patient, a pharmacy shall transfer to another pharmacy a prescription for the patient that the pharmacy has received but not filled unless:
(1) prohibited in writing on the prescription by the prescriber; or
(2) otherwise prohibited by federal law.

(b) Unless prohibited by federal law, a prescription for a patient may be transferred electronically or by facsimile by a pharmacy to another pharmacy if the pharmacies do not share a common data base.

(c) A licensed pharmacy technician may transfer a prescription under subsection (b).

SECTION 12. IC 25-26-13-25.3, AS ADDED BY P.L.246-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 25.3. **(a)** ~~Beginning January 1, 2020,~~ A pharmacy may not dispense injectable epinephrine or glucagon to a person unless:
(1) the injectable epinephrine or glucagon has an expiration date of not less than twelve (12) months from the date that the drug is dispensed; or
(2) the person consents to the injectable epinephrine or glucagon having an expiration date of less than twelve (12) months from the date that the drug is dispensed.

(b) Except as provided in IC 25-26-16.5, a pharmacist may substitute a therapeutic alternative (as defined in IC 25-26-16.5-4) for epinephrine products for a patient.

SECTION 13. IC 25-26-13-31, AS AMENDED BY P.L.247-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 31. (a) A pharmacist may do the following:
(1) Obtain and maintain patient drug histories and other pharmacy records that are related to drug or device therapies.
(2) Perform drug evaluation, drug utilization review, and drug regimen review.
(3) Participate in the selection, storage, and distribution of drugs, dietary supplements, and devices. However, drug selection must comply with IC 16-42-19 and IC 16-42-22.
(4) Participate in drug or drug related research.
(5) Prescribe any of the following devices or supplies approved by the federal Food and Drug Administration:
(A) Inhalation spacer.
(B) Nebulizer.
(C) Supplies for medical devices, including but not limited to, continuous positive airway pressure (CPAP) machine supplies and insulin pump supplies.
(D) Normal saline and sterile water for irrigation for wound care **or for injection with a prescription drug or device.**
(E) Diabetes blood sugar testing supplies.
(F) Pen needles.
(G) Syringes for medication use.

However, the pharmacist must provide the patient with a written advance beneficiary notice that is signed by the patient and that

states that the patient may not be eligible for reimbursement for the device or supply. The pharmacy must keep a copy of the patient's advance beneficiary notice on file for seven (7) years.

(b) A pharmacist who participates in an activity allowed under subsection (a) is required to follow the standards for the competent practice of pharmacy adopted by the board.

(c) A pharmacist may issue a prescription for purposes of subsection (a)(5).

SECTION 14. IC 25-26-13-31.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 31.7. (a) Subject to rules adopted under subsection (c), a pharmacy technician may administer an influenza immunization to an individual under a drug order or prescription.**

(b) Subject to rules adopted under subsection (c), a pharmacy technician may administer an influenza immunization to an individual or a group of individuals under a drug order, under a prescription, or according to a protocol approved by a physician.

(c) The board shall adopt rules under IC 4-22-2 to establish requirements applying to a pharmacy technician who administers an influenza immunization to an individual or group of individuals. The rules adopted under this section must provide for the direct supervision of the pharmacy technician by a pharmacist, a physician, a physician assistant, or an advanced practice registered nurse.

(d) The board must approve all programs that provide training to pharmacy technicians to administer influenza immunizations as permitted by this section.

SECTION 15. IC 27-1-24.5-22.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 22.5. Aggregated information compiled from reports submitted by pharmacy benefit managers to the insurance commissioner under section 22 of this chapter is not confidential except for information that would reveal a specific pharmacy benefit manager's proprietary information.**

SECTION 16. IC 27-1-24.5-27.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 27.5. A pharmacy benefits manager may not require a pharmacy or pharmacist to collect a higher copayment for a prescription drug from a customer than the pharmacy benefits manager allows the pharmacy or pharmacist to retain.**

SECTION 17. IC 27-2-9.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]:

Chapter 9.1. Prescription Drug Purchases

Sec. 1. As used in this chapter, "covered individual" means an individual who is entitled to coverage under a health plan.

Sec. 2. As used in this chapter, "health plan" means a plan that is compliant with the PPACA and offered by an insurer to provide, deliver, arrange for, pay for, or reimburse the cost of health care items or services. The term includes the following:

(1) A policy of accident and sickness insurance (as defined in IC 27-8-5-1).

(2) An individual contract (as defined by IC 27-13-1-21) and a group contract (as defined by IC 27-13-1-16).

Sec. 3. As used in this chapter, "insurer" means an entity licensed in Indiana to issue a health plan.

Sec. 4. As used in this chapter, "PPACA" refers to the federal Patient Protection and Affordable Care Act (P.L. 111-148), as amended thereafter, including by the federal Health Care and Education Reconciliation Act of 2010 (P.L. 111-152).

Sec. 5. (a) A health plan shall implement a procedure to allow a covered individual to submit a claim to offset the covered individual's deductible for the cost of a purchase by the covered individual of a prescription drug that:

(1) is covered under the covered individual's health plan; and

(2) was purchased by the covered individual without submitting at the point of purchase the claim through the health plan.

(b) If a covered individual submits a claim to the health plan in accordance with the procedure established under subsection (a), the health plan shall verify the purchase described under subsection (a) and count the amount paid by the covered individual for the purchased covered prescription drug against the covered individual's deductible.

SECTION 18. IC 27-8-5-31 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 31. (a) The definitions in section 30 of this chapter apply throughout this section.~~

~~(b) This section applies to an insurer that uses a formulary, cost sharing, or utilization review for prescription drug coverage.~~

~~(c) An insurer shall not remove a prescription drug from the insurer's formulary, change the cost sharing requirements that apply to a prescription drug, or change the utilization review requirements that apply to a prescription drug unless the insurer does at least one (1) of the following:~~

~~(1) At least sixty (60) days before the removal or change is effective, send written notice of the removal or change to each insured for whom the prescription drug has been prescribed during the preceding twelve (12) month period.~~

~~(2) At the time an insured for whom the prescription drug has been prescribed during the preceding twelve (12) month period requests a refill of the prescription drug, provide to the insured:~~

~~(A) written notice of the removal or change; and~~

~~(B) a sixty (60) day supply of the prescription drug under the terms that applied before the removal or change.~~

SECTION 19. IC 27-8-5-31.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 31.5. (a) This section applies to a policy of accident and sickness insurance that is issued, entered into, amended, or renewed after June 30, 2020.**

(b) The definitions in section 30 of this chapter apply throughout this section.

(c) This section applies to an insurer that uses a formulary or cost sharing review for prescription drug coverage.

(d) An insurer shall not remove a prescription drug from the insurer's formulary or change the cost sharing requirements that apply to a prescription drug unless the insurer does the following:

(1) At least sixty (60) days before the removal or change is effective, sends written notice of the removal or change to each insured for whom the prescription drug has been prescribed during the plan year.

(2) Provides a timely appeal process through which an insured may request an extension of coverage for the prescription drug through the end of the plan year. The appeal process must consider the following:

(A) Clinical appropriateness that is evidence based.

(B) Whether the insured has been adherent to the prescription drug regimen long enough that discontinuation of the prescription drug would cause a significant barrier to the insured's adherence to or compliance with the insured's plan of care.

(C) Whether discontinuation of the prescription drug would worsen a comorbid condition of the insured.

(D) Whether discontinuation of the prescription drug would decrease the insured's ability to achieve or maintain reasonable functional ability to perform daily activities.

(e) If the request for an extension made by an insured under subsection (d) is supported by documentation from the prescribing health care provider, the insurer shall make a determination concerning the insured's request:

(1) in an urgent care situation, not more than one (1) business day after receiving the request; or

(2) in a non-urgent situation, not more than three (3) business days after receiving the request.

(f) If an appeal under subsection (d)(2) is granted, the insurer shall notify the insured and the insured's health care provider of the authorization for coverage of the prescription drug that was the subject of the appeal.

(g) An extension of coverage of a prescription drug through the end of the plan year under this section is permitted only once and may not be repeated unless otherwise provided by the insurer.

(h) Nothing under this section prohibits an insurer from removing a prescription drug from its formulary or denying an insured coverage if:

(1) the federal Food and Drug Administration has issued a statement about the prescription drug that calls into question the clinical safety of the prescription drug;

(2) the manufacturer of the prescription drug has notified the federal Food and Drug Administration of a manufacturing discontinuance or potential discontinuance of the prescription drug as required by 21 U.S.C. 356c of the federal Food, Drug, and Cosmetic Act; or

(3) the manufacturer of the prescription drug has removed the prescription drug from the market.

(i) This chapter does not prohibit a pharmacist from substituting:

(1) a generically equivalent drug product for a brand name drug under IC 16-42-22; or

(2) a biosimilar biological product for a prescribed biological product under 16-42-25.

SECTION 20. IC 27-8-11-12, AS ADDED BY P.L.209-2018, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) As used in this section, "drug" means a prescription drug.

(b) As used in this section, "insurer" refers to an insurer that provides coverage for drugs. The term includes a person that administers drug benefits on behalf of an insurer.

(c) As used in this section, "pharmacy" refers to a pharmacist or pharmacy that has entered into an agreement with an insurer under section 3 of this chapter.

(d) A pharmacy or pharmacist shall have the right to provide an insured with information concerning the amount of the insured's cost share for a prescription drug. Neither a pharmacy nor a pharmacist shall be proscribed by an insurer from discussing this information or from selling to the insured a more affordable alternative if an affordable alternative is available.

(e) An insurer that covers prescription drugs may not include a provision that requires an insured to make payment for a prescription drug at the point of sale in an amount that exceeds the lesser of:

(1) the contracted copayment amount; or

(2) the amount of total approved charges by the insurer at the point of sale.

This subsection does not prohibit the adjudication of claims in accordance with an accident and sickness insurance policy issued or administered by an insurer. The insured is not liable for any additional charges or entitled to any credits as a result of the adjudicated claim.

(f) The insurer or a pharmacy benefits manager may not require a pharmacy or pharmacist to collect a higher copayment for a prescription drug from an insured than the insurer or pharmacy benefits manager allows the pharmacy or pharmacist to retain.

SECTION 21. IC 27-13-15-6, AS ADDED BY P.L.209-2018, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) As used in this section, "drug" means a prescription drug.

(b) As used in this section, "health maintenance organization" refers to a health maintenance organization that provides coverage for drugs. The term includes the following:

(1) A limited service health maintenance organization.

(2) A person that administers drug benefits on behalf of a health maintenance organization or a limited service health maintenance organization.

(c) As used in this section, "pharmacy" refers to a pharmacist or pharmacy that is a participating provider.

(d) A pharmacy or pharmacist shall have the right to provide an enrollee with information concerning the amount of the enrollee's cost share for a prescription drug. Neither a pharmacy nor a pharmacist shall be proscribed by a health maintenance organization from discussing this information or from selling to the enrollee a more affordable alternative if an affordable alternative is available.

(e) A health maintenance organization that covers prescription drugs may not include a provision that requires an enrollee to make payment for a prescription drug at the point of sale in an amount that exceeds the lesser of:

(1) the contracted copayment amount; or

(2) the amount of total approved charges by the health maintenance organization at the point of sale.

This subsection does not prohibit the adjudication of claims in accordance with an individual contract or group contract issued or administered by a health maintenance organization. The enrollee is not liable for any additional charges or entitled to any credits as a result of the adjudicated claim.

(f) The health maintenance organization or a pharmacy benefits manager may not require a pharmacy or pharmacist to collect a higher copayment for a prescription drug from an enrollee than the health maintenance organization or pharmacy benefits manager allows the pharmacy or pharmacist to retain.

SECTION 22. IC 34-30-2-83.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 83.6. IC 16-41-43-5.5 (Concerning the administration of auto-injectable epinephrine by laypersons and the dispensing of auto-injectable epinephrine by pharmacists).**

SECTION 23. [EFFECTIVE JULY 1, 2020] **(a) IC 5-10-8-22.5, as added by this act, applies to a state employee health plan that is established, entered into, amended, or renewed after December 31, 2020.**

(b) IC 27-2-9.1, as added by this act, applies to a health plan that is issued, entered into, delivered, amended, or renewed after December 31, 2020.

(c) This SECTION expires June 30, 2023.

SECTION 24. **An emergency is declared for this act.**

(Reference is to EHB 1207 as reprinted March 3, 2020.)

CLERE	BOHACEK
HATFIELD	MRVAN
House Conferees	Senate Conferees

Roll Call 398: yeas 91, nays 0. Report adopted.

Representatives Jackson and Leonard, who had been present, are now excused.

CONFERENCE COMMITTEE REPORT
ESB 367–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 367 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 36-7.5-2-3, AS AMENDED BY P.L.248-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The development authority is governed by the development board appointed under this section.

(b) Except as provided in subsections (e), (f), and (h), the development board is composed of the following ~~seven (7)~~ **ten (10)** members:

(1) Two (2) members appointed by the governor. One (1) of the members appointed by the governor under this subdivision must be an individual nominated under subsection (d). The members appointed by the governor under this subdivision serve at the pleasure of the governor.

(2) The following members from a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):

(A) One (1) member appointed by the mayor of the largest city in the county in which a riverboat is located.

(B) One (1) member appointed by the mayor of the second largest city in the county in which a riverboat is located.

(C) One (1) member appointed by the mayor of the third largest city in the county in which a riverboat is located.

(D) One (1) member appointed jointly by the county executive and the county fiscal body. A member appointed under this clause may not reside in a city described in clause (A), (B), or (C).

(3) One (1) member appointed jointly by the county executive and county fiscal body of a county having a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000).

(4) The following three (3) members appointed under subsection (j):

(A) One (1) member appointed from Lake County.

(B) One (1) member appointed from Porter County.

(C) One (1) member appointed from LaPorte County.

The members appointed under this subdivision may only vote on matters that pertain strictly to a transit development district established under IC 36-7.5-4.5-17.

(c) A member appointed to the development board must have knowledge and at least five (5) years professional work experience in at least one (1) of the following:

(1) Rail transportation or air transportation.

(2) Regional economic development.

(3) Business or finance.

(d) The mayor of the largest city in a county having a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000) shall nominate three (3) residents of the county for appointment to the development board. One (1) of the governor's initial appointments under subsection (b)(1) must be an individual nominated by the mayor. At the expiration of the member's term, the mayor of the second largest city in the county shall nominate three (3) residents of the county for appointment to the development board. One (1) of the governor's appointments under subsection (b)(1) must be an individual nominated by the mayor. Thereafter, the authority to nominate the three (3) individuals from among whom the governor shall make an appointment under subsection (b)(1) shall alternate between the mayors of the largest and the second largest city in the county at the expiration of a member's term.

(e) A county having a population of more than one hundred eleven thousand (111,000) but less than one hundred fifteen thousand (115,000) shall be an eligible county participating in the development authority if the fiscal body of the county adopts an ordinance providing that the county is joining the development authority and the fiscal body of a city that is located in the county and that has a population of more than thirty-one thousand (31,000) but less than thirty-one thousand five hundred (31,500) adopts an ordinance providing that the city is joining the development authority. Notwithstanding subsection (b), if ordinances are adopted under this subsection and the county becomes an eligible county participating in the development authority:

(1) the development board shall be composed of ~~nine (9)~~ **twelve (12)** members rather than ~~seven (7)~~ **ten (10)** members; and

(2) the additional two (2) members shall be appointed in the following manner:

(A) One (1) additional member shall be appointed by the governor and shall serve at the pleasure of the governor. The member appointed under this clause must be an individual nominated under subsection (f).

(B) One (1) additional member shall be appointed jointly by the county executive and county fiscal body.

(f) This subsection applies only if the county described in subsection (e) is an eligible county participating in the development authority. The mayor of the largest city in the county described in subsection (e) shall nominate three (3) residents of the county for appointment to the development board. The governor's initial appointment under subsection (e)(2)(A) must be an individual nominated by the mayor. At the expiration of the member's term, the mayor of the second largest city in the county described in subsection (e) shall nominate three (3) residents of the county for appointment to the development board. The governor's second appointment under subsection (e)(2)(A) must be an individual nominated by the mayor. Thereafter, the authority to nominate the three (3) individuals from among whom the governor shall make an appointment under subsection (e)(2)(A) shall alternate between the mayors of the largest and the second largest city in the county at the expiration of a member's term.

(g) An individual or entity required to make an appointment under subsection (b) or nominations under subsection (d) must make the initial appointment before September 1, 2005, or the initial nomination before August 15, 2005. If an individual or entity does not make an initial appointment under subsection (b) before September 1, 2005, or the initial nominations required under subsection (d) before September 1, 2005, the governor shall instead make the initial appointment.

(h) Subsection (i) applies only to municipalities located in a county that:

(1) has a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000); and

(2) was a member of the development authority on January 1, 2009, and subsequently ceases to be a member of the development authority.

(i) If the fiscal bodies of at least two (2) municipalities subject to this subsection adopt ordinances to become members of the development authority, those municipalities shall become members of the development authority. If two (2) or more municipalities become members of the development authority under this subsection, the fiscal bodies of the municipalities that become members of the development authority shall jointly appoint one (1) member of the development board who shall serve in place of the member described in subsection (b)(3). A municipality that becomes a member of the development authority under this subsection is considered an eligible municipality for purposes of this article.

(j) The governor shall appoint three (3) members to the development board as follows:

(1) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the county executive of Lake County. The nominations shall be transmitted to the governor before July 1, 2020. If the county executive of Lake County does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the expiration of the term of a member appointed under this subdivision, or if a vacancy occurs before the end of the term of a member appointed under this subdivision, the county executive of Lake County shall transmit a list of three (3) nominations to the governor not later than ninety (90) days after the expiration or the vacancy occurs. The governor shall appoint one (1) member out of the list of three (3) nominations, or, if the county executive of Lake County does not make the nominations within ninety (90) days after the expiration or the vacancy occurs, the governor shall instead make the appointment. A member appointed under this subdivision must be a resident of Lake County.

(2) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the county executive of Porter County. The nominations shall be transmitted to the governor before July 1, 2020. If the county executive of Porter County does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the expiration of the term of a member appointed under this subdivision, or if a vacancy occurs before the end of the term of a member appointed under this subdivision, the county executive of Porter County shall transmit a list of three (3) nominations to the governor not later than ninety (90) days after the expiration or the vacancy occurs. The governor shall appoint one (1) member out of the list of three (3) nominations, or, if the county executive of Porter County does not make the nominations within ninety (90) days after the expiration or the vacancy occurs, the governor shall instead make the appointment. A member appointed under this subdivision must be a resident of Porter County.

(3) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the county executive of LaPorte County. The nominations shall be transmitted to the governor before July 1, 2020. If the county executive of LaPorte County does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the expiration of the term of a member appointed under this subdivision, or if a vacancy occurs before the end of the term of a member appointed under this subdivision, the county executive of LaPorte County shall transmit a list of three (3) nominations to the governor not later than ninety (90) days after the expiration or the vacancy occurs. The governor shall appoint one (1) member out of the list of three (3) nominations, or, if the county executive of LaPorte County does not make the nominations within ninety (90) days after the expiration or the vacancy occurs, the governor shall instead make the appointment. A member appointed under this subdivision must be a resident of LaPorte County.

SECTION 2. IC 36-7.5-2-4, AS AMENDED BY P.L.47-2006, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Except as provided in subsection (b) for the initial appointments to the development board, a member appointed to the development board serves a four (4) year term. However, a member serves at the pleasure of the appointing authority. A member may be reappointed to subsequent terms.

(b) The terms of the initial members appointed to the development board are as follows:

(1) The initial member appointed by the governor who is not nominated under section 3(d) or 3(f) of this chapter shall serve a term of four (4) years.

(2) The initial member appointed by the governor who is nominated under section 3(d) of this chapter shall serve a term of two (2)

years. If a member is appointed under section 3(e)(2)(A) of this chapter, the initial member who is appointed under that provision shall serve a term of two (2) years.

(3) The initial member appointed under section 3(b)(2)(D) of this chapter shall serve a term of three (3) years.

(4) The initial member appointed under section 3(b)(3) of this chapter shall serve a term of three (3) years.

(5) The initial members appointed under section 3(b)(2)(A) through 3(b)(2)(C) of this chapter shall serve a term of two (2) years.

(6) If a member is appointed under section 3(e)(2)(B) of this chapter, the initial member appointed under that provision shall serve a term of three (3) years.

(c) **Subject to section 3(j) of this chapter,** if a vacancy occurs on the development board, the appointing authority that made the original appointment shall fill the vacancy by appointing a new member for the remainder of the vacated term.

(d) Each member appointed to the development board, before entering upon the duties of office, must take and subscribe an oath of office under IC 5-4-1, which shall be endorsed upon the certificate of appointment and filed with the records of the development board.

(e) A member appointed to the development board is not entitled to receive any compensation for performance of the member's duties. However, a member is entitled to a per diem from the development authority for the member's participation in development board meetings. The amount of the per diem is equal to the amount of the per diem provided under IC 4-10-11-2.1(b).

SECTION 3. IC 36-7.5-2-6, AS AMENDED BY P.L.192-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. **(a) The development authority is a public agency for purposes of IC 5-14-1.5 and IC 5-14-3. The development board is a governing body for purposes of IC 5-14-1.5.**

~~(a)~~ **(b)** The development board shall meet at least quarterly.

~~(b)~~ **(c)** The chair of the development board or any two (2) members of the development board may call a special meeting of the development board.

~~(c)~~ **(d)** Five (5) members of the development board constitute a quorum. However, if the county described in section 3(e) of this chapter is an eligible county participating in the development authority, six (6) members of the development board constitute a quorum.

~~(d)~~ **(e) Except as provided in subsection (h),** the affirmative votes of at least five (5) members of the development board are necessary to authorize any action of the development authority. However, if the county described in section 3(e) of this chapter is an eligible county participating in the development authority, the affirmative votes of at least six (6) members of the development board are necessary to authorize any action of the development authority.

~~(e)~~ **(f)** Notwithstanding any other provision of this article, the minimum number of affirmative votes required under subsection ~~(d)~~ **(e)** to take any of the following actions must include the affirmative vote of the member appointed by the governor who is not nominated under section 3(d) or 3(f) of this chapter:

(1) Making loans, loan guarantees, or grants or providing any other funding or financial assistance for projects.

(2) Acquiring or condemning property.

(3) Entering into contracts.

(4) Employing an executive director or any consultants or technical experts.

(5) Issuing bonds or entering into a lease of a project.

~~(f)~~ **(g)** A member of the board may not:

(1) designate another individual to attend a board meeting on behalf of the member in the member's absence; or

(2) allow another member of the board to cast a proxy vote on behalf of the member in the member's temporary absence from a meeting.

(h) This subsection only applies to a vote on matters that pertain strictly to a transit development district established under IC 36-7.5-4.5-17 on which the members of the development board appointed under section 3(b)(4) may cast a vote. The affirmative votes of at least six (6) members of the development board are necessary to authorize any action of the development authority.

SECTION 4. IC 36-7.6-2-11, AS ADDED BY P.L.232-2007, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. **(a) A development authority is a public agency for purposes of IC 5-14-1.5 and IC 5-14-3. A development board is a governing body for purposes of IC 5-14-1.5.**

~~(a)~~ **(b)** A development board shall meet at least quarterly.

~~(b)~~ **(c)** The chair of a development board or any two (2) members of a development board may call a special meeting of the development board.

~~(c)~~ **(d)** A majority of the appointed members of a development board constitutes a quorum.

~~(d)~~ **(e)** The affirmative votes of at least a majority of the appointed members of a development board are necessary to authorize any action of the development authority.

SECTION 5. **An emergency is declared for this act.**

(Reference is to ESB 367 as reprinted March 3, 2020.)

NIEMEYER	AYLESWORTH
BOHACEK	PRESSEL
Senate Conferees	House Conferees

Roll Call 399: yeas 62, nays 27. Report adopted.

Representatives Jackson and Leonard, who had been excused, are now present.

CONFERENCE COMMITTEE REPORT

ESB 241–1

Mr. Speaker: Your Conference Committee appointed to confer with a like committee from the Senate upon Engrossed House Amendments to Engrossed Senate Bill 241 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 27-1-24.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 24.5. Pharmacy Benefit Managers

Sec. 1. As used in this chapter, "covered individual" means an individual who is entitled to coverage under a health plan.

Sec. 2. As used in this chapter, "effective rate of reimbursement" includes the following:

(1) Generic effective rates.

(2) Brand effective rates.

(3) Direct and indirect remuneration fees.

(4) Any other reduction or aggregate reduction of payment.

Sec. 3. As used in this chapter, "equal access and incentives" means that a pharmacy benefit manager allows any willing pharmacy provider to participate as part of any of the pharmacy benefit manager's networks as long as the

pharmacy provider agrees to the terms and conditions of the relevant contract applicable to any other pharmacy provider within that network.

Sec. 4. As used in this chapter, "generic drug" means a drug product that is identified by the drug's chemical name and that is:

(1) accepted by the federal Food and Drug Administration;
(2) available from at least three (3) sources; and
(3) therapeutically equivalent to an originating brand name drug.

Sec. 5. As used in this chapter, "health plan" means the following:

(1) A state employee health plan (as defined in IC 5-10-8-6.7).
(2) A policy of accident and sickness insurance (as defined in IC 27-8-5-1). However, the term does not include the coverages described in IC 27-8-5-2.5(a).
(3) An individual contract (as defined in IC 27-13-1-21) or a group contract (as defined in IC 27-13-1-16) that provides coverage for basic health care services (as defined in IC 27-13-1-4).

Sec. 6. As used in this chapter, "independent pharmacies" means pharmacies that are not a pharmacy benefit manager affiliate.

Sec. 7. As used in this chapter, "maximum allowable cost" means the maximum amount that a pharmacy benefit manager will reimburse a pharmacy for the cost of a generic prescription drug. The term does not include a dispensing fee or professional fee.

Sec. 8. As used in this chapter, "maximum allowable cost list" means a list of drugs that is used:

(1) by a pharmacy benefit manager; and
(2) to set the maximum amount that may be reimbursed to a pharmacy or pharmacist for a drug.

Sec. 9. As used in this chapter, "pharmacist" means an individual licensed as a pharmacist under IC 25-26.

Sec. 10. As used in this chapter, "pharmacist services" means products, goods, and services provided as part of the practice of pharmacy.

Sec. 11. As used in this chapter, "pharmacy" means the physical location:

(1) that is licensed under IC 25-26; and
(2) at which drugs, chemicals, medicines, prescriptions, and poisons are compounded, dispensed, or sold at retail.

Sec. 12. (a) As used in this chapter, "pharmacy benefit manager" means an entity that, on behalf of a health benefits plan, state agency, insurer, managed care organization, or other third party payor:

(1) contracts directly or indirectly with pharmacies to provide prescription drugs to individuals;
(2) administers a prescription drug benefit;
(3) processes or pays pharmacy claims;
(4) creates or updates prescription drug formularies;
(5) makes or assists in making prior authorization determinations on prescription drugs;
(6) administers rebates on prescription drugs; or
(7) establishes a pharmacy network.

(b) The term does not include the following:

(1) A person licensed under IC 16.
(2) A health provider who is:
(A) described in IC 25-0.5-1; and
(B) licensed or registered under IC 25.
(3) A consultant who only provides advice concerning the selection or performance of a pharmacy benefit manager.

Sec. 13. As used in this chapter, "pharmacy benefit manager affiliate" means a pharmacy or pharmacist that directly or indirectly, through one (1) or more intermediaries:

(1) owns or controls;
(2) is owned or controlled by; or
(3) is under common ownership or control with;

a pharmacy benefit manager.

Sec. 14. As used in this chapter, "pharmacy benefit manager network" means a group of pharmacies or pharmacists that is offered:

(1) through an agreement or health plan contract; and
(2) to provide pharmacist services for health plans.

Sec. 15. As used in this chapter, "pharmacy services administrative organization" means an organization that assists independent pharmacies and pharmacy benefit managers or health plans to achieve administrative efficiencies, including contracting and payment efficiencies.

Sec. 16. (a) As used in this chapter, "rebate" means a discount or other price concession that is:

(1) based on use of a prescription drug; and
(2) paid by a manufacturer or third party to a pharmacy benefit manager, pharmacy services administrative organization, or pharmacy after a claim has been processed and paid at a pharmacy.

(b) The term includes an incentive and a disbursement.

Sec. 17. As used in this chapter, "third party" means a person other than a:

(1) pharmacy benefit manager; or
(2) covered individual.

Sec. 18. A person shall, before establishing or operating as a pharmacy benefit manager, apply to and obtain a license from the commissioner under this chapter.

Sec. 19. (a) A pharmacy benefit manager shall provide equal access and incentives to all pharmacies within the pharmacy benefit network.

(b) A pharmacy benefit manager may not do any of the following:

(1) Condition participation in any network on accreditation, credentialing, or licensing of a pharmacy provider that, other than a license or permit required by the Indiana board of pharmacy or other state or federal regulatory authority for the services provided by the pharmacy. However, nothing in this subdivision precludes the department from providing credentialing or accreditation standards for pharmacies.
(2) Discriminate against any pharmacy provider.
(3) Directly or indirectly retroactively deny a claim or aggregate of claims after the claim or aggregate of claims has been adjudicated, unless any of the following apply:
(A) The original claim was submitted fraudulently.
(B) The original claim payment was incorrect because the pharmacy or pharmacist had already been paid for the drug.

(C) The pharmacist services were not properly rendered by the pharmacy or pharmacist.

(4) Reduce, directly or indirectly, payment to a pharmacy for pharmacist services to an effective rate of reimbursement, including permitting an insurer or plan sponsor to make such a reduction.

(5) Reimburse a pharmacy that is affiliated with the pharmacy benefit manager, other than solely being included in the pharmacy benefit manager's network, at a greater reimbursement rate than other pharmacies in the same network.

A violation of this subsection by a pharmacy benefit manager constitutes an unfair or deceptive act or practice in the business of insurance under IC 27-4-1-4.

Sec. 20. (a) The commissioner shall do the following:

(1) Prescribe an application for use in applying for a license to operate as a pharmacy benefit manager.

(2) Adopt rules under IC 4-22-2 to establish the following:

(A) Pharmacy benefit manager licensing requirements.

(B) Licensing fees.

(C) A license application.

(D) Financial standards for pharmacy benefit managers.

(E) Reporting requirements described in section 21 of this chapter.

(F) The time frame for the resolution of an appeal under section 22 of this chapter.

(b) The commissioner may do the following:

(1) Charge a license application fee and renewal fees established under subsection (a)(2) in an amount not to exceed five hundred dollars ($500) to be deposited in the department of insurance fund established by IC 27-1-3-28.

(2) Examine or audit the books and records of a pharmacy benefit manager one (1) time per year to determine if the pharmacy benefit manager is in compliance with this chapter.

(3) Adopt rules under IC 4-22-2 to:

(A) implement this chapter; and

(B) specify requirements for the following:

(i) Prohibited market conduct practices.

(ii) Data reporting in connection with violations of state law.

(iii) Maximum allowable cost list compliance and enforcement requirements, including the requirements of sections 22 and 23 of this chapter.

(iv) Prohibitions and limits on pharmacy benefit manager practices that require licensure under IC 25-22.5.

(v) Pharmacy benefit manager affiliate information sharing.

(vi) Lists of health plans administered by a pharmacy benefit manager in Indiana.

(c) Financial information and proprietary information submitted by a pharmacy benefit manager to the department is confidential.

Sec. 21. (a) Beginning June 1, 2021, and annually thereafter, a pharmacy benefit manager shall submit a report containing data from the immediately preceding calendar year to the commissioner. The commissioner shall determine what must be included in the report and consider the following information to be included in the report:

(1) The aggregate amount of all rebates that the pharmacy benefit manager received from all pharmaceutical manufacturers for:

(A) all insurers; and

(B) each insurer;

with which the pharmacy benefit manager contracted during the immediately preceding calendar year.

(2) The aggregate amount of administrative fees that the pharmacy benefit manager received from all pharmaceutical manufacturers for:

(A) all insurers; and

(B) each insurer;

with which the pharmacy benefit manager contracted during the immediately preceding calendar year.

(3) The aggregate amount of retained rebates that the pharmacy benefit manager received from all pharmaceutical manufacturers and did not pass through to insurers with which the pharmacy benefit manager contracted during the immediately preceding calendar year.

(4) The highest, lowest, and mean aggregate retained rebate for:

(A) all insurers; and

(B) each insurer;

with which the pharmacy benefit manager contracted during the immediately preceding calendar year.

(b) A pharmacy benefit manager that provides information under this section may designate the information as a trade secret (as defined in IC 24-2-3-2). Information designated as a trade secret under this subsection must not be published unless required under subsection (c).

(c) Disclosure of information designated as a trade secret under subsection (b) may be ordered by a court of Indiana for good cause shown or made in a court filing.

Sec. 22. (a) A pharmacy benefit manager shall do the following:

(1) Identify to contracted:

(A) pharmacy service administration organizations; or

(B) pharmacies if the pharmacy benefit manager contracts directly with pharmacies;

the sources used by the pharmacy benefit manager to calculate the drug product reimbursement paid for covered drugs available under the pharmacy health benefit plan administered by the pharmacy benefit manager.

(2) Establish an appeal process for contracted pharmacies, pharmacy services administrative organizations, or group purchasing organizations to appeal and resolve disputes concerning the maximum allowable cost pricing.

(3) Update and make available to pharmacies:

(A) at least every forty-five (45) days; or

(B) in a different time frame if contracted between a pharmacy benefit manager and a pharmacy;

the pharmacy benefit manager's maximum allowable cost list.

(b) The appeal process required by subsection (a)(2) must include the following:

(1) The right to appeal a claim not to exceed sixty (60) days following the initial filing of the claim.

(2) The investigation and resolution of a filed appeal by the pharmacy benefit manager in a time frame determined by the commissioner.

(3) If an appeal is denied, a requirement that the pharmacy benefit manager provide the reason for the denial.

(4) If an appeal is approved, a requirement that the pharmacy benefit manager do the following:

(A) Change the maximum allowable cost of the drug for the pharmacy that filed the appeal as of the initial date of service that the appealed drug was dispensed.

(B) Adjust the maximum allowable cost of the drug for the appealing pharmacy and for all other contracted pharmacies in the same network of the pharmacy benefit manager that filled a prescription for patients covered under the same health benefit plan beginning on the initial date of service the appealed drug was dispensed.

(C) Adjust the drug product reimbursement for contracted pharmacies that resubmit claims to reflect the adjusted maximum allowable cost, if applicable.

(D) Allow the appealing pharmacy and all other contracted pharmacies in the network that filled the prescriptions for patients covered under the same health benefit plan to reverse and resubmit claims and receive payment based on the adjusted maximum allowable cost from the initial date of service the appealed drug was dispensed.

(E) Make retroactive price adjustments in the next payment cycle unless otherwise agreed to by the pharmacy.

(5) The establishment of procedures for auditing submitted claims by a contract pharmacy in a manner established by administrative rules under IC 4-22-2 by the department. The auditing procedures:

(A) may not use extrapolation or any similar methodology;

(B) may not allow for recovery by a pharmacy benefit manager of a submitted claim due to clerical or other error where the patient has received the drug for which the claim was submitted;

(C) must allow for recovery by a contract pharmacy for underpayments by the pharmacy benefit manager; and

(D) may only allow for the pharmacy benefit manager to recover overpayments on claims that are actually audited and discovered to include a recoverable error.

(c) The department must approve the manner in which a pharmacy benefit manager may respond to an appeal filed under this section. The department shall establish a process for a pharmacy benefit manager to obtain approval from the department under this section.

Sec. 23. (a) For every drug for which the pharmacy benefit manager establishes a maximum allowable cost to determine the drug product reimbursement, the pharmacy benefit manager shall make available to a contracted pharmacy services administration organization to make available to the pharmacies, or to a pharmacy if the pharmacy benefit manager contracts directly with a pharmacy, in a manner established by the department by administrative rule described in subsection (b) the following:

(1) Information identifying the national drug pricing compendia or sources used to obtain the drug price data.

(2) The comprehensive list of drugs subject to maximum allowable cost and the actual maximum allowable cost for each drug.

(b) The department shall adopt rules under IC 4-22-2 concerning the manner in which a pharmacy benefit manager shall communicate the following to contracted pharmacy services administration organizations:

(1) Drug price data should be used to establish drug reimbursements by pharmacy benefit managers as described in subsection (a)(1).

(2) The comprehensive list of drugs described in subsection (a)(2).

(c) The department may, concerning a maximum allowable cost list, consider whether a drug is:

(1) obsolete;

(2) temporary unavailable;

(3) to be included on a drug shortage list; or

(4) unable to be lawfully substituted.

Sec. 24. (a) For every drug for which a pharmacy benefit manager establishes a maximum allowable cost to determine reimbursement for the drug product, the pharmacy benefit manager shall make available to the department, upon request of the department, information that is needed to resolve an appeal.

(b) If the pharmacy benefit manager fails to promptly make available to the department the information as required in subsection (a), the department shall consider the appeal granted in favor of the appealing pharmacy.

Sec. 25. (a) A party that has contracted with a pharmacy benefit manager to provide services may, at least one (1) time in a calendar year, request an audit of compliance with the contract. The audit may include full disclosure of rebate amounts secured on prescription drugs, whether product specific or general rebates, that were provided by a pharmaceutical manufacturer and any other revenue and fees derived by the pharmacy benefit manager from the contract. A contract may not contain provisions that impose unreasonable fees or conditions that would severely restrict a party's right to conduct an audit under this subsection.

(b) A pharmacy benefit manager shall disclose, upon request from a party that has contracted with a pharmacy

benefit manager, to the party the actual amounts paid by the pharmacy benefit manager to any pharmacy.

(c) A pharmacy benefit manager shall provide notice to a party contracting with the pharmacy benefit manager any consideration that the pharmacy benefit manager receives from a pharmacy manufacturer for any name brand dispensing of a prescription when a generic or biologically similar product is available for the prescription.

(d) The commissioner may establish a procedure to release information from an audit performed by the department to a party that has requested an audit under this section in a manner that does not violate confidential or proprietary information laws.

(e) Any provision of a contract entered into, issued, or renewed after June 30, 2020, that violates this section is unenforceable.

Sec. 26. A person or entity that has contracted with a pharmacy benefit manager for the performance of services described in section 12(a) of this chapter is entitled to full disclosure from the pharmacy benefit manager of the terms of a contract between the pharmacy benefit manager and any other person or entity within the same network concerning the performance of the services described in section 12(a) of this chapter, including:

(1) the purchase price for prescription drugs within the same network and set by a contract entered into by the pharmacy benefit manager; and

(2) the amount of any rebate provided in connection with the purchase of prescription drugs within the same network by a contract entered into by the pharmacy benefit manager.

Sec. 27. A pharmacy services administrative organization shall, upon request, fully disclose to an independent pharmacy on whose behalf the pharmacy services administrative organization acts the terms of a contract between the pharmacy services administrative organization and any other person or entity concerning the actions taken by the pharmacy services administrative organization on behalf of the independent pharmacy.

Sec. 28. (a) A violation of this chapter is an unfair or deceptive act or practice in the business of insurance under IC 27-4-1-4.

(b) The department may also adopt rules under IC 4-22-2 to set forth fines for a violation under this chapter.

SECTION 2. IC 27-1-24.8 IS REPEALED [EFFECTIVE JULY 1, 2020]. (Pharmacy Benefit Managers).

SECTION 3. [EFFECTIVE JULY 1, 2020] **(a) Notwithstanding IC 27-1-24.5, as added by this act, a pharmacy benefit manager must be licensed by the department of insurance not later than December 31, 2020, in order to do business in Indiana and provide services for any health provider contract (as defined in IC 27-1-37-3) that is in effect beginning or after January 1, 2021.**

(b) This SECTION expires December 31, 2021.

(Reference is to ESB 241 as reprinted March 3, 2020.)

BROWN	LEHMAN
BREAUX	AUSTIN
Senate Conferees	House Conferees

Roll Call 400: yeas 91, nays 0. Report adopted.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed House Enrolled Acts 1070, 1077 and 1165 on March 11.

ENROLLED ACTS SIGNED

The Speaker announced that he had signed Senate Enrolled Acts 20, 21, 25, 39, 50 and 78 on March 11.

MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House of Representatives: On March 11, 2017, I signed into law House Enrolled Acts 1009, 1081, 1095, 1104, 1112, 1129, 1143, 1166, 1189, 1224, 1288, 1334, 1370 and 1403.

ERIC HOLCOMB
Governor

OTHER BUSINESS ON THE SPEAKER'S TABLE

PETITION TO CHANGE VOTING RECORD

Mr. Speaker: Pursuant to House Rule 75, I hereby petition to change my voting record on Conference Committee Report #1 on House Bill 1414, Roll Call 355, on March 10, 2020. In support of this petition, I submit the following reason:

"I was present and in my seat, but when I attempted to vote, I inadvertently pushed the Nay button when I intended to vote Yea."

BAIRD

There being a constitutional majority voting in favor of the petition, the petition was adopted. [*Journal Clerk's note: this changes the vote tally for Roll Call 355 to 56 yeas, 37 nays.*]

HOUSE MOTION

Mr. Speaker: I move that Representative Vermilion be removed as coauthor of House Bill 1006.

ENGLEMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that House Rule 105.1 be suspended for the purpose of adding more than three coauthors and that Representative DeVon be added as coauthor of House Bill 1006.

ENGLEMAN

The motion, having been seconded by a constitutional majority and carried by a two-thirds vote of the members, prevailed.

HOUSE MOTION

Mr. Speaker: I move that Representative Baird be removed as coauthor of House Bill 1006.

ENGLEMAN

Motion prevailed.

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed House Concurrent Resolutions 48, 49, 50 and 51 and the same are herewith returned to the House.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has passed Senate Concurrent Resolutions 65, 67 and 68 and the same are herewith transmitted to the House for further action.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has concurred in the House amendments to Engrossed Senate Bills 5, 179, 184, 216, 334 383 and 395.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee Report 1 on Engrossed Senate Bills 1, 10, 47, 80, 132, 148, 190, 229, 237, 241, 246, 256, 258, 295, 299, 319, 335, 340, 346, 350, 367, 398, 408, 433 and 438

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has adopted the Conference Committee Report 1 on Engrossed House Bills 1003, 1004, 1006, 1014, 1022, 1045, 1065, 1066, 1070, 1092, 1108, 1113, 1131, 1153, 1157, 1207, 1235, 1279. 1372, 1385, 1414 and 1419.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 1:

Conferees: Charbonneau, Chairman; and Stoops
Advisors: Ruckelshaus and Randolph

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 47:

Conferees: Freeman, Chairman; and Tallian
Advisors: Koch and Taylor

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 178.:

Conferees: Messmer, Chairman; and Randolph
Advisors: Ford, Jon and Breaux

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 229:

Conferees: Walker, Chairman; and Breaux
Advisors: Grooms, Ford Jon, and Ford J.D.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 395:

Conferees: Bassler, Chairman; and Breaux
Advisors: Ruckelshaus, Ford J.D.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators to serve as conference committee on Engrossed Senate Bill 408:

Conferees: Holdman, Chairman; and Melton
Advisors: Mishler and Taylor

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has made the following change in conferees appointments to Engrossed Senate Bill 47:

Conferees: Senator Young to replace Senator Tallian

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has made the following change in conferees appointments to Engrossed Senate Bill 148:

Conferees: Senator Young replacing Senator Lanane

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has made the following change in conferees appointments to Engrossed Senate Bill 229:

Remove: Senator Doriot as advisor

Conferees: Senator Doriot replacing Senator Stoops

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has made the following change in conferees appointments to Engrossed Senate Bill 299:

Conferees: Senator Kruse replacing Senator Breaux

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray

has made the following change in conferees appointments to Engrossed Senate Bill 334:

Remove: Senator Ford Jon as advisor

Conferees: Senator Ford Jon replacing Senator Breaux

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has made the following change in conferees appointments to Engrossed Senate Bill 335:

Conferees: Senator Freeman replacing Senator Tallian

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has made the following change in conferees appointments to Engrossed Senate Bill 367:

Remove: Senator Bohacek as advisor

Conferees: Senator Bohacek replacing Senator Mrvan

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the President Pro Tempore of the Senate has appointed the following Senators a conference committee to confer on Engrossed House Bill 1006:

Conferees: Charbonneau and Stoops
Advisors: Crider and Randolph

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has made the following change in conferees appointments to Engrossed House Bill 1003:

Conferees: Senator Kruse replacing Senator Melton

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has made the following change in conferees appointments to Engrossed House Bill 1014:

Remove: Senator Buck as advisor

Conferees: Senator Buck replacing Senator Lanane

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has made the following change in conferees appointments to Engrossed House Bill 1022:

Remove: Senator Brown as advisor

Conferees: Senator Brown replacing Senator Randolph

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has made the following change in conferees appointments to Engrossed House Bill 1065:

Conferees: Senator Charbonneau replacing Senator Melton

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has made the following change in conferees appointments to Engrossed House Bill 1131:

Remove: Senator Garten as advisor

Conferees: Senator Garten replacing Senator Ford J.D.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has made the following change in conferees appointments to Engrossed House Bill 1235:

Conferees: Senator Messmer replacing Senator Niezgodski

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has made the following change in conferees appointments to Engrossed House Bill 1414:

Remove: Senator Koch as advisor

Conferees: Senator Koch replacing Senator Ford J.D.

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has adopted the following committee report:

"Your committee appointed to confer with the Governor to ascertain whether or not he has any further communications to make to the Senate hereby reports that your Committee of Senators Garten, Spartz, Stoops and Melton has waited upon the Governor and the Governor has no further communications to make to the Senate."

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has adopted the following committee report:

"Your committee appointed to ascertain whether the House of Representatives has any further legislative business to transact hereby reports that your Committee of Senators Glick, Buchanan,Tallian and Breaux has conferred with the House of Representatives and the House of Representatives has no further business to transact with the Senate."

JENNIFER L. MERTZ
Principal Secretary of the Senate

MESSAGE FROM THE SENATE

Mr. Speaker: I am directed by the Senate to inform the House that the Senate has adjourned the Second Regular Session of the 121st Indiana General Assembly *sine die* on the 11th day of March, 2020 at 10:47 p.m.

JENNIFER L. MERTZ
Principal Secretary of the Senate

HOUSE MOTION

Mr. Speaker: I move that all requests for interim studies, including those made by resolution, bills which failed to pass both Houses of the General Assembly, or written or oral requests to the Speaker of the House are hereby referred to the Legislative Council for further consideration as it deems necessary or appropriate.

LEHMAN

Motion prevailed.

HOUSE MOTION

Mr. Speaker: I move that the Speaker of the House of Representatives appoint a committee of four members of the House of Representatives to confer with the Senate for the purpose of ascertaining if the Senate has any further legislative business to transact with the House of Representatives.

LEHMAN

Motion prevailed. The Speaker appointed Representatives Sherman, Vermilion, Pfaff and Pryor.

COMMITTEE REPORT

Mr. Speaker: Your Committee which was appointed by the Speaker to ascertain if the Senate has further legislative business to transact with the House of Representatives has performed the duties assigned to them. The committee reports that the Senate has no further legislative business to transact with the House of Representatives.

SHERMAN PFAFF
VERMILION PRYOR

Report adopted.

HOUSE MOTION

Mr. Speaker: I move that the Speaker of the House of Representatives appoint a committee of four members of the House of Representatives to confer with the Governor for the purpose of ascertaining if the Governor has any further communication to make to the House of Representatives.

LEHMAN

Motion prevailed. The Speaker appointed Representatives Abbott, Hostettler Austin and Pierce.

COMMITTEE REPORT

Mr. Speaker: Your Committee which was appointed by the Speaker to ascertain if the Governor has further legislative business to make to the House of Representatives has performed the duties assigned to them. The committee reports that the Governor has no further communication with the House of Representatives.

ABBOTT AUSTIN
HOSTETTLER PIERCE

Report adopted.

HOUSE MOTION

Mr. Speaker: I move that the Speaker of the House of Representatives appoint a committee of four members of the House of Representatives to inform the Senate that the House of Representatives has completed its business and is ready to adjourn.

LEHMAN

Motion prevailed. The Speaker appointed Representatives Prescott, Burton, Klinker and V. Smith.

COMMITTEE REPORT

Mr. Speaker: Your Committee which was appointed by the Speaker to inform the Senate that the House of Representatives has completed its business and is ready to adjourn, has performed the duties assigned to them. The committee reports that they have informed the Senate that the House of Representatives has completed its business and is ready to adjourn.

PRESCOTT KLINKER
BURTON V. SMITH

Report adopted.

HOUSE MOTION

Mr. Speaker: I move that the Speaker of the House of Representatives appoint a committee of four members of the House of Representatives to inform the Governor that the House of Representatives has completed its business and is ready to adjourn.

LEHMAN

Motion prevailed. The Speaker appointed Representatives Wolkins, Bacon, Candelaria Reardon and Macer.

COMMITTEE REPORT

Mr. Speaker: Your Committee which was appointed by the Speaker to inform the Governor that the House of Representatives has completed its business and is ready to adjourn, has performed the duties assigned to them. The committee reports that they have informed the Governor that the House of Representatives has completed its business and is ready to adjourn.

WOLKINS CANDELARIA REARDON
BACON MACER

Report adopted.

HOUSE MOTION

Mr. Speaker: I move that House of Representatives of the SECOND Regular Session of the 121st Indiana General Assembly do now adjourn sine die at 12:13 a.m, this 12th day of March, 2020.

BRIAN C. BOSMA

Motion prevailed.

MESSAGES RECEIVED AFTER ADJOURNMENT OF THE SECOND REGULAR SESSION

MARCH 11, 2020

The Speaker announced that he had signed Senate Enrolled Acts 100 and 109 into law.

MARCH 14, 2020

MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House, on Saturday, March 14, 2020, I signed the following House Enrolled Acts 1015, 1047, 1067, 1080, 1082, 1091, 1093, 1094, 1151, 1173, 1174, 1199, 1210, 1218, 1301 and 1346 into law.

ERIC HOLCOMB
Governor

MARCH 16, 2020

The Speaker announced that he had signed House Enrolled Acts 1003, 1004,1006, 1014, 1022, 1045, 1065, 1066, 1092, 1108, 1113, 1131, 1153, 1157, 1207, 1235, 1326, 1372, 1385, 1414 and 1419 and Senate Enrolled Acts 267, 272, 273, 295, 299, 319, 331, 334, 335, 340, 343, 346, 350, 365, 367, 383, 395, 398, 405, 406, 408, 409, 410, 424, 427, 430, 433, 1, 5, 10, 19, 47, 80, 132, 146, 148, 177, 179, 184, 190, 194, 206, 209, 216, 229, 230, 237, 239, 241, 246, 254, 256, 257, 258 and 438 into law.

MARCH 18, 2020

MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House, on Wednesday, March 18, 2020, I signed the following House Enrolled Acts 1003, 1004, 1006, 1032, 1043, 1045, 1059, 1063, 1070, 1077, 1090, 1092, 1099, 1109, 1120, 1147, 1148, 1153, 1157, 1176, 1182, 1198, 1207, 1209, 1225, 1235, 1243, 1244, 1246, 1264, 1265, 1267, 1283, 1305, 1309, 1326, 1341, 1353, 1372, 1392 and 1419 into law.

ERIC HOLCOMB
Governor

MARCH 21, 2020

MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House, on Saturday, March 21, 2020, I signed the following House Enrolled Acts 1002, 1022, 1049, 1052, 1065, 1066, 1096, 1108, 1111, 1113, 1131, 1165, 1313, 1343, 1385 and 1414 into law.

ERIC HOLCOMB
Governor

MARCH 25, 2020

MESSAGE FROM THE GOVERNOR

Mr. Speaker and Members of the House, on Saturday, March 21, 2020, I signed the following House Enrolled Acts 1014 into law.

ERIC HOLCOMB
Governor

Roll Calls
Roll Call Index
Miscellaneous Index

INDIANA HOUSE OF REPRESENTATIVES

121st GENERAL ASSEMBLY

SECOND REGULAR SESSION

2020

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Jan 09, 2020

11:51:02 AM

Roll Call 7: Amendment Failed

HB 1002 - Cook - 2nd Reading

Teacher evaluations.
Amendment #2 - V. Smith

Yea	30
Nay	61
Excused	8
Not Voting	1

Presiding: Speaker

Yea - 30

Austin	Deal	Harris	Porter
Bartlett	DeLaney	Hatcher	Pryor
Bauer	Errington	Jackson	Shackleford
Beck	Fleming	Klinker	Smith, V
Boy	Forestal	Macer	Summers
Campbell	GiaQuinta	Moseley	Wright
Candelaria Reardon	Goodin	Pfaff	
Chyung	Hamilton	Pierce	

Nay - 61

Abbott	Ellington	Leonard	Sherman
Aylesworth	Engleman	Lindauer	Smaltz
Bacon	Frye	Lucas	Soliday
Baird	Goodrich	Lyness	Speedy
Barrett	Gutwein	Manning	Steuerwald
Bartels	Heaton	May	Stutzman
Behning	Heine	Mayfield	Thompson
Borders	Hostettler	McNamara	Torr
Brown, T	Huston	Miller	Vermilion
Burton	Jordan	Morrison	Wesco
Carbaugh	Judy	Morris	Wolkins
Cherry	Karickhoff	Negele	Young, J
Clere	Kirchhofer	Nisly	Ziemke
Cook	Lauer	Prescott	
Davisson	Lehe	Pressel	
DeVon	Lehman	Schaibley	

Excused - 8

Dvorak	Hatfield	Saunders	VanNatter
Eberhart	Moed	Sullivan	Zent

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Jan 09, 2020

11:56:42 AM

Roll Call 8: Amendment Failed

HB 1007 - Brown, T. - 2nd Reading

Fiscal matters.
Amendment #12 - Porter

Yea	29
Nay	61
Excused	9
Not Voting	1

Presiding: Speaker

Yea - 29

Austin	Deal	Hatcher	Pryor
Bartlett	DeLaney	Jackson	Shackleford
Bauer	Errington	Klinker	Smith, V
Beck	Forestal	Macer	Summers
Boy	GiaQuinta	Moseley	Wright
Campbell	Goodin	Pfaff	
Candelaria Reardon	Hamilton	Pierce	
Chyung	Harris	Porter	

Nay - 61

Abbott	Ellington	Leonard	Sherman
Aylesworth	Engleman	Lindauer	Smaltz
Bacon	Fleming	Lucas	Soliday
Baird	Frye	Lyness	Speedy
Barrett	Goodrich	Manning	Steuerwald
Bartels	Gutwein	May	Stutzman
Behning	Heaton	Mayfield	Thompson
Borders	Hostettler	McNamara	Torr
Brown, T	Huston	Miller	Vermilion
Burton	Jordan	Morrison	Wesco
Carbaugh	Judy	Morris	Wolkins
Cherry	Karickhoff	Negele	Young, J
Clere	Kirchhofer	Nisly	Ziemke
Cook	Lauer	Prescott	
Davisson	Lehe	Pressel	
DeVon	Lehman	Schaibley	

Excused - 9

Dvorak	Heine	Saunders	VanNatter
Eberhart	Moed	Sullivan	Zent
Hatfield			

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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12:01:02 PM

Roll Call 9: Amendment Failed

HB 1007 - Brown, T. - 2nd Reading

Fiscal matters.
Amendment #11 - Porter

Yea	30
Nay	60
Excused	9
Not Voting	1

Presiding: Speaker

Yea - 30

Austin	Deal	Harris	Porter
Bartlett	DeLaney	Hatcher	Pryor
Bauer	Errington	Jackson	Shackleford
Beck	Fleming	Klinker	Smith, V
Boy	Forestal	Macer	Summers
Campbell	GiaQuinta	Moseley	Wright
Candelaria Reardon	Goodin	Pfaff	
Chyung	Hamilton	Pierce	

Nay - 60

Abbott	DeVon	Lehman	Pressel
Aylesworth	Ellington	Leonard	Schaibley
Bacon	Engleman	Lindauer	Sherman
Baird	Frye	Lucas	Smaltz
Barrett	Goodrich	Lyness	Soliday
Bartels	Gutwein	Manning	Speedy
Behning	Heaton	May	Steuerwald
Borders	Hostettler	Mayfield	Stutzman
Brown, T	Huston	McNamara	Thompson
Burton	Jordan	Miller	Torr
Carbaugh	Judy	Morrison	Vermilion
Cherry	Karickhoff	Morris	Wesco
Clere	Kirchhofer	Negele	Wolkins
Cook	Lauer	Nisly	Young, J
Davisson	Lehe	Prescott	Ziemke

Excused - 9

Dvorak	Heine	Saunders	VanNatter
Eberhart	Moed	Sullivan	Zent
Hatfield			

Not Voting - 1

Mr. Speaker

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12:18:40 PM

Roll Call 10: Amendment Failed

HB 1007 - Brown, T. - 2nd Reading

Fiscal matters.
Amendment #16 - Campbell

Yea	28
Nay	60
Excused	9
Not Voting	3

Presiding: Speaker

Yea - 28

Austin	Chyung	Hamilton	Pfaff
Bartlett	Deal	Harris	Pierce
Bauer	DeLaney	Hatcher	Porter
Beck	Errington	Jackson	Pryor
Boy	Fleming	Klinker	Shackleford
Campbell	Forestal	Macer	Smith, V
Candelaria Reardon	GiaQuinta	Moseley	Wright

Nay - 60

Abbott	DeVon	Lehman	Pressel
Aylesworth	Ellington	Leonard	Schaibley
Bacon	Frye	Lindauer	Sherman
Baird	Goodin	Lucas	Smaltz
Barrett	Goodrich	Lyness	Soliday
Bartels	Gutwein	Manning	Steuerwald
Behning	Heaton	May	Stutzman
Borders	Hostettler	Mayfield	Summers
Brown, T	Huston	McNamara	Thompson
Burton	Jordan	Miller	Torr
Carbaugh	Judy	Morrison	Vermilion
Cherry	Karickhoff	Morris	Wesco
Clere	Kirchhofer	Negele	Wolkins
Cook	Lauer	Nisly	Young, J
Davisson	Lehe	Prescott	Ziemke

Excused - 9

Dvorak	Heine	Saunders	VanNatter
Eberhart	Moed	Sullivan	Zent
Hatfield			

Not Voting - 3

Engleman	Speedy	Mr. Speaker

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12:28:18 PM

Roll Call 11: Amendment Failed

HB 1007 - Brown, T. - 2nd Reading

Fiscal matters.
Amendment #14 - Porter

Yea	30
Nay	58
Excused	9
Not Voting	3

Presiding: Speaker

Yea - 30

Austin	Deal	Harris	Porter
Bartlett	DeLaney	Hatcher	Pryor
Bauer	Errington	Jackson	Shackleford
Beck	Fleming	Klinker	Smith, V
Boy	Forestal	Macer	Summers
Campbell	GiaQuinta	Moseley	Wright
Candelaria Reardon	Goodin	Pfaff	
Chyung	Hamilton	Pierce	

Nay - 58

Abbott	DeVon	Lehman	Schaibley
Aylesworth	Ellington	Leonard	Sherman
Bacon	Engleman	Lindauer	Smaltz
Baird	Frye	Lucas	Soliday
Barrett	Goodrich	Lyness	Steuerwald
Bartels	Gutwein	Manning	Stutzman
Behning	Heaton	May	Thompson
Borders	Hostettler	Mayfield	Torr
Brown, T	Huston	McNamara	Vermilion
Burton	Jordan	Miller	Wesco
Carbaugh	Judy	Morrison	Wolkins
Cherry	Karickhoff	Morris	Young, J
Clere	Kirchhofer	Negele	Ziemke
Cook	Lauer	Prescott	
Davisson	Lehe	Pressel	

Excused - 9

Dvorak	Heine	Saunders	VanNatter
Eberhart	Moed	Sullivan	Zent
Hatfield			

Not Voting - 3

Nisly	Speedy	Mr. Speaker

Indiana House of Representatives

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12:34:14 PM

Roll Call 12: Amendment Failed

HB 1007 - Brown, T. - 2nd Reading

Fiscal matters.
Amendment #3 - Porter

Yea	29
Nay	60
Excused	10
Not Voting	1

Presiding: Speaker

Yea - 29

Austin	Deal	Hatcher	Pryor
Bartlett	DeLaney	Jackson	Shackleford
Bauer	Errington	Klinker	Smith, V
Beck	Forestal	Macer	Summers
Boy	GiaQuinta	Moseley	Wright
Campbell	Goodin	Pfaff	
Candelaria Reardon	Hamilton	Pierce	
Chyung	Harris	Porter	

Nay - 60

Abbott	DeVon	Lehe	Prescott
Aylesworth	Ellington	Lehman	Pressel
Bacon	Engleman	Leonard	Schaibley
Baird	Fleming	Lindauer	Sherman
Barrett	Frye	Lucas	Smaltz
Bartels	Goodrich	Lyness	Soliday
Behning	Gutwein	Manning	Steuerwald
Borders	Heaton	May	Stutzman
Brown, T	Hostettler	Mayfield	Thompson
Burton	Huston	McNamara	Torr
Carbaugh	Jordan	Miller	Vermilion
Cherry	Judy	Morrison	Wesco
Clere	Karickhoff	Morris	Wolkins
Cook	Kirchhofer	Negele	Young, J
Davisson	Lauer	Nisly	Ziemke

Excused - 10

Dvorak	Heine	Speedy	Zent
Eberhart	Moed	Sullivan	
Hatfield	Saunders	VanNatter	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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12:39:55 PM

Roll Call 13: Amendment Failed

HB 1007 - Brown, T. - 2nd Reading

Fiscal matters.
Amendment #6 - DeLaney

Yea	30
Nay	58
Excused	10
Not Voting	2

Presiding: Speaker

Yea - 30

Austin	Deal	Harris	Porter
Bartlett	DeLaney	Hatcher	Pryor
Bauer	Errington	Jackson	Shackleford
Beck	Fleming	Klinker	Smith, V
Boy	Forestal	Macer	Summers
Campbell	GiaQuinta	Moseley	Wright
Candelaria Reardon	Goodin	Pfaff	
Chyung	Hamilton	Pierce	

Nay - 58

Abbott	Ellington	Leonard	Schaibley
Aylesworth	Engleman	Lindauer	Sherman
Bacon	Frye	Lucas	Smaltz
Baird	Goodrich	Lyness	Soliday
Barrett	Gutwein	Manning	Steuerwald
Behning	Heaton	May	Stutzman
Borders	Hostettler	Mayfield	Thompson
Brown, T	Huston	McNamara	Torr
Burton	Jordan	Miller	Vermilion
Carbaugh	Judy	Morrison	Wesco
Cherry	Karickhoff	Morris	Wolkins
Clere	Kirchhofer	Negele	Young, J
Cook	Lauer	Nisly	Ziemke
Davisson	Lehe	Prescott	
DeVon	Lehman	Pressel	

Excused - 10

Dvorak	Heine	Speedy	Zent
Eberhart	Moed	Sullivan	
Hatfield	Saunders	VanNatter	

Not Voting - 2

Bartels	Mr. Speaker

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12:46:32 PM

Roll Call 14: Amendment Failed

HB 1007 - Brown, T. - 2nd Reading

Fiscal matters.
Amendment #7 - DeLaney

Yea	30
Nay	58
Excused	10
Not Voting	2

Presiding: Speaker

Yea - 30

Austin	Deal	Harris	Porter
Bartlett	DeLaney	Hatcher	Pryor
Bauer	Errington	Jackson	Shackleford
Beck	Fleming	Klinker	Smith, V
Boy	Forestal	Macer	Summers
Campbell	GiaQuinta	Moseley	Wright
Candelaria Reardon	Goodin	Pfaff	
Chyung	Hamilton	Pierce	

Nay - 58

Abbott	Ellington	Leonard	Schaibley
Aylesworth	Engleman	Lindauer	Sherman
Bacon	Frye	Lucas	Smaltz
Baird	Goodrich	Lyness	Soliday
Barrett	Gutwein	Manning	Steuerwald
Behning	Heaton	May	Stutzman
Borders	Hostettler	Mayfield	Thompson
Brown, T	Huston	McNamara	Torr
Burton	Jordan	Miller	Vermilion
Carbaugh	Judy	Morrison	Wesco
Cherry	Karickhoff	Morris	Wolkins
Clere	Kirchhofer	Negele	Young, J
Cook	Lauer	Nisly	Ziemke
Davisson	Lehe	Prescott	
DeVon	Lehman	Pressel	

Excused - 10

Dvorak	Heine	Speedy	Zent
Eberhart	Moed	Sullivan	
Hatfield	Saunders	VanNatter	

Not Voting - 2

Bartels	Mr. Speaker

Indiana House of Representatives

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1:49:47 PM

Roll Call 16: Bill Passed

HB 1001 - DeVon - 3rd Reading

School accountability

Yea	100
Nay	0
Excused	0
Not Voting	0

Presiding: Speaker

Yea - 100

Abbott	DeVon	Kirchhofer	Pressel
Austin	Dvorak	Klinker	Pryor
Aylesworth	Eberhart	Lauer	Saunders
Bacon	Ellington	Lehe	Schaibley
Baird	Engleman	Lehman	Shackleford
Barrett	Errington	Leonard	Sherman
Bartels	Fleming	Lindauer	Smaltz
Bartlett	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	Mr. Speaker

Nay - 0

Excused - 0

Not Voting - 0

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2:04:45 PM

Roll Call 17: Bill Passed

HB 1002 - Cook - 3rd Reading

Teacher evaluations

Yea	100
Nay	0
Excused	0
Not Voting	0

Presiding: Speaker

Yea - 100

Abbott	DeVon	Kirchhofer	Pressel
Austin	Dvorak	Klinker	Pryor
Aylesworth	Eberhart	Lauer	Saunders
Bacon	Ellington	Lehe	Schaibley
Baird	Engleman	Lehman	Shackleford
Barrett	Errington	Leonard	Sherman
Bartels	Fleming	Lindauer	Smaltz
Bartlett	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	Mr. Speaker

Nay - 0

Excused - 0

Not Voting - 0

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3:26:17 PM

Roll Call 18: Bill Passed

HB 1007 - Brown, T. - 3rd Reading

Fiscal matters

Yea	76
Nay	22
Excused	2
Not Voting	0

Presiding: Speaker

Yea - 76

Abbott	Dvorak	Lehe	Schaibley
Austin	Eberhart	Lehman	Sherman
Aylesworth	Ellington	Leonard	Smaltz
Bacon	Engleman	Lindauer	Soliday
Baird	Errington	Lucas	Speedy
Barrett	Fleming	Lyness	Steuerwald
Bartels	Forestal	Manning	Stutzman
Beck	Frye	May	Sullivan
Behning	Goodrich	Mayfield	Thompson
Borders	Gutwein	McNamara	Torr
Brown, T	Heaton	Miller	VanNatter
Burton	Heine	Moed	Vermilion
Carbaugh	Hostettler	Morrison	Wesco
Cherry	Huston	Morris	Wolkins
Chyung	Jordan	Negele	Wright
Clere	Judy	Nisly	Young, J
Davisson	Karickhoff	Prescott	Zent
Deal	Kirchhofer	Pressel	Ziemke
DeVon	Lauer	Saunders	Mr. Speaker

Nay - 22

Bartlett	GiaQuinta	Klinker	Pryor
Bauer	Hamilton	Macer	Shackleford
Boy	Harris	Moseley	Smith, V
Campbell	Hatcher	Pfaff	Summers
Candelaria Reardon	Hatfield	Pierce	
DeLaney	Jackson	Porter	

Excused - 2

Cook	Goodin

Not Voting - 0

Indiana House of Representatives

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3:45:35 PM

Roll Call 19: Amendment Failed

HB 1027 - Engleman - 2nd Reading

Township assessors.
Amendment #1 - Campbell

Yea	38
Nay	59
Excused	2
Not Voting	1

Presiding: Speaker

Yea - 38

Austin	DeLaney	Hatfield	Pryor
Bartlett	DeVon	Karickhoff	Saunders
Bauer	Dvorak	Klinker	Shackleford
Beck	Errington	Macer	Smith, V
Borders	Fleming	Moed	Stutzman
Boy	Forestal	Moseley	Summers
Campbell	GiaQuinta	Nisly	Wesco
Candelaria Reardon	Hamilton	Pfaff	Wright
Chyung	Harris	Pierce	
Deal	Hatcher	Porter	

Nay - 59

Abbott	Engleman	Leonard	Sherman
Aylesworth	Frye	Lindauer	Smaltz
Bacon	Goodrich	Lucas	Soliday
Baird	Gutwein	Lyness	Speedy
Barrett	Heaton	Manning	Steuerwald
Bartels	Heine	May	Sullivan
Behning	Hostettler	Mayfield	Thompson
Brown, T	Huston	McNamara	Torr
Burton	Jackson	Miller	VanNatter
Carbaugh	Jordan	Morrison	Vermilion
Cherry	Judy	Morris	Wolkins
Clere	Kirchhofer	Negele	Young, J
Davisson	Lauer	Prescott	Zent
Eberhart	Lehe	Pressel	Ziemke
Ellington	Lehman	Schaibley	

Excused - 2

Cook	Goodin

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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1:40:46 PM

Roll Call 21: Bill Passed

HB 1014 - Saunders - 3rd Reading

Plan commissions

Yea	96
Nay	0
Excused	2
Not Voting	2

Presiding: Speaker

Yea - 96

Abbott	DeVon	Karickhoff	Prescott
Austin	Dvorak	Kirchhofer	Pressel
Aylesworth	Eberhart	Klinker	Pryor
Bacon	Ellington	Lauer	Saunders
Baird	Engleman	Lehe	Schaibley
Barrett	Errington	Lehman	Shackleford
Bartels	Fleming	Leonard	Sherman
Bartlett	Forestal	Lindauer	Smaltz
Bauer	Frye	Lucas	Smith, V
Beck	GiaQuinta	Lyness	Soliday
Behning	Goodin	Macer	Steuerwald
Borders	Goodrich	Manning	Stutzman
Boy	Gutwein	May	Sullivan
Brown, T	Hamilton	Mayfield	Summers
Burton	Harris	McNamara	Thompson
Campbell	Hatcher	Miller	Torr
Candelaria Reardon	Hatfield	Moed	VanNatter
Carbaugh	Heaton	Morrison	Vermilion
Cherry	Heine	Morris	Wesco
Chyung	Hostettler	Moseley	Wolkins
Clere	Huston	Negele	Wright
Davisson	Jackson	Nisly	Young, J
Deal	Jordan	Pfaff	Zent
DeLaney	Judy	Pierce	Ziemke

Nay - 0

Excused - 2

Cook	Speedy

Not Voting - 2

Porter	Mr. Speaker

Indiana House of Representatives

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2:16:17 PM

Roll Call 22: Bill Passed

HB 1027 - Engleman - 3rd Reading

Township assessors

Yea	53
Nay	44
Excused	2
Not Voting	1

Presiding: Speaker

Yea - 53

Abbott	Engleman	Lehe	Sherman
Aylesworth	Fleming	Lehman	Soliday
Bacon	Frye	Leonard	Steuerwald
Baird	Goodrich	Lyness	Sullivan
Barrett	Gutwein	Manning	Thompson
Bartels	Heaton	May	Torr
Boy	Heine	Mayfield	VanNatter
Brown, T	Hostettler	McNamara	Vermilion
Burton	Huston	Morrison	Young, J
Cherry	Jackson	Morris	Zent
Clere	Jordan	Negele	Ziemke
Davisson	Judy	Pressel	
Eberhart	Kirchhofer	Saunders	
Ellington	Lauer	Schaibley	

Nay - 44

Austin	DeLaney	Karickhoff	Porter
Bartlett	DeVon	Klinker	Prescott
Bauer	Dvorak	Lindauer	Pryor
Beck	Errington	Lucas	Shackleford
Behning	Forestal	Macer	Smaltz
Borders	GiaQuinta	Miller	Smith, V
Campbell	Goodin	Moed	Stutzman
Candelaria Reardon	Hamilton	Moseley	Summers
Carbaugh	Harris	Nisly	Wesco
Chyung	Hatcher	Pfaff	Wolkins
Deal	Hatfield	Pierce	Wright

Excused - 2

Cook	Speedy

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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2:21:41 PM

Roll Call 23: Bill Passed

HB 1047 - Steuerwald - 3rd Reading

Justice reinvestment advisory council

Yea	93
Nay	0
Excused	2
Not Voting	5

Presiding: Speaker

Yea - 93

Abbott	DeVon	Kirchhofer	Saunders
Austin	Dvorak	Lauer	Schaibley
Aylesworth	Eberhart	Lehe	Shackleford
Bacon	Ellington	Lehman	Sherman
Baird	Engleman	Leonard	Smaltz
Barrett	Errington	Lindauer	Smith, V
Bartels	Fleming	Lucas	Soliday
Bartlett	Forestal	Lyness	Steuerwald
Bauer	Frye	Manning	Stutzman
Beck	GiaQuinta	May	Sullivan
Behning	Goodin	Mayfield	Summers
Borders	Goodrich	McNamara	Thompson
Boy	Gutwein	Miller	Torr
Brown, T	Hamilton	Moed	VanNatter
Burton	Hatcher	Morrison	Vermilion
Campbell	Hatfield	Morris	Wesco
Candelaria Reardon	Heaton	Negele	Wolkins
Carbaugh	Heine	Nisly	Wright
Cherry	Hostettler	Pfaff	Young, J
Chyung	Huston	Pierce	Zent
Clere	Jackson	Porter	Ziemke
Davisson	Jordan	Prescott	
Deal	Judy	Pressel	
DeLaney	Karickhoff	Pryor	

Nay - 0

Excused - 2

Cook	Speedy

Not Voting - 5

Harris	Macer	Moseley	Mr. Speaker
Klinker			

Indiana House of Representatives

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2:24:25 PM

Roll Call 24: Bill Passed

HB 1067 - Zent - 3rd Reading

Dental hygienists

Yea	95
Nay	0
Excused	2
Not Voting	3

Presiding: Speaker

Yea - 95

Abbott	DeVon	Kirchhofer	Pressel
Austin	Dvorak	Klinker	Pryor
Aylesworth	Eberhart	Lauer	Saunders
Bacon	Ellington	Lehe	Schaibley
Baird	Engleman	Lehman	Shackleford
Barrett	Errington	Leonard	Sherman
Bartels	Fleming	Lindauer	Smaltz
Bartlett	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Manning	Steuerwald
Behning	Goodin	May	Stutzman
Borders	Goodrich	Mayfield	Sullivan
Boy	Gutwein	McNamara	Summers
Brown, T	Hamilton	Miller	Thompson
Burton	Hatcher	Moed	Torr
Campbell	Hatfield	Morrison	VanNatter
Candelaria Reardon	Heaton	Morris	Vermilion
Carbaugh	Heine	Moseley	Wesco
Cherry	Hostettler	Negele	Wolkins
Chyung	Huston	Nisly	Wright
Clere	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	

Nay - 0

Excused - 2

Cook	Speedy

Not Voting - 3

Harris	Macer	Mr. Speaker

Indiana House of Representatives

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10:22:16 AM

Roll Call 27: Resolution Adopted

HCR 8 - Negele

Commemorating the centennial anniversary of Indiana ratifying the 19th Amendment

Yea	100
Nay	0
Excused	0
Not Voting	0

Presiding: Speaker

Yea - 100

Abbott	DeVon	Kirchhofer	Pressel
Austin	Dvorak	Klinker	Pryor
Aylesworth	Eberhart	Lauer	Saunders
Bacon	Ellington	Lehe	Schaibley
Baird	Engleman	Lehman	Shackleford
Barrett	Errington	Leonard	Sherman
Bartels	Fleming	Lindauer	Smaltz
Bartlett	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	Mr. Speaker

Nay - 0

Excused - 0

Not Voting - 0

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11:19:35 AM

Roll Call 28: Amendment Failed

HB 1006 - Kirchhofer - 2nd Reading

Regulation of tobacco products.
Amendment #8 - Austin

Yea	40
Nay	57
Excused	1
Not Voting	2

Presiding: Speaker

Yea - 40

Abbott	Deal	Harris	Pierce
Austin	DeLaney	Hatcher	Porter
Bartlett	Dvorak	Heine	Prescott
Bauer	Errington	Jackson	Pressel
Beck	Fleming	Klinker	Pryor
Boy	Forestal	Lauer	Saunders
Campbell	GiaQuinta	Macer	Shackleford
Candelaria Reardon	Goodin	Moed	Smith, V
Carbaugh	Gutwein	Moseley	Summers
Chyung	Hamilton	Pfaff	Wright

Nay - 57

Aylesworth	Ellington	Lucas	Steuerwald
Bacon	Engleman	Lyness	Stutzman
Baird	Frye	Manning	Sullivan
Barrett	Goodrich	May	Thompson
Bartels	Heaton	Mayfield	Torr
Behning	Hostettler	McNamara	VanNatter
Borders	Huston	Miller	Vermilion
Brown, T	Jordan	Morrison	Wesco
Burton	Judy	Morris	Wolkins
Cherry	Karickhoff	Negele	Young, J
Clere	Kirchhofer	Nisly	Zent
Cook	Lehe	Schaibley	Ziemke
Davisson	Lehman	Sherman	
DeVon	Leonard	Soliday	
Eberhart	Lindauer	Speedy	

Excused - 1

Smaltz

Not Voting - 2

Hatfield | Mr. Speaker

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2:45:32 PM

Roll Call 30: Bill Passed

HB 1006 - Kirchhofer - 3rd Reading

Regulation of tobacco products

Yea	84
Nay	14
Excused	2
Not Voting	0

Presiding: Huston

Yea - 84

Abbott	Davisson	Karickhoff	Saunders
Austin	Deal	Kirchhofer	Schaibley
Aylesworth	DeLaney	Klinker	Shackleford
Bacon	DeVon	Lehe	Sherman
Baird	Engleman	Lehman	Smaltz
Barrett	Errington	Leonard	Smith, V
Bartels	Fleming	Lyness	Soliday
Bartlett	Forestal	Macer	Speedy
Bauer	Frye	Manning	Steuerwald
Beck	GiaQuinta	May	Stutzman
Behning	Goodin	McNamara	Sullivan
Borders	Goodrich	Miller	Summers
Boy	Hamilton	Moed	Thompson
Brown, T	Harris	Moseley	Torr
Burton	Hatcher	Negele	Vermilion
Campbell	Hatfield	Pfaff	Wesco
Candelaria Reardon	Heaton	Pierce	Wolkins
Cherry	Heine	Porter	Wright
Chyung	Huston	Prescott	Zent
Clere	Jackson	Pressel	Ziemke
Cook	Jordan	Pryor	Mr. Speaker

Nay - 14

Carbaugh	Hostettler	Lucas	Nisly
Eberhart	Judy	Mayfield	Young, J
Ellington	Lauer	Morrison	
Gutwein	Lindauer	Morris	

Excused - 2

Dvorak	VanNatter

Not Voting - 0

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2:51:46 PM

Roll Call 31: Bill Passed

HB 1022 - Torr - 3rd Reading

Legislative notaries

Yea	96
Nay	0
Excused	2
Not Voting	2

Presiding: Huston

Yea - 96

Abbott	DeLaney	Kirchhofer	Prescott
Austin	DeVon	Klinker	Pressel
Aylesworth	Eberhart	Lauer	Pryor
Bacon	Ellington	Lehe	Saunders
Baird	Engleman	Lehman	Schaibley
Barrett	Errington	Leonard	Shackleford
Bartels	Fleming	Lindauer	Sherman
Bartlett	Forestal	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Speedy
Borders	Goodrich	May	Steuerwald
Boy	Gutwein	Mayfield	Stutzman
Brown, T	Hamilton	McNamara	Sullivan
Burton	Harris	Miller	Summers
Campbell	Hatfield	Moed	Thompson
Candelaria Reardon	Heaton	Morrison	Torr
Carbaugh	Heine	Morris	Vermilion
Cherry	Hostettler	Moseley	Wesco
Chyung	Huston	Negele	Wolkins
Clere	Jackson	Nisly	Wright
Cook	Jordan	Pfaff	Young, J
Davisson	Judy	Pierce	Zent
Deal	Karickhoff	Porter	Ziemke

Nay - 0

Excused - 2

Dvorak	VanNatter

Not Voting - 2

Hatcher	Mr. Speaker

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2:54:34 PM

Roll Call 32: Bill Passed

HB 1032 - Miller - 3rd Reading

Interfering with public safety

Yea	94
Nay	0
Excused	2
Not Voting	4

Presiding: Huston

Yea - 94

Abbott	Eberhart	Lauer	Pryor
Austin	Ellington	Lehe	Saunders
Aylesworth	Engleman	Lehman	Schaibley
Bacon	Errington	Leonard	Shackleford
Baird	Fleming	Lindauer	Sherman
Barrett	Forestal	Lucas	Smaltz
Bartlett	Frye	Lyness	Smith, V
Bauer	GiaQuinta	Macer	Soliday
Beck	Goodin	Manning	Speedy
Behning	Goodrich	May	Steuerwald
Borders	Gutwein	Mayfield	Stutzman
Boy	Hamilton	McNamara	Sullivan
Brown, T	Harris	Miller	Summers
Burton	Hatfield	Moed	Thompson
Campbell	Heaton	Morrison	Torr
Carbaugh	Heine	Morris	Vermilion
Cherry	Hostettler	Moseley	Wesco
Chyung	Huston	Negele	Wolkins
Clere	Jackson	Nisly	Wright
Cook	Jordan	Pfaff	Young, J
Davisson	Judy	Pierce	Zent
Deal	Karickhoff	Porter	Ziemke
DeLaney	Kirchhofer	Prescott	
DeVon	Klinker	Pressel	

Nay - 0

Excused - 2

Dvorak	VanNatter

Not Voting - 4

Bartels	Candelaria Reardon	Hatcher	Mr. Speaker

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2:57:36 PM

Roll Call 33: Bill Passed

HB 1049 - Heaton - 3rd Reading

Business associations

Yea	97
Nay	0
Excused	2
Not Voting	1

Presiding: Huston

Yea - 97

Abbott	DeVon	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Speedy
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	Torr
Campbell	Hatfield	Morrison	Vermilion
Candelaria Reardon	Heaton	Morris	Wesco
Carbaugh	Heine	Moseley	Wolkins
Cherry	Hostettler	Negele	Wright
Chyung	Huston	Nisly	Young, J
Clere	Jackson	Pfaff	Zent
Cook	Jordan	Pierce	Ziemke
Davisson	Judy	Porter	
Deal	Karickhoff	Prescott	
DeLaney	Kirchhofer	Pressel	

Nay - 0

Excused - 2

Dvorak	VanNatter

Not Voting - 1

Mr. Speaker

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3:00:32 PM

Roll Call 34: Bill Passed

HB 1096 - Young J - 3rd Reading

Technical corrections

Yea	97
Nay	0
Excused	2
Not Voting	1

Presiding: Huston

Yea - 97

Abbott	DeVon	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Speedy
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	Torr
Campbell	Hatfield	Morrison	Vermilion
Candelaria Reardon	Heaton	Morris	Wesco
Carbaugh	Heine	Moseley	Wolkins
Cherry	Hostettler	Negele	Wright
Chyung	Huston	Nisly	Young, J
Clere	Jackson	Pfaff	Zent
Cook	Jordan	Pierce	Ziemke
Davisson	Judy	Porter	
Deal	Karickhoff	Prescott	
DeLaney	Kirchhofer	Pressel	

Nay - 0

Excused - 2

Dvorak	VanNatter

Not Voting - 1

Mr. Speaker

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3:05:48 PM

Roll Call 35: Bill Passed

HB 1143 - Morrison - 3rd Reading

Device implantation as a condition of employment

Yea	97
Nay	0
Excused	2
Not Voting	1

Presiding: Huston

Yea - 97

Abbott	DeVon	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Speedy
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	Torr
Campbell	Hatfield	Morrison	Vermilion
Candelaria Reardon	Heaton	Morris	Wesco
Carbaugh	Heine	Moseley	Wolkins
Cherry	Hostettler	Negele	Wright
Chyung	Huston	Nisly	Young, J
Clere	Jackson	Pfaff	Zent
Cook	Jordan	Pierce	Ziemke
Davisson	Judy	Porter	
Deal	Karickhoff	Prescott	
DeLaney	Kirchhofer	Pressel	

Nay - 0

Excused - 2

Dvorak	VanNatter

Not Voting - 1

Mr. Speaker

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3:07:55 PM

Roll Call 36: Bill Passed

HB 1148 - Ellington - 3rd Reading

Board of accountancy

Yea	96
Nay	0
Excused	2
Not Voting	2

Presiding: Huston

Yea - 96

Abbott	DeLaney	Karickhoff	Porter
Austin	DeVon	Kirchhofer	Prescott
Aylesworth	Eberhart	Klinker	Pressel
Bacon	Ellington	Lauer	Pryor
Baird	Engleman	Lehe	Saunders
Barrett	Errington	Lehman	Schaibley
Bartels	Fleming	Leonard	Shackleford
Bartlett	Forestal	Lindauer	Sherman
Bauer	Frye	Lucas	Smaltz
Beck	GiaQuinta	Lyness	Smith, V
Behning	Goodin	Macer	Soliday
Borders	Goodrich	Manning	Speedy
Boy	Gutwein	May	Steuerwald
Brown, T	Hamilton	Mayfield	Stutzman
Burton	Harris	McNamara	Sullivan
Campbell	Hatcher	Miller	Thompson
Candelaria Reardon	Hatfield	Moed	Torr
Carbaugh	Heaton	Morrison	Vermilion
Cherry	Heine	Morris	Wesco
Chyung	Hostettler	Moseley	Wolkins
Clere	Huston	Negele	Wright
Cook	Jackson	Nisly	Young, J
Davisson	Jordan	Pfaff	Zent
Deal	Judy	Pierce	Ziemke

Nay - 0

Excused - 2

Dvorak	VanNatter

Not Voting - 2

Summers	Mr. Speaker

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3:10:36 PM

Roll Call 37: Bill Passed

HB 1151 - Mayfield - 3rd Reading

School resource officers

Yea	96
Nay	0
Excused	2
Not Voting	2

Presiding: Huston

Yea - 96

Abbott	DeLaney	Karickhoff	Porter
Austin	DeVon	Kirchhofer	Prescott
Aylesworth	Eberhart	Klinker	Pressel
Bacon	Ellington	Lauer	Pryor
Baird	Engleman	Lehe	Saunders
Barrett	Errington	Lehman	Schaibley
Bartels	Fleming	Leonard	Shackleford
Bartlett	Forestal	Lindauer	Sherman
Bauer	Frye	Lucas	Smaltz
Beck	GiaQuinta	Lyness	Smith, V
Behning	Goodin	Macer	Soliday
Borders	Goodrich	Manning	Speedy
Boy	Gutwein	May	Steuerwald
Brown, T	Hamilton	Mayfield	Stutzman
Burton	Harris	McNamara	Sullivan
Campbell	Hatcher	Miller	Thompson
Candelaria Reardon	Hatfield	Moed	Torr
Carbaugh	Heaton	Morrison	Vermilion
Cherry	Heine	Morris	Wesco
Chyung	Hostettler	Moseley	Wolkins
Clere	Huston	Negele	Wright
Cook	Jackson	Nisly	Young, J
Davisson	Jordan	Pfaff	Zent
Deal	Judy	Pierce	Ziemke

Nay - 0

Excused - 2

Dvorak	VanNatter

Not Voting - 2

Summers	Mr. Speaker

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3:13:48 PM

Roll Call 38: Bill Passed

HB 1173 - Frye - 3rd Reading

Indiana department of veterans' affairs

Yea	97
Nay	0
Excused	2
Not Voting	1

Presiding: Huston

Yea - 97

Abbott	DeVon	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Speedy
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	Torr
Campbell	Hatfield	Morrison	Vermilion
Candelaria Reardon	Heaton	Morris	Wesco
Carbaugh	Heine	Moseley	Wolkins
Cherry	Hostettler	Negele	Wright
Chyung	Huston	Nisly	Young, J
Clere	Jackson	Pfaff	Zent
Cook	Jordan	Pierce	Ziemke
Davisson	Judy	Porter	
Deal	Karickhoff	Prescott	
DeLaney	Kirchhofer	Pressel	

Nay - 0

Excused - 2

Dvorak	VanNatter

Not Voting - 1

Mr. Speaker

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10:57:56 AM

Roll Call 40: Amendment Failed

HB 1059 - Miller - 2nd Reading

Sales tax on recreational vehicles.
Amendment #3 - Macer

Yea	41
Nay	51
Excused	4
Not Voting	4

Presiding: Speaker

Yea - 41

Abbott	Deal	Hamilton	Pfaff
Austin	DeLaney	Harris	Pierce
Aylesworth	DeVon	Hatcher	Porter
Baird	Dvorak	Hatfield	Pryor
Bartlett	Eberhart	Klinker	Shackleford
Bauer	Errington	Lyness	Smith, V
Beck	Fleming	Macer	Summers
Borders	Forestal	Mayfield	Wright
Boy	Frye	Moed	
Campbell	GiaQuinta	Moseley	
Chyung	Goodin	Nisly	

Nay - 51

Bacon	Heaton	Lucas	Smaltz
Barrett	Heine	Manning	Soliday
Behning	Hostettler	May	Speedy
Brown, T	Huston	McNamara	Steuerwald
Burton	Jordan	Miller	Thompson
Cherry	Judy	Morrison	Torr
Clere	Karickhoff	Morris	VanNatter
Cook	Kirchhofer	Negele	Vermilion
Davisson	Lauer	Prescott	Wesco
Ellington	Lehe	Pressel	Wolkins
Engleman	Lehman	Saunders	Young, J
Goodrich	Leonard	Schaibley	Zent
Gutwein	Lindauer	Sherman	

Excused - 4

Candelaria Reardon	Jackson	Stutzman	Sullivan

Not Voting - 4

Bartels	Carbaugh	Ziemke	Mr. Speaker

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11:02:39 AM

Roll Call 41: Bill Passed

HB 1009 - Goodrich - 3rd Reading

Various welfare matters

Yea	94
Nay	0
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 94

Abbott	DeVon	Kirchhofer	Pryor
Austin	Dvorak	Klinker	Saunders
Aylesworth	Eberhart	Lauer	Schaibley
Bacon	Ellington	Lehe	Shackleford
Baird	Engleman	Lehman	Sherman
Barrett	Errington	Leonard	Smaltz
Bartels	Fleming	Lindauer	Smith, V
Bartlett	Forestal	Lucas	Soliday
Bauer	Frye	Lyness	Speedy
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Summers
Borders	Goodrich	May	Thompson
Boy	Gutwein	Mayfield	Torr
Brown, T	Hamilton	McNamara	VanNatter
Burton	Harris	Moed	Vermilion
Campbell	Hatcher	Morrison	Wesco
Carbaugh	Hatfield	Morris	Wolkins
Cherry	Heaton	Moseley	Wright
Chyung	Heine	Negele	Young, J
Clere	Hostettler	Pfaff	Zent
Cook	Huston	Pierce	Ziemke
Davisson	Jordan	Porter	Mr. Speaker
Deal	Judy	Prescott	
DeLaney	Karickhoff	Pressel	

Nay - 0

Excused - 4

Candelaria Reardon	Jackson	Stutzman	Sullivan

Not Voting - 2

Miller	Nisly

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11:04:27 AM

Roll Call 42: Bill Passed

HB 1077 - Zent - 3rd Reading

Professional licensing agency

Yea	92
Nay	0
Excused	4
Not Voting	4

Presiding: Speaker

Yea - 92

Abbott	DeLaney	Karickhoff	Prescott
Austin	DeVon	Kirchhofer	Pressel
Aylesworth	Dvorak	Klinker	Pryor
Bacon	Eberhart	Lauer	Saunders
Baird	Ellington	Lehe	Schaibley
Barrett	Engleman	Lehman	Shackleford
Bartels	Errington	Leonard	Sherman
Bartlett	Fleming	Lucas	Smaltz
Bauer	Forestal	Lyness	Smith, V
Beck	Frye	Macer	Soliday
Behning	GiaQuinta	Manning	Speedy
Borders	Goodin	May	Steuerwald
Boy	Goodrich	Mayfield	Summers
Brown, T	Gutwein	McNamara	Thompson
Burton	Hamilton	Moed	Torr
Campbell	Harris	Morrison	VanNatter
Carbaugh	Hatcher	Morris	Vermilion
Cherry	Heaton	Moseley	Wesco
Chyung	Heine	Negele	Wolkins
Clere	Hostettler	Nisly	Wright
Cook	Huston	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke

Nay - 0

Excused - 4

Candelaria Reardon	Jackson	Stutzman	Sullivan

Not Voting - 4

Hatfield	Lindauer	Miller	Mr. Speaker

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11:10:45 AM

Roll Call 43: Bill Passed

HB 1091 - Cook - 3rd Reading

Education benefits relating to military service

Yea	96
Nay	0
Excused	4
Not Voting	0

Presiding: Speaker

Yea - 96

Abbott	DeVon	Kirchhofer	Prescott
Austin	Dvorak	Klinker	Pressel
Aylesworth	Eberhart	Lauer	Pryor
Bacon	Ellington	Lehe	Saunders
Baird	Engleman	Lehman	Schaibley
Barrett	Errington	Leonard	Shackleford
Bartels	Fleming	Lindauer	Sherman
Bartlett	Forestal	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Speedy
Borders	Goodrich	May	Steuerwald
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	VanNatter
Carbaugh	Hatfield	Morrison	Vermilion
Cherry	Heaton	Morris	Wesco
Chyung	Heine	Moseley	Wolkins
Clere	Hostettler	Negele	Wright
Cook	Huston	Nisly	Young, J
Davisson	Jordan	Pfaff	Zent
Deal	Judy	Pierce	Ziemke
DeLaney	Karickhoff	Porter	Mr. Speaker

Nay - 0

Excused - 4

Candelaria Reardon	Jackson	Stutzman	Sullivan

Not Voting - 0

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11:22:00 AM

Roll Call 44: Bill Passed

HB 1094 - Ziemke - 3rd Reading

Substance use prevention and recovery

Yea	94
Nay	0
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 94

Abbott	DeVon	Kirchhofer	Prescott
Austin	Dvorak	Klinker	Pressel
Aylesworth	Eberhart	Lauer	Pryor
Bacon	Ellington	Lehe	Saunders
Baird	Engleman	Lehman	Schaibley
Barrett	Errington	Leonard	Shackleford
Bartels	Fleming	Lindauer	Sherman
Bartlett	Forestal	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Speedy
Borders	Goodrich	May	Steuerwald
Boy	Gutwein	Mayfield	Thompson
Brown, T	Hamilton	McNamara	Torr
Burton	Harris	Miller	VanNatter
Campbell	Hatcher	Moed	Vermilion
Carbaugh	Hatfield	Morrison	Wesco
Cherry	Heaton	Morris	Wolkins
Chyung	Heine	Moseley	Wright
Clere	Hostettler	Negele	Young, J
Cook	Huston	Nisly	Zent
Davisson	Jordan	Pfaff	Ziemke
Deal	Judy	Pierce	
DeLaney	Karickhoff	Porter	

Nay - 0

Excused - 4

Candelaria Reardon	Jackson	Stutzman	Sullivan

Not Voting - 2

Summers	Mr. Speaker

Indiana House of Representatives

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11:18:00 AM

Roll Call 45: Bill Passed

HB 1104 - Clere - 3rd Reading

Housing and community development authority

Yea	95
Nay	0
Excused	4
Not Voting	1

Presiding: Speaker

Yea - 95

Abbott	DeVon	Kirchhofer	Prescott
Austin	Dvorak	Klinker	Pressel
Aylesworth	Eberhart	Lauer	Pryor
Bacon	Ellington	Lehe	Saunders
Baird	Engleman	Lehman	Schaibley
Barrett	Errington	Leonard	Shackleford
Bartels	Fleming	Lindauer	Sherman
Bartlett	Forestal	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Speedy
Borders	Goodrich	May	Steuerwald
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	VanNatter
Carbaugh	Hatfield	Morrison	Vermilion
Cherry	Heaton	Morris	Wesco
Chyung	Heine	Moseley	Wolkins
Clere	Hostettler	Negele	Wright
Cook	Huston	Nisly	Young, J
Davisson	Jordan	Pfaff	Zent
Deal	Judy	Pierce	Ziemke
DeLaney	Karickhoff	Porter	

Nay - 0

Excused - 4

Candelaria Reardon	Jackson	Stutzman	Sullivan

Not Voting - 1

Mr. Speaker

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11:30:17 AM

Roll Call 46: Bill Passed

HB 1109 - Lehman - 3rd Reading

Telephone solicitation and consumer credit

Yea	95
Nay	0
Excused	4
Not Voting	1

Presiding: Speaker

Yea - 95

Abbott	DeVon	Kirchhofer	Prescott
Austin	Dvorak	Klinker	Pressel
Aylesworth	Eberhart	Lauer	Pryor
Bacon	Ellington	Lehe	Saunders
Baird	Engleman	Lehman	Schaibley
Barrett	Errington	Leonard	Shackleford
Bartels	Fleming	Lindauer	Sherman
Bartlett	Forestal	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Speedy
Borders	Goodrich	May	Steuerwald
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	VanNatter
Carbaugh	Hatfield	Morrison	Vermilion
Cherry	Heaton	Morris	Wesco
Chyung	Heine	Moseley	Wolkins
Clere	Hostettler	Negele	Wright
Cook	Huston	Nisly	Young, J
Davisson	Jordan	Pfaff	Zent
Deal	Judy	Pierce	Ziemke
DeLaney	Karickhoff	Porter	

Nay - 0

Excused - 4

Candelaria Reardon	Jackson	Stutzman	Sullivan

Not Voting - 1

Mr. Speaker

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11:33:19 AM

Roll Call 47: Bill Passed

HB 1119 - Lehe - 3rd Reading

Regulation of pesticide use and application

Yea	95
Nay	0
Excused	4
Not Voting	1

Presiding: Speaker

Yea - 95

Abbott	DeVon	Kirchhofer	Prescott
Austin	Dvorak	Klinker	Pressel
Aylesworth	Eberhart	Lauer	Pryor
Bacon	Ellington	Lehe	Saunders
Baird	Engleman	Lehman	Schaibley
Barrett	Errington	Leonard	Shackleford
Bartels	Fleming	Lindauer	Sherman
Bartlett	Forestal	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Speedy
Borders	Goodrich	May	Steuerwald
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	VanNatter
Carbaugh	Hatfield	Morrison	Vermilion
Cherry	Heaton	Morris	Wesco
Chyung	Heine	Moseley	Wolkins
Clere	Hostettler	Negele	Wright
Cook	Huston	Nisly	Young, J
Davisson	Jordan	Pfaff	Zent
Deal	Judy	Pierce	Ziemke
DeLaney	Karickhoff	Porter	

Nay - 0

Excused - 4

Candelaria Reardon	Jackson	Stutzman	Sullivan

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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11:57:01 AM

Roll Call 48: Bill Passed

HB 1120 - Steuerwald - 3rd Reading

Educational credit time

Yea	94
Nay	0
Excused	5
Not Voting	1

Presiding: Speaker

Yea - 94

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Speedy
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Summers
Borders	Gutwein	Mayfield	Thompson
Boy	Hamilton	McNamara	Torr
Brown, T	Harris	Miller	VanNatter
Burton	Hatcher	Moed	Vermilion
Campbell	Hatfield	Morrison	Wesco
Carbaugh	Heaton	Morris	Wolkins
Cherry	Heine	Negele	Wright
Chyung	Hostettler	Nisly	Young, J
Clere	Huston	Pfaff	Zent
Cook	Jordan	Pierce	Ziemke
Deal	Judy	Porter	Mr. Speaker
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 5

Candelaria Reardon	Jackson	Stutzman	Sullivan
Davisson			

Not Voting - 1

Moseley

Indiana House of Representatives

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12:01:16 PM

Roll Call 49: Bill Passed

HB 1129 - Lauer - 3rd Reading

Infant screening

Yea	95
Nay	0
Excused	5
Not Voting	0

Presiding: Speaker

Yea - 95

Abbott	Dvorak	Klinker	Pressel
Austin	Eberhart	Lauer	Pryor
Aylesworth	Ellington	Lehe	Saunders
Bacon	Engleman	Lehman	Schaibley
Baird	Errington	Leonard	Shackleford
Barrett	Fleming	Lindauer	Sherman
Bartels	Forestal	Lucas	Smaltz
Bartlett	Frye	Lyness	Smith, V
Bauer	GiaQuinta	Macer	Soliday
Beck	Goodin	Manning	Speedy
Behning	Goodrich	May	Steuerwald
Borders	Gutwein	Mayfield	Summers
Boy	Hamilton	McNamara	Thompson
Brown, T	Harris	Miller	Torr
Burton	Hatcher	Moed	VanNatter
Campbell	Hatfield	Morrison	Vermilion
Carbaugh	Heaton	Morris	Wesco
Cherry	Heine	Moseley	Wolkins
Chyung	Hostettler	Negele	Wright
Clere	Huston	Nisly	Young, J
Cook	Jordan	Pfaff	Zent
Deal	Judy	Pierce	Ziemke
DeLaney	Karickhoff	Porter	Mr. Speaker
DeVon	Kirchhofer	Prescott	

Nay - 0

Excused - 5

Candelaria Reardon	Jackson	Stutzman	Sullivan
Davisson			

Not Voting - 0

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12:04:17 PM

Roll Call 50: Bill Passed

HB 1157 - Hatfield - 3rd Reading

Driving privileges

Yea	93
Nay	1
Excused	5
Not Voting	1

Presiding: Speaker

Yea - 93

Abbott	Dvorak	Klinker	Saunders
Austin	Eberhart	Lehe	Schaibley
Aylesworth	Ellington	Lehman	Shackleford
Bacon	Engleman	Leonard	Sherman
Baird	Errington	Lindauer	Smaltz
Barrett	Fleming	Lucas	Smith, V
Bartels	Forestal	Lyness	Soliday
Bartlett	Frye	Macer	Speedy
Bauer	GiaQuinta	Manning	Steuerwald
Beck	Goodin	May	Summers
Behning	Goodrich	Mayfield	Thompson
Borders	Gutwein	McNamara	Torr
Boy	Hamilton	Miller	VanNatter
Brown, T	Harris	Moed	Vermilion
Burton	Hatcher	Morrison	Wesco
Campbell	Hatfield	Morris	Wolkins
Carbaugh	Heaton	Moseley	Wright
Cherry	Heine	Negele	Young, J
Chyung	Hostettler	Nisly	Zent
Clere	Huston	Pfaff	Ziemke
Cook	Jordan	Pierce	Mr. Speaker
Deal	Judy	Porter	
DeLaney	Karickhoff	Pressel	
DeVon	Kirchhofer	Pryor	

Nay - 1

Prescott

Excused - 5

Candelaria Reardon	Jackson	Stutzman	Sullivan
Davisson			

Not Voting - 1

Lauer

Indiana House of Representatives

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12:06:53 PM

Roll Call 51: Bill Passed

HB 1166 - Mayfield - 3rd Reading

State commission and board meetings

Yea	93
Nay	0
Excused	5
Not Voting	2

Presiding: Speaker

Yea - 93

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lehe	Saunders
Aylesworth	Ellington	Lehman	Schaibley
Bacon	Engleman	Leonard	Shackleford
Baird	Errington	Lindauer	Sherman
Barrett	Fleming	Lucas	Smaltz
Bartels	Forestal	Lyness	Smith, V
Bartlett	Frye	Macer	Soliday
Bauer	GiaQuinta	Manning	Speedy
Beck	Goodin	May	Steuerwald
Behning	Goodrich	Mayfield	Summers
Borders	Gutwein	McNamara	Thompson
Boy	Hamilton	Miller	Torr
Brown, T	Harris	Moed	VanNatter
Burton	Hatcher	Morrison	Vermilion
Campbell	Hatfield	Morris	Wesco
Carbaugh	Heaton	Moseley	Wolkins
Cherry	Heine	Negele	Wright
Chyung	Hostettler	Nisly	Young, J
Clere	Huston	Pfaff	Zent
Cook	Jordan	Pierce	Ziemke
Deal	Judy	Porter	
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 5

Candelaria Reardon	Jackson	Stutzman	Sullivan
Davisson			

Not Voting - 2

Lauer	Mr. Speaker

Indiana House of Representatives

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12:15:00 PM

Roll Call 52: Bill Passed

HB 1209 - Kirchhofer - 3rd Reading

Reimbursement for emergency medical services

Yea	93
Nay	0
Excused	7
Not Voting	0

Presiding: Speaker

Yea - 93

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lehe	Saunders
Aylesworth	Ellington	Lehman	Schaibley
Bacon	Engleman	Leonard	Shackleford
Baird	Errington	Lindauer	Sherman
Barrett	Fleming	Lucas	Smaltz
Bartels	Forestal	Lyness	Smith, V
Bartlett	Frye	Macer	Soliday
Bauer	GiaQuinta	Manning	Speedy
Beck	Goodin	May	Steuerwald
Behning	Goodrich	Mayfield	Summers
Borders	Gutwein	McNamara	Thompson
Boy	Hamilton	Miller	Torr
Brown, T	Harris	Moed	VanNatter
Burton	Hatcher	Morrison	Vermilion
Campbell	Hatfield	Morris	Wolkins
Carbaugh	Heaton	Moseley	Wright
Cherry	Heine	Negele	Young, J
Chyung	Hostettler	Nisly	Zent
Clere	Huston	Pfaff	Ziemke
Cook	Jordan	Pierce	Mr. Speaker
Deal	Judy	Porter	
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 7

Candelaria Reardon	Jackson	Stutzman	Wesco
Davisson	Lauer	Sullivan	

Not Voting - 0

Indiana House of Representatives

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12:19:32 PM

Roll Call 53: Bill Passed

HB 1210 - Zent - 3rd Reading

Various health matters

Yea	92
Nay	0
Excused	7
Not Voting	1

Presiding: Speaker

Yea - 92

Abbott	DeVon	Karickhoff	Porter
Austin	Dvorak	Kirchhofer	Prescott
Aylesworth	Eberhart	Klinker	Pressel
Bacon	Ellington	Lehe	Pryor
Baird	Engleman	Lehman	Saunders
Barrett	Errington	Leonard	Schaibley
Bartels	Fleming	Lindauer	Shackleford
Bartlett	Forestal	Lucas	Sherman
Bauer	Frye	Lyness	Smaltz
Beck	GiaQuinta	Macer	Smith, V
Behning	Goodin	Manning	Soliday
Borders	Goodrich	May	Speedy
Boy	Gutwein	Mayfield	Steuerwald
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Carbaugh	Hatfield	Morrison	VanNatter
Cherry	Heaton	Morris	Vermilion
Chyung	Heine	Moseley	Wolkins
Clere	Hostettler	Negele	Wright
Cook	Huston	Nisly	Young, J
Deal	Jordan	Pfaff	Zent
DeLaney	Judy	Pierce	Ziemke

Nay - 0

Excused - 7

Candelaria Reardon	Jackson	Stutzman	Wesco
Davisson	Lauer	Sullivan	

Not Voting - 1

Mr. Speaker

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12:21:07 PM

Roll Call 54: Bill Passed

HB 1224 - McNamara - 3rd Reading

Council on impaired and dangerous driving

Yea	91
Nay	0
Excused	7
Not Voting	2

Presiding: Speaker

Yea - 91

Abbott	DeVon	Karickhoff	Prescott
Austin	Dvorak	Kirchhofer	Pressel
Aylesworth	Eberhart	Klinker	Pryor
Bacon	Ellington	Lehe	Saunders
Baird	Engleman	Lehman	Schaibley
Barrett	Errington	Leonard	Shackleford
Bartels	Fleming	Lindauer	Sherman
Bartlett	Forestal	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Speedy
Borders	Goodrich	May	Steuerwald
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Morrison	VanNatter
Carbaugh	Hatfield	Morris	Vermilion
Cherry	Heaton	Moseley	Wolkins
Chyung	Heine	Negele	Wright
Clere	Hostettler	Nisly	Young, J
Cook	Huston	Pfaff	Zent
Deal	Jordan	Pierce	Ziemke
DeLaney	Judy	Porter	

Nay - 0

Excused - 7

Candelaria Reardon	Jackson	Stutzman	Wesco
Davisson	Lauer	Sullivan	

Not Voting - 2

Moed	Mr. Speaker

Indiana House of Representatives

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12:24:22 PM

Roll Call 55: Bill Passed

HB 1309 - Wolkins - 3rd Reading

Department of environmental management

Yea	91
Nay	1
Excused	7
Not Voting	1

Presiding: Speaker

Yea - 91

Abbott	DeVon	Kirchhofer	Prescott
Austin	Eberhart	Klinker	Pressel
Aylesworth	Ellington	Lehe	Pryor
Bacon	Engleman	Lehman	Saunders
Baird	Errington	Leonard	Schaibley
Barrett	Fleming	Lindauer	Shackleford
Bartels	Forestal	Lucas	Sherman
Bartlett	Frye	Lyness	Smaltz
Bauer	GiaQuinta	Macer	Smith, V
Beck	Goodin	Manning	Soliday
Behning	Goodrich	May	Speedy
Borders	Gutwein	Mayfield	Steuerwald
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	Torr
Campbell	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wolkins
Chyung	Hostettler	Negele	Wright
Clere	Huston	Nisly	Young, J
Cook	Jordan	Pfaff	Zent
Deal	Judy	Pierce	Ziemke
DeLaney	Karickhoff	Porter	

Nay - 1

Dvorak

Excused - 7

Candelaria Reardon	Jackson	Stutzman	Wesco
Davisson	Lauer	Sullivan	

Not Voting - 1

Mr. Speaker

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12:26:56 PM

Roll Call 56: Bill Passed

HB 1330 - Hamilton - 3rd Reading

Return of lost pets to owners

Yea	91
Nay	1
Excused	7
Not Voting	1

Presiding: Speaker

Yea - 91

Abbott	DeVon	Karickhoff	Porter
Austin	Dvorak	Kirchhofer	Pressel
Aylesworth	Eberhart	Klinker	Pryor
Bacon	Ellington	Lehe	Saunders
Baird	Engleman	Lehman	Schaibley
Barrett	Errington	Leonard	Shackleford
Bartels	Fleming	Lindauer	Sherman
Bartlett	Forestal	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Speedy
Borders	Goodrich	May	Steuerwald
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	VanNatter
Carbaugh	Hatfield	Morrison	Vermilion
Cherry	Heaton	Morris	Wolkins
Chyung	Heine	Moseley	Wright
Clere	Hostettler	Negele	Young, J
Cook	Huston	Nisly	Zent
Deal	Jordan	Pfaff	Ziemke
DeLaney	Judy	Pierce	

Nay - 1

Prescott

Excused - 7

Candelaria Reardon	Jackson	Stutzman	Wesco
Davisson	Lauer	Sullivan	

Not Voting - 1

Mr. Speaker

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2:06:07 PM

Roll Call 58: Resolution Adopted

HCR 11 - Zent

Urging the creation of a Medal of Honor Memorial Highway in Indiana

Yea	93
Nay	0
Excused	7
Not Voting	0

Presiding: Speaker

Yea - 93

Abbott	DeLaney	Karickhoff	Pryor
Austin	DeVon	Kirchhofer	Saunders
Aylesworth	Dvorak	Klinker	Schaibley
Bacon	Eberhart	Lauer	Shackleford
Baird	Ellington	Lehe	Sherman
Barrett	Engleman	Lehman	Smaltz
Bartels	Errington	Leonard	Smith, V
Bartlett	Fleming	Lindauer	Soliday
Bauer	Forestal	Lyness	Steuerwald
Beck	Frye	Macer	Stutzman
Behning	GiaQuinta	Manning	Sullivan
Borders	Goodin	May	Summers
Boy	Goodrich	Mayfield	Thompson
Brown, T	Gutwein	McNamara	Torr
Burton	Hamilton	Miller	Vermilion
Campbell	Harris	Moed	Wesco
Candelaria Reardon	Hatcher	Moseley	Wright
Carbaugh	Heaton	Negele	Young, J
Cherry	Heine	Nisly	Zent
Chyung	Hostettler	Pfaff	Ziemke
Clere	Huston	Pierce	Mr. Speaker
Cook	Jackson	Porter	
Davisson	Jordan	Prescott	
Deal	Judy	Pressel	

Nay - 0

Excused - 7

Hatfield	Morrison	Speedy	Wolkins
Lucas	Morris	VanNatter	

Not Voting - 0

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2:30:35 PM

Roll Call 59: Bill Passed

HB 1095 - Sullivan - 3rd Reading

Contracts for emergency road repairs

Yea	95
Nay	1
Excused	3
Not Voting	1

Presiding: Speaker

Yea - 95

Abbott	DeLaney	Karickhoff	Prescott
Austin	DeVon	Kirchhofer	Pressel
Aylesworth	Eberhart	Klinker	Pryor
Bacon	Ellington	Lauer	Saunders
Baird	Engleman	Lehe	Schaibley
Barrett	Errington	Lehman	Shackleford
Bartels	Fleming	Leonard	Sherman
Bartlett	Forestal	Lindauer	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wright
Clere	Huston	Nisly	Young, J
Cook	Jackson	Pfaff	Zent
Davisson	Jordan	Pierce	Ziemke
Deal	Judy	Porter	

Nay - 1

Dvorak

Excused - 3

Lucas	Speedy	Wolkins

Not Voting - 1

Mr. Speaker

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2:35:06 PM

Roll Call 60: Bill Passed

HB 1176 - Clere - 3rd Reading

First steps program

Yea	96
Nay	0
Excused	3
Not Voting	1

Presiding: Speaker

Yea - 96

Abbott	DeLaney	Judy	Porter
Austin	DeVon	Karickhoff	Prescott
Aylesworth	Dvorak	Kirchhofer	Pressel
Bacon	Eberhart	Klinker	Pryor
Baird	Ellington	Lauer	Saunders
Barrett	Engleman	Lehe	Schaibley
Bartels	Errington	Lehman	Shackleford
Bartlett	Fleming	Leonard	Sherman
Bauer	Forestal	Lindauer	Smaltz
Beck	Frye	Lyness	Smith, V
Behning	GiaQuinta	Macer	Soliday
Borders	Goodin	Manning	Steuerwald
Boy	Goodrich	May	Stutzman
Brown, T	Gutwein	Mayfield	Sullivan
Burton	Hamilton	McNamara	Summers
Campbell	Harris	Miller	Thompson
Candelaria Reardon	Hatcher	Moed	Torr
Carbaugh	Hatfield	Morrison	VanNatter
Cherry	Heaton	Morris	Vermilion
Chyung	Heine	Moseley	Wesco
Clere	Hostettler	Negele	Wright
Cook	Huston	Nisly	Young, J
Davisson	Jackson	Pfaff	Zent
Deal	Jordan	Pierce	Ziemke

Nay - 0

Excused - 3

Lucas	Speedy	Wolkins

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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2:39:26 PM

Roll Call 61: Bill Passed

HB 1249 - Summers - 3rd Reading

Kinship care oversight committee

Yea	94
Nay	3
Excused	3
Not Voting	0

Presiding: Speaker

Yea - 94

Abbott	DeVon	Karickhoff	Pressel
Austin	Dvorak	Kirchhofer	Pryor
Aylesworth	Eberhart	Klinker	Saunders
Bacon	Ellington	Lauer	Schaibley
Baird	Engleman	Lehe	Shackleford
Barrett	Errington	Lehman	Sherman
Bartels	Fleming	Leonard	Smaltz
Bartlett	Forestal	Lindauer	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Stutzman
Boy	Goodrich	May	Sullivan
Brown, T	Gutwein	Mayfield	Summers
Burton	Hamilton	McNamara	Thompson
Campbell	Harris	Miller	Torr
Candelaria Reardon	Hatcher	Moed	VanNatter
Carbaugh	Hatfield	Morrison	Vermilion
Cherry	Heaton	Morris	Wesco
Chyung	Heine	Moseley	Wright
Clere	Hostettler	Negele	Zent
Cook	Huston	Nisly	Ziemke
Davisson	Jackson	Pfaff	Mr. Speaker
Deal	Jordan	Pierce	
DeLaney	Judy	Porter	

Nay - 3

Borders	Prescott	Young, J

Excused - 3

Lucas	Speedy	Wolkins

Not Voting - 0

Indiana House of Representatives

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4:21:22 PM

Roll Call 63: Failed

Committee Report - DeLaney

Minority Committee Report on House Bill 1065

Yea	32
Nay	62
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 32

Austin	Deal	Harris	Pfaff
Bartlett	DeLaney	Hatcher	Pierce
Bauer	Dvorak	Hatfield	Porter
Beck	Eberhart	Jackson	Pryor
Boy	Errington	Klinker	Shackleford
Campbell	Forestal	Macer	Smith, V
Candelaria Reardon	GiaQuinta	Moed	Summers
Chyung	Hamilton	Moseley	Wright

Nay - 62

Abbott	Ellington	Leonard	Sherman
Aylesworth	Engleman	Lindauer	Smaltz
Bacon	Frye	Lyness	Soliday
Baird	Goodrich	Manning	Steuerwald
Barrett	Gutwein	May	Stutzman
Bartels	Heaton	Mayfield	Sullivan
Behning	Heine	McNamara	Thompson
Borders	Hostettler	Miller	Torr
Brown, T	Huston	Morrison	VanNatter
Burton	Jordan	Morris	Vermilion
Carbaugh	Judy	Negele	Wesco
Cherry	Karickhoff	Nisly	Young, J
Clere	Kirchhofer	Prescott	Zent
Cook	Lauer	Pressel	Ziemke
Davisson	Lehe	Saunders	
DeVon	Lehman	Schaibley	

Excused - 4

Goodin	Lucas	Speedy	Wolkins

Not Voting - 2

Fleming	Mr. Speaker

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4:23:03 PM

Roll Call 64: Passed

Committee Report - Brown, T.

Majority Committee Report on House Bill 1065

Yea	63
Nay	31
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 63

Abbott	Eberhart	Lehman	Schaibley
Aylesworth	Ellington	Leonard	Sherman
Bacon	Engleman	Lindauer	Smaltz
Baird	Frye	Lyness	Soliday
Barrett	Goodrich	Manning	Steuerwald
Bartels	Gutwein	May	Stutzman
Behning	Heaton	Mayfield	Sullivan
Borders	Heine	McNamara	Thompson
Brown, T	Hostettler	Miller	Torr
Burton	Huston	Morrison	VanNatter
Carbaugh	Jordan	Morris	Vermilion
Cherry	Judy	Negele	Wesco
Clere	Karickhoff	Nisly	Young, J
Cook	Kirchhofer	Prescott	Zent
Davisson	Lauer	Pressel	Ziemke
DeVon	Lehe	Saunders	

Nay - 31

Austin	Deal	Hatcher	Pierce
Bartlett	DeLaney	Hatfield	Porter
Bauer	Dvorak	Jackson	Pryor
Beck	Errington	Klinker	Shackleford
Boy	Forestal	Macer	Smith, V
Campbell	GiaQuinta	Moed	Summers
Candelaria Reardon	Hamilton	Moseley	Wright
Chyung	Harris	Pfaff	

Excused - 4

Goodin	Lucas	Speedy	Wolkins

Not Voting - 2

Fleming	Mr. Speaker

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4:29:41 PM

Roll Call 65: Amendment Failed

HB 1003 - Jordan - 2nd Reading

Education matters.
Amendment #1 - Wright

Yea	31
Nay	62
Excused	4
Not Voting	3

Presiding: Speaker

Yea - 31

Austin	Deal	Hatcher	Pierce
Bartlett	DeLaney	Hatfield	Porter
Bauer	Dvorak	Jackson	Pryor
Beck	Errington	Klinker	Shackleford
Boy	Forestal	Macer	Smith, V
Campbell	GiaQuinta	Moed	Summers
Candelaria Reardon	Hamilton	Moseley	Wright
Chyung	Harris	Pfaff	

Nay - 62

Abbott	Eberhart	Leonard	Sherman
Aylesworth	Engleman	Lindauer	Smaltz
Bacon	Frye	Lyness	Soliday
Baird	Goodrich	Manning	Steuerwald
Barrett	Gutwein	May	Stutzman
Bartels	Heaton	Mayfield	Sullivan
Behning	Heine	McNamara	Thompson
Borders	Hostettler	Miller	Torr
Brown, T	Huston	Morrison	VanNatter
Burton	Jordan	Morris	Vermilion
Carbaugh	Judy	Negele	Wesco
Cherry	Karickhoff	Nisly	Young, J
Clere	Kirchhofer	Prescott	Zent
Cook	Lauer	Pressel	Ziemke
Davisson	Lehe	Saunders	
DeVon	Lehman	Schaibley	

Excused - 4

Goodin	Lucas	Speedy	Wolkins

Not Voting - 3

Ellington	Fleming	Mr. Speaker

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4:39:01 PM

Roll Call 66: The Ruling of the Chair is Sustained

HB 1003 - Jordan

Education matters.
Appeal of the Ruling of the Chair

Amendment #2 - Chyung

Yea	63
Nay	31
Excused	4
Not Voting	2

Presiding: Karickhoff

Yea - 63

Abbott	Eberhart	Lehman	Schaibley
Aylesworth	Ellington	Leonard	Sherman
Bacon	Engleman	Lindauer	Smaltz
Baird	Frye	Lyness	Soliday
Barrett	Goodrich	Manning	Steuerwald
Bartels	Gutwein	May	Stutzman
Behning	Heaton	Mayfield	Sullivan
Borders	Heine	McNamara	Thompson
Brown, T	Hostettler	Miller	Torr
Burton	Huston	Morrison	VanNatter
Carbaugh	Jordan	Morris	Vermilion
Cherry	Judy	Negele	Wesco
Clere	Karickhoff	Nisly	Young, J
Cook	Kirchhofer	Prescott	Zent
Davisson	Lauer	Pressel	Ziemke
DeVon	Lehe	Saunders	

Nay - 31

Austin	Deal	Hatcher	Pierce
Bartlett	DeLaney	Hatfield	Porter
Bauer	Dvorak	Jackson	Pryor
Beck	Errington	Klinker	Shackleford
Boy	Forestal	Macer	Smith, V
Campbell	GiaQuinta	Moed	Summers
Candelaria Reardon	Hamilton	Moseley	Wright
Chyung	Harris	Pfaff	

Excused - 4

Goodin	Lucas	Speedy	Wolkins

Not Voting - 2

Fleming	Mr. Speaker

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4:51:02 PM

Roll Call 67: Amendment Failed

HB 1004 - Smaltz - 2nd Reading

Balance billing for medical care.
Amendment #1 - Shackleford

Yea	31
Nay	62
Excused	5
Not Voting	2

Presiding: Speaker

Yea - 31

Austin	Deal	Harris	Pierce
Bartlett	DeLaney	Hatcher	Porter
Bauer	Dvorak	Hatfield	Pryor
Beck	Errington	Jackson	Shackleford
Boy	Fleming	Klinker	Smith, V
Campbell	Forestal	Macer	Summers
Candelaria Reardon	GiaQuinta	Moseley	Wright
Chyung	Hamilton	Pfaff	

Nay - 62

Abbott	Eberhart	Leonard	Sherman
Aylesworth	Ellington	Lindauer	Smaltz
Bacon	Engleman	Lyness	Soliday
Baird	Frye	Manning	Steuerwald
Barrett	Goodrich	May	Stutzman
Bartels	Gutwein	Mayfield	Sullivan
Behning	Heaton	McNamara	Thompson
Borders	Heine	Miller	Torr
Brown, T	Hostettler	Morrison	VanNatter
Burton	Jordan	Morris	Vermilion
Carbaugh	Judy	Negele	Wesco
Cherry	Karickhoff	Nisly	Young, J
Clere	Kirchhofer	Prescott	Zent
Cook	Lauer	Pressel	Mr. Speaker
Davisson	Lehe	Saunders	
DeVon	Lehman	Schaibley	

Excused - 5

Goodin	Lucas	Speedy	Wolkins
Huston			

Not Voting - 2

Moed	Ziemke

Indiana House of Representatives

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5:08:14 PM

Roll Call 68: Amendment Prevailed

HB 1066 - Thompson - 2nd Reading

Various education matters.
Amendment #1 - DeLaney

Yea	94
Nay	0
Excused	5
Not Voting	1

Presiding: Speaker

Yea - 94

Abbott	DeLaney	Karickhoff	Prescott
Austin	DeVon	Kirchhofer	Pressel
Aylesworth	Dvorak	Klinker	Pryor
Bacon	Eberhart	Lauer	Saunders
Baird	Ellington	Lehe	Schaibley
Barrett	Engleman	Lehman	Shackleford
Bartels	Errington	Leonard	Sherman
Bartlett	Fleming	Lindauer	Smaltz
Bauer	Forestal	Lyness	Smith, V
Beck	Frye	Macer	Steuerwald
Behning	GiaQuinta	Manning	Stutzman
Borders	Goodrich	May	Sullivan
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	VanNatter
Candelaria Reardon	Hatfield	Morrison	Vermilion
Carbaugh	Heaton	Morris	Wesco
Cherry	Heine	Moseley	Wright
Chyung	Hostettler	Negele	Young, J
Clere	Huston	Nisly	Zent
Cook	Jackson	Pfaff	Ziemke
Davisson	Jordan	Pierce	
Deal	Judy	Porter	

Nay - 0

Excused - 5

Goodin	Soliday	Speedy	Wolkins
Lucas			

Not Voting - 1

Mr. Speaker

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5:20:18 PM

Roll Call 69: The Ruling of the Chair is Sustained

HB 1080 - Barrett

Colorectal cancer testing.
Appeal of the Ruling of the Chair

Amendment #1 - Shackleford

Yea	62
Nay	32
Excused	5
Not Voting	1

Presiding: Karickhoff

Yea - 62

Abbott	Eberhart	Leonard	Sherman
Aylesworth	Ellington	Lindauer	Smaltz
Bacon	Engleman	Lyness	Soliday
Baird	Frye	Manning	Steuerwald
Barrett	Goodrich	May	Stutzman
Bartels	Gutwein	Mayfield	Sullivan
Behning	Heaton	McNamara	Thompson
Borders	Heine	Miller	Torr
Brown, T	Hostettler	Morrison	VanNatter
Burton	Jordan	Morris	Vermilion
Carbaugh	Judy	Negele	Wesco
Cherry	Karickhoff	Nisly	Young, J
Clere	Kirchhofer	Prescott	Zent
Cook	Lauer	Pressel	Ziemke
Davisson	Lehe	Saunders	
DeVon	Lehman	Schaibley	

Nay - 32

Austin	Deal	Harris	Pfaff
Bartlett	DeLaney	Hatcher	Pierce
Bauer	Dvorak	Hatfield	Porter
Beck	Errington	Jackson	Pryor
Boy	Fleming	Klinker	Shackleford
Campbell	Forestal	Macer	Smith, V
Candelaria Reardon	GiaQuinta	Moed	Summers
Chyung	Hamilton	Moseley	Wright

Excused - 5

Goodin	Lucas	Speedy	Wolkins
Huston			

Not Voting - 1

Mr. Speaker

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5:27:51 PM

Roll Call 70: Amendment Failed

HB 1082 - Heaton - 2nd Reading

Various higher education matters.
Amendment #1 - Porter

Yea	31
Nay	60
Excused	5
Not Voting	4

Presiding: Speaker

Yea - 31

Austin	Deal	Harris	Pierce
Bartlett	DeLaney	Hatfield	Porter
Bauer	Dvorak	Jackson	Pryor
Beck	Errington	Klinker	Shackleford
Boy	Fleming	Macer	Smith, V
Campbell	Forestal	Moed	Summers
Candelaria Reardon	GiaQuinta	Moseley	Wright
Chyung	Hamilton	Pfaff	

Nay - 60

Abbott	Ellington	Lehman	Schaibley
Aylesworth	Engleman	Leonard	Sherman
Bacon	Frye	Lindauer	Smaltz
Baird	Goodrich	Lyness	Soliday
Barrett	Gutwein	Manning	Steuerwald
Bartels	Heaton	May	Stutzman
Borders	Heine	Mayfield	Sullivan
Brown, T	Hostettler	McNamara	Thompson
Burton	Huston	Miller	Torr
Carbaugh	Jordan	Morrison	VanNatter
Cherry	Judy	Negele	Vermilion
Clere	Karickhoff	Nisly	Wesco
Cook	Kirchhofer	Prescott	Young, J
DeVon	Lauer	Pressel	Zent
Eberhart	Lehe	Saunders	Ziemke

Excused - 5

Behning	Lucas	Speedy	Wolkins
Goodin			

Not Voting - 4

Davisson	Hatcher	Morris	Mr. Speaker

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6:09:19 PM

Roll Call 71: Bill Passed

HB 1059 - Miller - 3rd Reading

Sales tax on recreational vehicles

Yea	70
Nay	24
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 70

Abbott	DeVon	Lehe	Sherman
Austin	Dvorak	Lehman	Smaltz
Aylesworth	Eberhart	Leonard	Soliday
Bacon	Ellington	Lindauer	Steuerwald
Baird	Engleman	Lyness	Stutzman
Barrett	Fleming	Manning	Sullivan
Bartels	Frye	May	Thompson
Behning	Goodrich	Mayfield	Torr
Borders	Gutwein	McNamara	VanNatter
Brown, T	Heaton	Miller	Vermilion
Burton	Heine	Morrison	Wesco
Carbaugh	Hostettler	Morris	Wright
Cherry	Huston	Negele	Young, J
Chyung	Jordan	Nisly	Zent
Clere	Judy	Prescott	Ziemke
Cook	Karickhoff	Pressel	Mr. Speaker
Davisson	Kirchhofer	Saunders	
Deal	Lauer	Schaibley	

Nay - 24

Bartlett	Errington	Jackson	Pierce
Bauer	Forestal	Klinker	Porter
Beck	GiaQuinta	Macer	Pryor
Boy	Hamilton	Moed	Shackleford
Campbell	Harris	Moseley	Smith, V
DeLaney	Hatfield	Pfaff	Summers

Excused - 4

Goodin	Lucas	Speedy	Wolkins

Not Voting - 2

Candelaria Reardon	Hatcher

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6:19:04 PM

Roll Call 72: Bill Passed

HB 1090 - Cook - 3rd Reading

Assumption of care of cemeteries

Yea	63
Nay	29
Excused	4
Not Voting	4

Presiding: Speaker

Yea - 63

Abbott	Cook	Karickhoff	Pierce
Austin	Davisson	Kirchhofer	Porter
Aylesworth	Deal	Klinker	Pryor
Bacon	DeLaney	Lauer	Saunders
Barrett	DeVon	Lehe	Schaibley
Bauer	Dvorak	Lehman	Shackleford
Beck	Engleman	Leonard	Sherman
Behning	Errington	Lyness	Soliday
Boy	Fleming	Manning	Steuerwald
Brown, T	Frye	May	Summers
Burton	GiaQuinta	Mayfield	Torr
Campbell	Gutwein	McNamara	VanNatter
Carbaugh	Hamilton	Miller	Vermilion
Cherry	Heaton	Morrison	Wright
Chyung	Heine	Negele	Ziemke
Clere	Huston	Pfaff	

Nay - 29

Baird	Harris	Moed	Sullivan
Bartels	Hatfield	Morris	Thompson
Bartlett	Hostettler	Nisly	Wesco
Borders	Jackson	Prescott	Young, J
Eberhart	Jordan	Pressel	Zent
Ellington	Judy	Smaltz	
Forestal	Lindauer	Smith, V	
Goodrich	Macer	Stutzman	

Excused - 4

Goodin	Lucas	Speedy	Wolkins

Not Voting - 4

Candelaria Reardon	Hatcher	Moseley	Mr. Speaker

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2:00:03 PM

Roll Call 74: Bill Passed

HB 1003 - Jordan - 3rd Reading

Education matters

Yea	98
Nay	0
Excused	1
Not Voting	1

Presiding: Speaker

Yea - 98

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Sherman
Baird	Errington	Leonard	Smaltz
Barrett	Fleming	Lindauer	Smith, V
Bartels	Forestal	Lucas	Soliday
Bauer	Frye	Lyness	Speedy
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Stutzman
Borders	Goodrich	May	Sullivan
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	VanNatter
Candelaria Reardon	Hatfield	Morrison	Vermilion
Carbaugh	Heaton	Morris	Wesco
Cherry	Heine	Moseley	Wolkins
Chyung	Hostettler	Negele	Wright
Clere	Huston	Nisly	Young, J
Cook	Jackson	Pfaff	Zent
Davisson	Jordan	Pierce	Ziemke
Deal	Judy	Porter	Mr. Speaker
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 1

Shackleford

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2:12:13 PM

Roll Call 75: Bill Passed

HB 1004 - Smaltz - 3rd Reading

Balance billing for medical care

Yea	99
Nay	0
Excused	1
Not Voting	0

Presiding: Speaker

Yea - 99

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	Mr. Speaker
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 0

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2:17:33 PM

Roll Call 76: Bill Passed

HB 1066 - Thompson - 3rd Reading

Various education matters

Yea	97
Nay	2
Excused	1
Not Voting	0

Presiding: Speaker

Yea - 97

Abbott	Eberhart	Lauer	Schaibley
Austin	Ellington	Lehe	Shackleford
Aylesworth	Engleman	Lehman	Sherman
Bacon	Errington	Leonard	Smaltz
Baird	Fleming	Lindauer	Smith, V
Barrett	Forestal	Lucas	Soliday
Bartels	Frye	Lyness	Speedy
Bauer	GiaQuinta	Macer	Steuerwald
Beck	Goodin	Manning	Stutzman
Behning	Goodrich	May	Sullivan
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	VanNatter
Candelaria Reardon	Hatfield	Morrison	Vermilion
Carbaugh	Heaton	Morris	Wesco
Cherry	Heine	Moseley	Wolkins
Chyung	Hostettler	Negele	Wright
Clere	Huston	Pfaff	Young, J
Cook	Jackson	Pierce	Zent
Davisson	Jordan	Porter	Ziemke
Deal	Judy	Prescott	Mr. Speaker
DeLaney	Karickhoff	Pressel	
DeVon	Kirchhofer	Pryor	
Dvorak	Klinker	Saunders	

Nay - 2

Borders	Nisly

Excused - 1

Bartlett

Not Voting - 0

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2:21:11 PM

Roll Call 77: Bill Passed

HB 1076 - Pryor - 3rd Reading

Summons to appear for a misdemeanor

Yea	97
Nay	1
Excused	1
Not Voting	1

Presiding: Speaker

Yea - 97

Abbott	Dvorak	Klinker	Saunders
Austin	Eberhart	Lauer	Schaibley
Aylesworth	Ellington	Lehe	Shackleford
Bacon	Engleman	Lehman	Sherman
Baird	Errington	Leonard	Smaltz
Barrett	Fleming	Lindauer	Smith, V
Bartels	Forestal	Lucas	Soliday
Bauer	Frye	Lyness	Speedy
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Stutzman
Borders	Goodrich	May	Sullivan
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Morrison	VanNatter
Candelaria Reardon	Hatfield	Morris	Vermilion
Carbaugh	Heaton	Moseley	Wesco
Cherry	Heine	Negele	Wolkins
Chyung	Hostettler	Nisly	Wright
Clere	Huston	Pfaff	Young, J
Cook	Jackson	Pierce	Zent
Davisson	Jordan	Porter	Ziemke
Deal	Judy	Prescott	
DeLaney	Karickhoff	Pressel	
DeVon	Kirchhofer	Pryor	

Nay - 1

Moed

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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2:23:17 PM

Roll Call 78: Bill Passed

HB 1080 - Barrett - 3rd Reading

Colorectal cancer testing

Yea	98
Nay	0
Excused	1
Not Voting	1

Presiding: Speaker

Yea - 98

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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2:24:33 PM

Roll Call 79: Bill Passed

HB 1081 - Gutwein - 3rd Reading

Commission for supplier diversity

Yea	98
Nay	0
Excused	1
Not Voting	1

Presiding: Speaker

Yea - 98

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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2:29:17 PM

Roll Call 80: Bill Passed

HB 1082 - Heaton - 3rd Reading

Various higher education matters

Yea	97
Nay	0
Excused	1
Not Voting	2

Presiding: Speaker

Yea - 97

Abbott	Dvorak	Klinker	Saunders
Austin	Eberhart	Lauer	Schaibley
Aylesworth	Ellington	Lehe	Shackleford
Bacon	Engleman	Lehman	Sherman
Baird	Errington	Leonard	Smaltz
Barrett	Fleming	Lindauer	Smith, V
Bartels	Forestal	Lucas	Soliday
Bauer	Frye	Lyness	Speedy
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Stutzman
Borders	Goodrich	May	Sullivan
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Morrison	VanNatter
Candelaria Reardon	Hatfield	Morris	Vermilion
Carbaugh	Heaton	Moseley	Wesco
Cherry	Heine	Negele	Wolkins
Chyung	Hostettler	Nisly	Wright
Clere	Huston	Pfaff	Young, J
Cook	Jackson	Pierce	Zent
Davisson	Jordan	Porter	Ziemke
Deal	Judy	Prescott	
DeLaney	Karickhoff	Pressel	
DeVon	Kirchhofer	Pryor	

Nay - 0

Excused - 1

Bartlett

Not Voting - 2

Moed | Mr. Speaker

Indiana House of Representatives

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2:37:38 PM

Roll Call 81: Bill Passed

HB 1092 - Ziemke - 3rd Reading

Deadline for submitting amended state Medicaid plan

Yea	94
Nay	0
Excused	1
Not Voting	5

Presiding: Speaker

Yea - 94

Abbott	Eberhart	Lauer	Pryor
Austin	Ellington	Lehe	Saunders
Aylesworth	Engleman	Lehman	Schaibley
Bacon	Errington	Leonard	Shackleford
Baird	Fleming	Lindauer	Sherman
Barrett	Forestal	Lucas	Smaltz
Bartels	Frye	Lyness	Smith, V
Bauer	Goodin	Macer	Soliday
Beck	Goodrich	Manning	Speedy
Behning	Gutwein	May	Steuerwald
Borders	Hamilton	Mayfield	Stutzman
Brown, T	Harris	McNamara	Sullivan
Burton	Hatcher	Miller	Thompson
Campbell	Hatfield	Moed	Torr
Candelaria Reardon	Heaton	Morrison	VanNatter
Carbaugh	Heine	Morris	Vermilion
Cherry	Hostettler	Moseley	Wesco
Clere	Huston	Negele	Wolkins
Cook	Jackson	Nisly	Wright
Davisson	Jordan	Pfaff	Young, J
Deal	Judy	Pierce	Zent
DeLaney	Karickhoff	Porter	Ziemke
DeVon	Kirchhofer	Prescott	
Dvorak	Klinker	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 5

Boy	GiaQuinta	Summers	Mr. Speaker
Chyung			

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2:39:33 PM

Roll Call 82: Bill Passed

HB 1093 - Ziemke - 3rd Reading

Electronic document filing

Yea	95
Nay	0
Excused	2
Not Voting	3

Presiding: Speaker

Yea - 95

Abbott	Dvorak	Klinker	Pressel
Austin	Eberhart	Lauer	Pryor
Aylesworth	Ellington	Lehe	Saunders
Bacon	Engleman	Lehman	Schaibley
Baird	Errington	Leonard	Shackleford
Barrett	Fleming	Lindauer	Sherman
Bartels	Forestal	Lucas	Smaltz
Bauer	Frye	Lyness	Soliday
Beck	Goodin	Macer	Speedy
Behning	Goodrich	Manning	Steuerwald
Borders	Gutwein	May	Stutzman
Boy	Hamilton	Mayfield	Sullivan
Brown, T	Harris	McNamara	Summers
Burton	Hatcher	Miller	Thompson
Campbell	Hatfield	Moed	Torr
Candelaria Reardon	Heaton	Morrison	VanNatter
Carbaugh	Heine	Morris	Vermilion
Cherry	Hostettler	Moseley	Wesco
Clere	Huston	Negele	Wolkins
Cook	Jackson	Nisly	Wright
Davisson	Jordan	Pfaff	Young, J
Deal	Judy	Pierce	Zent
DeLaney	Karickhoff	Porter	Ziemke
DeVon	Kirchhofer	Prescott	

Nay - 0

Excused - 2

Bartlett	GiaQuinta

Not Voting - 3

Chyung	Smith, V	Mr. Speaker

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2:44:39 PM

Roll Call 83: Bill Passed

HB 1099 - Manning - 3rd Reading

Low head dams

Yea	97
Nay	1
Excused	1
Not Voting	1

Presiding: Speaker

Yea - 97

Abbott	Dvorak	Klinker	Saunders
Austin	Eberhart	Lauer	Schaibley
Aylesworth	Ellington	Lehe	Shackleford
Bacon	Engleman	Lehman	Sherman
Baird	Errington	Leonard	Smaltz
Barrett	Fleming	Lucas	Smith, V
Bartels	Forestal	Lyness	Soliday
Bauer	Frye	Macer	Speedy
Beck	GiaQuinta	Manning	Steuerwald
Behning	Goodin	May	Stutzman
Borders	Goodrich	Mayfield	Sullivan
Boy	Gutwein	McNamara	Summers
Brown, T	Hamilton	Miller	Thompson
Burton	Harris	Moed	Torr
Campbell	Hatcher	Morrison	VanNatter
Candelaria Reardon	Hatfield	Morris	Vermilion
Carbaugh	Heaton	Moseley	Wesco
Cherry	Heine	Negele	Wolkins
Chyung	Hostettler	Nisly	Wright
Clere	Huston	Pfaff	Young, J
Cook	Jackson	Pierce	Zent
Davisson	Jordan	Porter	Ziemke
Deal	Judy	Prescott	
DeLaney	Karickhoff	Pressel	
DeVon	Kirchhofer	Pryor	

Nay - 1

Lindauer

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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2:48:11 PM

Roll Call 84: Bill Passed

HB 1131 - Pressel - 3rd Reading

Extension of water and sewer mains

Yea	97
Nay	0
Excused	1
Not Voting	2

Presiding: Speaker

Yea - 97

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	VanNatter
Candelaria Reardon	Hatfield	Morrison	Vermilion
Carbaugh	Heaton	Morris	Wesco
Cherry	Heine	Moseley	Wolkins
Chyung	Hostettler	Negele	Wright
Clere	Huston	Nisly	Young, J
Cook	Jackson	Pfaff	Zent
Davisson	Jordan	Pierce	Ziemke
Deal	Judy	Porter	
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 2

Torr	Mr. Speaker

Indiana House of Representatives

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2:50:17 PM

Roll Call 85: Bill Passed

HB 1132 - Steuerwald - 3rd Reading

Criminal law matters

Yea	96
Nay	2
Excused	1
Not Voting	1

Presiding: Speaker

Yea - 96

Abbott	DeVon	Kirchhofer	Pressel
Austin	Dvorak	Klinker	Pryor
Aylesworth	Eberhart	Lauer	Saunders
Bacon	Ellington	Lehe	Schaibley
Baird	Engleman	Lehman	Shackleford
Barrett	Errington	Leonard	Sherman
Bartels	Fleming	Lindauer	Smaltz
Bauer	Forestal	Lucas	Smith, V
Beck	Frye	Lyness	Soliday
Behning	GiaQuinta	Macer	Speedy
Borders	Goodin	Manning	Steuerwald
Boy	Goodrich	May	Stutzman
Brown, T	Gutwein	Mayfield	Sullivan
Burton	Hamilton	McNamara	Summers
Campbell	Harris	Miller	Thompson
Candelaria Reardon	Hatcher	Moed	Torr
Carbaugh	Hatfield	Morrison	VanNatter
Cherry	Heaton	Morris	Vermilion
Chyung	Heine	Moseley	Wesco
Clere	Hostettler	Negele	Wolkins
Cook	Huston	Pfaff	Wright
Davisson	Jackson	Pierce	Young, J
Deal	Jordan	Porter	Zent
DeLaney	Karickhoff	Prescott	Ziemke

Nay - 2

Judy	Nisly

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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2:52:25 PM

Roll Call 86: Bill Passed

HB 1145 - Hostettler - 3rd Reading

Gibson and Hamilton County courts

Yea	99
Nay	0
Excused	1
Not Voting	0

Presiding: Speaker

Yea - 99

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	Mr. Speaker
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 0

Indiana House of Representatives

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2:53:55 PM

Roll Call 87: Bill Passed

HB 1147 - Morrison - 3rd Reading

Municipal elections

Yea	93
Nay	5
Excused	1
Not Voting	1

Presiding: Speaker

Yea - 93

Abbott	Ellington	Lauer	Schaibley
Aylesworth	Engleman	Lehe	Shackleford
Bacon	Errington	Lehman	Sherman
Baird	Fleming	Leonard	Smaltz
Barrett	Forestal	Lindauer	Smith, V
Bartels	Frye	Lucas	Soliday
Bauer	GiaQuinta	Lyness	Speedy
Beck	Goodin	Macer	Steuerwald
Behning	Goodrich	Manning	Stutzman
Boy	Gutwein	May	Sullivan
Brown, T	Hamilton	Mayfield	Summers
Burton	Harris	McNamara	Thompson
Campbell	Hatcher	Miller	Torr
Candelaria Reardon	Hatfield	Moed	VanNatter
Carbaugh	Heaton	Morrison	Vermilion
Cherry	Heine	Morris	Wesco
Chyung	Hostettler	Moseley	Wolkins
Clere	Huston	Negele	Wright
Cook	Jackson	Nisly	Young, J
Davisson	Jordan	Pfaff	Zent
DeLaney	Judy	Pierce	Ziemke
DeVon	Karickhoff	Prescott	
Dvorak	Kirchhofer	Pressel	
Eberhart	Klinker	Pryor	

Nay - 5

Austin	Deal	Porter	Saunders
Borders			

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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2:55:19 PM

Roll Call 88: Bill Passed

HB 1153 - Goodrich - 3rd Reading

Governor's workforce cabinet

Yea	96
Nay	1
Excused	1
Not Voting	2

Presiding: Speaker

Yea - 96

Abbott	DeVon	Kirchhofer	Prescott
Austin	Eberhart	Klinker	Pressel
Aylesworth	Ellington	Lauer	Pryor
Bacon	Engleman	Lehe	Saunders
Baird	Errington	Lehman	Schaibley
Barrett	Fleming	Leonard	Shackleford
Bartels	Forestal	Lindauer	Sherman
Bauer	Frye	Lucas	Smaltz
Beck	GiaQuinta	Lyness	Smith, V
Behning	Goodin	Macer	Soliday
Borders	Goodrich	Manning	Speedy
Boy	Gutwein	May	Steuerwald
Brown, T	Hamilton	Mayfield	Stutzman
Burton	Harris	McNamara	Sullivan
Campbell	Hatcher	Miller	Summers
Candelaria Reardon	Hatfield	Moed	Thompson
Carbaugh	Heaton	Morrison	Torr
Cherry	Heine	Morris	VanNatter
Chyung	Hostettler	Moseley	Vermilion
Clere	Huston	Negele	Wesco
Cook	Jackson	Nisly	Wolkins
Davisson	Jordan	Pfaff	Wright
Deal	Judy	Pierce	Young, J
DeLaney	Karickhoff	Porter	Ziemke

Nay - 1

Dvorak

Excused - 1

Bartlett

Not Voting - 2

Zent | Mr. Speaker

Indiana House of Representatives

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2:58:03 PM

Roll Call 89: Bill Passed

HB 1181 - Cook - 3rd Reading

Gift certificates and store gift cards

Yea	96
Nay	1
Excused	1
Not Voting	2

Presiding: Speaker

Yea - 96

Abbott	Eberhart	Klinker	Pressel
Austin	Ellington	Lauer	Pryor
Bacon	Engleman	Lehe	Saunders
Baird	Errington	Lehman	Schaibley
Barrett	Fleming	Leonard	Shackleford
Bartels	Forestal	Lindauer	Sherman
Bauer	Frye	Lucas	Smaltz
Beck	GiaQuinta	Lyness	Smith, V
Behning	Goodin	Macer	Soliday
Borders	Goodrich	Manning	Speedy
Boy	Gutwein	May	Steuerwald
Brown, T	Hamilton	Mayfield	Stutzman
Burton	Harris	McNamara	Sullivan
Campbell	Hatcher	Miller	Summers
Candelaria Reardon	Hatfield	Moed	Thompson
Carbaugh	Heaton	Morrison	Torr
Cherry	Heine	Morris	VanNatter
Chyung	Hostettler	Moseley	Vermilion
Clere	Huston	Negele	Wesco
Cook	Jackson	Nisly	Wolkins
Davisson	Jordan	Pfaff	Wright
Deal	Judy	Pierce	Young, J
DeLaney	Karickhoff	Porter	Zent
DeVon	Kirchhofer	Prescott	Ziemke

Nay - 1

Dvorak

Excused - 1

Bartlett

Not Voting - 2

Aylesworth	Mr. Speaker

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3:02:54 PM

Roll Call 90: Bill Passed

HB 1182 - Clere - 3rd Reading

HIV and fatality reviews

Yea	98
Nay	0
Excused	1
Not Voting	1

Presiding: Speaker

Yea - 98

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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3:07:40 PM

Roll Call 91: Bill Passed

HB 1189 - Mayfield - 3rd Reading

Use of firefighting foam containing PFAS

Yea	98
Nay	0
Excused	1
Not Voting	1

Presiding: Speaker

Yea - 98

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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3:12:16 PM

Roll Call 92: Bill Passed

HB 1198 - Abbott D - 3rd Reading

Public safety matters

Yea	98
Nay	0
Excused	1
Not Voting	1

Presiding: Speaker

Yea - 98

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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3:15:15 PM

Roll Call 93: Bill Passed

HB 1199 - Clere - 3rd Reading

Palliative care

Yea	97
Nay	0
Excused	1
Not Voting	2

Presiding: Huston

Yea - 97

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wright
Clere	Huston	Nisly	Young, J
Cook	Jackson	Pfaff	Zent
Davisson	Jordan	Pierce	Ziemke
Deal	Judy	Porter	
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 2

Wolkins | Mr. Speaker

Indiana House of Representatives

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3:20:15 PM

Roll Call 94: Bill Passed

HB 1207 - Davisson - 3rd Reading

Pharmacy matters

Yea	98
Nay	0
Excused	1
Not Voting	1

Presiding: Huston

Yea - 98

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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3:22:52 PM

Roll Call 95: Bill Passed

HB 1218 - Manning - 3rd Reading

Locating underground utility infrastructure

Yea	98
Nay	0
Excused	1
Not Voting	1

Presiding: Huston

Yea - 98

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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3:25:49 PM

Roll Call 96: Bill Passed

HB 1222 - Wesco - 3rd Reading

Miscellaneous election law matters

Yea	71
Nay	27
Excused	1
Not Voting	1

Presiding: Huston

Yea - 71

Abbott	Eberhart	Leonard	Schaibley
Aylesworth	Ellington	Lindauer	Sherman
Bacon	Engleman	Lucas	Smaltz
Baird	Errington	Lyness	Soliday
Barrett	Frye	Manning	Speedy
Bartels	Goodrich	May	Steuerwald
Behning	Gutwein	Mayfield	Stutzman
Boy	Heaton	McNamara	Sullivan
Brown, T	Heine	Miller	Thompson
Burton	Hostettler	Morrison	Torr
Candelaria Reardon	Huston	Morris	VanNatter
Carbaugh	Jordan	Moseley	Vermilion
Cherry	Judy	Negele	Wesco
Chyung	Karickhoff	Nisly	Wolkins
Clere	Kirchhofer	Pfaff	Young, J
Cook	Lauer	Prescott	Zent
Davisson	Lehe	Pressel	Ziemke
DeVon	Lehman	Saunders	

Nay - 27

Austin	Dvorak	Hatcher	Porter
Bauer	Fleming	Hatfield	Pryor
Beck	Forestal	Jackson	Shackleford
Borders	GiaQuinta	Klinker	Smith, V
Campbell	Goodin	Macer	Summers
Deal	Hamilton	Moed	Wright
DeLaney	Harris	Pierce	

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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3:32:10 PM

Roll Call 97: Bill Passed

HB 1243 - Vermilion A - 3rd Reading

Genetic counselors

Yea	96
Nay	2
Excused	1
Not Voting	1

Presiding: Huston

Yea - 96

Abbott	Dvorak	Kirchhofer	Pressel
Austin	Eberhart	Klinker	Pryor
Aylesworth	Ellington	Lauer	Saunders
Bacon	Engleman	Lehman	Schaibley
Baird	Errington	Leonard	Shackleford
Barrett	Fleming	Lindauer	Sherman
Bartels	Forestal	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Speedy
Boy	Goodrich	May	Steuerwald
Brown, T	Gutwein	Mayfield	Stutzman
Burton	Hamilton	McNamara	Sullivan
Campbell	Harris	Miller	Summers
Candelaria Reardon	Hatcher	Moed	Thompson
Carbaugh	Hatfield	Morrison	Torr
Cherry	Heaton	Morris	VanNatter
Chyung	Heine	Moseley	Vermilion
Clere	Hostettler	Negele	Wesco
Cook	Huston	Nisly	Wolkins
Davisson	Jackson	Pfaff	Wright
Deal	Jordan	Pierce	Young, J
DeLaney	Judy	Porter	Zent
DeVon	Karickhoff	Prescott	Ziemke

Nay - 2

Borders	Lehe

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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3:35:29 PM

Roll Call 98: Bill Passed

HB 1246 - Sullivan - 3rd Reading

Automotive dealer services

Yea	97
Nay	0
Excused	1
Not Voting	2

Presiding: Huston

Yea - 97

Abbott	Dvorak	Klinker	Saunders
Austin	Eberhart	Lauer	Schaibley
Aylesworth	Ellington	Lehe	Shackleford
Bacon	Engleman	Lehman	Sherman
Baird	Errington	Leonard	Smaltz
Barrett	Fleming	Lindauer	Smith, V
Bartels	Forestal	Lucas	Soliday
Bauer	Frye	Lyness	Speedy
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Stutzman
Borders	Goodrich	May	Sullivan
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	VanNatter
Candelaria Reardon	Hatfield	Morris	Vermilion
Carbaugh	Heaton	Moseley	Wesco
Cherry	Heine	Negele	Wolkins
Chyung	Hostettler	Nisly	Wright
Clere	Huston	Pfaff	Young, J
Cook	Jackson	Pierce	Zent
Davisson	Jordan	Porter	Ziemke
Deal	Judy	Prescott	
DeLaney	Karickhoff	Pressel	
DeVon	Kirchhofer	Pryor	

Nay - 0

Excused - 1

Bartlett

Not Voting - 2

Morrison | Mr. Speaker

Indiana House of Representatives

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3:38:09 PM

Roll Call 99: Bill Passed

HB 1267 - Hostettler - 3rd Reading

Withdrawal of candidates

Yea	97
Nay	0
Excused	1
Not Voting	2

Presiding: Huston

Yea - 97

Abbott	Dvorak	Klinker	Saunders
Austin	Eberhart	Lauer	Schaibley
Aylesworth	Ellington	Lehe	Shackleford
Bacon	Engleman	Lehman	Sherman
Baird	Errington	Leonard	Smaltz
Barrett	Fleming	Lindauer	Smith, V
Bartels	Forestal	Lucas	Soliday
Bauer	Frye	Lyness	Speedy
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Stutzman
Borders	Goodrich	May	Sullivan
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	VanNatter
Candelaria Reardon	Hatfield	Morris	Vermilion
Carbaugh	Heaton	Moseley	Wesco
Cherry	Heine	Negele	Wolkins
Chyung	Hostettler	Nisly	Wright
Clere	Huston	Pfaff	Young, J
Cook	Jackson	Pierce	Zent
Davisson	Jordan	Porter	Ziemke
Deal	Judy	Prescott	
DeLaney	Karickhoff	Pressel	
DeVon	Kirchhofer	Pryor	

Nay - 0

Excused - 1

Bartlett

Not Voting - 2

Morrison | Mr. Speaker

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3:44:06 PM

Roll Call 100: Bill Passed

HB 1279 - Soliday - 3rd Reading

Development areas

Yea	96
Nay	0
Excused	2
Not Voting	2

Presiding: Huston

Yea - 96

Abbott	Dvorak	Kirchhofer	Pressel
Austin	Eberhart	Klinker	Pryor
Aylesworth	Ellington	Lauer	Saunders
Bacon	Engleman	Lehe	Schaibley
Baird	Errington	Lehman	Shackleford
Barrett	Fleming	Leonard	Sherman
Bartels	Forestal	Lindauer	Smaltz
Bauer	Frye	Lucas	Smith, V
Beck	GiaQuinta	Lyness	Soliday
Behning	Goodin	Macer	Speedy
Borders	Goodrich	Manning	Steuerwald
Boy	Gutwein	May	Stutzman
Brown, T	Hamilton	Mayfield	Sullivan
Burton	Harris	McNamara	Summers
Campbell	Hatcher	Miller	Thompson
Carbaugh	Hatfield	Moed	Torr
Cherry	Heaton	Morris	VanNatter
Chyung	Heine	Moseley	Vermilion
Clere	Hostettler	Negele	Wesco
Cook	Huston	Nisly	Wolkins
Davisson	Jackson	Pfaff	Wright
Deal	Jordan	Pierce	Young, J
DeLaney	Judy	Porter	Zent
DeVon	Karickhoff	Prescott	Ziemke

Nay - 0

Excused - 2

Bartlett	Candelaria Reardon

Not Voting - 2

Morrison	Mr. Speaker

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3:50:58 PM

Roll Call 101: Bill Passed

HB 1283 - DeVon - 3rd Reading

Trauma response instruction for teachers

Yea	98
Nay	0
Excused	1
Not Voting	1

Presiding: Huston

Yea - 98

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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3:53:47 PM

Roll Call 102: Bill Passed

HB 1288 - Moseley - 3rd Reading

Local office campaign finance reports

Yea	97
Nay	0
Excused	1
Not Voting	2

Presiding: Huston

Yea - 97

Abbott	Eberhart	Lauer	Saunders
Austin	Ellington	Lehe	Schaibley
Aylesworth	Engleman	Lehman	Shackleford
Bacon	Errington	Leonard	Sherman
Baird	Fleming	Lindauer	Smaltz
Barrett	Forestal	Lucas	Smith, V
Bartels	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Speedy
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	Torr
Campbell	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	
Dvorak	Klinker	Pryor	

Nay - 0

Excused - 1

Bartlett

Not Voting - 2

Candelaria Reardon | Mr. Speaker

Indiana House of Representatives

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3:56:06 PM

Roll Call 103: Bill Passed

HB 1301 - Carbaugh - 3rd Reading

Truck safety technology; abandoned vehicle storage costs

Yea	87
Nay	6
Excused	2
Not Voting	5

Presiding: Huston

Yea - 87

Abbott	Engleman	Lauer	Saunders
Austin	Errington	Lehe	Schaibley
Aylesworth	Fleming	Lehman	Shackleford
Bacon	Forestal	Leonard	Sherman
Baird	Frye	Lindauer	Smaltz
Barrett	GiaQuinta	Lucas	Smith, V
Bartels	Goodin	Lyness	Soliday
Beck	Goodrich	Macer	Speedy
Behning	Gutwein	Manning	Steuerwald
Borders	Hamilton	May	Stutzman
Boy	Harris	Mayfield	Sullivan
Brown, T	Hatcher	McNamara	Summers
Burton	Hatfield	Miller	Thompson
Carbaugh	Heaton	Moed	Torr
Cherry	Heine	Morrison	VanNatter
Chyung	Hostettler	Morris	Vermilion
Clere	Huston	Negele	Wesco
Davisson	Jackson	Nisly	Wright
Deal	Jordan	Pfaff	Young, J
DeVon	Karickhoff	Porter	Zent
Eberhart	Kirchhofer	Prescott	Ziemke
Ellington	Klinker	Pressel	

Nay - 6

Campbell	Dvorak	Pierce	Pryor
DeLaney			Wolkins

Excused - 2

Bartlett	Cook

Not Voting - 5

Bauer	Judy	Moseley	Mr. Speaker
Candelaria Reardon			

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4:02:26 PM

Roll Call 104: Bill Passed

HB 1305 - Stutzman - 3rd Reading

Graduation rate calculation

Yea	97
Nay	1
Excused	1
Not Voting	1

Presiding: Speaker

Yea - 97

Abbott	Ellington	Lehe	Schaibley
Austin	Engleman	Lehman	Shackleford
Aylesworth	Errington	Leonard	Sherman
Bacon	Fleming	Lindauer	Smaltz
Baird	Forestal	Lucas	Smith, V
Barrett	Frye	Lyness	Soliday
Bartels	GiaQuinta	Macer	Speedy
Bauer	Goodin	Manning	Steuerwald
Beck	Goodrich	May	Stutzman
Behning	Gutwein	Mayfield	Sullivan
Borders	Hamilton	McNamara	Summers
Boy	Harris	Miller	Thompson
Brown, T	Hatcher	Moed	Torr
Burton	Hatfield	Morrison	VanNatter
Campbell	Heaton	Morris	Vermilion
Carbaugh	Heine	Moseley	Wesco
Cherry	Hostettler	Negele	Wolkins
Chyung	Huston	Nisly	Wright
Clere	Jackson	Pfaff	Young, J
Cook	Jordan	Pierce	Zent
Davisson	Judy	Porter	Ziemke
Deal	Karickhoff	Prescott	Mr. Speaker
DeLaney	Kirchhofer	Pressel	
DeVon	Klinker	Pryor	
Eberhart	Lauer	Saunders	

Nay - 1

Dvorak

Excused - 1

Bartlett

Not Voting - 1

Candelaria Reardon

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4:05:34 PM

Roll Call 105: Bill Passed

HB 1313 - Young J - 3rd Reading

Court matters

Yea	97
Nay	0
Excused	1
Not Voting	2

Presiding: Speaker

Yea - 97

Abbott	Dvorak	Klinker	Saunders
Austin	Eberhart	Lauer	Schaibley
Aylesworth	Ellington	Lehe	Shackleford
Bacon	Engleman	Lehman	Sherman
Baird	Errington	Leonard	Smaltz
Barrett	Fleming	Lindauer	Smith, V
Bartels	Forestal	Lucas	Soliday
Bauer	Frye	Lyness	Speedy
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Stutzman
Borders	Goodrich	May	Sullivan
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	VanNatter
Candelaria Reardon	Hatfield	Morrison	Vermilion
Carbaugh	Heaton	Morris	Wesco
Cherry	Heine	Negele	Wolkins
Chyung	Hostettler	Nisly	Wright
Clere	Huston	Pfaff	Young, J
Cook	Jackson	Pierce	Zent
Davisson	Jordan	Porter	Ziemke
Deal	Judy	Prescott	
DeLaney	Karickhoff	Pressel	
DeVon	Kirchhofer	Pryor	

Nay - 0

Excused - 1

Bartlett

Not Voting - 2

Moseley | Mr. Speaker

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4:08:27 PM

Roll Call 106: Bill Passed

HB 1334 - Eberhart - 3rd Reading

Radon mitigation

Yea	98
Nay	0
Excused	1
Not Voting	1

Presiding: Speaker

Yea - 98

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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4:12:16 PM

Roll Call 107: Bill Passed

HB 1336 - Vermilion A - 3rd Reading

Telemedicine

Yea	98
Nay	0
Excused	1
Not Voting	1

Presiding: Speaker

Yea - 98

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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4:16:04 PM

Roll Call 108: Bill Passed

HB 1337 - Hatfield - 3rd Reading

Notification of water utilities and water treatment plants

Yea	98
Nay	0
Excused	1
Not Voting	1

Presiding: Speaker

Yea - 98

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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4:21:16 PM

Roll Call 109: Bill Passed

HB 1341 - Pfaff - 3rd Reading

Students with disabilities

Yea	97
Nay	0
Excused	1
Not Voting	2

Presiding: Speaker

Yea - 97

Abbott	Ellington	Lehe	Schaibley
Austin	Engleman	Lehman	Shackleford
Aylesworth	Errington	Leonard	Sherman
Bacon	Fleming	Lindauer	Smaltz
Baird	Forestal	Lucas	Smith, V
Barrett	Frye	Lyness	Soliday
Bartels	GiaQuinta	Macer	Speedy
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	Torr
Campbell	Hatfield	Morrison	VanNatter
Candelaria Reardon	Heaton	Morris	Vermilion
Carbaugh	Heine	Moseley	Wesco
Cherry	Hostettler	Negele	Wolkins
Chyung	Huston	Nisly	Wright
Clere	Jackson	Pfaff	Young, J
Cook	Jordan	Pierce	Zent
Davisson	Judy	Porter	Ziemke
Deal	Karickhoff	Prescott	Mr. Speaker
DeLaney	Kirchhofer	Pressel	
DeVon	Klinker	Pryor	
Eberhart	Lauer	Saunders	

Nay - 0

Excused - 1

Bartlett

Not Voting - 2

Bauer
Dvorak

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4:30:46 PM

Roll Call 110: Bill Passed

HB 1346 - Frye - 3rd Reading

Jail overcrowding

Yea	99
Nay	0
Excused	1
Not Voting	0

Presiding: Speaker

Yea - 99

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	Mr. Speaker
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 0

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4:33:42 PM

Roll Call 111: Bill Passed

HB 1347 - Gutwein - 3rd Reading

Bureau of motor vehicles

Yea	97
Nay	1
Excused	1
Not Voting	1

Presiding: Speaker

Yea - 97

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Schaibley
Aylesworth	Ellington	Lehe	Shackleford
Bacon	Engleman	Lehman	Sherman
Baird	Errington	Leonard	Smaltz
Barrett	Fleming	Lindauer	Smith, V
Bartels	Forestal	Lucas	Soliday
Bauer	Frye	Lyness	Speedy
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Stutzman
Borders	Goodrich	May	Sullivan
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	VanNatter
Candelaria Reardon	Hatfield	Morrison	Vermilion
Carbaugh	Heaton	Morris	Wesco
Cherry	Heine	Moseley	Wolkins
Chyung	Hostettler	Negele	Wright
Clere	Huston	Nisly	Young, J
Cook	Jackson	Pfaff	Zent
Davisson	Jordan	Pierce	Ziemke
Deal	Judy	Porter	
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 1

Saunders

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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4:36:23 PM

Roll Call 112: Bill Passed

HB 1370 - May - 3rd Reading

Regional redevelopment

Yea	98
Nay	0
Excused	1
Not Voting	1

Presiding: Speaker

Yea - 98

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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4:41:12 PM

Roll Call 113: Bill Passed

HB 1372 - Carbaugh - 3rd Reading

Various insurance matters

Yea	98
Nay	0
Excused	1
Not Voting	1

Presiding: Speaker

Yea - 98

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Speedy
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Nisly	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 1

Bartlett

Not Voting - 1

Mr. Speaker

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1:43:10 PM

Roll Call 115: Amendment Prevailed

HB 1005 - Schaibley - 2nd Reading

Health and insurance matters.
Amendment #1 - Hatfield

Yea	49
Nay	44
Excused	4
Not Voting	3

Presiding: Speaker

Yea - 49

Abbott	Deal	Hostettler	Porter
Austin	DeLaney	Jackson	Prescott
Baird	Ellington	Klinker	Pryor
Bartlett	Errington	Leonard	Shackleford
Bauer	Fleming	Macer	Smaltz
Beck	Forestal	May	Smith, V
Borders	GiaQuinta	Moed	Sullivan
Boy	Goodin	Morrison	Summers
Campbell	Hamilton	Morris	VanNatter
Candelaria Reardon	Harris	Moseley	Wright
Carbaugh	Hatcher	Nisly	
Chyung	Hatfield	Pfaff	
Cook	Heine	Pierce	

Nay - 44

Aylesworth	Frye	Lindauer	Soliday
Bacon	Goodrich	Lucas	Speedy
Barrett	Gutwein	Lyness	Steuerwald
Bartels	Heaton	Manning	Stutzman
Behning	Huston	Mayfield	Thompson
Brown, T	Jordan	McNamara	Torr
Burton	Karickhoff	Miller	Vermilion
Cherry	Kirchhofer	Negele	Wolkins
Clere	Lauer	Saunders	Young, J
DeVon	Lehe	Schaibley	Zent
Engleman	Lehman	Sherman	Ziemke

Excused - 4

Davisson	Eberhart	Judy	Wesco

Not Voting - 3

Dvorak	Pressel	Mr. Speaker

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1:51:09 PM

Roll Call 116: Amendment Failed

HB 1063 - Goodrich - 2nd Reading

Public safety officer death benefits.
Amendment #1 - Goodin

Yea	37
Nay	57
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 37

Austin	DeLaney	Hatfield	Porter
Bartlett	Dvorak	Jackson	Pryor
Bauer	Errington	Kirchhofer	Schaibley
Beck	Fleming	Klinker	Shackleford
Boy	Forestal	Leonard	Smith, V
Campbell	GiaQuinta	Macer	Summers
Candelaria Reardon	Goodin	Moed	Wright
Carbaugh	Hamilton	Moseley	
Chyung	Harris	Pfaff	
Deal	Hatcher	Pierce	

Nay - 57

Abbott	Engleman	Lyness	Soliday
Aylesworth	Frye	Manning	Speedy
Bacon	Goodrich	May	Stutzman
Baird	Gutwein	Mayfield	Sullivan
Barrett	Heaton	McNamara	Thompson
Bartels	Heine	Miller	Torr
Behning	Hostettler	Morrison	VanNatter
Borders	Huston	Morris	Vermilion
Brown, T	Jordan	Negele	Wolkins
Burton	Karickhoff	Nisly	Young, J
Cherry	Lauer	Prescott	Zent
Clere	Lehe	Pressel	Ziemke
Cook	Lehman	Saunders	
DeVon	Lindauer	Sherman	
Ellington	Lucas	Smaltz	

Excused - 4

Davisson	Eberhart	Judy	Wesco

Not Voting - 2

Steuerwald	Mr. Speaker

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2:01:28 PM

Roll Call 117: Amendment Failed

HB 1065 - Thompson - 2nd Reading

Various tax matters.
Amendment #1 - Porter

Yea	33
Nay	60
Excused	4
Not Voting	3

Presiding: Speaker

Yea - 33

Austin	DeLaney	Hatcher	Porter
Bartlett	Dvorak	Hatfield	Pryor
Bauer	Errington	Jackson	Shackleford
Beck	Fleming	Klinker	Smith, V
Boy	Forestal	Leonard	Summers
Campbell	GiaQuinta	Macer	Wright
Candelaria Reardon	Goodin	Moseley	
Chyung	Hamilton	Pfaff	
Deal	Harris	Pierce	

Nay - 60

Abbott	Ellington	Lindauer	Schaibley
Aylesworth	Engleman	Lucas	Sherman
Bacon	Frye	Lyness	Smaltz
Baird	Goodrich	Manning	Soliday
Barrett	Gutwein	May	Speedy
Bartels	Heaton	Mayfield	Steuerwald
Behning	Heine	McNamara	Stutzman
Borders	Hostettler	Miller	Sullivan
Brown, T	Huston	Morrison	Thompson
Burton	Jordan	Morris	VanNatter
Carbaugh	Karickhoff	Negele	Vermilion
Cherry	Kirchhofer	Nisly	Wolkins
Clere	Lauer	Prescott	Young, J
Cook	Lehe	Pressel	Zent
DeVon	Lehman	Saunders	Ziemke

Excused - 4

Davisson	Eberhart	Judy	Wesco

Not Voting - 3

Moed	Torr	Mr. Speaker

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2:20:07 PM

Roll Call 118: Amendment Failed

HB 1108 - Lehman - 2nd Reading

State board of accounts.
Amendment #1 - Porter

Yea	32
Nay	61
Excused	4
Not Voting	3

Presiding: Speaker

Yea - 32

Austin	Deal	Hamilton	Pfaff
Bartlett	DeLaney	Harris	Pierce
Bauer	Dvorak	Hatcher	Porter
Beck	Errington	Hatfield	Pryor
Boy	Fleming	Jackson	Shackleford
Campbell	Forestal	Klinker	Smith, V
Candelaria Reardon	GiaQuinta	Macer	Summers
Chyung	Goodin	Moed	Wright

Nay - 61

Abbott	Frye	Lyness	Soliday
Aylesworth	Goodrich	Manning	Speedy
Bacon	Gutwein	May	Steuerwald
Baird	Heaton	Mayfield	Stutzman
Barrett	Heine	McNamara	Sullivan
Behning	Hostettler	Miller	Thompson
Borders	Huston	Morrison	Torr
Brown, T	Jordan	Morris	VanNatter
Burton	Karickhoff	Negele	Vermilion
Carbaugh	Kirchhofer	Nisly	Wolkins
Cherry	Lauer	Prescott	Young, J
Clere	Lehe	Pressel	Zent
Cook	Lehman	Saunders	Mr. Speaker
DeVon	Leonard	Schaibley	
Ellington	Lindauer	Sherman	
Engleman	Lucas	Smaltz	

Excused - 4

Davisson	Eberhart	Judy	Wesco

Not Voting - 3

Bartels	Moseley	Ziemke

Indiana House of Representatives

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2:27:24 PM

Roll Call 119: Amendment Failed

HB 1111 - Leonard - 2nd Reading

Unemployment.
Amendment #1 - Lisa Beck

Yea	33
Nay	63
Excused	4
Not Voting	0

Presiding: Speaker

Yea - 33

Austin	DeLaney	Hatcher	Porter
Bartlett	Dvorak	Hatfield	Pryor
Bauer	Errington	Jackson	Shackleford
Beck	Fleming	Klinker	Smith, V
Boy	Forestal	Macer	Summers
Campbell	GiaQuinta	Moed	Wright
Candelaria Reardon	Goodin	Moseley	
Chyung	Hamilton	Pfaff	
Deal	Harris	Pierce	

Nay - 63

Abbott	Engleman	Lucas	Smaltz
Aylesworth	Frye	Lyness	Soliday
Bacon	Goodrich	Manning	Speedy
Baird	Gutwein	May	Steuerwald
Barrett	Heaton	Mayfield	Stutzman
Bartels	Heine	McNamara	Sullivan
Behning	Hostettler	Miller	Thompson
Borders	Huston	Morrison	Torr
Brown, T	Jordan	Morris	VanNatter
Burton	Karickhoff	Negele	Vermilion
Carbaugh	Kirchhofer	Nisly	Wolkins
Cherry	Lauer	Prescott	Young, J
Clere	Lehe	Pressel	Zent
Cook	Lehman	Saunders	Ziemke
DeVon	Leonard	Schaibley	Mr. Speaker
Ellington	Lindauer	Sherman	

Excused - 4

Davisson	Eberhart	Judy	Wesco

Not Voting - 0

Indiana House of Representatives

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2:30:15 PM

Roll Call 120: Amendment Failed

HB 1111 - Leonard - 2nd Reading

Unemployment.
Amendment #2 - Moseley

Yea	33
Nay	63
Excused	4
Not Voting	0

Presiding: Speaker

Yea - 33

Austin	DeLaney	Hatcher	Porter
Bartlett	Dvorak	Hatfield	Pryor
Bauer	Errington	Jackson	Shackleford
Beck	Fleming	Klinker	Smith, V
Boy	Forestal	Macer	Summers
Campbell	GiaQuinta	Moed	Wright
Candelaria Reardon	Goodin	Moseley	
Chyung	Hamilton	Pfaff	
Deal	Harris	Pierce	

Nay - 63

Abbott	Engleman	Lucas	Smaltz
Aylesworth	Frye	Lyness	Soliday
Bacon	Goodrich	Manning	Speedy
Baird	Gutwein	May	Steuerwald
Barrett	Heaton	Mayfield	Stutzman
Bartels	Heine	McNamara	Sullivan
Behning	Hostettler	Miller	Thompson
Borders	Huston	Morrison	Torr
Brown, T	Jordan	Morris	VanNatter
Burton	Karickhoff	Negele	Vermilion
Carbaugh	Kirchhofer	Nisly	Wolkins
Cherry	Lauer	Prescott	Young, J
Clere	Lehe	Pressel	Zent
Cook	Lehman	Saunders	Ziemke
DeVon	Leonard	Schaibley	Mr. Speaker
Ellington	Lindauer	Sherman	

Excused - 4

Davisson	Eberhart	Judy	Wesco

Not Voting - 0

Indiana House of Representatives

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2:35:06 PM

Roll Call 121: Amendment Prevailed

HB 1113 - Leonard - 2nd Reading

Department of local government finance.
Amendment #2 - Pryor

Yea	95
Nay	0
Excused	4
Not Voting	1

Presiding: Speaker

Yea - 95

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Ellington	Lehe	Saunders
Bacon	Engleman	Lehman	Schaibley
Baird	Errington	Leonard	Shackleford
Barrett	Fleming	Lindauer	Sherman
Bartels	Forestal	Lucas	Smaltz
Bartlett	Frye	Lyness	Smith, V
Bauer	GiaQuinta	Macer	Soliday
Beck	Goodin	Manning	Speedy
Behning	Goodrich	May	Steuerwald
Borders	Gutwein	Mayfield	Stutzman
Boy	Hamilton	McNamara	Sullivan
Brown, T	Harris	Miller	Summers
Burton	Hatcher	Moed	Thompson
Campbell	Hatfield	Morrison	Torr
Candelaria Reardon	Heaton	Morris	VanNatter
Carbaugh	Heine	Moseley	Vermilion
Cherry	Hostettler	Negele	Wolkins
Chyung	Huston	Nisly	Wright
Clere	Jackson	Pfaff	Young, J
Cook	Jordan	Pierce	Zent
Deal	Karickhoff	Porter	Ziemke
DeLaney	Kirchhofer	Prescott	

Nay - 0

Excused - 4

Davisson	Eberhart	Judy	Wesco

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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2:37:58 PM

Roll Call 122: Amendment Prevailed

HB 1113 - Leonard - 2nd Reading

Department of local government finance.
Amendment #1 - DeLaney

Yea	86
Nay	7
Excused	4
Not Voting	3

Presiding: Speaker

Yea - 86

Abbott	DeVon	Lauer	Schaibley
Austin	Ellington	Lehe	Shackleford
Aylesworth	Engleman	Lehman	Sherman
Bacon	Errington	Lindauer	Smaltz
Baird	Fleming	Lucas	Smith, V
Barrett	Frye	Lyness	Soliday
Bartels	GiaQuinta	Macer	Speedy
Bartlett	Goodin	Manning	Steuerwald
Bauer	Goodrich	May	Stutzman
Beck	Gutwein	McNamara	Sullivan
Behning	Hamilton	Miller	Summers
Borders	Harris	Morrison	Thompson
Boy	Hatcher	Morris	Torr
Brown, T	Heaton	Negele	VanNatter
Burton	Heine	Nisly	Vermilion
Carbaugh	Hostettler	Pfaff	Wolkins
Cherry	Huston	Pierce	Wright
Chyung	Jackson	Porter	Young, J
Clere	Jordan	Prescott	Zent
Cook	Karickhoff	Pressel	Ziemke
Deal	Kirchhofer	Pryor	
DeLaney	Klinker	Saunders	

Nay - 7

Campbell	Forestal	Mayfield	Moseley
Dvorak	Hatfield	Moed	

Excused - 4

Davisson	Eberhart	Judy	Wesco

Not Voting - 3

Candelaria Reardon	Leonard	Mr. Speaker

Indiana House of Representatives

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2:44:00 PM

Roll Call 123: The Ruling of the Chair is Sustained

HB 1204 - Cherry

Early graduation and ADM.
Appeal of the Ruling of the Chair

Amendment #1 - Porter

Yea	62
Nay	32
Excused	5
Not Voting	1

Presiding: Karickhoff

Yea - 62

Abbott	Engleman	Lucas	Smaltz
Aylesworth	Frye	Lyness	Soliday
Bacon	Goodrich	Manning	Speedy
Baird	Gutwein	May	Steuerwald
Barrett	Heaton	Mayfield	Stutzman
Bartels	Heine	McNamara	Sullivan
Behning	Hostettler	Miller	Thompson
Borders	Huston	Morrison	Torr
Brown, T	Jordan	Morris	VanNatter
Burton	Karickhoff	Negele	Vermilion
Carbaugh	Kirchhofer	Nisly	Wolkins
Cherry	Lauer	Prescott	Young, J
Clere	Lehe	Pressel	Zent
Cook	Lehman	Saunders	Ziemke
DeVon	Leonard	Schaibley	
Ellington	Lindauer	Sherman	

Nay - 32

Austin	Deal	Harris	Pfaff
Bartlett	DeLaney	Hatcher	Pierce
Bauer	Dvorak	Hatfield	Porter
Beck	Errington	Jackson	Pryor
Boy	Fleming	Klinker	Shackleford
Campbell	Forestal	Macer	Smith, V
Candelaria Reardon	GiaQuinta	Moed	Summers
Chyung	Goodin	Moseley	Wright

Excused - 5

Davisson	Judy	Wesco	Mr. Speaker
Eberhart			

Not Voting - 1

Hamilton

Indiana House of Representatives

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2:50:29 PM

Roll Call 124: The Ruling of the Chair is Sustained

HB 1204 - Cherry

Early graduation and ADM.
Appeal of the Ruling of the Chair

Amendment #2 - Porter

Yea	61
Nay	33
Excused	5
Not Voting	1

Presiding: Karickhoff

Yea - 61

Abbott	Engleman	Lucas	Smaltz
Aylesworth	Frye	Lyness	Soliday
Bacon	Goodrich	Manning	Steuerwald
Baird	Gutwein	May	Stutzman
Barrett	Heaton	Mayfield	Sullivan
Bartels	Heine	McNamara	Thompson
Behning	Hostettler	Miller	Torr
Borders	Huston	Morrison	VanNatter
Brown, T	Jordan	Morris	Vermilion
Burton	Karickhoff	Negele	Wolkins
Carbaugh	Kirchhofer	Nisly	Young, J
Cherry	Lauer	Prescott	Zent
Clere	Lehe	Pressel	Ziemke
Cook	Lehman	Saunders	
DeVon	Leonard	Schaibley	
Ellington	Lindauer	Sherman	

Nay - 33

Austin	DeLaney	Hatcher	Porter
Bartlett	Dvorak	Hatfield	Pryor
Bauer	Errington	Jackson	Shackleford
Beck	Fleming	Klinker	Smith, V
Boy	Forestal	Macer	Summers
Campbell	GiaQuinta	Moed	Wright
Candelaria Reardon	Goodin	Moseley	
Chyung	Hamilton	Pfaff	
Deal	Harris	Pierce	

Excused - 5

Davisson	Judy	Wesco	Mr. Speaker
Eberhart			

Not Voting - 1

Speedy

Indiana House of Representatives

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3:10:03 PM

Roll Call 125: Amendment Prevailed

HB 1204 - Cherry - 2nd Reading

Early graduation and ADM.
Amendment #7 - DeLaney

Yea	93
Nay	0
Excused	4
Not Voting	3

Presiding: Speaker

Yea - 93

Abbott	DeVon	Lauer	Schaibley
Austin	Dvorak	Lehe	Shackleford
Aylesworth	Ellington	Lehman	Sherman
Bacon	Engleman	Leonard	Smaltz
Baird	Errington	Lindauer	Smith, V
Barrett	Fleming	Lucas	Soliday
Bartels	Forestal	Lyness	Speedy
Bartlett	Frye	Macer	Steuerwald
Bauer	GiaQuinta	Manning	Stutzman
Beck	Goodin	May	Sullivan
Behning	Goodrich	Mayfield	Summers
Borders	Gutwein	McNamara	Thompson
Boy	Hamilton	Miller	Torr
Brown, T	Harris	Moed	VanNatter
Burton	Hatcher	Moseley	Vermilion
Campbell	Hatfield	Negele	Wolkins
Candelaria Reardon	Heaton	Nisly	Wright
Carbaugh	Heine	Pfaff	Young, J
Cherry	Hostettler	Pierce	Zent
Chyung	Huston	Porter	Ziemke
Clere	Jackson	Prescott	Mr. Speaker
Cook	Jordan	Pressel	
Deal	Karickhoff	Pryor	
DeLaney	Kirchhofer	Saunders	

Nay - 0

Excused - 4

Davisson	Eberhart	Judy	Wesco

Not Voting - 3

Klinker	Morrison	Morris

Indiana House of Representatives

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3:18:02 PM

Roll Call 126: Amendment Prevailed

HB 1265 - Jackson - 2nd Reading

Drinking water testing in Lake County.
Amendment #1 - Errington

Yea	96
Nay	0
Excused	4
Not Voting	0

Presiding: Speaker

Yea - 96

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Ellington	Lehe	Saunders
Bacon	Engleman	Lehman	Schaibley
Baird	Errington	Leonard	Shackleford
Barrett	Fleming	Lindauer	Sherman
Bartels	Forestal	Lucas	Smaltz
Bartlett	Frye	Lyness	Smith, V
Bauer	GiaQuinta	Macer	Soliday
Beck	Goodin	Manning	Speedy
Behning	Goodrich	May	Steuerwald
Borders	Gutwein	Mayfield	Stutzman
Boy	Hamilton	McNamara	Sullivan
Brown, T	Harris	Miller	Summers
Burton	Hatcher	Moed	Thompson
Campbell	Hatfield	Morrison	Torr
Candelaria Reardon	Heaton	Morris	VanNatter
Carbaugh	Heine	Moseley	Vermilion
Cherry	Hostettler	Negele	Wolkins
Chyung	Huston	Nisly	Wright
Clere	Jackson	Pfaff	Young, J
Cook	Jordan	Pierce	Zent
Deal	Karickhoff	Porter	Ziemke
DeLaney	Kirchhofer	Prescott	Mr. Speaker

Nay - 0

Excused - 4

Davisson	Eberhart	Judy	Wesco

Not Voting - 0

Indiana House of Representatives

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3:20:27 PM

Roll Call 127: Amendment Prevailed

HB 1265 - Jackson - 2nd Reading

Drinking water testing in Lake County.
Amendment #8 - Jackson

Yea	93
Nay	0
Excused	4
Not Voting	3

Presiding: Karickhoff

Yea - 93

Abbott	DeVon	Klinker	Pryor
Austin	Dvorak	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Leonard	Shackleford
Baird	Errington	Lindauer	Sherman
Barrett	Fleming	Lucas	Smaltz
Bartels	Forestal	Lyness	Smith, V
Bartlett	Frye	Macer	Soliday
Bauer	GiaQuinta	Manning	Speedy
Beck	Goodin	May	Steuerwald
Behning	Goodrich	Mayfield	Stutzman
Borders	Gutwein	McNamara	Sullivan
Boy	Hamilton	Miller	Summers
Brown, T	Harris	Moed	Thompson
Burton	Hatcher	Morrison	Torr
Campbell	Hatfield	Morris	VanNatter
Candelaria Reardon	Heaton	Moseley	Vermilion
Carbaugh	Heine	Negele	Wolkins
Cherry	Hostettler	Nisly	Wright
Chyung	Huston	Pfaff	Young, J
Clere	Jackson	Pierce	Zent
Cook	Jordan	Porter	
Deal	Karickhoff	Prescott	
DeLaney	Kirchhofer	Pressel	

Nay - 0

Excused - 4

Davisson	Eberhart	Judy	Wesco

Not Voting - 3

Lehman	Ziemke	Mr. Speaker

Indiana House of Representatives

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3:46:26 PM

Roll Call 128: Bill Passed

HB 1070 - Sullivan - 3rd Reading

Distracted driving

Yea	86
Nay	10
Excused	4
Not Voting	0

Presiding: Speaker

Yea - 86

Abbott	DeVon	Kirchhofer	Saunders
Austin	Ellington	Klinker	Schaibley
Aylesworth	Engleman	Lauer	Shackleford
Bacon	Errington	Lehe	Sherman
Barrett	Fleming	Lehman	Smaltz
Bartels	Forestal	Leonard	Smith, V
Bauer	Frye	Lindauer	Soliday
Beck	GiaQuinta	Lyness	Speedy
Behning	Goodin	Macer	Steuerwald
Borders	Goodrich	Manning	Sullivan
Boy	Gutwein	May	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	Vermilion
Candelaria Reardon	Hatfield	Morris	Wolkins
Carbaugh	Heaton	Moseley	Wright
Cherry	Heine	Negele	Young, J
Chyung	Hostettler	Pfaff	Zent
Clere	Huston	Pierce	Ziemke
Cook	Jackson	Porter	Mr. Speaker
Deal	Jordan	Pressel	
DeLaney	Karickhoff	Pryor	

Nay - 10

Baird	Lucas	Nisly	VanNatter
Bartlett	Mayfield	Prescott	
Dvorak	Morrison	Stutzman	

Excused - 4

Davisson	Eberhart	Judy	Wesco

Not Voting - 0

Indiana House of Representatives

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3:58:21 PM

Roll Call 129: Bill Passed

HB 1165 - Burton - 3rd Reading

Municipally owned utilities

Yea	64
Nay	31
Excused	4
Not Voting	1

Presiding: Speaker

Yea - 64

Aylesworth	Ellington	Leonard	Pryor
Bacon	Errington	Lindauer	Schaibley
Barrett	Forestal	Lucas	Shackleford
Bauer	Goodin	Manning	Sherman
Behning	Goodrich	May	Smaltz
Borders	Harris	Mayfield	Smith, V
Boy	Hatcher	McNamara	Soliday
Brown, T	Hatfield	Miller	Speedy
Burton	Heaton	Morrison	Steuerwald
Candelaria Reardon	Heine	Morris	Stutzman
Carbaugh	Hostettler	Moseley	Thompson
Chyung	Huston	Negele	Torr
Clere	Jordan	Nisly	VanNatter
Deal	Kirchhofer	Pierce	Wolkins
DeLaney	Klinker	Porter	Zent
DeVon	Lauer	Pressel	Ziemke

Nay - 31

Abbott	Cook	Jackson	Prescott
Austin	Dvorak	Karickhoff	Saunders
Baird	Engleman	Lehe	Sullivan
Bartels	Fleming	Lehman	Summers
Bartlett	Frye	Lyness	Vermilion
Beck	GiaQuinta	Macer	Wright
Campbell	Gutwein	Moed	Young, J
Cherry	Hamilton	Pfaff	

Excused - 4

Davisson	Eberhart	Judy	Wesco

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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4:07:32 PM

Roll Call 130: Bill Passed

HB 1225 - McNamara - 3rd Reading

Failure to yield to emergency vehicles

Yea	85
Nay	10
Excused	5
Not Voting	0

Presiding: Speaker

Yea - 85

Abbott	DeVon	Klinker	Shackleford
Austin	Dvorak	Lauer	Sherman
Aylesworth	Ellington	Lehe	Smaltz
Bacon	Engleman	Lehman	Soliday
Baird	Errington	Leonard	Speedy
Barrett	Fleming	Lindauer	Steuerwald
Bartels	Forestal	Lucas	Stutzman
Bauer	Frye	Macer	Sullivan
Beck	GiaQuinta	Manning	Summers
Behning	Goodin	May	Thompson
Borders	Goodrich	McNamara	Torr
Brown, T	Gutwein	Miller	VanNatter
Burton	Hamilton	Moed	Vermilion
Campbell	Harris	Morris	Wolkins
Candelaria Reardon	Hatfield	Moseley	Wright
Carbaugh	Heaton	Negele	Young, J
Cherry	Heine	Pfaff	Zent
Chyung	Hostettler	Porter	Ziemke
Clere	Huston	Prescott	Mr. Speaker
Cook	Jordan	Pressel	
Deal	Karickhoff	Pryor	
DeLaney	Kirchhofer	Schaibley	

Nay - 10

Bartlett	Jackson	Morrison	Smith, V
Boy	Lyness	Nisly	
Hatcher	Mayfield	Pierce	

Excused - 5

Davisson	Judy	Saunders	Wesco
Eberhart			

Not Voting - 0

Indiana House of Representatives

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4:10:44 PM

Roll Call 131: Bill Passed

HB 1403 - Wolkins - 3rd Reading

Waste tires

Yea	94
Nay	0
Excused	5
Not Voting	1

Presiding: Speaker

Yea - 94

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Speedy
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	Torr
Campbell	Hatfield	Morrison	VanNatter
Candelaria Reardon	Heaton	Morris	Vermilion
Carbaugh	Heine	Moseley	Wolkins
Cherry	Hostettler	Negele	Wright
Chyung	Huston	Nisly	Young, J
Clere	Jackson	Pfaff	Zent
Cook	Jordan	Pierce	Ziemke
Deal	Karickhoff	Porter	
DeLaney	Kirchhofer	Prescott	

Nay - 0

Excused - 5

Davisson	Judy	Saunders	Wesco
Eberhart			

Not Voting - 1

Mr. Speaker

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10:35:36 AM

Roll Call 133: Bill Passed

HB 1326 - Kirchhofer - 3rd Reading

Community mental health centers

Yea	94
Nay	0
Excused	5
Not Voting	1

Presiding: Speaker

Yea - 94

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Ellington	Lehe	Saunders
Bacon	Engleman	Lehman	Schaibley
Baird	Errington	Leonard	Shackleford
Barrett	Fleming	Lindauer	Sherman
Bartels	Frye	Lucas	Smaltz
Bauer	GiaQuinta	Lyness	Smith, V
Beck	Goodin	Macer	Soliday
Behning	Goodrich	Manning	Speedy
Borders	Gutwein	May	Steuerwald
Boy	Hamilton	Mayfield	Sullivan
Brown, T	Harris	McNamara	Summers
Burton	Hatcher	Miller	Thompson
Campbell	Hatfield	Moed	Torr
Candelaria Reardon	Heaton	Morrison	VanNatter
Carbaugh	Heine	Morris	Vermilion
Cherry	Hostettler	Moseley	Wolkins
Chyung	Huston	Negele	Wright
Clere	Jackson	Nisly	Young, J
Cook	Jordan	Pfaff	Zent
Davisson	Judy	Pierce	Ziemke
Deal	Karickhoff	Porter	
DeLaney	Kirchhofer	Prescott	

Nay - 0

Excused - 5

Bartlett	Forestal	Stutzman	Wesco
Eberhart			

Not Voting - 1

Mr. Speaker

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10:41:43 AM

Roll Call 134: Bill Passed

HB 1317 - Kirchhofer - 3rd Reading

Health care advance directive

Yea	94
Nay	0
Excused	5
Not Voting	1

Presiding: Huston

Yea - 94

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Ellington	Lehe	Saunders
Bacon	Engleman	Lehman	Schaibley
Baird	Errington	Leonard	Shackleford
Barrett	Fleming	Lindauer	Sherman
Bartels	Frye	Lucas	Smaltz
Bauer	GiaQuinta	Lyness	Smith, V
Beck	Goodin	Macer	Soliday
Behning	Goodrich	Manning	Speedy
Borders	Gutwein	May	Steuerwald
Boy	Hamilton	Mayfield	Sullivan
Brown, T	Harris	McNamara	Summers
Burton	Hatcher	Miller	Thompson
Campbell	Hatfield	Moed	Torr
Candelaria Reardon	Heaton	Morrison	VanNatter
Carbaugh	Heine	Morris	Vermilion
Cherry	Hostettler	Moseley	Wolkins
Chyung	Huston	Negele	Wright
Clere	Jackson	Nisly	Young, J
Cook	Jordan	Pfaff	Zent
Davisson	Judy	Pierce	Ziemke
Deal	Karickhoff	Porter	
DeLaney	Kirchhofer	Prescott	

Nay - 0

Excused - 5

Bartlett	Forestal	Stutzman	Wesco
Eberhart			

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:53:29 AM

Roll Call 135: Bill Passed

HB 1265 - Jackson - 3rd Reading

Drinking water testing in Lake County

Yea	90
Nay	2
Excused	5
Not Voting	3

Presiding: Speaker

Yea - 90

Abbott	DeLaney	Kirchhofer	Pryor
Austin	DeVon	Klinker	Saunders
Aylesworth	Dvorak	Lauer	Schaibley
Bacon	Ellington	Lehe	Shackleford
Baird	Errington	Lehman	Sherman
Barrett	Fleming	Leonard	Smaltz
Bartels	Frye	Lucas	Smith, V
Bauer	GiaQuinta	Lyness	Soliday
Beck	Goodin	Macer	Speedy
Behning	Goodrich	May	Steuerwald
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	Torr
Campbell	Hatfield	Morrison	VanNatter
Candelaria Reardon	Heaton	Morris	Vermilion
Carbaugh	Heine	Moseley	Wolkins
Cherry	Hostettler	Negele	Wright
Chyung	Huston	Nisly	Young, J
Clere	Jackson	Pfaff	Zent
Cook	Jordan	Pierce	Ziemke
Davisson	Judy	Porter	
Deal	Karickhoff	Pressel	

Nay - 2

Lindauer	Prescott

Excused - 5

Bartlett	Forestal	Stutzman	Wesco
Eberhart			

Not Voting - 3

Engleman	Manning	Mr. Speaker

Indiana House of Representatives

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10:55:39 AM

Roll Call 136: Bill Passed

HB 1235 - Karickhoff - 3rd Reading

911 fees

Yea	88
Nay	2
Excused	6
Not Voting	4

Presiding: Speaker

Yea - 88

Abbott	DeLaney	Karickhoff	Prescott
Austin	DeVon	Kirchhofer	Pressel
Aylesworth	Dvorak	Klinker	Pryor
Bacon	Ellington	Lauer	Saunders
Baird	Engleman	Lehe	Schaibley
Barrett	Errington	Lehman	Shackleford
Bartels	Fleming	Leonard	Sherman
Bauer	Frye	Lucas	Smaltz
Beck	GiaQuinta	Lyness	Smith, V
Behning	Goodin	Macer	Soliday
Boy	Goodrich	Manning	Speedy
Brown, T	Gutwein	May	Steuerwald
Burton	Hamilton	Mayfield	Sullivan
Campbell	Harris	McNamara	Thompson
Candelaria Reardon	Hatcher	Miller	Torr
Carbaugh	Heaton	Morrison	VanNatter
Cherry	Heine	Morris	Vermilion
Chyung	Hostettler	Moseley	Wolkins
Clere	Huston	Negele	Wright
Cook	Jackson	Pfaff	Young, J
Davisson	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke

Nay - 2

Borders	Nisly

Excused - 6

Bartlett	Forestal	Stutzman	Summers
Eberhart			Wesco

Not Voting - 4

Hatfield	Lindauer	Moed	Mr. Speaker

Indiana House of Representatives

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11:00:33 AM

Roll Call 137: Bill Passed

HB 1204 - Cherry - 3rd Reading

Early graduation and ADM

Yea	94
Nay	0
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 94

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Ellington	Lehe	Saunders
Bacon	Engleman	Lehman	Schaibley
Baird	Errington	Leonard	Shackleford
Barrett	Fleming	Lindauer	Sherman
Bartels	Frye	Lucas	Smaltz
Bauer	GiaQuinta	Lyness	Smith, V
Beck	Goodin	Macer	Soliday
Behning	Goodrich	Manning	Speedy
Borders	Gutwein	May	Steuerwald
Boy	Hamilton	Mayfield	Sullivan
Brown, T	Harris	McNamara	Thompson
Burton	Hatcher	Miller	Torr
Campbell	Hatfield	Moed	VanNatter
Candelaria Reardon	Heaton	Morrison	Vermilion
Carbaugh	Heine	Morris	Wolkins
Cherry	Hostettler	Moseley	Wright
Chyung	Huston	Negele	Young, J
Clere	Jackson	Nisly	Zent
Cook	Jordan	Pfaff	Ziemke
Davisson	Judy	Pierce	Mr. Speaker
Deal	Karickhoff	Porter	
DeLaney	Kirchhofer	Prescott	

Nay - 0

Excused - 6

Bartlett	Forestal	Stutzman	Summers
Eberhart			Wesco

Not Voting - 0

Indiana House of Representatives

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11:09:51 AM

Roll Call 138: Bill Passed

HB 1113 - Leonard - 3rd Reading

Department of local government finance

Yea	94
Nay	0
Excused	5
Not Voting	1

Presiding: Speaker

Yea - 94

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Ellington	Lehe	Saunders
Bacon	Engleman	Lehman	Schaibley
Baird	Errington	Leonard	Shackleford
Barrett	Fleming	Lindauer	Sherman
Bartels	Frye	Lucas	Smaltz
Bauer	GiaQuinta	Lyness	Smith, V
Beck	Goodin	Macer	Soliday
Behning	Goodrich	Manning	Speedy
Borders	Gutwein	May	Steuerwald
Boy	Hamilton	Mayfield	Sullivan
Brown, T	Harris	McNamara	Summers
Burton	Hatcher	Miller	Thompson
Campbell	Hatfield	Moed	Torr
Candelaria Reardon	Heaton	Morrison	VanNatter
Carbaugh	Heine	Morris	Vermilion
Cherry	Hostettler	Moseley	Wolkins
Chyung	Huston	Negele	Wright
Clere	Jackson	Nisly	Young, J
Cook	Jordan	Pfaff	Zent
Davisson	Judy	Pierce	Ziemke
Deal	Karickhoff	Porter	
DeLaney	Kirchhofer	Prescott	

Nay - 0

Excused - 5

Bartlett	Forestal	Stutzman	Wesco
Eberhart			

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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11:14:52 AM

Roll Call 139: Bill Passed

HB 1111 - Leonard - 3rd Reading

Unemployment

Yea	90
Nay	3
Excused	5
Not Voting	2

Presiding: Speaker

Yea - 90

Abbott	DeVon	Klinker	Pryor
Austin	Ellington	Lauer	Saunders
Aylesworth	Engleman	Lehe	Schaibley
Bacon	Errington	Lehman	Shackleford
Baird	Fleming	Leonard	Sherman
Barrett	Frye	Lindauer	Smaltz
Bartels	GiaQuinta	Lucas	Smith, V
Bauer	Goodin	Lyness	Soliday
Beck	Goodrich	Macer	Steuerwald
Behning	Gutwein	Manning	Sullivan
Borders	Hamilton	May	Summers
Boy	Harris	Mayfield	Thompson
Brown, T	Hatcher	McNamara	Torr
Burton	Hatfield	Miller	VanNatter
Candelaria Reardon	Heaton	Moed	Vermilion
Carbaugh	Heine	Morrison	Wolkins
Cherry	Hostettler	Negele	Wright
Chyung	Huston	Nisly	Young, J
Clere	Jackson	Pfaff	Zent
Cook	Jordan	Pierce	Ziemke
Davisson	Judy	Porter	Mr. Speaker
Deal	Karickhoff	Prescott	
DeLaney	Kirchhofer	Pressel	

Nay - 3

Campbell	Morris	Moseley

Excused - 5

Bartlett	Forestal	Stutzman	Wesco
Eberhart			

Not Voting - 2

Dvorak	Speedy

Indiana House of Representatives

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11:18:46 AM

Roll Call 140: Bill Passed

HB 1108 - Lehman - 3rd Reading

State board of accounts

Yea	94
Nay	0
Excused	5
Not Voting	1

Presiding: Speaker

Yea - 94

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Ellington	Lehe	Saunders
Bacon	Engleman	Lehman	Schaibley
Baird	Errington	Leonard	Shackleford
Barrett	Fleming	Lindauer	Sherman
Bartels	Frye	Lucas	Smaltz
Bauer	GiaQuinta	Lyness	Smith, V
Beck	Goodin	Macer	Soliday
Behning	Goodrich	Manning	Speedy
Borders	Gutwein	May	Steuerwald
Boy	Hamilton	Mayfield	Sullivan
Brown, T	Harris	McNamara	Summers
Burton	Hatcher	Miller	Thompson
Campbell	Hatfield	Moed	Torr
Candelaria Reardon	Heaton	Morrison	VanNatter
Carbaugh	Heine	Morris	Vermilion
Cherry	Hostettler	Moseley	Wolkins
Chyung	Huston	Negele	Wright
Clere	Jackson	Nisly	Young, J
Cook	Jordan	Pfaff	Zent
Davisson	Judy	Pierce	Ziemke
Deal	Karickhoff	Porter	
DeLaney	Kirchhofer	Prescott	

Nay - 0

Excused - 5

Bartlett	Forestal	Stutzman	Wesco
Eberhart			

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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11:21:10 AM

Roll Call 141: Bill Passed

HB 1052 - Gutwein - 3rd Reading

Pulaski County local income tax

Yea	88
Nay	4
Excused	5
Not Voting	3

Presiding: Speaker

Yea - 88

Abbott	DeLaney	Kirchhofer	Pressel
Austin	DeVon	Klinker	Pryor
Aylesworth	Ellington	Lauer	Saunders
Bacon	Engleman	Lehe	Schaibley
Baird	Errington	Lehman	Shackleford
Barrett	Fleming	Leonard	Sherman
Bartels	Frye	Lindauer	Smaltz
Bauer	GiaQuinta	Lucas	Smith, V
Beck	Goodin	Lyness	Soliday
Behning	Goodrich	Macer	Speedy
Boy	Gutwein	May	Steuerwald
Brown, T	Hamilton	Mayfield	Sullivan
Burton	Harris	McNamara	Summers
Campbell	Hatcher	Miller	Thompson
Candelaria Reardon	Heaton	Moed	Torr
Carbaugh	Heine	Morrison	VanNatter
Cherry	Hostettler	Morris	Vermilion
Chyung	Huston	Negele	Wolkins
Clere	Jackson	Pfaff	Wright
Cook	Jordan	Pierce	Young, J
Davisson	Judy	Porter	Zent
Deal	Karickhoff	Prescott	Ziemke

Nay - 4

Borders	Dvorak	Hatfield	Nisly

Excused - 5

Bartlett	Forestal	Stutzman	Wesco
Eberhart			

Not Voting - 3

Manning	Moseley	Mr. Speaker

Indiana House of Representatives

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2:43:05 PM

Roll Call 142: Amendment Failed

HB 1414 - Soliday - 2nd Reading

Retirement of electric generation facilities.
Amendment #7 - Dvorak

Yea	11
Nay	83
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 11

Candelaria Reardon	Harris	Porter	Smith, V
Dvorak	Hatcher	Pryor	Summers
GiaQuinta	Pierce	Shackleford	

Nay - 83

Abbott	DeLaney	Klinker	Prescott
Austin	DeVon	Lauer	Pressel
Aylesworth	Eberhart	Lehe	Saunders
Bacon	Ellington	Lehman	Schaibley
Baird	Engleman	Leonard	Sherman
Barrett	Errington	Lindauer	Smaltz
Bauer	Fleming	Lucas	Soliday
Beck	Frye	Lyness	Speedy
Behning	Goodin	Macer	Steuerwald
Borders	Goodrich	Manning	Sullivan
Boy	Gutwein	May	Thompson
Brown, T	Hamilton	Mayfield	Torr
Burton	Heaton	McNamara	VanNatter
Campbell	Heine	Miller	Vermilion
Carbaugh	Hostettler	Moed	Wolkins
Cherry	Huston	Morrison	Wright
Chyung	Jackson	Morris	Young, J
Clere	Jordan	Moseley	Zent
Cook	Judy	Negele	Ziemke
Davisson	Karickhoff	Nisly	Mr. Speaker
Deal	Kirchhofer	Pfaff	

Excused - 4

Bartlett	Forestal	Stutzman	Wesco

Not Voting - 2

Bartels	Hatfield

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3:08:06 PM

Roll Call 143: Amendment Prevailed

HB 1414 - Soliday - 2nd Reading

Retirement of electric generation facilities.
Amendment #6 - Morrison

Yea	94
Nay	0
Excused	5
Not Voting	1

Presiding: Speaker

Yea - 94

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bauer	Frye	Lucas	Smith, V
Beck	GiaQuinta	Lyness	Soliday
Behning	Goodin	Manning	Speedy
Borders	Goodrich	May	Steuerwald
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wolkins
Chyung	Hostettler	Negele	Wright
Clere	Huston	Nisly	Young, J
Cook	Jackson	Pfaff	Zent
Davisson	Jordan	Pierce	Ziemke
Deal	Judy	Porter	Mr. Speaker
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 5

Bartlett	Macer	Stutzman	Wesco
Forestal			

Not Voting - 1

Bartels

Indiana House of Representatives

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3:35:13 PM

Roll Call 144: Amendment Failed

HB 1115 - Morris - 2nd Reading

Physician noncompete agreements.
Amendment #1 - Chyung

Yea	28
Nay	63
Excused	5
Not Voting	4

Presiding: Speaker

Yea - 28

Austin	DeLaney	Harris	Pierce
Bauer	Dvorak	Hatfield	Porter
Boy	Errington	Jackson	Pryor
Campbell	Fleming	Klinker	Shackleford
Candelaria Reardon	GiaQuinta	Moed	Smith, V
Chyung	Goodin	Moseley	Summers
Deal	Hamilton	Pfaff	Wright

Nay - 63

Abbott	Eberhart	Lehman	Saunders
Aylesworth	Ellington	Leonard	Schaibley
Bacon	Engleman	Lindauer	Sherman
Baird	Frye	Lucas	Smaltz
Barrett	Goodrich	Lyness	Soliday
Beck	Gutwein	Manning	Speedy
Behning	Heaton	May	Steuerwald
Borders	Heine	Mayfield	Sullivan
Brown, T	Hostettler	McNamara	Thompson
Burton	Huston	Miller	Torr
Carbaugh	Jordan	Morrison	VanNatter
Cherry	Judy	Morris	Vermilion
Clere	Karickhoff	Negele	Young, J
Cook	Kirchhofer	Nisly	Zent
Davisson	Lauer	Prescott	Ziemke
DeVon	Lehe	Pressel	

Excused - 5

Bartlett	Macer	Stutzman	Wesco
Forestal			

Not Voting - 4

Bartels	Hatcher	Wolkins	Mr. Speaker

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3:53:41 PM

Roll Call 145: Amendment Failed

HB 1042 - Davisson - 2nd Reading

Pharmacy benefit managers.
Amendment #1 - Hatfield

Yea	30
Nay	61
Excused	5
Not Voting	4

Presiding: Speaker

Yea - 30

Austin	DeLaney	Hatfield	Porter
Bauer	Dvorak	Jackson	Pryor
Beck	Errington	Klinker	Shackleford
Boy	Fleming	Moed	Smith, V
Campbell	GiaQuinta	Moseley	Summers
Candelaria Reardon	Goodin	Nisly	Wright
Chyung	Hamilton	Pfaff	
Deal	Harris	Pierce	

Nay - 61

Abbott	Ellington	Leonard	Sherman
Aylesworth	Engleman	Lindauer	Smaltz
Bacon	Frye	Lucas	Soliday
Baird	Goodrich	Lyness	Speedy
Barrett	Gutwein	Manning	Steuerwald
Behning	Heaton	May	Sullivan
Borders	Heine	Mayfield	Thompson
Brown, T	Hostettler	McNamara	Torr
Burton	Huston	Miller	VanNatter
Carbaugh	Jordan	Morrison	Vermilion
Cherry	Judy	Morris	Young, J
Clere	Karickhoff	Negele	Zent
Cook	Kirchhofer	Prescott	Ziemke
Davisson	Lauer	Pressel	
DeVon	Lehe	Saunders	
Eberhart	Lehman	Schaibley	

Excused - 5

Bartlett	Macer	Stutzman	Wesco
Forestal			

Not Voting - 4

Bartels	Hatcher	Wolkins	Mr. Speaker

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4:23:40 PM

Roll Call 146: Bill Passed

HB 1008 - Carbaugh - 3rd Reading

Occupational license endorsement

Yea	85
Nay	6
Excused	6
Not Voting	3

Presiding: Speaker

Yea - 85

Abbott	Ellington	Lehe	Saunders
Austin	Engleman	Lehman	Schaibley
Aylesworth	Errington	Leonard	Shackleford
Bacon	Fleming	Lindauer	Sherman
Baird	Frye	Lucas	Smaltz
Barrett	GiaQuinta	Lyness	Smith, V
Bauer	Goodin	Manning	Soliday
Behning	Goodrich	May	Speedy
Borders	Gutwein	Mayfield	Steuerwald
Boy	Hamilton	McNamara	Sullivan
Brown, T	Harris	Miller	Thompson
Burton	Hatfield	Moed	Torr
Candelaria Reardon	Heaton	Morrison	VanNatter
Carbaugh	Heine	Morris	Vermilion
Cherry	Hostettler	Negele	Wright
Chyung	Jackson	Nisly	Young, J
Clere	Jordan	Pfaff	Zent
Cook	Judy	Pierce	Ziemke
Davisson	Karickhoff	Porter	Mr. Speaker
DeLaney	Kirchhofer	Prescott	
DeVon	Klinker	Pressel	
Eberhart	Lauer	Pryor	

Nay - 6

Beck	Deal	Dvorak	Moseley
Campbell			Summers

Excused - 6

Bartlett	Huston	Macer	Stutzman
Forestal			Wesco

Not Voting - 3

Bartels	Hatcher	Wolkins

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4:28:37 PM

Roll Call 147: Bill Passed

HB 1043 - Davisson - 3rd Reading

Firefighters and police officers

Yea	87
Nay	3
Excused	7
Not Voting	3

Presiding: Speaker

Yea - 87

Abbott	DeLaney	Karickhoff	Pressel
Austin	DeVon	Kirchhofer	Pryor
Aylesworth	Dvorak	Klinker	Saunders
Bacon	Eberhart	Lauer	Schaibley
Baird	Ellington	Lehe	Shackleford
Barrett	Engleman	Lehman	Sherman
Bauer	Errington	Leonard	Smaltz
Beck	Fleming	Lindauer	Smith, V
Behning	Frye	Lucas	Soliday
Borders	GiaQuinta	Lyness	Speedy
Boy	Goodin	Manning	Steuerwald
Brown, T	Goodrich	May	Sullivan
Burton	Gutwein	Mayfield	Summers
Campbell	Hamilton	McNamara	Thompson
Candelaria Reardon	Harris	Miller	Torr
Carbaugh	Hatfield	Moed	VanNatter
Cherry	Heaton	Moseley	Vermilion
Chyung	Heine	Negele	Wright
Clere	Hostettler	Pfaff	Young, J
Cook	Jackson	Pierce	Zent
Davisson	Jordan	Porter	Ziemke
Deal	Judy	Prescott	

Nay - 3

Morrison	Morris	Nisly

Excused - 7

Bartlett	Huston	Stutzman	Wolkins
Forestal	Macer	Wesco	

Not Voting - 3

Bartels	Hatcher	Mr. Speaker

Indiana House of Representatives

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4:31:59 PM

Roll Call 148: Bill Passed

HB 1063 - Goodrich - 3rd Reading

Public safety officer death benefits

Yea	90
Nay	0
Excused	7
Not Voting	3

Presiding: Speaker

Yea - 90

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Eberhart	Lehe	Saunders
Bacon	Ellington	Lehman	Schaibley
Baird	Engleman	Leonard	Sherman
Barrett	Errington	Lindauer	Smaltz
Bauer	Fleming	Lucas	Smith, V
Beck	Frye	Lyness	Soliday
Behning	GiaQuinta	Manning	Speedy
Borders	Goodin	May	Steuerwald
Boy	Goodrich	Mayfield	Sullivan
Brown, T	Gutwein	McNamara	Summers
Burton	Hamilton	Miller	Thompson
Campbell	Harris	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Heine	Moseley	Wright
Chyung	Hostettler	Negele	Young, J
Clere	Jackson	Nisly	Zent
Cook	Jordan	Pfaff	Ziemke
Davisson	Judy	Pierce	Mr. Speaker
Deal	Karickhoff	Porter	
DeLaney	Kirchhofer	Prescott	

Nay - 0

Excused - 7

Bartlett	Huston	Stutzman	Wolkins
Forestal	Macer	Wesco	

Not Voting - 3

Bartels	Hatcher	Shackleford

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4:38:34 PM

Roll Call 149: Bill Passed

HB 1065 - Thompson - 3rd Reading

Various tax matters

Yea	59
Nay	28
Excused	7
Not Voting	6

Presiding: Speaker

Yea - 59

Abbott	Eberhart	Lehe	Saunders
Aylesworth	Ellington	Lehman	Sherman
Bacon	Engleman	Lindauer	Smaltz
Baird	Frye	Lucas	Soliday
Barrett	Goodin	Lyness	Speedy
Behning	Goodrich	Manning	Steuerwald
Borders	Gutwein	May	Sullivan
Brown, T	Heaton	Mayfield	Thompson
Burton	Heine	McNamara	VanNatter
Carbaugh	Hostettler	Miller	Vermilion
Cherry	Jordan	Morrison	Wright
Clere	Judy	Morris	Young, J
Cook	Karickhoff	Negele	Zent
Davisson	Kirchhofer	Prescott	Ziemke
DeVon	Lauer	Pressel	

Nay - 28

Austin	DeLaney	Hatfield	Pierce
Bauer	Dvorak	Jackson	Porter
Beck	Errington	Klinker	Pryor
Boy	Fleming	Leonard	Schaibley
Campbell	GiaQuinta	Moed	Smith, V
Candelaria Reardon	Hamilton	Moseley	Summers
Deal	Harris	Pfaff	Torr

Excused - 7

Bartlett	Huston	Stutzman	Wolkins
Forestal	Macer	Wesco	

Not Voting - 6

Bartels	Hatcher	Nisly	Shackleford
Chyung			Mr. Speaker

Indiana House of Representatives

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10:18:36 AM

Roll Call 151: Bill Passed

SB 2 - DeVon - 3rd Reading

School accountability

Yea	90
Nay	0
Excused	8
Not Voting	2

Presiding: Speaker

Yea - 90

Abbott	Ellington	Lehe	Schaibley
Austin	Engleman	Lehman	Shackleford
Aylesworth	Errington	Leonard	Sherman
Bacon	Fleming	Lindauer	Smaltz
Barrett	Forestal	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Steuerwald
Beck	Goodin	Manning	Stutzman
Behning	Goodrich	May	Sullivan
Borders	Gutwein	Mayfield	Summers
Boy	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	VanNatter
Candelaria Reardon	Hatfield	Morrison	Vermilion
Carbaugh	Heaton	Morris	Wesco
Cherry	Hostettler	Negele	Wolkins
Chyung	Huston	Nisly	Wright
Clere	Jackson	Pfaff	Young, J
Cook	Jordan	Porter	Zent
Deal	Judy	Prescott	Ziemke
DeLaney	Karickhoff	Pressel	Mr. Speaker
DeVon	Kirchhofer	Pryor	
Eberhart	Lauer	Saunders	

Nay - 0

Excused - 8

Baird	Brown, T	Heine	Pierce
Bartels	Davisson	Klinker	Speedy

Not Voting - 2

Dvorak	Moseley

Indiana House of Representatives

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10:21:42 AM

Roll Call 152: Bill Passed

HB 1015 - Pressel - 3rd Reading

Rights of professional firefighters

Yea	90
Nay	0
Excused	8
Not Voting	2

Presiding: Speaker

Yea - 90

Abbott	Ellington	Lehe	Schaibley
Austin	Engleman	Lehman	Shackleford
Aylesworth	Errington	Leonard	Sherman
Bacon	Fleming	Lindauer	Smaltz
Barrett	Forestal	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Speedy
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Hostettler	Negele	Wesco
Chyung	Huston	Nisly	Wolkins
Clere	Jackson	Pfaff	Wright
Cook	Jordan	Porter	Young, J
Deal	Judy	Prescott	Zent
DeLaney	Karickhoff	Pressel	Ziemke
DeVon	Kirchhofer	Pryor	
Eberhart	Lauer	Saunders	

Nay - 0

Excused - 8

Baird	Brown, T	Heine	Moseley
Bartels	Davisson	Klinker	Pierce

Not Voting - 2

Dvorak	Mr. Speaker

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10:30:30 AM

Roll Call 153: Bill Passed

HB 1021 - Torr - 3rd Reading

Liens

Yea	60
Nay	33
Excused	6
Not Voting	1

Presiding: Speaker

Yea - 60

Abbott	Clere	Jackson	Saunders
Austin	Cook	Kirchhofer	Schaibley
Aylesworth	Deal	Klinker	Shackleford
Bacon	DeLaney	Lehe	Sherman
Barrett	Engleman	Lehman	Smaltz
Bartlett	Errington	Lucas	Soliday
Bauer	Fleming	Lyness	Steuerwald
Beck	GiaQuinta	Macer	Thompson
Behning	Gutwein	May	Torr
Boy	Hamilton	Mayfield	Vermilion
Brown, T	Harris	McNamara	Wesco
Burton	Hatcher	Negele	Wright
Candelaria Reardon	Hatfield	Pierce	Young, J
Cherry	Heaton	Porter	Zent
Chyung	Huston	Pryor	Ziemke

Nay - 33

Borders	Goodrich	Miller	Speedy
Campbell	Hostettler	Moed	Stutzman
Carbaugh	Jordan	Morrison	Sullivan
DeVon	Judy	Morris	Summers
Dvorak	Karickhoff	Nisly	VanNatter
Ellington	Lauer	Pfaff	Wolkins
Forestal	Leonard	Prescott	
Frye	Lindauer	Pressel	
Goodin	Manning	Smith, V	

Excused - 6

Baird	Davisson	Eberhart	Heine
Bartels			Moseley

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:43:22 AM

Roll Call 154: Bill Passed

HB 1042 - Davisson - 3rd Reading

Pharmacy benefit managers

Yea	94
Nay	0
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 94

Abbott	Ellington	Lehe	Schaibley
Austin	Engleman	Lehman	Shackleford
Aylesworth	Errington	Leonard	Sherman
Bacon	Fleming	Lindauer	Smaltz
Barrett	Forestal	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Speedy
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	Torr
Campbell	Hatfield	Morrison	VanNatter
Candelaria Reardon	Heaton	Morris	Vermilion
Carbaugh	Hostettler	Negele	Wesco
Cherry	Huston	Nisly	Wolkins
Chyung	Jackson	Pfaff	Wright
Clere	Jordan	Pierce	Young, J
Cook	Judy	Porter	Zent
Deal	Karickhoff	Prescott	Ziemke
DeLaney	Kirchhofer	Pressel	Mr. Speaker
DeVon	Klinker	Pryor	
Dvorak	Lauer	Saunders	

Nay - 0

Excused - 6

Baird	Davisson	Eberhart	Heine
Bartels			Moseley

Not Voting - 0

Indiana House of Representatives

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10:52:28 AM

Roll Call 155: Bill Passed

HB 1045 - Abbott D - 3rd Reading

Display of Honor and Remember flag

Yea	94
Nay	0
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 94

Abbott	Ellington	Lehe	Schaibley
Austin	Engleman	Lehman	Shackleford
Aylesworth	Errington	Leonard	Sherman
Bacon	Fleming	Lindauer	Smaltz
Barrett	Forestal	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Speedy
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	Torr
Campbell	Hatfield	Morrison	VanNatter
Candelaria Reardon	Heaton	Morris	Vermilion
Carbaugh	Hostettler	Negele	Wesco
Cherry	Huston	Nisly	Wolkins
Chyung	Jackson	Pfaff	Wright
Clere	Jordan	Pierce	Young, J
Cook	Judy	Porter	Zent
Deal	Karickhoff	Prescott	Ziemke
DeLaney	Kirchhofer	Pressel	Mr. Speaker
DeVon	Klinker	Pryor	
Dvorak	Lauer	Saunders	

Nay - 0

Excused - 6

Baird	Davisson	Eberhart	Heine
Bartels			Moseley

Not Voting - 0

Indiana House of Representatives

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10:55:27 AM

Roll Call 156: Bill Passed

HB 1112 - Leonard - 3rd Reading

Skills enhancement fund grants

Yea	93
Nay	0
Excused	6
Not Voting	1

Presiding: Speaker

Yea - 93

Abbott	Ellington	Lehe	Schaibley
Austin	Engleman	Lehman	Shackleford
Aylesworth	Errington	Leonard	Sherman
Bacon	Fleming	Lindauer	Smaltz
Barrett	Forestal	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Speedy
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	Torr
Campbell	Hatfield	Morrison	VanNatter
Candelaria Reardon	Heaton	Morris	Vermilion
Carbaugh	Hostettler	Negele	Wesco
Cherry	Huston	Nisly	Wolkins
Chyung	Jackson	Pfaff	Wright
Clere	Jordan	Pierce	Young, J
Cook	Judy	Porter	Zent
Deal	Karickhoff	Prescott	Ziemke
DeLaney	Kirchhofer	Pressel	
DeVon	Klinker	Pryor	
Dvorak	Lauer	Saunders	

Nay - 0

Excused - 6

Baird	Davisson	Eberhart	Heine
Bartels			Moseley

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:57:02 AM

Roll Call 157: Bill Passed

HB 1115 - Morris - 3rd Reading

Physician noncompete agreements

Yea	94
Nay	0
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 94

Abbott	Ellington	Lehe	Schaibley
Austin	Engleman	Lehman	Shackleford
Aylesworth	Errington	Leonard	Sherman
Bacon	Fleming	Lindauer	Smaltz
Barrett	Forestal	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Speedy
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	Torr
Campbell	Hatfield	Morrison	VanNatter
Candelaria Reardon	Heaton	Morris	Vermilion
Carbaugh	Hostettler	Negele	Wesco
Cherry	Huston	Nisly	Wolkins
Chyung	Jackson	Pfaff	Wright
Clere	Jordan	Pierce	Young, J
Cook	Judy	Porter	Zent
Deal	Karickhoff	Prescott	Ziemke
DeLaney	Kirchhofer	Pressel	Mr. Speaker
DeVon	Klinker	Pryor	
Dvorak	Lauer	Saunders	

Nay - 0

Excused - 6

Baird	Davisson	Eberhart	Heine
Bartels			Moseley

Not Voting - 0

Indiana House of Representatives

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11:04:13 AM

Roll Call 158: Bill Passed

HB 1174 - Frye - 3rd Reading

Youth helmet safety

Yea	92
Nay	1
Excused	6
Not Voting	1

Presiding: Speaker

Yea - 92

Abbott	Ellington	Lauer	Saunders
Austin	Engleman	Lehe	Schaibley
Aylesworth	Errington	Lehman	Shackleford
Bacon	Fleming	Leonard	Sherman
Barrett	Forestal	Lindauer	Smaltz
Bartlett	Frye	Lucas	Smith, V
Beck	GiaQuinta	Lyness	Soliday
Behning	Goodin	Macer	Speedy
Borders	Goodrich	Manning	Steuerwald
Boy	Gutwein	May	Stutzman
Brown, T	Hamilton	Mayfield	Sullivan
Burton	Harris	McNamara	Summers
Campbell	Hatcher	Miller	Thompson
Candelaria Reardon	Hatfield	Moed	Torr
Carbaugh	Heaton	Morrison	VanNatter
Cherry	Hostettler	Morris	Vermilion
Chyung	Huston	Negele	Wesco
Clere	Jackson	Pfaff	Wolkins
Cook	Jordan	Pierce	Wright
Deal	Judy	Porter	Young, J
DeLaney	Karickhoff	Prescott	Zent
DeVon	Kirchhofer	Pressel	Ziemke
Dvorak	Klinker	Pryor	Mr. Speaker

Nay - 1

Nisly

Excused - 6

Baird	Davisson	Eberhart	Heine
Bartels			Moseley

Not Voting - 1

Bauer

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11:13:34 AM

Roll Call 159: Bill Passed

HB 1191 - Clere - 3rd Reading

Land contracts

Yea	84
Nay	9
Excused	6
Not Voting	1

Presiding: Speaker

Yea - 84

Abbott	DeLaney	Klinker	Saunders
Austin	DeVon	Lauer	Schaibley
Aylesworth	Dvorak	Lehe	Shackleford
Bacon	Engleman	Lehman	Sherman
Barrett	Errington	Leonard	Smaltz
Bartlett	Fleming	Lindauer	Smith, V
Bauer	Forestal	Lucas	Soliday
Beck	Frye	Lyness	Speedy
Behning	GiaQuinta	Macer	Steuerwald
Borders	Goodin	Manning	Stutzman
Boy	Gutwein	May	Sullivan
Brown, T	Hamilton	Mayfield	Summers
Burton	Harris	McNamara	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	Vermilion
Carbaugh	Heaton	Morris	Wesco
Cherry	Huston	Negele	Wolkins
Chyung	Jackson	Pfaff	Wright
Clere	Jordan	Pierce	Young, J
Cook	Judy	Porter	Zent
Deal	Karickhoff	Pryor	Ziemke

Nay - 9

Ellington	Kirchhofer	Nisly	Pressel
Goodrich	Miller	Prescott	VanNatter
Hostettler			

Excused - 6

Baird	Davisson	Eberhart	Heine
Bartels			Moseley

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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11:15:06 AM

Roll Call 160: Bill Passed

HB 1264 - May - 3rd Reading

Child care background checks

Yea	93
Nay	0
Excused	6
Not Voting	1

Presiding: Speaker

Yea - 93

Abbott	Ellington	Lehe	Schaibley
Austin	Engleman	Lehman	Shackleford
Aylesworth	Errington	Leonard	Sherman
Bacon	Fleming	Lindauer	Smaltz
Barrett	Forestal	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Speedy
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	Torr
Campbell	Hatfield	Morrison	VanNatter
Candelaria Reardon	Heaton	Morris	Vermilion
Carbaugh	Hostettler	Negele	Wesco
Cherry	Huston	Nisly	Wolkins
Chyung	Jackson	Pfaff	Wright
Clere	Jordan	Pierce	Young, J
Cook	Judy	Porter	Zent
Deal	Karickhoff	Prescott	Ziemke
DeLaney	Kirchhofer	Pressel	
DeVon	Klinker	Pryor	
Dvorak	Lauer	Saunders	

Nay - 0

Excused - 6

Baird	Davisson	Eberhart	Heine
Bartels			Moseley

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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11:20:54 AM

Roll Call 161: Bill Passed

HB 1278 - Bauer - 3rd Reading

Grandparent visitation

Yea	92
Nay	1
Excused	7
Not Voting	0

Presiding: Speaker

Yea - 92

Abbott	Ellington	Lauer	Saunders
Austin	Engleman	Lehe	Schaibley
Aylesworth	Errington	Lehman	Shackleford
Bacon	Fleming	Leonard	Sherman
Barrett	Forestal	Lucas	Smaltz
Bartlett	Frye	Lyness	Smith, V
Bauer	GiaQuinta	Macer	Soliday
Beck	Goodin	Manning	Speedy
Behning	Goodrich	May	Steuerwald
Borders	Gutwein	Mayfield	Stutzman
Boy	Hamilton	McNamara	Sullivan
Brown, T	Harris	Miller	Summers
Burton	Hatcher	Moed	Thompson
Candelaria Reardon	Hatfield	Morrison	Torr
Carbaugh	Heaton	Morris	VanNatter
Cherry	Hostettler	Negele	Vermilion
Chyung	Huston	Nisly	Wesco
Clere	Jackson	Pfaff	Wolkins
Cook	Jordan	Pierce	Wright
Deal	Judy	Porter	Young, J
DeLaney	Karickhoff	Prescott	Zent
DeVon	Kirchhofer	Pressel	Ziemke
Dvorak	Klinker	Pryor	Mr. Speaker

Nay - 1

Lindauer

Excused - 7

Baird	Campbell	Eberhart	Moseley
Bartels	Davisson	Heine	

Not Voting - 0

Indiana House of Representatives

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11:24:04 AM

Roll Call 162: Bill Passed

HB 1306 - DeLaney - 3rd Reading

Full faith and credit for tribal court orders

Yea	92
Nay	0
Excused	6
Not Voting	2

Presiding: Speaker

Yea - 92

Abbott	Ellington	Lauer	Pryor
Austin	Engleman	Lehe	Saunders
Aylesworth	Errington	Lehman	Schaibley
Bacon	Fleming	Leonard	Shackleford
Barrett	Forestal	Lindauer	Sherman
Bartlett	Frye	Lucas	Smaltz
Bauer	GiaQuinta	Lyness	Smith, V
Beck	Goodin	Macer	Soliday
Behning	Goodrich	Manning	Speedy
Borders	Gutwein	May	Steuerwald
Boy	Hamilton	Mayfield	Stutzman
Brown, T	Harris	McNamara	Sullivan
Burton	Hatcher	Miller	Summers
Candelaria Reardon	Hatfield	Moed	Thompson
Carbaugh	Heaton	Morris	Torr
Cherry	Hostettler	Moseley	VanNatter
Chyung	Huston	Negele	Vermilion
Clere	Jackson	Nisly	Wesco
Cook	Jordan	Pfaff	Wolkins
Deal	Judy	Pierce	Wright
DeLaney	Karickhoff	Porter	Young, J
DeVon	Kirchhofer	Prescott	Zent
Dvorak	Klinker	Pressel	Ziemke

Nay - 0

Excused - 6

Baird	Campbell	Davisson	Eberhart
Bartels			Heine

Not Voting - 2

Morrison	Mr. Speaker

Indiana House of Representatives

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11:26:53 AM

Roll Call 163: Bill Passed

HB 1332 - Lehman - 3rd Reading

Ambulatory outpatient surgical centers

Yea	91
Nay	1
Excused	6
Not Voting	2

Presiding: Speaker

Yea - 91

Abbott	Ellington	Lauer	Saunders
Austin	Engleman	Lehe	Schaibley
Aylesworth	Errington	Lehman	Shackleford
Bacon	Fleming	Leonard	Sherman
Barrett	Forestal	Lindauer	Smaltz
Bartlett	Frye	Lucas	Smith, V
Bauer	GiaQuinta	Lyness	Soliday
Beck	Goodin	Macer	Speedy
Behning	Goodrich	Manning	Steuerwald
Borders	Gutwein	May	Stutzman
Boy	Hamilton	Mayfield	Sullivan
Brown, T	Harris	McNamara	Summers
Burton	Hatcher	Miller	Thompson
Candelaria Reardon	Hatfield	Moed	Torr
Carbaugh	Heaton	Morris	VanNatter
Cherry	Hostettler	Negele	Vermilion
Chyung	Huston	Nisly	Wesco
Clere	Jackson	Pfaff	Wolkins
Cook	Jordan	Pierce	Wright
Deal	Judy	Porter	Young, J
DeLaney	Karickhoff	Prescott	Zent
DeVon	Kirchhofer	Pressel	Ziemke
Dvorak	Klinker	Pryor	

Nay - 1

Moseley

Excused - 6

Baird	Campbell	Davisson	Eberhart
Bartels			Heine

Not Voting - 2

Morrison	Mr. Speaker

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11:29:35 AM

Roll Call 164: Bill Passed

HB 1343 - Hostettler - 3rd Reading

New Harmony and Wabash River bridge authority

Yea	93
Nay	0
Excused	6
Not Voting	1

Presiding: Speaker

Yea - 93

Abbott	Ellington	Lehe	Schaibley
Austin	Engleman	Lehman	Shackleford
Aylesworth	Errington	Leonard	Sherman
Bacon	Fleming	Lindauer	Smaltz
Barrett	Forestal	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Speedy
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morris	VanNatter
Carbaugh	Heaton	Moseley	Vermilion
Cherry	Hostettler	Negele	Wesco
Chyung	Huston	Nisly	Wolkins
Clere	Jackson	Pfaff	Wright
Cook	Jordan	Pierce	Young, J
Deal	Judy	Porter	Zent
DeLaney	Karickhoff	Prescott	Ziemke
DeVon	Kirchhofer	Pressel	
Dvorak	Klinker	Pryor	
Eberhart	Lauer	Saunders	

Nay - 0

Excused - 6

Baird	Campbell	Davisson	Heine
Bartels			Morrison

Not Voting - 1

Mr. Speaker

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11:31:35 AM

Roll Call 165: Bill Passed

HB 1385 - Eberhart - 3rd Reading

Department of natural resources

Yea	93
Nay	0
Excused	6
Not Voting	1

Presiding: Speaker

Yea - 93

Abbott	Ellington	Lehe	Schaibley
Austin	Engleman	Lehman	Shackleford
Aylesworth	Errington	Leonard	Sherman
Bacon	Fleming	Lindauer	Smaltz
Barrett	Forestal	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Speedy
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morris	VanNatter
Carbaugh	Heaton	Moseley	Vermilion
Cherry	Hostettler	Negele	Wesco
Chyung	Huston	Nisly	Wolkins
Clere	Jackson	Pfaff	Wright
Cook	Jordan	Pierce	Young, J
Deal	Judy	Porter	Zent
DeLaney	Karickhoff	Prescott	Ziemke
DeVon	Kirchhofer	Pressel	
Dvorak	Klinker	Pryor	
Eberhart	Lauer	Saunders	

Nay - 0

Excused - 6

Baird	Campbell	Davisson	Heine
Bartels			Morrison

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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1:58:02 PM

Roll Call 166: Bill Passed

HB 1244 - Vermilion A - 3rd Reading

Unemployment hearings and appeals

Yea	89
Nay	0
Excused	10
Not Voting	1

Presiding: Speaker

Yea - 89

Abbott	Errington	Lehman	Shackleford
Austin	Fleming	Leonard	Sherman
Aylesworth	Forestal	Lindauer	Smaltz
Bacon	Frye	Lucas	Smith, V
Barrett	GiaQuinta	Lyness	Soliday
Bartlett	Goodin	Macer	Speedy
Bauer	Goodrich	May	Steuerwald
Beck	Gutwein	Mayfield	Stutzman
Behning	Hamilton	McNamara	Sullivan
Borders	Harris	Miller	Summers
Boy	Hatcher	Moed	Thompson
Brown, T	Hatfield	Morrison	Torr
Burton	Heaton	Morris	VanNatter
Carbaugh	Hostettler	Moseley	Vermilion
Cherry	Huston	Negele	Wesco
Chyung	Jackson	Nisly	Wolkins
Clere	Jordan	Pfaff	Wright
Cook	Judy	Pierce	Young, J
Deal	Karickhoff	Prescott	Zent
DeLaney	Kirchhofer	Pressel	Ziemke
Dvorak	Klinker	Pryor	
Ellington	Lauer	Saunders	
Engleman	Lehe	Schaibley	

Nay - 0

Excused - 10

Baird	Candelaria Reardon	Eberhart	Porter
Bartels	Davisson	Heine	
Campbell	DeVon	Manning	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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2:04:26 PM

Roll Call 167: Bill Passed

HB 1353 - Burton - 3rd Reading

Financial institutions and consumer credit

Yea	92
Nay	0
Excused	7
Not Voting	1

Presiding: Speaker

Yea - 92

Abbott	Engleman	Lehe	Pryor
Austin	Errington	Lehman	Saunders
Aylesworth	Fleming	Leonard	Schaibley
Bacon	Forestal	Lindauer	Shackleford
Barrett	Frye	Lucas	Sherman
Bartlett	GiaQuinta	Lyness	Smaltz
Bauer	Goodin	Macer	Smith, V
Beck	Goodrich	Manning	Soliday
Behning	Gutwein	May	Speedy
Borders	Hamilton	Mayfield	Steuerwald
Boy	Harris	McNamara	Stutzman
Brown, T	Hatcher	Miller	Sullivan
Burton	Hatfield	Moed	Summers
Carbaugh	Heaton	Morrison	Thompson
Cherry	Hostettler	Morris	Torr
Chyung	Huston	Moseley	VanNatter
Clere	Jackson	Negele	Vermilion
Cook	Jordan	Nisly	Wesco
Deal	Judy	Pfaff	Wolkins
DeLaney	Karickhoff	Pierce	Wright
DeVon	Kirchhofer	Porter	Young, J
Dvorak	Klinker	Prescott	Zent
Ellington	Lauer	Pressel	Ziemke

Nay - 0

Excused - 7

Baird	Campbell	Davisson	Heine
Bartels	Candelaria Reardon	Eberhart	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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2:08:04 PM

Roll Call 168: Bill Passed

HB 1348 - Gutwein - 3rd Reading

State and local administration

Yea	91
Nay	1
Excused	7
Not Voting	1

Presiding: Speaker

Yea - 91

Abbott	Engleman	Lehe	Saunders
Austin	Errington	Lehman	Schaibley
Aylesworth	Fleming	Leonard	Shackleford
Bacon	Forestal	Lindauer	Sherman
Barrett	Frye	Lucas	Smaltz
Bartlett	GiaQuinta	Lyness	Smith, V
Bauer	Goodin	Macer	Soliday
Beck	Goodrich	Manning	Speedy
Behning	Gutwein	May	Steuerwald
Borders	Hamilton	Mayfield	Stutzman
Boy	Harris	McNamara	Sullivan
Brown, T	Hatcher	Miller	Summers
Burton	Hatfield	Moed	Thompson
Carbaugh	Heaton	Morrison	Torr
Cherry	Hostettler	Morris	VanNatter
Chyung	Huston	Moseley	Vermilion
Clere	Jackson	Negele	Wesco
Cook	Jordan	Nisly	Wolkins
Deal	Judy	Pfaff	Wright
DeLaney	Karickhoff	Porter	Young, J
DeVon	Kirchhofer	Prescott	Zent
Dvorak	Klinker	Pressel	Ziemke
Ellington	Lauer	Pryor	

Nay - 1

Pierce

Excused - 7

Baird	Campbell	Davisson	Heine
Bartels	Candelaria Reardon	Eberhart	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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2:51:34 PM

Roll Call 169: Bill Passed

HB 1414 - Soliday - 3rd Reading

Retirement of electric generation facilities

Yea	52
Nay	41
Excused	6
Not Voting	1

Presiding: Speaker

Yea - 52

Abbott	Ellington	Leonard	Smaltz
Aylesworth	Engleman	Lindauer	Soliday
Bacon	Frye	Lucas	Speedy
Barrett	Goodrich	Lyness	Steuerwald
Beck	Gutwein	Manning	Stutzman
Behning	Heaton	Mayfield	Sullivan
Borders	Hostettler	Miller	Thompson
Brown, T	Huston	Morrison	Vermilion
Burton	Jordan	Morris	Wesco
Carbaugh	Judy	Moseley	Wolkins
Cherry	Karickhoff	Prescott	Young, J
Cook	Lehe	Pressel	Zent
DeVon	Lehman	Sherman	Mr. Speaker

Nay - 41

Austin	Fleming	Lauer	Schaibley
Bartlett	Forestal	Macer	Shackleford
Bauer	GiaQuinta	May	Smith, V
Boy	Goodin	Moed	Summers
Candelaria Reardon	Hamilton	Negele	Torr
Chyung	Harris	Nisly	VanNatter
Clere	Hatcher	Pfaff	Wright
Deal	Hatfield	Pierce	Ziemke
DeLaney	Jackson	Porter	
Dvorak	Kirchhofer	Pryor	
Errington	Klinker	Saunders	

Excused - 6

Baird	Campbell	Davisson	Eberhart
Bartels			Heine

Not Voting - 1

McNamara

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2:53:46 PM

Roll Call 170: Bill Passed

HB 1392 - Smaltz - 3rd Reading

Physician assistants and nurses

Yea	92
Nay	0
Excused	6
Not Voting	2

Presiding: Speaker

Yea - 92

Abbott	Engleman	Lehe	Pryor
Austin	Errington	Lehman	Saunders
Aylesworth	Fleming	Leonard	Schaibley
Bacon	Forestal	Lindauer	Shackleford
Barrett	Frye	Lucas	Sherman
Bartlett	GiaQuinta	Lyness	Smaltz
Bauer	Goodin	Macer	Smith, V
Beck	Goodrich	Manning	Soliday
Behning	Gutwein	May	Speedy
Borders	Hamilton	Mayfield	Steuerwald
Boy	Harris	McNamara	Stutzman
Brown, T	Hatcher	Miller	Sullivan
Burton	Hatfield	Moed	Summers
Carbaugh	Heaton	Morrison	Thompson
Cherry	Hostettler	Morris	Torr
Chyung	Huston	Moseley	VanNatter
Clere	Jackson	Negele	Vermilion
Cook	Jordan	Nisly	Wesco
Deal	Judy	Pfaff	Wolkins
DeLaney	Karickhoff	Pierce	Wright
DeVon	Kirchhofer	Porter	Young, J
Dvorak	Klinker	Prescott	Zent
Ellington	Lauer	Pressel	Ziemke

Nay - 0

Excused - 6

Baird	Campbell	Davisson	Eberhart
Bartels			Heine

Not Voting - 2

Candelaria Reardon	Mr. Speaker

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Feb 03, 2020

2:57:42 PM

Roll Call 171: Bill Passed

HB 1419 - Behning - 3rd Reading

Governor's workforce cabinet

Yea	92
Nay	1
Excused	6
Not Voting	1

Presiding: Speaker

Yea - 92

Abbott	Engleman	Lehe	Pryor
Austin	Errington	Lehman	Saunders
Aylesworth	Fleming	Leonard	Schaibley
Bacon	Forestal	Lindauer	Shackleford
Barrett	Frye	Lucas	Sherman
Bartlett	GiaQuinta	Lyness	Smaltz
Bauer	Goodin	Macer	Smith, V
Beck	Goodrich	Manning	Soliday
Behning	Gutwein	May	Speedy
Borders	Hamilton	Mayfield	Steuerwald
Boy	Harris	McNamara	Stutzman
Brown, T	Hatcher	Miller	Sullivan
Burton	Hatfield	Moed	Summers
Candelaria Reardon	Heaton	Morrison	Thompson
Carbaugh	Hostettler	Morris	Torr
Cherry	Huston	Moseley	VanNatter
Chyung	Jackson	Negele	Vermilion
Clere	Jordan	Nisly	Wesco
Cook	Judy	Pfaff	Wolkins
Deal	Karickhoff	Pierce	Wright
DeLaney	Kirchhofer	Porter	Young, J
DeVon	Klinker	Prescott	Zent
Ellington	Lauer	Pressel	Ziemke

Nay - 1

Dvorak

Excused - 6

Baird	Campbell	Davisson	Eberhart
Bartels			Heine

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Feb 11, 2020

1:56:16 PM

Roll Call 175: Resolution Adopted

HCR 18 - Heine

Urging the Indiana Department of Transportation to rename a portion of State Road 930 in honor of service members who fought and served during Operation Enduring Freedom

Yea	97
Nay	0
Excused	3
Not Voting	0

Presiding: Speaker

Yea - 97

Abbott	Dvorak	Klinker	Schaibley
Austin	Eberhart	Lauer	Shackleford
Aylesworth	Ellington	Lehe	Sherman
Bacon	Engleman	Lehman	Smaltz
Baird	Errington	Leonard	Smith, V
Barrett	Fleming	Lindauer	Soliday
Bartels	Forestal	Lucas	Speedy
Bartlett	Frye	Lyness	Steuerwald
Bauer	GiaQuinta	Macer	Stutzman
Beck	Goodin	Manning	Sullivan
Behning	Goodrich	May	Summers
Borders	Gutwein	Mayfield	Thompson
Boy	Hamilton	McNamara	Torr
Brown, T	Harris	Miller	VanNatter
Burton	Hatcher	Moed	Vermilion
Campbell	Hatfield	Morris	Wesco
Carbaugh	Heaton	Moseley	Wolkins
Cherry	Heine	Negele	Wright
Chyung	Hostettler	Nisly	Young, J
Clere	Huston	Pfaff	Zent
Cook	Jackson	Pierce	Ziemke
Davisson	Jordan	Porter	Mr. Speaker
Deal	Judy	Pressel	
DeLaney	Karickhoff	Pryor	
DeVon	Kirchhofer	Saunders	

Nay - 0

Excused - 3

Candelaria Reardon	Morrison	Prescott

Not Voting - 0

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Feb 13, 2020

10:24:38 AM

Roll Call 177: Resolution Adopted

HCR 17 - Mayfield

Urging the Indiana Department of Transportation to rename the State Road 45 and 2nd Street bridge over I-69 the "Sarah Irene Haylett-Jones Memorial Bridge"

Yea	85
Nay	0
Excused	9
Not Voting	6

Presiding: Speaker

Yea - 85

Abbott	DeVon	Kirchhofer	Pryor
Austin	Eberhart	Klinker	Saunders
Aylesworth	Ellington	Lauer	Schaibley
Bacon	Engleman	Lehe	Shackleford
Barrett	Errington	Lehman	Sherman
Bartels	Fleming	Lindauer	Smaltz
Bartlett	Forestal	Lucas	Soliday
Bauer	Frye	Lyness	Steuerwald
Beck	GiaQuinta	Manning	Stutzman
Behning	Goodin	May	Sullivan
Boy	Goodrich	Mayfield	Summers
Brown, T	Gutwein	McNamara	Thompson
Burton	Hamilton	Miller	Torr
Campbell	Harris	Moed	Vermilion
Carbaugh	Hatcher	Moseley	Wesco
Cherry	Heaton	Negele	Wright
Chyung	Heine	Nisly	Young, J
Clere	Hostettler	Pfaff	Ziemke
Cook	Jackson	Pierce	Mr. Speaker
Davisson	Jordan	Porter	
Deal	Judy	Prescott	
DeLaney	Karickhoff	Pressel	

Nay - 0

Excused - 9

Baird	Hatfield	Morrison	Speedy
Candelaria Reardon	Huston	Morris	VanNatter
Dvorak			

Not Voting - 6

Borders	Macer	Smith, V	Wolkins
Leonard			Zent

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Feb 17, 2020

2:44:55 PM

Roll Call 179: Amendment Prevailed

SB 246 - Cook - 2nd Reading

Mental health services.
Amendment #1 - Austin

Yea	95
Nay	0
Excused	3
Not Voting	2

Presiding: Speaker

Yea - 95

Abbott	DeLaney	Karickhoff	Prescott
Austin	DeVon	Kirchhofer	Pressel
Aylesworth	Dvorak	Klinker	Pryor
Bacon	Eberhart	Lauer	Saunders
Baird	Ellington	Lehe	Schaibley
Barrett	Engleman	Lehman	Shackleford
Bartels	Errington	Leonard	Sherman
Bartlett	Fleming	Lindauer	Smaltz
Bauer	Forestal	Lucas	Smith, V
Beck	Frye	Lyness	Soliday
Behning	GiaQuinta	Macer	Steuerwald
Borders	Goodin	Manning	Stutzman
Boy	Goodrich	May	Sullivan
Brown, T	Gutwein	Mayfield	Thompson
Burton	Hamilton	McNamara	Torr
Campbell	Harris	Miller	VanNatter
Candelaria Reardon	Hatcher	Moed	Wesco
Carbaugh	Hatfield	Morris	Wolkins
Cherry	Heaton	Moseley	Wright
Chyung	Hostettler	Negele	Young, J
Clere	Huston	Nisly	Zent
Cook	Jackson	Pfaff	Ziemke
Davisson	Jordan	Pierce	Mr. Speaker
Deal	Judy	Porter	

Nay - 0

Excused - 3

Heine	Speedy	Vermilion

Not Voting - 2

Morrison	Summers

Indiana House of Representatives

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2:48:10 PM

Roll Call 180: Bill Passed

SB 307 - Frye - 3rd Reading

National guard life insurance program

Yea	96
Nay	0
Excused	3
Not Voting	1

Presiding: Speaker

Yea - 96

Abbott	DeLaney	Karickhoff	Porter
Austin	DeVon	Kirchhofer	Prescott
Aylesworth	Dvorak	Klinker	Pressel
Bacon	Eberhart	Lauer	Pryor
Baird	Ellington	Lehe	Saunders
Barrett	Engleman	Lehman	Schaibley
Bartels	Errington	Leonard	Shackleford
Bartlett	Fleming	Lindauer	Sherman
Bauer	Forestal	Lucas	Smaltz
Beck	Frye	Lyness	Smith, V
Behning	GiaQuinta	Macer	Soliday
Borders	Goodin	Manning	Steuerwald
Boy	Goodrich	May	Stutzman
Brown, T	Gutwein	Mayfield	Sullivan
Burton	Hamilton	McNamara	Thompson
Campbell	Harris	Miller	Torr
Candelaria Reardon	Hatcher	Moed	VanNatter
Carbaugh	Hatfield	Morrison	Wesco
Cherry	Heaton	Morris	Wolkins
Chyung	Hostettler	Moseley	Wright
Clere	Huston	Negele	Young, J
Cook	Jackson	Nisly	Zent
Davisson	Jordan	Pfaff	Ziemke
Deal	Judy	Pierce	Mr. Speaker

Nay - 0

Excused - 3

Heine	Speedy	Vermilion

Not Voting - 1

Summers

Indiana House of Representatives

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2:51:41 PM

Roll Call 181: Bill Passed

SB 80 - Young J - 3rd Reading

Indiana Code publication bill

Yea	94
Nay	0
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 94

Abbott	DeVon	Kirchhofer	Prescott
Austin	Dvorak	Klinker	Pressel
Aylesworth	Eberhart	Lauer	Pryor
Bacon	Ellington	Lehe	Saunders
Baird	Engleman	Lehman	Schaibley
Barrett	Errington	Leonard	Shackleford
Bartels	Fleming	Lindauer	Sherman
Bartlett	Forestal	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Borders	Goodin	Manning	Steuerwald
Boy	Goodrich	May	Stutzman
Brown, T	Gutwein	Mayfield	Sullivan
Burton	Hamilton	McNamara	Thompson
Campbell	Harris	Miller	Torr
Candelaria Reardon	Hatcher	Moed	VanNatter
Carbaugh	Hatfield	Morrison	Wesco
Cherry	Heaton	Morris	Wolkins
Chyung	Hostettler	Moseley	Wright
Clere	Huston	Negele	Young, J
Cook	Jackson	Nisly	Zent
Davisson	Jordan	Pfaff	Ziemke
Deal	Judy	Pierce	
DeLaney	Karickhoff	Porter	

Nay - 0

Excused - 4

Behning	Heine	Speedy	Vermilion

Not Voting - 2

Summers	Mr. Speaker

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Feb 18, 2020

1:56:39 PM

Roll Call 183: Resolution Adopted

SCR 4 - Gutwein

Memorializing Deputy Shadron K. Bassett and urging INDOT to name a mile of SR 39 the "Deputy Shadron K. Bassett Memorial Mile"

Yea	95
Nay	0
Excused	3
Not Voting	2

Presiding: Speaker

Yea - 95

Abbott	DeVon	Lauer	Saunders
Austin	Dvorak	Lehe	Schaibley
Aylesworth	Eberhart	Lehman	Shackleford
Bacon	Ellington	Leonard	Sherman
Baird	Engleman	Lindauer	Smaltz
Barrett	Errington	Lyness	Smith, V
Bartels	Fleming	Macer	Soliday
Bartlett	Forestal	Manning	Speedy
Bauer	Frye	May	Steuerwald
Beck	GiaQuinta	Mayfield	Stutzman
Behning	Goodin	McNamara	Sullivan
Borders	Goodrich	Miller	Summers
Boy	Gutwein	Moed	Thompson
Brown, T	Harris	Morrison	Torr
Burton	Hatcher	Morris	VanNatter
Campbell	Hatfield	Moseley	Vermilion
Carbaugh	Heaton	Negele	Wesco
Cherry	Hostettler	Nisly	Wolkins
Chyung	Huston	Pfaff	Wright
Clere	Jackson	Pierce	Young, J
Cook	Jordan	Porter	Zent
Davisson	Judy	Prescott	Ziemke
Deal	Karickhoff	Pressel	Mr. Speaker
DeLaney	Kirchhofer	Pryor	

Nay - 0

Excused - 3

Candelaria Reardon	Heine	Lucas

Not Voting - 2

Hamilton	Klinker

Indiana House of Representatives

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1:59:43 PM

Roll Call 184: Bill Passed

SB 19 - Kirchhofer - 3rd Reading

Electronic technology for ophthalmic prescriptions

Yea	96
Nay	0
Excused	3
Not Voting	1

Presiding: Speaker

Yea - 96

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lyness	Smith, V
Bartlett	Frye	Macer	Soliday
Bauer	GiaQuinta	Manning	Speedy
Beck	Goodin	May	Steuerwald
Borders	Goodrich	Mayfield	Stutzman
Boy	Gutwein	McNamara	Sullivan
Brown, T	Hamilton	Miller	Summers
Burton	Harris	Moed	Thompson
Campbell	Hatcher	Morrison	Torr
Carbaugh	Hatfield	Morris	VanNatter
Cherry	Heaton	Moseley	Vermilion
Chyung	Hostettler	Negele	Wesco
Clere	Huston	Nisly	Wolkins
Cook	Jackson	Pfaff	Wright
Davisson	Jordan	Pierce	Young, J
Deal	Judy	Porter	Zent
DeLaney	Karickhoff	Prescott	Ziemke
DeVon	Kirchhofer	Pressel	Mr. Speaker

Nay - 0

Excused - 3

Candelaria Reardon	Heine	Lucas

Not Voting - 1

Behning

Indiana House of Representatives

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2:10:37 PM

Roll Call 185: Bill Passed

SB 39 - Young J - 3rd Reading

Specialized driving privileges

Yea	93
Nay	2
Excused	3
Not Voting	2

Presiding: Speaker

Yea - 93

Abbott	Ellington	Lehe	Schaibley
Austin	Engleman	Lehman	Shackleford
Aylesworth	Errington	Leonard	Sherman
Bacon	Fleming	Lindauer	Smaltz
Baird	Forestal	Lyness	Smith, V
Barrett	Frye	Macer	Soliday
Bartels	GiaQuinta	Manning	Speedy
Bartlett	Goodin	May	Steuerwald
Bauer	Goodrich	Mayfield	Stutzman
Beck	Gutwein	McNamara	Sullivan
Behning	Hamilton	Miller	Summers
Borders	Harris	Moed	Thompson
Boy	Hatcher	Morrison	Torr
Brown, T	Hatfield	Morris	VanNatter
Burton	Heaton	Moseley	Vermilion
Campbell	Hostettler	Negele	Wesco
Cherry	Huston	Nisly	Wolkins
Chyung	Jackson	Pfaff	Wright
Clere	Jordan	Pierce	Young, J
Cook	Judy	Porter	Zent
Davisson	Karickhoff	Prescott	Ziemke
Deal	Kirchhofer	Pressel	
DeVon	Klinker	Pryor	
Eberhart	Lauer	Saunders	

Nay - 2

DeLaney	Dvorak

Excused - 3

Candelaria Reardon	Heine	Lucas

Not Voting - 2

Carbaugh	Mr. Speaker

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Feb 18, 2020

2:22:10 PM

Roll Call 186: Bill Passed

SB 61 - Bacon - 3rd Reading

EMS personnel licensure interstate compact

Yea	94
Nay	0
Excused	3
Not Voting	3

Presiding: Speaker

Yea - 94

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lyness	Smith, V
Bartlett	Frye	Macer	Soliday
Bauer	GiaQuinta	Manning	Speedy
Beck	Goodin	May	Steuerwald
Behning	Goodrich	Mayfield	Stutzman
Borders	Gutwein	McNamara	Sullivan
Boy	Hamilton	Miller	Summers
Brown, T	Harris	Moed	Thompson
Burton	Hatcher	Morrison	Torr
Campbell	Hatfield	Morris	VanNatter
Carbaugh	Heaton	Moseley	Wesco
Cherry	Hostettler	Negele	Wolkins
Chyung	Huston	Nisly	Wright
Clere	Jackson	Pfaff	Young, J
Cook	Jordan	Pierce	Zent
Deal	Judy	Porter	Ziemke
DeLaney	Karickhoff	Prescott	
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 3

Candelaria Reardon	Heine	Lucas

Not Voting - 3

Davisson	Vermilion	Mr. Speaker

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Feb 18, 2020

2:24:10 PM

Roll Call 187: Bill Passed

SB 187 - Miller - 3rd Reading

Elkhart County courts

Yea	95
Nay	0
Excused	3
Not Voting	2

Presiding: Speaker

Yea - 95

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	Forestal	Lyness	Smith, V
Bartlett	Frye	Macer	Soliday
Bauer	GiaQuinta	Manning	Speedy
Beck	Goodin	May	Steuerwald
Behning	Goodrich	Mayfield	Stutzman
Borders	Gutwein	McNamara	Sullivan
Boy	Hamilton	Miller	Summers
Brown, T	Harris	Moed	Thompson
Burton	Hatcher	Morrison	Torr
Campbell	Hatfield	Morris	VanNatter
Carbaugh	Heaton	Moseley	Vermilion
Cherry	Hostettler	Negele	Wesco
Chyung	Huston	Nisly	Wolkins
Clere	Jackson	Pfaff	Wright
Cook	Jordan	Pierce	Young, J
Deal	Judy	Porter	Zent
DeLaney	Karickhoff	Prescott	Ziemke
DeVon	Kirchhofer	Pressel	

Nay - 0

Excused - 3

Candelaria Reardon	Heine	Lucas

Not Voting - 2

Davisson	Mr. Speaker

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Feb 18, 2020

2:27:08 PM

Roll Call 188: Bill Passed

SB 246 - Cook - 3rd Reading

Mental health services

Yea	95
Nay	2
Excused	3
Not Voting	0

Presiding: Speaker

Yea - 95

Abbott	Dvorak	Klinker	Saunders
Austin	Eberhart	Lauer	Schaibley
Aylesworth	Ellington	Lehe	Shackleford
Bacon	Engleman	Lehman	Sherman
Baird	Errington	Leonard	Smaltz
Barrett	Fleming	Lindauer	Smith, V
Bartels	Forestal	Lyness	Soliday
Bartlett	Frye	Macer	Speedy
Bauer	GiaQuinta	Manning	Steuerwald
Beck	Goodin	May	Stutzman
Behning	Goodrich	Mayfield	Sullivan
Boy	Gutwein	McNamara	Summers
Brown, T	Hamilton	Miller	Thompson
Burton	Harris	Moed	Torr
Campbell	Hatcher	Morrison	VanNatter
Carbaugh	Hatfield	Morris	Vermilion
Cherry	Heaton	Moseley	Wesco
Chyung	Hostettler	Negele	Wolkins
Clere	Huston	Pfaff	Wright
Cook	Jackson	Pierce	Young, J
Davisson	Jordan	Porter	Zent
Deal	Judy	Prescott	Ziemke
DeLaney	Karickhoff	Pressel	Mr. Speaker
DeVon	Kirchhofer	Pryor	

Nay - 2

Borders	Nisly

Excused - 3

Candelaria Reardon	Heine	Lucas

Not Voting - 0

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Feb 18, 2020

2:28:49 PM

Roll Call 189: Bill Passed

SB 273 - Kirchhofer - 3rd Reading

Indiana behavioral health commission

Yea	92
Nay	3
Excused	3
Not Voting	2

Presiding: Speaker

Yea - 92

Abbott	DeVon	Karickhoff	Pryor
Austin	Dvorak	Kirchhofer	Saunders
Aylesworth	Eberhart	Klinker	Schaibley
Bacon	Ellington	Lauer	Shackleford
Baird	Engleman	Lehe	Sherman
Barrett	Errington	Lehman	Smaltz
Bartels	Fleming	Leonard	Smith, V
Bartlett	Forestal	Lindauer	Soliday
Bauer	Frye	Lyness	Speedy
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Stutzman
Boy	Goodrich	Mayfield	Sullivan
Brown, T	Gutwein	McNamara	Summers
Burton	Hamilton	Miller	Thompson
Campbell	Harris	Moed	Torr
Carbaugh	Hatcher	Morrison	VanNatter
Cherry	Hatfield	Morris	Vermilion
Chyung	Heaton	Moseley	Wesco
Clere	Hostettler	Negele	Wolkins
Cook	Huston	Pfaff	Wright
Davisson	Jackson	Pierce	Young, J
Deal	Jordan	Porter	Zent
DeLaney	Judy	Pressel	Ziemke

Nay - 3

Borders	Nisly	Prescott

Excused - 3

Candelaria Reardon	Heine	Lucas

Not Voting - 2

May	Mr. Speaker

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Feb 18, 2020

2:30:38 PM

Roll Call 190: Bill Passed

SB 366 - Gutwein - 3rd Reading

Kankakee River and Yellow River development

Yea	95
Nay	0
Excused	3
Not Voting	2

Presiding: Speaker

Yea - 95

Abbott	DeVon	Kirchhofer	Pryor
Austin	Dvorak	Klinker	Saunders
Aylesworth	Eberhart	Lauer	Schaibley
Bacon	Ellington	Lehe	Shackleford
Baird	Engleman	Lehman	Sherman
Barrett	Errington	Leonard	Smaltz
Bartels	Fleming	Lindauer	Smith, V
Bartlett	Forestal	Lyness	Soliday
Bauer	Frye	Macer	Speedy
Beck	GiaQuinta	Manning	Steuerwald
Behning	Goodin	Mayfield	Stutzman
Borders	Goodrich	McNamara	Sullivan
Boy	Gutwein	Miller	Summers
Brown, T	Hamilton	Moed	Thompson
Burton	Harris	Morrison	Torr
Campbell	Hatcher	Morris	VanNatter
Carbaugh	Hatfield	Moseley	Vermilion
Cherry	Heaton	Negele	Wesco
Chyung	Hostettler	Nisly	Wolkins
Clere	Huston	Pfaff	Wright
Cook	Jackson	Pierce	Young, J
Davisson	Jordan	Porter	Zent
Deal	Judy	Prescott	Ziemke
DeLaney	Karickhoff	Pressel	

Nay - 0

Excused - 3

Candelaria Reardon	Heine	Lucas

Not Voting - 2

May	Mr. Speaker

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Feb 20, 2020

10:43:24 AM

Roll Call 192: Bill Passed

SB 255 - Kirchhofer - 3rd Reading

Insulin drugs

Yea	88
Nay	0
Excused	10
Not Voting	2

Presiding: Karickhoff

Yea - 88

Abbott	DeVon	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Leonard	Schaibley
Bacon	Engleman	Lindauer	Shackleford
Baird	Errington	Lucas	Sherman
Barrett	Fleming	Lyness	Smaltz
Bartels	Forestal	Macer	Smith, V
Bartlett	Frye	Manning	Speedy
Bauer	GiaQuinta	May	Steuerwald
Beck	Goodin	Mayfield	Stutzman
Borders	Goodrich	McNamara	Sullivan
Boy	Gutwein	Miller	Summers
Brown, T	Hamilton	Moed	Thompson
Campbell	Harris	Morrison	Torr
Candelaria Reardon	Hatcher	Morris	VanNatter
Carbaugh	Hatfield	Moseley	Vermilion
Chyung	Heaton	Negele	Wesco
Clere	Hostettler	Nisly	Wolkins
Cook	Jackson	Pfaff	Wright
Davisson	Jordan	Pierce	Young, J
Deal	Judy	Porter	Zent
DeLaney	Kirchhofer	Prescott	Ziemke

Nay - 0

Excused - 10

Behning	Dvorak	Lehman	Mr. Speaker
Burton	Heine	Pressel	
Cherry	Lehe	Soliday	

Not Voting - 2

Huston	Karickhoff

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Feb 24, 2020

3:25:00 PM

Roll Call 194: Bill Passed

SB 20 - Saunders - 3rd Reading

Plan commissions

Yea	93
Nay	0
Excused	4
Not Voting	3

Presiding: Speaker

Yea - 93

Abbott	DeLaney	Kirchhofer	Pressel
Austin	DeVon	Klinker	Pryor
Aylesworth	Dvorak	Lauer	Saunders
Bacon	Eberhart	Lehe	Schaibley
Baird	Ellington	Lehman	Shackleford
Barrett	Engleman	Leonard	Sherman
Bartels	Errington	Lindauer	Smaltz
Bartlett	Fleming	Lyness	Soliday
Bauer	Frye	Macer	Steuerwald
Beck	GiaQuinta	Manning	Stutzman
Behning	Goodin	May	Sullivan
Borders	Goodrich	Mayfield	Summers
Boy	Gutwein	McNamara	Thompson
Brown, T	Hamilton	Miller	Torr
Burton	Harris	Moed	VanNatter
Campbell	Hatcher	Morrison	Vermilion
Candelaria Reardon	Hatfield	Morris	Wolkins
Carbaugh	Heaton	Moseley	Wright
Cherry	Hostettler	Negele	Young, J
Chyung	Huston	Nisly	Zent
Clere	Jackson	Pfaff	Ziemke
Cook	Jordan	Pierce	
Davisson	Judy	Porter	
Deal	Karickhoff	Prescott	

Nay - 0

Excused - 4

Forestal	Heine	Lucas	Speedy

Not Voting - 3

Smith, V	Wesco	Mr. Speaker

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Feb 24, 2020

3:28:00 PM

Roll Call 195: Bill Passed

SB 139 - Cook - 3rd Reading

Adult guardianship services

Yea	95
Nay	0
Excused	4
Not Voting	1

Presiding: Speaker

Yea - 95

Abbott	DeLaney	Kirchhofer	Pressel
Austin	DeVon	Klinker	Pryor
Aylesworth	Dvorak	Lauer	Saunders
Bacon	Eberhart	Lehe	Schaibley
Baird	Ellington	Lehman	Shackleford
Barrett	Engleman	Leonard	Sherman
Bartels	Errington	Lindauer	Smaltz
Bartlett	Fleming	Lyness	Smith, V
Bauer	Frye	Macer	Soliday
Beck	GiaQuinta	Manning	Steuerwald
Behning	Goodin	May	Stutzman
Borders	Goodrich	Mayfield	Sullivan
Boy	Gutwein	McNamara	Summers
Brown, T	Hamilton	Miller	Thompson
Burton	Harris	Moed	Torr
Campbell	Hatcher	Morrison	VanNatter
Candelaria Reardon	Hatfield	Morris	Vermilion
Carbaugh	Heaton	Moseley	Wesco
Cherry	Hostettler	Negele	Wolkins
Chyung	Huston	Nisly	Wright
Clere	Jackson	Pfaff	Young, J
Cook	Jordan	Pierce	Zent
Davisson	Judy	Porter	Ziemke
Deal	Karickhoff	Prescott	

Nay - 0

Excused - 4

Forestal	Heine	Lucas	Speedy

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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3:29:00 PM

Roll Call 196: Bill Passed

SB 180 - Carbaugh - 3rd Reading

Public employees deferred compensation plan

Yea	95
Nay	0
Excused	4
Not Voting	1

Presiding: Speaker

Yea - 95

Abbott	DeLaney	Kirchhofer	Pressel
Austin	DeVon	Klinker	Pryor
Aylesworth	Dvorak	Lauer	Saunders
Bacon	Eberhart	Lehe	Schaibley
Baird	Ellington	Lehman	Shackleford
Barrett	Engleman	Leonard	Sherman
Bartels	Errington	Lindauer	Smaltz
Bartlett	Fleming	Lyness	Smith, V
Bauer	Frye	Macer	Soliday
Beck	GiaQuinta	Manning	Steuerwald
Behning	Goodin	May	Stutzman
Borders	Goodrich	Mayfield	Sullivan
Boy	Gutwein	McNamara	Summers
Brown, T	Hamilton	Miller	Thompson
Burton	Harris	Moed	Torr
Campbell	Hatcher	Morrison	VanNatter
Candelaria Reardon	Hatfield	Morris	Vermilion
Carbaugh	Heaton	Moseley	Wesco
Cherry	Hostettler	Negele	Wolkins
Chyung	Huston	Nisly	Wright
Clere	Jackson	Pfaff	Young, J
Cook	Jordan	Pierce	Zent
Davisson	Judy	Porter	Ziemke
Deal	Karickhoff	Prescott	

Nay - 0

Excused - 4

Forestal	Heine	Lucas	Speedy

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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3:31:00 PM

Roll Call 197: Bill Passed

SB 238 - DeVon - 3rd Reading

Various human services matters

Yea	95
Nay	0
Excused	4
Not Voting	1

Presiding: Speaker

Yea - 95

Abbott	DeLaney	Kirchhofer	Pressel
Austin	DeVon	Klinker	Pryor
Aylesworth	Dvorak	Lauer	Saunders
Bacon	Eberhart	Lehe	Schaibley
Baird	Ellington	Lehman	Shackleford
Barrett	Engleman	Leonard	Sherman
Bartels	Errington	Lindauer	Smaltz
Bartlett	Fleming	Lyness	Smith, V
Bauer	Frye	Macer	Soliday
Beck	GiaQuinta	Manning	Steuerwald
Behning	Goodin	May	Stutzman
Borders	Goodrich	Mayfield	Sullivan
Boy	Gutwein	McNamara	Summers
Brown, T	Hamilton	Miller	Thompson
Burton	Harris	Moed	Torr
Campbell	Hatcher	Morrison	VanNatter
Candelaria Reardon	Hatfield	Morris	Vermilion
Carbaugh	Heaton	Moseley	Wesco
Cherry	Hostettler	Negele	Wolkins
Chyung	Huston	Nisly	Wright
Clere	Jackson	Pfaff	Young, J
Cook	Jordan	Pierce	Zent
Davisson	Judy	Porter	Ziemke
Deal	Karickhoff	Prescott	

Nay - 0

Excused - 4

Forestal	Heine	Lucas	Speedy

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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3:34:00 PM

Roll Call 198: Bill Passed

SB 258 - Frye - 3rd Reading

Firefighter safety

Yea	95
Nay	0
Excused	4
Not Voting	1

Presiding: Speaker

Yea - 95

Abbott	DeLaney	Kirchhofer	Pressel
Austin	DeVon	Klinker	Pryor
Aylesworth	Dvorak	Lauer	Saunders
Bacon	Eberhart	Lehe	Schaibley
Baird	Ellington	Lehman	Shackleford
Barrett	Engleman	Leonard	Sherman
Bartels	Errington	Lindauer	Smaltz
Bartlett	Fleming	Lyness	Smith, V
Bauer	Frye	Macer	Soliday
Beck	GiaQuinta	Manning	Steuerwald
Behning	Goodin	May	Stutzman
Borders	Goodrich	Mayfield	Sullivan
Boy	Gutwein	McNamara	Summers
Brown, T	Hamilton	Miller	Thompson
Burton	Harris	Moed	Torr
Campbell	Hatcher	Morrison	VanNatter
Candelaria Reardon	Hatfield	Morris	Vermilion
Carbaugh	Heaton	Moseley	Wesco
Cherry	Hostettler	Negele	Wolkins
Chyung	Huston	Nisly	Wright
Clere	Jackson	Pfaff	Young, J
Cook	Jordan	Pierce	Zent
Davisson	Judy	Porter	Ziemke
Deal	Karickhoff	Prescott	

Nay - 0

Excused - 4

Forestal	Heine	Lucas	Speedy

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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3:36:53 PM

Roll Call 199: Bill Passed

SB 269 - Lehman - 3rd Reading

Worker's compensation

Yea	95
Nay	0
Excused	4
Not Voting	1

Presiding: Speaker

Yea - 95

Abbott	DeLaney	Kirchhofer	Pressel
Austin	DeVon	Klinker	Pryor
Aylesworth	Dvorak	Lauer	Saunders
Bacon	Eberhart	Lehe	Schaibley
Baird	Ellington	Lehman	Shackleford
Barrett	Engleman	Leonard	Sherman
Bartels	Errington	Lindauer	Smaltz
Bartlett	Fleming	Lyness	Smith, V
Bauer	Frye	Macer	Soliday
Beck	GiaQuinta	Manning	Steuerwald
Behning	Goodin	May	Stutzman
Borders	Goodrich	Mayfield	Sullivan
Boy	Gutwein	McNamara	Summers
Brown, T	Hamilton	Miller	Thompson
Burton	Harris	Moed	Torr
Campbell	Hatcher	Morrison	VanNatter
Candelaria Reardon	Hatfield	Morris	Vermilion
Carbaugh	Heaton	Moseley	Wesco
Cherry	Hostettler	Negele	Wolkins
Chyung	Huston	Nisly	Wright
Clere	Jackson	Pfaff	Young, J
Cook	Jordan	Pierce	Zent
Davisson	Judy	Porter	Ziemke
Deal	Karickhoff	Prescott	

Nay - 0

Excused - 4

Forestal	Heine	Lucas	Speedy

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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3:38:09 PM

Roll Call 200: Bill Passed

SB 302 - Steuerwald - 3rd Reading

Indigency determinations

Yea	94
Nay	0
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 94

Abbott	DeLaney	Klinker	Pryor
Austin	DeVon	Lauer	Saunders
Aylesworth	Dvorak	Lehe	Schaibley
Bacon	Eberhart	Lehman	Shackleford
Baird	Ellington	Leonard	Sherman
Barrett	Engleman	Lindauer	Smaltz
Bartels	Errington	Lyness	Smith, V
Bartlett	Fleming	Macer	Soliday
Bauer	Frye	Manning	Steuerwald
Beck	GiaQuinta	May	Stutzman
Behning	Goodin	Mayfield	Sullivan
Borders	Goodrich	McNamara	Summers
Boy	Gutwein	Miller	Thompson
Brown, T	Hamilton	Moed	Torr
Burton	Harris	Morrison	VanNatter
Campbell	Hatcher	Morris	Vermilion
Candelaria Reardon	Hatfield	Moseley	Wesco
Carbaugh	Heaton	Negele	Wolkins
Cherry	Hostettler	Nisly	Wright
Chyung	Huston	Pfaff	Young, J
Clere	Jordan	Pierce	Zent
Cook	Judy	Porter	Ziemke
Davisson	Karickhoff	Prescott	
Deal	Kirchhofer	Pressel	

Nay - 0

Excused - 4

Forestal	Heine	Lucas	Speedy

Not Voting - 2

Jackson	Mr. Speaker

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3:39:37 PM

Roll Call 201: Bill Passed

SB 405 - Pressel - 3rd Reading

Exemptions from design release requirements

Yea	93
Nay	1
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 93

Abbott	DeVon	Lauer	Saunders
Austin	Dvorak	Lehe	Schaibley
Aylesworth	Eberhart	Lehman	Shackleford
Bacon	Ellington	Leonard	Sherman
Baird	Engleman	Lindauer	Smaltz
Barrett	Errington	Lyness	Smith, V
Bartels	Fleming	Macer	Soliday
Bartlett	Frye	Manning	Steuerwald
Bauer	GiaQuinta	May	Stutzman
Beck	Goodin	Mayfield	Sullivan
Behning	Goodrich	McNamara	Summers
Borders	Gutwein	Miller	Thompson
Boy	Hamilton	Moed	Torr
Brown, T	Harris	Morrison	VanNatter
Burton	Hatcher	Morris	Vermilion
Candelaria Reardon	Hatfield	Moseley	Wesco
Carbaugh	Heaton	Negele	Wolkins
Cherry	Hostettler	Nisly	Wright
Chyung	Huston	Pfaff	Young, J
Clere	Jordan	Pierce	Zent
Cook	Judy	Porter	Ziemke
Davisson	Karickhoff	Prescott	
Deal	Kirchhofer	Pressel	
DeLaney	Klinker	Pryor	

Nay - 1

Campbell

Excused - 4

Forestal	Heine	Lucas	Speedy

Not Voting - 2

Jackson	Mr. Speaker

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4:52:17 PM

Roll Call 203: The Ruling of the Chair is Sustained

SB 194 - Steuerwald

Drug scheduling.
Appeal of the Ruling of the Chair

Amendment #2 - Errington

Yea	59
Nay	29
Excused	8
Not Voting	4

Presiding: Huston

Yea - 59

Abbott	DeVon	Leonard	Sherman
Aylesworth	Eberhart	Lyness	Smaltz
Bacon	Engleman	Manning	Steuerwald
Baird	Frye	May	Stutzman
Barrett	Goodrich	Mayfield	Sullivan
Bartels	Gutwein	McNamara	Thompson
Behning	Heaton	Miller	Torr
Borders	Hostettler	Morrison	VanNatter
Brown, T	Huston	Morris	Vermilion
Burton	Jordan	Negele	Wesco
Carbaugh	Judy	Nisly	Wolkins
Cherry	Karickhoff	Prescott	Young, J
Clere	Lauer	Pressel	Zent
Cook	Lehe	Saunders	Ziemke
Davisson	Lehman	Schaibley	

Nay - 29

Austin	Deal	Hatfield	Porter
Bartlett	DeLaney	Jackson	Pryor
Bauer	Dvorak	Klinker	Shackleford
Beck	Errington	Macer	Summers
Boy	Fleming	Moed	Wright
Campbell	GiaQuinta	Moseley	
Candelaria Reardon	Goodin	Pfaff	
Chyung	Hamilton	Pierce	

Excused - 8

Ellington	Heine	Lindauer	Soliday
Forestal	Kirchhofer	Lucas	Speedy

Not Voting - 4

Harris	Hatcher	Smith, V	Mr. Speaker

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3:13:12 PM

Roll Call 205: Bill Passed

SB 50 - Torr - 3rd Reading

Various trust and probate issues

Yea	92
Nay	0
Excused	4
Not Voting	4

Presiding: Speaker

Yea - 92

Abbott	Deal	Karickhoff	Porter
Austin	DeLaney	Kirchhofer	Prescott
Aylesworth	DeVon	Klinker	Pressel
Bacon	Dvorak	Lauer	Pryor
Baird	Eberhart	Lehe	Saunders
Barrett	Ellington	Lehman	Schaibley
Bartels	Engleman	Leonard	Shackleford
Bartlett	Errington	Lindauer	Sherman
Bauer	Fleming	Lucas	Smaltz
Beck	Frye	Lyness	Smith, V
Behning	GiaQuinta	Manning	Soliday
Borders	Goodin	May	Steuerwald
Boy	Goodrich	Mayfield	Stutzman
Brown, T	Gutwein	McNamara	Sullivan
Burton	Hamilton	Miller	Summers
Campbell	Harris	Moed	Thompson
Candelaria Reardon	Hatfield	Morrison	Torr
Carbaugh	Heaton	Morris	VanNatter
Cherry	Hostettler	Moseley	Vermilion
Chyung	Huston	Negele	Wolkins
Clere	Jackson	Nisly	Wright
Cook	Jordan	Pfaff	Young, J
Davisson	Judy	Pierce	Zent

Nay - 0

Excused - 4

Forestal	Heine	Macer	Speedy

Not Voting - 4

Hatcher	Wesco	Ziemke	Mr. Speaker

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3:15:29 PM

Roll Call 206: Bill Passed

SB 109 - Steuerwald - 3rd Reading

Statute of limitations

Yea	94
Nay	0
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 94

Abbott	DeLaney	Klinker	Pryor
Austin	DeVon	Lauer	Saunders
Aylesworth	Dvorak	Lehe	Schaibley
Bacon	Eberhart	Lehman	Shackleford
Baird	Ellington	Leonard	Sherman
Barrett	Engleman	Lindauer	Smaltz
Bartels	Errington	Lucas	Smith, V
Bartlett	Fleming	Lyness	Soliday
Bauer	Frye	Manning	Steuerwald
Beck	GiaQuinta	May	Stutzman
Behning	Goodin	Mayfield	Sullivan
Borders	Goodrich	McNamara	Summers
Boy	Gutwein	Miller	Thompson
Brown, T	Hamilton	Moed	Torr
Burton	Harris	Morrison	VanNatter
Campbell	Hatfield	Morris	Vermilion
Candelaria Reardon	Heaton	Moseley	Wesco
Carbaugh	Hostettler	Negele	Wolkins
Cherry	Huston	Nisly	Wright
Chyung	Jackson	Pfaff	Young, J
Clere	Jordan	Pierce	Zent
Cook	Judy	Porter	Ziemke
Davisson	Karickhoff	Prescott	
Deal	Kirchhofer	Pressel	

Nay - 0

Excused - 4

Forestal	Heine	Macer	Speedy

Not Voting - 2

Hatcher	Mr. Speaker

Indiana House of Representatives

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3:17:50 PM

Roll Call 207: Bill Passed

SB 181 - Burton - 3rd Reading

Survivors' benefits

Yea	94
Nay	0
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 94

Abbott	DeLaney	Klinker	Pryor
Austin	DeVon	Lauer	Saunders
Aylesworth	Dvorak	Lehe	Schaibley
Bacon	Eberhart	Lehman	Shackleford
Baird	Ellington	Leonard	Sherman
Barrett	Engleman	Lindauer	Smaltz
Bartels	Errington	Lucas	Smith, V
Bartlett	Fleming	Lyness	Soliday
Bauer	Frye	Manning	Steuerwald
Beck	GiaQuinta	May	Stutzman
Behning	Goodin	Mayfield	Sullivan
Borders	Goodrich	McNamara	Summers
Boy	Gutwein	Miller	Thompson
Brown, T	Hamilton	Moed	Torr
Burton	Harris	Morrison	VanNatter
Campbell	Hatfield	Morris	Vermilion
Candelaria Reardon	Heaton	Moseley	Wesco
Carbaugh	Hostettler	Negele	Wolkins
Cherry	Huston	Nisly	Wright
Chyung	Jackson	Pfaff	Young, J
Clere	Jordan	Pierce	Zent
Cook	Judy	Porter	Ziemke
Davisson	Karickhoff	Prescott	
Deal	Kirchhofer	Pressel	

Nay - 0

Excused - 4

Forestal	Heine	Macer	Speedy

Not Voting - 2

Hatcher	Mr. Speaker

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3:20:38 PM

Roll Call 208: Bill Passed

SB 197 - Soliday - 3rd Reading

Prohibited technology purchases

Yea	94
Nay	0
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 94

Abbott	DeLaney	Klinker	Pryor
Austin	DeVon	Lauer	Saunders
Aylesworth	Dvorak	Lehe	Schaibley
Bacon	Eberhart	Lehman	Shackleford
Baird	Ellington	Leonard	Sherman
Barrett	Engleman	Lindauer	Smaltz
Bartels	Errington	Lucas	Smith, V
Bartlett	Fleming	Lyness	Soliday
Bauer	Frye	Manning	Steuerwald
Beck	GiaQuinta	May	Stutzman
Behning	Goodin	Mayfield	Sullivan
Borders	Goodrich	McNamara	Summers
Boy	Gutwein	Miller	Thompson
Brown, T	Hamilton	Moed	Torr
Burton	Harris	Morrison	VanNatter
Campbell	Hatfield	Morris	Vermilion
Candelaria Reardon	Heaton	Moseley	Wesco
Carbaugh	Hostettler	Negele	Wolkins
Cherry	Huston	Nisly	Wright
Chyung	Jackson	Pfaff	Young, J
Clere	Jordan	Pierce	Zent
Cook	Judy	Porter	Ziemke
Davisson	Karickhoff	Prescott	
Deal	Kirchhofer	Pressel	

Nay - 0

Excused - 4

Forestal	Heine	Macer	Speedy

Not Voting - 2

Hatcher	Mr. Speaker

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3:21:35 PM

Roll Call 209: Bill Passed

SB 237 - Morris - 3rd Reading

Care of city police officers and firefighters

Yea	94
Nay	0
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 94

Abbott	DeLaney	Klinker	Pryor
Austin	DeVon	Lauer	Saunders
Aylesworth	Dvorak	Lehe	Schaibley
Bacon	Eberhart	Lehman	Shackleford
Baird	Ellington	Leonard	Sherman
Barrett	Engleman	Lindauer	Smaltz
Bartels	Errington	Lucas	Smith, V
Bartlett	Fleming	Lyness	Soliday
Bauer	Frye	Manning	Steuerwald
Beck	GiaQuinta	May	Stutzman
Behning	Goodin	Mayfield	Sullivan
Borders	Goodrich	McNamara	Summers
Boy	Gutwein	Miller	Thompson
Brown, T	Hamilton	Moed	Torr
Burton	Harris	Morrison	VanNatter
Campbell	Hatfield	Morris	Vermilion
Candelaria Reardon	Heaton	Moseley	Wesco
Carbaugh	Hostettler	Negele	Wolkins
Cherry	Huston	Nisly	Wright
Chyung	Jackson	Pfaff	Young, J
Clere	Jordan	Pierce	Zent
Cook	Judy	Porter	Ziemke
Davisson	Karickhoff	Prescott	
Deal	Kirchhofer	Pressel	

Nay - 0

Excused - 4

Forestal	Heine	Macer	Speedy

Not Voting - 2

Hatcher	Mr. Speaker

Indiana House of Representatives

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3:25:51 PM

Roll Call 210: Bill Passed

SB 239 - Mayfield - 3rd Reading

Coverage for breast prostheses

Yea	95
Nay	0
Excused	4
Not Voting	1

Presiding: Speaker

Yea - 95

Abbott	DeLaney	Klinker	Pryor
Austin	DeVon	Lauer	Saunders
Aylesworth	Dvorak	Lehe	Schaibley
Bacon	Eberhart	Lehman	Shackleford
Baird	Ellington	Leonard	Sherman
Barrett	Engleman	Lindauer	Smaltz
Bartels	Errington	Lucas	Smith, V
Bartlett	Fleming	Lyness	Soliday
Bauer	Frye	Manning	Steuerwald
Beck	GiaQuinta	May	Stutzman
Behning	Goodin	Mayfield	Sullivan
Borders	Goodrich	McNamara	Summers
Boy	Gutwein	Miller	Thompson
Brown, T	Hamilton	Moed	Torr
Burton	Harris	Morrison	VanNatter
Campbell	Hatfield	Morris	Vermilion
Candelaria Reardon	Heaton	Moseley	Wesco
Carbaugh	Hostettler	Negele	Wolkins
Cherry	Huston	Nisly	Wright
Chyung	Jackson	Pfaff	Young, J
Clere	Jordan	Pierce	Zent
Cook	Judy	Porter	Ziemke
Davisson	Karickhoff	Prescott	Mr. Speaker
Deal	Kirchhofer	Pressel	

Nay - 0

Excused - 4

Forestal	Heine	Macer	Speedy

Not Voting - 1

Hatcher

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3:27:39 PM

Roll Call 211: Bill Passed

SB 249 - McNamara - 3rd Reading

Exploitation of dependents and endangered adults

Yea	95
Nay	0
Excused	4
Not Voting	1

Presiding: Speaker

Yea - 95

Abbott	DeLaney	Klinker	Pryor
Austin	DeVon	Lauer	Saunders
Aylesworth	Dvorak	Lehe	Schaibley
Bacon	Eberhart	Lehman	Shackleford
Baird	Ellington	Leonard	Sherman
Barrett	Engleman	Lindauer	Smaltz
Bartels	Errington	Lucas	Smith, V
Bartlett	Fleming	Lyness	Soliday
Bauer	Frye	Manning	Steuerwald
Beck	GiaQuinta	May	Stutzman
Behning	Goodin	Mayfield	Sullivan
Borders	Goodrich	McNamara	Summers
Boy	Gutwein	Miller	Thompson
Brown, T	Hamilton	Moed	Torr
Burton	Harris	Morrison	VanNatter
Campbell	Hatfield	Morris	Vermilion
Candelaria Reardon	Heaton	Moseley	Wesco
Carbaugh	Hostettler	Negele	Wolkins
Cherry	Huston	Nisly	Wright
Chyung	Jackson	Pfaff	Young, J
Clere	Jordan	Pierce	Zent
Cook	Judy	Porter	Ziemke
Davisson	Karickhoff	Prescott	Mr. Speaker
Deal	Kirchhofer	Pressel	

Nay - 0

Excused - 4

Forestal	Heine	Macer	Speedy

Not Voting - 1

Hatcher

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3:30:02 PM

Roll Call 212: Bill Passed

SB 288 - Bacon - 3rd Reading

Anatomical gift through hunting, fishing or trapping license

Yea	94
Nay	0
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 94

Abbott	DeLaney	Klinker	Pryor
Austin	DeVon	Lauer	Saunders
Aylesworth	Dvorak	Lehe	Schaibley
Bacon	Eberhart	Lehman	Shackleford
Baird	Ellington	Leonard	Sherman
Barrett	Engleman	Lindauer	Smaltz
Bartels	Errington	Lucas	Smith, V
Bartlett	Fleming	Lyness	Soliday
Bauer	Frye	Manning	Steuerwald
Beck	GiaQuinta	May	Stutzman
Behning	Goodin	Mayfield	Sullivan
Borders	Goodrich	McNamara	Summers
Boy	Gutwein	Miller	Thompson
Brown, T	Hamilton	Moed	Torr
Burton	Harris	Morrison	VanNatter
Campbell	Hatfield	Morris	Vermilion
Candelaria Reardon	Heaton	Moseley	Wesco
Carbaugh	Hostettler	Negele	Wolkins
Cherry	Huston	Nisly	Wright
Chyung	Jackson	Pfaff	Young, J
Clere	Jordan	Pierce	Zent
Cook	Judy	Porter	Ziemke
Davisson	Karickhoff	Prescott	
Deal	Kirchhofer	Pressel	

Nay - 0

Excused - 4

Forestal	Heine	Macer	Speedy

Not Voting - 2

Hatcher	Mr. Speaker

Indiana House of Representatives

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3:31:33 PM

Roll Call 213: Bill Passed

SB 358 - Manning - 3rd Reading

Business associations of real estate agents

Yea	92
Nay	0
Excused	4
Not Voting	4

Presiding: Speaker

Yea - 92

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Eberhart	Lehe	Saunders
Bacon	Ellington	Lehman	Schaibley
Baird	Engleman	Leonard	Shackleford
Barrett	Errington	Lindauer	Sherman
Bartels	Fleming	Lucas	Smaltz
Bartlett	Frye	Lyness	Smith, V
Bauer	GiaQuinta	Manning	Soliday
Borders	Goodin	May	Steuerwald
Boy	Goodrich	Mayfield	Stutzman
Brown, T	Gutwein	McNamara	Sullivan
Burton	Hamilton	Miller	Summers
Campbell	Harris	Moed	Thompson
Candelaria Reardon	Hatfield	Morrison	Torr
Carbaugh	Heaton	Morris	VanNatter
Cherry	Hostettler	Moseley	Vermilion
Chyung	Huston	Negele	Wesco
Clere	Jackson	Nisly	Wolkins
Cook	Jordan	Pfaff	Wright
Davisson	Judy	Pierce	Young, J
Deal	Karickhoff	Porter	Zent
DeLaney	Kirchhofer	Prescott	Ziemke

Nay - 0

Excused - 4

Forestal	Heine	Macer	Speedy

Not Voting - 4

Beck	Behning	Hatcher	Mr. Speaker

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3:33:08 PM

Roll Call 214: Bill Passed

SB 383 - Brown, T. - 3rd Reading

Reporting on MBE and WBE contracting goals

Yea	94
Nay	0
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 94

Abbott	DeLaney	Klinker	Pryor
Austin	DeVon	Lauer	Saunders
Aylesworth	Dvorak	Lehe	Schaibley
Bacon	Eberhart	Lehman	Shackleford
Baird	Ellington	Leonard	Sherman
Barrett	Engleman	Lindauer	Smaltz
Bartels	Errington	Lucas	Smith, V
Bartlett	Fleming	Lyness	Soliday
Bauer	Frye	Manning	Steuerwald
Beck	GiaQuinta	May	Stutzman
Behning	Goodin	Mayfield	Sullivan
Borders	Goodrich	McNamara	Summers
Boy	Gutwein	Miller	Thompson
Brown, T	Hamilton	Moed	Torr
Burton	Harris	Morrison	VanNatter
Campbell	Hatfield	Morris	Vermilion
Candelaria Reardon	Heaton	Moseley	Wesco
Carbaugh	Hostettler	Negele	Wolkins
Cherry	Huston	Nisly	Wright
Chyung	Jackson	Pfaff	Young, J
Clere	Jordan	Pierce	Zent
Cook	Judy	Porter	Ziemke
Davisson	Karickhoff	Prescott	
Deal	Kirchhofer	Pressel	

Nay - 0

Excused - 4

Forestal	Heine	Macer	Speedy

Not Voting - 2

Hatcher	Mr. Speaker

Indiana House of Representatives

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3:35:29 PM

Roll Call 215: Bill Passed

SB 424 - Engleman - 3rd Reading

Address confidentiality program

Yea	94
Nay	0
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 94

Abbott	DeLaney	Klinker	Pryor
Austin	DeVon	Lauer	Saunders
Aylesworth	Dvorak	Lehe	Schaibley
Bacon	Eberhart	Lehman	Shackleford
Baird	Ellington	Leonard	Sherman
Barrett	Engleman	Lindauer	Smaltz
Bartels	Errington	Lucas	Smith, V
Bartlett	Fleming	Lyness	Soliday
Bauer	Frye	Manning	Steuerwald
Beck	GiaQuinta	May	Stutzman
Behning	Goodin	Mayfield	Sullivan
Borders	Goodrich	McNamara	Summers
Boy	Gutwein	Miller	Thompson
Brown, T	Hamilton	Moed	Torr
Burton	Harris	Morrison	VanNatter
Campbell	Hatfield	Morris	Vermilion
Candelaria Reardon	Heaton	Moseley	Wesco
Carbaugh	Hostettler	Negele	Wolkins
Cherry	Huston	Nisly	Wright
Chyung	Jackson	Pfaff	Young, J
Clere	Jordan	Pierce	Zent
Cook	Judy	Porter	Ziemke
Davisson	Karickhoff	Prescott	
Deal	Kirchhofer	Pressel	

Nay - 0

Excused - 4

Forestal	Heine	Macer	Speedy

Not Voting - 2

Hatcher	Mr. Speaker

Indiana House of Representatives

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3:39:06 PM

Roll Call 216: Bill Passed

SB 438 - Lehe - 3rd Reading

Regulation of pesticide use and application

Yea	84
Nay	10
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 84

Abbott	Deal	Kirchhofer	Pressel
Austin	DeLaney	Klinker	Pryor
Aylesworth	DeVon	Lauer	Saunders
Bacon	Dvorak	Lehe	Schaibley
Baird	Engleman	Lehman	Shackleford
Barrett	Errington	Leonard	Sherman
Bartels	Fleming	Lindauer	Smaltz
Bartlett	Frye	Lucas	Smith, V
Bauer	GiaQuinta	Lyness	Soliday
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Summers
Borders	Gutwein	Mayfield	Thompson
Boy	Hamilton	McNamara	Torr
Brown, T	Harris	Miller	VanNatter
Burton	Hatfield	Moed	Vermilion
Campbell	Heaton	Negele	Wesco
Candelaria Reardon	Hostettler	Nisly	Wolkins
Cherry	Huston	Pfaff	Wright
Chyung	Jackson	Pierce	Young, J
Clere	Jordan	Porter	Zent
Davisson	Karickhoff	Prescott	Ziemke

Nay - 10

Carbaugh	Ellington	Morris	Sullivan
Cook	Judy	Moseley	
Eberhart	Morrison	Stutzman	

Excused - 4

Forestal	Heine	Macer	Speedy

Not Voting - 2

Hatcher	Mr. Speaker

Indiana House of Representatives

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10:57:41 AM

Roll Call 218: Bill Passed

SB 194 - Steuerwald - 3rd Reading

Drug scheduling

Yea	90
Nay	0
Excused	6
Not Voting	4

Presiding: Speaker

Yea - 90

Abbott	DeVon	Kirchhofer	Saunders
Austin	Dvorak	Klinker	Schaibley
Aylesworth	Eberhart	Lauer	Shackleford
Bacon	Ellington	Lehe	Sherman
Barrett	Engleman	Lehman	Smaltz
Bartels	Errington	Leonard	Smith, V
Bartlett	Fleming	Lindauer	Speedy
Bauer	Frye	Lyness	Steuerwald
Beck	GiaQuinta	Manning	Stutzman
Behning	Goodin	May	Sullivan
Borders	Goodrich	Mayfield	Summers
Boy	Gutwein	McNamara	Thompson
Brown, T	Hamilton	Miller	Torr
Burton	Harris	Morris	VanNatter
Campbell	Hatcher	Moseley	Vermilion
Carbaugh	Hatfield	Negele	Wesco
Cherry	Heaton	Nisly	Wolkins
Chyung	Hostettler	Pfaff	Wright
Clere	Huston	Pierce	Young, J
Cook	Jackson	Porter	Zent
Davisson	Jordan	Prescott	Ziemke
Deal	Judy	Pressel	
DeLaney	Karickhoff	Pryor	

Nay - 0

Excused - 6

Baird	Heine	Macer	Moed
Forestal			Soliday

Not Voting - 4

Candelaria Reardon	Lucas	Morrison	Mr. Speaker

Indiana House of Representatives

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10:59:30 AM

Roll Call 219: Bill Passed

SB 10 - Burton - 3rd Reading

Pension matters

Yea	91
Nay	0
Excused	8
Not Voting	1

Presiding: Speaker

Yea - 91

Abbott	DeLaney	Karickhoff	Pryor
Austin	DeVon	Kirchhofer	Saunders
Aylesworth	Dvorak	Klinker	Schaibley
Bacon	Eberhart	Lauer	Shackleford
Barrett	Ellington	Lehe	Sherman
Bartels	Engleman	Lehman	Smaltz
Bartlett	Errington	Leonard	Smith, V
Bauer	Fleming	Lindauer	Speedy
Beck	Frye	Lyness	Steuerwald
Behning	GiaQuinta	Manning	Stutzman
Borders	Goodin	May	Sullivan
Boy	Goodrich	Mayfield	Summers
Brown, T	Gutwein	McNamara	Thompson
Burton	Hamilton	Miller	Torr
Campbell	Harris	Morris	VanNatter
Candelaria Reardon	Hatcher	Moseley	Vermilion
Carbaugh	Hatfield	Negele	Wesco
Cherry	Heaton	Nisly	Wolkins
Chyung	Hostettler	Pfaff	Wright
Clere	Huston	Pierce	Young, J
Cook	Jackson	Porter	Zent
Davisson	Jordan	Prescott	Ziemke
Deal	Judy	Pressel	

Nay - 0

Excused - 8

Baird	Heine	Macer	Morrison
Forestal	Lucas	Moed	Soliday

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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11:04:18 AM

Roll Call 220: Bill Passed

SB 299 - Stutzman - 3rd Reading

Fetal remains

Yea	78
Nay	13
Excused	9
Not Voting	0

Presiding: Speaker

Yea - 78

Abbott	Dvorak	Lehe	Shackleford
Austin	Eberhart	Lehman	Sherman
Aylesworth	Ellington	Leonard	Smaltz
Bacon	Engleman	Lindauer	Speedy
Barrett	Fleming	Lucas	Steuerwald
Bartels	Frye	Lyness	Stutzman
Bartlett	GiaQuinta	Manning	Sullivan
Bauer	Goodin	May	Thompson
Beck	Goodrich	Mayfield	Torr
Behning	Gutwein	McNamara	VanNatter
Borders	Hatfield	Miller	Vermilion
Boy	Heaton	Morris	Wesco
Brown, T	Hostettler	Negele	Wolkins
Burton	Huston	Nisly	Wright
Carbaugh	Jordan	Pfaff	Young, J
Clere	Judy	Prescott	Zent
Cook	Karickhoff	Pressel	Ziemke
Davisson	Kirchhofer	Pryor	Mr. Speaker
Deal	Klinker	Saunders	
DeVon	Lauer	Schaibley	

Nay - 13

Campbell	Hamilton	Moseley	Summers
Chyung	Harris	Pierce	
DeLaney	Hatcher	Porter	
Errington	Jackson	Smith, V	

Excused - 9

Baird	Forestal	Macer	Morrison
Candelaria Reardon	Heine	Moed	Soliday
Cherry			

Not Voting - 0

Indiana House of Representatives

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11:06:52 AM

Roll Call 221: Bill Passed

SB 430 - Wolkins - 3rd Reading

Reservoir conservancy districts

Yea	92
Nay	0
Excused	8
Not Voting	0

Presiding: Speaker

Yea - 92

Abbott	DeVon	Kirchhofer	Pryor
Austin	Dvorak	Klinker	Saunders
Aylesworth	Eberhart	Lauer	Schaibley
Bacon	Ellington	Lehe	Shackleford
Barrett	Engleman	Lehman	Sherman
Bartels	Errington	Leonard	Smaltz
Bartlett	Fleming	Lindauer	Smith, V
Bauer	Frye	Lucas	Speedy
Beck	GiaQuinta	Lyness	Steuerwald
Behning	Goodin	Manning	Stutzman
Borders	Goodrich	May	Sullivan
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Morris	VanNatter
Carbaugh	Hatfield	Moseley	Vermilion
Cherry	Heaton	Negele	Wesco
Chyung	Hostettler	Nisly	Wolkins
Clere	Huston	Pfaff	Wright
Cook	Jackson	Pierce	Young, J
Davisson	Jordan	Porter	Zent
Deal	Judy	Prescott	Ziemke
DeLaney	Karickhoff	Pressel	Mr. Speaker

Nay - 0

Excused - 8

Baird	Forestal	Macer	Morrison
Candelaria Reardon	Heine	Moed	Soliday

Not Voting - 0

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11:09:34 AM

Roll Call 222: Resolution Adopted

SCR 6 - Lehe

Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway"

Yea	90
Nay	0
Excused	10
Not Voting	0

Presiding: Speaker

Yea - 90

Abbott	DeVon	Kirchhofer	Saunders
Austin	Dvorak	Klinker	Schaibley
Aylesworth	Eberhart	Lauer	Shackleford
Bacon	Ellington	Lehe	Sherman
Barrett	Engleman	Lehman	Smaltz
Bartels	Errington	Leonard	Smith, V
Bartlett	Fleming	Lindauer	Speedy
Bauer	Frye	Lucas	Steuerwald
Beck	GiaQuinta	Lyness	Stutzman
Behning	Goodin	Manning	Sullivan
Borders	Goodrich	May	Summers
Boy	Gutwein	Mayfield	Thompson
Brown, T	Hamilton	McNamara	Torr
Burton	Harris	Miller	VanNatter
Campbell	Hatcher	Morris	Vermilion
Carbaugh	Hatfield	Moseley	Wesco
Cherry	Heaton	Negele	Wolkins
Chyung	Hostettler	Nisly	Wright
Clere	Huston	Pierce	Young, J
Cook	Jackson	Porter	Zent
Davisson	Jordan	Prescott	Mr. Speaker
Deal	Judy	Pressel	
DeLaney	Karickhoff	Pryor	

Nay - 0

Excused - 10

Baird	Heine	Morrison	Ziemke
Candelaria Reardon	Macer	Pfaff	
Forestal	Moed	Soliday	

Not Voting - 0

Indiana House of Representatives

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1:54:49 PM

Roll Call 223: Amendment Failed

SB 179 - Sullivan - 2nd Reading

Election cybersecurity.
Amendment #2 - Moseley

Yea	28
Nay	62
Excused	9
Not Voting	1

Presiding: Speaker

Yea - 28

Austin	Deal	Hamilton	Pfaff
Bartlett	DeLaney	Harris	Pierce
Bauer	Dvorak	Hatcher	Porter
Beck	Errington	Hatfield	Pryor
Boy	Fleming	Jackson	Shackleford
Campbell	GiaQuinta	Klinker	Smith, V
Chyung	Goodin	Moseley	Wright

Nay - 62

Abbott	Ellington	Lucas	Smaltz
Bacon	Engleman	Lyness	Soliday
Baird	Frye	Manning	Steuerwald
Barrett	Goodrich	May	Stutzman
Bartels	Gutwein	Mayfield	Sullivan
Behning	Heaton	McNamara	Thompson
Borders	Hostettler	Miller	Torr
Brown, T	Jordan	Morrison	VanNatter
Burton	Judy	Morris	Vermilion
Carbaugh	Karickhoff	Negele	Wesco
Cherry	Kirchhofer	Nisly	Wolkins
Clere	Lauer	Prescott	Young, J
Cook	Lehe	Pressel	Zent
Davisson	Lehman	Saunders	Ziemke
DeVon	Leonard	Schaibley	
Eberhart	Lindauer	Sherman	

Excused - 9

Aylesworth	Heine	Macer	Speedy
Candelaria Reardon	Huston	Moed	Summers
Forestal			

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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1:59:02 PM

Roll Call 224: Amendment Failed

SB 179 - Sullivan - 2nd Reading

Election cybersecurity.
Amendment #3 - Moseley

Yea	28
Nay	63
Excused	7
Not Voting	2

Presiding: Speaker

Yea - 28

Austin	Chyung	Hamilton	Pfaff
Bartlett	Deal	Harris	Pierce
Bauer	DeLaney	Hatcher	Porter
Beck	Errington	Hatfield	Pryor
Boy	Fleming	Jackson	Shackleford
Campbell	GiaQuinta	Klinker	Smith, V
Candelaria Reardon	Goodin	Moseley	Wright

Nay - 63

Abbott	Ellington	Lindauer	Sherman
Bacon	Engleman	Lucas	Smaltz
Baird	Frye	Lyness	Soliday
Barrett	Goodrich	Manning	Steuerwald
Bartels	Gutwein	May	Stutzman
Behning	Heaton	Mayfield	Sullivan
Borders	Hostettler	McNamara	Thompson
Brown, T	Huston	Miller	Torr
Burton	Jordan	Morrison	VanNatter
Carbaugh	Judy	Morris	Vermilion
Cherry	Karickhoff	Negele	Wesco
Clere	Kirchhofer	Nisly	Wolkins
Cook	Lauer	Prescott	Young, J
Davisson	Lehe	Pressel	Zent
DeVon	Lehman	Saunders	Ziemke
Eberhart	Leonard	Schaibley	

Excused - 7

Aylesworth	Heine	Moed	Summers
Forestal	Macer	Speedy	

Not Voting - 2

Dvorak	Mr. Speaker

Indiana House of Representatives

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2:09:10 PM

Roll Call 225: Amendment Failed

SB 179 - Sullivan - 2nd Reading

Election cybersecurity.
Amendment #1 - Hamilton

Yea	29
Nay	63
Excused	7
Not Voting	1

Presiding: Speaker

Yea - 29

Austin	Deal	Harris	Porter
Bartlett	DeLaney	Hatcher	Pryor
Bauer	Dvorak	Hatfield	Shackleford
Beck	Errington	Jackson	Smith, V
Boy	Fleming	Klinker	Wright
Campbell	GiaQuinta	Moseley	
Candelaria Reardon	Goodin	Pfaff	
Chyung	Hamilton	Pierce	

Nay - 63

Abbott	Ellington	Lindauer	Sherman
Bacon	Engleman	Lucas	Smaltz
Baird	Frye	Lyness	Soliday
Barrett	Goodrich	Manning	Steuerwald
Bartels	Gutwein	May	Stutzman
Behning	Heaton	Mayfield	Sullivan
Borders	Hostettler	McNamara	Thompson
Brown, T	Huston	Miller	Torr
Burton	Jordan	Morrison	VanNatter
Carbaugh	Judy	Morris	Vermilion
Cherry	Karickhoff	Negele	Wesco
Clere	Kirchhofer	Nisly	Wolkins
Cook	Lauer	Prescott	Young, J
Davisson	Lehe	Pressel	Zent
DeVon	Lehman	Saunders	Ziemke
Eberhart	Leonard	Schaibley	

Excused - 7

Aylesworth	Heine	Moed	Summers
Forestal	Macer	Speedy	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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2:32:36 PM

Roll Call 226: Amendment Failed

SB 334 - Wesco - 2nd Reading

Election matters.
Amendment #6 - Moseley

Yea	29
Nay	62
Excused	8
Not Voting	1

Presiding: Speaker

Yea - 29

Austin	Deal	Harris	Porter
Bartlett	DeLaney	Hatcher	Pryor
Bauer	Dvorak	Hatfield	Shackleford
Beck	Errington	Jackson	Smith, V
Boy	Fleming	Klinker	Wright
Campbell	GiaQuinta	Moseley	
Candelaria Reardon	Goodin	Pfaff	
Chyung	Hamilton	Pierce	

Nay - 62

Abbott	Eberhart	Leonard	Sherman
Aylesworth	Ellington	Lindauer	Smaltz
Bacon	Engleman	Lucas	Soliday
Baird	Frye	Lyness	Steuerwald
Barrett	Goodrich	Manning	Stutzman
Bartels	Gutwein	May	Sullivan
Behning	Heaton	Mayfield	Thompson
Borders	Hostettler	McNamara	Torr
Brown, T	Huston	Miller	VanNatter
Burton	Jordan	Morrison	Wesco
Carbaugh	Judy	Morris	Young, J
Cherry	Karickhoff	Nisly	Zent
Clere	Kirchhofer	Prescott	Ziemke
Cook	Lauer	Pressel	Mr. Speaker
Davisson	Lehe	Saunders	
DeVon	Lehman	Schaibley	

Excused - 8

Forestal	Macer	Negele	Summers
Heine	Moed	Speedy	Vermilion

Not Voting - 1

Wolkins

Indiana House of Representatives

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2:37:56 PM

Roll Call 227: Amendment Failed

SB 334 - Wesco - 2nd Reading

Election matters.
Amendment #1 - Moseley

Yea	28
Nay	62
Excused	9
Not Voting	1

Presiding: Speaker

Yea - 28

Austin	Chyung	Goodin	Moseley
Bartlett	Deal	Hamilton	Pfaff
Bauer	DeLaney	Harris	Pierce
Beck	Dvorak	Hatcher	Porter
Boy	Errington	Hatfield	Pryor
Campbell	Fleming	Jackson	Smith, V
Candelaria Reardon	GiaQuinta	Klinker	Wright

Nay - 62

Abbott	Eberhart	Leonard	Sherman
Aylesworth	Ellington	Lindauer	Smaltz
Bacon	Engleman	Lucas	Soliday
Baird	Frye	Lyness	Steuerwald
Barrett	Goodrich	Manning	Stutzman
Bartels	Gutwein	May	Sullivan
Behning	Heaton	Mayfield	Thompson
Borders	Hostettler	McNamara	Torr
Brown, T	Huston	Miller	VanNatter
Burton	Jordan	Morrison	Vermilion
Carbaugh	Judy	Morris	Wesco
Cherry	Karickhoff	Negele	Young, J
Clere	Kirchhofer	Nisly	Zent
Cook	Lauer	Prescott	Ziemke
Davisson	Lehe	Pressel	
DeVon	Lehman	Saunders	

Excused - 9

Forestal	Moed	Shackleford	Summers
Heine	Schaibley	Speedy	Wolkins
Macer			

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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2:41:42 PM

Roll Call 228: Amendment Failed

SB 334 - Wesco - 2nd Reading

Election matters.
Amendment #4 - Boy

Yea	29
Nay	63
Excused	7
Not Voting	1

Presiding: Speaker

Yea - 29

Austin	Deal	Harris	Porter
Bartlett	DeLaney	Hatcher	Pryor
Bauer	Dvorak	Hatfield	Shackleford
Beck	Errington	Jackson	Smith, V
Boy	Fleming	Klinker	Wright
Campbell	GiaQuinta	Moseley	
Candelaria Reardon	Goodin	Pfaff	
Chyung	Hamilton	Pierce	

Nay - 63

Abbott	Eberhart	Leonard	Schaibley
Aylesworth	Ellington	Lindauer	Sherman
Bacon	Engleman	Lucas	Smaltz
Baird	Frye	Lyness	Soliday
Barrett	Goodrich	Manning	Steuerwald
Bartels	Gutwein	May	Stutzman
Behning	Heaton	Mayfield	Sullivan
Borders	Hostettler	McNamara	Thompson
Brown, T	Huston	Miller	Torr
Burton	Jordan	Morrison	VanNatter
Carbaugh	Judy	Morris	Vermilion
Cherry	Karickhoff	Negele	Wesco
Clere	Kirchhofer	Nisly	Young, J
Cook	Lauer	Prescott	Zent
Davisson	Lehe	Pressel	Ziemke
DeVon	Lehman	Saunders	

Excused - 7

Forestal	Macer	Speedy	Wolkins
Heine	Moed	Summers	

Not Voting - 1

Mr. Speaker

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2:43:37 PM

Roll Call 229: Amendment Failed

SB 334 - Wesco - 2nd Reading

Election matters.
Amendment #5 - Boy

Yea	28
Nay	63
Excused	7
Not Voting	2

Presiding: Speaker

Yea - 28

Austin	Deal	Hamilton	Pfaff
Bartlett	DeLaney	Harris	Pierce
Bauer	Dvorak	Hatcher	Porter
Boy	Errington	Hatfield	Pryor
Campbell	Fleming	Jackson	Shackleford
Candelaria Reardon	GiaQuinta	Klinker	Smith, V
Chyung	Goodin	Moseley	Wright

Nay - 63

Abbott	Eberhart	Leonard	Schaibley
Aylesworth	Ellington	Lindauer	Sherman
Bacon	Engleman	Lucas	Smaltz
Baird	Frye	Lyness	Soliday
Barrett	Goodrich	Manning	Steuerwald
Bartels	Gutwein	May	Stutzman
Behning	Heaton	Mayfield	Sullivan
Borders	Hostettler	McNamara	Thompson
Brown, T	Huston	Miller	Torr
Burton	Jordan	Morrison	VanNatter
Carbaugh	Judy	Morris	Vermilion
Cherry	Karickhoff	Negele	Wesco
Clere	Kirchhofer	Nisly	Young, J
Cook	Lauer	Prescott	Zent
Davisson	Lehe	Pressel	Ziemke
DeVon	Lehman	Saunders	

Excused - 7

Forestal	Macer	Speedy	Wolkins
Heine	Moed	Summers	

Not Voting - 2

Beck	Mr. Speaker

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3:04:55 PM

Roll Call 230: Amendment Failed

SB 340 - Wolkins - 2nd Reading

Private property matters.
Amendment #1 - Shackleford

Yea	28
Nay	62
Excused	7
Not Voting	3

Presiding: Speaker

Yea - 28

Austin	Chyung	Hamilton	Pfaff
Bartlett	Deal	Harris	Pierce
Bauer	DeLaney	Hatcher	Porter
Beck	Dvorak	Hatfield	Pryor
Boy	Errington	Jackson	Shackleford
Campbell	Fleming	Klinker	Smith, V
Candelaria Reardon	GiaQuinta	Moseley	Wright

Nay - 62

Abbott	Eberhart	Lindauer	Sherman
Aylesworth	Ellington	Lucas	Smaltz
Bacon	Engleman	Lyness	Soliday
Baird	Frye	Manning	Steuerwald
Barrett	Goodrich	May	Stutzman
Bartels	Gutwein	Mayfield	Sullivan
Behning	Heaton	McNamara	Thompson
Borders	Hostettler	Miller	Torr
Brown, T	Huston	Morrison	VanNatter
Burton	Jordan	Morris	Vermilion
Carbaugh	Karickhoff	Negele	Wesco
Cherry	Kirchhofer	Nisly	Young, J
Clere	Lauer	Prescott	Zent
Cook	Lehe	Pressel	Ziemke
Davisson	Lehman	Saunders	
DeVon	Leonard	Schaibley	

Excused - 7

Forestal	Macer	Speedy	Wolkins
Heine	Moed	Summers	

Not Voting - 3

Goodin	Judy	Mr. Speaker

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3:18:41 PM

Roll Call 231: Amendment Prevailed

SB 398 - Jordan - 2nd Reading

Various education matters.
Amendment #2 - Thompson

Yea	62
Nay	27
Excused	7
Not Voting	4

Presiding: Speaker

Yea - 62

Abbott	Ellington	Lindauer	Soliday
Aylesworth	Engleman	Lucas	Steuerwald
Bacon	Frye	Lyness	Stutzman
Barrett	Goodin	May	Sullivan
Behning	Goodrich	Mayfield	Thompson
Borders	Gutwein	McNamara	Torr
Brown, T	Heaton	Miller	VanNatter
Burton	Huston	Morris	Vermilion
Carbaugh	Jordan	Negele	Wesco
Cherry	Judy	Nisly	Wright
Clere	Karickhoff	Prescott	Young, J
Cook	Kirchhofer	Pressel	Zent
Davisson	Lauer	Saunders	Ziemke
DeVon	Lehe	Schaibley	Mr. Speaker
Dvorak	Lehman	Sherman	
Eberhart	Leonard	Smaltz	

Nay - 27

Austin	Candelaria Reardon	Hamilton	Pfaff
Bartels	Chyung	Harris	Pierce
Bartlett	Deal	Hatcher	Porter
Bauer	DeLaney	Hostettler	Pryor
Beck	Errington	Jackson	Shackleford
Boy	Fleming	Klinker	Smith, V
Campbell	GiaQuinta	Moseley	

Excused - 7

Forestal	Macer	Speedy	Wolkins
Heine	Moed	Summers	

Not Voting - 4

Baird	Hatfield	Manning	Morrison

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10:22:18 AM

Roll Call 233: Bill Passed

SB 25 - Frye - 3rd Reading

Mental health disability review panels

Yea	89
Nay	0
Excused	11
Not Voting	0

Presiding: Speaker

Yea - 89

Abbott	Deal	Karickhoff	Pressel
Austin	DeLaney	Kirchhofer	Pryor
Aylesworth	DeVon	Lauer	Schaibley
Bacon	Eberhart	Lehe	Shackleford
Baird	Ellington	Lehman	Sherman
Barrett	Engleman	Leonard	Smaltz
Bartels	Errington	Lindauer	Smith, V
Bartlett	Fleming	Lucas	Soliday
Bauer	Frye	Lyness	Steuerwald
Beck	GiaQuinta	Macer	Summers
Behning	Goodin	Manning	Thompson
Borders	Goodrich	May	Torr
Boy	Gutwein	Mayfield	VanNatter
Brown, T	Hamilton	McNamara	Vermilion
Burton	Harris	Miller	Wesco
Campbell	Hatcher	Moed	Wolkins
Candelaria Reardon	Hatfield	Morris	Young, J
Carbaugh	Heaton	Moseley	Zent
Cherry	Hostettler	Negele	Ziemke
Chyung	Huston	Nisly	Mr. Speaker
Clere	Jackson	Pfaff	
Cook	Jordan	Porter	
Davisson	Judy	Prescott	

Nay - 0

Excused - 11

Dvorak	Klinker	Saunders	Sullivan
Forestal	Morrison	Speedy	Wright
Heine	Pierce	Stutzman	

Not Voting - 0

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10:24:27 AM

Roll Call 234: Bill Passed

SB 206 - Torr - 3rd Reading

Deposition of a child victim

Yea	87
Nay	0
Excused	12
Not Voting	1

Presiding: Speaker

Yea - 87

Abbott	Davisson	Jordan	Pfaff
Austin	Deal	Judy	Porter
Aylesworth	DeLaney	Karickhoff	Prescott
Bacon	DeVon	Kirchhofer	Pressel
Baird	Eberhart	Lauer	Pryor
Barrett	Ellington	Lehe	Schaibley
Bartels	Engleman	Lehman	Shackleford
Bartlett	Errington	Leonard	Sherman
Bauer	Fleming	Lindauer	Smaltz
Beck	Frye	Lucas	Smith, V
Behning	GiaQuinta	Lyness	Soliday
Borders	Goodin	Macer	Steuerwald
Boy	Goodrich	Manning	Summers
Brown, T	Gutwein	May	Thompson
Burton	Hamilton	Mayfield	Torr
Campbell	Harris	McNamara	VanNatter
Candelaria Reardon	Hatcher	Miller	Vermilion
Carbaugh	Hatfield	Moed	Wesco
Cherry	Heaton	Morris	Wolkins
Chyung	Hostettler	Moseley	Zent
Clere	Huston	Negele	Ziemke
Cook	Jackson	Nisly	

Nay - 0

Excused - 12

Dvorak	Klinker	Saunders	Sullivan
Forestal	Morrison	Speedy	Wright
Heine	Pierce	Stutzman	Young, J

Not Voting - 1

Mr. Speaker

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10:26:37 AM

Roll Call 235: Bill Passed

SB 230 - Burton - 3rd Reading

Leasing of local unit property

Yea	87
Nay	0
Excused	12
Not Voting	1

Presiding: Speaker

Yea - 87

Abbott	Davisson	Jordan	Pfaff
Austin	Deal	Judy	Porter
Aylesworth	DeLaney	Karickhoff	Prescott
Bacon	DeVon	Kirchhofer	Pressel
Baird	Eberhart	Lauer	Pryor
Barrett	Ellington	Lehe	Schaibley
Bartels	Engleman	Lehman	Shackleford
Bartlett	Errington	Leonard	Sherman
Bauer	Fleming	Lindauer	Smaltz
Beck	Frye	Lucas	Smith, V
Behning	GiaQuinta	Lyness	Soliday
Borders	Goodin	Macer	Steuerwald
Boy	Goodrich	Manning	Summers
Brown, T	Gutwein	May	Thompson
Burton	Hamilton	Mayfield	Torr
Campbell	Harris	McNamara	VanNatter
Candelaria Reardon	Hatcher	Miller	Vermilion
Carbaugh	Hatfield	Moed	Wesco
Cherry	Heaton	Morris	Wolkins
Chyung	Hostettler	Moseley	Zent
Clere	Huston	Negele	Ziemke
Cook	Jackson	Nisly	

Nay - 0

Excused - 12

Dvorak	Klinker	Saunders	Sullivan
Forestal	Morrison	Speedy	Wright
Heine	Pierce	Stutzman	Young, J

Not Voting - 1

Mr. Speaker

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10:29:20 AM

Roll Call 236: Bill Passed

SB 254 - Soliday - 3rd Reading

Water and wastewater utilities

Yea	87
Nay	0
Excused	12
Not Voting	1

Presiding: Speaker

Yea - 87

Abbott	Davisson	Jordan	Pfaff
Austin	Deal	Judy	Porter
Aylesworth	DeLaney	Karickhoff	Prescott
Bacon	DeVon	Kirchhofer	Pressel
Baird	Eberhart	Lauer	Pryor
Barrett	Ellington	Lehe	Schaibley
Bartels	Engleman	Lehman	Shackleford
Bartlett	Errington	Leonard	Sherman
Bauer	Fleming	Lindauer	Smaltz
Beck	Frye	Lucas	Smith, V
Behning	GiaQuinta	Lyness	Soliday
Borders	Goodin	Macer	Steuerwald
Boy	Goodrich	Manning	Summers
Brown, T	Gutwein	May	Thompson
Burton	Hamilton	Mayfield	Torr
Campbell	Harris	McNamara	VanNatter
Candelaria Reardon	Hatcher	Miller	Vermilion
Carbaugh	Hatfield	Moed	Wesco
Cherry	Heaton	Morris	Wolkins
Chyung	Hostettler	Moseley	Zent
Clere	Huston	Negele	Ziemke
Cook	Jackson	Nisly	

Nay - 0

Excused - 12

Dvorak	Klinker	Saunders	Sullivan
Forestal	Morrison	Speedy	Wright
Heine	Pierce	Stutzman	Young, J

Not Voting - 1

Mr. Speaker

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10:33:49 AM

Roll Call 237: Bill Passed

SB 295 - Behning - 3rd Reading

Various education matters

Yea	88
Nay	0
Excused	11
Not Voting	1

Presiding: Speaker

Yea - 88

Abbott	Davisson	Jordan	Pfaff
Austin	Deal	Judy	Pierce
Aylesworth	DeLaney	Karickhoff	Porter
Bacon	DeVon	Kirchhofer	Prescott
Baird	Eberhart	Lauer	Pressel
Barrett	Ellington	Lehe	Pryor
Bartels	Engleman	Lehman	Schaibley
Bartlett	Errington	Leonard	Shackleford
Bauer	Fleming	Lindauer	Sherman
Beck	Frye	Lucas	Smaltz
Behning	GiaQuinta	Lyness	Smith, V
Borders	Goodin	Macer	Soliday
Boy	Goodrich	Manning	Steuerwald
Brown, T	Gutwein	May	Summers
Burton	Hamilton	Mayfield	Thompson
Campbell	Harris	McNamara	Torr
Candelaria Reardon	Hatcher	Miller	VanNatter
Carbaugh	Hatfield	Moed	Vermilion
Cherry	Heaton	Morris	Wesco
Chyung	Hostettler	Moseley	Wolkins
Clere	Huston	Negele	Zent
Cook	Jackson	Nisly	Ziemke

Nay - 0

Excused - 11

Dvorak	Klinker	Speedy	Wright
Forestal	Morrison	Stutzman	Young, J
Heine	Saunders	Sullivan	

Not Voting - 1

Mr. Speaker

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10:36:44 AM

Roll Call 238: Bill Passed

SB 343 - Manning - 3rd Reading

Rural communications cooperatives

Yea	87
Nay	0
Excused	12
Not Voting	1

Presiding: Speaker

Yea - 87

Abbott	Davisson	Judy	Pierce
Austin	Deal	Karickhoff	Porter
Aylesworth	DeLaney	Kirchhofer	Prescott
Bacon	DeVon	Lauer	Pressel
Baird	Eberhart	Lehe	Pryor
Barrett	Ellington	Lehman	Schaibley
Bartels	Engleman	Leonard	Shackleford
Bartlett	Errington	Lindauer	Sherman
Bauer	Fleming	Lucas	Smaltz
Beck	GiaQuinta	Lyness	Smith, V
Behning	Goodin	Macer	Soliday
Borders	Goodrich	Manning	Steuerwald
Boy	Gutwein	May	Summers
Brown, T	Hamilton	Mayfield	Thompson
Burton	Harris	McNamara	Torr
Campbell	Hatcher	Miller	VanNatter
Candelaria Reardon	Hatfield	Moed	Vermilion
Carbaugh	Heaton	Morris	Wesco
Cherry	Hostettler	Moseley	Wolkins
Chyung	Huston	Negele	Zent
Clere	Jackson	Nisly	Ziemke
Cook	Jordan	Pfaff	

Nay - 0

Excused - 12

Dvorak	Heine	Saunders	Sullivan
Forestal	Klinker	Speedy	Wright
Frye	Morrison	Stutzman	Young, J

Not Voting - 1

Mr. Speaker

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10:44:17 AM

Roll Call 239: Bill Passed

SB 346 - Behning - 3rd Reading

Students with disabilities

Yea	89
Nay	0
Excused	10
Not Voting	1

Presiding: Speaker

Yea - 89

Abbott	Deal	Karickhoff	Prescott
Austin	DeLaney	Kirchhofer	Pressel
Aylesworth	DeVon	Lauer	Pryor
Bacon	Eberhart	Lehe	Schaibley
Baird	Ellington	Lehman	Shackleford
Barrett	Engleman	Leonard	Sherman
Bartels	Errington	Lindauer	Smaltz
Bartlett	Fleming	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Summers
Borders	Goodrich	May	Thompson
Boy	Gutwein	Mayfield	Torr
Brown, T	Hamilton	McNamara	VanNatter
Burton	Harris	Miller	Vermilion
Campbell	Hatcher	Moed	Wesco
Candelaria Reardon	Hatfield	Morris	Young, J
Carbaugh	Heaton	Moseley	Zent
Cherry	Hostettler	Negele	Ziemke
Chyung	Huston	Nisly	Mr. Speaker
Clere	Jackson	Pfaff	
Cook	Jordan	Pierce	
Davisson	Judy	Porter	

Nay - 0

Excused - 10

Dvorak	Klinker	Speedy	Wright
Forestal	Morrison	Stutzman	
Heine	Saunders	Sullivan	

Not Voting - 1

Wolkins

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10:50:14 AM

Roll Call 240: Bill Passed

SB 398 - Jordan - 3rd Reading

Various education matters

Yea	80
Nay	8
Excused	11
Not Voting	1

Presiding: Speaker

Yea - 80

Abbott	DeLaney	Kirchhofer	Prescott
Austin	DeVon	Lauer	Pressel
Aylesworth	Eberhart	Lehe	Pryor
Bacon	Ellington	Leonard	Schaibley
Baird	Engleman	Lindauer	Shackleford
Barrett	Errington	Lucas	Sherman
Bartels	Fleming	Lyness	Smaltz
Bartlett	Frye	Macer	Smith, V
Bauer	GiaQuinta	Manning	Soliday
Behning	Goodin	May	Steuerwald
Borders	Goodrich	Mayfield	Summers
Boy	Gutwein	McNamara	Thompson
Brown, T	Hamilton	Miller	Torr
Burton	Harris	Moed	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Hostettler	Moseley	Wesco
Clere	Huston	Negele	Wolkins
Cook	Jordan	Nisly	Young, J
Davisson	Judy	Pierce	Zent
Deal	Karickhoff	Porter	Ziemke

Nay - 8

Beck	Candelaria Reardon	Hatcher	Jackson
Campbell	Chyung	Hatfield	Pfaff

Excused - 11

Dvorak	Klinker	Saunders	Sullivan
Forestal	Lehman	Speedy	Wright
Heine	Morrison	Stutzman	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:52:24 AM

Roll Call 241: Bill Passed

SB 406 - Bartels - 3rd Reading

Survivor benefits

Yea	89
Nay	0
Excused	10
Not Voting	1

Presiding: Speaker

Yea - 89

Abbott	Deal	Karickhoff	Prescott
Austin	DeLaney	Kirchhofer	Pressel
Aylesworth	DeVon	Lauer	Pryor
Bacon	Eberhart	Lehe	Schaibley
Baird	Ellington	Lehman	Shackleford
Barrett	Engleman	Leonard	Sherman
Bartels	Errington	Lindauer	Smaltz
Bartlett	Fleming	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Summers
Borders	Goodrich	May	Thompson
Boy	Gutwein	Mayfield	Torr
Brown, T	Hamilton	McNamara	VanNatter
Burton	Harris	Miller	Vermilion
Campbell	Hatcher	Moed	Wesco
Candelaria Reardon	Hatfield	Morris	Wolkins
Carbaugh	Heaton	Moseley	Young, J
Cherry	Hostettler	Negele	Zent
Chyung	Huston	Nisly	Ziemke
Clere	Jackson	Pfaff	
Cook	Jordan	Pierce	
Davisson	Judy	Porter	

Nay - 0

Excused - 10

Dvorak	Klinker	Speedy	Wright
Forestal	Morrison	Stutzman	
Heine	Saunders	Sullivan	

Not Voting - 1

Mr. Speaker

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10:56:21 AM

Roll Call 242: Bill Passed

SB 410 - Abbott D - 3rd Reading

Libraries

Yea	89
Nay	0
Excused	10
Not Voting	1

Presiding: Speaker

Yea - 89

Abbott	Deal	Karickhoff	Prescott
Austin	DeLaney	Kirchhofer	Pressel
Aylesworth	DeVon	Lauer	Pryor
Bacon	Eberhart	Lehe	Schaibley
Baird	Ellington	Lehman	Shackleford
Barrett	Engleman	Leonard	Sherman
Bartels	Errington	Lindauer	Smaltz
Bartlett	Fleming	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Summers
Borders	Goodrich	May	Thompson
Boy	Gutwein	Mayfield	Torr
Brown, T	Hamilton	McNamara	VanNatter
Burton	Harris	Miller	Vermilion
Campbell	Hatcher	Moed	Wesco
Candelaria Reardon	Hatfield	Morris	Wolkins
Carbaugh	Heaton	Moseley	Young, J
Cherry	Hostettler	Negele	Zent
Chyung	Huston	Nisly	Ziemke
Clere	Jackson	Pfaff	
Cook	Jordan	Pierce	
Davisson	Judy	Porter	

Nay - 0

Excused - 10

Dvorak	Klinker	Speedy	Wright
Forestal	Morrison	Stutzman	
Heine	Saunders	Sullivan	

Not Voting - 1

Mr. Speaker

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10:58:53 AM

Roll Call 243: Bill Passed

SB 427 - Zent - 3rd Reading

Provisional occupational license

Yea	89
Nay	0
Excused	10
Not Voting	1

Presiding: Speaker

Yea - 89

Abbott	Deal	Karickhoff	Prescott
Austin	DeLaney	Kirchhofer	Pressel
Aylesworth	DeVon	Lauer	Pryor
Bacon	Eberhart	Lehe	Schaibley
Baird	Ellington	Lehman	Shackleford
Barrett	Engleman	Leonard	Sherman
Bartels	Errington	Lindauer	Smaltz
Bartlett	Fleming	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Summers
Borders	Goodrich	May	Thompson
Boy	Gutwein	Mayfield	Torr
Brown, T	Hamilton	McNamara	VanNatter
Burton	Harris	Miller	Vermilion
Campbell	Hatcher	Moed	Wesco
Candelaria Reardon	Hatfield	Morris	Wolkins
Carbaugh	Heaton	Moseley	Young, J
Cherry	Hostettler	Negele	Zent
Chyung	Huston	Nisly	Ziemke
Clere	Jackson	Pfaff	
Cook	Jordan	Pierce	
Davisson	Judy	Porter	

Nay - 0

Excused - 10

Dvorak	Klinker	Speedy	Wright
Forestal	Morrison	Stutzman	
Heine	Saunders	Sullivan	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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3:12:08 PM

Roll Call 244: Amendment Prevailed

SB 178 - Wesco - 2nd Reading

Various election matters.
Amendment #1 - Wesco

Yea	84
Nay	9
Excused	7
Not Voting	0

Presiding: Speaker

Yea - 84

Abbott	DeLaney	Jordan	Pfaff
Austin	DeVon	Judy	Pierce
Aylesworth	Dvorak	Karickhoff	Porter
Bacon	Eberhart	Kirchhofer	Prescott
Baird	Ellington	Klinker	Pressel
Barrett	Engleman	Lauer	Pryor
Bartels	Errington	Lehe	Schaibley
Bauer	Fleming	Lehman	Sherman
Beck	Frye	Leonard	Smaltz
Behning	GiaQuinta	Lindauer	Soliday
Boy	Goodin	Lucas	Steuerwald
Brown, T	Goodrich	Macer	Sullivan
Burton	Gutwein	Manning	Summers
Campbell	Hamilton	May	Thompson
Candelaria Reardon	Harris	McNamara	Torr
Carbaugh	Hatcher	Miller	VanNatter
Cherry	Hatfield	Moed	Vermilion
Chyung	Heaton	Morrison	Wesco
Clere	Hostettler	Morris	Zent
Cook	Huston	Moseley	Ziemke
Deal	Jackson	Negele	Mr. Speaker

Nay - 9

Bartlett	Nisly	Smith, V	Wolkins
Borders	Shackleford	Stutzman	Young, J
Lyness			

Excused - 7

Davisson	Heine	Saunders	Wright
Forestal	Mayfield	Speedy	

Not Voting - 0

Indiana House of Representatives

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3:29:31 PM

Roll Call 245: Amendment Failed

SB 229 - Wolkins - 2nd Reading

Maintenance of regulated drains.
Amendment #5 - Errington

Yea	33
Nay	59
Excused	7
Not Voting	1

Presiding: Speaker

Yea - 33

Abbott	Chyung	Harris	Pierce
Austin	Deal	Hatcher	Porter
Bartlett	DeLaney	Hatfield	Pryor
Bauer	Dvorak	Jackson	Shackleford
Beck	Errington	Klinker	Smith, V
Borders	Fleming	Macer	Summers
Boy	GiaQuinta	Moed	
Campbell	Goodin	Moseley	
Candelaria Reardon	Hamilton	Pfaff	

Nay - 59

Aylesworth	Engleman	Lindauer	Smaltz
Bacon	Frye	Lucas	Soliday
Baird	Goodrich	Lyness	Steuerwald
Barrett	Gutwein	Manning	Stutzman
Bartels	Heaton	May	Sullivan
Behning	Hostettler	McNamara	Thompson
Brown, T	Huston	Miller	Torr
Burton	Jordan	Morrison	VanNatter
Carbaugh	Judy	Morris	Vermilion
Cherry	Karickhoff	Negele	Wesco
Clere	Kirchhofer	Nisly	Wolkins
Cook	Lauer	Prescott	Young, J
DeVon	Lehe	Pressel	Zent
Eberhart	Lehman	Schaibley	Ziemke
Ellington	Leonard	Sherman	

Excused - 7

Davisson	Heine	Saunders	Wright
Forestal	Mayfield	Speedy	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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3:32:23 PM

Roll Call 246: Amendment Prevailed

SB 241 - Lehman - 2nd Reading

Pharmacy benefit managers.
Amendment #4 - Austin

Yea	92
Nay	0
Excused	8
Not Voting	0

Presiding: Speaker

Yea - 92

Abbott	DeVon	Kirchhofer	Porter
Austin	Dvorak	Klinker	Prescott
Aylesworth	Eberhart	Lauer	Pressel
Bacon	Ellington	Lehe	Pryor
Baird	Engleman	Lehman	Schaibley
Barrett	Errington	Leonard	Shackleford
Bartels	Fleming	Lindauer	Sherman
Bartlett	Frye	Lucas	Smaltz
Bauer	GiaQuinta	Lyness	Smith, V
Beck	Goodin	Macer	Soliday
Behning	Goodrich	Manning	Steuerwald
Borders	Gutwein	May	Stutzman
Boy	Hamilton	Mayfield	Sullivan
Brown, T	Harris	McNamara	Summers
Burton	Hatcher	Miller	Thompson
Campbell	Hatfield	Moed	Torr
Carbaugh	Heaton	Morrison	VanNatter
Cherry	Hostettler	Morris	Vermilion
Chyung	Huston	Moseley	Wesco
Clere	Jackson	Negele	Young, J
Cook	Jordan	Nisly	Zent
Deal	Judy	Pfaff	Ziemke
DeLaney	Karickhoff	Pierce	Mr. Speaker

Nay - 0

Excused - 8

Candelaria Reardon	Forestal	Saunders	Wolkins
Davisson	Heine	Speedy	Wright

Not Voting - 0

Indiana House of Representatives

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3:36:12 PM

Roll Call 247: Amendment Prevailed

SB 241 - Lehman - 2nd Reading

Pharmacy benefit managers.
Amendment #3 - Austin

Yea	93
Nay	0
Excused	6
Not Voting	1

Presiding: Speaker

Yea - 93

Abbott	DeVon	Lauer	Pryor
Austin	Dvorak	Lehe	Schaibley
Aylesworth	Eberhart	Lehman	Shackleford
Bacon	Ellington	Leonard	Sherman
Baird	Engleman	Lindauer	Smaltz
Barrett	Errington	Lucas	Smith, V
Bartels	Fleming	Lyness	Soliday
Bartlett	Frye	Macer	Steuerwald
Bauer	GiaQuinta	Manning	Stutzman
Beck	Goodin	May	Sullivan
Behning	Goodrich	Mayfield	Summers
Borders	Gutwein	McNamara	Thompson
Boy	Hamilton	Miller	Torr
Brown, T	Harris	Moed	VanNatter
Burton	Hatfield	Morrison	Vermilion
Campbell	Heaton	Morris	Wesco
Candelaria Reardon	Hostettler	Moseley	Wolkins
Carbaugh	Huston	Negele	Young, J
Cherry	Jackson	Nisly	Zent
Chyung	Jordan	Pfaff	Ziemke
Clere	Judy	Pierce	Mr. Speaker
Cook	Karickhoff	Porter	
Deal	Kirchhofer	Prescott	
DeLaney	Klinker	Pressel	

Nay - 0

Excused - 6

Davisson	Heine	Saunders	Speedy
Forestal			Wright

Not Voting - 1

Hatcher

Indiana House of Representatives

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3:41:42 PM

Roll Call 248: Amendment Prevailed

SB 241 - Lehman - 2nd Reading

Pharmacy benefit managers.
Amendment #1 - Austin

Yea	94
Nay	0
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 94

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Eberhart	Lehe	Schaibley
Bacon	Ellington	Lehman	Shackleford
Baird	Engleman	Leonard	Sherman
Barrett	Errington	Lindauer	Smaltz
Bartels	Fleming	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Steuerwald
Beck	Goodin	Manning	Stutzman
Behning	Goodrich	May	Sullivan
Borders	Gutwein	Mayfield	Summers
Boy	Hamilton	McNamara	Thompson
Brown, T	Harris	Miller	Torr
Burton	Hatcher	Moed	VanNatter
Campbell	Hatfield	Morrison	Vermilion
Candelaria Reardon	Heaton	Morris	Wesco
Carbaugh	Hostettler	Moseley	Wolkins
Cherry	Huston	Negele	Young, J
Chyung	Jackson	Nisly	Zent
Clere	Jordan	Pfaff	Ziemke
Cook	Judy	Pierce	Mr. Speaker
Deal	Karickhoff	Porter	
DeLaney	Kirchhofer	Prescott	

Nay - 0

Excused - 6

Davisson	Heine	Saunders	Speedy
Forestal			Wright

Not Voting - 0

Indiana House of Representatives

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3:43:41 PM

Roll Call 249: Amendment Prevailed

SB 241 - Lehman - 2nd Reading

Pharmacy benefit managers.
Amendment #2 - Austin

Yea	94
Nay	0
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 94

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Eberhart	Lehe	Schaibley
Bacon	Ellington	Lehman	Shackleford
Baird	Engleman	Leonard	Sherman
Barrett	Errington	Lindauer	Smaltz
Bartels	Fleming	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Steuerwald
Beck	Goodin	Manning	Stutzman
Behning	Goodrich	May	Sullivan
Borders	Gutwein	Mayfield	Summers
Boy	Hamilton	McNamara	Thompson
Brown, T	Harris	Miller	Torr
Burton	Hatcher	Moed	VanNatter
Campbell	Hatfield	Morrison	Vermilion
Candelaria Reardon	Heaton	Morris	Wesco
Carbaugh	Hostettler	Moseley	Wolkins
Cherry	Huston	Negele	Young, J
Chyung	Jackson	Nisly	Zent
Clere	Jordan	Pfaff	Ziemke
Cook	Judy	Pierce	Mr. Speaker
Deal	Karickhoff	Porter	
DeLaney	Kirchhofer	Prescott	

Nay - 0

Excused - 6

Davisson	Heine	Saunders	Speedy
Forestal			Wright

Not Voting - 0

Indiana House of Representatives

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3:59:10 PM

Roll Call 250: Amendment Failed

SB 272 - Torr - 2nd Reading

Indiana economic development corporation.
Amendment #1 - Chyung

Yea	30
Nay	63
Excused	6
Not Voting	1

Presiding: Speaker

Yea - 30

Austin	Deal	Hatcher	Pierce
Bartlett	DeLaney	Hatfield	Porter
Bauer	Dvorak	Jackson	Pryor
Beck	Errington	Klinker	Shackleford
Boy	Fleming	Macer	Smith, V
Campbell	GiaQuinta	Moed	Summers
Candelaria Reardon	Hamilton	Moseley	
Chyung	Harris	Pfaff	

Nay - 63

Abbott	Ellington	Leonard	Smaltz
Aylesworth	Engleman	Lindauer	Soliday
Bacon	Frye	Lucas	Steuerwald
Baird	Goodin	Lyness	Stutzman
Barrett	Goodrich	Manning	Sullivan
Bartels	Gutwein	May	Thompson
Behning	Heaton	Mayfield	Torr
Borders	Hostettler	McNamara	VanNatter
Brown, T	Huston	Miller	Vermilion
Burton	Jordan	Morrison	Wesco
Carbaugh	Judy	Morris	Wolkins
Cherry	Karickhoff	Negele	Young, J
Clere	Kirchhofer	Nisly	Zent
Cook	Lauer	Pressel	Ziemke
DeVon	Lehe	Schaibley	Mr. Speaker
Eberhart	Lehman	Sherman	

Excused - 6

Davisson	Heine	Saunders	Speedy
Forestal			Wright

Not Voting - 1

Prescott

Indiana House of Representatives

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4:08:00 PM

Roll Call 251: The Ruling of the Chair is Sustained

SB 272 - Torr

Indiana economic development corporation.
Appeal of the Ruling of the Chair

Amendment #3 - Pryor

Yea	63
Nay	30
Excused	7
Not Voting	0

Presiding: Huston

Yea - 63

Abbott	Eberhart	Leonard	Sherman
Austin	Ellington	Lindauer	Smaltz
Aylesworth	Engleman	Lucas	Soliday
Bacon	Frye	Lyness	Steuerwald
Baird	Goodrich	Manning	Stutzman
Barrett	Gutwein	May	Sullivan
Bartels	Heaton	Mayfield	Thompson
Behning	Hostettler	McNamara	Torr
Borders	Huston	Miller	VanNatter
Brown, T	Jordan	Morrison	Vermilion
Burton	Judy	Morris	Wesco
Carbaugh	Karickhoff	Negele	Wolkins
Cherry	Kirchhofer	Nisly	Young, J
Clere	Lauer	Prescott	Zent
Cook	Lehe	Pressel	Ziemke
DeVon	Lehman	Schaibley	

Nay - 30

Bartlett	DeLaney	Hatcher	Pierce
Bauer	Dvorak	Hatfield	Porter
Beck	Errington	Jackson	Pryor
Boy	Fleming	Klinker	Shackleford
Campbell	GiaQuinta	Macer	Smith, V
Candelaria Reardon	Goodin	Moed	Summers
Chyung	Hamilton	Moseley	
Deal	Harris	Pfaff	

Excused - 7

Davisson	Heine	Speedy	Mr. Speaker
Forestal	Saunders	Wright	

Not Voting - 0

Indiana House of Representatives

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4:33:00 PM

Roll Call 252: Amendment Failed

SB 350 - Brown, T. - 2nd Reading

Central Indiana regional development authority.
Amendment #1 - Porter

Yea	31
Nay	61
Excused	6
Not Voting	2

Presiding: Speaker

Yea - 31

Austin	Deal	Harris	Pfaff
Bartlett	DeLaney	Hatcher	Pierce
Beck	Dvorak	Hatfield	Porter
Boy	Errington	Jackson	Pryor
Campbell	Fleming	Klinker	Shackleford
Candelaria Reardon	GiaQuinta	Macer	Smith, V
Chyung	Goodin	Moed	Summers
Clere	Hamilton	Moseley	

Nay - 61

Abbott	Engleman	Lucas	Soliday
Aylesworth	Frye	Lyness	Steuerwald
Bacon	Goodrich	Manning	Stutzman
Baird	Gutwein	May	Sullivan
Barrett	Heaton	Mayfield	Thompson
Bartels	Hostettler	McNamara	Torr
Behning	Huston	Miller	VanNatter
Borders	Jordan	Morrison	Vermilion
Brown, T	Judy	Morris	Wesco
Burton	Karickhoff	Negele	Wolkins
Carbaugh	Kirchhofer	Nisly	Young, J
Cherry	Lauer	Prescott	Zent
Cook	Lehe	Pressel	Ziemke
DeVon	Lehman	Schaibley	
Eberhart	Leonard	Sherman	
Ellington	Lindauer	Smaltz	

Excused - 6

Davisson	Heine	Saunders	Speedy
Forestal			Wright

Not Voting - 2

Bauer	Mr. Speaker

Indiana House of Representatives

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4:57:18 PM

Roll Call 253: Amendment Failed

SB 408 - Brown, T. - 2nd Reading

Various tax matters.
Amendment #1 - Hamilton

Yea	31
Nay	61
Excused	6
Not Voting	2

Presiding: Speaker

Yea - 31

Austin	Deal	Harris	Pfaff
Bartlett	DeLaney	Hatcher	Pierce
Bauer	Dvorak	Hatfield	Porter
Beck	Errington	Jackson	Pryor
Boy	Fleming	Klinker	Shackleford
Campbell	GiaQuinta	Macer	Smith, V
Candelaria Reardon	Goodin	Moed	Summers
Chyung	Hamilton	Moseley	

Nay - 61

Abbott	Ellington	Lindauer	Smaltz
Aylesworth	Engleman	Lucas	Soliday
Bacon	Frye	Lyness	Steuerwald
Baird	Goodrich	Manning	Stutzman
Barrett	Gutwein	May	Sullivan
Bartels	Heaton	Mayfield	Thompson
Behning	Hostettler	McNamara	Torr
Borders	Huston	Miller	VanNatter
Brown, T	Jordan	Morrison	Vermilion
Burton	Judy	Morris	Wesco
Carbaugh	Karickhoff	Negele	Wolkins
Cherry	Kirchhofer	Nisly	Young, J
Clere	Lauer	Prescott	Zent
Cook	Lehe	Pressel	
DeVon	Lehman	Schaibley	
Eberhart	Leonard	Sherman	

Excused - 6

Davisson	Heine	Saunders	Speedy
Forestal			Wright

Not Voting - 2

Ziemke	Mr. Speaker

Indiana House of Representatives

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4:59:28 PM

Roll Call 254: Amendment Prevailed

SB 408 - Brown, T. - 2nd Reading

Various tax matters.
Amendment #2 - Harris

Yea	92
Nay	0
Excused	6
Not Voting	2

Presiding: Speaker

Yea - 92

Abbott	DeVon	Kirchhofer	Porter
Austin	Dvorak	Klinker	Prescott
Aylesworth	Eberhart	Lauer	Pressel
Bacon	Ellington	Lehe	Pryor
Baird	Engleman	Lehman	Schaibley
Barrett	Errington	Leonard	Shackleford
Bartels	Fleming	Lindauer	Sherman
Bartlett	Frye	Lucas	Smaltz
Beck	GiaQuinta	Lyness	Smith, V
Behning	Goodin	Macer	Soliday
Borders	Goodrich	Manning	Steuerwald
Boy	Gutwein	May	Stutzman
Brown, T	Hamilton	Mayfield	Sullivan
Burton	Harris	McNamara	Summers
Campbell	Hatcher	Miller	Thompson
Candelaria Reardon	Hatfield	Moed	Torr
Carbaugh	Heaton	Morrison	VanNatter
Cherry	Hostettler	Morris	Vermilion
Chyung	Huston	Moseley	Wesco
Clere	Jackson	Negele	Wolkins
Cook	Jordan	Nisly	Young, J
Deal	Judy	Pfaff	Zent
DeLaney	Karickhoff	Pierce	Ziemke

Nay - 0

Excused - 6

Davisson	Heine	Saunders	Speedy
Forestal			Wright

Not Voting - 2

Bauer	Mr. Speaker

Indiana House of Representatives

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5:03:09 PM

Roll Call 255: Amendment Failed

SB 408 - Brown, T. - 2nd Reading

Various tax matters.
Amendment #4 - Porter

Yea	29
Nay	61
Excused	6
Not Voting	4

Presiding: Speaker

Yea - 29

Austin	Deal	Harris	Pierce
Bartlett	DeLaney	Hatfield	Porter
Bauer	Dvorak	Jackson	Pryor
Beck	Errington	Klinker	Smith, V
Boy	Fleming	Macer	Summers
Campbell	GiaQuinta	Moed	
Candelaria Reardon	Goodin	Moseley	
Chyung	Hamilton	Pfaff	

Nay - 61

Abbott	Ellington	Lindauer	Soliday
Aylesworth	Engleman	Lucas	Steuerwald
Bacon	Frye	Lyness	Stutzman
Baird	Goodrich	Manning	Sullivan
Barrett	Gutwein	May	Thompson
Bartels	Heaton	Mayfield	Torr
Behning	Hostettler	McNamara	VanNatter
Borders	Huston	Miller	Vermilion
Brown, T	Jordan	Morrison	Wesco
Burton	Judy	Morris	Wolkins
Carbaugh	Karickhoff	Negele	Young, J
Cherry	Kirchhofer	Nisly	Zent
Clere	Lauer	Prescott	Ziemke
Cook	Lehe	Schaibley	
DeVon	Lehman	Sherman	
Eberhart	Leonard	Smaltz	

Excused - 6

Davisson	Heine	Saunders	Speedy
Forestal			Wright

Not Voting - 4

Hatcher	Pressel	Shackleford	Mr. Speaker

Indiana House of Representatives

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5:09:08 PM

Roll Call 256: Amendment Failed

SB 408 - Brown, T. - 2nd Reading

Various tax matters.
Amendment #5 - Porter

Yea	30
Nay	62
Excused	7
Not Voting	1

Presiding: Speaker

Yea - 30

Austin	Deal	Harris	Pierce
Bartlett	DeLaney	Hatfield	Porter
Bauer	Dvorak	Jackson	Pryor
Beck	Errington	Klinker	Shackleford
Boy	Fleming	Macer	Smith, V
Campbell	GiaQuinta	Moed	Summers
Candelaria Reardon	Goodin	Moseley	
Chyung	Hamilton	Pfaff	

Nay - 62

Abbott	Ellington	Lindauer	Smaltz
Aylesworth	Engleman	Lucas	Soliday
Bacon	Frye	Lyness	Steuerwald
Baird	Goodrich	Manning	Stutzman
Barrett	Gutwein	May	Sullivan
Bartels	Heaton	Mayfield	Thompson
Behning	Hostettler	McNamara	Torr
Borders	Huston	Miller	VanNatter
Brown, T	Jordan	Morrison	Vermilion
Burton	Judy	Morris	Wesco
Carbaugh	Karickhoff	Negele	Wolkins
Cherry	Kirchhofer	Nisly	Young, J
Clere	Lauer	Prescott	Zent
Cook	Lehe	Pressel	Ziemke
DeVon	Lehman	Schaibley	
Eberhart	Leonard	Sherman	

Excused - 7

Davisson	Hatcher	Saunders	Wright
Forestal	Heine	Speedy	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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5:14:14 PM

Roll Call 257: Amendment Failed

SB 408 - Brown, T. - 2nd Reading

Various tax matters.
Amendment #8 - Porter

Yea	29
Nay	62
Excused	7
Not Voting	2

Presiding: Speaker

Yea - 29

Austin	DeLaney	Hatfield	Porter
Bartlett	Dvorak	Jackson	Pryor
Bauer	Errington	Klinker	Shackleford
Beck	Fleming	Macer	Smith, V
Boy	GiaQuinta	Moed	Summers
Campbell	Goodin	Moseley	
Chyung	Hamilton	Pfaff	
Deal	Harris	Pierce	

Nay - 62

Abbott	Ellington	Lindauer	Smaltz
Aylesworth	Engleman	Lucas	Soliday
Bacon	Frye	Lyness	Steuerwald
Baird	Goodrich	Manning	Stutzman
Barrett	Gutwein	May	Sullivan
Bartels	Heaton	Mayfield	Thompson
Behning	Hostettler	McNamara	Torr
Borders	Huston	Miller	VanNatter
Brown, T	Jordan	Morrison	Vermilion
Burton	Judy	Morris	Wesco
Carbaugh	Karickhoff	Negele	Wolkins
Cherry	Kirchhofer	Nisly	Young, J
Clere	Lauer	Prescott	Zent
Cook	Lehe	Pressel	Ziemke
DeVon	Lehman	Schaibley	
Eberhart	Leonard	Sherman	

Excused - 7

Davisson	Hatcher	Saunders	Wright
Forestal	Heine	Speedy	

Not Voting - 2

Candelaria Reardon	Mr. Speaker

Indiana House of Representatives

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5:25:37 PM

Roll Call 258: Amendment Failed

SB 409 - Lyness - 2nd Reading

Employment of minors.
Amendment #5 - Pryor

Yea	29
Nay	62
Excused	7
Not Voting	2

Presiding: Speaker

Yea - 29

Austin	Deal	Harris	Porter
Bartlett	DeLaney	Jackson	Pryor
Bauer	Dvorak	Klinker	Shackleford
Beck	Errington	Macer	Smith, V
Boy	Fleming	Moed	Summers
Campbell	GiaQuinta	Moseley	
Candelaria Reardon	Goodin	Pfaff	
Chyung	Hamilton	Pierce	

Nay - 62

Abbott	Ellington	Lindauer	Smaltz
Aylesworth	Engleman	Lucas	Soliday
Bacon	Frye	Lyness	Steuerwald
Baird	Goodrich	Manning	Stutzman
Barrett	Gutwein	May	Sullivan
Bartels	Heaton	Mayfield	Thompson
Behning	Hostettler	McNamara	Torr
Borders	Huston	Miller	VanNatter
Brown, T	Jordan	Morrison	Vermilion
Burton	Judy	Morris	Wesco
Carbaugh	Karickhoff	Negele	Wolkins
Cherry	Kirchhofer	Nisly	Young, J
Clere	Lauer	Prescott	Zent
Cook	Lehe	Pressel	Ziemke
DeVon	Lehman	Schaibley	
Eberhart	Leonard	Sherman	

Excused - 7

Davisson	Hatcher	Saunders	Wright
Forestal	Heine	Speedy	

Not Voting - 2

Hatfield	Mr. Speaker

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5:37:49 PM

Roll Call 259: Amendment Failed

SB 409 - Lyness - 2nd Reading

Employment of minors.
Amendment #8 - Errington

Yea	33
Nay	58
Excused	8
Not Voting	1

Presiding: Speaker

Yea - 33

Austin	Deal	Hatfield	Pierce
Bartlett	DeLaney	Jackson	Porter
Bauer	Dvorak	Kirchhofer	Pryor
Beck	Errington	Klinker	Shackleford
Boy	Fleming	Macer	Smith, V
Burton	GiaQuinta	Miller	Summers
Campbell	Goodin	Moed	
Candelaria Reardon	Hamilton	Moseley	
Chyung	Harris	Pfaff	

Nay - 58

Abbott	Engleman	Lucas	Soliday
Aylesworth	Frye	Lyness	Steuerwald
Bacon	Goodrich	Manning	Stutzman
Baird	Gutwein	May	Sullivan
Barrett	Heaton	Mayfield	Thompson
Bartels	Hostettler	McNamara	Torr
Behning	Huston	Morrison	VanNatter
Borders	Jordan	Morris	Vermilion
Brown, T	Judy	Negele	Wesco
Carbaugh	Karickhoff	Nisly	Wolkins
Cherry	Lauer	Prescott	Young, J
Clere	Lehe	Pressel	Zent
Cook	Lehman	Schaibley	Ziemke
Eberhart	Leonard	Sherman	
Ellington	Lindauer	Smaltz	

Excused - 8

Davisson	Forestal	Heine	Speedy
DeVon	Hatcher	Saunders	Wright

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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5:46:33 PM

Roll Call 260: Bill Passed

SB 179 - Sullivan - 3rd Reading

Election cybersecurity

Yea	90
Nay	2
Excused	7
Not Voting	1

Presiding: Speaker

Yea - 90

Abbott	DeLaney	Kirchhofer	Pressel
Austin	DeVon	Klinker	Pryor
Aylesworth	Dvorak	Lauer	Schaibley
Bacon	Eberhart	Lehe	Shackleford
Baird	Ellington	Lehman	Sherman
Barrett	Engleman	Leonard	Smaltz
Bartels	Errington	Lindauer	Smith, V
Bartlett	Fleming	Lucas	Soliday
Bauer	Frye	Lyness	Steuerwald
Beck	GiaQuinta	Macer	Stutzman
Behning	Goodin	Manning	Sullivan
Borders	Goodrich	May	Summers
Boy	Gutwein	Mayfield	Thompson
Brown, T	Hamilton	McNamara	Torr
Burton	Harris	Miller	VanNatter
Campbell	Hatfield	Moed	Vermilion
Candelaria Reardon	Heaton	Morrison	Wesco
Carbaugh	Hostettler	Morris	Wolkins
Cherry	Huston	Negele	Young, J
Chyung	Jackson	Pfaff	Zent
Clere	Jordan	Pierce	Ziemke
Cook	Judy	Porter	
Deal	Karickhoff	Prescott	

Nay - 2

Moseley	Nisly

Excused - 7

Davisson	Hatcher	Saunders	Wright
Forestal	Heine	Speedy	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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5:54:12 PM

Roll Call 261: Bill Passed

SB 334 - Wesco - 3rd Reading

Election matters

Yea	63
Nay	29
Excused	7
Not Voting	1

Presiding: Speaker

Yea - 63

Abbott	Ellington	Leonard	Sherman
Aylesworth	Engleman	Lindauer	Smaltz
Bacon	Frye	Lucas	Soliday
Baird	Goodin	Lyness	Steuerwald
Barrett	Goodrich	Manning	Stutzman
Bartels	Gutwein	May	Sullivan
Behning	Heaton	Mayfield	Thompson
Borders	Hostettler	McNamara	Torr
Brown, T	Huston	Miller	VanNatter
Burton	Jordan	Morrison	Vermilion
Carbaugh	Judy	Morris	Wesco
Cherry	Karickhoff	Negele	Wolkins
Clere	Kirchhofer	Nisly	Young, J
Cook	Lauer	Prescott	Zent
DeVon	Lehe	Pressel	Ziemke
Eberhart	Lehman	Schaibley	

Nay - 29

Austin	Deal	Hatfield	Porter
Bartlett	DeLaney	Jackson	Pryor
Bauer	Dvorak	Klinker	Shackleford
Beck	Errington	Macer	Smith, V
Boy	Fleming	Moed	Summers
Campbell	GiaQuinta	Moseley	
Candelaria Reardon	Hamilton	Pfaff	
Chyung	Harris	Pierce	

Excused - 7

Davisson	Hatcher	Saunders	Wright
Forestal	Heine	Speedy	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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6:08:18 PM

Roll Call 262: Bill Passed

SB 340 - Wolkins - 3rd Reading

Private property matters

Yea	62
Nay	31
Excused	7
Not Voting	0

Presiding: Speaker

Yea - 62

Abbott	Ellington	Lindauer	Soliday
Aylesworth	Engleman	Lucas	Steuerwald
Bacon	Frye	Lyness	Stutzman
Baird	Goodrich	Manning	Sullivan
Barrett	Gutwein	May	Thompson
Bartels	Heaton	Mayfield	Torr
Behning	Hostettler	McNamara	VanNatter
Borders	Huston	Miller	Vermilion
Brown, T	Jordan	Morrison	Wesco
Burton	Judy	Morris	Wolkins
Carbaugh	Karickhoff	Negele	Young, J
Cherry	Kirchhofer	Nisly	Zent
Clere	Lauer	Prescott	Ziemke
Cook	Lehe	Pressel	Mr. Speaker
DeVon	Lehman	Schaibley	
Eberhart	Leonard	Sherman	

Nay - 31

Austin	Deal	Harris	Pierce
Bartlett	DeLaney	Hatfield	Porter
Bauer	Dvorak	Jackson	Pryor
Beck	Errington	Klinker	Shackleford
Boy	Fleming	Macer	Smaltz
Campbell	GiaQuinta	Moed	Smith, V
Candelaria Reardon	Goodin	Moseley	Summers
Chyung	Hamilton	Pfaff	

Excused - 7

Davisson	Hatcher	Saunders	Wright
Forestal	Heine	Speedy	

Not Voting - 0

Indiana House of Representatives

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10:25:01 AM

Roll Call 264: Bill Passed

SB 1 - Kirchhofer - 3rd Reading

Tobacco and vaping smoking age

Yea	78
Nay	16
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 78

Abbott	Deal	Kirchhofer	Schaibley
Austin	DeLaney	Klinker	Shackleford
Aylesworth	DeVon	Lehe	Sherman
Bacon	Dvorak	Lehman	Smaltz
Baird	Engleman	Leonard	Smith, V
Barrett	Errington	Lyness	Soliday
Bauer	Fleming	Macer	Steuerwald
Beck	Frye	Manning	Stutzman
Behning	GiaQuinta	May	Sullivan
Borders	Goodin	McNamara	Summers
Boy	Goodrich	Miller	Thompson
Brown, T	Hamilton	Moed	Vermilion
Burton	Harris	Moseley	Wesco
Campbell	Hatcher	Negele	Wolkins
Candelaria Reardon	Hatfield	Pfaff	Wright
Cherry	Heaton	Pierce	Zent
Chyung	Huston	Prescott	Ziemke
Clere	Jackson	Pressel	Mr. Speaker
Cook	Jordan	Pryor	
Davisson	Karickhoff	Saunders	

Nay - 16

Bartlett	Gutwein	Lindauer	Morris
Carbaugh	Hostettler	Lucas	Nisly
Eberhart	Judy	Mayfield	VanNatter
Ellington	Lauer	Morrison	Young, J

Excused - 6

Bartels	Heine	Porter	Speedy
Forestal			Torr

Not Voting - 0

Indiana House of Representatives

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10:28:40 AM

Roll Call 265: Bill Passed

SB 4 - Kirchhofer - 3rd Reading

Health programs

Yea	82
Nay	12
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 82

Abbott	Deal	Judy	Pressel
Austin	DeLaney	Karickhoff	Pryor
Aylesworth	DeVon	Kirchhofer	Saunders
Bacon	Dvorak	Klinker	Schaibley
Baird	Eberhart	Lauer	Shackleford
Barrett	Engleman	Lehe	Sherman
Bartlett	Errington	Lehman	Smith, V
Bauer	Fleming	Leonard	Soliday
Beck	Frye	Lyness	Steuerwald
Behning	GiaQuinta	Macer	Sullivan
Borders	Goodin	Manning	Summers
Boy	Goodrich	May	Thompson
Brown, T	Gutwein	Mayfield	Vermilion
Burton	Hamilton	McNamara	Wesco
Campbell	Harris	Miller	Wolkins
Candelaria Reardon	Hatcher	Moed	Wright
Cherry	Hatfield	Moseley	Zent
Chyung	Heaton	Negele	Ziemke
Clere	Hostettler	Pfaff	Mr. Speaker
Cook	Huston	Pierce	
Davisson	Jackson	Prescott	

Nay - 12

Carbaugh	Lindauer	Morris	Stutzman
Ellington	Lucas	Nisly	VanNatter
Jordan	Morrison	Smaltz	Young, J

Excused - 6

Bartels	Heine	Porter	Speedy
Forestal			Torr

Not Voting - 0

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10:31:50 AM

Roll Call 266: Bill Passed

SB 5 - Schaibley - 3rd Reading

Health provider contracts

Yea	94
Nay	0
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 94

Abbott	DeVon	Klinker	Pryor
Austin	Dvorak	Lauer	Saunders
Aylesworth	Eberhart	Lehe	Schaibley
Bacon	Ellington	Lehman	Shackleford
Baird	Engleman	Leonard	Sherman
Barrett	Errington	Lindauer	Smaltz
Bartlett	Fleming	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Stutzman
Borders	Goodrich	May	Sullivan
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	VanNatter
Campbell	Hatcher	Moed	Vermilion
Candelaria Reardon	Hatfield	Morrison	Wesco
Carbaugh	Heaton	Morris	Wolkins
Cherry	Hostettler	Moseley	Wright
Chyung	Huston	Negele	Young, J
Clere	Jackson	Nisly	Zent
Cook	Jordan	Pfaff	Ziemke
Davisson	Judy	Pierce	Mr. Speaker
Deal	Karickhoff	Prescott	
DeLaney	Kirchhofer	Pressel	

Nay - 0

Excused - 6

Bartels	Heine	Porter	Speedy
Forestal			Torr

Not Voting - 0

Indiana House of Representatives

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10:34:27 AM

Roll Call 267: Bill Passed

SB 21 - Davisson - 3rd Reading

Out-of-state prescriptions

Yea	94
Nay	0
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 94

Abbott	DeVon	Klinker	Pryor
Austin	Dvorak	Lauer	Saunders
Aylesworth	Eberhart	Lehe	Schaibley
Bacon	Ellington	Lehman	Shackleford
Baird	Engleman	Leonard	Sherman
Barrett	Errington	Lindauer	Smaltz
Bartlett	Fleming	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Stutzman
Borders	Goodrich	May	Sullivan
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	VanNatter
Campbell	Hatcher	Moed	Vermilion
Candelaria Reardon	Hatfield	Morrison	Wesco
Carbaugh	Heaton	Morris	Wolkins
Cherry	Hostettler	Moseley	Wright
Chyung	Huston	Negele	Young, J
Clere	Jackson	Nisly	Zent
Cook	Jordan	Pfaff	Ziemke
Davisson	Judy	Pierce	Mr. Speaker
Deal	Karickhoff	Prescott	
DeLaney	Kirchhofer	Pressel	

Nay - 0

Excused - 6

Bartels	Heine	Porter	Speedy
Forestal			Torr

Not Voting - 0

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10:42:03 AM

Roll Call 268: Bill Passed

SB 47 - Young J - 3rd Reading

Expungement issues

Yea	88
Nay	5
Excused	6
Not Voting	1

Presiding: Speaker

Yea - 88

Abbott	Deal	Kirchhofer	Porter
Austin	DeLaney	Klinker	Prescott
Aylesworth	DeVon	Lauer	Pressel
Bacon	Ellington	Lehe	Pryor
Baird	Engleman	Lehman	Saunders
Barrett	Errington	Leonard	Schaibley
Bartlett	Fleming	Lindauer	Shackleford
Bauer	Frye	Lucas	Sherman
Beck	GiaQuinta	Lyness	Smaltz
Behning	Goodin	Macer	Smith, V
Borders	Goodrich	Manning	Soliday
Boy	Gutwein	May	Steuerwald
Brown, T	Hamilton	McNamara	Stutzman
Burton	Harris	Miller	Sullivan
Campbell	Hatfield	Moed	Thompson
Candelaria Reardon	Heaton	Morrison	Vermilion
Carbaugh	Hostettler	Morris	Wesco
Cherry	Huston	Moseley	Wolkins
Chyung	Jackson	Negele	Wright
Clere	Jordan	Nisly	Young, J
Cook	Judy	Pfaff	Zent
Davisson	Karickhoff	Pierce	Ziemke

Nay - 5

Dvorak	Hatcher	Mayfield	VanNatter
Eberhart			

Excused - 6

Bartels	Heine	Speedy	Summers
Forestal			Torr

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:43:40 AM

Roll Call 269: Bill Passed

SB 78 - Manning - 3rd Reading

Shovel ready site development center

Yea	93
Nay	0
Excused	6
Not Voting	1

Presiding: Speaker

Yea - 93

Abbott	Dvorak	Lauer	Pryor
Austin	Eberhart	Lehe	Saunders
Aylesworth	Ellington	Lehman	Schaibley
Bacon	Engleman	Leonard	Shackleford
Baird	Errington	Lindauer	Sherman
Barrett	Fleming	Lucas	Smaltz
Bartlett	Frye	Lyness	Smith, V
Bauer	GiaQuinta	Macer	Soliday
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	VanNatter
Candelaria Reardon	Hatfield	Morrison	Vermilion
Carbaugh	Heaton	Morris	Wesco
Cherry	Hostettler	Moseley	Wolkins
Chyung	Huston	Negele	Wright
Clere	Jackson	Nisly	Young, J
Cook	Jordan	Pfaff	Zent
Davisson	Judy	Pierce	Ziemke
Deal	Karickhoff	Porter	
DeLaney	Kirchhofer	Prescott	
DeVon	Klinker	Pressel	

Nay - 0

Excused - 6

Bartels	Forestal	Heine	Speedy
Campbell			Torr

Not Voting - 1

Mr. Speaker

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10:47:27 AM

Roll Call 270: Bill Passed

SB 100 - Miller - 3rd Reading

Nonconforming structures

Yea	74
Nay	19
Excused	6
Not Voting	1

Presiding: Speaker

Yea - 74

Abbott	DeVon	Kirchhofer	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Eberhart	Lehman	Saunders
Bacon	Ellington	Leonard	Schaibley
Baird	Engleman	Lindauer	Sherman
Barrett	Fleming	Lucas	Smaltz
Behning	Frye	Lyness	Soliday
Borders	Goodin	Manning	Steuerwald
Boy	Goodrich	May	Stutzman
Brown, T	Gutwein	Mayfield	Sullivan
Burton	Hamilton	McNamara	Thompson
Candelaria Reardon	Hatcher	Miller	VanNatter
Carbaugh	Hatfield	Moed	Vermilion
Cherry	Heaton	Morrison	Wesco
Chyung	Hostettler	Morris	Wolkins
Clere	Huston	Negele	Zent
Cook	Jordan	Nisly	Ziemke
Davisson	Judy	Pierce	
DeLaney	Karickhoff	Prescott	

Nay - 19

Bartlett	Errington	Macer	Smith, V
Bauer	Harris	Moseley	Summers
Beck	Jackson	Pfaff	Wright
Campbell	Klinker	Porter	Young, J
Deal	Lehe	Shackleford	

Excused - 6

Bartels	GiaQuinta	Heine	Speedy
Forestal			Torr

Not Voting - 1

Mr. Speaker

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10:51:10 AM

Roll Call 271: Bill Passed

SB 132 - Frye - 3rd Reading

Department of homeland security

Yea	94
Nay	0
Excused	5
Not Voting	1

Presiding: Speaker

Yea - 94

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Eberhart	Lehe	Saunders
Bacon	Ellington	Lehman	Schaibley
Baird	Engleman	Leonard	Shackleford
Barrett	Errington	Lindauer	Sherman
Bartlett	Fleming	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	VanNatter
Candelaria Reardon	Hatfield	Morrison	Vermilion
Carbaugh	Heaton	Morris	Wesco
Cherry	Hostettler	Moseley	Wolkins
Chyung	Huston	Negele	Wright
Clere	Jackson	Nisly	Young, J
Cook	Jordan	Pfaff	Zent
Davisson	Judy	Pierce	Ziemke
Deal	Karickhoff	Porter	
DeLaney	Kirchhofer	Prescott	

Nay - 0

Excused - 5

Bartels	Heine	Speedy	Torr
Forestal			

Not Voting - 1

Mr. Speaker

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10:54:30 AM

Roll Call 272: Bill Passed

SB 146 - Schaibley - 3rd Reading

Sexual assault victims' rights

Yea	95
Nay	0
Excused	5
Not Voting	0

Presiding: Speaker

Yea - 95

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Eberhart	Lehe	Saunders
Bacon	Ellington	Lehman	Schaibley
Baird	Engleman	Leonard	Shackleford
Barrett	Errington	Lindauer	Sherman
Bartlett	Fleming	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	VanNatter
Candelaria Reardon	Hatfield	Morrison	Vermilion
Carbaugh	Heaton	Morris	Wesco
Cherry	Hostettler	Moseley	Wolkins
Chyung	Huston	Negele	Wright
Clere	Jackson	Nisly	Young, J
Cook	Jordan	Pfaff	Zent
Davisson	Judy	Pierce	Ziemke
Deal	Karickhoff	Porter	Mr. Speaker
DeLaney	Kirchhofer	Prescott	

Nay - 0

Excused - 5

Bartels	Heine	Speedy	Torr
Forestal			

Not Voting - 0

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11:05:46 AM

Roll Call 273: Bill Passed

SB 148 - Miller - 3rd Reading

Zoning and manufactured homes

Yea	92
Nay	3
Excused	4
Not Voting	1

Presiding: Speaker

Yea - 92

Abbott	DeVon	Klinker	Pressel
Austin	Eberhart	Lauer	Pryor
Aylesworth	Ellington	Lehe	Saunders
Bacon	Engleman	Lehman	Schaibley
Baird	Errington	Leonard	Shackleford
Barrett	Fleming	Lindauer	Sherman
Bartlett	Frye	Lucas	Smaltz
Bauer	GiaQuinta	Lyness	Smith, V
Beck	Goodin	Macer	Soliday
Behning	Goodrich	Manning	Steuerwald
Borders	Gutwein	May	Stutzman
Boy	Hamilton	Mayfield	Sullivan
Brown, T	Harris	McNamara	Summers
Burton	Hatcher	Miller	Thompson
Campbell	Hatfield	Moed	Torr
Candelaria Reardon	Heaton	Morrison	VanNatter
Carbaugh	Hostettler	Morris	Vermilion
Cherry	Huston	Negele	Wesco
Chyung	Jackson	Nisly	Wolkins
Clere	Jordan	Pfaff	Wright
Cook	Judy	Pierce	Young, J
Davisson	Karickhoff	Porter	Zent
DeLaney	Kirchhofer	Prescott	Ziemke

Nay - 3

Deal	Dvorak	Moseley

Excused - 4

Bartels	Forestal	Heine	Speedy

Not Voting - 1

Mr. Speaker

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11:07:53 AM

Roll Call 274: Bill Passed

SB 177 - Manning - 3rd Reading

Administration of the broadband ready program

Yea	92
Nay	0
Excused	6
Not Voting	2

Presiding: Speaker

Yea - 92

Abbott	DeLaney	Kirchhofer	Prescott
Austin	DeVon	Klinker	Pressel
Aylesworth	Dvorak	Lauer	Pryor
Bacon	Eberhart	Lehe	Saunders
Baird	Ellington	Lehman	Schaibley
Barrett	Engleman	Leonard	Shackleford
Bartlett	Errington	Lindauer	Sherman
Bauer	Fleming	Lucas	Smaltz
Beck	GiaQuinta	Lyness	Smith, V
Behning	Goodin	Macer	Soliday
Borders	Goodrich	Manning	Steuerwald
Boy	Gutwein	May	Stutzman
Brown, T	Hamilton	Mayfield	Summers
Burton	Harris	McNamara	Thompson
Campbell	Hatcher	Miller	Torr
Candelaria Reardon	Hatfield	Moed	VanNatter
Carbaugh	Heaton	Morrison	Vermilion
Cherry	Hostettler	Morris	Wesco
Chyung	Huston	Negele	Wolkins
Clere	Jackson	Nisly	Wright
Cook	Jordan	Pfaff	Young, J
Davisson	Judy	Pierce	Zent
Deal	Karickhoff	Porter	Ziemke

Nay - 0

Excused - 6

Bartels	Frye	Heine	Speedy
Forestal			Sullivan

Not Voting - 2

Moseley	Mr. Speaker

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11:20:28 AM

Roll Call 275: Bill Passed

SB 184 - Manning - 3rd Reading

Nonprofit agricultural organization coverage

Yea	94
Nay	2
Excused	4
Not Voting	0

Presiding: Speaker

Yea - 94

Abbott	Eberhart	Lehe	Saunders
Austin	Ellington	Lehman	Schaibley
Aylesworth	Engleman	Leonard	Shackleford
Bacon	Errington	Lindauer	Sherman
Baird	Fleming	Lucas	Smaltz
Barrett	Frye	Lyness	Smith, V
Bauer	GiaQuinta	Macer	Soliday
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Moed	Torr
Campbell	Hatfield	Morrison	VanNatter
Candelaria Reardon	Heaton	Morris	Vermilion
Carbaugh	Hostettler	Moseley	Wesco
Cherry	Huston	Negele	Wolkins
Chyung	Jackson	Nisly	Wright
Clere	Jordan	Pfaff	Young, J
Cook	Judy	Pierce	Zent
Davisson	Karickhoff	Porter	Ziemke
Deal	Kirchhofer	Prescott	Mr. Speaker
DeLaney	Klinker	Pressel	
DeVon	Lauer	Pryor	

Nay - 2

Bartlett	Dvorak

Excused - 4

Bartels	Forestal	Heine	Speedy

Not Voting - 0

Indiana House of Representatives

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11:23:00 AM

Roll Call 276: Bill Passed

SB 190 - Thompson - 3rd Reading

Controlled projects

Yea	94
Nay	0
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 94

Abbott	DeVon	Klinker	Pryor
Austin	Dvorak	Lauer	Saunders
Aylesworth	Eberhart	Lehe	Schaibley
Bacon	Ellington	Lehman	Shackleford
Baird	Engleman	Leonard	Sherman
Barrett	Errington	Lindauer	Smaltz
Bartlett	Fleming	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Stutzman
Borders	Goodrich	May	Sullivan
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	VanNatter
Candelaria Reardon	Hatfield	Morrison	Vermilion
Carbaugh	Heaton	Morris	Wesco
Cherry	Hostettler	Moseley	Wolkins
Chyung	Huston	Negele	Wright
Clere	Jackson	Pfaff	Young, J
Cook	Jordan	Pierce	Zent
Davisson	Judy	Porter	Ziemke
Deal	Karickhoff	Prescott	
DeLaney	Kirchhofer	Pressel	

Nay - 0

Excused - 4

Bartels	Forestal	Heine	Speedy

Not Voting - 2

Nisly	Mr. Speaker

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11:24:45 AM

Roll Call 277: Bill Passed

SB 209 - McNamara - 3rd Reading

Search warrants

Yea	94
Nay	0
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 94

Abbott	DeVon	Klinker	Pryor
Austin	Dvorak	Lauer	Saunders
Aylesworth	Eberhart	Lehe	Schaibley
Bacon	Ellington	Lehman	Shackleford
Baird	Engleman	Leonard	Sherman
Barrett	Errington	Lindauer	Smaltz
Bartlett	Fleming	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Stutzman
Borders	Goodrich	May	Sullivan
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	VanNatter
Candelaria Reardon	Hatfield	Morrison	Vermilion
Carbaugh	Heaton	Morris	Wesco
Cherry	Hostettler	Moseley	Wolkins
Chyung	Huston	Negele	Wright
Clere	Jackson	Pfaff	Young, J
Cook	Jordan	Pierce	Zent
Davisson	Judy	Porter	Ziemke
Deal	Karickhoff	Prescott	
DeLaney	Kirchhofer	Pressel	

Nay - 0

Excused - 4

Bartels	Forestal	Heine	Speedy

Not Voting - 2

Nisly	Mr. Speaker

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11:27:11 AM

Roll Call 278: Bill Passed

SB 216 - Burton - 3rd Reading

Disclosure of personal information to offender

Yea	94
Nay	0
Excused	4
Not Voting	2

Presiding: Speaker

Yea - 94

Abbott	DeVon	Klinker	Pryor
Austin	Dvorak	Lauer	Saunders
Aylesworth	Eberhart	Lehe	Schaibley
Bacon	Ellington	Lehman	Shackleford
Baird	Engleman	Leonard	Sherman
Barrett	Errington	Lindauer	Smaltz
Bartlett	Fleming	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Stutzman
Borders	Goodrich	May	Sullivan
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	VanNatter
Candelaria Reardon	Hatfield	Morrison	Vermilion
Carbaugh	Heaton	Morris	Wesco
Cherry	Hostettler	Moseley	Wolkins
Chyung	Huston	Negele	Wright
Clere	Jackson	Pfaff	Young, J
Cook	Jordan	Pierce	Zent
Davisson	Judy	Porter	Ziemke
Deal	Karickhoff	Prescott	
DeLaney	Kirchhofer	Pressel	

Nay - 0

Excused - 4

Bartels	Forestal	Heine	Speedy

Not Voting - 2

Nisly	Mr. Speaker

Indiana House of Representatives

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1:52:41 PM

Roll Call 280: Bill Passed

SB 257 - Soliday - 3rd Reading

Aviation safety

Yea	80
Nay	0
Excused	6
Not Voting	14

Presiding: Speaker

Yea - 80

Abbott	DeLaney	Kirchhofer	Pressel
Austin	DeVon	Klinker	Schaibley
Aylesworth	Ellington	Lauer	Shackleford
Bacon	Engleman	Lehe	Sherman
Baird	Errington	Leonard	Smaltz
Barrett	Fleming	Lindauer	Smith, V
Bartlett	Frye	Lucas	Soliday
Bauer	GiaQuinta	Lyness	Steuerwald
Beck	Goodin	Manning	Stutzman
Behning	Goodrich	May	Sullivan
Borders	Gutwein	Mayfield	Summers
Boy	Hamilton	McNamara	Thompson
Brown, T	Hatcher	Miller	Torr
Burton	Hatfield	Morrison	VanNatter
Campbell	Heaton	Morris	Vermilion
Chyung	Hostettler	Moseley	Wesco
Clere	Huston	Nisly	Wright
Cook	Jordan	Pfaff	Young, J
Davisson	Judy	Pierce	Zent
Deal	Karickhoff	Prescott	Ziemke

Nay - 0

Excused - 6

Bartels	Forestal	Heine	Lehman
Carbaugh			Speedy

Not Voting - 14

Candelaria Reardon	Harris	Negele	Wolkins
Cherry	Jackson	Porter	Mr. Speaker
Dvorak	Macer	Pryor	
Eberhart	Moed	Saunders	

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1:54:39 PM

Roll Call 281: Bill Passed

SB 267 - Pressel - 3rd Reading

Administration of 211 services

Yea	84
Nay	0
Excused	6
Not Voting	10

Presiding: Speaker

Yea - 84

Abbott	Eberhart	Klinker	Pressel
Austin	Ellington	Lauer	Pryor
Aylesworth	Engleman	Lehe	Schaibley
Bacon	Errington	Leonard	Shackleford
Baird	Fleming	Lindauer	Sherman
Bartlett	Frye	Lucas	Smaltz
Bauer	GiaQuinta	Lyness	Smith, V
Beck	Goodin	Macer	Soliday
Behning	Goodrich	Manning	Steuerwald
Borders	Gutwein	May	Stutzman
Boy	Hamilton	Mayfield	Sullivan
Brown, T	Hatcher	McNamara	Summers
Burton	Hatfield	Miller	Thompson
Campbell	Heaton	Morrison	Torr
Chyung	Hostettler	Morris	VanNatter
Clere	Huston	Moseley	Vermilion
Cook	Jackson	Negele	Wesco
Davisson	Jordan	Nisly	Wright
Deal	Judy	Pfaff	Young, J
DeLaney	Karickhoff	Pierce	Zent
DeVon	Kirchhofer	Prescott	Ziemke

Nay - 0

Excused - 6

Bartels	Forestal	Heine	Lehman
Carbaugh			Speedy

Not Voting - 10

Barrett	Dvorak	Porter	Mr. Speaker
Candelaria Reardon	Harris	Saunders	
Cherry	Moed	Wolkins	

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1:56:45 PM

Roll Call 282: Bill Passed

SB 331 - Judy - 3rd Reading

National guard license plates

Yea	86
Nay	0
Excused	13
Not Voting	1

Presiding: Speaker

Yea - 86

Abbott	Dvorak	Lauer	Saunders
Austin	Eberhart	Lehe	Schaibley
Aylesworth	Ellington	Leonard	Shackleford
Bacon	Engleman	Lindauer	Sherman
Baird	Errington	Lucas	Smaltz
Bartlett	Fleming	Lyness	Smith, V
Bauer	Frye	Macer	Soliday
Beck	GiaQuinta	Manning	Steuerwald
Behning	Goodin	May	Stutzman
Borders	Goodrich	Mayfield	Sullivan
Boy	Gutwein	McNamara	Summers
Brown, T	Hamilton	Miller	Thompson
Burton	Hatcher	Morrison	Torr
Campbell	Hatfield	Morris	VanNatter
Cherry	Heaton	Moseley	Vermilion
Chyung	Hostettler	Negele	Wesco
Clere	Huston	Nisly	Wright
Cook	Jordan	Pfaff	Young, J
Davisson	Judy	Pierce	Zent
Deal	Karickhoff	Prescott	Ziemke
DeLaney	Kirchhofer	Pressel	
DeVon	Klinker	Pryor	

Nay - 0

Excused - 13

Barrett	Forestal	Lehman	Wolkins
Bartels	Harris	Moed	
Candelaria Reardon	Heine	Porter	
Carbaugh	Jackson	Speedy	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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1:59:11 PM

Roll Call 283: Bill Passed

SB 256 - McNamara - 3rd Reading

Courts and judicial officers

Yea	91
Nay	0
Excused	8
Not Voting	1

Presiding: Speaker

Yea - 91

Abbott	DeVon	Lauer	Pressel
Austin	Dvorak	Lehe	Pryor
Aylesworth	Eberhart	Lehman	Saunders
Bacon	Ellington	Leonard	Schaibley
Baird	Engleman	Lindauer	Shackleford
Bartlett	Errington	Lucas	Sherman
Bauer	Fleming	Lyness	Smaltz
Beck	Frye	Macer	Smith, V
Behning	GiaQuinta	Manning	Soliday
Borders	Goodin	May	Steuerwald
Boy	Goodrich	Mayfield	Stutzman
Brown, T	Gutwein	McNamara	Sullivan
Burton	Hamilton	Miller	Summers
Campbell	Hatcher	Moed	Thompson
Candelaria Reardon	Hatfield	Morrison	Torr
Carbaugh	Heaton	Morris	VanNatter
Cherry	Hostettler	Moseley	Vermilion
Chyung	Huston	Negele	Wesco
Clere	Jordan	Nisly	Wright
Cook	Judy	Pfaff	Young, J
Davisson	Karickhoff	Pierce	Zent
Deal	Kirchhofer	Porter	Ziemke
DeLaney	Klinker	Prescott	

Nay - 0

Excused - 8

Barrett	Forestal	Heine	Speedy
Bartels	Harris	Jackson	Wolkins

Not Voting - 1

Mr. Speaker

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2:07:52 PM

Roll Call 284: Bill Passed

SB 289 - Lindauer - 3rd Reading

Family and juvenile law matters

Yea	94
Nay	0
Excused	5
Not Voting	1

Presiding: Speaker

Yea - 94

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Eberhart	Lehe	Saunders
Bacon	Ellington	Lehman	Schaibley
Baird	Engleman	Leonard	Shackleford
Barrett	Errington	Lindauer	Sherman
Bartlett	Fleming	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Hostettler	Moseley	Wesco
Chyung	Huston	Negele	Wright
Clere	Jackson	Nisly	Young, J
Cook	Jordan	Pfaff	Zent
Davisson	Judy	Pierce	Ziemke
Deal	Karickhoff	Porter	
DeLaney	Kirchhofer	Prescott	

Nay - 0

Excused - 5

Bartels	Heine	Speedy	Wolkins
Forestal			

Not Voting - 1

Mr. Speaker

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2:12:26 PM

Roll Call 285: Bill Passed

SB 178 - Wesco - 3rd Reading

Various election matters

Yea	83
Nay	13
Excused	4
Not Voting	0

Presiding: Speaker

Yea - 83

Abbott	DeLaney	Judy	Pfaff
Austin	DeVon	Karickhoff	Pierce
Aylesworth	Dvorak	Kirchhofer	Prescott
Bacon	Eberhart	Klinker	Pressel
Baird	Ellington	Lauer	Saunders
Barrett	Engleman	Lehe	Schaibley
Bauer	Errington	Lehman	Sherman
Beck	Fleming	Leonard	Smaltz
Behning	Frye	Lindauer	Soliday
Boy	GiaQuinta	Lucas	Steuerwald
Brown, T	Goodin	Macer	Sullivan
Burton	Goodrich	Manning	Thompson
Campbell	Gutwein	May	Torr
Candelaria Reardon	Hamilton	Mayfield	VanNatter
Carbaugh	Harris	McNamara	Vermilion
Cherry	Hatfield	Miller	Wesco
Chyung	Heaton	Moed	Wright
Clere	Hostettler	Morrison	Zent
Cook	Huston	Morris	Ziemke
Davisson	Jackson	Moseley	Mr. Speaker
Deal	Jordan	Negele	

Nay - 13

Bartlett	Nisly	Smith, V	Young, J
Borders	Porter	Stutzman	
Hatcher	Pryor	Summers	
Lyness	Shackleford	Wolkins	

Excused - 4

Bartels	Forestal	Heine	Speedy

Not Voting - 0

Indiana House of Representatives

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2:25:39 PM

Roll Call 286: Bill Passed

SB 229 - Wolkins - 3rd Reading

Maintenance of regulated drains

Yea	58
Nay	37
Excused	4
Not Voting	1

Presiding: Speaker

Yea - 58

Aylesworth	Ellington	Leonard	Sherman
Bacon	Engleman	Lindauer	Smaltz
Baird	Frye	Lucas	Soliday
Barrett	Goodrich	Lyness	Steuerwald
Behning	Gutwein	Manning	Stutzman
Brown, T	Heaton	May	Thompson
Burton	Hostettler	Mayfield	Torr
Campbell	Huston	McNamara	VanNatter
Carbaugh	Jordan	Miller	Vermilion
Cherry	Judy	Morrison	Wesco
Clere	Karickhoff	Morris	Wolkins
Cook	Kirchhofer	Nisly	Young, J
Davisson	Lauer	Prescott	Zent
DeVon	Lehe	Pressel	
Eberhart	Lehman	Schaibley	

Nay - 37

Abbott	DeLaney	Jackson	Saunders
Austin	Dvorak	Klinker	Shackleford
Bartlett	Errington	Macer	Smith, V
Bauer	Fleming	Moed	Sullivan
Beck	GiaQuinta	Moseley	Summers
Borders	Goodin	Negele	Wright
Boy	Hamilton	Pfaff	Ziemke
Candelaria Reardon	Harris	Pierce	
Chyung	Hatcher	Porter	
Deal	Hatfield	Pryor	

Excused - 4

Bartels	Forestal	Heine	Speedy

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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2:31:32 PM

Roll Call 287: Bill Passed

SB 241 - Lehman - 3rd Reading

Pharmacy benefit managers

Yea	96
Nay	0
Excused	4
Not Voting	0

Presiding: Speaker

Yea - 96

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Eberhart	Lehe	Saunders
Bacon	Ellington	Lehman	Schaibley
Baird	Engleman	Leonard	Shackleford
Barrett	Errington	Lindauer	Sherman
Bartlett	Fleming	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Hostettler	Moseley	Wesco
Chyung	Huston	Negele	Wolkins
Clere	Jackson	Nisly	Wright
Cook	Jordan	Pfaff	Young, J
Davisson	Judy	Pierce	Zent
Deal	Karickhoff	Porter	Ziemke
DeLaney	Kirchhofer	Prescott	Mr. Speaker

Nay - 0

Excused - 4

Bartels	Forestal	Heine	Speedy

Not Voting - 0

Indiana House of Representatives

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2:34:09 PM

Roll Call 288: Bill Passed

SB 243 - Lehman - 3rd Reading

Physician noncompete agreements

Yea	96
Nay	0
Excused	4
Not Voting	0

Presiding: Speaker

Yea - 96

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Eberhart	Lehe	Saunders
Bacon	Ellington	Lehman	Schaibley
Baird	Engleman	Leonard	Shackleford
Barrett	Errington	Lindauer	Sherman
Bartlett	Fleming	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Hostettler	Moseley	Wesco
Chyung	Huston	Negele	Wolkins
Clere	Jackson	Nisly	Wright
Cook	Jordan	Pfaff	Young, J
Davisson	Judy	Pierce	Zent
Deal	Karickhoff	Porter	Ziemke
DeLaney	Kirchhofer	Prescott	Mr. Speaker

Nay - 0

Excused - 4

Bartels	Forestal	Heine	Speedy

Not Voting - 0

Indiana House of Representatives

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2:37:01 PM

Roll Call 289: Bill Passed

SB 272 - Torr - 3rd Reading

Indiana economic development corporation

Yea	95
Nay	0
Excused	4
Not Voting	1

Presiding: Speaker

Yea - 95

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Eberhart	Lehe	Saunders
Bacon	Ellington	Lehman	Schaibley
Baird	Engleman	Leonard	Shackleford
Barrett	Errington	Lindauer	Sherman
Bartlett	Fleming	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Hostettler	Moseley	Wesco
Chyung	Huston	Negele	Wolkins
Clere	Jackson	Nisly	Wright
Cook	Jordan	Pfaff	Young, J
Davisson	Judy	Pierce	Zent
Deal	Karickhoff	Porter	Ziemke
DeLaney	Kirchhofer	Prescott	

Nay - 0

Excused - 4

Bartels	Forestal	Heine	Speedy

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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2:38:44 PM

Roll Call 290: Bill Passed

SB 319 - Jordan - 3rd Reading

Practitioner or accomplished practitioner license

Yea	96
Nay	0
Excused	4
Not Voting	0

Presiding: Speaker

Yea - 96

Abbott	DeVon	Klinker	Pressel
Austin	Dvorak	Lauer	Pryor
Aylesworth	Eberhart	Lehe	Saunders
Bacon	Ellington	Lehman	Schaibley
Baird	Engleman	Leonard	Shackleford
Barrett	Errington	Lindauer	Sherman
Bartlett	Fleming	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Stutzman
Boy	Gutwein	Mayfield	Sullivan
Brown, T	Hamilton	McNamara	Summers
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Hostettler	Moseley	Wesco
Chyung	Huston	Negele	Wolkins
Clere	Jackson	Nisly	Wright
Cook	Jordan	Pfaff	Young, J
Davisson	Judy	Pierce	Zent
Deal	Karickhoff	Porter	Ziemke
DeLaney	Kirchhofer	Prescott	Mr. Speaker

Nay - 0

Excused - 4

Bartels	Forestal	Heine	Speedy

Not Voting - 0

Indiana House of Representatives

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2:51:26 PM

Roll Call 291: Bill Passed

SB 335 - McNamara - 3rd Reading

Criminal law issues

Yea	84
Nay	11
Excused	5
Not Voting	0

Presiding: Speaker

Yea - 84

Abbott	DeVon	Klinker	Prescott
Austin	Dvorak	Lauer	Pressel
Aylesworth	Eberhart	Lehe	Saunders
Bacon	Ellington	Lehman	Schaibley
Baird	Engleman	Leonard	Sherman
Barrett	Errington	Lindauer	Smaltz
Bauer	Fleming	Lucas	Soliday
Beck	Frye	Lyness	Steuerwald
Behning	GiaQuinta	Macer	Stutzman
Borders	Goodin	Manning	Sullivan
Boy	Goodrich	May	Thompson
Brown, T	Gutwein	Mayfield	Torr
Burton	Hamilton	McNamara	VanNatter
Campbell	Hatfield	Miller	Vermilion
Candelaria Reardon	Heaton	Moed	Wesco
Carbaugh	Hostettler	Morrison	Wolkins
Cherry	Huston	Morris	Wright
Clere	Jordan	Moseley	Young, J
Cook	Judy	Negele	Zent
Deal	Karickhoff	Pfaff	Ziemke
DeLaney	Kirchhofer	Pierce	Mr. Speaker

Nay - 11

Bartlett	Hatcher	Porter	Smith, V
Chyung	Jackson	Pryor	Summers
Harris	Nisly	Shackleford	

Excused - 5

Bartels	Forestal	Heine	Speedy
Davisson			

Not Voting - 0

Indiana House of Representatives

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2:54:44 PM

Roll Call 292: Bill Passed

SB 350 - Brown, T. - 3rd Reading

Central Indiana regional development authority

Yea	94
Nay	0
Excused	5
Not Voting	1

Presiding: Speaker

Yea - 94

Abbott	Dvorak	Lauer	Pryor
Austin	Eberhart	Lehe	Saunders
Aylesworth	Ellington	Lehman	Schaibley
Bacon	Engleman	Leonard	Shackleford
Baird	Errington	Lindauer	Sherman
Barrett	Fleming	Lucas	Smaltz
Bartlett	Frye	Lyness	Smith, V
Bauer	GiaQuinta	Macer	Soliday
Beck	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Thompson
Brown, T	Harris	Miller	Torr
Burton	Hatcher	Moed	VanNatter
Campbell	Hatfield	Morrison	Vermilion
Candelaria Reardon	Heaton	Morris	Wesco
Carbaugh	Hostettler	Moseley	Wolkins
Cherry	Huston	Negele	Wright
Chyung	Jackson	Nisly	Young, J
Clere	Jordan	Pfaff	Zent
Cook	Judy	Pierce	Ziemke
Deal	Karickhoff	Porter	Mr. Speaker
DeLaney	Kirchhofer	Prescott	
DeVon	Klinker	Pressel	

Nay - 0

Excused - 5

Bartels	Forestal	Heine	Speedy
Davisson			

Not Voting - 1

Summers

Indiana House of Representatives

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3:16:55 PM

Roll Call 293: Bill Passed

SB 365 - Soliday - 3rd Reading

Town of Griffith

Yea	63
Nay	31
Excused	5
Not Voting	1

Presiding: Speaker

Yea - 63

Abbott	Ellington	Lindauer	Sherman
Aylesworth	Engleman	Lucas	Smaltz
Bacon	Frye	Lyness	Soliday
Baird	Goodrich	Manning	Steuerwald
Barrett	Gutwein	May	Stutzman
Behning	Heaton	Mayfield	Sullivan
Borders	Hostettler	McNamara	Thompson
Brown, T	Huston	Miller	Torr
Burton	Jordan	Morrison	VanNatter
Carbaugh	Judy	Morris	Vermilion
Cherry	Karickhoff	Moseley	Wesco
Chyung	Kirchhofer	Negele	Wolkins
Clere	Lauer	Prescott	Young, J
Cook	Lehe	Pressel	Zent
DeVon	Lehman	Saunders	Ziemke
Eberhart	Leonard	Schaibley	

Nay - 31

Austin	DeLaney	Hatcher	Pierce
Bartlett	Dvorak	Hatfield	Porter
Bauer	Errington	Jackson	Pryor
Beck	Fleming	Klinker	Shackleford
Boy	GiaQuinta	Macer	Smith, V
Campbell	Goodin	Moed	Summers
Candelaria Reardon	Hamilton	Nisly	Wright
Deal	Harris	Pfaff	

Excused - 5

Bartels	Forestal	Heine	Speedy
Davisson			

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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3:24:27 PM

Roll Call 294: Bill Passed

SB 367 - Aylesworth - 3rd Reading

Natural resources; regional development authorities

Yea	65
Nay	28
Excused	5
Not Voting	2

Presiding: Speaker

Yea - 65

Abbott	Eberhart	Lindauer	Smaltz
Aylesworth	Ellington	Lucas	Soliday
Bacon	Engleman	Lyness	Steuerwald
Baird	Errington	Manning	Stutzman
Barrett	Frye	May	Sullivan
Behning	Goodrich	Mayfield	Thompson
Borders	Gutwein	McNamara	Torr
Brown, T	Heaton	Miller	VanNatter
Burton	Hostettler	Morrison	Vermilion
Candelaria Reardon	Huston	Morris	Wesco
Carbaugh	Jordan	Negele	Wolkins
Cherry	Karickhoff	Nisly	Young, J
Chyung	Kirchhofer	Prescott	Zent
Clere	Lauer	Pressel	Ziemke
Cook	Lehe	Saunders	
Deal	Lehman	Schaibley	
DeVon	Leonard	Sherman	

Nay - 28

Austin	Dvorak	Hatfield	Pierce
Bartlett	Fleming	Jackson	Porter
Bauer	GiaQuinta	Klinker	Pryor
Beck	Goodin	Macer	Shackleford
Boy	Hamilton	Moed	Smith, V
Campbell	Harris	Moseley	Summers
DeLaney	Hatcher	Pfaff	Wright

Excused - 5

Bartels	Forestal	Heine	Speedy
Davisson			

Not Voting - 2

Judy	Mr. Speaker

Indiana House of Representatives

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3:34:29 PM

Roll Call 295: Bill Passed

SB 395 - Burton - 3rd Reading

Uniform Consumer Credit Code

Yea	77
Nay	17
Excused	5
Not Voting	1

Presiding: Speaker

Yea - 77

Abbott	Engleman	Lehman	Schaibley
Austin	Errington	Leonard	Sherman
Aylesworth	Fleming	Lindauer	Smaltz
Bacon	Frye	Lucas	Soliday
Baird	GiaQuinta	Lyness	Steuerwald
Barrett	Goodin	Macer	Stutzman
Beck	Goodrich	Manning	Sullivan
Behning	Gutwein	May	Thompson
Brown, T	Hamilton	Mayfield	Torr
Burton	Hatfield	McNamara	VanNatter
Candelaria Reardon	Heaton	Miller	Vermilion
Carbaugh	Hostettler	Moed	Wesco
Cherry	Huston	Morris	Wolkins
Clere	Jordan	Moseley	Wright
Cook	Judy	Negele	Young, J
Deal	Karickhoff	Nisly	Zent
DeLaney	Kirchhofer	Pfaff	Ziemke
DeVon	Klinker	Prescott	
Eberhart	Lauer	Pressel	
Ellington	Lehe	Saunders	

Nay - 17

Bartlett	Chyung	Morrison	Smith, V
Bauer	Dvorak	Pierce	Summers
Borders	Harris	Porter	
Boy	Hatcher	Pryor	
Campbell	Jackson	Shackleford	

Excused - 5

Bartels	Forestal	Heine	Speedy
Davisson			

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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3:48:00 PM

Roll Call 296: Bill Passed

SB 408 - Brown, T. - 3rd Reading

Various tax matters

Yea	91
Nay	2
Excused	6
Not Voting	1

Presiding: Speaker

Yea - 91

Abbott	DeVon	Klinker	Prescott
Austin	Eberhart	Lauer	Pressel
Aylesworth	Ellington	Lehe	Pryor
Bacon	Engleman	Lehman	Saunders
Baird	Errington	Leonard	Schaibley
Barrett	Fleming	Lindauer	Shackleford
Bartlett	Frye	Lucas	Sherman
Bauer	GiaQuinta	Lyness	Smaltz
Beck	Goodin	Macer	Smith, V
Behning	Goodrich	Manning	Soliday
Borders	Gutwein	May	Steuerwald
Boy	Hamilton	Mayfield	Sullivan
Brown, T	Harris	McNamara	Summers
Burton	Hatcher	Miller	Thompson
Campbell	Hatfield	Moed	Torr
Candelaria Reardon	Heaton	Morrison	VanNatter
Carbaugh	Hostettler	Morris	Vermilion
Cherry	Huston	Moseley	Wesco
Chyung	Jackson	Negele	Wright
Clere	Jordan	Nisly	Young, J
Cook	Judy	Pfaff	Zent
Deal	Karickhoff	Pierce	Ziemke
DeLaney	Kirchhofer	Porter	

Nay - 2

Dvorak	Wolkins

Excused - 6

Bartels	Forestal	Heine	Speedy
Davisson			Stutzman

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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3:53:57 PM

Roll Call 297: Bill Passed

SB 409 - Lyness - 3rd Reading

Employment of minors

Yea	89
Nay	4
Excused	6
Not Voting	1

Presiding: Speaker

Yea - 89

Abbott	Engleman	Lehman	Saunders
Austin	Errington	Leonard	Schaibley
Aylesworth	Fleming	Lindauer	Shackleford
Bacon	Frye	Lucas	Sherman
Baird	GiaQuinta	Lyness	Smaltz
Barrett	Goodin	Macer	Smith, V
Bartlett	Goodrich	Manning	Soliday
Bauer	Gutwein	May	Steuerwald
Beck	Hamilton	Mayfield	Sullivan
Behning	Harris	McNamara	Summers
Borders	Hatcher	Miller	Thompson
Boy	Hatfield	Moed	Torr
Brown, T	Heaton	Morrison	VanNatter
Burton	Hostettler	Morris	Vermilion
Candelaria Reardon	Huston	Moseley	Wesco
Carbaugh	Jackson	Negele	Wolkins
Cherry	Jordan	Nisly	Wright
Clere	Judy	Pfaff	Young, J
Cook	Karickhoff	Pierce	Zent
DeLaney	Kirchhofer	Porter	Ziemke
DeVon	Klinker	Prescott	
Eberhart	Lauer	Pressel	
Ellington	Lehe	Pryor	

Nay - 4

Campbell	Chyung	Deal	Dvorak

Excused - 6

Bartels	Forestal	Heine	Speedy
Davisson			Stutzman

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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4:02:30 PM

Roll Call 298: Bill Passed

SB 433 - Lindauer - 3rd Reading

Bodies of water regulated by the department of natural resources

Yea	91
Nay	0
Excused	8
Not Voting	1

Presiding: Speaker

Yea - 91

Abbott	DeVon	Klinker	Prescott
Austin	Dvorak	Lauer	Pressel
Aylesworth	Eberhart	Lehe	Pryor
Bacon	Ellington	Lehman	Saunders
Baird	Engleman	Leonard	Schaibley
Barrett	Errington	Lindauer	Shackleford
Bartlett	Fleming	Lucas	Sherman
Bauer	Frye	Lyness	Smaltz
Beck	GiaQuinta	Macer	Smith, V
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	May	Sullivan
Boy	Gutwein	Mayfield	Summers
Brown, T	Hamilton	McNamara	Thompson
Burton	Harris	Miller	Torr
Campbell	Hatcher	Moed	VanNatter
Candelaria Reardon	Hatfield	Morrison	Vermilion
Carbaugh	Heaton	Morris	Wesco
Cherry	Hostettler	Moseley	Wolkins
Chyung	Jackson	Negele	Wright
Clere	Jordan	Nisly	Young, J
Cook	Judy	Pfaff	Zent
Deal	Karickhoff	Pierce	Ziemke
DeLaney	Kirchhofer	Porter	

Nay - 0

Excused - 8

Bartels	Forestal	Huston	Speedy
Davisson	Heine	Soliday	Stutzman

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Mar 04, 2020

10:38:34 AM

Roll Call 300: Motion Prevailed

HB 1032 - Miller

Interfering with public safety
Motion to Concur

Yea	88
Nay	3
Excused	8
Not Voting	1

Presiding: Speaker

Yea - 88

Abbott	DeVon	Lauer	Pressel
Austin	Dvorak	Lehe	Pryor
Aylesworth	Eberhart	Lehman	Saunders
Bacon	Ellington	Leonard	Schaibley
Baird	Engleman	Lindauer	Shackleford
Barrett	Errington	Lucas	Sherman
Bartels	Fleming	Lyness	Smaltz
Bartlett	Frye	Macer	Smith, V
Bauer	GiaQuinta	Manning	Soliday
Beck	Goodin	Mayfield	Steuerwald
Behning	Goodrich	McNamara	Sullivan
Borders	Gutwein	Miller	Summers
Boy	Hamilton	Moed	Thompson
Brown, T	Harris	Morrison	Torr
Burton	Heaton	Morris	VanNatter
Campbell	Hostettler	Moseley	Vermilion
Carbaugh	Huston	Negele	Wesco
Clere	Jackson	Nisly	Wolkins
Cook	Jordan	Pfaff	Wright
Davisson	Karickhoff	Pierce	Young, J
Deal	Kirchhofer	Porter	Zent
DeLaney	Klinker	Prescott	Ziemke

Nay - 3

Candelaria Reardon	Chyung	Hatcher

Excused - 8

Cherry	Hatfield	Judy	Speedy
Forestal	Heine	May	Stutzman

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Mar 04, 2020

10:40:54 AM

Roll Call 301: Motion Prevailed

HB 1047 - Steuerwald

Justice reinvestment advisory council
Motion to Concur

Yea	91
Nay	0
Excused	8
Not Voting	1

Presiding: Speaker

Yea - 91

Abbott	DeLaney	Klinker	Pressel
Austin	DeVon	Lauer	Pryor
Aylesworth	Dvorak	Lehe	Saunders
Bacon	Eberhart	Lehman	Schaibley
Baird	Ellington	Leonard	Shackleford
Barrett	Engleman	Lindauer	Sherman
Bartels	Errington	Lucas	Smaltz
Bartlett	Fleming	Lyness	Smith, V
Bauer	Frye	Macer	Soliday
Beck	GiaQuinta	Manning	Steuerwald
Behning	Goodin	Mayfield	Sullivan
Borders	Goodrich	McNamara	Summers
Boy	Gutwein	Miller	Thompson
Brown, T	Hamilton	Moed	Torr
Burton	Harris	Morrison	VanNatter
Campbell	Hatcher	Morris	Vermilion
Candelaria Reardon	Heaton	Moseley	Wesco
Carbaugh	Hostettler	Negele	Wolkins
Chyung	Huston	Nisly	Wright
Clere	Jackson	Pfaff	Young, J
Cook	Jordan	Pierce	Zent
Davisson	Karickhoff	Porter	Ziemke
Deal	Kirchhofer	Prescott	

Nay - 0

Excused - 8

Cherry	Hatfield	Judy	Speedy
Forestal	Heine	May	Stutzman

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Mar 04, 2020

10:44:46 AM

Roll Call 302: Motion Prevailed

HB 1080 - Barrett

Colorectal cancer testing
Motion to Concur

Yea	89
Nay	3
Excused	8
Not Voting	0

Presiding: Speaker

Yea - 89

Abbott	DeLaney	Lauer	Saunders
Austin	DeVon	Lehe	Schaibley
Aylesworth	Dvorak	Lehman	Shackleford
Bacon	Eberhart	Leonard	Sherman
Baird	Ellington	Lucas	Smaltz
Barrett	Engleman	Lyness	Smith, V
Bartels	Errington	Macer	Soliday
Bartlett	Fleming	Manning	Steuerwald
Bauer	Frye	Mayfield	Sullivan
Beck	GiaQuinta	McNamara	Summers
Behning	Goodin	Miller	Thompson
Borders	Goodrich	Moed	Torr
Boy	Gutwein	Morrison	VanNatter
Brown, T	Hamilton	Morris	Vermilion
Burton	Harris	Moseley	Wesco
Campbell	Hatcher	Negele	Wolkins
Candelaria Reardon	Heaton	Nisly	Wright
Carbaugh	Hostettler	Pfaff	Zent
Chyung	Huston	Pierce	Ziemke
Clere	Jackson	Porter	Mr. Speaker
Cook	Karickhoff	Prescott	
Davisson	Kirchhofer	Pressel	
Deal	Klinker	Pryor	

Nay - 3

Jordan	Lindauer	Young, J

Excused - 8

Cherry	Hatfield	Judy	Speedy
Forestal	Heine	May	Stutzman

Not Voting - 0

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Mar 04, 2020

10:46:24 AM

Roll Call 303: Motion Prevailed

HB 1082 - Heaton

Various higher education matters
Motion to Concur

Yea	91
Nay	0
Excused	8
Not Voting	1

Presiding: Speaker

Yea - 91

Abbott	DeLaney	Klinker	Pressel
Austin	DeVon	Lauer	Pryor
Aylesworth	Dvorak	Lehe	Saunders
Bacon	Eberhart	Lehman	Schaibley
Baird	Ellington	Leonard	Shackleford
Barrett	Engleman	Lindauer	Sherman
Bartels	Errington	Lucas	Smaltz
Bartlett	Fleming	Lyness	Smith, V
Bauer	Frye	Macer	Soliday
Beck	GiaQuinta	Manning	Steuerwald
Behning	Goodin	Mayfield	Sullivan
Borders	Goodrich	McNamara	Summers
Boy	Gutwein	Miller	Thompson
Brown, T	Hamilton	Moed	Torr
Burton	Harris	Morrison	VanNatter
Campbell	Hatcher	Morris	Vermilion
Candelaria Reardon	Heaton	Moseley	Wesco
Carbaugh	Hostettler	Negele	Wolkins
Chyung	Huston	Nisly	Wright
Clere	Jackson	Pfaff	Young, J
Cook	Jordan	Pierce	Zent
Davisson	Karickhoff	Porter	Ziemke
Deal	Kirchhofer	Prescott	

Nay - 0

Excused - 8

Cherry	Hatfield	Judy	Speedy
Forestal	Heine	May	Stutzman

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:50:53 AM

Roll Call 304: Motion Prevailed

HB 1090 - Cook

Assumption of care of cemeteries
Motion to Concur

Yea	83
Nay	8
Excused	8
Not Voting	1

Presiding: Speaker

Yea - 83

Abbott	Davisson	Karickhoff	Pryor
Austin	Deal	Kirchhofer	Saunders
Aylesworth	DeLaney	Klinker	Schaibley
Bacon	DeVon	Lauer	Shackleford
Baird	Dvorak	Lehe	Sherman
Barrett	Eberhart	Lehman	Smaltz
Bartels	Engleman	Leonard	Smith, V
Bartlett	Errington	Lindauer	Soliday
Bauer	Fleming	Lyness	Steuerwald
Beck	Frye	Macer	Sullivan
Behning	GiaQuinta	Mayfield	Summers
Borders	Goodin	McNamara	Thompson
Boy	Goodrich	Miller	Torr
Brown, T	Gutwein	Moed	VanNatter
Burton	Hamilton	Morrison	Vermilion
Campbell	Harris	Morris	Wesco
Candelaria Reardon	Hatcher	Moseley	Wright
Carbaugh	Heaton	Negele	Young, J
Chyung	Huston	Pfaff	Zent
Clere	Jackson	Pierce	Ziemke
Cook	Jordan	Porter	

Nay - 8

Ellington	Lucas	Nisly	Pressel
Hostettler	Manning	Prescott	Wolkins

Excused - 8

Cherry	Hatfield	Judy	Speedy
Forestal	Heine	May	Stutzman

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:53:28 AM

Roll Call 305: Motion Prevailed

HB 1091 - Cook

Education benefits relating to military service
Motion to Concur

Yea	91
Nay	0
Excused	8
Not Voting	1

Presiding: Speaker

Yea - 91

Abbott	DeLaney	Klinker	Pressel
Austin	DeVon	Lauer	Pryor
Aylesworth	Dvorak	Lehe	Saunders
Bacon	Eberhart	Lehman	Schaibley
Baird	Ellington	Leonard	Shackleford
Barrett	Engleman	Lindauer	Sherman
Bartels	Errington	Lucas	Smaltz
Bartlett	Fleming	Lyness	Smith, V
Bauer	Frye	Macer	Soliday
Beck	GiaQuinta	Manning	Steuerwald
Behning	Goodin	Mayfield	Sullivan
Borders	Goodrich	McNamara	Summers
Boy	Gutwein	Miller	Thompson
Brown, T	Hamilton	Moed	Torr
Burton	Harris	Morrison	VanNatter
Campbell	Hatcher	Morris	Vermilion
Candelaria Reardon	Heaton	Moseley	Wesco
Carbaugh	Hostettler	Negele	Wolkins
Chyung	Jackson	Nisly	Wright
Clere	Jordan	Pfaff	Young, J
Cook	Judy	Pierce	Zent
Davisson	Karickhoff	Porter	Ziemke
Deal	Kirchhofer	Prescott	

Nay - 0

Excused - 8

Cherry	Hatfield	Huston	Speedy
Forestal	Heine	May	Stutzman

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:55:30 AM

Roll Call 306: Motion Prevailed

HB 1093 - Ziemke

Electronic document filing
Motion to Concur

Yea	91
Nay	0
Excused	8
Not Voting	1

Presiding: Speaker

Yea - 91

Abbott	DeLaney	Klinker	Pressel
Austin	DeVon	Lauer	Pryor
Aylesworth	Dvorak	Lehe	Saunders
Bacon	Eberhart	Lehman	Schaibley
Baird	Ellington	Leonard	Shackleford
Barrett	Engleman	Lindauer	Sherman
Bartels	Errington	Lucas	Smaltz
Bartlett	Fleming	Lyness	Smith, V
Bauer	Frye	Macer	Soliday
Beck	GiaQuinta	Manning	Steuerwald
Behning	Goodin	Mayfield	Sullivan
Borders	Goodrich	McNamara	Summers
Boy	Gutwein	Miller	Thompson
Brown, T	Hamilton	Moed	Torr
Burton	Harris	Morrison	VanNatter
Campbell	Hatcher	Morris	Vermilion
Candelaria Reardon	Heaton	Moseley	Wesco
Carbaugh	Hostettler	Negele	Wolkins
Chyung	Jackson	Nisly	Wright
Clere	Jordan	Pfaff	Young, J
Cook	Judy	Pierce	Zent
Davisson	Karickhoff	Porter	Ziemke
Deal	Kirchhofer	Prescott	

Nay - 0

Excused - 8

Cherry	Hatfield	Huston	Speedy
Forestal	Heine	May	Stutzman

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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11:28:34 AM

Roll Call 307: Motion Defeated

HB 1165 - Burton

Municipally owned utilities
Motion to Concur

Yea	33
Nay	59
Excused	7
Not Voting	1

Presiding: Speaker

Yea - 33

Aylesworth	DeVon	Manning	Thompson
Bacon	Ellington	Mayfield	Torr
Behning	Goodrich	Miller	VanNatter
Borders	Heaton	Morrison	Wesco
Brown, T	Huston	Morris	Wolkins
Burton	Lauer	Negele	Ziemke
Carbaugh	Lehe	Pressel	
Clere	Leonard	Smaltz	
Davisson	Lindauer	Sullivan	

Nay - 59

Abbott	Dvorak	Jordan	Porter
Austin	Eberhart	Judy	Prescott
Baird	Engleman	Karickhoff	Pryor
Barrett	Errington	Kirchhofer	Saunders
Bartels	Fleming	Klinker	Schaibley
Bartlett	Frye	Lehman	Shackleford
Bauer	GiaQuinta	Lucas	Sherman
Beck	Goodin	Lyness	Smith, V
Boy	Gutwein	Macer	Steuerwald
Campbell	Hamilton	McNamara	Summers
Candelaria Reardon	Harris	Moed	Vermilion
Chyung	Hatcher	Moseley	Wright
Cook	Hatfield	Nisly	Young, J
Deal	Hostettler	Pfaff	Zent
DeLaney	Jackson	Pierce	

Excused - 7

Cherry	Heine	Soliday	Stutzman
Forestal	May	Speedy	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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11:34:33 AM

Roll Call 308: Motion Prevailed

HB 1199 - Clere

Palliative care
Motion to Concur

Yea	92
Nay	0
Excused	7
Not Voting	1

Presiding: Speaker

Yea - 92

Abbott	DeLaney	Karickhoff	Prescott
Austin	DeVon	Kirchhofer	Pressel
Aylesworth	Dvorak	Klinker	Pryor
Bacon	Eberhart	Lehe	Saunders
Baird	Ellington	Lehman	Schaibley
Barrett	Engleman	Leonard	Shackleford
Bartels	Errington	Lindauer	Sherman
Bartlett	Fleming	Lucas	Smaltz
Bauer	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	Mayfield	Sullivan
Boy	Gutwein	McNamara	Summers
Brown, T	Hamilton	Miller	Thompson
Burton	Harris	Moed	Torr
Campbell	Hatcher	Morrison	VanNatter
Candelaria Reardon	Hatfield	Morris	Vermilion
Carbaugh	Heaton	Moseley	Wesco
Chyung	Hostettler	Negele	Wright
Clere	Huston	Nisly	Young, J
Cook	Jackson	Pfaff	Zent
Davisson	Jordan	Pierce	Ziemke
Deal	Judy	Porter	Mr. Speaker

Nay - 0

Excused - 7

Cherry	Heine	Speedy	Wolkins
Forestal	May	Stutzman	

Not Voting - 1

Lauer

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11:37:52 AM

Roll Call 309: Motion Prevailed

HB 1346 - Frye

Jail overcrowding
Motion to Concur

Yea	93
Nay	0
Excused	7
Not Voting	0

Presiding: Speaker

Yea - 93

Abbott	DeVon	Klinker	Pryor
Austin	Dvorak	Lauer	Saunders
Aylesworth	Eberhart	Lehe	Schaibley
Bacon	Ellington	Lehman	Shackleford
Baird	Engleman	Leonard	Sherman
Barrett	Errington	Lindauer	Smaltz
Bartels	Fleming	Lucas	Smith, V
Bartlett	Frye	Lyness	Soliday
Bauer	GiaQuinta	Macer	Steuerwald
Beck	Goodin	Manning	Sullivan
Behning	Goodrich	Mayfield	Summers
Borders	Gutwein	McNamara	Thompson
Boy	Hamilton	Miller	Torr
Brown, T	Harris	Moed	VanNatter
Burton	Hatcher	Morrison	Vermilion
Campbell	Hatfield	Morris	Wesco
Candelaria Reardon	Heaton	Moseley	Wright
Carbaugh	Hostettler	Negele	Young, J
Chyung	Huston	Nisly	Zent
Clere	Jackson	Pfaff	Ziemke
Cook	Jordan	Pierce	Mr. Speaker
Davisson	Judy	Porter	
Deal	Karickhoff	Prescott	
DeLaney	Kirchhofer	Pressel	

Nay - 0

Excused - 7

Cherry	Heine	Speedy	Wolkins
Forestal	May	Stutzman	

Not Voting - 0

Indiana House of Representatives

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11:46:16 AM

Roll Call 310: Resolution Adopted

HR 20 - Bacon

Urging the pursuit of policy that increases organ donor supply

Yea	86
Nay	0
Excused	10
Not Voting	4

Presiding: Speaker

Yea - 86

Abbott	DeLaney	Kirchhofer	Pryor
Austin	Dvorak	Klinker	Saunders
Aylesworth	Eberhart	Lauer	Schaibley
Bacon	Ellington	Lehe	Shackleford
Baird	Engleman	Lehman	Sherman
Barrett	Errington	Leonard	Smaltz
Bartlett	Fleming	Lindauer	Smith, V
Bauer	Frye	Lucas	Soliday
Beck	GiaQuinta	Lyness	Steuerwald
Behning	Goodin	Macer	Sullivan
Borders	Goodrich	Manning	Summers
Boy	Gutwein	Mayfield	Thompson
Brown, T	Hamilton	McNamara	Torr
Burton	Harris	Miller	VanNatter
Campbell	Hatcher	Moed	Vermilion
Candelaria Reardon	Hatfield	Negele	Wesco
Carbaugh	Heaton	Nisly	Wright
Chyung	Hostettler	Pfaff	Young, J
Clere	Jackson	Pierce	Zent
Cook	Jordan	Porter	Ziemke
Davisson	Judy	Prescott	
Deal	Karickhoff	Pressel	

Nay - 0

Excused - 10

Bartels	Forestal	May	Wolkins
Cherry	Heine	Speedy	
DeVon	Huston	Stutzman	

Not Voting - 4

Morrison	Morris	Moseley	Mr. Speaker

Indiana House of Representatives

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4:02:16 PM

Roll Call 311: Motion Prevailed

HB 1173 - Frye

Indiana department of veterans' affairs
Motion to Concur

Yea	59
Nay	28
Excused	8
Not Voting	5

Presiding: Speaker

Yea - 59

Abbott	Ellington	Lucas	Smaltz
Aylesworth	Engleman	Lyness	Soliday
Bacon	Frye	Manning	Steuerwald
Baird	Goodrich	Mayfield	Sullivan
Barrett	Gutwein	McNamara	Thompson
Bartels	Harris	Miller	Torr
Behning	Heaton	Morrison	VanNatter
Borders	Hostettler	Morris	Vermilion
Brown, T	Huston	Negele	Wesco
Burton	Jordan	Nisly	Wolkins
Carbaugh	Judy	Prescott	Young, J
Clere	Karickhoff	Pressel	Zent
Cook	Lehe	Saunders	Ziemke
DeVon	Lehman	Schaibley	Mr. Speaker
Eberhart	Lindauer	Sherman	

Nay - 28

Austin	DeLaney	Hatcher	Pierce
Beck	Dvorak	Hatfield	Porter
Boy	Errington	Jackson	Pryor
Campbell	Fleming	Klinker	Shackleford
Candelaria Reardon	GiaQuinta	Macer	Smith, V
Chyung	Goodin	Moseley	Summers
Deal	Hamilton	Pfaff	Wright

Excused - 8

Cherry	Forestal	Kirchhofer	Speedy
Davisson	Heine	May	Stutzman

Not Voting - 5

Bartlett	Lauer	Leonard	Moed
Bauer			

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4:03:48 PM

Roll Call 312: Motion Prevailed

HB 1067 - Zent

Dental hygienists
Motion to Concur

Yea	85
Nay	0
Excused	8
Not Voting	7

Presiding: Speaker

Yea - 85

Abbott	DeVon	Lauer	Saunders
Austin	Dvorak	Lehe	Schaibley
Aylesworth	Eberhart	Lehman	Shackleford
Bacon	Ellington	Lindauer	Sherman
Baird	Engleman	Lucas	Smaltz
Barrett	Errington	Lyness	Smith, V
Bartels	Fleming	Macer	Soliday
Bauer	Frye	Manning	Steuerwald
Beck	GiaQuinta	Mayfield	Sullivan
Behning	Goodin	McNamara	Thompson
Borders	Goodrich	Miller	Torr
Boy	Gutwein	Morrison	VanNatter
Brown, T	Hamilton	Morris	Vermilion
Burton	Harris	Moseley	Wesco
Campbell	Hatcher	Negele	Wolkins
Candelaria Reardon	Heaton	Nisly	Wright
Carbaugh	Hostettler	Pfaff	Young, J
Chyung	Huston	Pierce	Zent
Clere	Jordan	Porter	Ziemke
Cook	Judy	Prescott	
Deal	Karickhoff	Pressel	
DeLaney	Klinker	Pryor	

Nay - 0

Excused - 8

Cherry	Forestal	Kirchhofer	Speedy
Davisson	Heine	May	Stutzman

Not Voting - 7

Bartlett	Jackson	Moed	Mr. Speaker
Hatfield	Leonard	Summers	

Indiana House of Representatives

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4:08:25 PM

Roll Call 313: Motion Prevailed

HB 1210 - Zent

Various health matters
Motion to Concur

Yea	87
Nay	0
Excused	8
Not Voting	5

Presiding: Speaker

Yea - 87

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Lindauer	Sherman
Barrett	Fleming	Lucas	Smaltz
Bartels	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Steuerwald
Borders	Goodrich	Mayfield	Sullivan
Boy	Gutwein	McNamara	Summers
Brown, T	Hamilton	Miller	Thompson
Burton	Harris	Morrison	Torr
Campbell	Hatcher	Morris	VanNatter
Candelaria Reardon	Hatfield	Moseley	Vermilion
Carbaugh	Heaton	Negele	Wesco
Chyung	Hostettler	Nisly	Wolkins
Clere	Huston	Pfaff	Wright
Cook	Jackson	Pierce	Young, J
Deal	Jordan	Porter	Zent
DeLaney	Judy	Prescott	Ziemke
DeVon	Karickhoff	Pressel	

Nay - 0

Excused - 8

Cherry	Forestal	Kirchhofer	Speedy
Davisson	Heine	May	Stutzman

Not Voting - 5

Bartlett	Leonard	Moed	Mr. Speaker
Bauer			

Indiana House of Representatives

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4:16:43 PM

Roll Call 314: Motion Prevailed

HB 1218 - Manning

Locating underground utility infrastructure
Motion to Concur

Yea	87
Nay	0
Excused	8
Not Voting	5

Presiding: Speaker

Yea - 87

Abbott	Dvorak	Lauer	Pryor
Austin	Eberhart	Lehe	Saunders
Aylesworth	Ellington	Lehman	Schaibley
Bacon	Engleman	Leonard	Shackleford
Baird	Errington	Lindauer	Sherman
Barrett	Fleming	Lyness	Smaltz
Bartels	GiaQuinta	Macer	Smith, V
Beck	Goodin	Manning	Soliday
Behning	Goodrich	Mayfield	Steuerwald
Borders	Gutwein	McNamara	Sullivan
Boy	Hamilton	Miller	Summers
Brown, T	Harris	Moed	Thompson
Burton	Hatcher	Morrison	Torr
Campbell	Hatfield	Morris	VanNatter
Candelaria Reardon	Heaton	Moseley	Vermilion
Carbaugh	Hostettler	Negele	Wesco
Chyung	Huston	Nisly	Wolkins
Clere	Jackson	Pfaff	Wright
Cook	Jordan	Pierce	Young, J
Deal	Judy	Porter	Zent
DeLaney	Karickhoff	Prescott	Ziemke
DeVon	Klinker	Pressel	

Nay - 0

Excused - 8

Cherry	Forestal	Kirchhofer	Speedy
Davisson	Heine	May	Stutzman

Not Voting - 5

Bartlett	Frye	Lucas	Mr. Speaker
Bauer			

Indiana House of Representatives

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4:33:11 PM

Roll Call 315: Motion Prevailed

HB 1243 - Vermilion A

Genetic counselors
Motion to Concur

Yea	58
Nay	26
Excused	11
Not Voting	5

Presiding: Speaker

Yea - 58

Abbott	Ellington	Lindauer	Sherman
Aylesworth	Engleman	Lucas	Smaltz
Bacon	Goodin	Lyness	Steuerwald
Baird	Goodrich	Manning	Sullivan
Barrett	Gutwein	Mayfield	Thompson
Bartels	Heaton	McNamara	Torr
Behning	Hostettler	Miller	VanNatter
Borders	Huston	Moed	Vermilion
Brown, T	Jordan	Morrison	Wesco
Burton	Judy	Morris	Wolkins
Carbaugh	Karickhoff	Negele	Wright
Clere	Klinker	Nisly	Zent
Cook	Lehe	Prescott	Ziemke
DeVon	Lehman	Pressel	
Eberhart	Leonard	Schaibley	

Nay - 26

Austin	DeLaney	Hatcher	Porter
Beck	Dvorak	Hatfield	Pryor
Boy	Errington	Jackson	Shackleford
Campbell	Fleming	Macer	Smith, V
Candelaria Reardon	GiaQuinta	Moseley	Summers
Chyung	Hamilton	Pfaff	
Deal	Harris	Pierce	

Excused - 11

Bartlett	Davisson	Kirchhofer	Stutzman
Bauer	Forestal	May	Young, J
Cherry	Heine	Speedy	

Not Voting - 5

Frye	Saunders	Soliday	Mr. Speaker
Lauer			

Indiana House of Representatives

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10:23:01 AM

Roll Call 317: Resolution Adopted

SCR 15 - Stutzman

Urging the establishment of the Office of Outdoor Recreation Development

Yea	87
Nay	0
Excused	13
Not Voting	0

Presiding: Speaker

Yea - 87

Abbott	DeVon	Lauer	Saunders
Austin	Eberhart	Lehe	Schaibley
Aylesworth	Ellington	Lehman	Shackleford
Bacon	Engleman	Leonard	Sherman
Baird	Errington	Lucas	Smaltz
Barrett	Fleming	Lyness	Smith, V
Bartels	GiaQuinta	Manning	Speedy
Bauer	Goodin	May	Steuerwald
Behning	Goodrich	Mayfield	Sullivan
Borders	Gutwein	McNamara	Summers
Boy	Hamilton	Miller	Thompson
Brown, T	Harris	Morrison	Torr
Campbell	Hatcher	Morris	VanNatter
Candelaria Reardon	Hatfield	Moseley	Vermilion
Carbaugh	Heaton	Negele	Wesco
Cherry	Hostettler	Nisly	Wolkins
Chyung	Huston	Pfaff	Wright
Clere	Jackson	Pierce	Young, J
Cook	Jordan	Porter	Zent
Davisson	Karickhoff	Prescott	Ziemke
Deal	Kirchhofer	Pressel	Mr. Speaker
DeLaney	Klinker	Pryor	

Nay - 0

Excused - 13

Bartlett	Forestal	Lindauer	Stutzman
Beck	Frye	Macer	
Burton	Heine	Moed	
Dvorak	Judy	Soliday	

Not Voting - 0

Indiana House of Representatives

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10:26:33 AM

Roll Call 318: Motion Prevailed

HB 1063 - Goodrich

Public safety officer death benefits
Motion to Concur

Yea	82
Nay	0
Excused	16
Not Voting	2

Presiding: Speaker

Yea - 82

Abbott	Eberhart	Lauer	Schaibley
Austin	Ellington	Lehe	Shackleford
Aylesworth	Engleman	Lehman	Sherman
Bacon	Errington	Leonard	Smaltz
Baird	Fleming	Lucas	Smith, V
Barrett	GiaQuinta	Manning	Speedy
Bartels	Goodin	May	Steuerwald
Bauer	Goodrich	Mayfield	Sullivan
Behning	Gutwein	McNamara	Summers
Borders	Hamilton	Miller	Thompson
Brown, T	Harris	Morrison	Torr
Campbell	Hatcher	Moseley	VanNatter
Candelaria Reardon	Hatfield	Negele	Vermilion
Cherry	Heaton	Nisly	Wesco
Chyung	Hostettler	Pfaff	Wolkins
Clere	Huston	Pierce	Wright
Cook	Jackson	Porter	Young, J
Davisson	Jordan	Prescott	Zent
Deal	Karickhoff	Pressel	Ziemke
DeLaney	Kirchhofer	Pryor	
DeVon	Klinker	Saunders	

Nay - 0

Excused - 16

Bartlett	Dvorak	Judy	Moed
Beck	Forestal	Lindauer	Morris
Burton	Frye	Lyness	Soliday
Carbaugh	Heine	Macer	Stutzman

Not Voting - 2

Boy	Mr. Speaker

Indiana House of Representatives

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10:28:58 AM

Roll Call 319: Motion Prevailed

HB 1099 - Manning

Low head dams
Motion to Concur

Yea	81
Nay	0
Excused	18
Not Voting	1

Presiding: Speaker

Yea - 81

Abbott	Eberhart	Lauer	Shackleford
Austin	Ellington	Lehe	Sherman
Aylesworth	Engleman	Lehman	Smaltz
Bacon	Errington	Leonard	Smith, V
Baird	Fleming	Lucas	Speedy
Barrett	GiaQuinta	Manning	Steuerwald
Bartels	Goodin	May	Sullivan
Bauer	Goodrich	Mayfield	Summers
Behning	Gutwein	McNamara	Thompson
Borders	Hamilton	Miller	Torr
Boy	Harris	Morrison	VanNatter
Brown, T	Hatcher	Negele	Vermilion
Campbell	Hatfield	Nisly	Wesco
Candelaria Reardon	Heaton	Pfaff	Wolkins
Cherry	Hostettler	Pierce	Wright
Chyung	Huston	Porter	Young, J
Clere	Jackson	Prescott	Zent
Cook	Jordan	Pressel	Ziemke
Davisson	Karickhoff	Pryor	
DeLaney	Kirchhofer	Saunders	
DeVon	Klinker	Schaibley	

Nay - 0

Excused - 18

Bartlett	Dvorak	Lindauer	Moseley
Beck	Forestal	Lyness	Soliday
Burton	Frye	Macer	Stutzman
Carbaugh	Heine	Moed	
Deal	Judy	Morris	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:31:03 AM

Roll Call 320: Motion Prevailed

HB 1148 - Ellington

Board of accountancy
Motion to Concur

Yea	80
Nay	0
Excused	19
Not Voting	1

Presiding: Speaker

Yea - 80

Abbott	DeVon	Kirchhofer	Pryor
Austin	Eberhart	Klinker	Saunders
Aylesworth	Ellington	Lauer	Schaibley
Bacon	Engleman	Lehe	Shackleford
Baird	Errington	Lehman	Sherman
Barrett	Fleming	Leonard	Smaltz
Bartels	GiaQuinta	Lucas	Smith, V
Bauer	Goodin	Manning	Speedy
Behning	Goodrich	May	Steuerwald
Borders	Gutwein	Mayfield	Sullivan
Boy	Hamilton	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Campbell	Hatcher	Morrison	Torr
Candelaria Reardon	Hatfield	Negele	Vermilion
Cherry	Heaton	Nisly	Wesco
Chyung	Hostettler	Pfaff	Wolkins
Clere	Huston	Pierce	Wright
Cook	Jackson	Porter	Young, J
Davisson	Jordan	Prescott	Zent
DeLaney	Karickhoff	Pressel	Ziemke

Nay - 0

Excused - 19

Bartlett	Dvorak	Lindauer	Moseley
Beck	Forestal	Lyness	Soliday
Burton	Frye	Macer	Stutzman
Carbaugh	Heine	Moed	VanNatter
Deal	Judy	Morris	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:38:54 AM

Roll Call 321: Motion Prevailed

HB 1182 - Clere

HIV, fatality reviews, and syringe exchange programs
Motion to Concur

Yea	78
Nay	7
Excused	15
Not Voting	0

Presiding: Speaker

Yea - 78

Abbott	DeVon	Karickhoff	Schaibley
Austin	Dvorak	Kirchhofer	Shackleford
Aylesworth	Eberhart	Klinker	Sherman
Bacon	Engleman	Lauer	Smith, V
Baird	Errington	Lehe	Speedy
Barrett	Fleming	Lehman	Steuerwald
Bartels	GiaQuinta	Leonard	Sullivan
Bauer	Goodin	Manning	Summers
Behning	Goodrich	May	Thompson
Borders	Gutwein	Mayfield	Torr
Boy	Hamilton	McNamara	VanNatter
Brown, T	Harris	Miller	Vermilion
Campbell	Hatcher	Morrison	Wesco
Candelaria Reardon	Hatfield	Negele	Wolkins
Cherry	Heaton	Pfaff	Wright
Chyung	Hostettler	Pierce	Zent
Clere	Huston	Porter	Ziemke
Cook	Jackson	Pressel	Mr. Speaker
Davisson	Jordan	Pryor	
DeLaney	Judy	Saunders	

Nay - 7

Ellington	Lucas	Prescott	Young, J
Lindauer	Nisly	Smaltz	

Excused - 15

Bartlett	Deal	Lyness	Moseley
Beck	Forestal	Macer	Soliday
Burton	Frye	Moed	Stutzman
Carbaugh	Heine	Morris	

Not Voting - 0

Indiana House of Representatives

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10:41:25 AM

Roll Call 322: Motion Prevailed

HB 1225 - McNamara

Public safety
Motion to Concur

Yea	70
Nay	15
Excused	14
Not Voting	1

Presiding: Speaker

Yea - 70

Abbott	DeLaney	Karickhoff	Schaibley
Austin	DeVon	Kirchhofer	Sherman
Aylesworth	Dvorak	Klinker	Smaltz
Bacon	Eberhart	Lauer	Speedy
Baird	Ellington	Lehe	Steuerwald
Barrett	Engleman	Lehman	Sullivan
Bartels	Fleming	Leonard	Thompson
Bauer	GiaQuinta	Lucas	Torr
Behning	Goodin	Manning	VanNatter
Borders	Goodrich	May	Vermilion
Brown, T	Gutwein	McNamara	Wesco
Burton	Hamilton	Miller	Wolkins
Candelaria Reardon	Hatfield	Moseley	Wright
Cherry	Heaton	Negele	Young, J
Chyung	Hostettler	Pfaff	Zent
Clere	Huston	Prescott	Ziemke
Cook	Jordan	Pressel	
Davisson	Judy	Saunders	

Nay - 15

Boy	Hatcher	Morrison	Pryor
Campbell	Jackson	Nisly	Shackleford
Errington	Lindauer	Pierce	Smith, V
Harris	Mayfield	Porter	

Excused - 14

Bartlett	Forestal	Macer	Stutzman
Beck	Frye	Moed	Summers
Carbaugh	Heine	Morris	
Deal	Lyness	Soliday	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:45:07 AM

Roll Call 323: Motion Prevailed

HB 1244 - Vermilion A

Unemployment hearings and appeals
Motion to Concur

Yea	87
Nay	0
Excused	12
Not Voting	1

Presiding: Speaker

Yea - 87

Abbott	Dvorak	Klinker	Pryor
Austin	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Lehman	Shackleford
Baird	Errington	Leonard	Sherman
Barrett	Fleming	Lindauer	Smaltz
Bartels	GiaQuinta	Lucas	Smith, V
Bauer	Goodin	Lyness	Speedy
Behning	Goodrich	Macer	Steuerwald
Borders	Gutwein	Manning	Sullivan
Boy	Hamilton	May	Summers
Brown, T	Harris	Mayfield	Thompson
Burton	Hatcher	McNamara	Torr
Campbell	Hatfield	Miller	VanNatter
Candelaria Reardon	Heaton	Morrison	Vermilion
Cherry	Hostettler	Moseley	Wesco
Chyung	Huston	Negele	Wolkins
Clere	Jackson	Nisly	Wright
Cook	Jordan	Pfaff	Young, J
Davisson	Judy	Pierce	Zent
DeLaney	Karickhoff	Porter	Ziemke
DeVon	Kirchhofer	Prescott	

Nay - 0

Excused - 12

Bartlett	Deal	Heine	Pressel
Beck	Forestal	Moed	Soliday
Carbaugh	Frye	Morris	Stutzman

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:46:59 AM

Roll Call 324: Motion Prevailed

HB 1283 - DeVon

Teacher preparation program curriculum
Motion to Concur

Yea	85
Nay	2
Excused	12
Not Voting	1

Presiding: Speaker

Yea - 85

Abbott	Eberhart	Klinker	Saunders
Austin	Ellington	Lauer	Schaibley
Aylesworth	Engleman	Lehman	Shackleford
Bacon	Errington	Leonard	Sherman
Baird	Fleming	Lindauer	Smaltz
Barrett	Frye	Lucas	Smith, V
Bartels	GiaQuinta	Lyness	Speedy
Bauer	Goodin	Macer	Steuerwald
Behning	Goodrich	Manning	Sullivan
Boy	Gutwein	May	Thompson
Brown, T	Hamilton	Mayfield	Torr
Burton	Harris	McNamara	VanNatter
Campbell	Hatcher	Miller	Vermilion
Candelaria Reardon	Hatfield	Morrison	Wesco
Cherry	Heaton	Moseley	Wolkins
Chyung	Hostettler	Negele	Wright
Clere	Huston	Pfaff	Young, J
Cook	Jackson	Pierce	Zent
Davisson	Jordan	Porter	Ziemke
DeLaney	Judy	Prescott	
DeVon	Karickhoff	Pressel	
Dvorak	Kirchhofer	Pryor	

Nay - 2

Borders	Nisly

Excused - 12

Bartlett	Deal	Lehe	Soliday
Beck	Forestal	Moed	Stutzman
Carbaugh	Heine	Morris	Summers

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:52:30 AM

Roll Call 325: Motion Prevailed

HB 1341 - Pfaff

Students with disabilities
Motion to Concur

Yea	89
Nay	0
Excused	10
Not Voting	1

Presiding: Speaker

Yea - 89

Abbott	Eberhart	Lauer	Pryor
Austin	Ellington	Lehe	Saunders
Aylesworth	Engleman	Lehman	Schaibley
Bacon	Errington	Leonard	Shackleford
Baird	Fleming	Lindauer	Sherman
Barrett	Frye	Lucas	Smaltz
Bartels	GiaQuinta	Lyness	Smith, V
Bauer	Goodin	Macer	Speedy
Behning	Goodrich	Manning	Steuerwald
Borders	Gutwein	May	Sullivan
Boy	Hamilton	Mayfield	Thompson
Brown, T	Harris	McNamara	Torr
Burton	Hatcher	Miller	VanNatter
Campbell	Hatfield	Moed	Vermilion
Candelaria Reardon	Heaton	Morrison	Wesco
Cherry	Hostettler	Moseley	Wolkins
Chyung	Huston	Negele	Wright
Clere	Jackson	Nisly	Young, J
Cook	Jordan	Pfaff	Zent
Davisson	Judy	Pierce	Ziemke
DeLaney	Karickhoff	Porter	
DeVon	Kirchhofer	Prescott	
Dvorak	Klinker	Pressel	

Nay - 0

Excused - 10

Bartlett	Deal	Morris	Summers
Beck	Forestal	Soliday	
Carbaugh	Heine	Stutzman	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:54:23 AM

Roll Call 326: Motion Prevailed

HB 1343 - Hostettler

New Harmony and Wabash River bridge authority
Motion to Concur

Yea	90
Nay	0
Excused	9
Not Voting	1

Presiding: Speaker

Yea - 90

Abbott	Dvorak	Klinker	Pressel
Austin	Eberhart	Lauer	Pryor
Aylesworth	Ellington	Lehe	Saunders
Bacon	Engleman	Lehman	Schaibley
Baird	Errington	Leonard	Shackleford
Barrett	Fleming	Lindauer	Sherman
Bartels	Frye	Lucas	Smaltz
Bauer	GiaQuinta	Lyness	Smith, V
Behning	Goodin	Macer	Speedy
Borders	Goodrich	Manning	Steuerwald
Boy	Gutwein	May	Sullivan
Brown, T	Hamilton	Mayfield	Thompson
Burton	Harris	McNamara	Torr
Campbell	Hatcher	Miller	VanNatter
Candelaria Reardon	Hatfield	Moed	Vermilion
Cherry	Heaton	Morrison	Wesco
Chyung	Hostettler	Moseley	Wolkins
Clere	Huston	Negele	Wright
Cook	Jackson	Nisly	Young, J
Davisson	Jordan	Pfaff	Zent
Deal	Judy	Pierce	Ziemke
DeLaney	Karickhoff	Porter	
DeVon	Kirchhofer	Prescott	

Nay - 0

Excused - 9

Bartlett	Forestal	Morris	Stutzman
Beck	Heine	Soliday	Summers
Carbaugh			

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:13:13 AM

Roll Call 328: Motion Prevailed

HB 1049 - Heaton

Business associations
Motion to Concur

Yea	69
Nay	0
Excused	30
Not Voting	1

Presiding: Speaker

Yea - 69

Abbott	Cook	Karickhoff	Pressel
Austin	Davisson	Klinker	Pryor
Aylesworth	DeLaney	Lauer	Schaibley
Bacon	DeVon	Lehe	Sherman
Baird	Eberhart	Leonard	Smith, V
Barrett	Ellington	Lyness	Soliday
Bartels	Engleman	Macer	Steuerwald
Bauer	Frye	Manning	Stutzman
Behning	GiaQuinta	May	Summers
Borders	Goodin	Mayfield	Thompson
Brown, T	Goodrich	McNamara	Torr
Burton	Gutwein	Miller	VanNatter
Campbell	Hamilton	Morrison	Vermilion
Candelaria Reardon	Heaton	Moseley	Wesco
Carbaugh	Hostettler	Negele	Wright
Cherry	Huston	Nisly	
Chyung	Jackson	Pfaff	
Clere	Jordan	Porter	

Nay - 0

Excused - 30

Bartlett	Harris	Lucas	Speedy
Beck	Hatcher	Moed	Sullivan
Boy	Hatfield	Morris	Wolkins
Deal	Heine	Pierce	Young, J
Dvorak	Judy	Prescott	Zent
Errington	Kirchhofer	Saunders	Ziemke
Fleming	Lehman	Shackleford	
Forestal	Lindauer	Smaltz	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:15:53 AM

Roll Call 329: Motion Prevailed

HB 1059 - Miller

Sales tax on recreational vehicles
Motion to Concur

Yea	62
Nay	8
Excused	29
Not Voting	1

Presiding: Speaker

Yea - 62

Abbott	Davisson	Klinker	Pressel
Austin	DeVon	Lauer	Pryor
Aylesworth	Eberhart	Lehe	Schaibley
Bacon	Ellington	Leonard	Sherman
Baird	Engleman	Lyness	Soliday
Barrett	Frye	Macer	Steuerwald
Bartels	GiaQuinta	Manning	Stutzman
Behning	Goodin	May	Thompson
Borders	Goodrich	Mayfield	Torr
Brown, T	Gutwein	McNamara	VanNatter
Burton	Hamilton	Miller	Vermilion
Carbaugh	Heaton	Morrison	Wesco
Cherry	Hostettler	Negele	Wright
Chyung	Huston	Nisly	Young, J
Clere	Jordan	Pfaff	
Cook	Karickhoff	Porter	

Nay - 8

Bauer	Candelaria Reardon	Jackson	Smith, V
Campbell	DeLaney	Moseley	Summers

Excused - 29

Bartlett	Harris	Lucas	Speedy
Beck	Hatcher	Moed	Sullivan
Boy	Hatfield	Morris	Wolkins
Deal	Heine	Pierce	Zent
Dvorak	Judy	Prescott	Ziemke
Errington	Kirchhofer	Saunders	
Fleming	Lehman	Shackleford	
Forestal	Lindauer	Smaltz	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:17:55 AM

Roll Call 330: Motion Prevailed

HB 1111 - Leonard

Unemployment
Motion to Concur

Yea	73
Nay	0
Excused	26
Not Voting	1

Presiding: Speaker

Yea - 73

Abbott	Davisson	Klinker	Pressel
Austin	DeLaney	Lauer	Pryor
Aylesworth	DeVon	Lehe	Schaibley
Bacon	Eberhart	Lehman	Sherman
Baird	Ellington	Leonard	Smith, V
Barrett	Engleman	Lyness	Soliday
Bartels	Frye	Macer	Steuerwald
Bauer	GiaQuinta	Manning	Stutzman
Behning	Goodin	May	Summers
Borders	Goodrich	Mayfield	Thompson
Brown, T	Gutwein	McNamara	Torr
Burton	Hamilton	Miller	VanNatter
Campbell	Harris	Moed	Vermilion
Candelaria Reardon	Heaton	Morrison	Wesco
Carbaugh	Hostettler	Moseley	Wright
Cherry	Huston	Negele	Young, J
Chyung	Jackson	Nisly	
Clere	Jordan	Pfaff	
Cook	Karickhoff	Porter	

Nay - 0

Excused - 26

Bartlett	Forestal	Lucas	Speedy
Beck	Hatcher	Morris	Sullivan
Boy	Hatfield	Pierce	Wolkins
Deal	Heine	Prescott	Zent
Dvorak	Judy	Saunders	Ziemke
Errington	Kirchhofer	Shackleford	
Fleming	Lindauer	Smaltz	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:20:14 AM

Roll Call 331: Motion Prevailed

HB 1264 - May

Child care background checks
Motion to Concur

Yea	75
Nay	0
Excused	24
Not Voting	1

Presiding: Speaker

Yea - 75

Abbott	Cook	Jordan	Nisly
Austin	Davisson	Karickhoff	Pfaff
Aylesworth	DeLaney	Klinker	Porter
Bacon	DeVon	Lauer	Pressel
Baird	Eberhart	Lehe	Pryor
Barrett	Ellington	Lehman	Schaibley
Bartels	Engleman	Leonard	Sherman
Bauer	Frye	Lucas	Smith, V
Beck	GiaQuinta	Lyness	Soliday
Behning	Goodin	Macer	Steuerwald
Borders	Goodrich	Manning	Stutzman
Brown, T	Gutwein	May	Summers
Burton	Hamilton	Mayfield	Thompson
Campbell	Harris	McNamara	Torr
Candelaria Reardon	Hatfield	Miller	VanNatter
Carbaugh	Heaton	Moed	Vermilion
Cherry	Hostettler	Morrison	Wesco
Chyung	Huston	Moseley	Young, J
Clere	Jackson	Negele	

Nay - 0

Excused - 24

Bartlett	Forestal	Morris	Speedy
Boy	Hatcher	Pierce	Sullivan
Deal	Heine	Prescott	Wolkins
Dvorak	Judy	Saunders	Wright
Errington	Kirchhofer	Shackleford	Zent
Fleming	Lindauer	Smaltz	Ziemke

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:22:54 AM

Roll Call 332: Motion Prevailed

HB 1313 - Young J

Courts and family law matters
Motion to Concur

Yea	76
Nay	0
Excused	23
Not Voting	1

Presiding: Speaker

Yea - 76

Abbott	Cook	Jordan	Nisly
Austin	Davisson	Karickhoff	Pfaff
Aylesworth	DeLaney	Klinker	Porter
Bacon	DeVon	Lauer	Pressel
Baird	Eberhart	Lehe	Pryor
Barrett	Ellington	Lehman	Schaibley
Bartels	Engleman	Leonard	Sherman
Bauer	Frye	Lucas	Smith, V
Beck	GiaQuinta	Lyness	Soliday
Behning	Goodin	Macer	Steuerwald
Borders	Goodrich	Manning	Stutzman
Brown, T	Gutwein	May	Summers
Burton	Hamilton	Mayfield	Thompson
Campbell	Harris	McNamara	Torr
Candelaria Reardon	Hatfield	Miller	VanNatter
Carbaugh	Heaton	Moed	Vermilion
Cherry	Hostettler	Morrison	Wesco
Chyung	Huston	Moseley	Wright
Clere	Jackson	Negele	Young, J

Nay - 0

Excused - 23

Bartlett	Forestal	Morris	Speedy
Boy	Hatcher	Pierce	Sullivan
Deal	Heine	Prescott	Wolkins
Dvorak	Judy	Saunders	Zent
Errington	Kirchhofer	Shackleford	Ziemke
Fleming	Lindauer	Smaltz	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:45:02 AM

Roll Call 334: Motion Prevailed

HB 1209 - Kirchhofer

Reimbursement for emergency medical services
Motion to Concur

Yea	74
Nay	0
Excused	25
Not Voting	1

Presiding: Speaker

Yea - 74

Abbott	DeLaney	Klinker	Pryor
Austin	DeVon	Lehe	Schaibley
Aylesworth	Eberhart	Leonard	Shackleford
Bacon	Ellington	Lucas	Sherman
Baird	Errington	Lyness	Smaltz
Bartels	Fleming	Macer	Smith, V
Bauer	Frye	Manning	Soliday
Behning	GiaQuinta	May	Steuerwald
Borders	Goodin	Mayfield	Stutzman
Brown, T	Goodrich	McNamara	Sullivan
Burton	Gutwein	Miller	Thompson
Candelaria Reardon	Harris	Moed	Torr
Carbaugh	Hatfield	Morrison	VanNatter
Cherry	Heaton	Moseley	Vermilion
Chyung	Hostettler	Nisly	Wesco
Clere	Huston	Pfaff	Wolkins
Cook	Jordan	Pierce	Ziemke
Davisson	Karickhoff	Prescott	
Deal	Kirchhofer	Pressel	

Nay - 0

Excused - 25

Barrett	Forestal	Lehman	Summers
Bartlett	Hamilton	Lindauer	Wright
Beck	Hatcher	Morris	Young, J
Boy	Heine	Negele	Zent
Campbell	Jackson	Porter	
Dvorak	Judy	Saunders	
Engleman	Lauer	Speedy	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:46:57 AM

Roll Call 335: Motion Prevailed

HB 1246 - Sullivan

Automotive dealer services
Motion to Concur

Yea	77
Nay	0
Excused	22
Not Voting	1

Presiding: Speaker

Yea - 77

Abbott	Deal	Klinker	Pryor
Austin	DeLaney	Lehe	Schaibley
Aylesworth	DeVon	Leonard	Shackleford
Bacon	Eberhart	Lucas	Sherman
Baird	Ellington	Lyness	Smaltz
Barrett	Errington	Macer	Smith, V
Bartels	Fleming	Manning	Soliday
Bauer	Frye	May	Steuerwald
Beck	GiaQuinta	Mayfield	Stutzman
Behning	Goodin	McNamara	Sullivan
Borders	Goodrich	Miller	Thompson
Brown, T	Gutwein	Moed	Torr
Burton	Harris	Morrison	VanNatter
Campbell	Hatfield	Moseley	Vermilion
Carbaugh	Heaton	Negele	Wesco
Cherry	Hostettler	Nisly	Wolkins
Chyung	Huston	Pfaff	Ziemke
Clere	Jordan	Pierce	
Cook	Karickhoff	Prescott	
Davisson	Kirchhofer	Pressel	

Nay - 0

Excused - 22

Bartlett	Hamilton	Lehman	Summers
Boy	Hatcher	Lindauer	Wright
Candelaria Reardon	Heine	Morris	Young, J
Dvorak	Jackson	Porter	Zent
Engleman	Judy	Saunders	
Forestal	Lauer	Speedy	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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10:48:54 AM

Roll Call 336: Motion Prevailed

HB 1392 - Smaltz

Physician assistants and nurses
Motion to Concur

Yea	79
Nay	0
Excused	20
Not Voting	1

Presiding: Speaker

Yea - 79

Abbott	Davisson	Klinker	Pressel
Austin	DeLaney	Lehe	Pryor
Aylesworth	DeVon	Leonard	Schaibley
Bacon	Eberhart	Lucas	Shackleford
Baird	Ellington	Lyness	Sherman
Barrett	Errington	Macer	Smaltz
Bartels	Fleming	Manning	Smith, V
Bauer	Frye	May	Soliday
Beck	GiaQuinta	Mayfield	Steuerwald
Behning	Goodin	McNamara	Stutzman
Borders	Goodrich	Miller	Sullivan
Brown, T	Gutwein	Moed	Thompson
Burton	Harris	Morrison	Torr
Campbell	Hatfield	Morris	VanNatter
Candelaria Reardon	Heaton	Moseley	Vermilion
Carbaugh	Hostettler	Negele	Wesco
Cherry	Huston	Nisly	Wolkins
Chyung	Jordan	Pfaff	Ziemke
Clere	Karickhoff	Pierce	Mr. Speaker
Cook	Kirchhofer	Prescott	

Nay - 0

Excused - 20

Bartlett	Forestal	Judy	Saunders
Boy	Hamilton	Lauer	Speedy
Deal	Hatcher	Lehman	Summers
Dvorak	Heine	Lindauer	Wright
Engleman	Jackson	Porter	Zent

Not Voting - 1

Young, J

Indiana House of Representatives

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1:49:15 PM

Roll Call 338: Motion Prevailed

HB 1120 - Steuerwald

Community corrections and credit time
Motion to Concur

Yea	88
Nay	0
Excused	12
Not Voting	0

Presiding: Speaker

Yea - 88

Abbott	DeLaney	Lauer	Pryor
Aylesworth	DeVon	Lehe	Saunders
Bacon	Dvorak	Lehman	Schaibley
Baird	Eberhart	Leonard	Shackleford
Barrett	Ellington	Lindauer	Sherman
Bartels	Engleman	Lucas	Smaltz
Bauer	Errington	Lyness	Smith, V
Beck	Fleming	Macer	Soliday
Behning	Frye	Manning	Steuerwald
Borders	GiaQuinta	May	Stutzman
Bosma	Goodrich	Mayfield	Sullivan
Boy	Gutwein	McNamara	Summers
Brown, T	Harris	Miller	Thompson
Burton	Hatcher	Morrison	Torr
Campbell	Hatfield	Morris	VanNatter
Candelaria Reardon	Heaton	Negele	Vermilion
Cherry	Hostettler	Nisly	Wesco
Chyung	Jackson	Pfaff	Wolkins
Clere	Jordan	Pierce	Wright
Cook	Karickhoff	Porter	Young, J
Davisson	Kirchhofer	Prescott	Ziemke
Deal	Klinker	Pressel	Mr. Speaker

Nay - 0

Excused - 12

Austin	Forestal	Heine	Moseley
Bartlett	Goodin	Judy	Speedy
Carbaugh	Hamilton	Moed	Zent

Not Voting - 0

Indiana House of Representatives

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1:52:00 PM

Roll Call 339: Motion Prevailed

HB 1176 - Clere

First steps program
Motion to Concur

Yea	89
Nay	0
Excused	11
Not Voting	0

Presiding: Speaker

Yea - 89

Abbott	Deal	Lehe	Schaibley
Austin	DeLaney	Lehman	Shackleford
Aylesworth	DeVon	Leonard	Sherman
Bacon	Dvorak	Lindauer	Smaltz
Baird	Eberhart	Lucas	Smith, V
Barrett	Ellington	Lyness	Soliday
Bartels	Engleman	Macer	Steuerwald
Bauer	Errington	Manning	Stutzman
Beck	Fleming	May	Sullivan
Behning	Frye	Mayfield	Summers
Borders	GiaQuinta	McNamara	Thompson
Bosma	Goodrich	Miller	Torr
Boy	Gutwein	Morrison	VanNatter
Brown, T	Harris	Morris	Vermilion
Burton	Hatfield	Negele	Wesco
Campbell	Heaton	Nisly	Wolkins
Candelaria Reardon	Hostettler	Pfaff	Wright
Carbaugh	Jackson	Pierce	Young, J
Cherry	Jordan	Porter	Ziemke
Chyung	Karickhoff	Prescott	Mr. Speaker
Clere	Kirchhofer	Pressel	
Cook	Klinker	Pryor	
Davisson	Lauer	Saunders	

Nay - 0

Excused - 11

Bartlett	Hamilton	Judy	Speedy
Forestal	Hatcher	Moed	Zent
Goodin	Heine	Moseley	

Not Voting - 0

Indiana House of Representatives

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10:13:21 AM

Roll Call 341: Conference Committee Report Adopted

HB 1070 - Sullivan

Distracted driving

Conference Committee Report #1

Yea	81
Nay	11
Excused	8
Not Voting	0

Presiding: Speaker

Yea - 81

Abbott	Davisson	Klinker	Saunders
Austin	Deal	Lauer	Schaibley
Aylesworth	DeLaney	Lehe	Shackleford
Bacon	DeVon	Lehman	Sherman
Barrett	Engleman	Leonard	Smaltz
Bartels	Errington	Lindauer	Smith, V
Bauer	Fleming	Lyness	Soliday
Beck	Frye	Macer	Sullivan
Behning	GiaQuinta	Manning	Summers
Borders	Goodin	May	Thompson
Bosma	Goodrich	Mayfield	Torr
Boy	Gutwein	McNamara	Vermilion
Brown, T	Hamilton	Miller	Wesco
Burton	Harris	Moed	Wright
Campbell	Hatcher	Morris	Young, J
Candelaria Reardon	Heaton	Negele	Zent
Carbaugh	Hostettler	Pfaff	Ziemke
Cherry	Jackson	Pierce	Mr. Speaker
Chyung	Jordan	Porter	
Clere	Karickhoff	Pressel	
Cook	Kirchhofer	Pryor	

Nay - 11

Bartlett	Judy	Nisly	VanNatter
Eberhart	Lucas	Prescott	Wolkins
Ellington	Morrison	Stutzman	

Excused - 8

Baird	Forestal	Heine	Speedy
Dvorak	Hatfield	Moseley	Steuerwald

Not Voting - 0

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10:16:30 AM

Roll Call 342: Conference Committee Report Adopted

SB 10 - Burton

Pension matters

Conference Committee Report #1

Yea	93
Nay	0
Excused	7
Not Voting	0

Presiding: Speaker

Yea - 93

Abbott	Deal	Lauer	Saunders
Austin	DeLaney	Lehe	Schaibley
Aylesworth	DeVon	Lehman	Shackleford
Bacon	Eberhart	Leonard	Sherman
Baird	Ellington	Lindauer	Smaltz
Barrett	Engleman	Lucas	Smith, V
Bartels	Errington	Lyness	Soliday
Bartlett	Fleming	Macer	Stutzman
Bauer	Frye	Manning	Sullivan
Beck	GiaQuinta	May	Summers
Behning	Goodin	Mayfield	Thompson
Borders	Goodrich	McNamara	Torr
Bosma	Gutwein	Miller	VanNatter
Boy	Hamilton	Moed	Vermilion
Brown, T	Harris	Morrison	Wesco
Burton	Hatcher	Morris	Wolkins
Campbell	Heaton	Negele	Wright
Candelaria Reardon	Hostettler	Nisly	Young, J
Carbaugh	Jackson	Pfaff	Zent
Cherry	Jordan	Pierce	Ziemke
Chyung	Judy	Porter	Mr. Speaker
Clere	Karickhoff	Prescott	
Cook	Kirchhofer	Pressel	
Davisson	Klinker	Pryor	

Nay - 0

Excused - 7

Dvorak	Hatfield	Moseley	Steuerwald
Forestal	Heine	Speedy	

Not Voting - 0

Indiana House of Representatives

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10:18:59 AM

Roll Call 343: Conference Committee Report Adopted

SB 190 - Thompson

Controlled projects
Conference Committee Report #1

Yea	93
Nay	0
Excused	7
Not Voting	0

Presiding: Speaker

Yea - 93

Abbott	Deal	Lauer	Saunders
Austin	DeLaney	Lehe	Schaibley
Aylesworth	DeVon	Lehman	Shackleford
Bacon	Eberhart	Leonard	Sherman
Baird	Ellington	Lindauer	Smaltz
Barrett	Engleman	Lucas	Smith, V
Bartels	Errington	Lyness	Soliday
Bartlett	Fleming	Macer	Stutzman
Bauer	Frye	Manning	Sullivan
Beck	GiaQuinta	May	Summers
Behning	Goodin	Mayfield	Thompson
Borders	Goodrich	McNamara	Torr
Bosma	Gutwein	Miller	VanNatter
Boy	Hamilton	Moed	Vermilion
Brown, T	Harris	Morrison	Wesco
Burton	Hatcher	Morris	Wolkins
Campbell	Heaton	Negele	Wright
Candelaria Reardon	Hostettler	Nisly	Young, J
Carbaugh	Jackson	Pfaff	Zent
Cherry	Jordan	Pierce	Ziemke
Chyung	Judy	Porter	Mr. Speaker
Clere	Karickhoff	Prescott	
Cook	Kirchhofer	Pressel	
Davisson	Klinker	Pryor	

Nay - 0

Excused - 7

Dvorak	Hatfield	Moseley	Steuerwald
Forestal	Heine	Speedy	

Not Voting - 0

Indiana House of Representatives

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10:23:46 AM

Roll Call 344: Motion Prevailed

HB 1265 - Jackson

Drinking water testing
Motion to Concur

Yea	93
Nay	0
Excused	7
Not Voting	0

Presiding: Speaker

Yea - 93

Abbott	Deal	Lehe	Schaibley
Austin	DeLaney	Lehman	Shackleford
Aylesworth	DeVon	Leonard	Sherman
Bacon	Eberhart	Lindauer	Smaltz
Baird	Ellington	Lucas	Smith, V
Barrett	Engleman	Lyness	Soliday
Bartels	Errington	Macer	Speedy
Bartlett	Fleming	Manning	Stutzman
Bauer	Frye	May	Sullivan
Beck	GiaQuinta	Mayfield	Summers
Behning	Goodin	McNamara	Thompson
Borders	Goodrich	Miller	Torr
Bosma	Gutwein	Moed	VanNatter
Boy	Hamilton	Morrison	Vermilion
Brown, T	Harris	Morris	Wesco
Burton	Hatcher	Negele	Wolkins
Campbell	Heaton	Nisly	Wright
Candelaria Reardon	Hostettler	Pfaff	Young, J
Carbaugh	Jackson	Pierce	Zent
Cherry	Jordan	Porter	Ziemke
Chyung	Karickhoff	Prescott	Mr. Speaker
Clere	Kirchhofer	Pressel	
Cook	Klinker	Pryor	
Davisson	Lauer	Saunders	

Nay - 0

Excused - 7

Dvorak	Hatfield	Judy	Steuerwald
Forestal	Heine	Moseley	

Not Voting - 0

Indiana House of Representatives

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10:26:25 AM

Roll Call 345: Motion Prevailed

HB 1309 - Wolkins

Department of environmental management
Motion to Concur

Yea	90
Nay	1
Excused	9
Not Voting	0

Presiding: Speaker

Yea - 90

Abbott	Deal	Lauer	Schaibley
Austin	DeLaney	Lehe	Shackleford
Aylesworth	DeVon	Lehman	Sherman
Bacon	Eberhart	Leonard	Smaltz
Baird	Ellington	Lucas	Smith, V
Barrett	Engleman	Lyness	Soliday
Bartels	Errington	Macer	Speedy
Bartlett	Fleming	Manning	Stutzman
Bauer	Frye	May	Sullivan
Behning	GiaQuinta	Mayfield	Summers
Borders	Goodin	McNamara	Thompson
Bosma	Goodrich	Miller	Torr
Boy	Gutwein	Moed	VanNatter
Brown, T	Hamilton	Morrison	Vermilion
Burton	Harris	Morris	Wesco
Campbell	Hatcher	Negele	Wolkins
Candelaria Reardon	Heaton	Nisly	Wright
Carbaugh	Hostettler	Pfaff	Young, J
Cherry	Jackson	Pierce	Zent
Chyung	Jordan	Porter	Ziemke
Clere	Karickhoff	Prescott	Mr. Speaker
Cook	Kirchhofer	Pressel	
Davisson	Klinker	Pryor	

Nay - 1

Saunders

Excused - 9

Beck	Hatfield	Judy	Moseley
Dvorak	Heine	Lindauer	Steuerwald
Forestal			

Not Voting - 0

Indiana House of Representatives

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10:29:21 AM

Roll Call 346: Motion Prevailed

HB 1353 - Burton

Financial institutions and consumer credit
Motion to Concur

Yea	92
Nay	0
Excused	8
Not Voting	0

Presiding: Speaker

Yea - 92

Abbott	Deal	Klinker	Pryor
Austin	DeLaney	Lauer	Saunders
Aylesworth	DeVon	Lehe	Schaibley
Bacon	Eberhart	Lehman	Shackleford
Baird	Ellington	Leonard	Sherman
Barrett	Engleman	Lucas	Smaltz
Bartels	Errington	Lyness	Smith, V
Bartlett	Fleming	Macer	Soliday
Bauer	Frye	Manning	Speedy
Beck	GiaQuinta	May	Stutzman
Behning	Goodin	Mayfield	Sullivan
Borders	Goodrich	McNamara	Summers
Bosma	Gutwein	Miller	Thompson
Boy	Hamilton	Moed	Torr
Brown, T	Harris	Morrison	VanNatter
Burton	Hatcher	Morris	Vermilion
Campbell	Hatfield	Negele	Wesco
Candelaria Reardon	Heaton	Nisly	Wolkins
Carbaugh	Hostettler	Pfaff	Wright
Cherry	Jackson	Pierce	Young, J
Chyung	Jordan	Porter	Zent
Clere	Karickhoff	Prescott	Ziemke
Cook	Kirchhofer	Pressel	Mr. Speaker

Nay - 0

Excused - 8

Davisson	Forestal	Judy	Moseley
Dvorak	Heine	Lindauer	Steuerwald

Not Voting - 0

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1:12:16 PM

Roll Call 348: Motion Prevailed

HB 1077 - Zent

Professional licensing agency
Motion to Concur

Yea	79
Nay	0
Excused	21
Not Voting	0

Presiding: Speaker

Yea - 79

Abbott	Engleman	Lindauer	Sherman
Austin	Errington	Lucas	Smaltz
Aylesworth	Frye	Lyness	Smith, V
Bacon	GiaQuinta	Macer	Soliday
Baird	Goodin	Manning	Speedy
Bartels	Goodrich	May	Steuerwald
Behning	Gutwein	Mayfield	Stutzman
Borders	Hamilton	McNamara	Sullivan
Bosma	Harris	Miller	Summers
Boy	Hatcher	Moed	Thompson
Brown, T	Heaton	Negele	Torr
Burton	Hostettler	Nisly	VanNatter
Campbell	Jackson	Pfaff	Vermilion
Candelaria Reardon	Jordan	Pierce	Wesco
Cherry	Judy	Porter	Wright
Clere	Karickhoff	Prescott	Young, J
Cook	Kirchhofer	Pressel	Zent
DeLaney	Klinker	Pryor	Ziemke
Eberhart	Lauer	Saunders	Mr. Speaker
Ellington	Lehe	Schaibley	

Nay - 0

Excused - 21

Barrett	Davisson	Hatfield	Moseley
Bartlett	Deal	Heine	Shackleford
Bauer	DeVon	Lehman	Wolkins
Beck	Dvorak	Leonard	
Carbaugh	Fleming	Morrison	
Chyung	Forestal	Morris	

Not Voting - 0

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1:16:28 PM

Roll Call 349: Conference Committee Report Adopted

SB 132 - Frye

Department of homeland security
Conference Committee Report #1

Yea	81
Nay	0
Excused	19
Not Voting	0

Presiding: Speaker

Yea - 81

Abbott	Ellington	Lehman	Sherman
Austin	Engleman	Lindauer	Smaltz
Aylesworth	Errington	Lucas	Smith, V
Bacon	Frye	Lyness	Soliday
Baird	GiaQuinta	Macer	Speedy
Bartels	Goodin	Manning	Steuerwald
Behning	Goodrich	May	Stutzman
Borders	Gutwein	Mayfield	Summers
Bosma	Hamilton	McNamara	Thompson
Boy	Harris	Miller	Torr
Brown, T	Hatcher	Moed	VanNatter
Burton	Heaton	Negele	Vermilion
Campbell	Hostettler	Nisly	Wesco
Candelaria Reardon	Jackson	Pfaff	Wright
Cherry	Jordan	Pierce	Young, J
Chyung	Judy	Porter	Zent
Clere	Karickhoff	Prescott	Ziemke
Cook	Kirchhofer	Pressel	Mr. Speaker
DeLaney	Klinker	Pryor	
DeVon	Lauer	Saunders	
Eberhart	Lehe	Schaibley	

Nay - 0

Excused - 19

Barrett	Davisson	Hatfield	Moseley
Bartlett	Deal	Heine	Shackleford
Bauer	Dvorak	Leonard	Sullivan
Beck	Fleming	Morrison	Wolkins
Carbaugh	Forestal	Morris	

Not Voting - 0

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1:19:54 PM

Roll Call 350: Conference Committee Report Adopted

SB 246 - Cook

Mental health services

Conference Committee Report #1

Yea	83
Nay	2
Excused	14
Not Voting	1

Presiding: Speaker

Yea - 83

Abbott	Dvorak	Lauer	Schaibley
Austin	Eberhart	Lehe	Sherman
Aylesworth	Ellington	Lehman	Smaltz
Bacon	Engleman	Lindauer	Smith, V
Baird	Errington	Lucas	Soliday
Bartels	Frye	Lyness	Speedy
Bartlett	GiaQuinta	Macer	Steuerwald
Bauer	Goodin	Manning	Stutzman
Behning	Goodrich	May	Sullivan
Bosma	Gutwein	Mayfield	Summers
Boy	Hamilton	McNamara	Thompson
Brown, T	Harris	Miller	Torr
Burton	Hatcher	Moed	VanNatter
Campbell	Heaton	Negele	Vermilion
Candelaria Reardon	Hostettler	Pfaff	Wesco
Cherry	Jackson	Pierce	Wolkins
Chyung	Jordan	Porter	Wright
Clere	Judy	Prescott	Young, J
Cook	Karickhoff	Pressel	Zent
DeLaney	Kirchhofer	Pryor	Ziemke
DeVon	Klinker	Saunders	

Nay - 2

Borders	Nisly

Excused - 14

Barrett	Deal	Heine	Moseley
Beck	Fleming	Leonard	Shackleford
Carbaugh	Forestal	Morrison	
Davisson	Hatfield	Morris	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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1:23:28 PM

Roll Call 351: Conference Committee Report Adopted

SB 258 - Frye

Firefighter safety
Conference Committee Report #1

Yea	89
Nay	0
Excused	10
Not Voting	1

Presiding: Speaker

Yea - 89

Abbott	Dvorak	Lehe	Schaibley
Austin	Eberhart	Lehman	Sherman
Aylesworth	Ellington	Leonard	Smaltz
Bacon	Engleman	Lindauer	Smith, V
Baird	Errington	Lucas	Soliday
Bartels	Frye	Lyness	Speedy
Bartlett	GiaQuinta	Macer	Steuerwald
Bauer	Goodin	Manning	Stutzman
Behning	Goodrich	May	Sullivan
Borders	Gutwein	Mayfield	Summers
Bosma	Hamilton	McNamara	Thompson
Boy	Harris	Miller	Torr
Brown, T	Hatcher	Moed	VanNatter
Burton	Hatfield	Morrison	Vermilion
Campbell	Heaton	Negele	Wesco
Candelaria Reardon	Hostettler	Nisly	Wolkins
Cherry	Jackson	Pfaff	Wright
Chyung	Jordan	Pierce	Young, J
Clere	Judy	Porter	Zent
Cook	Karickhoff	Prescott	Ziemke
Deal	Kirchhofer	Pressel	
DeLaney	Klinker	Pryor	
DeVon	Lauer	Saunders	

Nay - 0

Excused - 10

Barrett	Davisson	Heine	Shackleford
Beck	Fleming	Morris	
Carbaugh	Forestal	Moseley	

Not Voting - 1

Mr. Speaker

Indiana House of Representatives

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1:33:09 PM

Roll Call 352: Motion Prevailed

HB 1165 - Burton

Municipally owned utilities
Motion to Concur

Yea	61
Nay	34
Excused	5
Not Voting	0

Presiding: Speaker

Yea - 61

Aylesworth	DeVon	May	Smith, V
Bacon	Ellington	Mayfield	Soliday
Baird	Engleman	McNamara	Speedy
Barrett	Goodrich	Miller	Stutzman
Behning	Gutwein	Moed	Sullivan
Borders	Hamilton	Morrison	Thompson
Bosma	Hatfield	Negele	Torr
Boy	Heaton	Nisly	VanNatter
Brown, T	Hostettler	Pfaff	Wesco
Burton	Karickhoff	Pierce	Young, J
Carbaugh	Kirchhofer	Pressel	Zent
Cherry	Lauer	Pryor	Ziemke
Clere	Lehe	Schaibley	Mr. Speaker
Davisson	Leonard	Shackleford	
Deal	Lindauer	Sherman	
DeLaney	Manning	Smaltz	

Nay - 34

Abbott	Cook	Jackson	Prescott
Austin	Dvorak	Jordan	Saunders
Bartels	Eberhart	Judy	Steuerwald
Bartlett	Errington	Klinker	Summers
Bauer	Fleming	Lehman	Vermilion
Beck	Frye	Lucas	Wolkins
Campbell	GiaQuinta	Lyness	Wright
Candelaria Reardon	Harris	Macer	
Chyung	Hatcher	Porter	

Excused - 5

Forestal	Heine	Morris	Moseley
Goodin			

Not Voting - 0

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3:47:28 PM

Roll Call 354: Conference Committee Report Adopted

HB 1157 - Hatfield

Motor vehicle and criminal law issues
Conference Committee Report #1

Yea	92
Nay	0
Excused	8
Not Voting	0

Presiding: Speaker

Yea - 92

Abbott	DeLaney	Kirchhofer	Pryor
Aylesworth	DeVon	Klinker	Saunders
Bacon	Dvorak	Lehman	Schaibley
Baird	Eberhart	Leonard	Shackleford
Barrett	Ellington	Lindauer	Sherman
Bartels	Engleman	Lucas	Smaltz
Bartlett	Errington	Lyness	Smith, V
Bauer	Fleming	Macer	Soliday
Beck	Frye	Manning	Steuerwald
Behning	GiaQuinta	May	Stutzman
Borders	Goodin	Mayfield	Sullivan
Bosma	Goodrich	McNamara	Summers
Boy	Gutwein	Miller	Thompson
Brown, T	Hamilton	Moed	Torr
Burton	Harris	Morrison	VanNatter
Campbell	Hatcher	Morris	Vermilion
Candelaria Reardon	Hatfield	Negele	Wesco
Cherry	Heaton	Nisly	Wolkins
Chyung	Hostettler	Pfaff	Wright
Clere	Jackson	Pierce	Young, J
Cook	Jordan	Porter	Zent
Davisson	Judy	Prescott	Ziemke
Deal	Karickhoff	Pressel	Mr. Speaker

Nay - 0

Excused - 8

Austin	Forestal	Lauer	Moseley
Carbaugh	Heine	Lehe	Speedy

Not Voting - 0

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3:58:47 PM

Roll Call 355: Conference Committee Report Adopted

HB 1414 - Soliday

Electric generation
Conference Committee Report #1

Yea	56
Nay	37
Excused	7
Not Voting	0

Presiding: Speaker

Yea - 56

Abbott	Cook	Karickhoff	Pressel
Aylesworth	Davisson	Kirchhofer	Sherman
Bacon	DeVon	Lehman	Smaltz
Baird	Eberhart	Leonard	Soliday
Barrett	Ellington	Lindauer	Steuerwald
Bartels	Engleman	Lucas	Stutzman
Beck	Frye	Lyness	Sullivan
Behning	Goodin	Manning	Thompson
Borders	Goodrich	May	Vermilion
Bosma	Gutwein	Mayfield	Wesco
Brown, T	Heaton	McNamara	Wolkins
Burton	Hostettler	Miller	Young, J
Carbaugh	Jordan	Morrison	Zent
Cherry	Judy	Morris	Mr. Speaker

Nay - 37

Bartlett	Errington	Moed	Shackleford
Bauer	Fleming	Negele	Smith, V
Boy	GiaQuinta	Nisly	Summers
Campbell	Hamilton	Pfaff	Torr
Candelaria Reardon	Harris	Pierce	VanNatter
Chyung	Hatcher	Porter	Wright
Clere	Hatfield	Prescott	Ziemke
Deal	Jackson	Pryor	
DeLaney	Klinker	Saunders	
Dvorak	Macer	Schaibley	

Excused - 7

Austin	Heine	Lehe	Speedy
Forestal	Lauer	Moseley	

Not Voting - 0

Indiana House of Representatives

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4:01:10 PM

Roll Call 356: Conference Committee Report Adopted

SB 237 - Morris

Care of police officers and firefighters
Conference Committee Report #1

Yea	93
Nay	0
Excused	7
Not Voting	0

Presiding: Speaker

Yea - 93

Abbott	DeLaney	Klinker	Schaibley
Aylesworth	DeVon	Lehman	Shackleford
Bacon	Dvorak	Leonard	Sherman
Baird	Eberhart	Lindauer	Smaltz
Barrett	Ellington	Lucas	Smith, V
Bartels	Engleman	Lyness	Soliday
Bartlett	Errington	Macer	Steuerwald
Bauer	Fleming	Manning	Stutzman
Beck	Frye	May	Sullivan
Behning	GiaQuinta	Mayfield	Summers
Borders	Goodin	McNamara	Thompson
Bosma	Goodrich	Miller	Torr
Boy	Gutwein	Moed	VanNatter
Brown, T	Hamilton	Morrison	Vermilion
Burton	Harris	Morris	Wesco
Campbell	Hatcher	Negele	Wolkins
Candelaria Reardon	Hatfield	Nisly	Wright
Carbaugh	Heaton	Pfaff	Young, J
Cherry	Hostettler	Pierce	Zent
Chyung	Jackson	Porter	Ziemke
Clere	Jordan	Prescott	Mr. Speaker
Cook	Judy	Pressel	
Davisson	Karickhoff	Pryor	
Deal	Kirchhofer	Saunders	

Nay - 0

Excused - 7

Austin	Heine	Lehe	Speedy
Forestal	Lauer	Moseley	

Not Voting - 0

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6:52:10 PM

Roll Call 358: Motion Prevailed

HB 1326 - Kirchhofer

Community mental health centers
Motion to Concur

Yea	87
Nay	0
Excused	13
Not Voting	0

Presiding: Speaker

Yea - 87

Abbott	DeVon	Klinker	Prescott
Austin	Eberhart	Lauer	Pryor
Aylesworth	Ellington	Lehe	Saunders
Bacon	Engleman	Lehman	Schaibley
Baird	Errington	Leonard	Smith, V
Barrett	Fleming	Lindauer	Soliday
Bartels	Frye	Lucas	Speedy
Bartlett	GiaQuinta	Lyness	Steuerwald
Beck	Goodin	Macer	Stutzman
Borders	Goodrich	Manning	Sullivan
Bosma	Gutwein	May	Summers
Boy	Hamilton	Mayfield	Thompson
Brown, T	Harris	McNamara	Torr
Burton	Hatcher	Miller	VanNatter
Campbell	Hatfield	Moed	Vermilion
Candelaria Reardon	Heaton	Morrison	Wesco
Carbaugh	Hostettler	Morris	Wolkins
Chyung	Jackson	Negele	Wright
Clere	Jordan	Nisly	Young, J
Cook	Judy	Pfaff	Zent
Deal	Karickhoff	Pierce	Mr. Speaker
DeLaney	Kirchhofer	Porter	

Nay - 0

Excused - 13

Bauer	Dvorak	Pressel	Ziemke
Behning	Forestal	Shackleford	
Cherry	Heine	Sherman	
Davisson	Moseley	Smaltz	

Not Voting - 0

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7:02:30 PM

Roll Call 359: Conference Committee Report Adopted

HB 1022 - Bosma

Panhandling

Conference Committee Report #1

Yea	84
Nay	10
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 84

Abbott	DeLaney	Klinker	Pressel
Austin	DeVon	Lauer	Saunders
Aylesworth	Dvorak	Lehe	Schaibley
Bacon	Eberhart	Lehman	Shackleford
Baird	Ellington	Leonard	Sherman
Barrett	Engleman	Lindauer	Soliday
Bartels	Errington	Lucas	Speedy
Bartlett	Frye	Lyness	Steuerwald
Beck	Goodin	Macer	Stutzman
Behning	Goodrich	Manning	Sullivan
Borders	Gutwein	May	Thompson
Bosma	Hamilton	Mayfield	Torr
Boy	Harris	McNamara	VanNatter
Brown, T	Hatfield	Miller	Vermilion
Burton	Heaton	Moed	Wesco
Candelaria Reardon	Hostettler	Morrison	Wolkins
Carbaugh	Jackson	Morris	Wright
Cherry	Jordan	Negele	Young, J
Clere	Judy	Pfaff	Zent
Cook	Karickhoff	Pierce	Ziemke
Deal	Kirchhofer	Prescott	Mr. Speaker

Nay - 10

Campbell	GiaQuinta	Porter	Summers
Chyung	Hatcher	Pryor	
Fleming	Nisly	Smith, V	

Excused - 6

Bauer	Forestal	Heine	Moseley
Davisson			Smaltz

Not Voting - 0

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7:06:14 PM

Roll Call 360: Conference Committee Report Adopted

HB 1092 - Ziemke

State Medicaid amendments
Conference Committee Report #1

Yea	94
Nay	0
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 94

Abbott	DeVon	Lauer	Saunders
Austin	Dvorak	Lehe	Schaibley
Aylesworth	Eberhart	Lehman	Shackleford
Bacon	Ellington	Leonard	Sherman
Baird	Engleman	Lindauer	Smith, V
Barrett	Errington	Lucas	Soliday
Bartels	Fleming	Lyness	Speedy
Bartlett	Frye	Macer	Steuerwald
Beck	GiaQuinta	Manning	Stutzman
Behning	Goodin	May	Sullivan
Borders	Goodrich	Mayfield	Summers
Bosma	Gutwein	McNamara	Thompson
Boy	Hamilton	Miller	Torr
Brown, T	Harris	Moed	VanNatter
Burton	Hatcher	Morrison	Vermilion
Campbell	Hatfield	Morris	Wesco
Candelaria Reardon	Heaton	Negele	Wolkins
Carbaugh	Hostettler	Nisly	Wright
Cherry	Jackson	Pfaff	Young, J
Chyung	Jordan	Pierce	Zent
Clere	Judy	Porter	Ziemke
Cook	Karickhoff	Prescott	Mr. Speaker
Deal	Kirchhofer	Pressel	
DeLaney	Klinker	Pryor	

Nay - 0

Excused - 6

Bauer	Forestal	Heine	Moseley
Davisson			Smaltz

Not Voting - 0

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7:08:49 PM

Roll Call 361: Conference Committee Report Adopted

HB 1153 - Goodrich

Governor's workforce cabinet
Conference Committee Report #1

Yea	93
Nay	1
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 93

Abbott	DeVon	Lehe	Schaibley
Austin	Eberhart	Lehman	Shackleford
Aylesworth	Ellington	Leonard	Sherman
Bacon	Engleman	Lindauer	Smith, V
Baird	Errington	Lucas	Soliday
Barrett	Fleming	Lyness	Speedy
Bartels	Frye	Macer	Steuerwald
Bartlett	GiaQuinta	Manning	Stutzman
Beck	Goodin	May	Sullivan
Behning	Goodrich	Mayfield	Summers
Borders	Gutwein	McNamara	Thompson
Bosma	Hamilton	Miller	Torr
Boy	Harris	Moed	VanNatter
Brown, T	Hatcher	Morrison	Vermilion
Burton	Hatfield	Morris	Wesco
Campbell	Heaton	Negele	Wolkins
Candelaria Reardon	Hostettler	Nisly	Wright
Carbaugh	Jackson	Pfaff	Young, J
Cherry	Jordan	Pierce	Zent
Chyung	Judy	Porter	Ziemke
Clere	Karickhoff	Prescott	Mr. Speaker
Cook	Kirchhofer	Pressel	
Deal	Klinker	Pryor	
DeLaney	Lauer	Saunders	

Nay - 1

Dvorak

Excused - 6

Bauer	Forestal	Heine	Moseley
Davisson			Smaltz

Not Voting - 0

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7:11:38 PM

Roll Call 362: Conference Committee Report Adopted

HB 1419 - Behning

Governor's workforce cabinet
Conference Committee Report #1

Yea	91
Nay	3
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 91

Abbott	DeVon	Lauer	Saunders
Austin	Eberhart	Lehe	Schaibley
Aylesworth	Ellington	Lehman	Shackleford
Bacon	Engleman	Leonard	Sherman
Baird	Errington	Lindauer	Smith, V
Barrett	Fleming	Lucas	Soliday
Bartels	Frye	Lyness	Speedy
Bartlett	GiaQuinta	Macer	Steuerwald
Beck	Goodin	Manning	Stutzman
Behning	Goodrich	May	Sullivan
Borders	Gutwein	Mayfield	Summers
Bosma	Hamilton	McNamara	Thompson
Boy	Harris	Miller	Torr
Brown, T	Hatcher	Moed	VanNatter
Burton	Hatfield	Morrison	Vermilion
Campbell	Heaton	Morris	Wesco
Candelaria Reardon	Hostettler	Negele	Wolkins
Carbaugh	Jackson	Nisly	Wright
Cherry	Jordan	Pfaff	Young, J
Chyung	Judy	Porter	Zent
Clere	Karickhoff	Prescott	Ziemke
Cook	Kirchhofer	Pressel	Mr. Speaker
Deal	Klinker	Pryor	

Nay - 3

DeLaney	Dvorak	Pierce

Excused - 6

Bauer	Forestal	Heine	Moseley
Davisson			Smaltz

Not Voting - 0

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7:16:00 PM

Roll Call 363: Conference Committee Report Adopted

SB 256 - McNamara

Courts and judicial officers
Conference Committee Report #1

Yea	66
Nay	28
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 66

Abbott	Ellington	Lindauer	Soliday
Aylesworth	Engleman	Lucas	Speedy
Bacon	Errington	Lyness	Steuerwald
Baird	Frye	Manning	Stutzman
Barrett	Goodrich	May	Sullivan
Bartels	Gutwein	Mayfield	Thompson
Behning	Heaton	McNamara	Torr
Borders	Hostettler	Miller	VanNatter
Bosma	Jordan	Morrison	Vermilion
Brown, T	Judy	Morris	Wesco
Burton	Karickhoff	Negele	Wolkins
Carbaugh	Kirchhofer	Nisly	Young, J
Cherry	Klinker	Prescott	Zent
Clere	Lauer	Pressel	Ziemke
Cook	Lehe	Saunders	Mr. Speaker
DeVon	Lehman	Schaibley	
Eberhart	Leonard	Sherman	

Nay - 28

Austin	Deal	Harris	Pierce
Bartlett	DeLaney	Hatcher	Porter
Beck	Dvorak	Hatfield	Pryor
Boy	Fleming	Jackson	Shackleford
Campbell	GiaQuinta	Macer	Smith, V
Candelaria Reardon	Goodin	Moed	Summers
Chyung	Hamilton	Pfaff	Wright

Excused - 6

Bauer	Forestal	Heine	Moseley
Davisson			Smaltz

Not Voting - 0

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7:18:09 PM

Roll Call 364: Conference Committee Report Adopted

SB 340 - Wolkins

Private property matters
Conference Committee Report #1

Yea	94
Nay	0
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 94

Abbott	DeVon	Lauer	Saunders
Austin	Dvorak	Lehe	Schaibley
Aylesworth	Eberhart	Lehman	Shackleford
Bacon	Ellington	Leonard	Sherman
Baird	Engleman	Lindauer	Smith, V
Barrett	Errington	Lucas	Soliday
Bartels	Fleming	Lyness	Speedy
Bartlett	Frye	Macer	Steuerwald
Beck	GiaQuinta	Manning	Stutzman
Behning	Goodin	May	Sullivan
Borders	Goodrich	Mayfield	Summers
Bosma	Gutwein	McNamara	Thompson
Boy	Hamilton	Miller	Torr
Brown, T	Harris	Moed	VanNatter
Burton	Hatcher	Morrison	Vermilion
Campbell	Hatfield	Morris	Wesco
Candelaria Reardon	Heaton	Negele	Wolkins
Carbaugh	Hostettler	Nisly	Wright
Cherry	Jackson	Pfaff	Young, J
Chyung	Jordan	Pierce	Zent
Clere	Judy	Porter	Ziemke
Cook	Karickhoff	Prescott	Mr. Speaker
Deal	Kirchhofer	Pressel	
DeLaney	Klinker	Pryor	

Nay - 0

Excused - 6

Bauer	Forestal	Heine	Moseley
Davisson			Smaltz

Not Voting - 0

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7:19:52 PM

Roll Call 365: Conference Committee Report Adopted

SB 433 - Lindauer

Structures in floodways
Conference Committee Report #1

Yea	93
Nay	1
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 93

Abbott	Dvorak	Lehe	Schaibley
Austin	Eberhart	Lehman	Shackleford
Aylesworth	Ellington	Leonard	Sherman
Bacon	Engleman	Lindauer	Smith, V
Baird	Errington	Lucas	Soliday
Barrett	Fleming	Lyness	Speedy
Bartels	Frye	Macer	Steuerwald
Bartlett	GiaQuinta	Manning	Stutzman
Beck	Goodin	May	Sullivan
Behning	Goodrich	Mayfield	Summers
Borders	Gutwein	McNamara	Thompson
Bosma	Hamilton	Miller	Torr
Boy	Harris	Moed	VanNatter
Brown, T	Hatcher	Morrison	Vermilion
Burton	Hatfield	Morris	Wesco
Candelaria Reardon	Heaton	Negele	Wolkins
Carbaugh	Hostettler	Nisly	Wright
Cherry	Jackson	Pfaff	Young, J
Chyung	Jordan	Pierce	Zent
Clere	Judy	Porter	Ziemke
Cook	Karickhoff	Prescott	Mr. Speaker
Deal	Kirchhofer	Pressel	
DeLaney	Klinker	Pryor	
DeVon	Lauer	Saunders	

Nay - 1

Campbell

Excused - 6

Bauer	Forestal	Heine	Moseley
Davisson			Smaltz

Not Voting - 0

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10:16:30 AM

Roll Call 367: Conference Committee Report Adopted

HB 1014 - Saunders

State museum and historic sites corporation
Conference Committee Report #1

Yea	84
Nay	5
Excused	11
Not Voting	0

Presiding: Speaker

Yea - 84

Abbott	Cook	Judy	Pryor
Austin	Deal	Kirchhofer	Saunders
Aylesworth	DeLaney	Klinker	Schaibley
Bacon	DeVon	Lauer	Shackleford
Baird	Eberhart	Lehe	Sherman
Barrett	Ellington	Leonard	Smaltz
Bartels	Engleman	Lindauer	Smith, V
Bartlett	Errington	Lyness	Soliday
Bauer	Fleming	Macer	Steuerwald
Beck	Frye	Manning	Stutzman
Behning	GiaQuinta	May	Summers
Borders	Goodin	McNamara	Thompson
Bosma	Goodrich	Miller	Torr
Boy	Gutwein	Moed	Vermilion
Brown, T	Hamilton	Negele	Wesco
Burton	Harris	Nisly	Wolkins
Campbell	Hatcher	Pfaff	Wright
Candelaria Reardon	Heaton	Pierce	Young, J
Cherry	Hostettler	Porter	Zent
Chyung	Jackson	Prescott	Ziemke
Clere	Jordan	Pressel	Mr. Speaker

Nay - 5

Karickhoff	Morris	Sullivan	VanNatter
Morrison			

Excused - 11

Carbaugh	Forestal	Lehman	Moseley
Davisson	Hatfield	Lucas	Speedy
Dvorak	Heine	Mayfield	

Not Voting - 0

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10:28:43 AM

Roll Call 368: Conference Committee Report Adopted

HB 1385 - Eberhart

Natural resources

Conference Committee Report #1

Yea	70
Nay	22
Excused	7
Not Voting	1

Presiding: Speaker

Yea - 70

Abbott	Cook	Lehe	Pryor
Austin	Deal	Lehman	Schaibley
Aylesworth	DeLaney	Leonard	Shackleford
Baird	Dvorak	Lindauer	Smaltz
Bartels	Eberhart	Lucas	Smith, V
Bauer	Engleman	Lyness	Steuerwald
Beck	Errington	Macer	Sullivan
Behning	Fleming	Manning	Summers
Borders	GiaQuinta	McNamara	Thompson
Bosma	Goodin	Moed	Torr
Boy	Hamilton	Morrison	VanNatter
Brown, T	Harris	Morris	Vermilion
Burton	Hostettler	Negele	Wright
Campbell	Judy	Nisly	Young, J
Candelaria Reardon	Karickhoff	Pfaff	Zent
Carbaugh	Kirchhofer	Pierce	Ziemke
Chyung	Klinker	Porter	
Clere	Lauer	Prescott	

Nay - 22

Bacon	Frye	Jordan	Speedy
Barrett	Goodrich	May	Stutzman
Bartlett	Gutwein	Miller	Wesco
Cherry	Hatcher	Pressel	Wolkins
DeVon	Heaton	Saunders	
Ellington	Jackson	Sherman	

Excused - 7

Davisson	Hatfield	Mayfield	Soliday
Forestal	Heine	Moseley	

Not Voting - 1

Mr. Speaker

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10:31:03 AM

Roll Call 369: Conference Committee Report Adopted

SB 299 - Stutzman

Fetal remains

Conference Committee Report #1

Yea	81
Nay	15
Excused	4
Not Voting	0

Presiding: Speaker

Yea - 81

Abbott	Dvorak	Lehman	Sherman
Austin	Eberhart	Leonard	Smaltz
Aylesworth	Ellington	Lindauer	Soliday
Bacon	Engleman	Lucas	Speedy
Baird	Fleming	Lyness	Steuerwald
Barrett	Frye	Manning	Stutzman
Bartels	GiaQuinta	May	Sullivan
Bauer	Goodin	Mayfield	Thompson
Beck	Goodrich	McNamara	Torr
Behning	Gutwein	Miller	VanNatter
Borders	Hatfield	Moed	Vermilion
Bosma	Heaton	Morrison	Wesco
Boy	Hostettler	Morris	Wolkins
Brown, T	Jackson	Negele	Wright
Burton	Jordan	Nisly	Young, J
Carbaugh	Judy	Prescott	Zent
Cherry	Karickhoff	Pressel	Ziemke
Clere	Kirchhofer	Pryor	Mr. Speaker
Cook	Klinker	Saunders	
Deal	Lauer	Schaibley	
DeVon	Lehe	Shackleford	

Nay - 15

Bartlett	DeLaney	Hatcher	Porter
Campbell	Errington	Macer	Smith, V
Candelaria Reardon	Hamilton	Pfaff	Summers
Chyung	Harris	Pierce	

Excused - 4

Davisson	Forestal	Heine	Moseley

Not Voting - 0

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10:34:20 AM

Roll Call 370: Conference Committee Report Adopted

SB 346 - Behning

Students with disabilities
Conference Committee Report #1

Yea	96
Nay	0
Excused	4
Not Voting	0

Presiding: Speaker

Yea - 96

Abbott	DeLaney	Klinker	Pryor
Austin	DeVon	Lauer	Saunders
Aylesworth	Dvorak	Lehe	Schaibley
Bacon	Eberhart	Lehman	Shackleford
Baird	Ellington	Leonard	Sherman
Barrett	Engleman	Lindauer	Smaltz
Bartels	Errington	Lucas	Smith, V
Bartlett	Fleming	Lyness	Soliday
Bauer	Frye	Macer	Speedy
Beck	GiaQuinta	Manning	Steuerwald
Behning	Goodin	May	Stutzman
Borders	Goodrich	Mayfield	Sullivan
Bosma	Gutwein	McNamara	Summers
Boy	Hamilton	Miller	Thompson
Brown, T	Harris	Moed	Torr
Burton	Hatcher	Morrison	VanNatter
Campbell	Hatfield	Morris	Vermilion
Candelaria Reardon	Heaton	Negele	Wesco
Carbaugh	Hostettler	Nisly	Wolkins
Cherry	Jackson	Pfaff	Wright
Chyung	Jordan	Pierce	Young, J
Clere	Judy	Porter	Zent
Cook	Karickhoff	Prescott	Ziemke
Deal	Kirchhofer	Pressel	Mr. Speaker

Nay - 0

Excused - 4

Davisson	Forestal	Heine	Moseley

Not Voting - 0

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10:38:08 AM

Roll Call 371: Conference Committee Report Adopted

SB 438 - Lehe

Regulation of pesticide use and application
Conference Committee Report #1

Yea	92
Nay	4
Excused	4
Not Voting	0

Presiding: Speaker

Yea - 92

Abbott	Deal	Klinker	Saunders
Austin	DeLaney	Lauer	Schaibley
Aylesworth	DeVon	Lehe	Shackleford
Bacon	Dvorak	Lehman	Sherman
Baird	Ellington	Leonard	Smaltz
Barrett	Engleman	Lindauer	Smith, V
Bartels	Errington	Lucas	Soliday
Bartlett	Fleming	Lyness	Speedy
Bauer	Frye	Macer	Steuerwald
Beck	GiaQuinta	Manning	Stutzman
Behning	Goodin	May	Sullivan
Borders	Goodrich	Mayfield	Summers
Bosma	Gutwein	McNamara	Thompson
Boy	Hamilton	Miller	Torr
Brown, T	Harris	Moed	VanNatter
Burton	Hatcher	Negele	Vermilion
Campbell	Hatfield	Nisly	Wesco
Candelaria Reardon	Heaton	Pfaff	Wolkins
Carbaugh	Hostettler	Pierce	Wright
Cherry	Jackson	Porter	Young, J
Chyung	Jordan	Prescott	Zent
Clere	Karickhoff	Pressel	Ziemke
Cook	Kirchhofer	Pryor	Mr. Speaker

Nay - 4

Eberhart	Judy	Morrison	Morris

Excused - 4

Davisson	Forestal	Heine	Moseley

Not Voting - 0

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2:56:07 PM

Roll Call 373: Conference Committee Report Adopted

SB 319 - Jordan

Practitioner or accomplished practitioner license
Conference Committee Report #1

Yea	83
Nay	0
Excused	17
Not Voting	0

Presiding: Speaker

Yea - 83

Abbott	DeLaney	Karickhoff	Saunders
Aylesworth	DeVon	Klinker	Schaibley
Bacon	Eberhart	Lauer	Shackleford
Barrett	Ellington	Leonard	Sherman
Bartels	Engleman	Lindauer	Smith, V
Bartlett	Errington	Lucas	Soliday
Bauer	Fleming	Lyness	Steuerwald
Beck	Frye	Macer	Stutzman
Behning	GiaQuinta	Manning	Sullivan
Borders	Goodin	May	Summers
Bosma	Goodrich	Mayfield	Thompson
Boy	Gutwein	McNamara	VanNatter
Brown, T	Hamilton	Miller	Vermilion
Burton	Harris	Moed	Wesco
Campbell	Hatcher	Negele	Wolkins
Candelaria Reardon	Hatfield	Nisly	Wright
Cherry	Heaton	Pfaff	Young, J
Chyung	Hostettler	Pierce	Zent
Clere	Jackson	Porter	Ziemke
Cook	Jordan	Prescott	Mr. Speaker
Deal	Judy	Pryor	

Nay - 0

Excused - 17

Austin	Forestal	Morrison	Speedy
Baird	Heine	Morris	Torr
Carbaugh	Kirchhofer	Moseley	
Davisson	Lehe	Pressel	
Dvorak	Lehman	Smaltz	

Not Voting - 0

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2:58:49 PM

Roll Call 374: Conference Committee Report Adopted

SB 350 - Brown, T.

Central Indiana regional development authority
Conference Committee Report #1

Yea	80
Nay	0
Excused	20
Not Voting	0

Presiding: Speaker

Yea - 80

Abbott	DeVon	Karickhoff	Pryor
Aylesworth	Eberhart	Klinker	Saunders
Bacon	Ellington	Lauer	Schaibley
Barrett	Engleman	Lehe	Shackleford
Bartels	Errington	Leonard	Sherman
Bartlett	Fleming	Lindauer	Smith, V
Bauer	Frye	Lucas	Soliday
Beck	GiaQuinta	Lyness	Stutzman
Behning	Goodin	Manning	Sullivan
Borders	Goodrich	May	Summers
Brown, T	Gutwein	Mayfield	Thompson
Burton	Hamilton	McNamara	Torr
Campbell	Harris	Miller	VanNatter
Candelaria Reardon	Hatcher	Moed	Vermilion
Cherry	Hatfield	Negele	Wolkins
Chyung	Heaton	Nisly	Wright
Clere	Hostettler	Pierce	Young, J
Cook	Jackson	Porter	Zent
Deal	Jordan	Prescott	Ziemke
DeLaney	Judy	Pressel	Mr. Speaker

Nay - 0

Excused - 20

Austin	Davisson	Lehman	Pfaff
Baird	Dvorak	Macer	Smaltz
Bosma	Forestal	Morrison	Speedy
Boy	Heine	Morris	Steuerwald
Carbaugh	Kirchhofer	Moseley	Wesco

Not Voting - 0

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3:02:11 PM

Roll Call 375: Conference Committee Report Adopted

SB 398 - Jordan

Various education matters
Conference Committee Report #1

Yea	81
Nay	0
Excused	19
Not Voting	0

Presiding: Speaker

Yea - 81

Abbott	Eberhart	Lauer	Saunders
Aylesworth	Ellington	Lehe	Schaibley
Bacon	Engleman	Leonard	Shackleford
Bartels	Errington	Lindauer	Sherman
Bartlett	Fleming	Lucas	Smith, V
Bauer	Frye	Lyness	Stutzman
Beck	GiaQuinta	Manning	Sullivan
Behning	Goodin	May	Summers
Borders	Goodrich	Mayfield	Thompson
Brown, T	Gutwein	McNamara	Torr
Burton	Hamilton	Miller	VanNatter
Campbell	Harris	Moed	Vermilion
Candelaria Reardon	Hatcher	Morrison	Wolkins
Carbaugh	Hatfield	Morris	Wright
Cherry	Heaton	Negele	Young, J
Chyung	Hostettler	Nisly	Zent
Clere	Jackson	Pierce	Ziemke
Cook	Jordan	Porter	Mr. Speaker
Deal	Judy	Prescott	
DeLaney	Karickhoff	Pressel	
DeVon	Klinker	Pryor	

Nay - 0

Excused - 19

Austin	Davisson	Lehman	Soliday
Baird	Dvorak	Macer	Speedy
Barrett	Forestal	Moseley	Steuerwald
Bosma	Heine	Pfaff	Wesco
Boy	Kirchhofer	Smaltz	

Not Voting - 0

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3:05:32 PM

Roll Call 376: Conference Committee Report Adopted

SB 408 - Brown, T.

Various tax matters

Conference Committee Report #1

Yea	83
Nay	0
Excused	17
Not Voting	0

Presiding: Speaker

Yea - 83

Abbott	DeVon	Klinker	Pryor
Aylesworth	Eberhart	Lauer	Saunders
Bacon	Ellington	Lehe	Schaibley
Baird	Engleman	Leonard	Shackleford
Bartels	Errington	Lindauer	Sherman
Bartlett	Fleming	Lucas	Smith, V
Bauer	Frye	Lyness	Soliday
Beck	GiaQuinta	Manning	Stutzman
Behning	Goodin	May	Sullivan
Borders	Goodrich	Mayfield	Summers
Brown, T	Gutwein	McNamara	Thompson
Burton	Hamilton	Miller	Torr
Campbell	Harris	Moed	VanNatter
Candelaria Reardon	Hatcher	Morrison	Vermilion
Carbaugh	Hatfield	Morris	Wolkins
Cherry	Heaton	Negele	Wright
Chyung	Hostettler	Nisly	Young, J
Clere	Jackson	Pierce	Zent
Cook	Jordan	Porter	Ziemke
Deal	Judy	Prescott	Mr. Speaker
DeLaney	Karickhoff	Pressel	

Nay - 0

Excused - 17

Austin	Dvorak	Macer	Steuerwald
Barrett	Forestal	Moseley	Wesco
Bosma	Heine	Pfaff	
Boy	Kirchhofer	Smaltz	
Davisson	Lehman	Speedy	

Not Voting - 0

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3:14:21 PM

Roll Call 377: Conference Committee Report Adopted

SB 229 - Wolkins

Maintenance of regulated drains
Conference Committee Report #1

Yea	55
Nay	29
Excused	16
Not Voting	0

Presiding: Speaker

Yea - 55

Aylesworth	Ellington	Lindauer	Schaibley
Bacon	Engleman	Lucas	Sherman
Baird	Frye	Lyness	Soliday
Barrett	Goodin	Manning	Stutzman
Bartels	Goodrich	May	Sullivan
Behning	Gutwein	Mayfield	Thompson
Brown, T	Heaton	McNamara	Torr
Burton	Hostettler	Miller	VanNatter
Carbaugh	Jordan	Morrison	Vermilion
Cherry	Judy	Morris	Wolkins
Clere	Karickhoff	Negele	Young, J
Cook	Lauer	Nisly	Zent
DeVon	Lehe	Prescott	Mr. Speaker
Eberhart	Leonard	Pressel	

Nay - 29

Abbott	Deal	Hatfield	Shackleford
Bartlett	DeLaney	Jackson	Smith, V
Bauer	Errington	Klinker	Summers
Beck	Fleming	Moed	Wright
Borders	GiaQuinta	Pierce	Ziemke
Campbell	Hamilton	Porter	
Candelaria Reardon	Harris	Pryor	
Chyung	Hatcher	Saunders	

Excused - 16

Austin	Dvorak	Lehman	Smaltz
Bosma	Forestal	Macer	Speedy
Boy	Heine	Moseley	Steuerwald
Davisson	Kirchhofer	Pfaff	Wesco

Not Voting - 0

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6:21:24 PM

Roll Call 379: Conference Committee Report Adopted

SB 148 - Miller

Zoning and housing matters
Conference Committee Report #1

Yea	64
Nay	32
Excused	4
Not Voting	0

Presiding: Speaker

Yea - 64

Abbott	Eberhart	Lindauer	Smaltz
Aylesworth	Ellington	Lucas	Soliday
Bacon	Engleman	Lyness	Speedy
Baird	Frye	Manning	Steuerwald
Barrett	Goodrich	May	Stutzman
Bartels	Gutwein	Mayfield	Sullivan
Behning	Heaton	McNamara	Thompson
Borders	Hostettler	Miller	Torr
Bosma	Jordan	Morrison	VanNatter
Brown, T	Judy	Morris	Vermilion
Burton	Karickhoff	Negele	Wesco
Carbaugh	Kirchhofer	Prescott	Wolkins
Cherry	Lauer	Pressel	Young, J
Clere	Lehe	Saunders	Zent
Cook	Lehman	Schaibley	Ziemke
DeVon	Leonard	Sherman	Mr. Speaker

Nay - 32

Austin	Deal	Harris	Pfaff
Bartlett	DeLaney	Hatcher	Pierce
Bauer	Dvorak	Hatfield	Porter
Beck	Errington	Jackson	Pryor
Boy	Fleming	Klinker	Shackleford
Campbell	GiaQuinta	Macer	Smith, V
Candelaria Reardon	Goodin	Moed	Summers
Chyung	Hamilton	Nisly	Wright

Excused - 4

Davisson	Forestal	Heine	Moseley

Not Voting - 0

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6:26:18 PM

Roll Call 380: Conference Committee Report Adopted

HB 1003 - Jordan

Education matters
Conference Committee Report #1

Yea	95
Nay	0
Excused	5
Not Voting	0

Presiding: Speaker

Yea - 95

Abbott	DeLaney	Klinker	Pryor
Austin	DeVon	Lauer	Saunders
Aylesworth	Dvorak	Lehe	Schaibley
Bacon	Eberhart	Lehman	Shackleford
Baird	Ellington	Leonard	Sherman
Barrett	Engleman	Lindauer	Smaltz
Bartels	Errington	Lucas	Smith, V
Bartlett	Fleming	Lyness	Soliday
Bauer	Frye	Macer	Speedy
Beck	GiaQuinta	Manning	Steuerwald
Behning	Goodin	May	Stutzman
Borders	Goodrich	Mayfield	Sullivan
Bosma	Gutwein	McNamara	Summers
Boy	Hamilton	Miller	Thompson
Brown, T	Harris	Moed	Torr
Burton	Hatcher	Morrison	VanNatter
Campbell	Hatfield	Morris	Vermilion
Candelaria Reardon	Heaton	Negele	Wesco
Carbaugh	Hostettler	Nisly	Wright
Cherry	Jackson	Pfaff	Young, J
Chyung	Jordan	Pierce	Zent
Clere	Judy	Porter	Ziemke
Cook	Karickhoff	Prescott	Mr. Speaker
Deal	Kirchhofer	Pressel	

Nay - 0

Excused - 5

Davisson	Heine	Moseley	Wolkins
Forestal			

Not Voting - 0

Indiana House of Representatives

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6:28:41 PM

Roll Call 381: Conference Committee Report Adopted

HB 1045 - Abbott D

Honor and Remember flag
Conference Committee Report #1

Yea	94
Nay	0
Excused	6
Not Voting	0

Presiding: Speaker

Yea - 94

Abbott	DeLaney	Klinker	Saunders
Austin	DeVon	Lauer	Schaibley
Aylesworth	Dvorak	Lehe	Shackleford
Bacon	Eberhart	Lehman	Sherman
Baird	Ellington	Leonard	Smaltz
Barrett	Engleman	Lindauer	Smith, V
Bartels	Errington	Lucas	Soliday
Bartlett	Fleming	Lyness	Speedy
Bauer	Frye	Macer	Steuerwald
Beck	GiaQuinta	Manning	Stutzman
Behning	Goodin	May	Sullivan
Borders	Goodrich	Mayfield	Summers
Bosma	Gutwein	McNamara	Thompson
Boy	Hamilton	Miller	Torr
Brown, T	Harris	Moed	VanNatter
Burton	Hatcher	Morrison	Vermilion
Campbell	Hatfield	Negele	Wesco
Candelaria Reardon	Heaton	Nisly	Wright
Carbaugh	Hostettler	Pfaff	Young, J
Cherry	Jackson	Pierce	Zent
Chyung	Jordan	Porter	Ziemke
Clere	Judy	Prescott	Mr. Speaker
Cook	Karickhoff	Pressel	
Deal	Kirchhofer	Pryor	

Nay - 0

Excused - 6

Davisson	Heine	Morris	Moseley
Forestal			Wolkins

Not Voting - 0

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6:50:51 PM

Roll Call 382: Conference Committee Report Adopted

HB 1066 - Thompson

Various education matters
Conference Committee Report #1

Yea	93
Nay	0
Excused	7
Not Voting	0

Presiding: Speaker

Yea - 93

Abbott	DeVon	Lauer	Saunders
Austin	Dvorak	Lehe	Schaibley
Aylesworth	Eberhart	Lehman	Sherman
Bacon	Ellington	Leonard	Smaltz
Baird	Engleman	Lindauer	Smith, V
Barrett	Errington	Lucas	Soliday
Bartels	Fleming	Lyness	Speedy
Bauer	Frye	Macer	Steuerwald
Beck	GiaQuinta	Manning	Stutzman
Behning	Goodin	May	Sullivan
Borders	Goodrich	Mayfield	Summers
Bosma	Gutwein	McNamara	Thompson
Boy	Hamilton	Miller	Torr
Brown, T	Harris	Moed	VanNatter
Burton	Hatcher	Morrison	Vermilion
Campbell	Hatfield	Morris	Wesco
Candelaria Reardon	Heaton	Negele	Wright
Carbaugh	Hostettler	Nisly	Young, J
Cherry	Jackson	Pfaff	Zent
Chyung	Jordan	Pierce	Ziemke
Clere	Judy	Porter	Mr. Speaker
Cook	Karickhoff	Prescott	
Deal	Kirchhofer	Pressel	
DeLaney	Klinker	Pryor	

Nay - 0

Excused - 7

Bartlett	Forestal	Moseley	Wolkins
Davisson	Heine	Shackleford	

Not Voting - 0

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7:00:31 PM

Roll Call 383: Conference Committee Report Adopted

HB 1113 - Leonard

Local government finance
Conference Committee Report #1

Yea	90
Nay	3
Excused	7
Not Voting	0

Presiding: Speaker

Yea - 90

Abbott	DeLaney	Klinker	Saunders
Austin	DeVon	Lauer	Schaibley
Aylesworth	Dvorak	Lehe	Shackleford
Bacon	Eberhart	Lehman	Sherman
Baird	Ellington	Leonard	Smaltz
Barrett	Engleman	Lindauer	Smith, V
Bartels	Errington	Lucas	Soliday
Bartlett	Fleming	Lyness	Speedy
Bauer	Frye	Macer	Steuerwald
Beck	GiaQuinta	Manning	Stutzman
Behning	Goodin	May	Sullivan
Bosma	Goodrich	Mayfield	Summers
Boy	Gutwein	McNamara	Thompson
Brown, T	Hamilton	Miller	Torr
Burton	Harris	Moed	Vermilion
Campbell	Hatcher	Morris	Wesco
Candelaria Reardon	Hatfield	Negele	Wright
Carbaugh	Heaton	Pfaff	Young, J
Cherry	Hostettler	Pierce	Zent
Chyung	Jackson	Porter	Ziemke
Clere	Jordan	Prescott	Mr. Speaker
Cook	Judy	Pressel	
Deal	Kirchhofer	Pryor	

Nay - 3

Borders	Nisly	VanNatter

Excused - 7

Davisson	Heine	Morrison	Wolkins
Forestal	Karickhoff	Moseley	

Not Voting - 0

Indiana House of Representatives

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7:02:35 PM

Roll Call 384: Conference Committee Report Adopted

HB 1131 - Pressel

Utility matters

Conference Committee Report #1

Yea	92
Nay	0
Excused	8
Not Voting	0

Presiding: Speaker

Yea - 92

Abbott	Deal	Kirchhofer	Pressel
Austin	DeLaney	Klinker	Pryor
Aylesworth	DeVon	Lauer	Saunders
Bacon	Dvorak	Lehe	Schaibley
Baird	Eberhart	Lehman	Sherman
Barrett	Ellington	Leonard	Smaltz
Bartels	Engleman	Lindauer	Smith, V
Bartlett	Fleming	Lucas	Soliday
Bauer	Frye	Lyness	Speedy
Beck	GiaQuinta	Macer	Steuerwald
Behning	Goodin	Manning	Stutzman
Borders	Goodrich	May	Sullivan
Bosma	Gutwein	Mayfield	Summers
Boy	Hamilton	McNamara	Thompson
Brown, T	Harris	Miller	Torr
Burton	Hatcher	Moed	VanNatter
Campbell	Hatfield	Morris	Vermilion
Candelaria Reardon	Heaton	Negele	Wesco
Carbaugh	Hostettler	Nisly	Wright
Cherry	Jackson	Pfaff	Young, J
Chyung	Jordan	Pierce	Zent
Clere	Judy	Porter	Ziemke
Cook	Karickhoff	Prescott	Mr. Speaker

Nay - 0

Excused - 8

Davisson	Forestal	Morrison	Shackleford
Errington	Heine	Moseley	Wolkins

Not Voting - 0

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7:05:04 PM

Roll Call 385: Conference Committee Report Adopted

SB 1 - Kirchhofer

Tobacco and vaping
Conference Committee Report #1

Yea	77
Nay	16
Excused	7
Not Voting	0

Presiding: Speaker

Yea - 77

Abbott	Clere	Klinker	Sherman
Austin	Cook	Lehe	Smaltz
Aylesworth	Deal	Lehman	Smith, V
Bacon	DeLaney	Leonard	Soliday
Baird	DeVon	Lyness	Speedy
Barrett	Dvorak	Macer	Steuerwald
Bartels	Engleman	Manning	Stutzman
Bartlett	Errington	May	Sullivan
Bauer	Fleming	McNamara	Summers
Beck	Frye	Miller	Thompson
Behning	GiaQuinta	Moed	Torr
Borders	Goodrich	Pfaff	Vermilion
Bosma	Hamilton	Pierce	Wesco
Boy	Harris	Porter	Wright
Brown, T	Hatcher	Prescott	Zent
Burton	Hatfield	Pressel	Ziemke
Campbell	Heaton	Pryor	Mr. Speaker
Candelaria Reardon	Jackson	Saunders	
Cherry	Jordan	Schaibley	
Chyung	Kirchhofer	Shackleford	

Nay - 16

Carbaugh	Gutwein	Lindauer	Morris
Eberhart	Hostettler	Lucas	Nisly
Ellington	Judy	Mayfield	VanNatter
Goodin	Lauer	Morrison	Young, J

Excused - 7

Davisson	Heine	Moseley	Wolkins
Forestal	Karickhoff	Negele	

Not Voting - 0

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7:08:44 PM

Roll Call 386: Conference Committee Report Adopted

SB 47 - Young J

Expungement
Conference Committee Report #1

Yea	89
Nay	4
Excused	7
Not Voting	0

Presiding: Speaker

Yea - 89

Abbott	DeLaney	Lehe	Saunders
Austin	DeVon	Lehman	Schaibley
Aylesworth	Ellington	Leonard	Shackleford
Bacon	Engleman	Lindauer	Sherman
Baird	Errington	Lucas	Smaltz
Barrett	Fleming	Lyness	Smith, V
Bartels	Frye	Macer	Speedy
Bartlett	GiaQuinta	Manning	Steuerwald
Bauer	Goodin	May	Stutzman
Behning	Goodrich	Mayfield	Sullivan
Borders	Gutwein	McNamara	Summers
Bosma	Hamilton	Miller	Thompson
Boy	Harris	Moed	Torr
Brown, T	Hatcher	Morrison	Vermilion
Burton	Hatfield	Morris	Wesco
Campbell	Heaton	Negele	Wright
Candelaria Reardon	Hostettler	Nisly	Young, J
Carbaugh	Jackson	Pfaff	Zent
Cherry	Jordan	Pierce	Ziemke
Chyung	Judy	Porter	Mr. Speaker
Clere	Kirchhofer	Prescott	
Cook	Klinker	Pressel	
Deal	Lauer	Pryor	

Nay - 4

Beck	Dvorak	Eberhart	VanNatter

Excused - 7

Davisson	Heine	Moseley	Wolkins
Forestal	Karickhoff	Soliday	

Not Voting - 0

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7:10:40 PM

Roll Call 387: Conference Committee Report Adopted

SB 80 - Young J

Code Revision Corrections
Conference Committee Report #1

Yea	91
Nay	0
Excused	9
Not Voting	0

Presiding: Speaker

Yea - 91

Abbott	DeLaney	Lauer	Pryor
Austin	DeVon	Lehe	Saunders
Aylesworth	Dvorak	Lehman	Schaibley
Bacon	Eberhart	Leonard	Shackleford
Baird	Ellington	Lindauer	Sherman
Bartels	Engleman	Lucas	Smaltz
Bartlett	Errington	Lyness	Smith, V
Bauer	Fleming	Macer	Speedy
Beck	Frye	Manning	Steuerwald
Behning	GiaQuinta	May	Stutzman
Borders	Goodin	Mayfield	Sullivan
Bosma	Goodrich	McNamara	Summers
Boy	Gutwein	Miller	Thompson
Brown, T	Hamilton	Moed	Torr
Burton	Harris	Morrison	VanNatter
Campbell	Hatcher	Morris	Vermilion
Candelaria Reardon	Hatfield	Negele	Wesco
Carbaugh	Heaton	Nisly	Wright
Cherry	Hostettler	Pfaff	Young, J
Chyung	Jordan	Pierce	Zent
Clere	Judy	Porter	Ziemke
Cook	Kirchhofer	Prescott	Mr. Speaker
Deal	Klinker	Pressel	

Nay - 0

Excused - 9

Barrett	Heine	Karickhoff	Soliday
Davisson	Jackson	Moseley	Wolkins
Forestal			

Not Voting - 0

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7:14:05 PM

Roll Call 388: Conference Committee Report Adopted

SB 295 - Behning

Various education matters
Conference Committee Report #1

Yea	92
Nay	0
Excused	8
Not Voting	0

Presiding: Speaker

Yea - 92

Abbott	DeLaney	Klinker	Pressel
Austin	DeVon	Lauer	Pryor
Aylesworth	Dvorak	Lehe	Saunders
Bacon	Eberhart	Lehman	Schaibley
Baird	Ellington	Leonard	Shackleford
Bartels	Engleman	Lindauer	Sherman
Bartlett	Errington	Lucas	Smaltz
Bauer	Fleming	Lyness	Smith, V
Beck	Frye	Macer	Speedy
Behning	GiaQuinta	Manning	Steuerwald
Borders	Goodin	May	Stutzman
Bosma	Goodrich	Mayfield	Sullivan
Boy	Gutwein	McNamara	Summers
Brown, T	Hamilton	Miller	Thompson
Burton	Harris	Moed	Torr
Campbell	Hatcher	Morrison	VanNatter
Candelaria Reardon	Hatfield	Morris	Vermilion
Carbaugh	Heaton	Negele	Wesco
Cherry	Hostettler	Nisly	Wright
Chyung	Jackson	Pfaff	Young, J
Clere	Jordan	Pierce	Zent
Cook	Judy	Porter	Ziemke
Deal	Kirchhofer	Prescott	Mr. Speaker

Nay - 0

Excused - 8

Barrett	Forestal	Karickhoff	Soliday
Davisson	Heine	Moseley	Wolkins

Not Voting - 0

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9:15:51 PM

Roll Call 390: Conference Committee Report Adopted

HB 1006 - Engleman

Minimum age to marry and emancipation of minors
Conference Committee Report #1

Yea	93
Nay	0
Excused	7
Not Voting	0

Presiding: Speaker

Yea - 93

Abbott	DeVon	Lehe	Schaibley
Austin	Dvorak	Lehman	Shackleford
Aylesworth	Eberhart	Leonard	Sherman
Bacon	Ellington	Lindauer	Smaltz
Baird	Engleman	Lucas	Smith, V
Barrett	Errington	Lyness	Soliday
Bartels	Fleming	Macer	Speedy
Bartlett	Frye	Manning	Steuerwald
Beck	GiaQuinta	May	Stutzman
Behning	Goodin	Mayfield	Sullivan
Borders	Goodrich	McNamara	Summers
Bosma	Gutwein	Miller	Thompson
Boy	Hamilton	Moed	Torr
Brown, T	Harris	Morrison	VanNatter
Burton	Hatcher	Morris	Vermilion
Campbell	Hatfield	Negele	Wesco
Candelaria Reardon	Heaton	Nisly	Wright
Carbaugh	Hostettler	Pfaff	Young, J
Cherry	Jackson	Pierce	Zent
Chyung	Jordan	Porter	Ziemke
Clere	Judy	Prescott	Mr. Speaker
Cook	Karickhoff	Pressel	
Deal	Klinker	Pryor	
DeLaney	Lauer	Saunders	

Nay - 0

Excused - 7

Bauer	Forestal	Kirchhofer	Wolkins
Davisson	Heine	Moseley	

Not Voting - 0

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10:28:12 PM

Roll Call 391: Conference Committee Report Adopted

HB 1065 - Thompson

Various tax matters

Conference Committee Report #1

Yea	52
Nay	40
Excused	8
Not Voting	0

Presiding: Speaker

Yea - 52

Abbott	DeVon	Lehman	Sherman
Aylesworth	Eberhart	Leonard	Smaltz
Baird	Ellington	Lindauer	Soliday
Barrett	Engleman	Lucas	Speedy
Bartels	Goodrich	Manning	Steuerwald
Behning	Gutwein	Mayfield	Stutzman
Borders	Heaton	Miller	Sullivan
Bosma	Hostettler	Morrison	Thompson
Brown, T	Jordan	Morris	Torr
Burton	Judy	Negele	Wesco
Carbaugh	Karickhoff	Prescott	Zent
Cherry	Lauer	Saunders	Ziemke
Clere	Lehe	Schaibley	Mr. Speaker

Nay - 40

Austin	Dvorak	Jackson	Porter
Bartlett	Errington	Klinker	Pressel
Beck	Fleming	Lyness	Pryor
Boy	Frye	Macer	Shackleford
Campbell	GiaQuinta	May	Smith, V
Candelaria Reardon	Goodin	McNamara	Summers
Chyung	Hamilton	Moed	VanNatter
Cook	Harris	Nisly	Vermilion
Deal	Hatcher	Pfaff	Wright
DeLaney	Hatfield	Pierce	Young, J

Excused - 8

Bacon	Davisson	Heine	Moseley
Bauer	Forestal	Kirchhofer	Wolkins

Not Voting - 0

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10:30:31 PM

Roll Call 392: Conference Committee Report Adopted

HB 1108 - Lehman

State board of accounts
Conference Committee Report #1

Yea	92
Nay	0
Excused	8
Not Voting	0

Presiding: Speaker

Yea - 92

Abbott	DeVon	Lauer	Pryor
Austin	Dvorak	Lehe	Saunders
Aylesworth	Eberhart	Lehman	Schaibley
Baird	Ellington	Leonard	Shackleford
Barrett	Engleman	Lindauer	Sherman
Bartels	Errington	Lucas	Smaltz
Bartlett	Fleming	Lyness	Smith, V
Beck	Frye	Macer	Soliday
Behning	GiaQuinta	Manning	Speedy
Borders	Goodin	May	Steuerwald
Bosma	Goodrich	Mayfield	Stutzman
Boy	Gutwein	McNamara	Sullivan
Brown, T	Hamilton	Miller	Summers
Burton	Harris	Moed	Thompson
Campbell	Hatcher	Morrison	Torr
Candelaria Reardon	Hatfield	Morris	VanNatter
Carbaugh	Heaton	Negele	Vermilion
Cherry	Hostettler	Nisly	Wesco
Chyung	Jackson	Pfaff	Wright
Clere	Jordan	Pierce	Young, J
Cook	Judy	Porter	Zent
Deal	Karickhoff	Prescott	Ziemke
DeLaney	Klinker	Pressel	Mr. Speaker

Nay - 0

Excused - 8

Bacon	Davisson	Heine	Moseley
Bauer	Forestal	Kirchhofer	Wolkins

Not Voting - 0

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10:36:41 PM

Roll Call 393: Conference Committee Report Adopted

HB 1372 - Carbaugh

Various insurance matters
Conference Committee Report #1

Yea	88
Nay	3
Excused	9
Not Voting	0

Presiding: Speaker

Yea - 88

Abbott	DeVon	Lauer	Pryor
Austin	Eberhart	Lehe	Saunders
Aylesworth	Ellington	Lehman	Schaibley
Baird	Engleman	Leonard	Shackleford
Barrett	Errington	Lindauer	Sherman
Bartels	Fleming	Lucas	Smaltz
Bartlett	Frye	Lyness	Smith, V
Beck	GiaQuinta	Macer	Soliday
Behning	Goodin	Manning	Speedy
Borders	Goodrich	May	Steuerwald
Boy	Gutwein	Mayfield	Stutzman
Brown, T	Hamilton	McNamara	Sullivan
Burton	Harris	Miller	Thompson
Campbell	Hatcher	Moed	Torr
Candelaria Reardon	Hatfield	Morrison	VanNatter
Carbaugh	Heaton	Morris	Vermilion
Cherry	Hostettler	Negele	Wesco
Chyung	Jackson	Nisly	Wright
Clere	Jordan	Pfaff	Young, J
Cook	Judy	Porter	Zent
Deal	Karickhoff	Prescott	Ziemke
DeLaney	Klinker	Pressel	Mr. Speaker

Nay - 3

Dvorak	Pierce	Summers

Excused - 9

Bacon	Davisson	Heine	Moseley
Bauer	Forestal	Kirchhofer	Wolkins
Bosma			

Not Voting - 0

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10:40:28 PM

Roll Call 394: Conference Committee Report Adopted

SB 335 - McNamara

Criminal law issues

Conference Committee Report #1

Yea	89
Nay	2
Excused	9
Not Voting	0

Presiding: Speaker

Yea - 89

Abbott	DeVon	Lauer	Schaibley
Austin	Dvorak	Lehe	Shackleford
Aylesworth	Eberhart	Lehman	Sherman
Baird	Ellington	Leonard	Smaltz
Barrett	Engleman	Lindauer	Smith, V
Bartels	Errington	Lucas	Soliday
Bartlett	Fleming	Lyness	Speedy
Beck	Frye	Macer	Steuerwald
Behning	GiaQuinta	Manning	Stutzman
Borders	Goodin	May	Sullivan
Bosma	Goodrich	Mayfield	Summers
Boy	Gutwein	McNamara	Thompson
Brown, T	Hamilton	Miller	Torr
Burton	Harris	Moed	Vermilion
Campbell	Hatcher	Morrison	Wesco
Candelaria Reardon	Hatfield	Morris	Wright
Carbaugh	Heaton	Negele	Young, J
Cherry	Hostettler	Pfaff	Zent
Chyung	Jackson	Pierce	Ziemke
Clere	Jordan	Prescott	Mr. Speaker
Cook	Judy	Pressel	
Deal	Karickhoff	Pryor	
DeLaney	Klinker	Saunders	

Nay - 2

Nisly	VanNatter

Excused - 9

Bacon	Forestal	Kirchhofer	Porter
Bauer	Heine	Moseley	Wolkins
Davisson			

Not Voting - 0

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10:44:35 PM

Roll Call 395: Conference Committee Report Adopted

HB 1235 - Karickhoff

Public safety

Conference Committee Report #1

Yea	79
Nay	12
Excused	9
Not Voting	0

Presiding: Speaker

Yea - 79

Abbott	Eberhart	Leonard	Schaibley
Aylesworth	Ellington	Lindauer	Sherman
Baird	Engleman	Lucas	Smaltz
Barrett	Errington	Lyness	Smith, V
Bartels	Fleming	Macer	Soliday
Bartlett	Frye	Manning	Speedy
Behning	Goodin	May	Steuerwald
Borders	Goodrich	Mayfield	Stutzman
Bosma	Gutwein	McNamara	Sullivan
Boy	Hamilton	Miller	Thompson
Brown, T	Hatfield	Moed	Torr
Burton	Heaton	Morrison	VanNatter
Candelaria Reardon	Hostettler	Morris	Vermilion
Carbaugh	Jordan	Negele	Wesco
Cherry	Judy	Nisly	Wright
Chyung	Karickhoff	Porter	Young, J
Clere	Klinker	Prescott	Zent
Cook	Lauer	Pressel	Ziemke
Deal	Lehe	Pryor	Mr. Speaker
DeVon	Lehman	Saunders	

Nay - 12

Austin	DeLaney	Harris	Pfaff
Beck	Dvorak	Hatcher	Pierce
Campbell	GiaQuinta	Jackson	Summers

Excused - 9

Bacon	Forestal	Kirchhofer	Shackleford
Bauer	Heine	Moseley	Wolkins
Davisson			

Not Voting - 0

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11:53:13 PM

Roll Call 397: Conference Committee Report Adopted

HB 1004 - Smaltz

Health matters

Conference Committee Report #1

Yea	59
Nay	32
Excused	9
Not Voting	0

Presiding: Speaker

Yea - 59

Abbott	Ellington	Lindauer	Sherman
Aylesworth	Engleman	Lucas	Smaltz
Baird	Frye	Lyness	Soliday
Barrett	Goodrich	Manning	Speedy
Bartels	Gutwein	May	Steuerwald
Behning	Heaton	Mayfield	Stutzman
Borders	Hostettler	McNamara	Sullivan
Bosma	Jordan	Miller	Thompson
Brown, T	Judy	Moed	Torr
Burton	Karickhoff	Morris	Vermilion
Carbaugh	Klinker	Negele	Wesco
Chyung	Lauer	Pierce	Young, J
Clere	Lehe	Prescott	Ziemke
Cook	Lehman	Pressel	Mr. Speaker
DeVon	Leonard	Schaibley	

Nay - 32

Austin	Dvorak	Hatcher	Pryor
Bartlett	Eberhart	Hatfield	Saunders
Beck	Errington	Jackson	Shackleford
Boy	Fleming	Macer	Smith, V
Campbell	GiaQuinta	Morrison	Summers
Candelaria Reardon	Goodin	Nisly	VanNatter
Deal	Hamilton	Pfaff	Wright
DeLaney	Harris	Porter	Zent

Excused - 9

Bacon	Davisson	Heine	Moseley
Bauer	Forestal	Kirchhofer	Wolkins
Cherry			

Not Voting - 0

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11:57:59 PM

Roll Call 398: Conference Committee Report Adopted

HB 1207 - Davisson

Pharmacy matters

Conference Committee Report #1

Yea	91
Nay	0
Excused	9
Not Voting	0

Presiding: Speaker

Yea - 91

Abbott	Dvorak	Lehe	Saunders
Austin	Eberhart	Lehman	Schaibley
Aylesworth	Ellington	Leonard	Shackleford
Baird	Engleman	Lindauer	Sherman
Barrett	Errington	Lucas	Smaltz
Bartels	Fleming	Lyness	Smith, V
Bartlett	Frye	Macer	Soliday
Beck	GiaQuinta	Manning	Speedy
Behning	Goodin	May	Steuerwald
Borders	Goodrich	Mayfield	Stutzman
Bosma	Gutwein	McNamara	Sullivan
Boy	Hamilton	Miller	Summers
Brown, T	Harris	Moed	Thompson
Burton	Hatcher	Morrison	Torr
Campbell	Hatfield	Morris	VanNatter
Candelaria Reardon	Heaton	Negele	Vermilion
Carbaugh	Hostettler	Nisly	Wesco
Chyung	Jackson	Pfaff	Wright
Clere	Jordan	Pierce	Young, J
Cook	Judy	Porter	Zent
Deal	Karickhoff	Prescott	Ziemke
DeLaney	Klinker	Pressel	Mr. Speaker
DeVon	Lauer	Pryor	

Nay - 0

Excused - 9

Bacon	Davisson	Heine	Moseley
Bauer	Forestal	Kirchhofer	Wolkins
Cherry			

Not Voting - 0

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12:03:50 AM

Roll Call 399: Conference Committee Report Adopted

SB 367 - Aylesworth

Regional development authorities
Conference Committee Report #1

Yea	62
Nay	27
Excused	11
Not Voting	0

Presiding: Speaker

Yea - 62

Abbott	Ellington	Lyness	Soliday
Aylesworth	Engleman	Manning	Speedy
Baird	Frye	May	Steuerwald
Barrett	Goodin	Mayfield	Stutzman
Bartels	Goodrich	McNamara	Sullivan
Behning	Gutwein	Miller	Thompson
Borders	Heaton	Morrison	Torr
Bosma	Hostettler	Morris	VanNatter
Boy	Jordan	Negele	Vermilion
Brown, T	Judy	Nisly	Wesco
Burton	Karickhoff	Prescott	Young, J
Carbaugh	Lauer	Pressel	Zent
Clere	Lehe	Saunders	Ziemke
Cook	Lehman	Schaibley	Mr. Speaker
DeVon	Lindauer	Sherman	
Eberhart	Lucas	Smaltz	

Nay - 27

Austin	DeLaney	Hatcher	Porter
Bartlett	Dvorak	Hatfield	Pryor
Beck	Errington	Klinker	Shackleford
Campbell	Fleming	Macer	Smith, V
Candelaria Reardon	GiaQuinta	Moed	Summers
Chyung	Hamilton	Pfaff	Wright
Deal	Harris	Pierce	

Excused - 11

Bacon	Davisson	Jackson	Moseley
Bauer	Forestal	Kirchhofer	Wolkins
Cherry	Heine	Leonard	

Not Voting - 0

Indiana House of Representatives

Second Regular Session | 121st General Assembly | Mar 12, 2020

12:07:23 AM

Roll Call 400: Conference Committee Report Adopted

SB 241 - Lehman

Pharmacy benefit managers
Conference Committee Report #1

Yea	91
Nay	0
Excused	9
Not Voting	0

Presiding: Speaker

Yea - 91

Abbott	Dvorak	Lehe	Saunders
Austin	Eberhart	Lehman	Schaibley
Aylesworth	Ellington	Leonard	Shackleford
Baird	Engleman	Lindauer	Sherman
Barrett	Errington	Lucas	Smaltz
Bartels	Fleming	Lyness	Smith, V
Bartlett	Frye	Macer	Soliday
Beck	GiaQuinta	Manning	Speedy
Behning	Goodin	May	Steuerwald
Borders	Goodrich	Mayfield	Stutzman
Bosma	Gutwein	McNamara	Sullivan
Boy	Hamilton	Miller	Summers
Brown, T	Harris	Moed	Thompson
Burton	Hatcher	Morrison	Torr
Campbell	Hatfield	Morris	VanNatter
Candelaria Reardon	Heaton	Negele	Vermilion
Carbaugh	Hostettler	Nisly	Wesco
Chyung	Jackson	Pfaff	Wright
Clere	Jordan	Pierce	Young, J
Cook	Judy	Porter	Zent
Deal	Karickhoff	Prescott	Ziemke
DeLaney	Klinker	Pressel	Mr. Speaker
DeVon	Lauer	Pryor	

Nay - 0

Excused - 9

Bacon	Davisson	Heine	Moseley
Bauer	Forestal	Kirchhofer	Wolkins
Cherry			

Not Voting - 0

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STATE OF INDIANA

JOURNAL
OF THE
SENATE

121ST GENERAL ASSEMBLY

SECOND REGULAR SESSION
Convening November 19, 2019
Reconvening January 6, 2020
Adjourning March 11, 2020

JOURNAL OF THE SENATE
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Rodric D. Bray, ***President Pro Tempore***
C. Susan Glick, ***Assistant President Pro Tempore***
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Ron J. Alting, ***Majority Floor Leader Emeritus***
Elizabeth M. Brown, ***Assistant Majority Floor Leader-Communications***
Aaron M. Freeman, ***Assistant Majority Floor Leader-Parliamentary Affairs***
James W. Merritt, Jr., ***Majority Caucus Chair***
John B. Crane, ***Assistant Majority Caucus Chair***
John C. Ruckelshaus, ***Assistant Majority Caucus Chair***
Michael R. Crider, ***Majority Whip***
Charles B. "Blake" Doriot, ***Assistant Majority Whip***

Timothy S. Lanane, ***Minority Floor Leader***
Jean D. Breaux, ***Assistant Minority Floor Leader***
Karen R. Tallian, ***Minority Caucus Chair***
Frank Mrvan, Jr., ***Assistant Minority Caucus Chair***
Lonnie M. Randolph, ***Minority Whip***

Jennifer L. Mertz, ***Principal Secretary***
Candace K. Blackburn, ***Assistant Majority Secretary***
Jennifer L. Mertz, ***Chief Counsel to Majority Caucus***
Laura Brown, ***Parliamentarian***
Adam Jones, ***Minority Secretary***
Jordan Seeder, ***Minority Attorney***
Donald Horton, ***Principal Doorkeeper***
Brett James, ***Postmaster***

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

First Meeting Day **Tuesday Afternoon** **November 19, 2019**

The members of the Senate of the One Hundred and Twenty-First General Assembly of the State of Indiana assembled in the Senate Chambers in the State House in the City of Indianapolis on Tuesday, the nineteenth day of November, 2019, A.D., at 1:30 p.m., being the day fixed by law for the convening of the Second Regular Session of the General Assembly, viz:

"...the second regular session of each term of the General Assembly shall convene on the third Tuesday after the first Monday of November of each odd-numbered year for the purpose of establishing the first day of the second regular session."

The Senate convened at 1:37 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Senator Travis L. Holdman.

The Pledge of Allegiance to the Flag was led by Senator Holdman.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse ▶
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian ▶
Gaskill	Taylor, G.
Glick	Tomes ▶
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 1: present 47; excused 3. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that in a letter dated July 29, 2019, Senator Randall Head resigned his seat at the Indiana State Senate effective 11:59 pm on August 12, 2019.

Pursuant to the provisions of IC 3-13-5, the attached documents are submitted for inclusion in the Journal of the Senate:

1. The President Pro Tempore's Notification to the Indiana Republican Party State Chairman of Senator Head's resignation.
2. Indiana Republican Party State Chairman's Certification of Selection of Stacey Donato to fill the vacancy in the office of the Indiana Senate, District 18 and the President Pro Tempore's Notice to the Indiana Secretary of State acknowledging receipt of the Indiana Republican Party State Chairman's Certification of Selection of Stacey Donato.
3. Indiana Secretary of State's Certificate of Selection to State Legislative Office certifying the selection of Stacey Donato to fill the vacancy in the office of the Indiana Senate, District 18.
4. Report of the President Pro Tempore on administration of the oath of office by Chief Justice Loretta H. Rush on September 17, 2019.

BRAY

Report adopted.

July 31, 2019

Mr. Kyle Hupfer
Republican State Chairman
Indiana Republican State Committee
101 W. Ohio St. #2200
Indianapolis, IN 46204

Dear Mr. Chairman:

Pursuant to IC 5-8-3.5-1(b), I hereby officially notify you of Senator Randy Head's resignation from the Indiana State Senate effective on August 12, 2019. A copy of his letter is enclosed.

Best regards,
Rodric Bray
President Pro Tempore

Enclosure

CERTIFICATION OF APPOINTMENT TO A VACANT STATE LEGISLATIVE OFFICE

TO THE HONORABLE RODRIC BRAY
PRESIDENT PRO TEMPORE OF THE INDIANA SENATE

WHEREAS, a vacancy occurred in the office of Indiana Senate District 18, on August 12, 2019, due to the resignation of the Senator Randy Head, who was elected to office as a candidate of the Indiana Republican Party;

WHEREAS, the duly elected and acting state chairman of the Indiana Republican Party set the place, date, and time of a caucus comprised of the eligible precinct committeemen from Indiana Senate District 18 and sent a notice by first class mail to all precinct committeemen in the caucus at least ten (10) days before the date of the meeting, setting forth the purpose, place, date and time of the meeting;

WHEREAS, the state chairman or his duly appointed designee presided over the aforesaid caucus, which was conducted on September 9, 2019;

WHEREAS, the caucus, voting by secret ballot, and a majority vote of those casting a vote for the candidate, selected an individual who resides within Indiana Senate District 18 to fill this vacancy;

WHEREAS, the individual selected to fill the aforesaid vacancy had filed a declaration of candidacy with the chairman of the caucus, and had previously filed a statement of economic interests under Indiana Code 2-2.1-3-2 with the Senate Secretary, at least seventy-two (72) hours before the time fixed for the caucus, all as required by Indiana Code 3-13-5-3;

WHEREAS, under Indiana Code 3-13-5-6, the state chairman is required to certify the name of the individual selected under Indiana Code 3-13-5-1 to fill this vacancy to the President Pro Tempore of the Indiana Senate; and

WHEREAS, under Indiana Code 3-13-5-6, the President Pro Tempore of the Indiana Senate is required to acknowledge receipt of this certification, submit a copy of the certificate to be included in the Journal of the Indiana Senate on the day when the individual is seated, (or if this certificate is received after the adjournment sine die of the General Assembly, on the first day that the Indiana Senate is in session following receipt of this certificate), and immediately forward the certificate to the Secretary of the State of Indiana;

NOW, THEREFORE, AS THE DULY ELECTED AND ACTING CHAIRMAN OF THE INDIANA REPUBLICAN STATE COMMITTEE,

(1) I certify Stacey Donato was selected by the aforesaid caucus to fill the vacancy existing in the Office of the Indiana Senate District 18.

(2) I request that the President Pro Tempore of the Indiana Senate acknowledge receipt of the Certificate by his signature below as provided for by Indiana Code 3-13-5-6.

(3) I request that the President Pro Tempore of the Indiana Senate include a copy of this Certificate in the Journal of the Indiana Senate as provided by Indiana Code 1-3-5-6.

(4) I request that this Certificate be immediately forwarded to the Secretary of State, as provided by Indiana Code 3-13-5-6.

CERTIFIED, THIS THE 9th DAY OF SEPTEMBER, 2019.

Kyle Hupfer
Indiana Republican State Chairman

ACKNOWLEDGMENT OF RECEIPT
BY THE PRESIDENT PRO TEMPORE
OF THE INDIANA SENATE

I hereby acknowledge receipt of this Certificate by my signature below this 10th day of September, 2019.

Rodric Bray
President Pro Tempore of the Indiana Senate

CERTIFICATE OF SELECTION TO STATE LEGISLATIVE OFFICE

TO THE HONORABLE RODRIC BRAY
PRESIDENT PRO TEMPORE OF THE INDIANA SENATE

WHEREAS, A vacancy occurred in the office of Indiana State Senator, District 18, on August 12, 2019, due to the resignation of the Honorable Randy Head, who was elected to that office as a candidate of the Indiana Republican Party;

WHEREAS, On September 9, 2019, a caucus composed of Republican Party precinct committeemen from Indiana Senate District 18 selected Stacey Donato to fill the vacancy in Indiana Senate District 18;

WHEREAS, The State Chairman of the Indiana Republican Party certified the selection of Stacey Donato to fill the vacancy in the office of Indiana State Senator, District 18, to the President Pro Tempore of the Indiana Senate and the President Pro Tempore of the Indiana Senate acknowledged receipt of the certification;

WHEREAS, The President Pro Tempore of the Indiana Senate forwarded the aforesaid certification to the Secretary of State, in accordance with Indiana Code 3-13-5-6; and

WHEREAS, Pursuant to Indiana Code 3-13-5-7, the Secretary of State is required to certify the individual selected to fill a vacant legislative office;

NOW, THEREFORE, AS THE INDIANA SECRETARY OF STATE, I certify that the Honorable Stacey Donato has been selected to fill the vacancy in the office of Indiana State Senate, District 18.

Given under my hand and the Seal of the State of Indiana, at the City of Indianapolis, this 13th day of September, 2019, being the 244th year of the Independence of the United States, and the 203rd year of Statehood of Indiana.

Connie Lawson
Indiana Secretary of State

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that on September 17th, 2019, Senator Stacey Donato was sworn-in to office to represent District 18. Justice Mark S. Massa administered the oath of office in the Senate Chamber.

BRAY, Chair

Report adopted.

SENATE MOTION

Madam President: I move that Senators Houchin, Bohacek, Stoops and Breaux be appointed as a committee of four members of the Senate to notify the House of Representatives that the Senate has met, has formed a quorum, and is now prepared to proceed with legislative business and to receive any communications which the House of Representatives may transmit. Senator Houchin shall serve as Chair of the Committee.

BRAY

Motion prevailed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Committee appointed to notify the House of Representatives that the Senate has met, has formed a quorum and is organized and ready for the transaction of legislative business respectfully reports that it has so informed the House of Representatives.

HOUCHIN, Chair
BOHACEK
STOOPS
BREAUX

Report adopted.

SENATE MOTION

Madam President: I move that Senators Raatz, Bassler, G. Taylor and Melton be appointed as a committee of four members of the Senate to act with a like committee of the House of Representatives to wait upon the Governor and to notify him of the convening of both Houses of the General Assembly and to inform him that they are ready for the transaction of legislative business and to learn from him when it will suit his convenience to submit whatever communication he may have to offer to the General Assembly. Senator Raatz shall serve as Chair of the Committee.

BRAY

Motion prevailed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The committee appointed to act with a like committee of the House of Representatives to wait upon the Governor to notify him of the convening of both Houses of the General Assembly, to inform him that they are ready to transact legislative business, and to learn from him when it will suit his convenience to submit whatever communication he may have to offer to the General Assembly has performed the duties assigned to it. The committee begs leave to report that it has learned that the Governor will communicate with the General Assembly on a date and at a time to be fixed at a later date.

RAATZ, Chair
BASSLER
G. TAYLOR
MELTON

Report adopted.

PRESIDENT PRO TEMPORE REPORT OF AMENDED COMMITTEE AND SUBCOMMITTEE APPOINTEMENTS

Madam President: President Pro Tempore Rodric Bray hereby announces and reports the following amended committee, subcommittee and chairperson appointments, pursuant to Rule 32 of the Standing Rules and Orders of the Senate of the 121st General Assembly.

Judiciary

Sen. Eric Koch (Chair)
Sen. Michael Young (RM)
Sen. Mike Bohacek
Sen. James Buck
Sen. Jon Ford
Sen. Aaron Freeman
Sen. Susan Glick
Sen. Linda Rogers
Sen. Lonnie Randolph (RMM)
Sen. Timothy Lanane
Sen. Greg Taylor

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SR 2 Senator Bray
Authorizing the Postmaster of the Indiana Senate to receive from the Postmaster of the City of Indianapolis all mail belonging to the Senate

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 2

Senate Resolution 2, introduced by Senator Bray:

A SENATE RESOLUTION authorizing the Postmaster of the Indiana Senate to receive from the Postmaster of the City of Indianapolis all mail belonging to the Senate.

Whereas, The Postmaster of the Indiana Senate is hereby authorized to receive from the Postmaster of the City of Indianapolis all mail which may belong to the Indiana Senate and to the several members and employees thereof and which may be directed to the general delivery or care of the Senate: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Secretary of the Senate be directed to send a certified copy of this Resolution to the Postmaster of the City of Indianapolis.

The resolution was read in full and adopted by voice vote.

Senate Resolution 4

Senate Resolution 4, introduced by Senator Bray:

A SENATE RESOLUTION honoring Bill Hart upon his retirement from the Indiana Senate.

Whereas, After serving over 10 years as a Senate Doorkeeper, Bill Hart will retire before the 2020 legislative session;

Whereas, A lifelong resident of Johnson County, Bill graduated from Clark Township High School, and went on to receive an Associates Degree in Accounting from Indiana Business College and a real estate degree from IUPUI;

Whereas, Before coming to the Senate, Bill served for over 30 years as the Manager of the Park Fletcher Branch of the United States Postal Service in Indianapolis, retiring in 2003;

Whereas, Bill also served as a member of the Greenwood Fire Department from 1967 to 1992;

Whereas, Since July 2018, Bill has continued his service to Johnson County by serving as the Pleasant Township Trustee;

Whereas, When not at the Statehouse, Bill enjoys spending time with his family and giving back to his community; and

Whereas, Bill will be deeply missed by Senators, staff, and all who have come to know him through his years of service to the Senate: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate honors Bill Hart upon his retirement from the Indiana Senate.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Bill Hart.

The resolution was read in full and adopted by voice vote.

House Concurrent Resolution 1

House Concurrent Resolution 1, sponsored by Senators Bray and Lanane:

A CONCURRENT RESOLUTION to allow the House of Representatives and the Senate of the 121st General Assembly to adjourn and recess separately throughout the Second Regular Session for periods in excess of three (3) consecutive days as the need, in the judgment of the Speaker of the House of Representatives and the President Pro Tempore of the Senate, respectively, may arise.

Whereas, The Indiana House of Representatives and the Senate met for the purpose of organization of each House to conduct the public business of the people of the State of Indiana;

Whereas, The House of Representatives and the Senate operate on their own respective schedules, having been separated from each other under IC 2-2.1-1-3;

Whereas, During the consideration of legislative business, each House may, in the respective judgment of the Speaker of the House of Representatives and the President Pro Tempore of the Senate, deem it necessary to adjourn and recess for periods in excess of three (3) consecutive days and to operate on a schedule different from the other House;

Whereas, Article 4, Section 10 of the Constitution of the State of Indiana states that neither House shall, without the consent of the other, adjourn for more than three (3) consecutive days;

Whereas, Each House desires to consent to any adjournment or recess by the other House that might last more than three (3) days during the Second Regular Session of the 121st General Assembly; and

Whereas, The House of Representatives and the Senate intend to recess after November 19, 2019, and meet again on January 6, 2020, to conduct legislative business: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That each House of the 121st Indiana General Assembly hereby consents to any adjournment or recess of the other House during the Second Regular Session of the 121st General Assembly for a period in excess of three (3) days, where such recess or adjournment is approved, in the case of the Senate, by the President Pro Tempore of the Senate, or, in the case of the

House of Representatives, by the Speaker of the House of Representatives.

SECTION 2. That the Principal Clerk of the House of Representatives is directed to inform the Senate of the passage of the Resolution.

The resolution was read in full and placed upon its passage. The question was, Shall the resolution pass? Roll Call 2: yeas 47, nays 0. The resolution was declared passed. The Chair instructed the Secretary to inform the House of the passage of the resolution.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted the following motion:

"I move that a committee of four members of this House be appointed by the Speaker to notify the Senate that the House of Representatives has met, has formed a quorum, and is now prepared to proceed with legislative business and to receive any communications which the Senate may transmit."

The Speaker has appointed Representatives Prescott, Vermillion, Deal and Jackson.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted the following motion:

"I move that a committee of four members of this House be appointed by the Speaker to act with a like committee of the Senate to wait upon the Governor and to notify him of the organization of both Houses of the General Assembly and to inform him that they are ready for the transaction of legislative business."

The Speaker has appointed Representatives Lauer, Sherman, Bauer and Klinker.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 1 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young and Zay be added as coauthors of Senate Resolution 4.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, January 6, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 2:05 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Second Meeting Day **Monday Afternoon** **January 6, 2020**

The Senate convened at 1:33 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Randy Scott, Pastor of Pentecostals of South Lake in Merrillville.

The Pledge of Allegiance to the Flag was led by Senator Ricky N. Niemeyer.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton ▶
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler ▶
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 3: present 48; excused 2. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

SENATE MOTION

Madam President: I move that, pursuant to Rules 32 and 35, the Standing Rules and Orders of the Senate for the 121st Indiana General Assembly be amended as follows:

31. (a) The following shall comprise the standing Senate committees and subcommittees thereto:

(1) Agriculture.
Nine (9) Members.

(2) Appropriations.
Thirteen (13) Members.
a. School Funding Subcommittee.

(3) Commerce and Technology.
Eleven (11) Members.

(4) Corrections and Criminal Law.
Nine (9) Members.

(5) Education and Career Development.
~~Eleven (11)~~**Thirteen (13)** Members.

(6) Elections.
Nine (9) Members.

(7) Environmental Affairs.
Eleven (11) Members.

(8) Ethics.
Six (6) Members.

(9) Family and Children Services.
Nine (9) Members.

(10) Health and Provider Services.
Twelve (12) Members.

(11) Homeland Security and Transportation.
Nine (9) Members.

(12) Insurance and Financial Institutions.
Nine (9) Members.

(13) Judiciary.
Eleven (11) Members.

(14) Local Government.
Ten (10) Members.

(15) Natural Resources.
Nine (9) Members.

(16) Pensions and Labor.
Eleven (11) Members.

(17) Public Policy.
Ten (10) Members.

(18) Tax and Fiscal Policy.
Fourteen (14) Members.

(19) Utilities.
Eleven (11) Members.

(20) Veterans Affairs and the Military.
Nine (9) Members.

(21) Joint Rules.
Four (4) Members and President Pro Tempore as Ex Officio Member.

(22) Rules and Legislative Procedure.
Twelve (12) Members.

(b) Additional subcommittees may be created with the approval of the Rules and Legislative Procedure Committee.

(Reference is to the Standing Rules and Orders of the Senate adopted on November 20, 2018 and amended on January 3, 2019.)

BRAY

Motion prevailed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which, was referred the Motion to Amend the Standing Rules and Orders of the Senate for the 121st Indiana General Assembly, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said Motion be adopted.

BRAY, Chair

Report adopted.

PRESIDENT PRO TEMPORE REPORT OF AMENDED COMMITTEE AND SUBCOMMITTEE APPOINTMENTS

Madam President: Pursuant to Rule 32 of the Standing Rules and Orders of the Senate of the 121st General Assembly, President Pro Tempore Rodric Bray hereby announces and reports the attached committee, subcommittee and chairperson appointments:

Appropriations

Senator Mishler, Chair
Senator Bassler, RM
Senator Boots
Senator L. Brown
Senator Charbonneau
Senator Crider
Senator Jon Ford
Senator Holdman
Senator Zay
Senator Tallian, RMM
Senator Breaux
Senator Melton
Senator Niezgodski

Commerce and Technology

Senator Perfect, Chair
Senator Merritt, RM
Senator Donato
Senator Doriot
Senator Garten
Senator Houchin
Senator Koch
Senator Leising
Senator J.D. Ford, RMM
Senator Lonnie Randolph
Senator Stoops

Education and Career Development

Senator Raatz, Chair
Senator Crane, RM
Senator Buchanan
Senator Donato
Senator Freeman
Senator Kruse
Senator Leising
Senator Rogers
Senator Spartz
Senator Melton, RMM
Senator Mrvan
Senator Niezgodski
Senator Stoops

Elections

Senator Walker, Chair
Senator Grooms, RM
Senator Crane
Senator Donato
Senator Jon Ford
Senator Gaskill
Senator Houchin
Senator J.D. Ford, RMM
Senator Breaux

Family and Children Services

Senator Grooms, Chair
Senator Walker, RM
Senator Crane
Senator Donato
Senator Jon Ford
Senator Gaskill
Senator Houchin
Senator J.D. Ford, RMM
Senator Breaux

Rules and Legislative Procedure

Senator Bray, Chair
Senator Messmer, RM
Senator Charbonneau
Senator Crider
Senator Glick
Senator Holdman
Senator Kruse
Senator Merritt
Senator Lanane, RMM
Senator Breaux
Senator Niezgodski
Senator Tallian

Utilities

Senator Merritt, Chair
Senator Perfect, RM
Senator Donato
Senator Doriot
Senator Garten
Senator Houchin
Senator Koch
Senator Leising
Senator J.D. Ford, RMM
Senator Lonnie Randolph
Senator Stoops

REPORT OF AMENDED LEADERSHIP

Pursuant to Senate Rule 23 of the Standing Rules and Orders of the Senate of the 121st General Assembly, Second Regular Session, President Pro Tempore Rodric Bray hereby announces the following amended appointments:

APPOINTMENTS TO LEADERSHIP
BY PRESIDENT PRO TEMPORE

Assistant Majority Floor Leader for Communications
SENATOR LIZ BROWN

OTHER APPOINTMENTS
BY PRESIDENT PRO TEMPORE

Principal Doorkeeper of the Senate
DON HORTON

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: The Report of the President Pro Tempore pertaining to the resignation of Senator Randall Head, adopted

on November 19, 2019, incorrectly stated that the oath of office was administered to Senator Stacey Donato by Chief Justice Loretta H. Rush. I hereby report in this Amended Report of the President Pro Tempore that the oath of office was administered by Justice Mark S. Massa on September 17, 2019.

BRAY

Report adopted.

INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

SB 0001 — Charbonneau (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 0002 — Raatz (Education and Career Development)
A BILL FOR AN ACT concerning education.

SB 0003 — Charbonneau, Garten (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0004 — Charbonneau (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 0006 — Bohacek (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 0007 — Bohacek (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0008 — Bohacek (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

SB 0009 — Tomes (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

SB 0010 — Boots (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

SB 0011 — Boots (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 0012 — Boots (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0013 — Withdrawn

SB 0014 — Young M, Bray, Lanane, Tallian (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0015 — Grooms (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 0016 — Bohacek (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0017 — Bohacek (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0018 — Bohacek (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0019 — Charbonneau (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 0020 — Gaskill (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 0021 — Rogers, Grooms, Charbonneau (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 0022 — Boots (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0023 — Boots (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 0024 — Boots, Doriot (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 0025 — Boots (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

SB 0026 — Walker (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

SB 0027 — Walker (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 0028 — Stoops (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0029 — Stoops (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0030 — Randolph Lonnie M (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0031 — Randolph Lonnie M (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0032 — Randolph Lonnie M (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 0033 — Randolph Lonnie M (Appropriations)
A BILL FOR AN ACT concerning education.

SB 0034 — Randolph Lonnie M (Pensions and Labor)
A BILL FOR AN ACT concerning labor and safety.

SB 0035 — Randolph Lonnie M (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 0036 — Randolph Lonnie M (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 0037 — Boots (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 0038 — Charbonneau (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 0039 — Freeman (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 0040 — Crane (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

SB 0041 — Merritt (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 0042 — Buck (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

SB 0043 — Young M (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0044 — Becker, Merritt (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0045 — Ford J.D. (Education and Career Development)
A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning education.

SB 0046 — Freeman (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

SB 0047 — Freeman (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0048 — Merritt (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0049 — Merritt (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0050 — Freeman, Koch (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning probate.

SB 0051 — Niezgodski (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 0052 — Niezgodski (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 0053 — Niezgodski (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0054 — Doriot (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

SB 0055 — Doriot (Commerce and Technology)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 0056 — Rogers (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning property.

SB 0057 — Leising (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0058 — Leising (Education and Career Development)
A BILL FOR AN ACT concerning education.

SB 0059 — Leising (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0060 — Leising (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 0061 — Charbonneau (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0062 — Grooms (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 0063 — Ruckelshaus, Bassler, Walker (Natural Resources)
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

SB 0064 — Ruckelshaus (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

SB 0065 — Ford Jon (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 0066 — Ford Jon (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0067 — Sandlin (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 0068 — Sandlin (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 0069 — Sandlin (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0070 — Tallian (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 0071 — Doriot (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

SB 0072 — Tomes (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

SB 0073 — Tomes (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

SB 0075 — Buck (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0076 — Buck (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 0077 — Messmer (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 0078 — Messmer (Commerce and Technology)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 0079 — Messmer (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0080 — Young M, Freeman, Breaux, Taylor G (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

SB 0081 — Messmer (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0082 — Niemeyer (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0083 — Niemeyer (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0084 — Niemeyer (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0085 — Taylor G (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 0086 — Taylor G (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0087 — Taylor G (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0088 — Taylor G (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0089 — Becker, Koch (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0090 — Withdrawn

SB 0091 — Tomes (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0092 — Tomes (Pensions and Labor)
A BILL FOR AN ACT concerning state and local administration.

SB 0093 — Alting (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 0094 — Alting (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0095 — Alting (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 0096 — Withdrawn

SB 0097 — Becker, Charbonneau (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 0098 — Becker, Charbonneau (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 0099 — Glick (Natural Resources)
A BILL FOR AN ACT concerning natural and cultural resources.

SB 0100 — Doriot (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 0101 — Bohacek (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

SB 0102 — Ruckelshaus (Utilities)
A BILL FOR AN ACT concerning taxation.

SB 0103 — Stoops (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0104 — Stoops (Natural Resources)
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

SB 0107 — Niezgodski (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

SB 0108 — Crider (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0109 — Crider (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0110 — Crider (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0111 — Ford Jon (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 0112 — Tallian (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

SB 0113 — Tallian (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0114 — Tallian (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0115 — Crider (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0116 — Crider (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0117 — Lanane (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning local government. (Vehicle Bill).

SB 0118 — Lanane (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration. (Vehicle Bill).

SB 0119 — Lanane (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration. (Vehicle Bill).

SB 0120 — Lanane (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation. (Vehicle Bill).

SB 0121 — Lanane (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation. (Vehicle Bill).

SB 0122 — Lanane (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles. (Vehicle Bill).

SB 0124 — Lanane (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning health. (Vehicle Bill).

SB 0125 — Lanane (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning elections. (Vehicle Bill).

SB 0126 — Lanane (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law. (Vehicle Bill).

SB 0127 — Lanane (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure. (Vehicle Bill).

SB 0128 — Lanane (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety. (Vehicle Bill).

SB 0130 — Kruse (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

SB 0131 — Kruse (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0132 — Crider (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

SB 0133 — Lanane (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco. (Vehicle Bill).

SB 0134 — Lanane (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning higher education. (Vehicle Bill).

SB 0135 — Lanane (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning education. (Vehicle Bill).

SB 0136 — Lanane (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning education. (Vehicle Bill).

SB 0139 — Lanane (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

SB 0140 — Withdrawn

SB 0141 — Zay (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

SB 0142 — Zay (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

SB 0143 — Zay (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0144 — Zay (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 0145 — Doriot (Natural Resources)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 0146 — Doriot (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0147 — Doriot (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

SB 0148 — Doriot (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 0149 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning elections. (Vehicle Bill).

SB 0150 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration. (Vehicle Bill).

SB 0151 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration. (Vehicle Bill).

SB 0152 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning local government. (Vehicle Bill).

SB 0153 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning local government. (Vehicle Bill).

SB 0154 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure. (Vehicle Bill).

SB 0155 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure. (Vehicle Bill).

SB 0156 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure. (Vehicle Bill).

SB 0157 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning higher education. (Vehicle Bill).

SB 0158 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning education. (Vehicle Bill).

SB 0159 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning education. (Vehicle Bill).

SB 0160 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning health. (Vehicle Bill).

SB 0161 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning health. (Vehicle Bill).

SB 0162 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning health. (Vehicle Bill).

SB 0163 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles. (Vehicle Bill).

SB 0164 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities. (Vehicle Bill).

SB 0165 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law. (Vehicle Bill).

SB 0166 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law. (Vehicle Bill).

SB 0167 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco. (Vehicle Bill).

SB 0168 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco. (Vehicle Bill).

SB 0169 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco. (Vehicle Bill).

SB 0170 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation. (Vehicle Bill).

SB 0171 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation. (Vehicle Bill).

SB 0172 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation. (Vehicle Bill).

SB 0173 — Bray (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning elections. (Vehicle Bill).

SB 0175 — Mrvan (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

SB 0176 — Mrvan (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 0177 — Donato (Utilities)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

SB 0178 — Walker (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0179 — Walker (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0180 — Walker (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 0181 — Sandlin, Boots (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

SB 0182 — Leising (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 0183 — Gaskill (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0186 — Alting (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 0187 — Doriot (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 0188 — Holdman (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0189 — Holdman (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 0190 — Holdman (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0191 — Holdman (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0192 — Grooms (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

SB 0193 — Grooms (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 0194 — Young M (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0195 — Koch (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

SB 0196 — Koch (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

SB 0197 — Koch (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 0199 — Koch (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

SB 0200 — Young M (Corrections and Criminal Law)
A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning criminal law and procedure.

SB 0202 — Tallian (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 0203 — Taylor G (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0204 — Messmer (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning property.

SB 0205 — Messmer (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 0206 — Messmer (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0207 — Merritt (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0208 — Crider (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 0209 — Crider (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0210 — Perfect (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 0211 — Perfect (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 0212 — Randolph Lonnie M (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 0213 — Randolph Lonnie M (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 0214 — Randolph Lonnie M, Niemeyer (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0215 — Sandlin (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 0216 — Sandlin (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 0217 — Buck (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0219 — Alting (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0220 — Alting (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0221 — Alting (Education and Career Development)
A BILL FOR AN ACT concerning education.

SB 0222 — Withdrawn

SB 0223 — Leising (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0224 — Taylor G (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0225 — Taylor G (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 0226 — Boots (Agriculture)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 0229 — Spartz (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

SB 0230 — Sandlin (Local Government)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 0232 — Ruckelshaus (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0233 — Young M (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SJ 0002 — Bray (Rules and Legislative Procedure)

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution).

SJ 0003 — Bray (Rules and Legislative Procedure)

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution).

SJ 0004 — Bray (Rules and Legislative Procedure)

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution).

SJ 0005 — Bray (Rules and Legislative Procedure)

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution).

SJ 0006 — Bray (Rules and Legislative Procedure)

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution).

SJ 0007 — Bray (Rules and Legislative Procedure)

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution).

SJ 0008 — Bray (Rules and Legislative Procedure)

A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution).

SJ 0009 — Boots (Judiciary)

A JOINT RESOLUTION proposing an amendment to Article 7 of the Constitution of the State of Indiana concerning courts and court officers.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 4

Senate Concurrent Resolution 4, introduced by Senator Charbonneau:

A CONCURRENT RESOLUTION memorializing Deputy Shadron K. Bassett and urging the Indiana Department of Transportation to name a mile of State Road 39 the "Deputy Shadron K. Bassett Memorial Mile".

Whereas, Deputy Shadron K. "Shad" Bassett lost his life in a fatal accident while responding to a call on October 7, 2005;

Whereas, Born January 12, 1971, in Monticello, Deputy Bassett was a graduate of Knox High School and the Indiana Law Enforcement Academy as a member of the 04-157 graduating class;

Whereas, Deputy Bassett's law enforcement career began as a Reserve Deputy with the Burnettsville Police Department before joining the Pulaski County Sheriff's Department as a patrol deputy, where he served for two and a half years until his death;

Whereas, A member of the Fraternal Order of Police Lodge 123, Deputy Bassett is survived by his wife, Shannon, daughter, Madison, step-daughters, Dakota and Julie Hines, parents, Ron Bassett and Penni Pigecella, three sisters, Brunketta Geisler, Cynaka Carr, and Sharim Shields, brother, Nathan Arbuckle, and step-father, Paul Arbuckle;

Whereas, Known as a kind-hearted person, Deputy Bassett was respected by his peers for his love of God, family, and community;

Whereas, Deputy Bassett was also known for his passion for guns and working on muscle cars; and

Whereas, Deputy Bassett paid the ultimate price while protecting the people of Pulaski County and the State of Indiana, and his sacrifice and service deserve recognition: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly expresses its deepest gratitude and sympathies to the family of Deputy Shadron K. Bassett and urges the Indiana Department of Transportation to honor Deputy Bassett by naming a mile of State Road 39 between Pulaski County Roads 300 North and 400 North the "Deputy Shadron K. Bassett Memorial Mile".

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the family of Deputy Shadron K. Bassett, the Pulaski County Sheriff's Department, the Fraternal Order of Police Lodge 123, and the Commissioner of the Indiana Department of Transportation.

The resolution was read in full and referred to the Committee on Homeland Security and Transportation.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 172, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 25-0.5-1-2.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.7. IC 25-1-1.1-4 applies to an individual licensed under IC 25-43 (behavior analysts and assistant behavior analysts).**

SECTION 2. IC 25-0.5-2-36 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 36. IC 25-1-2-2.1 applies to licenses held by behavior analysts and assistant behavior analysts.**

SECTION 3. IC 25-0.5-3-43 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 43. IC 25-1-2-6(b) applies to the Indiana behavior analyst licensing board.**

SECTION 4. IC 25-0.5-5-22 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 22. The Indiana professional licensing agency shall perform administrative functions, duties, and responsibilities for the Indiana behavior analyst licensing board (IC 25-43-2) under IC 25-1-5-3(a).**

SECTION 5. IC 25-0.5-6-21 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 21. An individual licensed, certified, registered, or permitted by the Indiana behavior analyst licensing board (IC 25-43-2) is a provider under IC 25-1-5-10.**

SECTION 6. IC 25-0.5-8-38 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 38. An occupation for which a person is licensed, certified, or registered by the Indiana behavior analyst licensing board (IC 25-43-2) is a regulated occupation under IC 25-1-7.**

SECTION 7. IC 25-0.5-9-38 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 38. The Indiana behavior analyst licensing board (IC 25-43-2) is a board under IC 25-1-8.**

SECTION 8. IC 25-0.5-10-35 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 35. The Indiana behavior analyst licensing board (IC 25-43-2) is a board under IC 25-1-8-6.**

SECTION 9. IC 25-0.5-11-20 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 20. The Indiana behavior analyst licensing board (IC 25-43-2) is a board under IC 25-1-9.**

SECTION 10. IC 25-41 IS REPEALED [EFFECTIVE JULY 1, 2020]. (BEHAVIOR ANALYSTS).

SECTION 11. IC 25-43 IS ADDED TO THE INDIANA CODE AS A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

ARTICLE 43. BEHAVIOR ANALYSTS AND ASSISTANT BEHAVIOR ANALYSTS

Chapter 1. Purpose; Definitions

Sec. 1. The definitions in this chapter apply throughout this article.

Sec. 2. "Assistant behavior analyst" means an individual who:

(1) is certified by a certifying entity as a board certified assistant behavior analyst; and

(2) meets the requirements under IC 25-43-3-2.

Sec. 3. "Behavior analyst" means an individual who:

(1) is certified by a certifying entity as a board certified behavior analyst; and

(2) meets the requirements under IC 25-43-3-1.

Sec. 4. "Behavior technician" means:

(1) a paraprofessional who practices under the close, ongoing supervision of a behavior analyst, assistant behavior analyst, or health service provider in psychology; or

(2) an individual who is credentialed as a registered behavior technician by a certifying entity.

The term does not include an individual who does design assessment or intervention plans or procedures unless the individual delivers services as assigned by the supervisor responsible for the behavior technician's work.

Sec. 5. "Board" refers to the Indiana behavior analyst licensing board established by IC 25-43-2-1.

Sec. 6. "Certifying entity" means the Behavior Analyst Certification Board, Inc., or any other entity approved by the board whose programs to credential practitioners of applied behavior analysis are accredited by the National Commission on Certifying Agencies or the American National Standards Institute.

Sec. 7. (a) "Practice of applied behavior analysis" means the design, implementation, and evaluation of instructional and environmental modifications to produce socially significant improvements in human behavior. The term includes the following:

(1) Empirical identification of functional relations between behavior and environmental factors, known as functional assessment and analysis.

(2) Applied behavior analysis interventions based on scientific research and direct and indirect observation and measurement of behavior and environment.

(3) Use of contextual factors, motivating operations, antecedent stimuli, positive reinforcement, and other procedures to help individuals develop new behaviors,

increase or decrease existing behaviors, and emit behaviors under specific environmental conditions.

(b) The term does not include the following:

(1) Psychological testing.

(2) Diagnosis of mental or physical disorders.

(3) Psychotherapy.

(4) Cognitive therapy.

(5) Psychoanalysis.

(6) Counseling.

Chapter 2. Board

Sec. 1. The Indiana behavior analyst licensing board is established.

Sec. 2. The board shall do the following:

(1) Issue licenses to individuals who meet the requirements specified in this article.

(2) Adopt rules under IC 4-22-2.

(3) Establish fees necessary to implement this article that comply with the requirements under IC 25-1-8-2.

(4) Subject to IC 25-1-7, investigate complaints relating to the practice of applied behavior analysis by a behavior analyst, assistant behavior analyst, or other person alleged to have violated this article.

Sec. 3. (a) The board consists of five (5) voting members appointed by the governor as follows:

(1) Three (3) board certified behavior analysts who are licensed under this article.

(2) One (1) board certified assistant behavior analyst who is licensed under this article.

(3) One (1) public member:

(A) who is not and has not been a professional behavior analyst;

(B) whose spouse is not and has not been a professional behavior analyst; and

(C) who does not have and has not had a material financial interest in the practice of applied behavior analysis.

(b) The Hoosier Association for Behavior Analysis and any other group considered appropriate by the governor may submit nominations to the governor.

(c) The terms and vacancies of members shall be filled as follows:

(1) A vacancy occurring other than by expiration of a term shall be filled for the remainder of the unexpired term by appointment by the governor upon recommendation of the board.

(2) The governor shall appoint members who reflect the racial, gender, geographic, urban, rural, and economic diversity of Indiana.

(3) The term of a member is four (4) years.

(4) A member may not serve more than two (2) successive four (4) year terms.

(5) Subject to IC 25-1-6.5-2, a member shall serve until a successor is appointed and qualified.

(d) Each member of the board who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b).

(e) Notwithstanding subsection (a) and IC 25-1-6.5-2(b), the initial terms for members of the board appointed under this section begin on July 1, 2020, and are as follows:

(1) For one (1) member appointed under subsection (a)(1) and for the member appointed under subsection (a)(3), a term of four (4) years.

(2) For the member appointed under subsection (a)(2), a term of three (3) years.

(3) For one (1) member appointed under subsection (a)(1), a term of two (2) years.

(4) For one (1) member appointed under subsection (a)(1), a term of one (1) year.

However, the initial members appointed under this section are not required to be licensed under this chapter but must apply for a license as soon as feasible. This subsection expires July 1, 2024.

Sec. 4. (a) The board:

(1) shall meet at least twice annually; and

(2) may meet at other times as necessary, at the call of the chair or by a majority of the members, to complete any required business.

(b) Three (3) affirmative votes by members are required for the board to take any official action.

(c) The board shall elect a chair from among the board's membership on an annual basis.

Chapter 3. Licenses

Sec. 1. An individual who applies for a license as a behavior analyst must meet the following requirements:

(1) Furnish satisfactory evidence to the board that the individual is certified by a certifying entity as a certified behavior analyst.

(2) Submit to a national criminal history background check under IC 25-1-1.1-4 and furnish satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the individual's ability to practice competently.

(3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice behavior analysis without endangering the public.

(4) Apply for the license in the manner prescribed by the board.

(5) Pay the fee established by the board.

Sec. 2. (a) An individual who applies for a license as an assistant behavior analyst must meet the following requirements:

(1) Furnish satisfactory evidence to the board that the individual is certified by a certifying entity as a certified assistant behavior analyst.

(2) Submit to a national criminal history background check under IC 25-1-1.1-4 and furnish satisfactory evidence to the board that the individual does not have a conviction for a crime that has a direct bearing on the

individual's ability to practice competently.

(3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice behavior analysis without endangering the public.

(4) Apply for the license in the manner prescribed by the board.

(5) Pay the fee established by the board.

(b) An individual who is licensed as an assistant behavior analyst under this section must be directly supervised by a behavior analyst who is licensed under this chapter or a health service provider in psychology.

(c) An assistant behavior analyst must annually submit to the board a written record of the supervision that is provided to the assistant behavior analyst by a behavior analyst who is licensed under this chapter or a health service provider in psychology.

Sec. 3. An individual who is licensed under this chapter must comply with the requirements of the Professional and Ethical Compliance Code for Behavior Analysts published by a certifying entity.

Sec. 4. (a) A license expires on the date established by the licensing agency under IC 25-1-6-4.

(b) To renew a license under this chapter, an individual:

(1) must pay the renewal fee not later than the expiration date of the license; and

(2) submit proof of current certification by a certifying entity.

Sec. 5. This article does not limit the use of applied behavior analysis techniques by a person who does not use a title specified in IC 25-43-4-2 and is one (1) of the following:

(1) A licensed or certified health care professional acting within the scope of the person's license or certificate and within the person's training.

(2) A student, an intern, or a trainee pursuing a course of study to gain licensure under this chapter in an accredited eligible postsecondary educational institution or training institution.

(3) A person who is not a resident of Indiana, if the person:

(A) performs the services in Indiana for not more than five (5) days in any one (1) month or fifteen (15) days within any one (1) calendar year; and

(B) is authorized to perform the services under the laws of the state or country in which the person resides.

(4) A behavior technician, or a family member implementing a plan within the home, who acts under the extended authority and direction of a behavior analyst or assistant behavior analyst licensed under this chapter.

Sec. 6. If the board determines that:

(1) a person possesses a valid license from another jurisdiction to perform acts that require a license under this chapter; and

(2) the jurisdiction issuing the license imposes substantially equal requirements on applicants for the license that are imposed on applicants for an Indiana license;

the board may issue a license to the person upon payment of the licensure fee.

Chapter 4. Violations

Sec. 1. An individual who is not:

(1) licensed under this article; or

(2) exempt under IC 25-42-3-5;

may not practice applied behavior analysis.

Sec. 2. An individual may not:

(1) profess to be a licensed behavior analyst or licensed assistant behavior analyst; or

(2) use the initials "LBA" or "LABA" or any other words, letters, abbreviations, or insignia indicating or implying that the individual is a licensed behavior analyst or licensed assistant behavior analyst;

unless the individual holds a license under this article.

Sec. 3. An individual who violates this article commits a Class C infraction.

SECTION 12. IC 35-52-25-66 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 66. IC 25-41-1-2 defines a crime concerning behavior analysts.~~

(Reference is to SB 172 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Commerce and Technology.

BRAY, Chair

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SR 3 Senator Charbonneau
Congratulating Boone Grove H.S.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 3

Senate Resolution 3, introduced by Senator Charbonneau:

A SENATE RESOLUTION congratulating Boone Grove High School on being awarded the National Athletic Trainers' Association's Safe Sports School Award.

Whereas, Boone Grove High School is a school located in Valparaiso, Indiana;

Whereas, Boone Grove High School was awarded the 2019 National Athletic Trainers' Association's Safe Sports School Award;

Whereas, The award requires specific sports safety actions, such as providing safe and appropriate environments for practices and games, supplying proper sporting equipment, developing injury intervention strategies, rehearsing an emergency action plan, and promoting a culture of safe play;

Whereas, Boone Grove High School has demonstrated a high commitment to keeping its student athletes safe while competing; and

Whereas, Boone Grove High School's dedication to safe sports will result in safer, healthier student athletes at its school for years to come: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate congratulates Boone Grove High School on being awarded the National Athletic Trainers' Association's Safe Sports School Award.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Dr. Stacey Schmidt, Superintendent of Porter Township School Corporation, Mr. Clay Corman, Principal of Boone Grove High School, and Mr. Joshua Russell, Athletic Director of Boone Grove High School.

The resolution was read in full and adopted by voice vote.

SENATE MOTION

Madam President: I move that the following memorial resolutions be adopted:

SCR 3 Senator M. Young
Memorializing Decatur Township Firefighter Lieutenant Tracy Hayden.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 3

Senate Concurrent Resolution 3, introduced by Senator M. Young:

A CONCURRENT RESOLUTION memorializing Decatur Township Firefighter Lieutenant Tracy Hayden.

Whereas, Lieutenant Tracy Hayden, a 17-year veteran of the Decatur Township Fire Department, passed away on November 9, 2019;

Whereas, Lieutenant Hayden was born January 14, 1981, in Indianapolis and graduated from Ben Davis High School;

Whereas, After studying Fire Science at Lake Superior State University, Lieutenant Hayden joined the Decatur Township Fire Department;

Whereas, Lieutenant Hayden was promoted to Merit Lieutenant in 2011, and to Division Chief of Fire and Life Safety in 2014, where he investigated fires and worked in fire education with schools and businesses;

Whereas, Involved with numerous fire organizations, Lieutenant Hayden was a member of the Marion County Arson Task Force, the International Association of Arson Investigators, and the National Association of Fire Investigators;

Whereas, When not at the firehouse, Lieutenant Hayden loved playing video games, traveling to Las Vegas, taking annual firefighter racing trips, and officiating high school football;

Whereas, Lieutenant Hayden was diagnosed with leukemia in May 2019, and the diagnosis was believed to be the result of an October 2015 fire where he was exposed to toxic chemicals;

Whereas, A devoted family man, Lieutenant Hayden is survived by his wife, Tammy, his sons, Oliver and Wyatt, and his father, Robert; and

Whereas, Though he succumbed to leukemia on November 9, 2019, Lieutenant Hayden's service to the citizens of Decatur Township and Marion County will never be forgotten: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly memorializes Decatur Township Firefighter Lieutenant Tracy Hayden.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Lieutenant Hayden's wife, Tammy, his two sons, Oliver and Wyatt, his father, Robert, and the Decatur Township Fire Department.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Behning.

House Concurrent Resolution 2

House Concurrent Resolution 2, sponsored by Senators Lonnie M. Randolph, Melton, G. Taylor, and Breaux:

A CONCURRENT RESOLUTION recognizing Prom Genie, Incorporated.

Whereas, Helen Lewis founded the nonprofit, Prom Genie, Incorporated in January 2011 to help young ladies, and their families, during a cherished high school tradition;

Whereas, Prom Genie, Inc. specializes in events such as their Annual Prom Dress Give-A-Way that offers young ladies a wide selection of dresses, shoes, jewelry, and accessories;

Whereas, The Prom Dress Give-A-Way, also known as Boutique Day, provides a mentored experience through which volunteers work with attendees to create a perfect ensemble, including hair and makeup, for free;

Whereas, Prom Genie, Inc. helps young ladies fulfill their prom dreams and higher education goals every year by awarding a $2,000 scholarship to two high school girls;

Whereas, Prom Genie, Inc. has given $28,000 in scholarships since 2012 to young ladies in Indianapolis, Hammond, and surrounding areas;

Whereas, Helen Lewis, a Hammond native and proud graduate of Hammond High School, recognized a heartfelt need for young ladies in Central and Northwest Indiana when she created a nonprofit to support families in need;

Whereas, The Indiana General Assembly recognizes Prom Genie, Inc. for its contributions in Central and Northwest Indiana; and

Whereas, Prom Genie, Inc. offers young ladies the opportunity to feel beautiful and be confident in high school and higher education: Therefore,

Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes Prom Genie, Incorporated for its support of young ladies in Central and Northwest Indiana during high school and higher education.

SECTION 2. That the Indiana General Assembly recognizes the efforts of Ms. Helen Lewis, volunteers, and area businesses for their many hours given and items donated as part of Prom Genie, Incorporated.

SECTION 3. That the Principal Clerk of the House of Representatives transmit copies of this resolution to State Representative Carolyn Jackson for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 2 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Messmer be added as second author of Senate Bill 19.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 29.

STOOPS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as second author of Senate Bill 109.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as third author of Senate Bill 109.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author of Senate Bill 116.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author of Senate Bill 141.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author of Senate Bill 142.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as second author of Senate Bill 144.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bray be removed as author of Senate Bill 172 and Senator Charbonneau be substituted therefor.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as second author of Senate Bill 232.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 10:30 a.m., Tuesday, January 7, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 1:51 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Third Meeting Day **Tuesday Morning** **January 7, 2020**

The Senate convened at 10:32 a.m., with the President Pro Tempore of the Senate, Rodric D. Bray, in the Chair.

Prayer was offered by Chaplain Chuck Lessick, IndyCar Ministry.

The Pledge of Allegiance to the Flag was led by Senator R. Michael Young.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler ▶
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 4: present 49; excused 1. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 4

House Concurrent Resolution 4, sponsored by Senator M. Young:

A CONCURRENT RESOLUTION honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.

Whereas, Terre Haute native Tony Hulman purchased the Indianapolis Motor Speedway in November 1945, beginning an ambitious post-World War II restoration project that forever altered Indiana's history and the trajectory of global motorsports;

Whereas, Since that time, members of the Hulman-George family have served as faithful stewards of the Racing Capital of the World, The Greatest Spectacle in Racing" and INDYCAR;

Whereas, 74 years of Hulman-George family leadership have produced many historic firsts and milestones, including the sold-out 100th Running of the Indianapolis 500, the inaugural Brickyard 400 and the debut of life-saving SAFER Barrier technology;

Whereas, The Indiana General Assembly recognizes a new era of leadership at the Indianapolis Motor Speedway and INDYCAR as all Hoosiers, young and old, mark the beginning of a new decade;

Whereas, Roger Penske is an individual supremely prepared to preserve and further the legacy of IMS, the Indianapolis 500 and the IndyCar Series;

Whereas, Roger Penske's track record in the world of professional motorsports is second to none, highlighted by Team Penske's 18 Indianapolis 500 victories, 16 IndyCar Series championships, two Daytona 500 victories, 545 major race wins and 37 championships across professional racing disciplines;

Whereas, Roger Penske is also the Founder and Chairman of Penske Corporation, a global industry leader that employs more than 64,000 individuals and manages more than $32 billion in global revenue;

Whereas, Roger Penske's leadership principles include a commitment to civic growth and philanthropy, highlighted by his service as Chairman of Super Bowl XL and Penske Corporation's support of many worthy charities and causes;

Whereas, Roger Penske is also a recipient of the highest honor bestowed on an American civilian, the Presidential Medal of Freedom, and many other prestigious awards and honors, including induction in the Sports Broadcasting Hall of Fame and NASCAR Hall of Fame; and

Whereas, Roger Penske's commitment to excellence, growth, integrity and innovation in all his endeavors will now guide and serve the Racing Capital of the World, North America's

pre-eminent open-wheel motorsports series and race fans everywhere: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly honors the historic contributions of the Hulman-George family and celebrates the incoming leadership of Roger Penske and the Penske Corporation.

SECTION 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to members of the Hulman-George family and to Roger Penske, Founder and Chairman of Penske Corporation.

10:45 a.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 10:47 a.m., with Senator Mark B. Messmer in the Chair.

Senator Messmer yielded the gavel to Senator Bray.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Concurrent Resolution 4, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.
Committee Vote: Yeas 9, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 2, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 3, delete "(b)." and insert "**(b) or (c).**".

(Reference is to SB 2 as introduced.)

and when so amended that said bill do pass.
Committee Vote: Yeas 12, Nays 0.

RAATZ, Chair

Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 4 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, and Zay be added as cosponsors of House Concurrent Resolution 4.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bray be added as second author of Senate Bill 2.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as third author and Senator Rogers be added as coauthor of Senate Bill 2.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as coauthor of Senate Bill 25.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 63.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 64.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author of Senate Bill 67.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as second author of Senate Bill 78.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as second author of Senate Bill 81.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 102.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 142.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as second author of Senate Bill 146.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be removed as author of Senate Bill 217 and Senator Messmer be substituted therefor.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 223.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 10:00 a.m., Thursday, January 9, 2020.

MESSMER

Motion prevailed.

The Senate adjourned at 11:10 a.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly — Second Regular Session

Fourth Meeting Day — Thursday Morning — January 9, 2020

The Senate convened at 10:16 a.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Chris Monaghan, Senior Leader at Gateway Church in Richmond.

The Pledge of Allegiance to the Flag was led by Senator Jeffery S. Raatz.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M. ▶
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon ▶	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms ▶	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 5: present 47; excused 3. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

SB 0005 — Charbonneau (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 0074 — Tomes (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 0137 — Lanane (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

SB 0234 — Raatz (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0235 — Alting (Appropriations)
A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

SB 0236 — Young M (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0237 — Brown L (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 0238 — Brown L (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 0239 — Brown L (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 0240 — Brown L (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 0241 — Brown L (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 0242 — Brown L (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

SB 0243 — Brown L (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0244 — Brown L (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0245 — Sandlin (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

SB 0246 — Crider (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0247 — Niemeyer (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0248 — Niemeyer (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

SB 0249 — Young M (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0251 — Ford J.D. (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

SB 0252 — Ford J.D. (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

SB 0253 — Ford J.D. (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning property.

SB 0254 — Charbonneau, Koch, Glick (Utilities)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

SB 0255 — Charbonneau (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0256 — Koch (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 0257 — Koch (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

SB 0258 — Koch (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 0259 — Spartz (Family and Children Services)
A BILL FOR AN ACT concerning family law and juvenile law.

SB 0260 — Spartz (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 0261 — Spartz (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0262 — Busch (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 0265 — Donato (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

SB 0266 — Donato (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0267 — Bohacek (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning family and social services and to make an appropriation.

SB 0268 — Ford Jon (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 0269 — Ford Jon (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 0270 — Ford Jon (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0271 — Ford Jon (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 0272 — Ford Jon (Commerce and Technology)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 0273 — Crider (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 0274 — Lanane (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 0275 — Lanane (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0276 — Lanane (Environmental Affairs)
A BILL FOR AN ACT concerning industrial and economic development.

SB 0277 — Lanane (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 0278 — Lanane (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0279 — Lanane (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0280 — Breaux (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0281 — Breaux (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 0282 — Breaux (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 0283 — Breaux (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 0284 — Breaux (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 0285 — Breaux (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0286 — Breaux (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0287 — Breaux (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning higher education and to make an appropriation.

SB 0288 — Doriot (Natural Resources)
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

SB 0289 — Grooms (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 0290 — Grooms (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0291 — Grooms (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0292 — Sandlin (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0294 — Ruckelshaus (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 0295 — Raatz (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0296 — Raatz (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0297 — Leising (Education and Career Development)
A BILL FOR AN ACT concerning education.

SB 0298 — Leising (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 0299 — Brown L (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0300 — Brown L (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 0301 — Tallian (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0302 — Tallian (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 0303 — Tallian (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0304 — Tallian (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0305 — Tallian (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 0306 — Tallian (Appropriations)
A BILL FOR AN ACT concerning state and local administration and to make an appropriation.

SB 0307 — Tomes (Veterans Affairs and The Military)
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

SB 0308 — Niezgodski (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

RESOLUTIONS ON FIRST READING

Senate Resolution 5

Senate Resolution 5, introduced by Senator Tallian:

A SENATE RESOLUTION urging Indiana Attorney General Curtis Hill to withdraw Indiana from a lawsuit which is attempting to nullify the Affordable Care Act (ACA) and end federal funding for the Healthy Indiana Plan (HIP) 2.0.

Whereas, Indiana, under the direction of Attorney General Curtis Hill, involved Indiana in the Texas v. Azar lawsuit;

Whereas, In a ruling in Texas v. Azar on Wednesday, December 18, 2019, the 5th Circuit Court of Appeals ruled the Affordable Care Act's (ACA) individual mandate

unconstitutional, but failed to rule the entirety of the ACA unconstitutional, sending the lawsuit back to the lower court;

Whereas, Attorney General Hill's and Indiana's participation in this lawsuit is threatening Hoosiers' health care and Indiana's health insurance program, the Healthy Indiana Plan (HIP) 2.0;

Whereas, HIP 2.0 expanded coverage to more than 400,000 Hoosiers and HIP members accessed primary and preventative care at greater than anticipated rates, including screenings for breast and cervical cancer;

Whereas, Nullifying the ACA would mean Indiana losing $800 million a year in federal funding for HIP 2.0 coverage while removing healthcare choices for Hoosiers;

Whereas, The successful enrollment levels of HIP 2.0 and access to prevention programs reduces the cost burden to all Hoosiers of uncovered healthcare services;

Whereas, If the ACA is completely struck down, it will leave hundreds of thousands of Hoosiers who rely on HIP 2.0 unable to receive affordable health care coverage and provisions allowing children to remain on their parents' policy until age 26, mandating coverage for pre-existing conditions, and requiring coverage of essential health benefits will also be gone;

Whereas, Hoosier tax dollars are being utilized in a lawsuit that seeks to take away Hoosiers' health care;

Whereas, Governor Holcomb's administration has already submitted paperwork with the federal government to extend the HIP 2.0 program for several years; and

Whereas, Attorney General Hill has no plan or authority to offer other health care options for Hoosiers: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate urges Indiana Attorney General Curtis Hill to withdraw Indiana from Texas v. Azar and to end his attacks on HIP 2.0 and Hoosiers' healthcare.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the office of Attorney General Curtis Hill.

The resolution was read in full and referred to the Committee on Judiciary.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 10, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 16, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 31-37-13-5, AS AMENDED BY P.L.168-2014, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. **(a)** If a finding of delinquency is based on a delinquent act that would be a felony if committed by an adult, the juvenile court shall state in the findings the following:

(1) The specific statute that was violated.

(2) The class or level of the felony had the violation been committed by an adult.

(b) If a finding of delinquency is based on a delinquent act that would be a serious violent felony (as defined in IC 35-47-4-5) if committed by an adult, the juvenile court shall, notwithstanding IC 31-39-1, transmit the finding to the office of judicial administration for transmission to NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3.".

Delete page 2.

Page 3, delete lines 1 through 4.

(Reference is to SB 16 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 21, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 7, delete "physician's" and insert "**advanced practice registered nurse, physician**".

(Reference is to SB 21 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 25, has had the same under consideration and begs leave to report the same back to the

Senate with the recommendation that said bill be amended as follows:

Page 5, line 4, delete "June 30, 2020." and insert "**December 31, 2012.**".

Page 5, delete lines 24 through 26, begin a new paragraph and insert:

"**Sec. 5. (a) The final determination of an impairment for a mental illness is provisional for two (2) years:**

(1) for a final determination made after June 30, 2020, from the date of the final determination by the system board under IC 36-8-8-13.1; or

(2) for a final determination made after December 31, 2012, and before July 1, 2020, beginning July 1, 2020.".

(Reference is to SB 25 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 2.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 39, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 7, after "court." insert "**A court, at its discretion, may set periodic review hearings to review an individual's specialized driving privileges.**".

Page 3, after line 3, begin a new paragraph and insert:

"SECTION 2. IC 9-30-16-3.5, AS AMENDED BY P.L.46-2018, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. (a) If a court imposes a suspension of driving privileges under IC 9-21-5-11(f), the court may stay the suspension and grant a specialized driving privilege as set forth in this section.

(b) Except as provided in subsection (g), specialized driving privileges granted under this section shall be granted for ~~sixty (60) days, or the remainder of the sixty (60) day period of suspension as set forth in IC 9-30-13-9(b)(2) if a petition for specialized driving privileges is filed in the manner set forth under subsection (f).~~ **a period of time as determined by the court. A court, at its discretion, may set periodic review hearings to review an individual's specialized driving privileges.**

(c) Specialized driving privileges granted under this section:

(1) must be determined by a court; and

(2) are limited to restricting the individual to being allowed to operate a motor vehicle between the place of employment of the individual and the individual's residence.

(d) An individual who has been granted specialized driving privileges under this section shall:

(1) maintain proof of future financial responsibility insurance during the period of specialized driving privileges;

(2) carry a copy of the order granting specialized driving privileges or have the order in the vehicle being operated by the individual;

(3) produce the copy of the order granting specialized driving privileges upon the request of a police officer; and

(4) carry a validly issued driver's license.

(e) An individual who holds a commercial driver's license and has been granted specialized driving privileges under this chapter may not, for the duration of the suspension for which the specialized driving privileges are sought, operate a motor vehicle that requires the individual to hold a commercial driver's license to operate the motor vehicle.

(f) An individual who seeks specialized driving privileges must file a petition for specialized driving privileges in each court that has ordered or imposed a suspension of the individual's driving privileges. Each petition must:

(1) be verified by the petitioner;

(2) state the petitioner's age, date of birth, and address;

(3) state the grounds for relief and the relief sought;

(4) be filed in the court that ordered or imposed the suspension; and

(5) be served on the bureau and the prosecuting attorney.

A prosecuting attorney shall appear on behalf of the bureau to respond to a petition filed under this subsection.

(g) Whenever a suspension of an individual's driving privileges under this chapter is terminated because:

(1) the underlying conviction, judgment, or finding that forms the basis of the suspension is reversed, vacated, or dismissed; or

(2) the individual is acquitted of, found not liable for, or otherwise found not to have committed the underlying act or offense that forms the basis of the suspension;

the individual's specialized driving privileges expire at the time the suspension of the individual's driving privileges is terminated.

(h) The court shall inform the bureau of a termination of a suspension of driving privileges and expiration of specialized driving privileges as described under subsection (g) in a format designated by the bureau.".

(Reference is to SB 39 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 69, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 9, delete "A:" and insert "**A**".

Page 1, delete lines 10 through 11.

Page 1, line 12, delete "(B)".

Page 1, line 13, delete ";" and insert "**,**".

Page 1, line 14, delete "qualified law enforcement officer or".

Page 1, line 16, delete "18 U.S.C. 926B or".

Page 1, run in lines 9 through 16.

(Reference is to SB 69 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 1.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 72, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 80, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 127, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 21-17-5-6, AS AMENDED BY P.L.107-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. Whenever a police officer retires after at least twenty (20) years of service, the police officer may retain the officer's service weapon. The officer is entitled to receive, in recognition of the service to the educational institution and the public, a badge that indicates that the officer is retired. Upon retirement, the state police department shall issue to the police officer an identification card that:

(1) states the police officer's name and rank at retirement;
(2) states the officer's retired status; and
(3) notes the officer's authority to retain the service weapon.

A retired police officer described in this section is entitled to a lifetime license to carry a handgun as described under ~~IC 35-47-2-3(f).~~ **IC 35-47-2-3(g).**

SECTION 2. IC 35-31.5-2-185, AS AMENDED BY P.L.238-2015, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 185. (a) "Law enforcement officer" means:

(1) a police officer (including a correctional police officer), sheriff, constable, marshal, prosecuting attorney, special prosecuting attorney, special deputy prosecuting attorney, the securities commissioner, or the inspector general;
(2) a deputy of any of those persons;
(3) an investigator for a prosecuting attorney or for the inspector general;
(4) a conservation officer;
(5) an enforcement officer of the alcohol and tobacco commission;
(6) an enforcement officer of the securities division of the office of the secretary of state; or
(7) a gaming agent employed under IC 4-33-4.5 or a gaming control officer employed by the gaming control division under IC 4-33-20.

(b) "Law enforcement officer", for purposes of IC 35-42-2-1, includes an alcoholic beverage enforcement officer, as set forth in IC 35-42-2-1.

(c) "Law enforcement officer", for purposes of IC 35-45-15, includes a federal enforcement officer, as set forth in IC 35-45-15-3.

(d) "Law enforcement officer", for purposes of IC 35-44.1-3-1 and IC 35-44.1-3-2, includes a school resource officer (as defined in IC 20-26-18.2-1) and a school corporation police officer appointed under IC 20-26-16.

(e) "Law enforcement officer", for purposes of IC 35-47-15-3, means a person described in subsections (a) through (d).

SECTION 3. IC 35-47-2-3, AS AMENDED BY P.L.107-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A person desiring a license to carry a handgun shall apply:

(1) to the chief of police or corresponding law enforcement officer of the municipality in which the applicant resides;
(2) if that municipality has no such officer, or if the applicant does not reside in a municipality, to the sheriff of the county in which the applicant resides after the applicant has obtained an application form prescribed by the superintendent; or
(3) if the applicant is a resident of another state and has a regular place of business or employment in Indiana, to the sheriff of the county in which the applicant has a regular place of business or employment.

The superintendent and local law enforcement agencies shall allow an applicant desiring to obtain or renew a license to carry a handgun to submit an application electronically under this chapter if funds are available to establish and maintain an electronic application system.

(b) This subsection applies before July 1, 2020. The law enforcement agency which accepts an application for a handgun license shall collect the following application fees:

(1) From a person applying for a four (4) year handgun license, a ten dollar ($10) application fee, five dollars ($5) of which shall be refunded if the license is not issued.
(2) From a person applying for a lifetime handgun license who does not currently possess a valid Indiana handgun license, a fifty dollar ($50) application fee, thirty dollars ($30) of which shall be refunded if the license is not issued.
(3) From a person applying for a lifetime handgun license who currently possesses a valid Indiana handgun license, a forty dollar ($40) application fee, thirty dollars ($30) of

which shall be refunded if the license is not issued.

Except as provided in subsection ~~(i),~~ **(j),** the fee shall be deposited into the law enforcement agency's firearms training fund or other appropriate training activities fund and used by the agency to train law enforcement officers in the proper use of firearms or in other law enforcement duties, or to purchase firearms, firearm related equipment, or body armor (as defined in IC 35-47-5-13(a)) for the law enforcement officers employed by the law enforcement agency. The state board of accounts shall establish rules for the proper accounting and expenditure of funds collected under this subsection.

(c) This subsection applies after June 30, 2020. The law enforcement agency which accepts an application for a handgun license shall not collect a fee from a person applying for a five (5) year handgun license and shall collect the following application fees:

(1) From a person applying for a lifetime handgun license who does not currently possess a valid Indiana handgun license, a fifty dollar ($50) application fee, thirty dollars ($30) of which shall be refunded if the license is not issued.

(2) From a person applying for a lifetime handgun license who currently possesses a valid Indiana handgun license, a forty dollar ($40) application fee, thirty dollars ($30) of which shall be refunded if the license is not issued.

Except as provided in subsection ~~(i),~~ **(j),** the fee shall be deposited into the law enforcement agency's firearms training fund or other appropriate training activities fund and used by the agency to train law enforcement officers in the proper use of firearms or in other law enforcement duties, or to purchase firearms, firearm related equipment, or body armor (as defined in IC 35-47-5-13(a)) for the law enforcement officers employed by the law enforcement agency. The state board of accounts shall establish rules for the proper accounting and expenditure of funds collected under this subsection.

(d) ~~The officer to whom the application is made shall ascertain the~~ **A person desiring a license to carry a handgun shall provide the following information to the appropriate person described under subsection (a):**

(1) The applicant's:

(A) name;

(B) full address; **and**

(C) length of residence in the community;

and, if applicable, whether the applicant's residence is located within the limits of any city or town.

(2) The applicant's occupation **and** place of business or employment.

(3) If applicable, the applicant's criminal record, ~~if any, and~~ **including all** convictions (minor traffic offenses excepted).

(4) The applicant's:

(A) age;

(B) race;

(C) sex;

(D) nationality;

(E) date of birth;

(F) citizenship;

(G) height;

(H) weight;

(I) build;

(J) color of hair;

(K) color of eyes; **and**

(L) scars and marks, **if applicable.**

(5) Whether the applicant has previously held an Indiana license to carry a handgun and if so the **following information:**

(A) The serial number of the license. ~~and~~

(B) The year ~~issued;~~ **of issuance of the license.**

(C) Whether the applicant's license has ever been suspended or revoked. ~~and if so,~~

(D) The year and reason for ~~the~~ **any** suspension or revocation ~~and the applicant's reason for desiring a license.~~ **described under clause (C).**

(6) For an application submitted after December 31, 2020:

(A) a certificate signifying that the person has successfully completed a handgun safety and training program that meets the requirements set forth in section 3.5 of this chapter; or

(B) documentary evidence that the person is exempt under section 3.5(d) of this chapter from the handgun safety and training program requirement because the person is a law enforcement officer, a retired law enforcement officer, or an active or honorably discharged member of the armed forces of the United States. The state police department shall determine what documentary evidence is sufficient to establish an exemption under this clause.

(e) If the applicant is not a United States citizen, the officer to whom the application is made shall ascertain the ~~applicant's~~ **following information about the applicant:**

(1) Country of citizenship.

(2) Place of birth. ~~and~~

(3) Any alien or admission number issued by:

(A) the United States Citizenship and Immigration Services; ~~or~~

(B) the United States Customs and Border Protection; or

(C) any successor agency as applicable.

The officer to whom the application is made shall conduct an investigation into the applicant's official records and verify thereby the applicant's character and reputation, and shall in addition verify for accuracy the information contained in the application, and shall forward this information together with the officer's recommendation for approval or disapproval and one (1) set of legible and classifiable fingerprints of the applicant to the superintendent. An investigation conducted under this section must include the consulting of available local, state, and federal criminal history data banks, including the National Instant Criminal Background Check System (NICS), to determine whether possession of a firearm by an applicant would be a violation of state or federal law.

~~(e)~~ **(f)** The superintendent may make whatever further investigation the superintendent deems necessary. Whenever disapproval is recommended, the officer to whom the application

is made shall provide the superintendent and the applicant with the officer's complete and specific reasons, in writing, for the recommendation of disapproval.

~~(f)~~ **(g)** If it appears to the superintendent that the applicant:

~~(1) has a proper reason for carrying a handgun;~~

~~(2)~~ **(1)** is of good character and reputation;

~~(3)~~ **(2)** is a proper person to be licensed; and

~~(4)~~ **(3)** is:

(A) a citizen of the United States; or

(B) not a citizen of the United States but is allowed to carry a firearm in the United States under federal law;

the superintendent shall issue to the applicant a qualified or an unlimited license to carry any handgun lawfully possessed by the applicant. The original license shall be delivered to the licensee. A copy shall be delivered to the officer to whom the application for license was made. A copy shall be retained by the superintendent for at least five (5) years in the case of a five (5) year license. The superintendent may adopt guidelines to establish a records retention policy for a lifetime license. A five (5) year license shall be valid for a period of five (5) years from the date of issue. A lifetime license is valid for the life of the individual receiving the license. The license of police officers, sheriffs or their deputies, and law enforcement officers of the United States government who have twenty (20) or more years of service shall be valid for the life of these individuals. However, a lifetime license is automatically revoked if the license holder does not remain a proper person.

~~(g)~~ **(h)** At the time a license is issued and delivered to a licensee under subsection ~~(f),~~ **(g),** the superintendent shall include with the license information concerning handgun safety rules that:

(1) neither opposes nor supports an individual's right to bear arms; and

(2) is:

(A) recommended by a nonprofit educational organization that is dedicated to providing education on safe handling and use of firearms;

(B) prepared by the state police department; and

(C) approved by the superintendent.

The superintendent may not deny a license under this section because the information required under this subsection is unavailable at the time the superintendent would otherwise issue a license. The state police department may accept private donations or grants to defray the cost of printing and mailing the information required under this subsection.

~~(h)~~ **(i)** A license to carry a handgun shall not be issued to any person who:

(1) has been convicted of a felony;

(2) has had a license to carry a handgun suspended, unless the person's license has been reinstated;

(3) is under eighteen (18) years of age;

(4) is under twenty-three (23) years of age if the person has been adjudicated a delinquent child for an act that would be a felony if committed by an adult;

(5) has been arrested for a Class A or Class B felony for an offense committed before July 1, 2014, for a Level 1, Level 2, Level 3, or Level 4 felony for an offense committed after June 30, 2014, or any other felony that was committed while armed with a deadly weapon or that involved the use of violence, if a court has found probable cause to believe that the person committed the offense charged; or

(6) is prohibited by federal law from possessing or receiving firearms under 18 U.S.C. 922(g).

In the case of an arrest under subdivision (5), a license to carry a handgun may be issued to a person who has been acquitted of the specific offense charged or if the charges for the specific offense are dismissed. The superintendent shall prescribe all forms to be used in connection with the administration of this chapter.

~~(i)~~ **(j)** If the law enforcement agency that charges a fee under subsection (b) or (c) is a city or town law enforcement agency, the fee shall be deposited in the law enforcement continuing education fund established under IC 5-2-8-2.

~~(j)~~ **(k)** If a person who holds a valid license to carry a handgun issued under this chapter:

(1) changes the person's name;

(2) changes the person's address; or

(3) experiences a change, including an arrest or a conviction, that may affect the person's status as a proper person (as defined in IC 35-47-1-7) or otherwise disqualify the person from holding a license;

the person shall, not later than thirty (30) days after the date of a change described under subdivision (3), and not later than sixty (60) days after the date of the change described under subdivision (1) or (2), notify the superintendent, in writing, of the event described under subdivision (3) or, in the case of a change under subdivision (1) or (2), the person's new name or new address.

~~(k)~~ **(l)** The state police shall indicate on the form for a license to carry a handgun the notification requirements of subsection ~~(j).~~ **(k).**

~~(l)~~ **(m)** The state police department shall adopt rules under IC 4-22-2 to:

(1) implement an electronic application system under subsection (a); and

(2) expedite the processing of an application made by a person described in section 2.1(b) of this chapter.

Rules adopted under this section must require the superintendent to keep on file one (1) set of classifiable and legible fingerprints from every person who has received a license to carry a handgun so that a person who applies to renew a license will not be required to submit an additional set of fingerprints.

~~(m)~~ **(n)** Except as provided in subsection ~~(n),~~ **(o),** for purposes of IC 5-14-3-4(a)(1), the following information is confidential, may not be published, and is not open to public inspection:

(1) Information submitted by a person under this section to:

(A) obtain; or

(B) renew;

a license to carry a handgun.

(2) Information obtained by a federal, state, or local government entity in the course of an investigation concerning a person who applies to:

(A) obtain; or

(B) renew;

a license to carry a handgun issued under this chapter.

(3) The name, address, and any other information that may be used to identify a person who holds a license to carry a handgun issued under this chapter.

~~(n)~~ **(o)** Notwithstanding subsection ~~(m).~~ **(n):**

(1) any information concerning an applicant for or a person who holds a license to carry a handgun issued under this chapter may be released to a federal, state, or local government entity:

(A) for law enforcement purposes; or

(B) to determine the validity of a license to carry a handgun; and

(2) general information concerning the issuance of licenses to carry handguns in Indiana may be released to a person conducting journalistic or academic research, but only if all personal information that could disclose the identity of any person who holds a license to carry a handgun issued under this chapter has been removed from the general information.

~~(o)~~ **(p)** A person who knowingly or intentionally violates this section commits a Class B misdemeanor.

SECTION 4. IC 35-47-2-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3.5. (a) Except as provided in subsection (d), a person who applies after December 31, 2020, for a license to carry a handgun must:**

(1) successfully complete a handgun safety and training program that meets the requirements of this section; and

(2) certify under section 3(d)(6)(A) of this chapter the person's successful completion of the handgun safety and training program;

before a license to carry a handgun may be issued to the applicant under this chapter.

(b) A handgun safety and training program must meet the following requirements:

(1) The program must consist of at least eight (8) hours of instruction, as specified in this section.

(2) The:

(A) program must be certified by a state or national firearms training organization; and

(B) instructor must be:

(i) certified by a state or national firearms training organization; and

(ii) qualified to teach an eight (8) hour handgun safety and training program.

(3) The program must provide at least five (5) hours of instruction in the following:

(A) The safe storage, use, and handling of a handgun, including safe storage, use, and handling to protect child safety.

(B) Knowledge of ammunition.

(C) Handgun firing positions.

(D) Firearms and the law, including civil liability issues and the use of deadly force. The instruction in the subject described in this clause must be provided by an attorney or a person trained in the use of deadly force.

(E) Avoiding a criminal attack and controlling a violent confrontation.

(F) All laws that apply to carrying a concealed handgun in Indiana.

(4) The program must:

(A) provide at least three (3) hours of instruction on a firing range; and

(B) require the firing of at least forty-five (45) rounds of ammunition.

(5) The program must provide to a person who successfully completes the program a certificate of completion stating that:

(A) the program complies with this section; and

(B) the person has successfully completed the program.

The certificate must contain the printed name and signature of the instructor who instructed the person.

(c) A person who grants a certificate of completion described in subsection (b)(5) to an individual knowing that the individual did not satisfactorily complete the program commits a Level 6 felony.

(d) The following individuals are not required to complete the handgun safety and training program described in this section:

(1) A law enforcement officer (as defined in IC 35-47-15-3).

(2) A retired law enforcement officer who is authorized to carry a weapon under IC 35-47-15.

(3) An active or honorably discharged member of the armed forces of the United States (as defined in IC 10-18-9-1).

A person described in this subsection who applies after December 31, 2020, for a license to carry a handgun must submit documentary evidence showing that the person is exempt from the requirement to complete the handgun safety and training program under section 3(d)(6)(B) of this chapter if the person wishes to claim the exemption.

(e) A person described in subsection (d) may, at the person's discretion, participate in the handgun safety and training program and obtain a license to carry a handgun on the same basis as a person not described in subsection (d).

SECTION 5. IC 35-47-2-4, AS AMENDED BY P.L.107-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) Licenses to carry handguns shall be either qualified or unlimited, and are valid for:

(1) five (5) years from the date of issue in the case of a five (5) year license; or

(2) the life of the individual receiving the license in the case of a lifetime license.

A qualified license shall be issued for hunting and target practice. An individual may separately apply for and simultaneously hold both a five (5) year license and a lifetime license. The superintendent may adopt rules imposing limitations on the use and carrying of handguns under a license when handguns are carried by a licensee as a condition of employment. Unlimited licenses shall be issued for the purpose of the protection of life and property.

(b) This subsection applies before July 1, 2020. In addition to the application fee, the fee for:

(1) a qualified license shall be:

(A) five dollars ($5) for a five (5) year qualified license;

(B) twenty-five dollars ($25) for a lifetime qualified license from a person who does not currently possess a valid Indiana handgun license; or

(C) twenty dollars ($20) for a lifetime qualified license from a person who currently possesses a valid Indiana handgun license; and

(2) an unlimited license shall be:

(A) thirty dollars ($30) for a five (5) year unlimited license;

(B) seventy-five dollars ($75) for a lifetime unlimited license from a person who does not currently possess a valid Indiana handgun license; or

(C) sixty dollars ($60) for a lifetime unlimited license from a person who currently possesses a valid Indiana handgun license.

The superintendent shall charge a twenty dollar ($20) fee for the issuance of a duplicate license to replace a lost or damaged license. These fees shall be deposited in accordance with subsection (g).

(c) This subsection applies after June 30, 2020. In addition to the application fee, the fee for:

(1) a qualified license is:

(A) zero dollars ($0) for a five (5) year qualified license;

(B) twenty-five dollars ($25) for a lifetime qualified license from a person who does not currently possess a valid Indiana handgun license; and

(C) twenty dollars ($20) for a lifetime qualified license from a person who currently possesses a valid Indiana handgun license; and

(2) an unlimited license is:

(A) zero dollars ($0) for a five (5) year unlimited license;

(B) seventy-five dollars ($75) for a lifetime unlimited license from a person who does not currently possess a valid Indiana handgun license; and

(C) sixty dollars ($60) for a lifetime unlimited license from a person who currently possesses a valid Indiana handgun license.

The superintendent shall charge a twenty dollar ($20) fee for the issuance of a duplicate license to replace a lost or damaged license. These fees shall be deposited in accordance with subsection (g).

(d) Licensed dealers are exempt from the payment of fees specified in subsections (b) and (c) for a qualified license or an unlimited license.

(e) The following officers of this state or the United States who have been honorably retired by a lawfully created pension board or its equivalent after at least twenty (20) years of service or because of a disability are exempt from the payment of fees specified in subsections (b) and (c):

(1) Police officers.

(2) Sheriffs or their deputies.

(3) Law enforcement officers.

(4) Correctional officers.

(f) The following officers described in section ~~3(f)~~ **3(g)** of this chapter who have at least twenty (20) years of service are exempt from the payment of fees for a lifetime qualified license or a lifetime unlimited license specified in subsections (b) and (c):

(1) Police officers.

(2) Sheriffs or their deputies.

(3) Law enforcement officers of the United States government.

(g) Fees collected under this section shall be deposited in the state general fund.

(h) The superintendent may not issue a lifetime qualified license or a lifetime unlimited license to a person who is a resident of another state. The superintendent may issue a five (5) year qualified license or a five (5) year unlimited license to a person who is a resident of another state and who has a regular place of business or employment in Indiana as described in section 3(a)(3) of this chapter.

(i) A person who knowingly or intentionally violates this section commits a Class B misdemeanor.

SECTION 6. IC 35-47-2-5, AS AMENDED BY P.L.107-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The superintendent may suspend or revoke any license issued under this chapter if the superintendent has reasonable grounds to believe that the person's license should be suspended or revoked.

(b) Documented evidence that a person is not a "proper person" to be licensed as defined by IC 35-47-1-7, or is prohibited under section ~~3(h)(5)~~ **(3)(i)(5)** of this chapter from being issued a license, shall be grounds for immediate suspension or revocation of a license previously issued under this chapter. However, if a license is suspended or revoked based solely on an arrest under section ~~3(h)(5)~~ **(3)(i)(5)** of this chapter, the license shall be reinstated upon the acquittal of the defendant in that case or upon the dismissal of the charges for the specific offense.

(c) A person who knowingly or intentionally fails to promptly return the person's license after written notice of suspension or revocation commits a Class A misdemeanor. The observation of a handgun license in the possession of a person whose license has been suspended or revoked constitutes a sufficient basis for the arrest of that person for violation of this subsection.

(d) The superintendent shall establish rules under IC 4-22-2 concerning the procedure for suspending or revoking a person's license.

SECTION 7. IC 35-47-15-3, AS AMENDED BY P.L.114-2012, SECTION 143, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. As used in this chapter, "law enforcement officer" has the meaning set forth in ~~IC 35-31.5-2-185.~~ **IC 35-31.5-2-185(e).** The term includes an arson investigator employed by the office of the state fire marshal.

(Reference is to SB 127 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Judiciary.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 160, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 27-2-9.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]:

Chapter 9.1. Cost Sharing for Prescription Drugs

Sec. 1. As used in this chapter, "covered individual" means an individual who is entitled to coverage under a health plan.

Sec. 2. As used in this chapter, "health plan" means a plan that is compliant with the PPACA and offered by an insurer to provide, deliver, arrange for, pay for, or reimburse the cost of health care items or services. The term includes the following:

(1) A policy of accident and sickness insurance (as defined in IC 27-8-5-1).

(2) An individual contract (as defined by IC 27-13-1-21) and a group contract (as defined by IC 27-13-1-16).

Sec. 3. As used in this chapter, "insurer" means an entity licensed in Indiana to issue a health plan.

Sec. 4. As used in this chapter, "PPACA" refers to the federal Patient Protection and Affordable Care Act (P.L. 111-148), as amended thereafter, including by the federal Health Care and Education Reconciliation Act of 2010 (P.L. 111-152).

Sec. 5. Except as provided in section 6 of this chapter, an insurer shall only offer health plans that:

(1) do not require a covered individual to pay a deductible for covered prescription drugs; and

(2) provide that the cost sharing requirement for a covered individual for any given prescription drug may not exceed the amount of the copayment or coinsurance specified in the health plan's summary of benefits and coverage.

Sec. 6. The health plan requirements imposed under section 5 of this chapter do not apply to any high deductible health plans, as defined by Section 223 of the Internal Revenue Code. High deductible health plans described in this section may not impose a deductible requirement with respect to any preventive care identified by the Internal Revenue Service in accordance with Section 223(c)(2)(C) of the Internal Revenue Code.

Sec. 7. In addition to any other sanction provided by law, the commissioner may impose a civil penalty against an insurer that violates this chapter.

Sec. 8. Nothing in this chapter may be interpreted or implemented in a manner not consistent with federal law. If any of the requirements of this chapter are invalid or incapable of being enforced against an insurer or health plan due to a conflict with federal requirements, the requirements of this chapter remain in full force and effect with respect to all insurers, health plans, and situations where no conflict exists.

SECTION 2. IC 27-8-5-33 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 33. (a) As used in this section, "cost sharing requirement" means the copayment, coinsurance, deductible, or annual limitation on cost sharing required under a policy of accident and sickness insurance to be paid by or on behalf of a covered individual for a covered health care service.**

(b) As used in this section, "covered individual" means an individual who is entitled to coverage under a policy of accident and sickness insurance.

(c) As used in this section, "health care service" means an item or service furnished to an individual to prevent, alleviate, cure, or heal human illness, injury, or physical disability. The term includes a prescription drug.

(d) As used in this section, "insurer" means an insurer that issues a policy of accident and sickness insurance. The term includes a person that administers health care service benefits on behalf of an insurer.

(e) As used in this section, "person" means an individual, entity, natural person, corporation, mutual company, unincorporated association, partnership, joint venture, limited liability company, trust, estate, foundation, not for profit corporation, unincorporated organization, government, or governmental subdivision or agency.

(f) As used in this section, "policy of accident and sickness insurance" has the meaning set forth in section 1 of this chapter.

(g) As used in this section, "therapeutic equivalent" has the meaning set forth by the federal Food and Drug Administration in 21 CFR 314.3(b).

(h) Except as provided in subsection (i), when calculating a covered individual's contribution to any applicable cost sharing requirement under a policy of accident and sickness insurance, an insurer shall include any cost sharing amounts paid by:

(1) the covered individual; and

(2) another person on behalf of the covered individual.

(i) The cost sharing calculation required under subsection (h) does not apply to the cost sharing requirement for a prescription drug for which there is a medically appropriate therapeutic equivalent.

(j) If, solely due to the application of the cost sharing calculation required under subsection (h), a policy of accident and sickness insurance would fail to qualify as a high deductible health plan under Section 223 of the Internal Revenue Code, the requirement under subsection (h) will not apply to the policy of accident and sickness insurance to the extent necessary to avoid disqualification of the policy of accident and sickness insurance.

(k) If any requirement of this section is invalid or incapable of being enforced against an insurer or policy of accident and sickness insurance due to a conflict with federal law requirements, this requirement remains in full force and

effect with respect to all insurers, policies of accident and sickness insurance, and situations where no conflict exists.

SECTION 3. IC 27-8-5-34 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 34. (a) As used in this section, "cost sharing requirement" means the copayment, coinsurance, deductible, or annual limitation on cost sharing required under a policy of accident and sickness insurance to be paid by or on behalf of a covered individual for a covered prescription drug.**

(b) As used in this section, "covered individual" means an individual who is entitled to coverage under a policy of accident and sickness insurance.

(c) As used in this section, "insurer" means an insurer that issues a policy of accident and sickness insurance.

(d) As used in this section, "price protection rebate" means a negotiated price concession that accrues directly or indirectly to an insurer or other party on behalf of the insurer if there is an increase in the wholesale acquisition cost of a prescription drug above a specified threshold.

(e) As used in this section, "rebate" means a discount or other negotiated price concession, including base price concessions (whether described as a "rebate" or otherwise), price protection rebates, and performance based price concessions, that may accrue directly or indirectly or are anticipated to be passed through to an insurer from a manufacturer, dispensing pharmacy, or other party in connection with the dispensing or administration of a prescription drug to reduce the insurer's liability for the prescription drug.

(f) A covered individual's cost sharing requirement for a prescription drug is calculated at the point of sale and must be based on a price that is reduced by an amount equal to at least eighty-five percent (85%) of all rebates received or estimated to be received by the insurer in connection with the dispensing or administration of the prescription drug.

(g) Nothing in this section prohibits an insurer from decreasing a covered individual's cost sharing requirement by an amount greater than the amount required under subsection (f).

(h) Nothing in this section may be interpreted or implemented in a manner not consistent with federal law. If any of the requirements of this section are invalid or incapable of being enforced against an insurer or policy of accident and sickness insurance due to a conflict with federal requirements, the requirements of this section remain in full force and effect with respect to all insurers, policies of accident and sickness insurance, and situations where no conflict exists.

(i) An insurer may not publish or otherwise reveal information regarding the actual amount of rebates the insurer receives on a product, manufacturer, or pharmacy specific basis. This information is protected as a trade secret (as defined in IC 24-2-3-2), is not a public record, and may not be published or otherwise disclosed directly or indirectly. An insurer shall impose the confidentiality protections of this subsection on any vendor or third party that performs health care or administrative services on behalf of the insurer that may receive or have access to rebate information.

SECTION 4. IC 27-13-7-28 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 28. (a) As used in this section, "cost sharing requirement" means the copayment, coinsurance, deductible, or annual limitation on cost sharing required under an individual contract or a group contract to be paid by or on behalf of an enrollee for a covered health care service.**

(b) As used in this section, "health care service" means an item or service furnished to an individual to prevent, alleviate, cure, or heal human illness, injury, or physical disability. The term includes a prescription drug.

(c) As used in this section, "health maintenance organization" has the meaning set forth in IC 27-13-1-19. The term includes a limited service health maintenance organization and a person that administers health care service benefits on behalf of a health maintenance organization or a limited service health maintenance organization.

(d) As used in this section, "person" means an individual, entity, natural person, corporation, mutual company, unincorporated association, partnership, joint venture, limited liability company, trust, estate, foundation, not for profit corporation, unincorporated organization, government, or governmental subdivision or agency.

(e) As used in this section, "therapeutic equivalent" has the meaning set forth by the federal Food and Drug Administration in 21 CFR 314.3(b).

(f) Except as provided in subsection (g), when calculating an enrollee's contribution to any applicable cost sharing requirement under an individual contract or a group contract, a health maintenance organization shall include any cost sharing amounts paid by:

(1) the enrollee; and

(2) another person on behalf of the enrollee.

(g) The cost sharing calculation required under subsection (f) does not apply to the cost sharing requirement for a prescription drug for which there is a medically appropriate therapeutic equivalent.

(h) If, solely due to the application of the cost sharing calculation required under subsection (f), an individual contract or a group contract would fail to qualify as a high deductible health plan under Section 223 of the Internal Revenue Code, the requirement under subsection (f) will not apply to the individual or group contract to the extent necessary to avoid disqualification of the individual or group contract.

(i) If any requirement of this section is invalid or incapable of being enforced against an individual or a group contract or health maintenance organization due to a conflict with federal law requirements, this requirement remains in full force and effect with respect to all health maintenance organizations, individual and group contracts, and situations where no conflict exists.

SECTION 5. IC 27-13-7-29 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 29. (a) As used in this**

section, "cost sharing requirement" means the copayment, coinsurance, deductible, or annual limitation on cost sharing required under an individual contract or a group contract to be paid by or on behalf of an enrollee for a covered prescription drug.

(b) As used in this section, "health maintenance organization" has the meaning set forth in IC 27-13-1-19. The term includes a limited service health maintenance organization and a person that administers health care service benefits on behalf of a health maintenance organization or a limited service health maintenance organization.

(c) As used in this section, "price protection rebate" means a negotiated price concession that accrues directly or indirectly to a health maintenance organization or other party on behalf of the health maintenance organization if there is an increase in the wholesale acquisition cost of a prescription drug above a specified threshold.

(d) As used in this section, "rebate" means a discount or other negotiated price concession, including base price concessions (whether described as a "rebate" or otherwise), price protection rebates, and performance based price concessions, that may accrue directly or indirectly or are anticipated to be passed through to a health maintenance organization from a manufacturer, dispensing pharmacy, or other party in connection with the dispensing or administration of a prescription drug to reduce the health maintenance organization's liability for the prescription drug.

(e) An enrollee's cost sharing requirement for a prescription drug is calculated at the point of sale and must be based on a price that is reduced by an amount equal to at least eighty-five percent (85%) of all rebates received or estimated to be received by the health maintenance organization in connection with the dispensing or administration of the prescription drug.

(f) Nothing in this section prohibits a health maintenance organization from decreasing an enrollee's cost sharing requirement by an amount greater than the amount required under subsection (e).

(g) Nothing in this section may be interpreted or implemented in a manner not consistent with federal law. If any of the requirements of this section are invalid or incapable of being enforced against a health maintenance organization or individual or group contract due to a conflict with federal requirements, the requirements of this section remain in full force and effect with respect to all health maintenance organizations, individual and group contracts, and situations where no conflict exists.

(h) A health maintenance organization may not publish or otherwise reveal information regarding the actual amount of rebates the health maintenance organization receives on a product, manufacturer, or pharmacy specific basis. This information is protected as a trade secret (as defined in IC 24-2-3-2), is not a public record, and may not be published or otherwise disclosed directly or indirectly. A health maintenance organization shall impose the confidentiality protections of this subsection on any vendor or third party that performs health care or administrative services on behalf of the health maintenance organization that may receive or have access to rebate information.

SECTION 6. [EFFECTIVE JANUARY 1, 2021] **(a) IC 27-2-9.1, as added by this act, applies to a health plan that is issued, entered into, delivered, amended, or renewed after December 31, 2020.**

(b) IC 27-8-5-33 and IC 27-8-5-34, each as added by this act, apply to a policy of accident and sickness insurance that is issued, delivered, amended, or renewed after December 31, 2020.

(c) IC 27-13-7-28 and IC 27-13-7-29, each as added by this act, apply to an individual contract or a group contract that is entered into, delivered, amended, or renewed after December 31, 2020.

(d) This SECTION expires January 1, 2024.

(Reference is to SB 160 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Health and Provider Services.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 187, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 194, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

M. YOUNG, Chair

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

HCR 3 Senator Doriot
Recognizing the Boys and Girls Clubs of Elkhart County.

HCR 5 Senators Bray and Lanane
To convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.

HCR 6 Senators Bray and Lanane
To convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 3

House Concurrent Resolution 3, sponsored by Senator Doriot:

A CONCURRENT RESOLUTION recognizing the Boys and Girls Clubs of Elkhart County.

Whereas, Boys and Girls Clubs are open after school and during the summer to provide children and teens with a safe place to go where they can connect with caring adults;

Whereas, Boys and Girls Clubs of Elkhart County include the Elkhart Club, Goshen Club, Middlebury Club, and Nappanee Club;

Whereas, The opening of the Goshen Boys Club in Goshen, Indiana, marked the beginning of Boys and Girls Clubs of Elkhart County in 1956;

Whereas, The Boys and Girls Clubs of Elkhart County serve more than 1,500 youth a day between the ages of six and 18;

Whereas, Professional staff and volunteers use a combination of locally developed programs, and those developed and tested nationally by Boys and Girls Clubs of America, to address academic success, good character and citizenship, and healthy lifestyles;

Whereas, The Boys and Girls Clubs of Elkhart County have partnered with Ivy Tech Community College to provide educational opportunities in professional development and job-skills training;

Whereas, The joint program known as "etc. PROGRAM" provides club members in grades eight through 12 with experience in resume writing, interviewing, career exploration, job-shadowing, and job searching;

Whereas, Completion of the program provides club members with a portfolio that includes letters of recommendation, career evaluations, employment training certificates, and a guaranteed interview with a local business partner;

Whereas, The partnership allows children and young men and women the opportunity to explore their interests and take steps toward achieving future goals in higher education, trade schools, and full-time employment;

Whereas, The leaders of the Boys and Girls Clubs of Elkhart County use their experience and programs to inspire and help revitalize chapters around Indiana;

Whereas, More than 130,000 youth were served in Indiana during 2019 as members of a Boys and Girls Club or through community outreach sponsored by a club in their community, according to estimates provided by the Indiana Alliance of Boys and Girls Clubs; and

Whereas, The Boys and Girls Clubs of Elkhart County work tirelessly to fulfill and succeed at their mission to inspire and empower young people, especially those in need, and to help young Hoosiers reach their full potential as productive, caring, and responsible citizens: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes the Boys and Girls Clubs of Elkhart County for their contributions in the local community.

SECTION 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to the Boys and Girls Clubs of Elkhart County.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 5

House Concurrent Resolution 5, sponsored by Senators Bray and Lanane:

A CONCURRENT RESOLUTION to convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That a joint convention of the Senate and House of Representatives be convened, to meet in the Chamber of the House of Representatives at 7 p.m. on Tuesday, January 14, 2020, to receive the Governor's message that will be given in compliance with Article 5, Section 13 of the Constitution of the State of Indiana and the Speaker is directed to appoint a committee of four members of this House to transmit this resolution to the Senate and report to this House such actions as the Senate may take.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 6

House Concurrent Resolution 6, sponsored by Senators Bray and Lanane:

A CONCURRENT RESOLUTION to convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That a joint convention of the Senate and House of Representatives be convened, to meet in the Chamber of the House of Representatives at 2 p.m. on Wednesday, January 15, 2020, to receive the Chief Justice's message which will be given in compliance with Article 7, Section 3 of the Constitution of the State of Indiana and the Speaker is directed to appoint a committee of four members of this House to transmit this resolution to the Senate and report to this House such action as the Senate may take.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

Senate Resolution 1

Senate Resolution 1, introduced by Senator Bray:

A SENATE RESOLUTION honoring Senator Randy Head upon his retirement from the Indiana Senate.

Whereas, Senator Randy Head has faithfully and honorably served the constituents of Senate District 18, encompassing all or parts of Carroll, Cass, Fulton, Kosciusko, Marshall, Miami, Pulaski, and Wabash counties, since being elected in 2008;

Whereas, During his tenure, Senator Head served as the Chair of several committees, including the Senate Committees on Local Government, Civil Law, and Judiciary, and as a member of Appropriations, Commerce and Technology, Corrections, Criminal, and Civil Matters, Education and Career Development, Elections, Family and Children Services, Health and Provider Services, Public Policy, Rules and Legislative Procedure, Tax and Fiscal Policy, and Utilities;

Whereas, Senator Head focused on several important issues, including protecting children by authoring several laws that increased penalties and eliminated loopholes for child abusers and those who create and distribute child pornography;

Whereas, Senator Head spearheaded efforts during the 2019 session addressing school bus safety, which increased penalties for drivers who ignore school bus laws and prevented children from having to cross high-speed roads to board the bus;

Whereas, In an effort to curb the drug and opioid epidemic, Senator Head authored SEA 80 in 2016, which gave pharmacists discretion to deny sales of pseudoephedrine products if the pharmacist suspects it will be used to make methamphetamine, and authored additional legislation that requires continuing education for opioid prescribers;

Whereas, Senator Head was awarded several awards, including the Indiana Judges Association Champion of Justice Award, the Childrens Coalition of Indiana's Legislation Champion for Children Award, and the Indiana Suicide Prevention Conference Legislator of the Year Award;

Whereas, Upon retirement, Senator Head will become the Chief Deputy Prosecutor in Pulaski County; and

Whereas, Senator Head's expertise in many fields, leadership, and unquestioned integrity will be greatly missed within the Indiana Senate and throughout the Statehouse: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate honors Senator Randy Head upon his retirement and thanks him for his years of service to the Indiana Senate and Senate District 18.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Senator Randy Head and his wife, Lisa.

11:26 a.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 11:30 a.m., with the President of the Senate in the Chair.

The resolution was read in full and adopted by voice vote.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 3 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 3 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 5 and 6 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE BILLS ON SECOND READING

Senate Bill 2

Senator Raatz called up Senate Bill 2 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 2–1)

Madam President: I move that Senate Bill 2 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT TO amend the Indiana Code concerning education.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 20-19-3-17, AS ADDED BY P.L.186-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. (a) As used in this section, "foster care" has the meaning set forth in IC 31-9-2-46.7.

(b) As used in this section, "foster care youth" means students in foster care.

(c) As used in this section, "graduation rate" has the meaning set forth in IC 20-26-13-6.

(d) The state board shall, in collaboration with the department and the department of child services, annually prepare a report on foster care youth educational outcomes that includes the following:

(1) The annual graduation rate of foster care youth, including the following information:

(A) The graduation rate for each of the following:

(i) Foster care youth who received a graduation waiver under IC 20-32-4-4.

(ii) Foster care youth who did not receive a graduation waiver under IC 20-32-4-4.

(B) The number and percentage of foster care youth who received each type of diploma.

(2) The adjusted cohort graduation rate for foster care youth, including the adjusted cohort graduation rate for each of the following:

(A) Foster care youth who received a graduation waiver under IC 20-32-4-4.

(B) Foster care youth who did not receive a graduation waiver under IC 20-32-4-4.

(3) The number and percentage for each of the following:

(A) Foster care youth who were promoted to the next grade level at the end of the school year.

(B) Foster care youth who were retained in the same grade level for the next school year.

(C) Foster care youth who were suspended during the school year.

(D) Foster care youth who were expelled during the school year.

(E) Foster care youth who met academic standards on statewide assessment program tests (as defined in IC 20-32-2-2.3) administered during the school year.

The information reported under this subdivision must also be disaggregated by race, grade, gender, free or reduced price lunch status, and eligibility for special education.

(4) The number and percentage of eligible foster care youth who are enrolled in the prekindergarten pilot program under IC 12-17.2-7.2.

(5) The number and percentage of foster care youth who passed the reading skills evaluation administered under IC 20-32-8.5-2.

(6) The number and percentage of foster care youth enrolled in schools, disaggregated by the category or designation of the school under ~~IC 20-31-8-3.~~ **IC 20-31-8.**

(7) The number and percentage of foster care youth enrolled in schools, disaggregated by the type of school, including public schools, charter schools, and secure private facilities (as defined in IC 31-9-2-115).

(e) Not later than June 30, 2019, the department shall:

(1) after consulting with the department of child services, develop a remediation plan concerning foster care youth; and

(2) submit a copy of the remediation plan to the following:

(A) The state board.

(B) The department of child services.

(C) The legislative council in an electronic format under IC 5-14-6.

(f) Before April 1, 2019, and before April 1 each year thereafter, the department shall submit the report described in subsection (d) to the following:

(1) Department of child services.

(2) Legislative council in an electronic format under IC 5-14-6.

SECTION 2. IC 20-19-3-18, AS ADDED BY P.L.186-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) As used in this section, "graduation rate" has the meaning set forth in IC 20-26-13-6.

(b) The state board shall, in collaboration with the department and the department of child services, annually prepare a report on homeless youth educational outcomes that includes the following:

(1) The annual graduation rate of homeless youth, including the following information:

(A) The graduation rate for each of the following:

(i) Homeless youth who received a graduation waiver under IC 20-32-4-4.

(ii) Homeless youth who did not receive a graduation waiver under IC 20-32-4-4.

(B) The number and percentage of homeless youth who received each type of diploma.

(2) The adjusted cohort graduation rate for homeless youth, including the adjusted cohort graduation rate for each of the following:

(A) Homeless youth who received a graduation waiver under IC 20-32-4-4.

(B) Homeless youth who did not receive a graduation waiver under IC 20-32-4-4.

(3) The number and percentage of each of the following:

(A) Homeless youth who were promoted to the next grade level at the end of the school year.

(B) Homeless youth who were retained in the same grade level for the next school year.

(C) Homeless youth who were suspended during the school year.

(D) Homeless youth who were expelled during the school year.

(E) Homeless youth who met academic standards on statewide assessment program tests (as defined in IC 20-32-2-2.3) administered during the school year.

The information reported under this subdivision must also be disaggregated by race, grade, gender, free or reduced price lunch status, and eligibility for special education.

(4) The number and percentage of eligible homeless youth who are enrolled in the prekindergarten pilot program under IC 12-17.2-7.2.

(5) The number and percentage of homeless youth who passed the reading skills evaluation administered under IC 20-32-8.5-2.

(6) The number and percentage of homeless youth enrolled in schools, disaggregated by the category or designation of the school under ~~IC 20-31-8-3.~~ **IC 20-31-8.**

(7) The number and percentage of homeless youth enrolled in schools, disaggregated by the type of school, including public schools, charter schools, and secure private facilities (as defined in IC 31-9-2-115).

(c) Not later than August 31, 2019, the department shall:

(1) develop a remediation plan concerning homeless youth; and

(2) submit a copy of the remediation plan to the following:

(A) The state board.

(B) The Indiana housing and community development authority established by IC 5-20-1-3.

(C) The legislative council in an electronic format under IC 5-14-6.

(d) Before June 1, 2019, and before June 1 each year thereafter, the department shall submit the report described in subsection (b) to the following:

(1) The Indiana housing and community development authority.

(2) The legislative council in an electronic format under IC 5-14-6.

SECTION 3. IC 20-19-4.1-5, AS ADDED BY P.L.143-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The panel shall study the topic of aligning school accountability with graduation pathway requirements under IC 20-32-4-1.5(b)(1). ~~and recommend new indicators of school performance to replace measures or indicators established under IC 20-31-8-5.4.~~ On or before October 30, 2019, the panel shall submit recommendations to the general assembly in an electronic format under IC 5-14-6 and to the state board.

(b) When reviewing indicators the panel shall consider including:

(1) postsecondary preparation indicators aligned to graduation pathways requirements, including the graduation rate;

(2) an on-track indicator or indicators based upon student credits; and

(3) postsecondary outcomes.

SECTION 4. IC 20-24-2.2-2.5, AS AMENDED BY P.L.211-2019, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2.5. (a) If the state board grants a petition request under section 2 of this chapter, the state board shall:

(1) hold a hearing; and

(2) implement one (1) or more of the following actions:

(A) Require the implementation of a charter school improvement plan.

(B) Order the reduction of any administrative fee collected under IC 20-24-7-4 that is applicable to the charter school. The reduction must become effective at the beginning of the month following the month of the authorizer's hearing before the state board.

(C) Prohibit or limit the enrollment of new students in the charter school.

(D) Cancel the charter between the authorizer and organizer.

(E) Order the closure of the charter school at the end of the current school year.

A charter school that is closed by the state board under this section may not be granted a charter by any authorizer.

(b) In determining which action to implement under subsection (a)(2), the state board shall consider the following:

(1) Enrollment of students with special challenges, such as drug or alcohol addiction, prior withdrawal from school, prior incarceration, or other special circumstances.

(2) High mobility of the student population resulting from the specific purpose of the charter school.

(3) Annual improvement in the performance of students enrolled in the charter school, as measured by ~~IC 20-31-8-1,~~ **IC 20-31-8,** compared with the performance of students enrolled in the charter school in the immediately preceding school year.

SECTION 5. IC 20-24-11-1, AS AMENDED BY P.L.280-2013, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) This section does not apply to an existing public elementary or secondary school that the governing body of the school corporation in which the school is located has scheduled for closure.

(b) An existing public elementary or secondary school may be converted into a charter school if all of the following conditions apply:

(1) At least fifty-one percent (51%) of the parents of students who attend the school have signed a petition requesting the conversion, which must be completed not later than ninety (90) days after the date of the first signature.

(2) The school has been placed in either of the two (2) lowest categories or designations under ~~IC 20-31-8-3~~ **IC 20-31-8** for two (2) consecutive years.

(3) The governing body votes to convert an existing school within the school corporation.

(c) Notwithstanding subsection (b), if a governing body operates a school that has been placed in either of the two (2) lowest categories or designations under ~~IC 20-31-8-3~~ **IC 20-31-8** for four (4) consecutive years, the governing body may not serve as that charter school's authorizer.

(d) A conversion charter school shall continue to comply with all legal requirements concerning student diversity and treatment

of children with special needs and accept all students who attended the school before its conversion and who wish to attend the conversion charter school. If any space remains, any student in Indiana may attend the conversion charter school.

SECTION 6. IC 20-24-13-4, AS ADDED BY P.L.213-2015, SECTION 162, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. The state board shall, without an application being made, make an annual grant to a school if the school is one (1) of the following:

(1) A charter school in its first or second year of operation.

(2) A charter school that was placed in **one (1) of** the ~~"A", "B", or "C" category or designation of performance established under IC 20-31-8-3~~ **three (3) highest categories or designations of school performance under IC 20-31-8** for the most recently completed school year.

(3) A charter school that does not receive a category or designation of performance established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year.

(4) A school that has a majority of students with developmental, intellectual, or behavioral challenges.

(5) An innovation network school described in section 1(a)(2) of this chapter.

SECTION 7. IC 20-24-13-5, AS AMENDED BY P.L.118-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) This section applies to a charter school that does not qualify for a grant under subsection (c). Each year, such a charter school may apply for an annual grant under this chapter.

(b) The application under subsection (a) must be submitted after July 1 and before September 1 of a state fiscal year for a grant that is requested to be made during that state fiscal year.

(c) The state board shall determine if the charter school is placed in the same or a better category or designation of performance established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year than the nearest noncharter public school that is configured to teach the same grades of students as the charter school teaches. Except as provided in subsection (d), if the charter school has been placed in the same or a better category or designation of performance, the state board shall make the grant to the charter school.

(d) If a charter school:

(1) does not qualify for a grant under section 4 of this chapter; and

(2) for two (2) consecutive years has not been placed in the same or a better category or designation of performance established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year than the nearest noncharter public school that is configured to teach the same grades of students as the charter school teaches;

the charter school is not eligible for a grant, unless the charter school is placed in the ~~"C"~~ **third highest** category or designation of performance or better established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year.

SECTION 8. IC 20-31-8-1 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 1. (a) The performance of a school's students on the statewide assessment program test and other assessments recommended by the department of education and approved by the state board are the primary and majority means of assessing a school's improvement.~~

~~(b) The department of education shall examine and make recommendations to the state board concerning:~~

~~(1) performance indicators to be used as a secondary means of determining school progress;~~

~~(2) expected progress levels, continuous improvement measures, distributional performance levels, and absolute performance levels for schools; and~~

~~(3) an orderly transition from the performance based accreditation system to the assessment system set forth in this article.~~

~~(c) The department of education shall consider methods of measuring improvement and progress used in other states in developing recommendations under this section.~~

~~(d) The department of education may consider:~~

~~(1) the likelihood that a student may fail a graduation exam (before July 1, 2022) or fail to meet a postsecondary readiness competency established by the state board under IC 20-32-4-1.5(c) and require a graduation waiver under IC 20-32-4-4, IC 20-32-4-4.1, or IC 20-32-4-5; and~~

~~(2) remedial needs of students who are likely to require remedial work while the students attend a postsecondary educational institution or workforce training program;~~

~~when making recommendations under this section.~~

SECTION 9. IC 20-31-8-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 2. (a) In addition to scores on the statewide assessment program test and other assessments, the department shall use the performance indicators developed by the state board and the benchmarks and indicators of performance in each school corporation's annual performance report as a secondary means of assessing the performance of each school and school corporation.~~

~~(b) The department shall assess school performance in the following manner:~~

~~(1) Compare the academic performance and growth of the individual students in each school and each school corporation with the prior academic performance and growth of the individual students in the school or school corporation and not to the performance of other schools or school corporations.~~

~~(2) Compare the results in the annual report under IC 20-20-8 with the benchmarks and indicators of performance established in the plan for the same school.~~

~~(3) Compare the results for a school by comparing each student's results for each grade with the student's prior year results, with an adjustment for student mobility rate.~~

~~(4) Compare the results for a school with the state average and the ninety-fifth percentile level for all assessments and performance indicators.~~

SECTION 10. IC 20-31-8-3 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 3. (a) The state board shall establish a number of categories, using an "A" through "F" grading scale, to designate performance based on the individual student academic performance and growth to proficiency in each school.~~

~~(b) The state board, in consultation with the department, shall define "low population schools" and shall determine the criteria for placing low population schools in categories established~~

~~under subsection (a). In setting the definition and criteria for low population schools, the state board shall not penalize schools based on population. An eligible school (as defined in IC 20-51-1-4.7) may not be penalized under IC 20-51-4-9 for the sole reason that the eligible school is considered a low population school under this subsection. The state board's definition and criteria may include the placement of a school that fits the state board's definition in a "null" or "no letter grade" category.~~

~~(c) In developing metrics for the categories established under subsection (a), the state board, in consultation with the department, to the extent not inconsistent with federal law, shall consider the severity of tested students' disabilities when using statewide assessment scores as a means of assessing school performance.~~

~~(d) In developing metrics for the categories established under subsection (a), the state board shall consider the mobility of high school students who are credit deficient and whether any high school should be rewarded for enrolling credit deficient students or penalized for transferring out credit deficient students.~~

SECTION 11. IC 20-31-8-4, AS AMENDED BY P.L.287-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The state board shall place each school in a category or designation of school performance once annually based on the department's findings from the assessment of performance and academic growth ~~under section 2 of this chapter.~~ **pursuant to the department's consolidated state plan approved by the United States Department of Education in accordance with the federal Every Student Succeeds Act (ESSA) 20 U.S.C. 6311.**

(b) The state board may place a school in a category or designation of school performance only if:

(1) the department has provided each school the opportunity to review, add to, or supplement the data, and to correct any errors in the data; and

(2) the state board's staff has had an opportunity to review and analyze the school corporation, school, and student level data.

~~(c) Based on procedures adopted by the state board, a school corporation or school that focuses primarily on providing an academic program for students with developmental, intellectual, or behavioral challenges may petition the state board for review of the school corporation's or school's category or designation of school performance placement based on objective factors that the school corporation or school considers relevant because the annual assessment data does not accurately reflect, as applicable, school performance, growth, or multiple measures. Objective factors include:~~

~~(1) significant demographic changes in the student population;~~

~~(2) errors in data; or~~

~~(3) other significant issues.~~

~~After considering the petition for review, the state board may direct the department to revise the category or designation assigned to the school corporation or school, including assigning a "null" or "no letter grade" category or designation to the school corporation or school. The state board may grant the "null" designation for multiple years.~~

~~(d)~~ **(c)** The state board may obtain assistance from another entity or, with the approval of the legislative council, the legislative services agency, to ensure the validity and reliability of the performance category or designation placements calculated by the department. ~~under section 2 of this chapter.~~ The department shall provide all the data necessary to complete those calculations to the legislative services agency or to an entity designated by the state board.

SECTION 12. IC 20-31-8-4.5 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 4.5. In addition to other benchmarks, performance indicators, and accountability standards developed under this article, the state board shall develop alternative benchmarks, performance indicators, and accountability standards to be used in the assessment of schools that focus primarily on providing an academic program for students with developmental, intellectual, or behavioral challenges.~~

SECTION 13. IC 20-31-8-4.6 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 4.6. (a) If a school corporation or a charter school enters into an agreement with an eligible school (as defined in IC 20-51-1-4.7) to provide dropout recovery educational services for an at-risk student who is enrolled at a public school, the student may not be included in the calculation of the public school's category or designation of school performance.~~

~~(b) The state board shall adopt rules under IC 4-22-2 and any guidelines necessary to carry out this section.~~

SECTION 14. IC 20-31-8-5.4 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 5.4. (a) Not later than November 15, 2013, the state board shall establish new categories or designations of school performance under the requirements of this chapter to replace 511 IAC 6.2-6. The new standards of assessing school performance:~~

~~(1) must be based on a measurement of individual student academic performance and growth to proficiency; and~~

~~(2) may not be based on a measurement of student performance or growth compared with peers.~~

~~511 IAC 6.2-6 is void on the effective date of the emergency or final rules adopted under this section.~~

~~(b) After July 1, 2013, the state board:~~

~~(1) shall adopt rules under IC 4-22-2; and~~

~~(2) may adopt emergency rules in the manner provided in IC 4-22-2-37.1;~~

~~to implement this chapter.~~

~~(c) An emergency rule adopted under subsection (b) expires on the earlier of:~~

~~(1) November 15, 2014; or~~

~~(2) the effective date of a rule that establishes categories or designations of school improvement described in this section and supersedes the emergency rule.~~

~~(d) Before beginning the rulemaking process to establish new categories or designations of school improvement, the state board shall report to the general assembly the proposed new categories or designations in an electronic format under IC 5-14-6.~~

SECTION 15. IC 20-31-8-6 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 6. (a) This section applies to a school that has appealed the school's placement in a category or designation under section 4 of this chapter.~~

~~(b) If as a result of an appeal a school's placement in a category or designation under section 4 of this chapter changes, the department shall:~~

~~(1) change the category or designation in the department's records;~~

~~(2) notify the school of the change; and~~

~~(3) disseminate information concerning the change in the school's placement in the same manner as information concerning the school's original placement was disseminated.~~

SECTION 16. IC 20-31-8-10 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 10. (a) Except as otherwise provided in this section, if requested by a school, the department may place the school in a "null" or "no letter grade" category for purposes of this chapter for the first three (3) consecutive years of operation of the school.~~

~~(b) Subject to subsection (c), an innovation network school that reconfigures an existing school must apply to the state board, in a manner prescribed by the state board, to request to receive a "null" or "no letter grade" for the reconfigured school during the school's first three (3) consecutive years of operation by an innovation network team.~~

~~(c) In order to qualify for a "null" or "no letter grade" under subsection (b), an innovation network school must clearly demonstrate:~~

~~(1) a significant change in educational philosophy from the existing school and that the reconfiguration of the school is not being made to avoid accountability; or~~

~~(2) any other item that the state board finds appropriate.~~

~~The state board shall adopt rules under IC 4-22-2 to establish criteria that the state board may consider in determining whether to grant an innovation network school's request under subsection (b) and this subsection.~~

~~(d) Subject to subsection (e), if the department used student growth as the state board's exclusive means to determine an:~~

~~(1) innovation network school's category or designation of school improvement under IC 20-25.7-4-5(d)(3) for the 2018-2019 school year; or~~

~~(2) innovation network charter school's category or designation of school improvement under IC 20-25.7-5-2(d)(3) for the 2018-2019 school year;~~

~~the department shall, beginning with the 2019-2020 school year and unless an innovation network school or innovation network charter school requests otherwise, place the innovation network school or the innovation network charter school, whichever is applicable, in a "null" or "no letter grade" category for purposes of this chapter for not more than the number of school years determined for the innovation network school or innovation network charter school under subsection (e) consecutively. This subsection expires July 1, 2023.~~

~~(e) Each innovation network school described in subsection (d)(1) and each innovation network charter school described in subsection (d)(2) may not be placed in a "null" or "no letter grade" category under subsection (d) for more than the number of years that equal the result of:~~

~~(1) three (3) school years; minus~~

~~(2) the number of school years that student growth was used as the state board's exclusive means to determine the category or designation of school improvement for the innovation network school or innovation network charter school.~~

~~This subsection expires July 1, 2023.~~

~~(f) The department shall post the proficiency and growth scores of an innovation network school, an innovation network charter school, or a school described in subsection (a) on the department's Internet web site for each year the innovation network school, innovation network charter school, or school receives a "null" or "no letter grade" under this section.~~

SECTION 17. IC 20-49-9-8, AS AMENDED BY P.L.118-2016, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) A school qualifies for an advance under this chapter if the school is one (1) of the following:

(1) A charter school in its first or second year of operation.

(2) A charter school that was placed in **one (1) of** the ~~"A", "B", or "C" category or designation of~~ **three (3) highest categories or designations of school** performance established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year.

(3) A charter school that does not receive a category or designation of performance established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year.

(4) A school that has a majority of students with developmental, intellectual, or behavioral challenges.

(5) An innovation network school described in section 1(2) of this chapter.

(b) If a charter school does not qualify for an advance under subsection (a), the state board shall determine if the charter school is placed in the same or a better category or designation of performance established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year than the nearest noncharter public school that is configured to teach the same grades of students as the charter school teaches. Except as provided in subsection (c), if the charter school has been placed in the same or a better category or designation of performance, the state board shall make the advance to the charter school.

(c) If a charter school:

(1) does not qualify for an advance under subsection (a); and

(2) for two (2) consecutive years has not been placed in the same or a better category or designation of performance established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year than the nearest noncharter public school that is configured to teach the same grades of students as the charter school teaches;

the charter school is not eligible for an advance, unless the charter school is placed in the ~~"C"~~ **third highest** category or designation of performance or better established under ~~IC 20-31-8-3~~ **IC 20-31-8** for the most recently completed school year.

SECTION 18. IC 20-51-1-4.3, AS AMENDED BY P.L.184-2017, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4.3. "Eligible choice scholarship student" refers to an individual who:

(1) has legal settlement in Indiana;
(2) is at least five (5) years of age and less than twenty-two (22) years of age on the date in the school year specified in IC 20-33-2-7; and
(3) meets at least one (1) of the following conditions:
(A) The individual is:
(i) a student with a disability who requires special education and for whom an individualized education program has been developed under IC 20-35 or a service plan developed under 511 IAC 7-34; and
(ii) a member of a household with an annual income of not more than two hundred percent (200%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.
(B) The individual is:
(i) an individual who, because of the school corporation's residency requirement, would be required to attend a specific public school within a school corporation that has been placed in the lowest category or designation of school improvement under ~~IC 20-31-8-4 (has been assigned an "F" grade);~~ **IC 20-31-8;** and
(ii) except as provided in IC 20-51-4-2.5, is a member of a household with an annual income of not more than one hundred fifty percent (150%) of the amount required for the individual to qualify for the federal free or reduced price lunch program.
An individual to whom this clause applies is not required to attend the public school before becoming eligible for a choice scholarship, and may not be required to return to the public school if the public school is placed in a higher category or designation under ~~IC 20-31-8-4.~~ **IC 20-31-8.**
(C) Except as provided in IC 20-51-4-2.5, the individual is a member of a household with an annual income of not more than one hundred fifty percent (150%) of the amount required for the individual to qualify for the federal free or reduced price lunch program and the individual was enrolled in kindergarten through grade 12, in a public school, including a charter school, in Indiana for at least two (2) semesters immediately preceding the first semester for which the individual receives a choice scholarship under IC 20-51-4.
(D) The individual or a sibling of the individual who, except as provided in IC 20-51-4-2.5, is a member of a household with an annual income of not more than one hundred fifty percent (150%) of the amount required for the individual to qualify for the federal free or reduced price lunch program and satisfies either of the following:
(i) The individual or a sibling of the individual received before July 1, 2013, a scholarship from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4 in a preceding school year, including a school year that does not immediately precede a school year in which the individual receives a scholarship from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4.
(ii) The individual or a sibling of the individual receives for the first time after June 30, 2013, a scholarship of at least five hundred dollars ($500) from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4 in a preceding school year, including a school year that does not immediately precede a school year in which the individual receives a scholarship from a scholarship granting organization under IC 20-51-3 or a choice scholarship under IC 20-51-4.
(E) Subject to IC 20-51-4-2.7, the individual:
(i) received an early education grant under IC 12-17.2-7.2;
(ii) used the grant described in item (i) to attend a prekindergarten program at an eligible school;
(iii) continues to meet the income eligibility requirements the individual was required to meet to receive an early education grant under IC 12-17.2-7.2; and
(iv) continues to attend the eligible school at which the individual attended a prekindergarten program as described in item (ii).

SECTION 19. IC 20-51-1-4.7, AS AMENDED BY P.L.242-2017, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4.7. "Eligible school" refers to a public or nonpublic elementary school or high school that:
(1) is located in Indiana;
(2) requires an eligible choice scholarship student to pay tuition or transfer tuition to attend;
(3) voluntarily agrees to enroll an eligible choice scholarship student;
(4) is accredited by either the state board or a national or regional accreditation agency that is recognized by the state board;
(5) administers the statewide assessment program;
(6) is not a charter school or the school corporation in which an eligible choice scholarship student has legal settlement under IC 20-26-11; and
(7) submits to the department only the student performance data required for a category designation under ~~IC 20-31-8-3.~~ **IC 20-31-8.**

SECTION 20. IC 20-51-4-7, AS AMENDED BY P.L.108-2019, SECTION 235, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) The department shall administer this chapter.

(b) The department shall approve an application for an eligible school within fifteen (15) days after the date the school requests to participate in the choice scholarship program.

(c) The department shall approve an application for a choice scholarship student within fifteen (15) days after the date the student requests to participate in the choice scholarship program.

(d) Each year, at a minimum, the department shall accept applications from March 1 through September 1 for eligible schools for the upcoming school year.

(e) Each year, the department shall accept applications for

choice scholarship students from:

(1) March 1 through September 1 for the upcoming school year; and

(2) November 1 through January 15 for the spring semester of the current school year.

~~(f) This chapter may not be construed in a manner that would impose additional requirements for approving an application for an eligible school placed in a "null" or "no letter grade" category established under IC 20-31-8-3(b).~~

~~(g)~~ **(f)** The department shall adopt rules under IC 4-22-2 to implement this chapter.

~~(h)~~ **(g)** The department may adopt emergency rules under IC 4-22-2-37.1 to implement this chapter.

SECTION 21. IC 20-51-4-9, AS AMENDED BY P.L.86-2018, SECTION 186, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) Except as provided in subsection (b), the department shall enforce the following consequences for an eligible school that is nonpublic:

(1) If the school is placed in either of the lowest two (2) categories or designations under ~~IC 20-31-8-3~~ **IC 20-31-8** for two (2) consecutive years, the department shall suspend choice scholarship payments for one (1) year for new students who would otherwise use a choice scholarship to attend the school.

(2) If the school is placed in either of the lowest two (2) categories or designations under ~~IC 20-31-8-3~~ **IC 20-31-8** for three (3) consecutive years, the department shall suspend choice scholarship payments for new students who would otherwise use a choice scholarship to attend the school until the school is placed in the middle category or higher category or designation, for two (2) consecutive years.

(3) If the school is placed in the lowest category or designation under ~~IC 20-31-8-3~~ **IC 20-31-8** for three (3) consecutive years, the department shall suspend choice scholarship payments for new students who would otherwise use a choice scholarship to attend the school until the school is placed in the middle category or higher category or designation, for three (3) consecutive years.

(4) Students who:

(A) are currently enrolled at a school described in subdivision (1), (2), or (3); and

(B) qualify for a choice scholarship for the upcoming school year;

may continue to receive a choice scholarship at the school.

(b) An eligible school may submit a request to the state board to waive or delay consequences imposed under subsection (a) for a particular school year. The state board may grant a request to an eligible school that requests a waiver or delay under this subsection if the eligible school demonstrates that a majority of students in the eligible school demonstrated academic improvement during the preceding school year. A waiver or delay granted to an eligible school under this subsection is for one (1) school year only. An eligible school must make an additional request under this subsection to the state board to receive further delay or waiver of consequences imposed under subsection (a).

(c) This section may not be construed to prevent a student enrolled in a school subject to this section from applying for a choice scholarship in the future at another eligible school.".

Renumber all SECTIONS consecutively.

(Reference is to SB 2 as printed January 8, 2020.)

MELTON

Motion failed. The bill was ordered engrossed.

SENATE MOTION

Madam President: I move that Senate Bill 77, assigned to the Senate Committee on Judiciary, be withdrawn from further consideration by the Senate.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young and Zay be added as coauthors of Senate Resolution 1.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 2.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as third author of Senate Bill 3.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as second author and Senators Garten, J.D. Ford, and Niezgodski be added as coauthors of Senate Bill 10.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Spartz be added as second author and Senator Mrvan be added as coauthor of Senate Bill 12.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Alting be added as second author and Senator Ruckelshaus be added as third author of Senate Bill 16.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niemeyer be added as second author of Senate Bill 20.

GASKILL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Garten be added as second author and Senators Doriot and Niezgodski be added as coauthors of Senate Bill 25.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 25.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 28.

STOOPS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second author of Senate Bill 39.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as third author and Senator Tomes be added as coauthor of Senate Bill 44.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as second author of Senate Bill 45.

J.D. FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as second author of Senate Bill 46.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second author and Senator Garten be added as third author of Senate Bill 48.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as second author and Senator Buck be added as coauthor of Senate Bill 55.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 57.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author of Senate Bill 59.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as third author of Senate Bill 59.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as second author and Senator Garten be added as third author of Senate Bill 61.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as coauthor of Senate Bill 63.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as second author of Senate Bill 69.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as coauthor of Senate Bill 72.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author, Senator Crane be added as third author, and Senator Gaskill be added as coauthor of Senate Bill 74.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author, Senator Becker be added as third author, and Senators Leising and Glick be added as coauthors of Senate Bill 94.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author of Senate Bill 100.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as third author of Senate Bill 100.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 103.

STOOPS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 114.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be removed as author of Senate Bill 127 and Senator Breaux be substituted therefor.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 143.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Garten be added as third author and Senators Messmer and Merritt be added as coauthors of Senate Bill 144.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Grooms, Jon Ford, Koch, Kruse, and Freeman be added as coauthors of Senate Bill 144.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bray be removed as author of Senate Bill 160 and Senator Bohacek be substituted therefor.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Freeman be added as second author of Senate Bill 181.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mishler be added as second author and Senator Rogers be added as third author of Senate Bill 187.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author of Senate Bill 192.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as second author of Senate Bill 217.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second author, Senator Perfect be added as third author, and Senator Ruckelshaus be added as coauthor of Senate Bill 262.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Alting be added as second author and Senator Ruckelshaus be added as third author of Senate Bill 267.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, January 13, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 11:58 a.m.

JENNIFER L. MERTZ	SUZANNE CROUCH
Secretary of the Senate	President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly — Second Regular Session

Fifth Meeting Day — Monday Afternoon — January 13, 2020

The Senate convened at 1:33 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Senator Dennis K. Kruse.

The Pledge of Allegiance to the Flag was led by Senator Kruse.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting ▶	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 7: present 49; excused 1. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

SB 0106 — Walker (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0123 — Holdman (Appropriations)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0129 — Kruse (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0174 — Mrvan (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0184 — Charbonneau (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 0185 — Alting (Agriculture)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0198 — Koch (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 0201 — Tallian (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety and to make an appropriation.

SB 0218 — Buck (Agriculture)
A BILL FOR AN ACT to amend the Indiana Code concerning property.

SB 0231 — Ruckelshaus (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0263 — Holdman (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

SB 0264 — Holdman (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0309 — Niezgodski (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 0310 — Niezgodski, Ford Jon (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 0311 — Niezgodski (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 0312 — Niezgodski (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 0313 — Breaux (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 0314 — Withdrawn

SB 0315 — Kruse, Raatz (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0316 — Kruse, Buck (Veterans Affairs and The Military)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 0317 — Sandlin (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

SB 0318 — Rogers (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0319 — Rogers (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0320 — Rogers (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0321 — Rogers (Natural Resources)
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

SB 0322 — Rogers (Education and Career Development)
A BILL FOR AN ACT concerning education.

SB 0323 — Rogers (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0324 — Glick (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0325 — Glick (Natural Resources)
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

SB 0326 — Kruse, Raatz, Ruckelshaus (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0327 — Zay (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

SB 0328 — Zay (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

SB 0329 — Zay (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

SB 0330 — Zay (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 0331 — Zay (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 0332 — Zay (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0333 — Walker (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0334 — Walker (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0335 — Young M (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0336 — Breaux (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 0337 — Spartz (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 0338 — Spartz (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning natural resources.

SB 0339 — Spartz (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0340 — Spartz (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning property.

SB 0341 — Spartz (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 0342 — Alting (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 0343 — Houchin, Messmer (Utilities)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

SB 0344 — Houchin, Messmer (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0345 — Houchin (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 0346 — Houchin (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0347 — Houchin (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 0348 — Houchin (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 0349 — Houchin (Utilities)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 0350 — Holdman (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 0351 — Taylor G (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 0352 — Taylor G (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0353 — Becker, Charbonneau (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 0354 — Becker, Tomes, Alting (Appropriations)
A BILL FOR AN ACT concerning education and to make an appropriation.

SB 0355 — Becker, Crider (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 0356 — Merritt (Appropriations)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 0357 — Merritt (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0358 — Merritt (Commerce and Technology)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 0359 — Merritt (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning property.

SB 0360 — Donato, Houchin (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 0361 — Donato, Houchin (Utilities)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

SB 0362 — Donato, Houchin (Corrections and Criminal Law)
A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning corrections.

SB 0363 — Donato, Houchin (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

SB 0364 — Spartz (Commerce and Technology)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

SB 0365 — Niemeyer (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 0366 — Niemeyer (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

SB 0367 — Niemeyer (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 0368 — Stoops (Environmental Affairs)
A BILL FOR AN ACT concerning environmental law.

SB 0369 — Stoops (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0370 — Stoops (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0371 — Stoops (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 0372 — Buck (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0373 — Mrvan (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 0374 — Mrvan (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 0375 — Mrvan (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 0376 — Mrvan (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 0377 — Mrvan (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0378 — Mrvan (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0379 — Mrvan (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 0380 — Ford J.D. (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0381 — Ford J.D. (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0382 — Ford J.D. (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0383 — Taylor G (Appropriations)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 0384 — Freeman (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0385 — Freeman (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0386 — Freeman (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 0387 — Ford J.D. (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0388 — Ford J.D. (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0390 — Ruckelshaus (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0392 — Bassler (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 0393 — Bassler (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 0404 — Garten (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 0405 — Garten (Commerce and Technology)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 0406 — Garten, Boots (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

SJ 0010 — Lanane (Rules and Legislative Procedure)
A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution).

SJ 0011 — Lanane (Rules and Legislative Procedure)
A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution).

SJ 0012 — Lanane (Rules and Legislative Procedure)
A JOINT RESOLUTION proposing an amendment to the Constitution of the State of Indiana. (Vehicle Joint Resolution).

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 6

Senate Concurrent Resolution 6, introduced by Senator Buchanan:

A CONCURRENT RESOLUTION memorializing Trooper Peter "Bo" Stephan and urging the Indiana Department of Transportation to name a portion of State Road 25 the "Trooper Peter "Bo" Stephan Memorial Highway".

Whereas, Trooper Peter "Bo" Stephan lost his life following injuries sustained in an on-duty automobile accident on October 11, 2019;

Whereas, Born April 1, 1992, in Albany, Oregon, Trooper Stephan grew up in Howard County, Indiana, and graduated from Indiana Wesleyan University in 2015 with a bachelors degree in criminal justice;

Whereas, Shortly after his college graduation, Trooper Stephan joined the Indiana State Police in June 2015, and began his law enforcement career following his graduation from the 75th Indiana State Police Academy in November 2015;

Whereas, Assigned to the Lafayette Post, Trooper Stephan's primary patrol duties were in Carroll, Clinton, Tippecanoe, and White Counties, which he patrolled for four years until his death;

Whereas, Indiana State Police District 14 installed a cross along Old State Road 25 on October 23, 2019, to memorialize

Trooper Stephan's service to the community and remember his friendship and devotion to public safety;

Whereas, Trooper Stephan is survived by his wife, Jessica, daughter, Harper, parents, Peter and Karen, sisters, Shelley and Haley, brothers, Jonah and Charley, and his maternal grandparents and several aunts, uncles, and cousins;

Whereas, Trooper Stephan most enjoyed spending time with his wife and daughter, and spent time off-duty playing video games with his co-workers; and

Whereas, Trooper Stephan's service and sacrifice for the State of Indiana deserve recognition: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring

SECTION 1. That the Indiana General Assembly expresses its deepest gratitude and sympathies to the family of Trooper Peter Stephan and urges the Indiana Department of Transportation to honor Trooper Stephan by naming State Road 25 from County Road 450 North in Tippecanoe County to U.S. Highway 421 in Carroll County the "Trooper Peter "Bo" Stephan Memorial Highway".

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the family of Trooper Peter Stephan, the Indiana State Police, and the Commissioner of the Indiana Department of Transportation.

The resolution was read in full and referred to the Committee on Homeland Security and Transportation.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 67, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 8, Nays 1.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Senate Bill 78, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

PERFECT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 83, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill 144, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

GROOMS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Agriculture, to which was referred Senate Bill 226, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

LEISING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Environmental Affairs, to which was referred Senate Bill 229, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 6, Nays 2.

MESSMER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill 267, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

Page 15, delete lines 5 through 6.

Page 15, line 7, delete "(d)" and insert "**(c)**".

Page 15, line 12, delete "(e)" and insert "**(d)**".

Page 15, line 33, delete "(f)" and insert "**(e)**".

Page 15, line 35, delete "(g)" and insert "**(f)**".

Page 15, line 38, delete "(h)" and insert "**(g)**".

Page 18, after line 25, begin a new paragraph and insert:

"SECTION 11. [EFFECTIVE JULY 1, 2020] **(a) On July 1, 2020, the auditor of state shall transfer from the 211 services**

account established by IC 8-1-19.5-11, before its repeal by this act, the balance in the account on June 30, 2020, to the 211 services fund established by IC 12-13-16-8, as added by this act.

(b) On July 1, 2020, all appropriations to the Indiana housing and community development authority concerning the 211 services program under IC 8-1-19.5-11, before its repeal, are transferred to the office of the secretary of family and social services for the 211 services program.

(c) This SECTION expires July 1, 2021.".

Renumber all SECTIONS consecutively.

(Reference is to SB 267 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

GROOMS, Chair

Report adopted.

SENATE BILLS ON SECOND READING

Senate Bill 10

Senator Boots called up Senate Bill 10. For second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 16

Senator Bohacek called up Senate Bill 16 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 16–2)

Madam President: I move that Senate Bill 16 be amended to read as follows:

Page 2, line 25, delete "Class A misdemeanor." and insert "**Level 6 felony.**".

Page 2, line 25, delete "Level 6 felony" and insert "**Level 5 felony**".

(Reference is to SB 16 as printed January 10, 2020.)

BOHACEK

Motion prevailed. The bill was ordered engrossed.

Senate Bill 21

Senator Rogers called up Senate Bill 21 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 25

Senator Boots called up Senate Bill 25 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 39

Senator Freeman called up Senate Bill 39 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 69

Senator Sandlin called up Senate Bill 69 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 72

Senator Tomes called up Senate Bill 72 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 80

Senator M. Young called up Senate Bill 80 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 187

Senator Doriot called up Senate Bill 187 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 194

Senator M. Young called up Senate Bill 194 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 2

Senator Raatz called up Engrossed Senate Bill 2 for third reading:

A BILL FOR AN ACT concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 8: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative DeVon.

SENATE MOTION

Madam President: I move that Senators Ruckelshaus, Sandlin, Niezgodski and Melton be appointed to act with a like committee of the House of Representatives to wait upon the Governor and to escort him to the Chamber of the House of Representatives to deliver his message to the General Assembly on January 14, 2020.

Senator Ruckelshaus shall serve as chairman of the committee.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Koch, L. Brown, Tallian and G. Taylor be appointed to act with a like committee of the House of Representatives to wait upon the Chief Justice and to escort her to the Chamber of the House of Representatives to deliver her message to the General Assembly on January 15, 2020.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as coauthor of Senate Bill 2.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 14.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 16.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 39.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as third author and Senators Jon Ford, Freeman, Buck, Rogers, and Bohacek be added as coauthors of Senate Bill 69.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be removed as coauthor of Senate Bill 72.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as second author and Senator J.D. Ford be added as third author of Senate Bill 111.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as coauthor of Senate Bill 111.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Donato be added as coauthor of Senate Bill 129.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as second author of Senate Bill 137.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as third author of Senate Bill 142.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as coauthor of Senate Bill 142.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as second author and Senator Leising be added as third author of Senate Bill 184.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niemeyer be added as coauthor of Senate Bill 184.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 194.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as coauthor of Senate Bill 231.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Garten be added as second author of Senate Bill 263.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Alting be added as second author of Senate Bill 281.

BREAUX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as third author of Senate Bill 294.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as coauthor of Senate Bill 311.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as second author and Senator Buchanan be added as third author of Senate Bill 319.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second author of Senate Bill 330.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as third author of Senate Bill 330.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author of Senate Bill 342.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, January 14, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 1:54 p.m.

JENNIFER L. MERTZ	SUZANNE CROUCH
Secretary of the Senate	President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly — Second Regular Session

Sixth Meeting Day — Tuesday Afternoon — January 14, 2020

The Senate convened at 1:33 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Chaplain Tim Lindsey, Chaplain of the Indianapolis City County Council.

The Pledge of Allegiance to the Flag was led by Senator R. Michael Young.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops ▶
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 9: present 49; excused 1. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

HB 1007 — Mishler (Appropriations)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

SB 0394 — Bassler (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

SB 0395 — Bassler (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

SB 0396 — Houchin (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0397 — Houchin (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 0398 — Raatz (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0399 — Buchanan, Boots, Walker, Charbonneau, Becker, Buck (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0400 — Buchanan (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0401 — Buchanan (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0402 — Buchanan (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 0403 — Buchanan (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0407 — Walker (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

SB 0408 — Holdman (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0409 — Messmer (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

SB 0410 — Glick (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 0412 — Crane (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

SB 0413 — Melton (Appropriations)
A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

SB 0415 — Melton (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

SB 0416 — Melton (Appropriations)
A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

SB 0417 — Ford Jon (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 0418 — Ford Jon (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

SB 0419 — Niezgodski (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 0420 — Melton (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

RESOLUTIONS ON FIRST READING

Senate Resolution 11

Senate Resolution 11, introduced by Senator J.D. Ford:

A SENATE RESOLUTION urging the legislative council to assign to the appropriate study committee the issue of student loan lending and servicing.

Whereas, Article 8, Section 1 of the Indiana State Constitution states that "knowledge and learning, generally diffused throughout a Community [is] essential to the preservation of free government;"

Whereas, Hoosiers owe $27.5 billion in student loan debt cumulatively, and an average of $31,375 each;

Whereas, The Consumer Financial Protection Bureau, the Federal Deposit Insurance Corporation, and the United States Department of Justice have taken enforcement action against many banks and companies in the student loan industry in recent years for unfair lending practices;

Whereas, A thriving 21st century economy requires advanced degrees and training for its workforce; and

Whereas, The appropriate study committee assigned to this topic is encouraged to comparatively review methods of state oversight of the student loan industry: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate urges the legislative council to assign to the appropriate study committee the topic of student loan lending and servicing.

The resolution was read in full and referred to the Committee on Education and Career Development.

Senate Resolution 13

Senate Resolution 13, introduced by Senator J.D. Ford:

A SENATE RESOLUTION urging the legislative council to assign to an appropriate study committee the topic of the potential dangers of cyber-hacking in state government, specifically the use of ransomware.

Whereas, According to PEW Research Center, 64% of Americans have experienced some type of cyber-hacking or breach of data. However, despite the prevalence of cyber-hacking, the majority of Americans, 69%, do not worry about the security of their personal passwords;

Whereas, Employees, including state government officials, are potential targets of cyber-hacking as demonstrated by the cyber-theft of $4.2 million from the Oklahoma Law Enforcement Retirement System in 2019. A hacker perpetrated this cyber-theft through the email account of an Oklahoma Law Enforcement Retirement System employee;

Whereas, After a ransomware attack, officials in Riviera Beach, Florida paid $600,000 to regain control over their government computers;

Whereas, In 2019, Isaac Schleifer, a councilman from Baltimore, Maryland, estimated the financial cost of ransomware attacks in his city to be $18.2 million;

Whereas, Ransomware is one example of software that can be used to freeze an individual's access to his or her account and steal sums of money. According to the Washington Post, the United States faces 4,000 ransomware attacks daily. Many of these attacks begin through an email phishing scheme. State government employees are not immune to these attacks; and

Whereas, State government officials must be aware of this potential cyber-security risk and take precautions against this threat of ransomware: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the legislative council is urged to assign to an appropriate study committee the topic of the potential dangers of cyber-hacking in state government, specifically the use of ransomware.

The resolution was read in full and referred to the Committee on Commerce and Technology.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Concurrent Resolution 6, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.
Committee Vote: Yeas 8, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill 61, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 6, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill 132, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 3 with "[EFFECTIVE JANUARY 1, 2021]".

(Reference is to SB 132 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 167, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 7.1-3-21-11, AS AMENDED BY P.L.285-2019, SECTION 42, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. **(a) As used in this section, "brewery" means a brewery under IC 7.1-3-2-7(5), including a brewery that has been issued a retailer's permit.**

~~(a)~~ **(b)** As used in this section, "wall" means a wall of a building. The term does not include a boundary wall.

~~(b)~~ **(c)** Except as provided in subsections ~~(c), (g), and (h),~~ **(d), (h), and (i),** the commission may not issue a permit for a premises if a wall of the premises is situated within two hundred (200) feet from a wall of a school or church, if no permit has been issued for the premises under the provisions of Acts 1933, Chapter 80.

~~(c)~~ **(d)** This section does not apply to the premises of a:

(1) grocery store, drug store, restaurant, hotel, catering hall, **brewery,** or location for which the use of a supplemental catering permit has been approved if:

(A) a wall of the premises is situated within two hundred (200) feet from a wall of a church or school;

(B) the commission receives a written statement from the authorized representative of the church or school stating expressly that the church or school does not object to the issuance of the permit for the premises; and

(C) the commission determines that the church or school does not object to the issuance of the permit for the premises; or

(2) church or school that applies for a temporary beer or wine permit.

~~(d)~~ **(e)** The commission shall base its determination under subsection ~~(c)(1)(C)~~ **(d)(1)(C)** solely on the written statement of the authorized representative of the church or school.

~~(e)~~ **(f)** If the commission does not receive the written statement of the authorized representative of the church or school, the premises of the grocery store, drug store, restaurant, hotel, catering hall, **brewery,** or location for which the use of a supplemental catering permit has been approved may not obtain the waiver allowed under this section.

~~(f)~~ **(g)** If the commission determines that the church or school does not object, this section and ~~IC 7.1-3-21-10~~ **section 10 of this chapter** do not apply to the permit premises of the grocery store, drug store, restaurant, hotel, **brewery,** or catering hall on a subsequent renewal or transfer of ownership.

~~(g)~~ **(h)** If the commission:

(1) receives a written statement from the authorized representative of a church or school as described in subsection ~~(c)(1)(B);~~ **(d)(1)(B);** and

(2) determines the church or school does not object as described in subsection ~~(c)(1)(C);~~ **(d)(1)(C);**

the commission may not consider subsequent objections from the church or school to the issuance of the same permit type at the same premises location.

~~(h)~~ **(i)** The commission may issue a permit for a premises if the wall of the premises and the wall of a church are separated by at least eighty-five (85) feet, including a two (2) lane road of at least thirty (30) feet in width.

(Reference is to SB 167 as introduced.)
and when so amended that said bill be reassigned to the Senate Committee on Public Policy.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 171, has

had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 6-9-54 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 54. Clarksville Food and Beverage Tax

Sec. 1. This chapter applies to the town of Clarksville.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the town may adopt an ordinance to impose an excise tax, known as the town food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the town may adopt an ordinance under this subsection only after the fiscal body has previously held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the town food and beverage tax is the only substantive issue on the agenda for that public hearing.

(b) If the town fiscal body adopts an ordinance under subsection (a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state revenue.

(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the later of the following:

(1) The day specified in the ordinance.

(2) The last day of the month that succeeds the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which a food or beverage is furnished, prepared, or served:

(1) for consumption at a location or on equipment provided by a retail merchant;

(2) in the town; and

(3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

(1) served by a retail merchant off the merchant's premises;

(2) food sold in a heated state or heated by a retail merchant;

(3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or

(4) food sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport the food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The town food and beverage tax rate:

(1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and

(2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the town fiscal officer upon warrants issued by the auditor of state.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the town, the town fiscal officer shall establish a food and beverage tax receipts fund.

(b) The town fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. Money in the food and beverage tax receipts fund must be used by the town for one (1) or more of the following purposes:

(1) To reduce the town's property tax levy for a particular year at the discretion of the town, but this use does not reduce the maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for the town.

(2) For economic development purposes, including the pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations for economic development purposes.

(3) Construction, renovation, improvement, equipping, or maintenance of town capital improvements.

(4) Public safety.

(5) Parks and recreation.

(6) The pledge of money under IC 5-1-14-4 for bonds, leases, or other obligations incurred for a purpose described in subdivisions (3) through (5).

Revenue derived from the imposition of a tax under this chapter may be treated by the town as additional revenue for the purpose of fixing its budget for the budget year during which the revenues are to be distributed to the town.

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general

assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

(Reference is to SB 171 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Tax and Fiscal Policy.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill 192, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 18, delete "seven (7)" and insert "**five (5) business**".

(Reference is to SB 192 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

GROOMS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill 246, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 21, after "community" insert "**mental**".

Page 2, line 21, after "center" insert "**established under IC 12-29-2**".

(Reference is to SB 246 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

CRIDER, Chair

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SR 7 Senator J.D. Ford
Congratulating David L. Shank and Marilyn Shank.

SR 10 Senator J.D. Ford
Congratulating Robert Goodman Jewelers.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 7

Senate Resolution 7, introduced by Senator J.D. Ford:

A SENATE RESOLUTION congratulating David L. Shank and Marilyn Shank on their retirement and commemorating their award winning public relations firm, Shank Public Relations Counselors.

Whereas, After 32 years of being a leading public relations firm, Shank Public Relations Counselors is ending its operations;

Whereas, David L. Shank and Marilyn Shank started Shank Public Relations Counselors in their living room in 1987 and grew their business into an award winning public relations firm;

Whereas, Shank Public Relations Counselors provided services for over 270 clients and mentored nearly 100 interns; and

Whereas, Shank Public Relations Counselors has won numerous awards, including two prestigious Silver Anvil Awards of Excellence for their work with Indianapolis Public Schools Capital Improvement Campaign and for their work for The American Japan Society: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. The Indiana Senate congratulates David L. Shank and Marilyn Shank on their retirement from their award winning public relations firm, Shank Public Relations Counselors.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Mr. David Shank and Ms. Marilyn Shank.

The resolution was read in full and adopted by voice vote.

Senate Resolution 10

Senate Resolution 10, introduced by Senator J.D. Ford:

A SENATE RESOLUTION congratulating Robert Goodman Jewelers on twenty years of business in the town of Zionsville.

Whereas, Robert and Rose-Marie Goodman opened a small business, Robert Goodman Jewelers, in the Town of Zionsville in 2000 with the intention of fostering an inviting environment and establishing a place to share creative, original jewelry collections;

Whereas, Robert Goodman Jewelers is committed to treating its customers with honesty and creating quality pieces of jewelry;

Whereas, Robert Goodman Jewelers is active in the Zionsville community, supporting local businesses, artists, and philanthropic endeavors; and

Whereas, Robert Goodman Jewelers will celebrate the twentieth anniversary of its business on August 1st, 2020: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate congratulates Robert Goodman Jewelers on twenty years of business in the town of Zionsville.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Robert Goodman of Robert Goodman Jewelers.

The resolution was read in full and adopted by voice vote.

SENATE MOTION

Madam President: I move that the following memorial resolutions be adopted:

SCR 11 Senator Charbonneau
Memorializing Thelma Dickey.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 11

Senate Concurrent Resolution 11, introduced by Senator Charbonneau:

A CONCURRENT RESOLUTION memorializing Thelma Dickey.

Whereas, Thelma Dickey of Valparaiso passed away on December 11, 2019, at the age of 104 years;

Whereas, Born on August 24, 1915, to J.C. and Agatha Sherrick, Thelma graduated from Valparaiso High School and married Max Dickey in 1942;

Whereas, Thelma attended Ball State University to study education, and later earned her Masters of Education from Valparaiso University;

Whereas, Passionate about educating Indiana's youth, Thelma spent 25 years teaching at Cooks Corners and Central Elementary Schools in Valparaiso before retiring in 1970;

Whereas, Throughout her life, Thelma was very active in her community as a lifelong member of First Christian Church, past president of the Delta Theta Tau Sorority, a member of the Library Board, and numerous other organizations;

Whereas, In recognition of her service to the community, Thelma was named Valparaiso's Woman of Distinction in 1965;

Whereas, Thelma was a lifelong fan of the Valparaiso University basketball team and she never missed a Crusader's home game; and

Whereas, Attributing her good, long life to thinking happy, wonderful friends, and drinking scotch, Thelma will be missed by her family, friends, and the Valparaiso community: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly memorializes Thelma Dickey.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the family of Thelma Dickey.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Soliday.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bill 1007 and the same is herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1001 and 1002 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 10

Senator Boots called up Engrossed Senate Bill 10 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 10: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Burton.

Engrossed Senate Bill 16

Senator Bohacek called up Engrossed Senate Bill 16 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 11: yeas 43, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Pressel and Negele.

Engrossed Senate Bill 21

Senator Rogers called up Engrossed Senate Bill 21 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 12: yeas 46, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Davisson, Kirchhofer, and Stutzman.

Engrossed Senate Bill 25

Senator Boots called up Engrossed Senate Bill 25 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 13: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Frye, Smaltz, and Steuerwald.

Engrossed Senate Bill 39

Senator Freeman called up Engrossed Senate Bill 39 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 14: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative J. Young.

Engrossed Senate Bill 69

Senator Sandlin called up Engrossed Senate Bill 69 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 15: yeas 42, nays 7. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Speedy.

Engrossed Senate Bill 72

Senator Tomes called up Engrossed Senate Bill 72 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 16: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Frye and Bacon.

Engrossed Senate Bill 80

Senator M. Young called up Engrossed Senate Bill 80 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 17: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative J. Young.

Engrossed Senate Bill 187

Senator Doriot called up Engrossed Senate Bill 187 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 18: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Miller and Stutzman.

Engrossed Senate Bill 194

Senator M. Young called up Engrossed Senate Bill 194 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 19: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Steuerwald.

SENATE MOTION

Madam President: I move that Senator Bray be added as second author and Senator Ruckelshaus be added as third author of Senate Bill 1.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 8.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as second author of Senate Bill 9.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 10.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as coauthor of Senate Bill 10.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 12.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Alting be removed as second author of Senate Bill 16.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be removed as third author of Senate Bill 16.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second author and Senator Alting be added as third author of Senate Bill 16.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 16.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Ruckelshaus and J.D. Ford be added as coauthors of Senate Bill 16.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators L. Brown, Leising, Becker, Busch, Mrvan, Niezgodski, and Crider be added as coauthors of Senate Bill 21.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as coauthor of Senate Bill 21.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 21.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mishler be added as coauthor of Senate Bill 21.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 21.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 25.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators J.D. Ford and Kruse be added as coauthors of Senate Bill 26.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as third author of Senate Bill 39.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as second author and Senator Bohacek be added as third author of Senate Bill 47.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 47.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 50.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bassler be added as coauthor of Senate Bill 69.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Kruse, Niemeyer, Houchin, and Glick be added as coauthors of Senate Bill 69.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author and Senator Garten be added as third author of Senate Bill 72.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Crider, Boots, Ruckelshaus, and M. Young be added as coauthors of Senate Bill 72.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 72.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Freeman, Alting, and Rogers be added as coauthors of Senate Bill 72.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 72.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 72.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as coauthor of Senate Bill 72.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 80.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as coauthor of Senate Bill 111.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Becker, Breaux, and Ruckelshaus be added as coauthors of Senate Bill 142.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as coauthor of Senate Bill 144.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bray be removed as author of Senate Bill 167 and Senator Jon Ford be substituted therefor.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bray be removed as author of Senate Bill 171 and Senator Grooms be substituted therefor.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as coauthor of Senate Bill 181.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 187.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Breaux and Walker be added as coauthors of Senate Bill 192.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as second author of Senate Bill 194.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 199.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 200.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as second author of Senate Bill 229.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author of Senate Bill 235.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author of Senate Bill 241.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as third author of Senate Bill 241.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 249.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 249.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 254.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as second author of Senate Bill 265.

DONATO

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 265.

DONATO

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be removed as third author of Senate Bill 267.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as third author and Senator Ruckelshaus be added as coauthor of Senate Bill 267.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as second author of Senate Bill 294.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as coauthor of Senate Bill 294.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as second author of Senate Bill 302.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 316.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second author and Senator Buchanan be added as third author of Senate Bill 320.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as coauthor of Senate Bill 325.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 331.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author of Senate Bill 333.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator L. Brown be added as second author of Senate Bill 335.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as third author of Senate Bill 342.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 342.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate do now recess until 7:00 p.m., at which time the Senate will reconvene in the House Chamber for the purpose of attending a joint convention of the Senate and the House of Representatives to receive the Governor's message to the General Assembly delivered in compliance with Article 5, Section 13 of the Constitution of the State of Indiana, which requires that the Governor "from time to time give to the General Assembly information touching the condition of the State, and recommend such measures as he shall judge to be expedient."

BRAY

Motion prevailed.

3:11 p.m.

The Senate recessed until the fall of the gavel for a Joint Convention with the members of the House of Representatives.

The message of Governor Eric J. Holcomb is recorded in the House Journal.

RECESS

The Senate reconvened at 7:43 p.m., with Senator Bray in the Chair.

SENATE MOTION

Madam President: I move we adjourn until 1:15 p.m., Wednesday, January 15, 2020.

GLICK

Motion prevailed.

The Senate adjourned at 7:44 p.m.

JENNIFER L. MERTZ	SUZANNE CROUCH
Secretary of the Senate	President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Seventh Meeting Day Wednesday Afternoon January 15, 2020

The Senate convened at 1:17 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Chaplain Pam Russell, Statehouse Chaplain.

The Pledge of Allegiance to the Flag was led by Senator C. Susan Glick.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting ▶	Koch
Bassler ▶	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon ▶	Spartz
Freeman ▶	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin ▶	Zay

Roll Call 20: present 45; excused 5. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

HB 1001 — Raatz, Bray, Kruse, Rogers (Education and Career Development)

A BILL FOR AN ACT concerning education.

SB 0389 — Ruckelshaus (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0391 — Bohacek (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0414 — Melton (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0421 — Melton (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

SB 0422 — Lanane (Insurance and Financial Institutions)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0423 — Grooms (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

SB 0424 — Rogers (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

SB 0425 — Bohacek (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0426 — Buchanan (Judiciary)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 0427 — Buchanan (Commerce and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 0428 — Leising (Family and Children Services)

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 0431 — Stoops (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0432 — Stoops (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

SB 0433 — Bassler (Natural Resources)

A BILL FOR AN ACT to amend the Indiana Code concerning natural resources.

SB 0434 — Young M (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0435 — Melton (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0436 — Young M (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

SB 0437 — Busch (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

SB 0438 — Leising (Agriculture)
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

SB 0439 — Grooms (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

SB 0440 — Bassler (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

SB 0441 — Melton (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0442 — Melton (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning property.

SB 0443 — Garten (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

SB 0446 — Becker (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0447 — Donato (Utilities)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

SB 0448 — Holdman (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The committee appointed to act with a like committee of the House of Representatives to wait upon the Governor and to escort him to the Chamber of the House of Representatives to deliver his message to the General Assembly begs leave to report that it has performed the duties assigned to it.

RUCKELSHAUS, Chair
SANDLIN
NIEZGODSKI
MELTON

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SR 12 Senator J.D. Ford
Celebrating Ben Davis University H.S.
BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 12

Senate Resolution 12, introduced by Senator J.D. Ford and G. Taylor:

A SENATE RESOLUTION celebrating Ben Davis University High School's high graduation rate and record amount of college scholarship monies received during the 2018/2019 school year.

Whereas, Ben Davis University High School celebrates the tremendous achievements of its class of 2019;

Whereas, Ben Davis University is a small, focused, high school where students can earn their Core 40 Diploma while also earning college credits toward an Associates Degree through Vincennes University;

Whereas, For the ninth year in a row, Ben Davis University High School produced a very high graduation rate even while taking in additional students;

Whereas, 93 percent of 2019 Ben Davis University High School graduates earned an Associates Degree and 94 percent of the Ben Davis University High School class of 2019 graduated with academic or technical honors; and

Whereas, The 2019 class of Ben Davis University High School students collectively earned $2.5 million dollars in college scholarships, establishing a new high for any Ben Davis University High School graduating class: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate congratulates Ben Davis University High School's high graduation rate and scholarship monies earned.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Ben Davis University High School.

The resolution was read in full and adopted by voice vote.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1014, 1027, 1047, and 1067 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that the Senate do now recess until 2:00 p.m., at which time the Senate will reconvene in the House Chamber for the purpose of attending a joint convention of the Senate and the House of Representatives to receive the report of the Chief Justice of the Supreme Court in compliance with Article 7, Section 3 of the Constitution of the State of Indiana, which requires the Chief Justice to prepare and "submit to the General Assembly regular reports on the condition of the courts and such other reports as may be requested" and that following adjournment of the joint convention, the Senate reconvene in the Senate Chamber upon the fall of the gavel.

BRAY

Motion prevailed.

1:25 p.m.

The Senate recessed until the fall of the gavel for a Joint Convention with the members of the House of Representatives.

The message of Chief Justice Loretta H. Rush is recorded in the House Journal.

RECESS

The Senate reconvened at 2:40 p.m., with Senator Bray in the Chair.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Thursday, January 16, 2020.

GLICK

Motion prevailed.

The Senate adjourned at 2:41 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Eighth Meeting Day Thursday Afternoon January 16, 2020

The Senate convened at 1:33 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Chaplain Matt Barnes, Statehouse Chaplain.

The Pledge of Allegiance to the Flag was led by Senator Aaron M. Freeman.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler ▶	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 21: present 49; excused 1. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Senate Bill 380, currently assigned to the Committee on Elections, be reassigned to the Committee on Homeland Security and Transportation.

BRAY

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Senate Bill 64, currently assigned to the Committee on Education and Career Development, be reassigned to the Committee on Pensions and Labor.

BRAY

Report adopted.

INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

SB 0105 — Ruckelshaus, Bohacek, Alting (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

SB 0138 — Lanane (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

SB 0227 — Bassler (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

SB 0228 — Bassler (Education and Career Development)
A BILL FOR AN ACT concerning education.

SB 0250 — Ford J.D. (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0293 — Ruckelshaus (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

SB 0411 — Koch (Utilities)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

SB 0429 — Perfect (Appropriations)
A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

SB 0430 — Merritt (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

SB 0444 — Perfect, Messmer (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

SB 0445 — Buchanan (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0449 — Houchin (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

SB 0450 — Busch (Natural Resources)
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

SB 0451 — Busch (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

SB 0452 — Niemeyer (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

SB 0453 — Koch (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

SB 0454 — Messmer (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

SB 0455 — Buchanan (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0456 — Raatz (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

SB 0457 — Garten (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure reports that pursuant to Senate Rule 35(c), the following technical corrections are to be made to Senate Concurrent Resolution 4.

Page 1, line 19, delete "Brunketta" and insert "Brukentta".

(Reference is to SCR 4 as printed January 8, 2020.)

BRAY, Chair

COMMITTEE REPORT

Madam President: The committee appointed to act with a like committee of the House of Representatives to wait upon the Chief Justice and to escort her to the Chamber of the House of Representatives to deliver her message to the General Assembly begs leave to report that it has performed the duties assigned to it.

KOCH, Chair
L. BROWN
TALLIAN
G. TAYLOR

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1007, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass. Committee Vote: Yeas 8, Nays 4.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 1, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 9, delete lines 25 through 42, begin a new paragraph and insert:

"SECTION 16. IC 7.1-7-6-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 2. (a) This subsection does not apply to a delivery sale as defined in IC 7.1-7-2-6.3. If a retailer:~~

~~(1) knowingly and intentionally sells e-liquid to a minor; or~~
~~(2) knowingly, intentionally, or negligently fails to verify the age of a person who appears to be less than twenty-seven (27) years of age by checking a government issued identification and sells the person e-liquid;~~

~~the retailer commits a Class C infraction. For a sale to take place under this section, the buyer must pay the retail establishment for the e-liquid.~~

~~(b) Notwithstanding IC 34-28-5-4(c), a civil judgment for an infraction committed under this section must be imposed as follows:~~

~~(1) If the retail establishment at that specific business location has not been issued a citation or summons for a violation of this section in the previous one hundred eighty (180) days, a civil penalty of up to two hundred dollars ($200).~~
~~(2) If the retail establishment at that specific business location has had one (1) citation or summons issued for a violation of this section in the previous one hundred eighty (180) days, a civil penalty of up to four hundred dollars ($400).~~
~~(3) If the retail establishment at that specific business location has had two (2) citations or summonses issued for a violation of this section in the previous one hundred eighty (180) days, a civil penalty of up to seven hundred dollars ($700).~~
~~(4) If the retail establishment at that specific business location has had three (3) or more citations or summonses issued for a violation of this section in the previous one hundred eighty (180) days, a civil penalty of up to one~~

~~thousand dollars ($1,000).~~

~~A retail establishment may not be issued a citation or summons for a violation of this section more than once every twenty-four (24) hours for each specific business location.~~

~~(c) It is not a defense that the person to whom e-liquid was sold or distributed did not inhale or otherwise consume e-liquid.~~

~~(d) The following defenses are available to a retail establishment accused of selling or distributing e-liquid to a person who is less than eighteen (18) years of age:~~

~~(1) The buyer or recipient produced a driver's license bearing the purchaser's or recipient's photograph showing that the purchaser or recipient was of legal age to make the purchase.~~

~~(2) The buyer or recipient produced a photographic identification card issued under IC 9-24-16-1 or a similar card issued under the laws of another state or the federal government showing that the purchaser or recipient was of legal age to make the purchase.~~

~~(3) The appearance of the purchaser or recipient was such that an ordinary prudent person would believe that the purchaser or recipient was not less than the age that complies with regulations promulgated by the federal Food and Drug Administration.~~

~~(e) It is a defense that the accused retail establishment sold or delivered e-liquid to a person who acted in the ordinary course of employment or a business concerning e-liquid:~~

~~(1) agriculture;~~

~~(2) processing;~~

~~(3) transporting;~~

~~(4) wholesaling; or~~

~~(5) retailing.~~

~~(f) As used in this section, "distribute" means to give e-liquid to another person as a means of promoting, advertising, or marketing e-liquid to the general public.~~

~~(g) Unless a person buys or receives e-liquid under the direction of a law enforcement officer as part of an enforcement action, a retail establishment that sells or distributes e-liquid is not liable for a violation of this section unless the person less than eighteen (18) years of age who bought or received the e-liquid is issued a citation or summons in violation of this article.~~

~~(h) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund (IC 7.1-6-2-6).~~

~~(i) A person who violates subsection (a) at least six (6) times in any one hundred eighty (180) day period commits habitual illegal sale of e-liquid, a Class B infraction.~~

SECTION 17. IC 7.1-7-6-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.1. A person who sells or distributes an e-liquid to a person under twenty-one (21) years of age may be in violation of IC 35-46-1.**".

Delete page 10.

Page 11, delete lines 1 through 13.

Page 11, line 16, delete "This section does not apply to tobacco,".

Page 11, delete line 17.

Page 12, line 29, strike "twenty-seven (27)" and insert "**thirty (30)**".

Page 15, line 13, delete "This section does not apply to the" and insert "**A person may not be charged with a violation under this section and a violation under IC 7.1-7-6-5.**".

Page 15, delete line 14.

Page 15, line 16, after "tobacco" insert "**, an e-liquid,**".

Page 15, line 18, after "tobacco" insert "**, an e-liquid,**".

Page 15, line 22, after "product" insert "**, the e-liquid,**".

Page 15, line 24, after "tobacco" insert "**, the e-liquid,**".

Page 15, line 26, after "tobacco" insert "**, e-liquid,**".

Page 15, line 28, after "tobacco" insert "**, an e-liquid,**".

Page 15, line 39, strike "the age that complies with regulations" and insert "**thirty (30) years of age.**".

Page 15, strike line 40.

Page 15, line 42, after "tobacco" insert "**, e-liquid,**".

Page 16, line 1, after "tobacco" insert "**, an e-liquid,**".

Page 16, line 2, delete ":" and insert "**including the following activities:**".

Page 16, line 8, after "tobacco" insert "**, an e-liquid,**".

Page 16, line 10, after "tobacco" insert "**, e-liquid,**".

Page 16, line 12, after "tobacco" insert "**, an e-liquid,**".

Page 16, line 14, after "tobacco" insert "**, an e-liquid,**".

Page 16, line 17, after "tobacco" insert "**, e-liquid,**".

Page 16, line 24, delete "This section does not apply to the" and insert "**A person may not be charged with a violation under this section and a violation under IC 7.1-7-6-5.**".

Page 16, delete line 25.

Page 16, line 26, after "that" insert ":

(1)".

Page 16, line 28, after "age" insert "; **or**

(2) fails to verify the age of a person who appears to be less than thirty (30) years of age by checking a government issued identification and sells the person tobacco, an e-liquid, or an electronic cigarette;".

Page 16, line 28, beginning with "commits" begin a new line blocked left.

Page 16, line 31, after "cigarette." begin a new paragraph and insert "**(c)**".

Page 17, line 13, delete "(c)" and insert "**(d)**".

Page 17, line 17, delete "(d)" and insert "**(e)**".

Page 17, line 30, strike "the age that complies with regulations" and insert "**thirty (30) years of age.**".

Page 17, strike line 31.

Page 17, line 32, delete "(e)" and insert "**(f)**".

Page 17, line 42, delete "(f)" and insert "**(g)**".

Page 18, line 4, delete "(g)" and insert "**(h)**".

Page 18, line 12, delete "(h)" and insert "**(i)**".

Page 18, line 15, delete "(i)" and insert "**(j)**".

Page 21, line 12, after "products" insert "**, e-liquids, or electronic cigarettes**".

Page 21, line 32, strike "two" and insert "**six**".

Page 21, line 32, strike "($200)." and insert "**($600).**".

Page 21, line 34, strike "four" and insert "**one thousand two**".

Page 21, line 35, strike "($400)." and insert "**($1,200).**".

Page 21, line 37, strike "seven" and insert "**two thousand one**".

Page 21, line 38, strike "($700)." and insert "**($2,100).**".
Page 21, line 41, strike "one" and insert "**three**".
Page 21, line 41, strike "($1,000)" and insert "**($3,000).**".
Renumber all SECTIONS consecutively.
(Reference is to SB 1 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 11, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 4, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, between lines 9 and 10, begin a new paragraph and insert:

"**(g) The department shall staff the advisory committee.**".
Page 5, line 21, delete "shall" and insert "**may**".
Page 6, line 36, after "commissioner" insert "**, in consultation with the advisory committee,**".
(Reference is to SB 4 as introduced.)
and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.
Committee Vote: Yeas 11, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 9, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.
Page 2, delete lines 1 through 10.
Page 2, line 15, delete "(a)".
Page 2, line 15, delete "upon or through the premises," and insert "**to a shooting range certified by a nationally recognized shooting organization:**".
Page 2, line 16, delete "including caves, of another:".
Page 2, line 24, delete "premises are" and insert "**shooting range is**".
Page 2, line 25, delete "(b)" and insert "**Sec. 2. (a)**".
Page 2, line 25, delete "premises" and insert "**shooting range described in section 1 of this chapter**".
Page 2, line 29, delete "premises." and insert "**shooting range, so long as the shooting range posts and maintains a sign on which is printed the warning notice described in section 3 of this chapter.**

(b) The sign must be placed in a clearly visible location at the main point of entrance to the shooting range.

(c) The warning notice on the sign must be printed in black letters, and each letter must be at least one (1) inch in height.".

Page 2, between lines 29 and 30, begin a new paragraph and insert:

"**Sec. 3. The warning notice that must be printed on a sign described in section 2 of this chapter is as follows:**
"WARNING

Under Indiana law, a shooting range is not liable for an injury to, or the death of, a participant in target shooting at this location if the death or injury results from the inherent risks of target shooting.

Inherent risks of target shooting include risks of injury inherent to land, target shooting equipment, and animals, as well as the potential for you to act in a negligent manner that may contribute to your injury or death or for other participants to act in a manner that may cause you injury or cause your death.

You are assuming the risk of participating in target shooting.".".
Page 2, line 30, delete "(c)" and insert "**Sec. 4.**".
Page 2, line 30, delete "section" and insert "**chapter**".
Page 2, line 34, delete "(d)" and insert "**Sec. 5.**".
Page 2, line 34, delete "section" and insert "**chapter**".
Page 2, line 35, delete "premises" and insert "**shooting range**".
Page 2, line 36, delete "a malicious or an illegal act" and insert "**the gross negligence or willful or wanton misconduct**".
Page 2, delete lines 37 through 42.
Delete page 3.
Renumber all SECTIONS consecutively.
(Reference is to SB 9 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 5, Nays 3.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 12, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 12 through 17, begin a new paragraph and insert:

"SECTION 3. IC 21-14-9-2, AS ADDED BY P.L.144-2007, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. **(a) If** a **spouse or** dependent of a person described in section 1 of this chapter **is accepted for enrollment by a state educational institution, the spouse or dependent** is eligible, **from the date that the spouse or dependent is accepted for enrollment in the state educational institution,** to pay the resident tuition rate determined by the state educational institution **if the spouse or dependent enrolls in the state educational institution by the earlier of the following:**

(1) The deadline for enrollment by the spouse or dependent as established by the state educational institution.

(2) Twelve (12) months after the date that the state educational institution accepts the spouse or dependent for enrollment.

(b) A spouse or dependent described in subsection (a) is eligible to pay the resident tuition rate determined by the state educational institution for **qualified** courses taken by the **spouse or** dependent for the duration of the **spouse's or** dependent's **continuous** enrollment at the state educational institution **regardless of whether the person described in section 1 of this chapter continues, after the spouse or dependent is accepted for enrollment as described in subsection (a), to satisfy the criteria set forth in section 1 of this chapter.**".

Delete page 2.

(Reference is to SB 12 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 14, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 2-5-1.3-13, AS AMENDED BY P.L.2-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. (a) A study committee shall study the issues assigned by the legislative council that are within the subject matter for the study committee, as described in section 4 of this chapter.

(b) In addition to the issues assigned under subsection (a), the interim study committee on roads and transportation shall advise the bureau of motor vehicles regarding the suitability of a special group (as defined in IC 9-13-2-170) to receive a special group recognition license plate for the special group (as defined in IC 9-13-2-170) for the first time under IC 9-18.5-12-4 and the suitability of a special group (as defined in IC 9-13-2-170) to continue participating in the special group recognition license plate program under IC 9-18.5-12-5.

(c) In addition to the issues assigned under subsection (a), the interim study committee on corrections and criminal code:

(1) shall review current trends with respect to criminal behavior, sentencing, incarceration, and treatment and may:

~~(1)~~ **(A)** identify particular needs of the criminal justice system that can be addressed by legislation; and

~~(2)~~ **(B)** prepare legislation to address the particular needs found by the committee; **and**

(2) may review a proposed bill containing a criminal provision (as defined by IC 2-5-46-2) in accordance with IC 2-5-46.".

Page 1, delete lines 5 through 17, begin a new paragraph and insert:

"**Sec. 1. As used in this chapter, "interim criminal committee" means the interim study committee on corrections and criminal code.**

Sec. 2. As used in this chapter, "criminal provision" means any part of a bill that does one (1) or more of the following:

(1) Creates a new crime with a penalty that is a Level 5 felony or above.

(2) Increases the criminal penalty for an existing crime to a Level 5 felony or above.

Sec. 3. (a) Any bill containing a criminal provision may be reviewed by the interim criminal committee, unless the legislative council assigns the bill containing a criminal provision to another interim study committee.

(b) In conducting a review of criminal provisions under this section, the interim criminal committee should consider the following, as applicable:".

Page 2, delete lines 1 through 6.

Page 2, line 8, delete "provision affecting criminal penalties" and insert "**criminal provision**".

Page 2, line 10, delete "provision affecting criminal penalties" and insert "**criminal provision**".

Page 2, line 13, delete "provision affecting criminal" and insert "**criminal provision**".

Page 2, line 14, delete "penalties".

Page 2, line 15, delete "provision affecting criminal" and insert "**criminal provision.**".

Page 2, line 16, delete "penalties.".

Page 2, delete lines 20 through 24, begin a new paragraph and insert:

"**(c) If a bill contains both criminal provisions and significant material not related to the criminal law, the interim criminal committee shall limit its review to the criminal provisions.**

Sec. 4. (a) Review of a criminal provision by the interim criminal committee is not a prerequisite for the bill to receive a hearing before a standing committee and does not bar the filing a bill.

(b) If a bill containing a criminal provision has been reviewed by the interim criminal committee, the chairperson of the standing committee to which the bill is assigned should consider whether:

(1) the fact that the interim criminal committee has already heard testimony on the bill;

(2) the interim criminal committee's consideration of the factors described in section 3(b) of this chapter;

(3) work done by the interim criminal committee in reviewing and revising the text of the bill; or

(4) legislative efficiency;

suggests that the bill should receive precedence in determining which bills should be set for a hearing.".

Renumber all SECTIONS consecutively.

(Reference is to SB 14 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 1.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 20, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 9, after "designee." insert "**However, the county surveyor's designee must be a resident of the county to be eligible to serve on the county plan commission.**".

Page 2, line 3, after "year." insert "**In addition to the county resident selected by the county extension board to serve as a member of the commission, the county agricultural extension educator who is not a resident of the county shall serve the commission in a nonvoting advisory capacity.**".

Page 4, after line 7, begin a new paragraph and insert:

"**(e) ADVISORY. Notwithstanding subsection (a)(4), a county agricultural extension educator who is a member of the county plan commission on July 1, 2020, and is not a resident of the county may continue to serve as a member of the commission until:**

(1) October 1, 2020; or

(2) the date set forth in an ordinance adopted by the county legislative body that is after October 1, 2020, and not later than October 1, 2021.

This subsection expires January 1, 2022.

SECTION 2. IC 36-7-4-220, AS AMENDED BY P.L.193-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 220. (a) If a vacancy occurs among the plan commission members who are appointed, then the appointing authority shall appoint a member for the unexpired term of the vacating member **who meets the same requirements as the vacating member, including residency,** not later than ninety (90) days after the vacancy occurs. The appointing authority may also appoint an alternate member **who meets the same requirements as the disqualified member, including residency,** to participate with the commission in a hearing or decision if the regular member appointed by the appointing authority has a disqualification under section 223(c) of this chapter. An alternate member has all the powers and duties of a regular member while participating in the hearing or decision.

(b) If a vacancy occurs in the office of the county surveyor while the county surveyor is serving on the plan commission, then the county engineer shall participate with the plan commission during the time the office of the county surveyor is vacant. The county engineer has all the powers and duties of a regular member while participating under this subsection.

(c) An appointed member who misses three (3) consecutive regular meetings of the plan commission may be treated as if the member had resigned, at the discretion of the appointing authority.".

Renumber all SECTIONS consecutively.

(Reference is to SB 20 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 23, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 13-18-15-2, AS AMENDED BY P.L.257-2019, SECTION 83, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The persons involved shall negotiate the terms for connection and service under this chapter.

(b) If service is ordered under this chapter, a receiver of that service that is located in an unincorporated area may grant a waiver to a municipality providing the service. A waiver under this section:

(1) must waive the receiver's right of remonstrance against annexation of the areas in which the service is to be provided; and

(2) may be one (1) of the terms for connection and service described in subsection (a).

(c) The waiver, if granted:

(1) shall be noted on the deed of each property affected and recorded as provided by law; and

(2) is considered a covenant running with the land.

(d) This subsection applies to any deed recorded after June 30, 2015. This subsection applies only to property that is subject to a remonstrance waiver. A municipality shall, within a reasonable time after the recording of a deed to property located within the municipality, provide written notice to the property owner that a waiver of the right of remonstrance exists with respect to the property.

(e) A remonstrance waiver executed before July 1, 2003, is void. This subsection does not invalidate an annexation that was effective on or before July 1, 2019.

(f) A remonstrance waiver executed after June 30, 2003, and before July 1, 2019, is subject to the following:

(1) The waiver is void unless the waiver was recorded ~~(A)~~ before January 1, 2020;

~~and (B)~~ with the county recorder of the county where the property subject to the waiver is located.

(2) A waiver that is not void under subdivision (1) **or subsection (h),** expires not later than fifteen (15) years after the date the waiver is executed.

This subsection does not invalidate an annexation that was effective on or before July 1, 2019.

(g) A remonstrance waiver executed after June 30, 2019, ~~is subject to the following (1) The waiver is void unless the waiver is~~ **must be** recorded ~~(A)~~ not later than thirty (30) business days after the date the waiver was executed ~~and (B)~~ with the county recorder of the county where the property subject to the waiver is located. ~~(2) A waiver that is not void under subdivision (1), expires not later than fifteen (15) years after the date the waiver is executed.~~ This subsection does not invalidate an annexation that was effective on or before July 1, 2019.

(h) Notwithstanding any other law, a waiver of the right

of remonstrance is valid and binding on a landowner or a successor in title only with regard to an annexation for which the annexation ordinance was adopted before April 1, 2020.

SECTION 2. IC 36-4-3-1.5, AS AMENDED BY P.L.206-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.5. (a) For purposes of this chapter, territory sought to be annexed may be considered "contiguous" only if at least one-eighth (1/8) of the aggregate external boundaries of the territory coincides with the boundaries of the annexing municipality. In determining if a territory is contiguous, a strip of land less than one hundred fifty (150) feet wide that connects the annexing municipality to the territory is not considered a part of the boundaries of either the municipality or the territory.

(b) This subsection applies to an annexation for which an annexation ordinance is adopted after June 30, 2015, **and before April 1, 2020.** A public highway or the rights-of-way of a public highway are contiguous to:

(1) the municipality; or

(2) property in the unincorporated area adjacent to the public highway or rights-of-way of a public highway;

if the public highway or the rights-of-way of a public highway are contiguous under subsection (a) and one (1) of the requirements in subsection (c) is satisfied.

(c) **This subsection applies to an annexation for which an annexation ordinance is adopted after June 30, 2015, and before April 1, 2020.** A public highway or the rights-of-way of a public highway are not contiguous unless one (1) of the following requirements is met:

(1) The municipality obtains the written consent of the owners of all property:

(A) adjacent to the entire length of the part of the public highway and rights-of-way of the public highway that is being annexed; and

(B) not already within the corporate boundaries of the municipality.

A waiver of the right of remonstrance executed by a property owner or a successor in title of the property owner for sewer services or water services does not constitute written consent for purposes of this subdivision.

(2) All property adjacent to at least one (1) side of the entire length of the part of the public highway or rights-of-way of the public highway being annexed is already within the corporate boundaries of the municipality.

(3) All property adjacent to at least one (1) side of the entire length of the part of the public highway or rights-of-way of the public highway being annexed is part of the same annexation ordinance in which the public highway or rights-of-way of a public highway are being annexed.

A municipality may not annex a public highway or the rights-of-way of a public highway or annex territory adjacent to the public highway or rights-of-way of a public highway unless the requirements of this section are met.".

Page 2, delete lines 1 through 3.

Page 2, line 31, delete "and (after June 30, 2020) the fiscal officer of".

Page 2, delete line 32.

Page 2, line 33, delete "chapter".

Page 2, line 34, delete "and (after".

Page 2, delete line 35.

Page 2, line 39, delete "If the" and insert "The".

Page 2, line 39, delete "is".

Page 2, line 39, delete "a" and insert "**the**".

Page 2, line 39, delete ", the notice".

Page 3, line 6, delete "After June 30, 2020, the notice shall also be sent".

Page 3, line 7, delete "to the fiscal officer of the political subdivision or taxing unit.".

Page 3, line 12, delete "**or (after June 30, 2020) fiscal**".

Page 3, line 13, delete "officer".

Page 3, line 13, delete "If", begin a new paragraph and insert:

"**(e) This subsection applies only to an annexation for which an annexation ordinance is adopted after June 30, 2015, and before April 1, 2020.** If ".

Page 3, line 17, strike "(e)" and insert "**(f)**".

Page 3, delete lines 19 through 42, begin a new paragraph and insert:

"SECTION 4. IC 36-4-3-3.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3.1. (a) This section does not apply to an annexation under section 4(a)(2), 4(a)(3), 4(b), 4(h), or 4.1 of this chapter.

(b) A municipality shall develop and adopt a written fiscal plan and establish a definite policy by resolution of the legislative body that meets the requirements set forth in section 13 of this chapter.

(c) Except as provided in subsection (d), the municipality shall establish and adopt the written fiscal plan before mailing the notification to landowners in the territory proposed to be annexed under section 2.2 of this chapter.

(d) In an annexation under section 5, ~~or~~ 5.1, **or 5.5** of this chapter, the municipality shall establish and adopt the written fiscal plan before adopting the annexation ordinance.

SECTION 5. IC 36-4-3-5, AS AMENDED BY P.L.149-2016, SECTION 96, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) This subsection applies only to a petition requesting annexation that is filed before July 1, 2015. If the owners of land located outside of but contiguous to a municipality want to have territory containing that land annexed to the municipality, they may file with the legislative body of the municipality a petition:

(1) signed by at least:

(A) fifty-one percent (51%) of the owners of land in the territory sought to be annexed; or

(B) the owners of seventy-five percent (75%) of the total assessed value of the land for property tax purposes; and

(2) requesting an ordinance annexing the area described in the petition.

(b) This subsection applies only to a petition requesting annexation that is filed after June 30, 2015. **A municipality may not collect signatures on an annexation petition that is filed with the legislative body under this section after March 31, 2020.** If the owners of land located outside of but contiguous to

a municipality want to have territory containing that land annexed to the municipality, they may file with the legislative body of the municipality a petition that meets the following requirements:

(1) The petition is signed by at least one (1) of the following:

(A) Fifty-one percent (51%) of the owners of land in the territory sought to be annexed. An owner of land may not:

(i) be counted in calculating the total number of owners of land in the annexation territory; or

(ii) have the owner's signature counted;

with regard to any single property that the owner has an interest in that was exempt from property taxes under IC 6-1.1-10 or any other state law for the immediately preceding year.

(B) The owners of seventy-five percent (75%) of the total assessed value of the land for property tax purposes. Land that was exempt from property taxes under IC 6-1.1-10 or any other state law for the immediately preceding year may not be included in calculating the total assessed valuation of the land in the annexation territory. The court may not count an owner's signature on a petition with regard to any single property that the owner has an interest in that was exempt from property taxes under IC 6-1.1-10 or any other state law for the immediately preceding year.

(2) The petition requests an ordinance annexing the area described in the petition.

(c) The petition circulated by the landowners must include on each page where signatures are affixed a heading that is substantially similar to the following:

"PETITION FOR ANNEXATION INTO THE (insert whether city or town) OF (insert name of city or town).".

(d) If the legislative body fails to pass the ordinance within one hundred fifty (150) days after the date of filing of a petition under subsection (a) or (b), the petitioners may file a duplicate copy of the petition in the circuit or superior court of a county in which the territory is located, and shall include a written statement of why the annexation should take place. Notice of the proceedings, in the form of a summons, shall be served on the municipality named in the petition. The municipality is the defendant in the cause and shall appear and answer.

(e) The court shall hear and determine the petition without a jury, and shall order the proposed annexation to take place only if the evidence introduced by the parties establishes that:

(1) essential municipal services and facilities are not available to the residents of the territory sought to be annexed;

(2) the municipality is physically and financially able to provide municipal services to the territory sought to be annexed;

(3) the population density of the territory sought to be annexed is at least three (3) persons per acre; and

(4) the territory sought to be annexed is contiguous to the municipality.

If the evidence does not establish all four (4) of the preceding factors, the court shall deny the petition and dismiss the proceeding.

(f) This subsection does not apply to a town that has abolished town legislative body districts under IC 36-5-2-4.1. An ordinance adopted under this section must assign the territory annexed by the ordinance to at least one (1) municipal legislative body district.

SECTION 6. IC 36-4-3-5.1, AS AMENDED BY P.L.228-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5.1. (a) Owners of land located outside but contiguous to a municipality may file a petition with the legislative body of the municipality:

(1) requesting an ordinance annexing the area described in the petition; and

(2) signed by:

(A) one hundred percent (100%) of the landowners that reside within the territory that is proposed to be annexed, in the case of a petition filed before July 1, 2015; and

(B) in the case of a petition filed after June 30, 2015, one hundred percent (100%) of the owners of land within the territory that is proposed to be annexed.

(b) Sections 2.1 and 2.2 of this chapter do not apply to an annexation under this section.

(c) The petition circulated by the landowners must include on each page where signatures are affixed a heading that is substantially similar to the following:

"PETITION FOR ANNEXATION INTO THE (insert whether city or town) OF (insert name of city or town).".

(d) The municipality may:

(1) adopt an annexation ordinance annexing the territory; and

(2) adopt a fiscal plan and establish a definite policy by resolution of the legislative body;

after the legislative body has held a public hearing on the proposed annexation.

(e) The municipality may introduce and hold the public hearing on the annexation ordinance not later than thirty (30) days after the petition is filed with the legislative body. Notice of the public hearing may be published one (1) time in accordance with IC 5-3-1 at least twenty (20) days before the hearing. All interested parties must have the opportunity to testify at the hearing as to the proposed annexation.

(f) The municipality may adopt the annexation ordinance not earlier than fourteen (14) days after the public hearing under subsection (e).

(g) A landowner may withdraw the landowner's signature from the petition not more than thirteen (13) days after the municipality adopts the fiscal plan by providing written notice to the office of the clerk of the municipality. If a landowner withdraws the landowner's signature, the petition shall automatically be considered a voluntary petition that is filed with the legislative body under section 5 of this chapter, fourteen (14) days after the date the fiscal plan is adopted. All provisions applicable to a petition initiated under section 5 of this chapter apply to the petition.

(h) If the municipality does not adopt an annexation ordinance

within sixty (60) days after the landowners file the petition with the legislative body, the landowners may file a duplicate petition with the circuit or superior court of a county in which the territory is located. The court shall determine whether the annexation shall take place as set forth in section 5 of this chapter.

~~(i) A remonstrance under section 11 of this chapter may not be filed. However, an appeal under section 15.5 of this chapter may be filed.~~

~~(j)~~ **(i)** In the absence of an appeal under section 15.5 of this chapter, an annexation ordinance adopted under this section takes effect not less than thirty (30) days after the adoption of the ordinance and upon the filing and recording of the ordinance under section 22 of this chapter.

SECTION 7. IC 36-4-3-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5.5. (a) This section does not apply to an annexation under section 5 or 5.1 of this chapter.**

(b) This section applies only to an annexation for which an annexation ordinance is adopted after March 31, 2020.

(c) After a municipality meets the requirements under sections 2.1 and 2.2 of this chapter, and adopts an annexation ordinance under section 3 or 4 of this chapter, in order for the annexation to proceed, the municipality must file a written petition under subsection (f), signed by owners of land in the territory proposed to be annexed who are in favor of the annexation. The petition must be signed by:

(1) at least fifty-one percent (51%) of the owners of land:

(A) not exempt from property taxes under IC 6-1.1-10 or any other state law; and

(B) in the territory proposed to be annexed; or

(2) the owners of more than seventy-five percent (75%) in assessed valuation of land:

(A) not exempt from property taxes under IC 6-1.1-10 or any other state law; and

(B) in the territory proposed to be annexed.

(d) The petition circulated by the municipality must include on each page where signatures are affixed a heading that is substantially similar to the following:

"PETITION FOR ANNEXATION INTO THE (insert whether city or town) OF (insert name of city or town).".

(e) A landowner may withdraw the landowner's signature from the petition not more than ten (10) days after the municipality adopts the annexation ordinance by providing written notice to the office of the clerk of the municipality. A landowner who withdraws the landowner's signature from the petition is considered not to have signed the petition for purposes of subsection (h)(2).

(f) The municipality must file the petition with the circuit or superior court of the county where the municipality is located not later than ninety (90) days after the publication of the annexation ordinance under section 7 of this chapter. The petition must be accompanied by:

(1) a copy of the ordinance; and

(2) the names and addresses of all persons who meet the requirements of subsection (h).

(g) On receipt of the petition, the court shall determine whether the petition has the necessary signatures. In determining the total number of landowners of the territory proposed to be annexed and whether signers of the petition are landowners, the names appearing on the tax duplicate for that territory constitute prima facie evidence of ownership. Only one (1) person having an interest in each single property, as evidenced by the tax duplicate, is considered a landowner for purposes of this section. A person is entitled to sign a petition only one (1) time, regardless of whether the person owns more than one (1) parcel of real property. If the court determines that the municipality's petition has a sufficient number of signatures, the court shall fix a time, not later than sixty (60) days after its determination, for a hearing on the petition.

(h) A person may intervene as a party at the hearing described in subsection (g) if the following requirements are satisfied:

(1) The person owns, solely or with another person, property that is in the territory proposed to be annexed.

(2) None of the owners of the property signed the petition filed by the municipality.

(3) The person appeared in person or submitted a remonstrance or other document objecting to the annexation into the record of the municipality's hearing on the annexation ordinance under section 2.1 of this chapter.

The court shall give a person described in this subsection notice of the hearing on the petition by certified mail.

SECTION 8. IC 36-4-3-5.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5.6. (a) This section applies only to an annexation for which an annexation ordinance is adopted after March 31, 2020.**

(b) A waiver or release of the right of remonstrance by a landowner or successor in title is void and may not be considered or counted as a valid signature on a petition in favor of annexation under section 5, 5.1, or 5.5 of this chapter.

(c) If with regard to a signature on a petition for annexation under section 5, 5.1, or 5.5 of this chapter:

(1) the validity of a signature is uncertain; and

(2) this section does not establish a standard to be applied in the case;

a reasonable doubt must be resolved in favor of the validity of the signature.

(d) Whenever the name of an individual, as printed or signed, contains a minor variation from the name of the individual as set forth in the relevant county records, the signature is considered valid.

(e) Whenever the residence address or mailing address of an individual contains a minor variation from the residence address or mailing address as set forth in the relevant county records, the signature is considered valid.

(f) If the residence address or mailing address of an individual contains a substantial variation from the residence

address or mailing address as set forth in the relevant county records, the signature is considered invalid.

(g) If the signature of an individual does not substantially conform with the signature of the individual in relevant county records, the signature is considered invalid. In determining whether a signature substantially conforms with the signature in the relevant county records, consideration shall be given to whether that lack of conformity may reasonably be attributed to the age, disability, or impairment of the individual.

SECTION 9. IC 36-4-3-7, AS AMENDED BY P.L.236-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) After an ordinance is adopted under section 3, 4, 5, or 5.1 of this chapter, it must be published in the manner prescribed by IC 5-3-1.

(b) This subsection applies only to an annexation for which an annexation ordinance is adopted before April 1, 2020. Except as provided in subsection ~~(b),~~ (c) ~~(d), or (f),~~ **(e), or (g),** in the absence of remonstrance and appeal under section 11 or 15.5 of this chapter, the ordinance takes effect at least ninety (90) days after its publication and upon the filing required by section 22(a) of this chapter.

(c) An annexation ordinance takes effect as follows:

(1) This subdivision applies to an annexation under section 5 of this chapter. Except as provided in subsection (e), in the absence of an appeal under section 15.5 of this chapter, the annexation ordinance takes effect at least ninety (90) days after its publication and upon filing under section 22(a) of this chapter.

(2) This subdivision applies to an annexation under section 5.1 of this chapter. Except as provided in subsection (e), in the absence of an appeal under section 15.5 of this chapter, the ordinance takes effect at least thirty (30) days after the adoption of the ordinance and upon the filing under section 22(a) of this chapter.

(3) This subdivision applies to an annexation under section 5.5 of this chapter. Except as provided in subsection (e), if a final and unappealable judgment under section 12 or 15.5 of this chapter is entered in favor of the annexation, the annexation is effective upon the filing under section 22(a) of this chapter.

(4) This subdivision applies to an annexation under section 7.1 of this chapter for which an annexation ordinance is adopted after March 31, 2020. If a final and unappealable judgment under section 12 or 15.5 of this chapter is entered in favor of the annexation, the annexation is effective upon the filing under section 22(a) of this chapter.

~~(b) An ordinance described in subsection (d) or adopted under section 3, 4, 5, or 5.1 of this chapter may not take effect during the year preceding a year in which a federal decennial census is conducted. An ordinance that would otherwise take effect during the year preceding a year in which a federal decennial census is conducted takes effect January 1 of the year in which a federal decennial census is conducted.~~

~~(c)~~ **(d)** Subsections ~~(d) and (e)~~ **(e) and (f)** apply to fire protection districts that are established after July 1, 1987, and to which subsection ~~(g)~~ **(h)** does not apply. For the purposes of this section, territory that has been:

(1) added to an existing fire protection district under IC 36-8-11-11; or

(2) approved by ordinance of the county legislative body to be added to an existing fire protection district under IC 36-8-11-11, notwithstanding that the territory's addition to the fire protection district has not yet taken effect;

shall be considered a part of the fire protection district as of the date that the fire protection district was originally established.

~~(d)~~ **(e)** ~~Except as provided in subsection (b),~~ Whenever a municipality annexes territory, all or part of which lies within a fire protection district (IC 36-8-11), the annexation ordinance in the absence of remonstrance and appeal under section 11 or 15.5 of this chapter **(in the case of an annexation for which an annexation ordinance is adopted before April 1, 2020) or in the absence of a hearing or an appeal under section 12 or 15.5 of this chapter (in the case of an annexation for which an annexation ordinance is adopted after March 31, 2020)** takes effect the second January 1 that follows the date the ordinance is adopted and upon the filing required by section 22(a) of this chapter. Except in the case of an annexation to which subsection (g) applies, the municipality shall:

(1) provide fire protection to that territory beginning the date the ordinance is effective; and

(2) send written notice to the fire protection district of the date the municipality will begin to provide fire protection to the annexed territory within ten (10) days of the date the ordinance is adopted.

~~(e)~~ **(f)** If the fire protection district from which a municipality annexes territory under subsection ~~(d)~~ **(e)** is indebted or has outstanding unpaid bonds or other obligations at the time the annexation is effective, the municipality is liable for and shall pay that indebtedness in the same ratio as the assessed valuation of the property in the annexed territory (that is part of the fire protection district) bears to the assessed valuation of all property in the fire protection district, as shown by the most recent assessment for taxation before the annexation, unless the assessed property within the municipality is already liable for the indebtedness. The annexing municipality shall pay its indebtedness under this section to the board of fire trustees. If the indebtedness consists of outstanding unpaid bonds or notes of the fire protection district, the payments to the board of fire trustees shall be made as the principal or interest on the bonds or notes becomes due.

~~(f) This subsection applies to an annexation initiated by property owners under section 5.1 of this chapter in which all property owners within the area to be annexed petition the municipality to be annexed. Subject to subsections (b) and (d), and in the absence of an appeal under section 15.5 of this chapter, an annexation ordinance takes effect at least thirty (30) days after its publication and upon the filing required by section 22(a) of this chapter.~~

(g) Whenever a municipality annexes territory that lies within a fire protection district that has a total net assessed value (as determined by the county auditor) of more than one billion dollars ($1,000,000,000) on the date the annexation ordinance is adopted:

(1) the annexed area shall remain a part of the fire protection district after the annexation takes effect; and

(2) the fire protection district shall continue to provide fire protection services to the annexed area.

The municipality shall not tax the annexed territory for fire protection services. The annexing municipality shall establish a special fire fund for all fire protection services that are provided by the municipality within the area of the municipality that is not within the fire protection district, and which shall not be assessed to the annexed special taxing district. The annexed territory that lies within the fire protection district shall continue to be part of the fire protection district special taxing district.

SECTION 10. IC 36-4-3-7.1, AS AMENDED BY P.L.257-2019, SECTION 111, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7.1. **(a)** ~~Notwithstanding section 7(b) of this chapter,~~ An ordinance adopted under section 4 or 5.1 of this chapter **that meets the conditions set forth in subsection (b)** takes effect **as follows:**

(1) In the case of an annexation for which an annexation ordinance was adopted before April 1, 2020, the ordinance takes effect immediately:

(A) upon the expiration of the remonstrance and appeal period under section 11, 11.1, or 15.5 of this chapter; and

(B) after the publication, filing, and recording required by section 22(a) of this chapter. ~~if all of the following conditions are met:~~

(2) In the case of an annexation for which an annexation ordinance was adopted after March 31, 2020, the ordinance takes effect as set forth in section 7(c)(4) of this chapter.

(b) This section applies to an annexation that meets all of the following conditions:

(1) The annexed territory has no population.

(2) Ninety percent (90%) of the total assessed value of the land for property tax purposes has one (1) owner.

(3) The annexation is required to fulfill an economic development incentive package and to retain an industry through various local incentives, including urban enterprise zone benefits.

SECTION 11. IC 36-4-3-11, AS AMENDED BY P.L.206-2016, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) This subsection applies only to an annexation for which an annexation ordinance was adopted before July 1, 2015. Except as provided in section 5.1(i) of this chapter **(as in effect on July 1, 2015)** and subsections (e) and (f), whenever territory is annexed by a municipality under this chapter, the annexation may be appealed by filing with the circuit or superior court of a county in which the annexed territory is located a written remonstrance signed by:

(1) at least sixty-five percent (65%) of the owners of land in the annexed territory; or

(2) the owners of more than seventy-five percent (75%) in assessed valuation of the land in the annexed territory.

The remonstrance must be filed within ninety (90) days after the publication of the annexation ordinance under section 7 of this chapter, must be accompanied by a copy of that ordinance, and must state the reason why the annexation should not take place.

(b) This subsection applies only to an annexation for which an annexation ordinance was adopted before July 1, 2015. On receipt of the remonstrance, the court shall determine whether the remonstrance has the necessary signatures. In determining the total number of landowners of the annexed territory and whether signers of the remonstrance are landowners, the names appearing on the tax duplicate for that territory constitute prima facie evidence of ownership. Only one (1) person having an interest in each single property, as evidenced by the tax duplicate, is considered a landowner for purposes of this section.

(c) This subsection applies only to an annexation for which an annexation ordinance was adopted before July 1, 2015. If the court determines that the remonstrance is sufficient, the court shall fix a time, within sixty (60) days after the court's determination, for a hearing on the remonstrance. Notice of the proceedings, in the form of a summons, shall be served on the annexing municipality. The municipality is the defendant in the cause and shall appear and answer.

(d) This subsection applies only to an annexation for which an annexation ordinance was adopted after June 30, 2015, **and before April 1, 2020.** If the requirements of section 11.3(c) or (after December 31, 2016) section 11.4 of this chapter are met, the annexation may be appealed by filing with the circuit or superior court of a county in which the annexed territory is located:

(1) the signed remonstrances filed with the county auditor;

(2) the county auditor's certification under section 11.2(i) of this chapter;

(3) the annexation ordinance; and

(4) a statement of the reason why the annexation should not take place.

The remonstrance must be filed with the court not later than fifteen (15) business days after the date the county auditor files the certificate with the legislative body under section 11.2(i) of this chapter. After a remonstrance petition is filed with the court, any person who signed a remonstrance may file with the court a verified, written revocation of the person's opposition to the annexation.

(e) If an annexation is initiated by property owners under section 5.1 of this chapter and all property owners within the area to be annexed petition the municipality to be annexed, a remonstrance to the annexation may not be filed under this section.

(f) This subsection applies only to an annexation for which an annexation ordinance is adopted before July 1, 2015. This subsection applies if:

(1) the territory to be annexed consists of not more than one hundred (100) parcels; and

(2) eighty percent (80%) of the boundary of the territory proposed to be annexed is contiguous to the municipality.

An annexation may be appealed by filing with the circuit or superior court of a county in which the annexed territory is located a written remonstrance signed by at least seventy-five percent (75%) of the owners of land in the annexed territory as determined under subsection (b).

SECTION 12. IC 36-4-3-11.1, AS ADDED BY

P.L.228-2015, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11.1. (a) This section applies only to an annexation ordinance adopted after June 30, 2015, **and before April 1, 2020.**

(b) After a municipality adopts an annexation ordinance in accordance with all applicable notice and hearing requirements under this chapter, the annexation may not proceed unless the annexing municipality completes the procedures set forth in this section.

(c) The proper officers of the municipality must give notice of the applicability of the remonstrance process by providing notice by:

(1) publication in accordance with IC 5-3-1; and

(2) first class mail or certified mail with return receipt requested, or any other means of delivery that includes a return receipt;

to the circuit court clerk and to owners of real property described in section 2.2 of this chapter. Notice under this section must be published and mailed or delivered on the same date that notice of the adoption of the annexation ordinance is published under section 7 of this chapter.

(d) The notice of the applicability of the remonstrance process under subsection (c) must state the following:

(1) Any owners of real property within the area proposed to be annexed who want to remonstrate against the proposed annexation must complete and file remonstrance petitions in compliance with this chapter. The notice must state:

(A) that remonstrance petitions must be filed not later than ninety (90) days after the date that notice of the adoption of the annexation ordinance was published under section 7 of this chapter; and

(B) the last date in accordance with clause (A) that remonstrance petitions must be filed with the county auditor to be valid.

(2) A remonstrance petition may be signed at the locations provided by the municipality under subsection (e). The notice must provide the following information regarding each location:

(A) The address of the location.

(B) The dates and hours during which a remonstrance petition may be signed at the location.

(e) Beginning the day after publication of the notice under subsection (c) and ending not later than ninety (90) days after publication of the notice under subsection (c), the municipality shall provide both of the following:

(1) At least one (1) location in the offices of the municipality where a person may sign a remonstrance petition during regular business hours.

(2) At least one (1) additional location that is available for at least five (5) days, where a person may sign a remonstrance petition. The location must meet the following requirements:

(A) The location must be in a public building:

(i) owned or leased by the state or a political subdivision, including a public library, community center, or parks and recreation building; and

(ii) located within the boundaries of the municipality or the annexation territory.

(B) The location must be open according to the following:

(i) On a day that the location is open on a weekday, the location must be open at a minimum from 5 p.m. to 9 p.m.

(ii) On a day that the location is open on a Saturday or Sunday, the location must be open at least four (4) hours during the period from 9 a.m. to 5 p.m.

(f) An additional location may not be open on a day that is a legal holiday. At any location and during the hours that a remonstrance petition may be signed, the municipality shall have a person present:

(1) to witness the signing of remonstrance petitions; and

(2) who shall swear and affirm before a notary public that the person witnessed each person sign the remonstrance petition.

SECTION 13. IC 36-4-3-11.2, AS AMENDED BY P.L.206-2016, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11.2. (a) This section applies only to an annexation ordinance adopted after June 30, 2015, **and before April 1, 2020.**

(b) A remonstrance petition may be filed by an owner of real property that:

(1) is within the area to be annexed;

(2) was not exempt from property taxes under IC 6-1.1-10 or any other state law for the immediately preceding year; and

(3) is not subject to a valid waiver of remonstrance.

(c) A remonstrance petition must comply with the following in order to be effective:

(1) Each signature on a remonstrance petition must be dated, and the date of the signature may not be earlier than the date on which the remonstrance forms may be issued by the county auditor under subsection (e)(7).

(2) Each person who signs a remonstrance petition must indicate the address of the real property owned by the person in the area to be annexed.

(3) A remonstrance petition must be verified in compliance with subsection (e).

(d) The state board of accounts shall design the remonstrance forms to be used solely in the remonstrance process described in this section. The state board of accounts shall provide the forms to the county auditor in an electronic format that permits the county auditor to copy or reproduce the forms using:

(1) the county auditor's own equipment; or

(2) a commercial copying service.

The annexing municipality shall reimburse the county auditor for the cost of reproducing the remonstrance forms.

(e) The county auditor's office shall issue remonstrance forms accompanied by instructions detailing all of the following requirements:

(1) The closing date for the remonstrance period.

(2) Only one (1) person having an interest in each single property as evidenced by the tax duplicate is considered an owner of property and may sign a remonstrance petition. A

person is entitled to sign a petition only one (1) time in a remonstrance process, regardless of whether the person owns more than one (1) parcel of real property.

(3) An individual may not be:

(A) compensated for; or

(B) reimbursed for expenses incurred in;

circulating a remonstrance petition and obtaining signatures.

(4) The remonstrance petition may be executed in several counterparts, the total of which constitutes the remonstrance petition. An affidavit of the person circulating a counterpart must be attached to the counterpart. The affidavit must state that each signature appearing on the counterpart was affixed in the person's presence and is the true and lawful signature of the signer. The affidavit must be notarized.

(5) A remonstrance petition that is not executed in counterparts must be verified by the person signing the petition in the manner prescribed by the state board of accounts and notarized.

(6) A remonstrance petition may be delivered to the county auditor's office in person or by:

(A) certified mail, return receipt requested; or

(B) any other means of delivery that includes a return receipt.

The remonstrance petition must be postmarked not later than the closing date for the remonstrance period.

(7) The county auditor's office may not issue a remonstrance petition earlier than the day that notice is published under section 11.1 of this chapter. The county auditor's office shall certify the date of issuance on each remonstrance petition. Any person may pick up additional copies of the remonstrance petition to distribute to other persons.

(8) A person who signs a remonstrance petition may withdraw the person's signature from a remonstrance petition before a remonstrance petition is filed with the county auditor by filing a verified request to remove the person's name from the remonstrance petition. Names may not be added to a remonstrance petition after the remonstrance petition is filed with the county auditor.

(f) The county auditor shall prepare and update weekly a list of the persons who have signed a remonstrance petition. The list must include a statement that the list includes all persons who have signed a remonstrance petition as of a particular date, and does not represent a list of persons certified by the county auditor as actual landowners in the annexation territory using the auditor's current tax records under subsection (i). The county auditor shall post the list in the office of the county auditor. The list is a public record under IC 5-14-3.

(g) Not later than five (5) business days after receiving the remonstrance petition, the county auditor shall submit a copy of the remonstrance petition to the legislative body of the annexing municipality.

(h) Not later than fifteen (15) business days after the legislative body of the annexing municipality receives a copy of the remonstrance petition from the county auditor, the annexing municipality shall provide documentation to the county auditor regarding any valid waiver of the right of remonstrance that exists on the property within the annexation territory.

(i) Not later than fifteen (15) business days after receiving the documentation regarding any valid waiver of the right of remonstrance from the annexing municipality under subsection (h), if any, the county auditor's office shall make a final determination of the number of owners of real property within the territory to be annexed:

(1) who signed the remonstrance; and

(2) whose property is not subject to a valid waiver of the right of remonstrance;

using the auditor's current tax records as provided in section 2.2 of this chapter. The county auditor shall file a certificate with the legislative body of the annexing municipality certifying the number of property owners not later than five (5) business days after making the determination.

SECTION 14. IC 36-4-3-11.3, AS ADDED BY P.L.228-2015, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11.3. (a) This section applies only to an annexation ordinance adopted after June 30, 2015, **and before April 1, 2020.**

(b) An annexation ordinance is void if a written remonstrance petition is signed by one (1) of the following:

(1) At least sixty-five percent (65%) of the owners of land in the annexed territory. An owner of land may not:

(A) be counted in calculating the total number of owners of land in the annexation territory; or

(B) have the owner's signature counted on a remonstrance;

with regard to any single property that an owner has an interest in that was exempt from property taxes under IC 6-1.1-10 or any other state law for the immediately preceding year.

(2) The owners of at least eighty percent (80%) in assessed valuation of the land in the annexed territory. Land that was exempt from property taxes under IC 6-1.1-10 or any other state law for the immediately preceding year may not be included in calculating the total assessed valuation of the land in the annexation territory. The court may not count the owner's signature on a remonstrance with regard to any single property that the owner has an interest in that was exempt from property taxes under IC 6-1.1-10 or any other state law for the immediately preceding year.

(c) The annexation may be appealed to the court under section 11 of this chapter, if a written remonstrance is signed by one (1) of the following:

(1) At least fifty-one percent (51%) but less than sixty-five percent (65%) of the owners of land. An owner of land may not:

(A) be counted in calculating the total number of owners of land in the annexation territory; or

(B) have the owner's signature counted on a remonstrance;

with regard to any single property that the owner has an interest in that was exempt from property taxes under IC 6-1.1-10 or any other state law for the immediately

preceding year.

(2) The owners of at least sixty percent (60%) but less than eighty percent (80%) in assessed valuation of land in the annexed territory. Land that was exempt from property taxes under IC 6-1.1-10 or any other state law for the immediately preceding year may not be included in calculating the total assessed valuation of the land in the annexation territory. The court may not count an owner's signature on a remonstrance with regard to any single property that the owner has an interest in that was exempt from property taxes under IC 6-1.1-10 or any other state law for the immediately preceding year.

SECTION 15. IC 36-4-3-11.4, AS ADDED BY P.L.228-2015, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11.4. (a) This section applies only to an annexation that ~~the~~ meets all of the following requirements:

(1) The annexation ordinance is adopted after December 31, 2016, **and before April 1, 2020.**

(2) Notwithstanding the contiguity requirements of section 1.5 of this chapter, at least one-tenth (1/10) of the aggregate external boundaries of the territory sought to be annexed coincides with the boundaries of:

(A) the municipality; and

(B) the site of an economic development project.

(b) As used in this section, "economic development project" means any project developed by the municipality that meets all of the following requirements:

(1) The annexing municipality determines that the project will:

(A) promote significant opportunities for the gainful employment of its citizens;

(B) attract a major new business enterprise to the municipality; or

(C) retain or expand a significant business enterprise within the municipality.

(2) The project involves expenditures by the annexing municipality for any of the following:

(A) Land acquisition, interests in land, site improvements, infrastructure improvements, buildings, or structures.

(B) Rehabilitation, renovation, and enlargement of buildings and structures.

(C) Machinery, equipment, furnishings, or facilities.

(D) Substance removal or remedial action.

(c) Notwithstanding section 11.3(b) of this chapter, even if a remonstrance has enough signatures to satisfy the requirements of section 11.3(b) of this chapter, the annexation ordinance is not void and may be appealed to the court under section 11 of this chapter, if all of the following requirements are met:

(1) The economic development project site needs the following capital services that the municipality is lawfully able to provide:

(A) water;

(B) sewer;

(C) gas; or

(D) any combination of the capital services described in clauses (A) through (C).

(2) The municipality finds that it is in the municipality's best interest to annex the annexation territory in order to extend, construct, or operate the capital services that are provided to the economic development project site.

(3) Before the date the annexation ordinance is adopted, a taxpayer whose business will occupy the economic development project site has done at least one (1) of the following:

(A) Filed a statement of benefits under IC 6-1.1-12.1 with the designating body for the annexing municipality for a deduction or abatement.

(B) Entered into an agreement with the Indiana economic development corporation for a credit under IC 6-3.1-13.

(d) If the economic development project:

(1) has not commenced within twelve (12) months after the date the annexation ordinance is adopted; or

(2) is not completed within thirty-six (36) months after the date the annexation ordinance is adopted;

the annexation territory is disannexed from the municipality and reverts to the jurisdiction of the unit having jurisdiction before the annexation. For purposes of this subsection, ~~a~~ **an** economic development project is considered to have commenced on the day that the physical erection, installation, alteration, repair, or remodeling of a building or structure commences on the site of the economic development project.

SECTION 16. IC 36-4-3-11.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11.5. **(a)** A landowner in an unincorporated area is not required to grant a municipality a waiver against remonstrance as a condition of connection to a sewer or water service if all of the following conditions apply:

(1) The landowner is required to connect to the sewer or water service because a person other than the landowner has polluted or contaminated the area.

(2) A person other than the landowner or the municipality has paid the cost of connection to the service.

(b) Notwithstanding any other law, a waiver against remonstrance is effective and binding on a landowner or a successor in title only with regard to an annexation for which the annexation ordinance was adopted before April 1, 2020.

SECTION 17. IC 36-4-3-11.6, AS ADDED BY P.L.228-2015, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11.6. (a) This section applies to a remonstrance filed after June 30, 2015, **and before April 1, 2020.**

(b) If the court orders an annexation not to take place after a hearing under section 11 of this chapter, the remonstrators shall be reimbursed by the annexing municipality for any reasonable attorney's fees, including litigation expenses and appeal costs:

(1) that are incurred:

(A) after the date the annexation ordinance is adopted; and

(B) in remonstrating against the annexation; and

(2) not to exceed thirty-seven thousand five hundred dollars ($37,500).

SECTION 18. IC 36-4-3-11.7, AS AMENDED BY

P.L.257-2019, SECTION 112, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11.7. (a) This subsection applies to any deed recorded after June 30, 2015. This subsection applies only to property that is subject to a remonstrance waiver. A municipality shall, within a reasonable time after the recording of a deed to property located within the municipality, provide written notice to the property owner that a waiver of the right of remonstrance exists with respect to the property.

(b) A remonstrance waiver executed before July 1, 2003, is void. This subsection does not invalidate an annexation that was effective on or before July 1, 2019.

(c) A remonstrance waiver executed after June 30, 2003, and before July 1, 2019, is subject to the following:

(1) The waiver is void unless the waiver was recorded:

(A) before January 1, 2020; and

(B) with the county recorder of the county where the property subject to the waiver is located.

(2) A waiver that is not void under subdivision (1) expires not later than fifteen (15) years after the date the waiver is executed.

This subsection does not invalidate an annexation that was effective on or before July 1, 2019.

(d) A remonstrance waiver executed after June 30, 2019, ~~is subject to the following: (1) The waiver is void unless the waiver is~~ **must be** recorded ~~(A)~~ not later than thirty (30) business days after the date the waiver was executed ~~and (B)~~ with the county recorder of the county where the property subject to the waiver is located. ~~(2) A waiver that is not void under subdivision (1) expires not later than fifteen (15) years after the date the waiver is executed.~~ This subsection does not invalidate an annexation that was effective on or before July 1, 2019.

(e) Notwithstanding any other law, a remonstrance waiver is effective and binding on a landowner or a successor in title only with regard to an annexation for which the annexation ordinance was adopted before April 1, 2020.

SECTION 19. IC 36-4-3-12, AS AMENDED BY P.L.113-2010, SECTION 117, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. ~~(a)~~ The circuit or superior court shall:

(1) on the date fixed under:

(A) section 11 of this chapter **(in the case of an annexation for which an annexation ordinance is adopted before April 1, 2020),** hear and determine the remonstrance without a jury; **or**

(B) section 5.5 of this chapter (in the case of an annexation for which an annexation ordinance is adopted after March 31, 2020), hear and determine the petition without a jury; and

(2) without delay, enter judgment on the question of the annexation according to the evidence that either party may introduce.

~~(b) If the court enters judgment in favor of the annexation, the annexation may not take effect during the year preceding the year in which a federal decennial census is conducted. An annexation that would otherwise take effect during the year preceding a year in which a federal decennial census is conducted takes effect January 1 of the year in which a federal decennial census is conducted.~~

SECTION 20. IC 36-4-3-13, AS AMENDED BY P.L.206-2016, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) Except as provided in subsection (e), at the hearing under section 12 of this chapter, the court shall order a proposed annexation to take place if the following requirements are met:

(1) The requirements of either subsection (b) or (c).

(2) The requirements of subsection (d).

(3) The requirements of subsection (i) **(in the case of an annexation for which an annexation ordinance is adopted before April 1, 2020).**

(b) The requirements of this subsection are met if the evidence establishes the following:

(1) That the territory sought to be annexed is contiguous to the municipality.

(2) One (1) of the following:

(A) The resident population density of the territory sought to be annexed is at least three (3) persons per acre.

(B) Sixty percent (60%) of the territory is subdivided.

(C) The territory is zoned for commercial, business, or industrial uses.

(c) The requirements of this subsection are met if the evidence establishes one (1) of the following:

(1) That the territory sought to be annexed is:

(A) contiguous to the municipality as required by section 1.5 of this chapter, except that at least one-fourth (1/4), instead of one-eighth (1/8), of the aggregate external boundaries of the territory sought to be annexed must coincide with the boundaries of the municipality; and

(B) needed and can be used by the municipality for its development in the reasonably near future.

(2) This subdivision applies only to an annexation for which an annexation ordinance is adopted after December 31, 2016, **and before April 1, 2020.** That the territory sought to be annexed involves an economic development project and the requirements of section 11.4 of this chapter are met.

(d) The requirements of this subsection are met if the evidence establishes that the municipality has developed and adopted a written fiscal plan and has established a definite policy, by resolution of the legislative body as set forth in section 3.1 of this chapter. The fiscal plan must show the following:

(1) The cost estimates of planned services to be furnished to the territory to be annexed. The plan must present itemized estimated costs for each municipal department or agency.

(2) The method or methods of financing the planned services. The plan must explain how specific and detailed expenses will be funded and must indicate the taxes, grants, and other funding to be used.

(3) The plan for the organization and extension of services. The plan must detail the specific services that will be provided and the dates the services will begin.

(4) That planned services of a noncapital nature, including police protection, fire protection, street and road

maintenance, and other noncapital services normally provided within the corporate boundaries, will be provided to the annexed territory within one (1) year after the effective date of annexation and that they will be provided in a manner equivalent in standard and scope to those noncapital services provided to areas within the corporate boundaries regardless of similar topography, patterns of land use, and population density.

(5) That services of a capital improvement nature, including street construction, street lighting, sewer facilities, water facilities, and stormwater drainage facilities, will be provided to the annexed territory within three (3) years after the effective date of the annexation in the same manner as those services are provided to areas within the corporate boundaries, regardless of similar topography, patterns of land use, and population density, and in a manner consistent with federal, state, and local laws, procedures, and planning criteria.

(6) This subdivision applies to a fiscal plan prepared after June 30, 2015. The estimated effect of the proposed annexation on taxpayers in each of the political subdivisions to which the proposed annexation applies, including the expected tax rates, tax levies, expenditure levels, service levels, and annual debt service payments in those political subdivisions for four (4) years after the effective date of the annexation.

(7) This subdivision applies to a fiscal plan prepared after June 30, 2015. The estimated effect the proposed annexation will have on municipal finances, specifically how municipal tax revenues will be affected by the annexation for four (4) years after the effective date of the annexation.

(8) This subdivision applies to a fiscal plan prepared after June 30, 2015. Any estimated effects on political subdivisions in the county that are not part of the annexation and on taxpayers located in those political subdivisions for four (4) years after the effective date of the annexation.

(9) This subdivision applies to a fiscal plan prepared after June 30, 2015. A list of all parcels of property in the annexation territory and the following information regarding each parcel:

(A) The name of the owner of the parcel.

(B) The parcel identification number.

(C) The most recent assessed value of the parcel.

(D) The existence of a known waiver of the right to remonstrate on the parcel. This clause applies only to a fiscal plan prepared after June 30, 2016, **and before April 1, 2020.**

(e) At the hearing under section 12 of this chapter **with regard to an annexation for which an annexation ordinance was adopted before April 1, 2020,** the court shall do the following:

(1) Consider evidence on the conditions listed in subdivision (2).

(2) Order a proposed annexation not to take place if the court finds that all of the following conditions that are applicable to the annexation exist in the territory proposed to be annexed:

(A) This clause applies only to an annexation for which an annexation ordinance was adopted before July 1, 2015. The following services are adequately furnished by a provider other than the municipality seeking the annexation:

(i) Police and fire protection.

(ii) Street and road maintenance.

(B) The annexation will have a significant financial impact on the residents or owners of land. The court may not consider:

(i) the personal finances; or

(ii) the business finances;

of a resident or owner of land. The personal and business financial records of the residents or owners of land, including state, federal, and local income tax returns, may not be subject to a subpoena or discovery proceedings.

(C) The annexation is not in the best interests of the owners of land in the territory proposed to be annexed as set forth in subsection (f).

(D) This clause applies only to an annexation for which an annexation ordinance is adopted before July 1, 2015. One (1) of the following opposes the annexation:

(i) At least sixty-five percent (65%) of the owners of land in the territory proposed to be annexed.

(ii) The owners of more than seventy-five percent (75%) in assessed valuation of the land in the territory proposed to be annexed.

Evidence of opposition may be expressed by any owner of land in the territory proposed to be annexed.

(E) This clause applies only to an annexation for which an annexation ordinance is adopted after June 30, 2015, **and before April 1, 2020.** One (1) of the following opposes the annexation:

(i) At least fifty-one percent (51%) of the owners of land in the territory proposed to be annexed.

(ii) The owners of more than sixty percent (60%) in assessed valuation of the land in the territory proposed to be annexed.

The remonstrance petitions filed with the court under section 11 of this chapter are evidence of the number of owners of land that oppose the annexation, minus any written revocations of remonstrances that are filed with the court under section 11 of this chapter.

(F) This clause applies only to an annexation for which an annexation ordinance is adopted before July 1, 2015. This clause applies only to an annexation in which eighty percent (80%) of the boundary of the territory proposed to be annexed is contiguous to the municipality and the territory consists of not more than one hundred (100) parcels. At least seventy-five percent (75%) of the owners of land in the territory proposed to be annexed oppose the annexation as determined under section 11(b) of this chapter.

(f) **This subsection applies only to an annexation for which**

an annexation ordinance is adopted before April 1, 2020. The municipality under subsection (e)(2)(C) bears the burden of proving that the annexation is in the best interests of the owners of land in the territory proposed to be annexed. In determining this issue, the court may consider whether the municipality has extended sewer or water services to the entire territory to be annexed:

(1) within the three (3) years preceding the date of the introduction of the annexation ordinance; or

(2) under a contract in lieu of annexation entered into under IC 36-4-3-21.

The court may not consider the provision of water services as a result of an order by the Indiana utility regulatory commission to constitute the provision of water services to the territory to be annexed.

(g) The most recent:

(1) federal decennial census;

(2) federal special census;

(3) special tabulation; or

(4) corrected population count;

shall be used as evidence of resident population density for purposes of subsection (b)(2)(A), but this evidence may be rebutted by other evidence of population density.

(h) A municipality that prepares a fiscal plan after June 30, 2015, must comply with this subsection. A municipality may not amend the fiscal plan after the date that:

(1) a remonstrance is filed with the court under section 11 of this chapter **(in the case of an annexation for which an annexation ordinance was adopted before April 1, 2020); or**

(2) a petition is filed with the court under section 5.5 of this chapter (in the case of an annexation for which an annexation ordinance was adopted after March 31, 2020);

unless amendment of the fiscal plan is consented to by ~~at least sixty-five percent (65%) of~~ the persons who signed the remonstrance **or the** petition.

(i) The municipality must submit proof that the municipality has complied with:

~~(A)~~ **(1)** the outreach program requirements and notice requirements of section 1.7 of this chapter; and

~~(B)~~ **(2)** the requirements of section 11.1 of this chapter **(in the case of an annexation for which an annexation ordinance was adopted after June 30, 2015, and before April 1, 2020).**

SECTION 21. IC 36-4-3-15, AS AMENDED BY P.L.228-2015, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) The court's judgment under section 12 or 15.5 of this chapter must specify the annexation ordinance. ~~on which the remonstrance is based.~~ The clerk of the court shall deliver a certified copy of the final and unappealable judgment to the clerk of the municipality. The clerk of the municipality shall:

(1) record the judgment in the clerk's ordinance record; and

(2) make a cross-reference to the record of the judgment on the margin of the record of the annexation ordinance.

(b) If a final and unappealable judgment under section 12 or 15.5 of this chapter is adverse to annexation, the municipality may not make further attempts to annex the territory or any part of the territory during the four (4) years after the later of:

(1) the judgment of the circuit or superior court; or

(2) the date of the final disposition of all appeals to a higher court;

unless the annexation is petitioned for under section 5 or 5.1 of this chapter.

(c) This subsection applies if a municipality repeals the annexation ordinance:

(1) less than sixty-one (61) days after the publication of the ordinance under section 7(a) of this chapter; and

(2) before the hearing commences:

(A) on the remonstrance under section 11(c) of this chapter **(in the case of an annexation for which an annexation ordinance is adopted before April 1, 2020); or**

(B) on the petition under section 12 of this chapter (in the case of an annexation for which an annexation ordinance is adopted after March 31, 2020).

A municipality may not make further attempts to annex the territory or any part of the territory during the twelve (12) months after the date the municipality repeals the annexation ordinance. This subsection does not prohibit an annexation of the territory or part of the territory that is petitioned for under section 5 or 5.1 of this chapter.

(d) This subsection applies if a municipality repeals the annexation ordinance:

(1) at least sixty-one (61) days but not more than one hundred twenty (120) days after the publication of the ordinance under section 7(a) of this chapter; and

(2) before the hearing commences:

(A) on the remonstrance under section 11(c) of this chapter **(in the case of an annexation for which an annexation ordinance is adopted before April 1, 2020); or**

(B) on the petition under section 12 of this chapter (in the case of an annexation for which an annexation ordinance is adopted after March 31, 2020).

A municipality may not make further attempts to annex the territory or any part of the territory during the twenty-four (24) months after the date the municipality repeals the annexation ordinance. This subsection does not prohibit an annexation of the territory or part of the territory that is petitioned for under section 5 or 5.1 of this chapter.

(e) This subsection applies if a municipality repeals the annexation ordinance:

(1) either:

(A) at least one hundred twenty-one (121) days after publication of the ordinance under section 7(a) of this chapter but before the hearing commences:

(i) on the remonstrance under section 11(c) of this chapter **(in the case of an annexation for which an annexation ordinance is adopted before April 1, 2020);** or

(ii) on the petition under section 12 of this chapter (in the case of an annexation for which an

annexation ordinance is adopted after March 31, 2020).

(B) after the hearing commences:

(i) on the remonstrance as set forth in section 11(c) of this chapter **(in the case of an annexation for which an annexation ordinance is adopted before April 1, 2020); or**

(ii) on the petition under section 12 of this chapter (in the case of an annexation for which an annexation ordinance is adopted after March 31, 2020); and

(2) before the date of the judgment of the circuit or superior court as set forth in subsection (b).

A municipality may not make further attempts to annex the territory or any part of the territory during the forty-two (42) months after the date the municipality repeals the annexation ordinance. This subsection does not prohibit an annexation of the territory or part of the territory that is petitioned for under section 5 or 5.1 of this chapter.

(f) An annexation is effective when the clerk of the municipality complies with the filing requirement of section 22(a) of this chapter.

SECTION 22. IC 36-4-3-15.3, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15.3. (a) As used in this section, "prohibition against annexation" means that a municipality may not make further attempts to annex certain territory or any part of that territory.

(b) As used in this section, "settlement agreement" means a written court approved settlement of a dispute involving annexation under this chapter between a municipality and remonstrators.

(c) Under a settlement agreement between the annexing municipality and either:

(1) seventy-five percent (75%) or more of all landowners participating in the remonstrance; or

(2) the owners of more than seventy-five percent (75%) in assessed valuation of the land owned by all landowners participating in the remonstrance;

the parties may mutually agree to a prohibition against annexation of all or part of the territory by the municipality for a period not to exceed twenty (20) years. The settlement agreement may address issues and bind the parties to matters relating to the provision by a municipality of planned services of a noncapital nature and services of a capital improvement nature (as described in section 13(d) of this chapter), in addition to a prohibition against annexation. The settlement agreement is binding upon the successors, heirs, and assigns of the parties to the agreement. However, the settlement agreement may be amended or revised periodically on further agreement between the annexing municipality and landowners who meet the qualifications of ~~subsection (c)(1) or (c)(2).~~ **subdivision (1) or (2).**

(d) A settlement agreement executed after March 31, 2020, is void.

SECTION 23. IC 36-4-3-15.5, AS AMENDED BY P.L.207-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15.5. (a) Except as provided in subsection (b):

(1) an owner of land within one-half (1/2) mile of territory proposed to be annexed under this chapter; or

(2) a municipality located in the same county as the territory proposed to be annexed;

may, not later than sixty (60) days after the publication of the annexation ordinance, appeal that annexation to a circuit court or superior court of a county in which the annexed territory is located. The complaint must state that the reason the annexation should not take place is that the territory sought to be annexed is not contiguous to the annexing municipality.

(b) This subsection applies to an annexation initiated by property owners under section 5.1 of this chapter in which all property owners within the area to be annexed petition the municipality to be annexed. Either of the following may appeal that annexation to a circuit court or superior court of a county in which the annexed territory is located:

(1) An owner of land within one-half (1/2) mile of the territory proposed to be annexed under this chapter.

(2) A municipality located in the same county as the territory proposed to be annexed.

An appeal under this subsection must be filed not later than thirty (30) days after the publication of the annexation ordinance. The complaint must state that the reason the annexation should not take place is that the territory sought to be annexed is not contiguous to the annexing municipality.

(c) Upon the determination of the court that the complaint is sufficient, the judge shall fix a time for a hearing to be held not later than sixty (60) days after the determination. Notice of the proceedings shall be served by summons upon the proper officers of the annexing municipality. The municipality shall become a defendant in the cause and be required to appear and answer. The judge of the circuit or superior court shall, upon the date fixed, proceed to hear and determine the appeal without a jury, and shall, without delay, give judgment upon the question of the annexation according to the evidence introduced by the parties. If the evidence establishes that the territory sought to be annexed is contiguous to the annexing municipality, the court shall deny the appeal and dismiss the proceeding. If the evidence does not establish the foregoing factor, the court shall issue an order to prevent the proposed annexation from taking effect. The laws providing for change of venue from the county do not apply, but changes of venue from the judge may be had. Costs follow judgment. Pending the appeal, and during the time within which the appeal may be taken, the territory sought to be annexed is not a part of the annexing municipality.

~~(d) If the court enters a judgment in favor of the municipality, the annexation may not take effect during the year preceding a year in which a federal decennial census is conducted. An annexation that would otherwise take effect during the year preceding a year in which a federal decennial census is conducted takes effect January 1 of the year in which a federal decennial census is conducted.~~

SECTION 24. IC 36-4-3-19, AS AMENDED BY P.L.113-2010, SECTION 119, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 19. (a) If

disannexation is ordered under this chapter by the works board of a municipality and no appeal is taken, the clerk of the municipality shall, without compensation and not later than ten (10) days after the order is made, make and certify a complete transcript of the disannexation proceedings to the auditor of each county in which the disannexed lots or lands lie and to the office of the secretary of state. The county auditor shall list those lots or lands appropriately for taxation. The proceedings of the works board shall not be certified to the county auditor or to the office of the secretary of state if an appeal to the circuit court has been taken.

(b) In all proceedings begun in or appealed to the circuit court, if vacation or disannexation is ordered, the clerk of the court shall immediately after the judgment of the court, or after a decision on appeal to the supreme court or court of appeals if the judgment on appeal is not reversed, certify the judgment of the circuit court, as affirmed or modified, to each of the following:

(1) The auditor of each county in which the lands or lots affected lie, on receipt of one dollar ($1) for the making and certifying of the transcript from the petitioners for the disannexation.

(2) The office of the secretary of state.

(3) The circuit court clerk of each county in which the lands or lots affected are located.

(4) The county election board of each county in which the lands or lots affected are located.

(5) If a board of registration exists, the board of each county in which the lands or lots affected are located.

(6) The office of census data established by IC 2-5-1.1-12.2.

(c) The county auditor shall forward a list of lots or lands disannexed under this section to the following:

(1) The county highway department of each county in which the lands or lots affected are located.

(2) The county surveyor of each county in which the lands or lots affected are located.

(3) Each plan commission, if any, that lost or gained jurisdiction over the disannexed territory.

(4) The township trustee of each township that lost or gained jurisdiction over the disannexed territory.

(5) The sheriff of each county in which the lands or lots affected are located.

(6) The office of the secretary of state.

(7) The office of census data established by IC 2-5-1.1-12.2.

The county auditor may require the clerk of the municipality to furnish an adequate number of copies of the list of disannexed lots or lands or may charge the clerk a fee for photoreproduction of the list.

(d) A disannexation described by this section takes effect upon the clerk of the municipality filing the order with:

(1) the county auditor of each county in which the annexed territory is located; and

(2) the circuit court clerk, or if a board of registration exists, the board of each county in which the annexed territory is located.

(e) The clerk of the municipality shall notify the office of the secretary of state and the office of census data established by IC 2-5-1.1-12.2 of the date a disannexation is effective under this chapter.

~~(f) A disannexation order under this chapter may not take effect during the year preceding a year in which a federal decennial census is conducted. A disannexation order that would otherwise take effect during the year preceding a year in which a federal decennial census is conducted takes effect January 1 of the year in which a federal decennial census is conducted.~~

SECTION 25. IC 36-4-3-22, AS AMENDED BY P.L.228-2015, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22. (a) The clerk of the municipality shall file:

(1) each annexation ordinance: ~~against which:~~

(A) **against which:**

(i) a remonstrance **(in the case of an annexation for which an annexation ordinance is adopted before April 1, 2020);** or

(ii) an appeal;

has not been filed during the period permitted under this chapter; or

(B) **against which** a remonstrance was filed without a sufficient number of signatures to meet the requirements of section 11.3(c) of this chapter, in the case of an annexation for which an annexation ordinance was adopted after June 30, 2015, **and before April 1, 2020;** or

(2) the certified copy of a final and unappealable judgment ordering an annexation to take place;

with the county auditor, circuit court clerk, and board of registration (if a board of registration exists) of each county in which the annexed territory is located, the office of the secretary of state, and the office of census data established by IC 2-5-1.1-12.2. The clerk of the municipality shall record each annexation ordinance adopted under this chapter in the office of the county recorder of each county in which the annexed territory is located.

(b) The ordinance or judgment must be filed and recorded no later than ninety (90) days after:

(1) the expiration of the period permitted for:

(A) a remonstrance **(in the case of an annexation for which an annexation ordinance is adopted before April 1, 2020);** or

(B) an appeal **under section 15.5 of this chapter;**

(2) the delivery of a certified order under section 15 of this chapter; or

(3) the date the county auditor files the written certification with the legislative body under section 11.2 of this chapter, in the case of an annexation:

(A) described in subsection (a)(1)(B); **and**

(B) for which an annexation ordinance is adopted before April 1, 2020.

(c) Failure to record the annexation ordinance as provided in subsection (a) does not invalidate the ordinance.

(d) The county auditor shall forward a copy of any annexation ordinance filed under this section to the following:

(1) The county highway department of each county in

which the lots or lands affected are located.

(2) The county surveyor of each county in which the lots or lands affected are located.

(3) Each plan commission, if any, that lost or gained jurisdiction over the annexed territory.

(4) The sheriff of each county in which the lots or lands affected are located.

(5) The township trustee of each township that lost or gained jurisdiction over the annexed territory.

(6) The office of the secretary of state.

(7) The office of census data established by IC 2-5-1.1-12.2.

(e) The county auditor may require the clerk of the municipality to furnish an adequate number of copies of the annexation ordinance or may charge the clerk a fee for photoreproduction of the ordinance. The county auditor shall notify the office of the secretary of state and the office of census data established by IC 2-5-1.1-12.2 of the date that the annexation ordinance is effective under this chapter.

(f) The county auditor or county surveyor shall, upon determining that an annexation ordinance has become effective under this chapter, indicate the annexation upon the property taxation records maintained in the office of the auditor or the office of the county surveyor.

SECTION 26. IC 36-4-7-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) The fiscal officer shall present the report of budget estimates to the city legislative body under IC 6-1.1-17. After reviewing the report, the legislative body shall prepare an ordinance fixing the rate of taxation for the ensuing budget year and an ordinance making appropriations for the estimated department budgets and other city purposes during the ensuing budget year. The legislative body, in the appropriation ordinance, may reduce any estimated item from the figure submitted in the report of the fiscal officer, but it may increase an item only if the executive recommends an increase. The legislative body shall promptly act on the appropriation ordinance.

(b) In preparing the ordinances described in subsection (a) the legislative body shall make an allowance for the cost of fire protection to annexed territory described in ~~IC 36-4-3-7(d),~~ **IC 36-4-3-7(e)** for the year fire protection is first offered to that territory.

SECTION 27. IC 36-9-22-2, AS AMENDED BY P.L.150-2019, SECTION 1, AND AS AMENDED BY P.L.257-2019, SECTION 162, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The power of the municipal works board to fix the terms of a contract under this section applies to contracts for the installation of sewage works that have not been finally approved or accepted for full maintenance and operation by the municipality on July 1, 1979.

(b) The works board of a municipality may contract with owners of real property for the construction of sewage works within the municipality or within four (4) miles outside its corporate boundaries in order to provide service for the area in which the real property of the owners is located. The contract must provide, for a period of not to exceed fifteen (15) years, for the payment to the owners and their assigns by any owner of real property who:

(1) did not contribute to the original cost of the sewage works; and

(2) subsequently taps into, uses, or deposits sewage or storm waters in the sewage works or any lateral sewers connected to them;

of a fair pro rata share of the cost of the construction of the sewage works, subject to the rules of the board and notwithstanding any other law relating to the functions of local governmental entities. However, the contract does not apply to any owner of real property who is not a party to the contract unless the contract or (after June 30, 2013) a signed memorandum of the contract has been recorded in the office of the recorder of the county in which the real property of the owner is located before the owner taps into or connects to the sewers and facilities. The board may provide that the fair pro rata share of the cost of construction includes interest at a rate not exceeding the amount of interest allowed on judgments, and the interest shall be computed from the date the sewage works are approved until the date payment is made to the municipality.

(c) The contract must include, as part of the consideration running to the municipality, the release of the right of:

(1) the parties to the contract; and

(2) the successors in title of the parties to the contract;

to remonstrate against pending or future annexations by the municipality of the area served by the sewage works. Any person tapping into or connecting to the sewage works contracted for is considered to waive the person's rights to remonstrate against the annexation of the area served by the sewage works.

(d) Notwithstanding subsection (c), the works board of a municipality may waive the provisions of subsection (c) in the contract if:

(1) the works board considers a waiver of subsection (c) to be in the best interests of the municipality; *or*

(2) the contract involves connection to the sewage works under IC 36-9-22.5.

(e) This subsection does not affect any rights or liabilities accrued, or proceedings begun before July 1, 2013. Those rights, liabilities, and proceedings continue and shall be imposed and enforced under prior law as if this subsection had not been enacted. For contracts executed after June 30, 2013, *if* the release of the right to remonstrate *is not void under subsection (i), (j), or (k), the release* is binding on a successor in title to a party to the contract only if the successor in title:

(1) has actual notice of the release; or

(2) has constructive notice of the release because the contract, or a signed memorandum of the contract stating the release, has been recorded in the chain of title of the property.

(f) Subsection (c) does not apply to a landowner if all of the following conditions apply:

(1) The landowner is required to connect to the sewage works because a person other than the landowner has polluted or contaminated the area.

(2) The costs of extension of or connection to the sewage works are paid by a person other than the landowner or the municipality.

(g) Subsection (c) does not apply to a landowner who taps into, connects to, or is required to tap into or connect to the sewage works of a municipality only because the municipality provides wholesale sewage service (as defined in IC 8-1-2-61.7) to another municipality that provides sewage service to the landowner.

~~*(h) Notwithstanding any other law, a waiver of the right of remonstrance executed after June 30, 2015, expires not later than fifteen (15) years after the date the waiver was executed.*~~

~~*(i)*~~ *(h)* This subsection applies to any deed recorded after June 30, 2015. This subsection applies only to property that is subject to a remonstrance waiver. A municipality shall provide written notice to any successor in title to property within a reasonable time after the deed is recorded, that a waiver of the right of remonstrance exists with respect to the property.

(i) A remonstrance waiver executed on or before July 1, 2003, is void. This subsection does not invalidate an annexation that was effective on or before July 1, 2019.

(j) A remonstrance waiver executed after June 30, 2003, and not later than June 30, 2019, is subject to the following:

(1) The waiver is void unless the waiver was recorded ~~*(A)*~~ *before January 1, 2020 and*

~~*(B)*~~ *with the county recorder of the county where the property subject to the waiver is located.*

(2) A waiver that is not void under subdivision (1) **or subsection (l)** *expires not later than fifteen (15) years after the date the waiver is executed.*

This subsection does not invalidate an annexation that was effective on or before July 1, 2019.

(k) A remonstrance waiver executed after June 30, 2019, ~~*is subject to the following: (1) The waiver is void unless the waiver is*~~ ***must be*** *recorded* ~~*(A)*~~ *not later than thirty (30) business days after the date the waiver was executed* ~~*and (B)*~~ *with the county recorder of the county where the property subject to the waiver is located.* ~~*(2) A waiver that is not void under subdivision (1) expires not later than fifteen (15) years after the date the waiver is executed.*~~ *This subsection does not invalidate an annexation that was effective on or before July 1, 2019.*

(l) Notwithstanding any other law, a remonstrance waiver is effective and binding on a landowner or a successor in title to a party to the contract only with regard to an annexation for which the annexation ordinance was adopted before April 1, 2020.

SECTION 28. IC 36-9-25-14, AS AMENDED BY P.L.150-2019, SECTION 3, AND AS AMENDED BY P.L.257-2019, SECTION 166, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) As to each municipality to which this chapter applies:

(1) all the territory included within the corporate boundaries of the municipality; and

(2) any territory, town, addition, platted subdivision, or unplatted land lying outside the corporate boundaries of the municipality that has been taken into the district in accordance with a prior statute, the sewage or drainage of which discharges into or through the sewage system of the municipality;

constitutes a special taxing district for the purpose of providing for the sanitary disposal of the sewage of the district in a manner that protects the public health and prevents the undue pollution of watercourses of the district.

(b) Upon request by:

(1) a resolution adopted by the legislative body of another municipality in the same county; or

(2) a petition of the majority of the resident freeholders in a platted subdivision or of the owners of unplatted land outside the boundaries of a municipality, if the platted subdivision or unplatted land is in the same county;

the board may adopt a resolution incorporating all or any part of the area of the municipality, platted subdivision, or unplatted land into the district.

(c) A request under subsection (b) must be signed and certified as correct by the secretary of the legislative body, resident freeholders, or landowners. The original shall be preserved in the records of the board. The resolution of the board incorporating an area in the district must be in writing and must contain an accurate description of the area incorporated into the district. A certified copy of the resolution, signed by the president and secretary of the board, together with a map showing the boundaries of the district and the location of additional areas, shall be delivered to the auditor of the county within which the district is located. It shall be properly indexed and kept in the permanent records of the offices of the auditor.

(d) In addition, upon request by ten (10) or more interested resident freeholders in a platted or unplatted territory, the board may define the limits of an area within the county and including the property of the freeholders that is to be considered for inclusion into the district. Notice of the defining of the area by the board, and notice of the location and limits of the area, shall be given by publication in accordance with IC 5-3-1. Upon request by a majority of the resident freeholders of the area, the area may be incorporated into the district in the manner provided in this section. The resolution of the board incorporating the area into the district and a map of the area shall be made and filed in the same manner.

(e) In addition, a person owning or occupying real property outside the district may enter into a sewer service agreement with the board for connection to the sewage works of the district. If the agreement provides for connection at a later time, the date or the event upon which the service commences shall be stated in the agreement. The agreement may impose any conditions for connection that the board determines. The agreement must also provide the amount of service charge to be charged for connection if the persons are not covered under section 11 of this chapter, with the amount to be fixed by the board in its discretion and without a hearing.

(f) All sewer service agreements made under subsection (e) or (after June 30, 2013) a signed memorandum of the sewer service agreement shall be recorded in the office of the recorder of the county where the property is located. The agreements run with

the property described and are binding upon the persons owning or occupying the property, their personal representatives, heirs, devisees, grantees, successors, and assigns. Each agreement that is recorded, or each agreement of which a signed memorandum is recorded, and that provides for the property being served to be placed on the tax rolls shall be certified by the board to the auditor of the county where the property is located. The certification must state the date the property is to be placed on the tax rolls, and upon receipt of the certification together with a copy of the agreement, the auditor shall immediately place the property certified upon the rolls of property subject to the levy and collection of taxes for the district. An agreement may provide for the collection of a service charge for the period services are rendered before the levy and collection of the tax.

(g) Except as provided in ~~*subsection*~~ *subsections* (j) *and* ~~*(m),*~~ **(l),** sewer service agreements made under subsection (e) must contain a waiver provision that persons (other than municipalities) who own or occupy property agree for themselves, their executors, administrators, heirs, devisees, grantees, successors, and assigns that they will:

(1) neither object to nor file a remonstrance against the proposed annexation of the property by a municipality within the boundaries of the district;

(2) not appeal from an order or a judgment annexing the property to a municipality; and

(3) not file a complaint or an action against annexation proceedings.

(h) This subsection does not affect any rights or liabilities accrued or proceedings begun before July 1, 2013. Those rights, liabilities, and proceedings continue and shall be imposed and enforced under prior law as if this subsection had not been enacted. For contracts executed after June 30, 2013, a waiver of the right to remonstrate under subsection (g) *that is not void under subsection* ~~*(l),*~~ *(m),* ~~*or*~~ *(n),* **or (o)** is binding as to an executor, administrator, heir, devisee, grantee, successor, or assign of a party to a sewer service agreement under subsection (g) only if the executor, administrator, heir, devisee, grantee, successor, or assign:

(1) has actual notice of the waiver; or

(2) has constructive notice of the waiver because the sewer service agreement or a signed memorandum of the sewer service agreement stating the waiver has been recorded in the chain of title of the property.

(i) This section does not affect any sewer service agreements entered into before March 13, 1953. *However, this section applies to a remonstrance waiver regardless of when the waiver was executed.*

(j) Subsection (g) does not apply to a landowner if all of the following conditions apply:

(1) The landowner is required to connect to a sewer service because a person other than the landowner has polluted or contaminated the area.

(2) The costs of extension of service or connection to the sewer service are paid by a person other than the landowner or the municipality.

~~*(k) Notwithstanding any other law, a waiver of the right of remonstrance executed after June 30, 2015, expires not later than fifteen (15) years after the date the waiver was executed.*~~

~~*(l)*~~ *(k)* This subsection applies to any deed recorded after June 30, 2015. This subsection applies only to property that is subject to a remonstrance waiver. A municipality shall provide written notice to any successor in title to property within a reasonable time after the deed is recorded, that a waiver of the right of remonstrance has been granted with respect to the property.

~~*(m)*~~ **(l)** *The board may waive the waiver provision described in subsection (g) in a sewer service agreement made under subsection (e) if the sewer service agreement involves a connection to the district's sewage works under IC 36-9-22.5.*

~~*(l)*~~ **(m)** *A remonstrance waiver executed before July 1, 2003, is void. This subsection does not invalidate an annexation that was effective on or before July 1, 2019.*

~~*(m)*~~ **(n)** *A remonstrance waiver executed after June 30, 2003, and before July 1, 2019, is subject to the following:*

(1) The waiver is void unless the waiver was recorded:

(A) before January 1, 2020; and

(B) with the county recorder of the county where the property subject to the waiver is located.

(2) A waiver that is not void under subdivision (1) **or subsection (p)** *expires not later than fifteen (15) years after the date the waiver is executed.*

This subsection does not invalidate an annexation that was effective on or before July 1, 2019.

~~*(n)*~~ **(o)** *A remonstrance waiver executed after June 30, 2019,* ~~*is subject to the following: (1) The waiver is void unless the waiver is recorded: (A) the waiver is*~~ **must be** *recorded not later than thirty (30) business days after the date the waiver was executed* ~~*and (B)*~~ *with the county recorder of the county where the property subject to the waiver is located.* ~~*(2) A waiver that is not void under subdivision (1) or expires not later than fifteen (15) years after the date the waiver is executed.*~~ *This subsection does not invalidate an annexation that was effective on or before July 1, 2019.*

(p) Notwithstanding any other law, a remonstrance waiver is effective and binding on a landowner or a successor in title to a party to the contract only with regard to an annexation for which the annexation ordinance was adopted before April 1, 2020.

SECTION 29. **An emergency is declared for this act."**.

Delete pages 4 through 12.

Renumber all SECTIONS consecutively.

(Reference is to SB 23 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 4.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 47, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 24-4-18-1, AS AMENDED BY P.L.112-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) As used in this chapter, "criminal history information" means information:

(1) concerning:

(A) a criminal conviction in Indiana; **or**

(B) an Indiana civil protection order under IC 34-26-5; and

(2) available in records kept by a clerk of a circuit, superior, city, or town court with jurisdiction in Indiana.

(b) The term consists of the following:

(1) Identifiable descriptions and notations of arrests, indictments, informations, or other formal criminal charges.

(2) Protection order records (as defined in IC 34-26-7.5-2).

~~(2)~~ **(3)** Information, including a photograph, regarding a sex or violent offender (as defined in IC 11-8-8-5) obtained through sex or violent offender registration under IC 11-8-8.

~~(3)~~ **(4)** Any disposition, including sentencing, and correctional system intake, transfer, and release.

~~(4)~~ **(5)** A photograph of the person who is the subject of the information described in ~~subdivisions (1) through (3).~~ **this subsection.**

(c) The term includes fingerprint information described in IC 10-13-3-24(f).

SECTION 2. IC 34-6-2-121.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 121.7. "Protection order records", for purposes of IC 34-26-7.5, has the meaning set forth in IC 34-26-7.5-2.**

SECTION 3. IC 34-26-5-22 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 22. (a) Except as provided in subsection (b), if a court denies a petition for an order of protection filed under this chapter, the court shall order the petition expunged within sixty (60) days of the date that the court denied the petition.**

(b) If a petition for an order of protection was filed under this chapter before July 1, 2020, and a court denied the petition, the subject of the petition may request that the court expunge the original petition. This subsection does not preclude the subject from seeking expungement under IC 34-26-7.5.

(c) If the court determines that the court denied the petition for an order of protection described in subsection (b), the court shall grant the request and order the petition expunged within sixty (60) days of the date that the request was filed.

(d) An expungement ordered under this section shall be treated for all purposes as an expungement granted under IC 34-26-7.5.

SECTION 4. IC 34-26-7.5-1, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. **(a)** This chapter applies to a person named as the subject of a protection order, and if one (1) of the following applies:

(1) A protection order was issued to the plaintiff, but is subsequently terminated due to the:

(A) dismissal of the petition before a court hearing on the protection order;

(B) denial of the protection order upon the order of the court; or

(C) failure of the plaintiff to appear to the court hearing on the protection order.

(2) A protection order was reversed or vacated by an appellate court.

(3) A petition for a protection order was filed but the court did not grant the petition.

(b) The provisions in this chapter are in addition to and supplement the expungement provisions in IC 34-26-5-22.

SECTION 5. IC 34-26-7.5-2, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. The following definitions apply throughout this chapter:

(1) "Protection order" means an Indiana civil protection order under IC 34-26-5. The term includes an order for protection and an order for protection ex parte.

(2) "Protection order records" means an Indiana civil protection order under IC 34-26-5 and all records that relate to the protection order, including the petition for the protection order.

~~(2)~~ **(3)** "Subject of a protection order" means the person against whom a protection order was issued.

~~(3)~~ **(4)** "Plaintiff" means the person for whom a protection order was issued.

~~(4)~~ **(5)** "Expungement" means the sealing of protection order ~~court~~ records from public inspection, but not from a law enforcement agency or the court.

SECTION 6. IC 34-26-7.5-3, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) At any time after a court dismisses or denies an order for protection following issuance of an order for protection ex parte, as described in section 1(1) of this chapter, the subject of the protection order may petition to expunge ~~the~~ protection order **records:**

(1) with the court that issued or denied the protection order; and

(2) in the cause the protection order was issued under.

(b) A petition seeking to expunge ~~a~~ protection order **records** must be filed under seal, verified, and include the following information:

(1) The petitioner's full name.

(2) The petitioner's date of birth.

(3) The petitioner's address.

(4) The case number or court cause number, if available.

(5) The petitioner's Social Security number.

(6) The petitioner's driver's license number.

(7) The date of the order for protection or order for protection ex parte, if applicable.

(8) A description of why the petitioner is entitled to relief, including all relevant dates.

(9) Certified copies of the following, if applicable:

(A) The order for protection.

(B) The order for protection ex parte.

(C) The order denying an order for protection.

(D) The opinion from the appellate court reversing or vacating an order for protection or an order for protection ex parte.

(c) The petition may include any other information that the petitioner believes may assist the court.

SECTION 7. IC 34-26-7.5-5, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. The petitioner bears the burden of proof in a proceeding to expunge ~~a~~ protection order **records.** The court shall order the protection order **records** expunged if the petitioner proves by a preponderance of the evidence that the petitioner is entitled to relief.

SECTION 8. IC 34-26-7.5-6, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) If a court orders ~~a~~ protection order **records** expunged under this chapter **or under IC 34-26-5-22,** the court shall do the following with respect to the specific records expunged by the court:

(1) Order the office of judicial administration to remove the protection order from the Indiana protective order registry established under IC 5-2-9-5.5.

(2) Redact or permanently seal the court's own records relating to the protection order.

(b) If an appellate court reverses or vacates a protection order, and the protection order is then expunged, the appellate court shall:

(1) redact the opinion or memorandum decision as it appears on the computer gateway administered by the office of technology so that it does not include the name of the subject of the protection order (in the same manner that opinions involving juveniles are redacted); and

(2) provide a redacted copy of the opinion to any publisher or organization to whom the opinion or memorandum decision is provided after the date of the order of expungement.

The supreme court and the court of appeals are not required to redact, destroy, or otherwise dispose of any existing copy of an opinion or memorandum decision that includes the name of the subject of the protection order.

SECTION 9. IC 34-26-7.5-7, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. A petitioner whose ~~record is~~ **protection order records are** expunged under this chapter **or under IC 34-26-5-22:**

(1) shall be treated as if the protection order **and petition for protection order** had never been filed; and

(2) may answer truthfully to a question from the petitioner's employer or prospective employer that a petition or order of protection has never been filed against the petitioner.".

Page 2, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 11. IC 35-38-9-9.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9.5. (a) This section applies to a collateral action adjudicated or conducted in a county other than the county in which a court granted an expungement.**

(b) Upon receipt of a request to expunge records related to a collateral action and a properly certified expungement order, a circuit or superior court in the county in which the collateral action occurred shall:

(1) notify the prosecuting attorney of the county in which the court is located of the request to expunge records related to a collateral action and set the matter for hearing; or

(2) if it conclusively appears from the court's records that the person is entitled to expungement as described in subsection (c), order the records expunged without a hearing.

(c) The circuit or superior court in the county in which the collateral action was adjudicated or conducted shall order records of the collateral action expunged (for an expungement granted under sections 1 through 3 of this chapter) or marked as expunged (for an expungement granted under sections 4 through 5 of this chapter), unless the court finds that the collateral action does not relate to the expunged arrest or conviction.

(d) A request to expunge records of a collateral action may be made at any time after the original expungement order is issued.

(e) A request to expunge records shall be filed under the cause number of the collateral action, if applicable. A person who requests expungement of records of a collateral action under this section is not required to pay a filing fee, even if the request is filed under a new cause of action.

SECTION 12. IC 35-38-9-10, AS AMENDED BY P.L.219-2019, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) This section does not apply to a person to whom sealed records may be disclosed under section 6(a)(3) of this chapter. **With respect to a person seeking employment with a law enforcement agency, including volunteer employment, subsections (b), (d), (e), and (f) do not apply to the law enforcement agency.**

(b) It is unlawful discrimination for any person to:

(1) suspend;

(2) expel;

(3) refuse to employ;

(4) refuse to admit;

(5) refuse to grant or renew a license, permit, or certificate necessary to engage in any activity, occupation, or profession; or

(6) otherwise discriminate against;

any person because of a conviction or arrest record expunged or sealed under this chapter.

(c) Except as provided in section 6(f) of this chapter, the civil rights of a person whose conviction has been expunged shall be fully restored, including the right to vote, to hold public office, to be a proper person under IC 35-47-1-7(2), and to serve as a juror.

(d) In any application for employment, a license, or other right or privilege, a person may be questioned about a previous criminal record only in terms that exclude expunged convictions or arrests, such as: "Have you ever been arrested for or convicted of a crime that has not been expunged by a court?".

(e) A person whose record is expunged shall be treated as if

the person had never been convicted of the offense. However, upon a subsequent arrest or conviction for an unrelated offense, the prior expunged conviction:

(1) may be considered by the court in determining the sentence imposed for the new offense;

(2) is a prior unrelated conviction for purposes of:

(A) a habitual offender enhancement; and

(B) enhancing the new offense based on a prior conviction; and

(3) may be admitted as evidence in the proceeding for a new offense as if the conviction had not been expunged.

(f) Any person that discriminates against a person as described in subsection (b) commits a Class C infraction and may be held in contempt by the court issuing the order of expungement or by any other court of general jurisdiction. Any person may file a written motion of contempt to bring an alleged violation of this section to the attention of a court. In addition, the person is entitled to injunctive relief.

(g) In any judicial or administrative proceeding alleging negligence or other fault, an order of expungement may be introduced as evidence of the person's exercise of due care in hiring, retaining, licensing, certifying, admitting to a school or program, or otherwise transacting business or engaging in activity with the person to whom the order of expungement was issued.

(h) A conviction, including any records relating to the conviction and any records concerning a collateral action, that has been expunged under this chapter is not admissible as evidence in an action for negligent hiring, admission, or licensure against a person or entity who relied on the order.

(i) An expungement case, and all documents filed in the case, becomes confidential when the court issues the order granting the petition. However, until the court issues the order granting the petition, documents filed in the case are not confidential, and any hearing held in the case shall be open.".

Renumber all SECTIONS consecutively.

(Reference is to SB 47 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 50, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 18, strike "allowance is" and insert "**allowances**".

Page 2, line 28, after "following" insert "**deeds or other**".

Page 2, line 31, after "each" insert "**deed or other**".

Page 2, line 32, delete "Instruments" and insert "**Deeds or other instruments**".

Page 2, line 34, delete "Instruments" and insert "**Deeds or other instruments**".

Page 3, line 5, strike "devolved" and insert "**passed**".

Page 3, line 29, strike "devolved".

Page 3, line 30, strike "among" and insert "**passed to**".

Page 3, delete lines 32 through 38, begin a new paragraph and insert:

"(c) Upon presentation of an affidavit described in subsection (b), the auditor of the county where the real ~~estate~~ **property** described in ~~subsection (b)~~ **the affidavit** is located must endorse the affidavit ~~and record the estate title transfer in the auditor's real estate ownership records~~ as an instrument that is exempt from the requirements to file a sales disclosure **form and must enter the names of the distributees shown on the affidavit on the tax duplicate on which the real property is transferred, assessed, and taxed under IC 6-1.1-5-7.**".

(Reference is to SB 50 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 68, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 100, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 36-7-4-1019 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1019. **(a)** In an enforcement action brought under this chapter, the party alleging the existence of a **legal** nonconforming use or variance granted by a board of zoning appeals has the burden of proof on that issue. The nonexistence of a nonconforming use or variance need not be proved.

(b) This subsection applies whenever a legal, nonconforming structure on a parcel of real property used for residential purposes is damaged or destroyed. The owner of the parcel shall be permitted to reconstruct, repair, or renovate the nonconforming structure if the reconstruction, repair, or renovation meets the following requirements:

(1) The structure will continue to be used for residential purposes.

(2) The reconstructed, repaired, or renovated structure:

(A) will not substantially exceed the square footage of the damaged or destroyed structure; or

(B) will substantially exceed the square footage of the

damaged or destroyed structure, and will not substantially exceed the development standards (such as height, bulk, or area) of the zoning ordinance.".

Delete page 2.

(Reference is to SB 100 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Senate Bill 102, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 3, after "taxes" insert "**authorized by Indiana**".

(Reference is to SB 102 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

MERRITT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 180, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 181, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 5, line 28, delete "to a participant who" and insert "**to:**

(1) an active participant, regardless of the participant's years of creditable service; and

(2) an inactive participant with at least fifteen (15) years of creditable service;

who".

Page 7, delete lines 19 through 42, begin a new paragraph and insert:

SECTION 7. IC 5-10-5.5-17 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE FEBRUARY 1, 2018 (RETROACTIVE)]: Sec. 17. Any participant whose employment as an officer is terminated before accumulating fifteen (15) years of creditable service and ~~before attaining the age of forty-five (45) years~~ **and is not receiving a disability benefit under this chapter** shall be entitled to a lump-sum refund of all contributions standing to ~~his~~ **the participant's** credit in the participants' savings fund plus accumulated interest thereon.

(b) **This subsection applies to participants who die before February 1, 2018.** If a participant dies before accumulating fifteen (15) years of creditable service, all contributions standing to ~~his~~ **the participant's** credit in the participants' savings fund plus the accumulated interest thereon shall be paid by the board to the person the participant shall nominate by written direction duly acknowledged and filed with the board. The payment may be in the form of a lump sum or a series of payments, at the discretion of the board.

(c) If a participant dies before accumulating fifteen (15) years of creditable service and has nominated no beneficiary, or in the event that the participant's nominee predeceases ~~him,~~ **the participant,** all contributions standing to ~~his~~ **the participant's** credit in the participants' savings fund, plus accumulated interest thereon shall be paid by the board to the estate of the deceased participant. The payment may be in the form of a lump sum or a series of payments, at the discretion of the board.

(d) If a participant terminates ~~his~~ **the participant's** employment after accumulating fifteen (15) years of creditable service, but before becoming eligible for any benefits under this chapter, no refund of contributions and interest shall be allowed. In such case, the participant's contributions shall be retained by the board until the participant becomes eligible for benefits. At that time, benefits shall be paid to, or on behalf of the participant in the same manner and in the same amount as all similar benefits are paid.".

Page 8, delete lines 1 through 33.

Renumber all SECTIONS consecutively.

(Reference is to SB 181 as introduced)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 10, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 195, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, after line 19, begin a new paragraph and insert:

"**(c) In creating one (1) or more course sequences under subsection (b)(2), the governor's workforce cabinet, in consultation with the state board and the commission for higher education, shall:**

(1) consider the impact of course sequences on the long term outcomes of students; and

(2) prioritize course sequences that lead to high wage, high demand jobs.

SECTION 2. IC 20-32-4-16 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 16. (a) Section 15(c) of this chapter and this section apply to any:**

(1) career clusters approved or amended, after July 1,

2020, by the state board; or

(2) course sequences leading to student concentrators created or amended, after July 1, 2020, by the governor's workforce cabinet in consultation with the state board and the commission for higher education.

(b) The governor's workforce cabinet shall do the following:

(1) Collect data each year regarding approved career clusters and course sequences to inform decision making around approving, creating, and amending current and future career clusters and course sequence requirements.

(2) Prepare and submit, not later than November 1 of each year, a report to the legislative council in an electronic format under IC 5-14-6 regarding the data collected under subdivision (1).".

(Reference is to SB 195 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 3.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 199, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 34-52-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) In all civil actions, the party recovering judgment shall recover costs, except in those cases in which a different provision is made by law.

(b) In any civil action, the court may award attorney's fees as part of the cost to the prevailing party, if the court finds that either party:

(1) brought the action or defense on a claim or defense that is frivolous, unreasonable, or groundless;

(2) continued to litigate the action or defense after the party's claim or defense clearly became frivolous, unreasonable, or groundless; or

(3) litigated the action in bad faith.

(c) The award of fees under subsection (b) does not prevent a prevailing party from bringing an action against another party for abuse of process arising in any part on the same facts. However, the prevailing party may not recover the same attorney's fees twice.

(d) This chapter may be applied to a government entity. However, this chapter may not be interpreted to waive sovereign immunity.

SECTION 2. IC 34-52-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. In addition to any other compensation awarded in a civil action involving an agency as a party, the court having jurisdiction in the case may enter an order against the agency for the payment of the reasonable fees and other expenses of a party, if the court finds that:

(1) the party files a written notice of the party's intent to seek reimbursement under this chapter (or IC 34-2-36 before its repeal) not later than thirty (30) days after the party files any pleading or other paper with the court;

(2) the party obtained final judgment in its favor;

(3) the party has obtained substantive relief that makes it probable that the party will prevail on the merits after remand of the case to the agency, if remand is necessary;

(4) the party is:

(A) an individual;

~~(A)~~ **(B)** a commercial or business entity (including a sole proprietorship or a partnership) with fewer than fifty (50) employees at the time of the:

(i) civil action; or

(ii) the agency action (as defined in IC 4-21.5-1-4) giving rise to the civil action;

but is not a subsidiary or affiliate of another entity that does not qualify as a small business under this clause; or

~~(B)~~ **(C)** an organization exempt from federal income taxation under Section 501 of the Internal Revenue Code;

(5) to the extent that the fees and other expenses of the party are for attorney's fees or expert witness fees, the fees are based upon the number of actual hours of service performed multiplied by a reasonable fee for the service rendered not to exceed seventy-five dollars ($75) per hour;

(6) the party filed a claim not later than thirty (30) days after a final judgment was rendered; and

(7) section 3 of this chapter does not apply.

SECTION 3. IC 34-52-2-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. A party may be awarded an amount under this chapter not exceeding ~~ten~~ **fifty** thousand dollars ~~($10,000).~~ **($50,000).** However, if more than three (3) parties in a case are eligible for an award under this chapter, the total award made to all parties in the case may not exceed ~~thirty~~ **one hundred fifty** thousand dollars ~~($30,000).~~ **($150,000).**".

Delete page 2.

Renumber all SECTIONS consecutively.

(Reference is to SB 199 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 200, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 237, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 249, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Senate Bill 254, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 1, delete "." and insert "**, and that is under the commission's authority with respect to rates and charges.**".

Page 4, line 25, after "include" insert "**in the utility's rates**".

Page 4, line 31, delete "greater available capacity;" and insert "**available capacity greater than the available capacity provided to the customer before the line improvements;**".

Page 5, line 5, delete "Property" and insert "**As applicable, property**".

Page 10, between lines 26 and 27, begin a new line block indented and insert:

"**(3) Actual costs that exceed by more than twenty-five percent (25%) the projected costs set forth in the eligible utility's plan approved under this section require specific justification by the eligible utility and specific approval by the commission before being authorized in the next general rate case filed by the eligible utility with the commission.**".

Page 10, line 28, delete "must" and insert "**shall approve the plan if the commission finds that the public convenience and necessity require**".

Page 10, line 29, delete "find that".

Page 10, line 29, delete "will" and insert "**to**".

Page 11, between lines 4 and 5, begin a new line double block indented and insert:

"**(D) Alternative plans for compliance.**".

Page 11, line 42, delete "The" and insert "**Except as provided in subsection (h), the**".

Page 12, delete lines 2 through 4, begin a new paragraph and insert:

"**(f) Except as provided in subsection (h), the commission shall enter an order approving a petition filed under this section to the extent the commission finds that the petition complies with the requirements of this chapter.**

(g) A petition filed under this section may combine one (1) or more of the following:

(1) Service enhancement improvement costs associated with one (1) or more plans approved under section 9 of this chapter.

(2) Service enhancement improvement costs for which approval of a plan is not required under this chapter.

(h) If a petition filed under this section seeks recovery of service enhancement improvement costs associated with eligible additions made in association with service enhancement improvements described in section 7(2) of this chapter:

(1) the commission shall create a sub-docket to consider the service enhancement improvement costs if the petition combines the service enhancement improvement costs with service enhancement improvement costs associated with approved plans under section 7(1)(A) or 7(1)(B) of this chapter;

(2) to approve recovery of the service enhancement improvement costs associated with service enhancement improvements described in section 7(2) of this chapter, the commission must find that the service enhancement improvements described in section 7(2) of this chapter are reasonable and necessary; and

(3) the time period for issuance of an order under subsection (e) is extended to one hundred twenty (120) days with respect to the service enhancement improvement costs associated with service enhancement improvements described in section 7(2) of this chapter.".

(Reference is to SB 254 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 11, Nays 0.

MERRITT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 256, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete lines 20 through 23.

Page 2, line 24, delete "(6)" and insert "**(4)**".

Page 2, line 27, delete "(7)" and insert "**(5)**".

Page 2, line 32, delete "(8)" and insert "**(6)**".

Page 2, line 36, delete "request;" and insert "**request, to the extent available;**".

Page 2, line 39, delete "(9)" and insert "**(7)**".

Page 3, delete lines 2 through 29, begin a new paragraph and insert:

"SECTION 2. IC 33-33-10-1.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.1. IC 33-29-1 does not apply to this chapter.**

SECTION 3. IC 33-33-10-2.5, AS ADDED BY P.L.201-2011, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2.5. (a) The Clark circuit court is a court of general jurisdiction with four (4) judges. The divisions of the court shall be known as Clark circuit court No. 1, No. 2, No. 3, and No. 4. Clark County constitutes the judicial district of the court and each of the court's divisions. The court shall maintain the following dockets:

(1) A small claims and misdemeanor division under IC 33-28-3 that has a:

(A) small claims docket; and

(B) minor offenses and violations docket.

(2) Criminal.

(3) Juvenile.

(4) Civil.

(5) Probate.

(b) The assignment of judges of the circuit court to the dockets specified in subsection (a) must be by rule of the circuit court.

(c) This section expires January 1, 2025.

SECTION 4. IC 33-33-10-2.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.7. (a) This section applies beginning January 1, 2025.**

(b) The Clark circuit court is a court of general jurisdiction with six (6) judges.

(c) The court shall have six (6) divisions, known as Clark circuit court No. 1, No. 2, No. 3, No. 4, No. 5, and No. 6.

(d) Clark County constitutes the judicial district of the court and each of the court's divisions.

(e) The court shall maintain the following dockets:

(1) A small claims and misdemeanor division under IC 33-28-3 that has a:

(A) small claims docket; and

(B) minor offenses and violations docket.

(2) Criminal.

(3) Juvenile.

(4) Civil.

(5) Probate.

(f) The assignment of judges of the circuit court to the dockets specified in subsection (e) must be by rule of the circuit court.

SECTION 5. IC 33-33-10-2.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.8. (a) The first judge of Clark circuit court No. 5 elected under Article 7, Section 7 of the Constitution of the State of Indiana shall:**

(1) be elected at the November 2024 general election;

(2) take office January 1, 2025; and

(3) serve a term of six (6) years.

(b) The first judge of Clark circuit court No. 6 elected under Article 7, Section 7 of the Constitution of the State of Indiana shall:

(1) be elected at the November 2024 general election;

(2) take office January 1, 2025; and

(3) serve a term of six (6) years.

(c) This section expires January 1, 2026.

SECTION 6. IC 33-33-10-3.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3.1. (a) Two (2) superior courts are established in Clark County.**

(b) Each court established by subsection (a) consists of one (1) judge, appointed by the governor.

(c) Each judge appointed under subsection (b) will take office July 1, 2020.

(d) The term of office of a judge appointed under subsection (b) expires January 1, 2025.

(e) To be eligible to hold office as a judge of Clark superior court, an individual must be:

(1) a resident of Clark County; and

(2) admitted to the bar of Indiana.

(f) The courts established by subsection (a) will convert to Clark circuit court No. 5 and Clark circuit court No. 6 on January 1, 2025.

(g) This section expires January 2, 2025.

SECTION 7. IC 33-33-10-4.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 4.1. (a) The superior courts shall be known as Clark superior court No. 5 and Clark superior court No. 6.**

(b) Clark County constitutes the judicial district of each court.

(c) Each superior court shall be a court of record having the same jurisdiction as the circuit court. A judge of the superior court has the same powers relating to the conduct of business of the court as the judge of the circuit court.

(d) Each court shall have a seal containing the words "Clark Superior Court _____ (insert "No. 5" or "No. 6") of Clark County, Indiana".

(e) This section expires January 1, 2025.

SECTION 8. IC 33-33-10-5.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5.1. (a) Each judge of a superior court may make and adopt rules and regulations for conducting the business of the judge's court, not inconsistent with Indiana law.**

(b) This section expires January 1, 2025.

SECTION 9. IC 33-33-10-6.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 6.1. (a) Each judge of a superior court has the same power to do any of the following as is conferred on circuit courts or the judges of circuit courts:**

(1) Grant restraining orders and injunctions.

(2) Issue writs of habeas corpus and of mandate and prohibition.

(3) Appoint receivers, master commissioners to convey real property, and grant commissions for the examination of witnesses.

(4) Appoint other officers necessary to facilitate and transact the business of the court.

(b) This section expires January 1, 2025.

SECTION 10. IC 33-33-10-7.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 7.1. (a) Each superior court shall hold its sessions at the courthouse of the county, or at other convenient places in the county as the**

court designates.

(b) The county commissioners shall provide suitable quarters for each court.

(c) This section expires January 1, 2025.

SECTION 11. IC 33-33-10-8.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 8.1. (a) The clerk, under the direction of a judge of the superior court, shall provide order books, judgment dockets, execution dockets, fee books, and such other books, papers, and records as are necessary for that court.**

(b) All books, papers, and proceedings of each court shall be kept distinct and separate from those of other courts, and the records of all civil cases separate and apart from the records of juvenile matters.

(c) This section expires January 1, 2025.

SECTION 12. IC 33-33-10-9.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9.1. (a) Each judge of a superior court shall appoint a bailiff for the court, whose salary shall be fixed and paid as provided by law.**

(b) This section expires January 1, 2025.

SECTION 13. IC 33-33-10-10.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 10.1. (a) Each judge of a superior court shall appoint a court reporter, whose duties, salary, and term shall be regulated in the same manner as the court reporter of circuit courts.**

(b) This section expires January 1, 2025.

SECTION 14. IC 33-33-10-11.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 11.1. (a) All laws governing the circuit court in matters of pleading, practice, the issuing and service of process, the giving of notice, the appointment of judges pro tempore and special judges, changes of venue from the judge and from the county, adjournments by the court and by the clerk in the absence of the judge, and the selection of jurors for the court are applicable to and govern the superior courts.**

(b) This section expires January 1, 2025.

SECTION 15. IC 33-33-10-12.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 12.1. (a) The process of each superior court must have the seal affixed and be attested, directed, served, and returned, and be in the form as is provided for process issuing from the circuit court.**

(b) This section expires January 1, 2025.

SECTION 16. IC 33-33-10-15.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 15.3. (a) A judge of the circuit court may, with the consent of a judge of the superior court, transfer any action or proceeding from the circuit court to that superior court.**

(b) A judge of the superior court may, with the consent of a judge of the circuit court, transfer any action or proceeding from that superior court to that circuit court.

(c) A judge of the superior court may, with the consent of the judge of the other superior court, transfer any action or proceeding from that superior court to the other superior court.

(d) A judge of the circuit court may, with the consent of a judge of the superior court, sit as a judge of that superior court in any matter, as if the judge were judge of that superior court.

(e) A judge of the superior court may, with consent of a judge of the circuit court, sit as a judge of that circuit court as if the judge were judge of the circuit court.

(f) A judge of the superior court may, with the consent of the judge of the other superior court, sit as judge of the other superior court as if the judge of that superior court.

(g) This section expires January 1, 2025.".

Page 4, line 2, strike "However, Delaware circuit".

Page 4, strike lines 3 through 4.

Page 5, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 11. IC 35-33-8-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 12. (a) As used in this section, "disposition" has the meaning set forth in section 3.2(c) of this chapter.**

(b) The office of judicial administration shall collect the following data from each court exercising criminal jurisdiction in Indiana:

(1) Of those defendants who are released on personal recognizance, the number of defendants who are rearrested before the disposition of the defendant's charges.

(2) Of those defendants who are released pursuant to the payment of money bail of one thousand dollars ($1,000) or less, the number of defendants who are rearrested before the disposition of the defendant's charges.

(c) Data collected under subsection (b) shall be compiled in such a manner to present the rearrest rate for:

(1) the entire state;

(2) each county; and

(3) each circuit, superior, city, and town court, including each separate division of each court, if applicable.

(d) Not later than November 1 of each year, the office of judicial administration shall submit an annual report containing the information collected under this section to the legislative council in an electronic format under IC 5-14-6.".

Renumber all SECTIONS consecutively.

(Reference is to SB 256 as introduced.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 8, Nays 1.

KOCH, Chair

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: Pursuant to Senate Rule 68(b), I hereby report that, subsequent to the adoption of the Committee Report

on January 16, 2020, Senate Bill 199 was reassigned to the Committee on Appropriations.

BRAY

Report adopted.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 8

Senate Concurrent Resolution 8, introduced by Senator Becker:

A CONCURRENT RESOLUTION congratulating the Evansville Reitz Memorial High School football team on winning the 2019 Indiana High School Athletic Association ("IHSAA") Class 4A state championship title.

Whereas, The Evansville Reitz Memorial High School football team defeated East Noble 21-3 to win the 2019 IHSAA Class 4A state championship title;

Whereas, To advance to the championship game, the Tigers defeated Boonville and Evansville Central to win the sectional championship, Mooresville to win the regional championship, and Mt. Vernon to win the semi-state championship;

Whereas, After trailing 3-0 at halftime following an East Noble field goal, Evansville Reitz Memorial took command of the game in the second half, starting with an 18-play, 80-yard drive taking nearly eight minutes off the third quarter clock which resulted in a touchdown, and a strong Tigers defense held off East Noble for good;

Whereas, Brock Combs rushed for 148 yards and scored two touchdowns for the Tigers, and Alan Stepto and Logan Lively were on the receiving end of two interceptions each, tying the Class 4A state championship records for most individual interceptions and most team interceptions;

Whereas, The state championship victory was Head Coach John Hurley's 100th career win; and

Whereas, Ending the season with a stellar 13-1 record, Evansville Memorial Reitz won its second state championship title in three years: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Evansville Reitz Memorial High School football team on winning the 2019 IHSAA Class 4A state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each member of the Evansville Reitz Memorial High School football team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Hatfield, McNamara, and Sullivan.

Senate Concurrent Resolution 9

Senate Concurrent Resolution 9, introduced by Senator Becker:

A CONCURRENT RESOLUTION congratulating the Evansville Reitz Memorial High School boys soccer team on winning the 2019 Indiana High School Athletic Association ("IHSAA") Class 2A state championship title.

Whereas, The Evansville Reitz Memorial High School boys soccer team defeated South Bend Saint Joseph 2-1 to win the 2019 IHSAA Class 2A state championship title;

Whereas, The Tigers defeated Evansville Bosse and Heritage Hills to win the sectional championship, Washington and Madison to win the regional championship, and Guerin Catholic to win the semi-state championship to advance to the state championship game;

Whereas, Isaac Bennett scored the Tigers' first goal after executing two give-and-go plays with teammates Evan Hudak and Stevenson Jean in the 22nd minute;

Whereas, Evansville Reitz Memorial's second score came after a Tyler Beeler pass to Garland Hall, and a Garland Hall back heel flick to Isaac Bennett to score the goal in the 34th minute;

Whereas, Though South Bend Saint Joseph out-shot the Tigers 9-7 over the final 40 minutes and scored in the 53rd minute to narrow the deficit, Evansville Reitz Memorial was resilient and never gave up the lead to win the championship;

Whereas, Following the Tigers' championship performance, Samuel Hodge was named the winner of the C. Eugene Cato Mental Attitude Award for Class 2A boys soccer;

Whereas, Evansville Reitz Memorial finished the season with a 17-3-2 record, but with a 15-0 record against Indiana teams; and

Whereas, Led by Head Coach Bill Vieth, Evansville Reitz Memorial won its fifth state championship title to remain undefeated in IHSAA boys soccer state championship game appearances: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Evansville Reitz Memorial High School boys soccer team on winning the 2019 IHSAA Class 2A state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each member of the Evansville Reitz Memorial High School boys soccer team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Hatfield, McNamara, and Sullivan.

House Concurrent Resolution 8

House Concurrent Resolution 8, sponsored by Senator Glick:

A CONCURRENT RESOLUTION commemorating the centennial anniversary of Indiana ratifying the 19th Amendment.

Whereas, On January 16, 1920, Indiana ratified the 19th Amendment, which states, The right of citizens of the United States to vote shall not be denied or abridged by the United States or by any state on account of sex";

Whereas, The effort in Indiana to grant women the right to vote began almost 70 years prior, when one of the first women's rights conventions in the country was organized by Randolph County's Amanda Way, a Quaker reformer, and held in Dublin, Indiana;

Whereas, Hoosier women went on to form numerous organizations to encourage the Indiana General Assembly to take favorable action on women's suffrage, including the Equal Suffrage Society founded by May Wright Sewall, the Woman's Franchise League founded by Grace Julian Clarke and Dr. Amelia Keller, and Branch No. 7 of the Equal Suffrage Association founded in the home of Madam C.J. Walker and chaired by Carrie Barnes Ross;

Whereas, Hoosier women almost won the right to vote in 1883, and again in 1917, but were met with obstacles along the way;

Whereas, Nevertheless, the persistence of brave women and men led to Indiana being the 26th state to ratify the 19th Amendment, with the suffrage amendment going into effect nationwide on August 26, 1920; and

Whereas, Hoosiers should continue to gather inspiration from Indiana's women's suffrage movement and celebrate this important milestone in our state's and nation's history: Therefore,

Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes and commemorates the centennial anniversary of Indiana ratifying the 19th Amendment.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the Indiana Women's Suffrage Centennial Commission.

The resolution was read in full and placed upon its passage. The question was, Shall the resolution pass? Roll Call 22: yeas 49, nays 0. The resolution was declared passed. The Chair instructed the Secretary to inform the House of the passage of the resolution.

Senate Resolution 6

Senate Resolution 6, introduced by Senators J.D. Ford, Ruckelshaus, and Spartz:

A SENATE RESOLUTION congratulating Dr. Tom Harmas as the 2019 High School Principal of the Year.

Whereas, The Indiana Association of School Principals has named Dr. Tom Harmas as the 2019 Indiana High School Principal of the year;

Whereas, Dr. Harmas has served as principal of Carmel High School since June 12, 2017;

Whereas, Dr. Harmas' educational career spans thirty-five years, first serving as a classroom teacher at Indian Creek High School followed by his service as principal of Creekside Middle School, Mount Vernon High School, and Tipton High School before his transition to Carmel High School;

Whereas, Dr. Harmas is principal of the largest high school in the state, overseeing 5,300 students and 700 staff members;

Whereas, Carmel High School is consistently ranked among the top high schools in the state of Indiana;

Whereas, Dr. Harmas has cultivated a "Culture of Care" at Carmel High School, aimed at de-stigmatizing mental health care and promoting inclusivity among students;

Whereas, Dr. Harmas has introduced new professional development initiatives for Carmel High School staff; and

Whereas, Dr. Harmas has dedicated his professional career to educating students and uplifting educators: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate congratulates Dr. Tom Harmas for being named the 2019 Indiana High School Principal of the Year.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Dr. Tom Harmas.

The resolution was read in full and adopted by voice vote.

Senate Concurrent Resolution 7

Senate Concurrent Resolution 7, introduced by Senators Koch and Stoops:

A CONCURRENT RESOLUTION honoring Indiana University in recognition of its Bicentennial Anniversary on January 20, 2020.

Whereas, Congress passed the Ordinance for the Government of the Northwest Territory in 1787, stating, "Religion, morality and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall be forever encouraged";

Whereas, In the legislation admitting Indiana to the State of the Union in 1816, a township of land, vested in the Indiana legislature, was reserved for a seminary of learning;

Whereas, The Indiana Constitution of 1816 stated "It shall be the duty of the General Assembly, as soon as circumstances will permit, to provide by law for a general system of education, ascending in a regular graduation from township schools to a State university, wherein tuition shall be gratis, and equally open to all";

Whereas, On January 20, 1820, the State of Indiana created the State Seminary and appointed a board of trustees to oversee its establishment at Bloomington;

Whereas, The Indiana State Seminary first opened its doors to students on April 4, 1825;

Whereas, On January 24, 1828, the Indiana General Assembly transformed the State Seminary into Indiana College at Bloomington "for the education of youth in the American, learned and foreign languages, the useful arts, Sciences and literature";

Whereas, In 1830, Indiana College observed its first commencement, granting degrees to four students;

Whereas, On February 15, 1838, the Indiana General Assembly converted Indiana College into Indiana University, the name the school still bears today;

Whereas, Starting in 1867, Indiana University began admitting women students on the same basis as men, and the University became a member of the Association of American Universities in 1909;

Whereas, Taking root in the late 19th century, the research ideal has been Indiana University's primary mission along with higher education;

Whereas, Indiana University has developed a statewide network of IU campuses and medical education centers extending from Indiana's southern to northern border, and a global learning environment;

Whereas, Well over a million students have taken courses at Indiana University, and approximately 893,000 degrees have been earned since 1830;

Whereas, Over the past 200 years, Indiana's flagship higher education institution has become one of the nation's leading research universities and made immeasurable contributions to the State of Indiana, the United States of America, and the world; and

Whereas, Indiana University enters its third century poised to continue offering a world-class education that is affordable and accessible to all Hoosiers: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly honors Indiana University in celebration of its Bicentennial Anniversary on January 20, 2020.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Dr. Michael A. McRobbie, President of Indiana University, and the Board of Trustees of Indiana University.

2:12 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 2:17 p.m., with the President of the Senate in the Chair.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Pierce.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 8 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 11 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON SECOND READING

Senate Concurrent Resolution 4

Senator Charbonneau called up Senate Concurrent Resolution 4 for second reading. The resolution was read a second time and adopted by standing vote. The Chair instructed the Secretary to

inform the House of the passage of the resolution. House sponsor: Representative Gutwein.

SENATE BILLS ON SECOND READING

Senate Bill 61

Senator Charbonneau called up Senate Bill 61 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 67

Senator Sandlin called up Senate Bill 67 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 67–1)

Madam President: I move that Senate Bill 67 be amended to read as follows:

Page 1, delete lines 1 through 10, begin a new paragraph and insert:

"SECTION 1. IC 12-20-9-5, AS AMENDED BY P.L.73-2005, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. If an individual or a member of an individual's household who is determined to be eligible for township assistance and entitled to temporary relief is in a township in which the individual or household member does not have legal residence, the township trustee, as administrator of township assistance:

(1) may, if the trustee considers advisable, **under IC 12-20-17-4; or**

(2) shall, if the trustee considers advisable, in the case of a trustee of a township to which IC 12-20-17-5 applies;

place the individual or household member temporarily in a county home ~~as provided in IC 12-20-17-4~~. **or provide temporary township assistance under this article.**

SECTION 2. IC 12-20-17-4, AS AMENDED BY P.L.73-2005, SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. **(a) This section applies only to a township that has a population of less than ten thousand (10,000).**

(b) If **a township trustee determines that:**

(1) an individual ~~who~~ is ~~determined to be~~ eligible for township assistance and entitled to temporary relief;

(2) ~~is in a township in which~~ the individual does not have legal residence **in the township or is unable to ascertain the individual's place of legal residence; and**

(3) the individual is homeless;

the township trustee, as administrator of township assistance, may, if the trustee considers advisable, place the individual temporarily in the county home, if any, where the individual, if capable, is to be employed **or provide temporary township assistance under this article.**

SECTION 3. IC 12-20-17-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5. (a) This section applies only to a township that has a population of at least ten thousand (10,000).**

(b) If a township trustee determines that:

(1) an individual is eligible for township assistance and entitled to temporary relief;

(2) the individual does not have legal residence in the township or is unable to ascertain the individual's place of legal residence; and

(3) the individual is homeless;

the township trustee, as administrator of township assistance, shall, if the trustee considers advisable, place the individual temporarily in the county home, if any, where the individual, if capable, is to be employed or provide temporary township assistance under this article.".

Renumber all SECTIONS consecutively.

(Reference is to SB 67 as printed January 14, 2020.)

SANDLIN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 78

Senator Messmer called up Senate Bill 78 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 132

Senator Crider called up Senate Bill 132 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 144

Senator Zay called up Senate Bill 144 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 144–1)

Madam President: I move that Senate Bill 144 be amended to read as follows:

Page 2, line 1, delete "shall" and insert "**may**".

Page 2, line 12, delete "in" and insert "**.**".

Page 2, delete line 13.

Page 2, line 14, delete "thirty (30)" and insert "**ten (10)**".

Page 2, line 15, delete "provide" and insert "**post a draft of**".

Page 2, line 15, delete "to the general" and insert "**on the board's Internet web site.**".

Page 2, delete line 16.

Page 2, line 40, delete "from the" and insert "**from a**".

Page 3, delete lines 19 through 42, begin a new paragraph and insert:

"SECTION 5. IC 31-26-4-17 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 17. (a) The board may establish a nonprofit subsidiary corporation that is exempt from federal income taxation under Section 501(c)(3) of the Internal Revenue Code to solicit and accept private funding, gifts, donations, bequests, devises, and contributions.**

(b) The board shall study the topic of establishing a nonprofit subsidiary described in subsection (a). Not later than December 31, 2020, the board shall submit a report to

the general assembly in an electronic format under IC 5-14-6 addressing the board's findings and determinations under this subsection. If the board determines to establish a nonprofit subsidiary corporation as described in subsection (a), the report must also include an implementation plan and estimated budget for the establishment of the nonprofit subsidiary corporation.

(c) A subsidiary corporation established under this section is governed by a board of directors comprised of members appointed by the Indiana kids first trust fund board. Employees of the Indiana kids first trust fund board may serve on the board of directors of the subsidiary corporation. A subsidiary corporation established under this section:

(1) shall use money received under subsection (a) to carry out, in any manner, the purposes and programs of the board;

(2) shall report to the budget committee each year concerning:

(A) the use of money received; and

(B) the balances in any accounts or funds established by the subsidiary corporation;

(3) may donate money received to the Indiana kids first trust fund; and

(4) may deposit money received in an account or fund that is:

(A) administered by the subsidiary corporation; and

(B) not part of the state treasury.

(d) Not later than ten (10) days after a meeting of the board of directors of the subsidiary corporation established under this section, the subsidiary corporation shall post a draft of the minutes of the meeting on the subsidiary corporation's Internet web site.

(e) Employees of the Indiana kids first trust fund board shall provide administrative support for a subsidiary corporation established under this section. Employees of the board directly involved in the subsidiary corporation may engage in fundraising activities on behalf of the subsidiary corporation.

(f) The state board of accounts shall annually audit a subsidiary corporation established under this section.".

Page 4, delete lines 1 through 17.

Renumber all SECTIONS consecutively.

(Reference is to SB 144 as printed January 14, 2020.)

ZAY

Motion prevailed. The bill was ordered engrossed.

Senate Bill 192

Senator Grooms called up Senate Bill 192 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 226

Senator Boots called up Senate Bill 226 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 229

Senator Spartz called up Senate Bill 229 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 246

Senator Crider called up Senate Bill 246 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 246–1)

Madam President: I move that Senate Bill 246 be amended to read as follows:

Page 2, line 22, delete "division of" and insert "**state**".

Page 2, line 23, delete "mental health and addiction".

Page 2, line 23, after "provide" insert "**mental or behavioral health**".

Page 2, line 30, delete ", including a charter school," and insert "**and charter school**".

Page 2, line 33, strike "division of mental health and addiction" and insert "**state**".

Page 2, line 36, after "mental" insert "**or behavioral**".

Page 2, line 38, delete "referral." and insert "**referral and assist school corporations and charter schools in obtaining a memorandum of understanding with a community mental health center or an appropriate provider.**".

Page 2, line 39, delete ", including a charter school," and insert "**and a charter school**".

Page 3, line 9, delete "corporation," and insert "corporation".

Page 3, line 10, delete "including" and insert "**or**".

Page 3, line 10, delete "school," and insert "**school**".

(Reference is to SB 246 as printed January 15, 2020.)

CRIDER

Motion prevailed. The bill was ordered engrossed.

Senate Bill 267

Senator Bohacek called up Senate Bill 267 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

SENATE MOTION

Madam President: I move that Senator Alting be added as second author and Senator Buck be added as third author of Senate Concurrent Resolution 6.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect,

Raatz, Lonnie M. Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Tallian, G. Taylor, Tomes, Walker, M. Young and Zay be added as coauthors of Senate Concurrent Resolution 7.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as second author of Senate Concurrent Resolution 8.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as second author of Senate Concurrent Resolution 9.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 1.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 3.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 3.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 4.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 4.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 5.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 12.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 14.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Gaskill be added as second author of Senate Bill 23.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as second author of Senate Bill 30.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as second author of Senate Bill 31.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as second author of Senate Bill 32.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as second author of Senate Bill 34.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as second author of Senate Bill 35.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 38.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 45.

J.D. FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Boots be added as coauthor of Senate Bill 47.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 52.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 63.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 85.

G. TAYLOR

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 86.

G. TAYLOR

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 87.

G. TAYLOR

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 88.

G. TAYLOR

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 97.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 101.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be removed as coauthor of Senate Bill 105.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author of Senate Bill 105.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 105.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 105.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 107.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 111.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 112.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 113.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 114.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 137.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 139.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 141.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 143.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as coauthor of Senate Bill 144.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 144.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 172.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 176.

MRVAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 177.

DONATO

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Freeman be removed as second author of Senate Bill 181.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Boots be removed as coauthor of Senate Bill 181.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 203.

G. TAYLOR

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 205.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second author and Senator Rogers be added as third author of Senate Bill 206.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 206.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as third author of Senate Bill 214.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as coauthor of Senate Bill 214.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 224.

G. TAYLOR

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as second author of Senate Bill 226.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author of Senate Bill 228.

BASSLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 233.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 241.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as coauthor of Senate Bill 246.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as second author of Senate Bill 249.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 252.

J.D. FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 254.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 256.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 275.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 276.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 277.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 281.

BREAUX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 282.

BREAUX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 283.

BREAUX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 285.

BREAUX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 286.

BREAUX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 287.

BREAUX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buchanan be added as second author of Senate Bill 292.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author of Senate Bill 293.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 293.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 293.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 303.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 304.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 305.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 306.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 310.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 311.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 312.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Alting be added as second author of Senate Bill 369.

STOOPS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 380.

J.D. FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 381.

J.D. FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 382.

J.D. FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 385.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author of Senate Bill 407.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 413.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 414.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 415.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 420.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 421.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 422.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Messmer be added as second author of Senate Bill 429.

PERFECT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 441.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Messmer be removed as second author of Senate Bill 444.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Perfect be removed as author of Senate Bill 444 and Senator Messmer be substituted therefor.

PERFECT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Perfect be added as second author of Senate Bill 444.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as third sponsor of Engrossed House Bill 1007.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, January 21, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 2:43 p.m.

JENNIFER L. MERTZ	SUZANNE CROUCH
Secretary of the Senate	President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Ninth Meeting Day Tuesday Afternoon January 21, 2020

The Senate convened at 1:41 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Father Bob Sims - Pastor at Immaculate Heart of Mary Parish in Indianapolis.

The Pledge of Allegiance to the Flag was led by Senator John Ruckelshaus.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 23: present 50; excused 0. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 14

Senate Concurrent Resolution 14, introduced by Senator Grooms:

A CONCURRENT RESOLUTION memorializing J. Robert Shine and urging the Indiana Department of Transportation to rename a portion of State Road 64 the "J. Robert Shine Highway".

Whereas, J. Robert Shine was born on November 1, 1923, in New Albany, Indiana, to Patty and Ira James Shine;

Whereas, Mr. Shine graduated from New Albany High School and received his bachelor of science with distinction from Indiana University, becoming a certified public accountant;

Whereas, Mr. Shine spent his career in public accounting at Monroe Shine & Co., Inc., building a strong reputation as a kind, intelligent, generous, and successful businessman;

Whereas, Mr. Shine was the past president and member of the Indiana CPA Society and a member of the American Institute of Certified Public Accountants;

Whereas, Mr. Shine maintained a lifelong relationship with IU, served as a senior counselor of the Dean's Advisory Council of the Kelley School of Business, and was awarded the Distinguished Entrepreneur Award, an Honorary Doctor of Law degree, and the Chancellor's Medallion from the university;

Whereas, Mr. Shine spent many years serving Saint Meinrad Archabbey and School of Theology in various capacities, including his service on the Advisory Board of Abbey Press, the Board of Overseers, the Endowment Committee, and the Audit Committee;

Whereas, Mr. Shine attended monthly meetings with community leaders, business leaders, and young professionals throughout his life in order to find new ways to improve southern Indiana communities; and

Whereas, Mr. Shine gave freely of his time, talent, and knowledge to build strong communities in Indiana and in doing so secured his legacy as a mentor, friend, passionate volunteer, and organizer for action: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly urges the Indiana Department of Transportation to memorialize J. Robert Shine for his service to Indiana by renaming a portion of State Road 64 the "J. Robert Shine Highway" from the intersection of Dant Drive to the intersection of Tunnel Hill Road in Floyd County.

SECTION 2. That copies of this resolution be transmitted by the Secretary of the Senate to the family of J. Robert Shine and

to the Commissioner of the Indiana Department of Transportation.

The resolution was read in full and referred to the Committee on Homeland Security and Transportation.

Senate Concurrent Resolution 15

Senate Concurrent Resolution 15, introduced by Senators Doriot and Rogers:

A CONCURRENT RESOLUTION urging the establishment of the Office of Outdoor Recreation Development within the Indiana Destination Development Corporation.

Whereas, The critical importance of Indiana's outdoor recreation industry for tourism and economic development cannot be overstated: 143,000 jobs for Hoosiers, $15.7 billion in annual consumer spending, and $1.1 billion in state and local tax revenue generated annually;

Whereas, Indiana's outdoor recreation industry not only includes state parks, trails, and water and snow resources, but many different activities and outdoor sports including hunting, fishing, camping, bicycling, boating, horseback riding, and motorcycling and other motorsports;

Whereas, Increased development and promotion of Indiana's outdoor recreation industry will create a better quality of place for Indiana residents and will attract potential residents to move to Indiana; and

Whereas, Establishing an office dedicated to developing and promoting Indiana's outdoor recreation industry is critical to the industry's future economic success: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly urges the establishment of the Office of Outdoor Recreation Development ("Office") within the Indiana Destination Development Corporation established by IC 5-33-3-1.

SECTION 2. (a) As used in this section, "outdoor recreation" means a recreational activity that occurs outdoors in a natural environment, including the use of:

(1) trails;
(2) the natural landscape;
(3) water resources;
(4) snow resources; and
(5) other resources.

(b) If established, the Office should do the following:

(1) Increase outdoor recreation-based economic development, tourism, and ecotourism in Indiana by:
(A) attracting outdoor recreation industries to Indiana;
(B) developing the growth of new business opportunities in Indiana; and
(C) marketing, advertising, and securing media opportunities that reflect the opportunities for outdoor recreation in Indiana.

(2) Promote the growth of the outdoor recreation economy in Indiana to support:
(A) economic growth; and
(B) stewardship and conservation of natural resources in Indiana.

(3) Coordinate with federal and state agencies and local government entities in Indiana on matters related to the purposes set forth in this section when the Office determines that coordination is necessary or beneficial.

(4) Recommend to the governor policies and initiatives to enhance recreational amenities and experiences in Indiana, help implement those policies and initiatives, and report on the impacts of implemented policies and initiatives, developing and supporting the development of data regarding the impacts of outdoor recreation in Indiana while ensuring national data are used as a benchmark factor in agency decisionmaking.

(5) Promote the health and social benefits of outdoor recreation.

(6) Advocate on behalf of Indiana for federal funding and participation in federal programs, including any funding opportunities that are available through:
(A) the Land and Water Conservation Fund established by 54 U.S.C. 200302;
(B) the Sport Fish Restoration Program; and
(C) the National Forest System Trail Stewardship Partnership Funding Program.

(7) Create and maintain a statewide list of lands to be conserved, enhanced, and publicized for outdoor recreation.

SECTION 3. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Governor Eric Holcomb, Lieutenant Governor Suzanne Crouch, and Elaine Bedel, Secretary and Chief Executive Officer of the Indiana Destination Development Corporation.

The resolution was read in full and referred to the Committee on Natural Resources.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill 8, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 66, has had the same under consideration and begs leave to report the same back to the

Senate with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 5 with "[EFFECTIVE JANUARY 1, 2021]".

Page 1, line 12, delete "Senator David".

Page 1, line 13, delete "C. Ford".

Page 2, line 39, delete "Senator David C. Ford".

Page 2, line 42, delete "Senator David C. Ford".

Page 3, line 3, delete "Senator".

Page 3, line 4, delete "David C. Ford".

Page 3, line 9, delete "Senator David C. Ford".

Page 4, line 19, delete "Senator David C. Ford".

Page 4, line 32, delete "Senator David C. Ford".

Page 4, line 41, after "to" insert "**adjusted gross income tax returns filed with respect to**".

Page 5, delete line 2.

(Reference is to SB 66 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 13, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 115, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between lines 10 and 11, begin a new line block indented and insert:

"**(4) "Relative" has the meaning set forth in IC 2-2.2-1-17.**".

Page 2, line 8, delete "who is" and insert "**who is:**

(A) blind or an individual with a disability; and

(B) a relative of the owner;".

Page 2, delete line 9.

Page 2, between lines 37 and 38, begin a new paragraph and insert:

"**(f) For purposes of this section, if real property, a mobile home, or a manufactured home is owned by:**

(1) tenants by the entirety;

(2) joint tenants; or

(3) tenants in common;

only one (1) deduction may be allowed.".

(Reference is to SB 115 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 14, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Agriculture, to which was referred Senate Bill 185, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

LEISING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 190, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill 197, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 10, delete "47 CFR 54.9 (as in effect on" and insert "**47 CFR 54.9.**".

Page 1, line 11, delete "January 1, 2020).".

(Reference is to SB 197 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill 257, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective date in SECTION 1 with "[EFFECTIVE UPON PASSAGE]".

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 8-21-1-1, AS AMENDED BY P.L.136-2018, SECTION 98, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) The definitions in this section apply throughout this article.

(b) "Aeronautics" means:

(1) transportation by aircraft;

(2) the operation, construction, repair, or maintenance of aircraft, aircraft power plants and accessories, including the repair, packing, and maintenance of parachutes;

(3) the design, establishment, construction, extension, operation, improvement, repair, or maintenance of airports, landing fields, or other air navigation facilities; and

(4) air instruction.

(c) "Aircraft" means any contrivance used or designed for navigation of or flight in the air.

(d) "Public aircraft" means an aircraft used exclusively in the service of any government or of any political subdivision of a government, including the government of any state but not including any government owned aircraft engaged in carrying persons or property for commercial purposes.

(e) "Civil aircraft" means any aircraft other than a public aircraft.

(f) "Airport" means any location either on land or water which is used for the landing and taking off of aircraft.

(g) "Department" refers to the Indiana department of transportation.

(h) "Landing field" means any airport which provides neither facilities nor services other than an area designated for the landing and taking off of aircraft.

(i) "Air navigation facility" means any facility other than one owned or controlled by the federal government, used in, available for use in, or designed for use in aid of air navigation, including:

(1) airports;

(2) landing fields;

(3) any structures, mechanisms, lights, beacons, marks, communicating systems, or other instrumentalities or devices used or useful as an aid, or constituting an advantage or convenience, to the safe taking-off, navigation, and landing of aircraft, or the safe and efficient operation or maintenance of an airport or landing field; and

(4) any combination of any or all of such facilities.

(j) "Air navigation" means the operation or navigation of aircraft in the air space over this state, or upon any airport or landing field within this state.

(k) "Operation of aircraft" or "operate aircraft" means the use of aircraft for the purpose of air navigation, and includes the navigation or piloting of aircraft. Any person who causes or authorizes the operation of aircraft, whether with or without the right of legal control (in the capacity of owner, lessee, or otherwise) of the aircraft, is considered to be engaged in the operation of aircraft within the meaning of the Indiana statutes.

(l) "Airman" means any individual who engages, as the person in command, or as pilot, mechanic, or member of the crew, in the navigation of aircraft while under way and (excepting individuals employed outside the United States, any individual employed outside the United States, any individual employed by a manufacturer of aircraft, aircraft engines, propellers, or appliances to perform duties as inspector or mechanic in connection with the manufacturer's aircraft, aircraft engines, propellers, or appliances, and any individual performing inspection or mechanical duties in connection with aircraft owned or operated by the individual) any individual who is directly in charge of the inspection, maintenance, overhauling, or repair of aircraft engines, propellers, or appliances and any individual who serves in the capacity of aircraft dispatcher or air-traffic control-tower operator.

(m) "Air instruction" means the imparting of aeronautical information by any aeronautics instructor or in or by any air school or flying club.

(n) "Air school" means any person engaged in giving, or offering to give, instruction in aeronautics, either in flying or ground subjects, or both, for or without hire or reward, and advertising, representing, or professing to give or offer to give such instruction.

(o) "Aeronautics instructor" means an individual engaged in giving instruction, or offering to give instruction, in aeronautics, either in flying or ground subjects, or both, for hire or reward, without advertising such occupation, without calling the individual's facilities an air school or anything equivalent thereto, and without employing or using other instructors.

(p) "Flying club" means any person other than an individual, which, neither for profit nor reward, owns, leases, or uses one (1) or more aircraft for the purpose of instruction or pleasure, or both.

(q) "Person" means any individual, firm, partnership, corporation, company, limited liability company, association, joint stock association, or body politic. The term includes any trustee, receiver, assignee, or other similar representative.

(r) "State airway" means a route in the navigable air space over and above the lands or water of Indiana designated by the department as a route suitable for air navigation.

(s) "Navigable air space" means air space above the minimum altitudes of flight prescribed by Indiana laws or by rules of the department consistent with Indiana laws.

(t) "Municipality" means any county, city, or town of Indiana and any other political subdivision, public corporation, authority, or district in Indiana which is or may be authorized by law to acquire, establish, construct, maintain, improve, and operate airports and other air navigation facilities.

(u) "Airport protection privileges" means easements through or other interests in air space over land or water, interests in airport hazards outside the boundaries of airports or landing fields, and other protection privileges, the acquisition or control of which is necessary to ensure safe approaches to the landing areas of the airports and landing fields and the safe and efficient operation of airports and landing fields.

(v) "Airport hazard" means any structure, object of natural growth, or use of land, which obstructs the air space required for the flight of aircraft in landing or taking off at any airport or landing field or is otherwise hazardous to such landing or taking off.

(w) "CAB-certificated air carrier" means an air carrier which is operating under a valid certificate of public convenience and necessity issued by the Civil Aeronautics Board under Public Law 85-726, Title VI, Aug. 23, 1958, 72 Stat. 754, 49 U.S.C. 1371 as amended.

(x) "Adverse impact on military operations and readiness" has the meaning set forth in 32 CFR 211.3.

(y) "Energy facility" means any structure that provides for the generation or transmission of electrical energy.".

Page 4, delete lines 14 through 42, begin a new paragraph and insert:

"**(k) The department shall not issue a permit under subsection (a) for construction or alteration of an energy facility that will result in a structure that is more than two hundred (200) feet above ground level at its site unless the applicant for the permit submits to the department documentation from the Military Aviation and Installation Assurance Siting Clearinghouse indicating:**

(1) that a formal review of the construction or alteration under 32 CFR 211.6 resulted in a determination that the construction or alteration will not have an adverse impact on military operations and readiness; or
(2) that:
(A) a formal review of the construction or alteration under 32 CFR 211.6 resulted in a determination that the proposed project will have an adverse impact on military operations and readiness; and
(B) the applicant has:
(i) resolved any identified adverse impact to the satisfaction of the United States Department of Defense; or
(ii) entered into a mitigation agreement with the United States Department of Defense to mitigate the adverse impact.

SECTION 3. **An emergency is declared for this act.**".
Delete page 5.
Renumber all SECTIONS consecutively.
(Reference is to SB 257 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 6, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs and The Military, to which was referred Senate Bill 307, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 6, Nays 0.

TOMES, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs and The Military, to which was referred Senate Bill 316, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:
Page 3, delete lines 18 through 42.
Page 4, delete line 1.
Renumber all SECTIONS consecutively.
(Reference is to SB 316 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 6, Nays 0.

TOMES, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 366, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:
Page 2, delete lines 4 through 20.
(Reference is to SB 366 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 13, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Senate Bill 384, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

WALKER, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 12

Senate Concurrent Resolution 12, introduced by Senators L. Brown and Busch:

A CONCURRENT RESOLUTION congratulating the Fort Wayne Carroll High School girls cross country team on winning the 2019 Indiana High School Athletic Association ("IHSAA") state championship title.

Whereas, The Fort Wayne Carroll High School girls cross country team won the 2019 IHSAA state championship title with a score of 101 points, defending the team's 2018 championship;

Whereas, Continuing its 2018 success, the Chargers swept the sectional, regional, and semi-state championships to earn a spot in the state championship meet;

Whereas, Fort Wayne Carroll placed six of its seven runners in the top 50 scorers for the race;

Whereas, Scoring for the Chargers was Zoe Duffus, who placed 6th overall, followed by Rayna Fruchey in 19th, Ashlyn Minton in 25th, Mallory Clements in 32nd, and Shelby Christman finished 75th overall to cap the team's championship title;

Whereas, Following the season, Zoe Duffus, Rayna Fruchey, and Ashlyn Minton were named to the Class 4A All State 1st Team by the Indiana Track and Cross Country Coaches Association; and

Whereas, Fort Wayne Carroll, led by head coach Phil Yoder, won the school's second consecutive state championship title in girls cross country: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Fort Wayne Carroll High School girls cross country team on winning the 2019 IHSAA state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each member of the Fort Wayne Carroll High School girls cross country team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Smaltz and Morris.

RESOLUTIONS ON SECOND READING

Senate Concurrent Resolution 6

Senator Buchanan called up Senate Concurrent Resolution 6 for second reading. The resolution was read a second time and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Lehe.

SENATE BILLS ON SECOND READING

Senate Bill 1

Senator Charbonneau called up Senate Bill 1 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1–1)

Madam President: I move that Senate Bill 1 be amended to read as follows:

Page 22, after line 41, begin a new paragraph and insert:

"SECTION 34. IC 35-46-1-11.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 11.9. A person who knowingly sells a tobacco product that contains vitamin E acetate commits a Class B infraction.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 1 as printed January 17, 2020.)

LEISING

Motion prevailed. The bill was ordered engrossed.

Senate Bill 9

Senator Tomes called up Senate Bill 9 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 9–1)

Madam President: I move that Senate Bill 9 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 34-6-2-138.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 138.5. "Shooting range", for purposes of IC 34-30-32, has the meaning set forth in IC 34-30-32-1.**".

Page 1, between lines 4 and 5, begin a new paragraph and insert:

"**Sec. 1. As used in this chapter, "shooting range" means a shooting range:**

(1) that is; or

(2) whose instructors and range safety officers are; certified by a nationally recognized shooting organization.".

Page 1, line 5, delete "Sec. 1." and insert "**Sec. 2.**".

Page 1, line 5, delete "range certified by a" and insert "**range:**".

Page 1, delete line 6.

Page 1, line 16, delete "Sec. 2." and insert "**Sec. 3.**".

Page 1, line 17, delete "1" and insert "**2**".

Page 2, line 6, delete "section 3" and insert "**section 4**".

Page 2, line 11, delete "Sec. 3." and insert "**Sec. 4.**".

Page 2, line 12, delete "section 2" and insert "**section 3**".

Page 2, line 24, delete "Sec. 4." and insert "**Sec. 5.**".

Page 2, line 29, delete "Sec. 5." and insert "**Sec. 6.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 9 as printed January 17, 2020.)

TOMES

Motion prevailed. The bill was ordered engrossed.

Senate Bill 12

Senator Boots called up Senate Bill 12 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 12–1)

Madam President: I move that Senate Bill 12 be amended to read as follows:

Page 1, delete lines 1 through 5, begin a new paragraph and insert:

"SECTION 1. IC 21-14-9-0.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.3. As used in this chapter, "dependent" means:**

(1) a biological child, adopted child, or stepchild of a person described in section 1 of this chapter; or

(2) an individual whose legal guardian is a person described in section 1 of this chapter.".

Renumber all SECTIONS consecutively.

(Reference is to SB 12 as printed January 17, 2020.)

M. YOUNG

Motion prevailed. The bill was ordered engrossed.

Senate Bill 14

Senator M. Young called up Senate Bill 14 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 20

Senator Gaskill called up Senate Bill 20 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 23

Senator Boots called up Senate Bill 23 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 68

Senator Sandlin called up Senate Bill 68 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 68–1)

Madam President: I move that Senate Bill 68 be amended to read as follows:

Page 2, line 8, delete "report." and insert "**report and shall send a copy of the written report to the employee making the oral report if the employee's identity is known.**".

(Reference is to SB 68 as printed January 17, 2020.)

TALLIAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 100

Senator Doriot called up Senate Bill 100 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 102

Senator Ruckelshaus called up Senate Bill 102 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 180

Senator Walker called up Senate Bill 180 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 195

Senator Koch called up Senate Bill 195 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 195–1)

Madam President: I move that Senate Bill 195 be amended to read as follows:

Page 2, line 11, delete "board and the commission for higher education," and insert "**board, department, and department of workforce development,**".

Page 2, line 22, delete "board and the commission for higher education," and insert "**board, department, and department of workforce development,**".

Page 2, line 36, delete "board and the" and insert "**board, department, and department of workforce development.**".

Page 2, delete line 37.

(Reference is to SB 195 as printed January 17, 2020.)

KOCH

Motion prevailed. The bill was ordered engrossed.

Senate Bill 200

Senator M. Young called up Senate Bill 200 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 237

Senator L. Brown called up Senate Bill 237 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 249

Senator M. Young called up Senate Bill 249 for second reading. The bill was read a second time by title.

After discussion, Senator M. Young withdrew the call.

Senate Bill 254

Senator Charbonneau called up Senate Bill 254 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 61

Senator Charbonneau called up Engrossed Senate Bill 61 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 24: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Bacon and Vermilion.

Engrossed Senate Bill 67

Senator Sandlin called up Engrossed Senate Bill 67 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 25: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Karickhoff.

Engrossed Senate Bill 78

Senator Messmer called up Engrossed Senate Bill 78 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 26: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Manning.

Engrossed Senate Bill 132

Senator Crider called up Engrossed Senate Bill 132 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 27: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Frye.

Engrossed Senate Bill 144

Senator Zay called up Engrossed Senate Bill 144 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 28: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative DeVon.

Engrossed Senate Bill 192

Senator Grooms called up Engrossed Senate Bill 192 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 29: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives DeVon, Davisson, Clere, and Fleming.

Engrossed Senate Bill 226

Senator Boots called up Engrossed Senate Bill 226 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 30: yeas 40, nays 10. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Baird and Lehe.

Engrossed Senate Bill 229

Senator Spartz called up Engrossed Senate Bill 229 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 31: yeas 32, nays 18. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Wolkins.

Engrossed Senate Bill 246

Senator Crider called up Engrossed Senate Bill 246 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 32: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Cook.

Engrossed Senate Bill 267

Senator Bohacek called up Engrossed Senate Bill 267 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 33: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Pressel and Heine.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1007

Senator Mishler called up Engrossed House Bill 1007 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1007–3)

Madam President: I move that Engrossed House Bill 1007 be amended to read as follows:

Page 2, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 3. IC 20-43-10-3.5, AS AMENDED BY P.L.108-2019, SECTION 231, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3.5. (a) As used in this section, "school" means a school corporation, charter school, ~~and a~~ virtual charter school, **special education cooperative established under IC 20-35-5, cooperative career and technical education program, and special education program established by an interlocal agreement under IC 36-1-7.**

(b) Subject to the requirements of this section, a school qualifies for a teacher appreciation grant as provided in this section for a state fiscal year if one (1) or more licensed teachers:

(1) employed in the classroom by the school; or

(2) directly providing virtual education;

were rated as effective or as highly effective, using the most recently completed teacher ratings.

(c) A school may not receive a teacher appreciation grant under this section unless:

(1) the school has in the state fiscal year in which the teacher appreciation grants are made under this section:

(A) adopted an annual policy concerning the distribution of teacher appreciation grants; and

(B) submitted the policy to the department for approval; and

(2) the department has approved the policy.

The department shall specify the date by which a policy described in subdivision (1) must be submitted to the department.

(d) The amount of a teacher appreciation grant for a qualifying school corporation or virtual charter school is equal to:

(1) thirty-seven dollars and fifty-cents ($37.50); multiplied by

(2) the school's current ADM.

However, the grant amount for a virtual charter school may not exceed the statewide average grant amount.

(e) The following apply to the distribution of teacher appreciation grants:

(1) If the total amount to be distributed as teacher appreciation grants for a particular state fiscal year exceeds the amount appropriated by the general assembly for teacher appreciation grants for that state fiscal year, the total amount to be distributed as teacher appreciation grants to schools shall be proportionately reduced so that the total reduction equals the amount of the excess. The amount of the reduction for a particular school is equal to the total amount of the excess multiplied by a fraction. The numerator of the fraction is the amount of the teacher appreciation grant that the school would have received if a reduction were not made under this section. The denominator of the fraction is the total amount that would be distributed as teacher appreciation grants to all schools if a reduction were not made under this section.

(2) If the total amount to be distributed as teacher appreciation grants for a particular state fiscal year is less than the amount appropriated by the general assembly for teacher appreciation grants for that state fiscal year, the total amount to be distributed as teacher appreciation grants to schools for that particular state fiscal year shall be proportionately increased so that the total amount to be distributed equals the amount of the appropriation for that particular state fiscal year.

(f) The annual teacher appreciation grant to which a school is entitled for a state fiscal year shall be distributed to the school before December 5 of that state fiscal year.

(g) The following apply to a school's policy under subsection (c) concerning the distribution of teacher appreciation grants:

(1) The governing body shall differentiate between a teacher rated as a highly effective teacher and a teacher rated as an effective teacher. The policy must provide that the amount of a stipend awarded to a teacher rated as a highly effective teacher must be at least twenty-five percent (25%) more than the amount of a stipend awarded to a teacher rated as an effective teacher.

(2) The governing body of a school may differentiate between school buildings.

(3) A stipend to an individual teacher in a particular year is not subject to collective bargaining, but is discussable, and is in addition to the minimum salary or increases in salary set under IC 20-28-9-1.5. The governing body may provide that an amount not exceeding fifty percent (50%) of the amount of a stipend to an individual teacher in a particular state fiscal year becomes a permanent part of and increases the base salary of the teacher receiving the stipend for school years beginning after the state fiscal year in which the stipend is received. The addition to base salary is not subject to collective bargaining, but is discussable.

(h) A teacher appreciation grant received by a school shall be allocated among and used only to pay cash stipends to all licensed teachers employed in the classroom who are rated as effective or as highly effective and employed by the school as of December 1. A school may allocate up to twenty percent (20%) of the grant received by the school to provide a supplemental award to teachers with less than five (5) years of service who are rated as effective or as highly effective. The supplemental award is in addition to the award made from the part of the grant that is allocated to all eligible teachers.

(i) The lead school corporation or interlocal cooperative administering a cooperative or other special education program or administering a career and technical education program, including programs managed under IC 20-26-10, IC 20-35-5, IC 20-37, or IC 36-1-7, shall award teacher appreciation grant stipends to and carry out the other responsibilities of an employing school corporation under this section for the teachers

in the special education program or career and technical education program.

(j) A school shall distribute all stipends from a teacher appreciation grant to individual teachers within twenty (20) business days of the date the department distributes the teacher appreciation grant to the school. Any part of the teacher appreciation grant not distributed as stipends to teachers before February must be returned to the department on the earlier of the date set by the department or June 30 of that state fiscal year.

(k) The department, after review by the budget committee, may waive the December 5 deadline under subsection (f) to distribute an annual teacher appreciation grant to the school under this section for that state fiscal year and approve an extension of that deadline to a later date within that state fiscal year, if the department determines that a waiver and extension of the deadline are in the public interest.

(l) The state board may adopt rules under IC 4-22-2, including emergency rules in the manner provided in IC 4-22-2-37.1, as necessary to implement this section.

(m) This section expires June 30, 2021.

SECTION 4. [EFFECTIVE UPON PASSAGE] **(a) For purposes of this SECTION, "eligible teacher" means each individual teacher who:**

(1) is eligible to receive a teacher appreciation grant stipend under IC 20-43-10-3.5, as amended by this act; and

(2) is employed by the school corporation at the time of the distribution.

(b) There is appropriated from the state general fund to the department of education one hundred million dollars ($100,000,000) for the state fiscal year beginning July 1, 2019, and ending June 30, 2020. The amount appropriated under this SECTION shall be used to distribute an additional teacher appreciation grant award to eligible teachers under IC 20-43-10-3.5, as amended by this act. The distribution amount to each school corporation shall be determined on a pro rata basis based on the number of eligible schools and current ADM. The department of education shall administer the distributions under this subsection.

(c) The amount appropriated under this SECTION is in addition to the amount appropriated by the general assembly in P.L.108-2019 for teacher appreciation grants for the state fiscal year beginning July 1, 2019, and ending June 30, 2020.

(d) The distributions to eligible teachers under this SECTION must be made not later than June 30, 2020.

(e) This SECTION expires July 1, 2021.

SECTION 5. [EFFECTIVE UPON PASSAGE] **(a) For purposes of this SECTION, "eligible teacher" means each individual teacher who:**

(1) is eligible to receive a teacher appreciation grant stipend under IC 20-43-10-3.5, as amended by this act; and

(2) is employed by the school corporation at the time of the distribution.

(b) There is appropriated from the state general fund to the department of education one hundred million dollars ($100,000,000) for the state fiscal year beginning July 1, 2020, and ending June 30, 2021. The amount appropriated under this SECTION shall be used to distribute an additional teacher appreciation grant award to eligible teachers under IC 20-43-10-3.5, as amended by this act. The distribution amount to each school corporation shall be determined on a pro rata basis based on the number of eligible schools and current ADM. The department of education shall administer the distributions under this subsection.

(c) The amount appropriated under this SECTION is in addition to the amount appropriated by the general assembly in P.L.108-2019 for teacher appreciation grants for the state fiscal year beginning July 1, 2020, and ending June 30, 2021.

(d) The distributions to eligible teachers under this SECTION must be made on the same date that the teacher appreciation grant stipend is allocated and distributed to eligible teachers under IC 20-43-10-3.5, as amended by this act.

(e) This SECTION expires June 30, 2022.

SECTION 6. [EFFECTIVE UPON PASSAGE] **Notwithstanding P.L.108-2019 or any other law, the appropriation in P.L.108-2019, SECTION 9, of nine hundred forty-six million six hundred thousand dollars ($946,600,000) for the Indiana public retirement system teachers' retirement fund distribution for the state fiscal year beginning July 1, 2020, and ending June 30, 2021, is reduced to eight hundred forty-six million six hundred thousand dollars ($846,600,000).**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1007 as printed January 17, 2020).

TALLIAN

The President of the Senate yielded the gavel to Senator Rodric D. Bray.

Upon request of Senator Tallian the President ordered the roll of the Senate to be called. Roll Call 34: yeas 10, nays 40.

Motion failed.

SENATE MOTION
(Amendment 1007–2)

Madam President: I move that Engrossed House Bill 1007 be amended to read as follows:

Page 2, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 3. IC 12-15-2-13, AS AMENDED BY P.L.85-2017, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. (a) A pregnant woman:

(1) who is not described in 42 U.S.C. 1396a(a)(10)(A)(i); and

(2) whose family income does not exceed the income level established in subsection (b);

is eligible to receive Medicaid.

(b) A pregnant woman described in this section is eligible to receive Medicaid, subject to subsections (c) and (d) and 42 U.S.C. 1396a et seq., if her family income does not exceed two hundred percent (200%) of the federal income poverty level for the same size family.

(c) Medicaid made available to a pregnant woman described

in this section is limited to medical assistance for services related to pregnancy, including prenatal, delivery, and postpartum services, and to other conditions that may complicate pregnancy.

(d) Medicaid is available to a pregnant woman described in this section for the duration of the pregnancy and for the ~~sixty (60) day~~ **one (1) year** postpartum period that begins on the last day of the pregnancy, without regard to any change in income of the family of which she is a member during that time.

(e) Medicaid for substance abuse treatment is available to a pregnant woman described in this section for the duration of the
pregnancy and for the one (1) year postpartum period that begins on the last day of the pregnancy, without regard to any change in income of the family of which she is a member during that time.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1007 as printed January 17, 2020.)

BREAUX

Upon request of Senator Breaux the President ordered the roll of the Senate to be called. Roll Call 35: yeas 10, nays 40.

Motion failed.

SENATE MOTION
(Amendment 1007–1)

Madam President: I move that Engrossed House Bill 1007 be amended to read as follows:

Page 3, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 4. [EFFECTIVE UPON PASSAGE] **(a) Notwithstanding P.L.108-2019, SECTION 4, or any other law, the per diem rate that is paid from the county jail maintenance contingency fund or any other fund for the state fiscal year beginning July 1, 2020, and ending June 30, 2021, for the purpose of reimbursing sheriffs for the cost of incarcerating in county jails persons convicted of felonies who are incarcerated for more than five (5) days after the day of sentencing or the date upon which the department of correction receives the abstract of judgment and sentencing order, whichever occurs later, shall be up to forty-five dollars ($45) per day.**

(b) This SECTION expires June 30, 2022.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1007 as printed January 17, 2020.)

TALLIAN

Upon request of Senator Tallian the President ordered the roll of the Senate to be called. Roll Call 36: yeas 10, nays 40.

Motion failed. The bill was ordered engrossed.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 7, 8, and 9 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 9 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senators Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young and Zay be added as coauthors of Senate Concurrent Resolution 6.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as coauthor of Senate Bill 1.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 1.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as coauthor of Senate Bill 8.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as third author of Senate Bill 12.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as coauthor of Senate Bill 12.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 12.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as coauthor of Senate Bill 12.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Rogers and Kruse be added as coauthors of Senate Bill 20.

GASKILL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niemeyer be added as third author of Senate Bill 23.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as coauthor of Senate Bill 24.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author and Senator Lanane be added as coauthor of Senate Bill 26.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 28.

STOOPS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 61.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as coauthor of Senate Bill 61.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as coauthor of Senate Bill 61.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author and Senator Zay be added as coauthor of Senate Bill 66.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 66.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 66.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as third author of Senate Bill 67.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as coauthor of Senate Bill 67.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as coauthor of Senate Bill 67.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 67.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 67.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 67.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator G. Taylor be added as coauthor of Senate Bill 67.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 68.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as coauthor of Senate Bill 68.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 78.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as second author of Senate Bill 83.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 102.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Freeman, Lonnie M. Randolph, Sandlin, and M. Young be added as coauthors of Senate Bill 109.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 115.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Garten be added as second author of Senate Bill 132.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 132.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as coauthor of Senate Bill 144.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 144.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as coauthor of Senate Bill 171.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as second author of Senate Bill 172.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author, Senator Niezgodski be added as third author, and Senator J.D. Ford be added as coauthor of Senate Bill 180.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Boots be added as second author, Senator Freeman be added as third author, and Senators Tallian, Niezgodski, J.D. Ford, Doriot, Crane, and Kruse be added as coauthors of Senate Bill 181.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as coauthor of Senate Bill 192.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 192.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 192.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 192.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 195.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Garten be added as second author and Senator Doriot be added as third author of Senate Bill 197.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as second author, Senator Freeman be added as third author, and Senators Rogers and G. Taylor be added as coauthors of Senate Bill 199.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 214.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Freeman be added as second author of Senate Bill 216.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as third author of Senate Bill 223.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as coauthor of Senate Bill 226.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as third author of Senate Bill 229.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author, Senator Tomes be added as third author, and Senators Mrvan and Rogers be added as coauthors of Senate Bill 237.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 237.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as coauthor of Senate Bill 237.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as coauthor of Senate Bill 241.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as second author and Senator Mrvan be added as coauthor of Senate Bill 246.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 246.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as coauthor of Senate Bill 246.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as coauthor of Senate Bill 246.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 246.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 246.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 246.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 246.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators J.D. Ford and Lonnie M. Randolph be added as coauthors of Senate Bill 254.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author of Senate Bill 255.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as coauthor of Senate Bill 255.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mishler be added as second author, Senator Merritt be added as third author, and Senators Garten, Ruckelshaus, Perfect, Spartz, and J.D. Ford be added as coauthors of Senate Bill 256.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Messmer be added as coauthor of Senate Bill 256.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Garten be added as second author and Senator Doriot be added as third author of Senate Bill 257.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators M. Young and Buchanan be added as coauthors of Senate Bill 262.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as coauthor of Senate Bill 262.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as second author of Senate Bill 266.

DONATO

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Rogers, Crane, Kruse, and Buchanan be added as coauthors of Senate Bill 266.

DONATO

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 267.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 267.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as second author of Senate Bill 291.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as second author and Senator Zay be added as coauthor of Senate Bill 295.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as third author and Senators Freeman and Glick be added as coauthors of Senate Bill 302.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Lonnie M. Randolph, Breaux, J.D. Ford, and Mrvan be added as coauthors of Senate Bill 306.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be removed as second author of Senate Bill 319.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buchanan be removed as third author of Senate Bill 319.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as second author, Senator Raatz be added as third author, and Senator Buchanan be added as coauthor of Senate Bill 319.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Buck, Charbonneau, and Niezgodski be added as coauthors of Senate Bill 320.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as coauthor of Senate Bill 342.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as coauthor of Senate Bill 342.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as coauthor of Senate Bill 342.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Walker be added as coauthor of Senate Bill 342.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Alting be removed as second author of Senate Bill 369.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be removed as author of Senate Bill 369 and Senator Alting be substituted therefor.

STOOPS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second author and Senator Stoops be added as third author of Senate Bill 369.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as coauthor of Senate Bill 369.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as second author, Senator Gaskill be added as third author, and Senator Crane be added as coauthor of Senate Bill 384.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as coauthor of Senate Bill 385.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Perfect be added as second author of Senate Bill 405.

GARTEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Kruse and Stoops be added as coauthors of Senate Bill 407.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Merritt and Alting be added as coauthors of Senate Bill 407.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as coauthor of Senate Bill 407.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as coauthor of Senate Bill 409.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as second author of Senate Bill 412.

CRANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Lonnie M. Randolph, Breaux, J.D. Ford, and Mrvan be added as coauthors of Senate Bill 413.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Garten be removed as author of Senate Bill 443 and Senator Zay be substituted therefor.

GARTEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author of Senate Bill 443.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second sponsor of Engrossed House Bill 1007.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Thursday, January 23, 2020.

MESSMER

Motion prevailed.

The Senate adjourned at 3:38 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Tenth Meeting Day Thursday Afternoon January 23, 2020

The Senate convened at 1:43 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Senator John B. Crane.

The Pledge of Allegiance to the Flag was led by Senator Crane.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse ▶
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M. ▶
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten ▶	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 37: present 47; excused 3. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Senate Bill 386, currently assigned to the Committee on Judiciary, be reassigned to the Committee on Corrections and Criminal Law.

BRAY

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: Pursuant to Senate Rule 68(b), I hereby report that Senate Bill 425, currently assigned to the Committee on Education and Career Development, be reassigned to the Committee on Tax and Fiscal Policy.

BRAY

Report adopted.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Senate Resolution 13, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.
Committee Vote: Yeas 8, Nays 0.

PERFECT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 3, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 3, after "(a)" insert "**As used in this section, "emergency services" means services that are:**

(1) furnished by a provider qualified to furnish emergency services; and

(2) needed to evaluate or stabilize an emergency medical condition.

(b)".

Page 1, line 3, after "receives" insert "**emergency**".

Page 1, line 17, delete "(b)" and insert "**(c) This subsection does not apply to the provision of emergency services.**".

Page 2, line 4, after "(5)" insert "**business**".

Page 2, line 5, after "include" insert "**whether the cost included in the estimate is an in network rate or an out of network rate, and**".

Page 2, between lines 8 and 9, begin a new line blocked left and insert:

"**If the estimate includes costs for an out of network provider providing the service or procedure, the estimate may include a range for the cost of the service or procedure.**

(d) If the service or procedure is scheduled within five (5) business days of a request for an estimate under subsection (c), the hospital, ambulatory outpatient surgical center, or

birthing center shall make a good faith effort to provide an estimate of the cost of care, including the patient's share of the cost.

(e) Upon receipt of the good faith estimate under this section, the patient, patient's representative, or health care representative shall acknowledge in writing receipt of the estimate and indicate whether to proceed with the service or procedure.".

Page 2, delete lines 22 through 27.

Page 2, line 28, delete "(d)" and insert "**(c)**".

Page 2, line 31, after "(5)" insert "**business**".

Page 2, after line 35, begin a new paragraph and insert:

"**(d) When the estimate under this section is for a service or procedure that will be provided in a hospital, an ambulatory outpatient surgical center, or a birthing center, the hospital, ambulatory outpatient surgical center, or birthing center is responsible for providing the complete good faith estimate to the patient, patient's guardian, or health care representative under IC 16-21-2-17.**

(e) If the service or procedure is scheduled within five (5) business days of a request for an estimate under subsection (c), the practitioner shall make a good faith effort to provide an estimate of the cost of care, including the patient's share of the cost.

(f) Upon receipt of the good faith estimate under this section, the patient, patient's representative, or health care representative shall acknowledge in writing receipt of the estimate and indicate whether to proceed with the service or procedure.".

(Reference is to SB 3 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 4, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 6, line 21, delete "base." and insert "**base to be deposited in the department of insurance fund established in IC 27-1-3-28 and to be used for funding of the data base.**".

Page 6, line 38, after "committee" delete "," and insert "**and after state budget agency approval,**".

Page 7, line 6, after "governor" insert "**, the state budget committee,**".

Page 7, line 14, delete "set." and insert "**base.**".

(Reference is to SB 4 as printed January 17, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 13, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 5, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 64, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning higher education and to make an appropriation.

Page 2, line 8, after "Indiana" insert "**through its member schools and subcontractors**".

Page 2, line 14, delete "the following four (4) members:" and insert "**members to be determined by the general assembly at a later date.**".

Page 2, delete lines 15 through 22.

Page 3, line 33, delete "work;" and insert "**activities targeted to college, career exploration, and public service;**".

Page 4, after line 28, begin a new paragraph and insert:

"SECTION 2. [EFFECTIVE JULY 1, 2020] **(a) There is appropriated to the Center of Excellence in Leadership of Learning at the University of Indianapolis thirty thousand dollars ($30,000) from the state general fund beginning July 1, 2020, and ending June 30, 2021, for the purpose of developing a proposal to establish the Indiana youth service program under IC 21-17-7, as added by this act.**

(b) This SECTION expires July 1, 2021.".

(Reference is to SB 64 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 1.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 71, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 98, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 6, reset in roman "licensed physician with specialized training or".

Page 2, reset in roman line 7.

Page 2, line 8, reset in roman "administration of the anesthetic to a patient and".

Page 2, line 9, after "facility" insert "**be available for timely consultation**".

Page 2, line 9, reset in roman "during the surgical procedure, except when only a".

Page 2, line 10, reset in roman "local infiltration anesthetic is administered.".

Page 2, line 10, delete "certified registered".

Page 2, delete lines 11 through 13.

Page 4, line 11, delete "or podiatrist." and insert "**and if the directing physician is available for timely consultation. A certified registered nurse anesthetist may administer anesthesia under the direction of a podiatrist in a hospital or an ambulatory outpatient surgical center (as defined in IC 16-18-2-14) if a physician is available for timely consultation.**".

Page 6, line 35, delete "or" and insert "**and if the directing physician is available for timely consultation. A certified registered nurse anesthetist may administer anesthesia under the direction of a podiatrist in a hospital or an ambulatory outpatient surgical center (as defined in IC 16-18-2-14) if a physician is available for timely consultation.**".

Page 6, delete line 36.

(Reference is to SB 98 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 2.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 101, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 3.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 109, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 4, reset in roman "Except as provided in subsection (e),".

Page 2, line 4, delete "A" and insert "a".

Page 2, line 14, delete "A" and insert "**Except as provided in subsection (p),** a".

Page 2, line 14, reset in roman "is barred unless".

Page 2, line 14, delete "may be".

Page 2, line 15, reset in roman "before the date that the alleged victim of the offense".

Page 2, line 16, reset in roman "reaches thirty-one (31) years of age:".

Page 2, line 16, delete "at any time:".

Page 2, delete lines 17 through 18.

Page 2, line 19, reset in roman "(1)".

Page 2, line 19, delete "(3)".

Page 2, line 20, reset in roman "(2)".

Page 2, line 20, delete "(4)".

Page 2, line 21, reset in roman "(3)".

Page 2, line 21, delete "(5)".

Page 2, line 22, reset in roman "(4)".

Page 2, line 22, delete "(6)".

Page 2, line 23, reset in roman "(5)".

Page 2, line 23, delete "(7)".

Page 2, line 24, reset in roman "(6)".

Page 2, line 24, delete "(8)".

Page 4, after line 26, begin a new paragraph and insert:

"**(p) A prosecution for an offense described in subsection (e) that would otherwise be barred under this section may be commenced not later than five (5) years after the earliest of the date on which:**

(1) the state first discovers evidence sufficient to charge the offender with the offense through DNA (deoxyribonucleic acid) analysis;

(2) the state first becomes aware of the existence of a recording (as defined in IC 35-31.5-2-273) that provides evidence sufficient to charge the offender with the offense; or

(3) a person confesses to the offense.".

(Reference is to SB 109 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 131, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "shall" and insert "**may**".

Page 1, line 11, delete "shall" and insert "**may**".

Page 1, line 16, delete "must" and insert "**may**".

Page 2, line 2, delete "must" and insert "**may**".

Page 2, line 3, delete "must" and insert "**may**".

Page 2, delete lines 7 through 16, begin a new line block indented and insert:

"**(2) The representation of the United States flag and the Indiana state flag as described in subsection (a)(2) must comply with any applicable federal or state laws concerning the design, dimensions, or presentation of the respective flags.**".

(Reference is to SB 131 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 2.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 142, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete lines 11 through 16, begin a new paragraph and insert:

"**(e) The office may apply to the United States Department of Health and Human Services for a state plan amendment to allow school corporations to seek Medicaid reimbursement for medically necessary, school-based Medicaid covered services that are provided under federal or state mandates. If the state plan amendment is approved and implemented, services may be provided by a qualified practitioner in a school setting to Medicaid enrolled students. The services may include the following:**

(1) Those pursuant to any of the following:".

Page 2, delete lines 25 through 42, begin a new line block indented and insert:

"**(2) Medically necessary, Medicaid covered nursing services provided by a licensed and qualified practitioner under IC 25-23-1.**

The office may, in consultation with the department of education, develop any necessary state plan amendment under this subsection. The office may apply for any state plan amendment necessary to implement this subsection.".

Page 3, delete lines 1 through 13.

(Reference is to SB 142 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill 170, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 6-3.1-36 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]:

Chapter 36. Mine Reclamation Tax Credit

Sec. 1. As used in this chapter, "corporation" refers to the Indiana economic development corporation established by IC 5-28-3 unless the context clearly denotes otherwise.

Sec. 2. As used in this chapter, "mine reclamation site" means land that has been mined using surface mining methods or underground mining methods, specifically and primarily for the removal of coal, and land contiguous to such previously mined land.

Sec. 3. As used in this chapter, "qualified investment" means the amount of the taxpayer's expenditures for development of property located within a mine reclamation site.

Sec. 4. As used in this chapter, "state tax liability" means the taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);

(2) IC 27-1-18-2 (the insurance premiums tax); and

(3) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this chapter.

Sec. 5. As used in this chapter, "taxpayer" means any person, corporation, limited liability company, partnership, or other entity that has any state tax liability and that is the owner or developer of a mine reclamation site. The term includes a lessee that is assigned some part of a credit under section 6(c) of this chapter.

Sec. 6. (a) Subject to entering into an agreement with the corporation under section 8 of this chapter and subject to section 11 of this chapter, a taxpayer is entitled to a credit against the taxpayer's state tax liability for a taxable year if the taxpayer makes a qualified investment in that year.

(b) The amount of the credit to which a taxpayer is entitled is the qualified investment made by the taxpayer during the taxable year multiplied by twenty-five percent (25%).

(c) A taxpayer may assign any part of the credit to which the taxpayer is entitled under this chapter to a lessee of the mine reclamation site. A credit that is assigned under this subsection remains subject to this chapter.

(d) An assignment under subsection (c) must be in writing and both the taxpayer and the lessee must report the assignment on their state tax returns for the year in which the assignment is made, in the manner prescribed by the department of state revenue. The taxpayer may not receive value in connection with the assignment under subsection (c) that exceeds the value of the part of the credit assigned.

Sec. 7. (a) If the amount determined under section 6(b) of this chapter for a taxable year exceeds the taxpayer's state tax liability for that taxable year, the taxpayer may carry the excess over to the immediately following taxable years. The amount of the credit carryover from a taxable year is reduced to the extent that the carryover is used by the taxpayer to obtain a credit under this chapter for any subsequent taxable year.

(b) A taxpayer is not entitled to a carryback or refund of any unused credit.

Sec. 8. (a) A taxpayer that proposes to make qualified investments on a mine reclamation site as provided under this chapter may apply to the corporation to enter into an

agreement for a tax credit under this chapter.

(b) The corporation shall prescribe the form of the application.

Sec. 9. The corporation shall consider the following factors in evaluating applications filed under this chapter:

(1) The impact in the surrounding community caused by the lack of development at the mine reclamation site.

(2) Evidence of support for the designation by residents, businesses, and private organizations in the surrounding community.

(3) Evidence of a commitment by private or governmental entities to assist in the financing of improvements or redevelopment activities benefitting the mine reclamation site.

(4) Whether the mine reclamation site is within an economic revitalization area designated under IC 6-1.1-12.1.

Sec. 10. If the corporation approves an application under this chapter, the corporation shall require the applicant to enter into an agreement with the corporation as a condition of receiving a tax credit under this chapter.

Sec. 11. A taxpayer is not entitled to claim the credit provided by this chapter if the corporation determines that the taxpayer has substantially reduced or ceased its operations in Indiana in order to relocate them within the mine reclamation site. A determination that a taxpayer is not entitled to the credit provided by this chapter as a result of a substantial reduction or cessation of operations applies to credits that would otherwise arise in the taxable year in which the substantial reduction or cessation occurs and in all subsequent years.

Sec. 12. (a) A credit to which a taxpayer is entitled under this chapter shall be applied against taxes owed by the taxpayer in the following order:

(1) Against the taxpayer's adjusted gross income tax liability (IC 6-3-1 through IC 6-3-7) for the taxable year.

(2) Against the taxpayer's insurance premiums tax liability (IC 27-1-18-2) for the taxable year.

(3) Against the taxpayer's financial institutions tax (IC 6-5.5) for the taxable year.

(b) Whenever the tax paid by the taxpayer under any of the tax provisions listed in subsection (a) is a credit against the liability or a deduction in determining the tax base under another Indiana tax provision, the credit or deduction shall be computed without regard to the credit to which a taxpayer is entitled under this chapter.

Sec. 13. To receive the credit provided by this chapter, a taxpayer must claim the credit on the taxpayer's annual state tax return or returns in the manner prescribed by the department of state revenue. The taxpayer shall submit to the department of state revenue the certification of the corporation stating the percentage of credit allowable under this chapter and all other information that the department determines is necessary for the calculation of the credit provided by this chapter and for the determination of whether an expenditure is for a qualified investment.

Sec. 14. (a) If a pass through entity does not have state income tax liability against which the tax credit provided by this chapter may be applied, a shareholder, partner, or member of the pass through entity is entitled to a tax credit equal to:

(1) the tax credit determined for the pass through entity for the taxable year; multiplied by

(2) the percentage of the pass through entity's distributive income to which the shareholder, partner, or member is entitled.

(b) The credit provided under subsection (a) is in addition to a tax credit to which a shareholder, partner, or member of a pass through entity is otherwise entitled under this chapter.

(c) Notwithstanding subsections (a) and (b), a pass through entity (other than an entity described in IC 6-3-1-35(1)) and its partners, beneficiaries, or members may allocate the credit among its partners, beneficiaries, or members of the pass through entity as provided by written agreement without regard to their sharing of other tax or economic attributes. Such agreements shall be filed with the corporation not later than fifteen (15) days after execution. The pass through entity shall also provide a copy of such agreements, a list of partners, beneficiaries, or members of the pass through entity, and their respective shares of the credit resulting from such agreements in the manner prescribed by the department of state revenue.

SECTION 2. IC 36-7-4-1103, AS AMENDED BY P.L.119-2012, SECTION 195, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1103. ~~(a) This section does not apply to a plan commission exercising jurisdiction in a county having a population of more than twenty thousand nine hundred (20,900) but less than twenty-one thousand (21,000).~~

~~(b)~~ **(a)** ADVISORY—AREA. For purposes of this section, urban areas include all lands and lots within the corporate boundaries of a municipality, any other lands or lots used for residential purposes where there are at least eight (8) residences within any quarter mile square area, and other lands or lots that have been or are planned for residential areas contiguous to the municipality.

~~(c)~~ **(b)** ADVISORY—AREA. This chapter does not authorize an ordinance or action of a plan commission that would prevent, outside of urban areas, the complete use and alienation of any mineral resources or forests by the owner or alienee of them.

(Reference is to SB 170 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Tax and Fiscal Policy.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Senate Bill 177, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

MERRITT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 181, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 12, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 202, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 5, Nays 1.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 205, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete lines 1 and 2, begin a new line block indented and insert:

"**(4) An employee welfare benefit plan (as defined in 29 U.S.C. 1002 et seq.) to the extent allowable under federal law.**".

Page 2, between lines 41 and 42, begin a new paragraph and insert:

"**Sec. 7. Nothing in this chapter imposes on any health plan an obligation to provide greater benefits to a covered individual with medical payment coverage than would be provided to a covered individual without medical payment coverage.**

Sec. 8. This chapter does not affect any right of subrogation provided under a health plan.

Sec. 9. Nothing in this chapter affects the ability of a covered individual to prohibit a health care provider from billing the covered individual's medical payment coverage insurer directly.".

Page 2, line 42, delete "Sec. 7." and insert "**Sec. 10.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 205 as introduced.)

and when so amended that said bill do pass.
Committee Vote: Yeas 7, Nays 0.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 206, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between lines 9 and 10, begin a new paragraph and insert:

"**(c) As used in this section, "deposition" includes:**

(1) a deposition;

(2) a recorded statement; or

(3) an interview.".

Page 1, line 10, delete "(c)" and insert "**(d)**".

Page 1, line 11, strike "interview" and insert "**take the deposition of**".

Page 1, line 15, strike "interview" and insert "**deposition**".

Page 1, line 17, after "(d)" insert "**(e)**".

Page 1, line 17, reset in roman "If the parties are unable to agree to the terms of the".

Page 1, line 17, after "interview," insert "**deposition,**".

Page 2, reset in roman line 1.

Page 2, line 2, after "interview prior" insert "**deposition prior**".

Page 2, line 2, reset in roman "to the".

Page 2, line 2, after "interview taking" insert "**deposition taking**".

Page 2, line 2, reset in roman "place. The court shall review the".

Page 2, reset in roman lines 3 through 4.

Page 2, line 5, reset in roman "IC 35-40-5-1 in setting reasonable terms for the".

Page 2, line 5, after "interview." insert "**deposition.**".

Page 2, delete lines 6 through 7.

Page 2, line 8, delete "(e) Except as provided in subsection (d), a" and insert "**(f) A**".

Page 2, line 16, delete "(f)" and insert "**(g)**".

Page 2, line 17, delete "(e)," and insert "**(f),**".

Page 2, line 20, delete "abuse." and insert "**abuse, in accordance with Article 1, Section 13(b) of the Indiana Constitution.**".

(Reference is to SB 206 as introduced.)

and when so amended that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 223, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 3, after "(a)" insert "**This section does not apply to a nonpublic school unless the nonpublic school is an eligible school (as defined in IC 20-51-1-4.7).**

(b)".

Page 1, line 5, delete "(b)" and insert "**(c)**".

Page 1, line 7, delete "(c)" and insert "**(d)**".

Page 1, line 7, delete "(b)" and insert "**(c)**".

Page 1, line 8, delete "parent, a custodian, or an emancipated minor student" and insert "**parent of the student or the student, if the student is an emancipated minor,**".

Page 1, after line 13, begin a new paragraph and insert:

"SECTION 2. IC 21-18-6-6, AS ADDED BY P.L.287-2019, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) As used in this section, "FAFSA" refers to the Free Application for Federal Student Aid.

(b) The commission shall prepare a model notice for schools that includes the following information for parents and students:

(1) A statement regarding the existence and availability of the FAFSA.

(2) A description that provides parents and students with an understanding of the process for and benefits of completing a FAFSA.

(3) The approximate annual tuition costs of each state educational institution in Indiana.

(4) The state scholarships, grants, or other assistance available to students in Indiana.

(5) A statement that each student is required to complete and submit a FAFSA in the student's senior year in accordance with IC 20-26-5-40 unless:

(A) a parent of the student or the student, if the student is an emancipated minor, submits a signed waiver certifying that the student understands what the FAFSA is and declines to complete it; or

(B) the principal of the student's high school waives the requirement due to extenuating circumstances.

(c) The commission shall annually update the model notice to:

(1) reflect any changes to the approximate annual tuition costs of each state educational institution; and

(2) amend any of the information in the model notice, as determined necessary by the commission.

(d) The commission shall post the model notice prepared under subsection (b) on the commission's Internet web site.".

(Reference is to SB 223 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 1.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 230, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, between lines 18 and 19, begin a new line block indented and insert:

"**(6) The lease must be recorded in the office of the recorder of the county where the property is located.**".

(Reference is to SB 230 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 241, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, line 30, delete "." and insert "**in an amount not to exceed five hundred dollars ($500) to be deposited in the department of insurance fund established by IC 27-1-3-28.**".

Page 5, line 11, after "(b)" insert "**, including financial information and proprietary information,**".

Page 5, delete lines 12 through 20.

Page 5, line 21, delete "22." and insert "**21.**".

Page 5, line 25, delete "23." and insert "**22.**".

Page 6, line 23, delete "24." and insert "**23.**".

Page 8, line 23, delete "25." and insert "**24.**".

Page 9, line 5, delete "26." and insert "**25.**".

Page 9, line 14, delete "27." and insert "**26.**".

Page 10, line 20, delete "28." and insert "**27.**".

Page 10, after line 25, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE JULY 1, 2020] **(a) Notwithstanding IC 27-1-24.5, as added by this act, a pharmacy benefit manager must be licensed by the department of insurance not later than December 31, 2020, in order to do business in Indiana and provide services for any health provider contract (as defined in IC 27-1-37-3) that is in effect beginning or after January 1, 2021.**

(b) This SECTION expires December 31, 2021."

Renumber all SECTIONS consecutively.

(Reference is to SB 241 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 2.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 255, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete lines 9 through 42.

Delete page 3.

(Reference is to SB 255 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 256, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as

follows:

Replace the effective dates in SECTIONS 2 through 23 with "[EFFECTIVE JULY 1, 2021]".

Page 2, line 5, delete "In" and insert "**In each even-numbered year, in**".

Page 2, line 9, after "include" insert "**at least**".

Page 2, between lines 38 and 39, begin a new line block indented and insert:

"**(8) If the request is a request for a new court or new courts, an acknowledgment from the county fiscal body (as defined in IC 36-1-2-6) with the funding sources and estimated costs the county intends to pay toward the county's part of the operating costs associated with the new court or new courts.**".

Page 2, between lines 40 and 41, begin a new paragraph and insert:

"**(e) In each even-numbered year, in addition to the issues assigned under subsection (a), the interim study committee on courts and the judiciary shall review the most recent weighted caseload measurement system report published by the office of judicial administration and do the following:**

(1) Identify each county in which the number of courts or judicial officers exceeds the number used by the county in that report year.

(2) Determine the number of previous report years in which the number of courts or judicial officers in a county identified in subdivision (1) exceeded the number used by the county in that particular report year.

(3) Make a recommendation on whether the number of courts or judicial officers in the county should be decreased.

The office of judicial administration shall post a list of the number of courts or judicial officers used in each county for each report year, and the number of years in which the number of courts or judicial officers in the county has exceeded the number used by the county, on its Internet web site.".

Page 4, line 21, delete "2020." and insert "**2021.**".

(Reference is to SB 256 as printed January 17, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 266, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 269, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Senate Bill 272, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

PERFECT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 291, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 3.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 302, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 15, delete "The" and insert "**If the court orders the person to pay an amount described in subdivision (1) or (2), the court shall inquire at sentencing whether the person has paid the required amount.** The".

Page 2, delete lines 26 through 42, begin a new paragraph and insert:

"**(d) If the court finds that the person is able to pay some of the fines, fees, and court costs, the court may prorate the person's fine, fee, and court costs, and require the person to pay an amount that the person can reasonably afford.**".

Delete pages 3 through 5.

(Reference is to SB 302 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 340, has had the same under

consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 6, strike "and to show cause, if any, why the property sought".

Page 1, line 7, strike "to be condemned should not be acquired." and insert "**to object to the condemnation.**".

Page 1, line 8, delete "to the".

Page 1, line 9, delete "acquisition of the property".

Page 1, line 10, after "is served." insert "**The notice must include, either as an attachment or as part of the language of the notice, the full text of section 8 of this chapter.**".

Page 1, line 17, strike "to show cause, if any, they have why the" and insert "**to object to the condemnation of**".

Page 2, line 1, delete "of _____" and insert "of _____.".

Page 2, line 1, strike "should not".

Page 2, line 2, strike "be acquired.".

Page 4, between lines 25 and 26, begin a new paragraph and insert:

"**(f) The notice required by this section must provide the full text of subsection (d) to provide notice to the property owners of their right to object to the condemnation and be in substantially the same form as the notice required under IC 32-24-1-6(a).**".

Renumber all SECTIONS consecutively.

(Reference is to SB 340 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 1.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 355, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 356, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Senate Bill 358, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, line 15, delete "Subject to section 4.5 of this chapter, a" and insert "A".

Page 4, line 17, delete "IC 23-1.5." and insert "IC 23-1.5 **and subject to section 4.5 of this chapter.**".

Page 4, line 30, after "entity" insert "**that is**".

Page 4, line 30, delete "licensee" and insert "**broker and associated with the broker company and**".

Page 4, line 32, delete "licensee." and insert "**broker.**".

Page 4, line 37, delete "licensee;" and insert "**broker; or**".

Page 4, delete lines 38 through 40.

Page 4, line 41, delete "(C)" and insert "**(B)**".

Page 4, line 41, delete "licensee and the licensee's" and insert "**broker and the broker's**".

(Reference is to SB 358 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

PERFECT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 365, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 36-1-1.5-2, AS AMENDED BY P.L.249-2015, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. As used in this chapter, "eligible municipality" means a municipality that:

(1) includes any territory located in a township for which the township assistance property tax rate for property taxes first due and payable in 2015 or in any year thereafter **before 2024** is more than:

(A) the statewide average township assistance property tax rate for property taxes first due and payable in the preceding year (as determined by the department of local government finance); multiplied by

(B) twelve (12); and

(2) is adjacent to one (1) or more townships other than the township described in subdivision (1).

SECTION 2. IC 36-1-1.5-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5.5. For purposes of this chapter, a township is adjacent to an eligible municipality if the township is contiguous to or adjoins the corporate boundaries of the eligible municipality.**".

Page 2, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 4. IC 36-1-1.5-15 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 15. This chapter expires January 1, 2024.**".

Page 7, between lines 4 and 5, begin a new paragraph and

insert:

"**Sec. 13. This chapter expires January 1, 2024.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 365 as introduced.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Tax and Fiscal Policy.

Committee Vote: Yeas 8, Nays 1.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 367, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 402, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning labor.

Delete everything after the enacting clause and insert the following:

SECTION 1. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to an appropriate interim study committee the task of studying seasonal employment and the length of the seasonal employment period.**

(b) This SECTION expires January 1, 2021.

SECTION 2. **An emergency is declared for this act.**

(Reference is to SB 402 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Senate Bill 411, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning utilities.

Delete everything after the enacting clause and insert the following:

SECTION 1. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "commission" refers to the Indiana utility regulatory commission created by IC 8-1-1-2.**

(b) As used in this SECTION, "committee" refers to the interim study committee on energy, utilities, and telecommunications established by IC 2-5-1.3-4(8).

(c) As used in this SECTION, "electric utility" means a public utility (as defined in IC 8-1-2-1(a)) that:

(1) is an investor owned utility;

(2) provides retail electric service to Indiana customers; and

(3) is under the jurisdiction of the commission for the approval of rates and charges.

(d) As used in this SECTION, "unserved or underserved area" refers to an area in Indiana in which broadband Internet service is not available to all potential customers in the area.

(e) The legislative council is urged to assign to the committee the task of studying, during the 2020 legislative interim, the installing and leasing of broadband capacity infrastructure by electric utilities to broadband service providers for the provision of broadband Internet service to unserved and underserved areas in Indiana. If a study is assigned to the committee under this SECTION, the study must include consideration of the following:

(1) Whether facilitating the deployment of broadband Internet service to areas of Indiana that are unserved or underserved is in the public interest.

(2) The capability of electric utilities to support the deployment of broadband Internet service to unserved and underserved areas in Indiana.

(3) The rules and regulations that would be appropriate to provide for leasing of broadband capacity infrastructure to broadband service providers, including preclusion of electric utilities from offering broadband services to retail customers in Indiana.

(4) The potential to establish a broadband capacity infrastructure leasing pilot program that would support the deployment of broadband Internet service to unserved and underserved areas in Indiana.

(f) This SECTION expires January 1, 2021.

SECTION 2. **An emergency is declared for this act.**

(Reference is to SB 411 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

MERRITT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 424, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 8, line 27, delete "name or".

Page 8, line 40, delete "name,".

Page 8, line 41, delete "or both,".

(Reference is to SB 424 as introduced.)

and when so amended that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 443, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 34, delete "Class B" and insert "**Class A**".
Page 3, delete lines 35 through 42.
Page 4, delete lines 1 through 9.
Page 4, line 37, delete "Class B" and insert "**Class A**".
Page 4, delete lines 38 through 42.
Page 5, delete lines 1 through 12.
Page 5, line 33, delete "Class B" and insert "**Class A**".
Page 5, delete lines 34 through 42.
Page 6, delete lines 1 through 8.
Page 6, line 17, delete "Class B" and insert "**Class A**".
Page 6, delete lines 18 through 34.
Page 6, delete lines 40 through 42.
Delete pages 7 through 13, begin a new paragraph and insert:

"SECTION 7. IC 34-28-5-1, AS AMENDED BY P.L.198-2016, SECTION 667, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) An action to enforce a statute defining an infraction shall be brought in the name of the state of Indiana by the prosecuting attorney for the judicial circuit in which the infraction allegedly took place. However, if the infraction allegedly took place on a public highway (as defined in IC 9-25-2-4) that runs on and along a common boundary shared by two (2) or more judicial circuits, a prosecuting attorney for any judicial circuit sharing the common boundary may bring the action.

(b) An action to enforce an ordinance shall be brought in the name of the municipal corporation. The municipal corporation need not prove that it or the ordinance is valid unless validity is controverted by affidavit.

(c) Actions under this chapter (or IC 34-4-32 before its repeal):

(1) shall be conducted in accordance with the Indiana Rules of Trial Procedure; and

(2) must be brought within two (2) years after the alleged conduct or violation occurred.

(d) The plaintiff in an action under this chapter must prove the commission of an infraction or ordinance violation by a preponderance of the evidence.

(e) The complaint and summons described in IC 9-30-3-6 may be used for any infraction or ordinance violation.

~~(f) Subsection (g) does not apply to an individual who is alleged to have committed an infraction under any of the following when the individual was less than eighteen (18) years of age at the time of the alleged offense:~~

~~IC 9-19~~
~~IC 9-21~~
~~IC 9-24~~
~~IC 9-25~~
~~IC 9-26~~
~~IC 9-30-5~~
~~IC 9-30-10~~
~~IC 9-30-15.~~

~~(g)~~ **(f)** This subsection does not apply to an offense or violation under IC 9-24-6 (before its repeal) or IC 9-24-6.1 involving the operation of a commercial motor vehicle. The prosecuting attorney or the attorney for a municipal corporation may establish a deferral program for deferring actions brought under this section. Actions may be deferred under this section if:

(1) the defendant in the action agrees to conditions of a deferral program offered by the prosecuting attorney or the attorney for a municipal corporation;

(2) the defendant in the action agrees to pay to the clerk of the court an initial user's fee and monthly user's fee set by the prosecuting attorney or the attorney for the municipal corporation in accordance with IC 33-37-4-2(e);

(3) the terms of the agreement are recorded in an instrument signed by the defendant and the prosecuting attorney or the attorney for the municipal corporation;

(4) the defendant in the action agrees to pay a fee of seventy dollars ($70) to the clerk of court if the action involves a moving traffic offense (as defined in IC 9-13-2-110);

(5) the agreement is filed in the court in which the action is brought; and

(6) if the deferral program is offered by the prosecuting attorney, the prosecuting attorney electronically transmits information required by the prosecuting attorneys council concerning the withheld prosecution to the prosecuting attorneys council, in a manner and format designated by the prosecuting attorneys council.

When a defendant complies with the terms of an agreement filed under this subsection (or IC 34-4-32-1(f) before its repeal), the prosecuting attorney or the attorney for the municipal corporation shall request the court to dismiss the action. Upon receipt of a request to dismiss an action under this subsection, the court shall dismiss the action. An action dismissed under this subsection (or IC 34-4-32-1(f) before its repeal) may not be refiled.

~~(h)~~ **(g)** If a judgment is entered against a defendant in an action to enforce an ordinance, the defendant may perform community restitution or service (as defined in IC 35-31.5-2-50) instead of paying a monetary judgment for the ordinance violation as described in section 4(e) of this chapter if:

(1) the:

(A) defendant; and

(B) attorney for the municipal corporation;

agree to the defendant's performance of community restitution or service instead of the payment of a monetary judgment;

(2) the terms of the agreement described in subdivision (1):

(A) include the amount of the judgment the municipal corporation requests that the defendant pay under section 4(e) of this chapter for the ordinance violation if the defendant fails to perform the community restitution or service provided for in the agreement as approved by

the court; and

(B) are recorded in a written instrument signed by the defendant and the attorney for the municipal corporation;

(3) the agreement is filed in the court where the judgment was entered; and

(4) the court approves the agreement.

If a defendant fails to comply with an agreement approved by a court under this subsection, the court shall require the defendant to pay up to the amount of the judgment requested in the action under section 4(e) of this chapter as if the defendant had not entered into an agreement under this subsection.

SECTION 13. IC 34-28-5-4, AS AMENDED BY P.L.146-2016, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) A judgment of up to ten thousand dollars ($10,000) may be entered for a violation constituting a Class A infraction.

(b) A judgment of up to one thousand dollars ($1,000) may be entered for a violation constituting a Class B infraction.

(c) Except as provided in subsection (f), a judgment of up to five hundred dollars ($500) may be entered for a violation constituting a Class C infraction.

(d) A judgment of up to twenty-five dollars ($25) may be entered for a violation constituting a Class D infraction.

(e) Subject to section ~~1(i)~~ **1(g)** of this chapter, a judgment:

(1) up to the amount requested in the complaint; and

(2) not exceeding any limitation under IC 36-1-3-8;

may be entered for an ordinance violation.

(f) Except as provided in subsections (g) and (h), a person who has admitted to a moving violation constituting a Class C infraction, pleaded nolo contendere to a moving violation constituting a Class C infraction, or has been found by a court to have committed a moving violation constituting a Class C infraction may not be required to pay more than the following amounts for the violation:

(1) If, before the appearance date specified in the summons and complaint, the person mails or delivers an admission of the moving violation or a plea of nolo contendere to the moving violation, the person may not be required to pay any amount, except court costs and a judgment that does not exceed thirty-five dollars and fifty cents ($35.50).

(2) If the person admits the moving violation or enters a plea of nolo contendere to the moving violation on the appearance date specified in the summons and complaint, the person may not be required to pay any amount, except court costs and a judgment that does not exceed thirty-five dollars and fifty cents ($35.50).

(3) If the person contests the moving violation in court and is found to have committed the moving violation, the person may not be required to pay any amount, except:

(A) court costs and a judgment that does not exceed thirty-five dollars and fifty cents ($35.50) if, in the five (5) years before the appearance date specified in the summons and complaint, the person was not found by a court in the county to have committed a moving violation;

(B) court costs and a judgment that does not exceed two hundred fifty dollars and fifty cents ($250.50) if, in the five (5) years before the appearance date specified in the summons and complaint, the person was found by a court in the county to have committed one (1) moving violation; and

(C) court costs and a judgment that does not exceed five hundred dollars ($500) if, in the five (5) years before the appearance date specified in the summons and complaint, the person was found by a court in the county to have committed two (2) or more moving violations.

In a proceeding under subdivision (3), the court may require the person to submit an affidavit or sworn testimony concerning whether, in the five (5) years before the appearance date specified in the summons and complaint, the person has been found by a court to have committed one (1) or more moving violations.

(g) The amounts described in subsection (f) are in addition to any amount that a person may be required to pay for attending a defensive driving school program.

(h) This subsection applies only to infraction judgments imposed in Marion County for traffic violations after December 31, 2010. Subsection (f) applies to an infraction judgment described in this subsection. However, a court shall impose a judgment of not less than thirty-five dollars ($35) for an infraction judgment that is entered in Marion County. These funds shall be transferred to a dedicated fund in accordance with section 5 of this chapter.

(i) This subsection applies only to infraction judgments imposed in Clark County for toll violations after January 1, 2017. Subsection (f) applies to an infraction judgment described in this subsection. However, a court shall impose a judgment of not less than thirty-five dollars ($35) for an infraction judgment that is entered in Clark County. These funds shall be transferred to a dedicated fund in accordance with section 5(f) of this chapter.".

Renumber all SECTIONS consecutively.

(Reference is to SB 443 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 2.

M. YOUNG, Chair

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

HCR 9 Senator Alting
Recognizing Abby Mills as the 2019 All-American Soap Box Derby world champion in the rally Masters division.

SR 14 Senator J.D. Ford
Congratulating Ben Yoder.

SR 15 Senator Melton
Urging the Governor to proclaim May 2020 as Indiana Motherhood Month.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 9

House Concurrent Resolution 9, sponsored by Senator Alting:

A CONCURRENT RESOLUTION recognizing Abby Mills as the 2019 All-American Soap Box Derby world champion in the rally Masters division.

Whereas, Abby Mills is a Soap Box Derby world champion after winning the 82nd All-American Soap Box Derby in Akron, Ohio, on July 20, 2019;

Whereas, Abby won the rally Masters division championship after competing in races across Indiana, Illinois, and Kentucky;

Whereas, Abby is a West Lafayette High School graduate and mechanical engineering student at Purdue University;

Whereas, Abby and her family joined more than 400 competitors at Derby Downs for the All-American Soap Box Derby for races in the Stock, Super Stock, and Masters divisions;

Whereas, Abby has raced Soap Box Derby cars since she was 10 years old and will retire from racing after 10 years;

Whereas, Abby promotes Soap Box Derby racing as an opportunity to have fun while learning the fundamentals of engineering, gaining life skills, and building friendships; and

Whereas, Abby will continue to work with the Greater Lafayette Soap Box Derby community, introducing the sport to a new generation of competitors: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes Abby Mills as the 2019 All-American Soap Box Derby world champion in the rally Masters division.

SECTION 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to Abby Mills and her family.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

Senate Resolution 14

Senate Resolution 14, introduced by Senator J.D. Ford:

A SENATE RESOLUTION to congratulate Ben Yoder on receiving the 2020 Outstanding Middle School/ Jr. High School Educator Award from the Indiana Music Education Association.

Whereas, Ben Yoder graduated from Ball State University in 2007 with a bachelor's degree in violin performance and music education;

Whereas, Mr. Yoder previously taught in his hometown of Goshen, Indiana, followed by Richmond, Indiana, and now serves as the Orchestra Director at Hamilton Southeastern Intermediate/Junior High School;

Whereas, Each year, Mr. Yoder strives to help his over 200 students develop an appreciation for music and for the arts in general;

Whereas, Annually, the Indiana Music Education Association selects an Outstanding Indiana Music Educator at the Elementary, Middle School/Junior High, High School, and College/University levels based on continuing achievement and excellence in music education; and

Whereas, Mr. Yoder's work as an educator makes him a more than worthy recipient of the Outstanding Middle School/ Jr. High School Educator Award: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate congratulates Ben Yoder on receiving the 2020 Outstanding Middle School/ Jr. High School Educator Award from the Indiana Music Education Association.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Ben Yoder.

The resolution was read in full and adopted by voice vote.

Senate Resolution 15

Senate Resolution 15, introduced by Senator Melton:

A SENATE RESOLUTION urging the Governor to proclaim May 2020 as Indiana Motherhood Month.

Whereas, The family, in which mothers perform a crucial role, is a major social institution in Indiana and throughout the world that provides tremendous value to both its members and society as a whole;

Whereas, Women across Indiana place their trust and their children in the arms of other women, sharing motherhood through foster care, respite care, and adoption;

Whereas, Mothers have an indispensable role in building and transforming society and culture and move our state, country, and world forward, remaining steadfast in their pursuit of a better and brighter future for their children;

Whereas, The work of mothers is of paramount importance but is often undervalued, unnoticed, and unappreciated;

Whereas, Mothers are innovators, tireless workers, engines of economic growth, and drivers of progress;

Whereas, Indiana has a proven record of meeting challenges and creating positive change, and we are committed to making mothers' lives better and ensuring their health and prosperity;

Whereas, One of these challenges is lowering the maternal mortality rate and the minority maternal mortality rate;

Whereas, Mothers are breadwinners, community leaders, advocates, allies, and pillars of family that have, for generations, blazed new paths, opened up new possibilities, and widened circles of opportunity for their daughters and sons; and

Whereas, Mothers and the institution of motherhood are worthy of honor and affirmation: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate calls upon the people of Indiana to express their honor, affirmation, love, respect, and gratitude to mothers everywhere and urges the Governor to proclaim May 2020 as Indiana Motherhood Month.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Governor Eric Holcomb.

The resolution was read in full and adopted by voice vote.

SENATE MOTION

Madam President: I move that the following memorial resolutions be adopted:

HCR 10 Senator Bassler
Honoring Angus J. Nicoson.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 10

House Concurrent Resolution 10, sponsored by Senator Bassler:

A CONCURRENT RESOLUTION honoring Angus J. Nicoson.

Whereas, Mr. Angus J. Nicoson was born on September 30, 1919, in the small Clay County community of Cedar Point to Henry and Nellie Jefferson;

Whereas, Mr. Nicoson grew up in Clay County and built a reputation as a strong and capable athlete while attending Ashboro High School in the 1930s;

Whereas, Mr. Nicoson's life as an athlete flourished at Indiana Central College, where he would later decline an offer from the Chicago Cubs to begin coaching at Franklin Township High School, near Indianapolis, before finding his way back to Indiana Central College as a coach and athletic director;

Whereas, Mr. Nicoson coached the Indiana Central University basketball team to 483 victories before retiring in 1977, making him the seventh winningest coach in the nation at that time;

Whereas, Indiana Central University, now University of Indianapolis, dubbed their sports arena "Nicoson Hall" in 1977, honoring Mr. Nicoson for his skills as an athlete and for his many years of service to the university;

Whereas, Mr. Nicoson's name was "synonymous with Indiana basketball" according to The Indianapolis Star in 1982 at the time of his passing; and

Whereas, The Indiana General Assembly remembers Mr. Nicoson for his many contributions to his community, the state of Indiana, and Indiana basketball: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly honors Mr. Angus J. Nicoson for his many contributions in high school and college athletics.

SECTION 2. That the Indiana General Assembly recognizes the residents of Ashboro and greater Clay County as they commemorate Mr. Angus J. Nicoson's contributions to Ashboro High School and remember his legacy in Hoosier athletics.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Robert Heaton for distribution.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

Senate Concurrent Resolution 10

Senate Concurrent Resolution 10, introduced by Senators Buchanan and Boots:

A CONCURRENT RESOLUTION congratulating the Western Boone High School football team on winning the 2019 Indiana High School Athletic Association ("IHSAA") Class 2A state championship title.

Whereas, In a rematch of the 2018 title game, the Western Boone High School football team again emerged victorious, defeating Eastbrook 44-7 to win the 2019 IHSAA Class 2A state championship title;

Whereas, On its way to the championship game, the Stars won the sectional championship by defeating Southmont, North

Putnam, and South Vermillion, Heritage Christian to win the regional championship, and Triton Central to win the semi-state championship;

Whereas, In the championship rematch, Western Boone led Eastbrook from the start, taking the opening kickoff 65 yards over 10 plays resulting in the go-ahead touchdown;

Whereas, The Stars never looked back as the team scored five touchdowns in the remainder of the game to earn the team's second consecutive championship title;

Whereas, The Western Boone defense kept strong, holding the Eastbrook offense to 127 yards, and Brett Wethington and Caleb Irion each contributed one sack to the defensive effort;

Whereas, In offensive production, Spencer Wright threw for 254 yards and added an additional 56 yards on the ground, Connor Hole scored one rushing touchdown and a receiving touchdown, Robby Taylor ran for three touchdowns, and Jacob Taylor scored five extra points and kicked the game-ending field goal; and

Whereas, Head Coach Justin Pelley's team ended the season with a 14-1 record and earned Western Boone's third state championship title in football, and second in a row: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Western Boone High School football team on winning the 2019 IHSAA Class 2A state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each member of the Western Boone High School football team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Brown.

House Concurrent Resolution 14

House Concurrent Resolution 14, sponsored by Senator Glick:

A CONCURRENT RESOLUTION honoring and recognizing the 2018 to 2019 winners of the Student Soybean Product Innovation Competition.

Whereas, The Indiana Soybean Alliance and Purdue University sponsor a yearly competition encouraging Purdue students to develop novel applications for soybeans that meet a market need;

Whereas, Team Stroy received the 2018 to 2019 honors and a $20,000 prize for their biodegradable and environmentally friendly drinking straws;

Whereas, Team Stroy developed soy-based straws, which offer the consistency of a plastic straw, but will outperform commercialized alternative paper straws in quality, price, and material;

Whereas, Team Stroy includes: Morgan Malm, a graduate research assistant pursuing a doctoral degree in food science; Natalie Stephenson, a recent graduate with a bachelor of science degree in marketing and concentration in data analytics; and Ruth Zhong, a recent graduate with a bachelor of science degree in electrical engineering; and

Whereas, The use of soybean-based straws, developed by these young women, in restaurants across Indiana may increase demand for soybeans, generate Hoosier jobs, and improve the overall agricultural economy: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes Morgan Malm of Fort Wayne, Natalie Stephenson of Fairland, and Ruth Zhong of Carmel for their product innovation based on soybeans.

SECTION 2. That the Indiana General Assembly congratulates Team Stroy on winning the Student Soybean Product Innovation Competition sponsored by the Indiana Soybean Alliance and Purdue University.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative David Abbott for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 10 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1006, 1022, 1032, 1049, 1096, 1143, 1148, 1151 and 1173 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution

12 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 14 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE BILLS ON SECOND READING

Senate Bill 8

Senator Bohacek called up Senate Bill 8 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 47

Senator Freeman called up Senate Bill 47 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 50

Senator Freeman called up Senate Bill 50 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 66

Senator Jon Ford called up Senate Bill 66 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 83

Senator Niemeyer called up Senate Bill 83 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 83–2)

Madam President: I move that Senate Bill 83 be amended to read as follows:

Page 3, delete lines 4 through 9, begin a new paragraph and insert:

"**(f) Notwithstanding any other law, but subject to subsections (b) and (d) and IC 6-1.1-31.7-3.5, an individual may serve as a tax representative of any taxpayer concerning property subject to property taxes in the county:**

(1) before the county board of that county, if:

(A) the individual is certified as a level one or level two assessor-appraiser under IC 6-1.1-35.5; and

(B) the taxpayer authorizes the individual to serve as the taxpayer's tax representative on a form that is:

(i) prepared by the department of local government finance; and

(ii) submitted with the taxpayer's notice to initiate an appeal; or

(2) before the county board of that county or the Indiana board, if the individual is certified as a level three assessor-appraiser under IC 6-1.1-35.5.".

(Reference is to SB 83 as printed January 14, 2020.)

NIEMEYER

Motion prevailed. The bill was ordered engrossed.

Senate Bill 115

Senator Crider called up Senate Bill 115 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 115–1)

Madam President: I move that Senate Bill 115 be amended to read as follows:

Page 2, line 12, delete "owner's" and insert "**occupant's**".

(Reference is to SB 115 as printed January 22, 2020.)

PERFECT

Motion prevailed. The bill was ordered engrossed.

Senate Bill 190

Senator Holdman called up Senate Bill 190 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 197

Senator Koch called up Senate Bill 197 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 249

Senator M. Young called up Senate Bill 249 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 249–1)

Madam President: I move that Senate Bill 249 be amended to read as follows:

Page 2, delete lines 10 through 12, begin a new line block indented and insert:

"**(2) "Self-dealing" means a person using the property of another person to gain a benefit that is grossly disproportionate to the goods or services provided to the other person. The term does not include an incidental benefit.**".

(Reference is to SB 249 as printed January 17, 2020.)

TALLIAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 257

Senator Koch called up Senate Bill 257 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 307

Senator Tomes called up Senate Bill 307 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 366

Senator Niemeyer called up Senate Bill 366 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 384

Senator Freeman called up Senate Bill 384 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

REPORT OF THE SENATE COMMITTEE ON ETHICS

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on January 23, 2020, to render an advisory opinion with regard to Senator Melton's request that the Committee consider whether or not he has a conflict of interest pertaining to SB 195 which would require him to be excused from voting on this bill at any stage of the legislative process. The members in attendance were: Chairman L. Brown, Senator Charbonneau, Senator Walker, Senator Breaux, and Senator Mrvan.

The Senate Committee on Ethics has considered the facts presented by Senator Melton and hereby recommends that Senator Melton be excused from participation in all votes pertaining to Senate Bill 195 at any stage in the legislative process because of his potential conflict of interest with regard to the legislation. The vote of the Committee was 5-0.

L. BROWN, Chair

Report adopted.

REPORT OF THE SENATE COMMITTEE ON ETHICS

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on January 23, 2020, to render an advisory opinion with regard to Senator Melton's request that the Committee consider whether or not he has a conflict of interest pertaining to SB 102 which would require him to be excused from voting on this bill at any stage of the legislative process. The members in attendance were: Chairman L. Brown, Senator Charbonneau, Senator Walker, Senator Breaux, and Senator Mrvan.

The Senate Committee on Ethics has considered the facts presented by Senator Melton and hereby recommends that Senator Melton be excused from participation in all votes pertaining to Senate Bill 102 at any stage in the legislative process because of his potential conflict of interest with regard to the legislation. The vote of the Committee was 5-0.

L. BROWN, Chair

Report adopted.

REPORT OF THE SENATE COMMITTEE ON ETHICS

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on January 23, 2020, to render an advisory opinion with regard to Senator Boots' request that the Committee consider whether or not he has a conflict of interest pertaining to SB 1 which would prohibit him participating in discussion on or require him to be excused from voting on this bill at any stage of the legislative process. The members in attendance were: Chairman L. Brown, Senator Charbonneau, Senator Walker, Senator Breaux, and Senator Mrvan.

The Senate Committee on Ethics has considered the facts presented by Senator Boots and hereby recommends that Senator Boots be allowed to participate in discussion on SB 1 upon public disclosure of his interest pursuant to Senate Rule 92 and has found that Senator Boots has no conflict that precludes him from participation in all votes pertaining to Senate Bill 1 at any stage in the legislative process. The vote of the Committee was 5-0.

L. BROWN, Chair

Report adopted.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 1

Senator Charbonneau called up Engrossed Senate Bill 1 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 38: yeas 38, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Kirchhofer and Huston.

Engrossed Senate Bill 12

Senator Boots called up Engrossed Senate Bill 12 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 39: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Burton.

Engrossed Senate Bill 20

Senator Gaskill called up Engrossed Senate Bill 20 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 40: yeas 46, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Saunders.

Engrossed Senate Bill 68

Senator Sandlin called up Engrossed Senate Bill 68 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 41: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Sherman.

Engrossed Senate Bill 100

Senator Doriot called up Engrossed Senate Bill 100 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 42: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Miller, Stutzman, and Pressel.

Engrossed Senate Bill 102

Senator Ruckelshaus called up Engrossed Senate Bill 102 for third reading:

A BILL FOR AN ACT concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 43: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed Senate Bill 180

Senator Walker called up Engrossed Senate Bill 180 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 44: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Carbaugh and Wesco.

Engrossed Senate Bill 195

Senator Koch called up Engrossed Senate Bill 195 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 45: yeas 40, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Manning.

Engrossed Senate Bill 237

Senator L. Brown called up Engrossed Senate Bill 237 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 46: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Morris and Carbaugh.

Engrossed Senate Bill 254

Senator Charbonneau called up Engrossed Senate Bill 254 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 47: yeas 45, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Soliday.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1007

Senator Mishler called up Engrossed House Bill 1007 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration and to make an appropriation.

The President of the Senate yielded the gavel to Senator Rodric D. Bray.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 48: yeas 38, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

SENATE MOTION

Madam President: I move that Senators Donato, Koch, and Leising be added as coauthors of Senate Resolution 13.

J.D. FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Merritt, Perfect, and Stoops be added as coauthors of Senate Resolution 13.

J.D. FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as second author of Senate Bill 4.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as second author of Senate Bill 5.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Alting be added as second author of Senate Bill 8.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 8.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as coauthor of Senate Bill 12.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as coauthor of Senate Bill 12.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as coauthor of Senate Bill 66.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as coauthor of Senate Bill 66.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Freeman be added as second author of Senate Bill 68.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as coauthor of Senate Bill 98.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Freeman be added as second author of Senate Bill 101.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as second author of Senate Bill 102.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Spartz be added as coauthor of Senate Bill 102.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as coauthor of Senate Bill 105.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Buck, Bohacek, and Merritt be added as coauthors of Senate Bill 109.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as second author and Senator Jon Ford be added as coauthor of Senate Bill 115.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 115.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Crider and Leising be added as coauthors of Senate Bill 142.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 142.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as coauthor of Senate Bill 160.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 160.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bray be removed as author of Senate Bill 170 and Senator Messmer be substituted therefor.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators L. Brown, Breaux, and Ruckelshaus be added as coauthors of Senate Bill 181.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Walker be added as coauthor of Senate Bill 184.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author of Senate Bill 185.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as third author of Senate Bill 185.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 185.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as second author of Senate Bill 190.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as second author of Senate Bill 195.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as third author of Senate Bill 195.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as second author of Senate Bill 200.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Boots be added as coauthor of Senate Bill 202.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Freeman be removed as second author of Senate Bill 216.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as second author and Senator Freeman be added as third author of Senate Bill 216.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Jon Ford, Glick, and Rogers be added as coauthors of Senate Bill 216.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as coauthor of Senate Bill 237.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 237.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as second author and Senator Zay be added as third author of Senate Bill 239.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mishler be added as coauthor of Senate Bill 241.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Ruckelshaus and Grooms be added as coauthors of Senate Bill 241.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as coauthor of Senate Bill 254.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as coauthor of Senate Bill 254.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as third author of Senate Bill 255.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as coauthor of Senate Bill 255.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 255.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 256.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author of Senate Bill 282.

BREAUX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as second author of Senate Bill 288.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as coauthor of Senate Bill 291.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as coauthor of Senate Bill 293.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as second author and Senator Zay be added as third author of Senate Bill 299.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as coauthor of Senate Bill 307.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as second author of Senate Bill 308.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be removed as coauthor of Senate Bill 311.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author of Senate Bill 311.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as coauthor of Senate Bill 311.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Bohacek and J.D. Ford be added as coauthors of Senate Bill 320.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Donato, Melton, and G. Taylor be added as coauthors of Senate Bill 342.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 342.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as coauthor of Senate Bill 342.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as coauthor of Senate Bill 355.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as second author of Senate Bill 356.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as third author of Senate Bill 356.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as second author of Senate Bill 366.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author of Senate Bill 367.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as second author and Senator Leising be added as third author of Senate Bill 368.

STOOPS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 369.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as coauthor of Senate Bill 407.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as second author of Senate Bill 410.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as second author of Senate Bill 411.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as third author and Senator Koch be added as coauthor of Senate Bill 424.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Messmer be added as second author of Senate Bill 427.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mishler be added as third author of Senate Bill 443.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, January 27, 2020.

MESSMER

Motion prevailed.

The Senate adjourned at 3:41 p.m.

JENNIFER L. MERTZ	SUZANNE CROUCH
Secretary of the Senate	President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Eleventh Meeting Day Monday Afternoon January 27, 2020

The Senate convened at 1:52 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Pastor Mark Suter, First United Methodist Church in Martinsville.

The Pledge of Allegiance to the Flag was led by Senator Rodric D. Bray.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 49: present 50; excused 0. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 19

Senate Concurrent Resolution 19, introduced by Senator Bassler:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to name the bridge crossing Doans Creek on State Road 45/58 the "Major Emerson Y. Barker Memorial Bridge".

Whereas, Emerson Y. Barker was born January 17, 1920, in Greene County, Indiana;

Whereas, After graduating from Scotland High School in 1937, Emerson Y. Barker entered Indiana Central College, graduating in 1941 with a double major in History and Physical Education;

Whereas, In 1940, Emerson Y. Barker entered a pilot training program under the Civil Aeronautics Authority at Stout Field, Indianapolis, Indiana;

Whereas, Emerson Y. Barker won a scholarship for pilot training with the Army Aviation Cadet Class in 1941, and graduated from the U.S. Army Air Corps Advanced Flying School at Luke Field, Arizona;

Whereas, Emerson Y. Barker trained at several air bases in California, Arizona, Georgia, and finally Orlando Air Base in Florida, where he flew P40s, P38s, P47s, and P61s;

Whereas, Emerson Y. Barker was promoted to major in the U.S. Army Air Corps, and became the commanding officer of the 419th Night Fighter Squadron;

Whereas, During World War II, Major Barker was sent to Guadalcanal where he flew in the first night raid on Rabaul, a Japanese Air Base in the South Pacific, on January 22 and 23, 1944;

Whereas, While in flight June 12, 1944, Major Barker's airplane exploded over the Pacific Ocean, and Major Barker and his airplane were never found;

Whereas, In recognition of his service, Major Barker was awarded the Air Medal with three oak leaf clusters for meritorious achievement;

Whereas, On June 13, 2012, Major Barker was recognized with full military honors, including a headstone dedicated in his memory located at Arlington National Cemetery; and

Whereas, In honor of his service and dedication to his home and country, it is fitting that the State of Indiana recognize Major Barker's ultimate sacrifice by naming the bridge crossing Doans Creek on State Road 45/58 in Greene County in remembrance of Major Barker: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly honors Major Emerson Y. Barker for his service and urges the Indiana Department of Transportation to name the State Road 45/58 Bridge over Doans Creek, approximately 0.21 miles east of U.S. Route 231 in Greene County, the "Major Emerson Y. Barker Memorial Bridge".

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Mr. Ned Malone and the Commissioner of the Indiana Department of Transportation.

The resolution was read in full and referred to the Committee on Homeland Security and Transportation.

Senate Concurrent Resolution 20

Senate Concurrent Resolution 20, introduced by Senator Bassler:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to honor First Lieutenant Clayton Robert Cullen by naming a portion of State Road 67 the "Lt. Clayton Robert Cullen Memorial Highway".

Whereas, Lt. Clayton Robert Cullen was born July 9, 1992, in Evansville, Indiana;

Whereas, Lt. Cullen grew up in Bicknell, Indiana, graduated from North Knox High School in 2011, and went on to earn a Bachelors Degree in History from Indiana University in 2015;

Whereas, While at Indiana University, Lt. Cullen joined the Indiana University Army ROTC program;

Whereas, Upon graduation from Indiana University, Lt. Cullen took an oath to become an active duty officer in the United States Army, specializing in aviation;

Whereas, Lt. Cullen served as a member of the 4th Combat Aviation Brigade, 4th Infantry Division;

Whereas, During his service, Lt. Cullen received several awards, including the Army Achievement Medal, the National Defense Service Medal, and the Army Service Ribbon;

Whereas, Lt. Cullen tragically passed away on January 20, 2018, during a helicopter accident as part of a training exercise at Fort Irwin, California;

Whereas, Lt. Cullen is survived by his parents, Robert and Julie Cullen, his brother and sister-in-law, Ian and Katie Cullen, his grandmother, Kathleen Curry Pack, along with numerous aunts, uncles, cousins, and friends; and

Whereas, In recognition of Lt. Cullen's service and dedication to his hometown, state, and country, it is fitting that his life and service be recognized by the State of Indiana: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly expresses its deepest gratitude and sympathies to the family of First Lt. Clayton Robert Cullen and urges the Indiana Department of Transportation to honor Lt. Cullen by naming State Road 67 in Knox County from State Road 550 to Pine Bluff Road (County Road 950 East) the "Lt. Clayton Robert Cullen Memorial Highway".

SECTION 2. That the Secretary of the Senate is hereby directed to transmit copies of this Resolution to Robert and Julie Cullen, Craig Lehman, and the Commissioner of the Indiana Department of Transportation.

The resolution was read in full and referred to the Committee on Homeland Security and Transportation.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 148, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 8, Nays 1.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Senate Bill 178, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, line 26, delete "UPON PASSAGE]:" and insert "JANUARY 1, 2021]:".

Page 9, line 27, delete "before" and insert "**after**".

Page 10, line 5, delete "before" and insert "**after**".

Page 31, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 37. IC 3-11.5-4-3.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 3.7. (a) This section applies to an absentee ballot received before election day.**

(b) The county election board or the absentee ballot members in the office of the circuit court clerk shall compare the signature of the voter on the absentee ballot application, or, if there is no application, with the signature on the electronic poll book, with the signature on:

(1) the voter's absentee ballot envelope; or

(2) the computerized list if there is no envelope.

The board may also compare the signature on the ballot envelope with any other admittedly genuine signature of the voter.

(c) If the absentee board finds that the signature on an absentee ballot or transmitted affidavit is not genuine, the board shall write upon the ballot envelope the words "The absentee board has determined that the signature of this voter is not genuine and advises that the county election

board reject this ballot under IC 3-11.5-4-4."".

Page 31, line 16, delete "(a) Upon receipt of the absentee ballot".

Page 31, delete lines 17 through 23.

Page 31, line 24, reset in roman "(a)".

Page 31, line 24, delete "(b)" and insert "**Notwithstanding section 12(a) of this chapter, if the county election board does not determine under this subsection that the ballot signature is genuine, then the absentee ballot counters shall determine under section 12(b) of this chapter if the signatures correspond.**".

Page 31, line 35, reset in roman "(b)".

Page 31, line 35, delete "(c)".

Page 31, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 39. IC 3-11.5-4-6, AS AMENDED BY P.L.278-2019, SECTION 123, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) Each circuit court clerk shall keep all accepted ballot envelopes securely sealed in the clerk's office until the ballot envelopes are opened by absentee ballot counters in accordance with this chapter.

(b) **Except as provided in section 6.5 of this chapter,** a county election board may not scan a voted absentee ballot card using an optical scan ballot scanner before election day.

SECTION 40. IC 3-11.5-4-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 6.5. (a) The secretary of state may establish a pilot program that designates not more than two (2) counties to participate in a pilot program during the May 5, 2020, primary election. A county election board of a county that wishes to participate in the pilot program must:**

(1) adopt an order by unanimous vote of the entire membership of the county election board to participate in the pilot program in accordance with this section; and

(2) file a copy of the order under subdivision (1) with the secretary of state.

(b) A pilot program established by the secretary of state under this section must test a voting system that meets the following:

(1) Is designed to scan a voted absentee ballot card before election day.

(2) Has the capability of electronically retracting a previously scanned absentee ballot card of a voter who is later found disqualified or whose ballot may not be counted for any other reason under this title.

(3) Complies with the requirements of IC 3-11-15-13.3 and has been approved for use in Indiana elections by the commission.

(4) Has retraction features that have been:

(A) tested under the authority of; and

(B) found to be in compliance with the Voluntary Voting System Guidelines described in IC 3-11-15-13.3(a)(3), by;

the United States Election Assistance Commission.

(c) A county participating in a pilot program under this section may:

(1) scan a voted absentee ballot card using an optical scan ballot scanner before election day; and

(2) electronically retract a ballot described in subsection (b)(2) if the county otherwise complies with this title.

(d) If the secretary of state establishes a pilot program under this section, before December 1, 2020, each county election board participating in the pilot program shall file a report with the secretary of state and the legislative council in an electronic format under IC 5-14-6. The report must include the following:

(1) Information concerning the implementation of the pilot program, including information concerning:

(A) the number of ballots retracted;

(B) the security of the ballots; and

(C) the experiences of the county election board in participating in the pilot program.

(2) Recommendations concerning whether the voting system technology used in the pilot program should be permitted in future elections through the enactment of legislation.

(e) This section expires December 31, 2020.".

Page 31, line 41, delete "Upon receipt of the" and insert "**This section applies to an absentee ballot received on election day, but not later than noon on election day. The absentee ballot counters shall examine the signature on the absentee ballot and determine if the signature is genuine under section 5 of this chapter. If the absentee ballot counters do not agree, the question is referred to the county election board for determination. If the absentee ballot counters agree that the signature is not genuine, the county election board shall reject the ballot under section 4 of this chapter.**".

Page 31, delete line 42.

Page 32, delete line 1.

Page 32, between lines 17 and 18, begin a new line blocked left and insert:

"**The board may also compare the signature on the ballot envelope with any other admittedly genuine signature of the voter.**".

Page 33, line 36, after "board." insert "**If a special election is held for a local public question, the county election board may, by unanimous vote of the entire membership of the board, adopt a resolution to provide that the party membership does not apply to absentee voter boards appointed to conduct the special election. A resolution adopted under this subsection may not be repealed and expires the day after the special election.**".

Page 34, line 9, delete "a city office, town office, township".

Page 34, line 10, delete "office, school board office, precinct committeeman," and insert "precinct committeeman".

Renumber all SECTIONS consecutively.

(Reference is to SB 178 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

WALKER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Senate Bill 179, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 3-5-4-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 12. (a) Not later than July 1, 2020, each county shall enter into an agreement with the secretary of state to use a threat intelligence and enterprise security company designated by the secretary of state to provide hardware, software, and services to:**

(1) investigate cybersecurity attacks;

(2) protect against malicious software; and

(3) analyze information technology security risks.

(b) The agreement to provide services to a county under this section:

(1) has no effect on any threat intelligence and enterprise security service provided to the county by any other agreement with a provider or by any county employee or contractor; and

(2) must be designed to complement any existing service agreement or service used by the county;

when the county enters into the agreement.".

Page 5, line 30, delete "." and insert "**and any peripherals.**".

Page 5, line 37, after "(v)" insert "**Plans to test batteries before each election.**

(vi)".

Page 6, line 41, strike "two (2)".

Page 6, line 42, strike "lists" and insert "**a randomly sorted list**".

Page 6, line 42, after "the" insert "**inventory of**".

Page 6, line 42, strike "to be tested by".

Page 7, line 1, strike "the county. The number of machines selected in each list must be:" and insert "**in the county maintained under IC 3-11-16-4. Starting at the top of the list, the county election board shall select machines in the list in the order listed so that:**

(1) if a machine to be selected in the list is not scheduled to be used in the upcoming election, the selection process will move to the next machine in the order listed;

(2) each selected machine is scheduled to be used in the upcoming election; and

(3) the number of machines selected is not less than five percent (5%) of the machines in the county scheduled by the county election board to be used in the upcoming election.".

Page 7, strike line 2.

Page 7, line 3 strike "(2) not less than five percent (5%) of the machines in the".

Page 7, line 3, delete "county" and insert "~~county.~~".

Page 7, delete lines 4 through 5.

Page 7, line 6, strike "in the first list" and insert "**as**".

Page 7, line 11, after "shall" insert "**select and**".

Page 7, line 11, after "test" insert "**additional**".

Page 7, line 12, strike "second".

Page 7, line 12, after "list" insert "**in the manner**".

Page 7, line 16, delete "." and insert "**to be used in the upcoming election.**".

Page 8, line 10, strike "two (2) lists" and insert "**a randomly sorted list**".

Page 8, line 11, after "for the" insert "**inventory of**".

Page 8, line 11, strike "to be tested by the county. The".

Page 8, line 12, strike "number of machines selected in each list must be:" and insert "**in the county maintained under IC 3-11-16-4. Starting at the top of the list, the county election board shall select machines in the list in the order listed so that:**

(1) if a machine to be selected in the list is not scheduled to be used in the upcoming election, the selection process will move to the next machine in the order listed;

(2) each selected machine is scheduled to be used in the upcoming election; and

(3) the number of machines selected is not less than five percent (5%) of the machines in the county scheduled by the county election board to be used in the upcoming election.".

Page 8, strike line 13.

Page 8, line 14, strike "(2) not less than (5%) of the machines in the".

Page 8, line 14, delete "county" and insert "~~county.~~".

Page 8, delete lines 15 through 16.

Page 8, line 17, strike "in the first list" and insert "**as**".

Page 8, line 22, after "shall" insert " insert "**select and**".

Page 8, line 22, after "test" insert "**additional**".

Page 8, line 23, strike "second".

Page 8, line 23, after "list" insert "**in the manner**".

Page 8, line 28, after "selected" insert "**to be used in the upcoming election**".

Page 10, line 1, delete "." and insert "**and any peripherals.**".

Page 10, line 8, after "(E)" insert "**Plans to test batteries before each election.**

(F)".

Page 13, line 13, delete "." and insert "**or another data storage transfer method approved by VSTOP.**".

Page 13, line 28, after "precinct" insert "**or vote center**".

Page 13, line 29, delete "precinct".

Page 14, line 6, delete "." and insert "**or another data storage transfer method approved by VSTOP.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 179 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

WALKER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Environmental

Affairs, to which was referred Senate Bill 214, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

MESSMER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Senate Bill 334, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 3-5-2-26.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 26.3. "IDEA" refers to the Indiana data enhancement association established by IC 3-7-38.2-5.5.**".

Page 9, line 41, delete "Not later than July 1," and insert "**The Indiana data enhancement association (IDEA) is established. IDEA shall be administered by the NVRA official in accordance with IC 3-7-11-1.**

(b) Not later than July 1, 2020, the NVRA official shall adopt an order for the administration of voter list maintenance programs to be performed by IDEA. The NVRA official may amend the order. If the NVRA official does not adopt an order by July 1, 2020, or subsequently amend the order when necessary to perform voter list maintenance duties under this chapter, the secretary of state shall adopt or amend the order under section 18 of this chapter. The order establishing IDEA, and any amendments to the order subsequently issued, shall provide the following:".

Page 9, delete line 42.

Page 10, delete lines 1 through 3.

Page 10, line 16, delete "(b)" and insert "**(c)**".

Page 10, line 23, delete "(b)." and insert "**(c).**".

Page 10, line 35, delete "(b)" and insert "**(c)**".

Page 10, line 36, delete "(a)" and insert "**(b)**".

Page 11, line 17, delete "(c)" and insert "**(d)**".

Page 11, line 20, delete "(a)" and insert "**(c)**".

Page 11, line 26, delete "(d)" and insert "**(e)**".

Page 11, line 27, delete "(c)," and insert "**(d),**".

Page 11, line 30, delete "(c)(1) and (c)(2)" and insert "**(d)(1) and (d)(2)**".

Page 11, line 34, delete "(e)" and insert "**(f)**".

Renumber all SECTIONS consecutively.

(Reference is to SB 334 as introduced.)

and when so amended that said bill do pass.
Committee Vote: Yeas 5, Nays 2.

WALKER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Environmental Affairs, to which was referred Senate Bill 368, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

MESSMER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Senate Bill 433, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 7, Nays 1.

GLICK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Agriculture, to which was referred Senate Bill 438, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 27 with "[EFFECTIVE UPON PASSAGE]".

Page 2, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 5. IC 15-16-4-28, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 28. As used in this chapter, "person" means: ~~any:~~

(1) **an** individual;
(2) **a** partnership;
(3) **an** association;
(4) **a** fiduciary;
(5) **a** corporation; or
(6) **an** organized group of persons;

whether incorporated or not.".

Page 2, delete lines 39 through 42.

Page 3, delete lines 1 through 7, begin a new paragraph and insert:

"SECTION 7. IC 15-16-4-56, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 56. For more than one (1) pesticide product to be considered the same pesticide product, each pesticide product must exhibit the same:

(1) product name;
(2) registrant name;
(3) United States Environmental Protection Agency registration number, ~~and~~ **if applicable;**
(4) labeling, **claims, and branding; and**
(5) ingredient statement.".

Page 4, delete lines 36 through 42.

Delete page 5.

Page 6, delete lines 1 through 32, begin a new paragraph and insert:

"SECTION 10. IC 15-16-4-64, AS ADDED BY P.L.120-2008, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 64. (a) The state chemist ~~shall~~ **may** require the submission of the complete formula of any pesticide product, including: ~~the:~~

(1) **the** confidential statement of formula;

(2) **the** analytical methods for the analysis of the pesticide formulation and the analysis of residues of the pesticide product in environmental media; ~~and~~

(3) **the** analytical standards of the pesticide product;

(4) the safety data sheet;

(5) the physical sample of the pesticide product; and

(6) a statement of all claims to be made for the pesticide product, including a full description of the tests made and the results of the tests upon which the claims are based.

In the case of a federally registered product, this requirement may be waived.

(b) The state chemist shall register a pesticide product if:

(1) the state chemist determines that the composition of the pesticide product warrants the proposed claims for the pesticide product;

(2) the pesticide product, its labeling, and other material required to be submitted comply with the requirements of section 61 of this chapter; and

(3) the state chemist determines that the person submitting the application for registration has complied with the requirements of this chapter.

(c) The state chemist shall notify the applicant that the pesticide product, labeling, or other material required to be submitted fails to comply with the law if the state chemist determines:

(1) that the proposed claims for the pesticide product; or

(2) the pesticide product, its labeling, and other material required to be submitted;

does not comply with this chapter.

(d) If the state chemist notifies an applicant under subsection (c), the state chemist shall give the applicant an opportunity to make the necessary corrections. If upon receipt of notice, the applicant does not make the corrections, the state chemist may refuse to register the pesticide product.

(e) The state chemist, in accordance with the procedures specified in this section, may deny, suspend, or cancel the registration of a pesticide whenever the state chemist determines that:

(1) the pesticide product;

(2) the pesticide product's labeling; or

(3) the person submitting the application for registration of the pesticide product;

does not comply with this chapter.

(f) If:

(1) an application for registration is refused; or

(2) the state chemist proposes to deny, suspend, or cancel a registration;

notice of the action and information concerning the person's right to obtain a review under section 64.5 of this chapter must be given to the applicant or registrant.

SECTION 11. IC 15-16-4-69, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 69. (a) Subject to this section, if a person violates this chapter or a rule adopted under this chapter, the state chemist under IC 4-21.5-3-6 may warn, cite, or impose a civil penalty on the person or:

(1) deny;

(2) suspend;

(3) revoke; or

(4) amend;

the person's registration under this chapter.

(b) The state chemist may impose civil penalties **under this section** only in accordance with the schedule of civil penalties adopted by the board. The board shall establish a schedule of the civil penalties that may be imposed under subsection (a) by rule adopted under IC 4-22-2. The rule adopted under this subsection may not provide for a civil penalty that exceeds the following:

(1) ~~Two~~ **Three** hundred ~~fifty~~ dollars ~~($250)~~ **($300)** for a person's first violation.

(2) ~~Five~~ **Six** hundred dollars ~~($500)~~ **($600)** for a person's second violation.

(3) One thousand **two hundred** dollars ~~($1,000)~~ **($1,200)** for a person's third violation and each subsequent violation.

~~(c) If a violation is of a continuing nature, the state chemist may impose a civil penalty for each day that the violation occurred.~~

~~(d)~~ **(c)** A proceeding under IC 4-21.5-3 that involves the imposition of a civil penalty may be consolidated with any other proceeding commenced under IC 4-21.5 to enforce this chapter or the rules adopted under this chapter.

~~(e)~~ **(d)** Money collected for civil penalties imposed under this section shall be credited to the office of Purdue pesticide programs. The money may be used only to provide education about pesticides.".

Page 8, delete lines 13 through 20.

Page 8, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 17. IC 15-16-5-21.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 21.5. (a) As used in this chapter, "panel" refers to the civil penalty advisory panel established by section 39.5 of this chapter.**

(b) This section expires July 1, 2021.".

Page 9, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 20. IC 15-16-5-39.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 39.5. (a) The civil penalty advisory panel is established.**

(b) The panel shall study and recommend a point system for use in determining the civil penalties that may be imposed for a violation of this chapter.

(c) The panel is composed of the following individuals:

(1) The director of the department of agriculture or the director's designee.

(2) The state chemist or the state chemist's designee.

(3) The governor shall appoint the following individuals:

(A) One (1) individual with knowledge of pesticides who represents the Indiana Farm Bureau, Inc.

(B) One (1) individual with knowledge of pesticides who represents the Agribusiness Council of Indiana.

(C) One (1) individual with knowledge of pesticides who represents the interests of corn growers.

(D) One (1) individual with knowledge of pesticides who represents the interests of soybean growers.

(E) One (1) individual with knowledge of pesticides who represents the interests of wine grape growers.

(F) One (1) individual with knowledge of pesticides who represents the interests of the lawn care industry.

(G) One (1) individual with knowledge of pesticides who represents the interests of speciality crop growers.

(4) Two (2) members of the senate, appointed as follows:

(A) One (1) member appointed by the president pro tempore of the senate.

(B) One (1) member appointed by the minority leader of the senate.

(5) Two (2) members of the house of representatives appointed as follows:

(A) One (1) member appointed by the speaker of the house of representatives.

(B) One (1) member appointed by the minority leader of the house of representatives.

(d) The state chemist or state chemist's designee shall serve as the chairperson of the panel. The panel shall meet on the call of the chairperson.

(e) A majority of the members serving on the panel constitutes a quorum. The affirmative votes of a majority of the members serving on the panel are required for the commission to take action on any measure, including the submission of recommendations under subsection (h).

(f) The board shall provide staff support to the panel.

(g) The following individuals appointed to the panel shall serve without compensation but may receive per diem or other expenses as follows:

(1) A member of the panel who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(2) A member of the panel who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to members of the general assembly serving on interim study committees established by the legislative council. Per diem, mileage, and travel allowances shall be made from appropriations to the legislative council.

(3) A member of the panel who is not described in subdivision (1) or (2) is entitled to reimbursement for traveling and other expenses as provided in the Purdue University travel policies and procedures, established by the Purdue University department of transportation and approved by the Purdue University vice president of business services. Traveling and other expenses shall be made from amounts appropriated and available to the state chemist.

(h) Before December 1, 2020, the panel shall make recommendations to:

(1) the board; and

(2) the general assembly in an electronic format under IC 5-14-6;

concerning the study of the point system described in subsection (b).

(i) This section expires July 1, 2021.".

Page 14, delete lines 34 through 42.

Delete pages 15 through 17.

Page 18, delete lines 1 through 32, begin a new paragraph and insert:

"SECTION 27. IC 15-16-5-66, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 66. (a) The state chemist may impose civil penalties **under this section** only in accordance with the schedule of civil penalties adopted by the board.

(b) The board shall establish a schedule of civil penalties that may be imposed under section 65 of this chapter by rule adopted under IC 4-22-2. The rule adopted under this subsection may not provide for a civil penalty that exceeds the following:

(1) For a violation committed by a person who is required to be certified as a private applicator, one hundred **twenty** dollars ~~($100).~~ **($120).**

(2) For a violation by a person who is not described in subdivision (1), the following:

(A) ~~Two~~ **Three** hundred ~~fifty~~ dollars ~~($250)~~ **($300)** for a person's first violation.

(B) ~~Five~~ **Six** hundred dollars ~~($500)~~ **($600)** for a person's second violation.

(C) One thousand **two hundred** dollars ~~($1,000)~~ **($1,200)** for a person's third violation and each subsequent violation.

~~(c) If a violation is of a continuing nature, the state chemist may impose a civil penalty for each day that the violation occurred~~.

~~(d)~~ **(c)** A proceeding under IC 4-21.5-3 that involves a civil penalty may be consolidated with any other proceeding commenced under IC 4-21.5 to enforce this chapter or the rules adopted under this chapter.

~~(e)~~ **(d)** Money collected for civil penalties imposed under section 65 of this chapter shall be credited to the office of Purdue pesticide programs. The money may be used only to provide education about pesticides.".

Page 18, line 36, delete "July 1, 2020." and insert "**the effective date of the amendments to IC 15-16-4-69 made by this act.**".

Page 18, line 40, delete "July 1, 2020." and insert "**the effective date of the amendments to IC 15-16-4-69 made by this act.**".

Page 19, line 1, delete "July 1, 2020." and insert "**the effective date of the amendments to IC 15-16-5-66 made by this act.**".

Page 19, line 5, delete "July 1, 2020." and insert "**the effective date of the amendments to IC 15-16-5-66 made by this act.**".

Page 19, after line 6, begin a new paragraph and insert:

"SECTION 29. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "policy" refers to the FY 2019 pesticide enforcement response policy developed by the state chemist.**

(b) Before July 1, 2020, the state chemist shall amend the policy to conform to the amendments made to IC 15-16-4 and IC 15-16-5 by this act.

(c) This SECTION expires July 1, 2021.

SECTION 30. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 438 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

LEISING, Chair

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SR 17 Senator J.D. Ford
Congratulating Dr. Carrie Foote.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 17

Senate Resolution 17, introduced by Senator J.D. Ford:

A SENATE RESOLUTION congratulating Dr. Carrie Foote on being awarded the 2019 Arts for AIDS Hero of the Year.

Whereas, Dr. Carrie Foote, an Associate Professor of Sociology at IUPUI, was selected for this annual award based on her work as an advocate and as a professor;

Whereas, Arts for AIDS is an Indiana-based conglomerate of HIV and AIDS organizations operating in the United States and abroad;

Whereas, Dr. Foote has served as the chair of the HIV Modernization Movement of Indiana advocating to change laws that create stigma around HIV and AIDS as well as laws that criminalize people living with HIV and AIDS in Indiana. Her research, written testimony, and fact sheets help her advocate for this change;

Whereas, Dr. Foote is a member of the U=U (Undetectable=Untransmittable) funding task force, which is a global campaign working to combat HIV stigma;

Whereas, Dr. Foote has used her position on advisory boards to work with a multitude of HIV initiatives, her research has helped implement successful HIV community interventions, and her work on international grassroots projects has amplified the voices of people living with HIV around the world;

Whereas, Dr. Foote uses her classroom to promote social-activist learning. Her students go into their communities to work alongside HIV testers, fundraise, and volunteer. Dr. Foote and her students annually participate in the AIDS Walk in downtown Indianapolis; and

Whereas, In all of her capacities, Dr. Foote advocates for those living with HIV and AIDS and educates her community about HIV and AIDS. Dr. Foote's commitment to serving this underserved and stigmatized community makes her more than deserving of this honor: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate congratulates Dr. Carrie Foote on being awarded the 2019 Arts for AIDS Hero of the Year.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Dr. Carrie Foote.

The resolution was read in full and adopted by voice vote.

Senate Resolution 8

Senate Resolution 8, introduced by Senators J.D. Ford, Boots, and Buchanan:

A SENATE RESOLUTION congratulating Zionsville Fire Chief James VanGorder and Zionsville paramedic Abdullakh Abamislimov for receiving the Fire Chief of the Year and Paramedic of the Year Awards at the 2019 Indiana Emergency Response Conference.

Whereas, James VanGorder served as the Fire Chief for the Village of Zionsville with great leadership and distinction for the past twenty-three years;

Whereas, Chief VanGorder has implemented numerous reforms to improve department policies, including the creation of a safety committee and establishment of fire gear isolation guidelines;

Whereas, Abdullakh "Dully"Abamislimov has served as a paramedic for the Village of Zionsville with distinction;

Whereas, Paramedic Abamislimov has demonstrated the utmost professionalism and quality of care in his burgeoning career as a paramedic;

Whereas, The Indiana Emergency Response Conference serves as a forum for state-wide discussion of emergency

response issues, an opportunity for further education, and a venue for awarding industry professionals for outstanding performance; and

Whereas, Indiana communities rely on the selfless devotion of their first responders to protect them from danger, care for their wounded, and provide the utmost leadership in the most difficult and perilous of situations: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate congratulates Zionsville Fire Chief James VanGorder and Zionsville Paramedic Abdullakh "Dully"Abamislimov for receiving the Fire Chief of the Year and Paramedic of the Year Awards at the 2019 Indiana Emergency Response Conference.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Fire Chief James VanGorder and Paramedic Abdullakh "Dully" Abamislimov.

The resolution was read in full and adopted by voice vote.

Senate Concurrent Resolution 17

Senate Concurrent Resolution 17, introduced by Senator L. Brown:

A CONCURRENT RESOLUTION congratulating Erin Strzelecki of Fort Wayne Bishop Dwenger High School on winning the 2019 Indiana High School Athletic Association ("IHSAA") individual state championship title in girls cross country.

Whereas, Fort Wayne Bishop Dwenger High School's Erin Strzelecki won the 2019 IHSAA individual state championship title in girls cross country;

Whereas, Erin entered the championship meet as the individual champion in both the regional and semi-state meets;

Whereas, Making her fourth appearance in the state finals, Erin capped off her senior year with a winning time of 17:22.9, defeating her closest competition by 22 seconds;

Whereas, Winning the first individual cross country title in Bishop Dwenger High School history, Erin placed first out of 205 runners from around the state;

Whereas, After the meet, Erin was named the Class 3A Runner of the Year by the Indiana Track and Cross Country Coaches Association;

Whereas, When not kicking dust on the cross country course, Erin is a top student with a 3.95 GPA, and is a member of the National Honor Society and Future Business Leaders of America; and

Whereas, Erin will continue her running career at the University of Notre Dame following her graduation from Bishop Dwenger High School: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Erin Strzelecki of Fort Wayne Bishop Dwenger High School on winning the 2019 IHSAA individual state championship title in girls cross country.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Erin Strzelecki.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Morris and Carbaugh.

Senate Concurrent Resolution 18

Senate Concurrent Resolution 18, introduced by Senator L. Brown:

A CONCURRENT RESOLUTION congratulating the Fort Wayne Bishop Dwenger High School cheerleading team on winning the 2019 Indiana Cheer Championship.

Whereas, The Fort Wayne Bishop Dwenger High School cheerleading team won the 2019 Indiana Cheer Championship hosted by the Indiana Association of School Principals;

Whereas, During the championship held November 9, 2019, in New Castle, the Saints took first place in the Varsity B Division by defeating Pendleton Heights, Greenfield Central, Jasper, Lowell, and Mt. Vernon (Fortville) in the finals;

Whereas, As a result of months of hard work and dedicated practice, the Bishop Dwenger cheer team executed a flawless zero deduction routine to win the title; and

Whereas, By earning the 2019 Indiana Cheer Championship title, Bishop Dwenger won its eighth state title in school history: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Fort Wayne Bishop Dwenger High School cheerleading team on winning the 2019 Indiana Cheer Championship.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each member of the Fort Wayne Bishop Dwenger High School cheerleading team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage

of the resolution. House sponsors: Representatives Morris and Carbaugh.

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Monday, January 27, 2020, signed House Enrolled Acts: 1007.

RODRIC D. BRAY
President Pro Tempore

MESSAGE FROM THE PRESIDENT OF THE SENATE

Members of the Senate: I have on the 27th day of January, 2020, signed House Enrolled Act 1007.

SUZANNE CROUCH
Lieutenant Governor

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1009, 1077, 1091, 1094, 1104, 1109, 1119, 1120, 1129, 1157, 1166, 1209, 1210, 1224, 1309, and 1330 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON SECOND READING

Senate Resolution 13

Senator J.D. Ford called up Senate Resolution 13 for second reading. The resolution was read a second time and adopted by voice vote.

REPORT OF THE SENATE COMMITTEE ON ETHICS

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on January 27, 2020, to render an advisory opinion with regard to Senator Koch's request that the Committee consider whether or not he has a conflict of interest pertaining to Amendment #2 for SB 109 which would require him to be excused from voting on this bill at any stage of the legislative process. The members in attendance were: Chairman L. Brown, Senator Charbonneau, Senator Walker, Senator Breaux, Senator Mrvan, and Senator Lonnie M. Randolph.

The Senate Committee on Ethics has considered the facts presented by Senator Koch and hereby recommends that Senator Koch be excused from participation in the vote on Amendment #2 for SB 109 and if the amendment is adopted from all votes pertaining to Senate Bill 109 at any stage in the legislative process because of his potential conflict of interest with regard to the legislation. The vote of the Committee was 6-0.

L. BROWN, Chair

Report adopted.

SENATE BILLS ON SECOND READING

Senate Bill 4

Senator Charbonneau called up Senate Bill 4 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 64

Senator Ruckelshaus called up Senate Bill 64 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 64–1)

Madam President: I move that Senate Bill 64 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

Page 1, line 7, delete "Independent" and insert "**Center of Excellence in Leadership of Learning at the University of Indianapolis**".

Page 1, line 8, delete "Colleges of Indiana".

Page 2, line 8, delete "Independent Colleges of Indiana through its member" and insert "**Center of Excellence in Leadership of Learning at the University of Indianapolis**".

Page 2, line 9, delete "schools and subcontractors".

Page 2, line 10, delete "Independent Colleges" and insert "**Center of Excellence in Leadership of Learning at the University of Indianapolis**".

Page 2, line 11, delete "of Indiana".

Page 3, line 22, delete "Independent Colleges of Indiana" and insert "**Center of Excellence in Leadership of Learning at the University of Indianapolis**".

Page 3, line 24, delete "Independent Colleges of Indiana" and insert "**Center of Excellence in Leadership of Learning at the University of Indianapolis**".

Page 3, line 31, delete "Independent Colleges of Indiana" and insert "**Center of Excellence in Leadership of Learning at the University of Indianapolis**".

Page 3, line 35, delete "Independent Colleges of Indiana" and insert "**Center of Excellence in Leadership of Learning at the University of Indianapolis**".

Page 4, line 6, delete "Independent Colleges of Indiana" and insert "**Center of Excellence in Leadership of Learning at the University of Indianapolis**".

Page 4, line 11, delete "Independent Colleges of" and insert "**Center of Excellence in Leadership of Learning at the University of Indianapolis**".

Page 4, line 12, delete "Indiana".

Page 4, line 17, delete "Independent" and insert "**Center of Excellence in Leadership of Learning at the University of Indianapolis**".

Page 4, line 18, delete "Colleges of Indiana".

Page 4, delete lines 23 through 30.

(Reference is to SB 64 as printed January 24, 2020.)

RUCKELSHAUS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 101

Senator Bohacek called up Senate Bill 101 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 109

Senator Crider called up Senate Bill 109 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 109–2)

Madam President: I move that Senate Bill 109 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 34-11-2-4, AS AMENDED BY P.L.44-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) An action for:

(1) injury to person or character;

(2) injury to personal property; or

(3) a forfeiture of penalty given by statute;

must be commenced within two (2) years after the cause of action accrues.

(b) An action for injury to a person that results from the sexual abuse of a child ~~must~~ **may** be commenced ~~within the later of:~~

~~(1) seven (7) years after the cause of action accrues; or~~

~~(2) four (4) years after the person ceases to be a dependent of the person alleged to have performed the sexual abuse.~~

at any time.

(c) An action for injury to a person that resulted from the sexual abuse of a child that was time barred before July 1, 2020, is hereby revived. An action described in this subsection is revived even if:

(1) no action was filed; or

(2) an action was filed and dismissed by a court due to the expiration of a statute of limitations.

However, an action under this subsection may only be commenced before the date the alleged injured person reaches thirty-one (31) years of age.

(d) The evidence required for criminal prosecution under IC 35-41-4-2(b) is not required to revive a civil action under subsection (c).".

Renumber all SECTIONS consecutively.

(Reference is to SB 109 as printed January 24, 2020.)

FREEMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 131

Senator Kruse called up Senate Bill 131 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 142

Senator Zay called up Senate Bill 142 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 177

Senator Donato called up Senate Bill 177 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 181

Senator Sandlin called up Senate Bill 181 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 185

Senator Alting called up Senate Bill 185 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 185–2)

Madam President: I move that Senate Bill 185 be amended to read as follows:

Page 1, line 6, delete "chapter" and insert "**article**".

Page 1, delete lines 10 through 14.

Page 1, line 15, delete "(5)" and insert "**(2)**".

Page 3, line 22, delete "and receive reimbursement for" and insert "**.**".

Page 3, delete lines 23 through 25.

Page 4, line 28, delete "and receive reimbursement for" and insert "**.**".

Page 4, delete lines 29 through 31.

(Reference is to SB 185 as printed January 22, 2020.)

ALTING

Motion prevailed. The bill was ordered engrossed.

Senate Bill 202

Senator Tallian called up Senate Bill 202 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 205

Senator Messmer called up Senate Bill 205 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 206

Senator Messmer called up Senate Bill 206 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 206–1)

Madam President: I move that Senate Bill 206 be amended to read as follows:

Page 2, delete lines 19 through 29, begin a new paragraph and insert:

"**(g) Upon the filing of a petition under subsection (e), the court may, in its discretion, order a deposition to be taken pursuant to subsection (f). The court shall issue an order listing both the scope of and the reasons for the deposition.**

A protective order under Trial Rule 26(C) shall be included to ensure the victim is treated with fairness, dignity, and respect, and is free from intimidation, harassment, and abuse, in accordance with Article 1, Section 13(b) of the Indiana Constitution. The order shall:

(1) provide for reasonable accommodations for the child victim during the deposition; and

(2) explicitly exclude the defendant from the deposition unless the deposition is:

(A) to perpetuate the testimony of the child; or

(B) needed for other exceptional circumstances and in the interest of justice.".

(Reference is to SB 206 as printed January 24, 2020.)

MESSMER

Motion prevailed. The bill was ordered engrossed.

Senate Bill 223

Senator Leising called up Senate Bill 223 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 230

Senator Sandlin called up Senate Bill 230 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 230–1)

Madam President: I move that Senate Bill 230 be amended to read as follows:

Page 1, line 17, delete "a" and insert "**the owner or property manager of the commercial property that abuts or fronts on the property:**".

Page 2, delete line 1.

Page 2, between lines 18 and 19, begin a new line block indented and insert:

"**(6) The lessee shall assume the liability of the political subdivision for personal injuries and property damage to third parties occurring on the property during the lease period. A lease shall be conditioned upon the lessee maintaining insurance coverage on the leased property for public liability and property damage in an amount determined sufficient by the political subdivision.**".

Page 2, line 19, delete "(6)" and insert "**(7)**".

(Reference is to SB 230 as printed January 24, 2020.)

SANDLIN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 255

Senator Charbonneau called up Senate Bill 255 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 256

Senator Koch called up Senate Bill 256 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 256–1)

Madam President: I move that Senate Bill 256 be amended to read as follows:

Page 2, between lines 38 and 39, begin a new line block indented and insert:

"**(8) Whether the county has a process in place for judicial appointment procedures to promote diversity.**".

Page 2, line 39, delete "(8)" and insert "**(9)**".

(Reference is to SB 256 as printed January 24, 2020.)

G. TAYLOR

Upon request of Senator G. Taylor the President ordered the roll of the Senate to be called. Roll Call 50: yeas 18, nays 32.

Motion failed. The bill was ordered engrossed.

Senate Bill 266

Senator Donato called up Senate Bill 266 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 269

Senator Jon Ford called up Senate Bill 269 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 291

Senator Grooms called up Senate Bill 291 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 291–1)

Madam President: I move that Senate Bill 291 be amended to read as follows:

Page 1, line 2, delete "(a)".

Page 1, line 2, delete "subsection (b)," and insert "**section 2.5 of this chapter,**".

Page 1, delete lines 14 through 17, begin a new paragraph and insert:

"SECTION 2. IC 4-33-4-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. (a) As used in this section, "law enforcement officer" includes:**

(1) a law enforcement officer (as defined in IC 35-31.5-2-185(c));

(2) an off-duty law enforcement officer; and

(3) a qualified retired law enforcement officer (as defined in 18 U.S.C. 926C), if the qualified retired law enforcement officer carries the identification required by 18 U.S.C. 926C.

(b) As used in this section, "licensed facility" means any of the following:

(1) A gambling game facility operated under IC 4-35.

(2) A satellite facility operated under IC 4-31-5.5.

(3) A riverboat operated under IC 4-33.

(4) A property owned by a permit holder that contains

both a gambling game facility operated under IC 4-35 and a racetrack at which live horse racing is conducted under IC 4-31.

(c) The commission shall adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to:

(1) permit a law enforcement officer to carry a handgun in a licensed facility;

(2) require a law enforcement officer who is carrying a handgun to notify the commission or an enforcement agent before entering the licensed facility that the law enforcement officer is carrying a handgun;

(3) require the licensed facility to provide the law enforcement officer with a wristband or other readily identifiable wearable item that informs the licensed facility and its agents and employees that the law enforcement officer is carrying a handgun; and

(4) implement a reasonable method of enforcing the rules described in subdivisions (1) through (3).

This subsection does not prohibit the commission from adopting its own rules or policies concerning the carrying of handguns by its employees or enforcement agents.".

Page 2, delete lines 1 through 10.

Renumber all SECTIONS consecutively.

(Reference is to SB 291 as printed January 24, 2020.)

GROOMS

The Chair ordered a division of the Senate. Yeas 39, nays 9.

Motion prevailed. The bill was ordered engrossed.

Senate Bill 302

Senator Tallian called up Senate Bill 302 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 316

Senator Kruse called up Senate Bill 316 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 340

Senator Spartz called up Senate Bill 340 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 340–1)

Madam President: I move that Senate Bill 340 be amended to read as follows:

Page 6, delete lines 8 through 13.

Renumber all SECTIONS consecutively.

(Reference is to SB 340 as printed January 24, 2020.)

SPARTZ

Motion prevailed. The bill was ordered engrossed.

Senate Bill 355

Senator Becker called up Senate Bill 355 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 356

Senator Merritt called up Senate Bill 356 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 358

Senator Merritt called up Senate Bill 358 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 367

Senator Niemeyer called up Senate Bill 367 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 402

Senator Buchanan called up Senate Bill 402 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 411

Senator Koch called up Senate Bill 411 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 443

Senator Zay called up Senate Bill 443 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 443–1)

Madam President: I move that Senate Bill 443 be amended to read as follows:

Page 5, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 7. IC 9-30-13-0.5, AS AMENDED BY P.L.198-2016, SECTION 604, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.5. (a) A court shall forward to the bureau a certified abstract of the record of the conviction of a person in the court for a violation of a law relating to motor vehicles.

(b) If in the opinion of the court a defendant should be deprived of the privilege to operate a motor vehicle upon a public highway, the court may recommend the suspension of the convicted person's driving privileges for a period that does not exceed:

(1) the maximum period of incarceration for the offense of which the person was convicted; **or**

(2) one hundred eighty (180) days, if the person was adjudicated to have committed a Class A or Class B infraction under IC 9-21-8.

(c) The bureau shall comply with the court's recommendation.

(d) At the time of a conviction referred to in subsection (a) or

under IC 9-30-5-7, the court may obtain and destroy the defendant's current driver's license.

(e) An abstract required by this section must be in the form prescribed by the bureau and, when certified, shall be accepted by an administrative agency or a court as prima facie evidence of the conviction and all other action stated in the abstract.

SECTION 8. IC 9-30-16-3, AS AMENDED BY P.L.161-2018, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) This section does not apply to specialized driving privileges granted in accordance with section 3.5 of this chapter. If a court orders a suspension of driving privileges under this chapter, or imposes a suspension of driving privileges under IC 9-30-6-9(c) **or IC 9-30-13-0.5,** the court may stay the suspension and grant a specialized driving privilege as set forth in this section.

(b) An individual who seeks specialized driving privileges must file a petition for specialized driving privileges in each court that has ordered or imposed a suspension of the individual's driving privileges. Each petition must:

(1) be verified by the petitioner;

(2) state the petitioner's age, date of birth, and address;

(3) state the grounds for relief and the relief sought;

(4) be filed in the court case that resulted in the order of suspension; and

(5) be served on the bureau and the prosecuting attorney.

A prosecuting attorney shall appear on behalf of the bureau to respond to a petition filed under this subsection.

(c) Except as provided in subsection (h), regardless of the underlying offense, specialized driving privileges granted under this section shall be granted for:

(1) at least one hundred eighty (180) days; and

(2) not more than two and one-half (2 1/2) years.

(d) The terms of specialized driving privileges must be determined by a court.

(e) A stay of a suspension and specialized driving privileges may not be granted to an individual who:

(1) has previously been granted specialized driving privileges; and

(2) has more than one (1) conviction under section 5 of this chapter.

(f) An individual who has been granted specialized driving privileges shall:

(1) maintain proof of future financial responsibility insurance during the period of specialized driving privileges;

(2) carry a copy of the order granting specialized driving privileges or have the order in the vehicle being operated by the individual;

(3) produce the copy of the order granting specialized driving privileges upon the request of a police officer; and

(4) carry a validly issued state identification card or driver's license.

(g) An individual who holds a commercial driver's license and has been granted specialized driving privileges under this chapter may not, for the duration of the suspension for which the specialized driving privileges are sought, operate any vehicle that requires the individual to hold a commercial driver's license to operate the vehicle.

(h) Whenever a suspension of an individual's driving privileges under this chapter is terminated because:

(1) the underlying conviction, judgment, or finding that forms the basis of the suspension is reversed, vacated, or dismissed; or

(2) the individual is acquitted of, found not liable for, or otherwise found not to have committed the underlying act or offense that forms the basis of the suspension;

the individual's specialized driving privileges expire at the time the suspension of the individual's driving privileges is terminated.

(i) The court shall inform the bureau of a termination of a suspension and expiration of specialized driving privileges as described under subsection (h) in a format designated by the bureau.".

Renumber all SECTIONS consecutively.

(Reference is to SB 443 as printed January 24, 2020.)

BOHACEK

Motion prevailed. The bill was ordered engrossed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 8

Senator Bohacek called up Engrossed Senate Bill 8 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 51: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Abbott and Bartlett.

Engrossed Senate Bill 9

Senator Tomes called up Engrossed Senate Bill 9 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 52: yeas 41, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative May.

Engrossed Senate Bill 23

Senator Boots called up Engrossed Senate Bill 23 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 53: yeas 37, nays 12. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Thompson.

Engrossed Senate Bill 47

Senator Freeman called up Engrossed Senate Bill 47 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 54: yeas 47, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative J. Young.

Engrossed Senate Bill 50

Senator Freeman called up Engrossed Senate Bill 50 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning probate.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 55: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Torr.

Engrossed Senate Bill 66

Senator Jon Ford called up Engrossed Senate Bill 66 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 56: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Morrison, Pfaff, and Heaton.

Engrossed Senate Bill 83

Senator Niemeyer called up Engrossed Senate Bill 83 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 57: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Aylesworth.

Engrossed Senate Bill 115

Senator Crider called up Engrossed Senate Bill 115 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 58: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Cherry.

Engrossed Senate Bill 197

Senator Koch called up Engrossed Senate Bill 197 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 59: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Soliday.

Engrossed Senate Bill 200

Senator M. Young called up Engrossed Senate Bill 200 for third reading:

A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 60: yeas 44, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative McNamara.

Engrossed Senate Bill 249

Senator M. Young called up Engrossed Senate Bill 249 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 61: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative McNamara.

Engrossed Senate Bill 257

Senator Koch called up Engrossed Senate Bill 257 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities and transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 62: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Soliday.

Engrossed Senate Bill 307

Senator Tomes called up Engrossed Senate Bill 307 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 63: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Frye.

Engrossed Senate Bill 366

Senator Niemeyer called up Engrossed Senate Bill 366 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 64: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Gutwein and Aylesworth.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 12 and 19 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Crane be added as coauthor of Senate Resolution 13.

J.D. FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Busch be added as coauthor of Senate Concurrent Resolution 15.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as coauthor of Senate Bill 3.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 3.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as coauthor of Senate Bill 4.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 4.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as coauthor of Senate Bill 5.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 5.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as coauthor of Senate Bill 8.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as third author of Senate Bill 9.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as coauthor of Senate Bill 9.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 23.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second author of Senate Bill 64.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 64.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Lanane and Lonnie M. Randolph be added as coauthors of Senate Bill 66.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as second author of Senate Bill 71.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 109.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Holdman and Lonnie M. Randolph be added as coauthors of Senate Bill 115.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as second author of Senate Bill 131.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as second author of Senate Bill 139.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as third author of Senate Bill 139.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as second author of Senate Bill 177.

DONATO

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 197.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as third author of Senate Bill 200.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as coauthor of Senate Bill 200.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Boots be removed as coauthor of Senate Bill 202.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Boots be added as second author of Senate Bill 202.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 202.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Gaskill be added as second author and Senator Ruckelshaus be added as third author of Senate Bill 205.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 214.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as coauthor of Senate Bill 214.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as second author of Senate Bill 230.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Becker and Leising be added as coauthors of Senate Bill 249.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as coauthor of Senate Bill 249.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 256.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 256.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 257.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as coauthor of Senate Bill 266.

DONATO

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Spartz be added as coauthor of Senate Bill 266.

DONATO

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be removed as second author of Senate Bill 302.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be removed as third author of Senate Bill 302.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second author of Senate Bill 302.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second author, Senator Niemeyer be added as third author, and Senator Kruse be added as coauthor of Senate Bill 307.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 307.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as coauthor of Senate Bill 312.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as coauthor of Senate Bill 315.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as coauthor of Senate Bill 316.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as coauthor of Senate Bill 316.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Tomes and Doriot be added as coauthors of Senate Bill 320.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 320.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 324.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Garten be added as second author of Senate Bill 331.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as second author of Senate Bill 337.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as third author of Senate Bill 337.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as second author of Senate Bill 340.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 342.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author and Senator Messmer be added as third author of Senate Bill 345.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as coauthor of Senate Bill 354.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 354.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 356.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Perfect be added as second author of Senate Bill 358.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as second author and Senator Leising be added as third author of Senate Bill 364.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 367.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bassler be added as coauthor of Senate Bill 368.

STOOPS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as coauthor of Senate Bill 368.

STOOPS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bassler be added as coauthor of Senate Bill 384.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Garten be added as second author of Senate Bill 385.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as coauthor of Senate Bill 397.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as coauthor of Senate Bill 407.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as second author of Senate Bill 409.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 410.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 421.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as second author of Senate Bill 424.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 424.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as second author of Senate Bill 433.

BASSLER

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, January 28, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 4:23 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Twelfth Meeting Day Tuesday Afternoon January 28, 2020

The Senate convened at 1:58 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Dr. William Katip, President of Grace College.

The Pledge of Allegiance to the Flag was led by Senator Ryan D. Mishler.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 65: present 50; excused 0. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 11

House Concurrent Resolution 11, sponsored by Senators Glick, Tomes, and Niezgodski:

A CONCURRENT RESOLUTION urging the creation of a Medal of Honor Memorial Highway in Indiana.

Whereas, The Medal of Honor is our nation's highest award for valor, presented to veterans of the armed forces of the United States for acting with conspicuous gallantry and intrepidity above and beyond the call of duty at risk of one's life during combat with an enemy of the United States;

Whereas, The Medal of Honor is widely recognized and respected by the military and public alike;

Whereas, Hoosier Medal of Honor recipients have close ties to Indiana;

Whereas, Indiana Medal of Honor recipients served with the United States Army, United States Marine Corps, United States Navy, and United States Air Force in wars from the time of the Civil War to the current War on Terror over a period of more than 156 years;

Whereas, The nonprofit Bend Heroes Foundation and the Oregon Legislature created a law designating all 451 miles of the border to border U.S. Highway 20 in Oregon as the Oregon Medal of Honor Highway, a first in our nation to honor all states' Medal of Honor recipients;

Whereas, The Oregon law suggested a first ever National Medal of Honor Highway would be created if all 11 states east of Oregon and through which U.S. Highway 20 traverses designated border to border Medal of Honor Highways in their states;

Whereas, Indiana has not dedicated a border highway to honor all of Indiana's Medal of Honor recipients;

Whereas, The Indiana General Assembly urges the Indiana Department of Transportation to designate U.S. Highway 20, a 163 mile border to border highway, the Indiana Medal of Honor Highway in honor of Indiana's current and future Medal of Honor recipients and facilitate a 3,365 mile National Medal of Honor Highway across America;

Whereas, U.S. Highway 20 travels through or near such towns and cities as Metz, Berlien, Angola, Brush Prairie, Plato, LaGrange, Shipshewana, Middlebury, Elkhart, Osceola, Mishawaka, South Bend, Ardmore, Lydick, Olive, New Carlisle, Rolling Prairie, Springville, Michigan City, Waterford, Trail Creek, Town of Pines, Chesterton, Porter, Portage, Dunes Harbor, Burns Harbor, Ogden Dunes, Dunes Acres, Lake Station, Gary, East Chicago, Whiting, and Hammond;

Whereas, Veterans in Indiana support the creation of a Medal of Honor Highway and have offered to pay the cost to create and install the Indiana Medal of Honor Highway signs; and

Whereas, The Indiana General Assembly deeply appreciates the service and sacrifice of its Medal of Honor recipients and the positive roles they have played in their communities and throughout the United States for more than 150 years: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly urges the Indiana Department of Transportation to rename U.S. Highway 20 beginning at the Indiana and Ohio border and ending at the Illinois and Indiana border the "Indiana Medal of Honor Highway" honoring current and future Indiana Medal of Honor recipients.

SECTION 2. That the Indiana Department of Transportation place and maintain suitable markers which include the display of the three versions of the Medal of Honor along U.S. Highway 20 when installing signs in recognition of the Indiana Medal of Honor Highway.

SECTION 3. That the Indiana Department of Transportation may accept moneys and may enter into agreements with veterans and other groups to create, install, and maintain the signs.

SECTION 4. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Dennis Zent for distribution.

The resolution was read in full and referred to the Committee on Homeland Security and Transportation.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill 6, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 4, after "applies" delete "after" and insert "**as follows:**

(1) After".

Page 1, line 4, after "2017," insert "**and before January 1, 2021,**".

Page 1, between lines 5 and 6, begin a new line block indented and insert:

"**(2) For a supplemental fee under subsections (d) and (e), after December 31, 2020, to each electric vehicle and hybrid vehicle that:**

(A) is not a motorcycle or motor driven cycle; and

(B) is required to be registered under IC 9-18.1.

(3) For a supplemental fee under subsections (f) and (g), after December 31, 2020, to each electric vehicle and hybrid vehicle that:

(A) is a motorcycle or motor driven cycle; and

(B) is required to be registered under IC 9-18.1.".

Page 1, delete lines 12 through 13.

Page 2, delete lines 3 through 4.

Page 2, line 5, after "(d)" insert "**Subject to subsection (f), after December 31, 2020, this subsection does not apply to a motorcycle or motor driven cycle.**".

Page 2, line 14, after "(e)" insert "**Subject to subsection (g), after December 31, 2020, this subsection does not apply to a motorcycle or motor driven cycle.**".

Page 2, between lines 22 and 23, begin a new paragraph and insert:

"**(f) In addition to any other fee required to register an electric vehicle under this chapter, the supplemental fee to register an electric vehicle that is a motorcycle or motor driven cycle is twenty-five dollars ($25) through December 31, 2022. Before October 1, 2022, and before October 1 of every fifth year thereafter, the bureau shall determine a new fee amount to take effect as of January 1 of the following year by determining the product of:**

(1) the fee in effect for the determination year; multiplied by

(2) the factor determined under IC 6-6-1.6-2.

The fee shall be rounded to the nearest dollar.

(g) In addition to any other fee required to register a hybrid vehicle under this chapter, the supplemental fee to register a hybrid vehicle that is a motorcycle or motor driven cycle is twenty-five dollars ($25) through December 31, 2022. Before October 1, 2022, and before October 1 of every fifth year thereafter, the bureau shall determine a new fee amount to take effect as of January 1 of the following year by determining the product of:

(1) the fee in effect for the determination year; multiplied by

(2) the factor determined under IC 6-6-1.6-2.

The fee shall be rounded to the nearest dollar.".

Page 2, line 23, strike "(f)" and insert "**(h)**".

(Reference is to SB 6 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill 54, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 1.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill 62, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning family law and juvenile law.

Delete everything after the enacting clause and insert the following:

SECTION 1. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to an appropriate interim study committee the topic of the supervision and distribution of psychotropic medication to children who are being supervised by the department of child services in an out-of-home placement.**

(b) The interim study committee shall include its recommendations in the interim study committee's final report.

(c) This SECTION expires January 1, 2021.

SECTION 2. **An emergency is declared for this act.**

(Reference is to SB 62 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

GROOMS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Senate Bill 99, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

GLICK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 170, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 11, Nays 1.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 171, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 20, after "Sec.9." insert "**(a)**".

Page 3, line 21, delete "town for one (1) or more of the following purposes:" and insert "**town:**

(1) for the financing, construction, renovation, improvement, equipping, or maintenance of projects; and

(2) to pay debt service on bonds issued under this chapter for projects;

within the South Clarksville Redevelopment Area, as defined in the South Clarksville Redevelopment Plan on February 1, 2016.

(b) The town may issue bonds to:

(1) pay any costs associated with the financing, construction, renovation, improvement, equipping, and maintenance of a project within the South Clarksville Redevelopment Area, as defined in the South Clarksville Redevelopment Plan on February 1, 2016; or

(2) refund bonds issued or other obligations incurred under this chapter so long as any bonds issued or other obligations incurred to refund bonds or retire other obligations do not extend the date that the previous bonds or other obligations will be completely paid as to principal and interest.

(c) Bonds issued or other obligations incurred under this section:

(1) are payable solely from money provided in this chapter;

(2) must be issued in the manner prescribed by IC 36-5-2-11;

(3) may not have a term that is longer than twenty (20) years; and

(4) may, in the discretion of the town, be sold at a negotiated sale at a price to be determined by the town or in accordance with IC 5-1-11 and IC 5-3-1.".

Page 3, delete lines 22 through 39.

Page 4, between lines 3 and 4, begin a new paragraph and insert:

"**Sec. 11. This chapter expires October 1, 2040.**".

(Reference is to SB 171 as printed January 15, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 2.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 183, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning taxation.

Delete everything after the enacting clause and insert the following:

SECTION 1. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to the fiscal policy interim study committee during the 2020 legislative interim the task of conducting a review of each statute in the Indiana**

Code that authorizes a local unit to enact a food and beverage tax, including:

(1) the purposes for which revenue from each food and beverage tax may be used; and

(2) the expiration date of each food and beverage tax, if any.

(b) This SECTION expires December 31, 2020.

SECTION 2. **An emergency is declared for this act.**

(Reference is to SB 183 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill 238, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

GROOMS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill 258, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill 259, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

GROOMS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 262, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 3, delete "2020" and insert "2021".

Page 1, line 3, delete "shall" and insert "**may**".

Page 1, line 4, delete "to supervise, direct, coordinate, and administer the" and insert "**and other necessary staff to perform duties as directed that relate to a film and media production incentive program.**".

Page 1, delete lines 5 through 17.

Page 2, delete lines 1 through 7.

Page 2, line 10, delete "2020]:" and insert "2021]:".

Page 2, line 11, delete "Expenditure" and insert "**Incentive Program**".

Page 2, delete line 12.

Page 2, between lines 18 and 19, begin a new paragraph and insert:

"**Sec. 3. As used in this chapter, "program" refers to an Indiana film and media production incentive program established under section 8 of this chapter.**".

Page 2, line 19, delete "3." and insert "**4.**".

Page 2, line 23, delete "4." and insert "**5.**".

Page 2, line 33, delete "5." and insert "**6.**".

Page 3, line 28, delete "6." and insert "**7.**".

Page 5, line 15, delete "7. (a) Beginning January" and insert "**8. (a) The corporation may establish an Indiana film and media production incentive program. Beginning July**".

Page 5, line 19, delete "5(a)(1) through section 5(a)(6)" and insert "**6(a)(1) through section 6(a)(6)**".

Page 5, line 22, delete "5(a)(7)" and insert "**6(a)(7)**".

Page 5, line 24, delete "a rebate" and insert "**an incentive under the program**".

Page 5, line 30, delete "5(a)(1)" and insert "**6(a)(1)**".

Page 5, delete lines 33 through 39.

Page 5, line 41, delete "7" and insert "**8**".

Page 6, line 1, delete "a rebate" and insert "**an incentive under the program**".

Page 6, line 4, after "any" insert "**necessary staff employed by the corporation under IC 5-33-5-14.**".

Page 6, delete lines 5 through 6.

Page 6, line 8, delete "a" and insert "**an incentive under the program**".

Page 6, line 9, delete "rebate".

Page 6, delete lines 23 through 38.

Page 6, line 39, delete "(2)" and insert "**(1)**".

Page 6, line 40, delete "the rebate:" and insert "**an incentive under the program:**".

Page 7, line 3, delete "rebate" and insert "**an incentive under the program**".

Page 7, line 8, delete "rebate" and insert "**an incentive under the program**".

Page 7, line 13, delete "5(a)(1)" and insert "**6(a)(1)**".

Page 7, line 15, delete "(3)" and insert "**(2)**".

Page 8, line 5, delete "(4)" and insert "**(3)**".

Page 8, line 24, delete "individuals" and insert "**necessary staff employed by the corporation under IC 5-33-5-14.**".

Page 8, delete lines 25 through 26.

Page 8, line 27, delete "(a) A rebate:" and insert "**Incentives under the program are subject to appropriations to the program by the general assembly. If funds have not been appropriated for the program by the general assembly, the corporation shall refund an applicant's application fees and final administrative review fees.**".

Page 8, delete lines 28 through 36.

Page 8, line 39, delete "a rebate" and insert "**an incentive under the program**".

Page 9, line 3, delete "amount of the rebate" and insert "**incentive under the program**".

Page 9, line 7, delete "a rebate" and insert "**an incentive**".

Page 9, line 8, delete "A rebate" and insert "**An incentive under the program**".

Page 9, line 13, delete "a rebate" and insert "**an incentive under the program**".

Page 9, line 15, delete "a rebate" and insert "**an incentive under the program**".

Page 9, line 21, delete "a rebate" and insert "**an incentive under the program**".

Page 9, line 32, delete "a rebate" and insert "**an incentive**".

Page 9, line 33, delete "a rebate" and insert "**an incentive under the program**".

Page 9, line 35, delete "rebate" and insert "**incentive under the program**".

Page 9, delete lines 37 through 39.

Page 9, line 40, delete "15." and insert "**14.**".

Page 9, after line 40, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE UPON PASSAGE] **(a) Before October 1, 2020, and subject to subsection (b), the Indiana destination development corporation, in coordination with the office of management and budget, shall prepare a detailed report concerning film and media production incentives and provide the report to the interim study committee on fiscal policy established by IC 2-5-1.3-4. The report must be in an electronic format under IC 5-14-6.**

(b) The report required under subsection (a) must include at least the following information:

(1) Information concerning film and media production incentives offered in all other states.

(2) Information concerning the effectiveness of film and media production incentives offered in all other states.

(3) A recommendation on the type of incentive Indiana should offer in order to be competitive with other states, including:

(A) the amount of incentive that should be offered;

(B) the types of productions, including film and media, that should be incentivized;

(C) the types of production expenditures that should be considered qualified for purposes of an incentive;

(D) the minimum amount of expenditures that should be required in order to be eligible for an incentive; and

(E) the maximum amount of incentives that should be offered per state fiscal year.

(c) This SECTION expires July 1, 2023.

SECTION 4. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 262 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 264, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 36-7-32-8, AS AMENDED BY P.L.158-2019, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. **(a)** As used in this chapter, "income tax base period amount" means the following:

(1) Except as provided in subdivision (2), the aggregate amount of the following taxes paid by employees employed in the territory comprising a certified technology park with respect to wages and salary earned for work in the certified technology park for the state fiscal year that precedes the date on which the certified technology park was designated under section 11 of this chapter:

(A) The adjusted gross income tax.

(B) The local income tax (IC 6-3.6).

(2) In the case of a certified technology park for which the amount limit under section 22(c) or 22(d) of this chapter has been exceeded, **and subject to subsection (b),** the aggregate amount of adjusted gross income taxes and local income taxes (IC 6-3.6) paid by employees employed in the territory comprising a certified technology park with respect to wages and salary earned for work in the certified technology park for

~~(A) the state fiscal year in which the total deposits in the incremental tax financing fund for the certified technology park first exceeded the amount limit under section 22(c) or 22(d) of this chapter; or~~

~~(B) the state fiscal year beginning July 1, 2019, and ending June 30, 2020, in the case of a certified technology park for which the amount limit under section 22(c) or 22(d) of this chapter was exceeded before July 1, 2020.~~

a particular state fiscal year that:

(A) after negotiation between the redevelopment commission and the Indiana economic development corporation, is recommended by the Indiana economic development corporation; and

(B) is subject to review by the budget committee under section 22(f)(1)(B) of this chapter.

However, the state fiscal year recommended under this subdivision may not be a state fiscal year that is before the state fiscal year that precedes the date on which the certified technology park was designated under section 11 of this chapter.

(b) In determining and reviewing the state fiscal year under subsection (a)(2), the Indiana economic development corporation and budget committee shall consider:

(1) the operating business model of the certified technology park;

(2) the financial and legal sponsors and support of the

certified technology park;

(3) the performance of the certified technology park; and

(4) any ongoing financial requirements of the certified technology park necessary to meet the statutory requirements of a certified technology park.

SECTION 2. IC 36-7-32-8.5, AS AMENDED BY P.L.158-2019, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8.5. As used in this chapter, "income tax incremental amount" means the following:

(1) Except as provided in subdivision (2), the remainder of:

(A) the total amount of state adjusted gross income taxes and local income taxes paid by employees employed in the territory comprising the certified technology park with respect to wages and salary earned for work in the territory comprising the certified technology park for a particular state fiscal year; minus

(B) the sum of the:

(i) income tax base period amount as defined in section ~~8(1)~~ **8(a)(1)** of this chapter; and

(ii) tax credits awarded by the Indiana economic development corporation under IC 6-3.1-13 to businesses operating in a certified technology park as the result of wages earned for work in the certified technology park for the state fiscal year;

as determined by the department of state revenue.

(2) In the case of a certified technology park for which the amount limit under section 22(c) or 22(d) of this chapter has been exceeded, the remainder of:

(A) the total amount of state adjusted gross income taxes and local income taxes paid by employees employed in the territory comprising the certified technology park with respect to wages and salary earned for work in the territory comprising the certified technology park for a particular state fiscal year; minus

(B) the sum of the:

(i) income tax base period amount as defined in section ~~8(2)~~ **8(a)(2)** of this chapter; and

(ii) tax credits awarded by the Indiana economic development corporation under IC 6-3.1-13 to businesses operating in a certified technology park as the result of wages earned for work in the certified technology park for the state fiscal year;

as determined by the department of state revenue.".

Page 3, line 25, after "commission" insert "**and, if the redevelopment commission has designated a third party manager or operator of the certified technology park, the third party manager or operator,**".

Page 3, line 32, after "section" insert "**11(e) and**".

Page 4, line 2, delete "October 1" and insert "**March 30**".

Page 4, line 17, after "section" insert "**11(e) and**".

Renumber all SECTIONS consecutively.

(Reference is to SB 264 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill 268, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete lines 8 through 42, begin a new paragraph and insert:

"SECTION 2. IC 8-23-32 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 32. Automated Traffic Control System Pilot Program to Monitor Worksite Speed Limits

Sec. 1. (a) This chapter does not apply to a road or bridge maintained by or under a contract with the Indiana finance authority.

(b) This chapter applies only to a part of a road or bridge on the interstate system (as defined by IC 8-23-1-25) or a U.S. route.

Sec. 2. As used in this chapter, "automated traffic control system" means a photographic device, radar device, laser device, or other electrical or mechanical device or devices designed to:

(1) record the speed of a motor vehicle; and

(2) obtain a clear photograph or other recorded image of the rear of the motor vehicle and the license plate affixed to the motor vehicle at the time the recorded speed of the motor vehicle exceeds a speed limit established under IC 9-21-5-11.

Sec. 3. As used in this chapter, "motor vehicle rental company" means a person that routinely engages in the business of renting motor vehicles for periods of not more than thirty (30) days.

Sec. 4. As used in this chapter, "owner" means a person in whose name a motor vehicle is registered under any of the following:

(1) IC 9-18.1.

(2) The law of another state.

(3) The law of a foreign country.

(4) The International Registration Plan.

Sec. 5. As used in this chapter, "worksite" means any part of a road or bridge on the interstate system (as defined by IC 8-23-1-25) or a U.S. route on which the department has established a speed limit under IC 9-21-5-11.

Sec. 6. (a) The department may establish an automated traffic control system pilot program in a worksite. However, the department may operate an automated traffic control system installed under this subsection only when workers are present in the worksite.

(b) The department may enter into an agreement with a third party vendor to assist in the administration of this chapter.

(c) The burden of proving that workers were present at the time an automated traffic control system recorded the speed of the motor vehicle exceeding a speed limit established under IC 9-21-5-11 is on the department in an administrative review under IC 4-21.5.

(d) The department may purchase and operate no more

than four (4) automated traffic control systems under this chapter.

(e) No more than four (4) worksites may be monitored in any single calendar year.

Sec. 7. If the department establishes an automated traffic control system under section 6 of this chapter, the department shall do the following:

(1) Conduct a public information campaign to inform drivers about the use of an automated traffic control system to detect speeds in excess of a worksite speed limit before implementing the automated traffic control system.

(2) Post signs indicating that worksite speed limits are monitored through an automated traffic control system before the entrance to any worksite in which an automated traffic control system is in use.

(3) Limit the operation of an automated traffic control system to areas where workers are present and highway construction or maintenance is occurring.

Sec. 8. (a) An automated traffic control system may not be used to take a photograph or recorded image of the front of a motor vehicle.

(b) A front view photograph or recorded image obtained through the use of an automated traffic control system may not be used as evidence in any hearing under IC 4-21.5.

Sec. 9. (a) A photograph or recorded image obtained through the use of an automated traffic control system may not be used as evidence in any action other than the action to collect a worksite speed limit civil penalty for which the photograph or recorded image was obtained.

(b) A photograph or recorded image obtained through the use of an automated traffic control system may be used internally to administer the automated traffic control system. However, unless authorized by court order, a photograph or recorded image obtained through the use of an automated traffic control system may not be disclosed to anyone other than:

(1) the owner of the motor vehicle at the time the recorded speed of the motor vehicle exceeded a speed limit established under IC 9-21-5-11;

(2) the individual alleged to have been operating the motor vehicle at the time the worksite speed limit was exceeded as described in subdivision (1);

(3) an attorney representing an individual described in subdivision (1) or (2);

(4) a law enforcement officer;

(5) the department;

(6) a person administering the automated traffic control system; and

(7) the court in a proceeding for judicial review under IC 4-21.5.

Sec. 10. (a) Except as provided in section 13 of this chapter, the owner of a motor vehicle identified through an automated traffic control system is liable for the civil penalty described in section 11 of this chapter for exceeding a speed limit established under IC 9-21-5-11.

(b) There is a rebuttable presumption that the owner of a motor vehicle that is the subject of a photograph or recorded image was operating the motor vehicle when the photograph or recorded image was obtained through an automated traffic control system. The presumption does not apply to the owner of a motor vehicle that is the subject of a photograph or recorded image if the owner of the motor vehicle is a motor vehicle rental company.

(c) The owner of a motor vehicle, including a motor vehicle rental company, may submit the information described in section 13 of this chapter to rebut the presumption created by subsection (b).

(d) It is a defense under this section if any of the following apply:

(1) The person receiving a notice under section 12 of this chapter was not the owner of the motor vehicle and was not driving the vehicle at the time that the worksite speed limit was exceeded.

(2) The vehicle was reported stolen prior to the time that the worksite speed limit was exceeded and was not recovered prior to that time.

(3) The automated traffic control system was not properly tested for accuracy, certification, or calibration.

(4) No workers were present in the worksite at the time that the worksite speed limit was exceeded.

Sec. 11. (a) This section does not apply to a person who has been charged with an infraction for a violation of IC 9-21-5-11.

(b) The department shall assess a civil penalty on a person who exceeds the speed limit prescribed by IC 9-21-5-11 if the automated traffic control system indicates that the operator of a motor vehicle has exceeded the worksite speed limit by at least eleven (11) miles per hour.

(c) A person who exceeds a worksite speed limit established under IC 9-21-5-11 that is detected under this chapter is subject to the following civil penalties:

(1) A written warning for the first time that the person exceeds a worksite speed limit detected under this chapter.

(2) A civil penalty of seventy-five dollars ($75) for the second time that the person exceeds a worksite speed limit detected under this chapter.

(3) A civil penalty of one hundred fifty dollars ($150) for the third and each subsequent time that the person exceeds a worksite speed limit detected under this chapter.

(d) A civil penalty collected under this section shall be deposited in the state general fund.

(e) A person assessed a civil penalty under this section is not liable for an infraction for a violation of IC 9-21-5-11.

Sec. 12. A person identified as the owner of the motor vehicle at the time an automated traffic control system indicated that the speed of the motor vehicle exceeded a speed limit established under IC 9-21-5-11 is entitled to notice of the violation by first class mail postmarked not later than fourteen (14) days after the date of the alleged violation. The notice must include the following information:

(1) The name and address of the owner of the motor vehicle.

(2) The license plate number of the motor vehicle.
(3) A statement informing the person that an automated traffic control system indicated that the motor vehicle exceeded a speed limit established under IC 9-21-5-11.
(4) The location of where the worksite speed limit was exceeded.
(5) The date and time when the worksite speed limit was exceeded.
(6) A copy of, and information on how to view through electronic means, the photograph or recorded image of the moment when the worksite speed limit was exceeded.
(7) The amount of the civil penalty.
(8) The date by which the civil penalty must be paid if the owner of the motor vehicle does not desire to request an administrative review under IC 4-21.5. The civil penalty must be paid not later than thirty (30) days after the date the notice of assessment is issued if a defense does not apply, or not later than forty-five (45) days after the issuance date of the notice of assessment if a defense requires the notice of assessment to be sent to another person.
(9) A statement that the photograph or recorded image of the moment when the worksite speed limit was exceeded is prima facie evidence that a worksite speed limit was exceeded.
(10) The procedure under which the notice of assessment may be reviewed under IC 4-21.5, and the procedure and conditions under which the responsibility for payment of the civil penalty may be transferred to another individual who was operating the motor vehicle at the time the worksite speed limit was exceeded.
(11) Written verification that the automated traffic control system was operating correctly at the time the worksite speed limit was exceeded and the date of the most recent inspection that confirms that the automated traffic control system was operating properly.

Sec. 13. (a) The owner of a motor vehicle operated by another individual at the time that an automated traffic control system records the speed of the motor vehicle in excess of a speed limit established under IC 9-21-5-11 is not liable for the civil penalty and is not required to pay the civil penalty imposed if the owner does the following:
(1) Responds to the notice of assessment not more than thirty (30) days after receiving the notice of assessment and submits to the department a request for administrative review and an affidavit of nonliability stating that an individual other than the owner of the motor vehicle had custody and control of the motor vehicle at the time that an automated traffic control system recorded the speed of the motor vehicle in excess of a speed limit established under IC 9-21-5-11.
(2) Provides the following information to the department about the individual having custody and control of the motor vehicle at the time that an automated traffic control system recorded the speed of the motor vehicle in excess of a speed limit established under IC 9-21-5-11:
(A) The name and address of the individual.
(B) The individual's driver's license number.

(b) If the department finds by a preponderance of the evidence that an individual other than the owner of the motor vehicle was operating the motor vehicle at the time that an automated traffic control system records the speed of the motor vehicle in excess of a speed limit established under IC 9-21-5-11, the department shall issue a notice of assessment to the person found to be operating the motor vehicle when an automated traffic control system recorded the speed of the motor vehicle in excess of a speed limit established under IC 9-21-5-11.

Sec. 14. (a) A person requesting an administrative review must respond to the notice of assessment not more than thirty (30) days after receiving the notice of assessment.

(b) If the person seeks an administrative review of the assessment within the time period described in subsection (a) or section 13 of this chapter, the department shall set a hearing not later than thirty (30) days after the department receives the request.

(c) Except as otherwise provided in this chapter, an administrative review hearing shall be conducted in accordance with IC 4-21.5.

(d) At the hearing, the department has the burden of establishing by a preponderance of the evidence that the person exceeded the speed limit prescribed by IC 9-21-5-11 as recorded by an automated traffic control system.

(e) If the department finds that the person exceeded the speed limit prescribed by IC 9-21-5-11 as recorded by an automated traffic control system, the person is liable for the civil penalty. If the department finds that the person did not exceed the speed limit prescribed by IC 9-21-5-11 as recorded by an automated traffic control system, the person is not liable for the civil penalty.

(f) A person may seek review of an order issued under this section as described in IC 4-21.5-5.

Sec. 15. (a) Before November 1 of each year, the department must submit a report to the interim study committee on roads and transportation established by IC 2-5-1.3-4 that includes the following:
(1) The number of motor vehicle accidents and related serious injuries and deaths that occurred in each worksite where an automated traffic control system was operated.
(2) Data related to the speed of motor vehicles traveling through a worksite where an automated traffic control system was operated.
(3) The number of violations issued in a worksite where an automated traffic control system was operated.
(4) The amount of fines imposed for violations occurring in a worksite where an automated traffic control system was operated.

(b) Before July 1, 2025, the department must submit a report to the interim study committee on roads and transportation established by IC 2-5-1.3-4 that provides a summary of the impact of the use of automated traffic control systems in worksites.

(c) A report under this section must be submitted in an electronic format under IC 5-14-6.".

Delete pages 3 through 7.

Page 8, delete lines 1 through 11.

Page 8, between lines 18 and 19, begin a new line block indented and insert:

"**(1) IC 8-23-32;**".

Page 8, line 19, strike "(1)" and insert "**(2)**".

Page 8, line 20, strike "(2)" and insert "**(3)**".

Page 9, line 11, delete "IC 9-21-3.7," and insert "**IC 8-23-32,**".

Page 9, line 17, delete "IC 9-21-3.7." and insert "**IC 8-23-32.**".

Page 9, line 35, delete "IC 9-21-3.7." and insert "**IC 8-23-32.**".

Page 10, line 1, delete "IC 9-21-3.7." and insert "**IC 8-23-32.**".

Page 10, between lines 15 and 16, begin a new paragraph and insert:

"**(g) In the case of a worksite speed limit enforced through an automated traffic control system, a civil penalty shall be assessed under IC 8-23-32.**".

Page 11, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 7. IC 33-37-4-1, AS AMENDED BY P.L.24-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) For each action that results in a felony conviction under IC 35-50-2 or a misdemeanor conviction under IC 35-50-3, the clerk shall collect from the defendant a criminal costs fee of one hundred twenty dollars ($120).

(b) In addition to the criminal costs fee collected under this section, the clerk shall collect from the defendant the following fees if they are required under IC 33-37-5:

(1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or IC 33-37-5-4).

(2) A marijuana eradication program fee (IC 33-37-5-7).

(3) An alcohol and drug services program fee (IC 33-37-5-8(b)).

(4) A law enforcement continuing education program fee (IC 33-37-5-8(c)).

(5) A drug abuse, prosecution, interdiction, and correction fee (IC 33-37-5-9).

(6) An alcohol and drug countermeasures fee (IC 33-37-5-10).

(7) A child abuse prevention fee (IC 33-37-5-12).

(8) A domestic violence prevention and treatment fee (IC 33-37-5-13).

(9) A highway worksite ~~zone~~ fee (IC 33-37-5-14).

(10) A deferred prosecution fee (IC 33-37-5-17).

(11) A document storage fee (IC 33-37-5-20).

(12) An automated record keeping fee (IC 33-37-5-21).

(13) A late payment fee (IC 33-37-5-22).

(14) A sexual assault victims assistance fee (IC 33-37-5-23).

(15) A public defense administration fee (IC 33-37-5-21.2).

(16) A judicial insurance adjustment fee (IC 33-37-5-25).

(17) A judicial salaries fee (IC 33-37-5-26).

(18) A court administration fee (IC 33-37-5-27).

(19) A DNA sample processing fee (IC 33-37-5-26.2).

(c) Instead of the criminal costs fee prescribed by this section, except for the automated record keeping fee (IC 33-37-5-21), the clerk shall collect a pretrial diversion program fee if an agreement between the prosecuting attorney and the accused person entered into under IC 33-39-1-8 requires payment of those fees by the accused person. The pretrial diversion program fee is:

(1) an initial user's fee of fifty dollars ($50) for a misdemeanor offense;

(2) an initial user's fee of seventy-five dollars ($75) for a felony offense;

(3) a monthly user's fee of twenty dollars ($20) for each month that the person remains in the pretrial diversion program; and

(4) any additional program fee or cost that is:

(A) reasonably related to the person's rehabilitation; and

(B) approved by the court.

A monthly user fee may not be collected beyond the maximum length of the possible sentence.

(d) The clerk shall transfer to the county auditor or city or town fiscal officer the following fees, not later than thirty (30) days after the fees are collected:

(1) The pretrial diversion fee.

(2) The marijuana eradication program fee.

(3) The alcohol and drug services program fee.

(4) The law enforcement continuing education program fee.

The auditor or fiscal officer shall deposit fees transferred under this subsection in the appropriate user fee fund established under IC 33-37-8.

(e) Unless otherwise directed by a court, if a clerk collects only part of a criminal costs fee from a defendant under this section, the clerk shall distribute the partial payment of the criminal costs fee as follows:

(1) The clerk shall apply the partial payment to general court costs.

(2) If there is money remaining after the partial payment is applied to general court costs under subdivision (1), the clerk shall distribute the remainder of the partial payment for deposit in the appropriate county user fee fund.

(3) If there is money remaining after distribution under subdivision (2), the clerk shall distribute the remainder of the partial payment for deposit in the state user fee fund.

(4) If there is money remaining after distribution under subdivision (3), the clerk shall distribute the remainder of the partial payment to any other applicable user fee fund.

(5) If there is money remaining after distribution under subdivision (4), the clerk shall apply the remainder of the partial payment to any outstanding fines owed by the defendant.

SECTION 8. IC 33-37-4-2, AS AMENDED BY P.L.85-2017, SECTION 109, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) Except as provided in subsections (d) and (e), for each action that results in a judgment:

(1) for a violation constituting an infraction; or

(2) for a violation of an ordinance of a municipal corporation (as defined in IC 36-1-2-10);

the clerk shall collect from the defendant an infraction or ordinance violation costs fee of seventy dollars ($70).

(b) In addition to the infraction or ordinance violation costs fee collected under this section, the clerk shall collect from the defendant the following fees, if they are required under IC 33-37-5:

(1) A document fee (IC 33-37-5-1, IC 33-37-5-3, or IC 33-37-5-4).

(2) An alcohol and drug services program fee (IC 33-37-5-8(b)).

(3) A law enforcement continuing education program fee (IC 33-37-5-8(c)).

(4) An alcohol and drug countermeasures fee (IC 33-37-5-10).

(5) A highway worksite ~~zone~~ fee (IC 33-37-5-14).

(6) A deferred prosecution fee (IC 33-37-5-17).

(7) A jury fee (IC 33-37-5-19).

(8) A document storage fee (IC 33-37-5-20).

(9) An automated record keeping fee (IC 33-37-5-21).

(10) A late payment fee (IC 33-37-5-22).

(11) A public defense administration fee (IC 33-37-5-21.2).

(12) A judicial insurance adjustment fee (IC 33-37-5-25).

(13) A judicial salaries fee (IC 33-37-5-26).

(14) A court administration fee (IC 33-37-5-27).

(15) A DNA sample processing fee (IC 33-37-5-26.2).

(c) The clerk shall transfer to the county auditor or fiscal officer of the municipal corporation the following fees, not later than thirty (30) days after the fees are collected:

(1) The alcohol and drug services program fee (IC 33-37-5-8(b)).

(2) The law enforcement continuing education program fee (IC 33-37-5-8(c)).

(3) The deferral program fee (subsection (e)).

The auditor or fiscal officer shall deposit the fees in the user fee fund established under IC 33-37-8.

(d) The defendant is not liable for any ordinance violation costs fee in an action if all the following apply:

(1) The defendant was charged with an ordinance violation subject to IC 33-36.

(2) The defendant denied the violation under IC 33-36-3.

(3) Proceedings in court against the defendant were initiated under IC 34-28-5 (or IC 34-4-32 before its repeal).

(4) The defendant was tried and the court entered judgment for the defendant for the violation.

(e) Instead of the infraction or ordinance violation costs fee prescribed by subsection (a), except for the automated record keeping fee (IC 33-37-5-21), the clerk shall collect a deferral program fee if an agreement between a prosecuting attorney or an attorney for a municipal corporation and the person charged with a violation entered into under IC 34-28-5-1 (or IC 34-4-32-1 before its repeal) requires payment of those fees by the person charged with the violation. The deferral program fee is:

(1) an initial user's fee not to exceed fifty-two dollars ($52); and

(2) a monthly user's fee not to exceed ten dollars ($10) for each month the person remains in the deferral program.

(f) The fees prescribed by this section are costs for purposes of IC 34-28-5-5 and may be collected from a defendant against whom judgment is entered. Any penalty assessed is in addition to costs.".

Page 11, after line 32, begin a new paragraph and insert:

"SECTION 10. IC 33-37-7-2, AS AMENDED BY P.L.30-2019, SECTION 20, AND AS AMENDED BY P.L.144-2019, SECTION 18, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) The clerk of a circuit court shall distribute semiannually to the auditor of state as the state share for deposit in the homeowner protection unit account established by IC 4-6-12-9 one hundred percent (100%) of the automated record keeping fees collected under IC 33-37-5-21 with respect to actions resulting in the accused person entering into a pretrial diversion program agreement under IC 33-39-1-8 or a deferral program agreement under IC 34-28-5-1 and for deposit in the state general fund seventy percent (70%) of the amount of fees collected under the following:

(1) IC 33-37-4-1(a) (criminal costs fees).

(2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).

(3) IC 33-37-4-3(a) (juvenile costs fees).

(4) IC 33-37-4-4(a) (civil costs fees).

(5) IC 33-37-4-6(a)(1)(A) (small claims costs fees).

(6) IC 33-37-4-7(a) (probate costs fees).

(7) IC 33-37-5-17 (deferred prosecution fees).

(b) The clerk of a circuit court shall distribute semiannually to the auditor of state for deposit in the state user fee fund established in IC 33-37-9-2 the following:

(1) Twenty-five percent (25%) of the drug abuse, prosecution, interdiction, and correction fees collected under IC 33-37-4-1(b)(5).

(2) Twenty-five percent (25%) of the alcohol and drug countermeasures fees collected under IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

(3) One hundred percent (100%) of the child abuse prevention fees collected under IC 33-37-4-1(b)(7).

(4) One hundred percent (100%) of the domestic violence prevention and treatment fees collected under IC 33-37-4-1(b)(8).

(5) One hundred percent (100%) of the highway worksite ~~zone~~ fees collected under IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).

(6) ~~*One hundred percent (100%)*~~ *Seventy-five percent (75%)* of the safe schools fee collected under IC 33-37-5-18.

(7) One hundred percent (100%) of the automated record keeping fee collected under IC 33-37-5-21 not distributed under subsection (a).

(c) The clerk of a circuit court shall distribute monthly to the county auditor the following:

(1) Seventy-five percent (75%) of the drug abuse, prosecution, interdiction, and correction fees collected

under IC 33-37-4-1(b)(5).

(2) Seventy-five percent (75%) of the alcohol and drug countermeasures fees collected under IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

The county auditor shall deposit fees distributed by a clerk under this subsection into the county drug free community fund established under IC 5-2-11.

(d) The clerk of a circuit court shall distribute monthly to the county auditor one hundred percent (100%) of the late payment fees collected under IC 33-37-5-22. The county auditor shall deposit fees distributed by a clerk under this subsection as follows:

(1) If directed to do so by an ordinance adopted by the county fiscal body, the county auditor shall deposit forty percent (40%) of the fees in the clerk's record perpetuation fund established under IC 33-37-5-2 and sixty percent (60%) of the fees in the county general fund.

(2) If the county fiscal body has not adopted an ordinance described in subdivision (1), the county auditor shall deposit all the fees in the county general fund.

(e) The clerk of the circuit court shall distribute semiannually to the auditor of state for deposit in the sexual assault victims assistance fund established by ~~*IC 5-2-6-23(j)*~~ *IC 5-2-6-23(d)* one hundred percent (100%) of the sexual assault victims assistance fees collected under IC 33-37-5-23.

(f) The clerk of a circuit court shall distribute monthly to the county auditor the following:

(1) One hundred percent (100%) of the support and maintenance fees for cases designated as non-Title IV-D child support cases in the Indiana support enforcement tracking system (ISETS) or the successor statewide automated support enforcement system collected under IC 33-37-5-6.

(2) The percentage share of the support and maintenance fees for cases designated as Title IV-D child support cases in ISETS or the successor statewide automated support enforcement system collected under IC 33-37-5-6 that is reimbursable to the county at the federal financial participation rate.

The county clerk shall distribute monthly to the department of child services the percentage share of the support and maintenance fees for cases designated as Title IV-D child support cases in ISETS, or the successor statewide automated support enforcement system, collected under IC 33-37-5-6 that is not reimbursable to the county at the applicable federal financial participation rate.

(g) The clerk of a circuit court shall distribute monthly to the county auditor the following:

(1) One hundred percent (100%) of the small claims service fee under IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2) for deposit in the county general fund.

(2) One hundred percent (100%) of the small claims garnishee service fee under IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3) for deposit in the county general fund.

(3) Twenty-five percent (25%) of the safe schools fee collected under IC 33-37-5-18 for deposit in the county general fund.

(h) This subsection does not apply to court administration fees collected in small claims actions filed in a court described in IC 33-34. The clerk of a circuit court shall semiannually distribute to the auditor of state for deposit in the state general fund one hundred percent (100%) of the following:

(1) The public defense administration fee collected under IC 33-37-5-21.2.

(2) The judicial salaries fees collected under IC 33-37-5-26.

(3) The DNA sample processing fees collected under IC 33-37-5-26.2.

(4) The court administration fees collected under IC 33-37-5-27.

(i) The clerk of a circuit court shall semiannually distribute to the auditor of state for deposit in the judicial branch insurance adjustment account established by IC 33-38-5-8.2 one hundred percent (100%) of the judicial insurance adjustment fee collected under IC 33-37-5-25.

(j) The proceeds of the service fee collected under IC 33-37-5-28(b)(1) or IC 33-37-5-28(b)(2) shall be distributed as follows:

(1) The clerk shall distribute one hundred percent (100%) of the service fees collected in a circuit, superior, county, or probate court to the county auditor for deposit in the county general fund.

(2) The clerk shall distribute one hundred percent (100%) of the service fees collected in a city or town court to the city or town fiscal officer for deposit in the city or town general fund.

(k) The proceeds of the garnishee service fee collected under IC 33-37-5-28(b)(3) or IC 33-37-5-28(b)(4) shall be distributed as follows:

(1) The clerk shall distribute one hundred percent (100%) of the garnishee service fees collected in a circuit, superior, county, or probate court to the county auditor for deposit in the county general fund.

(2) The clerk shall distribute one hundred percent (100%) of the garnishee service fees collected in a city or town court to the city or town fiscal officer for deposit in the city or town general fund.

(l) The clerk of the circuit court shall distribute semiannually to the auditor of state for deposit in the home ownership education account established by IC 5-20-1-27 one hundred percent (100%) of the following:

(1) The mortgage foreclosure counseling and education fees collected under IC 33-37-5-33 (before its expiration on July 1, 2017).

(2) Any civil penalties imposed and collected by a court for a violation of a court order in a foreclosure action under IC 32-30-10.5.

(m) The clerk of a circuit court shall distribute semiannually to the auditor of state one hundred percent (100%) of the pro bono legal services fees collected before July 1, 2022, under IC 33-37-5-31. The auditor of state shall transfer semiannually the pro bono legal services fees to the Indiana Bar Foundation (or a successor entity) as the entity designated to organize and administer the interest on lawyers trust accounts (IOLTA)

program under Rule 1.15 of the Rules of Professional Conduct of the Indiana supreme court. The Indiana Bar Foundation shall:

(1) deposit in an appropriate account and otherwise manage the fees the Indiana Bar Foundation receives under this subsection in the same manner the Indiana Bar Foundation deposits and manages the net earnings the Indiana Bar Foundation receives from IOLTA accounts; and

(2) use the fees the Indiana Bar Foundation receives under this subsection to assist or establish approved pro bono legal services programs.

The handling and expenditure of the pro bono legal services fees received under this section by the Indiana Bar Foundation (or its successor entity) are subject to audit by the state board of accounts. The amounts necessary to make the transfers required by this subsection are appropriated from the state general fund.

SECTION 11. IC 33-37-7-8, AS AMENDED BY P.L.144-2019, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) The clerk of a city or town court shall distribute semiannually to the auditor of state as the state share for deposit in the homeowner protection unit account established by IC 4-6-12-9 one hundred percent (100%) of the automated record keeping fees collected under IC 33-37-5-21 with respect to actions resulting in the accused person entering into a pretrial diversion program agreement under IC 33-39-1-8 or a deferral program agreement under IC 34-28-5-1 and for deposit in the state general fund fifty-five percent (55%) of the amount of fees collected under the following:

(1) IC 33-37-4-1(a) (criminal costs fees).

(2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).

(3) IC 33-37-4-4(a) (civil costs fees).

(4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).

(5) IC 33-37-5-17 (deferred prosecution fees).

(b) The city or town fiscal officer shall distribute monthly to the county auditor as the county share twenty percent (20%) of the amount of fees collected under the following:

(1) IC 33-37-4-1(a) (criminal costs fees).

(2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).

(3) IC 33-37-4-4(a) (civil costs fees).

(4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).

(5) IC 33-37-5-17 (deferred prosecution fees).

(c) The city or town fiscal officer shall retain twenty-five percent (25%) as the city or town share of the fees collected under the following:

(1) IC 33-37-4-1(a) (criminal costs fees).

(2) IC 33-37-4-2(a) (infraction or ordinance violation costs fees).

(3) IC 33-37-4-4(a) (civil costs fees).

(4) IC 33-37-4-6(a)(1)(A) (small claims costs fees).

(5) IC 33-37-5-17 (deferred prosecution fees).

(d) The clerk of a city or town court shall distribute semiannually to the auditor of state for deposit in the state user fee fund established in IC 33-37-9 the following:

(1) Twenty-five percent (25%) of the drug abuse, prosecution, interdiction, and correction fees collected under IC 33-37-4-1(b)(5).

(2) Twenty-five percent (25%) of the alcohol and drug countermeasures fees collected under IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

(3) One hundred percent (100%) of the highway worksite ~~zone~~ fees collected under IC 33-37-4-1(b)(9) and IC 33-37-4-2(b)(5).

(4) Seventy-five percent (75%) of the safe schools fee collected under IC 33-37-5-18.

(5) One hundred percent (100%) of the automated record keeping fee collected under IC 33-37-5-21 not distributed under subsection (a).

(e) The clerk of a city or town court shall distribute monthly to the county auditor the following:

(1) Seventy-five percent (75%) of the drug abuse, prosecution, interdiction, and correction fees collected under IC 33-37-4-1(b)(5).

(2) Seventy-five percent (75%) of the alcohol and drug countermeasures fees collected under IC 33-37-4-1(b)(6), IC 33-37-4-2(b)(4), and IC 33-37-4-3(b)(5).

The county auditor shall deposit fees distributed by a clerk under this subsection into the county drug free community fund established under IC 5-2-11.

(f) The clerk of a city or town court shall distribute monthly to the city or town fiscal officer (as defined in IC 36-1-2-7) one hundred percent (100%) of the following:

(1) The late payment fees collected under IC 33-37-5-22.

(2) The small claims service fee collected under IC 33-37-4-6(a)(1)(B) or IC 33-37-4-6(a)(2).

(3) The small claims garnishee service fee collected under IC 33-37-4-6(a)(1)(C) or IC 33-37-4-6(a)(3).

(4) Twenty-five percent (25%) of the safe schools fee collected under IC 33-37-5-18.

The city or town fiscal officer (as defined in IC 36-1-2-7) shall deposit fees distributed by a clerk under this subsection in the city or town general fund.

(g) The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit in the state general fund one hundred percent (100%) of the following:

(1) The public defense administration fee collected under IC 33-37-5-21.2.

(2) The DNA sample processing fees collected under IC 33-37-5-26.2.

(3) The court administration fees collected under IC 33-37-5-27.

(h) The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit in the judicial branch insurance adjustment account established by IC 33-38-5-8.2 one hundred percent (100%) of the judicial insurance adjustment fee collected under IC 33-37-5-25.

(i) The clerk of a city or town court shall semiannually distribute to the auditor of state for deposit in the state general fund seventy-five percent (75%) of the judicial salaries fee collected under IC 33-37-5-26. The city or town fiscal officer shall retain twenty-five percent (25%) of the judicial salaries fee collected under IC 33-37-5-26. The funds retained by the city or town shall be prioritized to fund city or town court operations.

(j) The clerk of a city or town court shall distribute semiannually to the auditor of state one hundred percent (100%) of the pro bono legal services fees collected before July 1, 2022, under IC 33-37-5-31. The auditor of state shall transfer semiannually the pro bono legal services fees to the Indiana Bar Foundation (or a successor entity) as the entity designated to organize and administer the interest on lawyers trust accounts (IOLTA) program under Rule 1.15 of the Rules of Professional Conduct of the Indiana supreme court. The Indiana Bar Foundation shall:

(1) deposit in an appropriate account and otherwise manage the fees the Indiana Bar Foundation receives under this subsection in the same manner the Indiana Bar Foundation deposits and manages the net earnings the Indiana Bar Foundation receives from IOLTA accounts; and

(2) use the fees the Indiana Bar Foundation receives under this subsection to assist or establish approved pro bono legal services programs.

The handling and expenditure of the pro bono legal services fees received under this section by the Indiana Bar Foundation (or its successor entity) are subject to audit by the state board of accounts. The amounts necessary to make the transfers required by this subsection are appropriated from the state general fund.".

Renumber all SECTIONS consecutively.

(Reference is to SB 268 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 2.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Senate Bill 288, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 30.

Page 3, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 1. IC 14-22-11-20 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 20. (a) The department shall place an identifying symbol of the individual's intention to make an anatomical gift on the face of the resident license to hunt, fish, or trap that is issued to the individual.**

(b) The department shall adopt rules under IC 4-22-2 for issuing licenses with an identifying symbol indicating the donation of an anatomical gift, that may include the process of purchasing a license in person at a license agent or an online transaction.".

Page 6, line 41, delete "14-22-12.2;" and insert "**14-22-12-1;**".

Page 7, line 21, strike "or".

Page 7, line 22, after ";" insert "**or**".

Page 7, between lines 22 and 23, begin a new line block indented and insert:

"**(3) the donor's resident hunting, fishing, or trapping license;"**.

Page 7, between lines 26 and 27, begin a new paragraph and insert:

"**(f) Neither the state nor any organ recovery health care provider (as defined by IC 34-18-2-14) is civilly liable as a result of an individual making an unrevoked anatomical gift under this chapter."**.

Page 8, line 14, delete "34-30-2-56.4" and insert "34-30-2-123.2".

Page 8, line 16, delete "56.4. IC 14-22-12.2-7" and insert "**123.2. IC 29-2-16.1-4(f)**".

Renumber all SECTIONS consecutively.

(Reference is to SB 288 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

GLICK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill 289, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 38, strike "a criminal history check" and insert "**an in-state child abuse and neglect registry check (under 34 U.S.C. 20990) and a fingerprint based check of national crime information data bases**".

Page 2, line 40, after "completed" insert "**and a child abuse and neglect registry check (under 34 U.S.C. 20990) from a state in which each person described in subsection (d)(2) or (d)(3) has resided in the preceding five (5) years must be requested**".

Page 3, delete lines 3 through 9, begin a new paragraph and insert:

"**(i) An individual may be employed as a person described in subsection (d)(2) or (d)(3) before an in-state child abuse and neglect registry check (under 34 U.S.C. 20990) and a fingerprint based check of national crime information data bases of the individual are completed as required under subsection (h)(1) if:**

(1) the in-state child abuse and neglect registry check (under 34 U.S.C. 20990) and fingerprint based check of national crime information data bases have been initiated; and

(2) the individual's employment before the completion of the in-state child abuse and neglect registry check (under 34 U.S.C. 20990) and fingerprint based check of national crime information data bases is limited to employment training during which the individual is never alone with a child.".

Page 4, line 34, strike "a criminal history check" and insert "**an in-state child abuse and neglect registry check (under 34 U.S.C. 20990) and a fingerprint based check of national crime information data bases**".

Page 4, line 36, after "completed" insert "**and a child and neglect registry check (under 34 U.S.C. 20990) from a state in which each person described in subsection (d)(2) or (d)(3) has resided in the preceding five (5) years must be requested**".

Page 4, delete lines 41 through 42, begin a new paragraph and insert:

"**(i) An individual may be employed as a person described in subsection (d)(2) or (d)(3) before an in-state child abuse and neglect registry check (under 34 U.S.C. 20990) and a fingerprint based check of national crime information data bases of the individual are completed as required under subsection (h)(1) if:**

(1) the in-state child abuse and neglect registry check (under 34 U.S.C. 20990) and fingerprint based check of national crime information data bases have been initiated; and

(2) the individual's employment before the completion of the in-state child abuse and neglect registry check (under 34 U.S.C. 20990) and fingerprint based check of national crime information data bases is limited to employment training during which the individual is never alone with a child.".

Page 5, delete lines 1 through 5.

Page 6, line 31, strike "criminal history check" and insert "**an in-state child abuse and neglect registry check (under 34 U.S.C. 20990) and a fingerprint based check of national crime information data bases**".

Page 6, line 33, after "completed" insert "**and a child and neglect registry check (under 34 U.S.C. 20990) from a state in which each person described in subsection (d)(2) or (d)(3) has resided in the preceding five (5) years must be requested**".

Page 6, delete lines 38 through 42, begin a new paragraph and insert:

"**(i) An individual may be employed as a person described in subsection (d)(2) or (d)(3) before an in-state child abuse and neglect registry check (under 34 U.S.C. 20990) and a fingerprint based check of national crime information data bases of the individual are completed as required under subsection (h)(1) if:**

(1) the in-state child abuse and neglect registry check (under 34 U.S.C. 20990) and fingerprint based check of national crime information data bases have been initiated; and

(2) the individual's employment before the completion of the in-state child abuse and neglect registry check (under 34 U.S.C. 20990) and fingerprint based check of national crime information data bases is limited to employment training during which the individual is never alone with a child.".

Page 7, delete lines 1 through 2.

(Reference is to SB 289 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

GROOMS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 292, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 4.

Page 5, delete lines 1 through 2.

Page 5, line 6, delete "Senior Homestead Assessed Value Deduction" and insert "**County Option Circuit Breaker Tax Credit**".

Page 5, delete lines 10 through 42, begin a new paragraph and insert:

"**Sec. 2. As used in this chapter, "qualified individual" means an individual who:**

(1) qualified for a standard deduction granted under IC 6-1.1-12-37 for the individual's homestead property in the immediately preceding calendar year (or was married at the time of death to a deceased spouse who qualified for a standard deduction granted under IC 6-1.1-12-37 for the individual's homestead property in the immediately preceding calendar year);

(2) qualifies for a standard deduction granted under IC 6-1.1-12-37 for the same homestead property in the current calendar year;

(3) has lived in the homestead for at least three (3) years on or before December 31 of the calendar year immediately preceding the current calendar year; and

(4) had:

(A) in the case of an individual who filed a single return, adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding the amount specified in the ordinance adopted by the county under section 3(c)(2) of this chapter; or

(B) in the case of an individual who filed a joint income tax return with the individual's spouse, combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding the amount specified in the ordinance adopted by the county under section 3(c)(2) of this chapter;

for the calendar year preceding by two (2) years the calendar year in which property taxes are first due and payable.

Sec. 3. (a) A county fiscal body may adopt an ordinance to provide a credit against a qualified individual's property tax liability as set forth in this chapter.

(b) An ordinance adopted under this section may designate:

(1) all of the territory of the county; or

(2) one (1) or more specific geographic territories within the county;

as an area in which qualified individuals may apply for the credit.

(c) An ordinance adopted under this section must:

(1) include a boundary description of the geographic area or areas to which the ordinance applies; and

(2) specify the income thresholds for a qualified individual under section 2(4)(A) and 2(4)(B) of this chapter, if any.

(d) If a proposal is presented to the county fiscal body to adopt an ordinance under this section, the county fiscal body shall hear the proposal at a public meeting of the county fiscal body and may then vote to adopt the ordinance at the next meeting of the county fiscal body.

(e) The county fiscal body may rescind an ordinance adopted under this section.

(f) An ordinance adopted under this section is effective January 1 of the year following the year in which the ordinance is adopted.

Sec. 4. If a county fiscal body adopts an ordinance to either provide the credit under this chapter or rescind an ordinance previously adopted, the county fiscal body shall give notice of the adoption of the ordinance to:

(1) the department of local government finance on the form and in the manner prescribed by the department of local government finance;

(2) the county auditor; and

(3) the fiscal officer of each taxing unit within the geographic area or areas to which the ordinance applies;

including a certified copy of the adopted ordinance.

Sec. 5. A qualified individual who desires to claim the credit under this chapter must apply for the credit by filing a certified statement on forms prescribed by the department of local government finance with the county auditor. However, a qualified individual who remains eligible for the credit in the following year is not required to file a statement to apply for the credit in the following year.

Sec. 6. The amount of the credit under this chapter is equal to the greater of zero (0) or the result of:

(1) the property tax liability first due and payable on the qualified individual's homestead property for the calendar year; minus

(2) the result of:

(A) the property tax liability first due and payable on the qualified individual's homestead property for the immediately preceding year after the application of the credit granted under this section for that year; multiplied by

(B) one and two-hundredths (1.02).

However, the credit provided by this chapter shall not apply to any portion of property tax liability imposed on a qualified individual's homestead property that is used for trade or business purposes in connection with the production of income.

Sec. 7. The auditor of each county shall, in a particular year, apply a credit provided under this chapter to each qualified individual who received the credit in the preceding year unless the county auditor determines that the individual is no longer eligible for the credit or the county fiscal body rescinds the ordinance that provided the credit.".

Page 6, delete lines 1 through 12.

Page 6, line 13, delete "Sec. 7." and insert "**Sec. 8.**".

Page 6, line 13, delete "deduction" and insert "**credit**".

Page 6, line 16, delete "deduction" and insert "**credit**".

Page 6, line 18, delete "deduction" and insert "**credit**".

Renumber all SECTIONS consecutively.

(Reference is to SB 292 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 2.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 309, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 9.

Page 2, delete lines 22 through 28, begin a new line block indented and insert:

"**(3) based on the findings reported under subdivision (2), a calculation of actual revenue not collected by the state that the department attributes to the improperly classified workers;**

(4) the amount of the penalties and interest assessed against the employers described in subdivision (1) by the department, and the amount of the penalties and interest assessed that has been collected; and

(5) the classification criteria used by the department to classify workers.".

Page 2, line 29, delete "(a)(5)" and insert "**(a)(4)**".

Page 2, line 39, delete "year the number of tips received" and insert "**year:**

(1) the number of employers that the department of labor determined during the immediately preceding state fiscal year improperly classified at least one (1) worker as an independent contractor;

(2) the total number of improperly classified workers employed by the employers described in subdivision (1);

(3) based on the findings reported under subdivision (2), a calculation of actual revenue not collected by the state that the department of labor attributes to the improperly classified workers;

(4) the amount of the penalties and interest assessed against the employers described in subdivision (1) by the department of labor, and the amount of the penalties and interest assessed that has been collected; and

(5) the classification criteria used by the department of labor to classify workers.".

Page 2, delete line 40.

Page 2, line 41, delete "(a)" and insert "**(a)(1) through (a)(4)**".

Page 3, delete lines 4 through 29.

Page 3, delete lines 36 through 42, begin a new line block indented and insert:

"**(1) the number of employers that the worker's compensation board determined during the**

immediately preceding state fiscal year improperly classified at least one (1) worker as an independent contractor;
(2) the total number of improperly classified workers employed by the employers described in subdivision (1);
(3) based on the findings reported under subdivision (2), a calculation of actual additional costs to the state that the worker's compensation board attributes to the improperly classified workers;
(4) the amount of the penalties and interest assessed against the employers described in subdivision (1) by the worker's compensation board, and the amount of the penalties and interest assessed that has been collected; and
(5) the classification criteria used by the worker's compensation board to classify workers.".

Page 4, delete lines 1 through 4.

Page 4, delete lines 10 through 39.

Page 5, delete lines 10 through 16, begin a new line block indented and insert:

"**(3) based on the findings reported under subdivision (2), a calculation of actual additional costs to the state that the department attributes to the improperly classified workers;**
(4) the amount of the penalties and interest assessed against the employers described in subdivision (1) by the department, and the amount of the penalties and interest assessed that has been collected; and
(5) the classification criteria used by the department to classify workers.".

Renumber all SECTIONS consecutively.

(Reference is to SB 309 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 2.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill 312, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

GROOMS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 317, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Senate Bill 325, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete lines 30 through 35, begin a new paragraph and insert:

"SECTION 2. IC 14-29-1-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9. The department may adopt rules under IC 4-22-2 to identify the location of the ordinary high water mark on the land adjoining the waters of Lake Michigan for purposes of administering this chapter.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 325 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 2.

GLICK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 330, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Bill 331, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 6, strike "an active" and insert "**a current**".

Page 1, line 6, delete "retired" and insert "**former**".

Page 1, line 9, after "is" strike "an".

Page 1, line 10, strike "active" and insert "**a current**".

Page 1, line 10, delete "retired" and insert "**former**".

Page 1, line 13, delete "an active" and insert "**a current**".

Page 1, line 14, strike "an active" and insert "**a current**".

Page 2, line 4, delete "retired" and insert "**former**".

Page 2, delete line 6 and insert "**individual's:**
(1) National Guard Bureau Form 22 or 22A showing the individual received an honorable or general under honorable conditions discharge; or
(2) National Guard Bureau Form 23D or 23E showing the individual as retired;
as proof of".

Page 2, line 7, delete "retired" and insert "**former**".

(Reference is to SB 331 as introduced.)

and when so amended that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill 342, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 4.

Page 5, delete line 1.

Page 5, line 5, delete "Discrimination" and insert "**Accommodation**".

Page 5, line 17, delete ", but are not".

Page 5, line 18, delete "limited to,".

Page 5, delete line 20.

Page 5, line 21, delete "(3) Time" and insert "**(2) Unpaid time**".

Page 5, line 22, delete "(4)" and insert "**(3)**".

Page 5, line 23, delete "(5)" and insert "**(4)**".

Page 5, line 24, delete "(6)" and insert "**(5)**".

Page 5, line 26, delete "(7)" and insert "**(6)**".

Page 5, line 27, delete "(8)" and insert "**(7)**".

Page 5, line 28, delete "(9)" and insert "**(8)**".

Page 5, line 29, delete "(10)" and insert "**(9)**".

Page 5, line 30, delete "(11)" and insert "**(10)**".

Page 5, line 31, delete "(12)" and insert "**(11)**".

Page 5, between lines 31 and 32, begin a new line block indented and insert:

"**(12) An accommodation prescribed by a health provider.**".

Page 5, delete lines 34 through 39, begin a new paragraph and insert:

"**Sec. 8. It is the policy of the state of Indiana to require employers to make reasonable accommodations for an employee due to the pregnancy of the employee.**

Sec. 9. An employer must:".

Page 5, line 40, delete "fail to".

Page 6, line 3, after "(2)" insert "**not**".

Page 6, line 5, delete "but not limited to".

Page 6, line 11, after "(3)" insert "**not**".

Page 6, line 16, after "(4)" insert "**not**".

Page 6, line 20, after "(5)" insert "**not**".

Page 6, line 23, delete "fail to".

Page 6, line 28, after "employment;" insert "**and**".

Page 6, line 29, delete "and".

Page 6, delete lines 30 through 32.

Page 6, line 33, delete "be free from discrimination" and insert "**request reasonable accommodations**".

Page 7, delete lines 3 through 14, begin a new paragraph and insert:

"**Sec. 11. If an employee requests a reasonable accommodation from the employer for the employee's pregnancy:**

(1) the employer may request that an employee provide proof of pregnancy from the employee's health provider; and

(2) the employee shall provide the employer with the proof of pregnancy requested under subdivision (1).

Sec. 12. (a) Upon receipt of a complaint alleging a violation of this chapter, the commission shall investigate and conduct proceedings in accordance with this chapter.

(b) The commission shall assign an administrative law judge in all pregnancy accommodation complaints and set an initial hearing in front of the administrative law judge not later than fifteen (15) days from receipt of the complaint by the commission for the purpose of determining the appropriateness of temporary relief. The administrative law judge may order appropriate temporary or preliminary relief, including ordering that an employer immediately provide the requested reasonable accommodation, pending final disposition of the complaint.

(c) At the conclusion of the investigation, the commission shall determine if a violation of this chapter exists.

(d) When an employer is found under this section to have failed to accommodate an employee who is pregnant, the commission may order the employer to provide the reasonable accommodation or any other relief provided in IC 22-9-1-6(j).

Sec. 13. (a) Except as provided in subsection (b), IC 4-21.5 governs a hearing under section 12 of this chapter.

(b) A proceeding under section 12 of this chapter may not continue regarding an alleged violation after the filing of a civil action.

(c) IC 22-9-8 governs appeal of a final order issued under section 12 of this chapter.".

Page 7, line 15, delete "12." and insert "**14.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 342 as introduced.)

and when so amended that said bill do pass.
Committee Vote: Yeas 7, Nays 2.

GROOMS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Senate Bill 345, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

GROOMS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 350, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 15.

Delete pages 2 through 33.

Page 34, delete lines 1 through 19, begin a new paragraph and insert:

"SECTION 1. IC 6-3.6-2-8, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. "Economic development project" means any project that:

(1) the county, city, or town determines will:

(A) promote significant opportunities for the gainful employment of its citizens;

(B) attract a major new business enterprise to the county, city, or town; ~~or~~

(C) attract people to the county, city, or town; or

~~(C)~~ **(D)** retain or expand a significant business enterprise within the county, city, or town; and

(2) involves an expenditure for:

(A) the acquisition of land;

(B) interests in land;

(C) site improvements;

(D) infrastructure improvements;

(E) buildings;

(F) structures;

(G) rehabilitation, renovation, and enlargement of buildings and structures;

(H) machinery;

(I) equipment;

(J) furnishings;

(K) facilities;

(L) administrative expenses associated with a project described in this section, including contract payments to a nonprofit corporation whose primary corporate purpose is to assist government in planning and implementing economic development projects;

(M) operating expenses of a governmental entity that plans or implements economic development projects; ~~or~~

(N) workforce or other programs to improve residents' quality of life;

(O) costs associated with the development, drafting, planning, or implementation of a preliminary strategic economic development plan described in IC 36-7.7-3-3; or

~~(N)~~ **(P)** substance removal or remedial action in a designated county, city, or town;

or any combination of these.

SECTION 2. IC 36-7-7.7 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 7.7. Indianapolis Metropolitan Planning Organization

Sec. 1. The following definitions apply throughout this chapter:

(1) "Eligible political subdivision" means any of the following:

(A) A county.

(B) A municipality.

(C) An airport authority.

(D) A commuter transportation district.

(E) A regional transportation authority.

(F) A port authority.

(2) "MPO" means the Indianapolis metropolitan planning organization established by section 3 of this chapter.

Sec. 2. This chapter applies to the area consisting of the following political subdivisions:

(1) A county having a population of more than seven hundred thousand (700,000).

(2) All eligible political subdivisions in a county having a population of more than seven hundred thousand (700,000).

(3) All counties immediately adjacent to a county having a population of more than seven hundred thousand (700,000).

(4) All eligible political subdivisions in a county immediately adjacent to a county having a population of more than seven hundred thousand (700,000).

Sec. 3. The Indianapolis metropolitan planning organization is established.

Sec. 4. (a) An eligible political subdivision that:

(1) is not a member of the MPO; and

(2) is in a county adjacent to a county that:

(A) is a member of the MPO; or

(B) contains a member of the MPO;

may join the MPO under this chapter.

(b) An eligible political subdivision described in subsection (a) may join the MPO under this chapter only if:

(1) the governing body of the eligible political subdivision adopts a resolution authorizing the eligible political subdivision to become a member of the MPO; and

(2) the MPO adopts a resolution authorizing the eligible political subdivision to become a member of the MPO.

(c) An eligible political subdivision becomes a member of the MPO upon the passage of a resolution under subsection (b)(2) authorizing the eligible political subdivision to become a member of the MPO.

(d) The MPO shall notify the governor's office promptly in writing when a new member joins the MPO.

Sec. 5. The purpose of the MPO is to institute and maintain a comprehensive planning and programing process for:

(1) transportation;

(2) economic development;

(3) housing;

(4) land use; and

(5) environmental;

policy and to provide a coordinative management process for the counties described in section 2 of this chapter. The MPO shall coordinate its activities with all member units in the counties and shall coordinate and assist the planning programs of member units and the state that relate to its purposes.

Sec. 6. (a) This section applies to any eligible political subdivision authorized to join the MPO under this chapter, except for counties having a population of more than seven hundred thousand (700,000).

(b) An eligible political subdivision described in subsection (a) that joins the MPO shall be a member of the MPO for at least eight (8) years after the date the eligible political subdivision becomes a member of the MPO.

(c) At least twelve (12) months and not later than (18) months before the end of an eligible political subdivision's membership period under subsection (b), the eligible political subdivision described in subsection (a) must adopt an ordinance that:

(1) commits the eligible political subdivision to an additional eight (8) years as a member of the MPO, beginning at the end of the current membership period; or

(2) withdraws the eligible political subdivision from membership in the MPO not earlier than the end of the current membership period.

(d) An eligible political subdivision described in subsection (a) may withdraw from the MPO as provided in this section without the approval of the MPO. However, the withdrawal of a county does not affect the membership of eligible political subdivisions within that county that are already a member of the MPO.

(e) The MPO shall notify the governor's office promptly in writing when a member withdraws from the MPO.

Sec. 7. (a) Each eligible political subdivision described in section 2 of this chapter and each eligible political subdivision that joins the MPO under section 4 of this chapter is considered a member of the MPO.

(b) The highest ranking elected official, executive director, or board president of each MPO member shall serve on the MPO policy board.

(c) A member of the MPO policy board described in subsection (b) may appoint an proxy of record to serve in the member's place as a member of the MPO policy board. The proxy of record has the same authority to act and vote on all matters as does the member.

Sec. 8. (a) The MPO may adopt bylaws and rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations. The MPO's record is a public record.

(b) The MPO may adopt bylaws by resolutions that include the following:

(1) A process for electing a chair and vice chair from the MPO membership.

(2) Offices.

(3) Executive board.

(4) Meetings and notice procedures.

(5) Proxy members.

(6) Quorum

(7) Voting policies.

Sec. 9. The MPO may do any of the following in support of its purpose:

(1) Transact business and enter into contracts.

(2) Receive grants or appropriations from federal, state, or local government entities or from individuals or foundations and enter into agreements or contracts regarding the acceptance or use of those grants and appropriations to carry out any of the activities of the MPO.

(3) Apply for, receive, and disburse gifts, contributions, and grants of funds or in-kind services.

(4) Acquire by grant, purchase, gift, devise, lease, or otherwise and hold, use, sell, improve, maintain, operate, own, manage, lease, or dispose of:

(A) real and personal property of every kind and nature; and

(B) any right and interest;

as necessary for the exercise of, or convenient or useful for the carrying out of, the MPO's purposes under this chapter.

(5) Make and enter into all contracts, undertakings, and agreements necessary or incidental to the performance of the MPO's purposes.

(6) Employ and fix the reasonable compensation of any employees and agent the MPO considers necessary.

(7) Contract for special and temporary services and for professional assistance.

(8) Hold, use, administer, and expend money that is appropriated or transferred to the MPO.

(9) Make contracts and leases for facilities and services.

(10) Act as a coordinating agency for programs and activities of other public and private agencies that are related to the MPO's objectives.

(11) Enter into agreements or partnerships to do the following:

(A) Assist in coordinating activities involving state and local government, business organizations, and nonprofit organizations.

(B) Assist in the development and implementation of programs by other regional agencies and entities.

(12) Enter into coordinative agreements with:

(A) any unit of government in Indiana or adjoining state;

(B) any overlapping multicounty or interstate planning or development agency;

(C) a state agency;

(D) a federal agency;

(E) a private entity; or

(F) a minority business enterprise (as defined in IC 4-13-16.5);

that are appropriate to the achievement of the MPO's objectives or to address a common issue.

(13) Provide any administrative, management, or technical services to a unit of local government that requests the services. The local unit and the MPO may enter into a contract concerning the MPO's provision of administrative, management, or technical services and the costs of the local unit for the services.

(14) Conduct all necessary studies for the accomplishment of the MPO's purposes.

(15) Publicize the MPO's purposes, objectives, and findings, and distribute reports on those purposes, objectives, and findings.

(16) Provide recommendations to units of local government and to other public and private agencies.

(17) Make loans and issue notes.

(18) Adopt by resolution any regional comprehensive or functional plan, program, or policy as the MPO's official recommendation for the development of the region.

Sec. 10. (a) After review and recommendation by the executive board, the MPO shall appoint an executive director, who serves at the pleasure of the MPO.

(b) The executive director is the chief administrative officer and regular technical advisor of the MPO. Subject to supervision by the MPO and in furtherance of the purposes of the MPO, the executive director:

(1) shall execute the MPO functions;

(2) shall appoint and remove staff of the MPO;

(3) shall submit to the MPO annually, or more often if required, a status report on the operation of the MPO;

(4) may, with approval of the executive board, execute contracts, leases, or agreements with other persons on behalf of the MPO;

(5) shall be given access by all governmental agencies, upon the executive director's written request, to all studies, reports, surveys, records, and other information and material in their possession that are required by the executive director for the accomplishment of the activities and objectives of the MPO;

(6) shall propose annually a budget for the operation of the MPO and administer the budget as approved by the MPO;

(7) shall keep the records and care for and preserve all papers and documents of the MPO; and

(8) shall perform other duties and may exercise other powers that the MPO or the executive board delegates to the executive director.".

Page 34, delete "JANUARY 1, 2020 (RETROACTIVE)]:" and insert "UPON PASSAGE]:"

Page 34, delete lines 23 through 24, begin a new paragraph and insert:

"**ARTICLE 7.7 CENTRAL INDIANA REGIONAL DEVELOPMENT AUTHORITY**

Chapter 1. Applicability

Sec. 1. This article applies only to eligible political subdivisions described in IC 36-7.7-2-7 that are located in the Indianapolis-Carmel-Anderson Metropolitan Statistical Area as defined by the United States Census Bureau.

Sec. 2. This article expires July 1, 2025.".

Page 34, line 25, delete "Chapter 1." and insert "**Chapter 2.**".

Page 34, delete lines 30 through 35.

Page 34, line 36, delete "5." and insert "**3.**".

Page 34, delete lines 38 through 40, begin a new paragraph and insert:

"**Sec. 4. "Comprehensive development plan" refers to a comprehensive strategic economic development plan prepared under IC 36-7.7-3-4.**".

Page 34, line 41, delete "7." and insert "**5.**".

Page 34, line 41, delete "a" and insert "**the central Indiana**".

Page 34, line 42, delete "IC 36-7.7-2-3." and insert "**IC 36-7.7-3-1.**".

Page 35, delete lines 1 through 3.

Page 35, line 4, delete "8." and insert "**6.**".

Page 35, line 6, delete "9." and insert "**7.**".

Page 35, delete lines 14 through 31, begin a new paragraph and insert:

"**Sec. 8. "Strategy committee" refers to the strategy committee composed of members selected according to the terms of the preliminary development plan.**".

Sec. 9. "Preliminary development plan" means a preliminary strategic economic development plan prepared under IC 36-7.7-3-3.".

Page 35, line 32, delete "12." and insert "**10.**".

Page 35, delete lines 34 through 42, begin a new paragraph and insert:

"**Chapter 3. Development Authority and Board**

Sec. 1. (a) In order to establish a development authority under this article, the fiscal bodies of a combination of any two (2) or more counties or municipalities described in subsection (b) must adopt substantially similar resolutions to adopt a preliminary development plan prepared under section 3 of this chapter for the development authority.

(b) A development authority may be established by any of the following:

(1) One (1) or more counties and one (1) or more adjacent counties.

(2) One (1) or more counties and one (1) or more municipalities in adjacent counties.

(3) One (1) or more municipalities and one (1) or more municipalities in adjacent counties.

(c) If a development authority is established under subsection (a), the development authority shall promptly notify the Indiana economic development corporation of the establishment of the development authority by submitting a copy the preliminary development plan to the Indiana economic development corporation.

(d) When a county establishes a development authority under subsection (a) with another unit, any municipality in the county does not also become a member of the development authority, unless the fiscal body of the municipality also adopts the preliminary development plan prepared under section 3 of this chapter for the development authority.

(e) A county or municipality may become a member of the development authority under this section only if the county or municipality is not a member of a development authority under IC 36-7.6. If a county or municipality is a member of another development authority established under IC 36-7.6, the county or municipality must withdraw its membership in that development authority before the county's or municipality's adoption of a preliminary development plan under subsection (a). A county or municipality may be a member of only one (1) development authority.

Sec. 2. A development authority established under this chapter is a separate body corporate and politic that shall carry out the purposes of this article by:

(1) acquiring, constructing, equipping, owning, and financing projects and facilities to or for the benefit of eligible political subdivisions under this article; and

(2) funding and developing:

(A) airport authority projects;
(B) commuter transportation district and other rail projects and services;
(C) regional transportation authority projects and services;
(D) economic development projects;
(E) intermodal transportation projects;
(F) regional trail or greenway projects;
(G) regional transportation infrastructure projects under IC 36-9-43; and
(H) any project that enhances the region with the goal of attracting people or business;
that are of regional importance.

Sec. 3. Units that wish to establish a development authority under this chapter must prepare and adopt a preliminary strategic economic development plan that includes provisions and general information concerning the following:

(1) The participating members of the development authority.
(2) The membership of the strategy committee under section 5 of this chapter.
(3) Potential projects to be undertaken or financed by the development authority.
(4) A timeline for submitting the comprehensive development plan under section 4 of this chapter.
(5) A strategy for attracting (or any projected) investments, grants, matching funds, or local tax revenue.

Sec. 4. (a) A development authority established under this chapter shall prepare a comprehensive strategic economic development plan to serve as a roadmap to diversify and strengthen the regional economy, establish regional goals and objectives, develop and implement a regional action plan of action, and identify investment priorities and funding sources.

(b) The comprehensive development plan must incorporate and comply with the requirements and content for comprehensive economic development strategies under 13 C.F.R. 303.7, be developed with broad based and diverse community participation, and contain the following:

(1) An analysis of economic and community development problems and opportunities including incorporation of any relevant material or suggestions from other government sponsored or supported plans.
(2) A background and history of the economic development situation of the region, with a discussion of the economy, including as appropriate, geography, population, labor force, resources, and the environment.
(3) A discussion of community participation in the planning efforts.
(4) Identification of particular strengths or assets that can be leveraged for economic benefit and goals and objectives for taking advantage of those strengths and assets to solve the economic development problems of the region.
(5) A plan of action, including suggested projects, to achieve the goals and objectives.
(6) Performance measures to be used to evaluate whether and to what extent goals and objective have been or are being met.
(7) Strategies for:
(A) ensuring access to affordable healthcare;
(B) ensuring access to affordable childcare;
(C) establishing workforce pipelines for those exiting recovery and reentry programs;
(D) recreation and entertainment;
(E) coordinating with local businesses to ensure the supply of high technology or high demand job apprenticeships;
(F) leveraging technology to improve delivery of government services;
(G) eliminating duplicative government services within the region;
(H) increasing the supply of affordable homes and other housing;
(I) building connectivity between the business community and local schools;
(J) incentivizing or attracting out-of-state residents and businesses to relocate to the region; and
(K) branding and marketing the region as a means to recruit and retain businesses and people.
(8) Date analyses of other workforce and quality of place measures including, without limitation, detailed information for the most recent three (3) year period for which data is available for the following:
(A) Workforce availability compared to job postings.
(B) Commercial and industrial electricity prices.
(C) Local road and infrastructure spending.
(D) Access to fixed broadband and mobile connectivity meeting Federal Communications Commission standards for businesses and residents.
(E) Total employment in firms that are zero (0) to five (5) years old.
(F) Net job creation in firms that are zero (0) to five (5) years old.
(G) Net job creation in firms that are more than five (5) years old.
(H) Venture capital invested.
(I) Summary of the region's health related metrics including the following:
(i) Adult smoking rate.
(ii) Adult obesity rate.
(iii) Drug related deaths.
(9) The proposed projects to be undertaken or financed by the development authority.
(10) The following information for each project included under subdivision (9):
(A) Timeline and budget.
(B) The return on investment.
(C) The projected or expected need for an ongoing subsidy.
(D) Any projected or expected federal matching funds.

Sec. 5. (a) A development authority established under this

chapter is governed by a strategy committee.

(b) A strategy committee is composed of members according to the terms of the preliminary development plan adopted by the fiscal bodies of development authority members under section 1 of this chapter.

(c) The removal of a member and the filling of a vacancy on the strategy committee shall be made according to the terms of the development authority preliminary development plan.

(d) Each member of a strategy committee, before entering upon the duties of office, must take and subscribe an oath of office under IC 5-4-1, which shall be endorsed upon the certificate of appointment and filed with the records of the investment board.

(e) A member of a strategy committee is not entitled to receive any compensation for performance of the member's duties. However, a member is entitled to a per diem from the development authority for the member's participation in development board meetings. The amount of the per diem is equal to the amount of the per diem provided under IC 4-10-11-2.1(b).

Sec. 6. (a) In January of each year, a strategy committee shall hold an organizational meeting at which the strategy committee shall elect the following officers from the members of the strategy committee:

(1) A chair.

(2) A vice chair.

(3) A secretary-treasurer.

(b) The affirmative vote of at least a majority of the members of the strategy committee is necessary to elect an officer under subsection (a).

(c) An officer elected under subsection (a) serves from the date of the officer's election until the officer's successor is elected and qualified.

Sec. 7. (a) A strategy committee shall meet at least quarterly.

(b) The chair of a strategy committee or any two (2) members of a strategy committee may call a special meeting of the strategy committee.

(c) A majority of the appointed members of a strategy committee constitutes a quorum.

(d) The affirmative votes of at least a majority of the appointed members of a strategy committee are necessary to authorize any action of the strategy committee.

Sec. 8. A strategy committee shall adopt the bylaws and rules that the strategy committee considers necessary for the proper conduct of the strategy committee's duties and the safeguarding of the development authority's funds and property.

Sec. 9. (a) Only one (1) development authority may be established under this article. However, a county or municipality described in subsection (b) may join a development authority established under section 1 of this chapter if the fiscal body of the county or municipality:

(1) adopts an ordinance authorizing the county or municipality to become a member of the development authority; and

(2) adopts a substantially similar resolution to adopt the preliminary development plan of the development authority as set forth under section 1 of this chapter.

A development authority shall notify the Indiana economic development corporation promptly in writing when a new member joins the development authority.

(b) The following counties or municipalities may join a development authority established under section 1 of this chapter:

(1) In the case of a county, a county that is adjacent to a county that:

(A) is a member of the development authority; or

(B) contains a member of the development authority.

(2) In the case of a municipality, a municipality that is located in a county that:

(A) is a member of the development authority;

(B) is adjacent to a county that is a member of the development authority; or

(C) is adjacent to a county containing a member of the development authority.

Sec. 10. (a) Subsection to subsection (b), a county or municipality that establishes or joins a development authority under this chapter shall be a member of the development authority for not less than five (5) years or the expiration of this article.

(b) Notwithstanding subsection (a), a county or municipality may withdraw from a development authority:

(1) after the adoption of a preliminary development plan under section 3 of this chapter; but

(2) before the adoption a comprehensive development plan under section 4 of this chapter.".

Delete pages 36 through 40.

Page 41, delete lines 1 through 24, begin a new paragraph and insert:

"**Chapter 4. Compliance and Audit Requirements**".

Page 41, line 25, delete "12." and insert "**1.**".

Page 42, line 17, delete "13." and insert "**2.**".

Page 43, delete lines 1 through 4.

Page 43, line 5, delete "Chapter 3." and insert "**Chapter 5.**".

Page 43, line 17, delete "lease,".

Page 43, delete line 19.

Page 43, line 20, delete "(3)" and insert "**(2)**".

Page 43, line 22, delete "and lease them to or for the benefit of" and insert "**.**".

Page 43, delete line 23.

Page 43, line 24, delete "(4)" and insert "**(3)**".

Page 43, line 25, delete "(5)" and insert "**(4)**".

Page 43, line 26, delete "or lease and" and insert "**.**".

Page 43, delete lines 27 through 29.

Page 43, line 30, delete "(6)" and insert "**(5)**".

Page 43, line 31, delete "or lease".

Page 43, line 37, delete "(7)" and insert "**(6)**".

Page 43, line 37, delete "loans, loan guarantees, and".

Page 44, line 11, delete "(8)" and insert "**(7)**".

Page 44, line 14, delete "(9)" and insert "**(8)**".

Page 44, line 19, delete "(10)" and insert "**(9)**".

Page 44, line 21, delete "(11)" and insert "**(10)**".

Page 44, line 22, delete "(12)" and insert "**(11)**".

Page 44, line 23, delete "(13)" and insert "**(12)**".

Page 44, line 25, delete "(14)" and insert "**(13)**".
Page 44, line 30, delete "(15)" and insert "**(14)**".
Page 44, line 33, delete "(16)" and insert "**(15)**".
Page 44, line 37, delete "(17)" and insert "**(16)**".
Page 44, line 38, delete "(18)" and insert "**(17)**".
Page 44, line 40, delete "(19)" and insert "**(18)**".
Page 45, line 4, delete "(20)" and insert "**(19)**".
Page 45, line 7, delete "(21)" and insert "**(20)**".
Page 45, delete line 11.
Page 45, line 12, delete "(23)" and insert "**(21)**".
Page 45, delete lines 16 through 38.
Page 46, delete lines 11 through 25.
Page 46, line 26, delete "Chapter 4. Financing; Issuance of Bonds; Leases" and insert "**Chapter 6. Regional Strategy Fund**".
Page 46, line 27, delete "An investment board" and insert "**A strategy committee**".
Page 46, line 28, delete "investment fund." and insert "**strategy fund.**".
Page 46, line 29, delete "An investment" and insert "**A regional strategy**".
Page 46, delete lines 30 through 32.
Page 46, line 33, delete "(2)" and insert "**(1)**".
Page 47, delete lines 4 through 5.
Page 47, line 6, delete "(4)" and insert "**(2)**".
Page 47, line 7, delete "(5)" and insert "**(3)**".
Page 47, line 9, delete "(6)" and insert "**(4)**".
Page 47, delete lines 12 through 42.
Delete page 48 through 52.
Page 53, delete line 1.
Page 53, line 2, delete "10." and insert "**3.**".
Page 53, delete lines 7 through 22.
Page 53, line 23, delete "13." and insert "**4.**".
Page 53, line 24, after "authority;" insert "**and**".
Page 53, line 25, delete "and".
Page 53, delete lines 26 through 30.
Page 53, delete lines 36 through 42.
Delete page 54.
Page 55, delete line 1.
Renumber all SECTIONS consecutively.
(Reference is to SB 350 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 11, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 365, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 7, Nays 3.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 369, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 13 through 17, begin a new paragraph and insert:

"**(c) The fiscal body of a county may adopt an ordinance to place on the ballot a local public question granting the fiscal body of the county the authority to impose an additional tax rate on the adjusted gross income of local taxpayers in the county of at least one-tenth percent (0.1%), but not more than twenty-five hundredths percent (0.25%), to raise revenue for a county transit project or projects. The fiscal body shall include in the ordinance:**

(1) a description of the county transit project or projects; and

(2) an estimate of the tax increase necessary to raise revenue for the county transit project or projects.

(d) If the fiscal body of a county adopts an ordinance under subsection (c), the county auditor shall certify a copy of the ordinance to the department of local government finance, including the language for the question required by subsection (e). The department shall review the language for compliance with subsection (e). The department of local government finance may approve or reject the language. The department shall send its decision to the county auditor and the fiscal body of the county not more than ten (10) days after the ordinance is submitted to the department. If the language is approved, the county auditor shall certify a copy of the ordinance, including the language for the question and the department's approval, to the county election board of the county.

(e) If the county auditor certifies an ordinance to the county election board under subsection (d), the county election board shall place the following question on the election ballot in accordance with IC 3-10-9:

"Shall _____ County have the ability to impose a local income tax rate, not to exceed a rate of _____ (insert recommended rate included in the ordinance authorizing the local public question), to pay for improving or establishing a county transit project or projects _____ (insert the description of the county transit project or projects set forth in the ordinance authorizing the local public question)?".

(f) The county election board shall place the local public question described in subsection (e) on the ballot at the next general election for which the question may be certified under IC 3-10-9-3 and for which all voters of the county are entitled to vote.

(g) After an election on the local public question, the circuit court clerk of the county shall:

(1) make a certified copy of the election returns; and

(2) not later than five (5) days after the election, file the copy with:

(A) the department of state revenue; and

(B) the fiscal body of the county.

(h) The local public question is approved by a county if a majority of the county voters voting on the local public question vote "yes". The local public question is defeated by a county if a majority of the county voters voting on the local public question vote "no".

(i) If the voters of the county approve a local public question under this section, the fiscal body of the county may adopt an ordinance to impose a tax on the adjusted gross income of local taxpayers to raise revenue for one (1) or more county transit projects. An ordinance adopted under this subsection must do the following:

(1) Specify the tax rate to be imposed in the county under this section, which must be at least one-tenth percent (0.1%) but not more than twenty-five hundredths percent (0.25%).

(2) Allocate the local income tax revenues attributable to the tax rate imposed under this section by percentage among one (1) or both of the following county transit projects:

(A) The operations within the county of a public transportation corporation, including operations within territory added to the taxing district of the public transportation corporation under IC 36-9-4-13.

(B) The operations within the county of a rural transportation assistance program described in 49 U.S.C. 5311.".

Page 2, delete lines 1 through 12.

Page 2, line 13, delete "(d)" and insert "**(j)**".

Page 2, line 13, delete "(c)" and insert "**(i)**".

Page 2, line 23, delete "(c)" and insert "**(i)**".

Page 2, line 24, delete "(e)" and insert "**(k)**".

(Reference is to SB 369 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 385, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 2.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Environmental Affairs, to which was referred Senate Bill 430, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 4, begin a new paragraph and insert:

"SECTION 1. IC 14-8-2-91.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 91.7. "Fishing boat", for purposes of IC 14-33-24-9, has the meaning set forth in IC 14-33-24-9(a).**

SECTION 3. IC 14-8-2-179.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 179.5. **(a)** "Nonresident", for the purposes of IC 14-19-3-5, has the meaning set forth in IC 14-19-3-5(b).

(b) "Nonresident", for purposes of IC 14-33-24-9, has the meaning set forth in IC 14-33-24-9(a).

"SECTION 4. IC 14-8-2-179.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 179.8. "Nonmotorized watercraft", for the purposes of IC 14-33-24-9, has the meaning set forth in IC 14-33-24-9(a).**

SECTION 5. IC 14-8-2-202.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 202.5. "Personal watercraft", for purposes of IC 14-15 **and IC 14-33-24,** means a watercraft:

(1) whose primary source of motive power is an inboard motor powering a water jet pump; and

(2) that is designed to be operated by a person who sits, stands, or kneels on the surface of the watercraft rather than sitting or standing inside the watercraft.".

Page 1, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 7. IC 14-8-2-208.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 208.5. "Pontoon", for purposes of IC 14-33-24-9, has the meaning set forth in IC 14-33-24-9(a).**

SECTION 8. IC 14-8-2-210.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 210.5. "Power boat", for purposes of IC 14-33-24-9, has the meaning set forth in IC 14-33-24-9(a).**".

Page 1, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 10. IC 14-8-2-242 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 242. (a) "Resident", for purposes of IC 14-22, except as provided in subsection (b), means a person who:

(1) is domiciled in Indiana for sixty (60) consecutive days immediately preceding the date of the purchase of a license or permit; and

(2) does not claim residency for hunting, fishing, or trapping in any state other than Indiana or any country other than the United States.

(b) "Resident", for purposes of IC 14-22-17, has the meaning set forth in IC 14-22-17-1.

(c) "Resident", for purposes of IC 14-33-24-9, has the meaning set forth in IC 14-33-24-9(a).".

Page 2, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 13. IC 14-8-2-305 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 305.

"Watercraft", for purposes of IC 14-15, ~~and~~ IC 14-29-8, **and IC 14-33-24,** means any instrumentality or device in or by means of which a person may be transported upon the public water of Indiana. The term includes a motorboat, sailboat, rowboat, skiff, dinghy, or canoe:

(1) of any length or size; and

(2) whether or not used to carry passengers for hire.".

Page 4, between lines 33 and 34, begin a new paragraph and insert:

"**(c) For purposes of this chapter, the term "utility owner" includes an entity that is a commercial licensee of a utility owner described in subsections (a) and (b) in connection with the reservoir located within the boundaries of a reservoir conservancy district.**".

Page 5, line 17, delete "directors and" and insert "**directors,**".

Page 5, line 19, delete "district" and insert "**district, and any commercial licensee described in section 5(c) of this chapter**".

Page 5, line 31, after "district" insert "**and any commercial licensee described in section 5(c) of this chapter**".

Page 5, line 32, delete "utility owner's".

Page 5, line 33, after "work" insert "**by the utility owner and any commercial licensee described in section 5(c) of this chapter**".

Page 6, line 3, after "district" insert "**and to any commercial licensee described in section 5(c) of this chapter**".

Page 6, line 11, delete "district" and insert "**district, as described in section 5(a) and 5(b) of this chapter,**".

Page 6, line 13, after "district." insert "**However, a commercial licensee of the utility owner described in section 5(c) of this chapter is not exempt from assessments, taxes, and fees under this subsection.**".

Page 6, line 14, delete "A" and insert "**Subject to IC 14-15, a**".

Page 6, line 22, delete "district." and insert "**district and may not substantially or directly impair the terms and conditions of the commercial license of any commercial licensee described in section 5(c) of this chapter.**".

Page 6, line 23, delete "A" and insert "**The following definitions apply throughout this section:**

(1) "Fishing boat" means a boat that has one (1) or more motors that have a total of not more than thirty (30) horsepower.

(2) "Nonmotorized watercraft" means a watercraft that does not have a motor. The term includes kayaks, canoes, rowboats, paddleboats, and sailboats.

(3) "Nonresident" means a person who does not own or lease real property within the boundaries of the reservoir conservancy district.

(4) "Personal watercraft" has the meaning set forth in IC 14-8-2-202.5.

(5) "Pontoon" means a watercraft that:

(A) uses hollow cylinders to create buoyancy; and

(B) has one (1) or more motors that have a total of not more than one hundred (100) horsepower.

(6) "Power boat" means a boat has one (1) or more motors that exceed a total of thirty (30) horsepower.

(7) "Resident" means a person who owns or leases real property within the boundaries of the reservoir conservancy district.

(b) Subject to covenants in existence when the reservoir conservancy district is established, a".

Page 6, line 24, delete "motorized".

Page 6, line 27, delete "(b)" and insert "**(c)**".

Page 6, line 28, delete "owner of real property within the".

Page 6, line 29, delete "reservoir conservancy district" and insert "**resident**".

Page 6, line 29, delete "motorized".

Page 6, line 32, delete "person who does not own real".

Page 6, line 33, delete "property within the reservoir conservancy district but" and insert "**nonresident who**".

Page 6, line 34, delete "motorized".

Page 6, delete lines 36 through 42, begin a new paragraph and insert:

"**(d) The following apply to fees imposed under subsection (c):**

(1) The fee allowing a nonresident to use a watercraft for an entire year may not be more than fifty percent (50%) greater than the fee allowing a resident to use a watercraft for an entire year.

(2) The fee allowing a resident to use a watercraft for a single day may not exceed seventeen percent (17%) of the fee allowing a resident to use a watercraft for an entire year.

(3) The fee allowing a nonresident to use a watercraft for a single day may not exceed seventeen percent (17%) of the fee allowing a nonresident to use a watercraft for an entire year.

(e) Subject to subsection (d), a reservoir conservancy district may establish different recreation fees for the following different types of watercrafts:

(1) Power boats.

(2) Pontoon boats.

(3) Fishing boats.

(4) Personal watercraft.

(5) Nonmotorized watercraft.".

Page 7, delete lines 1 through 5.

Page 7, line 6, delete "(d)" and insert "**(f)**".

Page 7, line 10, delete "motorized".

Page 7, line 14, delete "motorized".

Page 7, line 16, delete "motorized".

Page 9, line 6, delete "(c):" and insert "**(c), the utility owner of the reservoir located within the boundaries of a reservoir conservancy district**".

Page 9, delete lines 7 through 13.

Page 9, line 14, delete "are " and insert "**is**".

Page 9, run in lines 6 through 14.

Page 9, line 26, delete "of:" and insert "**of the utility owner of the reservoir located within the boundaries of a reservoir conservancy district.**".

Page 9, delete lines 27 through 33.

Page 9, line 34, delete "on:" and insert "**on the utility owner of the reservoir located within the boundaries of a reservoir conservancy district**".

Page 9, delete lines 35 through 41.

Page 9, run in lines 34 through 42.

Page 10, after line 4, begin a new paragraph and insert:

"Sec. 5. If a person is an owner, as defined in IC 14-22-10-2(c), of property located in a reservoir conservancy district:

(1) IC 14-22-10-2(d) applies to an individual who goes upon or through the person's property located in the reservoir conservancy district for the purpose of:

(A) entering; or

(B) leaving;

the reservoir located within the boundaries of a reservoir conservancy district; and

(2) under IC 14-22-10-2(e), but subject to IC 14-22-10-2(f) and IC 14-22-10-2(g), the person does not assume responsibility or incur liability for:

(A) an injury to; or

(B) damage to the property of;

an individual caused by an act or failure to act of other persons using the person's property or the reservoir located in the reservoir conservancy district.

Sec. 6. Neither:

(1) a person who:

(A) has a fee interest in;

(B) is a tenant, a lessee, or an occupant of; or

(C) is in control of;

a property located in a reservoir conservancy district; nor

(2) the reservoir conservancy district;

owes a greater duty to an individual using the reservoir for a recreational purpose than they would owe if the conservancy district had not been established.".

Renumber all SECTIONS consecutively.

(Reference is to SB 430 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 4.

MESSMER, Chair

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

HCR 12 Senator Messmer
Honoring the inductees of the Indiana Military Veterans Hall of Fame.

HCR 19 Senator Becker
Recognizing the 2019 Castle High School archery team for winning their twelfth state championship and second consecutive national championship.

SCR 21 Senator Holdman
Encouraging education and the use of Safe Haven Baby Boxes in Indiana.

SCR 22 Senator Lanane
Congratulating Deborah Stapleton.

SR 18 Senator J.D. Ford
Honoring Chief Robert Knox.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 12

House Concurrent Resolution 12, sponsored by Senators Messmer and Garten:

A CONCURRENT RESOLUTION honoring the inductees of the Indiana Military Veterans Hall of Fame.

Whereas, The Indiana Military Veterans Hall of Fame (IMVHOF) was founded in 2013;

Whereas, The mission of the IMVHOF is to publicly "emphasize the honor brought to our state and nation by the sacrifice of Indiana military veterans and their families";

Whereas, The first Hoosiers were inducted into the IMVHOF on November 7, 2014;

Whereas, The 2019 inductees are Irvin Alexander, Dennis A. Beals, Donald E. Bolner, Jay A. Collars, Charles H. DeBow, Jr., David W. Eberly, Roland W. Henry, Maurice W. Kendall, Charles W. Lewis, Fred S. Lindsey, Henry C. Marshall, Ivan Moreman, Forrest E. Myers, Frank H. Ono, Conrad A. Sipple, and Gary C. Steinhardt;

Whereas, Nominations came from all over the state and represented military veterans from World War I through the current engagements in the Middle East and elsewhere;

Whereas, Each inductee receives a medallion representing the IMVHOF and its relationship to Indiana;

Whereas, The medallion's front side depicts Indiana and the name of the organization while the back side displays the state flag and the engraved name of the inductee encircled by the names of the five branches of the United States armed forces;

Whereas, Throughout the history of our great nation, hundreds of thousands of men and women have served their country with honor and pride in time of war and peace; and

Whereas, The Indiana Military Veterans Hall of Fame honors these brave Hoosier veterans for their service and shares their stories of sacrifice with the people of our state: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes the inductees into the Indiana Military Veterans Hall of Fame for their great bravery and dedication to duty. Without brave men and women like these, our state and nation could not exist.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to the Board of Directors of the Indiana Military Veterans Hall of Fame.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 19

House Concurrent Resolution 19, sponsored by Senator Becker:

A CONCURRENT RESOLUTION recognizing the 2019 Castle High School archery team for winning their twelfth state championship and second consecutive national championship.

Whereas, The 2019 Castle High School archery team won the national championship with a score of 3,480 out of 3,600, ranking the highest of 263 teams from across the nation;

Whereas, Castle junior Ashlie Garrison was recognized as the leading female shooter in the high school division, having shot a 298 out of 300;

Whereas, The Knights continue a proud tradition having won 12 state championships over the past 13 years;

Whereas, The national team includes Ashlie Garrison, Ashton Probus, Lola Phillips, Katherine Tessendorf, Mackenzie Kopp, Kevin Stevens, Kyle Probus, Nick Kaufman, J. T. Mitchell, Hayley Moody, Payton Hanson, Andrew Zeller, Talon Counts, Spencer Greenwell, Maggie Robbins, Rylan Royster, Tyler Johnson, Noah Wells, Bresden Laughton, Max Bockelman, Suprit Sooch, Beau Evrard, Rubina Cheema, and Kayla Nasserizafar.

Whereas, Each archer on the national team earned a $1,000 scholarship;

Whereas, The Knights went on to place fourth in the 2019 NASP world tournament, located in Nashville, Tennessee;

Whereas, The world tournament team included Ashton Probus, Kyle Probus, Ashlie Garrison, Payton Hanson, Kevin Stevens, Talon Counts, Andrew Zeller, J. T. Mitchell, Mackenzie Kopp, Lola Phillips, Spencer Greenwell, Hayley Moody, Kayla Nasserizafar, Maggie Robbins, Jacob Adams, Rylan Royster, Max Bockelman, Dallas Roberts, Megan Merta, Howie Heerdt, Aaron Poirot, and Taylor Schaffer; and

Whereas, The Castle High School archery team's season was victorious and unforgettable, as they represented themselves, their school, and the state of Indiana in the highest regard: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes the 2019 Castle High School archery team for winning their twelfth state championship and second consecutive national championship.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the members of the 2019 Castle High School archery team and to its coaches and staff.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

Senate Concurrent Resolution 21

Senate Concurrent Resolution 21, introduced by Senators Holdman and L. Brown:

A CONCURRENT RESOLUTION encouraging education and the use of Safe Haven Baby Boxes in Indiana.

Whereas, The Indiana General Assembly adopted legislation in the 2017 and 2018 sessions allowing Safe Haven Baby Boxes to be installed at staffed fire stations and hospitals throughout the state;

Whereas, Since the installation of the first baby boxes in Indiana, five babies have been safely relinquished in the boxes and the children placed in forever homes;

Whereas, Over 5,000 mothers in crisis have been connected to services through the Safe Haven Baby Boxes affiliated hotline;

Whereas, 21 Safe Haven Baby Boxes have been installed in cities and towns across Indiana, with more being added each year; and

Whereas, Safe Haven Baby Boxes, a not-for-profit organization, has produced an educational video to inform women about the availability of Safe Haven Baby Boxes and its crisis hotline: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly encourages further education of the availability and use of Safe Haven Baby Boxes in Indiana to promote the safe surrender of a newborn baby in accordance with Indiana law.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Monica Kelsey, Founder of Safe Haven Baby Boxes, Inc.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Carbaugh and Lehman.

Senate Concurrent Resolution 22

Senate Concurrent Resolution 22, introduced by Senator Lanane:

A CONCURRENT RESOLUTION congratulating Deborah Stapleton on her retirement from the Anderson Museum of Art.

Whereas, Deborah Stapleton studied at Anderson University, earning a degree in sociology and museology with minors in speech and art;

Whereas, After graduation, Deborah took a position with the Montgomery County Historical Society in Dayton, Ohio;

Whereas, Deborah later returned to Anderson and began her 39 year career with the Anderson Museum of Art;

Whereas, Throughout her career, Deborah oversaw several major projects including moving the location of the museum from Eighth Street to its current location in the Carnegie Building alongside the Anderson Public Library;

Whereas, Other accomplishments of Deborah's include programs with local schools like "The Art Lady" where volunteers go into schools to talk about an artist and provide the school with a reproduction of the artist's work for display;

Whereas, Deborah brought many exhibits to Anderson including Jacob Lawrence's Harriet Tubman series and an exhibition on cartoonist Charles Schulz;

Whereas, Deborah also made it a point to work with and showcase Midwestern and local artists; and

Whereas, Deborah has a passion for jewelry making and would like to see profits from her jewelry used to help fund local non-profit organizations: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Deborah Stapleton on her retirement from the Anderson Museum of Art.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Deborah Stapleton.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Austin.

Senate Resolution 18

Senate Resolution 18, introduced by Senators J.D. Ford, Boots, and Buchanan:

A SENATE RESOLUTION to honor Chief Robert Knox on his retirement from the Zionsville Police Department.

Whereas, Chief Robert Knox has served on the Zionsville Police Department for over forty years;

Whereas, Chief Knox started his professional life as a pipe fitter before joining the Zionsville Police Department as a reserve officer;

Whereas, Chief Knox worked his way from a reserve officer to Chief of Police and has been Chief of Police for 8 years;

Whereas, During his time as an officer, Chief Knox has initiated community outreach programs such as "Coffee with a Cop", the Teen and Citizens academies, and the "Drug Take Back" program;

Whereas, The Zionsville Police Department has grown since Chief Knox first joined the force. The department has increased its number of officers, updated its technology, and revamped its K-9 unit in response to the growing Zionsville community;

Whereas, Upon his retirement on April 6th, 2020, Chief Knox will have more time to spend with his wife, Karin, and his son, Justin; and

Whereas, Chief Knox has served the Zionsville community well for over 40 years and his service is worthy of recognition: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate honors Chief Robert Knox on his retirement from the Zionsville Police Department.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Chief Robert Knox.

The resolution was read in full and adopted by voice vote.

Senate Concurrent Resolution 16

Senate Concurrent Resolution 16, introduced by Senator Breaux:

A CONCURRENT RESOLUTION honoring Beverly Brown upon her retirement from the Indiana Senate.

Whereas, Beverly Brown is a resident of Indianapolis, Indiana;

Whereas, Beverly graduated from Tennessee State University with a bachelor of science in elementary education, received her teacher's license certification from Indiana Wesleyan University, and received her reading endorsement from IUPUI. She also took classes at Indiana State University toward her master's degree in education;

Whereas, Beverly worked 18 years as a public school teacher in both Gary and Indianapolis, Indiana. Currently, she works at the Andrew J. Brown Charter School as a kindergarten interventionist;

Whereas, Beverly also spent 18 years working for Delta Airlines as a marketing representative;

Whereas, Beverly's accomplishments extended from the schoolhouse to the statehouse, where she served as doorkeeper for the Indiana State Senate for six years working closely with Senator Breaux as her Community and Religious Outreach liaison during that time;

Whereas, Beverly is a member of Delta Sigma Theta Sorority, a member of the Indianapolis Symphony Orchestra Association, the former Vice President of the Community Alliance of the Far Eastside, and a member of the Tennessee State University Alumni Association;

Whereas, For 35 years, Beverly served as the first lady of Ebenezer Missionary Baptist Church where her husband, Thomas L. Brown, was the pastor;

Whereas, When not serving in a professional capacity, Beverly acts as the constant, loving caregiver of her 97-year-old father and enjoys spending time with her husband and three children, Thomas Jr., Tanya, and Lisa; and

Whereas, Beverly will be missed by senators, staff, and all who came to know her during her service to the Senate: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana Senate honors Beverly Brown upon her retirement from the Indiana Senate.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Beverly Brown.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative V. Smith.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1059, 1090, 1095, 1176, and 1249 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 17 and 18 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 11 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Engrossed Senate Bill 109, which is eligible for third reading, be returned to second reading for purposes of amendment.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Engrossed Senate Bill 291, which is eligible for third reading, be returned to second reading for purposes of amendment.

GROOMS

Motion prevailed.

SENATE BILLS ON SECOND READING

Senate Bill 98

Senator Becker called up Senate Bill 98 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 241

Senator L. Brown called up Senate Bill 241 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 241–1)

Madam President: I move that Senate Bill 241 be amended to read as follows:

Page 3, line 39, delete ", a disbursement, and a" and insert "**and a disbursement.**".

Page 3, delete line 40.

Page 4, line 12, after "(1)." insert "**The health plan shall determine whether the pharmacy benefit manager has provided an adequate network as required under subdivision (1).**".

Page 5, delete line 2.

Page 5, line 3, delete "(vi)" and insert "**(v)**".

Page 5, line 5, delete "(vii)" and insert "**(vi)**".

Page 5, line 8, delete "(viii)" and insert "**(vii)**".

Page 5, line 10, delete "(ix)" and insert "**(viii)**".

Page 5, delete lines 12 through 14, begin a new paragraph and insert:

"**(c) Financial information and proprietary information submitted by a pharmacy benefit manager to the department is confidential.**".

Page 10, line 14, after "27." insert "**(a) A party that has contracted with a pharmacy benefit manager to provide services may, at least one (1) time in a calendar year, request an audit of compliance with the contract. The audit may include full disclosure of rebate amounts secured on prescription drugs, whether product specific or general rebates, that were provided by a pharmaceutical manufacturer.**

(b) A pharmacy benefit manager shall disclose, upon request from a party that has contracted with a pharmacy benefit manager, to the party the actual amounts paid by the pharmacy benefit manager to any pharmacy.

(c) A pharmacy benefit manager shall provide notice to a party contracting with the pharmacy benefit manufacturer of any consideration that the pharmacy benefit manager receives from a pharmacy manufacturer for any name brand dispensing of a prescription when a generic or biologically similar product is available for the prescription.

(d) Any provision of a contract entered into, issued, or renewed after June 30, 2020, that violates this section is unenforceable.

Sec. 28.".

(Reference is to SB 241 as printed January 24, 2020.)

L. BROWN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 272

Senator Jon Ford called up Senate Bill 272 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 424

Senator Rogers called up Senate Bill 424 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 424–1)

Madam President: I move that Senate Bill 424 be amended to read as follows:

Page 2, line 11, delete "." and insert "**or whether the person who engages in the conduct is an adult.**".

Page 8, delete lines 7 through 18, begin a new paragraph and insert:

"**(b) A person may require a program participant who complies with subsection (a) to provide an address in addition to the designated address as a condition of receiving a service or benefit that would be impossible to provide without knowledge of the program participant's physical location. However, the person must use the designated address for all mail correspondence with the program participant.**".

(Reference is to SB 424 as printed January 24, 2020.)

ROGERS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 71

Senator Doriot called up Senate Bill 71 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 71–2)

Madam President: I move that Senate Bill 71 be amended to read as follows:

Page 2, between lines 35 and 36, begin a new paragraph and insert:

"**(c) A notice under subsection (b)(4) shall include the following information:**

(1) A legal survey was performed of an adjoining property under this section.

(2) The plat of the legal survey was filed with the county surveyor for entry into the legal survey record book.

(3) The lines located and established pursuant to this section are binding on all landowners affected, as well as the landowners' respective heirs and assigns, unless an appeal is taken pursuant to section 14 of this chapter.

(4) An appeal under section 14 of this chapter must be made to the circuit court of the county in which the surveyed property is located not later than:

(A) ninety (90) days after the notice of filing, if the landowner appealing the legal survey is a resident of the county; or

(B) one (1) year, if the landowner appealing the legal survey is a not a resident of the county.

(5) If the affected landowner has reason to believe that the landowner has a claim of title under adverse possession, the landowner must:

(A) file a claim in a court with proper jurisdiction; or

(B) record an affidavit under IC 36-2-11-19(a)(4) or a deed reflecting the claim of adverse possession in the office of the recorder of the county in which the property is located;

prior to the end of the applicable time period provided in subdivision (4).

(6) An affected landowner may not bring a claim of title under adverse possession against the state or a political subdivision.

The notice shall also include a legible copy of the plat of the legal survey.".

Page 2, line 36, strike "(c)" and insert "**(d)**".

(Reference is to SB 71 as printed January 24, 2020.)

DORIOT

Motion prevailed. The bill was ordered engrossed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 64

Senator Ruckelshaus called up Engrossed Senate Bill 64 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 66: yeas 40, nays 10. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Cook.

Engrossed Senate Bill 101

Senator Bohacek called up Engrossed Senate Bill 101 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 67: yeas 31, nays 18. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Steuerwald, J. Young, Eberhart, and May.

Engrossed Senate Bill 131

Senator Kruse called up Engrossed Senate Bill 131 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 68: yeas 42, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Burton and Wesco.

Engrossed Senate Bill 142

Senator Zay called up Engrossed Senate Bill 142 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning Medicaid.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 69: yeas 45, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Karickhoff, Barrett, and Davisson.

Engrossed Senate Bill 177

Senator Donato called up Engrossed Senate Bill 177 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 70: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Manning.

Engrossed Senate Bill 181

Senator Sandlin called up Engrossed Senate Bill 181 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 71: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Burton, Sherman, and Manning.

Engrossed Senate Bill 185

Senator Alting called up Engrossed Senate Bill 185 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 72: yeas 43, nays 7. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Negele, Lehe, and Klinker.

Engrossed Senate Bill 190

Senator Holdman called up Engrossed Senate Bill 190 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 73: yeas 39, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair

instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Thompson.

Engrossed Senate Bill 202

Senator Tallian called up Engrossed Senate Bill 202 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 74: yeas 44, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lehman, VanNatter, and Beck.

Engrossed Senate Bill 205

Senator Messmer called up Engrossed Senate Bill 205 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 75: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Heaton, Schaibley, and J. Young.

Engrossed Senate Bill 206

Senator Messmer called up Engrossed Senate Bill 206 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The President of the Senate yielded the gavel to Senator Rodric D. Bray.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 76: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Torr.

Engrossed Senate Bill 223

Senator Leising called up Engrossed Senate Bill 223 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 77: yeas 38, nays 12. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Behning.

Engrossed Senate Bill 230

Senator Sandlin called up Engrossed Senate Bill 230 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 78: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Burton.

Engrossed Senate Bill 255

Senator Charbonneau called up Engrossed Senate Bill 255 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 79: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Vermilion and Kirchhofer.

Engrossed Senate Bill 256

Senator Koch called up Engrossed Senate Bill 256 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 80: yeas 47, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives McNamara, Steuerwald, and Torr.

Engrossed Senate Bill 266

Senator Donato called up Engrossed Senate Bill 266 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 81: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Jordan.

Engrossed Senate Bill 269

Senator Jon Ford called up Engrossed Senate Bill 269 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 82: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lehman and VanNatter.

Engrossed Senate Bill 302

Senator Tallian called up Engrossed Senate Bill 302 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 83: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Steuerwald, DeLaney, and Beck.

Engrossed Senate Bill 316

Senator Kruse called up Engrossed Senate Bill 316 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 84: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Zent.

Engrossed Senate Bill 340

Senator Spartz called up Engrossed Senate Bill 340 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning property.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 85: yeas 43, nays 7. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Wolkins.

Engrossed Senate Bill 355

Senator Becker called up Engrossed Senate Bill 355 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 86: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Clere and Bacon.

Engrossed Senate Bill 356

Senator Merritt called up Engrossed Senate Bill 356 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 87: yeas 46, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Shackleford.

Engrossed Senate Bill 358

Senator Merritt called up Engrossed Senate Bill 358 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 88: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Manning and Clere.

Engrossed Senate Bill 367

Senator Niemeyer called up Engrossed Senate Bill 367 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 89: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Aylesworth.

Engrossed Senate Bill 384

Senator Freeman called up Engrossed Senate Bill 384 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 90: yeas 43, nays 7. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Wesco.

Engrossed Senate Bill 402

Senator Buchanan called up Engrossed Senate Bill 402 for third reading:

A BILL FOR AN ACT concerning labor.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 91: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Lehe.

Engrossed Senate Bill 411

Senator Koch called up Engrossed Senate Bill 411 for third reading:

A BILL FOR AN ACT concerning utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 92: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Soliday.

Engrossed Senate Bill 443

Senator Zay called up Engrossed Senate Bill 443 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 93: yeas 41, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Heine.

Engrossed Senate Bill 4

Senator Charbonneau called up Engrossed Senate Bill 4 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 94: yeas 47, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Schaibley and Kirchhofer.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young and Zay be added as coauthors of Senate Concurrent Resolution 16.

BREAUX

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as third author of Senate Bill 71.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 98.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Koch and M. Young be added as coauthors of Senate Bill 131.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as coauthor of Senate Bill 142.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as third author and Senator Sandlin be added as coauthor of Senate Bill 146.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as coauthor of Senate Bill 146.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as second author of Senate Bill 183.

GASKILL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as coauthor of Senate Bill 190.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator G. Taylor be added as coauthor of Senate Bill 190.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bassler be added as coauthor of Senate Bill 205.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Tomes and Tallian be added as coauthors of Senate Bill 205.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 206.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as coauthor of Senate Bill 255.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second author and Senator Tomes be added as third author of Senate Bill 258.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author of Senate Bill 259.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 262.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Houchin, Messmer, Buck, Perfect, Charbonneau, Raatz, and Buchanan be added as coauthors of Senate Bill 264.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bassler be added as coauthor of Senate Bill 266.

DONATO

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Boots be added as second author of Senate Bill 269.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as third author of Senate Bill 269.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as coauthor of Senate Bill 269.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Messmer be added as second author of Senate Bill 272.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as third author of Senate Bill 272.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as coauthor of Senate Bill 302.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Glick and G. Taylor be added as coauthors of Senate Bill 307.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as coauthor of Senate Bill 311.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Donato and Houchin be added as coauthors of Senate Bill 312.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Crane, Donato, and Freeman be added as coauthors of Senate Bill 316.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Gaskill be added as coauthor of Senate Bill 320.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Tomes, Crider, and Boots be added as coauthors of Senate Bill 331.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 340.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as coauthor of Senate Bill 340.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as coauthor of Senate Bill 340.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 340.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as second author of Senate Bill 350.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 350.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 356.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 358.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as coauthor of Senate Bill 369.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as second author of Senate Bill 402.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 402.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as third author of Senate Bill 410.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as coauthor of Senate Bill 411.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as coauthor of Senate Bill 424.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Thursday, January 30, 2020.

MESSMER

Motion prevailed.

The Senate adjourned at 4:42 p.m.

JENNIFER L. MERTZ	SUZANNE CROUCH
Secretary of the Senate	President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Thirteenth Meeting Day Thursday Afternoon January 30, 2020

The Senate convened at 1:56 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Pastor JD Traylor, Hanover Baptist Church, Hanover, IN.

The Pledge of Allegiance to the Flag was led by Senator Jack E. Sandlin.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 95: present 50; excused 0. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 23

Senate Concurrent Resolution 23, introduced by Senator Niezgodski:

A CONCURRENT RESOLUTION recognizing "Farmworkers Awareness Week", Cesar Chavez, and the work of Proteus, Inc.

Whereas, Indiana's agribusiness employs over 30,000 year-round, seasonal and migrant farmworkers who are key partners for the safety, security, and sustainability of our food supply;

Whereas, The labor of Indiana's farmworkers contributes billions of dollars annually to the state's economy, and agriculture continues to be one of the principal industries in the state;

Whereas, Indiana honors all those who plant, cultivate, harvest, and process our agricultural products;

Whereas, March 31 is the birthday of Cesar Chavez, whose dedication and nonviolent organizing for just wages, safe labor conditions, and the dignity of the women, men, and children who toil in the fields moved him to lead a nationwide peaceful struggle for farmworker justice that continues today;

Whereas, Proteus, Inc. is an Iowa-based private 501(c)(3) nonprofit organization that has been serving migrant and seasonal farmworkers, immigrants, and others since 1979;

Whereas, In addition to offices in Iowa, Proteus serves a constituency in Indiana and Nebraska;

Whereas, Proteus, Inc. was created to help provide communities with health, educational, and economic opportunities;

Whereas, To achieve its goals, Proteus strives to make its programs accessible to as many members of the community as possible; embraces diversity in its staff, recipients of its services, program delivery, and in programs as a whole; develops a culture of respect and acceptance in its organization and general community; creates, evaluates, and maintains programs to meet the changing needs of communities; and treats all people in an honest, caring, and respectful manner; and

Whereas, The agricultural industry is strong throughout our state, and the strength of the industry's workers continue to keep it great: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes the efforts of Indiana's farmworkers and their many contributions to the agricultural industry in our state. The members of the Indiana Senate also recognize the contributions of Cesar Chavez

and acknowledge him on his birthday. Organizations like Proteus, Inc. help to bring a fair wage and safe and secure working environments to all the members of Indiana's agricultural labor force.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Kokomo chapter of Proteus, Inc.

The resolution was read in full and referred to the Committee on Pensions and Labor.

House Concurrent Resolution 20

House Concurrent Resolution 20, sponsored by Senator Bohacek:

A CONCURRENT RESOLUTION urging the study of constructing an inn at Potato Creek State Park.

Whereas, Potato Creek State Park was founded in 1983 to preserve the natural habitats and beauty of Northern Indiana near South Bend;

Whereas, Potato Creek State Park features the 327 acre Worster Lake in addition to old fields, mature woodlands, restored prairies, and diverse wetlands;

Whereas, Potato Creek State Park offers year round activities and facilities for local residents and tourists;

Whereas, Potato Creek State Park is one of the five most visited state parks in the Indiana system according to Visit South Bend Mishawaka; and

Whereas, The Indiana General Assembly recognizes the positive impact of Potato Creek State Park for tourism in Northern Indiana: Therefore,

Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:

SECTION 1. That the Indiana General Assembly urges the legislative council to assign to an appropriate study committee the topic of funding the construction of an inn at Potato Creek State Park and allowing the Indiana Department of Natural Resources to plan, design, and implement its construction.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Ross Deal.

The resolution was read in full and referred to the Committee on Natural Resources.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Senate Concurrent Resolution 15, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.
Committee Vote: Yeas 7, Nays 0.

GLICK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 19, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 25-1-9.5-2.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.2. As used in this chapter, "eye care professional" means either of the following:**

(1) An ophthalmologist licensed under IC 25-22.5.

(2) An optometrist licensed under IC 25-24.

SECTION 2. IC 25-1-9.5-2.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.8. As used in this chapter, "ophthalmic device" means either of the following:**

(1) Eye glasses.

(2) Contact lenses.

SECTION 3. IC 25-1-9.5-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 4.5. As used in this chapter, "refraction" means a test that is performed to measure an individual's prescription for eye glasses or contact lenses.**".

Page 3, line 8, delete "prescriber" and insert "**eye care professional**".

Page 3, line 9, delete "." and insert "**that occurred within two (2) years before the initial use of telemedicine for a refraction under subdivision (5)(A).**".

Page 3, line 12, delete "." and insert "**that occurred within two (2) years before the initial use of telemedicine for a refraction under subdivision (5)(A).**".

Page 3, delete lines 30 through 36.

Renumber all SECTIONS consecutively.

(Reference is to SB 19 as introduced.)

and when so amended that said bill do pass.
Committee Vote: Yeas 9, Nays 1.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill 27, has had the same under consideration and begs leave to report the same back to the

Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 43, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 17, line 10, delete "Property, including an instrument or device," and insert "Property".

Page 17, line 11, reset in roman "counterfeiting or forgery in".

Page 17, line 11, delete "a".

Page 17, line 12, reset in roman "IC 35-43-5-2.".

Page 17, line 12, delete "IC 35-43-5.".

Page 21, between lines 13 and 14, begin a new paragraph and insert:

"**(e) For purposes of a misrepresentation under IC 35-43-5-4 relating to insurance, "pecuniary loss" means the highest policy limit available through any coverage in the policy.**".

Page 22, line 11, reset in roman "forgery of an instrument for payment of".

Page 22, line 12, reset in roman "money, or for the uttering of a forged instrument,".

Page 22, line 12, delete "fraud relating to the".

Page 22, delete line 13.

Page 22, line 14, delete "payment of money".

Page 22, line 14, reset in roman "IC 35-43-5-2,".

Page 22, line 14, delete "IC 35-43-5-4".

Page 30, delete lines 22 through 42, begin a new paragraph and insert:

"SECTION 32. IC 35-43-5-2, AS AMENDED BY P.L.197-2015, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A person who knowingly or intentionally:

(1) makes or utters a written instrument in such a manner that it purports to have been made:

(A) by another person;

(B) at another time;

(C) with different provisions; or

(D) by authority of one who did not give authority; or

(2) possesses more than one (1) written instrument knowing that the written instruments were made in a manner that they purport to have been made:

(A) by another person;

(B) at another time;

(C) with different provisions; or

(D) by authority of one who did not give authority;

commits counterfeiting, a Level 6 felony.

~~(b) A person who, with intent to defraud:~~

~~(1) makes or delivers to another person:~~

~~(A) a false sales receipt;~~

~~(B) a duplicate of a sales receipt; or~~

~~(C) a label or other item with a false universal product code (UPC) or other product identification code; or~~

~~(2) places a false universal product code (UPC) or another product identification code on property displayed or offered for sale;~~

~~commits making or delivering a false sales document, a Level 6 felony.~~

~~(c) A person who, with intent to defraud, possesses:~~

~~(1) a retail sales receipt;~~

~~(2) a label or other item with a universal product code (UPC); or~~

~~(3) a label or other item that contains a product identification code that applies to an item other than the item to which the label or other item applies;~~

~~commits possession of a fraudulent sales document, a Class A misdemeanor. However, the offense is a Level 6 felony if the person possesses at least fifteen (15) retail sales receipts, at least fifteen (15) labels containing a universal product code (UPC), at least fifteen (15) labels containing another product identification code, or at least fifteen (15) of any combination of the items described in subdivisions (1) through (3).~~

~~(d)~~ **(b)** A person who, with intent to defraud, makes, utters, or possesses a written instrument in such a manner that it purports to have been made:

(1) by another person;

(2) at another time;

(3) with different provisions; or

(4) by authority of one who did not give authority;

commits forgery, a Level 6 felony.

~~(e) This subsection applies to a person who applies for a driver's license (as defined in IC 9-13-2-48), a state identification card (as described in IC 9-24-16), or a photo exempt identification card (as described in IC 9-24-16.5). A person who:~~

~~(1) knowingly or intentionally uses a false or fictitious name or gives a false or fictitious address in an application for a driver's license, a state identification card, or a photo exempt identification card or for a renewal or a duplicate of a driver's license, a state identification card, or a photo exempt identification card; or~~

~~(2) knowingly or intentionally makes a false statement or conceals a material fact in an application for a driver's license, a state identification card, or a photo exempt identification card;~~

~~commits application fraud, a Level 6 felony.~~".

Page 31, delete lines 1 through 40.

Page 35, between lines 8 and 9, begin a new line block indented and insert:

"**(2) with the intent to cause another person to obtain property to which the other person would not otherwise be entitled, knowingly or intentionally:**

(A) makes a false or misleading statement;

(B) creates a false impression in a third person; or

(C) causes to be presented a claim that:

(i) contains a false or misleading statement; or

(ii) creates a false or misleading impression in a third person;".

Page 35, line 9, delete "(2)" and insert "**(3)**".

Page 35, line 16, delete "(3)" and insert "**(4)**".

Page 35, line 17, delete "or (2);" and insert "**through (3);**".

Page 36, between lines 29 and 30, begin a new line block indented and insert:

"**(9) Except as provided in subsection (d), the person:**

(A) made the false or misleading statement; or

(B) created the false impression in another person;

on or by means of a document or written instrument.".

Page 36, between lines 38 and 39, begin a new paragraph and insert:

"**(d) The offense described in subsection (b)(9) is a Class A misdemeanor if the pecuniary loss is less than seven hundred fifty dollars ($750).**".

Page 53, delete lines 26 through 42, begin a new paragraph and insert:

"SECTION 60. IC 35-45-6-1, AS AMENDED BY P.L.80-2019, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) The definitions in this section apply throughout this chapter.

(b) "Documentary material" means any document, drawing, photograph, recording, or other tangible item containing compiled data from which information can be either obtained or translated into a usable form.

(c) "Enterprise" means:

(1) a sole proprietorship, corporation, limited liability company, partnership, business trust, or governmental entity; or

(2) a union, an association, or a group, whether a legal entity or merely associated in fact.

(d) "Pattern of racketeering activity" means engaging in at least two (2) incidents of racketeering activity that have the same or similar intent, result, accomplice, victim, or method of commission, or that are otherwise interrelated by distinguishing characteristics that are not isolated incidents. However, the incidents are a pattern of racketeering activity only if at least one (1) of the incidents occurred after August 31, 1980, and if the last of the incidents occurred within five (5) years after a prior incident of racketeering activity.

(e) "Racketeering activity" means to commit, to attempt to commit, to conspire to commit a violation of, or aiding and abetting in a violation of any of the following:

(1) A provision of IC 23-19, or of a rule or order issued under IC 23-19.

(2) A violation of IC 35-45-9.

(3) A violation of IC 35-47.

(4) A violation of IC 35-49-3.

(5) Murder (IC 35-42-1-1).

(6) Battery as a Class C felony before July 1, 2014, or a Level 5 felony after June 30, 2014 (IC 35-42-2-1).

(7) Kidnapping (IC 35-42-3-2).

(8) Human and sexual trafficking crimes (IC 35-42-3.5).

(9) Child exploitation (IC 35-42-4-4).

(10) Robbery (IC 35-42-5-1).

(11) Carjacking (IC 35-42-5-2) (before its repeal).

(12) Arson (IC 35-43-1-1).

(13) Burglary (IC 35-43-2-1).

(14) Theft (IC 35-43-4-2).

(15) Receiving stolen property (IC 35-43-4-2) (before its amendment on July 1, 2018).

(16) Forgery (IC 35-43-5-2).

(17) ~~Fraud (IC 35-43-5-4(1) through IC 35-43-5-4(10)).~~ **An offense under IC 35-43-5.**

(18) Bribery (IC 35-44.1-1-2).

(19) Official misconduct (IC 35-44.1-1-1).

(20) Conflict of interest (IC 35-44.1-1-4).

(21) Perjury (IC 35-44.1-2-1).

(22) Obstruction of justice (IC 35-44.1-2-2).

(23) Intimidation (IC 35-45-2-1).

(24) Promoting prostitution (IC 35-45-4-4).

(25) Professional gambling (IC 35-45-5-3).

(26) Maintaining a professional gambling site (IC 35-45-5-3.5(b)).

(27) Promoting professional gambling (IC 35-45-5-4).

(28) Dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1).

(29) Dealing in methamphetamine (IC 35-48-4-1.1).

(30) Manufacturing methamphetamine (IC 35-48-4-1.2).

(31) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).

(32) Dealing in a schedule IV controlled substance (IC 35-48-4-3).

(33) Dealing in a schedule V controlled substance (IC 35-48-4-4).

(34) Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).

(35) Money laundering (IC 35-45-15-5).

(36) A violation of IC 35-47.5-5.

(37) A violation of any of the following:

(A) IC 23-14-48-9.

(B) IC 30-2-9-7(b).

(C) IC 30-2-10-9(b).

(D) IC 30-2-13-38(f).

(38) Practice of law by a person who is not an attorney (IC 33-43-2-1).

(39) An offense listed in IC 35-48-4 involving the manufacture or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in IC 35-48-1-9.3), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).

(40) Dealing in a controlled substance resulting in death (IC 35-42-1-1.5).".

Delete pages 54 through 55.

Renumber all SECTIONS consecutively.

(Reference is to SB 43 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 5, Nays 1.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 46, has had the

same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning environmental law.

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "storm water district" means the special taxing district created under IC 8-1.5-5-5.**

(b) As used in this SECTION, "storm water fees" means fees that are assessed on property by a storm water management board under IC 8-1.5-5-7 or a county drainage board under IC 36-9-27-114.

(c) The general assembly finds that storm water fees assessed by some local governments are:

(1) a financial burden for religious organizations and school corporations (as defined in IC 20-18-2-16(a)); and

(2) in some cases, being assessed on properties that do not use, do not affect, or are not served by the storm water improvements for which the storm water fee is assessed.

(d) The legislative council is urged to assign to an appropriate interim study committee the task of studying storm water fees. An interim study committee assigned a study under this SECTION shall consider the following:

(1) The manner in which storm water fees are assessed against properties.

(2) The amount of outstanding indebtedness incurred by:

(A) storm water districts; and

(B) county drainage boards for storm water improvements under IC 36-9-27-114.

(3) Placing limits on property owners' exposure to excessive storm water fee assessments resulting from the large outstanding debts incurred by the entities listed in subdivision (2).

(4) Alleviating the financial burden of storm water fees assessed on property:

(A) where religious services are held regularly; or

(B) that belongs to a school corporation (as defined in IC 20-18-2-16(a)) and is used for educational purposes.

(e) This SECTION expires January 1, 2021.

SECTION 2. **An emergency is declared for this act.**".

Delete pages 2 through 4.

(Reference is to SB 46 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 1.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 97, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 10, after "during the" insert "**current**".

Page 2, delete lines 12 through 14, begin a new line block indented and insert:

"**(1) the covered individual received coverage for the drug during the current plan year;**".

Page 2, delete lines 22 through 23, begin a new line block indented and insert:

"**(2) Changing:**

(A) a copayment amount;

(B) a coinsurance rate;

(C) prescription drug cost sharing minimum or maximum amounts;

(D) a deductible; or

(E) a prescription drug maximum out-of-pocket amount in a manner as to raise the covered individual's out-of-pocket costs for a drug.".

Page 2, line 24, delete "(4)" and insert "**(3)**".

Page 2, line 26, delete "(5)" and insert "**(4)**".

Page 2, line 29, delete "(6)" and insert "**(5)**".

Page 2, line 38, delete "(7)" and insert "**(6)**".

Page 3, line 23, after "during the" insert "**current**".

Page 3, delete lines 24 through 26, begin a new line block indented and insert:

"**(1) the insured received coverage for the drug during the current plan year;**".

Page 3, delete lines 34 through 35, begin a new line block indented and insert:

"**(2) Changing:**

(A) a copayment amount;

(B) a coinsurance rate;

(C) prescription drug cost sharing minimum or maximum amounts;

(D) a deductible; or

(E) a prescription drug maximum out-of-pocket amount in a manner as to raise the insured's out-of-pocket costs for a drug.".

Page 3, line 36, delete "(4)" and insert "**(3)**".

Page 3, line 38, delete "(5)" and insert "**(4)**".

Page 3, line 40, delete "(6)" and insert "**(5)**".

Page 4, line 7, delete "(7)" and insert "**(6)**".

Page 4, line 27, after "during the" insert "**current**".

Page 4, delete lines 29 through 31, begin a new line block indented and insert:

"**(1) the enrollee received coverage for the drug during the current plan year;**".

Page 4, delete lines 39 through 40, begin a new line block indented and insert:

"**(2) Changing:**

(A) a copayment amount;

(B) a coinsurance rate;

(C) prescription drug cost sharing minimum or maximum amounts;

(D) a deductible; or

(E) a prescription drug maximum out-of-pocket amount in a manner as to raise the enrollee's

out-of-pocket costs for a drug.".

Page 4, line 41, delete "(4)" and insert "**(3)**".

Page 5, line 1, delete "(5)" and insert "**(4)**".

Page 5, line 3, delete "(6)" and insert "**(5)**".

Page 5, line 12, delete "(7)" and insert "**(6)**".

(Reference is to SB 97 as introduced.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 123, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

Page 1, line 1, delete "IC 6-3.1-35" and insert "IC 5-20-10".

Page 1, line 4, delete "35." and insert "**10.**".

Page 1, line 4, delete "Tax Credit" and insert "**Incentive Program**".

Page 1, delete lines 5 through 12.

Page 1, line 13, delete "2." and insert "**1.**".

Page 1, between lines 13 and 14, begin a new line block indented and insert:

"**(1) "Application" means an application submitted for an incentive under the program by an eligible applicant to the authority under section 3 of this chapter.**".

Page 1, line 14, delete "(1)" and insert "**(2)**".

Page 1, delete lines 16 through 17.

Page 2, delete line 1.

Page 2, line 2, delete "taxpayer" and insert "**person**".

Page 2, delete lines 13 through 21, begin a new line block indented and insert:

"**(5) "Person" means an individual, a corporation, an S corporation, a partnership, a limited partnership, a limited liability partnership, a limited liability company, or a joint venture.**

(6) "Program" means a program established by the authority under section 2 to incentivize investment in qualified projects in Indiana.".

Page 2, line 22, delete "(6)" and insert "**(7)**".

Page 2, line 24, delete "(7)" and insert "**(8)**".

Page 2, delete lines 33 through 42.

Delete pages 3 through 4.

Page 5, delete lines 1 through 25, begin a new paragraph and insert:

"**Sec. 2. The authority may establish a program to incentivize investment in qualified projects in Indiana.**".

Page 5, line 26, delete "7." and insert "**3.**".

Page 5, line 26, delete "the state".

Page 5, line 27, delete "tax credit provided by this chapter" and insert "**an incentive under the program**".

Page 5, line 35, delete "Subject to section 8 of this chapter, the" and insert "**The**".

Page 5, line 36, delete "a tax credit" and insert "**an**".

Page 5, line 40, delete "tax credit".

Page 5, line 41, delete "state tax credits" and insert "**an incentive under the program**".

Page 5, delete line 42.

Page 6, delete lines 1 through 12.

Page 6, line 13, delete "(e)" and insert "**(d)**".

Page 6, line 13, delete "a tax credit" and insert "**an**".

Page 6, line 20, delete "For each taxable year in the state tax credit period of the" and insert "**The incentive that the authority is awarding to the eligible applicant for the qualified project.**".

Page 6, delete lines 21 through 42.

Page 7, delete lines 1 through 6.

Page 7, line 7, delete "10. The department or the authority, or both," and insert "**4. The authority**".

Page 7, delete lines 9 through 10, begin a new paragraph and insert:

"SECTION 2. [EFFECTIVE UPON PASSAGE] **(a) Before October 1, 2020, and subject to subsection (b), the Indiana housing and community development authority shall prepare a detailed report concerning affordable and workforce housing incentives and provide the report to the interim study committee on fiscal policy established by IC 2-5-1.3-4. The report must be in an electronic format under IC 5-14-6.**

(b) The report required under subsection (a) must include at least the following:

(1) Information concerning affordable and workforce housing incentives offered in all other states.

(2) Information concerning the effectiveness of affordable and workforce housing incentives offered in all other states.

(3) A recommendation on the type of affordable and workforce housing incentives Indiana should offer in order to increase affordable and workforce housing in Indiana, including the maximum amount of incentives that should be offered.

(c) This SECTION expires July 1, 2023.

SECTION 3. **An emergency is declared for this act.**".

(Reference is to SB 123 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 13, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 139, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 7, delete lines 29 through 42.

Page 8, delete lines 1 through 26.

Renumber all SECTIONS consecutively.

(Reference is to SB 139 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 146, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 16-18-2-340.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 340.5. "State sexual assault response team", for purposes of IC 16-21-8-2, has the meaning set forth in IC 35-40.5-1-1.**".

Page 1, strike lines 16 through 17.

Page 2, strike lines 1 through 3.

Page 2, delete lines 4 through 6.

Page 2, line 7, strike "(3)" and insert "**(1)**".

Page 2, line 7, delete "form." and insert "form **described in subsection (d).**".

Page 2, strike lines 8 through 9, begin a new line block indented and insert:

"**(2) Requiring the law enforcement agency located in the jurisdiction in which the crime occurred to be responsible for the transport and storage of sexual assault examination kits.**".

Page 2, line 10, strike "(5)" and insert "**(3)**".

Page 2, line 12, strike "(6)" and insert "**(4)**".

Page 2, line 13, strike "(7)" and insert "**(5)**".

Page 2, between lines 20 and 21, begin a new paragraph and insert:

"**(d) The state sexual assault response team shall develop a victim notification form that notifies an alleged sexual assault victim of his or her rights under the law, including the rights of a victim as described in IC 35-40.5. The victim notification form must include contact information for the designated liaison described in subsection (c).**".

Page 3, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 11. IC 35-31.5-2-312.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 312.5. "State sexual assault response team", for purposes of IC 35-40.5, has the meaning set forth in IC 35-40.5-1-1.**".

Page 4, line 38, delete "IC 35-37-6-3.5) or" and insert "**IC 35-37-6-3.5),**".

Page 4, line 39, delete "IC 35-37-6-5)." and insert "**IC 35-37-6-5), victims assistance, or a social worker.**".

Page 5, between lines 2 and 3, begin a new line block indented and insert:

"**(9) "State sexual assault response team" means the statewide sexual assault response team coordinated by the Indiana prosecuting attorneys council and the Indiana criminal justice institute.**".

Page 5, line 3, delete "(9)" and insert "**(10)**".

Page 5, line 31, delete "(a)".

Page 5, line 32, delete "consult" and insert "**speak**".

Page 5, line 32, delete "before and".

Page 5, line 32, after "during" insert "**any hospital visit for the purpose of receiving a sexual assault examination; and**".

Page 5, delete lines 33 through 36, begin a new line block indented and insert:

"**(2) speak with a sexual assault counselor during the course of the investigation.**".

Page 5, delete lines 39 through 42.

Page 6, delete lines 1 through 7.

Page 6, line 8, delete "(c)" and insert "**Sec. 2.**".

Page 6, line 18, delete "county or regional" and insert "**state**".

Page 6, line 20, delete "receipt." and insert "**receipt, unless the victim has already been provided with the document under IC 35-40.5-5-1.**".

Page 6, line 21, delete "consult" and insert "**speak**".

Page 6, line 29, delete "county or regional" and insert "**state**".

Page 6, line 31, delete "receipt." and insert "**receipt, unless the victim has already been provided with the document under IC 35-40.5-4-2.**".

Page 6, line 32, delete "consult" and insert "**speak**".

Page 6, line 33, delete "any interview by a law enforcement officer" and insert "**the course of the investigation.**".

Page 6, delete line 34.

Page 6, line 36, delete "prompt".

Page 6, delete line 38 and insert "**examination, conducted in a reasonable time period.**".

Page 6, line 41, delete "ninety (90) days," and insert "**a reasonable time period,**".

Page 7, line 2, delete "crime laboratory" and insert "**investigating law enforcement agency**".

Page 7, line 13, delete "crime laboratory" and insert "**investigating law enforcement agency**".

Page 7, line 13, after "shall" insert "**attempt to**".

Page 7, line 14, delete "destruction." and insert "**destruction, both by telephone and in writing at the victim's last known address.**".

Page 7, line 15, delete "crime laboratory" and insert "**investigating law enforcement agency**".

Page 7, between lines 19 and 20, begin a new line block indented and insert:

"**(5) The investigating law enforcement agency shall maintain all waivers and requests received under this article.**".

Page 7, delete lines 20 through 42.

Page 8, delete line 1.

Page 8, line 2, delete "Sec. 5." and insert "**Sec. 3.**".

Page 8, line 8, delete "Sec. 6." and insert "**Sec. 4.**".

Page 8, line 34, delete "required:" and insert "**required to receive a medical evidentiary or physical examination in order to retain the rights provided under this article or any other relevant law.**".

Page 8, delete lines 35 through 39.

Page 9, delete lines 3 through 22.
Renumber all SECTIONS consecutively.
(Reference is to SB 146 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 6, Nays 1.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 184, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, after line 21, begin a new paragraph and insert:

"**Sec. 5. Notwithstanding section 4 of this chapter, nonprofit agricultural organization coverage issued by a nonprofit agricultural organization is subject to the insurance premiums tax under IC 27-1-18-2.**

Sec. 6. A nonprofit agricultural organization offering coverage under this chapter shall file a signed actuarial statement with the department of insurance annually certifying that the plan reserves are adequate and conform to the appropriate actuarial standards of practice.

Sec. 7. A nonprofit agricultural organization offering coverage under this chapter may reinsure the risk under this coverage using a company authorized to conduct reinsurance in Indiana.

Sec. 8. A nonprofit agricultural organization offering coverage under this chapter shall adopt a complaint procedure that is materially similar to the procedure used by the department of insurance.".

(Reference is to SB 184 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 199, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 39, delete "fifty" and insert "**twenty-five**".

Page 2, line 40, delete "($50,000)" and insert "**($25,000)**".

Page 2, line 42, delete "one hundred fifty" and insert "**seventy-five**".

Page 3, line 1, delete "($150,000)" and insert "**($75,000)**".

(Reference is to SB 199 as printed January 17, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 12, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 207, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning health.

Page 1, delete lines 1 through 17.
Delete pages 2 through 4.
Page 5, delete lines 1 through 32.
Page 5, delete lines 35 through 42.
Delete page 6.
Renumber all SECTIONS consecutively.
(Reference is to SB 207 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 9, Nays 1.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 208, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 8, Nays 1.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 209, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete lines 9 through 13, begin a new paragraph and insert:

"**(f) Notwithstanding section 4 of this chapter, a warrant authorizing a search, testing, or other analysis of an item, tangible or intangible, is deemed executed when the item is seized by a law enforcement officer. A return of a warrant authorizing a search, testing, or other analysis of an item is sufficient if the return contains a statement indicating that the item was seized by a law enforcement officer.**".

(Reference is to SB 209 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 216, has had the same under

consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 236, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 9.
Page 2, line 7, delete "with:" and insert "with".
Page 2, line 8, delete "(1)".
Page 2, line 8, delete "IC 35-48-2," and insert "IC 35-48-2".
Page 2, delete line 9.
Page 2, line 10, delete "hash oil, or hashish,".
Page 2, line 10, delete "body; or" and insert "body".
Page 2, delete lines 11 through 13.
Page 2, run in lines 7 through 14.
Page 2, line 15, delete "that" and insert "that:
(1)".
Page 2, line 18, delete "practice." and insert "practice; **or**
(2) the:
(A) controlled substance is THC; and
(B) sample was taken as the result of a request made under IC 9-30-7.".
Page 2, delete lines 19 through 42.
Delete pages 3 through 6.
Renumber all SECTIONS consecutively.
(Reference is to SB 236 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 5, Nays 2.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 239, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 8, Nays 1.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 243, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 12-7-2-174.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 174.7. (a) "Service facility location", for purposes of IC 12-15-11, means the address where the services of a provider facility or practitioner were provided.**

(b) The term consists of exact address and place of service codes as required on CMS forms 1500 and 1450, including an office, on-campus location of a hospital, and off-campus location of a hospital.".

Page 1, line 8, delete "where the" and insert "**of the service facility location in order to obtain Medicaid reimbursement for a claim for health care services from the office or a managed care organization.**

(c) The office or a managed care organization is not required to accept a claim for health care services that does not contain the service facility location.".

Page 1, delete lines 9 through 10.
Renumber all SECTIONS consecutively.
(Reference is to SB 243 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 11, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 244, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 11, delete lines 40 through 42.
Delete pages 12 through 17.
Page 18, delete lines 1 through 4.
Renumber all SECTIONS consecutively.
(Reference is to SB 244 as introduced.)
and when so amended that said bill do pass.
Committee Vote: Yeas 12, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 263, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.
Delete page 3.
Page 4, delete lines 1 through 13.
Page 4, delete lines 19 through 20.
Page 4, line 21, delete "2." and insert "**1.**".
Page 4, delete lines 23 through 26.
Page 4, line 27, delete "5." and insert "**2.**".
Page 4, line 34, delete "6." and insert "**3.**".

Page 4, line 35, delete "Indiana," and insert "**Indiana other than a charter school,**".

Page 4, line 39, delete "school other than a public school," and insert "**nonpublic school,**".

Page 5, line 2, delete "7." and insert "**4.**".

Page 5, line 4, delete "8." and insert "**5.**".

Page 5, line 9, delete "member" and insert "**member, other than a law enforcement officer or school resource officer,**".

Page 5, line 15, delete "11" and insert "**7**".

Page 5, line 20, delete "proof of completion" and insert "**the results of the inventory to the school board**".

Page 5, line 21, delete "10" and insert "**6**".

Page 5, line 23, after "nonpublic school" insert "**described in subsection (b)**".

Page 5, line 25, after "member" insert "**is authorized and**".

Page 5, delete lines 26 through 42.

Page 6, delete lines 1 through 15, begin a new paragraph and insert:

"**Sec. 6. Before an employee or other staff member of a school corporation, charter school, or nonpublic school described in section 7(b) of this chapter may carry a firearm in or on school property as authorized by the school board of the school corporation, charter school, or nonpublic school, the employee or other staff member must:**

(1) successfully complete the Minnesota multiphasic personality inventory 2 (MMPI-II); and

(2) provide the results from the Minnesota multiphasic personality inventory 2 (MMPI-II) to the school board of the school corporation, charter school, or nonpublic school.".

Page 6, line 16, delete "11." and insert "**7.**".

Page 6, line 17, delete "8" and insert "**5**".

Page 6, line 17, delete "or paid for using a grant from the Indiana".

Page 6, line 18, delete "safe schools fund as provided under section 9 of this chapter".

Page 8, line 19, delete "board" and insert "**applicable school board**".

Page 8, line 20, delete "12" and insert "**8**".

Page 8, line 21, delete "12." and insert "**8. (a) A school board of a school corporation, charter school, or nonpublic school may approve one (1) or more persons or entities to provide specialized weapons training under this chapter to the employees or other staff members of the school corporation, charter school, or nonpublic school.**

(b)".

Page 8, line 21, delete "by the" and insert "**by a school**".

Page 8, line 24, after "with the" insert "**school**".

Page 8, delete lines 25 through 32, begin a new line block indented and insert:

"**(2) The person or entity provides to the school board a training plan that meets or exceeds the requirements established under section 7(a) of this chapter.**".

Page 9, line 9, delete "13. The board shall" and insert "**9. A school board may**".

Page 9, line 11, delete "11 and 12" and insert "**7 and 8**".

Page 9, between lines 11 and 12, begin a new paragraph and insert:

"**Sec. 10. Nothing in this chapter may be construed to:**

(1) require an employee or other staff member of a school corporation, charter school, or nonpublic school to carry a firearm in or on school property; or

(2) authorize a school board or a school corporation, charter school, or nonpublic school to require an employee or other staff member of a school corporation, charter school, or nonpublic school to carry a firearm in or on school property.".

Page 9, delete lines 12 through 27.

Page 10, after line 19, begin a new paragraph and insert:

"SECTION 4. IC 35-47-9-1, AS AMENDED BY P.L.107-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) This chapter does not apply to the following:

(1) A:

(A) federal;

(B) state; or

(C) local;

law enforcement officer.

(2) A person who may legally possess a firearm and who, **subject to IC 10-21-2,** has been authorized by:

(A) a school board (as defined by IC 20-26-9-4); or

(B) the body that administers a charter school established under IC 20-24;

to carry a firearm in or on school property.

(3) Except as provided in subsection (b) or (c), a person who:

(A) may legally possess a firearm; and

(B) possesses the firearm in a motor vehicle.

(4) A person who is a school resource officer, as defined in IC 20-26-18.2-1.

(5) Except as provided in subsection (b) or (c), a person who:

(A) may legally possess a firearm; and

(B) possesses only a firearm that is:

(i) locked in the trunk of the person's motor vehicle;

(ii) kept in the glove compartment of the person's locked motor vehicle; or

(iii) stored out of plain sight in the person's locked motor vehicle.

(6) A person who:

(A) may legally possess a firearm; and

(B) possesses a firearm on school property in connection with or while:

(i) attending a worship service or religious ceremony conducted at a house of worship located on the school property; or

(ii) carrying out the person's official duties at a house of worship located on the school property, if the person is employed by or a volunteer at the house of worship.

This subdivision does not affect the right of a property owner to prohibit, in whole or in part, the possession of a firearm on a property where a school or house of worship is located.

(b) For purposes of subsection (a)(3) and (a)(5), a person does

not include a person who is:

(1) enrolled as a student in any high school except if the person is a high school student and is a member of a shooting sports team and the school's principal has approved the person keeping a firearm concealed in the person's motor vehicle on the days the person is competing or practicing as a member of a shooting sports team; or

(2) a former student of the school if the person is no longer enrolled in the school due to a disciplinary action within the previous twenty-four (24) months.

(c) For purposes of subsection (a)(3) and (a)(5), a motor vehicle does not include a motor vehicle owned, leased, or controlled by a school or school district unless the person who possesses the firearm is, **subject to IC 10-21-2,** authorized by the school or school district to possess a firearm.".

Renumber all SECTIONS consecutively.

(Reference is to SB 263 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 2.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 273, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 10, delete "." and insert "**who shall serve as a nonvoting member.**".

Page 2, line 12, delete "." and insert "**who shall serve as a nonvoting member.**".

Page 2, line 14, delete "." and insert "**who shall serve as a nonvoting member.**".

Page 2, line 16, delete "." and insert "**who shall serve as a nonvoting member.**".

Page 2, delete lines 28 through 32, begin a new line block indented and insert:

"(11) The following individuals from a community mental health center:

(A) One (1) representative who serves as a chief executive officer at a community mental health center.

(B) Three (3) representatives with supervisory experience at a community mental health center, with one (1) representative from each of the following service areas:

(i) Adult services.

(ii) Youth services.

(iii) Addictions services.".

Page 3, delete lines 11 through 17, begin a new line block indented and insert:

"**(24) One (1) licensed clinical social worker.**

(25) One (1) representative of a mental health provider association with statewide jurisdiction.

(b) The governor shall appoint the commission members described in subsection (a)(10) through (a)(25). The governor shall appoint one (1) member of the commission to serve as chairperson of the commission.

(c) A:

(1) chairperson shall serve at the pleasure of the governor; and

(2) commission member shall serve at the pleasure of the chairperson.".

(Reference is to SB 273 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 295, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete line 17, begin a new paragraph and insert:

"SECTION 2. IC 20-30-5-5.7, AS ADDED BY P.L.115-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5.7. (a) Not later than December 15, ~~2018,~~ **2020,** and each December 15 thereafter, each public school, including a charter school, and accredited nonpublic school shall provide age appropriate: ~~and~~

(1) research and evidence based; **or**

(2) research or evidence based;

instruction on child abuse and child sexual abuse to students in kindergarten through grade 12.

(b) The department, in consultation with school safety specialists, ~~and~~ school counselors, **school social workers, or school psychologists,** shall identify outlines or materials for the instruction described in subsection (a) and incorporate the instruction in kindergarten through grade 12.

(c) Any outlines and materials identified under subsection (b) must be demonstrated to be effective and promising.

~~(c)~~ **(d)** Instruction on child abuse and child sexual abuse may be delivered by a school safety specialist, school counselor, or any other person with training and expertise in the area of child abuse and child sexual abuse.

SECTION 3. IC 20-30-5-14, AS AMENDED BY P.L.57-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) As used in this section, "Indiana career explorer program and standards" refers to the:

(1) Internet based system approved by the department of workforce development; and

(2) standards established by the department of workforce development that are aligned to interdisciplinary employability skills standards prescribed in subsection ~~(c);~~ **(d);**

that provides students with career and college planning resources. **This subsection expires June 30, 2021.**

(b) This subsection applies beginning July 1, 2021. As used in this section, "Indiana career explorer program" refers to software or an Internet based system approved by the

department of workforce development under subsection (m) that provides students with career and college planning resources.

~~(b)~~ **(c)** To:

(1) educate students on the importance of their future career choices;

(2) prepare students for the realities inherent in the work environment; and

(3) instill in students work values that will enable them to succeed in their respective careers;

each school within a school corporation shall include in the school's curriculum for all students in grades 1 through 12 instruction concerning employment matters and work values described in subsection ~~(c).~~ **(d).**

~~(c) Not later than July 1, 2019,~~ **(d)** Each school within a school corporation shall include interdisciplinary employability skills standards established by the department, in conjunction with the department of workforce development, and approved by the state board in the school's curriculum.

~~(d)~~ **(e)** Each school shall:

(1) integrate within the curriculum instruction that is; or

(2) conduct activities or special events periodically that are;

designed to foster overall career awareness and career development as described in subsection ~~(b).~~ **(c).**

~~(e)~~ **(f)** The department shall develop career awareness and career development models as described in subsection ~~(f)~~ **(g)** to assist schools in complying with this section.

~~(f)~~ **(g)** The models described in this subsection must be developed in accordance with the following:

(1) For grades 1 through 5, career awareness models to introduce students to work values and basic employment concepts.

(2) For grades 6 through 8, initial career information models that focus on career choices as they relate to student interest and skills.

(3) For grades 9 through ~~10,~~ **12,** career exploration models that offer students insight into future employment options **and**

~~(4) For grades 11 through 12,~~ career preparation models that provide job or further education counseling, including the following:

(A) Initial job counseling, including the use of job service officers to provide school based assessment, information, and guidance on employment options and the rights of students as employees.

(B) Workplace orientation visits.

(C) On-the-job experience exercises.

~~(g)~~ **(h)** The department, with assistance from the department of labor and the department of workforce development, shall:

(1) develop and make available teacher guides; and

(2) conduct seminars or other teacher education activities;

to assist teachers in providing the instruction described in this section.

~~(h)~~ **(i)** The department shall, with assistance from the department of workforce development, design and implement innovative career preparation demonstration projects for students in at least grade 9.

~~(i) Beginning July 1, 2017, the department, in consultation with the department of workforce development, shall implement a pilot program for instruction in and use of the Indiana career explorer program and standards by all students in grade 8 attending schools in fifteen (15) schools. The department shall select the following to participate in the pilot program:~~

~~(1) Five (5) urban schools.~~

~~(2) Five (5) rural schools.~~

~~(3) Five (5) suburban schools.~~

~~The pilot program expires July 1, 2018, unless the department determines that the pilot program should be continued for an additional year. If the department determines that the pilot program should be extended, the department, in consultation with the department of workforce development, shall increase the number of schools involved in the pilot program by at least fifteen (15) additional schools in the second year of the pilot program, if possible based on the interest from schools. The pilot program expires July 1, 2019.~~

(j) ~~Beginning July 1 in the year in which the pilot program described in subsection (i) expires,~~ Each school in a school corporation and each charter school shall include in the school's curriculum state developed career standards for all students in grade 8 that include instruction in and use of either:

(1) the Indiana career explorer program and standards; or

(2) an alternative Internet based system and standards that provide students with career and college planning resources that have been approved by the state board under subsection ~~(k).~~ **(l).**

This subsection expires June 30, 2021.

(k) Beginning July 1, 2021, each school in a school corporation and each charter school:

(1) shall include in the school's curriculum state developed career standards for all students in grade 8; and

(2) except as required by subdivision (1), may include in the school's curriculum state developed career standards for all students in any grade level;

that include instruction in and use of the Indiana career explorer program.

~~(k)~~ **(l)** A school corporation or charter school may submit a request to the state board to approve an alternative Internet based system and standards that provide students with career and college planning resources. The state board, in consultation with the department and the department of workforce development, may approve an alternative system and standards if the state board determines that the alternative system:

(1) has an aptitude assessment tool;

(2) contains educational course track information;

(3) has a tool for the preparation and development of the graduation plan prescribed in IC 20-30-4, including a parent sign in component;

(4) allows access to education and career demand information using data prepared by the department of workforce development; and

(5) is aligned to interdisciplinary employability skills standards prescribed in subsection ~~(c).~~ **(d).**

This subsection expires June 30, 2021.

(m) Beginning July 1, 2021, the department of workforce

development shall implement an Indiana career explorer program that includes software or an Internet based system that does the following:

(1) Provides access to education and career demand information using data prepared by the department of workforce development.

(2) Provides educational and career assessments or tools that:

(A) must include an aptitude and career assessment;

(B) is aligned to interdisciplinary employability skills standards prescribed in subsection (d); and

(C) may include the following:

(i) educational course track information; and

(ii) a tool for the preparation and development of the graduation plan prescribed in IC 20-30-4, including a parent sign in component.

SECTION 4. IC 20-30-5-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 14.5. (a) Not later than December 31, 2020, the department of workforce development shall issue a request for proposals in accordance with IC 5-22-9 for the purpose of entering a public-private partnership for the provision of educational and career assessments or tools described in section 14(m)(2) of this chapter.**

(b) The department of workforce development shall complete the request for proposals process and implement the Indiana career explorer program described in section 14(m) of this chapter not later than July 1, 2021.

(c) The department of workforce development may adopt rules under IC 4-22-2 to implement this section and section 14(m) of this chapter.

(d) This section expires July 1, 2022.

SECTION 5. IC 20-30-5-23, AS ADDED BY P.L.132-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 23. (a) After June 30, 2021, each public high school, including each charter school, shall offer at least one (1) computer science course as a one (1) semester elective in the public high school's curriculum at least once each school year for high school students.

(b) After June 30, 2021, each public school, including each charter school, shall include computer science in the public school's curriculum for students in kindergarten through grade 12. A public high school fulfills the requirements under this subsection by meeting the requirements under subsection (a).

(c) If a public school fails to comply with this section, the department shall assist the public school in meeting the requirements under this section.

(d) The department shall:

(1) prepare an annual report concerning the implementation of computer science courses in public high schools, including charter schools, that includes the information described in subsection (e); and

(2) submit and present orally, before December 1 of each year, the report to the following:

(A) The state board.

(B) The general assembly.

(C) The commission for higher education.

The department shall submit the written report to the general assembly in an electronic format under IC 5-14-6.

(e) The report under subsection (d) must include the following information:

(1) The total number of computer science courses offered in each public high school, including each charter school, and by each course title approved by the department.

(2) The number and percentage of students enrolled in a computer science course disaggregated by:

(A) race;

(B) gender;

(C) grade;

(D) ethnicity;

(E) limited English language proficiency;

(F) free or reduced price lunch status; and

(G) eligibility for special education.

(3) The number of computer science instructors at each school disaggregated by:

(A) gender;

(B) certification, if applicable; and

(C) academic degree.

(4) Any other pertinent matters.

(f) The department shall post the report described in subsections (d) and (e) on the department's Internet web site.

SECTION 6. IC 20-31-5-4, AS AMENDED BY P.L.143-2019, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) A plan must:

(1) state objectives for a three (3) year period; and

(2) be annually reviewed and revised to accomplish the achievement objectives of the school.

(b) A plan must establish objectives for the school to achieve.

(c) A plan must address the learning needs of all students, including programs and services for exceptional learners.

(d) A plan must specify how and to what extent the school expects to make continuous improvement in all areas of the education system where results are measured by setting benchmarks for progress on an individual school basis.

(e) A plan must note specific areas where improvement is needed immediately.

(f) ~~On or before November 1 of the year in which the pilot program described in IC 20-30-5-14(i) expires,~~ Each school in a school corporation and each charter school shall include in the plan a summary of how the school will implement the curriculum described in ~~IC 20-30-5-14(f),~~ **IC 20-30-5-14(g),** including the proposed student activities. A school may subsequently amend the school's plan under this subsection in a manner prescribed by the department. The department shall review the submitted plans under this subsection every two (2) years and may review a plan at random to review the relevancy of the plan to the changing economy. The department shall assist schools in incorporating best practices from around the state.

(g) Each year before November 1, the budget agency shall estimate the costs incurred by each school corporation in the immediately preceding school year to implement the curriculum described in ~~IC 20-30-5-14(f),~~ **IC 20-30-5-14(g),** including the proposed student activities, and submit a report of these costs by

school corporation to the general assembly in an electronic format under IC 5-14-6.

SECTION 7. IC 22-4.1-25-2, AS ADDED BY P.L.57-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) The department shall establish and maintain a work ethic certificate program to:

(1) connect employers to local school corporations and schools to create a collaborative partnership that benefits the community;

(2) provide high school students with an understanding of necessary employability skills for in-demand jobs and allow students an opportunity to demonstrate their understanding of the employability skills while in high school; and

(3) provide employers with potential employees who understand the values and importance of responsibility and perseverance in the workplace.

(b) The department shall develop the program in consultation with employers, community based programs, and postsecondary educational institutions. The department shall develop application guidelines for the program.

(c) A school corporation, school, consortium of school corporations or schools, or a local workforce development board serving schools may apply to participate in the program at a time and in a manner prescribed by the department.

(d) The department shall align the program to interdisciplinary employability skills standards prescribed in ~~IC 20-30-5-14(c).~~ **IC 20-30-5-14(d).**

SECTION 8. **An emergency is declared for this act.**".

Delete pages 2 through 4.

Renumber all SECTIONS consecutively.

(Reference is to SB 295 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 299, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, delete lines 41 through 42, begin a new line double block indented and insert:

"**(J) On a form developed by the state department:**

(i) that a pregnant woman, after an abortion induced by an abortion inducing drug, will expel an aborted fetus; and

(ii) the disposition policy of the health care provider or the abortion clinic concerning the disposition of the aborted fetus. The disposition policy must allow the pregnant woman to return the aborted fetus to the health care provider or abortion clinic for disposition by interment or cremation.".

Page 4, delete lines 1 through 7.

Page 6, line 12, delete "or, in the" and insert "**and in abortion induced by an abortion inducing drug, whether the pregnant woman will return the aborted fetus to the health care provider or abortion clinic for disposition by interment or cremation.**".

Page 6, delete lines 13 through 16.

Page 6, delete lines 24 through 27, begin a new paragraph and insert:

"**(e) In the case of an abortion induced by an abortion inducing drug, the pregnant woman may return the aborted fetus to the health care provider or abortion clinic for disposition by interment or cremation.**".

Page 7, line 16, delete "chemical." and insert "**induced by an abortion inducing drug.**".

Page 7, line 19, delete "a chemical abortion:" and insert "**an abortion induced by an abortion inducing drug:**".

Page 7, line 20, delete "bury" and insert "**inter**".

Page 7, line 22, after "abortion" insert "**clinic**".

Page 7, line 23, delete "where" and insert "**if**".

Page 7, line 38, delete "it" and insert "**the abortion clinic or the health care facility**".

(Reference is to SB 299 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 1.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 311, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 2.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 319, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective date in SECTION 1 with "[EFFECTIVE UPON PASSAGE]".

Page 2, after line 19, begin a new paragraph and insert:

"**(c) This section may not be construed to limit the types of professional development that qualify for professional growth experience points.**

SECTION 2. **An emergency is declared for this act.**".

(Reference is to SB 319 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 320, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 18, delete "The" and insert "**Except as provided in section 8.7 of this chapter, the**".

Page 2, line 33, delete "." and insert "**, including a request for the employer's designated contact person's name and electronic mail address.**".

Page 2, line 36, delete "2020," and insert "**2021,**".

Page 2, line 41, delete "2020." and insert "**2021.**".

Page 2, line 42, delete "2020," and insert "**2021,**".

Page 3, line 23, delete "2020," and insert "**2021,**".

Page 3, delete lines 24 through 28, begin a new line block indented and insert:

"**(4) Beginning after December 31, 2020, the department shall automatically withdraw from an employer's designated business account only the amount of tax withholdings under section 8 of this chapter that are reported as due and owing on the taxpayer's Form WH-1 withholding tax report as authorized in this subsection. The tax withholdings withdrawn by the department from an employer's business account are for the purpose of compliance with this chapter.**".

Page 3, line 29, delete "2020," and insert "**2021,**".

Page 4, line 13, after "IRS Rev. Proc. 2012–32, 2012–35 I.R.B 1." insert "**The term does not include a certified professional employer organization as defined in Section 7705(a) of the Internal Revenue Code.**".

Page 4, line 14, delete "2020:" and insert "**2021:**".

Page 4, line 15, delete "The" and insert "**Except as provided in section 8.7 of this chapter, the**".

Page 4, line 23, delete "The" and insert "**Except as provided in section 8.7 of this chapter, the**".

Page 4, line 29, delete "September 1, 2020," and insert "**October 15, 2021,**".

Page 4, line 35, delete "The" and insert "**Except as provided in section 8.7 of this chapter, the**".

Page 4, line 38, delete "2020." and insert "**2021.**".

Page 4, line 39, delete "The" and insert "**Except as provided in section 8.7 of this chapter, the**".

Page 5, line 3, delete "2020." and insert "**2021.**".

Page 5, line 5, after "to" insert "**process payroll,**".

Page 5, line 7, after "actions" insert "**or other contracted services**".

Page 5, between lines 13 and 14, begin a new line block indented and insert:

"**(4) The third party withholding agent that receives notification from the department is required to notify its business clients of the contents of the notification.**".

Page 5, line 14, delete "A" and insert "**Except for large employers that have provided the department with a waiver as provided in section 8.7 of this chapter, a**".

Page 5, line 16, delete "2020," and insert "**2021,**".

Page 5, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 3. IC 6-3-4-8.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 8.7. (a) As used in this section, "large employer" means:**

(1) an employer that is a semi-weekly depositor as defined by 26 CFR 31.6302-1; or

(2) an employer that has an Indiana location and at least one (1) location outside of Indiana.

(b) Notwithstanding section 8.6 of this chapter, a large employer may use a third party withholding agent to submit the large employer's withholding tax under section 8 of this chapter on behalf of a large employer if the large employer submits a waiver to the department. The waiver must be on a form prescribed by the department. The large employer must state as part of the waiver that, if the third party withholding agent fails to remit withholding taxes that are due, the large employer is responsible and liable for the taxes and, if applicable, penalties and interest. A large employer's use of a third party withholding agent does not relieve the large employer of its duty to ensure that all withholding taxes due are properly remitted to the department.

(c) For a large employer under subsection (a)(1), the remittance schedule for the third party withholding agent to the department is as follows:

(1) For the employees of a large employer paid on either Wednesday, Thursday, or Friday, the withholding taxes collected must be remitted to the department not later than the following Wednesday.

(2) For the employees of a large employer paid on either Saturday, Sunday, Monday, or Tuesday, the withholding taxes collected must be remitted to the department not later than the following Friday.

(d) The department may establish procedures, prepare forms, and adopt rules and regulations necessary for the administration of this section.".

Renumber all SECTIONS consecutively.

(Reference is to SB 320 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 324, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 327, has

had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "that:" and insert "**that**".

Page 1, delete line 5.

Page 1, line 6, delete "(2)".

Page 1, run in lines 3 through 6.

Page 1, delete lines 7 through 9, begin a new paragraph and insert:

"**(b) This section does not apply to the following:**

(1) A church or religious society that is not regularly engaged in any activity described in section 201(1) of this chapter.

(2) A depository institution (as defined in IC 24-4.5-1-301.5(12)).

(3) A licensee (as defined in IC 24-4.4-1-301(17)).".

Page 1, line 10, after "report to" delete "a".

Page 1, line 11, delete "private consumer credit reporting service identified by".

Page 1, line 12, delete "under IC 24-4.5-7-404 the following information for".

Page 1, delete lines 13 through 15 and insert "**the following information in connection with any consumer loan to a debtor who is a resident of Indiana, regardless of where the loan is made, on which the person directly collects payments from or enforces rights against the debtor after June 30, 2020:**".

Page 2, delete lines 2 through 3.

Renumber all SECTIONS consecutively.

(Reference is to SB 327 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 335, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 1, after "sentencing)", insert "**IC 9-30-15.5 (habitual vehicular substance offender),**".

Page 2, line 10, delete "seven (7)" and insert "**fifteen (15)**".

Page 2, line 15, after "parole" insert "**(whichever occurs later)**".

Page 2, line 21, delete "seven (7)" and insert "**fifteen (15)**".

Page 2, line 26, after "parole" insert "**(whichever occurs later)**".

Page 2, between lines 38 and 39, begin a new line block indented and insert:

"**(7) Dealing in cocaine or a narcotic drug (IC 35-48-4-1).**

(8) Dealing in methamphetamine (IC 35-48-4-1.1).

(9) Manufacturing methamphetamine (IC 35-48-4-1.2).

(10) Dealing in a Schedule I, II, or III controlled substance (IC 35-48-4-2).".

Page 9, delete lines 29 through 42.

Delete pages 10 through 11.

Page 12, delete line 1.

Page 12, delete lines 14 through 42.

Delete pages 13 through 18.

Page 19, delete lines 1 through 26.

Page 31, delete lines 13 through 28.

Page 41, delete lines 30 through 42.

Delete pages 42 through 43.

Page 44, delete lines 1 through 12.

Page 88, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 66. IC 35-33-8-7, AS AMENDED BY P.L.187-2017, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) If a defendant:

(1) was admitted to bail under section 3.2(a)(2) of this chapter; and

(2) has failed to appear before the court as ordered;

the court shall, except as provided in subsection (b) or section ~~8(b)~~ **8(c)** of this chapter, declare the bond forfeited not earlier than one hundred twenty (120) days or more than three hundred sixty-five (365) days after the defendant's failure to appear and issue a warrant for the defendant's arrest.

(b) In a criminal case, if the court having jurisdiction over the criminal case receives written notice of a pending civil action or unsatisfied judgment against the criminal defendant arising out of the same transaction or occurrence forming the basis of the criminal case, funds deposited with the clerk of the court under section 3.2(a)(2) of this chapter may not be declared forfeited by the court, and the court shall order the deposited funds to be held by the clerk. If there is an entry of final judgment in favor of the plaintiff in the civil action, and if the deposit and the bond are subject to forfeiture, the criminal court shall order payment of all or any part of the deposit to the plaintiff in the action, as is necessary to satisfy the judgment. The court shall then order the remainder of the deposit, if any, and the bond forfeited.

(c) Any proceedings concerning the bond, or its forfeiture, judgment, or execution of judgment, shall be held in the court that admitted the defendant to bail.

(d) After a bond has been forfeited under subsection (a) or (b), the clerk shall mail notice of forfeiture to the defendant. In addition, unless the court finds that there was justification for the defendant's failure to appear, the court shall immediately enter judgment, without pleadings and without change of judge or change of venue, against the defendant for the amount of the bail bond, and the clerk shall record the judgment.

(e) If a bond is forfeited and the court has entered a judgment under subsection (d), the clerk shall transfer to the state common school fund:

(1) any amount remaining on deposit with the court (less the fees retained by the clerk); and

(2) any amount collected in satisfaction of the judgment.

(f) The clerk shall return a deposit, less the administrative fee, made under section 3.2(a)(2) of this chapter to the defendant, if the defendant appeared at trial and the other critical stages of the legal proceedings. SECTION 67. IC 35-33-8-8 IS AMENDED

TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) If a defendant was admitted to bail under section 3.2(a) of this chapter and the defendant has knowingly and intentionally failed to appear before the court as ordered, the court:

(1) shall issue a warrant for the defendant's arrest;

(2) may not release the defendant on personal recognizance; and

(3) may not set bail for the rearrest of the defendant on the warrant at an amount that is less than the greater of:

(A) the amount of the original bail; or

(B) two thousand five hundred dollars ($2,500);

in the form of a bond issued by an entity defined in IC 27-10-1-7 or the full amount of the bond in cash.

(b) If a defendant charged with a crime of violence (as defined in IC 35-50-1-2) was admitted to bail under section 3.2(a) of this chapter and, while awaiting trial on this offense, was subsequently rearrested for a new offense that is a Level 5 felony or greater, the court:

(1) may not release the defendant on personal recognizance; and

(2) may not set bail for the new offense at an amount that is less than the greater of:

(A) the amount of the original bail; or

(B) two thousand five hundred dollars ($2,500);

in the form of a bond issued by an entity defined in IC 27-10-1-7 or the full amount of the bond in cash.

~~(b)~~ **(c)** In a criminal case, if the court having jurisdiction over the criminal case receives written notice of a pending civil action or unsatisfied judgment against the criminal defendant arising out of the same transaction or occurrence forming the basis of the criminal case, funds deposited with the clerk of the court under section 3.2(a)(2) of this chapter may not be declared forfeited by the court, and the court shall order the deposited funds to be held by the clerk. If there is an entry of final judgment in favor of the plaintiff in the civil action, and if the deposit is subject to forfeiture, the criminal court shall order payment of all or any part of the deposit to the plaintiff in the action, as is necessary to satisfy the judgment. The court shall then order the remainder of the deposit, if any, forfeited.".

Page 107, line 25, reset in roman "IC 9-30-4-6.1(b)(3)".

Page 107, line 25, delete "IC 9-30-4-6.1(a)".

Page 107, line 26, reset in roman "IC 9-30-4-6.1(d)(1)".

Page 107, line 26, delete "IC 9-30-4-6.1(c)(1)".

Page 107, line 26, reset in roman "IC 9-30-4-6.1(d)(2).".

Page 107, line 27, delete "IC 9-30-4-6.1(c)(2).".

Page 108, delete lines 11 through 26.

Page 111, delete lines 13 through 42.

Delete page 112.

Page 113, delete lines 1 through 20, begin a new paragraph and insert:

"SECTION 83. IC 35-47-2-18, AS AMENDED BY P.L.158-2013, SECTION 582, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) No person shall:

~~(1) change, alter, remove, or obliterate the name of the maker, model, manufacturer's~~ serial ~~number, or other mark of identification on any handgun; or~~

~~(2) possess any handgun on which the name of the maker, model, manufacturer's serial number, or other mark of identification has been changed, altered, removed, or obliterated;~~

~~except as provided by applicable United States statute.~~

(1) remove, obliterate, or alter the importer or manufacturer's serial number on any firearm; or

(2) possess any firearm on which the importer or manufacturer's serial number has been removed, obliterated, or altered.

(b) A person who knowingly or intentionally violates this section commits a Level 5 felony.".

Page 117, line 3, after "from" insert "**a licensed producer in**".

Page 117, line 4, delete "into another" and insert "**to a licensed handler in any**".

Page 118, line 19, delete "(IC 35-44.1-3-1)" and insert "(IC 35-44.1-3-1).".

Page 118, delete lines 20 through 21.

Page 118, line 22, after "(19)" insert "**(20)**".

Page 118, line 22, reset in roman "Unlawful possession of a firearm by a serious violent felon".

Page 118, reset in roman line 23.

Page 118, line 24, delete "(20)" and insert "**(21)**".

Page 127, delete lines 36 through 42.

Page 128, delete lines 1 through 2.

Renumber all SECTIONS consecutively.

(Reference is to SB 335 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 4, Nays 2.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 337, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete lines 27 through 42.

Delete page 3.

Page 4, delete lines 1 through 14.

Page 4, delete lines 33 through 42, begin a new line block indented and insert:

"**(8) A disclosure of the components of the total charity care deduction taken by a nonprofit hospital in determining net patient revenue under subdivision (7), including:**

(A) if the deduction is disclosed and written off using an amount other than the Medicare reimbursement rate, the amount of the patient charity care write off using the Medicare reimbursement rate provided by the office of Medicaid policy and planning; and

(B) the amounts and descriptions of any charity care write offs for non-patient services that are included in the total charity care deduction.".

Page 5, delete lines 1 through 13.

Page 7, line 5, delete "seven hundred thirty (730) days" and

insert "**twenty-four months (24)**".

Page 7, delete lines 8 through 11, begin a new line block indented and insert:

"**(2) The covenant not to compete must allow the physician:**

(A) access to a list of the patients, with their corresponding contact information, whom the physician saw or treated not more than two (2) years before the termination of the physician's contract of employment; and

(B) to contact any of the patients in the list described in clause (A) to inform them of the physician's updated contact information.".

Page 7, line 12, after "physician" insert "**prompt**".

Page 7, line 20, after "patients" insert "**and their corresponding contact information**".

Page 7, line 41, delete "with an acute illness" and insert "**, in any location,**".

Page 8, delete lines 9 through 42.

Delete page 9.

Page 10, delete lines 1 through 10.

Page 11, delete lines 15 through 42.

Delete page 12.

Page 13, delete lines 1 through 13.

Page 13, line 22, delete "manufacturer." and insert "**manufacturer and any other revenue and fees derived by the pharmacy benefit manager from the contract. A contract may not contain provisions that impose unreasonable fees or conditions that would severely restrict a party's right to conduct an audit under this subsection.**".

Page 14, delete lines 22 through 42.

Delete pages 15 through 20.

Page 21, delete lines 1 through 19.

Page 21, delete lines 32 through 36, begin a new paragraph and insert:

"**(b) A short term insurance plan insurer shall provide to the commissioner any marketing materials concerning the offering or sale of a guaranteed renewable option for the short term insurance plans described in subsection (a) before the marketing materials are used.**".

Page 21, line 38, delete "the department of" and insert "**the worker's compensation board**".

Page 21, line 39, delete "workforce development".

Page 24, line 40, delete "2020," and insert "**2021,**".

Renumber all SECTIONS consecutively.

(Reference is to SB 337 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Senate Bill 343, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

MERRITT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 346, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 5, begin a new paragraph and insert:

"SECTION 1. IC 20-19-2-23 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 23. (a) As used in this section, "committee" means the Indiana technical advisory committee established by subsection (b).**

(b) The Indiana technical advisory committee is established.

(c) Subject to subsection (d), the committee consists of six (6) members appointed as follows:

(1) One (1) member who is appointed by the governor.

(2) One (1) member who is appointed by the president pro tempore of the senate.

(3) One (1) member who is appointed by the minority leader of the senate.

(4) One (1) member who is appointed by the speaker of the house of representatives.

(5) One (1) member who is appointed by the minority leader of the house of representatives.

(6) One (1) member who is appointed by the state board.

(d) To be appointed under subsection (c), an individual must have a diverse skill set, significant experience, and nationally recognized expertise regarding assessments, including one (1) or more of the following areas of expertise:

(1) Operational large scale assessment.

(2) Scaling and equating.

(3) Test design and form construction.

(4) Data forensics.

(5) Special populations, including English language learners and students with disabilities.

(6) Standard setting.

(7) Federal accountability requirements.

(8) Student growth models.

(9) State education policy.

(10) Interim testing and formative assessments.

(11) Learning and instructional practices.

(12) Diagnostic models.

(13) Expertise in testing accommodations for students with disabilities.

At least one (1) member of the committee must have the expertise listed in subdivision (13).

(e) To serve as a member of the committee, an individual appointed under subsection (c) must enter into an agreement

with the state board regarding the following:

(1) The duties of the individual as described under subsection (f) and any other duties established by the state board.

(2) The individual's compensation under the agreement.

An agreement entered into under this subsection must be for one (1) year from the date the member is appointed to the committee.

(f) The term of a member of the committee is one (1) year from the date that the member is appointed. If:

(1) a vacancy occurs on the committee; or

(2) an individual appointed under subsection (c) fails to enter into an agreement with the state board under subsection (e);

the appointing authority that appointed the member whose position is vacant or an individual who failed to enter into an agreement shall appoint another individual to fill the vacancy.

(g) The committee shall:

(1) advise the state board and department regarding matters related to:

(A) psychometrics;

(B) best testing practices;

(C) compliance with federal laws and regulations concerning testing accommodations for students with disabilities; and

(D) other issues involving standardized assessments; and

(2) prepare and submit reports to the state board upon request by the state board.

(h) If the state board requests that the committee prepare and submit a report, a member of the committee may submit:

(1) an individual report; or

(2) a joint report with other members.

A member of the committee may submit a report dissenting with a member or members of the committee who have filed a report.

(i) The committee shall meet upon request by the state board but not more than four (4) times each year.

(j) The state board shall provide administrative support to the committee.".

Page 1, line 14, strike "or".

Page 1, line 16, delete "7-49." and insert "7-49; **or**

(4) plan developed under Section 504 of the federal Rehabilitation Act, 29 U.S.C. 794.".

Renumber all SECTIONS consecutively.

(Reference is to SB 346 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Senate Bill 353, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Senate Bill 363, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT concerning civil procedure.

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.**

(b) The legislative council is urged to assign to the appropriate interim study committee during the 2020 legislative interim the topic of liability and insurance coverage for nongovernmental entities that serve at-risk youth. The interim study committee shall consider the following topics:

(1) Insurance rates and coverage for those entities that provide services to at-risk youth.

(2) Stabilizing the insurance market for those entities that provide services to at-risk youth.

(3) Other options for those entities that provide services to at-risk youth, including:

(A) possible immunity protections under the law;

(B) inclusion under the Indiana Tort Claims Act; and

(C) the creation of a statewide insurance mechanism for those entities that provide services to at-risk youth.

(c) If the topics described in subsection (b) are assigned to an interim study committee, the interim study committee shall issue a final report to the legislative council containing the interim study committee's findings and recommendations, including any recommended legislation, in an electronic format under IC 5-14-6, not later than November 1, 2020.

(d) This SECTION expires December 31, 2020.

SECTION 2. **An emergency is declared for this act.**".

Delete page 2.

Renumber all SECTIONS consecutively.

(Reference is to SB 363 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Senate Bill 364, has had the

same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete lines 20 through 29, begin a new paragraph and insert:

"**(f) As used in this subsection, "regulation affecting businesses" means any of the following:**

(1) Creation of a specific private civil cause of action to remedy consumer harm.

(2) Classification of an act or practice as a deceptive act that is actionable under IC 8-1-29.

(3) Imposition of a requirement for submission of information to a state or local government regarding a specific good or service.

(4) Imposition of a requirement for professional certification, licensing, or registration.

(5) Imposition of a requirement for government inspection.

(6) Imposition of a bonding requirement for a specific commercial activity.

(7) Imposition of a requirement for maintenance of insurance coverage.

As part of the statement of fiscal impact prepared for a bill during a regular session of the general assembly, the legislative services agency shall indicate, in a form approved by the legislative council, whether the bill includes any regulation affecting businesses.".

Page 3, line 2, after "with" insert "**the Indiana economic development corporation,**".

Page 3, line 3, after "budget" insert "**,**".

Page 3, line 16, delete "oversight," and insert "**oversight and sunset review framework,**".

Page 3, line 21, delete "(c)(3)," and insert "**(d)(3),**".

Page 3, line 21, delete "shall" and insert "**may**".

Page 4, delete lines 29 through 39, begin a new paragraph and insert:

"**(b) Not later than November 1, 2020, the Indiana department of education, in coordination with the commission for higher education, shall submit to the legislative council and the interim committee on commerce and economic development established by IC 2-5-1.3-4:**

(1) a report concerning the portability and reciprocity of Indiana licenses relative to other states; and

(2) an executive summary, and any recommendations, concerning portability and reciprocity of Indiana licenses relative to other states.

The report and the executive summary must be submitted in an electronic format under IC 5-14-6.

(c) During the 2020 and 2021 legislative interims, the Indiana professional licensing agency shall:

(1) identify bills enacted in the immediately preceding legislative session that affect the portability and reciprocity of Indiana licenses relative to other states; and

(2) issue to:

(A) the legislative council; and

(B) the interim committee on commerce and economic development established by IC 2-5-1.3-4;

a report concerning the effect of the bills on the portability and reciprocity of Indiana licenses relative to other states. The report concerning bills enacted in the 2020 legislative session must be issued not later than November 1, 2020, and the report concerning bills enacted in the 2021 legislative session must be issued not later than November 1, 2021. Each report must be submitted in an electronic format under IC 5-14-6.".

Page 4, line 40, delete "(c)" and insert "**(d)**".

Page 4, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 5. [EFFECTIVE UPON PASSAGE] **(a) During the 2020 and 2021 legislative interims, the Indiana state board of education, in consultation with the department of education, shall submit an executive summary report to the legislative council, to each member of the senate and house of representatives standing education committees, and to each member of the senate commerce and technology committee. The executive summary report must include the following:**

(1) All guidance issued by the Indiana state board of education and the department of education in the twelve (12) months preceding the date of the report.

(2) All administrative rules proposed, adopted, amended, or repealed by the Indiana state board of education or the department of education in the twelve (12) months preceding the date of the report.

(3) All executive orders or directives relevant to kindergarten through grade 12 education in Indiana in the twelve (12) months preceding the date of the report.

The report submitted during the 2020 legislative interim must be submitted not later than November 1, 2020, and the report submitted during the 2021 legislative interim must be submitted not later than November 1, 2021. Each report must be submitted in an electronic format under IC 5-14-6.

(b) This SECTION expires June 30, 2022.

SECTION 6. [EFFECTIVE UPON PASSAGE] **(a) During the 2020 and 2021 legislative interims, the commission for higher education, in collaboration with the governor's workforce cabinet and the department of workforce development, shall submit an executive summary report to the legislative council, to each member of the senate and house of representatives standing education committees, and to each member of the senate commerce and technology committee. The executive summary report must include the following:**

(1) All administrative rules proposed, adopted, amended, or repealed by the governor's workforce cabinet, the commission for higher education, and the department of workforce development in the twelve (12) months preceding the date of the report.

(2) All guidance issued by the governor's workforce cabinet, the commission for higher education, and the department of workforce development in the twelve (12) months preceding the date of the report.

(3) All executive orders or directives relevant to postsecondary education in Indiana in the twelve (12) months preceding the date of the report.

The report submitted during the 2020 legislative interim

must be submitted not later than November 1, 2020, and the report submitted during the 2021 legislative interim must be submitted not later than November 1, 2021. Each report must be submitted in an electronic format under IC 5-14-6.

(b) This SECTION expires June 30, 2022.

SECTION 7. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to an appropriate interim study committee for the 2020 legislative interim the task of studying relocation and talent incentives for Indiana. An interim study committee assigned to study this subject shall consider the following:**

(1) Comparative analysis of:

(A) other state and local relocation and talent incentive programs; and

(B) demonstrable returns on investment of those state and local programs.

(2) The following with respect to implementing an Indiana relocation and talent incentive program:

(A) State, local, and private investment and coordination.

(B) Recipient eligibility.

(C) Economic and labor market data to determine the extent of local discretion in the administration of the program based on local workforce needs.

(D) The likely participation rate by Indiana companies and the anticipated investment by the business sector to match or exceed investment of public funds.

(E) Marketing strategies and funding to promote relocation and talent incentives to targeted populations.

(F) Potential budget appropriation for purposes of administering the program and matching local and private investment.

(b) This SECTION expires December 31, 2020.".

Renumber all SECTIONS consecutively.

(Reference is to SB 364 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

PERFECT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 383, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "the president of".

Page 1, line 5, delete "institution, or the president's designee, shall" and insert "**institution shall annually prepare and submit a report to the state budget committee**".

Page 1, delete lines 6 through 11.

Page 1, line 12, delete "information and answer questions".

Page 1, line 15, delete "If the state educational" and insert **"The state budget committee shall review the report.**".

Page 1, delete lines 16 through 17.

Delete page 2.

(Reference is to SB 383 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Senate Bill 395, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 15.

Page 2, delete lines 1 through 4.

Page 3, delete lines 12 through 42, begin a new paragraph and insert:

"SECTION 3. IC 24-4.5-2-201, AS AMENDED BY P.L.91-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 201. Credit Service Charge for Consumer Credit Sales ~~other than Revolving Charge Accounts~~ — (1) **Except as provided in subsections (8) and (11),** with respect to a consumer credit sale, ~~other than a sale pursuant to a revolving charge account,~~ a seller may contract for and receive a credit service charge not exceeding that permitted by this section.

(2) The credit service charge, calculated according to the actuarial method, may not exceed the equivalent of the greater of:

(a) the total of:

(i) thirty-six percent (36%) per year on that part of the unpaid balances of the amount financed **(as defined in section 111 of this chapter)** which is two thousand dollars ($2,000) or less;

(ii) twenty-one percent (21%) per year on that part of the unpaid balances of the amount financed **(as defined in section 111 of this chapter)** which is more than two thousand dollars ($2,000) but does not exceed four thousand dollars ($4,000); and

(iii) fifteen percent (15%) per year on that part of the unpaid balances of the amount financed **(as defined in section 111 of this chapter)** which is more than four thousand dollars ($4,000); or

(b) twenty-five percent (25%) per year on the unpaid balances of the amount financed **(as defined in section 111 of this chapter).**

(3) **In the case of a sale agreement entered into before July 1, 2020,** this section does not limit or restrict the manner of contracting for the credit service charge, whether by way of add-on, discount, or otherwise, so long as the rate of the credit service charge does not exceed that permitted by this section. If the sale is precomputed:

(a) the credit service charge may be calculated on the assumption that all scheduled payments will be made when due; and

(b) the effect of prepayment is governed by the provisions on rebate upon prepayment in section 210 of this chapter.

(4) The following apply to a sale agreement for a consumer

credit sale (or for the refinancing or consolidation of a consumer credit sale) that is entered into after June 30, 2020:

(a) The credit service charge authorized by this section must be:

(i) contracted for between the seller and the debtor; and

(ii) calculated by applying a rate not exceeding the rate set forth in subsection (2) to unpaid balances of the amount financed (as defined in section 111 of this chapter).

(b) A sale agreement for a precomputed consumer credit sale is prohibited.

(c) Subject to subsection (13), in addition to the credit service charge authorized by subsection (2), and not subject to the rate set forth in subsection (2), the seller may contract for and receive as a condition for, or an incident to, the extension of credit only the authorized nonrefundable fee under subsection (11), whether the fee is:

(i) paid separately in cash or by check before or at consummation; or

(ii) withheld from the proceeds of the consumer credit sale.

~~(4)~~ **(5)** For the purposes of this section, the term of a sale agreement commences with the date the credit is granted or, if goods are delivered or services performed more than thirty (30) days after that date, with the date of commencement of delivery or performance except as set forth below:

(a) Delays attributable to the customer. Where the customer requests delivery after the thirty (30) day period or where delivery occurs after the thirty (30) day period for a reason attributable to the customer (including but not limited to failure to close on a residence or failure to obtain lease approval), the term of the sale agreement shall commence with the date credit is granted.

(b) Partial Deliveries. Where any portion of the order has been delivered within the thirty (30) day period, the term of the sale agreement shall commence with the date credit is granted.

Differences in the lengths of months are disregarded and a day may be counted as one-thirtieth (1/30) of a month. Subject to classifications and differentiations the seller may reasonably establish, a part of a month in excess of fifteen (15) days may be treated as a full month if periods of fifteen (15) days or less are disregarded and that procedure is not consistently used to obtain a greater yield than would otherwise be permitted.

(6) With respect to a consumer credit sale made pursuant to a revolving charge account, the parties to the sale may contract for the payment by the buyer of a credit service charge not exceeding that permitted in this section, subject to the following:

(a) The credit service charge contracted for and received may not exceed a charge in each monthly billing cycle which is either two and eighty-three thousandths percent (2.083%) of an amount not greater than:

(i) the average daily balance of the account;

(ii) the unpaid balance of the account on the same day of the billing cycle; or

(iii) subject to subsection (7), the median amount within a specified range within which the average daily balance of the account or the unpaid balance of the account, on the same day of the billing cycle, is included.

For purposes of clauses (ii) and (iii), a variation of not more than four (4) days from month to month is "the same day of the billing cycle".

(b) If the billing cycle is not monthly, the maximum charge is that percentage which bears the same relation to the applicable monthly maximum percentage as the number of days in the billing cycle bears to thirty (30).

(c) Notwithstanding subdivision (a), if there is an unpaid balance on the date as of which the credit service charge is applied, the seller may contract for and receive a charge not exceeding fifty cents ($0.50) if the billing cycle is monthly or longer, or the pro rata part of fifty cents ($0.50) which bears the same relation to fifty cents ($0.50) as the number of days in the billing cycle bears to thirty (30) if the billing cycle is shorter than monthly. However, a seller may not contract for or receive a charge under this subdivision if the seller has made an annual charge for the same period as permitted by the provisions on additional charges in section 202(1)(e) of this chapter.

~~(5)~~ **(7)** Subject to classifications and differentiations the seller may reasonably establish, the seller may make the same credit service charge on all amounts financed within a specified range. A credit service charge so made does not violate subsection (2) if:

(a) when applied to the median amount within each range, it does not exceed the maximum permitted by subsection (2); and

(b) when applied to the lowest amount within each range, it does not produce a rate of credit service charge exceeding the rate calculated according to ~~paragraph~~ **subdivision** (a) by more than eight percent (8%) of the rate calculated according to ~~paragraph~~ **subdivision** (a).

~~(6)~~ **(8)** Notwithstanding subsection (2), **with respect to a consumer sale other than a sale under a revolving charge account,** the seller may contract for and receive a minimum credit service charge of not more than thirty dollars ($30). The minimum credit service charge allowed under this subsection may be imposed only if **the seller does not contract for or receive a nonrefundable fee under subsection (11) and:**

(a) the debtor prepays in full a consumer credit sale, refinancing, or consolidation, regardless of whether the sale, refinancing, or consolidation is precomputed;

(b) the sale, refinancing, or consolidation prepaid by the debtor is subject to a credit service charge that:

(i) is contracted for by the parties; and

(ii) does not exceed the rate prescribed in subsection (2); and

(c) the credit service charge earned at the time of prepayment is less than the minimum credit service charge contracted for under this subsection.

~~(7)~~ **(9)** The amounts of two thousand dollars ($2,000) and four

thousand dollars ($4,000) in subsection (2) are subject to change pursuant to the provisions on adjustment of dollar amounts (IC 24-4.5-1-106). However, notwithstanding IC 24-4.5-1-106(1), the Reference Base Index to be used under this subsection is the Index for October 2012.

~~(8)~~ **(10)** The amount of thirty dollars ($30) in subsection ~~(6)~~ **(8)** is subject to change under the provisions on adjustment of dollar amounts (IC 24-4.5-1-106). However, notwithstanding IC 24-4.5-1-106(1), the Reference Base Index to be used under this subsection is the Index for October 1992.

(11) This subsection applies to a sale agreement entered into after June 30, 2020. Except as provided in subsection (8), and subject to subsection (13), in addition to the credit service charge authorized by subsection (2), and to any other fees permitted by this chapter, a seller may contract for and receive a nonrefundable fee in an amount which is not more than:

(a) seventy-five dollars ($75) for an amount financed (as defined in section 111 ofthis chapter) which is two thousand dollars ($2,000) or less;

(b) one hundred fifty dollars ($150) for an amount financed (as defined in section111 of this chapter) which is more than two thousand dollars ($2,000) but does not exceed four thousand dollars ($4,000); and

(c) two hundred fifty dollars ($250) for an amount financed (as defined in section111 of this chapter) which is more than four thousand dollars ($4,000).

The nonrefundable fee is not subject to refund or rebate. However, any fee amount charged by the seller under this subsection that exceeds the amounts permitted by this subsection constitutes a violation of this article under IC 24-4.5-6-107.5(l) and is subject to refund. The amounts in this subsection are not subject to change under IC 24-4.5-1-106.

(12) If the director determines that a seller's accrual method of accounting as applied to a consumer credit sale under this section involves the application of subterfuge for the purpose of circumventing this chapter, the director may conform the credit service charge and fees for the transaction to the limitations set forth in this section and may require a refund of overcharges under IC 24-4.5-6-106(2)(a). A determination by the director under this subsection:

(a) must be in writing;

(b) shall be delivered to all parties in the transaction; and

(c) is subject to IC 4-21.5-3.

(13) At the time of consummation of a consumer credit sale:

(a) the credit service charge authorized by subsection (2); and

(b) the nonrefundable fee authorized by subsection (11), in the case of a sale agreement entered into after June 30, 2020;

are subject to IC 35-45-7 and, when combined, may not exceed the rate set forth in IC 35-45-7-2.".

Delete pages 4 through 8.

Page 9, delete lines 1 through 35.

Page 12, line 19, delete "(IC 24-4.5-2-201(7))." and insert "**(IC 24-4.5-2-201(6)).**".

Page 12, line 31, delete "201(12)" and insert "**201(11)**".

Page 15, line 6, delete "(IC 24-4.5-2-201(9))" and insert "**(IC 24-4.5-2-201(8))**".

Page 15, line 30, delete "(IC 24-4.5-2-201(6))" and insert "**(IC 24-4.5-2-201(5))**".

Page 18, line 22, delete "(IC 24-4.5-2-201(7))" and insert "**(IC 24-4.5-2-201(6))**".

Page 18, delete lines 25 through 42, begin a new paragraph and insert:

"SECTION 12. IC 24-4.5-3-201, AS AMENDED BY P.L.159-2017, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 201. Loan Finance Charge for Consumer Loans other than Supervised Loans—(1) Except as provided in subsections ~~(6)~~ **(7)** and ~~(8),~~ **(9),** with respect to a consumer loan, other than a supervised loan (as defined in section 501 of this chapter), a lender may contract for a loan finance charge, calculated according to the actuarial method, not exceeding twenty-five percent (25%) per year on the unpaid balances of the principal **(as defined in section 107(3) of this chapter).**

(2) **In the case of a loan agreement entered into before July 1, 2020,** this section does not limit or restrict the manner of contracting for the loan finance charge, whether by way of add-on, discount, or otherwise, so long as the rate of the loan finance charge does not exceed that permitted by this section. If the loan is precomputed:

(a) the loan finance charge may be calculated on the assumption that all scheduled payments will be made when due; and

(b) the effect of prepayment is governed by the provisions on rebate upon prepayment in section 210 of this chapter.

(3) The following apply to a loan agreement for a consumer loan (or for the refinancing or consolidation of a consumer loan) that is entered into after June 30, 2020:

(a) The consumer loan is subject to this section, including the limitations set forth in:

(i) subsection (1) with respect to the loan finance charge; and

(ii) subsection (9)(b) with respect to the amount of the authorized nonrefundable fee, in the case of a consumer loan that is not secured by an interest in land.

(b) The loan finance charge authorized by this section must be:

(i) contracted for between the lender and the debtor; and

(ii) calculated by applying a rate not exceeding the rate set forth in subsection (1) to unpaid balances of the principal (as defined in section 107(3) of this chapter).

(c) A loan agreement for a precomputed consumer loan is prohibited.

(d) Subject to subsection (12), in addition to the loan finance charge authorized by subsection (1), and not subject to the twenty-five percent (25%) rate set forth in subsection (1), the lender may contract for and receive as a condition for, or an incident to, the

extension of credit only the authorized nonrefundable fee under subsection (9), whether the fee is:

(i) paid separately in cash or by check before or at consummation; or

(ii) withheld from the proceeds of the consumer loan.

~~(3)~~ **(4)** For the purposes of this section, the term of a loan commences with the date the loan is made. Differences in the lengths of months are disregarded, and a day may be counted as one-thirtieth (1/30) of a month. Subject to classifications and differentiations the lender may reasonably establish, a part of a month in excess of fifteen (15) days may be treated as a full month if periods of fifteen (15) days or less are disregarded and if that procedure is not consistently used to obtain a greater yield than would otherwise be permitted. For purposes of computing average daily balances, the creditor may elect to treat all months as consisting of thirty (30) days.

~~(4)~~ **(5)** With respect to a consumer loan made pursuant to a revolving loan account:

(a) the loan finance charge shall be deemed not to exceed the maximum annual percentage rate if the loan finance charge contracted for and received does not exceed a charge in each monthly billing cycle which is two and eighty-three thousandths percent (2.083%) of an amount not greater than:

(i) the average daily balance of the debt;

(ii) the unpaid balance of the debt on the same day of the billing cycle; or

(iii) subject to subsection ~~(5),~~ **(6),** the median amount within a specified range within which the average daily balance or the unpaid balance of the debt, on the same day of the billing cycle, is included; for the purposes of this ~~subparagraph~~ **clause** and ~~subparagraph~~ **clause** (ii), a variation of not more than four (4) days from month to month is "the same day of the billing cycle";

(b) if the billing cycle is not monthly, the loan finance charge shall be deemed not to exceed the maximum annual percentage rate if the loan finance charge contracted for and received does not exceed a percentage which bears the same relation to one-twelfth (1/12) the maximum annual percentage rate as the number of days in the billing cycle bears to thirty (30); and

(c) notwithstanding subsection (1), if there is an unpaid balance on the date as of which the loan finance charge is applied, the lender may contract for and receive a charge not exceeding fifty cents ($0.50) if the billing cycle is monthly or longer, or the pro rata part of fifty cents ($0.50) which bears the same relation to fifty cents ($0.50) as the number of days in the billing cycle bears to thirty (30) if the billing cycle is shorter than monthly, but no charge may be made pursuant to this ~~paragraph~~ **subdivision** if the lender has made an annual charge for the same period as permitted by the provisions on additional charges in section 202(1)(c) of this chapter.

~~(5)~~ **(6)** Subject to classifications and differentiations the lender may reasonably establish, the lender may make the same loan finance charge on all amounts financed within a specified range. A loan finance charge does not violate subsection (1) if:

(a) when applied to the median amount within each range, it does not exceed the maximum permitted by subsection (1); and

(b) when applied to the lowest amount within each range, it does not produce a rate of loan finance charge exceeding the rate calculated according to ~~paragraph~~ **subdivision** (a) by more than eight percent (8%) of the rate calculated according to ~~paragraph~~ **subdivision** (a).

~~(6)~~ **(7)** With respect to a consumer loan not made pursuant to a revolving loan account, the lender may contract for and receive a minimum loan finance charge of not more than thirty dollars ($30). The minimum loan finance charge allowed under this subsection may be imposed only if the lender does not ~~assess~~ **contract for or receive** a nonrefundable ~~prepaid finance charge~~ **fee** under subsection ~~(8)~~ **(9)** and:

(a) the debtor prepays in full a consumer loan, refinancing, or consolidation, regardless of whether the loan, refinancing, or consolidation is precomputed;

(b) the loan, refinancing, or consolidation prepaid by the debtor is subject to a loan finance charge that:

(i) is contracted for by the parties; and

(ii) does not exceed the rate prescribed in subsection (1); and

(c) the loan finance charge earned at the time of prepayment is less than the minimum loan finance charge contracted for under this subsection.

~~(7)~~ **(8)** The amount of thirty dollars ($30) in subsection ~~(6)~~ **(7)** is subject to change under the provisions on adjustment of dollar amounts (IC 24-4.5-1-106). However, notwithstanding IC 24-4.5-1-106(1), the Reference Base Index to be used under this subsection is the Index for October 1992.

~~(8)~~ **(9)** Except as provided in subsection ~~(6),~~ **(7), and subject to subsection (12),** in addition to the loan finance charge ~~provided for in this section~~ **authorized by subsection (1)** and to any other charges and fees permitted by this chapter, a lender may contract for and receive a nonrefundable ~~prepaid finance charge~~ **fee** of not more than the following:

(a) In the case of a consumer loan that is secured by an interest in land and that:

(i) is not made under a revolving loan account, two percent (2%) of the loan amount; or

(ii) is made under a revolving loan account, two percent (2%) of the line of credit.

(b) In the case of consumer loan that is not secured by an interest in land, fifty dollars ($50) **if the loan agreement is entered into before July 1, 2020. If the loan agreement is entered into after June 30, 2020, not more than the following**:

(i) Seventy-five dollars ($75), in the case of a loan agreement for a principal amount which is two thousand dollars ($2,000) or less.

(ii) One hundred fifty dollars ($150) in the case of a loan agreement for a principal amount which is more than two thousand dollars ($2,000) but does not exceed four thousand dollars ($4,000).

(iii) Two hundred fifty dollars ($250) in the case of a loan agreement for a principal amount which is more

than four thousand dollars ($4,000).

The amounts in this subsection are not subject to change under IC 24-4.5-1-106.

~~(9)~~ **(10)** The nonrefundable ~~prepaid finance charge~~ **fee** provided for in subsection ~~(8)~~ **(9)** is not subject to refund or rebate. **However, for any loan entered into after June 30, 2020, any fee amount charged by the seller under this subsection that exceeds the amounts permitted by subsection (9) constitutes a violation of this article under IC 24-4.5-6-107.5(l) and is subject to refund.**

(11) If the director determines that a lender's accrual method of accounting as applied to a consumer loan under this section involves the application of subterfuge for the purpose of circumventing this chapter, the director may conform the loan finance charge and fees for the transaction to the limitations set forth in this section and may require a refund of overcharges under IC 24-4.5-6-106(2)(a). A determination by the director under this subsection:

(a) must be in writing;

(b) shall be delivered to all parties in the transaction; and

(c) is subject to IC 4-21.5-3.

(12) At the time of consummation of a consumer loan:

(a) the loan finance charge authorized by subsection (1); and

(b) the nonrefundable fee authorized by subsection (9); are subject to IC 35-45-7 and, when combined, may not exceed the rate set forth in IC 35-45-7-2.

~~(10)~~ **(13)** Notwithstanding subsections ~~(8)~~ **(9)** and ~~(9),~~ **(10),** in the case of a consumer loan that is not secured by an interest in land, if a lender retains any part of a nonrefundable ~~prepaid finance charge~~ **fee** charged on a loan that is paid in full by a new loan from the same lender, the following apply:

(a) If the loan is paid in full by the new loan within three (3) months after the date of the prior loan, the lender may not charge a nonrefundable ~~prepaid finance charge~~ **fee** on the new loan, or, in the case of a revolving loan, on the increased credit line.

(b) The lender may not assess more than two (2) nonrefundable ~~prepaid finance charges~~ **fees** in any twelve (12) month period.

(c) Subject to subdivisions (a) and (b), if a loan that is entered into by a lender and a debtor before July 1, 2020, is paid in full by a new loan from the same lender after June 30, 2020, the lender may contract for and receive a nonrefundable fee in the amount set forth in subsection (9)(b) for loan agreements entered into after June 30, 2020.

~~(11)~~ **(14)** In the case of a consumer loan that is secured by an interest in land, this section does not prohibit a lender from contracting for and receiving a fee for preparing deeds, mortgages, reconveyances, and similar documents under section 202(1)(d)(ii) of this chapter, in addition to the nonrefundable ~~prepaid finance charge~~ **fee** provided for in subsection ~~(8).~~ **(9).**".

Delete pages 19 through 24.

Page 25, delete lines 1 through 17.

Page 33, delete lines 13 through 24.

Page 33, line 28, delete "This section applies only to a loan agreement entered into".

Page 33, line 29, delete "before July 1, 2020.".

Page 36, line 1, delete "201(9)(b)(ii)" and insert "**201(9)(b)**".

Page 36, line 2, delete "However, a lender may not encourage or".

Page 36, delete lines 3 through 7.

Page 36, line 33, delete "(IC 24-4.5-2-201(7))" and insert "**(IC 24-4.5-2-201(6))**".

Page 37, delete lines 33 through 42, begin a new paragraph and insert:

"SECTION 24. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to the interim study committee on financial institutions and insurance the task of studying the potential effect of breaking up the Uniform Consumer Credit Code codified at IC 24-4.5.**

(b) This SECTION expires January 1, 2021.".

(Reference is to SB 395 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 2.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 398, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, strike lines 18 through 19.

Page 5, delete lines 23 through 42.

Page 6, delete lines 1 through 8, begin a new paragraph and insert:

"SECTION 2. IC 20-26-20 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 20. Patriotic Youth Membership Organizations

Sec. 1. As used in this chapter, "organization" means any youth organization listed in Title 36 of the United States Code that has an educational purpose and promotes patriotism and civic involvement.

Sec. 2. As used in this chapter, "public school" means the following:

(1) A school maintained by a school corporation.

(2) A charter school.

Sec. 3. An organization may request that a public school allow representatives of the organization to provide oral, written, or oral and written information regarding the organization, including information regarding how the organization furthers the educational interests and civic involvement of students consistent with good citizenship and moral instruction provided under IC 20-30-5-6 and IC 20-30-5-5, to students of the public school on school property.

Sec. 4. Upon request by an organization under section 3 of this chapter, a public school shall provide, at least one (1) time each school year, a day and time, which may be during the school day as approved by the public school, for the

representatives of the organization to provide information to students on school property as described in section 3 of this chapter.

Sec. 5. (a) Each public school shall select a date, time, and location on school property that an organization may provide services and activities to students who are members of the organization.

(b) A public school shall make a good faith effort to select a date, time, and location on school property under subsection (a) that is mutually agreeable to the public school and organization.

Sec. 6. (a) A public school shall conduct an expanded criminal history check of a representative of an organization before the representative may:

(1) provide information to students at a public school as described in section 4 of this chapter; or

(2) participate in activities and services on school property as described in section 5 of this chapter.

The representative may be required to provide a written consent for the public school to conduct the expanded criminal history check. The representative of the organization is responsible for all costs associated with obtaining the expanded criminal history check.

(b) A public school may refuse to allow a representative to provide information or participate in activities and services as described in subsection (a) if the representative has been convicted of a felony listed in IC 20-28-5-8(c) or IC 20-28-5-8(d).

SECTION 3. IC 20-30-5-7, AS AMENDED BY P.L.97-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) Each school corporation shall include in the school corporation's curriculum the following studies:

(1) Language arts, including:
(A) English;
(B) grammar;
(C) composition;
(D) speech; and
(E) second languages.
(2) Mathematics.
(3) Social studies and citizenship, including the:
(A) constitutions;
(B) governmental systems; and
(C) histories;
of Indiana and the United States, including an enhanced study of the Holocaust in each high school United States history course. As part of the United States government credit awarded for the general, Core 40, Core 40 with academic honors, and Core 40 with technical honors designation, each high school shall administer the naturalization examination provided by the United States Citizenship and Immigration Services.
(4) Sciences, including, after June 30, 2021, computer science.
(5) Fine arts, including music and art.
(6) Health education, physical fitness, safety, and the effects of alcohol, tobacco, drugs, and other substances on the human body.
(7) Additional studies selected by each governing body, subject to revision by the state board.

(b) Each:
(1) school corporation;
(2) charter school; and
(3) accredited nonpublic school;
shall offer the study of ethnic and racial groups as a one (1) semester elective course in its high school curriculum at least once every school year.

(c) The course described in subsection (b) may be offered by the school corporation, charter school, or accredited nonpublic school through a course access program administered by the department.

(d) Not later than November 1, 2022, and not later than November 1 each year thereafter, the department shall report to the general assembly in an electronic format under IC 5-14-6 the following:

(1) The number of students who took the naturalization examination described in subsection (a)(3).

(2) The number of students who passed the naturalization examination described in subsection (a)(3) by a score of not less than sixty percent (60%) on their first attempt.

(3) The pass rate of the naturalization examination regarding the students who passed as described in subdivision (2).

(e) Not more than thirty (30) days after the department reports to the general assembly the information under subsection (d), the department shall post the pass rate under subsection (d)(3) on the department's Internet web site.

SECTION 4. IC 20-30-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 8.5. High School Equivalency Pilot Program

Sec. 1. This section applies to the following school corporations:

(1) Richmond Community Schools.

(2) Metropolitan School District of Washington Township Schools.

(3) Evansville Vanderburgh School Corporation.

(4) Metropolitan School District of Warren Township Schools.

Sec. 2. As used in this chapter, an "eligible student" means a student who has completed less than fifty percent (50%) of the required number of credits necessary to graduate upon entering the student's fourth year of high school or any subsequent semester.

Sec. 3. As used in this chapter, "program" refers to the high school equivalency pilot program established by section 6 of this chapter.

Sec. 4. As used in this chapter, "provider" is a current grantee receiving WIOA Title II money from the department of workforce development and that provides academic instruction and education services at the elementary or high school level that:

(1) include adult education, literacy activities, workplace adult education and literacy activities, family literacy activities, English language acquisition

activities, integrated English literacy and civics education, workforce preparation activities, or integrated education and training;

(2) transition to postsecondary education and training; and

(3) provide an ability to obtain employment.

Sec. 5. As used in this chapter, "WIOA" refers to the federal Workforce Innovation and Opportunity Act.

Sec. 6. (a) The high school equivalency pilot program is established. The purpose of the program is to allow an eligible student to enroll in a program to earn a high school equivalency diploma that would be recognized as a new form of diploma by a participating high school.

(b) A high school not listed in section 1 of this chapter may participate in the program beginning July 1, 2021, by notifying the adult education section of the department of workforce development in a manner prescribed by the department.

(c) Not more than five percent (5%) of a participating school's cohort may participate in the program at one (1) time.

Sec. 7. An eligible student may participate in the program in lieu of meeting the graduation requirements in IC 20-32-4-1.5.

Sec. 8. In addition to successfully achieving their high school equivalency diploma, an eligible student shall also successfully complete two (2) of the following career and college readiness programs:

(1) A certification class approved by the department or the department of workforce development.

(2) Project based, service based, or work based learning as prescribed by the graduation pathways.

(3) The ASVAB, ACCUPLACER, SAT, or ACT.

(4) EmployIndy Job Ready badges.

Sec. 9. An eligible student who successfully completes the requirements under section 8 of this chapter shall be counted in the school's graduation rate under IC 20-26-13.

Sec. 10. (a) A school corporation may contract with a provider to provide services for the program. However, the program may not receive money from WIOA Title II or state appropriated adult education funding. If contracting with a provider, the school corporation shall ensure the following:

(1) The provider is a WIOA Title II funded organization.

(2) Teachers provided by the provider hold a current teaching license from any state, and teachers of core subjects are highly qualified in the subjects to which they are assigned.

(3) The provider has provided one (1) or more dropout recovery or high school equivalency programs and testing for at least two (2) years prior to providing a program under this section.

(b) All contracts entered into by a school corporation and a provider shall include requirements for the protection of all personally identifiable student information that shall comply with all applicable state and federal laws and regulations.

Sec. 11. (a) If a school corporation decides to participate in the program, the school corporation shall fund the program from the school corporation's budget or from:

(1) gifts, donations, and bequests;

(2) grants, including federal grants and grants from private entitles;

(3) funds from any other source; and

(4) a combination of the resources described in subdivisions (1), (2), and (3).

(b) Not later than sixty (60) days after the identification of the source of the funds, the governing body of a school corporation shall conduct a public hearing at a location within the school corporation to present and discuss the source of the funds. The governing body may conduct the meeting in conjunction with a regular meeting of the governing body.

Sec. 12. If an eligible student enrolled in a school corporation participates in the program, the eligible student may not be a student of an adult education center (as described in IC 22-4.1-20) or adult high school (as defined under IC 20-24-1-2.3).

Sec. 13. Not later than July 1, 2021, and not later than July 1 of each year thereafter, participating school corporations shall submit a report to the general assembly in an electronic format under IC 5-14-6 concerning the program that includes the following:

(1) The number of students eligible for the program.

(2) The number of students who participated in the program.

(3) The number of credits upon entry to the program.

(4) The number of students who successfully achieved their high school equivalency diploma through the program.

(5) A list of credentials earned upon completion of the program.

(6) Recommendations on improvements to the program.

(7) An estimated cost to each school corporation for the program.

(8) Any other relevant consideration.

Sec. 14. This chapter expires June 30, 2024.".

Page 6, line 16, after "administered" insert "**high school equivalency**".

Page 6, line 17, delete "standards;" and insert "**standards that includes subtests of reading, mathematics, science, social studies, and writing;**".

Page 6, line 20, after "in-person" insert "**and online**".

Page 6, line 21, after "national" insert "**and Indiana**".

Page 6, line 23, delete "two (2) practice tests" and insert "**one (1) practice test**".

Page 6, delete lines 25 through 26, begin a new line block indented and insert:

"**(5) at least two (2) retests for each subtest, free of charge; and**".

Page 6, after line 32, begin a new paragraph and insert:

"SECTION 6. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to an appropriate interim study committee for study during the 2020 interim the topics of:**

(1) whether the state should encourage robotics classes and clubs for students in kindergarten through grade

12; and

(2) if so, what forms that encouragement should take, in any combination of:

(A) one (1) or more programs of grants, competitive prizes, or other funding methods;

(B) additional teacher training;

(C) cooperative arrangements with postsecondary educational institutions; or

(D) other feasible methods.

(b) This SECTION expires January 1, 2021.

SECTION 7. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 398 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 400, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 5, after "use;" insert "**and**".

Page 2, strike lines 6 through 7.

Page 2, line 8, strike "(3)" and insert "**(2)**".

(Reference is to SB 400 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 3.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 401, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 16, strike "thirty-seven thousand four".

Page 2, line 17, strike "hundred forty dollars ($37,440)." and insert "**sixty-two thousand five hundred twenty-five dollars ($62,525).**".

Page 2, line 20, strike "forty-nine thousand nine".

Page 2, line 21, strike "hundred twenty dollars ($49,920)." and insert "**eighty-three thousand four hundred thirteen dollars ($83,413).**".

Page 2, line 24, strike "eighteen".

Page 2, line 25, strike "thousand seven hundred twenty dollars ($18,720)" and insert "**thirty-one thousand two hundred sixty-two dollars ($31,262) per dwelling**".

(Reference is to SB 401 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 13, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 403, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, between lines 21 and 22, begin a new paragraph and insert:

"**(f) A professional appraiser or professional appraisal firm may represent a taxpayer in a review of an assessment before the county board or the Indiana board only if the taxpayer and the professional appraiser or professional appraisal firm entered into an appraisal agreement prior to the performance of the appraisal that included a provision requiring the professional appraiser or professional appraisal firm to represent the taxpayer in the event of an appeal without any additional cost.**".

Page 2, line 22, delete "(f)" and insert "**(g)**".

Page 3, line 4, delete "(g)" and insert "**(h)**".

(Reference is to SB 403 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Senate Bill 405, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

PERFECT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 406, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 6, delete lines 41 through 42.

Delete pages 7 through 9.

Renumber all SECTIONS consecutively.

(Reference is to SB 406 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 408, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 4-23-7.3-14, AS AMENDED BY P.L.3-2008, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. The state GIS officer shall do the following:

(1) Function as the chief officer for GIS matters for state agencies.

(2) Review and either veto or adopt both the:

(A) state's GIS data standards; and

(B) statewide data integration plan;

as recommended by the IGIC. If either of the recommendations is vetoed, the state GIS officer shall return the recommendation to the IGIC with a message announcing the veto and stating the reasons for the veto. If the IGIC ceases to exist or refuses to make the recommendations listed in this subdivision, the state GIS officer may develop and adopt state GIS data standards and a statewide data integration plan. The standards and the plan adopted under this subdivision must promote interoperability and open use of data with various GIS software, applications, computer hardware, and computer operating systems.

(3) Act as the administrator of:

(A) the state standards and policies concerning GIS data and framework data; and

(B) the statewide data integration plan.

(4) Enforce the state GIS data standards and execute the statewide data integration plan adopted under subdivision (2) through the use of:

(A) GIS policies developed for state agencies; and

(B) data exchange agreements involving an entity other than a state agency.

(5) Coordinate the state data center's duties under this chapter.

(6) Act as the state's representative for:

(A) requesting grants available for the acquisition or enhancement of GIS resources; and

(B) preparing funding proposals for grants to enhance coordination and implementation of GIS.

(7) Review and approve, in accordance with the statewide data integration plan, the procurement of GIS goods and services involving the state data center or a state agency.

(8) Cooperate with the United States Board on Geographic Names established by P.L.80-242 by serving as the chair of a committee formed with the IGIC as the state names authority for Indiana.

(9) Publish a biennial report. The report must include the status and metrics on the progress of the statewide data integration plan.

(10) Represent the state's interest to federal agencies regarding the National Spatial Data Infrastructure.

(11) Serve as the state's primary point of contact for communications and discussions with federal agencies regarding framework data, spatial data exchanges, cost leveraging opportunities, spatial data standards, and other GIS related issues.

(12) Facilitate GIS data cooperation between units of the federal, state, and local governments.

(13) Promote the development and maintenance of statewide GIS data and framework data layers associated with a statewide base map.

(14) Approve and maintain data exchange agreements to which the state data center or a state agency is a party to increase the amount and quality of GIS data and framework data available to the state.

(15) Use personnel made available from state educational institutions to provide technical support to the:

(A) state GIS officer in carrying out the officer's duties under this chapter; and

(B) IGIC.

(16) Establish, before December 31, 2021, and update, before December 31 of every year thereafter, in coordination with the office of technology and the management performance hub, a GIS that contains a parcel level data base for each county that may be used by the department of state revenue's tax systems to identify each taxing unit within which each taxpayer's residence is located. The state GIS officer shall provide the department of state revenue with any information necessary in order for the department of state revenue to use the GIS codes.".

Page 2, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 3. IC 5-1.2-4.5-1, AS ADDED BY P.L.108-2019, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MAY 1, 2020]: Sec. 1. (a) This section applies to:

(1) a public-private agreement to which the authority is a party under IC 8-15.5 and that was originally entered into before January 1, 2013; **and**

(2) any other agreement to which the authority or the state is a party under any provision of the Indiana Code, other than IC 8-15.5, that would increase revenue as the result of the monetization of a state asset.

(b) If an extension or an amendment to:

(1) a public-private agreement **described in subsection (a)(1),** which is proposed to be entered into after May 1, 2019; **or**

(2) an agreement described in subsection (a)(2), which is proposed to be entered into after May 1, 2020;

would require the approval of the authority at a meeting of the authority before taking effect, the authority shall submit the proposed extension or amendment to the ~~public-private~~ agreement to the budget committee established by IC 4-12-1-3 for its review. The budget committee may request that the authority, ~~or~~ the department of transportation, or both, **or the state, as applicable,** appear at a public meeting of the budget committee concerning the proposed extension or amendment to the ~~public-private~~ agreement. The authority **or the state** may not enter into any extension or amendment to ~~the public-private agreement~~ **an agreement described in this section** until after the budget committee has reviewed the proposed extension or amendment.

(c) If the authority or the state receives a lump sum payment

or a series of payments totaling more than one million dollars ($1,000,000) as a result of entering into any extension or amendment to the ~~public-private~~ agreement in accordance with subsection (b), any amount of that payment that is not obligated to cover any obligation incurred or amounts owed by the authority or the state before the date of the extension or amendment shall be deposited in a special payment reserve fund to be administered by the authority.

(d) The money in the special payment reserve fund at the end of any state fiscal year does not revert to any other fund.

(e) The authority shall invest or cause to be invested all the money in the special payment reserve fund in one (1) or more fiduciary accounts with a trustee that is a financial institution in accordance with the authority's investment policy.

(f) The special payment reserve fund may not be used for any purpose before May 1 of the year following the year in which the payment was received. Thereafter, unless the use of the fund is otherwise specified by law, the money in the fund shall be allocated and distributed to the fund into which the payment would have otherwise been deposited:

(1) under IC 8-15.5, **in the case of a public-private agreement described in subsection (a)(1); or**

(2) based on the agreement, in the case of an agreement described in subsection (a)(2).

SECTION 4. IC 5-1.2-4.5-2, AS ADDED BY P.L.108-2019, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MAY 1, 2020]: Sec. 2. (a) This section applies to:

(1) a public-private agreement to which the authority is a party under IC 8-15.5 and that is originally entered into after May 1, 2019; **and**

(2) any other agreement to which the authority or the state is a party under any provision of the Indiana Code, other than IC 8-15.5, that would increase revenue as the result of the monetization of a state asset and that is entered into after May 1, 2020.

(b) If an extension or an amendment to:

(1) a public-private agreement **described in subsection (a)(1)** would increase the amount to be:

~~(1)~~ **(A)** paid by the authority to the operator, another private entity, or a governmental entity by at least one hundred million dollars ($100,000,000); or

~~(2)~~ **(B)** received by the operator or a party related to the operator by at least one hundred million dollars ($100,000,000); **or**

(2) an agreement described in subsection (a)(2) would increase revenue by least one hundred million dollars ($100,000,000) as the result of the monetization of a state asset;

the authority **or the state** shall submit the proposed extension or amendment to the ~~public-private~~ agreement to the budget committee established by IC 4-12-1-3 for its review.

(c) The budget committee may request that the authority, ~~or~~ the department of transportation, or both, **or the state, as applicable,** appear at a public meeting of the budget committee concerning the proposed extension or amendment to ~~the public-private~~ **an** agreement **described in this section.** The authority **or the state** may not enter into any extension or amendment to ~~the public-private agreement~~ **an agreement described in this section** until after the budget committee has reviewed the proposed extension or amendment.".

Page 6, line 13, after "Indiana;" insert "**or**".

Page 6, line 15, delete "IC 6-2.5-8-1; or" and insert "**IC 6-2.5-8-1.**".

Page 6, delete lines 16 through 18.

Page 20, line 32, delete ", or fifty percent".

Page 20, delete line 33.

Page 20, line 34, delete "case of a married individual filing a separate return,".

Page 23, line 3, delete "withheld" and insert "**imposed**".

Page 26, line 19, delete "withheld" and insert "**imposed**".

Page 35, line 26, delete "withheld" and insert "**imposed**".

Page 36, delete lines 13 through 42.

Page 37, delete lines 1 through 31.

Page 45, delete lines 16 through 42, begin a new paragraph and insert:

"SECTION 33. IC 6-3-4-16.7, AS ADDED BY P.L.234-2019, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16.7. (a) For taxable years ending after December 31, 2019, a partnership that is required to provide twenty-five (25) or more ~~reports~~ **schedules K-1 of form IT-65** to partners ~~under section 12(b) of this chapter~~ or a corporation that is required to provide twenty-five (25) or more ~~reports~~ **schedules K-1 of form IT-20S** to shareholders ~~under section 13(b) of this chapter~~ must file all such ~~reports~~ **schedules** in an electronic format specified by the department.

(b) For taxable years ending after December 31, 2021, an estate or trust required to provide ten (10) or more reports to beneficiaries under section 15(b) of this chapter must file all such reports in an electronic format specified by the department.

(c) If the department receives a form IT-65, form IT-20S, or form IT-41 with more than fifty (50) schedules K-1 in a format other than the electronic format specified by the department, the department may provide written notification to the partnership, estate, or trust that the department will consider the schedules to not be filed until the schedules have been filed in the specified electronic format.".

Delete pages 46 through 55.

Page 56, delete lines 1 through 25.

Page 56, line 28, delete "JANUARY 1, 2021]:" and insert "APRIL 1, 2020]:".

Page 57, line 5, after "rate)," insert "**imposed on Marion County residents,**".

Page 57, line 9, delete "withholding tax on behalf of an individual or" and insert "**that is subject to the tax imposed**".

Page 57, line 10, delete "entity recipient".

Page 57, line 14, delete "twenty (20) days after the end of the month in" and insert "**thirty (30) days after the end of the calendar year during**".

Page 57, line 31, delete "chapter." and insert **"chapter, except against the tax imposed under this chapter.**".

Page 57, line 33, delete "withholding under this section" and insert "**tax under this chapter**".

Page 57, line 33, delete "information".

Page 57, line 35, delete "thirtieth" and insert "**fifteenth day of**

the fourth month".

Page 57, line 36, delete "day".

Page 60, delete lines 19 through 42, begin a new paragraph and insert:

"SECTION 37. IC 6-5.5-1-21 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 21. (a) "Loans arising in factoring" means:**

(1) a loan or extension of credit secured by one (1) or more accounts receivable; or

(2) a sale of one (1) or more accounts receivable in which the purchaser has recourse against the seller for an uncollected accounts receivable.

(b) The term does not refer to:

(1) a sale of one (1) or more accounts receivable without recourse; or

(2) an assignment of an account receivable.".

Delete page 61.

Page 62, delete lines 1 through 39.

Page 62, line 41, reset in roman "Sec. 606.5. (a) Every person included within the terms of".

Page 62, reset in roman line 42.

Page 63, reset in roman lines 1 through 17.

Page 63, line 35, after "(f)" insert "**(d)**".

Page 63, line 35, reset in roman "A distributor's or an Indiana transportation license is required for".

Page 63, reset in roman lines 36 through 39.

Page 63, line 40, after "(g)" insert "**(e)**".

Page 63, line 40, reset in roman "The operator of a vehicle to which this section applies shall at all".

Page 63, reset in roman lines 41 through 42.

Page 64, reset in roman lines 1 through 2.

Page 64, line 3, after "(h)" insert "**(f)**".

Page 64, line 3, reset in roman "The department shall provide for relief if a shipment of gasoline".

Page 64, reset in roman lines 4 through 12.

Page 68, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 46. IC 6-8.1-3-27 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 27. (a) The appropriate county officer, as designated by the county executive, in each county shall, before December 1, 2021, and before December 1 of every year thereafter, submit parcel level data to the state GIS officer to be used in establishing and updating the geographic information system described in IC 4-23-7.3-14(16).**

(b) Beginning January 1, 2022, the department shall integrate the geographic information system codes developed and updated by the state GIS officer under IC 4-23-7.3-14(16).

(c) Before July 1, 2021, and before every July 1 thereafter, the department and state GIS officer shall submit a report to the general assembly in an electronic format under IC 5-14-6 concerning the implementation and use of geographic information systems under this section.".

Page 71, line 39, delete "IC 6-3-4.5-9," and insert "**subsection (j),**".

Page 72, between lines 6 and 7, begin a new paragraph and insert:

"**(j) The following apply:**

(1) This subsection applies to partnerships whose taxable year:

(A) begins after December 31, 2017;

(B) ends after August 12, 2018; or

(C) begins after November 2, 2015, and before January 1, 2018, and for which a valid election under United States Treasury Regulation 301.9100-22 is in effect;

and to the partners of such partnerships, including any partners, shareholders, or beneficiaries of a pass through entity that is a partner in such partnership.

(2) Notwithstanding any other provision of this article, if a partnership is subject to federal income tax liability or a federal tax adjustment at the partnership level as the result of a modification under Sections 6221 through 6241 of the Internal Revenue Code, the date on which the department must issue a proposed assessment to either the partners or the partnership shall be the later of:

(A) the date on which a proposed assessment must otherwise be issued to the partner or the partnership under this section with regard to the taxable year of the partnership to which the modification is taxed at the partnership level; or

(B) December 31, 2021.

(3) For purposes of this section and IC 6-8.1-9-1, a modification under this subsection shall be considered a modification to the federal taxable income, federal adjusted gross income, or federal income tax liability of both the partners and the partnership within the meaning of IC 6-3-4-6 and IC 6-5.5-6-6, and shall be considered to be included in the federal taxable income or federal adjusted gross income of both the partners and partnerships for purposes of this article and IC 6-5.5.

(4) If a modification made to a partnership for federal income tax purposes is reported to the partners to determine the partners' respective federal taxable income, federal adjusted gross income, or federal income tax liability, including reporting to partners as the result of an election made under Section 6226 of the Internal Revenue Code, subdivision (2) shall not apply, and those modifications shall be treated as modifications to the partner's federal taxable income, federal adjusted gross income, or federal income tax liability for purposes of the following:

(A) This section.

(B) IC 6-3-4-6.

(C) IC 6-5.5-6-6.

(D) IC 6-8.1-9-1.".

Page 78, line 27, delete "Except as otherwise provided in IC 6-3-4.5-11, if" and insert "If".

Page 78, line 32, strike "later" and insert "**latest**".

Page 78, line 33, strike "or".

Page 78, line 40, delete "tax)." and insert "tax); **or**".

Page 78, between lines 40 and 41, begin a new line block indented and insert:

"**(3) in the case of a modification described in IC 6-8.1-5-2(j)(1) through IC 6-8.1-5-2(j)(3), December 31, 2021.**".

Page 82, delete lines 21 through 42, begin a new paragraph and insert:

"SECTION 52. IC 6-8.1-10-5, AS AMENDED BY P.L.293-2013(ts), SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 5. ~~(a) If a person makes a tax payment with a check, credit card, debit card, or electronic funds transfer, and the department is unable to obtain payment on the check, credit card, debit card, or electronic funds transfer for its full face amount when the check, credit card, debit card, or electronic funds transfer is presented for payment through normal banking channels, a penalty of ten percent (10%) of the unpaid tax or the value of the check, credit card, debit card, or electronic funds transfer, whichever is smaller, is imposed.~~

~~(b) When a penalty is imposed under subsection (a), the department shall notify the person by mail that the check, credit card, debit card, or electronic funds transfer was not honored and that the person has ten (10) days after the date the notice is mailed to pay the tax and the penalty either in cash, by certified check, or other guaranteed payment. If the person fails to make the payment within the ten (10) day period, the penalty is increased to thirty percent (30%) multiplied by the value of the check, credit card, debit card, or electronic funds transfer, or the unpaid tax, whichever is smaller.~~

~~(c) If a person has been assessed a penalty under subsection (a) more than one (1) time, the department may require all future payments for all listed taxes to be remitted with guaranteed funds.~~

~~(d) If the person subject to the penalty under this section can show that there is reasonable cause for the check, credit card, debit card, or electronic funds transfer not being honored, the department may waive the penalty imposed under this section.~~

(a) For purposes of this section, "payment instrument" shall mean:

(1) a check;

(2) a credit card;

(3) a debit card;

(4) an electronic funds transfer; or

(5) any other instrument in payment by any commercially allowable means.

(b) If a person makes a payment to the department for an amount due to the department with a payment instrument and the department is unable to obtain payment on the payment instrument for the full amount of the attempted payment when the payment instrument is presented for payment through the normal banking channels, the department shall:

(1) notify the person that the department was unable to obtain payment on the full amount of the payment instrument; and

(2) assess a penalty of thirty-five dollars ($35) not more than thirty (30) days after the department was unable to obtain payment.

(c) If the department determines that the person makes a payment described in subsection (b) fraudulently or otherwise knowing that the department would be unable to obtain payment on the payment instrument for the full amount of the attempted payment when the payment instrument is presented for payment through normal banking channels, the penalty shall be one hundred percent (100%) of the amount on which the department was unable to obtain payment, but not less than thirty-five dollars ($35). The following apply:

(1) A penalty assessment under this subsection shall be made not more than three (3) years after the department was unable to obtain payment.

(2) The penalty under this subsection shall not be made in addition to the penalty under subsection (b)(2). However, nothing shall prohibit the department from issuing a penalty under this subsection with regard to a payment after a penalty under subsection (b)(2) was issued.

(d) If the department is unable to obtain payment on a payment instrument, the amount on which the department was unable to obtain payment shall not be considered to be a payment of that amount.

(e) The following apply:

(1) Any penalty under subsection (b)(2) shall be due not less than twenty (20) days after the department issues the assessment under subsection (b)(2) or (c).

(2) If the person fails to pay the penalty provided under this section in full within the time specified by the department, the department may file a tax warrant for the unpaid portion of the penalty in the manner provided under IC 6-8.1-8-2.

(3) For purposes of this article, a penalty under subsection (b)(2) shall not be considered to be a proposed assessment under IC 6-8.1-5-1.

(f) If a person receives a penalty under subsection (c), the penalty shall be treated as a proposed assessment as provided in IC 6-8.1-5-1. However, if the person pays the penalty under subsection (c) and files a claim for refund of the penalty, notwithstanding IC 6-8.1-9-1, the payment of the penalty shall not be refunded unless the person protested the penalty pursuant to IC 6-8.1-5-1 in a timely manner.

(g) The following apply:

(1) If the penalty under subsection (b)(2) relates to an attempted payment of a liability for which the department has filed a tax warrant under IC 6-8.1-8-2 or for which the department files a tax warrant under IC 6-8.1-8-2 prior to the expiration of the period specified in subsection (e), the tax warrant may include the amount of the penalty provided in this section prior to the expiration of the period specified in subsection (e).

(2) If a penalty under this section is included as part of a proposed assessment under IC 6-8.1-5-1, the filing of a tax warrant for the penalty under this section shall be timely if the tax warrant for the penalty:

(A) was filed on or before the day as a timely filed tax warrant for the proposed assessment;

(B) was filed as part of the tax warrant for the proposed assessment; or

(C) was otherwise filed within the period allowable under IC 6-8.1-8-2.

(h) The following apply:

(1) The department may waive the penalty under this section if the person establishes that the person acted with reasonable cause in its attempted payment.

(2) If the department determines that the penalty under subsection (b)(2) shall not be waived, including a reduction granted under subdivision (3), such determination shall not be subject to administrative or judicial review.

(3) If the department determines that the penalty under this section should be waived, but the liability for the penalty has advanced to a tax warrant:

(A) the amount due under the tax warrant shall be reduced by the amount of any penalty under this section included in the tax warrant but not paid; or

(B) if the person has paid the penalty under this section, the department shall refund the penalty under this section paid by the person.

(4) Nothing shall prohibit judicial review of a penalty under this section if the penalty was imposed on a payment instrument upon which the department was able to collect the full amount of the payment instrument upon presentation of the payment through the normal banking channels.

(i) If a person has been subject to a penalty under this section more than one (1) time during a twenty-four (24) month period, or has been subject to a penalty under subsection (c) that has not been reduced or waived, the department may require the person to remit all future payments for all listed taxes with guaranteed funds.".

Page 83, delete lines 1 through 11.

Page 83, delete lines 38 through 42, begin a new paragraph and insert:

"SECTION 56. IC 6-8.1-16.3-5 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 5. (a) As used in this section, "fund" means the department of state revenue pilot program fund established by subsection (b).~~

~~(b) The department of state revenue pilot program fund is established.~~

~~(c) The fund shall be used to assist implementation and administration of the pilot program.~~

~~(d) The fund may consist of one (1) or more of the following:~~

~~(1) Appropriations made by the general assembly.~~

~~(2) Donations made or gifts donated to the fund.~~

~~(3) Any proceeds derived from agreements or contracts made with third parties.~~

~~(e) The fund shall be administered by the department.~~

~~(f) The expenses of administering the pilot program and the fund shall be paid for by the fund.~~

~~(g) Unless otherwise provided by state or federal law, expenses associated with the pilot program shall be paid for by fund proceeds.~~

~~(h) Any money in the fund at the end of a state fiscal year does not revert to the state general fund.~~

~~(i) Money in the fund is continuously appropriated to the department of state revenue to carry out the purposes of the fund.~~

SECTION 57. IC 6-8.1-16.3-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 2020]: **Sec. 5.5. (a) Any balance remaining on June 30, 2020, in the state revenue pilot program fund established by section 5 of this chapter (before its repeal) is transferred to the motor carrier regulation fund established by IC 8-2.1-23-1.**

(b) Notwithstanding any other law, any proceeds derived from agreements or a contract made with third parties under this chapter, and any other revenue received under this chapter, that would have been deposited in the state revenue pilot program fund established by section 5 of this chapter (before its repeal) shall be deposited in the motor carrier regulation fund established by IC 8-2.1-23-1.

SECTION 58. IC 8-2.1-23-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. Money in the motor carrier regulation fund does not revert to the state general fund. ~~However, if the amount of money in the fund at the end of a fiscal year exceeds five hundred thousand dollars ($500,000), the treasurer of state shall transfer the excess from the fund to the motor vehicle highway account established in IC 8-14-1.~~

SECTION 59. [EFFECTIVE JANUARY 1, 2021] **(a) IC 6-8.1-10-5, as amended by this act, shall be effective for attempted payments made after December 31, 2020.**

(b) This SECTION expires January 1, 2024.".

Page 84, delete lines 1 through 5.

Renumber all SECTIONS consecutively.

(Reference is to SB 408 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Senate Bill 409, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 14, delete "IC 22-2-18;" and insert "**IC 22-2-18 (before its expiration on June 30, 2021);**".

Page 2, line 16, delete "IC 22-2-18." and insert "**IC 22-2-18 (before its expiration on June 30, 2021) or IC 22-2-18.1.**

(c) The county election board is not required to register as an employer under IC 22-2-18.1.".

Page 3, line 2, delete "IC 22-2-18;" and insert "**IC 22-2-18 (before its expiration on June 30, 2021);**".

Page 3, line 4, delete "IC 22-2-18." and insert "**IC 22-2-18 (before its expiration on June 30, 2021) or IC 22-2-18.1.**

(f) The county election board is not required to register as an employer under IC 22-2-18.1.".

Page 3, line 25, delete "IC 22-2-18." and insert "**IC 22-2-18 (before its expiration on June 30, 2021).**".

Page 3, line 35, after "IC 20" insert "**and IC 22**".

Page 5, line 1, after "IC 22-2-18" insert ", **before its**

expiration on June 30, 2021".

Page 6, line 11, after "IC 22-2-18" insert ", **before its expiration on June 30, 2021**".

Page 8, line 25, after "issued" insert "**under IC 22-2-18 (before its expiration on June 30, 2021)**".

Page 8, line 27, delete "IC 22-2-18-21," and insert "**IC 22-2-18-21 (before its expiration on June 30, 2021),**".

Page 9, line 4, after "IC 22-2-18-21" insert "**(before its expiration on June 30, 2021)**".

Page 9, line 42, delete "IC 22-2-18-41." and insert "**IC 22-2-18-41 (before its expiration on June 30, 2021) and IC 22-2-18.1-23.**".

Page 10, line 23, delete "IC 22-2-18-44," and insert "**IC 22-2-18-44 (before its expiration on June 30, 2021),**".

Page 10, line 24, delete "IC 22-2-18-45, and IC 22-2-18-46." and insert "**IC 22-2-18-45 (before its expiration on June 30, 2021), and IC 22-2-18-46 (before its expiration on June 30, 2021) or violations under IC 22-2-18.1-30.**".

Page 10, line 28, delete "IC 22-2-18-44." and insert "**IC 22-2-18-44 (before its expiration).**".

Page 10, line 33, delete "centralized electronic permitting" and insert "**data base that is accessible by the public that displays an employer that has registered as an employer who employs minors**".

Page 10, line 34, delete "system for employment certificates".

Page 10, line 37, delete "a" and insert "**a data base that is accessible by the public that displays an employer that has registered as an employer who employs minors.**".

Page 10, delete lines 38 through 39.

Page 24, between lines 14 and 15, begin a new paragraph and insert:

"**Sec. 50. On May 1, 2020, the auditor of state shall transfer the balance that remains on April 30, 2020, in the employment of youth fund established by IC 20-33-4-42 (before its repeal) to the employment of youth fund established by section 48 of this chapter.**

Sec. 51. This chapter expires June 30, 2021.

SECTION 15. IC 22-2-18.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE MAY 1, 2020]:

Chapter 18.1. Employment of Minors

Sec. 1. This chapter is effective July 1, 2021.

Sec. 2. This chapter does not apply to:

(1) a parent who employs the parent's own child;

(2) a person standing in place of a parent who employs a child in the person's custody; or

(3) a legal entity whose ownership is limited to the parents of the employed child or persons standing in place of the parent of the employed child;

except in the instances of underage employment (as set forth in section 12 of this chapter) and employment in hazardous occupations designated by federal law (as set forth in section 23 of this chapter).

Sec. 3. This chapter applies to a minor less than eighteen (18) years of age who is employed or is seeking employment in Indiana.

Sec. 4. As used in this chapter, "department" refers to the department of labor created by IC 22-1-1-1.

Sec. 5. As used in this chapter, "employer" means a person, firm, limited liability company, or corporation that hires, employs, or permits a minor to work in a gainful occupation.

Sec. 6. As used in this chapter, "high school" has the meaning set forth in IC 20-18-2-7.

Sec. 7. As used in this chapter, "nonschool week" refers to a week that contains two (2) or fewer school days.

Sec. 8. As used in this chapter, "parent" has the meaning set forth in IC 20-18-2-13.

Sec. 9. As used in this chapter, "public school" has the meaning set forth in IC 20-18-2-15.

Sec. 10. As used in this chapter, "school day" refers to a day that contains more than four (4) hours of classroom instruction.

Sec. 11. As used in this chapter, "school week" refers to a week that contains at least three (3) school days.

Sec. 12. This section does not apply to a minor who is employed or works as a youth athletic program referee, umpire, or official under section 13 of this chapter. A minor less than:

(1) fourteen (14) years of age may not be employed or allowed to work in any gainful occupation except as a farm laborer, domestic service worker, or caddie for persons playing the game of golf; and

(2) twelve (12) years of age may not be permitted to work at farm labor except on a farm operated by the minor's parent.

Sec. 13. (a) If the conditions of subsections (b) and (c) are satisfied, a minor who is less than eighteen (18) years of age is exempt from the requirements of this chapter whenever the minor is employed or works as a youth athletic program referee, umpire, or official.

(b) A minor must satisfy all of the following:

(1) The minor is at least twelve (12) years of age.

(2) The minor is certified as a referee, umpire, or official by a national certification program.

(3) The minor is a referee, umpire, or official for an age bracket younger than the minor's own age.

(c) In addition to the requirements of subsection (b), one (1) of the following must be satisfied:

(1) The minor:

(A) works with a person who is:

(i) at least eighteen (18) years of age; and

(ii) also working as a referee, umpire, or official at the same athletic event at which the minor is working as a referee, umpire, or official; and

(B) has on file with the person responsible for assigning the minor to officiate for the youth athletic program the original or a copy of a written consent to the minor's employment as a referee, umpire, or official signed by the minor's parent or guardian.

(2) A minor's parent or guardian is present during the athletic event at which the minor is working as a referee, umpire, or official.

Sec. 14. This chapter may not prevent a minor of any age from singing, playing, or performing in a studio, circus, theatrical, or musical exhibition, concert, or festival, in radio

and television broadcasts, or as a live or photographic model. A minor less than eighteen (18) years of age may not be employed except under the following conditions:

(1) The activities described in this section must not:

(A) be detrimental to the life, health, safety, or welfare of the minor; or

(B) interfere with the schooling of the minor.

Provision shall be made for education equivalent to full-time school attendance in the public schools for minors less than sixteen (16) years of age.

(2) A parent shall accompany a minor less than sixteen (16) years of age at all rehearsals, appearances, and performances.

(3) The employment or appearance may not be in a cabaret, dance hall, night club, tavern, or other similar place.

Sec. 15. The employment of minors by the:

(1) Indiana School for the Deaf; and

(2) Indiana School for the Blind and Visually Impaired;

is subject to the general restrictions imposed on the employment of minors under this chapter.

Sec. 16. (a) Except as provided in subsection (b), sections 17 through 22 of this chapter apply only to the employment of a minor who is less than eighteen (18) years of age.

(b) Sections 17 through 22 of this chapter do not apply to the following:

(1) A minor who is at least fourteen (14) years of age but less than eighteen (18) years of age who:

(A) performs:

(i) farm labor; or

(ii) domestic service; or

(B) acts as a caddie for a person playing the game of golf.

(2) A minor who is:

(A) at least twelve (12) years of age but less than eighteen (18) years of age; and

(B) employed or works as a youth athletic program referee, umpire, or official under section 13 of this chapter.

(3) A minor less than eighteen (18) years of age who:

(A) works as an actor or performer if the provisions of section 14 of this chapter are met; or

(B) has graduated from high school.

Sec. 17. The following apply only to a minor who is at least fourteen (14) years of age and less than sixteen (16) years of age:

(1) The minor may not work before 7 a.m. or after 7 p.m. However, the minor may work until 9 p.m. from June 1 through Labor Day.

(2) The minor may not work:

(A) more than three (3) hours on a school day;

(B) more than eighteen (18) hours in a school week;

(C) more than eight (8) hours on a nonschool day; or

(D) more than forty (40) hours in a nonschool week.

Sec. 18. A minor who is at least sixteen (16) years of age and less than eighteen (18) years of age may not:

(1) work for more than nine (9) hours in any one (1) day;

(2) work for more than forty (40) hours in a school week;

(3) work for more than forty-eight (48) hours in a nonschool week;

(4) work for more than six (6) days in any one (1) week; or

(5) begin a work day before 6 a.m.

Sec. 19. A minor who is at least sixteen (16) years of age and less than eighteen (18) years of age may work until 10 p.m. on nights that are followed by a school day in any occupation except those that the commissioner of labor determines to be:

(1) dangerous to life or limb; or

(2) injurious to health or morals.

Sec. 20. A minor who is at least sixteen (16) years of age and less than eighteen (18) years of age may work until 11 p.m. on a night followed by a school day if the employer has obtained written permission from the minor's parent and placed the written permission on file in the employer's office.

Sec. 21. A minor who is at least sixteen (16) years of age and less than eighteen (18) years of age may be employed at the same daily and weekly hours and at the same times of day as adults if the minor is a member of any of the following categories:

(1) The minor is a high school graduate.

(2) The minor has completed an approved career and technical education program or special education program.

(3) The minor is not enrolled in a regular school term.

Sec. 22. Every employer that employs a minor at least fourteen (14) years of age and less than eighteen (18) years of age shall post and keep posted a printed notice in a conspicuous place or in places where notices to employees are customarily posted. This notice must state:

(1) the maximum number of hours a minor may be employed or permitted to work each day of the week; and

(2) the hours of beginning and ending each day.

The forms for this notice shall be furnished by the department.

Sec. 23. The department shall prohibit a minor who is less than eighteen (18) years of age from working in an occupation designated as hazardous by the child labor provisions of the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201 et seq.), except when the minor is working for the minor's parent or a person standing in the place of the minor's parent on a farm owned or operated by the parent or person.

Sec. 24. This chapter does not prevent a student from working on a properly guarded machine in the training department of a school when an instructor provides personal supervision.

Sec. 25. (a) The department shall create and maintain a data base that is accessible by the public and that displays each employer that is required to register under this chapter.

(b) The data base must include the name and electronic mail address of each employer registered under this chapter.

Sec. 26. (a) Each employer that hires, employs, or permits

at least five (5) minors who are:

(1) at least fourteen (14) years of age; and

(2) less than eighteen (18) years of age;

to work in a gainful occupation must register with the department and pay a registration fee to the department under this chapter.

(b) An employer that must register under this chapter must provide, in the form and manner prescribed by the department, the following information:

(1) The name of the employer.

(2) The electronic mail address of the employer.

(3) The number of minors whom the employer has hired, employed, or permitted to work in a gainful occupation.

(4) Any other information required by the department.

(c) The fee to register with the department is as follows:

(1) For an employer that hires, employs, or permits at least five (5) and not more than fourteen (14) minors to work in a gainful occupation, two hundred dollars ($200).

(2) For an employer that hires, employs, or permits at least fifteen (15) and not more than forty-nine (49) minors to work in gainful occupation, four hundred dollars ($400).

(3) For an employer that hires, employs, or permits at least fifty (50) and not more than ninety-nine (99) minors to work in a gainful occupation, eight hundred dollars ($800).

(4) For an employer that hires, employs, or permits at least one hundred (100) minors to work in a gainful occupation, one thousand six hundred dollars ($1,600).

Sec. 27. (a) The department shall adopt rules under IC 4-22-2, including emergency rules adopted in the manner provided under IC 4-22-2-37.1, to:

(1) develop a schedule for payment of the registration fee and submission of the registration under section 26 of this chapter; and

(2) implement this chapter.

(b) The department may establish recommendations for rest breaks.

Sec. 28. (a) The department and its authorized inspectors and agents:

(1) shall enforce this chapter and ensure that all violators are prosecuted; and

(2) may visit and inspect, at all reasonable hours and when as practicable and necessary, all establishments affected by this chapter.

(b) It is unlawful for any person to interfere with, obstruct, or hinder any inspector or agent of the department while the inspector or agent performs official duties or to refuse to properly answer questions asked by an inspector or agent of the department.

(c) When requested in writing by the department, the attorney general shall assist the prosecuting attorney in the prosecution of persons charged with a violation of this chapter.

Sec. 29. (a) The department and its authorized inspectors and agents may investigate the age of a minor who is employed or allowed to work in an occupation.

(b) If the department or its authorized inspectors and agents find that the age of the minor is below the age authorized under this chapter, the:

(1) employment; or

(2) fact that the minor is allowed to work;

is prima facie evidence of unlawful employment.

Sec. 30. (a) An employer that violates this chapter may be assessed the civil penalties described in this section by the department.

(b) For an hour violation of not more than thirty (30) minutes under sections 17 through 20 of this chapter, a violation of section 18(4) of this chapter, or a posting violation under section 22 of this chapter the civil penalties are as follows:

(1) A warning letter for any violations identified during an initial inspection.

(2) Fifty dollars ($50) per instance for a second violation identified in a subsequent inspection.

(3) Seventy-five dollars ($75) per instance for a third violation that is identified in a subsequent inspection.

(4) One hundred dollars ($100) per instance for a fourth or subsequent violation that is identified in an inspection subsequent to the inspection under subdivision (3) and that occurs not more than two (2) years after a prior violation.

(c) For a failure to register or failing to register the correct number of minors employed under section 26 of this chapter, an hour violation of more than thirty (30) minutes under sections 17 through 20 of this chapter, an age violation under section 12 or 14 of this chapter, or a hazardous occupation violation under section 23 of this chapter the civil penalties are as follows:

(1) A warning letter for any violations identified during an initial inspection.

(2) One hundred dollars ($100) per instance for each violation identified in a subsequent inspection.

(3) Two hundred dollars ($200) per instance for a third violation that is identified in a subsequent inspection.

(4) Four hundred dollars ($400) per instance for a fourth or subsequent violation that is identified in an inspection subsequent to the inspection under subdivision (3) and that occurs not more than two (2) years after a prior violation.

Sec. 31. (a) A civil penalty assessed under section 30 of this chapter:

(1) is subject to IC 4-21.5-3-6; and

(2) becomes effective without a proceeding under IC 4-21.5-3 unless a person requests an administrative review not later than thirty (30) days after notice of the assessment is given.

(b) For purposes of determining:

(1) whether a second violation has occurred when assessing a civil penalty under subsection (a), a first violation expires one (1) year after the date of issuance of a warning letter by the department under section 30 of this chapter; and

(2) recurring violations of this section, each location of

an employer shall be considered separate and distinct from another location of the same employer.

Sec. 32. (a) There is established a labor education and youth employment fund to educate affected parties on the purposes and contents of this chapter and the responsibilities of all parties under this chapter.

(b) The labor education and youth employment fund shall be used each year for the expenses of hiring and salaries of additional inspectors to enforce this chapter under section 30 of this chapter. Any remaining funds may be used for the purpose of the education provision of this subsection and may be used to award grants to provide educational programs.

(c) The labor education and youth employment fund shall be administered by the department. The expenses of administering the labor education and youth employment fund shall be paid from money in the fund. The treasurer of state shall invest the money in the labor education and youth employment fund not currently needed to meet the obligations of the fund in the same manner as other public funds may be invested. Interest that accrues from these investments shall be deposited in the labor education and youth employment fund. Money in the labor education and youth employment fund at the end of a state fiscal year does not revert to the state general fund.

(d) Revenue received from registrations under section 26 of this chapter and civil penalties under section 30 of this chapter shall be deposited in the labor education and youth employment fund.

(e) All inspectors hired to enforce this chapter shall also be available to educate affected parties on the purposes and contents of this chapter and the responsibilities of all parties under this chapter.

Sec. 33. On July 1, 2021, the auditor of state shall transfer the balance that remains on June 30, 2021, in the employment of youth fund established by IC 22-2-18-48 (before its expiration) to the labor education and youth employment fund established by section 32 of this chapter.

Sec. 34. The department shall submit, not later than December 1 of each year, an annual report listing all registered employers under section 25 of this chapter to the governor's workforce cabinet established by IC 4-3-27-3.".

Page 28, line 9, delete "IC 22-2-18-41," and insert "**IC 22-2-18-41 (before its expiration on June 30, 2021) and IC 22-2-18.1-23,**".

Page 38, line 14, delete "IC 22-2-18-41." and insert "**IC 22-2-18-41 (before its expiration on June 30, 2021) and IC 22-2-18.1-23.**".

Page 38, line 16, delete "IC 22-2-18." and insert "**IC 22-2-18 (before its expiration on June 30, 2021) or IC 22-2-18.1.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 409 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 1.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Senate Bill 410, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete line 42, begin a new paragraph and insert:

"SECTION 2. IC 6-1.1-17-20.4, AS ADDED BY P.L.252-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20.4. (a) This section applies only if ~~a public library's cash on hand plus its expected revenues~~ **on December 31, as reported in the public library's annual report under IC 5-11-1-4, the cash balance of all funds of the public library derived from tax revenue** is greater than one hundred fifty percent (150%) of the public library's ~~proposed~~ **certified** budget **for the ensuing year.**

~~(b) As used in this section, "cash on hand" refers to the public library's cash and investments balance in nondebt funds as of the date the public library proposes a budget for the following budget year. The term does not include cash derived from gifts, bequests, or philanthropic funds.~~

~~(c) As used in this section, "expected revenues" refers to the total of a public library's expected revenues in the public library's nondebt funds in the following budget year.~~

~~(d)~~ **(b)** ~~Notwithstanding~~ **If** section 20.3(a)(2) of this chapter **does not apply,** the fiscal body of a city, town, or county ~~that established a public library described in section 20.3(a)(1) of this chapter~~ may adopt a resolution to require the public library to submit its proposed budget and property tax levy to the city, town, or county fiscal body as set forth in section 20.3(c) or 20.3(d) of this chapter (whichever is applicable) for binding review and approval as set forth under section 20.3 of this chapter. However, the fiscal body of the city, town, or county may not reduce a public library's proposed budget or tax levy in a budget year under this section by more than ten percent (10%) of the public library's operating levy in the immediately preceding budget year.

~~(e)~~ **(c)** A resolution may be adopted under this section not later than July 1. A resolution adopted under this section remains in full force and effect until ~~repealed by the fiscal body.~~ **the December 31 cash balance of all funds of the public library derived from tax revenue, as reported in the public library's annual report under IC 5-11-1-4, no longer exceed one hundred fifty percent (150%) of the public library's certified budget for the ensuing year.**

~~(f)~~ **(d)** Before a fiscal body may adopt a resolution under this section, the fiscal body must hold a public hearing on the proposed resolution and provide the public with notice of the time and place where the public hearing will be held. The notice required by this subsection must be given in accordance with IC 5-3-1 and include the proposed resolution. In addition to the notice required by this subsection, the fiscal body shall also provide a copy of the notice to all taxing units in the city, town, or county at least thirty (30) days before the public hearing.

~~(g)~~ **(e)** A resolution adopted by a fiscal body under this section shall be submitted to:

(1) the department of local government finance; and

(2) the public library;

not later than five (5) days after the date the resolution is adopted.".

Delete page 3.

Page 4, delete line 1.

Page 4, line 8, delete "(b) The" and insert "**(b) Not later than October 1, 2020, a**".

Page 4, line 10, delete "not later than October 1 of a year." and insert "**.**".

Page 4, between lines 18 and 19, begin a new line blocked left and insert:

"**The Indiana state library shall provide the information submitted to the Indiana state library under this subsection to the department of local government finance by not later than November 1, 2020.**".

Page 5, delete line 1 and insert "**November 1, 2020.**".

Page 5, delete lines 2 through 5, begin a new paragraph and insert:

"**(f) If there is a change in the territory of the public library:**

(1) the public library shall submit a report under subsection (b) to the Indiana state library not later than October 1; and

(2) the Indiana state library shall report the information under subsection (b) to the department of local government finance not later than November 1;

in the year the change in territory becomes effective. Subsections (c) and (d) apply to the public library and to any fiscal body that objects to the public library's designation under subsection (a).".

(Reference is to SB 410 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Senate Bill 416, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-20.3-6.8, AS AMENDED BY P.L.10-2019, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.8. (a) This section applies only to the Gary Community School Corporation.

(b) The general assembly finds that the provisions of this section:

(1) are necessary to address the unique issues faced by the Gary Community School Corporation; and

(2) are not precedent for and may not be appropriate for addressing issues faced by other school corporations.

(c) As used in this section, the following definitions apply:

(1) "Chief academic officer" means the chief academic officer appointed under subsection (j).

(2) "Chief financial officer" means the chief financial officer appointed under subsection (i).

(3) "School corporation" refers to the Gary Community School Corporation.

(d) The Gary Community School Corporation is designated as a distressed political subdivision for purposes of this chapter until the school corporation's designation as a distressed political subdivision is terminated as provided in section 13(b) of this chapter. This designation as a distressed political subdivision is effective regardless of whether the school corporation has submitted a petition requesting to be designated as a distressed political subdivision. Until the school corporation's designation as a distressed political subdivision is terminated as provided in section 13(b) of this chapter, the Gary Community School Corporation advisory board may not hold a public meeting more often than once every three (3) months. This limit on the number of meetings of the advisory board does not apply to the emergency manager. The emergency manager shall hold a monthly forum to provide an update on the Gary Community School Corporation within the school district that is open to the general public. During the period that the Gary Community School Corporation is designated as a distressed political subdivision, the advisory board may vote to:

(1) fill vacancies;

(2) select officers; or

(3) make appointments;

of the advisory board, and to present awards, recognition, and certificates to employees or supporters of the school corporation.

(e) Until the school corporation's designation as a distressed political subdivision is terminated as provided in section 13(b) of this chapter, the following apply to the emergency manager appointed under section 7.5 of this chapter for the school corporation:

(1) The emergency manager has the powers and duties specified in this chapter.

(2) The emergency manager shall consider recommendations from the fiscal management board and the advisory board, but the emergency manager has full responsibility and authority related to financial and academic matters of the school corporation, and the emergency manager may act, as specified in this chapter, on these financial and academic matters without the approval of the fiscal management board or the advisory board.

(3) Notwithstanding section 7.5(d) of this chapter, the distressed unit appeal board shall:

(A) determine the compensation of the emergency manager, chief financial officer, and chief academic officer; and

(B) subject to subsections (i) and (j), pay the emergency manager's, chief financial officer's, and chief academic officer's compensation and reimburse the emergency manager, chief financial officer, and chief academic officer for actual and necessary expenses from funds appropriated to the distressed unit appeal board.

(4) Before appointing the emergency manager, the distressed unit appeal board shall interview at least one (1)

resident of the city of Gary as a candidate for the position. If the distressed unit appeal board is not able to interview a resident of the city of Gary as a candidate for the position, the distressed unit appeal board shall interview at least one (1) individual who is a resident of Lake County or northwest Indiana as a candidate for the position.

The appointment of the emergency manager for the school corporation is terminated on the date the school corporation's designation as a distressed political subdivision is terminated as provided in section 13(b) of this chapter.

(f) In addition to any other actions that the distressed unit appeal board may take under this chapter concerning a distressed political subdivision, for a distressed school corporation, the distressed unit appeal board may also do any of the following:

(1) The distressed unit appeal board may delay or suspend, for a period determined by the board, any payments of principal or interest, or both, that would otherwise be due from the school corporation on loans or advances from the common school fund.

(2) The distressed unit appeal board may recommend to the state board of finance that the state board of finance make an interest free loan to the school corporation from the common school fund. The distressed unit appeal board shall determine the payment schedule and the commencement date for the loan. If the distressed unit appeal board makes a recommendation that such a loan be made, the state board of finance may, notwithstanding IC 20-49, make such a loan for a term of not more than ten (10) years. **However, the state board of finance shall extend the term of a loan made under this subdivision to account for amounts of the school corporation's withheld state tuition support that are deposited in the school improvement fund under IC 20-49-11-5(b)(1) for the school corporation.**

(3) The distressed unit appeal board may establish benchmarks of financial improvement for the school corporation.

(4) The distressed unit appeal board may provide a grant or grants to the school corporation from funds appropriated to the distressed unit appeal board, in amounts determined by the distressed unit appeal board, to assist the school corporation in overcoming short term financial problems.

(5) The distressed unit appeal board may make a recommendation to the general assembly concerning the possible restructuring of advances made to the school corporation from the common school fund, including forgiveness of principal and interest on those advances.

(g) The fiscal management board is established. The fiscal management board consists of the following members:

(1) One (1) member appointed by the advisory board.

(2) One (1) member appointed by the mayor of the city of Gary.

(3) One (1) member, who must have experience working with or for an urban school corporation, appointed by the superintendent of public instruction.

(4) One (1) member, who must have experience working with or for an urban school corporation, appointed by the state board of education.

(h) The following apply to the fiscal management board and to the members of the fiscal management board:

(1) The term of office of a member of the fiscal management board is four (4) years, beginning on the date of appointment. A member of the fiscal management board may be reappointed to the fiscal management board. A member of the fiscal management board may be removed for cause by the appointing authority.

(2) A member of the fiscal management board must have the following:

(A) At least three (3) years experience in financial management.

(B) A meaningful background and work experience in finance and business.

(C) An understanding of government contracts.

(D) Knowledge and experience in organizational effectiveness, operations management, and implementing best practices.

(E) Experience in budget development and oversight.

(F) A demonstrated commitment to high professional and ethical standards and a diverse workplace.

(G) An understanding of tax and other compliance implications.

(3) A member of the advisory board may not serve as a member of the fiscal management board.

(4) The fiscal management board:

(A) shall make recommendations to the emergency manager; and

(B) shall advise the emergency manager as requested by the emergency manager.

(5) The members of the fiscal management board are not entitled to any compensation for their service on the fiscal management board.

(6) The fiscal management board is abolished, and the terms of the members of the fiscal management board are terminated, on the date the school corporation's designation as a distressed political subdivision is terminated as provided in section 13(b) of this chapter.

(7) Under the supervision of the emergency manager, the fiscal management board shall serve as a liaison to and shall work jointly with the distressed unit appeal board, the mayor of the city of Gary, and the department of education to develop a transition plan to address issues or questions related to:

(A) the designation of the school corporation as a distressed political subdivision and the transfer of powers and duties to the emergency manager under this chapter; and

(B) the potential impact of the transition on the community and the school corporation.

(8) Under the supervision of the emergency manager, the fiscal management board shall work jointly with the distressed unit appeal board, the mayor of the city of Gary, and the department of education to provide information on a regular basis to parents, students, employees of the school corporation, and the public on the status of the transition.

(i) The emergency manager shall employ a chief financial

officer for the school corporation. The chief financial officer is an employee of the school corporation. The chief financial officer shall report to the emergency manager and shall assist the emergency manager appointed for the school corporation and the fiscal management board in carrying out the day to day financial operations of the school corporation. Before July 1, 2019, the compensation of the chief financial officer shall be determined by the distressed unit appeal board. Before July 1, 2019, the compensation of the chief financial officer shall be paid from the funds appropriated to the distressed unit appeal board. After June 30, 2019, the compensation of the chief financial officer shall be determined by and paid by the school corporation. The chief financial officer:

(1) must possess, through both education and experience, an understanding of finance and financial management; and

(2) must possess any other experience and must meet any other requirements as required by the distressed unit appeal board to ensure that the chief financial officer is qualified to carry out the financial restructuring of the school corporation.

Before employing a chief financial officer under this subsection, the emergency manager shall interview at least one (1) resident of the city of Gary as a candidate for the position. If the emergency manager is not able to interview a resident of the city of Gary as a candidate for the position, the emergency manager shall interview at least one (1) individual who is a resident of Lake County or northwest Indiana as a candidate for the position.

(j) The emergency manager shall employ a chief academic officer for the school corporation, after consultation with the department of education, who must have experience working with or for an urban school corporation. The chief academic officer is an employee of the school corporation. The chief academic officer shall report to the emergency manager and shall assist the emergency manager appointed for the school corporation and the fiscal management board in carrying out the academic matters of the school corporation. Before July 1, 2019, the compensation of the chief academic officer shall be determined by the distressed unit appeal board. Before July 1, 2019, the compensation of the chief academic officer shall be paid from the funds appropriated to the distressed unit appeal board. After June 30, 2019, the compensation of the chief academic officer shall be determined by and paid by the school corporation. The chief academic officer must:

(1) hold a valid license to teach in a public school under IC 20-28-5;

(2) possess, through both education and experience, an understanding of curriculum and academics; and

(3) possess any other experience and meet any other requirements as required by the distressed unit appeal board to ensure that the chief academic officer is qualified to carry out the academic goals of the school corporation.

Before employing a chief academic officer under this subsection, the emergency manager shall interview at least one (1) resident of the city of Gary as a candidate for the position. If the emergency manager is not able to interview a resident of the city of Gary as a candidate for the position, the emergency manager shall interview at least one (1) individual who is a resident of Lake County or northwest Indiana as a candidate for the position.

(k) The chief financial officer and chief academic officer shall assist the emergency manager in carrying out the emergency manager's duties under this chapter.

(l) The annual budget adopted by the emergency manager for the school corporation must dedicate a significant part of the school corporation's budget to eliminating the school corporation's outstanding financial obligations. The emergency manager shall attempt to negotiate with the creditors of the school corporation to establish a plan specifying the schedule for paying each creditor. The emergency manager shall submit the plan to the distressed unit appeal board for approval. The distressed unit appeal board must:

(1) review the plan submitted by the emergency manager; and

(2) not later than sixty (60) days after the plan is submitted, either:

(A) approve the plan as submitted by the emergency manager; or

(B) modify the plan as submitted by the emergency manager and then approve the modified plan.

(m) The emergency manager shall consider any recommendations from the fiscal management board, the advisory board, and the mayor of the city of Gary in developing the school corporation's annual budget. The distressed unit appeal board must review and approve the school corporation's annual budget that is proposed by the emergency manager. When the emergency manager submits the school corporation's proposed annual budget to the distressed unit appeal board, the emergency manager shall provide copies of the proposed annual budget to the fiscal management board and the advisory board.

(n) After considering any recommendations from the fiscal management board, the advisory board, and the mayor of the city of Gary, the emergency manager shall do the following:

(1) Conduct a financial and compliance audit of the operations of the school corporation.

(2) Develop a written financial plan for the school corporation. The object of the plan must be to achieve financial stability for the school corporation, and the plan must include provisions for paying all of the school corporation's outstanding obligations and for paying all future obligations of the school corporation (including any federal, state, or local taxes or assessments) in a timely manner.

(o) In addition to the report required by section 8.5(c)(5) of this chapter, the emergency manager, the chief financial officer, and the chief academic officer shall report quarterly to the distressed unit appeal board in a format specified by the distressed unit appeal board. The report must include:

(1) information concerning the actions that the school corporation is taking to improve the financial condition of the school corporation; and

(2) any other information required by the distressed unit appeal board.

The emergency manager shall report more frequently than quarterly if requested by the distressed unit appeal board. The emergency manager shall provide copies of the report to the

fiscal management board, the advisory board, and the mayor of the city of Gary. The emergency manager shall present each report at a public meeting of the fiscal management board.

(p) The school corporation shall do the following:

(1) Publish a copy of each report under subsection (o) on the school corporation's Internet web site, along with a link to the main page of the Indiana transparency Internet web site established under IC 5-14-3.7 to provide access to financial data for local schools.

(2) Make copies of each report available free of charge to the public upon request.

(3) Provide copies of each report to the mayor of the city of Gary. The mayor shall make copies of the reports available free of charge to the public upon request.

(q) The chief academic officer shall develop an education plan to provide academic services to students in the school corporation and to achieve academic progress. The education plan must include at least the following components:

(1) An academic program designed to meet Indiana's academic standards and to assist students in meeting those academic standards.

(2) A plan to improve the academic performance of all students, including improvement in the performance of students on standardized tests.

(3) A plan to engage parents in school performance and school activities, including regular meetings at each school involving administrators, teachers, parents, and interested members of the community.

(4) A plan to implement performance standards that will attract students and families to the school corporation.

(5) A plan specifying how the school corporation will work directly with the city of Gary:

(A) to make the schools a successful component of life within the city; and

(B) to develop a sense of pride and progress in the operations and accomplishments of the school corporation.

The chief financial officer and the chief academic officer shall submit a report to the advisory board each quarter. The chief financial officer and chief academic officer shall meet at least quarterly with the executive committee of the bargaining unit to inform the executive committee of the academic progress of the school corporation.".

Delete pages 2 through 14.

Page 15, delete lines 1 through 5, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-20.3-13, AS AMENDED BY P.L.213-2018(ss), SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. (a) If an emergency manager of a distressed political subdivision files a petition with the board for termination of the political subdivision's status as a distressed political subdivision, the board shall conduct a public hearing on the question of whether to terminate the political subdivision's status as a distressed political subdivision.

(b) In the case of a political subdivision designated as distressed under this chapter, the board shall terminate the political subdivision's status as a distressed political subdivision if the board finds that the conditions found in section 6.5 of this chapter are no longer applicable to the political subdivision and all the following conditions are met:

(1) The political subdivision has achieved and maintained financial solvency for a period of at least two (2) years, including the following:

(A) Maintaining a structurally balanced budget for at least two (2) years.

(B) Having no unpaid or past due critical contractual financial obligations or vendor payments.

(2) The political subdivision has a fiscal plan that maintains financial solvency for a period of at least five (5) years after the termination of its distressed status.

(3) The political subdivision meets all other conditions identified by the board.

(4) The board determines that the political subdivision is financially stable.

(c) Notwithstanding subsection (b), in the case of a township designated as distressed under section 6.7 of this chapter, the board shall terminate the township's status as a distressed political subdivision if the board finds that the township's township assistance property tax rate (as defined in section 6.7(a) of this chapter) for the current calendar year is not more than the result of:

(1) the statewide average township assistance property tax rate (as determined by the department of local government finance) for property taxes first due and payable in the preceding year; multiplied by

(2) twelve (12).

(d) Notwithstanding any other section of this chapter, not later than ninety (90) days after taking office, a new executive of a distressed political subdivision may petition the board for suspension of the political subdivision's distressed status. In the case of a political subdivision designated as distressed under section 6.5 of this chapter, the executive must include in its petition a written plan to resolve the applicable issues described in section 6.5 of this chapter. In the case of a township designated as distressed under section 6.7 of this chapter, the executive must include in its petition a written plan to lower the township's township assistance property tax rate (as defined in section 6.7(a) of this chapter). If the board approves the executive's written plan, the board may suspend the political subdivision's distressed status for one hundred eighty (180) days. Suspension under this chapter terminates automatically upon expiration of the one hundred eighty (180) day period. The board may consider a petition to terminate the political subdivision's distressed status during a period of suspension.

(e) The board shall conduct a public hearing on the current status of the Gary Community School Corporation's status as a distressed unit before December 31, 2022. The board shall seek community input at the public hearing. The public hearing shall be conducted at a location that is within the boundaries of the Gary Community School Corporation.

SECTION 2. IC 20-26-5-40 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 40. (a) Subject to subsection (b), the governing body of a school corporation**

may enter into a public-private agreement for the construction of new school buildings.

(b) Before the governing body of a school corporation may enter into a public-private agreement under this section, the project plan, including the:

(1) terms of the agreement;

(2) total and annual cost to the school corporation; and

(3) source of funding for the agreement, which may include revenue from a controlled projects referendum under IC 6-1.1-20-3.6;

must be reviewed by the budget committee.".

Page 15, line 9, delete "Gary Community School Corporation Loan" and insert "**Distressed Political Subdivision**".

Page 15, line 10, delete "Forgiveness and".

Page 15, line 11, delete "the Gary Community" and insert "**a school corporation that has been designated as a distressed political subdivision under IC 6-1.1-20.3.**".

Page 15, delete lines 12 through 18.

Page 15, delete lines 21 through 28.

Page 15, line 29, delete "5." and insert "**3.**".

Page 15, line 29, after "refers to" insert "**a school corporation that has been designated as a distressed political subdivision under IC 6-1.1-20.3.**".

Page 15, delete line 30.

Page 15, line 31, delete "6." and insert "**4.**".

Page 15, line 32, delete "Gary Community School Corporation" and insert "**distressed political subdivision**".

Page 15, line 33, delete "8" and insert "**5**".

Page 15, delete lines 34 through 42, begin a new paragraph and insert:

"**Sec. 5. (a) The distressed political subdivision school improvement fund is established to provide, upon approval by the distressed unit appeal board, funds to a school corporation for any of the following purposes:**

(1) The demolition of school buildings or other structures on school property that exist as of July 1, 2020.

(2) The remodeling, repairing, or rehabilitation of school buildings that exist as of July 1, 2020.

(b) The school improvement fund consists of the following:

(1) Amounts deducted from a school corporation's state tuition support by the state board of finance as provided under section 6 of this chapter.

(2) Amounts submitted from the sale of any real property, a building, or other structure owned by the Gary Community School Corporation as provided under section 9 of this chapter.

(c) The distressed unit appeal board shall establish a separate account within the fund for each school corporation and deposit in each school corporation's account the school corporation's amounts described in subsection (b).

(d) The treasurer of state shall invest the money in the school improvement fund not currently needed to meet the obligations of the school improvement fund in the same manner as other public funds may be invested.

(e) The distressed unit appeal board shall administer the school improvement fund and each account within the fund.

(f) Money in the school improvement fund and each account within the fund is continuously appropriated to carry out the purposes of the school improvement fund.

(g) Money in the school improvement fund at the end of a state fiscal year does not revert to the state general fund but remains available to be used for the purposes of this chapter.

Sec. 6. (a) Beginning July 1, 2020, the state board of finance shall continue to reduce each distribution of state tuition support to a school corporation that has its distribution of state tuition support reduced due to outstanding advances or loans from the common school fund under IC 20-49-4 and IC 6-1.1-20.3 in the amount:

(1) that was agreed upon by the state and the school corporation; and

(2) based on the number or amount of loans from the common school fund that are outstanding.

(b) The following amount of the money that the state board of finance withholds from the distribution of state tuition support under this section must be deposited in the school improvement fund:

(1) For each state fiscal year beginning after June 30, 2020, and ending before July 1, 2023, an amount equal to one hundred percent (100%) of the money that the state board of finance withholds from the distribution of state tuition support under this section for the state fiscal year.

(2) For each state fiscal year beginning after June 30, 2023, and ending before July 1, 2026, an amount equal to seventy-five percent (75%) of the money that the state board of finance withholds from the distribution of state tuition support under this section for the state fiscal year.

(3) For each state fiscal year beginning after June 30, 2026, and ending before July 1, 2030, an amount equal to fifty percent (50%) of the money that the state board of finance withholds from the distribution of state tuition support under this section for the state fiscal year.

(c) This section expires July 1, 2030.

Sec. 7. (a) A school corporation may not submit to the distressed unit appeal board a request for money from the school improvement fund unless:

(1) the mayor of the city in which the school corporation is located has made recommendations concerning:

(A) the demolition of a school building or structure described in section 5(a)(1) of this chapter;

(B) the remodel, repair, or other improvement of a school building described in section 5(a)(2) of this chapter; or

(C) a combination of actions under clauses (A) through (B); and

(2) the mayor of the city in which the school corporation is located submits the recommendations under subdivision (1) concerning a project plan to the distressed unit appeal board.

(b) If the distressed unit appeal board receives recommendations for a project plan submitted under subsection (a) and approves a project plan, the school

corporation may submit to the distressed unit appeal board a request for money from the school improvement fund on a form prescribed by the distressed unit appeal board.

(c) The request under subsection (b) must include the following:

(1) A copy of the applicable plan approved under subsection (b).

(2) The amount of money the school corporation is requesting.

(3) The specific project for which the school corporation intends to use the money.

(4) A description of how the requested project aligns with the project plan approved by the distressed unit appeal board under subsection (b).

(5) Any other information required by the distressed unit appeal board.

(d) The distressed unit appeal board may approve a request under this section only if the purpose for which the school corporation intends to use the money is included in the applicable project plan approved under subsection (b). The distressed unit appeal board may deny a request under this section.

Sec. 8. If the distressed unit appeal board approves a request under section 7 of this chapter, the distressed unit appeal board shall make payments from the school improvement fund for the purposes under section 5(a) of this chapter, as approved by the distressed unit appeal board.

Sec. 9. If the Gary Community School Corporation sells real property, a building, or other structure owned by the Gary Community School Corporation, the net proceeds from the sale must be submitted to the distressed unit appeal board for deposit into the school improvement fund.

Sec. 10. The withholding and deposit of state tuition support amounts of a school corporation in the school improvement fund under this chapter shall not prohibit or otherwise limit the authority of a school corporation to levy a property tax under IC 20-49-4-21.".

Delete pages 16 through 20.

Renumber all SECTIONS consecutively.

(Reference is to SB 416 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 425, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Senate Bill 427, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 7, delete "or verifying documentation".

Page 2, line 11, delete "Indiana." and insert "**Indiana or the person is the spouse of an active duty member of the armed forces assigned to Indiana.**".

Page 2, line 11, delete "has established residency in Indiana." and insert "**is the spouse of an active duty member of the armed forces assigned to Indiana.**".

Page 2, delete lines 12 through 15, begin a new line double block indented and insert:

"**(B) The person is in good standing in all states in which the person holds a license for the regulated occupation applied for.**".

Page 2, line 23, delete "a complaint, allegation, or" and insert "**an**".

Page 2, between lines 26 and 27, begin a new line block indented and insert:

"**(2) The person submits verification that the person is currently licensed in at least one (1) other state in the regulated occupation applied for.**".

Page 2, line 27, delete "(2)" and insert "**(3)**".

Page 2, line 31, delete "(3)" and insert "**(4)**".

Page 2, line 33, after "5." insert "**(a) An applicant who has met the requirements in section 4 of this chapter shall be issued a provisional license not more than thirty (30) days after the application is filed.**

(b)".

Page 2, line 35, after "6." insert "**(a)**".

Page 2, after line 37, begin a new paragraph and insert:

"**(b) If the board discovers that any of the information submitted under section 4(1) of this chapter is false, the board may immediately revoke the person's provisional license.**

Sec. 7. (a) This chapter does not apply to a license that is established by or recognized through an interstate compact, a reciprocity agreement, or a comity agreement that is established by a board or a law.

(b) This chapter does not prohibit an individual from proceeding under other licensure, certification, registration, or permit requirements established by a board.".

(Reference is to SB 427 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 1.

PERFECT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill 434, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 435, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, line 15, delete "June 30, 2020," and insert "**October 31, 2020,**".

Page 4, line 16, delete "July 1, 2021," and insert "**May 1, 2021,**".

Page 5, line 24, delete "June 30, 2020, and before July 1," and insert "**October 31, 2020, and before May 1, 2021,**".

Page 5, line 25, delete "2021,".

Page 7, line 21, delete "July 1, 2020," and insert "**November 1, 2020,**".

Page 7, line 23, delete "June" and insert "**October 31, 2020, and before May 1, 2021.**".

Page 7, line 24, delete "30, 2020, and before July 1, 2021.".

Page 7, line 35, delete "July 1, 2021," and insert "**May 1, 2021,**".

Page 7, line 40, delete "July 1, 2021" and insert "**May 1, 2021**".

(Reference is to SB 435 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 436, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete line 17.

Page 2, delete lines 1 through 2.

Page 2, delete lines 8 through 42, begin a new paragraph and insert:

"**(c) The attorney general has jurisdiction to appoint a special prosecutor in an action in which a prosecuting attorney refuses categorically to enforce a criminal law enacted by the general assembly, as described in section 1.2 of this chapter.**"

SECTION 2. IC 4-6-2-1.2, IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.2. (a) After complying with the procedure described in subsection (b), and except as provided in subsection (c), the attorney general may appoint a special prosecutor to prosecute a criminal case involving the commission of one (1) or more specified offenses, if:**

(1) a prosecuting attorney has announced as a matter of policy that the prosecuting attorney will not enforce all or part of a criminal statute enacted by the general assembly; or

(2) the attorney general has determined that a prosecuting attorney has categorically elected not to enforce all or part of a criminal statute enacted by the general assembly.

The jurisdiction of the special prosecutor extends only to the prosecution of those offenses that the prosecuting attorney is refusing to enforce.

(b) If the attorney general reasonably believes that a prosecuting attorney is refusing to enforce all or part of a criminal statute as described in subsection (a), the attorney general shall notify the prosecuting attorney in writing that the attorney general intends to appoint a special prosecutor to enforce that criminal statute, and shall briefly describe the basis for the attorney general's belief that the prosecuting attorney is refusing to enforce the criminal statute as described in subsection (a). The attorney general shall serve a copy of the notice on the presiding judge or judges of the county and on the chief justice of Indiana. If the prosecuting attorney:

(1) does not file a criminal information within thirty (30) days of receipt of the notice;

(2) expressly declines to enforce the statute; or

(3) does not offer a satisfactory reason, in the opinion of the attorney general, for the refusal to enforce the statute;

the attorney general has jurisdiction to appoint a special prosecutor to enforce the criminal statute.

(c) The attorney general does not have jurisdiction to appoint a special prosecutor to enforce a criminal statute if the prosecuting attorney's refusal to enforce the statute is based on:

(1) a reasonable, good faith belief that the statute is unconstitutional, or that prosecution would violate a court order or a federal law; or

(2) prosecutorial discretion, if the exercise of discretion reflects an individualized decision not to prosecute a specific case, based on a consideration of the unique facts and circumstances of that case.

(d) A person appointed to serve as a special prosecutor:

(1) must consent to the appointment; and

(2) must be:

(A) the prosecuting attorney or a deputy prosecuting attorney in a county other than the county in which the person is to serve as special prosecutor; or

(B) a senior prosecuting attorney as described in IC 33-39-10-1. A senior prosecuting attorney may be appointed to serve as a special prosecutor in a county in which the senior prosecuting attorney previously served if the attorney general determines that there is no conflict of interest.

(e) The county in which the attorney general appoints a special prosecutor to prosecute a case under this section shall reimburse the attorney general for the expenses of prosecuting the case.

(f) The attorney general shall submit an itemized statement of expenses to the county auditor, who shall pay the expenses from the county general fund, without appropriation, within thirty (30) days. The attorney general may submit an itemized statement for expenses as the expenses are incurred. The attorney general shall provide the

county fiscal body and the county executive with a copy of the itemized statement of expenses.

(g) Reimbursement to the attorney general may not exceed actual expenses incurred in prosecuting the action, including the amount necessary to compensate the special prosecutor and any special investigator or special prosecuting attorney. The attorney general shall deposit reimbursement received under this subsection in the attorney general prosecution fund established by section 13 of this chapter.

(h) The attorney general shall compensate the special prosecutor from the attorney general prosecution fund. If a special prosecutor is not regularly employed as a full-time prosecuting attorney or full-time deputy prosecuting attorney, the compensation for the special prosecutor's services may not exceed:

(1) an hourly rate based upon the regular salary of a full-time prosecuting attorney of the appointing circuit;

(2) travel expenses and reasonable accommodation expenses actually incurred; and

(3) other reasonable expenses actually incurred, including the costs of investigation, trial and discovery preparation, and other trial expenses.

The amount of compensation a special prosecutor receives for services performed during a calendar day under subdivision (1) may not exceed the amount of compensation a full-time prosecuting attorney would receive in salary for the calendar day.

(i) If the special prosecutor is regularly employed as a full-time prosecuting attorney or deputy prosecuting attorney, the compensation for the special prosecutor's services must include a per diem equal to the regular salary of a full-time prosecuting attorney of the appointing circuit, travel expenses, and reasonable accommodation expenses actually incurred.

(j) With the consent of the attorney general, a prosecuting attorney may appoint an investigator employed by the attorney general or a deputy attorney general who is licensed to practice law in Indiana as a special investigator or special deputy prosecuting attorney to assist in the investigation or prosecution of the case. A special investigator or special deputy prosecuting attorney shall continue to receive the person's regular salary that the person receives as an employee of the attorney general. The attorney general is entitled to reimbursement for the special investigator's or special deputy prosecuting attorney's services in an amount that does not exceed:

(1) an hourly rate based upon the regular salary of the investigator or deputy attorney general;

(2) travel expenses and reasonable accommodation expenses actually incurred; and

(3) other reasonable expenses actually incurred, including the costs of investigation, trial and discovery preparation, and other trial expenses.".

Page 3, delete lines 1 through 31.

Page 3, line 36, delete "bringing a criminal prosecution" and insert "**appointing a special prosecutor**".

Page 4, line 8, delete "assumption of jurisdiction under IC 4-6-2-1.1 and" and insert "**appointment of a special prosecutor under**".

Page 4, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 5. IC 33-39-10-2, AS ADDED BY P.L.57-2014, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A person may be appointed as a special prosecutor:

(1) as provided under this section; ~~or~~

(2) in accordance with IC 4-2-7-7; **or**

(3) in accordance with IC 4-6-2-1.2.

(b) A circuit court or superior court judge:

(1) shall appoint a special prosecutor if:

(A) any person, other than a prosecuting attorney or the prosecuting attorney's deputy, files a verified petition requesting the appointment of a special prosecutor; and

(B) the prosecuting attorney agrees that a special prosecutor is needed;

(2) may appoint a special prosecutor if:

(A) a person files a verified petition requesting the appointment of a special prosecutor; and

(B) the court, after:

(i) notice is given to the prosecuting attorney; and

(ii) an evidentiary hearing is conducted at which the prosecuting attorney is given an opportunity to be heard;

finds by clear and convincing evidence that the appointment is necessary to avoid an actual conflict of interest or there is probable cause to believe that the prosecuting attorney has committed a crime;

(3) may appoint a special prosecutor if:

(A) the prosecuting attorney files a petition requesting the court to appoint a special prosecutor; and

(B) the court finds that the appointment is necessary to avoid the appearance of impropriety;

(4) may appoint a special prosecutor if:

(A) an elected public official who is a defendant in a criminal proceeding files a verified petition requesting a special prosecutor within ten (10) days after the date of the initial hearing; and

(B) the court finds that the appointment of a special prosecutor is in the best interests of justice; and

(5) shall appoint a special prosecutor if:

(A) a previously appointed special prosecutor:

(i) files a motion to withdraw as special prosecutor; or

(ii) has become incapable of continuing to represent the interests of the state; and

(B) the court finds that the facts that established the basis for the initial appointment of a special prosecutor still exist.

The elected prosecuting attorney who serves in the jurisdiction of the appointing court shall receive notice of all pleadings filed and orders issued under this subdivision.

(c) A person appointed to serve as a special prosecutor:

(1) must consent to the appointment; and

(2) must be:

(A) the prosecuting attorney or a deputy prosecuting attorney in a county other than the county in which the

person is to serve as special prosecutor; or

(B) a senior prosecuting attorney as described in section 1 of this chapter. A senior prosecuting attorney may be appointed to serve as a special prosecutor in a county in which the senior prosecuting attorney previously served if the court finds that the appointment would not create the appearance of impropriety.

(d) A person appointed to serve as a special prosecutor in a county has the same powers as the prosecuting attorney of the county. However, the appointing judge shall limit the scope of the special prosecutor's duties to include only the investigation or prosecution of a particular case or particular grand jury investigation.

(e) Upon making an appointment under this section, the court shall establish the length of the special prosecutor's term. At least one (1) time every six (6) months throughout the appointed term, a special prosecutor shall file a progress report with the appointing court. A progress report:

(1) must inform the court of the:

(A) status of the investigation; and

(B) estimated time for completion of the special prosecutor's duties; and

(2) may not:

(A) include substantive facts or legal issues; or

(B) offer preliminary conclusions.

The court may extend the term of appointment upon the request of the special prosecutor or terminate any appointment if the special prosecutor has failed to file reports or a request for an extended term under this subsection.

(f) If the target of an investigation by the special prosecutor is a public servant (as defined in IC 35-31.5-2-261), the court shall order the special prosecutor to file a report of the investigation with the court at the conclusion of the investigation. A report filed under this subsection is a public record under IC 5-14-3.

(g) If a special prosecutor is not regularly employed as a full-time prosecuting attorney or full-time deputy prosecuting attorney, the compensation for the special prosecutor's services:

(1) shall be paid, as incurred, to the special prosecutor, following an application to the county auditor, from the unappropriated funds of the appointing county; and

(2) may not exceed:

(A) an hourly rate based upon the regular salary of a full-time prosecuting attorney of the appointing circuit;

(B) travel expenses and reasonable accommodation expenses actually incurred; and

(C) other reasonable expenses actually incurred, including the costs of investigation, trial and discovery preparation, and other trial expenses.

The amount of compensation a special prosecutor receives for services performed during a calendar day under subdivision (2)(A) may not exceed the amount of compensation a full-time prosecuting attorney would receive in salary for the calendar day.

(h) If the special prosecutor is regularly employed as a full-time prosecuting attorney or deputy prosecuting attorney, the compensation for the special prosecutor's services:

(1) shall be paid out of the appointing county's unappropriated funds to the treasurer of the county in which the special prosecutor regularly serves; and

(2) must include a per diem equal to the regular salary of a full-time prosecuting attorney of the appointing circuit, travel expenses, and reasonable accommodation expenses actually incurred.".

Renumber all SECTIONS consecutively.

(Reference is to SB 436 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 3.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Bill 437, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Bill 448, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 19.

Page 20, delete lines 1 through 22.

Page 22, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 16. IC 16-21-6-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 6.5. (a) In addition to the reports filed under sections 3 and 6 of this chapter, not more than one hundred twenty (120) days after the end of each calendar year, each nonprofit hospital shall annually prepare a public report detailing the policies, procedures, activities, or any other actions taken by the nonprofit hospital in the preceding calendar year that were intended to make health care more affordable within the service area of the hospital.**

(b) The nonprofit hospital shall post the public report prepared under subsection (a) on the nonprofit hospital's Internet web site immediately after the completion of the report, and the report must remain posted on the Internet web site for at least one (1) year.".

Page 22, delete lines 10 through 42, begin a new paragraph and insert:

"Sec. 1. For purposes of this chapter, "local investments" means investments in:

(1) municipal bonds in Indiana;

(2) stocks of a corporation domiciled in and doing business with a physical presence in Indiana; or

(3) equity capital economic development projects.

Sec. 2. (a) The following apply to a nonprofit hospital in Indiana:

(1) Not later than the end of calendar year 2022, a nonprofit hospital in Indiana shall have invested not less than ten percent (10%) of the hospital's unrestricted, board designated investment assets in local investments in the service area of the hospital.

(2) Beginning calendar year 2023, and each calendar year thereafter, a nonprofit hospital in Indiana shall invest and maintain not less than twenty percent (20%) of the hospital's unrestricted, board designated investment assets in local investments in the service area of the hospital.

(b) The local investments required under subsection (a) must be actual investments as reported on the hospital's balance sheet under IC 16-21-6-3(a)(1)(C).

Sec. 3. In the case of a nonprofit hospital operating in multiple states, the amount of the hospital's unrestricted, board designated investment assets that are subject to the local investment requirement under section 2 of this chapter is equal to the percentage amount of the hospital's unrestricted, board designated investment assets that are attributable to the service area of the hospital in Indiana.".

Delete pages 23 through 25.

Renumber all SECTIONS consecutively.

(Reference is to SB 448 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 449, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 5-2-6-26 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 26. (a) As used in this section, "panel" refers to the disproportionality review panel created by subsection (b).**

(b) The disproportionality review panel is created to examine juvenile court direct file, discretionary transfer, and waiver provisions for disparate racial impact.

(c) The panel consists of the following members:

(1) A representative of the judicial branch of government.

(2) A representative of the executive branch of government.

(3) A representative of a juvenile justice agency.

(4) A child advocate.

(5) A representative of a professional association that deals with youth of color, appointed by the governor.

(6) Two (2) members of the house of representatives appointed by the speaker of the house of representatives as nonvoting members. The two (2) members appointed under this section may not be of the same political party.

(7) Two (2) members of the senate appointed by the president pro tempore as nonvoting members. The two (2) members appointed under this section may not be of the same political party.

(d) Nonlegislative members appointed under subsection (c) shall be appointed by the governor and serve at the pleasure of the governor.

(e) Each member of the panel who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(f) Each member of the panel who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and to reimbursement of other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(g) Each member of the panel who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from appropriations made to the legislative council or the legislative services agency.

(h) The institute shall provide staff for the panel. The expenses incurred by the panel under this section shall be paid from appropriations made to the institute.

(i) The affirmative votes of a majority of the voting members appointed to the panel are required for the panel to take action on any measure, including reports.

(j) The panel has the duty to examine juvenile court direct file, discretionary transfer, and waiver provisions for disparate racial impact.

(k) Before November 1, 2021, the panel shall report its findings to the legislative council. The report shall be in an electronic format under IC 5-14-6.

(l) This section expires January 1, 2022.".

Page 2, delete lines 1 through 34.

Page 3, delete line 42.

Page 4, delete lines 1 through 13.

Page 6, line 8, after "IC 11-10-2-10." insert "**When the child reaches eighteen (18) years of age, the department shall submit a progress report to the court. The court shall review the report and determine whether release of the child is appropriate.**".

Page 6, delete lines 12 through 42.

Delete page 7.

Renumber all SECTIONS consecutively.

(Reference is to SB 449 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 4, Nays 2.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Senate Bill 450, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 15, after "or" insert "**owned by**".

Page 2, delete line 1.

Page 2, line 2, delete "watercourse that" and insert "**manmade in-channel structure in a watercourse that is capable of generating hazardous recirculating currents that pose a risk to public health and safety and**".

Page 3, line 20, delete "one hundred (100)" and insert "**fifty (50)**".

(Reference is to SB 450 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

GLICK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Senate Bill 451, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 35-50-5-3, AS AMENDED BY P.L.111-2018, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Except as provided in subsection (i), (j), (l), or (m), in addition to any sentence imposed under this article for a felony or misdemeanor, the court may, as a condition of probation or without placing the person on probation, order the person to make restitution to the victim of the crime, the victim's estate, or the family of a victim who is deceased. The court shall base its restitution order upon a consideration of:

(1) property damages of the victim incurred as a result of the crime, based on the actual cost of repair (or replacement if repair is inappropriate);

(2) medical and hospital costs incurred by the victim (before the date of sentencing) as a result of the crime;

(3) the cost of medical laboratory tests to determine if the crime has caused the victim to contract a disease or other medical condition;

(4) earnings lost by the victim (before the date of sentencing) as a result of the crime including earnings lost while the victim was hospitalized or participating in the investigation or trial of the crime; and

(5) funeral, burial, or cremation costs incurred by the family or estate of a homicide victim as a result of the crime.

(b) A restitution order under subsection (a), (i), (j), (l), or (m) is a judgment lien that:

(1) attaches to the property of the person subject to the order;

(2) may be perfected;

(3) may be enforced to satisfy any payment that is delinquent under the restitution order by the person in whose favor the order is issued or the person's assignee; and

(4) expires;

in the same manner as a judgment lien created in a civil proceeding.

(c) When a restitution order is issued under subsection (a), the issuing court may order the person to pay the restitution, or part of the restitution, directly to:

(1) the victim services division of the Indiana criminal justice institute in an amount not exceeding:

(A) the amount of the award, if any, paid to the victim under IC 5-2-6.1; and

(B) the cost of the reimbursements, if any, for emergency services provided to the victim under IC 16-10-1.5 (before its repeal) or IC 16-21-8; or

(2) a probation department that shall forward restitution or part of restitution to:

(A) a victim of a crime;

(B) a victim's estate; or

(C) the family of a victim who is deceased.

The victim services division of the Indiana criminal justice institute shall deposit the restitution it receives under this subsection in the violent crime victims compensation fund established by IC 5-2-6.1-40.

(d) When a restitution order is issued under subsection (a), (i), (j), (l), or (m), the issuing court shall send a certified copy of the order to the clerk of the circuit court in the county where the felony or misdemeanor charge was filed. The restitution order must include the following information:

(1) The name and address of the person that is to receive the restitution.

(2) The amount of restitution the person is to receive.

Upon receiving the order, the clerk shall enter and index the order in the circuit court judgment docket in the manner prescribed by IC 33-32-3-2. The clerk shall also notify the department of insurance of an order of restitution under subsection (i).

(e) An order of restitution under subsection (a), (i), (j), (l), or (m) does not bar a civil action for:

(1) damages that the court did not require the person to pay to the victim under the restitution order but arise from an injury or property damage that is the basis of restitution ordered by the court; and

(2) other damages suffered by the victim.

(f) Regardless of whether restitution is required under subsection (a) as a condition of probation or other sentence, the restitution order is not discharged by the completion of any probationary period or other sentence imposed for a felony or

misdemeanor.

(g) A restitution order under subsection (a), (i), (j), (l), or (m) is not discharged by the liquidation of a person's estate by a receiver under IC 32-30-5 (or IC 34-48-1, IC 34-48-4, IC 34-48-5, IC 34-48-6, IC 34-1-12, or IC 34-2-7 before their repeal).

(h) The attorney general may pursue restitution ordered by the court under subsections (a) and (c) on behalf of the victim services division of the Indiana criminal justice institute established under IC 5-2-6-8.

(i) The court may order the person convicted of an offense under IC 35-43-9 to make restitution to the victim of the crime. The court shall base its restitution order upon a consideration of the amount of money that the convicted person converted, misappropriated, or received, or for which the convicted person conspired. The restitution order issued for a violation of IC 35-43-9 must comply with subsections (b), (d), (e), and (g), and is not discharged by the completion of any probationary period or other sentence imposed for a violation of IC 35-43-9.

(j) The court may order the person convicted of an offense under IC 35-43-5-3.5 to make restitution to the victim of the crime, the victim's estate, or the family of a victim who is deceased. The court shall base its restitution order upon a consideration of the amount of fraud or harm caused by the convicted person and any reasonable expenses (including lost wages) incurred by the victim in correcting the victim's credit report and addressing any other issues caused by the commission of the offense under IC 35-43-5-3.5. If, after a person is sentenced for an offense under IC 35-43-5-3.5, a victim, a victim's estate, or the family of a victim discovers or incurs additional expenses that result from the convicted person's commission of the offense under IC 35-43-5-3.5, the court may issue one (1) or more restitution orders to require the convicted person to make restitution, even if the court issued a restitution order at the time of sentencing. For purposes of entering a restitution order after sentencing, a court has continuing jurisdiction over a person convicted of an offense under IC 35-43-5-3.5 for five (5) years after the date of sentencing. Each restitution order issued for a violation of IC 35-43-5-3.5 must comply with subsections (b), (d), (e), and (g), and is not discharged by the completion of any probationary period or other sentence imposed for an offense under IC 35-43-5-3.5.

(k) The court shall order a person convicted of an offense under IC 35-42-3.5 to make restitution to the victim of the crime in an amount equal to the greater of the following:

(1) The gross income or value to the person of the victim's labor or services.

(2) The value of the victim's labor as guaranteed under the minimum wage and overtime provisions of:

(A) the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201-209); or

(B) IC 22-2-2 (Minimum Wage);

whichever is greater.

(l) The court shall order a person who:

(1) is convicted of dealing in methamphetamine under IC 35-48-4-1.1 or manufacturing methamphetamine under IC 35-48-4-1.2; and

(2) manufactured the methamphetamine on property owned by another person, without the consent of the property owner;

to pay liquidated damages to the property owner in the amount of ten thousand dollars ($10,000) or to pay actual damages to the property owner, including lost rent and the costs of decontamination by a qualified inspector certified under IC 16-19-3.1.

(m) The court shall order a person who:

(1) is convicted of dealing in marijuana under IC 35-48-4-10(a)(1)(A); and

(2) manufactured the marijuana on property owned by another person, without the consent of the property owner;

to pay liquidated damages to the property owner in the amount of two thousand dollars ($2,000).

(n) As used in this subsection, "crime stoppers" means a local or regional organization in Indiana that is a member of Crime Stoppers USA. If a person is convicted of an offense in which crime stoppers paid an award for a tip, the court may order the person to pay restitution to crime stoppers in an amount that does not exceed the amount of the award.

(Reference is to SB 451 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 1.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Senate Bill 455, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 6, delete lines 26 through 42, begin a new paragraph and insert:

"SECTION 7. IC 10-21-1-1, AS AMENDED BY P.L.50-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. The following definitions apply throughout this chapter:

(1) "Accredited nonpublic school" means a nonpublic school ~~(as described under IC 20-18-2-12)~~ that:

(A) has voluntarily become accredited under ~~IC 20-19-2-8.~~ **IC 20-31-4.1; or**

(B) is accredited by a national or regional accrediting agency that is recognized by the state board of education.

(2) "Active event warning system" refers to a system that includes services and technology that will notify available law enforcement agencies in the area of a school building of a life threatening emergency.

(3) "ADM" refers to average daily membership determined under IC 20-43-4-2. In the case of a school corporation career and technical education school described in IC 20-37-1-1, "ADM" refers to the count on a full-time equivalency basis of students attending the school on the date ADM is determined under IC 20-43-4-2.

(4) "Board" refers to the secured school safety board

established by section 3 of this chapter.

(5) "Fund" refers to the Indiana secured school fund established by section 2 of this chapter.

(6) "Law enforcement agency" refers to a state, local, or federal agency or department that would respond to an emergency event at a school, including both on duty and off duty officers within the agency or department.

(7) "Local plan" means the school safety plan described in IC 20-26-18.2-2(b).

(8) "School corporation or charter school" refers to an individual school corporation, a school corporation career and technical education school described in IC 20-37-1-1, or a charter school but also includes:

(A) a coalition of school corporations;

(B) a coalition of charter schools; or

(C) a coalition of both school corporations and charter schools;

that intend to jointly employ a school resource officer or to jointly apply for a matching grant under this chapter, unless the context clearly indicates otherwise.

(9) "School official" refers to an employee of a school corporation, charter school, or accredited nonpublic school who has access to an active event warning system.

(10) "School resource officer" has the meaning set forth in IC 20-26-18.2-1.".

Delete pages 7 through 13.

Page 14, delete lines 1 through 28.

Page 25, delete lines 4 through 42, begin a new paragraph and insert:

"SECTION 25. IC 20-26-7.1-7, AS ADDED BY P.L.270-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. **(a) As used in this section, "accredited nonpublic school" means a nonpublic school that:**

(1) has voluntarily become accredited under IC 20-31-4.1; or

(2) is accredited by a national or regional accrediting agency that is recognized by the state board.

~~(a)~~ **(b)** This section applies to a school building with a gross square footage of two hundred thousand (200,000) square feet or less.

~~(b)~~ **(c)** If the school corporation receives notification from the department that the department has not received any preliminary requests to purchase or lease a vacant or unused school building under section 4(c)(1) of this chapter or a charter school has not met the requirements under section 4(c)(2) or 4(e) of this chapter, the school corporation must sell the school building to an accredited nonpublic school or postsecondary educational institution that sends a letter of intent to the school corporation to purchase the vacant or unused school building for an amount not more than the minimum bid for the vacant or unused school building determined in accordance with IC 36-1-11, or an amount agreed to by both parties.

~~(c)~~ **(d)** The accredited nonpublic school or postsecondary educational institution must submit its letter of intent to purchase the school building within thirty (30) days of the date the school corporation passes a resolution or takes other official action to close, no longer use, or no longer occupy a school building that was previously used for classroom instruction. However, in the event that a charter school has submitted a preliminary request to purchase or lease a school building, the accredited nonpublic school or postsecondary educational institution may send a letter of intent to purchase or lease the school building within ninety (90) days of the date that the school corporation passed a resolution or took official action to close, no longer use, or no longer occupy a school building.

~~(d)~~ **(e)** Within forty-five (45) days of notice of the minimum bid, the accredited nonpublic school or postsecondary educational institution must provide a binding offer to the school corporation to purchase the property in its current condition and provide a nonrefundable down payment equal to five percent (5%) of the minimum bid or an amount agreed to by both parties. In the event that two (2) or more binding offers are submitted to the school corporation under this subsection, the school corporation may select which offer to accept.

~~(e)~~ **(f)** If the sale of the property does not close within one hundred eighty (180) days of the school corporation's receipt of the binding offer, and the delay in closing is not caused by the school corporation or its representatives, the school corporation may refund the down payment and sell or otherwise dispose of the school building under IC 20-25-4-14, ~~IC 20-26-5-4(7),~~ **IC 20-26-5-4(a)(7),** or IC 36-1-11.".

Page 26, delete lines 1 through 4.

Page 30, line 42, delete "May 14, 2020." and insert "**June 30, 2020.**".

Page 32, line 5, delete "May 14, 2020." and insert "**June 30, 2020.**".

Page 32, line 34, delete "May 14, 2020." and insert "**June 30, 2020.**".

Page 32, line 37, delete "May" and insert "**June 30, 2020.**".

Page 32, delete line 38.

Page 47, line 24, delete "A school" and insert "**A school corporation or school**".

Page 48, between lines 14 and 15, begin a new paragraph and insert

"**Sec. 5. The state board may revoke the accreditation of a school under this chapter if the state board determines the following:**

(1) The school has failed to meet the accreditation standards established by the state board.

(2) The school has failed to comply with a federal or state law or regulation.".

Page 48, line 15, delete "5." and insert "**6.**".

Page 50, line 38, delete "at least" and insert "**less than**".

Page 53, delete lines 32 through 42.

Delete page 54.

Page 55, delete lines 1 through 40, begin a new paragraph and insert:

"SECTION 74. IC 20-33-5-9, AS AMENDED BY P.L.286-2013, SECTION 114, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. **(a) As used in this section, "accredited nonpublic school" means a nonpublic school that:**

(1) has voluntarily become accredited under IC 20-31-4.1; or

(2) is accredited by a national or regional accrediting agency that is recognized by the state board.

~~(a)~~ **(b)** If a parent of a child or an emancipated minor who is enrolled in an accredited nonpublic school meets the financial eligibility standard under section 2 of this chapter, the parent or the emancipated minor may receive a reimbursement from the department as provided in this chapter for the costs or some of the costs incurred by the parent or emancipated minor in fees that are reimbursable under section 7 of this chapter.

~~(b)~~ **(c)** The department shall provide each accredited nonpublic school with sufficient application forms for assistance, prescribed by the state board of accounts.

~~(c)~~ **(d)** Each accredited nonpublic school shall provide the parents or emancipated minors who wish to apply for assistance with:

(1) the appropriate application forms; and

(2) any assistance needed in completing the application form.

~~(d)~~ **(e)** The parent or emancipated minor shall submit the application to the accredited nonpublic school. The accredited nonpublic school shall make a determination of financial eligibility subject to appeal by the parent or emancipated minor.

~~(e)~~ **(f)** If a determination is made that the applicant is eligible for assistance, subsection ~~(a)~~ **(b)** applies.

~~(f)~~ **(g)** To be guaranteed some level of reimbursement from the department, the principal or other designee shall submit the reimbursement request before November 1 of a school year.

~~(g)~~ **(h)** In its request, the principal or other designee shall certify to the department:

(1) the number of students who are enrolled in the accredited nonpublic school and who are eligible for assistance under this chapter;

(2) the costs incurred in providing:

(A) curricular materials (including curricular materials used in special education and high ability classes); and

(B) workbooks, digital content, and consumable curricular materials (including workbooks, consumable curricular materials, and other consumable teaching materials that are used in special education and high ability classes) that are used by students for not more than one (1) school year;

(3) that the curricular materials described in subdivision (2)(A) (except any curricular materials used in special education classes and high ability classes) have been adopted by the governing body; and

(4) any other information required by the department.

~~(h)~~ **(i)** The amount of reimbursement that a parent or emancipated minor is entitled to receive shall be determined as provided in section 9.5 of this chapter.

~~(i)~~ **(j)** The accredited nonpublic school shall distribute the money received under this chapter to the appropriate eligible parents or emancipated minors.

~~(j)~~ **(k)** Section 7(f) of this chapter applies to parents or emancipated minors as described in this section.

~~(k)~~ **(l)** The accredited nonpublic school and the department shall maintain complete and accurate information concerning the number of applicants determined to be eligible for assistance under this section.

~~(l)~~ **(m)** The state board shall adopt rules under IC 4-22-2 to implement this section.

SECTION 75. IC 20-33-5-9.5, AS AMENDED BY P.L.205-2013, SECTION 258, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9.5. (a) This section applies to reimbursements made under this chapter in the state fiscal year beginning after June 30, 2013.

(b) The amount of reimbursement that a school corporation or an accredited nonpublic school **(as defined in section 9(a) of this chapter)** is entitled to receive under section 7 of this chapter in a state fiscal year is equal to the amount determined in the following STEPS:

STEP ONE: Determine the amount appropriated to make reimbursements under this chapter for the state fiscal year.

STEP TWO: Determine the total number of eligible students for which reimbursement was requested under either section 7 or 9 of this chapter before November 1 of the previous calendar year by all school corporations and accredited nonpublic schools.

STEP THREE: Divide the result determined in STEP ONE by the number determined in STEP TWO.

STEP FOUR: Multiply:

(A) the STEP THREE result; by

(B) the number of eligible students for which reimbursement was requested under section 7 or 9 of this chapter before November 1 of the state fiscal year by the school corporation or the accredited nonpublic school.".

Renumber all SECTIONS consecutively.

(Reference is to SB 455 as introduced.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 1.

RAATZ, Chair

Report adopted.

SENATE MOTION

Madam President: I move that Senator Crider be added as second author of Senate Bill 54.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as second author of Senate Bill 148.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be removed as second author of Senate Bill 295.

CRANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as second author and Senator Crane be added as third author of Senate Bill 295.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as second author of Senate Bill 398.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SCR 24 Senator Melton
Honoring the Kappa Alpha Psi fraternity.

SR 20 Senator Breaux
Urging the legislative council to assign the topic of scholarships for minority students pursuing higher education in the field of health care.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 24

Senate Concurrent Resolution 24, introduced by Senator Melton:

A CONCURRENT RESOLUTION honoring the Kappa Alpha Psi fraternity for its century of service within the community and its unyielding appreciation and support of diversity in all its forms.

Whereas, Kappa Alpha Psi, originally Kappa Alpha Nu, was established on January 5th, 1911 at Indiana University in Bloomington;

Whereas, This was the first and only African-American fraternity to this date founded on that campus and the third African-American college-based fraternity founded in the country;

Whereas, The young, intellectual, and talented 10 undergraduate college students herewith revered as the Founders were Elder Watson Diggs, Dr. Ezra Dee Alexander, Attorney Henry T. Asher, Dr. Byron K. Armstrong, Dr. Marcus Peter Blakemore, Paul W. Caine, George Wesley Edmonds, Dr. Guy Levis Grant, Edward Giles Irvin, and John Milton Lee;

Whereas, Kappa Alpha Psi Fraternity has grown to include over 700 chapters and has initiated over 30,000 men. The fraternity still maintains and lives by its motto from inception "Achievement in Every Field of Human Endeavor";

Whereas, Kappa Alpha Psi has a history saturated with philanthropic endeavors and acts of service. The national programs that define the fraternity to date are the Guide Right Program, commonly known as the Kappa Leadership Development League, the Sunday of Hope Project which directly benefits St. Jude Children's Hospital and has raised over a million dollars, such that the fraternity will now have a wing at the hospital named in its honor, and the well-known Kappa Kamp held each year at Piney Woods Boarding School in Mississippi; and

Whereas, Kappa Alpha Psi continues to serve as an avenue for young African American men to better themselves in the company of fraternal brothers and it is with great pride that we acknowledge the history of a respected service organization nationally and internationally in the state of Indiana: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representativesconcurring:

SECTION 1. That the Indiana Senate honors the Kappa Alpha Psi fraternity for its century of service within the community and unyielding appreciation and support of diversity in all its forms.

SECTION 2. The Secretary of the Senate is hereby directed to transmit five copies of this Resolution to the members of Kappa Alpha Psi.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Summers.

Senate Resolution 20

Senate Resolution 20, introduced by Senator Breaux:

A SENATE RESOLUTION to urge the legislative council to assign to the appropriate study committee the topic of scholarships for minority students pursuing higher education in the field of health care.

Whereas, Numerous studies have documented that there are significant differences in health outcomes and health care quality among racial and ethnic minority groups in the U.S.;

Whereas, Health care disparities among minority populations translate into negative health outcomes including; increased mortality rates for African-American women with breast cancer, increased mortality rates for African-American infants, and substantially higher youth mortality rates among Hispanic and African-American children when compared to their Caucasian counterparts;

Whereas, Disparities in health care pose a moral and ethical dilemma for minority communities in Hoosier society and threaten to hamper efforts to improve the state's health. Missed

diagnoses and poor management of chronic conditions often translate into avoidable, higher costs for health care systems;

Whereas, Diversity in health care providers improves access to health care for underserved populations, leads to increased racial and ethnic minority patient choice and satisfaction, and diversity in educational environments improves the quality of education for health professionals, which, in turn improves their ability to treat patients from a wide range of cultural and social backgrounds;

Whereas, Currently in Indiana, minority higher education students can apply for the William A. Crawford Minority Teacher Scholarship for minority students pursuing a career in education and since 2016, Indiana has distributed 327 of these scholarships totaling $1,007,594;

Whereas, The Indiana Legislature should study whether a similar scholarship program for minority students seeking degrees in health professions may help to increase diversity and retain health professionals in Indiana; and

Whereas, Indiana must do more to improve diversity among health professionals: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate urges the legislative council to assign to the appropriate study committee the topic of scholarships for minority students pursuing higher education in the field of health care.

The resolution was read in full and adopted by voice vote.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that Senator Koch has been excused from voting on Engrossed Senate Bill 109 pursuant to the Report of the Committee on Ethics adopted on January 27, 2020.

BRAY

Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 10 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 20 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1207, 1218, 1222, 1243, 1246, 1267, 1279, 1283, 1288, 1301, 1305, 1313, 1334, 1336, 1337, 1341, 1346, 1347, 1370, and 1372 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1003, 1004, 1066, 1076, 1080, 1081, 1082, 1092, 1093, 1099, 1131, 1132, 1145, 1147, 1153, 1181, 1182, 1189, 1198, and 1199 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 16 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1070, 1165, 1225, and 1403 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 21 and 22 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE BILLS ON SECOND READING

Senate Bill 5

Senator Charbonneau called up Senate Bill 5 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 5–1)

Madam President: I move that Senate Bill 5 be amended to read as follows:

Page 1, line 6, delete "a provider from disclosing the pricing for health care" and insert "**the disclosure of health care service claims data to employers providing the coverage. However, any disclosure of claims data must comply with health privacy laws, including the federal Health Insurance Portability and Accountability Act (HIPAA) (P.L. 104-191).**".

Page 1, delete line 7.

Page 1, line 8, delete "by the issuer of a health provider".

Page 1, line 9, delete "contract".

Page 8, line 21, delete "provisions" and insert "**the disclosure of health care service claims data.**".

Page 8, delete lines 22 through 23.

(Reference is to SB 5 as printed January 24, 2020.)

CHARBONNEAU

Motion prevailed. The bill was ordered engrossed.

Senate Bill 6

Senator Bohacek called up Senate Bill 6 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 54

Senator Doriot called up Senate Bill 54 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 62

Senator Grooms called up Senate Bill 62 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 109

Senator Crider called up Senate Bill 109 for second reading. The bill was reread a second time by title.

SENATE MOTION
(Amendment 109–3)

Madam President: I move that Senate Bill 109 be amended to read as follows:

Page 2, delete lines 3 through 5.

Page 2, line 8, delete "(c)." and insert "**(c), so long as the injured person is less than thirty-one (31) years of age.**

(e) If the injured person is thirty-one (31) years of age or older, an action under subsection (c) may only be revived if:

(1) the cause of action is brought against the alleged perpetrator; and

(2) one of the following occurs:

(A) Evidence is discovered through DNA (deoxyribonucleic acid) analysis sufficient to support the action.

(B) A recording (as defined in IC 35-31.5-2-273) is discovered which supports the action.

(C) A person confesses to the sexual abuse.".

(Reference is to SB 109 as reprinted January 28, 2020.)

FREEMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 148

Senator Doriot called up Senate Bill 148 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 148–1)

Madam President: I move that Senate Bill 148 be amended to read as follows:

Page 7, delete lines 35 through 42, begin a new paragraph and insert:

"SECTION 16. IC 36-7-2-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 12. (a) A unit may not adopt or enforce an ordinance, regulation, requirement, or restriction that mandates size requirements for a manufactured home (as defined in IC 36-7-4-1109.5) that will be placed in a mobile home or manufactured home community as described in IC 16-41-27.**

(b) Nothing in this section shall be construed to prohibit a unit from adopting or enforcing a requirement of an ordinance related to:

(1) transportation;

(2) water and sewer service; or

(3) another requirement concerning the use or development of land.".

Page 8, delete lines 1 through 9.

Page 8, line 36, delete "and".

Page 8, line 37, after "requirements;" insert "**and**".

Page 8, between lines 37 and 38, begin a new line block indentedand insert:

"**(4) the same aesthetic appearance;**".

(Reference is to SB 148 as printed January 28, 2020.)

DORIOT

Motion prevailed. The bill was ordered engrossed.

Senate Bill 170

Senator Messmer called up Senate Bill 170 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 171

Senator Grooms called up Senate Bill 171 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 178

Senator Walker called up Senate Bill 178 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 179

Senator Walker called up Senate Bill 179 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 179–1)

Madam President: I move that Senate Bill 179 be amended to read as follows:

Page 11, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 6. IC 3-11-16-5, AS ADDED BY P.L.100-2018, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. **(a)** Each county election board shall regularly provide information to the program to update the inventory of voting systems and electronic poll books maintained under section 4 of this chapter.

(b) Not later than eighty-one (81) days before the election, the county election board shall identify to the program the voting systems listed in the inventory of voting systems and electronic poll books maintained under section 4 of this chapter that will be used for absentee voting or on election day.

(c) Not later than January 31 of each year, the county election board shall certify to the secretary of state that the information set forth in the inventory regarding the voting systems and electronic poll books of the county is accurate, to the best of the knowledge and belief of the county election board.

(d) Not later than ten (10) days after a county election board:

(1) acquires a voting system or electronic poll books; or

(2) disposes of a voting system or electronic poll book under IC 3-11-15-59;

the county election board shall provide information to the program of the acquisition or disposal to update the inventory of voting systems and electronic poll books maintained under section 4 of this chapter and certify to the secretary of state that the information set forth in the inventory regarding the voting systems and electronic poll books of the county is accurate, to the best of the knowledge and belief of the county election board.".

Renumber all SECTIONS consecutively.

(Reference is to SB 179 as printed January 28, 2020.)

J.D. FORD

Motion failed.

SENATE MOTION
(Amendment 179–2)

Madam President: I move that Senate Bill 179 be amended to read as follows:

Page 11. between lines 32 and 33, begin a new paragraph and insert:

"SECTION 6. IC 3-11-15-13.3, AS AMENDED BY P.L.71-2019, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13.3. (a) To be approved by the commission for use in Indiana, a voting system must meet one (1) of the following:

(1) The Voting System Standards adopted by the Federal Election Commission on April 30, 2002.

(2) The Voluntary Voting System Guidelines adopted by the United States Election Assistance Commission on December 13, 2005.

(3) The Voluntary Voting System Guidelines adopted by the United States Election Assistance Commission, as amended on March 31, 2015.

(b) Except as provided in subsection (c), a county may continue to use an optical scan ballot card voting system or an electronic voting system whose approval or certification expired on or before October 1, 2017, if the voting system:

(1) was:

(A) approved by the commission for use in elections in Indiana before October 1, 2017; and

(B) purchased or leased by the county before October 1, 2017; and

(2) otherwise complies with the applicable provisions of HAVA and this article.

However, a voting system vendor may not market, sell, lease, or install a voting system described in this subsection.

(c) A county may not continue to use an electronic voting system after December 31, ~~2029,~~ **2021,** unless the:

(1) system includes a voter verifiable paper audit trail; and

(2) certification of that system by the commission has not expired.

(d) As provided by 52 U.S.C. 21081, to be used in an election in Indiana, a voting system must be accessible for individuals with disabilities, including nonvisual accessibility for the blind and visually impaired, in a manner that provides the same opportunity for access and participation (including privacy and independence) as for other voters.

(e) As provided by 52 U.S.C. 21081, an election board conducting an election satisfies the requirements of subsection (d) if the election board provides at least one (1) electronic voting system or other voting system equipped for individuals with disabilities at each polling place.

(f) If a voter who is otherwise qualified to cast a ballot in a precinct chooses to cast the voter's ballot on the voting system provided under subsection (e), the voter must be allowed to cast the voter's ballot on that voting system, whether or not the voter is an individual with disabilities.".

Renumber all SECTIONS consecutively.

(Reference is to SB 179 as printed January 28, 2020.)

J.D. FORD

Upon request of Senator J.D. Ford the President ordered the roll of the Senate to be called. Roll Call 96: yeas 10, nays 40.

Motion failed.

SENATE MOTION
(Amendment 179–3)

Madam President: I move that Senate Bill 179 be amended to read as follows:

Page 11, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 6. IC 3-11-15-59, AS ADDED BY P.L.100-2018, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 59. (a) Whenever a county wishes to dispose of a voting system unit or an electronic poll book unit, the county election board must first file a plan with the election division. The plan must ~~state:~~ **include all of the**

following:

(1) The serial number of each unit to be disposed of by the county.

(2) The method to be used for disposal of the equipment, including sale, transfer, or destruction of the equipment. ~~and~~

(3) **A statement** that the disposal will occur in compliance with federal and ~~state~~ **Indiana** laws requiring the retention of election materials until the expiration of the period specified by those laws.

(4) A description of the procedures that will be taken to comply with subsection (b).

(b) When disposing of a voting system unit or an electronic poll book unit, a county election board must comply with both of the following, as in effect on January 1, 2020:

(1) The National Institute of Standards and Technology Special Publication 800-88, Revision 1.

(2) Guidance described in "Wiping Election Equipment before Disposal, Sale, or Destruction" approved by the Election Assistance Commission.

(c) A county election board may, but is not required to, comply with a more recent version of the publication described in subsection (b)(1) or the guidance described in subsection (b)(2). A county election board that complies with a more recent version of the publication described in subsection (b)(1) or the guidance described in subsection (b)(2) is considered to have complied with subsection (b).

~~(b)~~ **(d)** If the election division approves the proposed plan, the election division shall notify:

(1) the county election board, which may then dispose of the equipment; and

(2) the voting system technical oversight program (VSTOP) (established by IC 3-11-16-2).".

Renumber all SECTIONS consecutively.

(Reference is to SB 179 as printed January 28, 2020.)

J.D. FORD

Motion failed. The bill was ordered engrossed.

Senate Bill 214

Senator Lonnie M. Randolph called up Senate Bill 214 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 238

Senator L. Brown called up Senate Bill 238 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 258

Senator Koch called up Senate Bill 258 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 259

Senator Spartz called up Senate Bill 259 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 259–1)

Madam President: I move that Senate Bill 259 be amended to read as follows:

Page 2, after line 6, begin a new paragraph and insert:

"SECTION 2. [EFFECTIVE JULY 1, 2020] **(a) As used in this SECTION, "department" refers to the department of child services.**

(b) Before November 1, 2020, the department shall report to the interim study committee on public health, behavioral health, and human services in an electronic format under IC 5-14-6 concerning the department's development, timeline, and implementation of the federal Family First Prevention Services Act.

(c) The report must include an estimate of current and future state expenditures and federal funding concerning the federal Family First Prevention Services Act.

(d) This SECTION expires December 31, 2021.".

Renumber all SECTIONS consecutively.

(Reference is to SB 259 as printed January 29, 2020.)

L. BROWN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 262

Senator Busch called up Senate Bill 262 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 264

Senator Holdman called up Senate Bill 264 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 268

Senator Jon Ford called up Senate Bill 268 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 288

Senator Doriot called up Senate Bill 288 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 292

Senator Sandlin called up Senate Bill 292 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 309

Senator Niezgodski called up Senate Bill 309 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 312

Senator Niezgodski called up Senate Bill 312 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 317

Senator Sandlin called up Senate Bill 317 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 330

Senator Zay called up Senate Bill 330 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 331

Senator Zay called up Senate Bill 331 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 334

Senator Walker called up Senate Bill 334 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 334–2)

Madam President: I move that Senate Bill 334 be amended to read as follows:

Page 4, delete lines 10 through 42.

Delete page 5.

Page 6, delete lines 1 through 35.

Renumber all SECTIONS consecutively.

(Reference is to SB 334 as printed January 28, 2020.)

J.D. FORD

Upon request of Senator J.D. Ford the President ordered the roll of the Senate to be called. Roll Call 97: yeas 10, nays 40.

Motion failed.

SENATE MOTION
(Amendment 334–1)

Madam President: I move that Senate Bill 334 be amended to read as follows:

Page 1, delete lines 1 through 4.

Delete pages 9 through 10.

Page 11, delete lines 1 through 23, begin a new paragraph and insert:

"SECTION 7. IC 3-7-38.2-5.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5.2. (a) Not later than June 1, 2020, the secretary of state shall take all necessary actions so that the state of Indiana is admitted to the Electronic Registration Information Center, Inc. (ERIC).**

(b) The secretary of state may use money appropriated to the election division for voter list maintenance to pay the membership fee and annual membership dues to join ERIC. If there is insufficient money appropriated for voter list maintenance to pay these costs, the secretary of state may use any appropriations to the election division to pay these costs.".

Renumber all SECTIONS consecutively.

(Reference is to SB 334 as printed January 28, 2020.)

J.D. FORD

Motion failed. The bill was ordered engrossed.

Senate Bill 345

Senator Houchin called up Senate Bill 345 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 350

Senator Holdman called up Senate Bill 350 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 365

Senator Niemeyer called up Senate Bill 365 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 368

Senator Stoops called up Senate Bill 368 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 368–1)

Madam President: I move that Senate Bill 368 be amended to read as follows:

Delete the preamble.

Page 3, line 19, delete "forest preservation" and insert "**conservation of forest lands, reforestation,**".

Page 3, line 23, delete "forest preservation" and insert "**conservation of forest lands, reforestation,**".

(Reference is to SB 368 as printed January 28, 2020.)

STOOPS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 369

Senator Alting called up Senate Bill 369 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 385

Senator Freeman called up Senate Bill 385 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 385–2)

Madam President: I move that Senate Bill 385 be amended to read as follows:

Page 2, delete lines 16 through 20.

Page 2, line 21, reset in roman "(d)".
Page 2, line 21, delete "(e)".
Page 2, line 22, delete "current cash" and insert "**assessed**".
Page 2, line 26, reset in roman "(e)".
Page 2, line 26, delete "(f)".
Page 2, line 36, delete "current cash" and insert "**assessed**".
Page 2, line 38, delete "current cash" and insert "**assessed**".
Page 2, delete lines 41 through 42.
Delete page 3.
Page 4, delete lines 1 through 13.
Renumber all SECTIONS consecutively.
(Reference is to SB 385 as printed January 29, 2020.)

FREEMAN

Motion prevailed.

SENATE MOTION
(Amendment 385–1)

Madam President: I move that Senate Bill 385 be amended to read as follows:

Page 2, between lines 40 and 41, begin a new paragraph and insert:

"SECTION 2. IC 6-1.1-3-29 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 29. (a) Beginning in 2022, the department shall determine for each school corporation the amount equal to the difference between:**

(1) the amount of tax revenue that the school corporation would have received from property taxes attributable to business personal property assessed if the acquisition cost of the business personal property had been used in determining the assessed value of a taxpayer's total business personal property for purposes of section 7.2 of this chapter; and

(2) the amount of tax revenue that the school corporation actually received from property taxes attributable to business personal property assessed using the current cash value of the business personal property in determining the assessed value of a taxpayer's total business personal property as required in section 7.2 of this chapter;

for the previous year.

(b) If the amount determined under subsection (a)(1) is greater than the amount determined under subsection (a)(2), the school corporation is entitled to receive a distribution under subsection (c) in the amount of the difference.

(c) For each school corporation that is entitled to receive a distribution under subsection (b), the department shall certify the amount determined to the auditor of state. The auditor of state shall annually distribute the amounts certified by the department from the state general fund to each county auditor for distribution to the school corporation.".

Renumber all SECTIONS consecutively.
(Reference is to SB 385 as printed January 29, 2020.)

G. TAYLOR

Motion failed. The bill was ordered engrossed.

Senate Bill 433

Senator Bassler called up Senate Bill 433 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 433–1)

Madam President: I move that Senate Bill 433 be amended to read as follows:

Page 2, line 19, after "residence." insert "**In addition to applying for a grant from the Hazard Mitigation Assistance Grant Program under this subsection, the department shall apply to every other governmental or nongovernmental grant program the department identifies after diligent inquiry as a potential source of funds to compensate the owner of an abode or residence described in this subsection for the loss of the abode or residence.**".

(Reference is to SB 433 as printed January 28, 2020.)

BASSLER

Motion prevailed. The bill was ordered engrossed.

Senate Bill 438

Senator Leising called up Senate Bill 438 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 438–1)

Madam President: I move that Senate Bill 438 be amended to read as follows:

Page 10, between lines 15 and 16, begin a new line double block indented and insert:

"**(H) One (1) individual with knowledge of pesticides who represents the interests of the pest control and extermination industry.**

(I) One (1) individual with knowledge of pesticides who represents the interests of tomato growers.".

(Reference is to SB 438 as printed January 28, 2020.)

LEISING

Motion prevailed. The bill was ordered engrossed.

Senate Bill 99

Senator Glick called up Senate Bill 99 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 71

Senator Doriot called up Engrossed Senate Bill 71 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 98: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Torr, Manning, and Miller.

Engrossed Senate Bill 98

Senator Becker called up Engrossed Senate Bill 98 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 99: yeas 30, nays 18. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Bacon.

Engrossed Senate Bill 241

Senator L. Brown called up Engrossed Senate Bill 241 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 100: yeas 46, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Lehman.

Engrossed Senate Bill 272

Senator Jon Ford called up Engrossed Senate Bill 272 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 101: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Torr.

Engrossed Senate Bill 424

Senator Rogers called up Engrossed Senate Bill 424 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 102: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Engleman.

SENATE MOTION

Madam President: I move that Senator Alting be added as second author of Senate Bill 6.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 27.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 54.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author of Senate Bill 62.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 62.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 97.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Melton and G. Taylor be added as coauthors of Senate Bill 98.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as second author of Senate Bill 99.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Buck, Freeman, Rogers, and Glick be added as coauthors of Senate Bill 139.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 139.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second author of Senate Bill 170.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as second author of Senate Bill 171.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author, Senator Crane be added as third author, and Senator Grooms be added as coauthor of Senate Bill 178.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as second author, Senator Jon Ford be added as third author, and Senator Grooms be added as coauthor of Senate Bill 179.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 183.

GASKILL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Bassler, Gaskill, and Sandlin be added as coauthors of Senate Bill 184.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as second author and Senators M. Young and Bohacek be added as coauthors of Senate Bill 209.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Rogers and Glick be added as coauthors of Senate Bill 209.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 209.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 214.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 216.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 216.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator G. Taylor be added as coauthor of Senate Bill 241.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author of Senate Bill 243.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author, Senator Spartz be added as third author, and Senators Donato and Rogers be added as coauthors of Senate Bill 244.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 244.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 258.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 259.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Raatz, Rogers, J.D. Ford, Grooms, Becker, Lonnie M. Randolph, and G. Taylor be added as coauthors of Senate Bill 262.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as third author of Senate Bill 263.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be removed as coauthor of Senate Bill 264.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as second author of Senate Bill 264.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as second author and Senator Mrvan be added as coauthor of Senate Bill 268.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as third author of Senate Bill 268.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as second author and Senators Becker and Grooms be added as coauthors of Senate Bill 273.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 288.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Walker be added as second author and Senators Houchin and Donato be added as coauthors of Senate Bill 289.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 289.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Gaskill be added as third author of Senate Bill 292.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as coauthor of Senate Bill 299.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second author of Senate Bill 309.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 309.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 309.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be removed as coauthor of Senate Bill 312.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author of Senate Bill 312.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 312.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Leising, Donato, and Spartz be added as coauthors of Senate Bill 319.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second author of Senate Bill 325.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as second author, Senator Jon Ford be added as third author, and Senator Crane be added as coauthor of Senate Bill 334.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 342.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as third author of Senate Bill 343.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as coauthor of Senate Bill 343.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Breaux and J.D. Ford be added as coauthors of Senate Bill 345.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 345.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 345.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as second author of Senate Bill 346.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as coauthor of Senate Bill 346.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 363.

DONATO

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Messmer be added as coauthor of Senate Bill 368.

STOOPS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as coauthor of Senate Bill 369.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 369.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as second author of Senate Bill 383.

G. TAYLOR

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as third author of Senate Bill 398.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be added as coauthor of Senate Bill 410.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Messmer be added as second author of Senate Bill 430.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Boots be added as second author of Senate Bill 434.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as second author of Senate Bill 435.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as second author of Senate Bill 436.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author of Senate Bill 437.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as second author of Senate Bill 438.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as second author of Senate Bill 450.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 455.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, February 3, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 4:09 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Fourteenth Meeting Day Monday Afternoon February 3, 2020

The Senate convened at 2:51 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Pastor Carlos Perkins, Bethel Cathedral Indianapolis.

The Pledge of Allegiance to the Flag was led by Senator James D. Ford.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten ▶	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 103: present 49; excused 1. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

SENATE MOTION

Madam President: I move that Senator Freeman be added as coauthor of Senate Bill 346.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as second author of Senate Bill 395.

BASSLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators J.D. Ford and Lonnie M. Randolph be added as coauthors of Senate Bill 416.

MELTON

Motion prevailed.

REPORT OF THE SENATE COMMITTEE ON ETHICS

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on January 27, 2020, to render an advisory opinion with regard to Senator Charbonneau's request that the Committee consider whether or not he has a conflict of interest pertaining to SB 184 which would require him to be removed as author and excused from voting on this bill at any stage of the legislative process. The members in attendance were: Chairman L. Brown, Senator Walker, Senator Breaux, Senator Mrvan, and Senator Lonnie M. Randolph.

The Senate Committee on Ethics has considered the facts presented by Senator Charbonneau and the Committee found no conflict that could require Senator Charbonneau to be removed as author or excused from voting on SB 184. The vote of the Committee was 5-0.

L. BROWN, Chair

Report adopted.

REPORT OF THE SENATE COMMITTEE ON ETHICS

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on January 27, 2020, to render an advisory opinion with regard to Senator Perfect's request that the Committee consider whether or not he has a conflict of interest pertaining to SB 409 which would require him to be excused from voting on this bill at any stage of the legislative process. The members in attendance were: Chairman L. Brown, Senator Charbonneau, Senator Walker, Senator Breaux, Senator Mrvan, and Senator Lonnie M. Randolph.

The Senate Committee on Ethics has considered the facts presented by Senator Perfect and the Committee found no

conflict that could require Senator Perfect to be excused from voting on SB 409. The vote of the Committee was 5-1.

L. BROWN, Chair

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that Senator Koch has been excused from voting on Engrossed Senate Bill 109 pursuant to the Report of the Committee on Ethics adopted on January 27, 2020.

BRAY

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that, pursuant to Senate Rule 76, I have received permission from Senator Garten for Senator Perfect to call Senate Bill 405 on second reading on February 3, 2020.

BRAY

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that, pursuant to Senate Rule 76, I have received permission from Senator Garten for Senator Boots to call Senate Bill 406 on second reading on February 3, 2020.

BRAY

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that, pursuant to Senate Rule 76, I have received permission from Senator Bassler for Senator Ruckelshaus to call Senate Bill 395 on second reading on February 3, 2020.

BRAY

Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1008, 1043, 1052, 1063, 1065, 1108, 1111, 1113, 1204, 1235, 1265, 1317, and 1326 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON SECOND READING

Senate Concurrent Resolution 15

Senator Doriot called up Senate Concurrent Resolution 15 for second reading. The resolution was read a second time and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Stutzman, Miller, and Jordan.

SENATE BILLS ON SECOND READING

Senate Bill 3

Senator Charbonneau called up Senate Bill 3 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 19

Senator Charbonneau called up Senate Bill 19 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 19–2)

Madam President: I move that Senate Bill 19 be amended to read as follows:

Page 3, line 36, delete "for an eye examination" and insert "**within two (2) years from the date of the examination that occurred under subdivision (3) for a refraction**".

Page 4, after line 8, begin a new paragraph and insert:

"SECTION 6. IC 25-24-1-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 4.5. (a) A contact lens seller or prescriber who fills a prescription or dispenses contact lenses or prescription eye glasses in Indiana bears the full responsibility for the accurate dispensing of the contact lenses or prescription eye glasses as provided under the prescription.**

(b) A person may not at any time make any changes or substitutions, including:

(1) the brand;

(2) the type of lenses; or

(3) ophthalmic parameters;

to a prescription for an individual for contact lenses or prescription eye glasses unless under the direction of the prescriber who issued the prescription for the contact lenses or prescription eye glasses.

SECTION 7. IC 25-24-1-4.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 4.7. A prescriber is not liable for any damage or injury to an individual resulting from the packaging, manufacturing, or dispensing of the contact lenses or prescription eye glasses unless the prescriber is also the seller.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 19 as printed January 31, 2020.)

LEISING

Motion prevailed. The bill was ordered engrossed.

Senate Bill 27

Senator Walker called up Senate Bill 27 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 43

Senator M. Young called up Senate Bill 43 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 43–1)

Madam President: I move that Senate Bill 43 be amended to read as follows:

Page 37, delete lines 11 through 13, begin a new paragraph and insert:

"**(d) The offense described in subsection (b)(9) is a Class A misdemeanor if the defendant proves by a preponderance of the evidence that the:**

(1) value of the property, data, or benefit intended to be obtained; and

(2) actual pecuniary loss;

is less than seven hundred fifty dollars ($750).".

(Reference is to SB 43 as printed January 31, 2020.)

M. YOUNG

Motion prevailed. The bill was ordered engrossed.

REPORT OF THE SENATE COMMITTEE ON ETHICS

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on February 3, 2020, to render an advisory opinion with regard to Senator Buchanan's request that the Committee consider whether or not he has a conflict of interest pertaining to SB 184 which would prohibit him from participating in discussion on or require him to be excused from voting on this bill at any stage of the legislative process. The members in attendance were: Chairmain L. Brown, Senator Charbonneau, Senator Walker, Senator Breaux, and Senator Mrvan.

The Senate Committee on Ethics has considered the facts presented by Senator Buchanan and hereby recommends that Senator Buchanan be allowed to participate in discussion on SB 184 upon public disclosure of his interest pursuant to Senate Rule 92 and has found that Senator Buchanan has no conflict that precludes him from participation in all votes pertaining to Senate Bill 184 at any stage in the legislative process. The vote of the Committee was 5-0.

L. BROWN, Chair

Report adopted.

SENATE BILLS ON SECOND READING

Senate Bill 46

Senator Freeman called up Senate Bill 46 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 123

Senator Holdman called up Senate Bill 123 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 139

Senator Lanane called up Senate Bill 139 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 146

Senator Doriot called up Senate Bill 146 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 146–1)

Madam President: I move that Senate Bill 146 be amended to read as follows:

Page 5, line 42, delete "officer or a defense" and insert "**officer;**".

Page 6, delete line 1.

Page 6, line 29, after "sexual" insert "**assault**".

Page 6, line 35, delete "Official or" and insert "**Officer**".

Page 6, delete line 36.

Page 6, line 37, delete "or defense attorney".

Page 6, line 38, delete "or".

Page 6, line 39, delete "defense attorney".

Page 6, line 41, after "sexual" insert "**assault**".

Page 8, line 19, delete "a county or regional sexual" and insert "**the state sexual assault**".

(Reference is to SB 146 as printed January 31, 2020.)

DORIOT

Motion prevailed. The bill was ordered engrossed.

Senate Bill 183

Senator Gaskill called up Senate Bill 183 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 183–1)

Madam President: I move that Senate Bill 183 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-30-18 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 18. (a) Before August 1, 2020, and subject to subsection (c), each political subdivision or other entity that imposes a food and beverage tax under IC 6-9 shall provide a report to the department that includes:**

(1) every expenditure of funds by the political subdivision or other entity;

(2) each local governmental entity, or instrumentality of a local governmental entity, that received a distribution; and

(3) every expenditure of funds by each local governmental entity described in subdivision (2);

from amounts received from the food and beverage tax imposed by the political subdivision or other entity during calendar years 2017, 2018, and 2019. Before September 1, 2020, the department shall provide the information received under this subsection to the interim study committee on fiscal policy in an electronic format under IC 5-14-6.

(b) Before June 1, 2021, and before June 1 of every year thereafter, and subject to subsection (c), each political subdivision or other entity that imposes a food and beverage tax under IC 6-9 shall provide a report to the department that includes:

(1) every expenditure of funds by the political subdivision or other entity;

(2) each local governmental entity, or instrumentality of a local governmental entity, that received a distribution; and

(3) every expenditure of funds by each local governmental entity described in subdivision (2);

from amounts received from the food and beverage tax imposed by the political subdivision or other entity during the previous calendar year.

(c) The reports required under subsections (a) and (b) must be in a format that, for each expenditure, distribution, or payment, includes:

(1) the date;

(2) the amount of the check, expenditure, distribution, or payment;

(3) the payee or recipient;

(4) the specific purpose, including whether the check, expenditure, distribution, or payment was for an employee salary or a capital project; and

(5) if applicable, a description of the project for which the check, expenditure, distribution, or payment was made.

(d) The department shall post a report received under subsection (a) or (b) on the department's public gateway web portal.".

Renumber all SECTIONS consecutively.

(Reference is to SB 183 as printed January 29, 2020.)

GASKILL

Motion prevailed. The bill was ordered engrossed.

Senate Bill 184

Senator Charbonneau called up Senate Bill 184 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 184–1)

Madam President: I move that Senate Bill 184 be amended to read as follows:

Page 2, after line 37, begin a new paragraph and insert:

"**Sec. 9. Before an individual applies for health coverage provided under this chapter, the nonprofit agricultural organization offering the health coverage shall inform the individual that the health coverage:**

(1) is not considered insurance; and

(2) is not subject to the administrative rules of the department.".

(Reference is to SB 184 as printed January 31, 2020.)

J.D. FORD

Motion prevailed. The bill was ordered engrossed.

Senate Bill 199

Senator Koch called up Senate Bill 199 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 207

Senator Merritt called up Senate Bill 207 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 208

Senator Crider called up Senate Bill 208 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 209

Senator Crider called up Senate Bill 209 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 216

Senator Sandlin called up Senate Bill 216 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 216–1)

Madam President: I move that Senate Bill 216 be amended to read as follows:

Page 5, after line 18, begin a new paragraph and insert:

"SECTION 2. IC 5-14-3-4, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The following public records are excepted from section 3 of this chapter and may not be disclosed by a public agency, unless access to the records is specifically required by a state or federal statute or is ordered by a court under the rules of discovery:

(1) Those declared confidential by state statute.

(2) Those declared confidential by rule adopted by a public agency under specific authority to classify public records as confidential granted to the public agency by statute.

(3) Those required to be kept confidential by federal law.

(4) Records containing trade secrets.

(5) Confidential financial information obtained, upon request, from a person. However, this does not include

information that is filed with or received by a public agency pursuant to state statute.

(6) Information concerning research, including actual research documents, conducted under the auspices of a state educational institution, including information:

(A) concerning any negotiations made with respect to the research; and

(B) received from another party involved in the research.

(7) Grade transcripts and license examination scores obtained as part of a licensure process.

(8) Those declared confidential by or under rules adopted by the supreme court of Indiana.

(9) Patient medical records and charts created by a provider, unless the patient gives written consent under IC 16-39 or as provided under IC 16-41-8.

(10) Application information declared confidential by the Indiana economic development corporation under IC 5-28-16.

(11) A photograph, a video recording, or an audio recording of an autopsy, except as provided in IC 36-2-14-10.

(12) A Social Security number contained in the records of a public agency.

(13) The following information that is part of a foreclosure action subject to IC 32-30-10.5:

(A) Contact information for a debtor, as described in IC 32-30-10.5-8(d)(1)(B).

(B) Any document submitted to the court as part of the debtor's loss mitigation package under IC 32-30-10.5-10(a)(3).

(14) The following information obtained from a call made to a fraud hotline established under IC 36-1-8-8.5:

(A) The identity of any individual who makes a call to the fraud hotline.

(B) A report, transcript, audio recording, or other information concerning a call to the fraud hotline.

However, records described in this subdivision may be disclosed to a law enforcement agency, a private university police department, the attorney general, the inspector general, the state examiner, or a prosecuting attorney.

(b) Except as otherwise provided by subsection (a), the following public records shall be excepted from section 3 of this chapter at the discretion of a public agency:

(1) Investigatory records of law enforcement agencies or private university police departments. For purposes of this chapter, a law enforcement recording is not an investigatory record. Law enforcement agencies or private university police departments may share investigatory records with a:

(A) person who advocates on behalf of a crime victim, including a victim advocate (as defined in IC 35-37-6-3.5) or a victim service provider (as defined in IC 35-37-6-5), for the purposes of providing services to a victim or describing services that may be available to a victim; and

(B) school corporation (as defined by IC 20-18-2-16(a)), charter school (as defined by IC 20-24-1-4), or nonpublic school (as defined by IC 20-18-2-12) for the purpose of enhancing the safety or security of a student or a school facility;

without the law enforcement agency or private university police department losing its discretion to keep those records confidential from other records requesters. However, certain law enforcement records must be made available for inspection and copying as provided in section 5 of this chapter.

(2) The work product of an attorney representing, pursuant to state employment or an appointment by a public agency:

(A) a public agency;

(B) the state; or

(C) an individual.

(3) Test questions, scoring keys, and other examination data used in administering a licensing examination, examination for employment, or academic examination before the examination is given or if it is to be given again.

(4) Scores of tests if the person is identified by name and has not consented to the release of the person's scores.

(5) The following:

(A) Records relating to negotiations between:

(i) the Indiana economic development corporation;

(ii) the ports of Indiana;

(iii) the Indiana state department of agriculture;

(iv) the Indiana finance authority;

(v) an economic development commission;

(vi) a local economic development organization that is a nonprofit corporation established under state law whose primary purpose is the promotion of industrial or business development in Indiana, the retention or expansion of Indiana businesses, or the development of entrepreneurial activities in Indiana; or

(vii) a governing body of a political subdivision;

with industrial, research, or commercial prospects, if the records are created while negotiations are in progress. However, this clause does not apply to records regarding research that is prohibited under IC 16-34.5-1-2 or any other law.

(B) Notwithstanding clause (A), the terms of the final offer of public financial resources communicated by the Indiana economic development corporation, the ports of Indiana, the Indiana finance authority, an economic development commission, or a governing body of a political subdivision to an industrial, a research, or a commercial prospect shall be available for inspection and copying under section 3 of this chapter after negotiations with that prospect have terminated.

(C) When disclosing a final offer under clause (B), the Indiana economic development corporation shall certify that the information being disclosed accurately and completely represents the terms of the final offer.

(D) Notwithstanding clause (A), an incentive agreement with an incentive recipient shall be available for inspection and copying under section 3 of this chapter after the date the incentive recipient and the Indiana

economic development corporation execute the incentive agreement regardless of whether negotiations are in progress with the recipient after that date regarding a modification or extension of the incentive agreement.

(6) Records that are intra-agency or interagency advisory or deliberative material, including material developed by a private contractor under a contract with a public agency, that are expressions of opinion or are of a speculative nature, and that are communicated for the purpose of decision making.

(7) Diaries, journals, or other personal notes serving as the functional equivalent of a diary or journal.

(8) Personnel files of public employees and files of applicants for public employment, except for:

(A) the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the agency;

(B) information relating to the status of any formal charges against the employee; and

(C) the factual basis for a disciplinary action in which final action has been taken and that resulted in the employee being suspended, demoted, or discharged.

However, all personnel file information shall be made available to the affected employee or the employee's representative. This subdivision does not apply to disclosure of personnel information generally on all employees or for groups of employees without the request being particularized by employee name.

(9) Minutes or records of hospital medical staff meetings.

(10) Administrative or technical information that would jeopardize a record keeping system, voting system, voter registration system, or security system.

(11) Computer programs, computer codes, computer filing systems, and other software that are owned by the public agency or entrusted to it and portions of electronic maps entrusted to a public agency by a utility.

(12) Records specifically prepared for discussion or developed during discussion in an executive session under IC 5-14-1.5-6.1. However, this subdivision does not apply to that information required to be available for inspection and copying under subdivision (8).

(13) The work product of the legislative services agency under personnel rules approved by the legislative council.

(14) The work product of individual members and the partisan staffs of the general assembly.

(15) The identity of a donor of a gift made to a public agency if:

(A) the donor requires nondisclosure of the donor's identity as a condition of making the gift; or

(B) after the gift is made, the donor or a member of the donor's family requests nondisclosure.

(16) Library or archival records:

(A) which can be used to identify any library patron; or

(B) deposited with or acquired by a library upon a condition that the records be disclosed only:

(i) to qualified researchers;

(ii) after the passing of a period of years that is specified in the documents under which the deposit or acquisition is made; or

(iii) after the death of persons specified at the time of the acquisition or deposit.

However, nothing in this subdivision shall limit or affect contracts entered into by the Indiana state library pursuant to IC 4-1-6-8.

(17) The identity of any person who contacts the bureau of motor vehicles concerning the ability of a driver to operate a motor vehicle safely and the medical records and evaluations made by the bureau of motor vehicles staff or members of the driver licensing medical advisory board regarding the ability of a driver to operate a motor vehicle safely. However, upon written request to the commissioner of the bureau of motor vehicles, the driver must be given copies of the driver's medical records and evaluations.

(18) School safety and security measures, plans, and systems, including emergency preparedness plans developed under 511 IAC 6.1-2-2.5.

(19) A record or a part of a record, the public disclosure of which would have a reasonable likelihood of threatening public safety by exposing a vulnerability to terrorist attack. A record described under this subdivision includes the following:

(A) A record assembled, prepared, or maintained to prevent, mitigate, or respond to an act of terrorism under IC 35-47-12-1 (before its repeal), an act of agricultural terrorism under IC 35-47-12-2 (before its repeal), or a felony terrorist offense (as defined in IC 35-50-2-18).

(B) Vulnerability assessments.

(C) Risk planning documents.

(D) Needs assessments.

(E) Threat assessments.

(F) Intelligence assessments.

(G) Domestic preparedness strategies.

(H) The location of community drinking water wells and surface water intakes.

(I) The emergency contact information of emergency responders and volunteers.

(J) Infrastructure records that disclose the configuration of critical systems such as voting system and voter registration system critical infrastructure, **and** communication, electrical, ventilation, water, and wastewater systems.

(K) Detailed drawings or specifications of structural elements, floor plans, and operating, utility, or security systems, whether in paper or electronic form, of any building or facility located on an airport (as defined in IC 8-21-1-1) that is owned, occupied, leased, or maintained by a public agency, or any part of a law enforcement recording that captures information about airport security procedures, areas, or systems. A record described in this clause may not be released for public inspection by any public agency without the prior

approval of the public agency that owns, occupies, leases, or maintains the airport. Both of the following apply to the public agency that owns, occupies, leases, or maintains the airport:

(i) The public agency is responsible for determining whether the public disclosure of a record or a part of a record, including a law enforcement recording, has a reasonable likelihood of threatening public safety by exposing a security procedure, area, system, or vulnerability to terrorist attack.

(ii) The public agency must identify a record described under item (i) and clearly mark the record as "confidential and not subject to public disclosure under IC 5-14-3-4(b)(19)(J) without approval of (insert name of submitting public agency)". However, in the case of a law enforcement recording, the public agency must clearly mark the record as "confidential and not subject to public disclosure under IC 5-14-3-4(b)(19)(K) without approval of (insert name of the public agency that owns, occupies, leases, or maintains the airport)".

(L) The home address, home telephone number, and emergency contact information for any:

(i) emergency management worker (as defined in IC 10-14-3-3);

(ii) public safety officer (as defined in IC 35-47-4.5-3);

(iii) emergency medical responder (as defined in IC 16-18-2-109.8); or

(iv) advanced emergency medical technician (as defined in IC 16-18-2-6.5).

This subdivision does not apply to a record or portion of a record pertaining to a location or structure owned or protected by a public agency in the event that an act of terrorism under IC 35-47-12-1 (before its repeal), an act of agricultural terrorism under IC 35-47-12-2 (before its repeal), or a felony terrorist offense (as defined in IC 35-50-2-18) has occurred at that location or structure, unless release of the record or portion of the record would have a reasonable likelihood of threatening public safety by exposing a vulnerability of other locations or structures to terrorist attack.

(20) The following personal information concerning a customer of a municipally owned utility (as defined in IC 8-1-2-1):

(A) Telephone number.

(B) Address.

(C) Social Security number.

(21) The following personal information about a complainant contained in records of a law enforcement agency:

(A) Telephone number.

(B) The complainant's address. However, if the complainant's address is the location of the suspected crime, infraction, accident, or complaint reported, the address shall be made available for public inspection and copying.

(22) Notwithstanding subdivision (8)(A), the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first employment of a law enforcement officer who is operating in an undercover capacity.

(23) Records requested by an offender, **an agent, or a relative of an offender** that:

(A) contain personal information relating to:

(i) a correctional officer (as defined in IC 5-10-10-1.5);

(ii) a law enforcement officer (as defined in IC 35-31.5-2-185);

(iii) a judge (as defined in IC 33-38-12-3);

(iv) the victim of a crime; or

(v) a family member of a correctional officer, law enforcement officer (as defined in IC 35-31.5-2-185), judge (as defined in IC 33-38-12-3), or victim of a crime; or

(B) concern or could affect the security of a jail or correctional facility.

For purposes of this subdivision, "agent" means a person who is authorized by an offender to act on behalf of, or at the direction of, the offender, and "relative" has the meaning set forth in IC 35-42-2-1(b).

(24) Information concerning an individual less than eighteen (18) years of age who participates in a conference, meeting, program, or activity conducted or supervised by a state educational institution, including the following information regarding the individual or the individual's parent or guardian:

(A) Name.

(B) Address.

(C) Telephone number.

(D) Electronic mail account address.

(25) Criminal intelligence information.

(26) The following information contained in a report of unclaimed property under IC 32-34-1-26 or in a claim for unclaimed property under IC 32-34-1-36:

(A) Date of birth.

(B) Driver's license number.

(C) Taxpayer identification number.

(D) Employer identification number.

(E) Account number.

(27) Except as provided in subdivision (19) and sections 5.1 and 5.2 of this chapter, a law enforcement recording. However, before disclosing the recording, the public agency must comply with the obscuring requirements of sections 5.1 and 5.2 of this chapter, if applicable.

(28) Records relating to negotiations between a state educational institution and another entity concerning the establishment of a collaborative relationship or venture to advance the research, engagement, or educational mission of the state educational institution, if the records are created while negotiations are in progress. The terms of the final offer of public financial resources communicated by the state educational institution to an industrial, a research, or a commercial prospect shall be available for inspection

and copying under section 3 of this chapter after negotiations with that prospect have terminated. However, this subdivision does not apply to records regarding research prohibited under IC 16-34.5-1-2 or any other law.

(c) Nothing contained in subsection (b) shall limit or affect the right of a person to inspect and copy a public record required or directed to be made by any statute or by any rule of a public agency.

(d) Notwithstanding any other law, a public record that is classified as confidential, other than a record concerning an adoption or patient medical records, shall be made available for inspection and copying seventy-five (75) years after the creation of that record.

(e) Only the content of a public record may form the basis for the adoption by any public agency of a rule or procedure creating an exception from disclosure under this section.

(f) Except as provided by law, a public agency may not adopt a rule or procedure that creates an exception from disclosure under this section based upon whether a public record is stored or accessed using paper, electronic media, magnetic media, optical media, or other information storage technology.

(g) Except as provided by law, a public agency may not adopt a rule or procedure nor impose any costs or liabilities that impede or restrict the reproduction or dissemination of any public record.

(h) Notwithstanding subsection (d) and section 7 of this chapter:

(1) public records subject to IC 5-15 may be destroyed only in accordance with record retention schedules under IC 5-15; or

(2) public records not subject to IC 5-15 may be destroyed in the ordinary course of business.".

Renumber all SECTIONS consecutively.

(Reference is to SB 216 as printed January 31, 2020.)

SANDLIN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 236

Senator M. Young called up Senate Bill 236 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 239

Senator L. Brown called up Senate Bill 239 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 243

Senator L. Brown called up Senate Bill 243 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 243–1)

Madam President: I move that Senate Bill 243 be amended to read as follows:

Page 3, line 21, after "(h)" insert "**A provider may receive reimbursement as of the date of the issuance of a provisional credentialing license under subsection (i) if the provider is not credentialed within thirty (30) days as required by subsection (a)(2).**".

Page 3, line 26, delete "The" and insert "**If the office of a managed care organization fails to issue a credentialing determination within thirty (30) days as required by subsection (a)(2), the**".

Page 3, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 5. IC 16-18-2-163.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 163.6. "Health care services", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-1.**

SECTION 6. IC 16-18-2-167.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 167.8. "Health maintenance organization", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-2.**

SECTION 7. IC 16-18-2-188.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 188.4. "Individual provider form", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-3.**

SECTION 8. IC 16-18-2-190.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 190.7. "Institutional provider", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-4.**

SECTION 9. IC 16-18-2-190.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 190.8. "Institutional provider form", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-5.**

SECTION 10. IC 16-18-2-190.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 190.9. "Insurer", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-6.**

SECTION 11. IC 16-18-2-254.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 254.7. "Office setting", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-7.**

SECTION 12. IC 16-18-2-295, AS AMENDED BY P.L.161-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 295. (a) "Provider", for purposes of IC 16-21-8, has the meaning set forth in IC 16-21-8-0.2.

(b) "Provider", for purposes of IC 16-38-5, IC 16-39 (except for IC 16-39-7), and IC 16-41-1 through IC 16-41-9, means any of the following:

(1) An individual (other than an individual who is an employee or a contractor of a hospital, a facility, or an agency described in subdivision (2) or (3)) who is licensed, registered, or certified as a health care professional, including the following:

(A) A physician.

(B) A psychotherapist.
(C) A dentist.
(D) A registered nurse.
(E) A licensed practical nurse.
(F) An optometrist.
(G) A podiatrist.
(H) A chiropractor.
(I) A physical therapist.
(J) A psychologist.
(K) An audiologist.
(L) A speech-language pathologist.
(M) A dietitian.
(N) An occupational therapist.
(O) A respiratory therapist.
(P) A pharmacist.
(Q) A sexual assault nurse examiner.

(2) A hospital or facility licensed under IC 16-21-2 or IC 12-25 or described in IC 12-24-1 or IC 12-29.

(3) A health facility licensed under IC 16-28-2.

(4) A home health agency licensed under IC 16-27-1.

(5) An employer of a certified emergency medical technician, a certified advanced emergency medical technician, or a licensed paramedic.

(6) The state department or a local health department or an employee, agent, designee, or contractor of the state department or local health department.

(c) "Provider", for purposes of IC 16-39-7-1, has the meaning set forth in IC 16-39-7-1(a).

(d) "Provider", for purposes of IC 16-48-1, has the meaning set forth in IC 16-48-1-3.

(e) "Provider", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-8.

SECTION 13. IC 16-51 IS ADDED TO THE INDIANA CODE AS A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

ARTICLE 51. HEALTH CARE REQUIREMENTS

Chapter 1. Health Care Billing

Sec. 1. (a) As used in this chapter, "health care services" means health care related services or products rendered or sold by a provider within the scope of the provider's license or legal authorization.

(b) The term includes hospital, medical, surgical, dental, vision, and pharmaceutical services or products.

Sec. 2. As used in this chapter, "health maintenance organization" has the meaning set forth in IC 27-13-1-19.

Sec. 3. (a) As used in this chapter, "individual provider form" means a medical claim form that:

(1) is accepted by the federal Centers for Medicare and Medicaid Services for use by individual providers or groups of providers; and

(2) includes a claim field for disclosure of the site at which the health care services to which the form relates were provided.

(b) The term includes the following:

(1) The CMS-1500 form.

(2) The HCFA-1500 form.

Sec. 4. As used in this chapter, "institutional provider" means any of the following:

(1) A hospital.
(2) A skilled nursing facility.
(3) An end stage renal disease provider.
(4) A home health agency.
(5) A hospice organization.
(6) An outpatient physical therapy, occupational therapy, or speech pathology service provider.
(7) A comprehensive outpatient rehabilitation facility.
(8) A community mental health center.
(9) A critical access hospital.
(10) A federally qualified health center.
(11) A histocompatibility laboratory.
(12) An Indian health service facility.
(13) An organ procurement organization.
(14) A religious nonmedical health care institution.
(15) A rural health clinic.

Sec. 5. (a) As used in this chapter, "institutional provider form" means a medical claim form that:

(1) is accepted by the federal Centers for Medicare and Medicaid Services for use by institutional providers; and

(2) does not include a claim field for disclosure of the site at which the health care services to which the form relates were provided.

(b) The term includes the following:

(1) The 8371 Institutional form.

(2) The CMS-1450 form.

(3) The UB-04 form.

Sec. 6. As used in this chapter, "insurer" has the meaning set forth in IC 27-8-11-1(e).

Sec. 7. As used in this chapter, "office setting" means a location, whether or not physically located within the facility of an institutional provider, where a provider routinely provides health examinations and diagnosis and treatment of illness or injury on an ambulatory basis.

Sec. 8. As used in this chapter, "provider" means an individual or entity duly licensed or legally authorized to provide health care services.

Sec. 9. (a) A bill for health care services provided by a provider in an office setting:

(1) must not be submitted on an institutional provider form; and

(2) must be submitted on an individual provider form.

(b) An insurer, health maintenance organization, employer, or other person responsible for the payment of the cost of health care services provided by a provider in an office setting is not required to accept a bill for the health care services that is submitted on an institutional provider form.

Sec. 10. The state department shall adopt rules under IC 4-22-2 for the enforcement of this chapter.".

Page 4, after line 14, begin a new paragraph and insert:

"SECTION 15. IC 27-8-11-7, AS AMENDED BY P.L.195-2018, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) This section applies to an insurer that issues or administers a policy that provides coverage for basic health care services (as defined in IC 27-13-1-4).

(b) The department of insurance shall prescribe the credentialing application form used by the Council for Affordable Quality Healthcare (CAQH) in electronic or paper format, which must be used by:

(1) a provider who applies for credentialing by an insurer; and

(2) an insurer that performs credentialing activities.

(c) An insurer shall notify a provider concerning a deficiency on a completed credentialing application form submitted by the provider not later than ~~thirty (30)~~ **fifteen (15)** business days after the insurer receives the completed credentialing application form.

(d) An insurer shall notify a provider concerning the status of the provider's completed credentialing application not later than

~~(1) sixty (60)~~ **thirty (30)** days after the insurer receives the completed credentialing application form. ~~and~~

~~(2) every thirty (30) days after the notice is provided under subdivision (1), until the insurer makes a final credentialing determination concerning the provider.~~

(e) ~~Notwithstanding subsection (d),~~ If an insurer fails to issue a credentialing determination within thirty (30) days after receiving a completed credentialing application form from a provider, the insurer shall provisionally credential the provider if the provider meets the following criteria:

(1) The provider has submitted a completed and signed credentialing application form and any required supporting material to the insurer.

(2) The provider was previously credentialed by the insurer in Indiana and in the same scope of practice for which the provider has applied for provisional credentialing.

(3) The provider is a member of a provider group that is credentialed and a participating provider with the insurer.

(4) The provider is a network provider with the insurer.

(f) The criteria for issuing provisional credentialing under subsection (e) may not be less stringent than the standards and guidelines governing provisional credentialing from the National Committee for Quality Assurance or its successor organization.

(g) ~~Once~~ **If** an insurer ~~fully credentials~~ **fails to meet the thirty (30) day credentialing requirement under subsection (d), in addition to issuing to** a provider ~~that holds~~ provisional credentialing **under subsection (e), the insurer shall provide the provider with** reimbursement payments under the contract **that** shall be retroactive to the date of the provisional credentialing. The insurer shall reimburse the provider at the rates determined by the contract between the provider and the insurer.

(h) If an insurer does not fully credential a provider that is provisionally credentialed under subsection (e), the provisional credentialing **and reimbursement** is terminated on the date the insurer notifies the provider of the adverse credentialing determination. ~~The insurer is not required to reimburse for services rendered while the provider was provisionally credentialed.~~

SECTION 16. IC 27-13-43-2, AS AMENDED BY P.L.1-2006, SECTION 489, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) The department shall prescribe the credentialing application form used by the Council for Affordable Quality Healthcare (CAQH) in electronic or paper format. The form must be used by:

(1) a provider who applies for credentialing by a health maintenance organization; and

(2) a health maintenance organization that performs credentialing activities.

(b) A health maintenance organization shall notify a provider concerning a deficiency on a completed credentialing application form submitted by the provider not later than ~~thirty (30)~~ **fifteen (15)** business days after the health maintenance organization receives the completed credentialing application form.

(c) A health maintenance organization shall notify a provider concerning the status of the provider's completed credentialing application not later than

~~(1) sixty (60)~~ **thirty (30)** days after the health maintenance organization receives the completed credentialing application form. ~~and~~

~~(2) every thirty (30) days after the notice is provided under subdivision (1), until the health maintenance organization makes a final credentialing determination concerning the provider.~~

SECTION 17. IC 27-13-43-3, AS ADDED BY P.L.195-2018, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) ~~Notwithstanding section 2 of this chapter,~~ If a health maintenance organization fails to issue a credentialing determination within thirty (30) days after receiving a completed credentialing application form from a provider, the health maintenance organization shall provisionally credential the provider if the provider meets the following criteria:

(1) The provider has submitted a completed and signed credentialing application form and any required supporting material to the health maintenance organization.

(2) The provider was previously credentialed by the health maintenance organization in Indiana and in the same scope of practice for which the provider has applied for provisional credentialing.

(3) The provider is a member of a provider group that is credentialed and a participating provider with the health maintenance organization.

(4) The provider is a network provider with the health maintenance organization.

(b) The criteria for issuing provisional credentialing under subsection (a) may not be less stringent than the standards and guidelines governing provisional credentialing from the National Committee for Quality Assurance or its successor organization.

(c) ~~Once~~ **If** a health maintenance organization ~~fully credentials~~ **fails to meet the thirty (30) day credentialing requirement under section 2 of this chapter, in addition to issuing to** a provider ~~that holds~~ provisional credentialing **under subsection (a), the health maintenance organization shall provide the provider with** reimbursement payments under the contract **that** shall be retroactive to the date of the provisional credentialing. The health maintenance organization shall reimburse the provider at the rates determined by the contract between the provider and the health maintenance organization.

(d) If a health maintenance organization does not fully credential a provider that is provisionally credentialed under

subsection (a), the provisional credentialing **and reimbursement** is terminated on the date the health maintenance organization notifies the provider of the adverse credentialing determination. ~~The health maintenance organization is not required to reimburse for services rendered while the provider was provisionally credentialed.~~".

Renumber all SECTIONS consecutively.

(Reference is to SB 243 as printed January 31, 2020.)

L. BROWN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 244

Senator L. Brown called up Senate Bill 244 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 244–2)

Madam President: I move that Senate Bill 244 be amended to read as follows:

Page 9, delete lines 26 through 31, begin a new line block indented and insert:

"**(1)** improvement necessary under IC 20-28-11.5 ~~may not~~ **is eligible to** receive ~~any~~ **a partial** raise or increment **that does not exceed fifty percent (50%) of the amount of the minimum raise or increment earned by an effective teacher employed by the school corporation; and**".

(Reference is to SB 244 as printed January 31, 2020.)

L. BROWN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 263

Senator Holdman called up Senate Bill 263 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 263–4)

Madam President: I move that Senate Bill 263 be amended to read as follows:

Page 2, delete lines 20 through 21, begin a new line block indented and insert:

"**(1) Successfully complete or have successfully completed:**

(A) the specialized weapons training described in section 7 of this chapter; or

(B) other firearm training approved by a school corporation, charter school, or nonpublic school as described in section 10 of this chapter.".

Page 2, line 24, delete "training." and insert "**training described in section 7 of this chapter or other approved firearm training described in section 10 of this chapter.**".

Page 2, line 35, delete "7(b)" and insert "**5(b)**".

Page 3, line 3, delete "5" and insert "**5(b)(1)(A)**".

Page 5, line 7, after "under" insert "**section 5(b)(1)(A) of**".

Page 5, line 37, after "under" insert "**section 5(b)(1)(A) of**".

Page 5, between lines 39 and 40, begin a new paragraph and insert:

"**Sec. 10. (a) This section applies to a school corporation, charter school, or nonpublic school that, before July 1, 2020, did the following:**

(1) Authorized a person other than a law enforcement officer or school resource officer to carry a firearm in or on school property.

(2) Approved firearm training for an employee or other staff member of the school corporation, charter school, or nonpublic school.

(b) An employee or staff member of a school corporation, charter school, or nonpublic school meets the requirements of section 5(b)(1)(B) of this chapter if the employee or staff member successfully completes or completed firearm training approved by the school corporation, charter school, or nonpublic school as described in subsection (a).".

Page 5, line 40, delete "10." and insert "**11.**".

(Reference is to SB 263 as printed January 31, 2020.)

HOLDMAN

Motion prevailed.

SENATE MOTION
(Amendment 263–5)

Madam President: I move that Senate Bill 263 be amended to read as follows:

Page 2, line 30, delete "eight (8)" and insert "**sixteen (16)**".

Page 2, line 35, delete "7(b)" and insert "**5(b)**".

(Reference is to SB 263 as printed January 31, 2020.)

HOLDMAN

Motion prevailed.

SENATE MOTION
(Amendment 263–1)

Madam President: I move that Senate Bill 263 be amended to read as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 5.

Page 6, delete lines 1 through 5.

Page 6, delete lines 40 through 42, begin a new paragraph and insert:

"SECTION 2. IC 35-47-9-1, AS AMENDED BY P.L.107-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) This chapter does not apply to the following:

(1) A:

(A) federal;

(B) state; or

(C) local;

law enforcement officer.

~~(2) A person who may legally possess a firearm and who has been authorized by:~~

~~(A) a school board (as defined by IC 20-26-9-4); or~~

~~(B) the body that administers a charter school established under IC 20-24;~~

~~to carry a firearm in or on school property.~~

~~(3)~~ **(2)** Except as provided in subsection (b) or (c), a person who:

(A) may legally possess a firearm; and
(B) possesses the firearm in a motor vehicle.

~~(4)~~ **(3)** A person who is a school resource officer, as defined in IC 20-26-18.2-1.

~~(5)~~ **(4)** Except as provided in subsection (b) or (c), a person who:
(A) may legally possess a firearm; and
(B) possesses only a firearm that is:
(i) locked in the trunk of the person's motor vehicle;
(ii) kept in the glove compartment of the person's locked motor vehicle; or
(iii) stored out of plain sight in the person's locked motor vehicle.

~~(6)~~ **(5)** A person who:
(A) may legally possess a firearm; and
(B) possesses a firearm on school property in connection with or while:
(i) attending a worship service or religious ceremony conducted at a house of worship located on the school property; or
(ii) carrying out the person's official duties at a house of worship located on the school property, if the person is employed by or a volunteer at the house of worship.

This subdivision does not affect the right of a property owner to prohibit, in whole or in part, the possession of a firearm on a property where a school or house of worship is located.

(b) For purposes of subsection ~~(a)(3)~~ **(a)(2)** and ~~(a)(5),~~ **(a)(4),** a person does not include a person who is:
(1) enrolled as a student in any high school except if the person is a high school student and is a member of a shooting sports team and the school's principal has approved the person keeping a firearm concealed in the person's motor vehicle on the days the person is competing or practicing as a member of a shooting sports team; or
(2) a former student of the school if the person is no longer enrolled in the school due to a disciplinary action within the previous twenty-four (24) months.

(c) For purposes of subsection ~~(a)(3)~~ **(a)(2)** and ~~(a)(5),~~ **(a)(4),** a motor vehicle does not include a motor vehicle owned, leased, or controlled by a school or school district. ~~unless the person who possesses the firearm is authorized by the school or school district topossess a firearm.~~".

Delete pages 7 through 8.
Renumber all SECTIONS consecutively.
(Reference is to SB 263 as printed January 31, 2020.)

STOOPS

Motion failed.

SENATE MOTION
(Amendment 263–3)

Madam President: I move that Senate Bill 263 be amended to read as follows:

Page 8, after line 11, begin a new paragraph and insert:

"SECTION 4. IC 35-47-11.1-1, AS ADDED BY P.L.152-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. **(a) Except as provided in subsection (b),** this chapter applies to a political subdivision (as defined in IC 3-5-2-38).

(b) This chapter does not apply to a school corporation.".

Renumber all SECTIONS consecutively.
(Reference is to SB 263 as printed January 31, 2020.)

G. TAYLOR

Upon request of Senator G. Taylor the President ordered the roll of the Senate to be called. Roll Call 104: yeas 14, nays 35.

Motion failed. The bill was ordered engrossed.

Senate Bill 273

Senator Crider called up Senate Bill 273 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 289

Senator Grooms called up Senate Bill 289 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 289–1)

Madam President: I move that Senate Bill 289 be amended to read as follows:

Page 2, line 38, after "(i)," insert "**conduct**".
Page 2, line 38, reset in roman "a criminal history check".
Page 2, delete lines 39 through 40.
Page 2, line 41, delete "data bases" and insert "**(as defined in IC 31-9-2-22.5)**".
Page 2, line 41, after "(d)(3)" insert "**that**".
Page 2, line 42, delete "and a child abuse and neglect registry check (under".
Page 3, delete lines 1 through 2.
Page 3, line 3, delete "years must be requested".
Page 3, delete lines 8 through 20, begin a new paragraph and insert:

"**(i) An individual described in subsection (d)(2) or (d)(3) can begin work if:**
(1) the following have been completed:
(A) An in-state child protection index check under 31-33-26.
(B) A national sex offender registry check under IC 31-9-2-22.5(3).
(C) An in-state local law enforcement records check under IC 31-9-2-22.5(4).
(D) A fingerprint based check of national crime information data bases under IC 31-9-2-22.5(1);
(2) the:
(A) out-of-state child abuse registry check under IC 31-9-2-22.5(2); and
(B) out-of-state local law enforcement records check under IC 31-9-2-22.5(4);
have been requested; and
(3) the individual's employment is limited to employment training during which the individual does

not have direct contact with a child unless the individual is accompanied by an employee who:

(A) has successfully completed all criminal history and registry checks required under this chapter; and

(B) has either at least:

(i) one (1) year of experience in child services; or

(ii) six (6) months of experience with the applicant;

until all components of conducting the criminal history check are complete.".

Page 5, line 3, after "(i)," insert "**conduct**".

Page 5, line 3, reset in roman "a criminal history check".

Page 5, delete lines 4 through 5.

Page 5, line 6, delete "data bases" and insert "**(as defined in IC 31-9-2-22.5)**".

Page 5, line 6, after "(d)(3)" insert "**that**".

Page 5, line 7, delete "and a child and neglect registry check (under 34".

Page 5, delete lines 8 through 9.

Page 5, line 10, delete "years must be requested".

Page 5, delete lines 15 through 27, begin a new paragraph and insert:

"**(i) An individual described in subsection (d)(2) or (d)(3) can begin work if:**

(1) the following have been completed:

(A) An in-state child protection index check under 31-33-26.

(B) A national sex offender registry check under IC 31-9-2-22.5(3).

(C) An in-state local law enforcement records check under IC 31-9-2-22.5(4).

(D) A fingerprint based check of national crime information data bases under IC 31-9-2-22.5(1);

(2) the:

(A) out-of-state child abuse registry check under IC 31-9-2-22.5(2); and

(B) out-of-state local law enforcement records check under IC 31-9-2-22.5(4);

have been requested; and

(3) the individual's employment is limited to employment training during which the individual does not have direct contact with a child unless the individual is accompanied by an employee who:

(A) has successfully completed all criminal history and registry checks required under this chapter; and

(B) has either at least:

(i) one (1) year of experience in child services; or

(ii) six (6) months of experience with the applicant;

until all components of conducting the criminal history check are complete.".

Page 7, line 11, after "(i)," insert "**conduct**".

Page 7, line 11, reset in roman "criminal history check".

Page 7, delete lines 12 through 13.

Page 7, line 14, delete "data bases" and insert "**(as defined in IC 31-9-2-22.5)**".

Page 7, line 14, after "(d)(3)" insert "**that**".

Page 7, line 15, delete "and a child and neglect registry check (under 34".

Page 7, delete lines 16 through 17.

Page 7, line 18, delete "years must be requested".

Page 7, delete lines 23 through 35, begin a new paragraph and insert:

"**(i) An individual described in subsection (d)(2) or (d)(3) can begin work if:**

(1) the following have been completed:

(A) An in-state child protection index check under 31-33-26.

(B) A national sex offender registry check under IC 31-9-2-22.5(3).

(C) An in-state local law enforcement records check under IC 31-9-2-22.5(4).

(D) A fingerprint based check of national crime information data bases under IC 31-9-2-22.5(1);

(2) the:

(A) out-of-state child abuse registry check under IC 31-9-2-22.5(2); and

(B) out-of-state local law enforcement records check under IC 31-9-2-22.5(4);

have been requested; and

(3) the individual's employment is limited to employment training during which the individual does not have direct contact with a child unless the individual is accompanied by an employee who:

(A) has successfully completed all criminal history and registry checks required under this chapter; and

(B) has either at least:

(i) one (1) year of experience in child services; or

(ii) six (6) months of experience with the applicant;

until all components of conducting the criminal history check are complete.".

(Reference is to SB 289 as printed January 29, 2020.)

GROOMS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 291

Senator Grooms called up Senate Bill 291 for second reading. The bill was reread a second time by title.

SENATE MOTION
(Amendment 291–2)

Madam President: I move that Senate Bill 291 be amended to read as follows:

Page 1, line 17, delete "includes:" and insert "**includes the following:**".

Page 2, delete lines 1 through 6, begin a new line block indented and insert:

"**(1) A state police officer.**

(2) A county sheriff.

(3) A county police officer.

(4) A city or town police officer.

(5) A constable.

(6) A marshal.

(7) A state educational institution police officer

appointed under IC 21-39-4.
(8) A school corporation police officer appointed under IC 20-26-16.
(9) A police officer of a public or private postsecondary educational institution whose board of trustees has established a police department under IC 21-17-5-2 or IC 21-39-4-2.
(10) An enforcement officer of the alcohol and tobacco commission.
(11) A conservation officer.
(12) A correctional police officer.
(13) A prosecuting attorney or deputy prosecuting attorney.
(14) An off-duty law enforcement officer.
(15) A retired law enforcement officer.
(16) A federal enforcement officer (as defined in IC 35-31.5-2-129).
(17) A qualified retired law enforcement officer (as defined in 18 U.S.C. 926C), if the qualified retired law enforcement
officer carries the identification required by 18 U.S.C. 926C.".

(Reference is to ESB 291 as reprinted January 28, 2020.)

GROOMS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 295

Senator Raatz called up Senate Bill 295 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 299

Senator L. Brown called up Senate Bill 299 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 299–1)

Madam President: I move that Senate Bill 299 be amended to read as follows:

Page 3, delete lines 41 through 42.
Page 4, delete lines 1 through 8.
Page 4, line 9, reset in roman "(J)".
Page 4, line 9, delete "(K)".
Page 4, line 13, reset in roman "(J)."
Page 4, line 13, delete "(K).".
Page 6, line 6, delete "IC 16-34-2-1.1(a)(2)(H), and IC 16-34-2-1.1(a)(2)(I), and" and insert "IC 16-34-2-1.1(a)(2)(H) and IC 16-34-2-1.1(a)(2)(I),".
Page 6, line 7, delete "IC 16-34-2-1.1(a)(2)(J),".
Page 6, line 13, delete "interment and in" and insert "**interment.**".
Page 6, delete lines 14 through 17.
Page 6, delete lines 25 through 28.
(Reference is to SB 299 as printed January 31, 2020.)

BREAUX

Motion failed.

SENATE MOTION
(Amendment 299–2)

Madam President: I move that Senate Bill 299 be amended to read as follows:

Page 3, line 41, delete ":" and insert "**, for an abortion induced by an abortion inducing drug, the disposition policy of the health care provider or the abortion clinic concerning the disposition of the embryonic remains. The disposition policy must allow the pregnant woman to return the embryonic remains to the health care provider or abortion clinic for disposition by interment or cremation.**".
Page 3, delete line 42.
Page 4, delete lines 1 through 8.
Page 6, line 15, delete "aborted fetus" and insert "**embryonic remains**".
Page 6, line 26, delete "aborted fetus" and insert "**embryonic remains**".
(Reference is to SB 299 as printed January 31, 2020.)

BREAUX

Motion failed.

SENATE MOTION
(Amendment 299–3)

Madam President: I move that Senate Bill 299 be amended to read as follows:

Page 6, line 14, after "whether" insert "**, if**".
Page 6, line 15, delete "will" and insert "**chooses to**".
Page 6, line 16, delete "clinic for disposition" and insert "**clinic, the disposition will be**".
(Reference is to SB 299 as printed January 31, 2020.)

BREAUX

Motion failed. The bill was ordered engrossed.

Senate Bill 311

Senator Niezgodski called up Senate Bill 311 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 319

Senator Rogers called up Senate Bill 319 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 319–1)

Madam President: I move that Senate Bill 319 be amended to read as follows:

Page 2, between lines 19 and 20, begin a new line double block indented and insert:

"**(F) Future Farmers of America (FFA).**".

(Reference is to SB 319 as printed January 31, 2020.)

SPARTZ

Motion prevailed. The bill was ordered engrossed.

Senate Bill 320

Senator Rogers called up Senate Bill 320 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 320–1)

Madam President: I move that Senate Bill 320 be amended to read as follows:

Page 4, line 19, delete "The".

Page 4, delete lines 20 through 22.

Page 5, line 30, delete "large".

Page 5, line 40, delete "(a) As used in this section, "large".

Page 5, delete lines 41 through 42.

Page 5, run in line 40 through page 6, line 4.

Page 6, delete lines 1 through 3.

Page 6, line 4, delete "(b)" and insert "**(a)**".

Page 6, line 4, delete "a large" and insert "**an**".

Page 6, line 5, delete "large".

Page 6, line 7, delete "of a large" and insert "**of the**".

Page 6, line 7, delete "if the large" and insert "**if the**".

Page 6, line 8, delete "The waiver must be on a form prescribed by the".

Page 6, line 9, delete "department.".

Page 6, line 9, delete "large".

Page 6, line 11, delete "large".

Page 6, line 12, delete "A large" and insert "**An**".

Page 6, line 14, delete "large".

Page 6, between lines 15 and 16, begin a new paragraph and insert:

"**(b) The requirements set forth in sections 8.1(f) and 8.6 of this chapter do not apply to an employer that submits a waiver to the department under this section.**".

Page 6, line 16, delete "(c) For a large employer under subsection (a)(1)," and insert "**(c) For employers that submit a waiver under this section,**".

Page 6, line 19, delete "a large" and insert "**an**".

Page 6, line 23, delete "a large" and insert "**an**".

Page 6, between lines 26 and 27, begin a new paragraph and insert:

"**(d) The waiver under this section must be a separate document and may not be included as a provision within an agreement or contract with the employer. The department shall prescribe the standard waiver form that must be used by an employer to execute a waiver under this section.**".

Page 6, line 27, delete "(d)" and insert "**(e)**".

Page 6, line 27, delete "forms," and insert **"forms in addition to the standard waiver form required under subsection (d),**".

(Reference is to SB 320 as printed January 31, 2020.)

ROGERS

Motion prevailed. The bill was ordered engrossed.

Senate Bill 324

Senator Glick called up Senate Bill 324 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 327

Senator Zay called up Senate Bill 327 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 335

Senator M. Young called up Senate Bill 335 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 335–4)

Madam President: I move that Senate Bill 335 be amended to read as follows:

Page 76, delete lines 6 through 42.

Delete page 77.

Renumber all SECTIONS consecutively.

(Reference is to SB 335 as printed January 31, 2020.)

M. YOUNG

Motion prevailed.

SENATE MOTION
(Amendment 335–3)

Madam President: I move that Senate Bill 335 be amended to read as follows:

Page 86, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 71. IC 35-41-5-2, AS AMENDED BY P.L.158-2013, SECTION 409, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A person conspires to commit ~~a felony~~ **an offense** when, with intent to commit the ~~felony,~~ **offense,** the person agrees with another person to commit the ~~felony.~~ **offense.** A conspiracy to commit ~~a felony~~ **an offense** is ~~a felony~~ **an offense** of the same level **(if the offense is a felony) or class (if the offense is a misdemeanor)** as the underlying ~~felony.~~ **offense.** However, a conspiracy to commit murder is:

(1) a Level 2 felony if the conspiracy does not result in the death of a person; and

(2) a Level 1 felony if the conspiracy results in the death of another person.

(b) The state must allege and prove that either the person or the person with whom he or she agreed performed an overt act in furtherance of the agreement.

(c) It is no defense that the person with whom the accused person is alleged to have conspired:

(1) has not been prosecuted;

(2) has not been convicted;

(3) has been acquitted;

(4) has been convicted of a different crime;

(5) cannot be prosecuted for any reason; or

(6) lacked the capacity to commit the crime.".

Renumber all SECTIONS consecutively.

(Reference is to SB 335 as printed January 31, 2020.)

MESSMER

Motion prevailed.

SENATE MOTION
(Amendment 335–5)

Madam President: I move that Senate Bill 335 be amended to read as follows:

Page 74, delete lines 21 through 42.

Delete page 75.

Page 76, delete lines 1 through 5.

Renumber all SECTIONS consecutively.

(Reference is to SB 335 as printed January 31, 2020.)

FREEMAN

Motion prevailed.

SENATE MOTION
(Amendment 335–1)

Madam President: I move that Senate Bill 335 be amended to read as follows:

Page 76, between lines 5 and 6, begin a new paragraph and insert:

"SECTION 53. IC 35-33-8-3.2, AS AMENDED BY P.L.161-2018, SECTION 115, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.2. (a) After considering the results of the Indiana pretrial risk assessment system (if available), other relevant factors, and bail guidelines described in section 3.8 of this chapter, **and subject to section 3.8 of this chapter,** a court may admit a defendant to bail and impose any of the following conditions to assure the defendant's appearance at any stage of the legal proceedings, or, upon a showing of clear and convincing evidence that the defendant poses a risk of physical danger to another person or the community, to assure the public's physical safety:

(1) Require the defendant to:

(A) execute a bail bond with sufficient solvent sureties;

(B) deposit cash or securities in an amount equal to the bail;

(C) execute a bond secured by real estate in the county, where thirty-three hundredths (0.33) of the true tax value less encumbrances is at least equal to the amount of the bail;

(D) post a real estate bond; or

(E) perform any combination of the requirements described in clauses (A) through (D).

If the court requires the defendant to deposit cash or cash and another form of security as bail, the court may require the defendant and each person who makes the deposit on behalf of the defendant to execute an agreement that allows the court to retain all or a part of the cash to pay publicly paid costs of representation and fines, costs, fees, and restitution that the court may order the defendant to pay if the defendant is convicted. The defendant must also pay the fee required by subsection (d).

(2) Require the defendant to execute:

(A) a bail bond by depositing cash or securities with the clerk of the court in an amount not less than ten percent (10%) of the bail; and

(B) an agreement that allows the court to retain all or a part of the cash or securities to pay fines, costs, fees, and restitution that the court may order the defendant to pay if the defendant is convicted.

A portion of the deposit, not to exceed ten percent (10%) of the monetary value of the deposit or fifty dollars ($50), whichever is the lesser amount, may be retained as an administrative fee. The clerk shall also retain from the deposit under this subdivision fines, costs, fees, and restitution as ordered by the court, publicly paid costs of representation that shall be disposed of in accordance with subsection (b), and the fee required by subsection (d). In the event of the posting of a real estate bond, the bond shall be used only to insure the presence of the defendant at any stage of the legal proceedings, but shall not be foreclosed for the payment of fines, costs, fees, or restitution. The individual posting bail for the defendant or the defendant admitted to bail under this subdivision must be notified by the sheriff, court, or clerk that the defendant's deposit may be forfeited under section 7 of this chapter or retained under subsection (b).

(3) Impose reasonable restrictions on the activities, movements, associations, and residence of the defendant during the period of release.

(4) Except as provided in section 3.6 of this chapter, require the defendant to refrain from any direct or indirect contact with an individual and, if the defendant has been charged with an offense under IC 35-46-3, any animal belonging to the individual, including if the defendant has not been released from lawful detention.

(5) Place the defendant under the reasonable supervision of a probation officer, pretrial services agency, or other appropriate public official. If the court places the defendant under the supervision of a probation officer or pretrial services agency, the court shall determine whether the defendant must pay the pretrial services fee under section 3.3 of this chapter.

(6) Release the defendant into the care of a qualified person or organization responsible for supervising the defendant and assisting the defendant in appearing in court. The supervisor shall maintain reasonable contact with the defendant in order to assist the defendant in making arrangements to appear in court and, where appropriate, shall accompany the defendant to court. The supervisor need not be financially responsible for the defendant.

(7) Release the defendant on personal recognizance unless:

(A) the state presents evidence relevant to a risk by the defendant:

(i) of nonappearance; or

(ii) to the physical safety of the public; and

(B) the court finds by a preponderance of the evidence that the risk exists.

(8) Require a defendant charged with an offense under IC 35-46-3 to refrain from owning, harboring, or training an animal.

(9) Impose any other reasonable restrictions designed to assure the defendant's presence in court or the physical safety of another person or the community.

(b) Within thirty (30) days after disposition of the charges

against the defendant, the court that admitted the defendant to bail shall order the clerk to remit the amount of the deposit remaining under subsection (a)(2) to the defendant. The portion of the deposit that is not remitted to the defendant shall be deposited by the clerk in the supplemental public defender services fund established under IC 33-40-3.

(c) For purposes of subsection (b), "disposition" occurs when the indictment or information is dismissed or the defendant is acquitted or convicted of the charges.

(d) Except as provided in subsection (e), the clerk of the court shall:

(1) collect a fee of five dollars ($5) from each bond or deposit required under subsection (a)(1); and

(2) retain a fee of five dollars ($5) from each deposit under subsection (a)(2).

The clerk of the court shall semiannually remit the fees collected under this subsection to the board of trustees of the Indiana public retirement system for deposit in the special death benefit fund. The fee required by subdivision (2) is in addition to the administrative fee retained under subsection (a)(2).

(e) With the approval of the clerk of the court, the county sheriff may collect the bail posted under this section. The county sheriff shall remit the bail to the clerk of the court by the following business day and remit monthly the five dollar ($5) special death benefit fee to the county auditor.

(f) When a court imposes a condition of bail described in subsection (a)(4):

(1) the clerk of the court shall comply with IC 5-2-9; and

(2) the prosecuting attorney shall file a confidential form prescribed or approved by the office of judicial administration with the clerk.

SECTION 54. IC 35-33-8-3.8, AS ADDED BY P.L.187-2017, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.8. (a) A court shall consider the results of the Indiana pretrial risk assessment system (if available) before setting or modifying bail for an arrestee.

(b) ~~If~~ **Except as provided in sections 3.5 and 4.5 of this chapter, and except as provided in subsection (c), an arrestee whose most serious pending charge is a misdemeanor is presumptively entitled to release without money bail or surety. Unless** the court finds **by a preponderance of the evidence,** based on the results of the Indiana pretrial risk assessment system (if available) and other relevant factors, that an arrestee ~~does not present~~ **presents** a substantial risk of flight or danger to the arrestee or others, the court shall ~~consider releasing~~ **release** the arrestee without money bail or surety, subject to restrictions and conditions as determined by the court. ~~unless one (1) or more of the following apply:~~

(c) An arrestee is not entitled to release without money bail or surety if one (1) or more of the following apply:

(1) The arrestee is charged with murder or treason.

(2) The arrestee is on pretrial release not related to the incident that is the basis for the present arrest.

(3) The arrestee is on probation, parole, or other community supervision.

(d) The court is not required to administer an assessment before releasing an arrestee if administering the assessment will delay the arrestee's release.".

Renumber all SECTIONS consecutively.

(Reference is to SB 335 as printed January 31, 2020.)

TALLIAN

Motion failed. The bill was ordered engrossed.

Senate Bill 337

Senator Spartz called up Senate Bill 337 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 337–1)

Madam President: I move that Senate Bill 337 be amended to read as follows:

Page 8, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 8. IC 27-8-5.9-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. As used in this chapter, "preexisting condition exclusion" has the meaning set forth in 45 CFR 144.103, as in effect on January 1, 2020.**

SECTION 9. IC 27-8-5.9-4.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 4.1. A short term insurance plan may not impose a preexisting condition exclusion on coverage provided under a short term insurance plan.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 337 as printed January 31, 2020.)

J.D. FORD

Upon request of Senator J.D. Ford the President ordered the roll of the Senate to be called. Roll Call 105: yeas 15, nays 34.

Motion failed.

SENATE MOTION
(Amendment 337–2)

Madam President: I move that Senate Bill 337 be amended to read as follows:

Page 8, between lines 13 and 14, begin a new paragraph and insert:

"**(b) An association health plan established under this chapter:**

(1) may not impose a preexisting condition exclusion (as defined in 45 CFR 144.103) on coverage provided under the association health plan; and

(2) must include coverage for:

(A) ambulatory patient services;

(B) hospitalization;

(C) emergency services; and

(D) laboratory services.".

Page 8, line 14, delete "(b)" and insert "**(c)**".

Page 8, line 16, delete "subsection (a)" and insert "**subsections (a) and (b)**".

Page 8, line 23, delete "(c)" and insert "**(d)**".

Page 8, line 26, delete "subsection (a)" and insert "**subsections (a) and (b)**".
Page 8, line 27, delete "(b)" and insert "**(c)**".
(Reference is to SB 337 as printed January 31, 2020.)

J.D. FORD

Motion failed.

SENATE MOTION
(Amendment 337–3)

Madam President: I move that Senate Bill 337 be amended to read as follows:
Page 2, delete lines 13 through 26.
Renumber all SECTIONS consecutively.
(Reference is to SB 337 as printed January 31, 2020.)

J.D. FORD

Motion failed. The bill was ordered engrossed.

Senate Bill 342

Senator Alting called up Senate Bill 342 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 342–2)

Madam President: I move that Senate Bill 342 be amended to read as follows:
Delete the title and insert the following:
A BILL FOR AN ACT concerning labor.
Delete everything after the enacting clause and insert the following:
SECTION 1. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to an appropriate interim study committee the task of studying pregnancy and childbirth accommodations and the fiscal impact on businesses within Indiana.**
(b) This SECTION expires January 1, 2021.
SECTION 2. **An emergency is declared for this act.**
(Reference is to SB 342 as printed January 29, 2020.)

ZAY

Upon request of Senator Breaux the President ordered the roll of the Senate to be called. Roll Call 106: yeas 34, nays 15.

Motion prevailed. The bill was ordered engrossed.

Senate Bill 343

Senator Houchin called up Senate Bill 343 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 346

Senator Houchin called up Senate Bill 346 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 346–1)

Madam President: I move that Senate Bill 346 be amended to read as follows:
Page 3, line 22, after "reader" insert "**and calculator**".
(Reference is to SB 346 as printed January 31, 2020.)

HOUCHIN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 363

Senator Donato called up Senate Bill 363 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 364

Senator Spartz called up Senate Bill 364 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 364–1)

Madam President: I move that Senate Bill 364 be amended to read as follows:
Page 2, delete lines 22 through 25.
Page 2, line 26, delete "(3)" and insert "**(1)**".
Page 2, line 29, delete "(4)" and insert "**(2)**".
Page 2, line 31, delete "(5)" and insert "**(3)**".
Page 2, line 32, delete "(6)" and insert "**(4)**".
Page 2, line 34, delete "(7)" and insert "**(5)**".
Page 3, delete lines 39 through 41.
Page 3, line 42, delete "(7)" and insert "**(5)**".
Page 4, line 2, delete "(8)" and insert "**(6)**".
Page 4, line 4, delete "(9)" and insert "**(7)**".
Page 4, line 5, delete "(10)" and insert "**(8)**".
Page 4, line 6, delete "(11)" and insert "**(9)**".
Page 4, line 7, delete "(12)" and insert "**(10)**".
Page 4, line 8, delete "(13)" and insert "**(11)**".
Page 4, line 9, delete "(14)" and insert "**(12)**".
Page 4, line 14, delete "(15)" and insert "**(13)**".
(Reference is to SB 364 as printed January 31, 2020.)

FREEMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 383

Senator G. Taylor called up Senate Bill 383 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 395

Senator Ruckelshaus called up Senate Bill 395 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 398

Senator Raatz called up Senate Bill 398 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 400

Senator Buchanan called up Senate Bill 400 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 401

Senator Buchanan called up Senate Bill 401 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 401–1)

Madam President: I move that Senate Bill 401 be amended to read as follows:

Page 1, line 16, strike "(f)" and insert "**(g)**".

Page 1, line 17, strike "(f)." and insert "**(g).**".

Page 2, delete lines 10 through 34, begin a new paragraph and insert:

"(e) The deduction provided by this section **before January 2, 2017,** applies only:

(1) for the rehabilitation of residential real property which is located within this state and which is described in one (1) of the following classifications:

(A) A single family dwelling if before rehabilitation the assessed value (excluding any exemptions or deductions) of the improvements does not exceed thirty-seven thousand four hundred forty dollars ($37,440).

(B) A two (2) family dwelling if before rehabilitation the assessed value (excluding exemptions or deductions) of the improvements does not exceed forty-nine thousand nine hundred twenty dollars ($49,920).

(C) A dwelling with more than two (2) family units if before rehabilitation the assessed value (excluding any exemptions or deductions) of the improvements does not exceed eighteen thousand seven hundred twenty dollars ($18,720) per dwelling unit; and

(2) if the property owner:

(A) owns the residential real property; or

(B) is buying the residential real property under contract;

on the assessment date of the year in which an application must be filed under section 20 of this chapter.

(f) The deduction provided by this section after December 31, 2020, applies only:

(1) for the rehabilitation of residential real property that is a single family dwelling unit for which the owner has been granted a homestead deduction under IC 6-1.1-12-37, if before rehabilitation the assessed value (excluding any exemptions or deductions) of the improvements does not exceed sixty-two thousand five hundred twenty-five dollars ($62,525); and

(2) if the property owner:

(A) owns the residential real property described in subdivision (1); or

(B) is buying the residential real property described in subdivision (1) under contract;

on the assessment date of the year in which an application must be filed under section 20 of this chapter.".

Page 2, line 35, strike "(f)" and insert "**(g)**".

Page 4, delete lines 6 through 42.

Delete page 5.

Page 6, delete lines 1 through 9.

Page 6, line 15, delete "chapter." and insert "chapter".

Page 6, line 15, reset in roman "(before its".

Page 6, line 16, reset in roman "expiration).".

Page 7, line 3, delete "IC 6-1.1-12-22." and insert "IC 6-1.1-12-22".

Page 7, line 3, reset in roman "(before its expiration).".

Page 7, line 16, delete "IC 6-1.1-12-22 ~~(before its~~" and insert "IC 6-1.1-12-22 (before its".

Page 7, line 17, reset in roman "expiration)".

Page 7, line 31, delete "IC 6-1.1-12-22," and insert "IC 6-1.1-12-22".

Page 7, line 31, reset in roman "(before its expiration),".

(Reference is to SB 401 as printed January 31, 2020.)

BUCHANAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 403

Senator Buchanan called up Senate Bill 403 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 403–1)

Madam President: I move that Senate Bill 403 be amended to read as follows:

Page 2, line 22, after "(f)" insert "**This subsection applies after June 30, 2021.**".

Page 2, line 24, delete "or the Indiana board" and insert "**, the Indiana board, the Indiana tax court, or any other court**".

(Reference is to SB 403 as printed January 31, 2020.)

BUCHANAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 405

Senator Perfect called up Senate Bill 405 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 406

Senator Boots called up Senate Bill 406 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 408

Senator Holdman called up Senate Bill 408 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 408–1)

Madam President: I move that Senate Bill 408 be amended to read as follows:

Page 47, between lines 20 and 21, begin a new paragraph and insert:

"SECTION 29. IC 6-3-3-12, AS AMENDED BY P.L.214-2018(ss), SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 12. (a) As used in this section, "account" has the meaning set forth in IC 21-9-2-2.

(b) As used in this section, "account beneficiary" has the meaning set forth in IC 21-9-2-3.

(c) As used in this section, "account owner" has the meaning set forth in IC 21-9-2-4.

(d) As used in this section, "college choice 529 education savings plan" refers to a college choice 529 plan established under IC 21-9.

(e) As used in this section, "contribution" means the amount of money directly provided to a college choice 529 education savings plan account by a taxpayer. A contribution does not include any of the following:

(1) Money credited to an account as a result of bonus points or other forms of consideration earned by the taxpayer that result in a transfer of money to the account.

(2) Money transferred from any other qualified tuition program under Section 529 of the Internal Revenue Code or from any other similar plan.

(3) Money that is credited to an account and that will be transferred to an ABLE account (as defined in Section 529A of the Internal Revenue Code).

(f) As used in this section, "nonqualified withdrawal" means a withdrawal or distribution from a college choice 529 education savings plan that is not a qualified withdrawal.

(g) As used in this section, "qualified higher education expenses" has the meaning set forth in IC 21-9-2-19.5.

(h) As used in this section, "qualified K-12 education expenses" means expenses that are for tuition in connection with enrollment or attendance at an elementary or secondary public, private, or religious school located in Indiana and are permitted under Section 529 of the Internal Revenue Code.

(i) As used in this section, "qualified withdrawal" means a withdrawal or distribution from a college choice 529 education savings plan that is made:

(1) to pay for qualified higher education expenses, excluding any withdrawals or distributions used to pay for qualified higher education expenses, if the withdrawals or distributions are made from an account of a college choice 529 education savings plan that is terminated within twelve (12) months after the account is opened;

(2) as a result of the death or disability of an account beneficiary;

(3) because an account beneficiary received a scholarship that paid for all or part of the qualified higher education expenses of the account beneficiary, to the extent that the withdrawal or distribution does not exceed the amount of the scholarship; or

(4) by a college choice 529 education savings plan as the result of a transfer of funds by a college choice 529 education savings plan from one (1) third party custodian to another.

However, a qualified withdrawal does not include a withdrawal or distribution that will be used for expenses that are for tuition in connection with enrollment or attendance at an elementary or secondary public, private, or religious school unless the school is located in Indiana. A qualified withdrawal does not include a rollover distribution or transfer of assets from a college choice 529 education savings plan to any other qualified tuition program under Section 529 of the Internal Revenue Code or to any other similar plan.

(j) As used in this section, "taxpayer" means:

(1) an individual filing a single return; ~~or~~

(2) a married couple filing a joint return; **or**

(3) for taxable years beginning after December 31, 2019, a married individual filing a separate return.

(k) A taxpayer is entitled to a credit against the taxpayer's adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for a taxable year equal to the least of the following:

(1) The following amount:

(A) For taxable years beginning before January 1, 2019, the sum of twenty percent (20%) multiplied by the amount of the total contributions that are made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year and that will be used to pay for qualified higher education expenses that are not qualified K-12 education expenses, plus the lesser of:

(i) five hundred dollars ($500); or

(ii) ten percent (10%) multiplied by the amount of the total contributions that are made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year and that will be used to pay for qualified K-12 education expenses.

(B) For taxable years beginning after December 31, 2018, the sum of:

(i) twenty percent (20%) multiplied by the amount of the total contributions that are made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year and that are designated to pay for qualified higher education expenses that are not qualified K-12 education expenses; plus

(ii) twenty percent (20%) multiplied by the amount of the total contributions that are made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year and that are designated to pay for qualified K-12 education expenses.

(2) One thousand dollars ($1,000), **or five hundred dollars ($500) in the case of a married individual filing a separate return.**

(3) The amount of the taxpayer's adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for the taxable year, reduced by the sum of all credits (as determined without regard to this section) allowed by IC 6-3-1 through IC 6-3-7.

(l) This subsection applies after December 31, 2018. At the time a contribution is made to or a withdrawal is made from an

account or accounts of a college choice 529 education savings plan, the person making the contribution or withdrawal shall designate whether the contribution is made for or the withdrawal will be used for:

(1) qualified higher education expenses that are not qualified K-12 education expenses; or

(2) qualified K-12 education expenses.

The Indiana education savings authority (IC 21-9-3) shall use subaccounting to track the designations.

(m) A taxpayer who makes a contribution to a college choice 529 education savings plan is considered to have made the contribution on the date that:

(1) the taxpayer's contribution is postmarked or accepted by a delivery service, for contributions that are submitted to a college choice 529 education savings plan by mail or delivery service; or

(2) the taxpayer's electronic funds transfer is initiated, for contributions that are submitted to a college choice 529 education savings plan by electronic funds transfer.

(n) A taxpayer is not entitled to a carryback, carryover, or refund of an unused credit.

(o) A taxpayer may not sell, assign, convey, or otherwise transfer the tax credit provided by this section.

(p) To receive the credit provided by this section, a taxpayer must claim the credit on the taxpayer's annual state tax return or returns in the manner prescribed by the department. The taxpayer shall submit to the department all information that the department determines is necessary for the calculation of the credit provided by this section.

(q) An account owner of an account of a college choice 529 education savings plan must repay all or a part of the credit in a taxable year in which any nonqualified withdrawal is made from the account. The amount the taxpayer must repay is equal to the lesser of:

(1) twenty percent (20%) of the total amount of nonqualified withdrawals made during the taxable year from the account; or

(2) the excess of:

(A) the cumulative amount of all credits provided by this section that are claimed by any taxpayer with respect to the taxpayer's contributions to the account for all prior taxable years beginning on or after January 1, 2007; over

(B) the cumulative amount of repayments paid by the account owner under this subsection for all prior taxable years beginning on or after January 1, 2008.

(r) Any required repayment under subsection (q) shall be reported by the account owner on the account owner's annual state income tax return for any taxable year in which a nonqualified withdrawal is made.

(s) A nonresident account owner who is not required to file an annual income tax return for a taxable year in which a nonqualified withdrawal is made shall make any required repayment on the form required under IC 6-3-4-1(2). If the nonresident account owner does not make the required repayment, the department shall issue a demand notice in accordance with IC 6-8.1-5-1.

(t) The executive director of the Indiana education savings authority shall submit or cause to be submitted to the department a copy of all information returns or statements issued to account owners, account beneficiaries, and other taxpayers for each taxable year with respect to:

(1) nonqualified withdrawals made from accounts, including subaccounts of a college choice 529 education savings plan for the taxable year; or

(2) account closings for the taxable year.".

Renumber all SECTIONS consecutively.

(Reference is to SB 408 as printed January 31, 2020.)

J.D. FORD

Motion prevailed.

SENATE MOTION
(Amendment 408–3)

Madam President: I move that Senate Bill 408 be amended to read as follows:

Page 3, delete lines 36 through 42.

Delete page 4.

Page 5, delete lines 1 through 35.

Page 57, line 42, delete "2021," and insert "**2022,**".

Page 77, between lines 41 and 42, begin a new paragraph and insert:

"SECTION 53. IC 36-8-16.6-10, AS ADDED BY P.L.113-2010, SECTION 151, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. As used in this chapter, "seller" means a person that **directly** sells prepaid wireless telecommunications service to another person **and a marketplace facilitator as defined in IC 6-2.5-1-21.9.**".

Renumber all SECTIONS consecutively.

(Reference is to SB 408 as printed January 31, 2020.)

HOLDMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 409

Senator Messmer called up Senate Bill 409 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 409–1)

Madam President: I move that Senate Bill 409 be amended to read as follows:

Page 11, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 14. IC 22-2-2-4, AS AMENDED BY P.L.38-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MAY 1, 2020]: Sec. 4. (a) No employer having employees subject to any provisions of this section shall discriminate, within any establishment in which employees are employed, between employees on the basis of sex by paying to employees in such establishment a rate less than the rate at which the employer pays wages to employees of the opposite sex in such establishment for equal work on jobs the performance of which requires equal skill, effort, and responsibility, and which are performed under similar working

conditions, except where such payment is made pursuant to:

(1) a seniority system;

(2) a merit system;

(3) a system which measures earnings by quantity or quality of production; or

(4) a differential based on any other factor other than sex.

(b) An employer who is paying a wage rate differential in violation of subsection (a) shall not, in order to comply with subsection (a), reduce the wage rate of any employee, and no labor organization, or its agents, representing employees of an employer having employees subject to subsection (a) shall cause or attempt to cause such an employer to discriminate against an employee in violation of subsection (a).

(c) Except as provided in ~~subsections~~ **subsection** (d), ~~and (f),~~ every employer employing at least two (2) employees during a work week shall, in any work week in which the employer is subject to this chapter, pay each of the employees in any work week beginning on or after June 30, 2007, wages of not less than the minimum wage payable under the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201 et seq.).

(d) An employer subject to subsection (c) is permitted to apply a tip credit in determining the amount of cash wage paid to tipped employees. In determining the wage an employer is required to pay a tipped employee, the amount paid the employee by the employee's employer must be an amount equal to:

(1) the cash wage paid the employee, which for purposes of the determination may be not less than the cash wage required to be paid to employees covered under the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 203(m)(1)) on August 20, 1996, which amount is two dollars and thirteen cents ($2.13) an hour; and

(2) an additional amount on account of the tips received by the employee, which amount is equal to the difference between the wage specified in subdivision (1) and the wage in effect under subsection (c).

An employer is responsible for supporting the amount of tip credit taken through reported tips by the employees.

(e) This section does not apply if an employee:

(1) provides companionship services to the aged and infirm (as defined in 29 CFR 552.6); and

(2) is employed by an employer or agency other than the family or household using the companionship services, as provided in 29 CFR 552.109 (a).

~~(f) This subsection applies only to an employee who has not attained the age of twenty (20) years. Instead of the rates prescribed by subsections (c) and (d), an employer may pay an employee of the employer, during the first ninety (90) consecutive calendar days after the employee is initially employed by the employer, a wage which is not less than the amount payable under the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 201 et seq.), during the first ninety (90) consecutive calendar days after initial employment to an employee who has not attained twenty (20) years of age. However, no employer may take any action to displace employees (including partial displacements such as reduction in hours, wages, or employment benefits) for purposes of hiring individuals at the wage authorized in this subsection.~~

~~(g)~~ **(f)** Except as otherwise provided in this section, no employer shall employ any employee for a work week longer than forty (40) hours unless the employee receives compensation for employment in excess of forty (40) hours at a rate not less than one and one-half (1.5) times the regular rate at which the employee is employed.

~~(h)~~ **(g)** For purposes of this section the following apply:

(1) "Overtime compensation" means the compensation required by subsection ~~(g).~~ **(f).**

(2) "Compensatory time" and "compensatory time off" mean hours during which an employee is not working, which are not counted as hours worked during the applicable work week or other work period for purposes of overtime compensation, and for which the employee is compensated at the employee's regular rate.

(3) "Regular rate" means the rate at which an employee is employed is considered to include all remuneration for employment paid to, or on behalf of, the employee, but is not considered to include the following:

(A) Sums paid as gifts, payments in the nature of gifts made at Christmas time or on other special occasions, as a reward for service, the amounts of which are not measured by or dependent on hours worked, production, or efficiency.

(B) Payments made for occasional periods when no work is performed due to vacation, holiday, illness, failure of the employer to provide sufficient work, or other similar cause, reasonable payments for traveling expenses, or other expenses, incurred by an employee in the furtherance of the employer's interests and properly reimbursable by the employer, and other similar payments to an employee which are not made as compensation for the employee's hours of employment.

(C) Sums paid in recognition of services performed during a given period if:

(i) both the fact that payment is to be made and the amount of the payment are determined at the sole discretion of the employer at or near the end of the period and not pursuant to any prior contract, agreement, or promise causing the employee to expect the payments regularly;

(ii) the payments are made pursuant to a bona fide profit sharing plan or trust or bona fide thrift or savings plan, meeting the requirements of the administrator set forth in appropriately issued regulations, having due regard among other relevant factors, to the extent to which the amounts paid to the employee are determined without regard to hours of work, production, or efficiency; or

(iii) the payments are talent fees paid to performers, including announcers, on radio and television programs.

(D) Contributions irrevocably made by an employer to a trustee or third person pursuant to a bona fide plan for providing old age, retirement, life, accident, or health insurance or similar benefits for employees.

(E) Extra compensation provided by a premium rate

paid for certain hours worked by the employee in any day or work week because those hours are hours worked in excess of eight (8) in a day or in excess of the maximum work week applicable to the employee under subsection ~~(g)~~ **(f)** or in excess of the employee's normal working hours or regular working hours, as the case may be.

(F) Extra compensation provided by a premium rate paid for work by the employee on Saturdays, Sundays, holidays, or regular days of rest, or on the sixth or seventh day of the work week, where the premium rate is not less than one and one-half (1.5) times the rate established in good faith for like work performed in nonovertime hours on other days.

(G) Extra compensation provided by a premium rate paid to the employee, in pursuance of an applicable employment contract or collective bargaining agreement, for work outside of the hours established in good faith by the contract or agreement as the basic, normal, or regular workday (not exceeding eight (8) hours) or work week (not exceeding the maximum work week applicable to the employee under subsection ~~(g)~~ **(f)**) where the premium rate is not less than one and one-half (1.5) times the rate established in good faith by the contract or agreement for like work performed during the workday or work week.

~~(i)~~ **(h)** No employer shall be considered to have violated subsection ~~(g)~~ **(f)** by employing any employee for a work week in excess of that specified in subsection ~~(g)~~ **(f)** without paying the compensation for overtime employment prescribed therein if the employee is so employed:

(1) in pursuance of an agreement, made as a result of collective bargaining by representatives of employees certified as bona fide by the National Labor Relations Board, which provides that no employee shall be employed more than one thousand forty (1,040) hours during any period of twenty-six (26) consecutive weeks; or

(2) in pursuance of an agreement, made as a result of collective bargaining by representatives of employees certified as bona fide by the National Labor Relations Board, which provides that during a specified period of fifty-two (52) consecutive weeks the employee shall be employed not more than two thousand two hundred forty (2,240) hours and shall be guaranteed not less than one thousand eight hundred forty (1,840) hours (or not less than forty-six (46) weeks at the normal number of hours worked per week, but not less than thirty (30) hours per week) and not more than two thousand eighty (2,080) hours of employment for which the employee shall receive compensation for all hours guaranteed or worked at rates not less than those applicable under the agreement to the work performed and for all hours in excess of the guaranty which are also in excess of the maximum work week applicable to the employee under subsection ~~(g)~~ **(f)** or two thousand eighty (2,080) in that period at rates not less than one and one-half (1.5) times the regular rate at which the employee is employed.

~~(j)~~ **(i)** No employer shall be considered to have violated subsection ~~(g)~~ **(f)** by employing any employee for a work week in excess of the maximum work week applicable to the employee under subsection ~~(g)~~ **(f)** if the employee is employed pursuant to a bona fide individual contract, or pursuant to an agreement made as a result of collective bargaining by representatives of employees, if the duties of the employee necessitate irregular hours of work, and the contract or agreement includes the following:

(1) Specifies a regular rate of pay of not less than the minimum hourly rate provided in subsections (c) **and** (d) ~~and (f),~~ (whichever is applicable) and compensation at not less than one and one-half (1.5) times that rate for all hours worked in excess of the maximum work week.

(2) Provides a weekly guaranty of pay for not more than sixty (60) hours based on the rates so specified.

~~(k)~~ **(j)** No employer shall be considered to have violated subsection ~~(g)~~ **(f)** by employing any employee for a work week in excess of the maximum work week applicable to the employee under that subsection if, pursuant to an agreement or understanding arrived at between the employer and the employee before performance of the work, the amount paid to the employee for the number of hours worked by the employee in the work week in excess of the maximum work week applicable to the employee under that subsection:

(1) in the case of an employee employed at piece rates, is computed at piece rates not less than one and one-half (1.5) times the bona fide piece rates applicable to the same work when performed during nonovertime hours;

(2) in the case of an employee performing two (2) or more kinds of work for which different hourly or piece rates have been established, is computed at rates not less than one and one-half (1.5) times those bona fide rates applicable to the same work when performed during nonovertime hours; or

(3) is computed at a rate not less than one and one-half (1.5) times the rate established by the agreement or understanding as the basic rate to be used in computing overtime compensation thereunder, provided that the rate so established shall be substantially equivalent to the average hourly earnings of the employee, exclusive of overtime premiums, in the particular work over a representative period of time;

and if the employee's average hourly earnings for the work week exclusive of payments described in this section are not less than the minimum hourly rate required by applicable law, and extra overtime compensation is properly computed and paid on other forms of additional pay required to be included in computing the regular rate.

~~(l)~~ **(k)** Extra compensation paid as described in this section shall be creditable toward overtime compensation payable pursuant to this section.

~~(m)~~ **(l)** No employer shall be considered to have violated subsection ~~(g)~~ **(f)** by employing any employee of a retail or service establishment for a work week in excess of the applicable work week specified therein, if:

(1) the regular rate of pay of the employee is in excess of one and one-half (1.5) times the minimum hourly rate

applicable to the employee under section 2 of this chapter; and

(2) more than half of the employee's compensation for a representative period (not less than one (1) month) represents commissions on goods or services.

In determining the proportion of compensation representing commissions, all earnings resulting from the application of a bona fide commission rate shall be considered commissions on goods or services without regard to whether the computed commissions exceed the draw or guarantee.

~~(n)~~ **(m)** No employer engaged in the operation of a hospital or an establishment which is an institution primarily engaged in the care of the sick, the aged, or individuals with a mental illness or defect who reside on the premises shall be considered to have violated subsection ~~(g)~~ **(f)** if, pursuant to an agreement or understanding arrived at between the employer and the employee before performance of the work, a work period of fourteen (14) consecutive days is accepted in lieu of the work week of seven (7) consecutive days for purposes of overtime computation and if, for the employee's employment in excess of eight (8) hours in any workday and in excess of eighty (80) hours in that fourteen (14) day period, the employee receives compensation at a rate not less than one and one-half (1.5) times the regular rate at which the employee is employed.

~~(o)~~ **(n)** No employer shall employ any employee in domestic service in one (1) or more households for a work week longer than forty (40) hours unless the employee receives compensation for that employment in accordance with subsection ~~(g).~~ **(f).**

~~(p)~~ **(o)** In the case of an employee of an employer engaged in the business of operating a street, a suburban or interurban electric railway, or a local trolley or motorbus carrier (regardless of whether or not the railway or carrier is public or private or operated for profit or not for profit), in determining the hours of employment of such an employee to which the rate prescribed by subsection ~~(g)~~ **(f)** applies, there shall be excluded the hours the employee was employed in charter activities by the employer if both of the following apply:

(1) The employee's employment in the charter activities was pursuant to an agreement or understanding with the employer arrived at before engaging in that employment.

(2) If employment in the charter activities is not part of the employee's regular employment.

~~(q)~~ **(p)** Any employer may employ any employee for a period or periods of not more than ten (10) hours in the aggregate in any work week in excess of the maximum work week specified in subsection ~~(g)~~ **(f)** without paying the compensation for overtime employment prescribed in subsection ~~(g),~~ **(f),** if during that period or periods the employee is receiving remedial education that:

(1) is provided to employees who lack a high school diploma or educational attainment at the eighth grade level;

(2) is designed to provide reading and other basic skills at an eighth grade level or below; and

(3) does not include job specific training.

~~(r)~~ **(q)** Subsection ~~(g)~~ **(f)** does not apply to an employee of a motion picture theater.

~~(s)~~ **(r)** Subsection ~~(g)~~ **(f)** does not apply to an employee of a seasonal amusement or recreational establishment, an organized camp, or a religious or nonprofit educational conference center that is exempt under the federal Fair Labor Standards Act of 1938, as amended (29 U.S.C. 213).

~~(t)~~ **(s)** Subsection ~~(g)~~ **(f)** does not apply to an employee of an air carrier subject to Title II of the federal Railway Labor Act (45 U.S.C. 181 et seq.) to the extent that the hours worked by the employee during a work week in excess of forty (40) hours are not required by the air carrier but are arranged through a voluntary agreement between employees to trade or reassign their scheduled work hours.".

Renumber all SECTIONS consecutively.

(Reference is to SB 409 as printed January 31, 2020.)

TALLIAN

Motion prevailed.

SENATE MOTION
(Amendment 409–2)

Madam President: I move that Senate Bill 409 be amended to read as follows:

Page 19, line 13, after "However," insert "**except on a day that precedes a school day when the minor may only work until 7 p.m,**".

Page 27, line 27, after "However," insert "**except on a day that precedes a school day when the minor may only work until 7 p.m,**".

(Reference is to SB 409 as printed January 31, 2020.)

TALLIAN

Motion prevailed.

SENATE MOTION
(Amendment 409–3)

Madam President: I move that Senate Bill 409 be amended to read as follows:

Page 13, line 3, delete "or".

Page 13, line 5, delete "employee." and insert "**employee; or**".

Page 13, between lines 5 and 6, begin a new line block indented and insert:

"**(3) is a resident of Indiana but is enrolled in a career and technical education program as approved by the Indiana state board of education under IC 20-32-4-1.5(g).**".

(Reference is to SB 409 as printed January 31, 2020.)

TALLIAN

Motion prevailed.

SENATE MOTION
(Amendment 409–5)

Madam President: I move that Senate Bill 409 be amended to read as follows:

Page 8, line 39, delete "IC 22-2-18-21" and insert "**IC 22-2-18-20**".

Page 9, line 16, delete "IC 22-2-18-21" and insert "**IC 22-2-18-20**".

Page 10, line 12, delete "IC 22-2-18-41" and insert "**IC**

22-2-18-40".

Page 10, line 36, delete "IC 22-2-18-44" and insert "**IC 22-2-18-43**".

Page 10, line 37, delete "IC 22-2-18-45" and insert "**IC 22-2-18-44**".

Page 10, line 38, delete "IC 22-2-18-46" and insert "**IC 22-2-18-45**".

Page 11, line 2, delete "IC 22-2-18-44" and insert "**IC 22-2-18-43**".

Page 11, line 28, delete "36" and insert "**35**".

Page 11, line 29, delete "41" and insert "**40**".

Page 12, line 32, delete "37" and insert "**36**".

Page 12, line 39, delete "38" and insert "**37**".

Page 13, delete lines 35 through 41.

Page 13, line 42, delete "18." and insert "**17.**".

Page 14, line 4, delete "19" and insert "**18**".

Page 14, line 6, delete "20" and insert "**19**".

Page 14, line 11, delete "19" and insert "**18**".

Page 14, line 13, delete "20" and insert "**19**".

Page 14, line 14, delete "19." and insert "**18.**".

Page 15, line 11, delete "20." and insert "**19.**".

Page 15, line 26, delete "31" and insert "**30**".

Page 15, line 26, delete "34" and insert "**33**".

Page 15, line 28, delete "21." and insert "**20.**".

Page 15, line 29, delete "18" and insert "**17**".

Page 16, line 5, delete "22." and insert "**21.**".

Page 16, line 8, delete "44" and insert "**43**".

Page 16, line 9, delete "31" and insert "**30**".

Page 16, line 9, delete "34" and insert "**33**".

Page 16, line 11, delete "32(4)" and insert "**31(4)**".

Page 16, line 14, delete "45" and insert "**44**".

Page 16, line 14, delete "46" and insert "**45**".

Page 16, line 15, delete "31" and insert "**30**".

Page 16, line 15, delete "34" and insert "**33**".

Page 16, line 17, delete "32(4)" and insert "**31(4)**".

Page 16, line 19, delete "23." and insert "**22.**".

Page 16, line 38, delete "24." and insert "**23.**".

Page 17, line 8, delete "25." and insert "**24.**".

Page 17, line 11, delete "26." and insert "**25.**".

Page 17, line 20, delete "27." and insert "**26.**".

Page 18, line 3, delete "28." and insert "**27.**".

Page 18, line 5, delete "27" and insert "**26**".

Page 18, line 21, delete "29." and insert "**28.**".

Page 18, line 42, delete "30." and insert "**29.**".

Page 18, line 42, delete "31" and insert "**30**".

Page 18, line 42, delete "35" and insert "**34**".

Page 19, line 10, delete "31." and insert "**30.**".

Page 19, line 20, delete "32." and insert "**31.**".

Page 19, line 28, delete "33." and insert "**32.**".

Page 19, line 34, delete "34." and insert "**33.**".

Page 19, line 39, delete "35." and insert "**34.**".

Page 20, line 5, delete "36." and insert "**35.**".

Page 20, line 7, delete "37" and insert "**36**".

Page 20, line 14, delete "37." and insert "**36.**".

Page 20, line 41, delete "38." and insert "**37.**".

Page 21, line 17, delete "39." and insert "**38.**".

Page 21, line 22, delete "40." and insert "**39.**".

Page 21, line 32, delete "41." and insert "**40.**".

Page 21, line 39, delete "42." and insert "**41.**".

Page 21, line 42, delete "43." and insert "**42.**".

Page 22, line 14, delete "44." and insert "**43.**".

Page 22, line 14, delete "31" and insert "**30**".

Page 22, line 14, delete "34" and insert "**33**".

Page 22, line 15, delete "32(4)" and insert "**31(4)**".

Page 22, line 31, delete "45." and insert "**44.**".

Page 22, line 35, delete "23" and insert "**22**".

Page 22, line 36, delete "31" and insert "**30**".

Page 22, line 36, delete "34" and insert "**33**".

Page 22, line 37, delete "32(4)" and insert "**31(4)**".

Page 22, line 38, delete "40" and insert "**39**".

Page 23, line 7, delete "46." and insert "**45.**".

Page 23, line 11, delete "31" and insert "**30**".

Page 23, line 11, delete "34" and insert "**33**".

Page 23, line 12, delete "36" and insert "**35**".

Page 23, line 12, delete "38" and insert "**37**".

Page 23, line 13, delete "41" and insert "**40**".

Page 23, line 25, delete "47." and insert "**46.**".

Page 23, line 25, delete "45" and insert "**44**".

Page 23, line 25, delete "46" and insert "**45**".

Page 23, line 35, delete "45" and insert "**44**".

Page 23, line 35, delete "46" and insert "**45**".

Page 23, line 39, delete "48." and insert "**47.**".

Page 24, line 6, delete "45" and insert "**44**".

Page 24, line 23, delete "49." and insert "**48.**".

Page 24, line 32, delete "50." and insert "**49.**".

Page 24, line 35, delete "48" and insert "**47**".

Page 24, line 36, delete "51." and insert "**50.**".

Page 32, line 11, delete "IC 22-2-18-48" and insert "**IC 22-2-18-47**".

Page 36, line 12, delete "IC 22-2-18-41" and insert "**IC 22-2-18-40**".

Page 46, line 18, delete "IC 22-2-18-41" and insert "**IC 22-2-18-40**".

(Reference is to SB 409 as printed January 31, 2020.)

TALLIAN

Motion prevailed.

SENATE MOTION
(Amendment 409–6)

Madam President: I move that Senate Bill 409 be amended to read as follows:

Page 12, delete line 26, begin a new line block indented and insert:

"**(2) act as a:**

(A) caddie for a person playing the game of golf; or

(B) newspaper carrier.".

Page 20, line 10, delete "or".

Page 20, line 11, delete "golf;" and insert "**golf, or newspaper carrier;**".

Page 25, line 35, delete "or".

Page 25, line 36, delete "golf;" and insert "**golf, or newspaper carrier;**".

Page 27, delete line 14, begin a new line double block

indented and insert:

"**(B) acts as a:**

(i) caddie for a person playing the game of golf; or

(ii) newspaper carrier.".

(Reference is to SB 409 as printed January 31, 2020.)

J.D. FORD

Motion prevailed. The bill was ordered engrossed.

Senate Bill 410

Senator Glick called up Senate Bill 410 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 425

Senator Bohacek called up Senate Bill 425 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 427

Senator Buchanan called up Senate Bill 427 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 427–1)

Madam President: I move that Senate Bill 427 be amended to read as follows:

Page 2, line 11, delete "or the person".

(Reference is to SB 427 as printed January 31, 2020.)

BUCHANAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 430

Senator Merritt called up Senate Bill 430 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 430–3)

Madam President: I move that Senate Bill 430 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 14-8-2-46.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 46.5. "Commercial licensee", for purposes of IC 14-33-24, has the meaning set forth in IC 14-33-24-1.**".

Page 2, delete lines 8 through 12.

Page 2, between lines 21 and 22, begin a new paragraph and insert:

"SECTION 7. IC 14-8-2-212.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 212.5. "Primary water recreation facility", as used in IC 14-33-24, has the meaning set forth in IC 14-33-24-2.**".

Page 3, line 33, delete "IC 14-33-24-8(c)," and insert "**subsection (c),**".

Page 4, between lines 37 and 38, begin a new paragraph and insert:

"**(c) A reservoir conservancy district established under IC 14-33-24 may not exercise the power of eminent domain.**".

Page 4, line 39, delete "This section".

Page 4, delete lines 40 through 41.

Page 4, line 42, delete "(b)".

Page 4, run in lines 39 through 42.

Page 5, between lines 3 and 4, begin a new paragraph and insert:

"**(b) Notwithstanding section 1(b) of this chapter and IC 14-33-21-5, the maximum annual levy of the special benefits tax imposed by a reservoir conservancy district established under IC 14-33-24 is two million dollars ($2,000,000). The department of local government finance shall annually determine the special benefits tax rate of the reservoir conservancy district which, when applied to the assessed valuation of the real property located within the boundaries of the reservoir conservancy district and not exempt from the special benefits tax, will produce revenue in the amount of the maximum annual levy. The board of directors of a reservoir conservancy district, under IC 14-33-9-5(a), shall certify the special benefits tax levy, as determined and approved by the department of local government finance, to the auditor of each county having land in the reservoir conservancy district.**".

Page 5, delete lines 8 through 21, begin a new paragraph and insert:

"**Sec. 1. As used in this chapter, "commercial licensee" means a business entity granted a license by the utility owner to install and construct marinas, boat docks, and beaches adjacent to the shore line of the reservoir located within the boundaries of a reservoir conservancy district.**".

Page 5, line 25, delete "motorized".

Page 6, delete lines 1 through 5.

Page 6, line 29, delete "IC 14-33-2-17" and insert "**IC 14-33-2-26**".

Page 6, line 31, delete "directors," and insert "**directors and**".

Page 6, line 33, delete "district, and any commercial licensee" and insert "**district**".

Page 6, line 34, delete "described in section 5(c) of this chapter".

Page 7, line 4, delete "and any".

Page 7, line 5, delete "commercial licensee described in section 5(c) of this chapter".

Page 7, line 8, delete "and any commercial licensee described in section 5(c) of this".

Page 7, line 9, delete "chapter".

Page 7, line 21, delete "described in section 5(c) of this chapter".

Page 7, line 25, delete "domain with respect to property of the utility owner of the" and insert "**domain.**".

Page 7, delete lines 26 through 27.

Page 7, line 29, delete "district, as described in" and insert "**district**".

Page 7, line 30, delete "section 5(a) and 5(b) of this chapter,".

Page 7, line 32, delete "However, a commercial licensee of".

Page 7, delete lines 33 through 42, begin a new paragraph and

insert:

"**(e) Subject to IC 14-15, a reservoir conservancy district has authority to establish, through the action of the board of directors, and enforce reasonable rules concerning safety, welfare, and the maintenance of resources within the boundaries of the reservoir conservancy district. However, the rules established under this subsection shall not:**

(1) interfere with or supersede state law or state administrative rules;

(2) interfere with the use of the reservoir for water supply purposes by the utility owner of the reservoir located within the boundaries of the reservoir conservancy district;

(3) substantially or directly impair the terms and conditions of the commercial license of any commercial licensee of the utility owner; or

(4) establish other requirements or restrictions to:

(A) discourage public use of the reservoir; or

(B) discourage or prevent uses of the reservoir for activities that:

(i) are regulated under IC 14-22; and

(ii) could legally take place in the reservoir or the area surrounding the reservoir except for the reservoir conservancy district's requirements or restrictions.".

Page 8, delete lines 1 through 5.

Page 10, line 28, delete "dredging" and insert "**action**".

Page 10, line 29, delete "subsection (a)(4)" and insert "**this section**".

Page 10, line 42, delete "Immunity of Reservoir Conservancy District and" and insert "**Immunity from Civil Liability**".

Page 11, delete line 1.

Page 11, line 16, delete "(b) and subject to" and insert "**(b),**".

Page 11, line 17, delete "subsection (c),".

Page 11, delete lines 33 through 40, begin a new paragraph and insert:

"**(c) The state is not liable for any personal injury, death, property damage, or other loss of any nature that an individual incurs while present on or in the reservoir of a reservoir conservancy district, regardless of:**

(1) whether the individual is in a watercraft at the time of the incident causing the personal injury, death, property damage, or other loss; and

(2) whether the individual or any other person with whom the individual was associated paid a recreation fee as described in IC 14-33-24-9 to the reservoir conservancy district for the privilege of using the reservoir conservancy district for recreational purposes.".

Renumber all SECTIONS consecutively.

(Reference is to SB 430 as printed January 29, 2020.)

MESSMER

Motion prevailed.

SENATE MOTION
(Amendment 430–6)

Madam President: I move that Senate Bill 430 be amended to read as follows:

Page 5, between lines 3 and 4, begin a new paragraph and insert:

"**(c) Notwithstanding section 1(b) of this chapter and IC 14-33-21-5, the maximum annual levy of the special benefits tax imposed by a reservoir conservancy district established under IC 14-33-24 is two million dollars ($2,000,000). The department of local government finance shall annually determine the special benefits tax rate of the reservoir conservancy district which, when applied to the assessed valuation of the real property located within the boundaries of the reservoir conservancy district and not exempt from the special benefits tax, will produce revenue in the amount of the annual levy determined by the board of the reservoir conservancy district, which may be less than but may not exceed two million dollars ($2,000,000). The board of a reservoir conservancy district shall under IC 14-33-9-5(a) certify to the auditor of each county having land in the reservoir conservancy district the special benefits tax rate that will produce the revenue amount of the annual levy determined by the board of the reservoir conservancy district, which may be less than but may not exceed two million dollars ($2,000,000).**".

(Reference is to SB 430 as printed January 29, 2020.)

SPARTZ

Motion prevailed. The bill was ordered engrossed.

Senate Bill 434

Senator M. Young called up Senate Bill 434 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 435

Senator Melton called up Senate Bill 435 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 437

Senator Busch called up Senate Bill 437 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 448

Senator Holdman called up Senate Bill 448 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 448–1)

Madam President: I move that Senate Bill 448 be amended to read as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

Page 1, delete lines 1 through 17.

Delete page 2.

Page 3, delete lines 1 through 7.

Page 3, delete lines 22 through 42.
Delete page 4.
Renumber all SECTIONS consecutively.
(Reference is to SB 448 as printed January 31, 2020.)

HOLDMAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 449

Senator Houchin called up Senate Bill 449 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 449–2)

Madam President: I move that Senate Bill 449 be amended to read as follows:

Page 2, after line 42, begin a new paragraph and insert:

"SECTION 2. IC 11-10-1-8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 8. (a) As used in this section, "young offender" means an offender (as defined in IC 11-8-1-9) who:**

(1) is less than twenty-one (21) years of age; and

(2) has been sentenced to the department by a court having criminal jurisdiction.

(b) The department may not house a young offender in the general population of a correctional facility.

(c) If the department houses a young offender in a facility or part of a facility that is located on the same grounds or in the same building as an adult facility, the facility must provide for the following:

(1) Total separation between young offender and adult facility spatial areas so that there could be no haphazard or accidental contact among young offenders and adult residents in the respective facilities. If space is used for both young offenders and adults, time-phasing of the use is acceptable if the arrangement precludes haphazard or accidental contact among young offenders and adult residents at all times. Sleeping or other living areas may not be shared under any circumstances.

(2) Total separation in all young offender and adult program activities within the facilities, including recreation, education, counseling, health care, dining, sleeping, and general living activities. Program activities may not be shared by young offenders and adult residents. However, program space, equipment, and other resources may be used by both young offenders and adult residents subject to subdivision (1).

SECTION 3. IC 11-10-2-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) The commissioner may transfer a committed delinquent offender to an adult facility or program according to the following requirements:

(1) The offender must be seventeen (17) years of age or older at the time of transfer.

(2) The department must determine that:

(A) either the offender is incorrigible to the degree that ~~his~~ **the offender's** presence at a facility or program for delinquent offenders is seriously detrimental to the welfare of other offenders, or the transfer is necessary for the offender's own physical safety or the physical safety of others; and

(B) there is no other action reasonably available to alleviate the problem.

(3) The offender is housed in a facility for young offenders, as described in IC 11-10-1-8.

~~(3)~~ **(4)** No offender may be transferred to **a county jail,** the Indiana state prison, or the Pendleton Correctional Facility.

(b) **Subject to IC 11-10-1-8 (housing for young offenders),** the offender is under the full custody of the adult facility or program to which ~~he~~ **the offender** is transferred until ~~he~~ **the offender** is returned to a facility or program for delinquent offenders, except that ~~his~~ **the offender's** parole or discharge from the department shall be determined under IC 11-13-6.

SECTION 4. IC 11-12-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) The department shall adopt under IC 4-22-2 minimum standards for county jails governing:

(1) general physical and environmental conditions;

(2) services and programs to be provided to confined persons; and

(3) procedures for the care and control of confined persons that are necessary to ensure the health and safety of confined persons, the security of the jail, and public safety.

However, the department may not adopt any standard that prohibits the placement of more than one (1) prisoner in a prisoner cell that has thirty-five (35) square feet or more of floor space per prisoner.

(b) Standards adopted under this section must prohibit housing a child less than eighteen (18) years of age in the same cell as an adult, even if the child:

(1) is being charged as an adult; or

(2) has been convicted of a crime as an adult.

This subsection does not prohibit a child described in subdivision (1) or (2) from being housed in the same cell as another child described in subdivision (1) or (2).

~~(b)~~ **(c)** The standards must be sufficiently flexible to foster the development of new and improved practices and to accommodate local needs and circumstances. The standards must be consistent with the laws of Indiana and the rules of the state department of health and the fire prevention and building safety commission.

~~(c)~~ **(d)** The commissioner shall select a committee of not less than five (5) county sheriffs to consult with the department before and during the drafting of the proposed minimum standards. County sheriffs shall be selected from the various classes of counties to ensure that densely, moderately, and sparsely populated counties are represented. Each county sheriff is entitled to the minimum salary per diem as provided in IC 4-10-11-2.1 for each day engaged in the official business of the committee and to reimbursement for traveling and other expenses, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

~~(d)~~ **(e)** At least sixty (60) days before setting the date for a

public hearing under IC 4-22-2, the department shall forward copies of the proposed minimum standards to each county sheriff and each board of county commissioners and shall solicit their views and suggestions.".

Page 6, after line 8, begin a new paragraph and insert:

"SECTION 8. IC 35-33-11-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. Upon petition by the sheriff alleging that:

(1) the local penal facility is overcrowded, ~~or~~ otherwise physically inadequate to house inmates, **or unable to house a child in accordance with the standards described in IC 11-12-4-1;** and

(2) another sheriff or the commissioner of the department of correction has agreed to accept custody of inmates from the sheriff;

the court may order inmates transferred to the custody of the person who has agreed to accept custody. Whenever a transfer order is necessary under this section, only inmates serving a sentence after conviction for a crime may be transferred, unless the overcrowding or inadequacy of the facility also requires transfer of inmates awaiting trial or sentencing.".

Renumber all SECTIONS consecutively.

(Reference is to SB 449 as printed January 31, 2020.)

HOUCHIN

Motion prevailed.

SENATE MOTION
(Amendment 449–1)

Madam President: I move that Senate Bill 449 be amended to read as follows:

Delete page 3.

Page 4, delete lines 1 through 7.

Renumber all SECTIONS consecutively.

(Reference is to SB 449 as printed January 31, 2020.)

G. TAYLOR

Motion failed. The bill was ordered engrossed.

Senate Bill 450

Senator Busch called up Senate Bill 450 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 451

Senator Busch called up Senate Bill 451 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Senate Bill 455

Senator Buchanan called up Senate Bill 455 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 455–1)

Madam President: I move that Senate Bill 455 be amended to read as follows:

Page 25, line 40, delete "June" and insert "**July 1, 2025.**".

Page 25, delete line 41.

Page 41, delete lines 18 through 23.

Page 41, line 24, delete "6." and insert "**5.**".

(Reference is to SB 455 as printed January 31, 2020.)

BUCHANAN

Motion prevailed. The bill was ordered engrossed.

Senate Bill 416

Senator Melton called up Senate Bill 416 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

SENATE MOTION

Madam President: I move that Senators Glick and Lanane be added as coauthors of Senate Concurrent Resolution 15.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as coauthor of Senate Bill 3.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second author of Senate Bill 27.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Freeman be added as second author of Senate Bill 43.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 43.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 46.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 99.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator L. Brown be added as second author of Senate Bill 123.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 123.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 123.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as third author and Senator Spartz be added as coauthor of Senate Bill 183.

GASKILL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as coauthor of Senate Bill 183.

GASKILL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as coauthor of Senate Bill 184.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 184.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 199.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second author of Senate Bill 207.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 207.

MERRITT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as second author of Senate Bill 208.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 208.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as coauthor of Senate Bill 216.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Freeman be added as second author and Senator Tallian be added as third author of Senate Bill 236.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Gaskill be added as second author of Senate Bill 238.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 244.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as third author and Senator Zay be added as coauthor of Senate Bill 259.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Busch be added as coauthor of Senate Bill 263.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 273.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 295.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as coauthor of Senate Bill 299.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as coauthor of Senate Bill 299.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 299.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Spartz be added as coauthor of Senate Bill 299.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 311.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as second author and Senator Gaskill be added as third author of Senate Bill 317.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Perfect and Raatz be added as coauthors of Senate Bill 320.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as coauthor of Senate Bill 320.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 320.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be removed as coauthor of Senate Bill 324.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second author of Senate Bill 324.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 324.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 325.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Freeman be added as second author of Senate Bill 327.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buchanan be added as coauthor of Senate Bill 330.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as third author and Senator Tallian be added as coauthor of Senate Bill 335.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as coauthor of Senate Bill 342.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 343.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as third author of Senate Bill 346.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 346.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as second author of Senate Bill 365.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as coauthor of Senate Bill 369.

ALTING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 383.

G. TAYLOR

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as second author of Senate Bill 400.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as second author of Senate Bill 401.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 401.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as second author of Senate Bill 403.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 403.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 403.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mishler be added as second author of Senate Bill 408.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 408.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as coauthor of Senate Bill 409.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 410.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 410.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author, Senator Mishler be added as third author, and Senator Bassler be added as coauthor of Senate Bill 416.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as coauthor of Senate Bill 416.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as second author of Senate Bill 425.

BOHACEK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 427.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 435.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Alting be added as coauthor of Senate Bill 437.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 437.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second author of Senate Bill 448.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second author and Senator Freeman be added as third author of Senate Bill 449.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as third author of Senate Bill 450.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second author of Senate Bill 451.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Freeman be added as third author of Senate Bill 451.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as coauthor of Senate Bill 455.

BUCHANAN

Motion prevailed.

6:20 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 6:48 p.m., with the President of the Senate in the Chair.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 5

Senator Charbonneau called up Engrossed Senate Bill 5 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 107: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Schaibley, Barrett, and Kirchhofer.

Engrossed Senate Bill 6

Senator Bohacek called up Engrossed Senate Bill 6 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 108: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Sullivan and Abbott.

Engrossed Senate Bill 54

Senator Doriot called up Engrossed Senate Bill 54 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 109: yeas 45, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives J. Young, Speedy, Miller, and Jordan.

Engrossed Senate Bill 62

Senator Grooms called up Engrossed Senate Bill 62 for third reading:

A BILL FOR AN ACT concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 110: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Clere, Davisson, Engleman, and Fleming.

Engrossed Senate Bill 99

Senator Glick called up Engrossed Senate Bill 99 for third reading:

A BILL FOR AN ACT concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 111: yeas 46, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the

act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Abbott and Eberhart.

Engrossed Senate Bill 109

Senator Crider called up Engrossed Senate Bill 109 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 112: yeas 44, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Steuerwald, Cherry, VanNatter, and Engleman.

Engrossed Senate Bill 148

Senator Doriot called up Engrossed Senate Bill 148 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 113: yeas 32, nays 15. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Miller, Pressel, and Stutzman.

Engrossed Senate Bill 170

Senator Messmer called up Engrossed Senate Bill 170 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 114: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Hostettler, T. Brown, Lindauer, and Bartels.

Engrossed Senate Bill 171

Senator Grooms called up Engrossed Senate Bill 171 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 115: yeas 35, nays 12. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Bacon, Karickhoff, Fleming, and Thompson.

Engrossed Senate Bill 178

Senator Walker called up Engrossed Senate Bill 178 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 116: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Wesco and Judy.

Engrossed Senate Bill 179

Senator Walker called up Engrossed Senate Bill 179 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 117: yeas 46, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Sullivan and Wesco.

Engrossed Senate Bill 214

Senator Lonnie M. Randolph called up Engrossed Senate Bill 214 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 118: yeas 46, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Jackson, Wolkins, and Harris.

Engrossed Senate Bill 238

Senator L. Brown called up Engrossed Senate Bill 238 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 119: yeas 46, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative DeVon.

Engrossed Senate Bill 258

Senator Koch called up Engrossed Senate Bill 258 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 120: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Frye.

Engrossed Senate Bill 259

Senator Spartz called up Engrossed Senate Bill 259 for third reading:

A BILL FOR AN ACT concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 121: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative DeVon.

Engrossed Senate Bill 288

Senator Doriot called up Engrossed Senate Bill 288 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 122: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives DeVon and Eberhart.

Engrossed Senate Bill 292

Senator Sandlin called up Engrossed Senate Bill 292 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 123: yeas 39, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives T. Brown, Manning, and Pryor.

Engrossed Senate Bill 312

Senator Niezgodski called up Engrossed Senate Bill 312 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 124: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Ziemke, Clere, Porter, and Wright.

Engrossed Senate Bill 317

Senator Sandlin called up Engrossed Senate Bill 317 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 125: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Manning.

Engrossed Senate Bill 330

Senator Zay called up Engrossed Senate Bill 330 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 126: yeas 41, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Torr.

Engrossed Senate Bill 331

Senator Zay called up Engrossed Senate Bill 331 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 127: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Judy and Bartels.

Engrossed Senate Bill 334

Senator Walker called up Engrossed Senate Bill 334 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 128: yeas 40, nays 7. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Wesco, Judy, and Lucas.

Engrossed Senate Bill 345

Senator Houchin called up Engrossed Senate Bill 345 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 129: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lindauer and DeVon.

Engrossed Senate Bill 368

Senator Stoops called up Engrossed Senate Bill 368 for third reading:

A BILL FOR AN ACT concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 130: yeas 38, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Wolkins, Lehe, and Pierce.

Engrossed Senate Bill 438

Senator Leising called up Engrossed Senate Bill 438 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 131: yeas 38, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lehe and Prescott.

SENATE MOTION

Madam President: I move that Senator Rogers be added as third author of Senate Bill 54.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as coauthor of Senate Bill 179.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Spartz be added as coauthor of Senate Bill 179.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as coauthor of Senate Bill 214.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting and Niemeyer be added as coauthors of Senate Bill 262.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as coauthor of Senate Bill 312.

NIEZGODSKI

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Bohacek, Crane, Freeman, Spartz, and Donato be added as coauthors of Senate Bill 331.

ZAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Koch and Grooms be added as coauthors of Senate Bill 345.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 434.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as coauthor of Senate Bill 450.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 10:00 a.m., Tuesday, February 4, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 8:05 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Fifteenth Meeting Day Tuesday Morning February 4, 2020

The Senate convened at 10:35 a.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Senator Dennis K. Kruse.

The Pledge of Allegiance to the Flag was led by Senator Kruse.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian ▶
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 132: present 49; excused 1. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

REPORT OF THE SENATE COMMITTEE ON ETHICS

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on February 3, 2020, to render an advisory opinion with regard to Senator Jon Ford's request that the Committee consider whether or not he has a conflict of interest pertaining to SB 324 which would require him to be excused from voting on this bill at any stage of the legislative process. The members in attendance were: Chairman L. Brown, Senator Charbonneau, Senator Walker, Senator Breaux, Senator Mrvan, and Senator Lonnie M. Randolph.

The Senate Committee on Ethics has considered the facts presented by Senator Jon Ford and the Committee found no conflict that could require Senator Jon Ford to be excused from voting on SB 324. The vote of the Committee was 6-0.

L. BROWN, Chair

Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Engrossed House Bills 1015, 1021, 1042, 1045, 1112, 1115, 1174, 1191, 1244, 1264, 1278, 1306, 1332, 1343, 1348, 1353, 1385, 1392, 1414, and 1419 and the same are herewith transmitted to the Senate for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bill 2 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 26, 27, 28, and 29 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 3

Senator Charbonneau called up Engrossed Senate Bill 3 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 133: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Smaltz, Kirchhofer, and Barrett.

Engrossed Senate Bill 19

Senator Charbonneau called up Engrossed Senate Bill 19 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 134: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Kirchhofer, Vermilion, and Barrett.

Engrossed Senate Bill 27

Senator Walker called up Engrossed Senate Bill 27 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 135: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Leonard.

Engrossed Senate Bill 43

Senator M. Young called up Engrossed Senate Bill 43 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 136: yeas 27, nays 22. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Steuerwald.

Engrossed Senate Bill 46

Senator Freeman called up Engrossed Senate Bill 46 for third reading:

A BILL FOR AN ACT concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 137: yeas 47, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Speedy.

Engrossed Senate Bill 123

Senator Holdman called up Engrossed Senate Bill 123 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 138: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Pressel and Negele.

Engrossed Senate Bill 139

Senator Lanane called up Engrossed Senate Bill 139 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning trusts and fiduciaries.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 139: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Cook, Bauer, and Hamilton.

Engrossed Senate Bill 146

Senator Doriot called up Engrossed Senate Bill 146 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 140: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Schaibley, DeVon, McNamara, and Miller.

Engrossed Senate Bill 183

Senator Gaskill called up Engrossed Senate Bill 183 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 141: yeas 44, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Cook and Goodrich.

Engrossed Senate Bill 184

Senator Charbonneau called up Engrossed Senate Bill 184 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 142: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Manning, Carbaugh, Barrett, and Prescott.

Engrossed Senate Bill 199

Senator Koch called up Engrossed Senate Bill 199 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 143: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Steuerwald.

Engrossed Senate Bill 207

Senator Merritt called up Engrossed Senate Bill 207 for third reading:

A BILL FOR AN ACT to repeal a provision of the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 144: yeas 22, nays 27. The bill was declared defeated.

SENATE MOTION

Madam President: I move that Senator Bassler be removed as coauthor of Senate Bill 184.

BASSLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be removed as coauthor of Senate Bill 184.

J.D. FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Gaskill be removed as coauthor of Senate Bill 184.

GASKILL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niemeyer be removed as coauthor of Senate Bill 184.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be removed as coauthor of Senate Bill 184.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be removed as coauthor of Senate Bill 184.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Walker be removed as coauthor of Senate Bill 184.

WALKER

Motion prevailed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 208

Senator Crider called up Engrossed Senate Bill 208 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 145: yeas 47, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the

act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Kirchhofer.

Engrossed Senate Bill 209

Senator Crider called up Engrossed Senate Bill 209 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 146: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives McNamara and Steuerwald.

Engrossed Senate Bill 216

Senator Sandlin called up Engrossed Senate Bill 216 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 147: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Burton and Sherman.

Engrossed Senate Bill 236

Senator M. Young called up Engrossed Senate Bill 236 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 148: yeas 19, nays 30. The bill was declared defeated.

Engrossed Senate Bill 239

Senator L. Brown called up Engrossed Senate Bill 239 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 149: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Mayfield and Fleming.

Engrossed Senate Bill 243

Senator L. Brown called up Engrossed Senate Bill 243 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 150: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lehman, Morris, and Schaibley.

Engrossed Senate Bill 244

Senator L. Brown called up Engrossed Senate Bill 244 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 151: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives DeVon and Carbaugh.

Engrossed Senate Bill 262

Senator Busch called up Engrossed Senate Bill 262 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 152: yeas 47, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Karickhoff, Stutzman, Hatfield, and Pierce.

Engrossed Senate Bill 263

Senator Holdman called up Engrossed Senate Bill 263 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 153: yeas 42, nays 7. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Judy and Morris.

Engrossed Senate Bill 264

Senator Holdman called up Engrossed Senate Bill 264 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 154: yeas 43, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Heine and Sullivan.

Engrossed Senate Bill 273

Senator Crider called up Engrossed Senate Bill 273 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 155: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Kirchhofer and Cherry.

Engrossed Senate Bill 289

Senator Grooms called up Engrossed Senate Bill 289 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The President of the Senate yielded the gavel to Senator Rodric D. Bray.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 156: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lindauer, Mayfield, Cook, and DeVon.

Engrossed Senate Bill 291

Senator Grooms called up Engrossed Senate Bill 291 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 157: yeas 40, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Clere, Engleman, Eberhart, and Goodin.

Senator Bray yielded the gavel to the President of the Senate.

Engrossed Senate Bill 295

Senator Raatz called up Engrossed Senate Bill 295 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 158: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Behning.

Engrossed Senate Bill 299

Senator L. Brown called up Engrossed Senate Bill 299 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 159: yeas 40, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Stutzman, Bacon, Mayfield, and Morris.

Engrossed Senate Bill 309

Senator Niezgodski called up Engrossed Senate Bill 309 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 160: yeas 29, nays 20. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Beck, Karickhoff, and Deal.

Engrossed Senate Bill 311

Senator Niezgodski called up Engrossed Senate Bill 311 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 161: yeas 40, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Bauer, Kirchhofer, and Wright.

Engrossed Senate Bill 319

Senator Rogers called up Engrossed Senate Bill 319 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 162: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Jordan, Behning, and DeVon.

Engrossed Senate Bill 320

Senator Rogers called up Engrossed Senate Bill 320 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 163: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Miller, Morris, and Cherry.

Engrossed Senate Bill 324

Senator Glick called up Engrossed Senate Bill 324 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 164: yeas 32, nays 16. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Abbott.

Engrossed Senate Bill 327

Senator Zay called up Engrossed Senate Bill 327 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 165: yeas 47, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Carbaugh, Heaton, and Burton.

Engrossed Senate Bill 335

Senator M. Young called up Engrossed Senate Bill 335 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 166: yeas 40, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Steuerwald.

Engrossed Senate Bill 337

Senator Spartz called up Engrossed Senate Bill 337 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 167: yeas 43, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lehman, Schaibley, and Carbaugh.

Engrossed Senate Bill 342

Senator Alting called up Engrossed Senate Bill 342 for third reading:

A BILL FOR AN ACT concerning labor.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 168: yeas 41, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Kirchhofer, Engleman, Klinker, and Negele.

Engrossed Senate Bill 343

Senator Houchin called up Engrossed Senate Bill 343 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 169: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Manning.

Engrossed Senate Bill 346

Senator Houchin called up Engrossed Senate Bill 346 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 170: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Behning, Burton, and Clere.

Engrossed Senate Bill 350

Senator Holdman called up Engrossed Senate Bill 350 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 171: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative T. Brown.

Engrossed Senate Bill 363

Senator Donato called up Engrossed Senate Bill 363 for third reading:

A BILL FOR AN ACT concerning civil procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 172: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lauer, DeVon, and Engleman.

Engrossed Senate Bill 364

Senator Spartz called up Engrossed Senate Bill 364 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 173: yeas 45, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Smaltz and Lucas.

Engrossed Senate Bill 365

Senator Niemeyer called up Engrossed Senate Bill 365 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 174: yeas 40, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Soliday and Aylesworth.

Engrossed Senate Bill 369

Senator Alting called up Engrossed Senate Bill 369 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 175: yeas 22, nays 27. The bill was declared defeated.

Engrossed Senate Bill 383

Senator G. Taylor called up Engrossed Senate Bill 383 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 176: yeas 40, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives T. Brown, Vermilion, Porter, and Pryor.

Engrossed Senate Bill 385

Senator Freeman called up Engrossed Senate Bill 385 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 177: yeas 40, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative VanNatter.

Engrossed Senate Bill 395

Senator Bassler called up Engrossed Senate Bill 395 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

The President of the Senate yielded the gavel to Senator Bray.

Roll Call 178: yeas 40, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Burton.

Engrossed Senate Bill 398

Senator Raatz called up Engrossed Senate Bill 398 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 179: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Sullivan, Jordan, and Klinker.

Senator Bray yielded the gavel to the President of the Senate.

Engrossed Senate Bill 400

Senator Buchanan called up Engrossed Senate Bill 400 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 180: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Miller.

Engrossed Senate Bill 401

Senator Buchanan called up Engrossed Senate Bill 401 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 181: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Thompson.

Engrossed Senate Bill 403

Senator Buchanan called up Engrossed Senate Bill 403 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 182: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Thompson.

Engrossed Senate Bill 405

Senator Garten called up Engrossed Senate Bill 405 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 183: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Pressel.

Engrossed Senate Bill 406

Senator Garten called up Engrossed Senate Bill 406 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 184: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Bartels.

Engrossed Senate Bill 408

Senator Holdman called up Engrossed Senate Bill 408 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 185: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative T. Brown.

Engrossed Senate Bill 409

Senator Messmer called up Engrossed Senate Bill 409 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 186: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lyness and Goodrich.

Engrossed Senate Bill 410

Senator Glick called up Engrossed Senate Bill 410 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 187: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Abbott and Pressel.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as coauthor of Senate Bill 2.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Kruse and Messmer be added as coauthors of Senate Bill 3.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as coauthor of Senate Bill 3.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as coauthor of Senate Bill 19.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 27.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Freeman be removed as second author of Senate Bill 43.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as second author of Senate Bill 43.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Spartz be added as coauthor of Senate Bill 46.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 139.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as coauthor of Senate Bill 146.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Messmer, Niemeyer, Walker, Bassler, Gaskill, Sandlin, Rogers, J.D. Ford, Kruse, Raatz, Glick, Spartz, Doriot, Koch, and Breaux be added as coauthors of Senate Bill 184.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 208.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as coauthor of Senate Bill 244.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as coauthor of Senate Bill 262.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Busch be removed as coauthor of Senate Bill 263.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as coauthor of Senate Bill 263.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 264.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 268.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as coauthor of Senate Bill 273.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 273.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 289.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as coauthor of Senate Bill 291.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as coauthor of Senate Bill 299.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 319.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 319.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 320.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Crider, Crane, and Bohacek be added as coauthors of Senate Bill 343.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as coauthor of Senate Bill 343.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Bohacek and Messmer be added as coauthors of Senate Bill 346.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator L. Brown be added as coauthor of Senate Bill 346.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as coauthor of Senate Bill 346.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Kruse and Crane be added as coauthors of Senate Bill 385.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Houchin be added as third author of Senate Bill 406.

GARTEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator L. Brown be added as coauthor of Senate Bill 406.

GARTEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Bill 406.

GARTEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as coauthor of Senate Bill 409.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Holdman, Crider, and Boots be added as coauthors of Senate Bill 416.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Spartz be added as coauthor of Senate Bill 427.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Holdman be added as coauthor of Senate Bill 435.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Mishler, Buck, and Charbonneau be added as coauthors of Senate Bill 435.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators M. Young and Bohacek be added as coauthors of Senate Bill 435.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as coauthor of Senate Bill 435.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 450.

BUSCH

Motion prevailed.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 416

Senator Melton called up Engrossed Senate Bill 416 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education and to make an appropriation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 188: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Harris, T. Brown, Hatcher, and V. Smith.

Engrossed Senate Bill 425

Senator Bohacek called up Engrossed Senate Bill 425 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 189: yeas 30, nays 19. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Cook, Jordan, Clere, and Deal.

5:23 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 5:43 p.m., with the President of the Senate in the Chair.

ENGROSSED SENATE BILLS ON THIRD READING

Engrossed Senate Bill 427

Senator Buchanan called up Engrossed Senate Bill 427 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 190: yeas 47, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Zent and T. Brown.

Engrossed Senate Bill 430

Senator Merritt called up Engrossed Senate Bill 430 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 191: yeas 46, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Wolkins.

Engrossed Senate Bill 433

Senator Bassler called up Engrossed Senate Bill 433 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 192: yeas 48, nays 1. The bill was declared passed.

The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Lindauer.

Engrossed Senate Bill 434

Senator M. Young called up Engrossed Senate Bill 434 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 193: yeas 33, nays 16. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Eberhart.

Engrossed Senate Bill 435

Senator Melton called up Engrossed Senate Bill 435 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 194: yeas 47, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Eberhart, Hatcher, and Beck.

Engrossed Senate Bill 437

Senator Busch called up Engrossed Senate Bill 437 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning gaming.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 195: yeas 47, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Carbaugh.

Engrossed Senate Bill 448

Senator Holdman called up Engrossed Senate Bill 448 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 196: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Lehman and Schaibley.

Engrossed Senate Bill 449

Senator Houchin called up Engrossed Senate Bill 449 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 197: yeas 31, nays 18. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsors: Representatives Negele and Torr.

Engrossed Senate Bill 450

Senator Busch called up Engrossed Senate Bill 450 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 198: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Manning.

Engrossed Senate Bill 451

Senator Busch called up Engrossed Senate Bill 451 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 199: yeas 46, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Morris.

Engrossed Senate Bill 455

Senator Buchanan called up Engrossed Senate Bill 455 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 200: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill. House sponsor: Representative Behning.

SENATE MOTION

Madam President: I move that Senator Grooms be added as coauthor of Senate Bill 295.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as coauthor of Senate Bill 401.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as coauthor of Senate Bill 401.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Spartz be added as coauthor of Senate Bill 405.

GARTEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Spartz and Kruse be added as coauthors of Senate Bill 406.

GARTEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 408.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Spartz be added as coauthor of Senate Bill 409.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator L. Brown be added as coauthor of Senate Bill 416.

MELTON

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Bill 427.

BUCHANAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 450.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as coauthor of Senate Bill 451.

BUSCH

Motion prevailed.

7:23 p.m.

The Chair declared a recess until Wednesday, February 5, 2020 at 9:00 a.m.

RECESS

The Senate reconvened at 9:01 a.m., with Senator Bray in the Chair.

INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

HB 1002 — Raatz (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1003 — Raatz, Buchanan (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1004 — Charbonneau, Bassler (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1006 — Charbonneau (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

HB 1009 — Messmer (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1014 — Gaskill (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1022 — Messmer (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

HB 1027 — Bassler (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1032 — Rogers, Crider (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1047 — Young M, Koch (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1049 — Holdman (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

HB 1065 — Holdman (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1066 — Raatz (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1067 — Leising (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1070 — Crider (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1076 — Young M, Taylor G (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1077 — Perfect (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1080 — Ruckelshaus (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1081 — Houchin (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1082 — Ford Jon (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

HB 1090 — Koch (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

HB 1091 — Kruse (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1092 — Charbonneau (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1093 — Perfect (Commerce and Technology)
A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

HB 1094 — Glick (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1095 — Garten (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

HB 1096 — Young M (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

HB 1099 — Busch, Glick (Natural Resources)
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1104 — Garten, Messmer, Rogers, Taylor G (Commerce and Technology)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1108 — Bassler, Spartz (Appropriations)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1109 — Walker (Utilities)
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1111 — Ruckelshaus, Boots (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1113 — Bassler (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1119 — Leising (Agriculture)
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1120 — Koch, Young M, Gaskill, Taylor G (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

HB 1129 — Brown L, Walker, Bohacek, Tomes (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1131 — Garten (Utilities)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1132 — Freeman, Young M, Houchin (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

HB 1143 — Ford Jon (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1145 — Messmer, Tomes (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1147 — Boots (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1148 — Ford Jon, Ford J.D., Donato (Pensions and Labor)
A BILL FOR AN ACT concerning professions and occupations.

HB 1153 — Raatz (Education and Career Development)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1157 — Tallian, Freeman (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1165 — Sandlin (Utilities)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1166 — Niemeyer, Tomes (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1173 — Tomes (Veterans Affairs and The Military)
A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

HB 1181 — Koch, Buck (Commerce and Technology)
A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

HB 1182 — Becker, Grooms, Crider, Breaux (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1189 — Niemeyer (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1198 — Glick (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1199 — Grooms, Messmer, Ruckelshaus, Breaux (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1204 — Raatz, Crider, Bassler, Mishler (Appropriations)
A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1207 — Grooms, Ruckelshaus, Rogers (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1209 — Crider (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1210 — Charbonneau (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1218 — Donato, Koch (Utilities)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

HB 1224 — Crider (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1309 — Messmer (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

RESOLUTIONS ON FIRST READING

Senate Resolution 24

Senate Resolution 24, introduced by Senators M. Young and Jon Ford:

A SENATE RESOLUTION supporting Taiwan's signing of a Bilateral Trade Agreement with the United States, reaffirming support for increasing Taiwan's international profile and for strengthening ties between Indiana and Taiwan.

Whereas, In 1979, the State of Indiana established a sister-state relationship with the Taiwan Province, the Republic of

China (Taiwan), and Indiana and Taiwan have enjoyed strong bilateral trade, educational and cultural exchanges, and tourism;

Whereas, Taiwan shares the same values of freedom, democracy, human rights, the rule of law, peace, and prosperity with the United States and the State of Indiana;

Whereas, The United States ranks as Taiwan's second-largest trading partner, Taiwan is the United States eleventh-largest trading partner, and the two nations conducted bilateral trade of $76.3 billion in 2018;

Whereas, Taiwan and the State of Indiana have enjoyed a long and mutually beneficial relationship with the prospect of future growth, and Taiwan was Indiana's seventh-largest export market in Asia in 2018, with $177 million worth of Indiana goods being exported to Taiwan;

Whereas, Negotiations for a Bilateral Trade Agreement between Taiwan and the United States are an important step toward further strengthening bilateral trade between our countries, thereby increasing Indiana's exports to Taiwan and creating bilateral investment and technical collaboration through tariff reduction and other trade facilitation measures; and

Whereas, Taiwan has undertaken a policy of "steadfast diplomacy" in its international relations, and is capable of and willing to fulfill its responsibilities and collaborate with the world to deal with the world's challenge, including humanitarian aid and disease control: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate reaffirms its commitment to the strengthening and deepening of the ties between the State of Indiana and Taiwan, supports Taiwan's signing of a Bilateral Trade Agreement with the United States, offers its continued support to Taiwan's meaningful participation in international organizations which impact the health, safety, and well-being of its people, and supports Taiwan's aspiration to make more contributions in international societies.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the members of the Indiana Congressional Delegation and the Taipei Economic and Cultural Office in Chicago, Illinois.

The resolution was read in full and referred to the Committee on Public Policy.

Senate Resolution 25

Senate Resolution 25, introduced by Senators Buchanan and Alting:

A SENATE RESOLUTION urging the legislative council to assign to the fiscal policy study committee the issue of innkeeper's tax distributions in Tippecanoe County.

Whereas, Tippecanoe County is permitted to collect a county innkeeper's tax at a rate not to exceed 6%, and has collected a 5% innkeeper's tax since 1986;

Whereas, Since 2008, money collected from the Tippecanoe County innkeeper's tax is distributed as follows: 30% to the Department of Natural Resources for project development at the Prophetstown State Park, 40% to the Lafayette-West Lafayette Convention and Visitors Bureau, 10% to Historic Prophetstown, 10% to the Wabash River Enhancement Corporation, and 10% to a community development corporation benefitting Lafayette and West Lafayette;

Whereas, Tippecanoe County's innkeeper's tax is the only innkeeper's tax in the state that is distributed in part to support a state park; and

Whereas, Studying the distribution of Tippecanoe County's innkeeper's tax is important to support local economic development: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the legislative council is urged to assign to the interim study committee on fiscal policy the issue of innkeeper's tax distributions in Tippecanoe County.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the legislative council.

The resolution was read in full and referred to the Committee on Tax and Fiscal Policy.

Senate Resolution 26

Senate Resolution 26, introduced by Senator Breaux:

A SENATE RESOLUTION to urge the legislative council to assign to the appropriate summer study committee the topic of elevated blood lead level testing of children ages 0-6 who have Medicaid coverage.

Whereas, Lead exposure damages a child's brain and nervous system leading to numerous health issues including problems with hearing and speech. In turn, lead exposure can affect a child's ability to learn, notably, interfering with IQ and undermining overall achievement;

Whereas, According to the Centers for Disease Control and Prevention (CDC) there is no level of lead in the blood that is "safe" for children. Low levels of lead, even below the CDC's established threshold of 5 micrograms per deciliter (µg/dL), in a child's blood, can affect multiple aspects of the child's life;

Whereas, Children can be exposed to lead through a variety of sources including: toys, paint, dust, home health remedies, imported objects such as candy and jewelry, pottery, varying consumer products, and drinking water. The CDC notes that childhood lead exposure is entirely preventable;

Whereas, Lead exposure and lack of blood lead level testing is a nationwide issue. According to a CDC blood lead levels report, in 2017 only 18.7% of the nation's 0-6 year olds were tested to determine their blood lead levels, representing 40,051 children with blood lead levels greater than 5 micrograms per deciliter (µg/dL);

Whereas, Lead exposure and lack of testing is also an issue facing Hoosiers aged 0-6. According to Indiana's 2018 Childhood Lead Surveillance Report, 68,868 children around the state were tested for elevated blood lead levels. Of those children, 619 had at least one elevated result and 220 had a confirmed elevated blood lead level result;

Whereas, As of December 2018 there was a combined total of 277,133 children ages 0-6 enrolled in Hoosier Healthwise, Hoosier Care Connect, and the Healthy Indiana Plan. As mentioned above, 68,868 children were tested for elevated blood lead levels, meaning only 24.9% of Indiana's Medicaid covered children were tested in 2018;

Whereas, If a Hoosier child is insured by Medicaid they must receive this blood lead level test at 12 months and then again at 24 months according to guidelines established by the Centers for Medicare & Medicaid Services (CMS);

Whereas, Other CMS requirements include: administering a blood level test to children between 24 and 72 months if there are no previous test results on file, providing access to these tests for individuals on Medicaid, and submitting annual data detailing the number of tests conducted on children ages 0-6; and

Whereas, The data and statistics prove that testing for all children ages 0-6 with Medicaid coverage is imperative. Indiana must evaluate its blood lead level testing policies to align them with CMS and CDC recommendations and to keep Hoosier children safe and healthy: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate urges the legislative council to assign to an appropriate study committee the topic of elevated blood lead level testing of children ages 0-6 on Medicaid.

The resolution was read in full and referred to the Committee on Health and Provider Services.

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Tuesday, February 4, 2020, signed Senate Enrolled Acts: 2.

RODRIC D. BRAY
President Pro Tempore

SENATE MOTION

Madam President: I move that Senator Messmer be added as second sponsor of Engrossed House Bill 1109.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niemeyer be removed as sponsor of Engrossed House Bill 1189 and that Senator Crider be substituted therefor.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niemeyer be added as second sponsor of Engrossed House Bill 1189.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, February 10, 2020.

CRIDER

Motion prevailed.

The Senate adjourned at 9:04 a.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Sixteenth Meeting Day Monday Afternoon February 10, 2020

The Senate convened at 1:32 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Senator Dennis K. Kruse.

The Pledge of Allegiance to the Flag was led by Senator Mike L. Bohacek.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect ▶
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 201: present 49; excused 1. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

HB 1112 — Koch, Holdman (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1174 — Crider (Homeland Security and Transportation)
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1317 — Koch (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1372 — Bassler (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1403 — Messmer (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 28

House Concurrent Resolution 28, sponsored by Senator Tomes:

A CONCURRENT RESOLUTION urging the Indiana Senate and the Indiana House of Representatives to adopt the practice of recommitting all bills creating or amending a criminal penalty to the Senate Corrections and Criminal Law Committee or the House Courts and Criminal Code Committee after the bill has passed the committee to which the bill was originally assigned. (The introduced version of this resolution was prepared by the interim study committee on corrections and criminal code.)

Whereas, In 2014, the General Assembly adopted House Bill 1006, which was the culmination of a five year study to make Indiana's Criminal Code consistent, proportional, and effective;

Whereas, The House and Senate criminal committees have the responsibility to review bills that create new crimes or change criminal penalties, and to make sure that Indiana's Criminal Code overall remains consistent, proportional, and effective;

Whereas, In the previous three legislative sessions, over 35 bills adding or amending a criminal penalty have been assigned to a noncriminal committee;

Whereas, The House and Senate criminal committees cannot carry out their responsibilities to ensure that Indiana's criminal penalties overall remain consistent, proportional, and effective unless the committees review all bills adding or amending a criminal penalty;

Whereas, The practice in the General Assembly has been to require bills having a certain fiscal impact to be reviewed by the Senate Appropriations Committee and the House Ways and Means Committee to ensure that financial resources are appropriately, effectively, and consistently deployed across the state; and

Whereas, The chairs of the House Courts and Criminal Code Committee and the Senate Corrections and Criminal Law Committee jointly believe that a similar practice of reviewing criminal penalties would ensure that Indiana's Criminal Code overall remains consistent, proportional, and effective: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly urges that the Indiana Senate and the Indiana House of Representatives adopt the practice of recommitting all bills creating or amending a criminal penalty to the Senate Corrections and Criminal Law Committee or the House Courts and Criminal Code Committee after the bill has passed the committee to which the bill was originally assigned.

SECTION 2. That the House Courts and Criminal Code Committee and the Senate Corrections and Criminal Law Committee conduct a review of the criminal penalties of bills recommitted to their committee, but not of other substantive provisions of the bills, and determine whether the criminal penalties are consistent and proportional when compared to other criminal penalties in the Indiana Code.

The resolution was read in full and referred to the Committee on Corrections and Criminal Law.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

HCR 26 Senator Crider
Congratulating the New Palestine High School softball team.
HCR 27 Senator Crider
Recognizing Charlie Spegal.
SR 27 Senator Niezgodski
Honoring Indiana's Hispanic/Latino entrepreneurs.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 26

House Concurrent Resolution 26, sponsored by Senator Crider:

A CONCURRENT RESOLUTION congratulating the New Palestine High School softball team.

Whereas, The 2019 New Palestine High School softball team won the Indiana High School Athletic Association's Class 3A state title on June 8, 2019;

Whereas, The Dragons closed out the competition with a 10-0 win, becoming the first school in IHSAA history to win three consecutive state championships in softball;

Whereas, New Palestine pitcher Sam Booe allowed just two hits and one walk, and struck out six during the state championship, finishing the season 18-0;

Whereas, New Palestine's Emma Tucher and Emily O'Conner led the Dragons in offense, with leadoff hitter Jaylin Calvert scoring three runs;

Whereas, Coach Ed Marcum led the Dragons to their third consecutive state title win, and sixth overall, since joining the program in 2003;

Whereas, The Dragons' state championship win, and 90-6 record in the last three years, reflects the hard work, talent, skill, and commitment given by each player to high school softball and their team; and

Whereas, This achievement will be remembered by players, coaches, staff, friends, family, and fans for years to come: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates the New Palestine High School softball team for its 2019 state championship win.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to coach Ed Marcum of the New Palestine High School softball team for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 27

House Concurrent Resolution 27, sponsored by Senator Crider:

A CONCURRENT RESOLUTION recognizing Charlie Spegal.

Whereas, Charlie Spegal was selected as Mr. Football by The Indianapolis Star and Indiana Football Coaches Association in 2019;

Whereas, Spegal has rushed for more yards and run for more touchdowns than any other player in the history of Indiana high school football;

Whereas, Spegal rushed for 10,867 yards, ran for 173 touchdowns, and scored 1,054 points during his high school career;

Whereas, Spegal is the first Mr. Football to come from New Palestine High School;

Whereas, Spegal has accepted a preferred walk-on offer from Indiana University; and

Whereas, Spegal has earned the respect of his teammates and coaches throughout Indiana with his outstanding athletic performance and strength of character: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates Charlie Spegal on the occasion of his selection as Mr. Football for 2019 and wishes him success at Indiana University.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Robert Cherry for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

Senate Resolution 27

Senate Resolution 27, introduced by Senator Niezgodski:

A SENATE RESOLUTION to honor Indiana's Hispanic/Latino entrepreneurs for their work creating small businesses and their contributions to Hoosier workforce development.

Whereas, Hispanic/Latino-owned businesses are the fastest growing small business sector throughout the United States, growing at more than fifteen times the national rate. Across the nation, there are around 3.3 million Hispanic/Latino-owned firms that generate over $473 billion in sales;

Whereas, In central Indiana alone, there are nearly 5,000 Hispanic/Latino-owned businesses. These businesses employ thousands of Hoosiers and contribute millions of dollars in revenue to the state's economy each year;

Whereas, Importantly, Indiana's Hispanic/Latino population has increased from 214,536 in 2000 to 477,988 in 2019. As of July 2019, Hispanic/Latino individuals represent 7% of Indiana's population;

Whereas, The over 400,000 members of the Hispanic/Latino community living in Indiana, and their businesses, have helped shape the economy, the culture, and the identity of the state of Indiana; and

Whereas, The Hoosier Hispanic/Latino community strengthens Indiana and drives its development: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate honors Hispanic/Latino entrepreneurs in Indiana for their work creating small businesses and their contribution to Hoosier workforce development.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to the Indiana State Hispanic Chamber of Commerce, the Latin American Chamber of Commerce of South Bend, the Latino Chamber Alliance of Evansville, the Indy Chamber's Hispanic Business Council, the Greater Fort Wayne Hispanic Chamber of Commerce, El Centro Communal Latino, Latinas Welding Guild, Luis Palacio, Sophia McDowell, Gilberto Perez, Jr., Maria Wildridge, the Morales Group, and the Mexican Consulate in Indianapolis.

The resolution was read in full and adopted by voice vote.

SENATE MOTION

Madam President: I move that the following memorial resolutions be adopted:

HCR 29 Senator Melton
Remembering Dr. Walter "Jerry" Watkins.
BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 29

House Concurrent Resolution 29, sponsored by Senators Melton, Mrvan, Niemeyer, and Lonnie M. Randolph:

A CONCURRENT RESOLUTION remembering Dr. Walter "Jerry" Watkins.

Whereas, Dr. Walter J. Watkins passed away on Monday, December 30, 2019, after serving the School City of Hammond district for 42 years;

Whereas, Dr. Watkins began his career in Hammond schools as an educator at Eggers Middle School teaching English and reading before serving as assistant principal and then principal;

Whereas, Dr. Watkins brought his experience and leadership to a secondary director role for the district before rising to the position of superintendent where he served for more than 16 years;

Whereas, The School City of Hammond district is Northwest Indiana's largest school district with an estimated enrollment of 13,100 students;

Whereas, Dr. Watkins retired in June 2019 after helping secure much needed funding in a 2017 referendum to build a new school near the aging Hammond High School; and

Whereas, Dr. Watkins was the first African-American superintendent in his school district, and served as a champion of diversity and inclusion in his community: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly remembers Dr. Walter "Jerry" Watkins as a role model for students and fellow leaders in his community and the state of Indiana;

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Carolyn Jackson for distribution.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

Senate Concurrent Resolution 26

Senate Concurrent Resolution 26, introduced by Senator Boots:

A CONCURRENT RESOLUTION memorializing Sandy Woolwine and honoring the heroic actions of North Central Parke Community School Corporation students.

Whereas, Sandy Woolwine, a beloved bus driver for the North Central Parke Community School Corporation, had a medical emergency while driving her daily afternoon route on January 6, 2020;

Whereas, The five students aboard the bus, Gavin and Legend Smith, Dylan Lamb, Logan Bowles, and Brayton Myers, acted bravely and beyond their years during the emergency;

Whereas, Always looking out for the safety of her students, Sandy pulled over and turned the bus off at the next stop, where Gavin and Legend Smith's father was luckily waiting;

Whereas, Sandy was helped off the bus, and the students waited with her, holding Sandy's hand and comforting her until emergency personnel arrived;

Whereas, When EMS arrived, Dylan Lamb told the technicians that Sandy did not drive the bus that morning because she had the flu, information that was critical for EMS and hospital staff to care for Sandy as she was unconscious; and

Whereas, Although efforts to revive Sandy were unsuccessful, the quick and heroic actions of Sandy and the five students aboard the bus saved student lives and prevented further danger to the students and community: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly memorializes Sandy Woolwine and honors the North Central Parke Community School Corporation students for their heroic actions on January 6, 2020.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the family of Sandy Woolwine, Gavin and Legend Smith, Dylan Lamb, Logan Bowles, and Brayton Myers.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Baird and Morrison.

Senate Concurrent Resolution 27

Senate Concurrent Resolution 27, introduced by Senators Rogers, Becker, Breaux, L. Brown, Donato, Glick, Houchin, Leising and Spartz:

A CONCURRENT RESOLUTION recognizing Perinatal Palliative Care personnel in Indiana.

Whereas, Perinatal Palliative Care is a multi-disciplinary model of support for parents and their fetus who is prenatally diagnosed with a chronic, life-limiting, or life-threatening condition;

Whereas, The number of infants born between 22-25 weeks gestation and families in need of Perinatal Palliative Care continues to grow with advances in prenatal testing and diagnostic medicine;

Whereas, Perinatal hospice care includes care planning with families after a life-limiting diagnosis has been made, attending Obstetrical and Maternal Fetal Medicine appointments with families, helping families locate home health care options if their baby is able to live the remainder of their life at home, and providing help with funeral care options and follow-up care after the death of their baby;

Whereas, Bereavement coordinators create mementoes, photographs, and keepsakes for families after the death of their precious baby;

Whereas, Hospitals provide remembrance events, including Christmas Memorials, Mother's Day and Father's Day events, and miscarriage burials;

Whereas, Hospitals offer peer support groups that may meet multiple times in a month to provide support for families in need;

Whereas, Coalition hospitals provide follow-up through phone calls, newsletters, and note cards after a loss to nurture a healing environment for families and ease the transition into subsequent parenting if parents wish to have future children;

Whereas, Additional pregnancy support groups are offered to families during subsequent pregnancies where it can be a very emotional time after the loss of a child; and

Whereas, Perinatal Palliative Care staff help families cope with the loss of a child and provide a network of support for families in need: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes Perinatal Palliative Care personnel in Indiana.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Joni Cutshaw, Marcia Jenkins, and Allison White of Franciscan Health, Jane Heustis and Kim Taylor of IU Health, Angie Bess Martin of Eskenazi Health, Jenny Cable and Amber Lafayette of Ascension St. Vincent Health, Jennifer Waitt of Community Health Network, Stacey Fischel of Now I Lay Me Down to Sleep Photography, and Marian Borondy.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Stutzman.

Senate Resolution 19

Senate Resolution 19, introduced by Senator Houchin:

A SENATE RESOLUTION memorializing Tammy Kemp and urging continued recognition of Tammy's Law.

Whereas, Senate Enrolled Act 392 (2019) was deemed "Tammy's Law" to memorialize Tammy Kemp, who passed away on May 5, 2019, after a long battle with amyotrophic lateral sclerosis (ALS);

Whereas, Tammy Kemp and her husband, Jeff, advocated the Act's passage after Tammy was unable to obtain Medicare gap insurance coverage following her ALS diagnosis, causing emotional and financial distress for Tammy's family;

Whereas, The Act's provisions require insurers that make Medicare supplement policies available to Medicare-eligible individuals based on age to make at least one Medicare Plan A supplement policy available to Medicare-eligible individuals based on disability;

Whereas, The Act received bipartisan approval from the Indiana General Assembly before it was signed into law by Governor Holcomb on May 5, 2019;

Whereas, Tammy's Law is a critical tool for individuals with disabilities who did not have access to Medicare gap insurance prior to the law's enactment, and provides protection from financial troubles due to gap coverage ineligibility; and

Whereas, Though Tammy Kemp will not benefit from the Act that bears her name, countless Hoosiers and their families will be able to purchase Medicare gap insurance coverage because of Tammy's Law: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate memorializes Tammy Kemp and urges continued recognition of Tammy's Law to provide critical Medicare gap insurance to disabled Hoosiers.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Jeff Kemp, husband of Tammy Kemp and advocate for Tammy's Law.

The resolution was read in full and adopted by standing vote.

Senate Resolution 22

Senate Resolution 22, introduced by Senator Bassler:

A SENATE RESOLUTION honoring the Monday Afternoon Club for 125 years of cultural and literary endeavors.

Whereas, Established in January 1895 as a local literary club to further the education of its members in cultural and literary endeavors, the Monday Afternoon Club has continued meeting for 125 years;

Whereas, In 1901, the Monday Afternoon Club solicited funds from industrialist and philanthropist Andrew Carnegie to form the Washington Carnegie Public Library, and the Monday Afternoon Club continues to assist the Library with financial donations and book purchases;

Whereas, In 1909, the Monday Afternoon Club assisted in the establishment of the Daviess Community Hospital to serve the health and medical needs of the public;

Whereas, In 1918, a surgical dressing unit and the Red Cross Society were organized with the Monday Afternoon Club's assistance;

Whereas, Each organization founded or assisted by the Monday Afternoon Club continue to thrive and meet their humanitarian goals; and

Whereas, Enlightenment in literature and other fields of knowledge continue to be the focus and aim of the Monday Afternoon Club: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate honors the Monday Afternoon Club for 125 years of cultural and literary endeavors.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the members of the Monday Afternoon Club.

The resolution was read in full and adopted by voice vote.

MESSAGE FROM THE PRESIDENT OF THE SENATE

Members of the Senate: I have on the fifth day of February, 2020, signed Senate Enrolled Act 2.

SUZANNE CROUCH
Lieutenant Governor

SENATE MOTION

Madam President: I move that Senator Garten be added as cosponsor of House Concurrent Resolution 11.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as cosponsor of House Concurrent Resolution 11.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second sponsor of Engrossed House Bill 1317.

KOCH

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 30

House Concurrent Resolution 30, sponsored by Senator Sandlin:

A CONCURRENT RESOLUTION recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.

Whereas, The soldiers of the 151st Infantry Regiment of the Indiana National Guard exited the Vietnam War and returned home 50 years ago on November 26, 1969;

Whereas, The 151st Infantry Regiment received more decorations during their year of service in Vietnam than any other Army infantry company during any one year period of the Vietnam War;

Whereas, The lineage of the 151st Infantry Regiment dates back to the formation of the 2nd Regiment of Indiana Volunteers in June 1846;

Whereas, Company D of the 151st Infantry Regiment was commonly referred to as the Indiana Rangers;

Whereas, The Indiana Rangers were activated in March of 1968 in preparation for a deployment to Vietnam;

Whereas, Camp Atterbury (EAST) served as the new home for the Indiana Rangers upon their arrival in Vietnam in December of 1968;

Whereas, The Indiana Rangers were the only Army National Guard ground maneuver unit to serve in Southeast Asia;

Whereas, The Indiana Rangers served in Vietnam from December of 1968 to November of 1969;

Whereas, Governor Edgar G. Whitcomb declared November 26, 1969, as "Unity Day", ordering all state and county offices closed in recognition of Company D's return home;

Whereas, The Indiana General Assembly remembers this day and recognizes that the Indiana Rangers served in the Vietnam War and fought for the United States with bravery and honor; and

Whereas, It is fitting that the Indiana Rangers and all members of the armed forces who served in the Vietnam War continue to be held in the highest possible regard by their community, the state of Indiana, and the United States: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard, for their bravery during the Vietnam War.

SECTION 2. That the Indiana General Assembly honors the Indiana Rangers for their service and sacrifice during the Vietnam War on behalf of their community, the state of Indiana, and United States of America.

SECTION 3. That the Principal Clerk of the House of Representatives transmit copies of this resolution to the office of State Representative Dennis Zent for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 22

House Concurrent Resolution 22, sponsored by Senator Raatz:

A CONCURRENT RESOLUTION recognizing Mr. Philip Stevenson and his retirement as superintendent of Centerville-Abington Community Schools.

Whereas, Mr. Philip Stevenson began his career with Centerville schools in 1972 teaching social studies at Centerville High School;

Whereas, Mr. Stevenson served the students, families, and faculty of Centerville High School as a teacher, assistant principal, and principal for 32 years before rising to the task of superintendent in 2005;

Whereas, Mr. Stevenson endeavored to bring quality education and support to the Centerville-Abington Community Schools as superintendent and in doing so received awards

including the Community in Schools Champion of Education Award in 2010; and

Whereas, Mr. Stevenson's leadership earned him recognition as the East Central District VI Superintendent of the Year in 2014 and the Wayne County Chamber of Commerce Educator of the Year in 2016: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes Mr. Philip Stevenson for his leadership as superintendent of Centerville-Abington Community Schools and 47 years of service to Centerville schools.

SECTION 2. That the Indiana General Assembly congratulates Mr. Philip Stevenson on his retirement in June 2020.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Brad Barrett for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 22 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 30 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Rogers, Ruckelshaus, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young and Zay be added as cosponsors of House Concurrent Resolution 30.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as second sponsor of Engrossed House Bill 1070.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as second sponsor of Engrossed House Bill 1095.

GARTEN

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, February 11, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 2:29 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Seventeenth Meeting Day Tuesday Afternoon February 11, 2020

The Senate convened at 1:36 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Pastor Dan Sager from Wea Ridge Baptist Church in Lafayette, IN.

The Pledge of Allegiance to the Flag was led by Senator Ron J. Alting.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 202: present 50; excused 0. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

HB 1008 — Messmer, Busch (Commerce and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1059 — Doriot, Messmer, Rogers, Buck (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1222 — Walker (Elections)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1225 — Messmer, Becker (Corrections and Criminal Law)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1235 — Crider (Tax and Fiscal Policy)

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1243 — Becker (Health and Provider Services)

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1246 — Crider (Homeland Security and Transportation)

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

HB 1265 — Randolph Lonnie M, Niemeyer (Environmental Affairs)

A BILL FOR AN ACT to amend the Indiana Code concerning health.

HB 1283 — Rogers, Raatz (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1288 — Walker, Tallian (Elections)

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1301 — Crider, Niezgodski (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1305 — Doriot, Rogers (Education and Career Development)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

HB 1343 — Tomes (Commerce and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred House Concurrent Resolution 11, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.
Committee Vote: Yeas 8, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Engrossed House Bill 1095, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 7, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Engrossed House Bill 1198, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 7, Nays 0.

CRIDER, Chair

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SCR 32 Senator Zay
Recognizing the home of the Charley Creek Inn.
SR 28 Senator Spartz
Congratulating the Fishers Jr. H.S. "We the People" team.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 32

Senate Concurrent Resolution 32, introduced by Senator Zay:

A CONCURRENT RESOLUTION recognizing the home of the Charley Creek Inn for 100 years as the hub of downtown Wabash, Indiana.

Whereas, The Charley Creek Inn occupies a building located at 111 West Market Street in Wabash, Indiana, that has been used continuously for 100 years;

Whereas, Open for business in 1920, the building opened as the home of Hotel Indiana;

Whereas, The building later housed the Red Apple Inn, and was used primarily as residential apartments;

Whereas, In 2007, when the building was threatened with demolition, Richard E. Ford bought the building and led a $15 million renovation to save the structure;

Whereas, The building reopened in 2010 as the Charley Creek Inn and was added to the National Register of Historic Places;

Whereas, The renovation to the building earned the 2011 Outstanding Commercial Rehabilitation Award from the Indiana Department of Natural Resources;

Whereas, The Charley Creek Inn has become the destination of choice for business travelers, entertainers, weekend adventurers, and couples seeking a romantic retreat;

Whereas, Today, the Inn forms the hub of the Wabash Arts and Entertainment District, and features fine dining, a convenient location close to many popular tourist spots, and a nostalgic feel; and

Whereas, Richard Ford's renovation of the building saved a Wabash County institution that has served thousands of customers over the years, and will be enjoyed for generations to come: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes the home of the Charley Creek Inn for 100 years as the hub of downtown Wabash, Indiana.
SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the Charley Creek Inn and to owner Richard E. Ford.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Wolkins.

Senate Resolution 28

Senate Resolution 28, introduced by Senator Spartz:

A SENATE RESOLUTION congratulating the Fishers Junior High School "We the People" team on winning the 2019 "We the People" State Finals.

Whereas, On December 10, 2019, the Fishers Junior High School "We the People" team won the 2019 "We the People" State Finals in Indianapolis;

Whereas, Fishers Junior High School defended its three "We the People" state titles from 2016-2018 by defeating 14 teams from 12 schools with more than 300 eighth graders participating in the annual civics competition;

Whereas, The team will have the opportunity to compete in the "We the People" National Invitational from May 1 through May 4, 2020, in Washington, D.C.;

Whereas, During the competition, teams of students answered questions from panels of judges about the Constitution and its application to contemporary issues;

Whereas, The "We the People" program was developed by the Center for Civic Education and is funded by the State of Indiana and the Indiana Bar Foundation, with the goal of promoting civic responsibility and competence in students; and

Whereas, Involvement with the "We the People" competition allows students to develop a greater understanding of democratic principles of our constitutional republic and prepares Indiana youth for a future that will encourage their knowledge of and participation in our democratic system of government: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate congratulates the Fishers Junior High School "We the People" team on winning the 2019 "We the People" state title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Mr. Mike Fassold, Fishers Junior High School teacher and "We the People" team leader, Ms. Crystal Thorpe, Principal of Fishers Junior High School, Dr. Allen Bourff, Superintendent of Hamilton Southeastern Schools, to each member of the Fishers Junior High School "We the People" team, and to Charles Dunlap, Executive Director of the Indiana Bar Foundation.

The resolution was read in full and adopted by voice vote.

Senate Concurrent Resolution 5

Senate Concurrent Resolution 5, introduced by Senator Bray:

A CONCURRENT RESOLUTION recognizing the 21st Century Scholars Program for 30 years of helping Hoosiers afford a college education.

Whereas, Indiana must dramatically increase postsecondary attainment to meet the state's economic imperatives and to provide Hoosiers with greater opportunities for lifelong success;

Whereas, The State of Indiana must ensure college is an affordable option for all Hoosiers, no matter life's circumstances or obstacles;

Whereas, Enacted in 1990, the Evan Bayh 21st Century Scholarship, Indiana's early college promise program for low-income Hoosiers, has demonstrated success at addressing postsecondary access and achievement;

Whereas, 86% of 21st Century Scholars enroll in college, compared to 63% of the overall high school population, and more than twice the level of their low-income peers;

Whereas, 21st Century Scholars have gained 12 percentage points in on-time college completion in five years;

Whereas, The 21st Century Scholars Program promotes educational equity, and scholars are the only group on track to close the achievement gap by 2025;

Whereas, The 21st Century Scholars Program celebrates 30 years of helping thousands of Hoosier learners aspire to, prepare for, and afford a college education;

Whereas, The 21st Century Scholars Program has consistently garnered strong bipartisan support in the General Assembly and through changing administrations; and

Whereas, The 21st Century Scholars Program is necessary to close Indiana's educational achievement gap and ensure a strong economy for generations to come: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes the Evan Bayh 21st Century Scholars Program for 30 years of helping Hoosiers afford a college education.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Commissioner of Higher Education Teresa Lubbers and to each member of the Commission for Higher Education.

1:46 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 1:49 p.m., with the President of the Senate in the Chair.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Bosma.

Senate Concurrent Resolution 25

Senate Concurrent Resolution 25, introduced by Senator M. Young:

A CONCURRENT RESOLUTION congratulating Adam Ferguson for being named the 2020 Plainfield Community School Corporation Teacher of the Year.

Whereas, Adam Ferguson, a teacher at Plainfield High School, was named the 2020 Plainfield Community School Corporation Teacher of the Year;

Whereas, Adam is a graduate of Ball State University, holding Bachelor of Science degrees in Social Studies Education and History, a Summa Cum Laude graduate of the Ball State Honors College, and is working on his Master's Degree in History as part of the Indiana University Advanced College Project History Program;

Whereas, Adam taught for two years at Northwestern High School in Kokomo before moving to Plainfield High School, where he has taught Cultural History of the American People, We the People, Dual Credit U.S. History, and Advanced Placement Government for six years;

Whereas, Engaged in student activities at Plainfield High School, Adam serves on several school committees and as the sponsor of National Honor Society and Riley Dance Marathon; and

Whereas, Adam's dedication and commitment to the education of each of his students resulted in him being named the 2020 Teacher of the Year for Plainfield Community School Corporation: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Adam Ferguson on being named the 2020 Plainfield Community School Corporation Teacher of the Year.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Adam Ferguson.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Behning.

Senate Concurrent Resolution 30

Senate Concurrent Resolution 30, introduced by Senator Breaux:

A CONCURRENT RESOLUTION recognizing the Indiana Legislative Youth Advisory Council for the important work they do in advising the Indiana General Assembly on youth related issues.

Whereas, In 2008, the Indiana General Assembly enacted Public Law 69 establishing the Indiana Legislative Youth Advisory Council;

Whereas, The Council consists of Hoosiers from across Indiana appointed by the Governor, President Pro Tempore of the Indiana Senate, the Speaker of the Indiana House, and both the Minority Leader in the Senate and in the House. Each Council member serves a two-year term;

Whereas, The Council convenes to advise the Indiana General Assembly on topics related to Indiana's youth through suggestion, endorsement, and advocacy;

Whereas, The actions and involvement of members of the Council demonstrate the importance of individuals from different backgrounds, political ideologies, and areas of expertise engaging in policy discussions about government;

Whereas, Advised by the Indiana Bar Foundation, the Council's members' involvement provides a firsthand lesson in civic engagement that cannot be matched; and

Whereas, Through the dedication and service of the Indiana Legislative Youth Advisory Council, the interests of Indiana's youth will continue to be represented: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes the Indiana Legislative Youth Advisory Council for the important work they do in advising the Indiana General Assembly on youth related issues.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to council members Tanner Bowman, Nathan Mertz, Megan Stoner, Wyatt Harvey, Elijah Harvey, Elijah Roberson, Aldo Medina, Kelby Stallings, Abby Thomas, Madeline Erdell, Eilidh MacLeod, Sydney Strecker, Ranvir Sandhu, Cole Ferguson, Christian Means, Hayden Redelman, Kyle Feldkamp, Matthew Quintos, and Matthew Stachler.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative May.

House Concurrent Resolution 25

House Concurrent Resolution 25, sponsored by Senator Perfect:

A CONCURRENT RESOLUTION recognizing Honda Manufacturing of Indiana for its contributions to the community.

Whereas, Honda Manufacturing of Indiana produced its two-millionth car in Greensburg since manufacturing began in 2008;

Whereas, Honda-Greensburg produced the milestone, a Crystal Black Pearl CR-V, on May 31, 2019;

Whereas, Honda-Greensburg is a 2.4 million square foot facility employing more than 2,500 employees, with the capacity to build 250,000 vehicles each year;

Whereas, Honda Manufacturing of Indiana has been a proactive member of the Hoosier community with programs like Hands on Honda, an employee-volunteerism program, and by offering in-kind donations, food drives, blood drives, and financial support for eligible nonprofit organizations;

Whereas, Honda Manufacturing of Indiana became a founding partner of the Conexus Indiana program INvets, which provides meaningful job training and hiring opportunities for Indiana's military service members;

Whereas, Honda has announced a four million dollar expansion to add 54 jobs to plant operations and expand the Honda-Greensburg portfolio to include the CR-V Hybrid;

Whereas, Honda-Greensburg will produce the Honda Civic, Insight, CR-V, and CR-V Hybrid upon completion of its expansion; and

Whereas, The Indiana General Assembly recognizes the positive impact of Honda Manufacturing of Indiana and wishes the company continued success for years to come: Therefore,

Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes Honda Manufacturing of Indiana for its contributions to the community and its continued success.

SECTION 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to Representative Cindy Ziemke for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 31

House Concurrent Resolution 31, sponsored by Senator Lanane:

A CONCURRENT RESOLUTION recognizing the Anderson High School Marching Highlanders for their achievements at the 2019 Indiana State Fair.

Whereas, The Indiana State Fair band competition has been held since 1946;

Whereas, This year marks the 50th consecutive year that an Anderson Community Schools band has represented the community of Anderson, Indiana, in this annual contest;

Whereas, Collectively bands representing Anderson High School, Highland High School and Madison Heights High School have earned 15 first-place awards through the years;

Whereas, The 2019-2020 Anderson High School Marching Highlanders are directed by Richard Geisler and comprised of 90 students and 20 staff and volunteer members;

Whereas, The Anderson High School Marching Highlanders traveled to Indianapolis to compete against 39 other participating Indiana high school bands at the Indiana State Fair band competition on August 2, 2019;

Whereas, The Anderson High School Marching Highlanders gave an outstanding performance highlighting the music of Elton John entitled "Sir Elton" featuring the songs "Saturday Night," "Your Song," "Crocodile Rock" and "Can You Feel The Love Tonight";

Whereas, The Anderson High School Marching Highlanders were awarded first place in the categories of best music, best general effects and were named the overall winner of the 2019 Indiana State Fair band day competition class AAA division; and

Whereas, the Anderson High School Marching Highlanders proudly hold the distinctive state record of seven first place awards at the Indiana State Fair Band Competition having earned top honors in 1957, 1958, 1959, 1985, 1986, 2010, and 2019: Therefore,

Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes the Anderson High School Marching Highlanders for their Achievements at the 2019 Indiana State Fair.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Terri Jo Austin for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 26 and 27 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 25 and 31 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young and Zay be added as coauthors of Senate Concurrent Resolution 5.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as second author of Senate Concurrent Resolution 25.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as second sponsor of House Concurrent Resolution 25.

PERFECT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as second sponsor of Engrossed House Bill 1067.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Mrvan and J.D. Ford be added as cosponsors of Engrossed House Bill 1070.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as cosponsor of Engrossed House Bill 1080.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as cosponsor of Engrossed House Bill 1111.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as second sponsor of Engrossed House Bill 1143.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Freeman be removed as second sponsor of Engrossed House Bill 1157.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be removed as sponsor of Engrossed House Bill 1157 and that Senator Freeman be substituted therefor.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as second sponsor of Engrossed House Bill 1157.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as cosponsor of Engrossed House Bill 1182.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as third sponsor of Engrossed House Bill 1265.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Ruckelshaus be added as cosponsor of Engrossed House Bill 1265.

LONNIE M. RANDOLPH

Motion prevailed.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: Pursuant to Senate Rule 68(b), I hereby report that House Bill 1181, currently assigned to the Committee on Commerce and Technology, be reassigned to the Committee on Insurance and Financial Institutions.

BRAY

Report adopted.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 36

Senate Concurrent Resolution 36, introduced by Senators Lanane and Gaskill:

A CONCURRENT RESOLUTION honoring John Thomas Shettle on his retirement from the Orestes town council.

Whereas, John has served on the Orestes town council for 30 years, the longest tenure in town council history;

Whereas, John is a Navy Veteran who served on the USS Everglade and the USS Wren in Korea. Before his discharge in 1955, he attained the rank of petty officer 2nd class;

Whereas, After his service, John graduated from the Indiana State Police Academy in 1955. He progressed from a trooper at Dunes National Park to a Captain in command of the parking division;

Whereas, Governor Otis Bowen appointed John as Indiana State Police Superintendent. In his 10 years as Superintendent, two of John's initiatives, "Click It or Ticket" and "Operation CARE - Combined Accident Reduction Enforcement", have evolved into federal programs. During the last two years of his term as Superintendent, John served as the Commissioner of the Department of Corrections;

Whereas, John worked in multiple other professional capacities. For a number of years, John worked at Methodist Hospital as head of security. John worked as the Veteran's Affairs Liaison in the offices of United States Representatives McIntosh and Pence. John also served in state and local offices as a member of the United Methodist Church;

Whereas, The University of Indianapolis honored John with an Honorary Doctorate of Laws;

Whereas, John was married to his wife Carolyn DeLawter Shettle for 64 years; and

Whereas, When not serving his community, he enjoys spending time with his four children, ten grandchildren, seven great-grandchildren, and his one great, great grandchild: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana Senate honors John Thomas Shettle upon his retirement from the Orestes town council.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to John Thomas Shettle.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Wright.

SENATE MOTION

Madam President: I move we adjourn until 10:00 a.m., Thursday, February 13, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 2:40 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Eighteenth Meeting Day Thursday Morning February 13, 2020

The Senate convened at 10:04 a.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Pastor Randy Scott from Pentecostals of South Lake Merrillville.

The Pledge of Allegiance to the Flag was led by Senator Ricky N. Niemeyer.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops ▶
Garten	Tallian
Gaskill	Taylor, G. ▶
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 203: present 48; excused 2. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

HB 1264 — Houchin (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1267 — Messmer (Elections)
A BILL FOR AN ACT to amend the Indiana Code concerning elections.

HB 1279 — Mishler, Charbonneau (Appropriations)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1326 — Crider (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1334 — Niemeyer, Niezgodski (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1346 — Koch (Corrections and Criminal Law)
A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 41

Senate Concurrent Resolution 41, introduced by Senator Melton:

A CONCURRENT RESOLUTION urging the legislative council to assign to the appropriate summer study committee the topic of the achievement gap within the education system regarding race and socioeconomic status.

Whereas, The achievement gap refers to the disproportionate results in test scores, graduation rates, and overall academic performance between students of different races and socioeconomic statuses;

Whereas, Minority students and students of lower socioeconomic status statistically score lower than average on standardized tests;

Whereas, While the Indiana state proficiency rate for third to eighth graders hovers around 51%, the average proficiency rate for African American students is 15%, the rate for Hispanic students is 24%, and for students receiving free and reduced lunch the rate is 36%;

Whereas, The achievement gap follows Indiana students to high school. For tenth graders, the average rate of proficiency across the state is 34%. For African American students the average drops to a proficiency rate of 11%, for Hispanic students the average is 19%, and for students receiving free and reduced lunch the average is 18%;

Whereas, These statistics indicate that a distinct achievement gap exists among Hoosier youth;

Whereas, Studying factors like race and socioeconomic status and discussing potential solutions regarding the achievement gap is essential to ensure that all Indiana students have the chance to succeed; and

Whereas, It is important to the overall well-being of our state that all Hoosier students are able to achieve academic success: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly urges the legislative council to assign to the appropriate summer study committee the topic of the achievement gap within the education system regarding race and socioeconomic status.

The resolution was read in full and referred to the Committee on Education and Career Development.

Senate Resolution 30

Senate Resolution 30, introduced by Senator Tomes:

A SENATE RESOLUTION honoring the Department of Natural Resources Division of Forestry and the Classified Forest and Wildlands Program and urging increased state funding for the Division of Forestry.

Whereas, The work of Indiana's Department of Natural Resources Division of Forestry supports multiple uses of Indiana's public and privately owned forests, including recreation, hunting, and fostering a healthy fish and wildlife population;

Whereas, The Division of Forestry's Classified Forest and Wildlands Program encourages timber production, watershed protection, and wildlife habitat management on private lands in Indiana;

Whereas, Retirements and resignations, combined with extended delays in refilling positions due to budget constraints, are limiting the ability of the Division of Forestry to service private landowners and effectively manage the growing Classified Forest and Wildlands Program;

Whereas, The Classified Forest and Wildlands Program has been an excellent incentive in keeping Indiana's private forests intact, has allowed marginal ground to revert to forests, and has helped landowners increase our state's forest base by more than four times in less than a century, serving as a model for other states to emulate;

Whereas, The enrolled acreage in the Classified Forest and Wildlands Program has grown by 80% in the past 15 years, and the Division of Forestry overall is supporting 375,000 more acres with $2 million less funding compared to Fiscal Years 2010 and 2011 levels;

Whereas, The Classified Forest and Wildlands Program requires written forest management plans, and district foresters are essential to providing landowners the expertise required to understand and complete these plans;

Whereas, The Program's efforts result in healthier, sustainable forests which, among other benefits, provide over 99% of the timber that feeds the hardwoods industry - Indiana's largest agricultural industry;

Whereas, Proper forest management by the Division of Forestry also provides many other benefits to Indiana, including mitigating the effects of a changing climate, clean water and air, flood and fire suppression, wildlife habitat, control of invasive species and disease and pest infestations, and enhancing quality of life and recreational opportunities;

Whereas, The forest products industry, outdoor recreation industry, and Indiana's quality of place are all critical to making Indiana a diverse and attractive option for our citizens and workforce; and

Whereas, The stretched financial resources provided to the Division of Forestry hampers the Division's ability to effectively oversee the state's public forests: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate honors the Indiana Department of Natural Resources Division of Forestry and the Classified Forests and Wildlands Program for its management of Indiana's forest resources.

SECTION 2. That the Indiana Senate urges the restoration of funding to the Division of Forestry to levels adequate to meet the needs of Indiana's private forest landowners while maintaining and growing Indiana's state forests.

SECTION 3. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the Indiana Department of Natural Resources, the Division of Forestry, the Indiana Forest Alliance, and the Indiana Hardwood Lumbermen's Association.

The resolution was read in full and referred to the Committee on Natural Resources.

House Concurrent Resolution 18

House Concurrent Resolution 18, sponsored by Senator Kruse:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename a portion of State Road 930 in honor of service members that fought and served during Operation Enduring Freedom.

Whereas, Operation Enduring Freedom began on October 7, 2001, with United States and British airstrikes on al Qaeda and Taliban targets in response to terrorist attacks that occurred on September 11, 2001;

Whereas, Operation Enduring Freedom was a combat mission, lasting more than 13 years, designed to cripple the al Qaeda terror network operating under the protection of the Taliban regime in Afghanistan;

Whereas, An estimated 100,000 U.S. troops were deployed in Afghanistan by May 2011 as part of Operation Enduring Freedom; and

Whereas, The Indiana General Assembly wishes to honor and remember the brave Indiana service members who fought and served during Operation Enduring Freedom: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly urges the Indiana Department of Transportation to rename the portion of State Road 930 through the New Haven city limits in honor of Indiana service members who fought and served during Operation Enduring Freedom.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Dave Heine for distribution.

The resolution was read in full and referred to the Committee on Homeland Security and Transportation.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1022, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1067, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, line 41, after "didactic" insert "**nitrous oxide administration course containing curriculum on**".

Page 4, delete line 42.

Page 5, line 2, after "administration," insert "**emergency procedures,**".

(Reference is to HB 1067 as printed January 10, 2020.)

and when so amended that said bill do pass.
Committee Vote: Yeas 11, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1077, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between lines 6 and 7, begin a new paragraph and insert:

"SECTION 3. IC 25-5.1-2-4, AS AMENDED BY P.L.249-2019, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The term of office for each member of the board is ~~made~~ **specified** under IC 25-1-6.5.

(b) A member of the board may be removed under IC 25-1-6.5-4.".

Page 3, line 33, after "state," insert "**except for the physical plant requirement specified in section 6(b)(2) of this chapter,**".

Page 5, line 31, after "If" insert ":

(1)".

Page 5, line 33, after "substances" delete "," and insert "; **or**

(2) the federal registration is surrendered for cause;".

Page 5, line 33, beginning with "a" begin a new line blocked left.

Page 5, line 34, after "suspended" insert ".".

Page 5, line 34, delete "and".

Page 5, delete line 35.

Renumber all SECTIONS consecutively.

(Reference is to HB 1077 as printed January 17, 2020.)

and when so amended that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Engrossed House Bill 1080, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 6, after "subsection (d)" delete "." and insert "**, except as provided in subsection (e).**".

Page 2, between lines 17 and 18, begin a new paragraph and insert:

"**(e) The requirements imposed under this section do not apply to a high deductible health plan, as defined by Section 223 of the Internal Revenue Code. High deductible health plans described in this subsection may not excuse a deductible requirement with respect to colorectal cancer screening in a manner inconsistent with Section 223(c)(2)(C) of the Internal Revenue Code.**".

Page 2, line 32, after "subsection (c)" delete "." and insert "**, except as provided in subsection (e).**".

Page 3, between lines 4 and 5, begin a new paragraph and insert:

"**(e) The requirements imposed under this section do not apply to a high deductible health plan, as defined by Section 223 of the Internal Revenue Code. High deductible health plans described in this subsection may not excuse a deductible requirement with respect to colorectal cancer screening in a manner inconsistent with Section 223(c)(2)(C) of the Internal Revenue Code.**".

Page 3, line 21, after "subsection (d)" delete "." and insert "**, except as provided in subsection (f).**".

Page 3, after line 35, begin a new paragraph and insert:

"**(f) The requirements imposed under this section do not apply to a high deductible health plan, as defined by Section 223 of the Internal Revenue Code. High deductible health plans described in this subsection may not excuse a deductible requirement with respect to colorectal cancer screening in a manner inconsistent with Section 223(c)(2)(C) of the Internal Revenue Code.**".

(Reference is to HB 1080 as printed January 24, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 7, Nays 1.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1092, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 12-15-5-14.5, AS ADDED BY P.L.128-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14.5. **(a)** The office shall include a:

(1) licensed clinical social worker;
(2) licensed mental health counselor;
(3) licensed clinical addiction counselor; and
(4) licensed marriage and family therapist;

as eligible providers for the supervision of a plan of treatment for a patient's outpatient mental health or substance abuse treatment services, if the individual holds at least a master's degree and the supervision is in the scope of practice, education, and training of the clinical social worker, mental health counselor, clinical addiction counselor, or marriage and family therapist.

(b) Before July 1, 2020, the office shall apply to the United States Department of Health and Human Services to amend the state Medicaid plan to implement subsection (a).".

Renumber all SECTIONS consecutively.

(Reference is to HB 1092 as printed January 24, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 11, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1096, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1129, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 11, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1143, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 9, Nays 1.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1210, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 7, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 7. IC 16-39-1-3, AS AMENDED BY P.L.240-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2020]: Sec. 3. (a) Health records may be requested by a competent patient if the patient is:

(1) emancipated and less than eighteen (18) years of age; or
(2) at least eighteen (18) years of age.

(b) If a patient is incompetent, the request for health records may be made by the parent, guardian, or custodian of the patient.

(c) Health records of a deceased patient may be requested:

(1) by a coroner under IC 36-2-14-21 or by the personal representative of the patient's estate;
(2) if the estate of the deceased patient does not have a personal representative, by the spouse of the deceased patient;
(3) if the deceased patient does not have a surviving spouse and the deceased patient's estate does not have a personal representative, by:

(A) a child of the deceased patient; or

(B) the parent, guardian, or custodian of the child of the deceased patient if the child of the deceased patient is incompetent; ~~or~~

(4) if the deceased patient was an incapacitated person for whom a guardian had been appointed under IC 29-3 or the law of another state, by the guardian of the deceased patient, except as provided in subsection (d); **or**

(5) if the deceased patient does not have a surviving spouse or child, and the deceased patient's estate does not have a personal representative, by any responsible member of the family.

(d) If:

(1) the deceased patient was an incapacitated person subject to a guardianship at the time of the patient's death; and

(2) a personal representative of the estate of the deceased patient is appointed under IC 29-1-7;

the guardian of the deceased patient may not request health records of the deceased patient under subsection (c)(4).

SECTION 8. IC 16-39-2-6, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2020]: Sec. 6. (a) Without the consent of the patient, the patient's mental health record may only be disclosed as follows:

(1) To individuals who meet the following conditions:

(A) Are employed by:

(i) the provider at the same facility or agency;

(ii) a managed care provider (as defined in IC 12-7-2-127); or

(iii) a health care provider or mental health care provider, if the mental health records are needed to provide health care or mental health services to the patient.

(B) Are involved in the planning, provision, and monitoring of services.

(2) To the extent necessary to obtain payment for services rendered or other benefits to which the patient may be entitled, as provided in IC 16-39-5-3.

(3) To the patient's court appointed counsel and to the Indiana protection and advocacy services commission.

(4) For research conducted in accordance with IC 16-39-5-3 and the rules of the division of mental health and addiction, the rules of the division of disability and rehabilitative services, ~~or~~ the rules of the provider, **or the rules of the Indiana archives and records administration and the oversight committee on public records.**

(5) To the division of mental health and addiction for the purpose of data collection, research, and monitoring managed care providers (as defined in IC 12-7-2-127) who are operating under a contract with the division of mental health and addiction.

(6) To the extent necessary to make reports or give testimony required by the statutes pertaining to admissions, transfers, discharges, and guardianship proceedings.

(7) To a law enforcement agency if any of the following conditions are met:

(A) A patient escapes from a facility to which the patient is committed under IC 12-26.

(B) The superintendent of the facility determines that failure to provide the information may result in bodily harm to the patient or another individual.

(C) A patient commits or threatens to commit a crime on facility premises or against facility personnel.

(D) A patient is in the custody of a law enforcement officer or agency for any reason and:

(i) the information to be released is limited to medications currently prescribed for the patient or to the patient's history of adverse medication reactions; and

(ii) the provider determines that the release of the medication information will assist in protecting the health, safety, or welfare of the patient.

Mental health records released under this clause must be maintained in confidence by the law enforcement agency receiving them.

(8) To a coroner or medical examiner, in the performance of the individual's duties.

(9) To a school in which the patient is enrolled if the superintendent of the facility determines that the information will assist the school in meeting educational needs of the patient.

(10) To the extent necessary to satisfy reporting requirements under the following statutes:

(A) IC 12-10-3-10.

(B) IC 12-24-17-5.

(C) IC 16-41-2-3.

(D) IC 31-25-3-2.

(E) IC 31-33-5-4.

(F) IC 34-30-16-2.

(G) IC 35-46-1-13.

(11) To the extent necessary to satisfy release of information requirements under the following statutes:

(A) IC 12-24-11-2.

(B) IC 12-24-12-3, IC 12-24-12-4, and IC 12-24-12-6.

(C) IC 12-26-11.

(12) To another health care provider in a health care emergency.

(13) For legitimate business purposes as described in IC 16-39-5-3.

(14) Under a court order under IC 16-39-3.

(15) With respect to records from a mental health or developmental disability facility, to the United States Secret Service if the following conditions are met:

(A) The request does not apply to alcohol or drug abuse records described in 42 U.S.C. 290dd-2 unless authorized by a court order under 42 U.S.C. 290dd-2(b)(2)(c).

(B) The request relates to the United States Secret Service's protective responsibility and investigative authority under 18 U.S.C. 3056, 18 U.S.C. 871, or 18 U.S.C. 879.

(C) The request specifies an individual patient.

(D) The director or superintendent of the facility

determines that disclosure of the mental health record may be necessary to protect a person under the protection of the United States Secret Service from serious bodily injury or death.

(E) The United States Secret Service agrees to only use the mental health record information for investigative purposes and not disclose the information publicly.

(F) The mental health record information disclosed to the United States Secret Service includes only:

(i) the patient's name, age, and address;

(ii) the date of the patient's admission to or discharge from the facility; and

(iii) any information that indicates whether or not the patient has a history of violence or presents a danger to the person under protection.

(16) To the statewide waiver ombudsman established under IC 12-11-13, in the performance of the ombudsman's duties.

(b) If a licensed mental health professional or licensed paramedic, in the course of rendering a treatment intervention, determines that a patient may be a harm to himself or herself or others, the licensed mental health professional or licensed paramedic may request a patient's individualized **mental health** safety plan from a psychiatric crisis center, psychiatric inpatient unit, or psychiatric residential treatment provider. Each psychiatric crisis center, psychiatric inpatient unit, and psychiatric residential treatment provider shall, upon request and without the consent of the patient, share a patient's individualized mental health safety plan that is in the standard format established by the division of mental health and addiction under IC 12-21-5-6 ~~to~~ **with** the following individuals who demonstrate proof of licensure and commit to protecting the information in compliance with state and federal privacy laws:

(1) A licensed mental health professional.

(2) A licensed paramedic.

An individualized mental health safety plan disclosed under this subsection may be used only to support a patient's welfare and safety and is considered otherwise confidential information under applicable state and federal laws.

(c) After information is disclosed under subsection (a)(15) and if the patient is evaluated to be dangerous, the records shall be interpreted in consultation with a licensed mental health professional on the staff of the United States Secret Service.

(d) A person who discloses information under subsection (a)(7), (a)(15), or ~~subsection~~ (b) in good faith is immune from civil and criminal liability.

SECTION 9. IC 16-39-5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2020]: Sec. 3. (a) As used in this section,"association" refers to an Indiana hospital trade association founded in 1921.

(b) As used in this section, "data aggregation" means a combination of information obtained from the health records of a provider with information obtained from the health records of one (1) or more other providers to permit data analysis that relates to the health care operations of the providers.

(c) Except as provided in IC 16-39-4-5, the original health record of the patient is the property of the provider and as such may be used by the provider without specific written authorization for legitimate business purposes, including the following:

(1) Submission of claims for payment from third parties.

(2) Collection of accounts.

(3) Litigation defense.

(4) Quality assurance.

(5) Peer review.

(6) Scientific, statistical, and educational purposes.

(d) In use under subsection (c), the provider shall at all times protect the confidentiality of the health record and may disclose the identity of the patient only when disclosure is essential to the provider's business use or to quality assurance and peer review.

(e) A provider **or the Indiana archives and records administration** may disclose a health record to another provider or to a nonprofit ~~medical~~ research organization to be used in connection with a ~~joint~~ scientific, statistical, or educational project. Each party that receives information from a health record in connection with the joint project shall protect the confidentiality of the health record and may not disclose the patient's identity except as allowed under this article.

(f) A provider may disclose a health record or information obtained from a health record to the association for use in connection with a data aggregation project undertaken by the association. However, the provider may disclose the identity of a patient to the association only when the disclosure is essential to the project. The association may disclose the information it receives from a provider under this subsection to the state department to be used in connection with a public health activity or data aggregation of inpatient and outpatient discharge information submitted under IC 16-21-6-6. The information disclosed by:

(1) a provider to the association; or

(2) the association to the state department;

under this subsection is confidential.

(g) Information contained in final results obtained by the state department for a public health activity that:

(1) is based on information disclosed under subsection (f); and

(2) identifies or could be used to determine the identity of a patient;

is confidential. All other information contained in the final results is not confidential.

(h) Information that is:

(1) advisory or deliberative material of a speculative nature; or

(2) an expression of opinion;

including preliminary reports produced in connection with a public health activity using information disclosed under subsection (f), is confidential and may only be disclosed by the state department to the association and to the provider who disclosed the information to the association.

(i) The association shall, upon the request of a provider that contracts with the association to perform data aggregation, make available information contained in the final results of data aggregation activities performed by the association in compliance with subsection (f).

(j) A person who recklessly violates or fails to comply with subsections (e) through (h) commits a Class C infraction. Each day a violation continues constitutes a separate offense.

(k) This chapter does not do any of the following:

(1) Repeal, modify, or amend any statute requiring or authorizing the disclosure of information about any person.

(2) Prevent disclosure or confirmation of information about patients involved in incidents that are reported or required to be reported to governmental agencies and not required to be kept confidential by the governmental agencies.".

Page 11, after line 1, begin a new paragraph and insert:

"SECTION 30. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1210 as printed January 17, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

CHARBONNEAU, Chair

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: Pursuant to Senate Rule 68(b), I hereby report that House Bill 1207, currently assigned to the Committee on Health and Provider Services, be reassigned to the Committee on Insurance and Financial Institutions.

BRAY

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SCR 42 Senator Crider
Congratulating the Greenfield Central Cougar Pride Marching Band.

SR 31 Senator Breaux
Recognizing March 12, 2020 as World Kidney Day.

SR 32 Senator Koch
Recognizing the Mitchell Persimmon Festival and urging the Governor to declare September 22, 2020, Persimmon Day in Indiana.

SR 34 Senator Jon Ford
Recognizing Indiana State University for 150 years of African American education and achievement.

SR 35 Senator Houchin
Congratulating the 2019 Salem H.S. Marching Band.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 42

Senate Concurrent Resolution 42, introduced by Senator Crider:

A CONCURRENT RESOLUTION congratulating the Greenfield Central Cougar Pride Marching Band on placing first in Class B at the Indiana State School Music Association ("ISSMA") State Finals.

Whereas, After receiving the runner-up title in 2018, the Greenfield Central Cougar Pride Marching Band earned the first place title at the 2019 ISSMA State Finals, which included the top 10 Class B marching bands in the State of Indiana;

Whereas, The Greenfield Central Cougar Pride took the field at 11:45 a.m. on November 9th, 2019 at Lucas Oil Stadium;

Whereas, Greenfield Central's road to victory was paved by the over 450 hours of rehearsing by the 160 member ensemble;

Whereas, Greenfield Central's long hours paid off throughout the season as the Cougar Pride received caption awards at both the Brownsburg and Avon Invitationals for Best Percussion, at the Fishers Invitational for Best Visual, Music, and Effect, as well as earning a gold rating with distinction in both music and effect at the Evansville ISSMA Regional which earned the band an advancement to semi-state;

Whereas, The Cougar Pride performed and perfected renditions of "Moonlight Sonata", "Clair de Lune", and "Here Comes the Sun" within the 8-minute display titled "The Music of the Night";

Whereas, The ensemble began their theatrical performance for this sought after title by lying on the field while the pit orchestrated a melodical tune to wake the nocturnal creatures in which the members were meant to resemble;

Whereas, The performance ended on a colorful note when the young musicians meticulously demonstrated their immense talent by crescendoing into "Here Comes the Sun" ending the show on a high note; and

Whereas, Lead by directors Chris Wing and Jeremy Basso along with drum majors Brooklyn Harpold, Paige Johnson, and Haley Harper, the Cougar Pride was able to march their way to a victory on this seven-month journey to Lucas Oil Stadium and earn the Greenfield Central Marching Band's first state finals victory: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Greenfield Central Cougar Pride Marching Band on placing first in Class B at the ISSMA State Finals.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each member of the Greenfield Central Cougar Pride Marching Band.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Cherry.

Senate Resolution 31

Senate Resolution 31, introduced by Senator Breaux:

A SENATE RESOLUTION to recognize March 12, 2020 as World Kidney Day.

Whereas, Kidney disease is a public health crisis and the 9th leading cause of death in the United States;

Whereas, More than 37 million American adults (1 in 3 American adults), including more than 600,000 Hoosiers are at risk for chronic kidney disease;

Whereas, Chronic kidney disease can show no signs or symptoms until 75% or more of kidney function is lost;

Whereas, Diabetes and high blood pressure are responsible for more than 75% of new chronic kidney disease cases each year;

Whereas, Each year, chronic kidney disease kills more people than breast or prostate cancer;

Whereas, Early detection can help prevent the progression of chronic kidney disease to kidney failure;

Whereas, The National Kidney Foundation of Indiana (NKFI) is committed to increasing the education and awareness of Hoosiers regarding chronic kidney disease, urging all citizens, especially those at an increased risk, to be tested for kidney problems; and

Whereas, March 12, 2020 is World Kidney Day: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate hereby recognizes March 12, 2020 as World Kidney Day.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the National Kidney Foundation of Indiana (NKFI).

The resolution was read in full and adopted by voice vote.

Senate Resolution 32

Senate Resolution 32, introduced by Senator Koch:

A SENATE RESOLUTION recognizing the Mitchell Persimmon Festival and urging the Governor to declare September 22, 2020, Persimmon Day in Indiana.

Whereas, Each September since 1946, the Mitchell Persimmon Festival has taken over the streets of Mitchell, Indiana to celebrate the plum-sized fruit that is locally grown;

Whereas, The Mitchell Persimmon Festival honors the persimmon throughout the week by naming a Persimmon Festival Queen, holding various contests, including a Persimmon Pudding and Novelty Dessert contest, and the Mini Miss, Little Miss, and Junior Miss Persimmon Pageants;

Whereas, Over 30,000 visitors attend the Mitchell Persimmon Festival annually to enjoy the festival's other activities, including live entertainment, midway rides, food booths, local art displays, and an arts and crafts contest; and

Whereas, The 2020 Mitchell Persimmon Festival takes place September 19th through September 26th, and it is fitting to recognize September 22nd as Persimmon Day in Indiana: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate honors the Mitchell Persimmon Festival and urges the Governor to declare September 22, 2020, Persimmon Day in Indiana.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the 2020 Mitchell Persimmon Festival Committee and to Governor Eric Holcomb.

The resolution was read in full and adopted by voice vote.

Senate Resolution 34

Senate Resolution 34, introduced by Senator Jon Ford:

A SENATE RESOLUTION recognizing Indiana State University for 150 years of African American education and achievement.

Whereas, Indiana State University is celebrating 150 years of African American achievement;

Whereas, In 1870, Indiana State University became the first institution of higher education in Indiana to admit an African American student;

Whereas, Indiana State University's Black History Month Committee aims to provide information for the Indiana State University and Terre Haute communities as a way to acknowledge, recognize, and celebrate African American achievement and societal contributions beyond slavery; and

Whereas, The work of the Indiana State University Charles E. Brown African American Cultural Center in engaging students in the issues of race, ethnicity, and the social, cultural, and political histories of African Americans is crucial to celebrating African American achievement and history in Indiana: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate recognizes Indiana State University for 150 years of African American education and achievement.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Sumalayo Jackson, Interim Director of the Charles E. Brown African American Cultural Center at Indiana State University.

The resolution was read in full and adopted by voice vote.

Senate Resolution 35

Senate Resolution 35, introduced by Senator Houchin:

A SENATE RESOLUTION congratulating the 2019 Salem High School Marching Band.

Whereas, The 2019 Salem High School Marching Band won the Indiana State School Music Association's (ISSMA) Scholastic Class B State Final on October 26, 2019;

Whereas, The ISSMA was founded in 1981 to provide educationally evaluated performance opportunities for students and teachers from member schools in Indiana;

Whereas, The 2019 ISSMA competition was held in Indianapolis at Lawrence Central High School and featured 34 marching bands competing in one of two categories, Scholastic A and Scholastic B, based on band size and school enrollment; and

Whereas, The Salem High School Marching Band was invited to perform at the 47th annual Indiana State Marching Band Finals at Lucas Oil Stadium as the ISSMA Scholastic Class B state champion: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate congratulates the Salem High School Marching Band on winning the 2019 ISSMA Scholastic B state championship.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each member of the 2019 Salem High School Marching Band.

The resolution was read in full and adopted by voice vote.

SENATE MOTION

Madam President: I move that the following memorial resolutions be adopted:

SCR 34 Senator Bohacek
Memorializing William "Bill" Hager.
SR 33 Senator Messmer
Memorializing Ralph Michel.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 34

Senate Concurrent Resolution 34, introduced by Senator Bohacek:

A CONCURRENT RESOLUTION memorializing William "Bill" Hager.

Whereas, William "Bill" Hager, a former LaPorte County Commissioner, passed away January 19, 2020, at the age of 84;

Whereas, A lifelong resident of LaPorte, Bill was born September 12, 1935, to Geneva and Lloyd Hager;

Whereas, Following high school, Bill joined the United States Marine Corps during the Korean War, and following his honorable discharge in 1957, Bill spent countless hours supporting veterans and their causes;

Whereas, Bill returned to LaPorte and married Ellen Paul on October 25, 1958, and together they raised four children: Craig, Chris, Curt, and Kathy;

Whereas, After his military service, Bill worked for Smith Chevrolet before starting his own business, Ace Auto;

Whereas, Bill was active in the Boy Scouts with his sons and was the leader of Troop 389 in LaPorte;

Whereas, In 1971, Bill was called back to public service when he was elected to serve as LaPorte County Justice of the Peace, a position to which Bill was reelected in 1975;

Whereas, Bill's public service continued when he served as LaPorte County Commissioner from 2001-2009; and

Whereas, Bill is survived by his wife, Ellen, four children, Craig, Chris, Curt, and Kathy, and three grandchildren: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly memorializes William "Bill" Hager.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the family of William "Bill" Hager.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Pressel.

Senate Resolution 33

Senate Resolution 33, introduced by Senators Messmer, Kruse, Raatz, and Zay:

A SENATE RESOLUTION memorializing Ralph Michel.

Whereas, Ralph Michel of Huntingburg, Indiana, passed away on February 1, 2020;

Whereas, Born March 24, 1936, to Carl and Nila at the family farm in Dale, Ralph graduated from Dale High School in 1954;

Whereas, Ralph enlisted in the United States Air Force in 1955, and was stationed in Germany until his honorable discharge in 1959;

Whereas, While serving overseas, Ralph met fellow service member Doris Carey, and Ralph proposed to Doris while they were serving in the French Riviera;

Whereas, A little weekend getaway in Germany became 60 years of marriage when Ralph and Doris married each other on September 5, 1959, in Brooklyn, New York;

Whereas, Ralph graduated from Indiana University with a degree in accounting, and after returning home to Dubois County, Ralph worked as a certified public accountant at Buechlein and Associates for many years;

Whereas, A distinguished member of the Jasper Kiwanis Club, Ralph served in many leadership positions, including as Lieutenant Governor of the Lincoln Division of the Indiana District of Kiwanis for 22 years;

Whereas, When not serving his community, Ralph most enjoyed being a grandpa who made it to every one of his grandkids' sporting events, and being one of the biggest high school sports fans in Dubois County;

Whereas, Ralph is survived by his wife, Doris, his children, Brian, Diane, and Evan, his grandchildren, Emily, Zachary, Alexzandra, Aidan, and Jack, his brother, Gene, his sister, Barbara, and numerous nieces and nephews; and

Whereas, Ralph's military and community service, love of all things Indiana University, and devotion to his family will be deeply missed: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate memorializes Ralph Michel.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Doris Michel, Evan Michel, Diane Jones, and Brian Michel.

The resolution was read in full and adopted by standing vote.

Senate Concurrent Resolution 40

Senate Concurrent Resolution 40, introduced by Senator Tallian:

A CONCURRENT RESOLUTION honoring the League of Women Voters on the 100th anniversary of its founding.

Whereas, The Women's Suffrage movement was organized in 1848 at the Seneca Falls Convention in New York State and over the next 72 years, many women dedicated their very lives to the cause;

Whereas, The 19th Amendment to the constitution guaranteeing all American women the right to vote was officially adopted on August 26, 1920;

Whereas, The League of Women Voters was organized on February 14, 1920, to educate and engage these newly enfranchised women;

Whereas, Today, the League of Women Voters continues to educate and engage voters by increasing voter registration, fighting voter suppression, and supporting female candidates;

Whereas, In the past 100 years, through the actions of and with the support of the League of Women Voters, women have made significant contributions to government and the real-life issues affected by government; and

Whereas, For the past century the League of Women Voters has devoted itself to promoting participation by informed citizens at all levels of government and has helped shape public policy: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly honors the League of Women Voters on the 100th anniversary of its founding.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the League of Women Voters of the United States and the League of Women Voters of Indiana.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Errington, Boy, and Hamilton.

MESSAGE FROM THE GOVERNOR

Madam President and Members of the Senate: On Tuesday, February 12, 2020, I signed the following Senate Enrolled Acts into law: SEA 2.

ERIC J. HOLCOMB
Governor

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution

18 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 5 and 25 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 36 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON SECOND READING

House Concurrent Resolution 11

Senator Glick called up House Concurrent Resolution 11 for second reading. The resolution was read a second time and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1095

Senator Garten called up Engrossed House Bill 1095 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1198

Senator Glick called up Engrossed House Bill 1198 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, G. Taylor, Tomes, Walker, M. Young and Zay be added as coauthors of Senate Concurrent Resolution 40.

TALLIAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Gaskill, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Niemeyer, Perfect, Raatz, Lonnie M. Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Walker, M. Young and Zay be added as cosponsors of House Concurrent Resolution 11.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tomes be removed as sponsor of House Concurrent Resolution 28 and that Senator M. Young be substituted therefor.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as cosponsor of Engrossed House Bill 1111.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as cosponsor of Engrossed House Bill 1129.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, February 17, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 10:34 a.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Nineteenth Meeting Day Monday Afternoon February 17, 2020

The Senate convened at 1:35 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Rabbi Justin Kerber, Congregation Beth Shalom, Carmel, IN.

The Pledge of Allegiance to the Flag was led by Senator James D. Ford.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 204: present 50; excused 0. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

HB 1021 — Freeman (Rules and Legislative Procedure)
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1042 — Brown L, Holdman (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

HB 1043 — Boots, Houchin (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1045 — Glick (Appropriations)
A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

HB 1052 — Charbonneau (Tax and Fiscal Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

HB 1063 — Doriot (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

HB 1115 — Brown L, Garten, Busch, Holdman (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1151 — Boots (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

HB 1176 — Ruckelshaus, Grooms, Houchin, Breaux (Family and Children Services)
A BILL FOR AN ACT to amend the Indiana Code concerning human services.

HB 1191 — Ford Jon, Ford J.D. (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning property.

HB 1244 — Boots (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1249 — Becker, Breaux (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1278 — Houchin, Lanane (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

HB 1306 — Koch, Ford Jon, Niezgodski (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning civil procedure.

HB 1313 — Koch (Judiciary)
A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

HB 1330 — Busch (Commerce and Technology)
A BILL FOR AN ACT to amend the Indiana Code concerning agriculture and animals.

HB 1332 — Boots, Tallian (Pensions and Labor)
A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

HB 1336 — Charbonneau (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1337 — Ruckelshaus (Environmental Affairs)
A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

HB 1341 — Kruse, Ford Jon, Stoops, Ford J.D. (Education and Career Development)
A BILL FOR AN ACT concerning education.

HB 1347 — Garten (Homeland Security and Transportation)
A BILL FOR AN ACT concerning motor vehicles.

HB 1348 — Busch (Public Policy)
A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

HB 1353 — Bassler (Insurance and Financial Institutions)
A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

HB 1370 — Messmer (Local Government)
A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1385 — Glick (Natural Resources)
A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

HB 1392 — Charbonneau, Busch (Health and Provider Services)
A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

HB 1414 — Messmer, Koch, Houchin, Garten (Utilities)
A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 28

Senate Concurrent Resolution 28, introduced by Senators Buck, Buchanan, Garten, and Niezgodski:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename the bridge at State Road 28 (Walnut Avenue) in Frankfort the "Staff Sergeant Jamie Jarboe Memorial Bridge".

Whereas, Staff Sergeant Jamie Jarboe died March 21, 2012, at the age of 27, in Topeka, Kansas, from wounds suffered on April 10, 2011, in Kandahar Province, Afghanistan, when enemy forces attacked his unit with small-arms fire;

Whereas, A 2003 graduate of Frankfort High School, Staff Sergeant Jarboe was a member of the 4th Squadron, 4th Cavalry Regiment, 1st Heavy Brigade Combat Team of the 1st Infantry Division from Fort Riley known as the Pale Riders;

Whereas, Staff Sergeant Jarboe joined the Indiana National Guard in 2005 and attended basic and advanced individual training at Fort Sill, Oklahoma;

Whereas, Staff Sergeant Jarboe's military assignments included B Battery, 1st Battalion, 320 Field Artillery at Fort Campbell, Kentucky, and Troop A, 4th Squadron, 4th Cavalry, 1st Heavy Brigade Combat Team;

Whereas, Staff Sergeant Jamie Jarboe was deployed to Afghanistan only months before he was shot in the neck, an injury that left him a quadriplegic, which required him to undergo more than 100 surgeries in the 12 months before he succumbed to his injuries;

Whereas, Staff Sergeant Jarboe's dedication and devotion to service was recognized with the Bronze Star Medal, the Purple Heart, the Army Commendation Medal (three Oak Leaf Clusters), the Army Achievement Medal, the Good Conduct Medal (two Oak Leaf Clusters), the National Defense Service Medal, the Afghanistan Campaign Medal (1CS), the Iraq Campaign Medal (3CS), the Global War on Terrorism Service Medal, the Armed Forces Reserve Medal (M Device), the NCO Professional Development Ribbon, the Army Service Ribbon, the Overseas Service Ribbon, the NATO Medal, the Combat Action Badge, the Air Assault Badge, and the Expert Marksmanship Badge (Rifle);

Whereas, A soldier's soldier, Staff Sergeant Jarboe dedicated his life to his country and his family; and

Whereas, Throughout history, brave individuals like Staff Sergeant Jamie Jarboe have made the ultimate sacrifice in defense of freedom throughout the world, and without individuals like Staff Sergeant Jarboe, freedom could not survive: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly urges the Indiana Department of Transportation to rename the bridge at State Road 28 (Walnut Avenue) in Frankfort the "Staff Sergeant Jamie Jarboe Memorial Bridge".

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the family of Staff Sergeant Jamie Jarboe and the Commissioner of the Indiana

Department of Transportation.

The resolution was read in full and referred to the Committee on Homeland Security and Transportation.

Senate Concurrent Resolution 38

Senate Concurrent Resolution 38, introduced by Senator Tomes:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to place a memorial sign where the 38th Parallel crosses State Road 69 in Posey County, entitled "Veterans of the Korean War Memorial - 38th Parallel".

Whereas, Indiana's veterans display the spirit of patriotism, the love of country, and the willingness to serve and sacrifice for the common good, which has always helped to make our country and state great;

Whereas, The Indiana General Assembly recognizes the many sacrifices made by Indiana veterans in times of war;

Whereas, Many states, including Indiana, have designated portions of state or federal highways as memorials to those brave men and women who served their country so well in perilous times;

Whereas, The Korean War began on June 25, 1950, when President Harry S. Truman committed the United States military to a United Nations effort to stop North Korea's annexation of South Korea;

Whereas, Between June 25, 1950, and July 27, 1953, approximately 5,720,000 Americans served in the military, many of whom were stationed in Korea;

Whereas, The Korean War cost the United States dearly, taking more than 33,000 lives, and wounding more than 103,000 U.S. service members in combat;

Whereas, The military personnel involved in this war sacrificed greatly for their country; and

Whereas, The people of the State of Indiana and Posey County wish to honor Korean War veterans by placing a memorial sign where the 38th Parallel crosses State Road 69 in Posey County: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly urges the Indiana Department of Transportation to place a memorial sign where the 38th Parallel crosses State Road 69 in Posey County entitled "Veterans of the Korean War Memorial - 38th Parallel".

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Commissioner of the Indiana Department of Transportation.

The resolution was read in full and referred to the Committee on Homeland Security and Transportation.

House Concurrent Resolution 17

House Concurrent Resolution 17, sponsored by Senators Koch and Stoops:

A CONCURRENT RESOLUTION urging the Indiana Department of Transportation to rename the State Road 45 and 2nd Street bridge over I-69 the "Sarah Irene Haylett-Jones Memorial Bridge".

Whereas, Deputy Sarah Irene Haylett-Jones displayed passion for public safety, law enforcement, and a need to help others throughout her life;

Whereas, Deputy Haylett-Jones was born on April 2, 1981, to Wayne and Kimalee Haylett;

Whereas, In her youth, she was active in the 4-H and Big Brothers and Big Sisters, and had become a captain in the Michigan State Police Explorers program;

Whereas, Deputy Haylett-Jones was a veteran of the United States Air Force, serving from 2001 to 2006 and becoming the president of the Airman's Association;

Whereas, Deputy Haylett-Jones continued her life in public service, earning a position with the Montgomery, Alabama, Police Department and serving for one and one half years before moving to Indiana to join the Monroe County Sheriff's Office;

Whereas, Deputy Haylett-Jones suffered injuries that she sustained on October 17, 2008, after being struck by a vehicle while directing traffic around an accident at the intersection of West Airport Road and State Road 45 outside of Bloomington, Indiana;

Whereas, At the age of 27, Deputy Haylett-Jones passed away on October 19, 2008, and was survived by her parents, Wayne and Kimalee; husband, Chris; in-laws, Steven and Connie; two brothers, Matthew and Jess; and her grandmother, Vivian; and

Whereas, It is fitting that the Indiana General Assembly recognize Deputy Haylett-Jones' service to Indiana, as well as her lifetime spent in the service of others: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. The Indiana General Assembly urges the Indiana Department of Transportation to rename the State Road 45 and

2nd Street bridge over I-69 the "Sarah Irene Haylett-Jones Memorial Bridge" in memory of Deputy Haylett-Jones' service to Monroe County and Indiana.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the family of Deputy Haylett-Jones and the Commissioner of the Indiana Department of Transportation.

The resolution was read in full and referred to the Committee on Homeland Security and Transportation.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Senate Resolution 30, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.
Committee Vote: Yeas 8, Nays 0.

GLICK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred House Concurrent Resolution 20, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.
Committee Vote: Yeas 7, Nays 0.

GLICK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Engrossed House Bill 1009, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

GROOMS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1014, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 13, delete "if" and insert "**the county agricultural extension educator must be a resident of the county to serve under this subdivision.** If:

(A)".

Page 1, line 14, delete "educator," and insert "educator; **or**

(B) the county agricultural extension educator is not a resident of the county;".

Page 1, line 14, beginning with "the" begin a new line block indented.

Page 2, line 1, after "year." insert "**In addition to the county resident selected by the county extension board to serve as a member of the commission, the county agricultural extension educator who is not a resident of the county shall serve the commission in a nonvoting advisory capacity.**".

Page 3, line 26, after "educator." insert "**However, the county agricultural extension educator must be a resident of the county to be eligible to serve on the area plan commission. If:**

(i) the county does not have a county agricultural extension educator; or

(ii) the county agricultural extension educator is not a resident of the county;

the county executive shall select a resident of the county who is a property owner with agricultural interest to serve on the area plan commission under this clause for a period not to exceed one (1) year. In addition to the county resident selected by the county executive to serve as a member of the commission, the county agricultural extension educator who is not a resident of the county shall serve the commission in a nonvoting advisory capacity.".

Page 3, line 27, after "designee." insert "**However, the county surveyor's designee must be a resident of the county to be eligible to serve on the area plan commission.**".

Page 4, line 3, after "educator" insert "**or resident of the county who is a property owner with agricultural interest, as applicable,**".

Page 4, line 4, after "educator" insert "**or resident of the county who is a property owner with agricultural interest, as applicable,**".

Page 4, between lines 5 and 6, begin a new paragraph and insert:

"**(e) ADVISORY. Notwithstanding subsection (a)(4), a county agricultural extension educator who is a member of the county plan commission on July 1, 2020, and is not a resident of the county may continue to serve as a member of the commission until:**

(1) October 1, 2020; or

(2) the date set forth in an ordinance adopted by the county legislative body that is after October 1, 2020, and not later than October 1, 2021.

This subsection expires January 1, 2022.

(f) AREA. Notwithstanding subsection (c)(4), a county agricultural extension educator who is a member of the area plan commission on July 1, 2020, and is not a resident of the county may continue to serve as a member of the commission until:

(1) October 1, 2020; or

(2) the date set forth in an ordinance adopted by the county legislative body that is after October 1, 2020, and not later than October 1, 2021.

This subsection expires January 1, 2022.".

Page 4, delete lines 6 through 29, begin a new paragraph and insert:

"SECTION 2. IC 36-7-4-220, AS AMENDED BY P.L.193-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 220. (a) If a vacancy occurs among the plan commission members who are appointed, then the appointing authority shall appoint a member for the unexpired term of the vacating member **who meets the same requirements as the vacating member, including residency,** not later than ninety (90) days after the vacancy occurs. The appointing authority may also appoint an alternate member **who meets the same requirements as the disqualified member, including residency,** to participate with the commission in a hearing or decision if the regular member appointed by the appointing authority has a disqualification under section 223(c) of this chapter. An alternate member has all the powers and duties of a regular member while participating in the hearing or decision.

(b) If a vacancy occurs in the office of the county surveyor while the county surveyor is serving on the plan commission, then the county engineer shall participate with the plan commission during the time the office of the county surveyor is vacant. The county engineer has all the powers and duties of a regular member while participating under this subsection.

(c) An appointed member who misses three (3) consecutive regular meetings of the plan commission may be treated as if the member had resigned, at the discretion of the appointing authority.".

(Reference is to HB 1014 as printed January 10, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 7, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Engrossed House Bill 1099, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 4, after "less." insert "**The term does not include:**

(1) a dam with a downstream structure in place to dissipate the hydraulic energy of the water past the crest of the dam; or

(2) ramped impoundments which drop at slopes of five percent (5%) or flatter.".

Page 2, line 35, delete "Comply" and insert "**Except as provided in section 7 of this chapter, comply**".

Page 3, between lines 2 and 3, begin a new paragraph and insert:

"**Sec. 7. A person who owns at least two (2) low head dams is exempted from the requirements under section 6(1) of this chapter if:**

(1) that person has previously installed warning signs in coordination with the department; and

(2) that person maintains and repairs the signs that exist.".

Page 3, line 3, delete "7." and insert "**8.**".

Page 3, line 20, delete "8." and insert "**9.**".

Page 3, line 29, delete "9." and insert "**10.**".

Page 3, line 32, delete "10." and insert "**11.**".

Page 3, line 37, delete "11." and insert "**12.**".

Page 3, line 39, delete "12." and insert "**13.**".

Page 3, line 41, delete "13." and insert "**14.**".

Page 4, line 3, delete "14." and insert "**15.**".

Page 4, line 16, delete "IC 14-27-7.3-10" and insert "**IC 14-27-7.3-11**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1099 as printed January 24, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 7, Nays 0.

GLICK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Engrossed House Bill 1104, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

PERFECT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Engrossed House Bill 1109, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

MERRITT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Engrossed House Bill 1147, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 7, Nays 2.

WALKER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Environmental Affairs, to which was referred Engrossed House Bill 1189, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

MESSMER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Engrossed House Bill 1218, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "that:" and insert "**that an operator installs or causes to be installed after June 30, 2020, in any public right-of-way or on any private property.**".

Page 1, delete lines 5 through 9.

Page 1, line 12, delete "described in subsection (a)(1) or a person described in".

Page 1, line 13, delete "subsection (a)(2)".

Page 1, line 13, after "operator" delete "or".

Page 1, line 14, delete "person".

(Reference is to HB 1218 as printed January 24, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

MERRITT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Engrossed House Bill 1267, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 7, Nays 2.

WALKER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Engrossed House Bill 1288, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

WALKER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Environmental Affairs, to which was referred Engrossed House Bill 1334, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

MESSMER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Environmental Affairs, to which was referred Engrossed House Bill 1403, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

MESSMER, Chair

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SCR 39 Senator Ruckelshaus
Congratulating the Bishop Chatard H.S. Trojans football team.

SR 36 Senator Niezgodski
To recognize the week of February 24-28, 2020 as Public Schools Week.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 39

Senate Concurrent Resolution 39, introduced by Senators Ruckelshaus, J.D. Ford, Sandlin, G. Taylor, and Spartz:

A CONCURRENT RESOLUTION congratulating the Bishop Chatard High School Trojans football team on its Class 3A state championship.

Whereas, Bishop Chatard High School of Indianapolis won the Class 3A state football championship on November 29, 2019;

Whereas, The victory was the Trojans' 14th high school football championship in the school's history, more high school football championships than have been won by any other high school in Indiana;

Whereas, The Trojans attained a 2019 season record of 14-1, scoring 650 points and holding their opponents to 174 points;

Whereas, The Trojans were led by Seniors Derion Gilbert (#1), Daylen Taylor (#2), Wyatt Schrader (#4), Kyle Cheek (#5), Tim McNelis (#10), Max Schrage (#11), Leo Dilts (#13), Thomas Joven (#14), Patrick Mastrian (#18), Hunter Boyd (#21), Andrew Sowinski (#22), Anthony Boso (#29), Michael Duffy (#40), Tom LeMark (#43), Jack McGillicuddy (#49), Alex Geise (#55), Joseph Solomon (#57), Jacob Szydlyk (#60), George Assalley (#63), Jack Benson (#64), Andrew Squier (#65), Eric Onate-Barlow (#68), Hayes Shepard (#77), Darrius Williams (#85), Sam Richey (#87), and George Forsee (#99);

Whereas, Trojan football player Joseph Solomon was chosen as one of the top 50 Football Players in Indiana by the Indiana Football Coaches Association, and players Patrick Mastrian, Wyatt Schrader, Andrew Sowinski, and Daylen Taylor were chosen as Class 3A All-State Players;

Whereas, Trojan football player Thomas Joven was named to the Indianapolis Colts Academic All Star Team and Trojan football players George Assalley, Kyle Cheek, Michael Duffy, George Forsee, Thomas Joven, Tom LeMark, Patrick Mastrian, Tim McNelis, Wyatt Schrader, Max Schrage, Andrew Sowinski, and Jacob Szydlyk were named as 2019 Indiana Academic All State;

Whereas, Head Coach Rob Doyle Sr. was recognized by the Indiana Football Coaches Association as the Class 3A Coach of the year, and was supported by talented and dedicated assistant coaches: Michael Annee, Shane Bosert, Bob Brock, Jamel Coleman, Rob Doyle Jr., Kyle Dietrick, Brock Dodson, Mike Dum, George Dury, Rob Dury, Tim Dury, Danny Goff, John Goodman, Mark Jones, Travis Lucas, Tayt Odom, Eric Quintana, Drew Schmutte, Bob Tomlinson, and Steve Valdiserri;

Whereas, The Trojans were cared for by committed professional physicians, trainers, and student trainers;

Whereas, The Trojans were enthusiastically supported by the Bishop Chatard student body, faculty and administrators, parents and families, alumni from near and far, and the entire Bishop Chatard community; and

Whereas, An outstanding achievement such as this deserves special recognition: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Bishop Chatard Trojans on its Class 3A state football championship and wishes the team continued success both on and off the field.

SECTION 2. That the Principal Secretary of the Senate shall transmit a copy of this resolution to all the individuals specifically named in this resolution as well as President Bill Sahm; Principal Joe Hansen; Athletic Director Mike Ford; and Gina Fleming, Superintendent of Catholic Schools for the Archdiocese of Indianapolis.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Bosma and DeLaney.

Senate Resolution 36

Senate Resolution 36, introduced by Senators Niezgodski, Lanane, Breaux, Tallian, J.D. Ford, Melton, Stoops, Mrvan, Lonnie M. Randolph, and G. Taylor:

A SENATE RESOLUTION to recognize the week of February 24-28, 2020 as Public Schools Week.

Whereas, Public education is the foundation of a 21st-century democracy;

Whereas, Public Schools Week is a designated week for public school administrators, teachers, specialists, teacher educators, parents and school board members to host events for their communities and reach out to lawmakers, businesses, and other community members to discuss the importance of public education;

Whereas, Indiana's public schools are where students transform into educated citizens and learn to contribute to their communities and to their state;

Whereas, Strengthening public schools on local, state, and federal levels through empowering local educational leaders is essential. This requires relationships between legislators, educators, parents, and other stakeholders as well as strong counseling services, mental health services, and an array of extracurricular activities;

Whereas, Strong public schools cultivate an inclusive and safe environment where children can learn to think critically, problem solve, and build relationships;

Whereas, Every child, regardless of who they are or where they live, has the right to an education that helps them reach their full potential and to attend schools that offer a high-quality educational experience;

Whereas, Advancing equity and excellence in public education and implementing continuous improvement and evidence-based practices is essential;

Whereas, Stable, equitable, predictable, and adequate funding for great public schools is necessary to ensure that students have inviting classrooms, school libraries with up-to-date resources, and well-prepared, supported teachers, and principals;

Whereas, Indiana's school buildings should have class sizes small enough to allow students to receive one-on-one attention and to access support services such as health care, nutrition, and after-school programs when needed; and

Whereas, The successes of public school students and teachers as well as the potential improvements to be made in public schools are worthy of recognition and discussion: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate recognizes the week of February 24-28, 2020 as Public Schools Week.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Indiana Department of Education and Governor Eric Holcomb.

The resolution was read in full and adopted by voice vote.

Senate Concurrent Resolution 2

Senate Concurrent Resolution 2, introduced by Senator G. Taylor:

A CONCURRENT RESOLUTION commending Sigma Gamma Rho Sorority, Inc. for its outstanding contributions to the community.

Whereas, Sigma Gamma Rho Sorority, Inc., is a nonprofit organization whose mission is to improve the lives of women and families around the world and to promote service and civil and social action;

Whereas, Since the founding of Sigma Gamma Rho Sorority, Inc., on November 12, 1922, the enterprises of the organization include Project Reassurance, which is geared toward improving prenatal care for teen mothers; Operation Big BookBag, which provides school supplies and tutoring to different facilities across the nation; and The Sigma Youth Symposium, an annual meeting that gives teens a space to voice their concerns on different topics that affect their daily lives;

Whereas, Sigma Gamma Rho Sorority's Golden Alert is an enterprise that focuses on legislative action activities, initiatives, and programming designed to empower and engage by providing meaningful resources, action plans, and solutions for the communities it serves;

Whereas, the members of Sigma Gamma Rho Sorority, Inc., continue to enhance the quality of life within the community through public service, leadership development, and education of youth; and

Whereas, it is abundantly fitting and proper that the outstanding contributions of this extraordinary sorority be appropriately recognized: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly commends Sigma Gamma Rho Sorority, Inc. for its tireless efforts on behalf of women around the world and extends the most sincere best wishes for continued growth and success.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Sigma Gamma Rho Sorority, Inc.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Summers.

Senate Concurrent Resolution 31

Senate Concurrent Resolution 31, introduced by Senator Mishler:

A CONCURRENT RESOLUTION congratulating the Bremen High School softball team on winning the 2019 Indiana High School Athletic Association ("IHSAA") Class 2A state championship title.

Whereas, The #1 ranked Bremen High School softball team defeated co-#1 ranked Tecumseh 2-1 to win the 2019 IHSAA Class 2A state championship title;

Whereas, In tournament play, the Lions defeated Prairie Heights and Central Noble in the sectional championship, South Adams in the regional championship, and Oak Hill and Boone Grove in the semi-state championship to earn a spot in the state title game;

Whereas, After a Tecumseh score in the first inning, Bremen took the lead for good in the fifth inning, when Rylee Hershberger hit a line drive to left field, scoring Caitlyn Myers and Paige Thompson;

Whereas, Kaelyn Shively pitched a complete game for the Lions, giving up one run and three hits, and only allowing one Tecumseh runner past first base after the first inning;

Whereas, Following the Lions championship performance, Bremen's Kaelyn Shively was named the 2019 IHSAA Mental Attitude Award Winner for Class 2A softball; and

Whereas, Led by head coach Mike Huppert, Bremen finished the season with a 29-2 record, a 17-game winning streak, and the school's first state title in softball: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Bremen High School softball team on winning the 2019 IHSAA Class 2A state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each member of the Bremen High School softball team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Jordan.

Senate Concurrent Resolution 44

Senate Concurrent Resolution 44, introduced by Senators Alting and Bray:

A CONCURRENT RESOLUTION honoring Hoosier Basketball Magazine's 50th year of publication.

Whereas, First published in 1970, the Hoosier Basketball Magazine is in its 50th year of publication;

Whereas, Hoosier Basketball Magazine is a 272-page comprehensive survey of all boys' and girls' high school and men's and women's college and professional basketball teams in Indiana;

Whereas, The magazine primarily provides an in-depth analysis of Indiana high school basketball, including detailed regional round-ups featuring each regional's top players, and profiles of all boys' and girls' prep teams;

Whereas, Hoosier Basketball Magazine also ranks the Top 50 boys' and girls' high school basketball teams, rates the top teams in each class, and names the four All-State teams for both girls' and boys' basketball, along with the Honorable Mention All-State teams;

Whereas, Each year, Hoosier Basketball Magazine recognizes more than 700 boys and 700 girls, and includes more than 1,500 pictures in the publication; and

Whereas, Hoosier Basketball Magazine's in-depth coverage and analysis of all Indiana high school basketball teams is part of the reason the magazine is referred to as the "Basketball Bible of Indiana!": Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly honors Hoosier Basketball Magazine's 50th year of providing a comprehensive statewide summary of Indiana basketball.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Kip Wesner, Publisher of Hoosier Basketball Magazine.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Mayfield.

House Concurrent Resolution 32

House Concurrent Resolution 32, sponsored by Senators Glick and Leising:

A CONCURRENT RESOLUTION recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.

Whereas, The FFA national organization, established in 1928, and Indiana FFA, established in 1929, have prepared future generations for the challenges of feeding a growing population;

Whereas, The National FFA encompasses the 50 states and two U.S. territories and continues to grow with more than 700,000 members and 8,612 local chapters, while the Indiana FFA membership has grown to more than 12,500 members in 211 chapters;

Whereas, The FFA motto of "Learning to Do, Doing to Learn, Earning to Live, Living to Serve" has been upheld and applied by the organization by focusing on the individual student and providing a path to achievement in premier leadership, personal growth, and career success through agricultural education;

Whereas, The organization's directive is to develop agricultural leaders, increase awareness of the importance of agriculture, strengthen the confidence of students involved, promote the choice of agriculture as a career, encourage agricultural experience programs, highlight wise management of community resources, develop members' interpersonal skills and character, promote cooperation and healthy lifestyles, and encourage excellence in scholarship; and

Whereas, FFA Week started in 1947 as an opportunity for members, alumni, and sponsors to celebrate and advocate for agricultural education, and will be celebrated this year February 22-29: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes FFA as an integral part of agricultural education both locally and nationally.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Indiana FFA state officers Dillon Muhlenkamp, president; Caitlyn Lewis, secretary; Morgan Hinz, Northern Region vice president; Nathan Fairchild, Southern Region vice president; Noah Berning, treasurer; Taylor Roy, reporter; Eion Stephens, sentinel.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 17 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 23 and 32 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions

24, 30, 32, and 40 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1077

Senator Perfect called up Engrossed House Bill 1077 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1080

Senator Ruckelshaus called up Engrossed House Bill 1080 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1092

Senator Charbonneau called up Engrossed House Bill 1092 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1096

Senator M. Young called up Engrossed House Bill 1096 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1129

Senator L. Brown called up Engrossed House Bill 1129 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1143

Senator Jon Ford called up Engrossed House Bill 1143 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1210

Senator Charbonneau called up Engrossed House Bill 1210 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1095

Senator Garten called up Engrossed House Bill 1095 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 205: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1198

Senator Glick called up Engrossed House Bill 1198 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 206: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 13

House Concurrent Resolution 13, sponsored by Senator G. Taylor:

A CONCURRENT RESOLUTION recognizing Alpha Kappa Alpha Day at the Capitol.

Whereas, Alpha Kappa Alpha sorority, which has the distinction of being the first sorority established by African-American college women, was founded at Howard University in Washington, D.C., in 1908 and has expanded internationally to 1,018 chapters;

Whereas, Indiana hosts 22 of these chapters located on college and university campuses and has active alumnae groups in communities throughout the state;

Whereas, Alpha Kappa Alpha is committed to community service and actively contributes to the educational, civic, and social life of Indiana's citizens;

Whereas, Alumnae chapters encourage their members to become involved community volunteers in one of their primary service components, including education, health, the economy, arts, and family;

Whereas, Alpha Kappa Alpha provides community support through service initiatives identified in the sorority's international platform, Exemplifying Excellence Through Sustainable Service, as outlined by Dr. Glenda Baskin Glover, International President;

Whereas, Alpha Kappa Alpha plans to accomplish its goals through initiatives such as HBCU for Life: A Call to Action, Women's Healthcare and Wellness, Building our Economic Legacy, The Arts, and Global Impact;

Whereas, Alpha Kappa Alpha is dedicated to serving all mankind and has improved the lives of many people throughout the years; and

Whereas, This great sisterhood has established a nationally recognized program known as Alpha Kappa Alpha Day at the Capitol: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes Central Regional Director Sonya Bowen, State Coordinator Meisha Wide, and members of Alpha Kappa Alpha for all the good work they accomplish.

SECTION 2. That the Principal Clerk of the House of Representatives transmit a copy of this resolution to Central Regional Director Sonya Bowen, State Coordinator Meisha Wide, and participants in Alpha Kappa Alpha Day at the Capitol.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 13 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Glick be added as second author and Senators Leising and Lanane be added as coauthors of Senate Resolution 30.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young and Zay be added as cosponsors of House Concurrent Resolution 32.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as cosponsor of Engrossed House Bill 1003.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as cosponsor of Engrossed House Bill 1003.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as second sponsor, Senator Ruckelshaus be added as third sponsor and Senator Breaux be added as cosponsor of Engrossed House Bill 1009.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as cosponsor of Engrossed House Bill 1009.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as cosponsor of Engrossed House Bill 1042.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as cosponsor of Engrossed House Bill 1070.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1077.

PERFECT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as second sponsor of Engrossed House Bill 1080.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as cosponsor of Engrossed House Bill 1080.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1080.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as cosponsor of Engrossed House Bill 1082.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as second sponsor, Senator Crane be added as third sponsor, and Senators Mrvan, Donato, Leising, Rogers, Buchanan, and Sandlin be added as cosponsors of Engrossed House Bill 1091.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as cosponsor of Engrossed House Bill 1091.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second sponsor of Engrossed House Bill 1092.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1093.

PERFECT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Freeman be added as second sponsor of Engrossed House Bill 1096.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lanane be added as cosponsor of Engrossed House Bill 1099.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1109.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as third sponsor of Engrossed House Bill 1143.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Crane and Niezgodski be added as cosponsors of Engrossed House Bill 1143.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1143.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as cosponsor of Engrossed House Bill 1189.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second sponsor of Engrossed House Bill 1198.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1198.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second sponsor of Engrossed House Bill 1210.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1218.

DONATO

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as cosponsor of Engrossed House Bill 1334.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as second sponsor and Senator J.D. Ford be added as cosponsor of Engrossed House Bill 1353.

BASSLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as cosponsor of Engrossed House Bill 1392.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as cosponsor of Engrossed House Bill 1414.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, February 18, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 2:48 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Twentieth Meeting Day Tuesday Afternoon February 18, 2020

The Senate convened at 1:37 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Reverend David Greene Sr., Purpose of Life Ministries - Indianapolis, IN.

The Pledge of Allegiance to the Flag was led by Senator James D. Ford.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops ▶
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 207: present 49; excused 1. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

INTRODUCTION OF BILLS

The following bills and resolutions were read a first time by title and referred to the respective committees:

HB 1015 — Sandlin, Bohacek (Pensions and Labor)

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

HB 1419 — Raatz, Spartz, Niezgodski, Zay (Commerce and Technology)

A BILL FOR AN ACT to amend the Indiana Code concerning education.

RESOLUTIONS ON FIRST READING

Senate Resolution 29

Senate Resolution 29, introduced by Senator Merritt:

A SENATE RESOLUTION urging the legislative council to study the impacts and results of Indiana's criminal code reforms.

Whereas, The Indiana General Assembly enacted House Bill 1006 in 2013 and 2014 in an effort to overhaul Indiana's criminal code;

Whereas, These efforts were the culmination of a five year study to make Indiana's criminal code consistent, proportional, and effective;

Whereas, Change to the Indiana criminal code may have deep and lasting impacts on Indiana's criminal justice system and local governments, thereby affecting the lives of Hoosiers for years to come;

Whereas, The Indiana State Senate urges the legislative council to assign to an appropriate study committee the task of analyzing the impacts and results of Indiana's criminal code reforms enacted in 2013 and 2014;

Whereas, A study committee assigned this topic is encouraged to analyze and provide data on items including but not limited to: the number of defendants who would have gone to facilities operated by the Department of Correction (DOC) but who now stay in local jails; the total and per day cost to local government budgets as a result of housing inmates in local jails; the total savings to the State of Indiana because of DOC facility closures as a result of Indiana criminal code reforms; any changes in the number of low level felons before legislative reforms; and any changes in recidivism rates before and after legislative reforms; and

Whereas, A study committee assigned this topic is encouraged to determine and report to the Indiana General Assembly its findings including but not limited to: whether or not counties have had to hire more corrections officers as a result of increased inmate populations at local jails; and whether local governments or the DOC may best be able to provide addiction services, behavioral modification classes, and educational opportunities to inmates: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the Indiana State Senate encourages the legislative council to assign to an appropriate study committee the task of analyzing changes to local governments and the criminal justice system because of Indiana criminal code reforms enacted by the Indiana General Assembly in 2013 and 2014.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this resolution to the office of State Senator James W. Merritt, Jr.

The resolution was read in full and referred to the Committee on Corrections and Criminal Law.

Senate Resolution 37

Senate Resolution 37, introduced by Senator Niezgodski:

A SENATE RESOLUTION to urge the legislative council to assign to the appropriate summer study committee the topic of issuing driver's licenses to residents of Indiana who cannot provide proof of identity and lawful status in the United States.

Whereas, As of 2019, there are approximately 350,000 immigrants living in Indiana, 26 percent of whom are undocumented;

Whereas, Of the over 92,000 undocumented individuals living in Indiana, 60% have lived in the United States for over 10 years;

Whereas, Combined, these undocumented individuals paid over $92.2 million in state and local taxes in 2017 and many are a part of the Hoosier workforce;

Whereas, 15 states have already passed legislation allowing undocumented immigrants to obtain different versions of driver's licenses. Individuals in those states must provide specific documentation such as a foreign birth certificate, passport, or consular identification before the state issues them a driver's license;

Whereas, States that have provided driver's licenses to undocumented immigrants did so under the constitutional authority of the 10th Amendment of the United States Constitution and consistent with the Real ID law enacted in 2005;

Whereas, Undocumented immigrants driving on Hoosier roads without a driver's license pose a public safety issue for citizens of Indiana because they are unable to obtain automobile insurance;

Whereas, Driving without identification also poses a public safety issue for Indiana's law enforcement community, because they are unable to identify individuals during traffic stops. Many law enforcement officials have requested the state act by creating a driver's license for undocumented immigrants;

Whereas, In states that have provided driver's licences to undocumented immigrants, studies indicate that the uninsured rates in those states has dropped and the number of automobile accidents has decreased;

Whereas, Undocumented immigrants contribute to Indiana in many ways and allowing them to travel to work, to the doctor, and to their children's schools safely and without fear is important; and

Whereas, Allowing undocumented immigrants to obtain driver's licenses affects over 92,000 Hoosiers and deserves further study: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate urges the legislative council to assign to an appropriate summer study committee the topic of issuing driver's licenses to residents of Indiana who cannot provide proof of identity and lawful status in the United States.

The resolution was read in full and referred to the Committee on Public Policy.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Senate Resolution 25, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.
Committee Vote: Yeas 10, Nays 1.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred House Concurrent Resolution 17, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.
Committee Vote: Yeas 8, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred House Concurrent Resolution 28, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.
Committee Vote: Yeas 7, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1032, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1047, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 16 though 17, begin a new paragraph and insert:

"SECTION 2. IC 33-38-9.5-2, AS AMENDED BY P.L.108-2019, SECTION 240, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The justice reinvestment advisory council is established. The advisory council consists of the following members:

(1) The executive director of the Indiana public defender council or the executive director's designee.

(2) The executive director of the Indiana prosecuting attorneys council or the executive director's designee.

(3) The director of the division of mental health and addiction or the director's designee.

(4) The president of the Indiana Sheriffs' Association or the president's designee.

(5) The commissioner of the Indiana department of correction or the commissioner's designee.

(6) The chief administrative officer of the office of judicial administration or the chief administrative officer's designee.

(7) The executive director of the Indiana criminal justice institute or the executive director's designee.

(8) The president of the Indiana Association of Community Corrections Act Counties or the president's designee.

(9) The president of the Probation Officers Professional Association of Indiana or the president's designee.

(10) The budget director or the budget director's designee.

(11) The executive director of the Association of Indiana Counties or the executive director's designee.

(12) The president of the Indiana Judges Association or the president's designee.

(13) The chair of the Indiana public defender commission or the chair's designee.

(14) The chair of the senate corrections and criminal law committee or the chair's designee.

(15) The ranking minority member of the senate corrections and criminal law committee or the ranking minority member's designee.

(16) The chair of the house courts and criminal code committee or the chair's designee.

(17) The ranking minority member of the house courts and criminal code committee or the ranking minority member's designee.

(18) The governor or the governor's designee.

(b) The ~~chief administrative officer of the office of judicial administration~~ **chief justice or the chief justice's designee** shall serve as chairperson of the advisory council.

(c) The ~~purpose~~ **duties** of the advisory council ~~is to conduct a state level review and evaluation of:~~ **include:**

(1) **reviewing and evaluating state and** local **criminal justice systems and** corrections programs, including **pretrial services, behavioral health treatment and recovery services,** community corrections, county jails, **parole,** and probation services; ~~and~~

(2) **reviewing** the processes used by the department of correction and the division of mental health and addiction in awarding grants;

(3) reviewing and evaluating jail overcrowding to identify a range of possible solutions;

(4) coordinating with other criminal justice funding sources;

(5) establishing committees to inform the work of the advisory council; and

(6) performing other relevant duties as determined by the advisory council.

(d) The advisory council may make ~~a recommendation~~ **recommendations** to:

(1) the department of correction, community corrections advisory boards, and the division of mental health and addiction concerning the award of grants;

(2) criminal justice systems and corrections programs concerning best practices to improve outcomes of persons under supervision;

(3) the Indiana general assembly concerning legislation and funding for criminal justice initiatives;

(4) the Indiana criminal justice institute concerning criminal justice funding priorities;

(5) the office of judicial administration concerning veterans problem-solving court grants; and

(6) the county sheriffs concerning strategies to address jail overcrowding and implementing evidence based practices for reducing recidivism for individuals in county jails.

(e) The office of judicial administration shall staff the advisory council.

(f) The expenses of the advisory council shall be paid by the office of judicial administration from funds appropriated to the office of judicial administration for the administrative costs of the justice reinvestment advisory council.

(g) A member of the advisory council is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(h) The affirmative votes of a majority of the voting members

appointed to the advisory council are required for the advisory council to take action on any measure.

(i) The advisory council shall meet as necessary to:

(1) work with the department of correction and the division of mental health and addiction to establish the grant criteria and grant reporting requirements described in subsection (l);

(2) review grant applications;

(3) make recommendations and provide feedback to the department of correction and the division of mental health and addiction concerning grants to be awarded;

(4) review grants awarded by the department of correction and the division of mental health and addiction; and

(5) suggest areas and programs in which the award of future grants might be beneficial.

(j) The advisory council, in conjunction with the Indiana criminal justice institute, shall jointly issue an annual report under IC 5-2-6-24.

(k) Any entity that receives funds:

(1) recommended by the advisory council; and

(2) appropriated by the department of correction;

for the purpose of providing additional treatment or supervision services shall provide the information described in subsection (l) to the department of correction to aid in the compilation of the report described in subsection (j).

(l) The department of correction shall provide the advisory council with the following information:

(1) The total number of participants, categorized by level of most serious offense, who were served by the entity through funds described in subsection (k).

(2) The percentage of participants, categorized by level of most serious offense, who completed a treatment program, service, or level of supervision.

(3) The percentage of participants, categorized by level of most serious offense, who were discharged from a treatment program, service, or level of supervision.

(4) The percentage of participants, categorized by level of most serious offense, who:

(A) completed a funded treatment program, service, or level of supervision; and

(B) were subsequently committed to the department of correction;

within twenty-four (24) months after completing the funded treatment program, service, or level of supervision.

(5) The percentage of participants, categorized by level of most serious offense, who were:

(A) discharged from a funded treatment program, service, or level of supervision; and

(B) subsequently committed to the department of correction;

within twenty-four (24) months after being discharged from the funded treatment program, service, or level of supervision.

(6) The total number of participants who completed a funded treatment program, service, or level of supervision.

(7) The total number of participants who:

(A) completed a funded treatment program, service, or level of supervision; and

(B) were legally employed.

(8) Any other information relevant to the funding of the entity as described in subsection (k).

SECTION 3. IC 33-38-9.5-3, AS ADDED BY P.L.179-2015, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. The ~~goal~~ **purpose** of the justice reinvestment advisory council is to ~~develop incarceration~~ **review policies, promote state and local collaboration, and provide assistance for use of evidence based practices and best practices in community based** alternatives and recidivism reduction programs, ~~at the county and community level by promoting the development of.~~ **including:**

(1) probation services;

(2) problem solving courts;

(3) mental health **and addiction** treatment **and recovery services;**

~~(4) substance abuse treatment;~~

~~(5)~~ **(4)** programs providing for ~~court supervision, probation, or~~ pretrial diversion;

~~(6)~~ **(5)** community corrections;

~~(7)~~ **(6)** evidence based recidivism reduction programs for currently incarcerated persons; ~~and~~

~~(8)~~ **(7)** other ~~alternatives to incarceration.~~ **rehabilitation alternatives; and**

(8) the incorporation of evidence based decision making into decisions concerning jail overcrowding.".

Delete pages 2 through 4.

Page 5, delete lines 1 through 36.

(Reference is to HB 1047 as printed January 10, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Engrossed House Bill 1093, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

PERFECT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Veterans Affairs and The Military, to which was referred Engrossed House Bill 1173, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete lines 1 through 22, begin a new paragraph and insert:

"SECTION 2. IC 10-17-1-5, AS AMENDED BY P.L.144-2007, SECTION 6, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The position of director of veterans' affairs is established. The governor shall appoint the director for a four (4) year term. However, the term of office of the director terminates when the term of office of the governor terminates or when a successor to the director is appointed and qualified. The director must be

~~(1)~~ an honorably discharged veteran who has at least six (6) months active service in the armed forces of the United States. ~~and~~

~~(2) a citizen of Indiana and a resident of Indiana for at least five (5) years immediately preceding the director's appointment.~~

(b) The director is entitled to reimbursement for necessary traveling and other expenses.

(c) The governor may remove the director if the governor considers the director guilty of misconduct, incapability, or neglect of duty.

(d) The governor shall appoint an assistant director of veterans' affairs. The assistant director is entitled to receive reimbursement for necessary traveling and other expenses. The assistant director has the same qualifications as the director of veterans' affairs and shall assist the director in carrying out this chapter.".

Page 9, line 38, strike "one" and insert "**1**".

Page 9, line 38, strike "twenty-five" and insert "**25**".

(Reference is to HB 1173 as printed January 14, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

TOMES, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Elections, to which was referred Engrossed House Bill 1222, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 8, delete lines 16 through 33.

Page 12, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 20. IC 3-10-1-19, AS AMENDED BY P.L.278-2019, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 19. (a) The ballot for a primary election shall be printed in substantially the form described in this section for all the offices for which candidates have qualified under IC 3-8.

(b) The following shall be printed as the heading for the ballot for a political party:

"OFFICIAL PRIMARY BALLOT

_____ Party (insert the name of the political party)".

(c) The following shall be printed immediately below the heading required by subsection (b) or be posted in each voting booth as provided in IC 3-11-2-8(b):

(1) For paper ballots, print: To vote for a person, make a voting mark (X or ✔) on or in the box before the person's name in the proper column.

(2) For optical scan ballots, print: To vote for a person, darken or shade in the circle, oval, or square (or draw a line to connect the arrow) that precedes the person's name in the proper column.

(3) For optical scan ballots that do not contain a candidate's name, print: To vote for a person, darken or shade in the oval that precedes the number assigned to the person's name in the proper column.

(4) For electronic voting systems, print: To vote for a person, touch the screen (or press the button) in the location indicated.

~~(d) Local public questions shall be placed on the primary election ballot after the heading and the voting instructions described in subsection (c) (if the instructions are printed on the ballot) and before the offices described in subsection (g).~~

~~(e) The local public questions described in subsection (d) shall be placed as follows:~~

~~(1) In a separate column on the ballot if voting is by paper ballot.~~

~~(2) After the heading and the voting instructions described in subsection (c) (if the instructions are printed on the ballot) and before the offices described in subsection (g), in the form specified in IC 3-11-13-11 if voting is by ballot card.~~

~~(3) As provided by either of the following if voting is by an electronic voting system:~~

~~(A) On a separate screen for a public question.~~

~~(B) After the heading and the voting instructions described in subsection (c) (if the instructions are printed on the ballot) and before the offices described in subsection (g), in the form specified in IC 3-11-14-3.5.~~

~~(f) A public question shall be placed on the primary election ballot in the following form:~~

~~(The explanatory text for the public question, if required by law.)~~

~~"Shall (insert public question)?"~~

~~[] YES~~

~~[] NO~~

~~(g)~~ **(d)** The offices with candidates for nomination shall be placed on the primary election ballot in the following order:

(1) Federal and state offices:

(A) President of the United States.

(B) United States Senator.

(C) Governor.

(D) United States Representative.

(2) Legislative offices:

(A) State senator.

(B) State representative.

(3) Circuit offices and county judicial offices:

(A) Judge of the circuit court, and unless otherwise specified under IC 33, with each division separate if there is more than one (1) judge of the circuit court.

(B) Judge of the superior court, and unless otherwise specified under IC 33, with each division separate if there is more than one (1) judge of the superior court.

(C) Judge of the probate court.

(D) Prosecuting attorney.

(E) Circuit court clerk.

(4) County offices:

(A) County auditor.

(B) County recorder.

(C) County treasurer.

(D) County sheriff.

(E) County coroner.

(F) County surveyor.

(G) County assessor.

(H) County commissioner.

(I) County council member.

(5) Township offices:

(A) Township assessor (only in a township referred to in IC 36-6-5-1(d)).

(B) Township trustee.

(C) Township board member.

(D) Judge of the small claims court.

(E) Constable of the small claims court.

(6) City offices:

(A) Mayor.

(B) Clerk or clerk-treasurer.

(C) Judge of the city court.

(D) City-county council member or common council member.

(7) Town offices:

(A) Clerk-treasurer.

(B) Judge of the town court.

(C) Town council member.

~~(h)~~ **(e)** The political party offices with candidates for election shall be placed on the primary election ballot in the following order after the offices described in subsection ~~(g).~~ **(d):**

(1) Precinct committeeman.

(2) State convention delegate.

~~(i)~~ **(f)** The local offices to be elected at the primary election shall be placed on the primary election ballot after the offices described in subsection ~~(h).~~ **(e).**

~~(j)~~ **(g)** The offices described in subsection ~~(i)~~ **(f)** shall be placed as follows:

(1) In a separate column on the ballot if voting is by paper ballot.

(2) After the offices described in subsection ~~(h)~~ **(e)** in the form specified in IC 3-11-13-11 if voting is by ballot card.

(3) Either:

(A) on a separate screen for each office; ~~or public question;~~ or

(B) after the offices described in subsection ~~(h)~~ **(e)** in the form specified in IC 3-11-14-3.5;

if voting is by an electronic voting system.

SECTION 21. IC 3-10-1-19.5, AS AMENDED BY P.L.21-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 19.5. Notwithstanding section 19 of this chapter, the county election board may alter the prescribed ballot order to place the names of the candidates for the following offices before the names of the candidates for county judicial offices:

(1) Prosecuting attorney.

(2) Clerk of the circuit court.

(3) The county offices listed in section ~~19(g)(4)~~ **19(d)(4)** of this chapter.

SECTION 22. IC 3-10-1-29 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 29. The canvass of votes cast in a primary election shall, as far as applicable, be made in the same manner and by the same officers as the canvass at a general election. The tally sheet upon which the count has been entered shall be included in the returns of the election. Each precinct election board shall, on blanks provided for that purpose, make full and accurate returns of the votes cast for each candidate ~~and on each public question~~ unless votes were cast on a ballot card voting system that is not designed to allow the counting and tabulation of votes by the precinct election board. The board shall set forth in the return, opposite the name of each candidate, ~~and public question,~~ the number of votes cast for the candidate. ~~and for or against each public question.~~ The tabular statement must contain the following information, with the names of candidates ~~and public questions~~ arranged in the order in which they appear upon the official ballot:

(1) The name of the precinct.

(2) The name of the township (or ward).

(3) The name of the county.

(4) The name of the party of the candidates for Representative in Congress.

SECTION 23. IC 3-10-1-31.3, AS AMENDED BY P.L.74-2017, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 31.3. (a) This subsection applies to a primary election within an election district in which more than one (1) political party chooses the party's nominees or in which a nonpartisan ballot is available for a voter to vote for an office. ~~or on a public question.~~ A voter whose political party is not recorded on the poll list as required under section 24 of this chapter shall be shown on the voter's registration record as having cast an unknown ballot in that primary.

(b) This subsection applies to a primary election within an election district in which only one (1) political party chooses its nominees and a nonpartisan ballot is not available. A voter:

(1) whose political party recorded on the poll list is not the political party conducting a primary within the election district;

(2) who is indicated on the poll list as having requested a nonpartisan ballot; or

(3) whose political party is not recorded on the poll list as required under section 24 of this chapter;

shall be shown on the voter's registration record as having cast a ballot for the political party choosing that political party's nominees in that primary election.

SECTION 24. IC 3-10-1-32, AS AMENDED BY P.L.179-2011, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 32. Primary election returns must contain the whole number of votes cast for each of the following:

(1) Each candidate of each political party.

~~(2) Each public question voted on at the primary election.~~

~~(3)~~ **(2)** Each candidate for election to a political party office.".

Page 18, line 16, delete "The:" and insert "The".

Page 18, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 37. IC 3-10-9-3, AS AMENDED BY P.L.225-2011, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. **(a) Except as otherwise specifically provided by a statute, a local public question may be placed on the ballot only at the following elections:**

(1) A general election.

(2) A municipal general election, but only if the election district for the public question is contained entirely within a municipality.

(b) If a local public question must be certified to an election board by law, that certification must occur ~~no~~ **not** later than noon

~~(1) seventy-four (74) days before a primary election if the public question is to be placed on the primary or municipal primary election ballot; or~~

~~(2)~~ August 1. ~~if the public question is to be placed on the general or municipal election ballot.~~".

Page 19, between lines 22 and 23, begin a new paragraph and insert:

"SECTION 34. IC 3-11-2-10, AS AMENDED BY P.L.278-2019, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) Public questions shall be placed on the general election ballot in the following order after the statement described in section 7 of this chapter, and the instructions described in subsections (d) and (e) and section 8 of this chapter, if instructions are printed on the ballot:

(1) Ratification of a state constitutional amendment.

(2) Local public questions.

Subject to section 10.1 of this chapter, each public question shall be placed in a separate column on the ballot.

(b) The name or title of the political party or independent ticket described in section 6 of this chapter shall be placed on the general election ballot after the public questions described in subsection (a). The device of the political party or independent ticket shall be placed immediately under the name of the political party or independent ticket. **Notwithstanding section 8(b) of this chapter,** the instructions for voting a straight party ticket shall be placed to the right of the device ~~if instructions are printed~~ on the ballot.

(c) The instructions for voting a straight party ticket must conform as nearly as possible to the following:

"(1) You are not required to vote a straight party ticket. If you do not wish to vote a straight party ticket, do not make a mark in this section and proceed to voting the ballot by office.

~~(1)~~ **(2)** To vote a straight (insert political party name) ticket for all (insert political party name) candidates on this ballot, except for candidates described in ~~(2)~~ **(3)** below, make a voting mark on or in this circle and do not make any other marks on this ballot.

~~(2)~~ **(3)** To vote for any candidate for an at-large office (insert county council, city common council, town council, or township board if those offices appear on this ballot) to which more than one **(1)** person may be elected, you must make another voting mark for each candidate you wish to vote for. Your straight party vote will not count as a vote for any candidate for that office.

~~(3)~~ **(4)** If you wish to vote for a candidate seeking a nonpartisan office or on a public question, you must make another voting mark on the appropriate place on this ballot.".

(d) Except as permitted under section 8(b) of this chapter, if the ballot contains an independent ticket described in section 6 of this chapter and at least one (1) other independent candidate, the ballot must also contain a statement that reads substantially as follows: "A vote cast for an independent ticket will only be counted for the candidates for President and Vice President or governor and lieutenant governor comprising that independent ticket. This vote will NOT be counted for any OTHER independent candidate appearing on the ballot.".

(e) Except as permitted under section 8(b) of this chapter, the ballot must also contain a statement that reads substantially as follows: "A write-in vote will NOT be counted unless the vote is for a DECLARED write-in candidate. To vote for a write-in candidate, you must make a voting mark on or in the square to the left of the name you have written in or your vote will not be counted.".

(f) Subject to section 10.1 of this chapter, the list of candidates of the political party shall be placed immediately under the instructions for voting a straight party ticket. The names of the candidates shall be placed three-fourths (3/4) of an inch apart from center to center of the name. The name of each candidate must have, immediately on its left, a square three-eighths (3/8) of an inch on each side.

(g) The circuit court clerk may authorize the printing of ballots containing a ballot variation code to ensure that the proper version of a ballot is used within a precinct.

SECTION 34. IC 3-11-4-17.7, AS AMENDED BY P.L.278-2019, SECTION 63, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17.7. (a) This section applies when a voter:

(1) has been mailed the official ballot under this chapter; and

(2) notifies the county election board that:

(A) the ballot has been destroyed, spoiled, lost, or not received by the voter after a reasonable time has elapsed for delivery of the ballot by mail;

(B) the absentee ballot does not bear the bipartisan initials required under section 19 of this chapter; or

(C) the absentee ballot envelope was not signed by the voter.

(b) As required under 52 U.S.C. 21081, the voter may obtain a replacement official ballot under the procedures set forth in this chapter after the voter files a statement with the county election board. The statement must affirm, under penalties of perjury, that the voter did not receive the official ballot (or that the ballot was received by the voter, but was destroyed, spoiled, or lost), and must set forth any facts known by the voter concerning the destruction, spoiling, or loss of the ballot. **A voter may file the statement required by this section by any of the following means:**

(1) In person.

(2) By fax.

(3) By mail (including United States mail or bonded courier).

(4) By electronic mail with a digital image of the statement and signature of the voter.

(c) After a voter files the statement required under subsection (b), the circuit court clerk shall do the following:

(1) Place the written request with the absentee voter's original ballot.

(2) Mark "canceled" on the envelope containing the original ballot.

(3) Preserve the original ballot with the other defective ballots.

(4) Deliver a new ballot to the absentee voter.

(d) If a voter requests a replacement ballot for a primary election, the county election board may not provide the voter with a primary election ballot for a political party different from the political party indicated in the voter's application for an absentee ballot.

(e) After receiving the official replacement ballot, the voter shall destroy any spoiled ballot in the possession of the voter or any lost or delayed official ballot that comes into the possession of the voter.".

Page 20, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 35. IC 3-11-10-26.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 26.7. (a) This section applies to a voter voting an absentee ballot before an absentee voter board under this chapter.**

(b) If a voter attempts to leave the voting location without completing the casting of the voter's absentee ballot, a member of the absentee voter board shall:

(1) attempt to advise the voter not to leave the voting location because the voter's ballot has not been cast; and

(2) permit the voter an opportunity to complete the casting of the voter's absentee ballot.

(c) If the voter has left the voting location, or declines to complete the casting of the voter's absentee ballot, the members of the absentee voter board shall process the voter's absentee ballot in the same manner as the absentee ballot would have been processed if the voter had completed the casting of the voter's absentee ballot.

(d) After the voter's absentee ballot has been processed under subsection (c), the members of the absentee voter board shall promptly complete a form prescribed under IC 3-5-4-8 containing the following information:

(1) The name of the voter who left the voting location without completing the casting of the voter's absentee ballot if the voter's name is known.

(2) The approximate time that the voter left the voting location.

(3) Whether the voter was advised that the voter could complete the casting of the voter's absentee ballot.

(4) A statement made under the penalties for perjury indicating that:

(A) the members of the absentee voter board processed the voter's absentee ballot as if the voter had completed the casting of the voter's absentee ballot; and

(B) the members of the absentee voter board did not make any alteration to the choices made by the voter.

The form must be signed by each member of the absentee voter board.

SECTION 36. IC 3-11-10-36.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 36.5. (a) The county election board by unanimous vote of the entire membership of the board may permit an individual who is not a voter to serve as a member of an absentee voter board, or otherwise to assist the circuit court clerk with processing absentee voter applications and ballots, if the individual satisfies all the following:**

(1) The individual is at least sixteen (16) years of age but not eighteen (18) years of age or older.

(2) The individual is a citizen of the United States.

(3) The individual is a resident of the county.

(4) The individual has a cumulative grade point average equivalent to not less than 3.0 on a 4.0 scale.

(5) The individual has the written approval of the principal of the school the individual attends at the time of the appointment or, if the individual is educated in the home, the approval of the individual responsible for the education of the individual.

(6) The individual has the approval of the individual's parent or legal guardian.

(7) The individual has satisfactorily completed any training required by the county election board.

(8) The individual otherwise is eligible to serve as a member of an absentee voter board under section 36 of this chapter but is not required to be a registered voter of the county.

(b) An individual appointed to an absentee voter board or assistant under this section, while serving as a member of an absentee voter board or assistant:

(1) is not required to obtain an employment certificate under IC 20-33-3; and

(2) is not subject to the limitations on time and duration of employment under IC 20-33-3.

SECTION 36. IC 3-11-13-11, AS AMENDED BY P.L.278-2019, SECTION 104, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) The ballot information, whether placed on the ballot card or on the marking device, must be in the order of arrangement provided for ballots under this section.

(b) Each county election board shall have the names of all candidates for all elected offices, political party offices, and public questions printed on a ballot card as provided in this chapter. The county may:

(1) print all offices and questions on a single ballot card; and

(2) include a ballot variation code to ensure that the proper version of a ballot is used within a precinct.

(c) Each type of ballot card must be of uniform size and of the same quality and color of paper (except as permitted under

IC 3-10-1-17).

(d) The nominees of a political party or an independent candidate or independent ticket (described in IC 3-11-2-6) nominated by petitioners shall be listed on the ballot with the name and device set forth on the certification or petition. The circle containing the device may be of any size that permits a voter to readily identify the device. IC 3-11-2-5 applies if the certification or petition does not include a name or device, or if the same device is selected by two (2) or more parties or petitioners.

(e) The offices and public questions on the general election ballot must be placed on the ballot in the order listed in IC 3-11-2-12, IC 3-11-2-12.2, IC 3-11-2-12.4, IC 3-11-2-12.5, IC 3-11-2-12.7(b), IC 3-11-2-12.9(a), IC 3-11-2-13(a) through IC 3-11-2-13(c), IC 3-11-2-14(a), and IC 3-11-2-14(d). The offices and public questions may be listed in a continuous column either vertically or horizontally and on a number of separate pages.

(f) The name of each office must be printed in a uniform size in bold type. A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate:

(1) "Vote for one (1) only.", if only one (1) candidate is to be elected to the office.

(2) "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office. To vote for any candidate for this office, you must make a voting mark for each candidate you wish to vote for. A straight party vote will not count as a vote for any candidate for this office.", if more than one (1) candidate is to be elected to the office.

(g) Below the name of the office and the statement required by subsection (f), the names of the candidates for each office must be grouped together in the following order:

(1) The major political party whose candidate received the highest number of votes in the county for secretary of state at the last election is listed first.

(2) The major political party whose candidate received the second highest number of votes in the county for secretary of state is listed second.

(3) All other political parties listed in the order that the parties' candidates for secretary of state finished in the last election are listed after the party listed in subdivision (2).

(4) If a political party did not have a candidate for secretary of state in the last election or a nominee is an independent candidate or independent ticket (described in IC 3-11-2-6), the party or candidate is listed after the parties described in subdivisions (1), (2), and (3).

(5) If more than one (1) political party or independent candidate or ticket described in subdivision (4) qualifies to be on the ballot, the parties, candidates, or tickets are listed in the order in which the party filed its petition of nomination under IC 3-8-6-12.

(6) A space for write-in voting is placed after the candidates listed in subdivisions (1) through (5), if required by law.

(7) The name of a write-in candidate may not be listed on the ballot.

(h) The names of the candidates grouped in the order established by subsection (g) must be printed in type with uniform capital letters and have a uniform space between each name. The name of the candidate's political party, or the word "Independent" if the:

(1) candidate; or

(2) ticket of candidates for:

(A) President and Vice President of the United States; or

(B) governor and lieutenant governor;

is independent, must be placed immediately below or beside the name of the candidate and must be printed in a uniform size and type.

(i) All the candidates of the same political party for election to at-large seats on the fiscal or legislative body of a political subdivision must be grouped together:

(1) under the name of the office that the candidates are seeking;

(2) in the order established by subsection (g); and

(3) within the political party, in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) of ANY party for this office.".

(j) Candidates for election to at-large seats on the governing body of a school corporation must be grouped:

(1) under the name of the office that the candidates are seeking; and

(2) in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office.".

(k) The following information must be placed at the top of the ballot before the first public question is listed:

(1) The cautionary statement described in IC 3-11-2-7.

(2) The instructions described in IC 3-11-2-8, IC 3-11-2-10(d), and IC 3-11-2-10(e).

(l) The ballot must include a single connectable arrow, circle, oval, or square, or a voting position for voting a straight party or an independent ticket (described in IC 3-11-2-6) by one (1) mark as required by section 14 of this chapter, and the single connectable arrow, circle, oval, or square, or the voting position for casting a straight party or an independent ticket ballot must be identified by:

(1) the name of the political party or independent ticket (described in IC 3-11-2-6); and

(2) immediately below or beside the political party's or independent ticket's name, the device of that party or ticket (described in IC 3-11-2-5).

The name and device of each political party or independent ticket must be of uniform size and type and arranged in the order established by subsection (g) for listing candidates under each office. The instructions described in IC 3-11-2-10(c) for voting a straight party ticket and the statement concerning presidential

electors required under IC 3-10-4-3 ~~may~~ **must** be placed on the ballot label. ~~or in a location within the voting booth in a location that permits the voter to easily read the instructions.~~ **The instructions for voting a straight party ticket must include the statement: "If you do not wish to vote a straight party ticket, do not make a mark in this section and proceed to voting the ballot by office.".**

(m) A public question must be in the form described in IC 3-11-2-15(a) and IC 3-11-2-15(b), except that a single connectable arrow, a circle, or an oval may be used instead of a square. Except as expressly authorized or required by statute, a county election board may not print a ballot card that contains language concerning the public question other than the language authorized by a statute.

(n) The requirements in this section:

(1) do not replace; and

(2) are in addition to;

any other requirements in this title that apply to optical scan ballots.

(o) The procedure described in IC 3-11-2-16 must be used when a ballot does not comply with the requirements imposed by this title or contains another error or omission that might result in confusion or mistakes by voters.

(p) This subsection applies to an optical scan ballot that does not list:

(1) the names of political parties or candidates; or

(2) the text of public questions;

on the face of the ballot. The ballot must be prepared in accordance with this section, except that the ballot must include a numbered circle or oval to refer to each political party, candidate, or public question.

SECTION 37. IC 3-11-14-3.5, AS AMENDED BY P.L.21-2016, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. (a) Each county election board shall have the names of all candidates for all elected offices, political party offices, and public questions printed on ballot labels for use in an electronic voting system as provided in this chapter.

(b) The county may:

(1) print all offices and public questions on a single ballot label; and

(2) include a ballot variation code to ensure that the proper version of a ballot label is used within a precinct.

(c) Each type of ballot label must be of uniform size and of the same quality and color of paper (except as permitted under IC 3-10-1-17).

(d) The nominees of a political party or an independent candidate or independent ticket (described in IC 3-11-2-6) nominated by petitioners must be listed on the ballot label with the name and device set forth on the certification or petition. The circle containing the device may be of any size that permits a voter to readily identify the device. IC 3-11-2-5 applies if the certification or petition does not include a name or device, or if the same device is selected by two (2) or more parties or petitioners.

(e) The ballot labels must list the offices and public questions on the general election ballot in the order listed in IC 3-11-2-12, IC 3-11-2-12.2, IC 3-11-2-12.4, IC 3-11-2-12.5, IC 3-11-2-12.7(b), IC 3-11-2-12.9(a), IC 3-11-2-13(a) through IC 3-11-2-13(c), IC 3-11-2-14(a), and IC 3-11-2-14(d). Each office and public question may have a separate screen, or the offices and public questions may be listed in a continuous column either vertically or horizontally.

(f) The name of each office must be printed in a uniform size in bold type. A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate:

(1) "Vote for one (1) only.", if only one (1) candidate is to be elected to the office.

(2) "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office. To vote for any candidate for this office, you must make a voting mark for each candidate you wish to vote for. A straight party vote will not count as a vote for any candidate for this office.", if more than one (1) candidate is to be elected to the office.

(g) Below the name of the office and the statement required by subsection (f), the names of the candidates for each office must be grouped together in the following order:

(1) The major political party whose candidate received the highest number of votes in the county for secretary of state at the last election is listed first.

(2) The major political party whose candidate received the second highest number of votes in the county for secretary of state is listed second.

(3) All other political parties listed in the order that the parties' candidates for secretary of state finished in the last election are listed after the party listed in subdivision (2).

(4) If a political party did not have a candidate for secretary of state in the last election or a nominee is an independent candidate or independent ticket (described in IC 3-11-2-6), the party or candidate is listed after the parties described in subdivisions (1), (2), and (3).

(5) If more than one (1) political party or independent candidate or ticket described in subdivision (4) qualifies to be on the ballot, the parties, candidates, or tickets are listed in the order in which the party filed its petition of nomination under IC 3-8-6-12.

(6) A space for write-in voting is placed after the candidates listed in subdivisions (1) through (5), if required by law. A space for write-in voting for an office is not required if there are no declared write-in candidates for that office. However, procedures must be implemented to permit write-in voting for candidates for federal offices.

(7) The name of a write-in candidate may not be listed on the ballot.

(h) The names of the candidates grouped in the order established by subsection (g) must be printed in type with uniform capital letters and have a uniform space between each name. The name of the candidate's political party, or the word "Independent", if the:

(1) candidate; or

(2) ticket of candidates for:

(A) President and Vice President of the United States; or

(B) governor and lieutenant governor;

is independent, must be placed immediately below or beside the name of the candidate and must be printed in uniform size and type.

(i) All the candidates of the same political party for election to at-large seats on the fiscal or legislative body of a political subdivision must be grouped together:

(1) under the name of the office that the candidates are seeking;

(2) in the party order established by subsection (g); and

(3) within the political party, in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) of ANY party for this office.".

(j) Candidates for election to at-large seats on the governing body of a school corporation must be grouped:

(1) under the name of the office that the candidates are seeking; and

(2) in alphabetical order according to surname.

A statement reading substantially as follows must be placed immediately below the name of the office and above the name of the first candidate: "Vote for not more than (insert the number of candidates to be elected) candidate(s) for this office.".

(k) The cautionary statement described in IC 3-11-2-7 must be placed at the top or beginning of the ballot label before the first public question is listed.

(l) The instructions described in IC 3-11-2-8, IC 3-11-2-10(d), and IC 3-11-2-10(e) may be:

(1) placed on the ballot label; or

(2) posted in a location within the voting booth that permits the voter to easily read the instructions.

(m) The ballot label must include a touch sensitive point or button for voting a straight political party or independent ticket (described in IC 3-11-2-6) by one (1) touch, and the touch sensitive point or button must be identified by:

(1) the name of the political party or independent ticket; and

(2) immediately below or beside the political party's or independent ticket's name, the device of that party or ticket (described in IC 3-11-2-5).

The name and device of each party or ticket must be of uniform size and type, and arranged in the order established by subsection (g) for listing candidates under each office. The instructions described in IC 3-11-2-10(c) for voting a straight party ticket and the statement concerning presidential electors required under IC 3-10-4-3 ~~may~~ **must** be placed on the ballot label. ~~or in a location within the voting booth that permits the voter to easily read the instructions.~~ **The instructions for voting a straight party ticket must include the statement: "If you do not wish to vote a straight party ticket, press "NEXT" (or replace "NEXT" with the term used by that voting system to permit a voter to skip a ballot screen) to continue voting.".**

(n) A public question must be in the form described in IC 3-11-2-15(a) and IC 3-11-2-15(b), except that a touch sensitive point or button must be used instead of a square. Except as expressly authorized or required by statute, a county election board may not print a ballot label that contains language concerning the public question other than the language authorized by a statute.

(o) The requirements in this section:

(1) do not replace; and

(2) are in addition to;

any other requirements in this title that apply to ballots for electronic voting systems.

(p) The procedure described in IC 3-11-2-16 must be used when a ballot label does not comply with the requirements imposed by this title or contains another error or omission that might result in confusion or mistakes by voters.".

Page 22, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 43. IC 3-11.5-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) This section applies to a voter voting by an absentee ballot that is defective and ordered corrected under IC 3-11-2-16 or includes a candidate for election to office who:

(1) ceases to be a candidate; and

(2) is succeeded by a candidate selected under IC 3-13-1 or IC 3-13-2.

(b) Through the last day before the election day, an absentee voter may recast the ballot during the period specified by IC 3-11-10-26. To obtain another set of ballots, the absentee voter must ~~present~~ **file** a written request for another set of ballots from the circuit court clerk. **A voter may file the request required by this section by any of the following means:**

(1) In person.

(2) By fax.

(3) By mail (including United States mail or bonded courier).

(4) By electronic mail with a digital image of the statement and signature of the voter.

(c) Upon receiving a written request under subsection (b), the circuit court clerk shall do the following:

(1) Place the written request with the absentee voter's original ballots.

(2) Mark "canceled" on the original set of ballots.

(3) Preserve the original ballots with other defective ballots.

(4) Deliver a new set of ballots to the absentee voter.

SECTION 44. IC 3-11.5-4-22.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 22.5. (a) The county election board by unanimous vote of the entire membership of the board may permit an individual who is not a voter to serve as a member of an absentee voter board, a member of a team of absentee ballot counters, or as a member of a team of couriers, or otherwise to assist the circuit court clerk with processing absentee ballots, if the individual satisfies all the following:**

(1) The individual is at least sixteen (16) years of age but not eighteen (18) years of age or older.

(2) The individual is a citizen of the United States.

(3) The individual is a resident of the county.

(4) The individual has a cumulative grade point average equivalent to not less than 3.0 on a 4.0 scale.

(5) The individual has the written approval of the principal of the school the individual attends at the time of the appointment or, if the individual is educated in the home, the approval of the individual responsible for the education of the individual.

(6) The individual has the approval of the individual's parent or legal guardian.

(7) The individual has satisfactorily completed any training required by the county election board.

(8) The individual otherwise is eligible to serve under section 22 of this chapter but is not required to be a registered voter of the county.

(b) An individual appointed under this section, while serving:

(1) is not required to obtain an employment certificate under IC 20-33-3; and

(2) is not subject to the limitations on time and duration of employment under IC 20-33-3.".

Page 25, after line 42, begin a new paragraph and insert:

"SECTION 47. IC 3-13-1-10, AS AMENDED BY P.L.216-2015, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) To be eligible to participate in a caucus called under section 4, 5, or 6 of this chapter, an elected precinct committeeman must be entitled to vote for the office for which a candidate is to be selected. An elected precinct committeeman is eligible to participate in a caucus called under this chapter, regardless of when the ballot vacancy occurred.

(b) An appointed precinct committeeman is eligible to participate in a caucus called under section 4, 5, or 6 of this chapter **only** if **both of the following apply:**

(1) The precinct committeeman was a committeeman thirty (30) days before the vacancy occurred.

(2) The precinct committeeman is entitled to vote for the office for which a candidate is to be selected.

(c) For purposes of a candidate vacancy resulting from the failure of a candidate to be nominated at a primary at which precinct committeemen were elected, an appointed precinct committeeman is eligible to serve **only** if **both of the following apply:**

(1) The **precinct** committeeman has been reappointed following the primary in accordance with the rules of the committeeman's political party.

(2) The precinct committeeman is entitled to vote for the office for which a candidate is to be selected.

SECTION 48. IC 3-13-1-11.5, AS AMENDED BY P.L.216-2015, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11.5. (a) Except as provided in this section, voting by proxy is not permitted in a caucus called under section 4, 5, or 6 of this chapter.

(b) A precinct vice committeeman is entitled to participate in a caucus called under section 4, 5, or 6 of this chapter and vote as a proxy for the vice committeeman's precinct committeeman if all of the following apply:

(1) The vice committeeman's precinct committeeman is otherwise eligible to participate in the caucus under this chapter.

(2) The vice committeeman's precinct committeeman is not present at the caucus.

(3) The vice committeeman is eligible under this section.

(c) The vice committeeman of an elected precinct committeeman is eligible to participate in a caucus called under section 4, 5, or 6 of this chapter and vote the precinct committeeman's proxy, regardless of when the ballot vacancy occurred, **only** if **both of the following apply:**

(1) The vice committeeman was the vice committeeman five (5) days before the date of the caucus.

(2) The vice committeeman is entitled to vote for the office for which a candidate is to be selected.

(d) If a vice committeeman is not eligible under subsection ~~(c),~~ **(c)(1),** the vice committeeman is eligible to participate in a caucus called under section 4, 5, or 6 of this chapter and vote the precinct committeeman's proxy only if the vice committeeman was the vice committeeman thirty (30) days before the ballot vacancy occurred.".

Page 27, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 52. IC 3-13-5-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) To be eligible to participate in a caucus called under this chapter, an elected precinct committeeman must be entitled to vote for the legislative office for which a successor is to be selected. An elected precinct committeeman is eligible to participate in a caucus called under this chapter, regardless of when the vacancy in the legislative office occurred.

(b) An appointed precinct committeeman is eligible to participate in a caucus called under this chapter **only** if **both of the following apply:**

(1) The precinct committeeman was a committeeman thirty (30) days before the vacancy occurred.

(2) The precinct committeeman is entitled to vote for the legislative office for which a successor is to be selected.

(c) An individual eligible to participate in a caucus held under this chapter has one (1) vote.

SECTION 53. IC 3-13-5-5, AS AMENDED BY P.L.278-2019, SECTION 155, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Except as provided in this section, voting by proxy is not allowed in a caucus held under this chapter.

(b) A precinct vice committeeman is entitled to participate in a caucus held under this chapter and vote as a proxy for the vice committeeman's precinct committeeman if all of the following apply:

(1) The vice committeeman's precinct committeeman is otherwise eligible to participate in the caucus under this chapter. This subdivision is satisfied if the vacancy to be filled under this chapter resulted from the death of an individual holding a legislative office who also served as a precinct committeeman.

(2) The vice committeeman's precinct committeeman is not present at the caucus.

(3) The vice committeeman is eligible under this section.

(c) The vice committeeman of an elected precinct committeeman is eligible to participate in a caucus held under

this chapter and vote the precinct committeeman's proxy **only** if **both of the following apply:**

(1) The vice committeeman was the vice committeeman five (5) days before the date of the caucus.

(2) The vice committeeman is entitled to vote for the legislative office for which a successor is to be selected.

(d) If a vice committeeman is not eligible under subsection ~~(c),~~ **(c)(1),** the vice committeeman is eligible to participate in a caucus held under this chapter and vote the precinct committeeman's proxy only if the vice committeeman was the vice committeeman thirty (30) days before the vacancy occurred.

(e) Voting shall be conducted by secret ballot, and IC 5-14-1.5-3(b) does not apply to this chapter.

SECTION 54. IC 3-13-11-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) To be eligible to be a member of a caucus under this chapter, a precinct committeeman must satisfy the following:

(1) Be a member of the same political party that elected or selected the person who vacated the office to be filled.

(2) Be the precinct committeeman of a precinct **located** in ~~which voters were eligible to vote for the person who vacated the office to be filled at the last election conducted or permitted for the office.~~ **the election district of the office to be filled.**

(3) Satisfy the other requirements of this section.

An elected precinct committeeman is eligible to participate in a caucus called under this chapter, regardless of when the vacancy in the office occurred.

(b) An appointed precinct committeeman is eligible to participate in a caucus called under this chapter **only** if **both of the following apply:**

(1) The precinct committeeman was a precinct committeeman thirty (30) days before the vacancy occurred.

(2) The precinct committeeman is entitled to vote for the office for which a successor is to be selected.

(c) If fewer than two (2) persons are eligible to be members of a caucus under this section, the county chairman entitled to give notice of a caucus under section 3 of this chapter shall fill the vacancy, ~~no~~ **not** later than thirty (30) days after the vacancy occurs. A chairman acting under this subsection is not required to conduct a caucus.

SECTION 55. IC 3-13-11-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) Except as provided in this section, voting by proxy is not permitted in a caucus held under this chapter.

(b) A precinct vice committeeman is entitled to participate in a caucus held under this chapter and vote as a proxy for the vice committeeman's precinct committeeman if all of the following apply:

(1) The vice committeeman's precinct committeeman is otherwise eligible to participate in the caucus under this chapter. This subdivision is satisfied if the vacancy to be filled under this chapter resulted from the death of an individual holding a local office who also served as a precinct committeeman.

(2) The vice committeeman's precinct committeeman is not present at the caucus.

(3) The vice committeeman is eligible under this section.

(c) The vice committeeman of an elected precinct committeeman is eligible to participate in a caucus held under this chapter and vote the precinct committeeman's proxy, regardless of when the vacancy occurred, **only** if **both of the following apply:**

(1) The vice committeeman was the vice committeeman five (5) days before the date of the caucus.

(2) The vice committeeman is entitled to vote for the office for which a successor is to be selected.

(d) If a vice committeeman is not eligible under subsection ~~(c),~~ **(c)(1),** the vice committeeman is eligible to participate in a caucus held under this chapter and vote the precinct committeeman's proxy only if the vice committeeman was the vice committeeman thirty (30) days before the vacancy occurred.".

Page 27, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 57. IC 4-33-6-19 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 19. (a) This section applies to:

(1) a county contiguous to the Ohio River;

(2) a county containing a historic hotel district; and

(3) a county contiguous to Lake Michigan that has a population of less than four hundred thousand (400,000).

(b) Notwithstanding any other provision of this article, the commission may not:

(1) issue a license under this article to allow a riverboat to operate in the county; or

(2) enter into a contract with an operating agent under IC 4-33-6.5;

unless the voters of the county have approved the conducting of gambling games on riverboats in the county.

(c) If the docking of a riverboat in the county is approved by an ordinance adopted under section 18 of this chapter, or if at least the number of the registered voters of the county required under IC 3-8-6-3 for a petition to place a candidate on the ballot sign a petition submitted to the circuit court clerk requesting that a local public question concerning riverboat gaming be placed on the ballot, the county election board shall place the following question on the ballot in the county ~~during~~ **at** the next ~~primary or general~~ election **permitted under IC 3-10-9-3(a):**

"Shall riverboat gambling be permitted in ____ County?".

(d) A public question under this section shall be placed on the ballot in accordance with IC 3-10-9 and must be certified in accordance with IC 3-10-9-3.

(e) The ~~clerk of the~~ circuit court **clerk** of a county holding an election under this chapter shall certify the results determined under IC 3-12-4-9 to the commission and the department of state revenue.

(f) If a public question under this section is placed on the ballot in a county and the voters of the county do not vote in favor of permitting riverboat gambling under this article, a second public question under this section may not be held in that county for at least two (2) years. If the voters of the county vote to reject riverboat gambling a second time, a third or subsequent

public question under this section may not be held in that county until the ~~general election held during the~~ tenth year following the year that the previous public question was placed on the ballot.".

Page 29, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 64. IC 6-1.1-20-3.6, AS AMENDED BY P.L.246-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.6. (a) Except as provided in sections 3.7 and 3.8 of this chapter, this section applies only to a controlled project described in section 3.5(a) of this chapter.

(b) If a sufficient petition requesting the application of the local public question process has been filed as set forth in section 3.5 of this chapter, a political subdivision may not impose property taxes to pay debt service on bonds or lease rentals on a lease for a controlled project unless the political subdivision's proposed debt service or lease rental is approved ~~in an election on~~ **by** a local public question ~~held~~ under this section.

(c) Except as provided in subsection (k), the following question shall be submitted to the eligible voters at the election conducted under this section:

> "Shall _____ (insert the name of the political subdivision) issue bonds or enter into a lease to finance _____ (insert a brief description of the controlled project), which is estimated to cost not more than _____ (insert the total cost of the project) and is estimated to increase the property tax rate for debt service by _____ (insert increase in tax rate as determined by the department of local government finance)?".

The public question must appear on the ballot in the form approved by the county election board. If the political subdivision proposing to issue bonds or enter into a lease is located in more than one (1) county, the county election board of each county shall jointly approve the form of the public question that will appear on the ballot in each county. The form approved by the county election board may differ from the language certified to the county election board by the county auditor. If the county election board approves the language of a public question under this subsection, the county election board shall submit the language to the department of local government finance for review.

(d) The department of local government finance shall review the language of the public question to evaluate whether the description of the controlled project is accurate and is not biased against either a vote in favor of the controlled project or a vote against the controlled project. The department of local government finance may either approve the ballot language as submitted or recommend that the ballot language be modified as necessary to ensure that the description of the controlled project is accurate and is not biased. The department of local government finance shall certify its approval or recommendations to the county auditor and the county election board not more than ten (10) days after the language of the public question is submitted to the department for review. If the department of local government finance recommends a modification to the ballot language, the county election board shall, after reviewing the recommendations of the department of local government finance, submit modified ballot language to the department for the department's approval or recommendation of any additional modifications. The public question may not be certified by the county auditor under subsection (e) unless the department of local government finance has first certified the department's final approval of the ballot language for the public question.

(e) The county auditor shall certify the finally approved public question under IC 3-10-9-3 to the county election board of each county in which the political subdivision is located. The certification must occur not later than noon

> ~~(1) seventy-four (74) days before a primary election if the public question is to be placed on the primary or municipal primary election ballot; or~~
>
> ~~(2)~~ August 1. ~~if the public question is to be placed on the general or municipal election ballot.~~

Subject to the certification requirements and deadlines under this subsection and except as provided in subsection (j), the public question shall be placed on the ballot at the next ~~primary election, general election, or municipal~~ election **permitted under IC 3-10-9-3(a)** in which all voters of the political subdivision are entitled to vote. ~~However, if a primary election, general election, or municipal election will not be held during the first year in which the public question is eligible to be placed on the ballot under this section and if the political subdivision requests the public question to be placed on the ballot at a special election, the public question shall be placed on the ballot at a special election to be held on the first Tuesday after the first Monday in May or November of the year.~~ The certification must occur not later than noon ~~seventy-four (74) days before a special election to be held in May (if the special election is to be held in May) or noon on~~ August 1. ~~(if the special election is to be held in November). The fiscal body of the political subdivision that requests the special election shall pay the costs of holding the special election. The county election board shall give notice under IC 5-3-1 of a special election conducted under this subsection. A special election conducted under this subsection is under the direction of the county election board. The county election board shall take all steps necessary to carry out the special election.~~

(f) The circuit court clerk shall certify the results of the public question to the following:

> (1) The county auditor of each county in which the political subdivision is located.
>
> (2) The department of local government finance.

(g) Subject to the requirements of IC 6-1.1-18.5-8, the political subdivision may issue the proposed bonds or enter into the proposed lease rental if a majority of the eligible voters voting on the public question vote in favor of the public question.

(h) If a majority of the eligible voters voting on the public question vote in opposition to the public question, both of the following apply:

> (1) The political subdivision may not issue the proposed bonds or enter into the proposed lease rental.
>
> (2) Another public question under this section on the same or a substantially similar project may not be submitted to the voters earlier than:

(A) except as provided in clause (B), seven hundred (700) days after the date of the public question; or

(B) three hundred fifty (350) days after the date of the election, if a petition that meets the requirements of subsection (m) is submitted to the county auditor.

(i) IC 3, to the extent not inconsistent with this section, applies to an election held under this section.

(j) A political subdivision may not divide a controlled project in order to avoid the requirements of this section and section 3.5 of this chapter. A person that owns property within a political subdivision or a person that is a registered voter residing within a political subdivision may file a petition with the department of local government finance objecting that the political subdivision has divided a controlled project into two (2) or more capital projects in order to avoid the requirements of this section and section 3.5 of this chapter. The petition must be filed not more than ten (10) days after the political subdivision gives notice of the political subdivision's decision under section 3.5 of this chapter or a determination under section 5 of this chapter to issue bonds or enter into leases for a capital project that the person believes is the result of a division of a controlled project that is prohibited by this subsection. If the department of local government finance receives a petition under this subsection, the department shall, not later than thirty (30) days after receiving the petition, make a final determination on the issue of whether the political subdivision divided a controlled project in order to avoid the requirements of this section and section 3.5 of this chapter. If the department of local government finance determines that a political subdivision divided a controlled project in order to avoid the requirements of this section and section 3.5 of this chapter and the political subdivision continues to desire to proceed with the project, the political subdivision may appeal the determination of the department of local government finance to the Indiana board of tax review. A political subdivision shall be considered to have divided a capital project in order to avoid the requirements of this section and section 3.5 of this chapter if the result of one (1) or more of the subprojects cannot reasonably be considered an independently desirable end in itself without reference to another capital project. This subsection does not prohibit a political subdivision from undertaking a series of capital projects in which the result of each capital project can reasonably be considered an independently desirable end in itself without reference to another capital project.

(k) This subsection applies to a political subdivision for which a petition requesting a public question has been submitted under section 3.5 of this chapter. The legislative body (as defined in IC 36-1-2-9) of the political subdivision may adopt a resolution to withdraw a controlled project from consideration in a public question. If the legislative body provides a certified copy of the resolution to the county auditor and the county election board not later than sixty-three (63) days before the election at which the public question would be on the ballot, the public question on the controlled project shall not be placed on the ballot and the public question on the controlled project shall not be held, regardless of whether the county auditor has certified the public question to the county election board. If the withdrawal of a public question under this subsection requires the county election board to reprint ballots, the political subdivision withdrawing the public question shall pay the costs of reprinting the ballots. If a political subdivision withdraws a public question under this subsection that would have been held at a special election and the county election board has printed the ballots before the legislative body of the political subdivision provides a certified copy of the withdrawal resolution to the county auditor and the county election board, the political subdivision withdrawing the public question shall pay the costs incurred by the county in printing the ballots. If a public question on a controlled project is withdrawn under this subsection, a public question under this section on the same controlled project or a substantially similar controlled project may not be submitted to the voters earlier than three hundred fifty (350) days after the date the resolution withdrawing the public question is adopted.

(l) If a public question regarding a controlled project is placed on the ballot to be voted on at an election under this section, the political subdivision shall submit to the department of local government finance, at least thirty (30) days before the election, the following information regarding the proposed controlled project for posting on the department's Internet web site:

(1) The cost per square foot of any buildings being constructed as part of the controlled project.

(2) The effect that approval of the controlled project would have on the political subdivision's property tax rate.

(3) The maximum term of the bonds or lease.

(4) The maximum principal amount of the bonds or the maximum lease rental for the lease.

(5) The estimated interest rates that will be paid and the total interest costs associated with the bonds or lease.

(6) The purpose of the bonds or lease.

(7) In the case of a controlled project proposed by a school corporation:

(A) the current and proposed square footage of school building space per student;

(B) enrollment patterns within the school corporation; and

(C) the age and condition of the current school facilities.

(m) If a majority of the eligible voters voting on the public question vote in opposition to the public question, a petition may be submitted to the county auditor to request that the limit under subsection (h)(2)(B) apply to the holding of a subsequent public question by the political subdivision. If such a petition is submitted to the county auditor and is signed by the lesser of:

(1) five hundred (500) persons who are either owners of property within the political subdivision or registered voters residing within the political subdivision; or

(2) five percent (5%) of the registered voters residing within the political subdivision;

the limit under subsection (h)(2)(B) applies to the holding of a second public question by the political subdivision and the limit under subsection (h)(2)(A) does not apply to the holding of a second public question by the political subdivision.

SECTION 65. IC 8-1.5-3-9.1, AS AMENDED BY P.L.163-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9.1. (a) This

section applies to the following:

(1) Water utilities that are owned or operated by second class cities.

(2) Third class cities.

(3) Towns.

(b) In addition to section 9 of this chapter, a municipally owned utility to which this section applies may be removed from the jurisdiction of the commission for the approval of rates and charges and of the issuance of stocks, bonds, notes, or other evidence of indebtedness, if the municipal legislative body adopts an ordinance removing the utility from commission jurisdiction. The municipal legislative body shall, at least thirty (30) days before the final vote on the ordinance, mail written notice of the meeting to all ratepayers of the utility and to the commission. For a second class city the municipal legislative body must hold two (2) public meetings before the final vote on an ordinance removing the utility from commission jurisdiction may be adopted. An explanation of the removal process must be provided at each public meeting under this section. Each public meeting must be held in a different location.

(c) The ordinance described in subsection (b) takes effect sixty (60) days after adoption by the municipal legislative body.

(d) The question of removal from commission jurisdiction shall be submitted to the registered voters of the municipality if, within the sixty (60) day period described in subsection (c), the legislative body receives a petition:

(1) that is signed by at least the number of the registered voters of the municipality required under IC 3-8-6-3 to place a candidate on the ballot; and

(2) that requests the legislative body to submit the question of removal from commission jurisdiction to the registered voters of the municipality at the next election **permitted under IC 3-10-9-3(a).**

The municipal legislative body shall certify the public question in subsection (e) to the county election board of the county that contains the greatest percentage of population of the municipality under IC 3-10-9-3.

(e) If the legislative body receives a petition described in subsection (d) in the proper form, the legislative body shall submit the following public question to the registered voters of the municipality at the next election **permitted under IC 3-10-9-3(a)** in the form prescribed by IC 3-10-9-4:

"Shall the municipally owned utility be taken out of the jurisdiction of the Indiana utility regulatory commission for the approval of rates and charges and of the issuance of stocks, bonds, notes, or other evidence of indebtedness?".

The legislative body shall mail written notice of the ~~referendum~~ **public question** to the commission at least ten (10) days before the date of the election.

(f) If a majority of those voting on the question described in subsection (e) favor taking the municipally owned utility out of the jurisdiction of the commission, the utility is removed from the jurisdiction of the commission for approval of rates and charges and of the issuance of stocks, bonds, notes, or other evidences of indebtedness.

(g) If the legislative body receives a petition in proper form under subsection (d), the ordinance does not take effect until after removal is approved by a majority of those voting. If a majority of those voting vote against removal, the utility remains under the jurisdiction of the commission and the ordinance does not take effect.

(h) In addition to the notice required by subsection (b), if the municipal legislative body adopts the ordinance, described in subsection (b), the municipal legislative body shall mail written notice of the withdrawal from commission jurisdiction to the commission within thirty (30) days after the ordinance becomes effective.

(i) Notwithstanding this section or section 9 of this chapter, the commission may require a municipally owned utility that generates electric power to provide information to the permanent forecasting group under IC 8-1-8.5-3.5.

(j) This section does not affect the obligations of a municipally owned utility under IC 8-1-2.3, IC 8-1-8.5, IC 8-1-22.5, or IC 8-1.5-3-14.

(k) Notwithstanding subsection (a) and the procedure set forth in section 9 of this chapter, if a city adopts an ordinance under this section before January 1, 2013, to remove the city's municipally owned electric utility from the jurisdiction of the commission for the approval of rates and charges and of the issuance of stocks, bonds, notes, or other evidence of indebtedness, the removal of the city's municipally owned electric utility from the commission's jurisdiction for the approval of rates and charges and of the issuance of stocks, bonds, notes, or other evidence of indebtedness is effective for all purposes and is legalized and validated.

SECTION 66. IC 8-1.5-3-9.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9.5. (a) This section applies to municipally owned utilities that are withdrawn from commission jurisdiction under section 9 of this chapter, including a municipally owned utility described in section 9(a) of this chapter.

(b) A municipal legislative body that wants to return a municipally owned utility to the jurisdiction of the commission for approval of rates and charges and of the issuance of stocks, bonds, notes, or other evidence of indebtedness may submit the following public question to the registered voters of the municipality at the next election **permitted under IC 3-10-9-3(a)** in the form prescribed by IC 3-10-9-4:

"Shall the municipally owned utility be returned to the jurisdiction of the utility regulatory commission for approval of rates and charges and of the issuance of stocks, bonds, notes, or other evidence of indebtedness?".

(c) A municipal legislative body shall certify the public question to the county election board of the county that contains the greatest percentage of population of the municipality under IC 3-10-9-3. The county election board shall submit the question under subsection (b) if it receives a petition that:

(1) is signed by at least the number of the registered voters of the municipality required under IC 3-8-6-3 to place a candidate on the ballot; and

(2) requests that the municipally owned utility be returned to the jurisdiction of the commission for approval of rates and charges and of the issuance of stocks, bonds, notes, or other evidence of indebtedness.

(d) If a majority of those voting favor returning the municipally owned utility to the jurisdiction of the commission, the utility is returned to the jurisdiction of the commission for approval of rates and charges and of the issuance of stocks, bonds, notes, or other evidence of indebtedness. If a majority of those voting disapprove of returning the municipally owned utility to the jurisdiction of the commission, an election may not be conducted on the public question of returning to the jurisdiction of the commission for four (4) years from the date of the last election on that public question.

(e) The public question of returning to the jurisdiction of the commission may not be submitted to the registered voters of the municipality at an election conducted within four (4) years after the date the municipally owned utility was last withdrawn from commission jurisdiction.

(f) If a municipally owned utility is returned to the jurisdiction of the commission under this section, the municipal legislative body shall mail written notice to the commission.

SECTION 67. IC 8-1.5-3-9.6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9.6. (a) This section applies to municipally owned utilities that are withdrawn from commission jurisdiction under section 9.1 of this chapter.

(b) The municipal legislative body may adopt an ordinance returning the municipally owned utility to the jurisdiction of the commission for the approval of rates and charges and of the issuance of stocks, bonds, notes, or other evidence of indebtedness if it receives a petition:

(1) that is signed by at least the number of the registered voters of the municipality required under IC 3-8-6-3 to place a candidate on the ballot; and

(2) that requests the legislative body to adopt an ordinance returning the municipally owned utility to the jurisdiction of the commission.

If the municipal legislative body fails to adopt an ordinance under this subsection within ninety (90) days after receipt of the petition, a petition requesting the adoption of an ordinance to return to commission jurisdiction may not be submitted for four (4) years from the date the last petition was submitted under this subsection.

(c) If the municipal legislative body fails to adopt the ordinance described in subsection (b) within ninety (90) days after receipt of the petition, the public question of the return to commission jurisdiction shall be submitted to the registered voters of the municipality if the legislative body receives a second petition:

(1) that is signed by at least the number of the registered voters of the municipality required under IC 3-8-6-3 to place a candidate on the ballot;

(2) that requests the legislative body to submit the question of the return to commission jurisdiction to the registered voters of the municipality at the next election **permitted under IC 3-10-9-3(a);** and

(3) that is submitted to the legislative body after the expiration of the ninety (90) day period described in this subsection.

The municipal legislative body shall certify the public question described in subsection (d) to the county election board of the county that contains the greatest percentage of population of the municipality under IC 3-10-9-3.

(d) If the legislative body receives a petition described in subsection (c) in the proper form, the legislative body shall submit the following public question to the registered voters of the municipality at the next election **permitted under IC 3-10-9-3(a)** in the form prescribed by IC 3-10-9-4:

"Shall the municipally owned utility be returned to the jurisdiction of the utility regulatory commission for the approval of rates and charges and of the issuance of stocks, bonds, notes, or other evidence of indebtedness?".

The legislative body shall mail written notice of the ~~referendum~~ **public question** to the commission at least ten (10) days before the date of the election.

(e) If a majority of those voting on the question described in subsection (d) favor returning the municipally owned utility to the jurisdiction of the commission, the utility is returned to the jurisdiction of the commission for approval of rates and charges and of the issuance of stocks, bonds, notes, or other evidence of indebtedness. If a majority of those voting disapprove of returning the municipally owned utility to the jurisdiction of the commission, an election may not be conducted on the public question of returning to the jurisdiction of the commission for four (4) years from the date of the last election on that public question.

(f) The public question of returning to the jurisdiction of the commission may not be submitted to the registered voters of the municipality at an election conducted within four (4) years after the date the municipally owned utility was last withdrawn from commission jurisdiction. In addition, a petition requesting the adoption of an ordinance under subsection (b) may not be submitted within four (4) years after the date the municipally owned utility was last withdrawn from commission jurisdiction.

(g) If a municipally owned utility is returned to commission jurisdiction under this section, the municipal legislative body shall mail written notice to the commission.

SECTION 68. IC 20-23-4-21, AS AMENDED BY P.L.244-2017, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 21. (a) If the chairperson of the county committee does not receive the certification or combined certifications under section 20(f) of this chapter not later than ninety (90) days after the receipt by the county committee of the plan referred to in section 20(a) of this chapter, the judge of the circuit court of the county from which the county committee submitting the plan was appointed shall:

(1) certify the public question under IC 3-10-9-3; and

(2) order the county election board to ~~conduct a special election in which~~ **place** the **public question on the ballot at the next election permitted under IC 3-10-9-3(a) at which** registered voters residing in the proposed community school corporation may vote to determine whether the corporation will be created.

~~(b) If:~~

~~(1) a primary election at which county officials are nominated; or~~

~~(2) a general election at which county officials are elected; and for which the question can be certified in compliance with~~

~~IC 3-10-9-3 is to be held not later than six (6) months after the receipt by the chairperson of the county committee of the plan referred to in section 20(a) of this chapter, regardless of whether the ninety (90) day period referred to in subsection (a) has expired, the judge shall order the county election board to conduct the special election to be held in conjunction with the primary or general election.~~

~~(c) If a primary or general election will not be held in the six (6) month period referred to in subsection (b), the special election shall be held:~~

~~(1) not earlier than sixty (60) days; and~~

~~(2) not later than one hundred twenty (120) days;~~

~~after the expiration of the ninety (90) day period referred to in subsection (a).~~

~~(d)~~ **(b)** The county election board shall give notice under IC 5-3-1 of ~~the special election~~ **a public question** referred to in subsection (a).

~~(e)~~ **(c)** The notice referred to in subsection ~~(d)~~ **(b)** of a ~~special election~~ **public question** must:

(1) clearly state that the election is called to afford the registered voters an opportunity to approve or reject a proposal for the formation of a community school corporation;

(2) contain:

(A) a general description of the boundaries of the community school corporation as set out in the plan;

(B) a statement of the terms of adjustment of:

(i) property;

(ii) assets;

(iii) debts; and

(iv) liabilities;

of an existing school corporation that is to be divided in the creation of the community school corporation;

(C) the name of the community school corporation;

(D) the number of members comprising the board of school trustees; and

(E) the method of selecting the board of school trustees of the community school corporation; and

(3) designate the date, time, and voting place or places at which the election will be held.

~~(f) A special~~ **(d) An** election ~~referred to in~~ **at which a public question is submitted to the voters under** subsection (a) is under the direction of the county election board in the county. ~~The election board shall take all steps necessary to carry out the special election. If the special election is not conducted at a primary or general election, the cost of conducting the election is:~~

~~(1) charged to each component school corporation embraced in the community school corporation in the same proportion as the component school corporation's assessed valuation is to the total assessed valuation of the community school corporation; and~~

~~(2) paid:~~

~~(A) from the school corporation's operations fund not otherwise appropriated of; and~~

~~(B) without appropriation by;~~

~~each component school corporation.~~

~~If a component school corporation is to be divided and its territory assigned to two (2) or more community corporations, the component school corporation's cost of the special election is in proportion to the corporation's assessed valuation included in the community school corporation.~~

~~(g)~~ **(e)** The county election board shall place the public question on the ballot in the form prescribed by IC 3-10-9-4. The public question must state "Shall the (here insert name) community school corporation be formed as provided in the Reorganization Plan of the County Committee for the Reorganization of School Corporations?". Except as otherwise provided in this chapter, the election is governed by IC 3.

~~(h)~~ **(f)** If a majority of the votes cast ~~at a special election referred to in subsection (a)~~ on the public question are in favor of the formation of the corporation, a community school corporation is created and takes effect on the earlier of:

(1) the July 1; or

(2) the January 1;

that next follows the date of publication of the notice referred to in subsection ~~(d).~~ **(b).**

~~(i)~~ **(g)** If a public official fails to perform a duty required of the official under this section within the time prescribed in this section, the omission does not invalidate the proceedings taken under this section.

~~(j)~~ **(h)** An action:

(1) to contest the validity of the formation or creation of a community school corporation under this section;

(2) to declare that a community school corporation:

(A) has not been validly formed or created; or

(B) is not validly existing; or

(3) to enjoin the operation of a community school corporation;

may not be instituted later than thirty (30) days after the date of the ~~special~~ election referred to in subsection (a).

SECTION 69. IC 20-23-4-23, AS ADDED BY P.L.1-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 23. (a) If a proposal for the formation of a community school corporation is rejected by the voters at the ~~special~~ election provided for in this chapter, the county committee shall **do either of the following:**

(1) Subject to subsection (b), devise a new plan of reorganization considered more acceptable to the electors of the territory affected. ~~or~~

(2) Subject to subsection (c), direct the county election board or boards to resubmit the same plan rejected by the voters.

(b) The county committee shall submit a new plan devised under subsection (a)(1) to the state board for the state board's approval not later than six (6) months after the date of the ~~special~~ election at which the proposal was rejected, subject to the same conditions and requirements concerning extensions of time and other matters provided in this chapter. If the new plan is approved by the state board, the procedures of this chapter for the creation of a community school corporation must be followed.

(c) The county committee may direct the county election board or boards to resubmit the plan referred to in subsection

(a)(2) ~~at a special election to be held not later than six (6) months after the special election at which the proposal was rejected. If a primary or general election for state offices is to be held not later than six (6) months after the special election at which the proposal was rejected, the special election must be held in conjunction with the primary or general election. The judge of the circuit court shall give notice by publication of the special election on request of the county committee.~~ **by placing a public question on the ballot at the next election permitted under IC 3-10-9-3(a) asking the voters whether the plan should be approved.** The ~~special election is held in the same manner required for the holding of a special election under~~ **procedures described in** section 21 of this chapter ~~Officials concerned shall take all actions necessary to conduct the special election as required under section 21 of this chapter.~~ **apply to submission of the public question to the voters under this section.**

SECTION 70. IC 20-23-6-5, AS AMENDED BY P.L.278-2019, SECTION 169, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) If a petition is filed in one (1) or more of the school corporations protesting consolidation as provided in this chapter by the ~~legal~~ voters of any school corporation the governing body of which proposes to consolidate, the governing body in each school corporation in which a protest petition is filed shall certify the public question to each county election board of the county in which the school corporation is located. The county election board shall ~~call an election of the~~ **place a public question on the ballot at the next election permitted under IC 3-10-9-3(a) asking the** voters of the school corporation ~~to determine~~ if ~~a majority of~~ the ~~legal~~ voters of the corporation ~~is in~~ favor ~~of~~ consolidating the school corporations.

(b) If a protest is filed in more than one (1) school corporation, the elections shall be held on the same day. Each county election board shall give notice by publication once each week for two (2) consecutive weeks in a newspaper of general circulation in the school corporation. If a newspaper is not published in the:

(1) township;
(2) town; or
(3) city;

the notice shall be published in the nearest newspaper published in the county or counties, **stating** that ~~on a day and at an hour to be named in the notice, the polls will be open at the usual voting places in the various precincts in the corporation for taking the vote of the legal~~ **a public question will be on the ballot asking the** voters ~~upon~~ whether the school corporation shall be consolidated with the other school corporations joining in the resolution.

~~(c) The public question shall be placed on the ballot in the form provided by IC 3-10-9-4 and must state: "Shall (insert name of school corporation) be consolidated with (insert names of other school corporations)?".~~

~~(d)~~ **(c)** Notice shall be given not later than thirty (30) days ~~after the petition is filed. The election shall be held not less than ten (10) days or more than twenty (20) days after the last publication of the notice.~~ **before the date of the election.**

~~(e)~~ **(d)** The governing body of each school corporation in which an election is held is bound by the majority vote of those voting. ~~However, if the election falls within a period of not more than six (6) months before a primary or general election, the election shall be held concurrently with the primary or general election if the public question is certified to the county election board not later than the deadline set forth in IC 3-10-9-3.~~

~~(f)~~ **(e)** If a majority of those voting in any one (1) school corporation votes against the plan of consolidation, the plan fails. However, the failure does not prevent any or all the school corporations from taking further initial action for the consolidation of school corporations under this chapter.

SECTION 71. IC 20-23-6-6, AS AMENDED BY P.L.244-2017, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) ~~On the day and hour named in the notice filed under section 5 of this chapter, polls shall be opened and the votes of the registered voters shall be taken upon the public question of consolidating school corporations.~~ The election **at which the public question is placed on the ballot under section 5 of this chapter** shall be governed by IC 3, except as provided in this chapter.

(b) The county election board shall conduct the election. The public question shall be placed on the ballot in the form prescribed by IC 3-10-9-4 and must state "Shall (here insert the names of the school corporations that the resolution proposes to consolidate) be consolidated into a consolidated school corporation?".

(c) A brief statement of the provisions in the resolution for appointment or election of a governing body may be placed on the ballot in the form prescribed by IC 3-10-9-4. A certificate of the votes cast for and against the consolidation of the school corporations shall be filed with:

(1) the governing body of the school corporations subject to the election;
(2) the state superintendent; and
(3) the county recorder of each county in which a consolidated school corporation is located;

together with a copy of the resolution.

(d) If a majority of the votes cast at each of the elections is in favor of the consolidation of two (2) or more school corporations, the trustees of the school corporations shall proceed to consolidate the schools and provide the necessary buildings and equipment. In any school corporation where a petition was not filed and an election was not held, the failure on the part of the voters to file a petition for an election shall be considered to give the consent of the voters of the school corporation to the consolidation as set out in the resolution.

~~(e) If the special election is not conducted at a primary or general election, the expense of the election shall be borne by the school corporation or each of the school corporations subject to the election and shall be paid out of the school corporation's operations fund.~~

SECTION 72. IC 20-46-1-14, AS AMENDED BY P.L.278-2019, SECTION 175, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. ~~(a)~~ The referendum shall be held ~~in~~ **at** the next ~~primary election, general election, or municipal~~ election **permitted under IC 3-10-9-3(a)** in which all the registered voters who are residents of the

appellant school corporation are entitled to vote after certification of the question under IC 3-10-9-3. The certification of the question must occur not later than noon

~~(1) seventy-four (74) days before a primary election if the question is to be placed on the primary or municipal primary election ballot; or~~

~~(2)~~ August 1. ~~if the question is to be placed on the general or municipal election ballot.~~

~~(b) However, if a primary election, general election, or municipal election will not be held during the first year in which the public question is eligible to be placed on the ballot under this chapter and if the appellant school corporation requests the public question to be placed on the ballot at a special election, the public question shall be placed on the ballot at a special election to be held on the first Tuesday after the first Monday in May or November of the year. The certification must occur not later than noon:~~

~~(1) sixty (60) days before a special election to be held in May (if the special election is to be held in May); or~~

~~(2) on August 1 (if the special election is to be held in November).~~

~~(c) If the referendum is not conducted at a primary election, general election, or municipal election, the appellant school corporation in which the referendum is to be held shall pay all the costs of holding the referendum.~~

SECTION 73. IC 20-46-9-14, AS ADDED BY P.L.272-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. ~~(a)~~ The referendum shall be held in the next ~~primary election, general election, or municipal election in which all the registered voters who are residents of the school corporation are entitled to vote~~ **election permitted under IC 3-10-9-3(a)** after certification of the question under IC 3-10-9-3. The certification of the question must occur not later than noon

~~(1) sixty (60) days before a primary~~ election ~~if the question is to be placed on the primary or municipal primary election ballot; or~~

~~(2)~~ August 1. ~~if the question is to be placed on the general or municipal election ballot.~~

~~(b) However, if a primary election, general election, or municipal election will not be held during the first year in which the public question is eligible to be placed on the ballot under this chapter and if the school corporation requests the public question to be placed on the ballot at a special election, the public question shall be placed on the ballot at a special election to be held on the first Tuesday after the first Monday in May or November of the year. The certification must occur not later than noon:~~

~~(1) sixty (60) days before a special election to be held in May (if the special election is to be held in May); or~~

~~(2) August 1 (if the special election is to be held in November).~~

~~(c) If the referendum is not conducted at a primary election, general election, or municipal election, the school corporation in which the referendum is to be held shall pay all the costs of holding the referendum.~~".

Page 31, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 78. IC 36-1-1.5-8, AS ADDED BY P.L.234-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. The following apply if the voters of an eligible municipality file a sufficient petition under section 7 of this chapter:

(1) The clerk of the eligible municipality shall certify the petition to the county election board.

(2) ~~A special election on~~ The public question shall be held in the eligible municipality ~~in the manner prescribed by IC 3-10-8-6. The special election shall be held on a date that:~~

~~(A) is determined by the legislative body of the eligible municipality; and~~

~~(B) is not more than one (1) year after the date on which the clerk of the eligible municipality certifies the petition to the county election board.~~

at the next election permitted under IC 3-10-9-3(a).

(3) The clerk of the eligible municipality shall give notice of the ~~special~~ election by publication in the manner prescribed by IC 5-3-1.

~~(4) The eligible municipality shall pay the costs of holding the special election.~~

~~(5)~~ **(4)** The county election board shall place the following question on the ballot in the eligible municipality:

"Shall the territory of _____ (insert the name of the eligible municipality) be transferred from _____ (insert the name of the transferor township) to an adjacent township?".

~~(6)~~ **(5)** After the ~~special~~ election on the public question is held, the county election board:

(A) shall file with the clerk of the eligible municipality the results of the ~~special~~ election for each precinct of the eligible municipality in the manner prescribed by IC 3-12-4; and

(B) shall certify a copy of the results of the ~~special~~ election to:

(i) the county auditor;

(ii) the legislative body and executive of the eligible municipality; and

(iii) the legislative body and executive of each township that includes territory of the eligible municipality.

SECTION 79. IC 36-1-1.5-9, AS AMENDED BY P.L.129-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. The following apply if at least two-thirds (2/3) of the voters voting ~~in a special election~~ **on the public question** under this chapter vote "yes" on the public question: ~~under this chapter:~~

(1) The legislative body of the eligible municipality may, within one (1) year after the ~~special~~ election, submit a petition to one (1) or more adjacent townships requesting an adjacent township to accept the transfer of the territory of the eligible municipality that is within the transferor township.

(2) The legislative body of an adjacent township that receives a petition under subdivision (1) may adopt a

resolution accepting the transfer of the territory of the eligible municipality that is within the transferor township and specifying the date on which the transfer is effective. However, the legislative body of the adjacent township may adopt a resolution accepting the transfer of the territory of the eligible municipality only within the two (2) year period following the date on which the legislative body receives the petition.

(3) If the legislative body of the eligible municipality submits a petition to one (1) or more adjacent townships under subdivision (1) within one (1) year after the ~~special~~ election, but a resolution accepting the transfer of the territory of the eligible municipality within the transferor township is not adopted by the legislative body of an adjacent township within the two (2) year period following the date on which the last legislative body of a township receives such a petition:

(A) the territory of the eligible municipality may not be transferred under this chapter; and

(B) a subsequent ~~special~~ election under this chapter may not be held in the eligible municipality.

(4) If the legislative body of the eligible municipality does not submit a petition to one (1) or more adjacent townships under subdivision (1) within one (1) year after the ~~special~~ election:

(A) the territory of the eligible municipality may not be transferred under this chapter; and

(B) a subsequent ~~special~~ election under this chapter may not be held in the eligible municipality.

SECTION 80. IC 36-1-1.5-10, AS ADDED BY P.L.234-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. If less than two-thirds (2/3) of the voters voting ~~in a special election~~ **on the public question** under this chapter vote "yes" on the public question: ~~under this chapter:~~

(1) the territory of the eligible municipality may not be transferred under this chapter; and

(2) a subsequent ~~special~~ election under this chapter may not be held in the eligible municipality.".

Page 31, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 82. IC 36-5-1-8, AS AMENDED BY P.L.216-2015, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) The county executive may approve a petition for incorporation only if it finds all of the following:

(1) That the proposed town is used or will, in the reasonably foreseeable future, be used generally for commercial, industrial, residential, or similar purposes.

(2) That the proposed town is reasonably compact and contiguous.

(3) That the proposed town includes enough territory to allow for reasonable growth in the foreseeable future.

(4) That a substantial majority of the property owners in the proposed town have agreed that at least six (6) of the following municipal services should be provided on an adequate basis:

(A) Police protection.

(B) Fire protection.

(C) Street construction, maintenance, and lighting.

(D) Sanitary sewers.

(E) Storm sewers.

(F) Health protection.

(G) Parks and recreation.

(H) Schools and education.

(I) Planning, zoning, and subdivision control.

(J) One (1) or more utility services.

(K) Stream pollution control or water conservation.

(5) That the proposed town could finance the proposed municipal services with a reasonable tax rate, using the current assessed valuation of properties as a basis for calculation.

(6) That incorporation is in the best interest of the territory involved. This finding must include a consideration of:

(A) the expected growth and governmental needs of the area surrounding the proposed town;

(B) the extent to which another unit can more adequately and economically provide essential services and functions; and

(C) the extent to which the incorporators are willing to enter into agreements under IC 36-1-7 with the largest neighboring municipality, if that municipality has proposed such agreements.

(b) If the county executive determines that the petition satisfies the requirements set forth in subsection (a), the county executive may do any of the following:

(1) Adopt an ordinance under section 10.1 of this chapter incorporating the town.

(2) Deny the petition.

(3) Adopt a resolution to place a public question concerning the incorporation on the ballot at ~~an~~ **the next** election **permitted under IC 3-10-9-3(a).** ~~The county executive shall request a date for the election as follows:~~

~~(A) If the county executive requests the public question be on the same date as a general election or primary election:~~

~~(i) the resolution must state that the election is to be on the same date as a general or primary election, and must be certified in accordance with IC 3-10-9-3; and~~

~~(ii) the election must be held on the date of the next general election or primary election, whichever is earlier, at which the question can be placed on the ballot under IC 3-10-9-3.~~

~~(B) If a petition contains a request for a special election, the county executive may request that the public question concerning the incorporation will be on the ballot of a special election. An election may be considered a special election only if it is conducted on a date other than the date of a general election or primary election. The date of the special election must be:~~

~~(i) at least seventy-four (74) and not more than one hundred four (104) days after the notice of the election is filed under IC 3-10-8-4; and~~

~~(ii) not later than the next general election or primary election, whichever is earlier.~~

~~If the public question is on the ballot of a special election the petitioners shall pay the costs of holding the special election.~~ If the county executive adopts a resolution under this subdivision, the county executive shall file the resolution and the petition with the circuit court clerk of each county that contains any part of the territory sought to be incorporated.

(c) After a resolution is filed with a circuit court clerk under subsection (b)(3), the circuit court clerk shall certify the resolution to the county election board. The county election board shall place the following public question on the ballot:

"Shall (insert a description of the territorial boundaries) be incorporated as a town?".

Only the registered voters residing within the territory of the proposed town may vote on the public question.

(d) Not earlier than sixty (60) days and not later than thirty (30) days before the election, the petitioners shall publish a notice in accordance with IC 5-3-1 in each county where the proposed town is located. The notice must include the following:

(1) A description of the boundaries of the proposed town and the quantity of land contained in the territory of the proposed town.

(2) The information provided under section 3(3) through 3(6) of this chapter.

(3) The name, telephone number, and electronic mail address (if available) of the contact person for the petitioners.

(4) A statement that the petition is available for inspection and copying in the office of the circuit court clerk of each county where the proposed town is located.

The petitioners shall submit proof of publication of the notice to the circuit court clerk of each county in which the proposed town is located. A defect in the form of the notice does not invalidate the petition.

(e) If a majority of the voters residing within the territory of the proposed town:

(1) vote "no" on the public question, the territory is not incorporated as a town, and a new petition for incorporation may not be filed within the period set forth in section 9 of this chapter; or

(2) vote "yes" on the public question, the county executive of each county in which the proposed town is located shall adopt an ordinance under section 10.1 of this chapter.

(f) The circuit court clerk shall certify the results of a public question under this section to the following:

(1) The county executive of each county in which the proposed incorporated territory is located.

(2) The county auditor of each county in which the proposed incorporated territory is located.

(3) The department of local government finance.

(4) The department of state revenue.

(5) The state board of accounts.

(6) The office of the secretary of state.

(7) The office of census data established by IC 2-5-1.1-12.2.

(8) The election division.

SECTION 83. IC 36-5-1.1-10.6, AS AMENDED BY P.L.113-2010, SECTION 128, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.6. (a) This section applies to included towns.

(b) The dissolution of a town under this section may be instituted by filing a petition with the county board of registration. The petition must be signed by at least the number of the registered voters of the town required to place a candidate on the ballot under IC 3-8-6-3. The petition must be filed not later than June 1 of a year in which a general **election** or municipal **general** election will be held.

(c) If a petition meets the criteria set forth in subsection (b), the county board of registration shall certify the public question to the county election board under IC 3-10-9-3. The county election board shall place the question of dissolution on the ballot provided for voters in the included town at the first general **election** or municipal **general** election following certification. The question shall be placed on the ballot in the form prescribed by IC 3-10-9-4 and must state "Shall the town of _____ dissolve?".

(d) If the public question is approved by a majority of the voters voting on the question, the county election board shall file a copy of the certification prepared under IC 3-12-4-9 concerning the public question described by this section with the following:

(1) The circuit court clerk of the county.

(2) The office of the secretary of state.

(e) Except as provided in subsection (f), dissolution occurs:

(1) at least sixty (60) days after certification under IC 3-12-4-9; and

(2) when the certification is filed under subsection (d).

(f) A dissolution under this section may not take effect during the year preceding a year in which a federal decennial census is conducted. A dissolution under this section that would otherwise take effect during the year preceding a year in which the federal decennial census is conducted takes effect January 1 of the year in which a federal decennial census is conducted.

(g) When a town is dissolved under this section:

(1) the territory included within the town when the ordinance was adopted becomes a part of the consolidated city;

(2) the books and records of the town become the property of the county executive;

(3) the property owned by the town after payment of debts and liabilities shall be disposed of by the county executive; and

(4) the county executive shall deposit any proceeds remaining after payment of debts and liabilities into the county general fund.

(h) The dissolution of a town under this section does not affect the validity of a contract to which the town is a party.

~~(i) Notwithstanding subsection (f) as that subsection existed on December 31, 2009, a dissolution that took effect January 2, 2010, because of the application of subsection (f), as that subsection existed on December 31, 2009, is instead considered to take effect January 1, 2010, without any additional action being required.~~".

Page 35, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 87. IC 36-5-2-4.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4.2. (a) This section applies to the alteration of the number of members of a legislative body.

(b) The legislative body may adopt a resolution to submit a public question on the number of legislative body members to the voters of the town. The resolution must state the following:

(1) The proposed number of legislative body members, which must be at least three (3) and not more than seven (7).

(2) The date of the general **election or** municipal ~~or special~~ **general** election at which the public question will appear on the ballot.

(3) That the following question will be placed on the ballot in the form provided by IC 3-10-9-4:

"Shall the number of town council members be increased (or decreased, if applicable) from _____ (insert the current number of members provided for) to _____ (insert the number of members proposed in the resolution)?".

(c) IC 3 applies to an election conducted under subsection (b). If the county election board will conduct the election at which the public question will be submitted, the question must be certified to the board under IC 3-10-9-3.

(d) If a majority of the votes cast on the question under subsection (b) are in the negative, the legislative body may not adopt a resolution under subsection (b) for at least one (1) year following the date the prior resolution was adopted.

(e) If a majority of votes cast on the question under subsection (b) are in the affirmative, the legislative body shall adopt an ordinance at its next regular meeting following the election altering the number of legislative body members to the number specified in the public question. The legislative body may also alter existing districts and establish new districts in the manner prescribed by IC 36-5-1-10.1. An ordinance adopted under this subsection becomes effective January 1 following its adoption.

(f) If the number of legislative body members is increased, the legislative body shall fill any resulting vacancy under IC 3-13-9-4. The legislative body may fill the vacancy before the ordinance described in subsection (e) takes effect. However, a town legislative body member appointed under this subsection does not assume office until the beginning of the term specified in section 3 of this chapter.".

Page 36, after line 16, begin a new paragraph and insert:

"SECTION 72. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1222 as printed January 24, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 2.

WALKER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1224, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Engrossed House Bill 1343, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 4 with "[EFFECTIVE FEBRUARY 17, 2020 (RETROACTIVE)]".

(Reference is to HB 1343 as printed January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

PERFECT, Chair

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SCR 13 Senator Spartz
Congratulating the Noblesville H.S. girls soccer team.

SCR 43 Senator Alting
Congratulating the Lafayette Jefferson H.S. Marching Band.

SCR 45 Senator Ruckelshaus
Recognizing Indiana Arts Education Day at the Statehouse.

SCR 46 Senator Alting
Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.

HCR 23 Senator Alting
Congratulating the 2019 Lafayette Central Catholic High School football team.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 13

Senate Concurrent Resolution 13, introduced by Senator Spartz:

A CONCURRENT RESOLUTION congratulating the Noblesville High School girls soccer team on winning the 2019 Indiana High School Athletic Association ("IHSAA") Class 3A state championship title.

Whereas, The Noblesville High School girls soccer team captured the 2019 IHSAA Class 3A state championship title by beating defending state champion Carmel 1-0;

Whereas, To earn its spot in the championship match, the Millers defeated Anderson and Hamilton Southeastern in the sectional championship, Fort Wayne Carroll and McCutcheon in the regional championship, and Penn in the semi-state championship;

Whereas, The championship match remained scoreless until the 44th minute, when Jenna Chatterton found Kiana Siefert on a cross pass and Siefert scored the goal to determine the match's outcome;

Whereas, Though Carmel outshot Noblesville 14-11 and led 8-6 in shots on goal, the Millers's strong defense and goalkeeper Sarah Kile's seven saves stopped Carmel from scoring;

Whereas, The Millers, led by coach Mike Brady, finished the season with a 17-0-3 record and earned the school's first state championship title in girls soccer; and

Whereas, Noblesville's hard work, grit, and determination was key to the team's success in achieving the state championship: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Noblesville High School girls soccer team on winning the 2019 IHSAA Class 3A state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each member of the Noblesville High School girls soccer team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Goodrich.

Senate Concurrent Resolution 43

Senate Concurrent Resolution 43, introduced by Senator Alting:

A CONCURRENT RESOLUTION congratulating the Lafayette Jefferson High School Marching Band on winning the Indiana State School Music Association Scholastic Class A State Finals.

Whereas, The 2019 Lafayette Jefferson High School Marching Band won the Indiana State School Music Association's (ISSMA) Scholastic Class A State Finals on October 26, 2019;

Whereas, The 2019 ISSMA competition was held in Indianapolis at Lawrence Central High School, and featured 34 marching bands competing in one of two categories, Scholastic A and Scholastic B, based on band size and school enrollment;

Whereas, Though weather prevented the band from performing outdoors to tell the entire visual story, the Lafayette Jefferson Marching Bronchos performed their routine, Persistence of Time, after spending hours of hard work and practice perfecting the show; and

Whereas, Winning the 2019 ISSMA Scholastic Class A earned the Lafayette Jefferson High School Marching Bronchos an invitation to perform at the 2019 Indiana State School Music Association Marching Band Finals: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Lafayette Jefferson High School Marching Band on winning the 2019 ISSMA Scholastic Class A State Finals.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Chris Paulson, Director of the Lafayette Jefferson High School Marching Band.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Klinker.

Senate Concurrent Resolution 45

Senate Concurrent Resolution 45, introduced by Senator Ruckelshaus:

A CONCURRENT RESOLUTION recognizing Indiana Arts Education Day at the Statehouse.

Whereas, February 18, 2020, is Indiana Arts Education Day at the Statehouse, where the Indiana Arts Education Network, including a broad cross-section of Indiana organizations and leaders, gathers to promote that all Indiana students deserve a well-rounded education that includes music and the arts;

Whereas, A representation of Indiana's best and brightest music and arts champions attend Indiana Arts Education Day, with dozens of honorees from a variety of state and national organizations, such as the Educational Theater Association, the Indiana Music Educators Association, the Indiana State School Music Association, Indiana Thespians, the Jazz Education Network, Music for All, the NAMM Foundation, the Percussive Arts Society, and more;

Whereas, The Indiana Arts Education Network, collaborating with music and arts education advocates from around the state, is committed to ensuring that every Indiana student has reliable access to music and arts education;

Whereas, The Indiana Arts Education Network is dedicated to ensuring that every Indiana child reaches their full potential so they will be equipped to lead successful lives and help make Indiana the best place in the country to live and work;

Whereas, Students with greater arts participation are more likely to come to class, avoid being removed and graduate, as well as demonstrate greater proficiency in mathematics and communication;

Whereas, The skills gained through sequential music instruction, including discipline and the ability to analyze, solve problems, communicate, and work cooperatively, are vital for workplace readiness;

Whereas, Creative drama involvement improves adults' divergent thinking, increasing their fluency and flexibility, thereby increasing their creativity;

Whereas, The values youth obtain from working in the arts that carry over into general learning include critical thinking skills and risk-taking; and

Whereas, The Indiana Arts Education Network is dedicated to serving all Indiana students by supporting their ability to get the well-rounded education, including music and the arts, that they deserve: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes Indiana Arts Education Day at the Statehouse and the importance of arts education to all young Hoosiers.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the Indiana Arts Education Network.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Carbaugh.

Senate Concurrent Resolution 46

Senate Concurrent Resolution 46, introduced by Senators Alting, Bohacek, Becker, Koch, Ruckelshaus, and Tomes:

A CONCURRENT RESOLUTION recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.

Whereas, February 24-28, 2020, is National Public Schools Week to recognize the importance of public education;

Whereas, Public schools prepare young people to contribute to the society, economy, and citizenry of Indiana and the United States, and 90% of children in the United States attend public schools;

Whereas, State and federal lawmakers should prioritize support for strengthening the public schools of Indiana and empower superintendents, principals, and school leaders to implement, manage, and lead school districts and schools in partnership with educators, parents, and other local education stakeholders;

Whereas, Public schools should foster inclusive, safe, and high-quality environments where children can learn to think critically, problem solve, and build relationships;

Whereas, Every child should receive an education that helps the child reach the child's full potential and to attend schools that offer a high-quality educational experience;

Whereas, Superintendents, principals, school leaders, teachers, paraprofessionals, and parents make public schools vital components of communities and are working hard to improve educational outcomes for children across the country; and

Whereas, The importance of public education in Indiana cannot be overstated: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes Indiana public schools and National Public Schools Week.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the Indiana Coalition for Public Education.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Pressel.

House Concurrent Resolution 23

House Concurrent Resolution 23, sponsored by Senator Alting:

A CONCURRENT RESOLUTION congratulating the 2019 Lafayette Central Catholic High School football team.

Whereas, The 2019 Lafayette Central Catholic High School football team won the IHSAA Class A state title at Lucas Oil Stadium on November 29, 2019;

Whereas, The Knights achieved victory in a hard fought game, winning 29-28 over Indianapolis Lutheran;

Whereas, Sophomore quarterback Clark Barrett set up senior Ky Schrader for a 1-yard touchdown with 10 seconds left on the clock, and followed with the game winning pass to senior Reece Buche in the last seconds of the fourth quarter;

Whereas, The Knights entered the state championship game with a 10-game winning streak and finished the 2019 season with a 12-3 record;

Whereas, Head coach Brian Nay led the Knights to their eighth state title with the essential support of staff and assistant coaches including: Tom Yarnall, Chloe Wagers, Gavin Breyfogle, Cody Christopher, Nate Deno, Clay Finney, Max Goodin, Jeff Onken, Connor Ray, Alex Schrader, Cody Schrader, Grant Seaburg, and athletic director Tim Bordenet;

Whereas, The 2019 Lafayette Central Catholic winning team consisted of: Ben Mazur, Owen Munn, Aiden Sattler, Tanner Fields, Evan Dienhart, Tyler Fox, Robert Koch, Baylor Smith, Leo Bordenet, Brady Miller, Isaac Buche, Zach Kerr, Joey Drerup, Aiden Schaefer, T.J. Bell, Jack Spencer, Ty Buche, Clark Barrett, Justin Brady, Cres Rodriguez, Carter Johnson, Keagan O'Connor, Alex Denney, Joey Stair, Nathan Hardenburg, Andrew Kline, Brenner Oliver, Anthony Dimmitt, Jacob Bunton, Tommy Puskar, Sam Seaburg, Tommy Regich, Wade Hardebeck, Jesse Neihouser, Evan Munn, Reece Buche, Kyle Onken, Ky Schrader, Isaac Switzer, Nolan Talley, Daniel Roach, Joaquin Gallo, Evan Suppinger, Pete Spencer, Drew Schrader, Gus German, and managers Paul Schrader and Dylan Meek;

Whereas, The Knights' state championship and 12-3 season record indicate the hard work, talent, skill, and commitment given by each player to high school football and their team; and

Whereas, This achievement will be remembered by players, coaches, staff, friends, family, and fans for years to come: Therefore,

Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates the Lafayette Central Catholic High School football team for its 2019 state championship win.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to head coach Brian Nay of the Lafayette Central Catholic High School football team for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

SENATE MOTION

Madam President: I move that the following memorial resolutions be adopted:

HCR 34 Senator Perfect
Memorializing Lance Corporal Jacky Ray Koenig Jr., United States Marine Corps.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 34

House Concurrent Resolution 34, sponsored by Senator Perfect:

A CONCURRENT RESOLUTION memorializing Lance Corporal Jacky Ray Koenig Jr., United States Marine Corps.

Whereas, Lance Corporal Jacky Ray Koenig Jr. was born on September 27, 1996, in Bakersfield, California, to Jack Koenig Sr. and Patricia Espinosa Koenig;

Whereas, Lance Cpl. Koenig grew up in North Vernon, Indiana, and attended Jennings County High School, where he competed in track, cross country, and wrestling;

Whereas, Lance Cpl. Koenig, an avid cross country runner, practiced and ran in meets at the Muscatatuck County Park, along the banks of the Muscatatuck River;

Whereas, Lance Cpl. Koenig had a servant's heart throughout his life and volunteered with the Muscatatuck River cleanup project yearly while attending Jennings County High School;

Whereas, Lance Cpl. Koenig graduated in 2014 from Jennings County High School and in 2015 joined the United States Marine Corps;

Whereas, Lance Cpl. Koenig was stationed at Camp Pendleton, California, and deployed to Camp Butler in Okinawa, Japan, and served as a member of the Marine Light Attack Helicopter Squadron 267; and

Whereas, On April 9, 2017, Lance Cpl. Jacky Ray Koenig Jr. died at 20 years of age during a training exercise while deployed in Okinawa, Japan: Therefore,

Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:

SECTION 1. That the Indiana General Assembly memorializes Lance Corporal Jacky Ray Koenig Jr. for his service to the United States of America as a marine and Hoosier.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Jim Lucas.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

Senate Concurrent Resolution 35

Senate Concurrent Resolution 35, introduced by Senator L. Brown:

A CONCURRENT RESOLUTION congratulating the Fort Wayne Concordia Lutheran High School boys cross country team on winning the 2019 Indiana High School Athletic Association ("IHSAA") state championship title.

Whereas, The Fort Wayne Concordia Lutheran High School boys cross country team won the 2019 IHSAA state championship title with a score of 93 points;

Whereas, The Concordia Cadets dominated throughout the state tournament, winning the sectional, regional, and semi-state championships;

Whereas, Four Concordia runners placed in the top 30 during the state meet to hold off defending state champion Carmel;

Whereas, Concordia was led in scoring by Reece Gibson in 5th place, followed by Drake Kropf and Wilson Whicker in 17th and 18th place, respectively, Karsten Schlegel in 29th place, and Luke Bentz in 67th place overall;

Whereas, After the championship season, the Indiana Track and Cross Country Coaches Association named Reece Gibson the Class 3A All State Runner of the Year, and Drake Kropf, Wilson Whicker, and Karsten Schlegel were named to the All State 1st Team; and

Whereas, Led by head coach Scott Steffen, the Concordia Cadets won the school's first cross country team title: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Fort Wayne Concordia Lutheran High School boys cross country team on winning the 2019 IHSAA state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each member of the Fort Wayne Concordia Lutheran High School boys cross country team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Carbaugh.

Senate Concurrent Resolution 33

Senate Concurrent Resolution 33, introduced by Senators Becker and Charbonneau:

A CONCURRENT RESOLUTION honoring Hoosier long-term care professionals.

Whereas, Hoosier long-term care professionals provide compassionate services that help to care for people with a chronic illness or disability;

Whereas, Focused on the elderly and mentally frail, long-term care professionals remain dedicated to improving Hoosiers' health and providing pathways to recovery and affordable living;

Whereas, Long-term care professionals not only are exceptional caregivers, they also introduce the highest quality control into home, adult, and other community-based healthcare facilities;

Whereas, Long-term care professionals provide stability and a better quality of life for their patients, leading to valued lifelong relationships; and

Whereas, Demonstrating high standards of professionalism, these caregivers dedicate extensive hours and promote innovative solutions for vulnerable Hoosiers: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes the countless hours of dedicated service and the multitude of contributions made by Hoosier long-term care professionals.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the Indiana Healthcare Association.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Macer and Fleming.

Senate Concurrent Resolution 47

Senate Concurrent Resolution 47, introduced by Senators Grooms and Garten:

A CONCURRENT RESOLUTION congratulating Michael Cleveland for winning the 2020 Grammy Award for Best Bluegrass Album.

Whereas, Michael Cleveland, a fiddler from Charlestown, Indiana, won the 2020 Grammy Award for Best Bluegrass Album, his second career Grammy Award;

Whereas, Born in Henryville in 1980, Michael learned to play by ear and began fiddling at a young age after hearing a fiddler play "Orange Blossom Special";

Whereas, When he was nine years old, Michael attended the Bean Blossom Bluegrass Festival and performed with bluegrass founding father Bill Monroe, beginning his young music performing career;

Whereas, Michael's talents were recognized at an early age while making appearances on the Grand Ole Opry stage, the

radio show A Prairie Home Companion, and before the United States Congress;

Whereas, After graduating from the Kentucky School for the Blind, Michael began performing professionally, and released his first solo album, "Sawing on the C String", in 1998;

Whereas, Michael has performed with numerous bluegrass and country legends including Bill Monroe, Ralph Stanley, Doyle Lawson, Allison Krauss, and Vince Gill;

Whereas, Michael is the recipient of numerous awards, including being a three-time winner of the International Bluegrass Music Association (IBMA) Instrumental Album of the Year Award, an eleven-time winner of the IBMA Fiddle Player of the Year Award, and being a three-time winner of the IBMA Instrumental Group of the Year Award with his band, Flamekeeper;

Whereas, In 2018, Michael won his first Grammy Award for Best Bluegrass Album for his solo album "Fiddler's Dream";

Whereas, Two years later, Michael was nominated for and won his second Grammy Award for Best Bluegrass Album for his album "The Tall Fiddler"; and

Whereas, Michael Cleveland's fiddle talents have taken him all over the world, and he is an exemplary representative of southeastern Indiana: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Michael Cleveland for winning the 2020 Grammy Award for Best Bluegrass Album and wishes him well in his future success.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Michael Cleveland.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Goodin.

Senate Resolution 16

Senate Resolution 16, introduced by Senator Bray:

A SENATE RESOLUTION recognizing the Martinsville Candy Kitchen for 100 years in business.

Whereas, The Martinsville Candy Kitchen has been located on Main Street in downtown Martinsville since its founding in 1919;

Whereas, Independently owned and operated, the Martinsville Candy Kitchen is world renowned as one of the few remaining candy stores that still makes candy canes by hand;

Whereas, The Martinsville Candy Kitchen hosts demonstrations of its candy-making process throughout the year, and during the holiday season customers can view candy cane pours every weekend;

Whereas, A regular stop of NCAA basketball coach John Wooden, Martinsville Candy Kitchen's customers can still ask for some of Coach Wooden's favorite childhood candies today;

Whereas, The Martinsville Candy Kitchen delivers its delectable treats from Indiana to places around the world, bringing joy to sweet-tooths everywhere; and

Whereas, A family-owned, small-town tradition, the Martinsville Candy Kitchen is a successful Indiana small business that will continue to serve homemade treats for generations to come: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate recognizes the Martinsville Candy Kitchen for 100 years in business.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Martinsville Candy Kitchen owners John and Pam Badger.

The resolution was read in full and adopted by voice vote.

House Concurrent Resolution 41

House Concurrent Resolution 41, sponsored by Senator Crane:

A CONCURRENT RESOLUTION recognizing Katie Pourcho, 2020 Indiana Teacher of the Year.

Whereas, Ms. Katie Pourcho is Indiana's 2020 Teacher of the Year for her leadership and dedication inside and outside the classroom;

Whereas, Ms. Pourcho is an art educator, teaching kindergarten through second grade at North Elementary School in the Danville Community School Corporation;

Whereas, Ms. Pourcho displays exceptional skill and great passion while teaching her students how to use art as a source of expression;

Whereas, Ms. Pourcho is a graduate of Ball State University and holds a bachelor of arts in visual art education, with K-12 honors;

Whereas, Ms. Pourcho serves as a new teacher mentor for art educators entering the classroom, and she was the 2016 recipient of a Teacher Creativity Fellowship from the Lilly Endowment; and

Whereas, Ms. Pourcho is a professional artist in her community and works closely with the National Art Education Association and Danville Community School Corporation's Art Department Professional Learning Community: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates Ms. Katie Pourcho as Indiana's 2020 Teacher of the Year.

SECTION 2. That the Indiana General Assembly honors Ms. Katie Pourcho for her many contributions to Indiana as an educator in her community.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Jeff Thompson for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 35, 36, 37, 38, and 39 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 2 and 31 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, with amendments, Engrossed Senate Bill 80 and the same is herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bill 307 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON SECOND READING

Senate Resolution 30

Senator Tomes called up Senate Resolution 30 for second reading. The resolution was read a second time and adopted by voice vote.

House Concurrent Resolution 20

Senator Bohacek called up House Concurrent Resolution 20 for second reading. The resolution was read a second time and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1022

Senator Messmer called up Engrossed House Bill 1022 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1022–2)

Madam President: I move that Engrossed House Bill 1022 be amended to read as follows:

Page 3, line 3, delete "is".

Page 3, line 3, strike "entitled to the same fees" and insert "**may charge a fee of not more than ten dollars ($10) per signature for each of the following notarial acts:**

(1) Taking an acknowledgment.

(2) Administering an affirmation or oath.

(3) Attesting to or witnessing a signature.

(4) Taking a verification on an oath or affirmation.

(5) Attesting to or certifying a copy.

Fees for notarial acts not specified in this section but described in section 1 of this chapter are negotiable by the legislative notary.".

Page 3, line 4, strike "as those charged by".

Page 3, line 4, delete "a notary".

Page 3, line 4, strike "public.".

Page 3, after line 10, begin a new paragraph and insert:

"SECTION 6. IC 33-42-14-1, AS AMENDED BY P.L.177-2019, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) ~~A notary public may charge a fee of not more than ten dollars ($10) per signature for each of the following notarial acts:~~

~~(1) Taking an acknowledgment.~~

~~(2) Administering an affirmation or oath.~~

~~(3) Attesting to or witnessing a signature.~~

~~(4) Taking a verification on an oath or affirmation.~~

~~(5) Attesting to or certifying a copy.~~

~~(b) Fees for notarial acts not described in subsection (a) are negotiable.~~ **A notary public may charge a reasonable fee for all notarial acts. The fee shall be set by each notary public.**

~~(c)~~ **(b)** If a fee is charged for a notarial act, the notary public shall display, in advance, a list of the fees that the notary public will charge.

~~(d)~~ **(c)** Notarial acts that:

(1) are performed as part of the notary public's

employment; or

(2) do not require record keeping;

are subject to private agreement and are not governed by this section.

~~(c)~~ **(d)** A notary public may charge a reasonable fee for traveling to perform a notarial act. The travel fee requested may not exceed the federal travel fees established by the United States General Services Administration.

~~(f)~~ **(e)** Except as provided in subsection ~~(g),~~ **(f),** an individual who is a:

(1) public official; or

(2) deputy or appointee of a public official;

may not charge for notarial acts performed by the individual in connection with any official business of the public official or any other office belonging to the governmental unit in which the individual serves.

~~(g)~~ **(f)** Subsection ~~(f)~~ **(e)** does not apply to a person or transaction authorized by another statute to charge a fee for performing notarial acts.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1022 as printed February 14, 2020.)

L. BROWN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1067

Senator Leising called up Engrossed House Bill 1067 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1067–2)

Madam President: I move that Engrossed House Bill 1067 be amended to read as follows:

Page 4, line 34, after "assistant" insert "**(as defined in IC 25-14-1-1.5(4))**".

Page 5, line 20, delete "shall verify that" and insert "**shall:**".

Page 5, delete lines 21 through 22, begin a new line block indented and insert:

"**(1) verify that the dental hygienist or dental assistant has completed the requirements of subsection (a);**

(2) determine the maximum percent-dosage of nitrous oxide to be administered to the patient; and

(3) ensure that any administration or monitoring of nitrous oxide by dental hygienists or dental assistants is done in accordance with relevant guidelines and standards developed by the American Dental Association or the American Academy of Pediatric Dentistry.".

Page 6, line 1, strike "or".

Page 6, line 2, after "IC 25-22.5" delete "." and insert "; **or**

(C) a dental assistant (as defined in IC 25-14-1-1.5(4)) in compliance with section 10.7 of this chapter.".

(Reference is to EHB 1067 as printed February 14, 2020.)

LEISING

Motion prevailed. The bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1077

Senator Perfect called up Engrossed House Bill 1077 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 208: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1080

Senator Ruckelshaus called up Engrossed House Bill 1080 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 209: yeas 44, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1092

Senator Charbonneau called up Engrossed House Bill 1092 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 210: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1096

Senator M. Young called up Engrossed House Bill 1096 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 211: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the

act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1129

Senator L. Brown called up Engrossed House Bill 1129 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 212: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1143

Senator Jon Ford called up Engrossed House Bill 1143 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 213: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 41 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Crane be added as second author of Senate Resolution 16.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of House Concurrent Resolution 28.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator L. Brown be added as second sponsor of Engrossed House Bill 1022.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1022.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as cosponsor of Engrossed House Bill 1032.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1032.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1047.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1059.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1067.

LEISING

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second sponsor of Engrossed House Bill 1077.

PERFECT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as cosponsor of Engrossed House Bill 1081.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1092.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1096.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as cosponsor of Engrossed House Bill 1143.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1210.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1224.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1346.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as cosponsor of Engrossed House Bill 1392.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Thursday, February 20, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 2:39 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Twenty-First Meeting Day Thursday Afternoon February 20, 2020

The Senate convened at 1:43 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Senior Pastor Zane Bousum, Spirit of Life Church, Indianapolis.

The Pledge of Allegiance to the Flag was led by Senator James D. Ford.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane ▶
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 214: present 49; excused 1. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Senate Resolution 24, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass. Committee Vote: Yeas 6, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1003, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 5, delete lines 23 through 42.

Page 6, delete lines 1 through 3.

Page 6, delete lines 12 through 42, begin a new paragraph and insert:

"SECTION 3. IC 20-26.1 IS ADDED TO THE INDIANA CODE AS A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

ARTICLE 26.1. SCHOOL FLEXIBILITY

Chapter 1. School Flexibility

Sec. 1. (a) Subject to subsection (c) and section 4 of this chapter, a school or group of schools may submit an application to the state board, in a manner prescribed by the state board, requesting flexibility and to waive compliance with any provision in this title or 511 IAC in order to do one (1) or more of the following:

(1) Improve student performance and outcomes.

(2) Offer the applicant flexibility in the administration of educational programs.

(3) Promote innovative educational approaches to student learning.

(4) Advance the mission or purpose of the school or group of schools.

(b) The application submitted under subsection (a) must meet the following:

(1) Be approved by the following, as applicable:

(A) If a school maintained by a school corporation or a school corporation is submitting the application, the governing body of the school corporation.

(B) If a charter school is submitting the application, the organizer of the charter school.

(C) If a nonpublic school is submitting the application, the person or agency in active charge and management of the nonpublic school.

(D) If a group of schools is submitting the application, the persons or entities listed in clauses (A) through (C) that are submitting the application jointly.

(2) Include the following:

(A) A list of the one (1) or more provisions in this title, 511 IAC, or this title and 511 IAC that the school or group of schools is requesting that the state board waive.

(B) The following information:

(i) The specific goal and outcome or goals and

outcomes that the school or group of schools intends to achieve by waiving the provisions described in clause (A).

(ii) How the specific goals and outcomes described in item (i) are likely to be achieved by waiving compliance with the provisions described in clause (A).

(C) For an application submitted by the governing body of a school corporation, a copy of the resolution adopted by the governing body described in subsection (c).

(c) A governing body of a school corporation may not approve an application under subsection (b)(1) unless the governing body has adopted a resolution approving the submission of an application.

Sec. 2. (a) The state board may approve an application to waive compliance with provisions described in section 1 of this chapter only if the waiver request is related to a specific goal and outcome of the school or group of schools.

(b) The state board may approve an application under this chapter if the state board determines that approving the application will likely:

(1) improve student performance and outcomes;

(2) offer the school or group of schools flexibility in the administration of educational programs;

(3) promote innovative educational approaches to student learning; or

(4) advance the mission or purpose of the school or group of schools.

Sec. 3. (a) Notwithstanding any other law and subject to section 4 of this chapter, an applicant whose application is approved by the state board under section 2 of this chapter may waive compliance with any provision in this title or 511 IAC that is approved for waiver by the state board.

(b) The flexibility provided under this chapter is separate and distinct from flexibility provided under IC 20-26.5-2.

Sec. 4. A school or group of schools that submits an application under section 1 of this chapter may not request to waive any of the following:

(1) IC 20-23 (organization of school corporations).

(2) IC 20-26-5-10 (criminal history and child protection index check).

(3) IC 20-27-7 (school bus inspection and registration).

(4) IC 20-27-8-1 (school bus drivers and monitors).

(5) IC 20-27-8-2 (school bus driver driving summary).

(6) IC 20-27-10-3 (capacity of school bus).

(7) IC 20-28 (school teachers).

(8) IC 20-29 (collective bargaining).

(9) IC 20-30-5-0.5 (display of United States flag; Pledge of Allegiance).

(10) IC 20-30-5-1 (constitutions).

(11) IC 20-30-5-2 (constitutions; interdisciplinary course).

(12) IC 20-30-5-3 (protected writings).

(13) IC 20-30-5-4 (American history).

(14) IC 20-30-5-4.5 (moment of silence).

(15) IC 20-30-5-5 (morals instruction).

(16) IC 20-30-5-6 (good citizenship instruction).

(17) IC 20-30-5-13 (human sexuality instructional requirements).

(18) IC 20-30-5-17 (access to materials; consent for participation).

(19) IC 20-30-5-21 (contrary student instruction not permitted).

(20) IC 20-30-5-22 (Indiana studies).

(21) IC 20-31 (accountability for performance and improvement).

(22) IC 20-32-4 (graduation requirements).

(23) IC 20-32-5.1 (Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program).

(24) IC 20-32-8.5 (reading deficiency remediation).

(25) IC 20-33-1 (equal education opportunity).

(26) IC 20-34 (student health and safety measures).

(27) IC 20-35 (special education).

(28) IC 20-36 (high ability students).

(29) IC 20-39 (accounting and financial reporting procedures).

(30) IC 20-40 (government funds and accounts).

(31) IC 20-41 (extracurricular funds and accounts).

(32) IC 20-42 (fiduciary funds and accounts).

(33) IC 20-42.5 (allocation of expenditures to student instruction and learning).

(34) IC 20-43 (state tuition support).

(35) IC 20-44 (property tax levies).

(36) IC 20-46 (levies other than general fund levies).

(37) IC 20-47 (related entities; holding companies; lease agreements).

(38) IC 20-48 (borrowing and bonds).

(39) IC 20-49 (state management of common school funds; state advances and loans).

(40) IC 20-50 (homeless children and foster care children).

(41) IC 20-51 (school scholarships).

Sec. 5. The state board:

(1) shall periodically review compliance waiver requests that were approved by the state board under this chapter; and

(2) may amend, suspend, or revoke a compliance waiver request that was approved by the state board if the state board determines that the school or group of schools is not meeting the goals or outcomes described in the applicable application.

Sec. 6. Not later than November 1, 2020, and not later than November 1 each year thereafter, the state board shall do the following:

(1) Prepare a report that includes a:

(A) summary of the compliance waiver requests received by the state board; and

(B) description of compliance waiver requests that were approved and compliance waiver requests that were denied by the state board.

(2) Submit the report prepared under subdivision (1) to the general assembly in an electronic format under IC 5-14-6.

Sec. 7. The state board shall adopt rules under IC 4-22-2 necessary to implement this chapter.".

Delete page 7.
Page 8, delete lines 1 through 15.
Page 13, delete lines 40 through 42.
Page 14, delete lines 1 through 15.
Page 14, line 39, delete "or substitute teacher".
Page 15, line 4, delete "or substitute teacher".
Page 15, line 11, delete "or substitute teacher".
Page 15, line 24, after "effect" insert "**on**".
Renumber all SECTIONS consecutively.
(Reference is to HB 1003 as printed January 24, 2020.)
and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.
Committee Vote: Yeas 10, Nays 3.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1042, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 5, after "1." insert "**As used in this chapter, "biological product" has the meaning set forth in 42 U.S.C. 262(i)(1).**
Sec. 2.".
Page 1, line 12, delete "2." and insert "**3.**".
Page 1, line 14, delete "3." and insert "**4. As used in this chapter, "effective rate of reimbursement" includes the following:**
(1) Generic effective rates.
(2) Brand effective rates.
(3) Direct and indirect remuneration fees.
(4) Any other reduction or aggregate reduction of payment.
Sec. 5. As used in this chapter, "equal access and incentives" means that a pharmacy benefit manager allows any willing pharmacy provider to participate as part of any of the pharmacy benefit manager's networks and in any class or tier of any pharmacy network as long as the pharmacy provider agrees to the terms and conditions of the relevant contract applicable to any other pharmacy provider within that network.
Sec. 6. As used in this chapter, "generic drug" means a drug product that is identified by the drug's chemical name and that is:
(1) accepted by the federal Food and Drug Administration;
(2) available from at least three (3) sources; and
(3) therapeutically equivalent to an originating brand name drug.
Sec. 7.".
Page 2, line 7, delete "4." and insert "**8.**".
Page 2, line 7, delete "pharmacy"" and insert "**pharmacies"**".
Page 2, line 8, delete "a pharmacy that is" and insert "**pharmacies that are**".
Page 2, line 9, delete "5." and insert "**9. As used in this chapter, "maximum allowable cost" means the maximum amount that a pharmacy benefit manager will reimburse a pharmacy for the cost of a generic prescription drug. The term does not include a dispensing fee or professional fee.**
Sec. 10.".
Page 2, delete lines 14 through 27.
Page 2, line 28, delete "7." and insert "**11.**".
Page 2, line 30, delete "8." and insert "**12.**".
Page 2, line 33, delete "9." and insert "**13.**".
Page 2, delete lines 38 through 42, begin a new paragraph and insert:
"**Sec. 14. (a) As used in this chapter, "pharmacy benefit manager" means an entity that, on behalf of a health benefits plan, state agency, insurer, managed care organization, or other third party payor:**
(1) contracts directly or indirectly with pharmacies to provide prescription drugs to individuals;
(2) administers a prescription drug benefit;
(3) processes or pays pharmacy claims;
(4) creates or updates prescription drug formularies;
(5) makes or assists in making prior authorization determinations on prescription drugs;
(6) administers rebates on prescription drugs; or
(7) establishes a pharmacy network.
(b) The term does not include the following:
(1) A person licensed under IC 16.
(2) A health provider who is:
(A) described in IC 25-0.5-1; and
(B) licensed or registered under IC 25.
(3) A consultant who only provides advice concerning the selection or performance of a pharmacy benefit manager.".
Page 3, delete lines 1 through 7.
Page 3, line 8, delete "11." and insert "**15.**".
Page 3, line 15, delete "12." and insert "**16.**".
Page 3, line 16, delete "are" and insert "**is**".
Page 3, line 20, delete "13." and insert "**17.**".
Page 3, delete lines 25 through 33, begin a new paragraph and insert:
"**Sec. 18. (a) As used in this chapter, "rebate" means a discount or other price concession that is:**
(1) based on use of a prescription drug; and
(2) paid by a manufacturer or third party to a pharmacy benefit manager, pharmacy services administrative organization, or pharmacy after a claim has been processed and paid at a pharmacy.
(b) The term includes an incentive and a disbursement.
Sec. 19. As used in this chapter, "spread pricing" means the model of prescription drug pricing by which a pharmacy benefit manager charges a plan sponsor a contracted price for a prescription drug, and that contracted price differs from the amount the pharmacy benefit manager directly or indirectly pays the pharmacist or pharmacy for the drug or for pharmacist services related to the drug.".
Page 3, line 34, delete "15." and insert "**20.**".
Page 3, line 38, delete "16." and insert "**21.**".
Page 3, line 38, delete "shall" and insert "**shall, before establishing or operating as a pharmacy benefit manager,**

apply to and".

Page 3, line 39, delete "to operate as a pharmacy benefit manager." and insert "**.**".

Page 3, line 40, delete "17." and insert "**22. (a)**".

Page 4, line 4, after "(1)." insert "**The health plan shall determine whether the pharmacy benefit manager has provided an adequate network as required under subdivision (1).**".

Page 4, line 9, delete "18(b)(3)(B)(i)" and insert "**23(b)(3)(B)(i)**".

Page 4, between lines 11 and 12, begin a new paragraph and insert:

"**(b) A pharmacy benefit manager may not do any of the following:**

(1) Condition participation in any network on accreditation, credentialing, or licensing of a pharmacy provider that , other than a license or permit required by the Indiana board of pharmacy or other state or federal regulatory authority for the services provided by the pharmacy.

(2) Exclude a pharmacy provider from dispensing any drug product for which the pharmacy meets the manufacturer's dispensing guidelines.

(3) Discriminate against any pharmacy provider.

(4) Engage in spread pricing.

(5) Directly or indirectly retroactively deny a claim or aggregate of claims after the claim or aggregate of claims has been adjudicated, unless any of the following apply:

(A) The original claim was submitted fraudulently.

(B) The original claim payment was incorrect because the pharmacy or pharmacist had already been paid for the drug.

(C) The pharmacist services were not properly rendered by the pharmacy or pharmacist.

(6) Reduce, directly or indirectly, payment to a pharmacy for pharmacist services to an effective rate of reimbursement, including permitting an insurer or plan sponsor to make such a reduction.

(7) Pay or reimburse a pharmacy or pharmacist at an amount less than:

(A) the national average drug acquisition cost; or

(B) if the national average drug acquisition cost is unavailable, the wholesale acquisition cost for the ingredient drug product component of drugs provided by the pharmacist or pharmacy.

A violation of this subsection by a pharmacy benefit manager constitutes an unfair or deceptive act or practice in the business of insurance under IC 27-4-1-4.".

Page 4, line 12, delete "18." and insert "**23.**".

Page 4, delete lines 20 through 21.

Page 4, line 24, delete "." and insert "**in an amount not to exceed five hundred dollars ($500) to be deposited in the department of insurance fund established by IC 27-1-3-28.**".

Page 4, delete line 36.

Page 4, line 37, delete "(vi)" and insert "**(v)**".

Page 4, line 39, delete "(vii)" and insert "**(vi)**".

Page 4, line 42, delete "(viii)" and insert "**(vii)**".

Page 5, line 2, delete "(ix)" and insert "**(viii)**".

Page 5, delete lines 4 through 14, begin a new paragraph and insert:

"**(c) Financial information and proprietary information submitted by a pharmacy benefit manager to the department is confidential.**".

Page 5, line 15, delete "20." and insert "**24.**".

Page 5, delete lines 19 through 20, begin a new paragraph and insert:

"**Sec. 25. (a) Beginning June 1, 2021, and annually thereafter, a pharmacy benefit manager shall submit a report containing data from the immediately preceding calendar year to the commissioner containing all of the following:**

(1) The aggregate amount of all rebates that the pharmacy benefit manager received from all pharmaceutical manufacturers for:

(A) all insurers; and

(B) each insurer;

with which the pharmacy benefit manager contracted during the immediately preceding calendar year.

(2) The aggregate amount of administrative fees that the pharmacy benefit manager received from all pharmaceutical manufacturers for:

(A) all insurers; and

(B) each insurer;

with which the pharmacy benefit manager contracted during the immediately preceding calendar year.

(3) The aggregate amount of retained rebates that the pharmacy benefit manager received from all pharmaceutical manufacturers and did not pass through to insurers with which the pharmacy benefit manager contracted during the immediately preceding calendar year.

(4) The highest, lowest, and mean aggregate retained rebate for:

(A) all insurers; and

(B) each insurer;

with which the pharmacy benefit manager contracted during the immediately preceding calendar year.

(b) Not later than sixty (60) days after the commissioner receives a report required by this section, the commissioner shall publish the report on the department's Internet web site.

(c) A pharmacy benefit manager that provides information under this section may designate the information as a trade secret (as defined in IC 24-2-3-2). Information designated as a trade secret under this subsection must not be published under subsection (b), unless required under subsection (d).

(d) Disclosure of information designated as a trade secret under subsection (c) may be ordered by a court of Indiana for good cause shown or made in a court filing.

Sec. 26. (a) A pharmacy benefit manager shall do the following:

(1) Identify to contracted pharmacies the sources used by the pharmacy benefit manager to calculate the drug product reimbursement paid for covered drugs available under the pharmacy health benefit plan

administered by the pharmacy benefit manager.

(2) Establish an appeal process for contracted pharmacies, pharmacy services administrative organizations, or group purchasing organizations to appeal and resolve disputes concerning the maximum allowable cost pricing.

(3) Establish an Internet web site to support the appeal process described in subdivision (2) that allows contracted pharmacies, pharmacy services administrative organizations, and group purchasing organizations to submit appeals on maximum allowable cost pricing.

(b) The appeal process required by subsection (a)(2) must include the following:

(1) The right to appeal a claim not to exceed sixty (60) days following the initial filing of the claim.

(2) The investigation and resolution of a filed appeal by the pharmacy benefit manager not later than ten (10) calendar days from the filing of the appeal.

(3) If an appeal is denied, a requirement that the pharmacy benefit manager do the following:

(A) Provide the reason for the denial.

(B) Identify:

(i) the national drug code of a drug product that is commercially available with no minimum purchase amounts; and

(ii) the source where the drug product may be purchased at a price that is at or below the stated maximum allowable cost and from a licensed wholesaler by any contract pharmacy.

(C) Identify alternative sources for a drug product as described in clause (B) if the contracting pharmacy provides reasonable evidence to the pharmacy benefit manager that the pharmacy is unable to source the drug product as described in clause (B).

(4) If an appeal is approved, a requirement that the pharmacy benefit manager do the following:

(A) Change the maximum allowable cost of the drug for the pharmacy that filed the appeal as of the initial date of service that the appealed drug was dispensed.

(B) Adjust the maximum allowable cost of the drug for the appealing pharmacy and for all other contracted pharmacies in the network of the pharmacy benefit manager that filled a prescription for patients covered under the same health benefit plan beginning on the initial date of service the appealed drug was dispensed.

(C) Individually notify all other contracted pharmacies in the network of the pharmacy benefit manager that a retroactive maximum allowable cost adjustment has been made as a result of an approved appeal that is effective on the initial date of service the appealed drug was dispensed.

(D) Adjust the drug product reimbursement for contracted pharmacies that resubmit claims to reflect the adjusted maximum allowable cost, if applicable.

(E) Allow the appealing pharmacy and all other contracted pharmacies in the network that filled the prescriptions for patients covered under the same health benefit plan to reverse and resubmit claims and receive payment based on the adjusted maximum allowable cost from the initial date of service the appealed drug was dispensed.

(F) Make retroactive price adjustments in the next payment cycle.

(5) The establishment of procedures for auditing submitted claims by a contract pharmacy in a manner established by administrative rules under IC 4-22-2 by the department. The auditing procedures:

(A) may not use extrapolation or any similar methodology;

(B) may not allow for recovery by a pharmacy benefit manager of a submitted claim due to clerical or other error where the patient has received the drug for which the claim was submitted;

(C) must allow for recovery by a contract pharmacy for underpayments by the pharmacy benefit manager; and

(D) may only allow for the pharmacy benefit manager to recover overpayments on claims that are actually audited and discovered to include a recoverable error.

(c) The department must approve the manner in which a pharmacy benefit manager may respond to an appeal filed under this section. The department shall establish a process for a pharmacy benefit manager to obtain approval from the department under this section.

Sec. 27. (a) For every drug for which the pharmacy benefit manager establishes a maximum allowable cost to determine the drug product reimbursement, the pharmacy benefit manager shall make available to all contracted pharmacies in a manner established by the department by administrative rule described in subsection (b) the following:

(1) Information identifying the national drug pricing compendia or sources used to obtain the drug price data.

(2) The comprehensive list of drugs subject to maximum allowable cost and the actual maximum allowable cost for each drug.

(3) Weekly updates to the list of drugs subject to maximum allowable cost and the actual maximum allowable cost for each drug.

(b) The department shall adopt rules under IC 4-22-2 concerning the manner in which a pharmacy benefit manager shall communicate the following to contracted pharmacies:

(1) Drug price data should be used to establish drug reimbursements by pharmacy benefit managers as described in subsection (a)(1).

(2) The comprehensive list of drugs described in subsection (a)(2).

(3) The weekly updates to the list of drugs described in subsection (a)(3).

Sec. 28. (a) For every drug for which a pharmacy benefit

manager establishes a maximum allowable cost to determine reimbursement for the drug product, the pharmacy benefit manager shall make available to the department, upon request of the department, information that is needed to resolve an appeal.

(b) If the pharmacy benefit manager fails to promptly make available to the department the information as required in subsection (a), the department shall consider the appeal granted in favor of the appealing pharmacy.

Sec. 29. (a) A pharmacy benefit manager shall:

(1) review any drug the pharmacy benefit manager subjects to a maximum allowable cost to set the drug product reimbursement; and

(2) make any adjustments to reimbursement for the maximum allowable cost for the drug;

at least every seven (7) calendar days. The pharmacy benefit manager shall immediately implement any adjustment to the reimbursement to the maximum allowable cost in calculating payments for all pharmacies that have contracted with the pharmacy benefit manager.

(b) The pharmacy benefit manager shall, for every drug for which the pharmacy benefit manager establishes a maximum allowable cost for reimbursement of a drug product, ensure that a drug subject to a maximum allowable cost meets the following:

(1) Is generally available for purchase by pharmacies and pharmacists from an appropriately licensed national or regional wholesaler.

(2) Is not any of the following:

(A) Obsolete.

(B) Temporarily unavailable.

(C) Included on a drug shortage list.

(D) Unable to be lawfully substituted.

(3) Is rated either as:

(A) an "A" or "B" rating in the most recent version of the federal Food and Drug Administration's Approved Drug Products with Therapeutic Equivalence Evaluations; or

(B) a "NR", "NA", or a similar rating by a nationally recognized reference.

(4) Is reimbursed at a rate based solely on the drug if the drug does not have a therapeutically equivalent drug.

(c) A pharmacy benefit manager shall, for every drug for which the pharmacy benefit manager establishes a maximum allowable cost for reimbursement of a drug product, ensure that reimbursement for a drug that is subject to maximum allowable cost is based solely on the drug and therapeutically equivalent drugs listed in the most recent version of the federal Food and Drug Administration's Approved Drug Products with Therapeutic Equivalence Evaluations.

(d) A pharmacy benefit manager shall reimburse for a drug for which the pharmacy benefit manager establishes a maximum allowable cost as follows:

(1) For a "B" rated drug, reimbursement based solely on that drug.

(2) For a "NR" or "NA" drug with a similar rating by a nationally recognized reference, reimbursement is based solely on the drug and other drugs with that rating that are a therapeutically equivalent drug.

Sec. 30. (a) A party that has contracted with a pharmacy benefit manager to provide services may, at least one (1) time in a calendar year, request an audit of compliance with the contract. The audit may include full disclosure of rebate amounts secured on prescription drugs, whether product specific or general rebates, that were provided by a pharmaceutical manufacturer.

(b) A pharmacy benefit manager shall disclose, upon request from a party that has contracted with a pharmacy benefit manager, to the party the actual amounts paid by the pharmacy benefit manager to any pharmacy.

(c) A pharmacy benefit manager shall provide notice to a party contracting with the pharmacy benefit manufacturer of any consideration that the pharmacy benefit manager receives from a pharmacy manufacturer for any name brand dispensing of a prescription when a generic or biologically similar product is available for the prescription.

(d) Any provision of a contract entered into, issued, or renewed after June 30, 2020, that violates this section is unenforceable.

Sec. 31. (a) A violation of this chapter is an unfair or deceptive act or practice in the business of insurance under IC 27-4-1-4.

(b) The department may also adopt rules under IC 4-22-2 to set forth fines for a violation under this chapter.".

Page 5, after line 22, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE JULY 1, 2020] **(a) Notwithstanding IC 27-1-24.5, as added by this act, a pharmacy benefit manager must be licensed by the department of insurance not later than December 31, 2020, in order to do business in Indiana and provide services for any health provider contract (as defined in IC 27-1-37-3) that is in effect beginning or after January 1, 2021.**

(b) This SECTION expires December 31, 2021.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1042 as printed January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1049, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 14, line 21, delete "jurisdiction." and insert "**jurisdiction in a manner that substantially undermines faith in the financial responsibility, character, reputation, integrity, and general fitness of the applicant or of the owners, partners, and members of the applicant, as determined by the commissioner.**".

(Reference is to HB 1049 as printed January 14, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1066, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective date in SECTION 4 with "[EFFECTIVE UPON PASSAGE]".

Page 1, delete lines 1 through 15.

Delete page 2.

Page 3, delete lines 1 through 9.

Page 3, line 10, delete "IC 20-19-3-21" and insert "IC 20-19-3-20".

Page 3, line 12, delete "Sec. 21." and insert "**Sec. 20.**".

Page 4, line 16, delete "and".

Page 4, line 21, delete "authorizer." and insert "**authorizer; and**

(6) allow each student who attends a school that is located in the same school building as the participating innovation network charter school to receive preference for admission to the participating innovation network charter school if the preference is specifically provided for in the participating innovation network charter school's charter and is approved by the authorizer of the participating innovation network charter school.".

Page 5, delete lines 36 through 42.

Delete pages 6 through 7.

Page 8, delete lines 1 through 33.

Page 13, delete lines 37 through 42, begin a new paragraph and insert:

"SECTION 9. IC 20-30-5-7, AS AMENDED BY P.L.97-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) Each school corporation shall include in the school corporation's curriculum the following studies:

(1) Language arts, including:
(A) English;
(B) grammar;
(C) composition;
(D) speech; ~~and~~
(E) second languages; **and**
(F) for an elementary school, cursive writing.

(2) Mathematics.

(3) Social studies and citizenship, including the:
(A) constitutions;
(B) governmental systems; and
(C) histories;

of Indiana and the United States, including an enhanced study of the Holocaust in each high school United States history course. As part of the United States government credit awarded for the general, Core 40, Core 40 with academic honors, and Core 40 with technical honors designation, each high school shall administer the naturalization examination provided by the United States Citizenship and Immigration Services.

(4) Sciences, including, after June 30, 2021, computer science.

(5) Fine arts, including music and art.

(6) Health education, physical fitness, safety, and the effects of alcohol, tobacco, drugs, and other substances on the human body.

(7) Additional studies selected by each governing body, subject to revision by the state board.

(b) Each:
(1) school corporation;
(2) charter school; and
(3) accredited nonpublic school;

shall offer the study of ethnic and racial groups as a one (1) semester elective course in its high school curriculum at least once every school year.

(c) The course described in subsection (b) may be offered by the school corporation, charter school, or accredited nonpublic school through a course access program administered by the department.

SECTION 10. IC 20-30-5-7.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 7.2. A charter school and an accredited nonpublic elementary school shall include in the charter school's and accredited nonpublic elementary school's curriculum language arts studies in cursive writing.**

SECTION 11. IC 20-30-6.1-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 2. Each school corporation may include cursive writing in the school corporation's curriculum.~~".

Delete page 14.

Page 15, delete lines 1 through 4.

Page 19, after line 20, begin a new paragraph and insert:

"SECTION 18. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1066 as reprinted January 28, 2020.)
and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.
Committee Vote: Yeas 11, Nays 2.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Engrossed House Bill 1070, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete lines 3 through 26, begin a new paragraph and insert:

"SECTION 3. IC 9-21-8-59, AS AMENDED BY P.L.191-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 59. (a) **Except as provided in subsections (b) and (c),** a person may not **hold**

or use a telecommunications device ~~to:~~

~~(1) type a text message or an electronic mail message;~~

~~(2) transmit a text message or an electronic mail message; or~~

~~(3) read a text message or an electronic mail message;~~

while operating a moving motor vehicle. ~~unless the device is used in conjunction with hands free or voice operated technology, or unless the device is used to call 911 to report a bona fide emergency.~~

(b) A telecommunications device may be used in conjunction with hands free or voice operated technology.

(c) A telecommunications device may be used or held to call 911 to report a bona fide emergency.

~~(b)~~ **(d)** A police officer may not, without the consent of the person:

(1) confiscate a telecommunications device for the purpose of determining compliance with this section;

(2) confiscate a telecommunications device and retain it as evidence pending trial for a violation of this section; or

(3) extract or otherwise download information from a telecommunications device for a violation of this section unless:

(A) the police officer has probable cause to believe that the telecommunications device has been used in the commission of a crime;

(B) the information is extracted or otherwise downloaded under a valid search warrant; or

(C) otherwise authorized by law.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1070 as printed January 24, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 8, Nays 1.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Engrossed House Bill 1081, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 6, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1082, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 19, strike "4" and insert "**5**".

(Reference is to HB 1082 as printed January 24, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 13, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1090, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, delete lines 30 through 36, begin a new paragraph and insert:

"**Sec. 1. This chapter applies to private cemeteries that are not owned or controlled by a cemetery corporation, church, association, or organization.**".

Page 3, line 5, after "IC 23-14-68-3." insert "**A county or a township that assumes the maintenance responsibilities for a cemetery under this section may seek reimbursement from the property owner for the costs of maintaining the cemetery.**".

Page 3, line 23, delete "If a property owner" and insert "**For purposes of this subsection, a reasonable effort to maintain a cemetery means the maintenance responsibilities described in IC 23-14-68-3. However, a property owner is not required to construct a fence where there is not one unless the township or the county provides the supplies, labor, and other expenses for the construction.**".

Page 3, delete lines 24 through 29.

Page 3, between lines 29 and 30, begin a new paragraph and insert:

"**(e) A property owner who fails to perform the maintenance responsibilities required under subsection (d) commits a Class C infraction if:**

(1) the township or the county provides two (2) written notices to the property owner, at the property owner's address of record, stating that the property owner is not maintaining the cemetery as required and may be subject to a Class C infraction; and

(2) the property owner fails to maintain the cemetery as required by this chapter within thirty (30) days after the second notice provided under subdivision (1).".

(Reference is to HB 1090 as reprinted January 22, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1091, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 13, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1108, has had the

same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 2-5-1.1-6.3, AS ADDED BY P.L.104-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.3. (a) The following definitions apply throughout this section:

(1) "Audit committee" refers to the audit and financial reporting subcommittee of the legislative council established by subsection (b).

(2) "Audited entity" refers to the state, a municipality, a public hospital, or another person or entity that is subject to an examination by the state board of accounts under IC 5-11-1 or another law. However, the term applies to an entity (as defined in IC 5-11-1-16(e)) to the extent that the entity is required to be examined under IC 5-11-1-9 or another law.

(3) "Examination" refers to an audit, examination, or other engagement by the state board of accounts, its field examiners, or private examiners under IC 5-11-1 or another law.

(b) The audit and financial reporting subcommittee of the legislative council is established to assure the independence of the state board of accounts. The subcommittee is comprised of five (5) voting members and one (1) advisory member, who shall be the director of the office of management and budget, or the director's designee. The chairman of the legislative council, with the advice of the vice chairman of the legislative council, shall appoint the voting members of the audit committee and its chairperson. The audit committee may have members who are not members of the legislative council. If the individual appointed is not a member of the general assembly, the term of the member is three (3) years. If the individual appointed is a member of the general assembly, the term of the member is one (1) year. However, to stagger the terms of the members, if the individual appointed is not a member of the general assembly, the initial term of two (2) of these members is two (2) years instead of three (3) years. All members of the audit committee must possess or obtain a basic understanding of governmental financial reporting and auditing. To ensure the audit committee's independence and effectiveness, a member of the audit committee may not exercise managerial responsibilities that fall within the scope of an examination required by IC 5-11-1.

(c) It is the responsibility of the audit committee to provide independent review and oversight of the state board of accounts and the examination process used by the state board of accounts. To carry out this responsibility, the audit committee shall do at least the following:

(1) Review and monitor the independence and objectivity of the state board of accounts and the effectiveness of the examination process, taking into consideration relevant professional and regulatory requirements.

(2) Evaluate the findings and recommendations of any peer review of the state board of accounts that is required by recognized government auditing standards.

(3) Receive and review reports of examinations submitted under IC 5-11-5-1 or another law to monitor the integrity of the financial reporting process and the effectiveness of the state board of accounts in evaluating the internal accounting controls of audited entities.

(4) Monitor the actions of the examined entities to follow up on reported findings to assure corrective action is taken.

(5) Review the policy on the engagement of the state board of accounts, its field examiners, and private examiners to supply nonaudit services, taking into account relevant ethical guidance regarding the provision of nonaudit services by the state board of accounts.

(6) Provide guidance to the state board of accounts on any accounting, examination, or financial reporting matter requested by the state board of accounts.

(7) At least annually, report to the legislative council on how the audit committee has discharged its duties and met its responsibilities.

(d) An examined entity shall provide the audit committee with information, including any reports of internal auditors and annual internal audit work plans, that the audit committee requests as necessary or appropriate to carry out the responsibilities of the audit committee.

(e) IC 2-5-1.2 applies to the committee. In addition, the audit committee may retain the services of at least one (1) financial expert who is either an audit committee member or an outside party engaged by the audit committee for this purpose. The financial expert must, through both education and experience and in a manner specifically relevant to the government sector, possess:

(1) an understanding of generally accepted accounting principles and financial statements;

(2) experience in preparing or auditing financial statements of comparable entities;

(3) experience in applying such principles in connection with the accounting for estimates, accruals, and reserves;

(4) experience with internal accounting controls; and

(5) an understanding of audit committee functions.

The expenses of the audit committee shall be paid from appropriations for the legislative council and the legislative services agency.

(f) The audit committee shall receive appeals and conduct hearings as described in IC 5-11-1-9.3.".

Page 6, between lines 13 and 14, begin a new paragraph and insert:

"**(c) As used in this section, "audit committee" refers to the audit and financial reporting subcommittee of the legislative council established by IC 2-5-1.1-6.3(b).**".

Page 6, line 14, delete "(c)" and insert "**(d)**".

Page 6, line 17, delete "(d)" and insert "**(e)**".

Page 6, line 22, delete "firm in accordance with sections 7 and 24 of this chapter." and insert "**firm.**".

Page 6, between lines 25 and 26, begin a new paragraph and insert:

"**(f) If a request under subsection (e) for an independent public accounting firm to conduct an examination is denied by the state examiner, the body corporate and politic may file**

an appeal of the denial with the audit committee. The audit committee shall hold a public hearing concerning the appeal and prepare a written decision determining whether the independent public accounting firm selected by the body corporate and politic is permitted to conduct the examination under this section. The audit committee's written decision is binding, and the state board of accounts shall allow the independent public accounting firm to conduct the examination if the audit committee determines the independent public accounting firm is permitted. The audit committee shall provide a copy of the written decision to the state board of accounts and to the body corporate and politic. The audit committee shall post a copy of the written decision on the audit committee's Internet web site.".

Page 6, line 26, delete "(e)" and insert "**(g)**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1108 as printed January 27, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1111, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, delete lines 13 through 20, begin a new line blocked left and insert:

"When the Fund Ratio Is:

As Much As	But Less Than	Applicable Schedule
	0.6%	**A**
0.6%	**0.9%**	**B**
0.9%	**1.2%**	**C**
1.2%	**1.5%**	**D**
1.5%		**E".**

Page 3, delete lines 23 through 26.

Page 6, delete lines 14 through 33, begin a new line blocked left and insert:

"When the Credit Reserve Ratio Is:

As Much As	But Less Than	Rate Schedules (%) A	B	C	D	E
3.00		**0.75**	**0.70**	**0.50**	**0.40**	**0.20**
2.80	**3.00**	**1.00**	**0.90**	**0.70**	**0.50**	**0.30**
2.60	**2.80**	**1.30**	**1.10**	**0.90**	**0.70**	**0.30**
2.40	**2.60**	**1.60**	**1.40**	**1.20**	**1.00**	**0.50**
2.20	**2.40**	**1.90**	**1.70**	**1.40**	**1.20**	**0.60**
2.00	**2.20**	**2.20**	**1.90**	**1.60**	**1.20**	**0.60**
1.80	**2.00**	**2.50**	**2.20**	**1.80**	**1.40**	**0.80**
1.60	**1.80**	**2.80**	**2.40**	**2.00**	**1.60**	**1.00**
1.40	**1.60**	**3.10**	**2.70**	**2.30**	**1.90**	**1.30**
1.20	**1.40**	**3.40**	**3.00**	**2.50**	**2.00**	**1.40**
1.00	**1.20**	**3.70**	**3.20**	**2.70**	**2.10**	**1.50**
0.80	**1.00**	**4.00**	**3.50**	**2.90**	**2.30**	**1.70**
0.60	**0.80**	**4.30**	**3.70**	**3.10**	**2.50**	**1.90**
0.40	**0.60**	**4.60**	**4.00**	**3.40**	**2.80**	**2.00**
0.20	**0.40**	**4.90**	**4.30**	**3.60**	**2.80**	**2.00**
0.00	**0.20**	**5.20**	**4.50**	**3.80**	**3.00**	**2.20".**

Page 7, delete lines 3 through 16, begin a new line blocked left and insert:

"When the Debit Reserve Ration Is:

As Much As	But Less Than	Rate Schedules (%) A	B	C	D	E
0.00	**1.50**	**6.75**	**5.90**	**4.90**	**3.90**	**3.20**
1.50	**3.00**	**7.00**	**6.10**	**5.10**	**4.10**	**3.40**
3.00	**4.50**	**7.25**	**6.30**	**5.30**	**4.30**	**3.60**
4.50	**6.00**	**7.50**	**6.50**	**5.50**	**4.40**	**3.80**
6.00	**8.00**	**7.75**	**6.70**	**5.70**	**4.50**	**3.90**
8.00	**10.00**	**8.25**	**7.20**	**6.00**	**4.80**	**4.10**
10.00	**12.00**	**8.75**	**7.60**	**6.40**	**5.20**	**4.40**
12.00	**14.00**	**9.25**	**8.00**	**6.80**	**5.40**	**4.60**
14.00	**16.00**	**9.75**	**8.50**	**7.10**	**5.70**	**5.00**
16.00		**10.20**	**8.90**	**7.40**	**6.00**	**5.40".**

(Reference is to HB 1111 as printed January 27, 2020.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 9, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1112, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Engrossed House Bill 1165, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 8-1.5-3-8, AS AMENDED BY P.L.105-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) A municipality owning a utility under this chapter shall furnish reasonably adequate services and facilities.

(b) The rates and charges made by a municipality for a service rendered or to be rendered, either directly or in connection therewith, must be nondiscriminatory, reasonable, and just.

(c) "Reasonable and just rates and charges for services" means rates and charges that produce sufficient revenue to:

(1) pay all the legal and other necessary expenses incident to the operation of the utility, including:

(A) maintenance costs;

(B) operating charges;

(C) upkeep;

(D) repairs;

(E) depreciation;

(F) interest charges on bonds or other obligations, including leases; and

(G) costs associated with the acquisition of utility property under IC 8-1.5-2;

(2) provide a sinking fund for the liquidation of bonds or other obligations, including leases;

(3) provide a debt service reserve for bonds or other obligations, including leases, in an amount established by the municipality, not to exceed the maximum annual debt service on the bonds or obligations or the maximum annual lease rentals;

(4) provide adequate money for working capital;

(5) provide adequate money for making extensions and replacements to the extent not provided for through depreciation in subdivision (1); and

(6) provide money for the payment of any taxes that may be assessed against the utility.

(d) It is the intent of this section that the rates and charges produce an income sufficient to maintain the utility property in a sound physical and financial condition to render adequate and efficient service. Rates and charges too low to meet these requirements are unlawful.

(e) The board may recommend to the municipal legislative body rates and charges sufficient to include a reasonable return on the utility plant of the municipality.

(f) Rates and charges established under this section are subject to the approval of:

(1) the municipal legislative body by ordinance; and

(2) the commission, in accordance with the procedures set forth in IC 8-1-2.

The commission shall approve rates and charges that are sufficient, in addition to the cash revenue requirements set forth in subsection (c), to include a reasonable return on the utility plant of the municipality if the legislative body so elects.

(g) Except for a municipally owned utility taxed under IC 6-1.1-8-3, the commission shall approve rates and charges sufficient to compensate the municipality for taxes that would be due the municipality on the utility property were it privately owned. These rates and charges in lieu of taxes may be transferred to the municipal general fund, if the legislative body so elects.

(h) The commission shall grant a request that an increase in rates and charges not be effective until after the occurrence of a future event if the legislative body so requests.

(i) A municipality that acquires and operates a utility under IC 8-1.5-2 by exercising the power of eminent domain may not impose a special rate, charge, surcharge, or other fee, other than rates and charges approved under this section or otherwise authorized by law, on the customers of the utility in order to pay for the costs associated with acquiring the utility through the exercise of the power of eminent domain.

(j) This subsection does not apply to services rendered by a sewage works that is subject to IC 36-9-23 or to IC 36-9-25. This subsection also does not apply to services rendered by a department of public utilities created by IC 8-1-11.1 or to services rendered by a utility company owned, operated, or held in trust by a consolidated city. This subsection applies to property that is served by a municipally owned utility and that is occupied by someone other than the owner of the property. Upon applying for utility service from a municipally owned utility for property subject to this subsection, the person occupying the property shall provide the municipally owned utility with the name and contact information of the owner or manager of the property. Subject to subsection (k), all rates, charges, and other fees for services rendered by a municipally owned utility to a property that is subject to this subsection are payable by the person occupying the property if the account or other customer or billing records maintained by the municipally owned utility for the property indicate that:

(1) the property is occupied by someone other than the owner; and

(2) the person occupying the property is responsible for paying the rates, charges, and fees assessed for the services rendered by the municipally owned utility with respect to the property.

Rates, charges, and fees assessed for services rendered by a municipally owned utility with respect to property occupied by someone other than the owner of the property do not constitute a lien against the property.

(k) With respect to property that is served by a municipally owned utility and that is occupied by someone other than the owner of the property, subsection (j) does not:

(1) prohibit a municipal legislative body from imposing any:

(A) requirement for a deposit to ensure payment by the person occupying the property of the rates, charges, and fees assessed for the services rendered by the municipally owned utility with respect to the property; or

(B) other requirement to ensure the creditworthiness of the person occupying the property as the account holder or customer with respect to the property;

that the municipal legislative body may lawfully impose; or

(2) abrogate or limit the authority of the owner of a multi-unit building to engage in electrical submetering under IC 8-1-2-36.5, subject to:

(A) the owner's qualification to engage in submetering under IC 8-1-2-36.5 and 170 IAC 4-5; and

(B) the owner's compliance with the requirements for submetering set forth in IC 8-1-2-36.5 and 170 IAC 4-5.

(l) With respect to property that is served by a municipally owned utility and that is occupied by someone other than the owner of the property, subsection (k) does not allow a municipal legislative body to impose a requirement that the owner of the property must:

(1) ensure the creditworthiness of the person occupying the property; or

(2) accept responsibility for charges incurred by the

person occupying the property;
by cosigning an agreement or by any other method.

SECTION 2. **An emergency is declared for this act.**

(Reference is to HB 1165 as printed January 24, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 8, Nays 3.

MERRITT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Engrossed House Bill 1166, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 6, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1199, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 20, delete "in Indiana" and insert "**under IC 16-25-3-1(b)**".

Page 2, line 22, delete "provider meets the licensing" and insert "**provider:**".

Page 2, delete line 23, begin a new line block indented and insert:

"**(1) meets the licensing requirements in this article; and**
(2) is certified in community based palliative care by an organization approved by the state department.".

(Reference is to HB 1199 as printed January 24, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 7, Nays 1.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1209, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-10-8-23 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 23. (a) As used in this section, "covered individual" means an individual who is entitled to coverage under a state employee health plan.**

(b) As used in this section, "emergency medical services provider organization" means a provider of emergency medical services that is certified by the Indiana emergency medical services commission as an advanced life support provider organization under rules adopted under IC 16-31-3.

(c) As used in this section, "state employee health plan" means either of the following that provides coverage for emergency medical services:

(1) A self-insurance program established under section 7(b) of this chapter to provide group health coverage.
(2) A contract with a prepaid health care delivery plan that is entered into or renewed under section 7(c) of this chapter.

(d) A state employee health plan that provides coverage for emergency medical services must provide reimbursement for a covered individual for emergency medical services that are:

(1) rendered by an emergency medical services provider organization;
(2) within the emergency medical services provider organization's scope of practice;
(3) performed or provided as advanced life support services; and
(4) performed or provided during a response initiated through the 911 system, regardless of whether the patient was transported.

(e) If multiple emergency medical services provider organizations qualify and submit a claim for reimbursement under this section for an encounter, the state employee health plan:

(1) may only reimburse under this section for one (1) claim per patient encounter; and
(2) shall reimburse the claim submitted by the emergency medical services provider organization that performed or provided the majority of advanced life support services for the patient.

(f) The state personnel department may adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to implement this section.".

Page 1, line 8, after "provider" insert "**organization**".

Page 1, line 11, delete "under IC 16-31-3." and insert "**as an advanced life support provider organization under rules adopted under IC 16-31-3.**".

Page 1, line 13, delete "on".

Page 1, line 14, delete "an equal provider basis".

Page 1, line 16, after "provider" insert "**organization**".

Page 2, line 1, delete "provider's" and insert "**provider organization's**".

Page 2, line 2, delete "and".

Page 2, delete lines 3 through 4, begin a new line block indented and insert:

"**(3) performed or provided as advanced life support services; and**
(4) performed or provided during a response initiated through the 911 system, regardless of whether the patient is transported.

(c) If multiple emergency medical services provider organizations qualify and submit a claim for reimbursement under this section, the office of the secretary:

(1) may reimburse under this section only for one (1)

claim per patient encounter; and

(2) shall reimburse the claim submitted by the emergency medical services provider organization that performed or provided the majority of advanced life support services.".

Page 2, line 5, delete "(c)" and insert "**(d)**".

Page 2, line 14, delete "provider"" and insert "**provider organization**"".

Page 2, line 15, after "commission" insert "**as an advanced life support provider organization under rules adopted under IC 16-31-3.**".

Page 2, delete line 16.

Page 2, line 31, delete "on an equal provider basis".

Page 2, line 33, delete ";" and insert "**organization;**".

Page 2, line 34, delete "provider's" and insert "**provider organization's**".

Page 2, line 35, delete "and".

Page 2, delete lines 36 through 37, begin a new line block indented and insert:

"**(3) performed or provided as advanced life support services; and**

(4) performed or provided during a response initiated through the 911 system regardless of whether the patient is transported.

(e) If multiple emergency medical services provider organizations qualify and submit a claim for reimbursement under this section for an encounter, the insurer:

(1) may reimburse under this section only for one (1) claim per patient encounter; and

(2) shall reimburse the claim submitted by the emergency medical services provider organization that performed or provided the majority of advanced life support services for the patient.".

Page 2, line 38, delete "(e)" and insert "**(f)**".

Page 2, line 40, delete "(f)" and insert "**(g)**".

Page 3, line 8, delete "provider"" and insert "**provider organization**"".

Page 3, line 9, after "commission" insert "**as an advanced life support provider organization under rules adopted under IC 16-31-3.**".

Page 3, delete line 10.

Page 3, line 13, delete "on an equal provider basis".

Page 3, line 15, delete ";" and insert "**organization;**".

Page 3, line 16, delete "provider's" and insert "**provider organization's**".

Page 3, line 17, delete "and".

Page 3, delete lines 18 through 19, begin a new line block indented and insert:

"**(3) performed or provided as advanced life support services; and**

(4) performed or provided during a response initiated through the 911 system regardless of whether the patient is transported.

(e) If multiple emergency medical services provider organizations qualify and submit a claim for reimbursement under this section, the health maintenance organization:

(1) may reimburse under this section only for one (1) claim per patient encounter; and

(2) shall reimburse the claim submitted by the emergency medical services provider organization that performed or provided the majority of advanced life support services.".

Page 3, line 20, delete "(e)" and insert "**(f)**".

Page 3, line 22, delete "(f)" and insert "**(g)**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1209 as printed January 17, 2020.)

and when so amended that said bill do pass and be reassigned to the Senate Committee on Appropriations.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1243, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 4.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1279, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Page 2, delete lines 1 through 3.

Page 2, line 31, delete "by the development board".

Page 2, line 32, delete "of the northwest Indiana regional development authority,".

Page 2, line 32, strike "or".

Page 2, line 35, delete "." and insert ", **the governing board of a nonprofit affiliate entity established by the northwest Indiana regional development authority under IC 36-7.5-4.5-18.5, or the governing board of a nonprofit affiliate entity established by the north central Indiana regional development authority under IC 36-7.6-3-3.5.**".

Page 6, delete lines 5 through 7, begin a new line double block indented and insert:

"**(I) A nonprofit affiliate entity established by the northwest Indiana regional development authority under IC 36-7.5-4.5-18.5, or a nonprofit affiliate entity established by the north central Indiana regional development authority under IC 36-7.6-3-3.5.**".

Page 8, line 30, delete "or the" and insert ", **a nonprofit affiliate entity established by the northwest Indiana regional development authority under IC 36-7.5-4.5-18.5, or a nonprofit affiliate entity established by the north central Indiana regional development authority under**

IC 36-7.6-3-3.5.".

Page 8, delete lines 31 through 32.

Page 10, delete lines 17 through 19, begin a new line triple block indented and insert:

"**(viii) a nonprofit affiliate entity established by the northwest Indiana regional development authority under IC 36-7.5-4.5-18.5, or a nonprofit affiliate entity established by the north central Indiana regional development authority under IC 36-7.6-3-3.5;**".

Page 10, line 29, delete "the northwest Indiana regional development".

Page 10, line 30, delete "authority," and insert "**a nonprofit affiliate entity established by the northwest Indiana regional development authority under IC 36-7.5-4.5-18.5, a nonprofit affiliate entity established by the north central Indiana regional development authority under IC 36-7.6-3-3.5,**".

Page 16, delete lines 21 through 42.

Delete pages 17 through 19.

Page 20, delete lines 1 through 21.

Page 20, line 22, delete "IC 36-7.5-2-1.5" and insert "IC 36-7.5-4.5-18.5".

Page 20, line 24, delete "1.5." and insert "**18.5.**".

Page 20, line 28, delete "authority." and insert "**authority with regard to projects located within a transit development district established under section 17 of this chapter.**".

Page 20, line 29, after "Any" insert "**nonprofit**".

Page 20, delete lines 31 through 35, begin a new line block indented and insert:

"**(1) may use money received under subsection (a) only for projects that are located within a transit development district and to further any part of the comprehensive strategic plan of the development authority that relates to transit development districts;**".

Page 20, between lines 40 and 41, begin a new paragraph and insert:

"**(c) Each member of the governing board of a nonprofit entity created under this section must be nominated by one (1) or more officers of the development board described in IC 36-7.5-2-5(b) and approved by majority vote of all members of the development board at a regular or special board meeting.**".

Page 20, line 41, delete "(c)" and insert "**(d)**".

Page 20, line 41, after "Any" insert "**nonprofit**".

Page 21, line 3, delete "(d)" and insert "**(e)**".

Page 21, line 3, delete "corporation" and insert "**nonprofit entity**".

Page 21, delete lines 5 through 42.

Delete pages 22 through 25.

Page 26, delete lines 1 through 22.

Page 27, line 9, delete "by IC 36-7.5-2-1.5." and insert "**under IC 36-7.5-4.5-18.5.**".

Page 27, delete lines 10 through 42.

Delete pages 28 through 29.

Page 30, delete lines 1 through 2.

Page 30, line 10, reset in roman "A liability or obligation may not be incurred by the".

Page 30, reset in roman lines 11 through 12.

Page 30, after line 12, begin a new paragraph and insert:

"SECTION 7. IC 36-7.6-3-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3.5. (a) This section applies only to the development authority established under this article for north central Indiana.**

(b) As used in this section, "transit development district" refers to a transit development district established by the northwest Indiana regional development authority under IC 36-7.5-4.5-17.

(c) The development board of the development authority described in subsection (a) may establish any nonprofit entity to solicit and accept private or public funding, gifts, donations, bequests, devises, and contributions in order to carry out and further the purposes, plans, and goals of the development authority with regard to projects located within a transit development district.

(d) Any nonprofit entity established under this section shall be a governmental body under IC 5-22-2-13 and:

(1) may use money received under subsection (a) only for projects that are located within a transit development district and to further any part of the comprehensive strategic plan of the development authority that relates to transit development districts;

(2) must report to the budget committee each year; and

(3) may deposit money received under subsection (a) in an account or fund that is:

(A) administered by the entity; and

(B) not part of the state treasury.

(e) Each member of the governing board of a nonprofit entity created under this section must be nominated by one (1) or more officers of the development board described in IC 36-7.6-2-10(a) and approved by majority vote of all members of the development board at a regular or special board meeting.

(f) Any nonprofit entity created under this section shall provide its current audited financial statements to the development authority not later than four (4) months after the end of the development authority's fiscal year.

(g) All assets of the nonprofit entity shall accrue to and vest in the development authority upon dissolution.

(h) The redevelopment commission for each county that is a member of the development authority shall collaborate with the development authority for the purposes of any nonprofit entity created under this section.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1279 as printed January 24, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 2.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1301, has had the same under consideration and begs leave to report the

same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1346, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 4 with "[EFFECTIVE UPON PASSAGE]".

Page 2, line 35, delete "Receive" and insert "**Coordinate with state and local criminal justice agencies for the collection and transfer of**".

Page 2, delete line 42, begin a new paragraph and insert:

"SECTION 3. IC 33-38-9.5-2, AS AMENDED BY P.L.108-2019, SECTION 240, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The justice reinvestment advisory council is established. The advisory council consists of the following members:

(1) The executive director of the Indiana public defender council or the executive director's designee.

(2) The executive director of the Indiana prosecuting attorneys council or the executive director's designee.

(3) The director of the division of mental health and addiction or the director's designee.

(4) The president of the Indiana Sheriffs' Association or the president's designee.

(5) The commissioner of the Indiana department of correction or the commissioner's designee.

(6) The chief administrative officer of the office of judicial administration or the chief administrative officer's designee.

(7) The executive director of the Indiana criminal justice institute or the executive director's designee.

(8) The president of the Indiana Association of Community Corrections Act Counties or the president's designee.

(9) The president of the Probation Officers Professional Association of Indiana or the president's designee.

(10) The budget director or the budget director's designee.

(11) The executive director of the Association of Indiana Counties or the executive director's designee.

(12) The president of the Indiana Judges Association or the president's designee.

(13) The chair of the Indiana public defender commission or the chair's designee.

(14) The chair of the senate corrections and criminal law committee or the chair's designee.

(15) The ranking minority member of the senate corrections and criminal law committee or the ranking minority member's designee.

(16) The chair of the house courts and criminal code committee or the chair's designee.

(17) The ranking minority member of the house courts and criminal code committee or the ranking minority member's designee.

(18) The governor or the governor's designee.

(b) The ~~chief administrative officer of the office of judicial administration~~ **chief justice or the chief justice's designee** shall serve as chairperson of the advisory council.

(c) The ~~purpose~~ **duties** of the advisory council ~~is to conduct a state level review and evaluation of:~~ **include:**

(1) **reviewing and evaluating state and** local **criminal justice systems and** corrections programs, including **pretrial services, behavioral health treatment and recovery services,** community corrections, county jails, **parole,** and probation services; ~~and~~

(2) **reviewing** the processes used by the department of correction and the division of mental health and addiction in awarding grants;

(3) reviewing and evaluating jail overcrowding to identify a range of possible solutions;

(4) coordinating with other criminal justice funding sources;

(5) establishing committees to inform the work of the advisory council; and

(6) performing other relevant duties as determined by the advisory council.

(d) The advisory council may make ~~a recommendation~~ **recommendations** to:

(1) the department of correction, community corrections advisory boards, and the division of mental health and addiction concerning the award of grants;

(2) criminal justice systems and corrections programs concerning best practices to improve outcomes of persons under supervision;

(3) the Indiana general assembly concerning legislation and funding for criminal justice initiatives;

(4) the Indiana criminal justice institute concerning criminal justice funding priorities;

(5) the office of judicial administration concerning veterans problem-solving court grants; and

(6) the county sheriffs concerning strategies to address jail overcrowding and implementing evidence based practices for reducing recidivism for individuals in county jails.

(e) The office of judicial administration shall staff the advisory council.

(f) The expenses of the advisory council shall be paid by the office of judicial administration from funds appropriated to the office of judicial administration for the administrative costs of the justice reinvestment advisory council.

(g) A member of the advisory council is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is, however, entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(h) The affirmative votes of a majority of the voting members

appointed to the advisory council are required for the advisory council to take action on any measure.

(i) The advisory council shall meet as necessary to:

(1) work with the department of correction and the division of mental health and addiction to establish the grant criteria and grant reporting requirements described in subsection (l);

(2) review grant applications;

(3) make recommendations and provide feedback to the department of correction and the division of mental health and addiction concerning grants to be awarded;

(4) review grants awarded by the department of correction and the division of mental health and addiction; and

(5) suggest areas and programs in which the award of future grants might be beneficial.

(j) The advisory council, in conjunction with the Indiana criminal justice institute, shall jointly issue an annual report under IC 5-2-6-24.

(k) Any entity that receives funds:

(1) recommended by the advisory council; and

(2) appropriated by the department of correction;

for the purpose of providing additional treatment or supervision services shall provide the information described in subsection (l) to the department of correction to aid in the compilation of the report described in subsection (j).

(l) The department of correction shall provide the advisory council with the following information:

(1) The total number of participants, categorized by level of most serious offense, who were served by the entity through funds described in subsection (k).

(2) The percentage of participants, categorized by level of most serious offense, who completed a treatment program, service, or level of supervision.

(3) The percentage of participants, categorized by level of most serious offense, who were discharged from a treatment program, service, or level of supervision.

(4) The percentage of participants, categorized by level of most serious offense, who:

(A) completed a funded treatment program, service, or level of supervision; and

(B) were subsequently committed to the department of correction;

within twenty-four (24) months after completing the funded treatment program, service, or level of supervision.

(5) The percentage of participants, categorized by level of most serious offense, who were:

(A) discharged from a funded treatment program, service, or level of supervision; and

(B) subsequently committed to the department of correction;

within twenty-four (24) months after being discharged from the funded treatment program, service, or level of supervision.

(6) The total number of participants who completed a funded treatment program, service, or level of supervision.

(7) The total number of participants who:

(A) completed a funded treatment program, service, or level of supervision; and

(B) were legally employed.

(8) Any other information relevant to the funding of the entity as described in subsection (k).

SECTION 4. IC 33-38-9.5-3, AS ADDED BY P.L.179-2015, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. The ~~goal~~ **purpose** of the justice reinvestment advisory council is to ~~develop incarceration~~ **review policies, promote state and local collaboration, and provide assistance for use of evidence based practices and best practices in community based** alternatives and recidivism reduction programs, ~~at the county and community level by promoting the development of.~~ **including:**

(1) probation services;

(2) problem solving courts;

(3) mental health **and addiction** treatment **and recovery services;**

~~(4) substance abuse treatment;~~

~~(5)~~ **(4)** programs providing for ~~court supervision, probation, or~~ pretrial diversion;

~~(6)~~ **(5)** community corrections;

~~(7)~~ **(6)** evidence based recidivism reduction programs for currently incarcerated persons; ~~and~~

~~(8)~~ **(7)** other ~~alternatives to incarceration.~~ **rehabilitation alternatives; and**

(8) the incorporation of evidence based decision making into decisions concerning jail overcrowding.

SECTION 5. **An emergency is declared for this act.**".

Delete pages 3 through 6.

Renumber all SECTIONS consecutively.

(Reference is to HB 1346 as printed January 24, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Public Policy, to which was referred Engrossed House Bill 1348, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 9, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 16. IC 36-1-12-1, AS AMENDED BY P.L.91-2017, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Except as provided in this section, this chapter applies to all public work performed or contracted for by:

(1) political subdivisions; and

(2) their agencies;

regardless of whether it is performed on property owned or leased by the political subdivision or agency.

(b) This chapter does not apply to an officer or agent who, on behalf of a municipal utility **or a conservancy district described in IC 14-33-1-1(a)(4) or IC 14-33-1-1(a)(5),** maintains, extends, and installs services of the utility **or district**

if the necessary work is done by the employees of the utility **or district.**

(c) This chapter does not apply to hospitals organized or operated under IC 16-22-1 through IC 16-22-5 or IC 16-23-1, unless the public work is financed in whole or in part with cumulative building fund revenue.

(d) This chapter does not apply to tax exempt Indiana nonprofit corporations leasing and operating a city market owned by a political subdivision.

(e) As an alternative to this chapter, the governing body of a political subdivision or its agencies may do the following:

(1) Enter into a design-build contract as permitted under IC 5-30.

(2) Participate in a utility efficiency program or enter into a guaranteed savings contract as permitted under IC 36-1-12.5.

(f) This chapter does not apply to a person that has entered into an operating agreement with a political subdivision or an agency of a political subdivision under IC 5-23.

(g) This chapter does not apply to the extension or installation of utility infrastructure by a private developer of land if all the following apply:

(1) A municipality will acquire for the municipality's municipally owned utility all of the utility infrastructure that is to be extended or installed.

(2) Not more than fifty percent (50%) of the total construction costs for the utility infrastructure to be extended or installed, including any increased costs that result from any construction specifications that:

(A) are required by the municipality; and

(B) specify a greater service capacity for the utility infrastructure than would otherwise be provided for by the private developer;

will be paid for out of a public fund or out of a special assessment.

(3) The private developer agrees to comply with all local ordinances and engineering standards applicable to the construction, extension, or installation of the utility infrastructure.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1348 as printed January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

ALTING, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Local Government, to which was referred Engrossed House Bill 1370, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

BUCK, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Engrossed House Bill 1372, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 6.

Page 7, delete lines 1 through 28.

Page 21, line 37, reset in roman "the".

Page 21, line 37, after "lesser" insert "**greater**".

Page 21, line 37, reset in roman "of:".

Page 21, line 38, reset in roman "(a) ten percent (10%) of the company's admitted assets; or (b)".

Page 21, line 38, beginning with "(a)" begin a new line block indented.

Page 21, line 38, beginning with "(b)" begin a new line block indented.

Page 21, line 40, delete "amount by which the insurer's surplus to policyholders exceeds its".

Page 21, line 41, delete "minimum" and insert "**company's**".

Page 22, line 11, delete "four and five-tenths percent (4.5%)" and insert "**three percent (3%)**".

Page 27, line 11, reset in roman "1".

Page 27, line 11, after "1" insert "**or**".

Page 27, line 13, delete "twenty-five percent (25%)" and insert "**twenty percent (20%)**".

Page 41, line 21, delete "twenty-five percent (25%)" and insert "**twenty percent (20%)**".

Page 41, line 25, after "amount" insert "**the greater**".

Page 41, line 25, reset in roman "of ten".

Page 41, line 26, reset in roman "percent (10%)".

Page 41, line 26, delete "seventy-five percent (75%)".

Page 41, line 26, delete "the amount by".

Page 41, line 27, delete "which".

Page 41, line 27, reset in roman "admitted".

Page 41, line 27, delete "assets." and insert "assets".

Page 41, line 27, delete "surplus to policyholders".

Page 41, line 28, delete "exceeds its minimum" and insert "**or fifty percent (50%) of the insurer's**".

Page 46, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 8. IC 27-1-34-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.5. A multiple employer welfare arrangement may be established through an interlocal cooperation agreement under IC 36-1-7.**".

Page 48, line 37, delete ":" and insert "**authorized by the licensee to have access to the nonpublic information held by the licensee and its information systems.**".

Page 48, delete lines 38 through 41.

Page 49, line 8, after "information system" insert "**that has a reasonable likelihood of materially harming a consumer or any material part of the normal operations of the licensee**".

Page 50, delete lines 6 through 7.

Page 60, delete lines 19 through 20, begin a new line block indented and insert:

"**(1) fewer than fifty (50) employees;**".

Page 60, line 32, delete "sections 16" and insert "**this chapter, except for the notice requirements described in section 21 of this chapter.**".

Page 60, delete lines 33 through 34.

Page 61, delete lines 2 through 14, begin a new paragraph and insert:

"**(d) A licensee shall be considered to have complied with sections 16 through 20 of this chapter if the licensee is affiliated with a financial institution (as defined in 15 U.S.C. 6809) that maintains an information security program in compliance with the Interagency Guidelines Establishing Standards for Safeguarding Consumer Information adopted under Sections 501 and 505(b) of the Gramm-Leach-Bliley Act (15 U.S.C. 6801 and 6805(b)).**".

Page 61, between lines 34 and 35, begin a new paragraph and insert:

"**Sec. 31. The requirements of this chapter do not apply to a commercial bank or a credit union, except to the extent the commercial bank or credit union transacts insurance business.**".

Page 86, after line 35, begin a new paragraph and insert:

"SECTION 15. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to the interim study committee on financial institutions and insurance the task of studying the cost to consumers for ambulance transportation services.**

(b) This SECTION expires January 1, 2021.

SECTION 16. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1372 as printed January 24, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

BASSLER, Chair

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SCR 48 Senator Melton
Honoring the Kappa Alpha Psi fraternity.

SR 38 Senator Houchin
Recognizing dyslexia in Hoosier youth.

SR 39 Senator J.D. Ford
Recognizing Girls Inc. of Greater Indianapolis.

HCR 35 Senator J.D. Ford
Honoring school counselors during National School Counseling Week.

HCR 36 Senator Freeman
Recognizing the Indiana State Bar Association Leadership Development Academy.

HCR 39 Senator Kruse
Recognizing the importance of career and technical education during Career and Technical Education Month.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 48

Senate Concurrent Resolution 48, introduced by Senator Melton:

A CONCURRENT RESOLUTION honoring the Kappa Alpha Psi fraternity for its century of service within the community and its unyielding appreciation and support of diversity in all its forms.

Whereas, Kappa Alpha Psi, originally Kappa Alpha Nu, was established on January 5th, 1911 at Indiana University in Bloomington;

Whereas, This was the first and only African-American fraternity to this date founded on that campus and the third African-American college-based fraternity founded in the country;

Whereas, The young, intellectual, and talented 10 undergraduate college students herewith revered as the Founders were Elder Watson Diggs, Dr. Ezra Dee Alexander, Attorney Henry T. Asher, Dr. Byron K. Armstrong, Dr. Marcus Peter Blakemore, Paul W. Caine, George Wesley Edmonds, Dr. Guy Levis Grant, Edward Giles Irvin, and John Milton Lee;

Whereas, Kappa Alpha Psi Fraternity has grown to include over 700 chapters and has initiated over 30,000 men. The fraternity still maintains and lives by its motto from inception "Achievement in Every Field of Human Endeavor"; and

Whereas, Kappa Alpha Psi continues to serve as an avenue for young African American men to better themselves in the company of fraternal brothers and it is with great pride that we acknowledge the history of a respected service organization nationally and internationally in the state of Indiana: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana Senate honors the Kappa Alpha Psi fraternity for its century of service within the community and unyielding appreciation and support of diversity in all its forms.

SECTION 2. The Secretary of the Senate is hereby directed to transmit five copies of this Resolution to the members of Kappa Alpha Psi.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Summers.

Senate Resolution 38

Senate Resolution 38, introduced by Senator Houchin:

A SENATE RESOLUTION recognizing dyslexia in Hoosier youth.

Whereas, Dyslexia is a language-based learning disability which results in people having difficulty with language skills such as reading, spelling, writing, and speaking;

Whereas, Dyslexia advocacy groups work to educate the public, parents, and educators about dyslexia;

Whereas, While the causes of dyslexia are not clear, current studies suggest that 85% of those with a reading disability have dyslexia;

Whereas, Dyslexia is diagnosed through a formal evaluation, conducted by trained school or outside specialists; and

Whereas, Groups advocating for dyslexia awareness include Bear Reading Center, CAST Washington County, Washington County Community Foundation, Children's Dyslexia Center, Columbus READS, Decoding Dyslexia Indiana, Dyslexia Institute of Indiana, Elliott Cox Racing, Fortune Academy, Greenwood Public Library, International Dyslexia Association Indiana Branch, Multisensory Education Solutions, and Therese Rooney and the M.A. Rooney Foundation, along with many others: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate recognizes dyslexia in Hoosier youth.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to CAST Washington County and the Washington County Community Foundation.

The resolution was read in full and adopted by voice vote.

Senate Resolution 39

Senate Resolution 39, introduced by Senator J.D. Ford:

A SENATE RESOLUTION to recognize Girls Inc. of Greater Indianapolis on their 50th anniversary.

Whereas, The national chapter of Girls Inc. was established in 1864. Today, there are 82 Girls Inc. affiliates across the United States and Canada that inspire all girls to be strong, smart, and bold;

Whereas, Young women, ages 6 to 18, are empowered by Girls Inc. to lead fulfilling and productive lives, break the cycle of poverty, and become role models in their community by being healthy, educated, and independent women;

Whereas, Girls Inc. of Greater Indianapolis began its programming in 1969 after three mothers decided to build a program in an old schoolhouse. Since 1969, Girls Inc. of Greater Indianapolis has grown to serve over 3,000 girls annually in the greater Indianapolis area and in almost every school district in the state;

Whereas, Partnering with nearly 60 schools and engaging over 300 volunteers, Girls Inc. of Greater Indianapolis helps young women learn to value themselves, take risks, and discover and develop inherent strengths. The combination of long-lasting mentoring relationships, a pro-girl environment, and research-based programming equips girls to navigate gender, economic, and social barriers; and

Whereas, Young women graduate from Girls Inc. ready to take on post-secondary education and become leaders in their communities. The role Girls Inc. of Greater Indianapolis has played in producing strong, empowered young women over the past 50 years is admirable and worthy of recognition: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate recognizes Girls Inc. of Greater Indianapolis on their 50th anniversary.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Girls Inc. of Greater Indianapolis.

The resolution was read in full and adopted by voice vote.

House Concurrent Resolution 35

House Concurrent Resolution 35, sponsored by Senator J.D. Ford:

A CONCURRENT RESOLUTION honoring school counselors during National School Counseling Week.

Whereas, School counselors are employed in public and private schools to help students reach their full potential;

Whereas, School counselors are actively committed to helping students explore their academic, social-emotional, and behavioral skills, abilities, and interests;

Whereas, School counselors help parents focus on ways to further the educational, personal and social growth of their children;

Whereas, School counselors work with teachers and other educators to help students explore their potential and set realistic goals for themselves;

Whereas, School counselors seek to identify and utilize community resources that can enhance and complement comprehensive school counseling programs and help students become productive members of society;

Whereas, Comprehensive developmental school counseling programs are considered an integral part of the educational process that enables all students to achieve success in school; and

Whereas, The Indiana General Assembly wishes to honor the many school counselors in Indiana for their support of Indiana's students: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly celebrates National School Counseling Week, February 3 to 7, 2020.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Tonya Pfaff for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 36

House Concurrent Resolution 36, sponsored by Senator Freeman:

A CONCURRENT RESOLUTION recognizing the Indiana State Bar Association Leadership Development Academy.

Whereas, The Indiana State Bar Association Leadership Development Academy (LDA) empowers and develops lawyers to be informed, committed, and involved in order to serve as role models in matters of ethics and professionalism in local and state bar associations, Indiana communities, and organizations;

Whereas, The LDA Class of 2020, the ninth annual class of the program, consists of 25 Indiana lawyers who have been admitted to practice law for 15 years or less;

Whereas, The LDA incorporates professional facilitators and prominent leaders from various disciplines to inform participants about leadership principles and techniques, the importance of effective leaders in organizations and governments for the maximization of efficiency and effectiveness, and the challenges and rewards of leadership in action;

Whereas, The LDA class members are selected from around the state and are exposed to topics such as public service, economic development, government, the military, leadership, diversity and inclusion, and other related leadership topics;

Whereas, As the LDA class members travel around the state, they actively engage in panel discussions, group activities, and demonstrations with faculty who include Indiana Supreme Court Justices, Court of Appeals and trial court judges, members of the executive and legislative branches of Indiana government, and prominent business and military leaders;

Whereas, One of the principal themes of the LDA is "Leadership begins with the attitude of a servant leader - to serve first, and out of service we are given the honor to lead"; and

Whereas, February 17, 2020, and February 18, 2020, mark the LDA session days when focus is placed on local and state government and conflict resolution by providing the class the opportunity to get acquainted with members of the Indiana Supreme Court, the Indiana Court of Appeals, the federal and Bankruptcy Court, the governor, members of the media, and representatives of the FBI, and to discuss issues with Indiana legislators: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes the importance of the education provided by the Indiana State Bar Association's Leadership Development Academy.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the Indiana State Bar Association Leadership Academy and the members of the ninth annual class.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 39

House Concurrent Resolution 39, sponsored by Senator Kruse:

A CONCURRENT RESOLUTION recognizing the importance of career and technical education during Career and Technical Education Month.

Whereas, The month of February 2020 is being celebrated as Career and Technical Education Month across the United States;

Whereas, Career and technical education provides Hoosiers with school to career connections and is the backbone of a strong, well educated workforce;

Whereas, Career and technical education fosters productivity in business and contributes to Indiana's position in the international marketplace;

Whereas, Career and technical education offers high school and postsecondary students opportunities to learn lifelong skills through practical and meaningful experiences in a wide range of high wage, high skill, and high demand careers;

Whereas, Career and technical education provides students with career choices in their fields and in their communities;

Whereas, The Governor's Workforce Cabinet recognizes the importance of career and technical education in developing a robust pipeline of skilled talent;

Whereas, Preparing Indiana's youth for postsecondary education and career success allows students an opportunity to earn more industry certifications in high demand career fields; and

Whereas, Indiana has a strong presence of career and technical student organizations across industry sectors including: Business Professionals of America; DECA, Inc.; Future Business Leaders of America; Family, Career and Community Leaders of America; FFA; HOSA; SkillsUSA; and Technology Student Association: Therefore

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes the importance of career and technical education during Career and Technical Education Month.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Don Lehe for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 33

House Concurrent Resolution 33, sponsored by Senator Houchin:

A CONCURRENT RESOLUTION recognizing the 2019 Salem High School marching band.

Whereas, The 2019 Salem High School marching band won the Indiana State Music Association's Scholastic Class B state final on October 26, 2019;

Whereas, The Indiana State School Music Association (ISSMA) was founded in 1981 to provide educationally evaluated performance opportunities for students and teachers from member schools in Indiana;

Whereas, The 2019 ISSMA competition was held in Indianapolis at Lawrence Central High School and featured 34 marching bands competing in one of two categories, Scholastic A or Scholastic B, based on band size and school enrollment; and

Whereas, The Salem High School marching band was invited to perform at the 47th annual Indiana state marching band finals at Lucas Oil Stadium as the ISSMA Scholastic Class B state champion: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes the Salem High School marching band's triumphant and memorable season.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Steve Davisson for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

Senate Resolution 9

Senate Resolution 9, introduced by Senator Donato:

A SENATE RESOLUTION congratulating the Argos High School boys soccer team on winning the 2019 Indiana High School Athletic Association ("IHSAA") Class A state championship title.

Whereas, The Argos High School boys soccer team defeated Indianapolis Lutheran 2-1 to earn the 2019 IHSAA Class A state championship;

Whereas, To get to the state title match, the Dragons defeated Culver Community, Winamac, and Caston to win the sectional championship, Andrean and Bethany Christian to win the regional championship, and Lakewood Park Christian to win the semi-state championship;

Whereas, A relentless Argos offense kept Lutheran on defense most of the game as the Dragons outshot the opposition 21-3;

Whereas, In the 22nd minute, Chino Roque bulled his way through the Lutheran defense to score the first goal of the match;

Whereas, Though Lutheran responded with a goal in the 26th minute, Argos allowed only one more shot the rest of the game as the team's offensive strategy proved daunting;

Whereas, Argos scored the go-ahead goal in the 57th minute when Chino Roque headed in a corner kick from Pablo Mata to seal the team's championship performance;

Whereas, Following the championship match, Argos senior Caleb Ellis was named the C. Eugene Cato Mental Attitude Award winner for Class A boys soccer; and

Whereas, Led by Head Coach Todd VanDerWeele, the team finished the year with an 18-4 record and won the first state championship title in Argos High School history: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate congratulates the Argos High School boys soccer team on winning the 2019 IHSAA Class A state championship title.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each member of the 2019 Argos High School boys soccer team.

The resolution was read in full and adopted by voice vote.

House Concurrent Resolution 21

House Concurrent Resolution 21, sponsored by Senators Busch and Zay:

A CONCURRENT RESOLUTION recognizing the Whitley County Chamber of Commerce for 100 years of service.

Whereas, The Indiana General Assembly recognizes the Whitley County Chamber of Commerce for 100 years of service to local business in Whitley County since 1919;

Whereas, The Whitley County Chamber of Commerce continues a long tradition providing unique and custom services to members including: one-on-one business coaching, marketing, and consultation;

Whereas, The Whitley County Chamber of Commerce and Visitors Center serves as a one stop shop connecting residents, business owners, and visitors to activity in and around Whitley County;

Whereas, The Whitley County Chamber of Commerce provides vital information and advocacy on a wide range of state and local issues important to member businesses and nonprofit organizations;

Whereas, The Whitley County Chamber of Commerce champions local business by promoting new and well established businesses through professional press releases, event photography services, chamber ribbon cutting ceremonies, and more; and

Whereas, The Whitley County Chamber of Commerce and Visitors Center is the advocate, the resource and the champion for all local business and nonprofit organizations in Whitley County: Therefore,

Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes the Whitley County Chamber of Commerce for 100 years of service.

SECTION 2. That the Principal Clerk of the House of Representatives transmit copies of this resolution to the Whitley County Chamber of Commerce.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 34 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bills 61, 187, and 366 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, with amendments, Engrossed Senate Bills 19, 39, 246, and 273 and the same are herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 4, 33, 34, 35, 42, and 47 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 13 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bill 255 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 21 and 33 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON SECOND READING

Senate Resolution 25

Senator Buchanan called up Senate Resolution 25 for second reading. The resolution was read a second time and adopted by voice vote.

House Concurrent Resolution 17

Senator Koch called up House Concurrent Resolution 17 for second reading. The resolution was read a second time and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 28

Senator M. Young called up House Concurrent Resolution 28 for second reading. The resolution was read a second time. The Chair ordered a division of the Senate. Yeas 18, nays 28. The resolution failed.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1009

Senator Messmer called up Engrossed House Bill 1009 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1014

Senator Gaskill called up Engrossed House Bill 1014 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1047

Senator M. Young called up Engrossed House Bill 1047 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1099

Senator Busch called up Engrossed House Bill 1099 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1104

Senator Garten called up Engrossed House Bill 1104 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1109

Senator Walker called up Engrossed House Bill 1109 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1147

Senator Boots called up Engrossed House Bill 1147 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1189

Senator Crider called up Engrossed House Bill 1189 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1224

Senator Crider called up Engrossed House Bill 1224 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1267

Senator Messmer called up Engrossed House Bill 1267 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1288

Senator Walker called up Engrossed House Bill 1288 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1334

Senator Niemeyer called up Engrossed House Bill 1334 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1343

Senator Tomes called up Engrossed House Bill 1343 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1403

Senator Messmer called up Engrossed House Bill 1403 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1218

Senator Donato called up Engrossed House Bill 1218 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1022

Senator Messmer called up Engrossed House Bill 1022 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning the general assembly.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 215: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1067

Senator Leising called up Engrossed House Bill 1067 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 216: yeas 49, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1210

Senator Charbonneau called up Engrossed House Bill 1210 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 217: yeas 48, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as coauthor of Senate Resolution 24.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as cosponsor of Engrossed House Bill 1002.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1009.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niemeyer be added as second sponsor of Engrossed House Bill 1014.

GASKILL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1014.

GASKILL

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Rogers and Niezgodski be added as cosponsors of Engrossed House Bill 1070.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1081.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Spartz be added as cosponsor of Engrossed House Bill 1091.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Boots be added as third sponsor and Senator Kruse be added as cosponsor of Engrossed House Bill 1112.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as second sponsor of Engrossed House Bill 1153.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1166.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second sponsor of Engrossed House Bill 1173.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1173.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1189.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as cosponsor of Engrossed House Bill 1207.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Gaskill be added as second sponsor and Senator Crane be added as third sponsor of Engrossed House Bill 1222.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as second sponsor of Engrossed House Bill 1224.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as second sponsor of Engrossed House Bill 1267.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as cosponsor of Engrossed House Bill 1283.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Doriot and Kruse be added as cosponsors of Engrossed House Bill 1301.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as cosponsor of Engrossed House Bill 1305.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Messmer be added as second sponsor and Senator Becker be added as third sponsor of Engrossed House Bill 1343.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1348.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bohacek be added as second sponsor and Senator Kruse be added as cosponsor of Engrossed House Bill 1370.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as second sponsor of Engrossed House Bill 1403.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, February 24, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 2:32 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Twenty-Second Meeting Day Monday Afternoon February 24, 2020

The Senate convened at 1:38 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Senator John B. Crane.

The Pledge of Allegiance to the Flag was led by Senator Crane.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton ▶
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 218: present 49; excused 1. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

Senate Resolution 42

Senate Resolution 42, introduced by Senator Spartz:

A SENATE RESOLUTION concerning taxes, fees, and eminent domain.

Whereas, Minimizing tax burdens on the state level will lead to greater economic prosperity in Indiana, giving all Hoosiers the opportunity to use their money as they wish;

Whereas, Protecting private property rights in the state of Indiana will ensure liberty and sovereignty for all citizens; and

Whereas, The legislative council is encouraged to propose amendments to the Indiana Constitution to enshrine greater protections for Hoosiers and businesses that choose to live and operate in the state of Indiana: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate encourages the legislative council to consider proposing an amendment to the Indiana Constitution prohibiting a state tax or fee from being imposed, authorized, or raised by the legislature without a two-thirds majority vote by each chamber.

SECTION 2. That the Indiana Senate urges the legislative council to consider a joint resolution that will amend the Indiana Constitution to include language similar to the following:

> "No private property shall be taken except for a public purpose and with full compensation therefor paid to each owner or secured by deposit in the registry of the court and available to the owner."

The resolution was read in full and referred to the Committee on Tax and Fiscal Policy.

Senate Resolution 43

Senate Resolution 43, introduced by Senator Spartz:

A SENATE RESOLUTION concerning "advice and consent" for executive appointments.

Whereas, The concept of "advice and consent" has been implemented in state and federal governments to provide checks and balances between a legislative and executive branch;

Whereas, The members of the Indiana General Assembly are elected to represent and support the interests of Hoosiers in their districts;

Whereas, Indiana's governor is responsible for approximately 500 appointments that must be met as set forth in the Indiana Code; and

Whereas, Indiana's superintendent of public instruction becomes a secretary of education appointed by the governor in 2021: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate urges the legislative council to consider proposing an amendment to the Indiana Constitution to include language similar to the following:

"All appointments of the governor in state or district office shall be with the advice and consent of two-thirds of the Senate present."

The resolution was read in full and referred to the Committee on Judiciary.

Senate Resolution 48

Senate Resolution 48, introduced by Senator Melton:

A SENATE RESOLUTION to urge the Family and Social Services Administration (FSSA) to study the accessibility of prenatal and postnatal care for Hoosiers on Medicaid living in Lake County.

Whereas, 92 percent of Hoosiers living in Lake County, Indiana have some type of health insurance. 18.5 percent of those insured are insured through Medicaid;

Whereas, From 2013-2017 half of the babies born in Lake County were born to mothers on Medicaid;

Whereas, In Lake County, there are 15 hospitals. However, there are few hospitals providing neonatal care and even fewer that provide level IV neonatal care;

Whereas, Indiana provides mothers with world-class facilities, such as those at Riley Hospital for Children in Indianapolis. Unfortunately, mothers residing in Lake County live three hours from these facilities. Driving to a Chicago hospital is closer and sometimes more convenient for Hoosier mothers on Medicaid living in Lake County;

Whereas, Indiana Medicaid allows out-of-state hospitals to apply for in-state status if they are treating patients from Indiana. While these hospitals are reimbursed at the same rate, they are not able to collect and pay into Hospital Assessment Fees, according to an FSSA presentation;

Whereas, Last year, after a letter from Representative Soliday, Representative Reardon, Representative Harris, Senator Charbonneau, and Senator Tallian, the Interim Study Committee on Fiscal Policy studied this issue of Medicaid reimbursement for out-of-state hospitals. An additional study conducted by FSSA is necessary due in part to the number of Medicaid participants living in Lake County and their proximity to out-of-state hospitals; and

Whereas, There is still more to be done in terms of providing appropriate specialty care close to home for Hoosier moms and babies across the state: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate urges FSSA to study the accessibility of prenatal and postnatal care for Hoosiers on Medicaid living in Lake County.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of the Resolution to FSSA.

The resolution was read in full and referred to the Committee on Family and Children Services.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Engrossed House Bill 1131, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17, begin a new paragraph and insert:

"SECTION 1. IC 8-1-1.9-3, AS ADDED BY P.L.126-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. **(a)** As used in this chapter, "water or wastewater utility" means:

(1) a public utility that provides water service, wastewater service, or both water service and wastewater service to the public; **or**

(2) a municipally owned utility that provides water service to less than eight thousand (8,000) customers.

(b) The term does not include a municipal wastewater system.".

Page 2, delete lines 1 through 11, begin a new paragraph and insert:

"SECTION 2. IC 8-1-2-46.2, AS ADDED BY P.L.91-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 46.2. (a) As used in this section, "water or wastewater utility" means a public utility, other than a not-for-profit utility, as defined in section 125(a) of this chapter, that provides water or wastewater service to the public.

(b) Notwithstanding any law or rule governing extension of service, a water or wastewater utility may, on a nondiscriminatory basis, extend service for economic development purposes or to rural areas without a deposit or other adequate assurance of performance from the customer, to the extent that the extension of service results in a positive contribution to the utility's overall cost of service over a twenty (20) year period. However, if the water or wastewater utility determines that the extension of service will not result in a positive contribution to the utility's overall cost of service over a twenty (20) year period, the water or wastewater utility may require a deposit or other adequate assurance of performance from:

(1) the developer of the project; or

(2) a local, regional, or state economic development organization.

(c) Subsection (d) applies if:

(1) a county executive, a municipal legislative body, or, in Marion County, the county fiscal body, establishes an

infrastructure development zone under IC 6-1.1-12.5-4; and

(2) the county executive, municipal legislative body, or county fiscal body requests a public utility to extend water or wastewater utility service to the geographic territory established as the infrastructure development zone.

(d) A water or wastewater utility that receives a request described in subsection (c)(2) may file a petition with the commission seeking approval of the requested extension of service. If the commission approves the petition, in future general rate cases, the commission shall approve rate schedules that include a surcharge payable only by customers located in the geographic area within the jurisdiction of the governmental entity described in subsection (c), ~~including~~ **or, if requested by the governmental entity, only within** the geographic area established as an infrastructure development zone. The surcharge shall recover depreciation expense, weighted cost of capital, and federal and state income tax applicable to the extension of water or wastewater utility service.".

Page 3, after line 22, begin a new paragraph and insert:

"SECTION 4. IC 8-1-30.3-5, AS AMENDED BY P.L.229-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) This section applies if:

(1) a utility company acquires property from an offered utility in a transaction involving a willing buyer and a willing seller; and

(2) at least one (1) utility company described in subdivision (1) is subject to the jurisdiction of the commission under this article.

(b) Subject to subsection (c), there is a rebuttable presumption that a cost differential is reasonable.

(c) If the acquisition:

(1) is made under IC 8-1.5-2-6.1, and to the extent the purchase price does not exceed the appraised value as determined under IC 8-1.5-2-5; **or**

(2) is not made under IC 8-1.5-2-6.1, and to the extent the purchase price does not exceed the appraised value as determined under section 5.5 of this chapter;

the purchase price is considered reasonable for purposes of subsection (d) and any resulting cost differential is considered reasonable.

(d) Before closing on the acquisition, the utility company that acquires the utility property may petition the commission to include any cost differential as part of its rate base in future rate cases. The commission shall approve the petition if the commission finds the following:

(1) The utility property is used and useful to the offered utility in providing water service, wastewater service, or both water and wastewater service.

(2) The offered utility is too small to capture economies of scale or has failed to furnish or maintain adequate, efficient, safe, and reasonable service and facilities.

(3) The utility company will improve economies of scale or, if otherwise needed, make reasonable and prudent improvements to the offered utility's plant, the offered utility's operations, or both, so that customers of the offered utility will receive adequate, efficient, safe, and reasonable service.

(4) The acquisition of the utility property is the result of a mutual agreement made at arms length.

(5) The actual purchase price of the utility property is reasonable.

(6) The utility company and the offered utility are not affiliated and share no ownership interests.

(7) The rates charged by the utility company will not increase unreasonably in future general rate cases solely as a result of acquiring the utility property from the offered utility. For purposes of this subdivision, the rates and charges will not increase unreasonably in future general rate cases so long as the net original cost proposed to be recorded under subsection (f) is not greater than two percent (2%) of the acquiring utility's net original cost rate base as determined in the acquiring utility's most recent general rate case. If the amount proposed to be recorded under subsection (f) is greater than two percent (2%) of the acquiring utility's net original cost rate base as determined in the acquiring utility's most recent general rate case, the commission shall proceed to determine whether the rates charged by the utility company will increase unreasonably in future general rate cases solely as a result of acquiring the utility property from the offered utility and, in making the determination, may consider evidence of:

(A) the anticipated dollar value increase; and

(B) the increase as a percentage of the average bill.

(8) The cost differential will be added to the utility company's rate base to be amortized as an addition to expense over a reasonable time with corresponding reductions in the rate base.

(e) In connection with its petition under subsection (d), the acquiring utility company shall provide the following:

(1) Notice to customers of the acquiring utility company that a petition has been filed with the commission under this chapter. The notice provided under this subdivision must include the cause number assigned to the petition. Notice under this subdivision may be provided to customers in a billing insert.

(2) Notice to the office of the utility consumer counselor.

(3) A statement of known infrastructure, environmental, or other issues affecting the offered utility, and the process for determining reasonable and prudent improvements upon completing the acquisition.

(f) In a proceeding under subsection (d), the commission shall issue its final order not later than two hundred ten (210) days after the filing of the petitioner's case in chief. If the commission grants the petition, the commission's order shall authorize the acquiring utility company to make accounting entries recording the acquisition and that reflect:

(1) the full purchase price;

(2) incidental expenses; and

(3) other costs of acquisition;

as the net original cost of the utility plant in service assets being acquired, allocated in a reasonable manner among appropriate utility plant in service accounts.

SECTION 5. IC 8-1-30.3-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5.5. (a) For purposes of this section, an individual, or the company employing the individual, is qualified to perform an appraisal if the individual is:**

(1) an engineer registered under IC 25-31; or

(2) an appraiser licensed under IC 25-34.1-8.

(b) For purposes of this section, an individual performing an appraisal, or the company employing the individual, is disinterested if:

(1) the fee for the appraisal services is fixed before the individual performs the appraisal;

(2) the individual is not an employee of one (1) of the parties to the acquisition;

(3) the individual is not a state or municipal employee; and

(4) the:

(A) individual; and

(B) company, if applicable;

do not have affiliated interests (as defined in IC 8-1-2-49) in one (1) of the parties to the acquisition.

(c) An appraisal under section 5(c)(2) of this chapter must be performed by three (3) qualified and disinterested appraisers, including:

(1) at least one (1) appraiser qualified under subsection (a)(1); and

(2) at least one (1) appraiser qualified under subsection (a)(2).

(d) If the three (3) appraisers performing an appraisal for purposes of section 5(c)(2) of this chapter cannot agree as to an appraised value, the appraisal is sufficient for purposes of section 5(c)(2) of this chapter if the appraisal is signed by two (2) of the appraisers.

SECTION 6. IC 34-57-1-1, AS AMENDED BY P.L.196-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. This chapter applies to:

(1) any controversy existing between two (2) or more parties which might be the subject of a suit at law, except as otherwise provided in section 2 of this chapter; and

(2) arbitration under IC 36-4-3-21.1 concerning services provided by a municipal utility to properties located ~~outside the corporate boundaries of the municipality.~~ **in the unincorporated area of a county.**

SECTION 7. IC 36-4-3-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 21. (a) In lieu of annexing contiguous territory or in cases not involving annexation, the executive and the proper administrative agency of a municipality, with the consent of the municipal legislative body, may enter into contracts with the owners or lessees of designated property in the vicinity of the municipality **within the unincorporated area of a county,** providing for the payment or contribution of money to the municipality for municipal or public purposes specified in the contract. **The unincorporated area of a county does not include property that was in an unincorporated part of a township that reorganized with a municipality under IC 36-1.5 to become a part of the resulting reorganized municipality. A contract entered into with the owners or lessees of designated property located within the boundaries of another municipality is void.** The payments under the contract may be:

(1) related to or in consideration of municipal services or benefits received or to be received by the property owners or lessees;

(2) in lieu of taxes that might be levied on annexation of the designated property; or

(3) wholly unrelated to municipal services or benefits to or potential tax impositions on the designated property.

(b) Any other political subdivision that has taxing power in respect to the designated property or is entitled to share in the property taxes assessed and collected by the municipality may:

(1) join in a contract under this section; or

(2) enter into a separate agreement with the municipality, providing for the division and distribution of contract payments made under this section and for the receipt of a share of those payments by the municipal authority.

(c) A contract under this section may be entered into for the term agreed to by the municipality and the property owners or lessees, but that term may not exceed:

(1) fifteen (15) continuous years under one (1) contract if the municipality is a consolidated or second class city; or

(2) four (4) continuous years under one (1) contract if the municipality is not a consolidated or second class city.

(d) A contract under this section continues in effect for its full term unless it is:

(1) induced by fraud of the property owners or lessees;

(2) grossly and corruptly improvident on the part of the municipality; or

(3) terminated or reduced in duration by agreement of the municipality and the property owners or lessees.

(e) A contract under this section may provide that during its effective term, the designated property of the contracting owners or lessees is not subject to annexation by the municipality.

(f) This subsection applies only to a contract under this section that satisfies all of the following:

(1) The contract is in effect on June 30, 2020.

(2) The designated property subject to the contract is located within the boundaries of a municipality.

Notwithstanding subsection (a) and subject to subsection (d), a contract continues in effect after June 30, 2020, only for the remainder of the contract's unexpired term. A contract may not be extended or renewed after June 30, 2020. Any provision of a contract that allows the contract to be automatically renewed or extended for a subsequent term or period after June 30, 2020, is void.

SECTION 8. IC 36-4-3-21.1, AS ADDED BY P.L.196-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 21.1. **(a) This section does not apply to a contract under section 21(f) of this chapter.**

~~(a)~~ **(b)** This section applies if:

(1) one (1) or more contracts were entered into under section 21(a)(1) of this chapter between:

(A) the executive and an administrative agency of a municipality; and

(B) the owners or lessees of properties located ~~outside~~

~~the corporate boundaries of the municipality;~~ **in the unincorporated area of a county;**

concerning the provision of municipal utility services in the area in which the properties referred to in clause (B) are located;

(2) the contracts have expired;

(3) the area in which the properties referred to in subdivision (1)(B) are located has not been annexed into the municipality; and

(4) the parties have not agreed:

(A) to an extension of the contracts referred to in subdivision (1); or

(B) to enter into new contracts under section 21(a)(1) of this chapter.

~~(b)~~ **(c)** In a situation described in subsection ~~(a):~~ **(b):**

(1) municipal utility services to the properties referred to in subsection ~~(a)(1)(B)~~ **(b)(1)(B)** may not be terminated, except for nonpayment of the compensation due under subdivision (2); and

(2) as a condition of continuing to receive municipal utility services, the owners or lessees of the properties referred to in subsection ~~(a)(1)(B)~~ **(b)(1)(B)** must continue to pay the rate charged for the municipal utility services under the expired contracts, including any payment or contribution of money to the municipality provided for in the expired contracts under section 21(a) of this chapter;

for the period specified in subsection ~~(c)(1)~~ **(d)(1)** or until the occurrence of one (1) of the events set forth in subsection ~~(c)(2).~~ **(d)(2).**

~~(c)~~ **(d)** The municipal utility services shall continue to be provided to the properties referred to in subsection ~~(a)(1)(B)~~ **(b)(1)(B)** under the terms set forth in subsection ~~(b):~~ **(c):**

(1) for a period of two (2) years from the date of expiration of the contracts, if none of the events set forth in subdivision (2)(A) through (2)(C) occurs within that period; or

(2) until one (1) of the following occurs:

(A) The executive and administrative agency of the municipality and the owners or lessees of the properties referred to in subsection ~~(a)(1)(B)~~ **(b)(1)(B)** enter into a new contract under section 21(a)(1) of this chapter.

(B) The area in which the properties referred to in subsection ~~(a)(1)(B)~~ **(b)(1)(B)** are located is annexed into the municipality.

(C) Subject to subsection ~~(c),~~ **(f),** arbitration of the matter is initiated under subsection ~~(d).~~ **(e).**

~~(d)~~ **(e)** At any time within the period referred to in subsection ~~(c)(1):~~ **(d)(1):**

(1) the executive and administrative agency of the municipality; and

(2) the owners or lessees of the properties referred to in subsection ~~(a)(1)(B);~~ **(b)(1)(B);**

may initiate arbitration of the differences preventing the parties from entering into a new contract under section 21(a)(1) of this chapter. The arbitration shall be conducted under IC 34-57-1 by an arbitrator mutually chosen by the parties, and the award made by the arbitrator must establish reasonable and just terms of a new contract between the parties under section 21(a)(1) of this chapter, considering all relevant factors. If either party fails or refuses to enter into a new contract under section 21(a)(1) of this chapter according to the terms of the award, the other party may commence legal action to enforce the award under IC 34-57-1-13.

~~(e)~~ **(f)** If arbitration is initiated under subsection ~~(d)~~ **(e)** before the expiration of the period referred to in subsection ~~(c)(1),~~ **(d)(1),** but the arbitration is not concluded before the expiration of the period set forth in subsection ~~(c)(1),~~ **(d)(1),** the municipal utility services shall continue to be provided to the properties referred to in subsection ~~(a)(1)(B)~~ **(b)(1)(B)** under the terms set forth in subsection ~~(b)~~ **(c)** until the arbitrator makes the award and the parties enter into a new contract under section 21(a)(1) of this chapter according to the terms of the award.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1131 as reprinted January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

MERRITT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Engrossed House Bill 1176, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 12, delete "Subject to IC 12-12.7-2-23, a" and insert "A".

Page 6, delete lines 31 through 39.

Renumber all SECTIONS consecutively.

(Reference is to HB 1176 as printed January 21, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 3.

GROOMS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Family and Children Services, to which was referred Engrossed House Bill 1264, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 13, line 26, delete "P.L.287-2013," and insert "THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY,".

Page 13, line 27, delete "SECTION 14,".

Page 13, line 41, after "who are" insert "under the".

Page 13, line 41, strike "under the".

(Reference is to HB 1264 as printed January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

GROOMS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Environmental Affairs, to which was referred Engrossed House Bill 1265, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 6, delete "meets" and insert "**equals or exceeds the action level for lead of fifteen (15) parts per billion, or fifteen one thousandths (0.015) milligram of lead per liter of water, established by 40 CFR 141.80 as in effect on January 1, 2020.**".

Page 1, delete lines 7 through 8.

Page 1, line 15, after "2018;" insert "**or**".

Page 2, line 1, delete "2020; or" and insert "**2020.**".

Page 2, delete lines 2 through 3.

Page 2, line 7, after "Subpart I," insert "**as in effect on January 1, 2020,**".

(Reference is to HB 1265 as reprinted January 30, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

MESSMER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Environmental Affairs, to which was referred Engrossed House Bill 1309, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 3.

Page 4, delete lines 1 through 11.

Page 5, delete lines 39 through 42.

Delete page 6.

Renumber all SECTIONS consecutively.

(Reference is to HB 1309 as printed January 17, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

MESSMER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Natural Resources, to which was referred Engrossed House Bill 1385, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-6-11-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. As used in this chapter, "boat" ~~means any device in which a person may be transported upon water and includes every motorboat, sailboat, pontoon boat, rowboat, skiff, dinghy, or canoe, regardless of size.~~ **or "watercraft" has the meaning set forth for "watercraft" in IC 9-13-2-198.5.**

SECTION 2. IC 6-6-11-2 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 2. As used in this chapter, "boating equipment" means motors used in connection with a boat.~~

SECTION 3. IC 6-6-11-3 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 3. As used in this chapter, "boating year" means a calendar year.~~

SECTION 4. IC 6-6-11-4 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 4. As used in this chapter, "motorized boat" means a boat that is propelled by an internal combustion, steam, or electrical inboard or outboard motor or engine or propelled by any mechanical means, including a sailboat that is equipped with a motor or engine.~~

SECTION 5. IC 6-6-11-5, AS AMENDED BY P.L.245-2015, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 5. As used in this chapter, "tax situs" means the taxing district in which a boat is located on the ~~assessment date of a boating year unless:~~

~~(1) the boat is acquired after the assessment date, in which case the boat's tax situs is where the owner intends to have the boat on the following assessment date; or~~

~~(2) the boat is registered outside Indiana, in which case the boat's tax situs is the taxing district in which the boat is principally stored or operated during the boating year.~~ **date the boat is registered under IC 9-18.1-14.5.**

SECTION 6. IC 6-6-11-8, AS AMENDED BY P.L.178-2019, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 8. (a) Except as provided in ~~subsections~~ **subsection** (b), ~~and (d),~~ a boat may not be operated, used, docked, or stored ~~in a county~~ during any part of a ~~boating~~ **registration** year **unless:**

~~(1) unless:~~

~~(A) the boat excise tax; and~~

~~(B) the boat registration fees imposed by IC 9-31-3-9; for that boat have been paid for that boating year; and~~

~~(2) unless valid boat excise tax decals for that boating year are affixed to the boat.~~

(1) the boat has been registered under IC 9-18.1-14.5; or

(2) the boat is not required to be registered under IC 9-18.1-14.5.

~~(b) A boat may be operated, used, docked, or stored in a county without the boat excise tax having been paid if:~~

~~(1) the boat is exempt from the excise tax under section 9 of this chapter; or~~

~~(2) the operator of the boat has in the operator's possession a bill of sale from a dealer or private individual that includes the following:~~

~~(A) The purchaser's name and address.~~

~~(B) A date of purchase that is not more than thirty-one (31) days preceding the date that the operator is required to show the bill of sale.~~

~~(C) The make and type of boat or the hull identification number.~~

(b) A boat is exempt from the boat excise tax imposed by this chapter if the boat is:

(1) exempt from registration fees under IC 9-18.1-14.5-7; or

(2) used by a person for the production of income and subject to assessment under IC 6-1.1, proof of which has been provided to the bureau.

(c) Boats that are subject to the boat excise tax for a ~~boating~~ **registration** year are not subject to assessment and taxation under IC 6-1.1 for ad valorem property taxes first due and payable in the following ~~boating~~ **registration** year, with respect to the taxpayer who must pay the boat excise tax.

~~(d) A boat may be operated, used, docked, or stored in a county without valid boat excise tax decals for that boating year being affixed to the boat if the decals do not have to be affixed to the boat under rules adopted by the department of natural resources.~~

(d) If the boat excise tax imposed by this chapter was not paid for one (1) or more preceding registration years, the bureau of motor vehicles may collect only the boat excise tax imposed by this chapter for the:

(1) registration year immediately preceding the current registration year;

(2) current registration year; and

(3) registration year immediately following the current registration year.

SECTION 7. IC 6-6-11-9 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 9. A boat is exempt from the boat excise tax imposed for a year if the boat is:~~

~~(1) owned by the United States;~~

~~(2) owned by the state or one (1) of its political subdivisions (as defined in IC 36-1-2-13);~~

~~(3) owned by an organization exempt from federal income taxation under 501(c)(3) of the Internal Revenue Code;~~

~~(4) a human powered vessel, as determined by the department of natural resources;~~

~~(5) held by a boat manufacturer, distributor, or dealer for sale in the ordinary course of business;~~

~~(6) used by a person for the production of income and subject to assessment under IC 6-1.1;~~

~~(7) stored in Indiana for less than twenty-two (22) consecutive days and not operated, used, or docked in Indiana;~~

~~(8) except as provided in subdivision (9), registered outside Indiana and operated, used, or docked in Indiana for a combined total of less than twenty-two (22) consecutive days during the boating year;~~

~~(9) a motorboat (as defined by IC 9-13-2-103.5) and is registered outside Indiana and docked on the Indiana part of Lake Michigan for a combined total of not more than one hundred eighty (180) consecutive days; or~~

~~(10) subject to the commercial vessel tonnage tax under IC 6-6-6.~~

SECTION 8. IC 6-6-11-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 10. (a) The amount of boat excise tax that a boat owner shall pay for a ~~boating~~ **registration** year is based on the boat's class and age.

(b) ~~Motorized boats and sailboats~~ **Boats** are classified for excise tax purposes according to the value of the boat when the boat was new. The amount of excise tax ~~for a boating year that is imposed for a motorized boat or a sailboat and owed by the boat owner~~ is prescribed in the following table:

~~MOTORIZED BOAT'S or SAILBOAT'S~~ **BOAT** CLASS	VALUE WHEN NEW AT LEAST but	LESS THAN	TAX DUE
1	$ 0.01	$ 500	$ 2
2	500	1,000	6
3	1,000	1,500	20
4	1,500	2,000	30
5	2,000	3,000	42
6	3,000	5,000	55
7	5,000	7,500	70
8	7,500	10,000	88
9	10,000	15,000	110
10	15,000	22,500	150
11	22,500	35,000	200
12	35,000	50,000	275
13	50,000	75,000	375
14	75,000 or more		500

The bureau of motor vehicles ~~shall~~ **may** adopt rules under IC 4-22-2 for determining the value of new boats. A tax paid under subsection (c) may be used as a credit against the taxes owed for the same ~~boating~~ **registration** year under this subsection.

(c) Notwithstanding subsection (b), the amount of excise tax imposed and owed by a boat owner is twelve dollars ($12) for a ~~motorized~~ boat ~~or a sailboat~~ that is stored in Indiana for sixty (60) consecutive days or more but not operated, used, or docked in Indiana waters, except to facilitate storage of the boat.

SECTION 9. IC 6-6-11-13, AS AMENDED BY P.L.178-2019, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 13. (a) A boat owner shall pay the boat excise tax for a ~~boating~~ **registration** year to the bureau of motor vehicles. ~~If the motorboat is legally registered in another state, the boat owner must pay the excise tax and the two dollar ($2) fee imposed by IC 9-31-3-2 for a boating year to the bureau of motor vehicles.~~

(b) ~~Subject to subsection (c),~~ The tax ~~and fees~~ set forth in subsection (a) must be paid at the same time that the boat owner pays or would pay the registration fee and vehicle excise taxes on motor vehicles under IC 9-18 (before its expiration), IC 9-18.1, and IC 6-6-5. When the boat owner pays the tax and fees, the owner is entitled to receive the ~~excise tax~~ **registration** decals.

~~(c) If the boat excise tax imposed by this chapter was not paid for one (1) or more preceding boating years, the bureau may collect only the boat excise tax imposed by this chapter for the:~~

~~(1) boating year immediately preceding the current boating year;~~

~~(2) current boating year; and~~

~~(3) boating year immediately following the current boating year.~~

SECTION 10. IC 6-6-11-14, AS AMENDED BY P.L.256-2017, SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 14. (a) ~~For~~ **This section applies to** a boat which has been acquired, or brought into Indiana, or for any other reason becomes subject to **registration or** the **boat** excise tax after the regular annual tax payment date in the ~~boating~~ **registration** year on or before which the owner is required to pay the tax on boats under this chapter.

The tax imposed by this chapter shall become due and payable no later than

~~(1) the thirty-second day after the boat is operated in Indiana, if the boat is registered in Indiana;~~

~~(2) except as provided in subdivision (3), the twenty-second consecutive day during the boating year that the boat is:~~

~~(A) stored in Indiana; or~~

~~(B) operated, used, or docked in Indiana waters if the boat is registered outside Indiana; or~~

~~(3) the one hundred eighty-first day that the motorboat (as defined by IC 9-13-2-103.5) is docked on the Indiana part of Lake Michigan if the motorboat is registered outside Indiana.~~ **the date the boat is required to be registered in Indiana under IC 9-18.1-14.5-8.**

~~(b) The amount of excise tax to be paid by the owner for the remainder of the year shall be reduced by one-twelfth (1/12) for each full calendar month which has elapsed since the regular annual tax payment date in the year fixed by the bureau of motor vehicles for tax payment by the owner.~~

(b) The boat excise tax owed by the owner at the time of registration of the boat is calculated in the same manner as a motor vehicle excise tax under IC 6-6-5-7.2(c).

(c) The owner of a boat who sells or otherwise disposes of the boat in a year in which the owner has paid the excise tax imposed by this chapter is entitled to receive a credit that is calculated in the same manner and subject to the same requirements as the credit for the excise tax under IC 6-6-5-7.2(e).

(d) If the name of the owner of a boat is legally changed and the change has caused a change in the owner's annual registration date, the boat excise tax liability of the owner shall be adjusted in the same manner as excise taxes are adjusted under IC 6-6-5-7.2(f).

(e) The owner of a boat registered with the bureau of motor vehicles is entitled to a refund of boat excise taxes calculated in the same manner as motor vehicle excise tax under IC 6-6-5-7.4, if, after the owner's registration date:

(1) the owner registers the boat for use in another state;

(2) the owner pays tax for use of the boat in another state for the same time period for which the tax was paid under this chapter; and

(3) the amount of the refund is at least four dollars ($4).

(f) To claim a credit or a refund, or both, under this chapter, a person must comply with the provisions of IC 6-6-5-7.7.

SECTION 11. IC 6-6-11-15 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 15. For a boat which is acquired, or brought into Indiana, or for any other reason becomes subject to taxation under this chapter during the middle of the current boating year, the owner may pay the fees and the excise tax due on the boat as provided in this chapter and any excise tax due on the boat for the remainder of the boating year and simultaneously pay the fees and the excise tax due for the following boating year.~~

SECTION 12. IC 6-6-11-16 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 16. (a) Except as provided in sections 11 and 19 of this chapter, a reduction in the excise tax is not allowed to Indiana residents if the boat was owned by the person on or before the person's tax payment date.~~

~~(b) A boat owner is not entitled to a refund of excise taxes paid because the boat owner changes the boat owner's state or country of residency.~~

SECTION 13. IC 6-6-11-17 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 17. (a) The owner of a boat who sells or otherwise disposes of the boat in a year in which the boat owner has paid the tax imposed by this chapter is entitled to receive a credit equal to the remainder of:~~

~~(1) the tax paid for the boat; minus~~

~~(2) one-twelfth (1/12) for each full or partial calendar month that has elapsed from the date the tax was due to the date of the sale, destruction, or other disposal of the boat.~~

~~(b) If the credit is not fully used within ninety (90) days after the date of the sale, destruction, or other disposal of the boat and the amount of the credit is at least four dollars ($4), the bureau shall issue a refund to the owner in the amount of the unused credit, less a fee of three dollars ($3) to cover the costs of processing the refund. The bureau shall deposit the processing fee in the commission fund (established by IC 9-14-14-1).~~

~~(c) To claim the credit and refund provided by this section, the owner of the boat must present to the bureau proof of the sale, destruction, or other disposal of the boat.~~

SECTION 14. IC 6-6-11-17.5 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 17.5. (a) To claim a credit or refund, or both, a person must provide a sworn statement to the bureau that the person is entitled to the credit or refund, or both, claimed by the person.~~

~~(b) The bureau may inspect records of a person claiming a credit or refund, or both, under this chapter to determine whether a credit or refund, or both, was properly allowed against the excise tax imposed under this chapter for a boat owned by the person.~~

~~(c) If the bureau determines that a credit or refund, or both, was improperly allowed to a person for a boat, the person shall pay the bureau the amount of the credit and refund that was improperly allowed to the person plus a penalty equal to ten percent (10%) of the amount of the credit or refund, or both, that was improperly allowed to the person. The tax collected under this section shall be distributed to the county treasurer of the county where the boat's tax situs is located. However, the bureau shall retain any penalty collected under this subsection.~~

SECTION 15. IC 6-6-11-19 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 19. If the name of the owner of a boat is legally changed and the change has caused a change in the owner's annual tax payment date, the excise tax liability of the owner shall be adjusted as follows:~~

~~(1) If the name change requires the owner to pay the excise tax sooner than the owner would have been required to pay if there had been no name change, the owner shall, at the time the name change is reported, be authorized a refund from the county treasurer in the amount of the product of:~~

~~(A) one-twelfth (1/12) of the owner's last preceding annual excise tax liability; multiplied by~~

~~(B) the number of full calendar months between the owner's new tax payment month and the tax payment~~

~~month that is based on the owner's former name.~~

~~(2) If the name change requires the owner to pay the excise tax later than the owner would have been required to pay if there had been no name change, the boat is subject to excise tax for the period between the month in which the owner would have been required to pay if there had been no name change and the new tax payment month. The amount of the tax is equal to the amount determined under STEP FOUR of the following formula:~~

~~STEP ONE: Determine the number of full calendar months between the month in which the owner would have been required to register if there had been no name change and the owner's new annual registration month.~~

~~STEP TWO: Multiply:~~

~~(i) the STEP ONE result; by~~

~~(ii) one-twelfth (1/12).~~

~~STEP THREE: Determine the owner's excise tax liability computed as of the time the owner would have been required to pay the excise tax if there had been no name change.~~

~~STEP FOUR: Multiply:~~

~~(i) the STEP TWO result; by~~

~~(ii) the STEP THREE result.~~

SECTION 16. IC 6-6-11-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 21. The state board of accounts shall prescribe the tax payment form to be used by the bureau of motor vehicles. The board shall prescribe one (1) document to serve as the form. The form must have a sufficient number of copies for distribution and include appropriate spaces for the following information:

(1) The owner's name and address.

(2) The name of the county and the address of the location where the boat has its tax situs for the ~~boating~~ **registration** year.

(3) A description of the boat, including the manufacturer's specified length for the boat.

(4) The age of the boat.

(5) The class prescribed for the boat under this chapter.

(6) The excise tax imposed on the boat for the ~~boating~~ **registration** year under this chapter.

(7) The boat's state registration or Coast Guard documentation number, if any, and any other information reasonably required by the department of natural resources.

(8) The signature of the boat owner on the owner's copy of the form verifying that the information is true and correct and acknowledging that the boat owner will be subject to penalties for perjury for providing false information.

(9) Any other information prescribed by the state board of accounts.

SECTION 17. IC 6-6-11-22 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 22. The department of natural resources shall prescribe the design of the boat excise tax decals in sufficient time for the bureau of motor vehicles to procure a sufficient number of boat excise tax decals for each class of boat. Each decal must:~~

~~(1) state the boating year to which the decal applies;~~

~~(2) have a unique identification number;~~

~~(3) be a different color than the colors used for the previous boating year; and~~

~~(4) be designed so that law enforcement officers can easily identify whether the decal is valid.~~

SECTION 18. IC 6-6-11-23.5 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 23.5. The bureau of motor vehicles may issue a decal to a boat owned by an organization exempt from Federal income taxation under 501(c)(3) of the Internal Revenue Code.~~

SECTION 19. IC 6-6-11-24 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 24. The taxpayer shall affix the boat excise tax decals:~~

~~(1) to the bow of each side of the boat, within three (3) inches to the right of the boat's registration number; or~~

~~(2) on each side of the forward half of the bow above the water line of the boat if a registration number is not required to be displayed.~~

~~However, the department of natural resources may adopt rules under IC 4-22-2 providing that decals do not have to be affixed to certain types of boats.~~

SECTION 20. IC 6-6-11-26 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 26. If a boat owner has a judgment entered against the owner for violating section 25 of this chapter, the court shall transmit a copy of the judgment to the bureau of motor vehicles. A boat owner who does not pay the boat excise tax on or before the due date shall pay a delinquent fee equal to one hundred percent (100%) of the boat excise tax due. The bureau of motor vehicles shall collect this delinquent fee along with the excise taxes due for the boat. The amount collected in delinquent fees shall be credited to a special account within the state general fund to be used as provided in section 35 of this chapter.~~

SECTION 21. IC 6-6-11-27 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 27. A person who falsifies, predates, changes, or counterfeits a boat excise tax decal commits a Class C misdemeanor.~~

SECTION 22. IC 6-6-11-29, AS AMENDED BY P.L.178-2019, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 29. (a) The bureau of motor vehicles shall transfer the boat registration fee, the delinquent excise taxes, and the delinquent fees collected under this chapter during the preceding month as follows:

(1) On or before the eleventh day of each month, the bureau of motor vehicles shall transfer to the bureau of motor vehicles commission fund an amount equal to five percent (5%) of each excise tax transaction completed by the bureau. The money is to be used to cover the expenses incurred by or on behalf of the bureau of motor vehicles ~~for returns, decals, collecting the fees and excise taxes and for amounts deposited in the commission fund.~~ **in administering this chapter.**

~~(2) At least quarterly, the bureau of motor vehicles shall set aside for the department of natural resources the delinquent fees collected under this chapter to use as provided in section 35 of this chapter.~~

~~(3)~~ **(2)** On or before the tenth day of each month, the bureau of motor vehicles shall distribute to each county the

excise tax collections ~~including delinquent tax collections,~~ for the county for the preceding month. The bureau of motor vehicles shall include a report with each distribution showing the information necessary for the county auditor to allocate the revenue among the taxing units of the county.

~~(4)~~ **(3)** The bureau of motor vehicles shall deposit the revenue from the boat registration fee imposed by IC 9-31-3-9 **(before its repeal) and IC 9-18.1-14.5-6** in the conservation officers marine enforcement fund established by IC 14-9-8-21.5, the fish and wildlife fund established by IC 14-22-3-2, and the lake and river enhancement fund established by IC 14-22-3.5, as provided in IC 9-31-3-9 **(before its repeal) or IC 9-18.1-14.5-6.**

(b) Money credited to each county's account in the state general fund is appropriated to make the distributions and the transfers required by subsection (a). The distributions shall be made upon warrants drawn from the state general fund.

SECTION 23. IC 6-6-11-30 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 30. Before March 1 of each year the bureau of motor vehicles shall prepare a boat excise tax summary covering the previous ~~boating~~ year. The summary must include the following:

(1) The number of boats by county.

(2) The number of boats by class.

(3) The amount of excise tax collected by class.

The bureau shall send a copy of the summary to the auditor of state, the department of natural resources, and the county assessors.

SECTION 24. IC 6-6-11-35 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 35. The money set aside from the department of natural resources fees for the department of natural resources under section 29 of this chapter is annually appropriated and shall be used exclusively for the following:~~

~~(1) The enforcement of laws pertaining to watercraft.~~

~~(2) The state's share of the cost of retirement benefits for the department's conservation officers.~~

~~(3) Improving the navigable waters of Indiana.~~".

Page 3, between lines 16 and 17, begin a new paragraph and insert:

"SECTION 29. IC 9-13-2-103.5 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 103.5. (a) "Motorboat" means a watercraft propelled by an internal combustion, steam, or electrical inboard or outboard motor or engine or by any mechanical means.~~

~~(b) The term includes a sailboat that is equipped with a motor or an engine described in subsection (a) when the sailboat is in operation whether or not the sails are hoisted.~~

SECTION 30. IC 9-13-2-117.5, AS AMENDED BY P.L.198-2016, SECTION 138, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 117.5. "Operate" means to navigate or otherwise be in actual physical control of a vehicle, ~~motorboat,~~ **watercraft,** off-road vehicle, or snowmobile.

SECTION 31. IC 9-13-2-118, AS AMENDED BY P.L.198-2016, SECTION 139, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 118. **(a)** Except as provided in ~~IC 9-31,~~ **subsection (b),** "operator" means an individual who operates a vehicle, ~~motorboat,~~ **watercraft,** off-road vehicle, or snowmobile.

(b) "Operator", for purposes of IC 9-18.1-14.5, has the meaning set forth in 33 CFR 174.3.

SECTION 32. IC 9-13-2-121, AS AMENDED BY P.L.198-2016, SECTION 142, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 121. **(a)** Except as otherwise provided in ~~IC 9-31,~~ **subsection (b),** "owner" means a person, other than a lienholder, that:

(1) holds the property in or title to, as applicable, a vehicle, manufactured home, mobile home, off-road vehicle, snowmobile, or watercraft; or

(2) is entitled to the use or possession of, as applicable, a vehicle, manufactured home, off-road vehicle, snowmobile, or watercraft, through a lease or other agreement intended to operate as a security.

(b) "Owner" for purposes of IC 9-18.1-14.5, has the meaning set forth in 33 CFR 174.3.

SECTION 33. IC 9-13-2-196, AS AMENDED BY P.L.142-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 196. (a) "Vehicle" means, except as otherwise provided in this section, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway. The term does not include the following:

(1) A device moved by human power.

(2) A device that runs only on rails or tracks.

(3) A wheelchair.

(4) An electric foot scooter.

(b) For purposes of IC 9-17, the term includes the following:

(1) Off-road vehicles.

(2) Manufactured homes or mobile homes that are:

(A) personal property not held for resale; and

(B) not attached to real estate by a permanent foundation.

(3) Watercraft.

(c) For purposes of IC 9-22 **(except IC 9-22-6)** and IC 9-32, the term refers to a vehicle **or watercraft** of a type that must be registered under IC 9-18-2 (before its expiration) or IC 9-18.1, other than an off-road vehicle or a snowmobile under IC 9-18-2.5 (before its expiration) or IC 9-18.1-14.

(d) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9, the term means a device for transportation by land or air. The term does not include an electric personal assistive mobility device.

SECTION 34. IC 9-13-2-198.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 198.5. **(a)** "Watercraft" means a contrivance used or designed for navigation on water, including a vessel, boat, motor vessel, steam vessel, sailboat, vessel operated by machinery either permanently or temporarily affixed, scow, tugboat, or any marine equipment that is capable of carrying passengers. ~~except a ferry.~~

(b) The term does not include a craft that:

(1) is powered by its occupants, including a canoe, rowboat, or paddleboat; and

(2) does not contain any type of mechanical propellant, including internal combustion, steam, or electrical

inboard or outboard motor or engine.

SECTION 35. IC 9-14-12-2, AS AMENDED BY P.L.27-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 2. The bureau shall maintain the following records:

(1) All records related to or concerning certificates of title issued by the bureau under IC 9-17 and IC 9-31 **(before its repeal),** including the following:

(A) An original certificate of title and all assignments and reissues of the certificate of title.

(B) All documents submitted in support of an application for a certificate of title.

(C) Any notations recorded on a certificate of title.

(D) A listing of all reported buyback vehicles in accordance with IC 9-17-3-3.5.

(E) Any inspection that is conducted:

(i) by an employee of the bureau or commission; and

(ii) with respect to a certificate of title issued by the bureau.

(2) All records related to or concerning registrations issued under IC 9-18 (before its expiration), IC 9-18.1, or IC 9-31 **(before its repeal),** including the following:

(A) The distinctive registration number assigned to each vehicle registered under IC 9-18 (before its expiration) or IC 9-18.1 or each watercraft registered under IC 9-31 **(before its repeal).**

(B) All documents submitted in support of applications for registration.

(3) All records related to or concerning credentials issued by the bureau under IC 9-24, including applications and information submitted by applicants.

(4) All driving records maintained by the bureau under section 3 of this chapter.

(5) A record of each individual that acknowledges making an anatomical gift as set forth in IC 9-24-17.

SECTION 36. IC 9-17-1-1, AS AMENDED BY P.L.198-2016, SECTION 199, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. (a) This article does not apply to the following:

(1) A vehicle that is not required to be registered under IC 9-18-2 (before its expiration) or IC 9-18.1.

(2) Special machinery.

(3) A motor vehicle that was designed to have a maximum design speed of not more than twenty-five (25) miles per hour and that was built, constructed, modified, or assembled by a person other than the manufacturer.

(4) Motor driven cycles.

(5) An off-road vehicle that was purchased or otherwise acquired before January 1, 2010.

(6) Snowmobiles.

(7) A watercraft that is not required to be registered under IC 9-31-3 **(before its repeal) or IC 9-18.1-14.5.**

(b) Notwithstanding subsection (a), a person may apply for:

(1) a certificate of title under IC 9-17-2-2; or

(2) a special identification number under IC 9-17-4;

for a vehicle listed in subsection (a).

(c) If the bureau issues a certificate of title under subsection (b)(1), the vehicle remains subject to this article until the titleholder surrenders the title to the bureau.

SECTION 37. IC 9-18.1-9-4, AS ADDED BY P.L.198-2016, SECTION 326, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 4. The bureau may issue a confidential license plate **or other proof of registration** for investigative purposes to the following:

(1) A state agency upon the annual consent of the bureau or the Indiana department of administration.

(2) Other investigative agencies upon the annual consent of the superintendent of the state police.

SECTION 38. IC 9-18.1-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]:

Chapter 14.5. Watercraft

Sec. 1. (a) Except as provided in subsection (b), a watercraft may not be operated, used, docked, or stored in Indiana during any part of a calendar year unless the watercraft:

(1) is registered under this chapter; and

(2) displays proof of registration under this chapter.

(b) Registration is not required for the following watercraft:

(1) A watercraft that is from a country other than the United States temporarily using the waters of Indiana.

(2) A ship's lifeboat, when used solely as a lifeboat of another boat and for no other recreational purpose.

(3) Except as provided in subdivision (4), a watercraft that is registered outside of Indiana and operated, used, stored, or docked in Indiana for a combined total of not more than sixty (60) consecutive days during a calendar year.

(4) A watercraft that is registered outside of Indiana and docked on the Indiana part of Lake Michigan for a combined total of not more than one hundred eighty (180) consecutive days.

(5) A watercraft that belongs to a class of boats that has been exempted from registration and numbering by the bureau after the bureau has found the following:

(A) That an agency of the federal government has a numbering system applicable to the class of watercraft to which the watercraft in question belongs.

(B) That the watercraft would also be exempt from numbering if the watercraft were subject to federal law.

(6) A watercraft, the operator of which has in the operator's possession a bill of sale from a dealer licensed under IC 9-32 or private individual that includes the following:

(A) The purchaser's name and address.

(B) A date of purchase that is not more than forty-five (45) days preceding the date that the operator is required to show the bill of sale.

(C) The make, model, and identification number of the watercraft provided by the manufacturer.

(7) A watercraft held by a watercraft manufacturer, distributor, or dealer for sale in the ordinary course of

business.

(8) A watercraft subject to the commercial vessel tonnage tax under IC 6-6-6.

(c) A person that fails to register a watercraft that is required to be registered under this chapter commits a Class C infraction.

Sec. 2. (a) A person that desires to register a watercraft must submit an application, in a form and manner prescribed by the bureau, that contains the following information:

(1) The name of the owner of the watercraft, and, if the watercraft is leased, the name of the lessee.

(2) The person's address in Indiana, including the county and township, on the date of the application, as follows:

(A) If the person is an individual, the person's residence address. However, if the person participates in the address confidentiality program under IC 5-26.5, the address may be a substitute address designated by the office of the attorney general under IC 5-26.5.

(B) If the person is not an individual, the person's principal office in Indiana.

(C) If the person does not have a physical residence or office in Indiana, the county and township in Indiana where the watercraft will be primarily operated or stored.

(3) A description of the watercraft to be registered, including the identification number and color of the watercraft.

(4) The tax situs of the watercraft as defined in IC 6-6-11-5.

(5) Any other information required by the bureau.

(b) An application made online or through the United States mail is not required to be sworn or notarized.

(c) A person may apply on behalf of another person to register a watercraft under this chapter. However, the person in whose name the watercraft will be registered must sign and verify the application.

(d) A person that makes a false statement in an application under this section commits a Class C infraction.

Sec. 3. The bureau may not register a watercraft unless:

(1) the watercraft has an identification number;

(2) the registrant:

(A) pays the applicable boat excise tax for the watercraft under IC 6-6-11; or

(B) provides proof in a manner acceptable to the bureau that the watercraft is exempt from the boat excise tax for watercraft under IC 6-6-11;

(3) the registrant titles the watercraft under IC 9-17; and

(4) the registrant pays the appropriate registration fee under section 6 of this chapter.

Sec. 4. (a) The bureau shall use due diligence in examining and determining the genuineness, regularity, and legality of the information provided by a person as part of a request to register a watercraft under this chapter.

(b) The bureau may:

(1) make investigations or require additional information; and

(2) reject an application or request;

if the bureau is not satisfied of the genuineness, regularity, or legality of an application or the truth of a statement contained in an application or request, or for any other reason.

Sec. 5. (a) If the bureau determines that a person applying to register a watercraft is entitled to register the watercraft, the bureau shall register the watercraft and issue to the applicant proof of registration for display on the watercraft and a certificate of registration.

(b) Proof of registration for display on the watercraft must be displayed in a manner prescribed by the department of natural resources, including the following:

(1) The registration number set forth in the certificate of registration must be displayed on each side of the bow of the watercraft. The display must be legible. However, a watercraft that has a valid marine document issued by the United States Bureau of Customs is not required to display the registration number.

(2) If a watercraft is required to be registered under 33 CFR 173, the registration number must be displayed in the manner prescribed by 33 CFR 173.27.

(3) Decals indicating the year of expiration of registration, with a unique identification number and a different color than colors used for the previous registration year, must be affixed:

(A) to the bow of each side of the watercraft, within three (3) inches to the right of the watercraft's registration number; or

(B) on each side of the forward half of the bow above the water line of the watercraft if a registration number is not required to be displayed.

However, the department of natural resources may adopt rules under IC 4-22-2 providing that the decals do not have to be affixed to a particular type of watercraft.

(c) A number other than the number awarded to a watercraft or granted reciprocity under this chapter may not be painted, attached, or otherwise displayed on either side of the boat of a watercraft.

(d) A person that fails to:

(1) carry a certificate of registration or a legible reproduction of a certificate of registration; or

(2) display proof of registration for display on the watercraft as required by the department of natural resources;

commits a Class C infraction.

(e) Certificates of registration, decals, and other proof of registration issued under this section:

(1) remain the property of the bureau; and

(2) may be revoked, canceled, or repossessed as provided by law.

(f) A person who knowing or intentionally falsifies, predates, changes, or counterfeits proof of registration for a watercraft commits a Class C misdemeanor.

Sec. 6. (a) A request for registration under this chapter

must be signed by the owner of the watercraft and accompanied by the appropriate fee specified under subsection (b). The fee to renew a watercraft registration is based upon the appropriate fee specified under subsection (c).

(b) The fee to register a watercraft in its first year of registration is the amount determined by STEP THREE of the following formula:

STEP ONE: Determine the appropriate fee based upon the length of the watercraft as follows:

Watercraft Length (in feet)

At least	But Less Than	Fee ($) (before January 1, 2017)	Fee ($) (After December 31, 2016)
0	13	16.50	15
13	26	18.50	18
26	40	21.50	21
40		26.50	24

STEP TWO: Determine the appropriate fee based upon the value of the watercraft as follows:

Value ($) Greater Than or Equal to	Value ($) Less Than	Fee ($)
0	1,000	5
1,000	3,000	10
3,000	5,000	15
5,000	10,000	20
10,000		25

STEP THREE: Determine the sum of the STEP ONE amount plus the STEP TWO amount.

(c) The fee to renew a watercraft registration is based upon the value of the watercraft as follows:

Value ($) Greater Than or Equal to	Value ($) Less Than	Fee ($)
0	1,000	10
1,000	3,000	15
3,000	5,000	20
5,000	10,000	25
10,000		30

(d) The bureau shall determine the value of a watercraft in the same manner as set forth in IC 6-6-11-10.

(e) The fees collected under subsection (b) shall be distributed as follows:

(1) Fees collected from STEP ONE of subsection (b) shall be deposited in the fish and wildlife fund established by IC 14-22-3-2 and shall be used exclusively for the following:

(A) The enforcement of laws pertaining to watercraft.

(B) The state's share of the cost of retirement benefits for conservation officers of the department of natural resources.

(C) Improving the navigable waters of Indiana.

(2) Sixty-six and seven-tenths percent (66.7%) of the fees collected from STEP TWO of subsection (b) shall be deposited in the lake and river enhancement fund established by IC 14-22-3.5-1.

(3) Thirty-three and three-tenths percent (33.3%) of the fees collected from STEP TWO of subsection (b) shall be deposited in the conservation officers marine enforcement fund established by IC 14-9-8-21.5.

(f) A fee collected under subsection (c) shall be distributed as follows:

(1) Five dollars ($5) shall be deposited in the fish and wildlife fund established by IC 14-22-3-2 and shall be used exclusively for the following:

(A) The enforcement of laws pertaining to watercraft.

(B) The state's share of the cost of retirement benefits for conservation officers of the department of natural resources.

(C) Improving the navigable waters of Indiana.

(2) The remaining amount shall be distributed as follows:

(A) Sixty-six and seven-tenths percent (66.7%) to the lake and river enhancement fund established by IC 14-22-3.5-1.

(B) Thirty-three and three-tenths percent (33.3%) to the conservation officers marine enforcement fund established by IC 14-9-8-21.5.

(g) The owner of a watercraft that is registered under this section is required to renew the registration under subsection (c), and the person must pay any applicable fees and excise tax under IC 6-6-11-13 on the watercraft each year.

Sec. 7. (a) A watercraft that is owned or leased and used for official business by the following is exempt from the payment of registration fees under this article:

(1) A state or state agency (as defined in IC 6-1.1-1-18).

(2) A municipal corporation (as defined in IC 36-1-2-10).

(3) A volunteer fire department (as defined in IC 36-8-12-2).

(b) The bureau may issue proof of registration under this chapter for a watercraft owned by or leased by the federal government.

(c) The bureau may adopt rules under IC 4-22-2 to assign permanent registration numbers and accompanying registration cards to watercraft owned or leased by an entity listed in subsection (a)(1).

Sec. 8. (a) A watercraft becomes subject to registration under this chapter on the date the watercraft is acquired.

(b) Upon becoming subject to registration under this chapter, a watercraft must be registered for a period that is not:

(1) less than three (3) months; or

(2) greater than twenty-four (24) months.

(c) A registration under this article may be renewed:

(1) for a watercraft with an unexpired registration, for a period of twelve (12) months from the date on which the registration will expire; or

(2) for a watercraft with an expired registration, for a period of not:

(A) less than three (3) months; or

(B) greater than twenty-four (24) months.

(d) Subject to subsection (b), and except as provided for in subsection (h), the registration year for a registration, other than a renewal described in subsection (c), begins on the date

on which the watercraft becomes subject to registration as determined under subsection (a) and ends on the following date selected by the person registering the watercraft:

(1) The date on which the watercraft registration expires, as determined under the schedule established under IC 9-18.1-11-1.

(2) Twelve (12) months after the date described in subdivision (1).

(e) If a person sells or otherwise disposes of a watercraft:

(1) the certificate of registration and proof of registration for the watercraft are canceled; and

(2) except as provided in IC 9-33-3, the person is not entitled to a refund of any unused part of a fee paid by the person under this chapter.

(f) If the watercraft is transferred or sold, the person shall provide ownership documents at the time of delivering the watercraft.

(g) A person that acquires a watercraft that is registered under this chapter must apply to the bureau under this chapter to register the watercraft.

(h) A watercraft registered under this chapter remains subject to continuous registration under this chapter until:

(1) the watercraft is sold or otherwise disposed of; or

(2) the person that registered the watercraft becomes a nonresident.

Sec. 9. (a) If the date on which the registration of a watercraft expires is a day on which all license branches located in the county in which the watercraft is registered are closed, including:

(1) a Sunday; or

(2) a legal holiday listed in IC 1-1-9-1;

the registration expires at midnight on the date following the next day on which a license branch located in the county in which the watercraft is registered is open for business.

(b) Except as provided in subsection (a), a person that owns or operates a watercraft may not operate or permit the operation of a watercraft that:

(1) is required to be registered under this chapter; and

(2) has an expired registration.

(c) A person that operates or permits the operation of a watercraft in violation of subsection (b) commits a Class C infraction.

Sec. 10. (a) The bureau shall collect an administrative penalty of fifteen dollars ($15) from the following:

(1) A person that fails to:

(A) register; or

(B) provide full payment for the registration of;

a watercraft within forty-five (45) days after the date on which the watercraft becomes subject to registration.

(2) A person that fails to:

(A) renew; or

(B) provide full payment for the renewal of;

the registration of a watercraft by the date on which the registration expires.

(b) An administrative penalty collected under subsection (a) shall be deposited in the commission fund.

(c) A person described in subsection (a) commits a Class C infraction.

Sec. 11. (a) If a certificate of registration or decal issued for a watercraft that is registered under this chapter is lost, stolen, destroyed, or damaged, the owner of the watercraft may apply to the bureau for a replacement certificate of registration or decal. If the certificate of registration or decal is lost or stolen, the owner shall provide notice of the loss or theft to a law enforcement agency with jurisdiction over:

(1) the site of the loss or theft; or

(2) the address listed on the certificate of registration.

(b) The bureau shall issue a replacement certificate of registration or decal to the owner of a watercraft after the owner pays a fee of nine dollars and fifty cents ($9.50).

(c) The fee imposed under subsection (b) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state construction fund.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) One dollar ($1) to the crossroads 2000 fund.

(4) One dollar and fifty cents ($1.50) to the motor vehicle highway account.

(5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(6) Five dollars ($5) to the commission fund.

(d) A replacement certificate of registration or decal issued under this section must be attached and displayed in the same manner as the original certificate of registration or decal.

Sec. 12. (a) A person that owns a watercraft that is registered under this chapter may apply to the bureau to change the ownership of the watercraft:

(1) by adding at least one (1) other person as a joint owner; or

(2) if the person is a joint owner of the watercraft, by transferring the person's ownership interest in the watercraft to at least one (1) remaining joint owner.

(b) The bureau shall issue an amended certificate of registration to a person that applies under subsection (a) after the person does the following:

(1) Complies with IC 9-17.

(2) Pays the fee of nine dollars and fifty cents ($9.50).

(c) A person may apply to the bureau to amend any obsolete or incorrect information contained in the certificate of registration issued with respect to the watercraft. The bureau shall issue an amended certificate of registration after the person pays a fee of nine dollars and fifty cents ($9.50).

(d) The bureau may not impose or collect a fee for a duplicate, amended, or replacement certificate of registration that is issued as a result of an error on the part of the bureau.

(e) A fee described in subsection (b)(2) or (c) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state construction fund.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) One dollar ($1) to the crossroads 2000 fund.

(4) One dollar and fifty cents ($1.50) to the motor vehicle highway account.

(5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(6) Five dollars ($5) to the commission fund.

Sec. 13. (a) If an agency of the federal government has an overall system of identification numbering for watercraft within the United States, the registration and numbering system employed under this chapter by the bureau must conform with the system.

(b) In accordance with any request made by an authorized official or agency of the United States, the bureau shall transmit any information compiled or otherwise available to the bureau under:

(1) IC 14-15-4-1;

(2) IC 14-15-4-2; and

(3) IC 14-15-4-3;

to the official or agency of the United States.

Sec. 14. Every law enforcement officer of this state and its subdivisions, including an enforcement officer of the department of natural resources, may enforce this chapter and may stop and board a watercraft subject to this chapter.

SECTION 39. IC 9-20-13-2, AS AMENDED BY P.L.12-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 2. (a) Notwithstanding IC 9-20-3 and IC 9-20-9, and except for length exclusive devices in accordance with 23 CFR 658.13, the following are the maximum limitations on length of a truck-tractor, semitrailer, truck-tractor-semitrailer combination, or truck-tractor-semitrailer-trailer combination:

(1) The maximum length of the semitrailer unit operating in a truck-tractor-semitrailer combination is fifty-three (53) feet, including the vehicle and the load.

(2) The maximum length of the semitrailer unit or trailer operating in a truck-tractor-semitrailer-trailer combination is twenty-eight (28) feet, six (6) inches.

(3) A maximum overall length limit is not imposed on a truck-tractor-semitrailer or truck-tractor-semitrailer-trailer combination.

(4) The maximum length of a maxi-cube vehicle combination is sixty-five (65) feet, and the maximum length of the separable cargo carrying unit is thirty-four (34) feet.

(5) If the combination is used exclusively or primarily in connection with motorsports:

(A) the maximum distance between the kingpin and the rearmost axle of the semitrailer operating in the combination is forty-six (46) feet; and

(B) the maximum length of the semitrailer is fifty-seven (57) feet.

(b) This section does not prohibit the transportation of a motor vehicle or ~~boat~~ **watercraft** on part of a truck-tractor.

SECTION 40. IC 9-22-6-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 0.5. For purposes of this chapter, the term "vehicle" does not include a watercraft.**

SECTION 41. IC 9-31 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. (WATERCRAFT TITLING AND REGISTRATION).

SECTION 42. IC 9-32-2-9.6, AS ADDED BY P.L.137-2018, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 9.6. (a) "Dealer" means, except as otherwise provided in this section, a person that:

(1) sells;

(2) offers to sell; or

(3) advertises for sale;

including directly by the Internet or another computer network, at least twelve (12) motor vehicles within a twelve (12) month period. The term includes a person that sells off-road vehicles, snowmobiles, mini-trucks, or manufactured homes. A dealer must have an established place of business that meets the minimum standards prescribed by the secretary of state under rules adopted under IC 4-22-2.

(b) The term does not include the following:

(1) A receiver, trustee, or other person appointed by or acting under the judgment or order of a court.

(2) A public officer while performing official duties.

(3) A person that holds a mechanic's lien on a motor vehicle under IC 9-22-6, if the person sells the motor vehicle:

(A) in accordance with requirements in IC 9-22-6; or

(B) to an automotive salvage recycler licensed under IC 9-32-9 after the motor vehicle fails to sell at a public auction conducted in compliance with IC 9-22-6.

(4) A person that holds a lien for towing services under IC 9-22-1, if the person complies with all applicable requirements in IC 9-22-1 and IC 9-22-6.

(c) "Dealer", for purposes of ~~IC 9-31,~~ **IC 9-18.1-14.5,** means a person that sells, offers to sell, or advertises for sale at least six (6):

(1) watercraft; or

(2) trailers:

(A) designed and used exclusively for the transportation of watercraft; and

(B) sold in general association with the sale of watercraft;

within a twelve (12) month period.

(d) "Dealer", unless otherwise provided, refers to all persons required to be licensed by the secretary of state under this article, and before July 1, 2015, a wholesale dealer.

SECTION 43. IC 9-32-8-8, AS ADDED BY P.L.211-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 8. (a) A watercraft dealer licensed by the secretary under this article may, upon application to the secretary, obtain dealer license plates and registration cards for use in the testing or demonstrating of ~~motorboats.~~ **watercraft.**

(b) Two (2) dealer license plates must be displayed within a ~~motorboat~~ **watercraft** that is being tested or demonstrated while the ~~motorboat~~ **watercraft** is being tested or demonstrated.

(c) A transfer dealer or automobile auction company licensed by the secretary under this article may request dealer license

plates under subsection (a).

(d) The fee to obtain a dealer license plate and registration card under subsection (a) is ten dollars ($10).

(e) The secretary shall retain the fee collected under this section.".

Page 3, between lines 41 and 42, begin a new paragraph and insert:

"SECTION 46. IC 14-9-8-21.5, AS AMENDED BY P.L.178-2019, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 21.5. (a) As used in this section, "fund" refers to the conservation officers marine enforcement fund established by this section.

(b) The conservation officers marine enforcement fund is established. The department shall administer the fund. The department may expend the money in the fund exclusively for marine enforcement efforts associated with recreational boating on Indiana waters, including uses described in IC 14-9-9-5.

(c) The fund consists of ~~boat~~ **watercraft** registration fees paid by boat owners and deposited under ~~IC 9-31-3-9.~~ **IC 9-18.1-14.5-6.** Money deposited in the fund is annually appropriated and allotted to the department to carry out the purposes of this section. The expenses of administering the fund shall be paid from money in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund. However, the department may transfer from the fund to the counties with special boat patrol needs fund (IC 14-9-9-5) an amount that does not exceed twenty percent (20%) of money deposited into the fund.".

Page 7, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 55. IC 14-22-3.5-4, AS ADDED BY P.L.178-2019, SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 4. The fund consists of the revenue from ~~boat~~ **watercraft** registration fees paid by boat owners and deposited under ~~IC 9-31-3-9.~~ **IC 9-18.1-14.5-6.**".

Page 9, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 58. IC 34-28-6-1, AS AMENDED BY P.L.1-2010, SECTION 137, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. Whenever a person who is not a resident of Indiana:

(1) is arrested or stopped for a misdemeanor violation or infraction under:

(A) ~~IC 9-31-3;~~ **IC 9-18.1-14.5;**

(B) IC 14-15-2 through IC 14-15-7;

(C) IC 14-16-1; or

(D) IC 14-22; and

(2) is not immediately taken to court;

the person may, at the discretion of the officer, be released upon the deposit of a security. The security shall be the amount of the fine or judgment and costs for the violation in the form of cash, money order, or a traveler's check made payable to the clerk of the court in which the person will appear.

SECTION 59. IC 35-52-9-7.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 7.6. IC 9-18.1-14.5-5 defines a crime concerning proof of registration of a watercraft.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1385 as printed January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 0.

GLICK, Chair

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SCR 49 Senator Freeman
Recognizing Gus Adams.

SCR 50 Senator Bohacek
Congratulating Emily Graves.

SR 40 Senator J.D. Ford
Recognizing Margaret Dimmett.

SR 41 Senator Breaux
Recognizing February 25, 2020 as Doula Day at the Statehouse.

SR 44 Senator J.D. Ford
Congratulating Fireman Michael Pruitt.

SR 47 Senator Alting
Congratulating Doonyah Alucozai.

SR 49 Senator J.D. Ford
To honor the Shalom Health Care Center.

HCR 37 Senator Rogers
Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa

HCR 38 Senator Alting
Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 49

Senate Concurrent Resolution 49, introduced by Senators Freeman, Leising, and Raatz:

A CONCURRENT RESOLUTION recognizing Gus Adams for his many years of teaching Franklin County students.

Whereas, Gus Adams, a teacher at Franklin County High School, has taught students in Franklin County for nearly four decades;

Whereas, Gus graduated from Indiana University East in 1981 with a bachelor's degree in education, and from Ball State University with a master's degree in social studies education in 1984;

Whereas, At Franklin County High School for his entire career, Gus has taught World Geography, World History, U.S. History, Sociology, and Economics, and Advanced Placement courses in U.S. History, Government, and Economics;

Whereas, Outside the classroom, Gus has coached boys and girls basketball at Franklin County Middle School for 35 years, and spent 2 years each as Head Coach and Assistant Coach of the Franklin County High School Varsity Girls Basketball team; and

Whereas, Gus' decades-long commitment to education in Franklin County deserves recognition: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes Gus Adams for his many years of teaching Franklin County students.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Gus Adams.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Lyness.

Senate Concurrent Resolution 50

Senate Concurrent Resolution 50, introduced by Senator Bohacek:

A CONCURRENT RESOLUTION congratulating Emily Graves on being named a Prudential Spirit of Community Awards Program 2020 State Honoree.

Whereas, Emily Graves of LaPorte, Indiana, a senior at New Prairie High School, founded a nonprofit organization, Cookies for Soldiers, that has delivered more than 35,000 boxes of Girl Scout cookies to active and former military personnel at home and abroad over the past decade;

Whereas, At the age of 6, Emily bought several boxes of Girl Scout cookies with her own money, solicited donations to buy 600 more boxes, and contacted veterans' organizations to help ship the cookies to service members;

Whereas, Today, with help from more than 150 volunteers, Emily purchases over 5,000 boxes of Girl Scout cookies and packs them up at an annual packing event, ships the cookies both to active soldiers and veterans, and personally hands cookies out at veterans hospitals, Honor Flights, and at other military and veterans events;

Whereas, Due to her extensive community service efforts, Emily was nominated to be considered for the Prudential Spirit of Community Award;

Whereas, The Prudential Spirit of Community Award is the United States' largest youth recognition program based solely on volunteer service, with distinguished finalists and state honorees being selected based on criteria including personal initiative, effort, impact, and personal growth;

Whereas, Emily was named one of two State Honorees for the Prudential Spirit of Community Award for 2020; and

Whereas, The success of the state of Indiana, the strength of our communities, and the overall leadership development of Indiana's youth depend upon the tireless dedication of young individuals like Emily, who uses her considerable talents and resources to serve others: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Emily Graves on being named a Prudential Spirit of Community Awards 2020 State Honoree.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Emily Graves.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Pressel.

Senate Resolution 40

Senate Resolution 40, introduced by Senator J.D. Ford:

A SENATE RESOLUTION to honor Margaret Dimmett upon her receipt of the 2020 Prudential Spirit of Community Award.

Whereas, The Prudential Spirit of Community Award, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honors young volunteers, like Margaret, across America who have demonstrated an extraordinary commitment to serving their communities;

Whereas, Music has been a large part of Margaret's life since she started playing the violin at age three. Even though both Margaret and her sister, Kate, were fortunate because they could afford to purchase instruments and other music supplies, they realized that other students across the state may not be as fortunate;

Whereas, Margaret and her sister wanted other students to have the same opportunity to play music and began raising money to buy instruments, sheet music, and other supplies for schools and music programs around the state;

Whereas, Since 2017, Margaret and her sister have raised over $13,000 through donations from local businesses, letter-writing campaigns, and performance fundraisers; and

Whereas, The success of the state of Indiana and the overall vitality of American society depend, in great measure, upon the dedication of young people like Margaret who use their considerable talents and resources to serve others: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate honors Margaret Dimmett upon receiving a 2020 Prudential Spirit of Community Award.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Margaret Dimmett.

The resolution was read in full and adopted by voice vote.

Senate Resolution 41

Senate Resolution 41, introduced by Senator Breaux:

A SENATE RESOLUTION to recognize February 25, 2020 as Doula Day at the Statehouse.

Whereas, In 2017 the Indiana State Department of Health issued a report regarding Indiana's infant mortality rate; indicating a decrease in infant mortality rate from 7.5 per 1,000 in 2016 to 7.3 per 1,000 in 2017;

Whereas, Although the report indicated the rate of infant mortality for babies of all races decreased from 2016 to 2017, the rate of infant mortality for African American babies increased from 14.4 per 1,000 to 15.3 per 1,000;

Whereas, There is an obvious disparity between the infant mortality rates of all babies born and African American babies born. However, research has indicated that when expecting African American mothers are paired with a doula, the overall health of those mothers and their babies increases;

Whereas, Doulas are trained professionals who provide continuous physical, emotional, and informational support to mothers before, during, and after childbirth;

Whereas, In 2013 The Journal of Perinatal Education published a study comparing expecting mothers working with doulas and expectant mothers working without doula care;

Whereas, A 2013 report sampled 289 pregnant women at the YWCA of Greensboro and indicated that mothers not assisted by doulas were four times more likely to have a baby with a low birth weight;

Whereas, The same 2013 report indicated that 25 non-doula mothers experienced some complication during birth while only 10 mothers with doulas had such complications; and

Whereas, Doulas play an important role in overall mother/baby health and wellness and this role is worthy of recognition: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate recognize February 25, 2020 as Doula Day at the Statehouse.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Indiana Minority Health Coalition (IMHC).

The resolution was read in full and adopted by voice vote.

Senate Resolution 44

Senate Resolution 44, introduced by Senator J.D. Ford:

A SENATE RESOLUTION to congratulate Fireman Michael Pruitt on his twenty years of service with the Wayne Township Fire Department.

Whereas, Mr. Pruitt began his emergency service career in high school. He worked as an ambulance driver for All-Care Ambulance in Franklin, Indiana;

Whereas, After graduating from Franklin Community High School, he attended and graduated from Ivy Tech Community College. Mr. Pruitt graduated from St. Francis Hospital Paramedic School in 1998;

Whereas, Mr. Pruitt is currently pursuing a degree in Fire Service/Emergency Management with Purdue University Global. He is also enrolled in the FEMA Master Public Information Officer program at the National Emergency Training Center;

Whereas, From 1993 to 2000, Mr. Pruitt worked as a career firefighter in the City of Franklin. For the past twenty years, Mr. Pruitt has served within the Wayne Township Fire Department as a Captain, a paramedic, the Division Chief of Special Ops, the Captain of Public Information, and as the UAS Program Coordinator;

Whereas, During his professional career, Mr. Pruitt served in a variety of capacities within multiple organizations. He works as a member of the Indiana Task Force 1 US&R, the public information officer for FEMA US&R Incident Support Team, a member of the FEMA US&R Public Affairs Work Group, a member of the Indianapolis 500 Incident Management Team, and as the Project Lifesaver International State Coordinator;

Whereas, Mr. Pruitt also serves as the Fire Department Instructor Conference HOT Division/Group Supervisor, the public information officer for National Wildfire Coordinating Group, a member of the District 5 Incident Management Team, a SWAT medic, and as a police officer in the town of Clermont;

Whereas, Mr. Pruitt is also a United States Navy Veteran who served on the USS South Carolina CGN-37 as an Operations Specialist in Shield-Desert Storm;

Whereas, His work in his community has earned him statewide recognition. In 2005 and 2018 Mr. Pruitt was named Wayne Township Fire Officer of the Year and in 2017 he was named Indiana Fire Officer of the Year;

Whereas, Mr. Pruitt has worked as a volunteer, part-time firefighter with the Bargersville Fire Department for 34 years and plans to continue his career as the Deputy Chief of the Bargersville Fire Department upon his retirement from Wayne Township;

Whereas, When not on the job or fulfilling his many community responsibilities, Mr. Pruitt enjoys spending time with his wife Angela and his son Morgan; and

Whereas, Mr. Pruitt's tireless service to his community is worthy of honor and recognition: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Senate congratulates Fireman Michael Pruitt on his twenty years of service with the Wayne Township Fire Department.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Mr. Michael Pruitt.

The resolution was read in full and adopted by voice vote.

Senate Resolution 47

Senate Resolution 47, introduced by Senator Alting:

A SENATE RESOLUTION congratulating Doonyah Alucozai on being named an Indiana Distinguished Finalist for the 2020 Prudential Spirit of Community Award.

Whereas, Doonyah Alucozai of West Lafayette, Indiana, and a senior at West Lafayette Junior/Senior High School, cofounded "CoderDojoAnvil", a nonprofit organization that offered free coding classes to more than 250 students from underserved communities;

Whereas, Doonyah was inspired to start the CoderDojoAnvil project after being unable to find affordable STEM-related programs in her area;

Whereas, As part of this effort, Doonyah recruited volunteers, secured space and corporate sponsors, organized community outreach events, and helped design the class curriculum;

Whereas, Through her community service efforts, Doonyah was nominated to be considered for the Prudential Spirit of Community Award;

Whereas, The Prudential Spirit of Community Award is the United States' largest youth recognition program based solely on volunteer service, with distinguished finalists and state honorees being selected based on criteria including personal initiative, effort, impact, and personal growth;

Whereas, Doonyah was named one of six Distinguished Finalists for the Prudential Spirit of Community Award as one of the state's top volunteers for 2019; and

Whereas, The success of the state of Indiana, the strength of our communities, and the overall leadership development of Indiana's youth depend upon the tireless dedication of young individuals like Doonyah, who uses her considerable talents and resources to serve others: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate congratulates Doonyah Alucozai on being named an Indiana Distinguished Finalist for the 2020 Prudential Spirit of Community Award.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Doonyah Alucozai.

The resolution was read in full and adopted by voice vote.

Senate Resolution 49

Senate Resolution 49, introduced by Senator J.D. Ford:

A SENATE RESOLUTION to honor the Shalom Health Care Center for organizing the 14th Dr. Dannée Neal Back-to-School Family Health Fair and for the services this event provides to the Indianapolis community.

Whereas, The Shalom Health Care Center is a primary care center in Marion County annually serving around 16,000 under-insured and low-income patients;

Whereas, Each year the Shalom Health Care Center hosts a Dr. Dannée Neal Back-to-School Family Health Fair. Adults and children alike can participate in health screenings, games, and giveaways;

Whereas, In 2019, the Shalom Health Care Center had 2,625 registered attendees, distributed 2,075 backpacks filled with school supplies, conducted 863 health screenings, and gave away 45 bicycles;

Whereas, The Family Health Fair, one of the largest events on the West Side of Indianapolis, is a great opportunity for the Shalom Health Care Center to connect with the local community and for the local community to connect with over 150 community partners; and

Whereas, The work of the Shalom Health Care Center and the positive community impact of the Dr. Dannée Neal

Back-to-School Family Health Fair each year is worthy of recognition: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate honors the Shalom Health Care Center for organizing the 14th Dr. Dannée Neal Back-to-School Family Health Fair and for the services this event provides to the Indianapolis community.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Shalom Health Care Center.

The resolution was read in full and adopted by voice vote.

House Concurrent Resolution 37

House Concurrent Resolution 37, sponsored by Senator Rogers:

A CONCURRENT RESOLUTION urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversary of women's suffrage.

Whereas, The portrait monument was unveiled on February 15, 1921, to commemorate the ratification of the 19th Amendment;

Whereas, The seven-ton sculpture depicts the calm and resolute strength of women's suffrage pioneers Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony in exquisite detail rising from rough-hewn marble;

Whereas, The portrait monument's unconventional design was a work of Adelaide Johnson, who sought to pay homage to three of the most prominent figures of the suffrage movement while drawing attention to the ongoing fight for women's rights;

Whereas, The importance of the women's suffrage movement in the United States cannot be understated;

Whereas, The 100th anniversary is a celebration of women's suffrage across the United States;

Whereas, Elizabeth Cady Stanton's Declaration of Sentiments, introduced in Seneca Falls, New York, in 1848 became the first public demand for extensive reforms concerning women's rights;

Whereas, Susan B. Anthony was a passionate, disciplined, and tireless advocate for women's suffrage, and whose work brought the lack of equal treatment of women and their right to vote in U.S. elections to the forefront of national discussion;

Whereas, Lucretia Mott was an early advocate for women's rights and organized the women's rights convention in Seneca Falls, New York, after being denied entrance to the World Anti-Slavery Convention in London, England. Her efforts at Seneca Falls and beyond created a platform that helped spur the American women's rights movement;

Whereas, The portrait monument captures the stoic fortitude of these three women as well as the millions of women who supported their work as they pioneered women's suffrage and fought for women's rights in the United States, helping to change American society forever;

Whereas, Depicting the portrait monument on U.S. currency recognizes the profound contributions of the pioneers of the suffrage movement as well as the unfinished work and ongoing contributions of women to the United States of America; and

Whereas, The recognition of the women's suffrage monument on U.S. currency acknowledges the inherent value of more than 50 percent of the U.S. population and the deep impact of the movement on a free and just society: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly urges Congress to display a portrait of the Women's Suffrage Monument on a piece of U.S. currency in recognition of the countless contributions of American women, specifically the leadership of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony, and in honor of the monument designed by a woman, Adelaide Johnson, which was purposefully unfinished, to show the ongoing opportunity for and contributions of all American women. By displaying such an all-encompassing monument on a piece of U.S. currency, the Indiana General Assembly urges Congress to recognize women's fight for suffrage by honoring the 100th anniversary of the passage of the 19th amendment to the U.S. Constitution.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to State Representative Christy Stutzman for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 38

House Concurrent Resolution 38, sponsored by Senators Alting, Boots, Koch, Lanane, and Messmer:

A CONCURRENT RESOLUTION urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.

Whereas, Off-road vehicles (ORVs) are used by many Americans for recreation and work related activities;

Whereas, Many national forests in Michigan, Kentucky, and Ohio allow the use of ORVs on designated forest trails;

Whereas, Currently, the Hoosier National Forest does not allow the use of ORVs on any trails; and

Whereas, The creation or designation of trails for the general use of ORVs in the Hoosier National Forest would encourage greater outdoor recreation and economic benefits for rural communities near the Hoosier National Forest and Indiana at large: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana House of Representatives urges the United States Forest Service to establish an ORV trail system utilizing the full 15,300 acres identified in the Off-Road Vehicle Used Areas (1987) to allow greater use of the Hoosier National Forest for the recreational and economic benefit of the citizens of Indiana.

SECTION 2. That the Indiana House of Representatives urges a timely administrative process for the action through an amendment or similarly appropriate alteration to the current Land and Resource Management Plan and Travel Management Plan.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to Vicki Christiansen, chief of the United States Forest Service.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

Senate Concurrent Resolution 29

Senate Concurrent Resolution 29, introduced by Senator Breaux:

A CONCURRENT RESOLUTION congratulating Cathedral High School's "We the People: The Citizen and the Constitution" team on winning Indiana's State competition.

Whereas, "We the People: The Citizen and the Constitution" is a competition that consists of a mock congressional hearing that challenges students to evaluate, take, and defend positions on historical and modern issues;

Whereas, The class is a co-curricular program in which students complete college-level course work, and spend numerous hours outside of class preparing;

Whereas, Cathedral High School has won the 7th Congressional District "We the People: The Citizen and the Constitution" competition this year and will represent Indiana at the national competition in Washington, D.C.; and

Whereas, Coaches Jill Twilleager, Jacob Twilleager, and Sean Dewey and team members Annika Garwood, Kathrine Griffith, Jackson Hern, Carson Kwiatkowski, Maxwell Martin, Kendrick Mernitz, Anya Neumeister, Timothy Sullivan, and Garrett Wright should all be congratulated on their excellent performance: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Cathedral High School's "We the People: The Citizen and the Constitution" team on this great achievement and wishes them all the best in future endeavors.

SECTION 2. The Secretary of the Senate is hereby directed to transmit 34 copies of this Resolution to the Coaches and Students of the Cathedral High School "We the People: The Citizen and the Constitution" team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Bartlett.

Senate Concurrent Resolution 51

Senate Concurrent Resolution 51, introduced by Senators Koch, Stoops, Bray, L. Brown, Charbonneau, Freeman, Glick, Holdman, Lanane, Lonnie M. Randolph, Tallian, G. Taylor, M. Young, and J.D. Ford:

A CONCURRENT RESOLUTION honoring Judge John G. Baker upon his retirement from the Indiana Court of Appeals.

Whereas, After serving for 31 years as a member of the Indiana Court of Appeals, Judge John G. Baker will retire from the bench July 31, 2020;

Whereas, Judge Baker grew up in Aurora, Indiana, attained the rank of Eagle Scout, and graduated from the Culver Military Academy;

Whereas, Judge Baker received a Bachelor of Arts degree in History from Indiana University in 1968, a Juris Doctor degree from the Indiana University School of Law–Bloomington in 1971, and a Master of Laws degree from the University of Virginia in 1995;

Whereas, Judge Baker practiced law with the firm of Baker, Barnhart, and Andrews, before serving as judge of the Monroe County and Monroe Superior Courts for 13 1/2 years, disposing of more than 15,000 cases as a trial court judge;

Whereas, In 1989, Judge Baker was named to the Court of Appeals by Governor Evan Bayh, and he was retained on the Court by election in 1992, 2002, and 2012;

Whereas, During his time on the Court of Appeals, Judge Baker wrote more than 5,000 majority opinions for the Court, and served as Chief Judge of the Court of Appeals from 2007 through 2010;

Whereas, Judge Baker also spent time in the classroom, teaching for 33 years at the Indiana University–Bloomington School of Public and Environmental Affairs, teaching a class for foreign lawyers at the Indiana University Robert H. McKinney School of Law for 10 years, and serving on the faculties of the Indiana Judicial College, Indiana Continuing Legal Education Forum, and the National Institute of Trial Advocacy;

Whereas, Long interested in court and judicial reform and history, Judge Baker has been a member of the Strategic Planning Committee of the Judicial Conference of Indiana since its inception to help improve Hoosiers' access to Indiana courts and their quality of experience in dealing with the courts;

Whereas, Judge Baker is a member of the American, Indiana State, Monroe County, Boone County, and Indianapolis Bar Associations, and served on the Indiana Judges' Association Board of Managers from 1979 through 2011, including as president from January 1987 through June 1989;

Whereas, Off the bench, Judge Baker served as a Captain in the U.S. Army Reserves, serves on the Board of Trustees of Garrett-Evangelical Theological Seminary, and remains active in his community, church, and the Boy Scouts of America;

Whereas, Judge Baker and his wife are the proud parents of six children and grandparents of eleven;

Whereas, Judge Baker has served with distinction during his more than four decade career as a member of the Indiana Court of Appeals and the Monroe County trial courts; and

Whereas, It is fitting that the Indiana General Assembly honors Judge Baker for his immeasurable contributions to the Indiana Judiciary and legal community: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly honors Judge John G. Baker upon his retirement from the Indiana Court of Appeals, thanks him for his years of service and immeasurable contributions to his state and country, and wishes him health and happiness in his retirement.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Judge John G. Baker.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Torr, McNamara, May, Mayfield, Ellington, Pierce, Bosma, DeLaney, Hatfield, Hatcher, Speedy, Steuerwald, J. Young, and Schaibley.

Senate Concurrent Resolution 37

Senate Concurrent Resolution 37, introduced by Senator Mishler:

A CONCURRENT RESOLUTION honoring Bobby Cox upon his retirement as Commissioner of the Indiana High School Athletic Association.

Whereas, After serving since 2011 as the eighth Commissioner of the Indiana High School Athletic Association (IHSAA), Bobby Cox will retire on August 1, 2020;

Whereas, Bobby Cox graduated from Carmel High School in 1975, participating in cross country and track and field, earned a bachelor's degree in physical education and health from Butler University in 1979, and a master's degree in secondary education from Butler University in 1987;

Whereas, Commissioner Cox started his career as a teacher and coach at Carmel Clay Junior High School in 1979, becoming athletics and activities director in 1990, and later the athletic director of Carmel High School in 1997;

Whereas, In 2000, after three years as Carmel High School's athletic director, Commissioner Cox became an Assistant Commissioner of the IHSAA, where he administered the sports of football, boys' golf, boys' and girls' track and field, and wrestling;

Whereas, As Commissioner, Bobby Cox led the IHSAA to make advances in numerous areas to strengthen the IHSAA brand and promote the many values and benefits of participation in education-based athletics;

Whereas, Commissioner Cox's tenure saw an expansion of corporate partnerships and sponsorships for the IHSAA, and Commissioner Cox pushed for strides in sportsmanship, technology, coaches education, student-athlete health and safety, officiating recruitment and retention, and servant leadership;

Whereas, Commissioner Cox also led the IHSAA to form the Champions Together initiative, a partnership with Special Olympics Indiana which established two new state tournaments in Unified Track and Field and Unified Flag Football, allowing students with and without intellectual disabilities to compete together in a team setting for their school;

Whereas, In addition to leading the IHSAA, Commissioner Cox has served on the board of directors of the National Federation of State High School Associations (NFHS), the IHSAA Foundation, the Indiana Basketball Hall of Fame, the Indiana Sports Corporation, the Council on Standards for International Educational Travel, and the Center for Sports Leadership and Innovation;

Whereas, Commissioner Cox previously served as a member of the NFHS Football Rules Committee, serving as Chairman of the Research Subcommittee, a member of the NFHS Coaches' Education Committee, and an advisor to the Commission on Sports Medicine of the Indiana State Medical Association;

Whereas, Bobby Cox is a 2019 inductee into the Carmel High School Alumni Hall of Fame, and is married to his wife, Kathy; and

Whereas, Bobby Cox's countless contributions as IHSAA Commissioner have improved Indiana high school athletics for years to come: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. The Indiana General Assembly honors Bobby Cox upon his retirement as Commissioner of the Indiana High School Athletic Association.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Commissioner Bobby Cox.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Cook.

House Concurrent Resolution 40

House Concurrent Resolution 40, sponsored by Senator Houchin:

A CONCURRENT RESOLUTION recognizing dyslexia in Hoosier youth.

Whereas, Dyslexia is a language based learning disability which results in people having difficulty with language skills such as reading, spelling, writing, and speaking;

Whereas, While the causes of dyslexia are not clear, current studies suggest that 85% of those with a reading disability have dyslexia;

Whereas, Dyslexia is diagnosed through a formal evaluation, conducted by trained school or outside specialists;

Whereas, Advocacy groups, including Bear Reading Center, CAST Washington County, Children's Dyslexia Center, Columbus READS, Decoding Dyslexia Indiana, Dyslexia Institute of Indiana, Elliott Cox Racing, Fortune Academy, Greenwood Public Library, International Dyslexia Association Indiana Branch, Multisensory Education Solutions, and Therese Rooney and the M.A. Rooney Foundation, along side many others; and

Whereas, These groups work to educate the public, parents, and educators about dyslexia: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes dyslexia in Hoosier youth.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Woody Burton for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

Senator Sandlin is excused from the remainder of Session per President Pro Tempore Bray.

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Thursday, February 20, 2020, signed Senate Enrolled Acts: 61, 187, 307, and 366.

RODRIC D. BRAY
President Pro Tempore

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 40 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON SECOND READING

Senate Resolution 24

Senator M. Young called up Senate Resolution 24 for second reading.

2:45 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 2:51 p.m., with the President of the Senate in the Chair.

The resolution was read a second time and adopted by voice vote.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1070

Senator Crider called up Engrossed House Bill 1070 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1081

Senator Houchin called up Engrossed House Bill 1081 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1090

Senator Koch called up Engrossed House Bill 1090 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1093

Senator Perfect called up Engrossed House Bill 1093 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1093–1)

Madam President: I move that Engrossed House Bill 1093 be amended to read as follows:

Page 1, between lines 9 and 10, begin a new paragraph and insert:

"**Sec. 2. As used in this chapter, "office of technology" refers to the office of technology established by IC 4-13.1-2-1.**".

Page 1, line 10, delete "Sec. 2." and insert "**Sec. 3.**".

Page 1, line 12, delete "Sec. 3." and insert "**Sec. 4.**".

Page 2, line 3, delete "Sec. 4." and insert "**Sec. 5.**".

Page 2, line 5, after "documents." insert "**Methods to collect electronic filings or submissions must be approved by the office of technology to ensure all data is transmitted securely.**".

(Reference is to EHB 1093 as printed February 19, 2020.)

PERFECT

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1112

Senator Koch called up Engrossed House Bill 1112 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1166

Senator Niemeyer called up Engrossed House Bill 1166 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1173

Senator Tomes called up Engrossed House Bill 1173 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1173–2)

Madam President: I move that Engrossed House Bill 1173 be amended to read as follows:

Page 2, line 7, after "be" insert ":".

Page 2, line 8, reset in roman "(1)".

Page 2, line 9, after "states" delete "." and insert ";".

Page 2, line 10, reset in roman "and".

Page 2, line 11, reset in roman "(2) a citizen of Indiana and a resident of Indiana for at least".

Page 2, line 12, after "(5)" insert "**two (2) cumulative**".

Page 2, line 12, reset in roman "years".

Page 2, line 12, reset in roman "preceding the director's appointment.".

Page 3, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 4. IC 10-17-1-9, AS AMENDED BY P.L.108-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) A county executive:

(1) shall designate and may:

(A) appoint a county service officer for a four (4) year term; or

(B) employ a county service officer; and

(2) may employ service officer assistants;

to serve the veterans of the county.

(b) The mayor of a city may employ a service officer and may employ service officer assistants to serve the veterans of the city.

(c) If the remuneration and expenses of a county or city service officer are paid from the funds of the county or city employing the service officer, the service officer shall:

(1) ~~have the same qualifications and be subject to the same rules as the director, assistant director, and state service officers of the Indiana department of veterans' affairs;~~ **be:**

(A) an honorably discharged veteran who has at least six (6) months of active service in the armed forces of the United States; or

(B) a service officer assistant with not less than two (2) years of experience;

(2) be a resident of Indiana or become a resident of Indiana not more than six (6) months after the service officer's start date; and

~~(2)~~ **(3)** serve under the supervision of the director of veterans' affairs.

(d) A service officer assistant must **be a resident of Indiana or become a resident of Indiana not later than six (6) months after the service officer assistant's start date and:**

(1) satisfy the requirements specified in subsection (c)(1); or

(2) be the spouse, surviving spouse, parent, or child of a person who satisfies the requirements specified in

subsection (c)(1).
~~have the same qualifications as an employee described in section 11(b) of this chapter.~~

(e) A rule contrary to ~~this~~ subsection **(c) or (d)** is void.

~~(d)~~ **(f)** County and city fiscal bodies may appropriate funds necessary for the purposes described in this section.".

Page 5, between lines 36 and 37, begin a new paragraph and insert:

"**(e) A person who:**

(1) is described in subsection (b)(1) through (b)(6); and

(2) uses or discloses:

(A) a discharge record; or

(B) the information contained in a discharge record;

for a purpose that is outside the scope of the person's authorized or official capacity commits a Class A infraction.

(f) The department shall develop a process concerning the release of discharge records by county recorders to eligible persons. The process described under this subsection shall be implemented not later than December 30, 2020.

(g) The department may adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to implement subsection (f).".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1173 as printed February 19, 2020.)

TOMES

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1199

Senator Grooms called up Engrossed House Bill 1199 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1243

Senator Becker called up Engrossed House Bill 1243 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1243–1)

Madam President: I move that Engrossed House Bill 1243 be amended to read as follows:

Page 5, after line 9, begin a new paragraph and insert:

"SECTION 7. IC 25-17.3-5-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. (a) Section 3 of this chapter does not apply to this section.**

(b) A genetic counselor may not be required to:

(1) perform;

(2) participate in; or

(3) provide;

a service that violates any sincerely held ethical, moral, or religious belief held by the genetic counselor. An employer may not discriminate against or discipline a genetic counselor because of any sincerely held ethical, moral, or religious belief of the genetic counselor in the performance of the genetic counselor's employment.

(c) A civil action for damages or reinstatement of employment, or both, may be brought for any violation of this section.

SECTION 8. IC 25-17.3-5-3, AS ADDED BY P.L.177-2009, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. **(a) This section does not apply to section 2.5 of this chapter.**

(b) A person who violates this chapter commits a Class A misdemeanor. In addition to any other penalty imposed for a violation of this chapter, the board may, in the name of the state of Indiana through the attorney general, petition a circuit or superior court to enjoin the person who is violating this chapter from practicing genetic counseling in violation of this chapter.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1243 as printed February 21, 2020.)

L. BROWN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1301

Senator Crider called up Engrossed House Bill 1301 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1346

Senator Koch called up Engrossed House Bill 1346 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1348

Senator Busch called up Engrossed House Bill 1348 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1370

Senator Messmer called up Engrossed House Bill 1370 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1032

Senator Rogers called up Engrossed House Bill 1032 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1032–2)

Madam President: I move that Engrossed House Bill 1032 be amended to read as follows:

Page 1, delete lines 1 through 5.

Page 2, line 6, after "by" strike "a" and insert "**an**".

Page 2, line 6, delete "firefighter" and insert "**emergency medical services provider**".

Page 2, line 10, strike "(h)." and insert "**(j).**".

Page 2, line 28, after "of" strike "a" and insert "**an**".

Page 2, line 28, delete "firefighter" and insert "**emergency medical services provider**".

Page 2, line 29, delete "firefighter" and insert "**emergency medical services provider**".

Page 2, line 30, delete "firefighter's" and insert "**emergency medical services provider's**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1032 as printed February 19, 2020.)

M. YOUNG

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1082

Senator Jon Ford called up Engrossed House Bill 1082 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1009

Senator Messmer called up Engrossed House Bill 1009 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 219: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1047

Senator M. Young called up Engrossed House Bill 1047 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 220: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1099

Senator Busch called up Engrossed House Bill 1099 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 221: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1104

Senator Garten called up Engrossed House Bill 1104 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 222: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1109

Senator Walker called up Engrossed House Bill 1109 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning trade regulation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 223: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1147

Senator Boots called up Engrossed House Bill 1147 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 224: yeas 42, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1189

Senator Crider called up Engrossed House Bill 1189 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 225: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1218

Senator Donato called up Engrossed House Bill 1218 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 226: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1224

Senator Crider called up Engrossed House Bill 1224 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 227: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1267

Senator Messmer called up Engrossed House Bill 1267 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 228: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1288

Senator Walker called up Engrossed House Bill 1288 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 229: yeas 46, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1334

Senator Niemeyer called up Engrossed House Bill 1334 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 230: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1343

Senator Tomes called up Engrossed House Bill 1343 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning transportation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 231: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1403

Senator Messmer called up Engrossed House Bill 1403 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 232: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

SENATE MOTION

Madam President: I move that Senator Bray be added as coauthor of Senate Resolution 24.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as coauthor of Senate Resolution 24.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as coauthor of Senate Resolution 24.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Breaux, Buchanan, Buck, Busch, Crane, Crider, Donato, Doriot, Jon Ford, Garten, Gaskill, Grooms, Houchin, Kruse, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Rogers, Ruckelshaus, Sandlin, Spartz, Tomes, Walker, and Zay be added as coauthors of Senate Concurrent Resolution 51.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Bohacek and G. Taylor be added as coauthors of Senate Bill 39.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as coauthor of Senate Bill 246.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting and Spartz be added as cosponsors of Engrossed House Bill 1009.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1042.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Boots be added as second sponsor of Engrossed House Bill 1063.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1070.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as cosponsor of Engrossed House Bill 1082.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as second sponsor, Senator Kruse be added as third sponsor, and Senators Lanane, Grooms, and Tomes be added as cosponsors of Engrossed House Bill 1090.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1090.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1091.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1108.

BASSLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1112.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as second sponsor of Engrossed House Bill 1147.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as cosponsor of Engrossed House Bill 1176.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1199.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as second sponsor and Senator Breaux be added as cosponsor of Engrossed House Bill 1243.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Mrvan be added as cosponsor of Engrossed House Bill 1264.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as cosponsor of Engrossed House Bill 1265.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as cosponsor of Engrossed House Bill 1265.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1265.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as cosponsor of Engrossed House Bill 1305.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niemeyer be added as second sponsor of Engrossed House Bill 1309.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as cosponsor of Engrossed House Bill 1341.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as cosponsor of Engrossed House Bill 1343.

TOMES

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, February 25, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 3:43 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Twenty-Third Meeting Day Tuesday Afternoon February 25, 2020

The Senate convened at 1:39 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Lead Pastor David Hastings from Eastside Christian Church in Jeffersonville.

The Pledge of Allegiance to the Flag was led by Senator Ronald T. Grooms.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton ▶
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 233: present 49; excused 1. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred House Concurrent Resolution 18, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.
Committee Vote: Yeas 6, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Engrossed House Bill 1052, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Engrossed House Bill 1059, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 6, delete "have a reciprocal agreement with Indiana to allow a" and insert "**provide an exemption from sales, use, or similar taxes imposed on a cargo trailer or recreational vehicle that is purchased in that state or country by an Indiana resident and will be titled or registered in Indiana.**".

Page 1, delete lines 7 through 9.

Page 1, delete lines 12 through 16.

Page 2, delete lines 1 through 14.

Page 2, line 15, delete "(e)" and insert "**(d)**".

Page 2, line 15, delete "This subsection applies to transactions occurring after June".

Page 2, line 16, delete "30, 2025.".

Page 2, line 34, delete "(f)." and insert "**(e).**".

Page 2, line 35, delete "(f)" and insert "**(e)**".

Page 2, line 36, delete "subsections (d) and (e)." and insert "**subsection (d).**".

Page 2, line 36, delete "certifications" and insert "**certification**".

Page 2, line 37, delete "subsections (d) and (e)," and insert "**subsection (d),**".

Page 3, line 4, delete "(g)" and insert "**(f)**".

Page 3, line 8, delete "(h)" and insert "**(g)**".

Page 3, delete lines 12 through 42.

Page 4, delete lines 1 through 33.

Renumber all SECTIONS consecutively.

(Reference is to HB 1059 as printed January 21, 2020.)

and when so amended that said bill do pass.
Committee Vote: Yeas 9, Nays 1.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Engrossed House Bill 1065, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 6-1.1-1-8.4, AS AMENDED BY P.L.235-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2014 (RETROACTIVE)]: Sec. 8.4. (a) "Inventory" means:

(1) materials held for processing or for use in production;

(2) finished or partially finished goods of a manufacturer or processor; ~~and~~

(3) property held for sale in the ordinary course of trade or business; **and**

(4) materials and supplies (as defined in 26 CFR 1.162-3) that are:

(A) expensed at the time the materials and supplies are placed in service; or

(B) deductible for federal tax purposes in the year the materials and supplies are first used in business.

(b) The term includes:

(1) items that qualify as inventory under 50 IAC 4.2-5-1 (as effective December 31, 2008); ~~and~~

(2) subject to subsection (c), a mobile home or manufactured home that:

(A) does not qualify as real property;

(B) is located in a mobile home community;

(C) is unoccupied; and

(D) is owned and held for sale or lease by the owner of the mobile home community; **and**

(3) uniforms, garments, linens, and facilities services owned, held, possessed, or controlled for the purpose of rental or lease in the ordinary course of trade or business.

(c) Subsection (b)(2) applies regardless of whether the mobile home that is held for sale or lease is new or was previously owned.

SECTION 2. IC 6-1.1-4-12, AS AMENDED BY P.L.257-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) As used in this section, "land developer" means a person that holds land for sale in the ordinary course of the person's trade or business. The term includes a financial institution (as defined in IC 28-1-1-3(1)) if the financial institution's land in inventory is purchased, acquired, or held for one (1) or more of the purposes established under IC 28-1-11-5(a)(2), IC 28-1-11-5(a)(3), and IC 28-1-11-5(a)(4). **The determination of whether a person qualifies as a land developer shall be based upon whether such person satisfies the requirements contained in this subsection, and no consideration shall be given to either the person's industry classification, such as classification as a developer or builder, or any other activities undertaken by the person in addition to holding land for sale in the ordinary course of the person's trade or business.**

(b) As used in this section, "land in inventory" means:

(1) a lot; or

(2) a tract that has not been subdivided into lots;

to which a land developer holds title in the ordinary course of the land developer's trade or business.

(c) As used in this section, "title" refers to legal or equitable title, including the interest of a contract purchaser.

(d) For purposes of this section, land purchased, acquired, or held by a financial institution for one (1) or more of the purposes established under IC 28-1-11-5(a)(2), IC 28-1-11-5(a)(3), and IC 28-1-11-5(a)(4) is considered held for sale in the ordinary course of the financial institution's trade or business.

(e) Except as provided in subsections (i), (j), and (k), if:

(1) land assessed on an acreage basis is subdivided into lots; or

(2) land is rezoned for, or put to, a different use;

the land shall be reassessed on the basis of its new classification.

(f) If improvements are added to real property, the improvements shall be assessed.

(g) An assessment or reassessment made under this section is effective on the next assessment date.

(h) No petition to the department of local government finance is necessary with respect to an assessment or reassessment made under this section.

(i) Except as provided in subsection (k) and subject to subsection (j), land in inventory may not be reassessed until the next assessment date following the earliest of:

(1) the date on which title to the land is transferred by:

(A) the land developer; or

(B) a successor land developer that acquires title to the land;

to a person that is not a land developer;

(2) the date on which construction of a structure begins on the land; or

(3) the date on which a building permit is issued for construction of a building or structure on the land.

(j) Subsection (i) applies regardless of whether the land in inventory is rezoned while a land developer holds title to the land.

(k) This subsection applies to land in inventory that a for-profit land developer acquires from a:

(1) school corporation; or

(2) local unit of government (as defined in IC 14-22-31.5-1), but only if the local unit of government:

(A) acquired the land in a tax sale procedure under IC 6-1.1; or

(B) has held the land for not less than three (3) years prior to the date on which the for-profit land developer acquires it from the local unit of government.

Land in inventory to which this subsection applies shall be assessed on the first assessment date immediately following the date on which the land developer acquires title to the land in inventory. Notwithstanding section 13(a) of this chapter, land in

inventory to which this subsection applies is considered to be devoted to agricultural use and shall be assessed at the agricultural land base rate. After the initial assessment under this subsection, land in inventory to which this subsection applies shall be reassessed in accordance with subsection (i).

SECTION 3. IC 6-1.1-9-10, AS ADDED BY P.L.154-2006, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)]: Sec. 10. (a) If in the course of a review of a taxpayer's personal property assessment under this chapter an assessing official or the assessing official's representative or contractor discovers an error indicating that the taxpayer has overreported a personal property assessment, the assessing official shall:

(1) adjust the personal property assessment to correct the error; and

(2) process a refund or credit for any resulting overpayment.

(b) Application of subsection (a) is subject to the restrictions of IC 6-1.1-11-1.

(c) If a taxpayer believes that the taxpayer overreported a personal property assessment that is discovered in the course of a review of the taxpayer's personal property assessment under this chapter for which the assessing official fails to make an adjustment to correct the error under this section either in whole or in part, the taxpayer may:

(1) initiate an appeal of the assessment under IC 6-1.1-15-1.1 for a credit to offset any resulting overpayment against the taxpayer's current personal property tax liability; or

(2) file a claim for refund under IC 6-1.1-26-1.1 of personal property taxes paid with regard to any resulting overpayment.

SECTION 4. IC 6-1.1-15-3, AS AMENDED BY P.L.121-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)]: Sec. 3. (a) A taxpayer may obtain a review by the Indiana board of:

(1) a county board's action with respect to a claim under section 1.1 of this chapter; **or**

(2) a denial by the county auditor, the county assessor, or the county treasurer of a claim for refund under IC 6-1.1-9-10(c)(2) that is appealed to the Indiana board as authorized in IC 6-1.1-26-2.1(d)(2).

(b) The county assessor is the party to ~~the~~ **a** review under ~~this section~~ **subsection (a)(1)** to defend the determination of the county board. The county auditor may appear as an additional party to the review if the determination concerns a matter that is in the discretion of the county auditor. At the time the notice of that determination is given to the taxpayer, the taxpayer shall also be informed in writing of:

(1) the taxpayer's opportunity for review under ~~this section;~~ **subsection (a)(1);** and

(2) the procedures the taxpayer must follow in order to obtain review under this section.

(c) A county assessor who dissents from the determination of the county board may obtain a review by the Indiana board. A county auditor who dissents from the determination of the county board concerning a matter that is in the discretion of the county auditor may obtain a review by the Indiana board.

(d) In order to obtain a review by the Indiana board under ~~this section,~~ **subsection (a)(1),** the party must, not later than forty-five (45) days after the date of the notice given to the party or parties of the determination of the county board:

(1) file a petition for review with the Indiana board; and

(2) mail a copy of the petition to the other party.

(e) The Indiana board shall prescribe the form of the petition for review under this chapter. The Indiana board shall issue instructions for completion of the form. The form and the instructions must be clear, simple, and understandable to the average individual. A petition for review of such a determination must be made on the form prescribed by the Indiana board. The form must require the petitioner to specify the reasons why the petitioner believes that the determination by the county board is erroneous.

(f) If the action for which a taxpayer seeks review under this section is the assessment of tangible property, the taxpayer is not required to have an appraisal of the property in order to do the following:

(1) Initiate the review.

(2) Prosecute the review.

(g) If an owner petitions the Indiana board under IC 6-1.1-11-7(d), the Indiana board is authorized to approve or disapprove an exemption application:

(1) previously submitted to a county board under IC 6-1.1-11-6; and

(2) that is not approved or disapproved by the county board within one hundred eighty (180) days after the owner filed the application for exemption under IC 6-1.1-11.

The county assessor is a party to a petition to the Indiana board under IC 6-1.1-11-7(d).

(h) This subsection applies only to the review by the Indiana board of a denial of a refund claim described in subsection (a)(2). The county assessor is the party to a review under subsection (a)(2) to defend the denial of the refund under IC 6-1.1-26-2.1. In order to obtain a review by the Indiana board under subsection (a)(2), the taxpayer must, within forty-five (45) days of the notice of denial under IC 6-1.1-26-2.1(d):

(1) file a petition for review with the Indiana board; and

(2) mail a copy of the petition to the county auditor.".

Page 1, line 1, delete "IC 6-1.1-18-26" and insert "IC 6-1.1-18-30".

Page 1, line 3, delete "26." and insert "**30.**".

Page 2, delete lines 38 through 42.

Delete pages 3 through 5.

Page 6, delete lines 1 through 4, begin a new paragraph and insert:

"SECTION 6. IC 6-1.1-18-31 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 31. (a) The board of trustees of a fire protection district may, upon approval by the county legislative body, submit a petition to the department of local government finance for an increase in the fire protection district's maximum permissible ad valorem property tax levy for property taxes first due and**

payable in 2021 or for any year thereafter for which a petition is submitted under this section.

(b) If a petition is submitted as provided in subsection (a) before August 1, 2020, or April 1 of a year thereafter, the department of local government finance shall increase the fire protection district's maximum permissible ad valorem property tax levy for property taxes first due and payable in the immediately succeeding year by using the following formula for purposes of subsection (c)(2):

STEP ONE: Determine the percentage increase in the population, as determined by the county legislative body and as may be prescribed by the department of local government finance, that is within the fire protection district area during the ten (10) year period immediately preceding the year in which the petition is submitted under subsection (a).

STEP TWO: Determine the greater of zero (0) or the result of:

(A) the STEP ONE percentage; minus

(B) six percent (6%);

expressed as a decimal.

STEP THREE: Determine a rate that is the lesser of:

(A) one-tenth (0.1); or

(B) the STEP TWO result.

STEP FOUR: Reduce the STEP THREE rate by any rate increase in the fire protection district's property tax rate within the immediately preceding ten (10) year period that was made based on a petition submitted by the fire protection district under this section.

(c) The fire protection district's maximum permissible ad valorem property tax levy for property taxes first due and payable in a given year, as adjusted under this section, shall be calculated as:

(1) the amount of the ad valorem property tax levy increase for the fire protection district without regard to this section; plus

(2) an amount equal to the result of:

(A) the rate determined under the formula in subsection (b); multiplied by

(B) the net assessed value of the fire protection district area divided by one hundred (100).

The calculation under this subsection shall be used in the determination of the fire protection district's maximum permissible ad valorem property tax levy for property taxes first due and payable in the first year of the increase and thereafter.

SECTION 7. IC 6-1.1-26-2.1, AS ADDED BY P.L.232-2017, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)]: Sec. 2.1. (a) The county auditor shall approve or deny a claim for refund.

(b) If the county auditor approves the claim for refund, the county auditor shall forward the claim to the county treasurer and county assessor for approval or denial. The county treasurer and county assessor shall each certify their approval or denial and return the claim to the county auditor not later than seventy-five (75) days after the date of the filing of the claim under section 1.1 of this chapter.

(c) If the county auditor, the county assessor, and the county treasurer approve the refund, the county auditor shall issue a warrant to the claimant payable on the general fund for the amount due under this section within forty-five (45) days of the approval of a claim for refund. In addition, the taxpayer is entitled to interest on any overpayment of property taxes. Interest shall be computed:

(1) from the date on which the taxes were paid or due, whichever is later, to the date on which the county auditor and the county treasurer approve the refund; and

(2) using the rate in effect under IC 6-8.1-10-1 for each particular year covered by the refund.

If the taxpayer no longer owns the property on which the tax was assessed and paid, the county auditor shall pay the refunds to the taxpayer or other lawful claimant.

(d) If the county auditor, the county assessor, or the county treasurer denies a refund, the county auditor shall send a notice to the claimant. The claimant may, within forty-five (45) days of the notice of denial:

(1) file an original action claiming a refund in a court of competent jurisdiction in the county where the property is located; **or**

(2) in the case of notice of denial of a claim for refund that is filed pursuant to IC 6-1.1-9-10(c)(2), file a petition for review with the Indiana board under the procedures set forth in IC 6-1.1-15-3.

(e) If a credit is not applied or a refund is not paid within one hundred twenty (120) days from the date a claim was filed under section 1.1 of this chapter, a claimant may file an original action claiming a refund in a court of competent jurisdiction in the county where the property is located. An original action must be filed by the later of four (4) years after the tax is paid, or four (4) years after the final disposition of an appeal by the county board, board of tax review, department of local government finance, or a court, with respect to a particular tax year.

(f) The county auditor shall correct the tax duplicate for refunds. In the June or December settlement and apportionment of taxes, or both the June and December settlement and apportionment of taxes, immediately following a refund made under this section the county auditor shall deduct the amount refunded from the gross tax collections of the taxing units for which the refunded taxes were originally paid and shall pay the amount so deducted out of the general fund. However, the county auditor shall make the deductions and payments required by this subsection not later than the December settlement and apportionment. The county auditor shall notify the county executive of the payment of the amount due.

SECTION 8. IC 6-3.1-34-6, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. As used in this chapter, "qualified redevelopment site" means:

(1) land on which a vacant building or complex of buildings was placed in service at least fifteen (15) years before the date on which the application is filed with the corporation under this chapter;

(2) land on which a vacant building or complex of buildings:

(A) was placed in service at least fifteen (15) years before the date on which the demolition of the vacant

building or complex of buildings was completed; and

(B) that was demolished in an effort to protect the health, safety, and welfare of the community;

(3) land on which a vacant building or complex of buildings:

(A) was placed in service at least fifteen (15) years before the date on which the demolition of the vacant building or complex of buildings was completed;

(B) was placed in service as a public building;

(C) was owned by a unit of local government; and

(D) has not been redeveloped since the building was taken out of service as a public building;

(4) vacant land; ~~or~~

(5) brownfields consisting of more than fifty (50) acres; **or**

(6) land that has been mined using surface mining methods or underground mining methods, specifically and primarily for the removal of coal, and land contiguous to such previously mined land.

For a complex of buildings to be considered a qualified redevelopment site under subdivision (1), (2) or (3), the buildings must have been located on a single parcel or contiguous parcels of land that were under common ownership at the time the site was placed in service.

SECTION 9. IC 6-3.1-34-17, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. (a) The following apply if the corporation determines that a credit should be awarded under this chapter:

(1) The corporation shall require the taxpayer to enter into an agreement with the corporation as a condition of receiving a credit under this chapter.

(2) The agreement with the corporation must:

(A) prescribe the method of certifying the taxpayer's qualified investment; and

(B) include provisions that authorize the corporation to work with the department and the taxpayer, if the corporation determines that the taxpayer is noncompliant with the terms of the agreement or the provisions of this chapter, to bring the taxpayer into compliance or to protect the interests of the state.

(3) The corporation shall specify the taxpayer's expenditures that will be considered a qualified investment.

(4) The corporation shall determine the applicable credit percentage under subsections (b) and (c).

(b) If the corporation determines that a credit should be awarded under this chapter, the corporation shall determine the applicable credit percentage for a qualified investment certified by the corporation. However, and except as provided in subsection (c), the applicable credit percentage may not exceed the following:

(1) If the qualified redevelopment site was placed in service at least fifteen (15) years ago but less than thirty (30) years ago, or is vacant land or a brownfield described in section 6(5) of this chapter:

(A) fifteen percent (15%), if the qualified redevelopment site is part of a development plan of a regional development authority established under IC 36-7.5-2-1 or IC 36-7.6-2-3; or

(B) ten percent (10%), if the qualified redevelopment site is not part of a development plan of a regional development authority described under clause (A).

(2) If the qualified redevelopment site was placed in service at least thirty (30) years ago but less than forty (40) years ago:

(A) twenty percent (20%), if the qualified redevelopment site is part of a development plan of a regional development authority established under IC 36-7.5-2-1 or IC 36-7.6-2-3; or

(B) ten percent (10%), if the qualified redevelopment site is not part of a development plan of a regional development authority described under clause (A).

(3) If the qualified redevelopment site was placed in service at least forty (40) years ago:

(A) twenty-five percent (25%), if the qualified redevelopment site is part of a development plan of a regional development authority established under IC 36-7.5-2-1 or IC 36-7.6-2-3; or

(B) fifteen percent (15%), if the qualified redevelopment site is not part of a development plan of a regional development authority described under clause (A).

(4) If the qualified redevelopment site is a mine reclamation site described in section 6(6) of this chapter, twenty-five percent (25%).

(c) The corporation may increase the credit amount by not more than an additional five percent (5%) if:

(1) the qualified redevelopment site is located in a federally designated qualified opportunity zone (Section 1400Z-1 and 1400Z-2 of the Internal Revenue Code); or

(2) the project qualifies for federal new markets tax credits under Section 45D of the Internal Revenue Code.

(d) To be eligible for the credit for a qualified investment, a taxpayer's expenditures that are considered a qualified investment must be certified by the corporation not later than two (2) taxable years after the end of the calendar year in which the taxpayer's expenditures are made.".

Page 8, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 12. IC 6-9-54 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 54. Clarksville Food and Beverage Tax

Sec. 1. This chapter applies to the town of Clarksville.

Sec. 2. The definitions in IC 6-9-12-1 apply throughout this chapter.

Sec. 3. (a) The fiscal body of the town may adopt an ordinance to impose an excise tax, known as the town food and beverage tax, on transactions described in section 4 of this chapter. The fiscal body of the town may adopt an ordinance under this subsection only after the fiscal body has previously held at least one (1) separate public hearing in which a discussion of the proposed ordinance to impose the town food and beverage tax is the only substantive issue on the agenda for that public hearing.

(b) If the town fiscal body adopts an ordinance under subsection (a), the town fiscal body shall immediately send a certified copy of the ordinance to the department of state

revenue.

(c) If the town fiscal body adopts an ordinance under subsection (a), the town food and beverage tax applies to transactions that occur after the later of the following:

(1) The day specified in the ordinance.

(2) The last day of the month that succeeds the month in which the ordinance is adopted.

Sec. 4. (a) Except as provided in subsection (c), a tax imposed under section 3 of this chapter applies to a transaction in which a food or beverage is furnished, prepared, or served:

(1) for consumption at a location or on equipment provided by a retail merchant;

(2) in the town; and

(3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

(1) served by a retail merchant off the merchant's premises;

(2) food sold in a heated state or heated by a retail merchant;

(3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or

(4) food sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport the food).

(c) The town food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 5. The town food and beverage tax rate:

(1) must be imposed in an increment of twenty-five hundredths percent (0.25%); and

(2) may not exceed one percent (1%);

of the gross retail income received by the merchant from the food or beverage transaction described in section 4 of this chapter. For purposes of this chapter, the gross retail income received by the retail merchant from a transaction does not include the amount of tax imposed on the transaction under IC 6-2.5.

Sec. 6. A tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 7. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the town fiscal officer upon warrants issued by the auditor of state.

Sec. 8. (a) If a tax is imposed under section 3 of this chapter by the town, the town fiscal officer shall establish a food and beverage tax receipts fund.

(b) The town fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 9. (a) Money in the food and beverage tax receipts fund must be used by the town:

(1) for the financing, construction, renovation, improvement, equipping, or maintenance of projects; and

(2) to pay debt service on bonds issued under this chapter for projects;

within the South Clarksville Redevelopment Area, as defined in the South Clarksville Redevelopment Plan on February 1, 2016.

(b) The town may issue bonds to:

(1) pay any costs associated with the financing, construction, renovation, improvement, equipping, and maintenance of a project within the South Clarksville Redevelopment Area, as defined in the South Clarksville Redevelopment Plan on February 1, 2016; or

(2) refund bonds issued or other obligations incurred under this chapter so long as any bonds issued or other obligations incurred to refund bonds or retire other obligations do not extend the date that the previous bonds or other obligations will be completely paid as to principal and interest.

(c) Bonds issued or other obligations incurred under this section:

(1) are payable solely from money provided in this chapter;

(2) must be issued in the manner prescribed by IC 36-5-2-11;

(3) may not have a term that is longer than twenty (20) years; and

(4) may, in the discretion of the town, be sold at a negotiated sale at a price to be determined by the town or in accordance with IC 5-1-11 and IC 5-3-1.

Sec. 10. With respect to obligations for which a pledge has been made under section 9 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 11. This chapter expires October 1, 2040.

SECTION 13. IC 6-9-55 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 55. Riverboat Food and Beverage Tax

Sec. 1. As used in this chapter, "beverage" includes, but is not limited to, any alcoholic beverage.

Sec. 2. As used in this chapter, "food" includes, but is not limited to, any food product.

Sec. 3. As used in this chapter, "gross retail income" has the meaning set forth in IC 6-2.5-1-5.

Sec. 4. As used in this chapter, "riverboat" refers to a riverboat operated by a licensed owner described in IC 4-33-6-1(a)(1).

Sec. 5. As used in this chapter, "person" has the meaning set forth in IC 6-2.5-1-3.

Sec. 6. As used in this chapter, "retail merchant" has the meaning set forth in IC 6-2.5-1-8.

Sec. 7. (a) An excise tax, known as the food and beverage tax, is imposed on those transactions described in section 8 of this chapter that occur at a riverboat after January 1, 2021.

(b) The rate of the tax imposed under this chapter equals one percent (1%) of the gross retail income on the transaction.

Sec. 8. (a) Except as provided in subsection (c), the tax imposed under section 7 of this chapter applies to a transaction in which a food or beverage is furnished, prepared, or served:

(1) for consumption at a location or on equipment provided by a retail merchant;

(2) in a riverboat; and

(3) by a retail merchant for consideration.

(b) Transactions described in subsection (a)(1) include transactions in which food or beverage is:

(1) served by a retail merchant off the merchant's premises;

(2) food sold in a heated state or heated by a retail merchant;

(3) made of two (2) or more food ingredients, mixed or combined by a retail merchant for sale as a single item (other than food that is only cut, repackaged, or pasteurized by the seller, and eggs, fish, meat, poultry, and foods containing these raw animal foods requiring cooking by the consumer as recommended by the federal Food and Drug Administration in chapter 3, subpart 3-401.11 of its Food Code so as to prevent food borne illnesses); or

(4) food sold with eating utensils provided by a retail merchant, including plates, knives, forks, spoons, glasses, cups, napkins, or straws (for purposes of this subdivision, a plate does not include a container or package used to transport the food).

(c) The food and beverage tax does not apply to the furnishing, preparing, or serving of a food or beverage in a transaction that is exempt, or to the extent the transaction is exempt, from the state gross retail tax imposed by IC 6-2.5.

Sec. 9. The tax imposed under this chapter shall be imposed, paid, and collected in the same manner that the state gross retail tax is imposed, paid, and collected under IC 6-2.5. However, the return to be filed with the payment of the tax imposed under this chapter may be made on a separate return or may be combined with the return filed for the payment of the state gross retail tax, as prescribed by the department of state revenue.

Sec. 10. The amounts received from the tax imposed under this chapter shall be paid monthly by the treasurer of state to the fiscal officer of the city in which the riverboat is located upon warrants issued by the auditor of state.

Sec. 11. (a) The fiscal officer of the city in which the riverboat is located shall establish a food and beverage tax receipts fund.

(b) The city fiscal officer shall deposit in the fund all amounts received under this chapter.

(c) Money earned from the investment of money in the fund becomes a part of the fund.

Sec. 12. (a) Subject to subsection (b), money in the food and beverage tax receipts fund must be used by the city for purposes of public safety within a one (1) mile radius of a riverboat sited at a location approved under IC 4-33-6-4.5.

(b) Money in the food and beverage tax receipts fund may not be used until gaming operations begin at a riverboat sited at a location approved under IC 4-33-6-4.5.

Sec. 13. With respect to obligations for which a pledge has been made under section 12 of this chapter, the general assembly covenants with the holders of the obligations that this chapter will not be repealed or amended in a manner that will adversely affect the imposition or collection of the tax imposed under this chapter if the payment of any of the obligations is outstanding.

Sec. 14. This chapter expires January 1, 2025.".

Page 9, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 15. IC 36-7-4-1103, AS AMENDED BY P.L.119-2012, SECTION 195, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1103. ~~(a) This section does not apply to a plan commission exercising jurisdiction in a county having a population of more than twenty thousand nine hundred (20,900) but less than twenty-one thousand (21,000).~~

~~(b)~~ **(a)** ADVISORY—AREA. For purposes of this section, urban areas include all lands and lots within the corporate boundaries of a municipality, any other lands or lots used for residential purposes where there are at least eight (8) residences within any quarter mile square area, and other lands or lots that have been or are planned for residential areas contiguous to the municipality.

~~(c)~~ **(b)** ADVISORY—AREA. This chapter does not authorize an ordinance or action of a plan commission that would prevent, outside of urban areas, the complete use and alienation of any mineral resources or forests by the owner or alienee of them.

SECTION 16. IC 36-7-14-0.5, AS AMENDED BY P.L.235-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.5. (a) The definitions in this section apply throughout this chapter.

(b) "Obligation" means any bond, note, warrant, lease, or other instrument under which money is borrowed.

(c) "Public funds" means all fees, payments, tax receipts, and funds of whatever kind or character coming into the possession of a:

(1) redevelopment commission; or

(2) department of redevelopment.

(d) "Residential housing" means housing or workforce housing that consists of single family dwelling units sufficient to

secure quality housing in reasonable proximity to employment. **The term includes condominiums and townhouses located within an economic development target area that is designated under IC 6-1.1-12.1-7.**

(e) "Residential housing development program" means a residential housing development program for the:

(1) construction of new residential housing; or

(2) renovation of existing residential housing;

established by a commission under section 53 of this chapter.

(f) "Workforce housing" means housing that is affordable for households with earned income that is sufficient to secure quality housing in reasonable proximity to employment.

SECTION 17. IC 36-7-14-53, AS ADDED BY P.L.235-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 53. (a) Subject to subsection (g), a commission may establish a residential housing development program by resolution for the construction of new residential housing or the renovation of existing residential housing **in an area within the jurisdiction of the commission** if:

(1) for a commission established by a county, the average of new, single family residential houses constructed ~~in the unincorporated~~ **within the township in which the** area ~~of the county~~ **is located** during the preceding three (3) calendar years is less than one percent (1%) of the total number of single family residential houses within ~~the unincorporated area of the county~~ **that township** on January 1 of the year in which the resolution is adopted; or

(2) for a commission established by a municipality, the average of new, single family residential houses constructed within the municipal boundaries during the preceding three (3) calendar years is less than one percent (1%) of the total number of single family residential houses within the boundaries of the municipality on January 1 of the year in which the resolution is adopted.

However, the calculations described in subdivisions (1) and (2) and the provisions of subsection (f) do not apply for purposes of establishing a residential housing development program within an economic development target area designated under IC 6-1.1-12.1-7.

(b) The program, which may include any relevant elements the commission considers appropriate, may be adopted as part of a redevelopment plan or amendment to a redevelopment plan, and must establish an allocation area for purposes of sections 39 and 56 of this chapter for the accomplishment of the program. The program must be approved by the municipal legislative body or county executive as specified in section 17 of this chapter.

(c) The notice and hearing provisions of sections 17 and 17.5 of this chapter, including notice under section 17(c) of this chapter to a taxing unit that is wholly or partly located within an allocation area, apply to the resolution adopted under subsection (b). Judicial review of the resolution may be made under section 18 of this chapter.

(d) Before formal submission of any residential housing development program to the commission, the department of redevelopment shall:

(1) consult with persons interested in or affected by the proposed program;

(2) provide the affected neighborhood associations, residents, and township assessors with an adequate opportunity to participate in an advisory role in planning, implementing, and evaluating the proposed program; and

(3) hold ~~public meetings in the affected neighborhood~~ **at least one (1) public meeting** to obtain the views of neighborhood associations and residents **of the affected neighborhood.**

(e) A residential housing development program established under this section must terminate not later than ~~twenty (20) years after the date the program is established under subsection (b).~~ **twenty-five (25) years after the date on which the first obligation was incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues from the program.**

(f) The department of local government finance in cooperation with either the appropriate county agency or the appropriate municipal agency, or both, shall determine whether a county or municipality meets the **threshold** requirements under subsection (a). **In making the determination, the department of local government finance may request information only as necessary to make the determination.** A county or municipality may request from the department of local government finance a report, if it exists, describing the effect of current assessed value allocated to tax increment financing allocation areas on the amount of the tax levy or proceeds and the credit for excessive property taxes under IC 6-1.1-20.6 for the taxing units within the boundaries of the residential housing development program.

(g) A program established under subsection (a) may not take effect **in any part of the program allocation area that lies outside an economic development target area designated under IC 6-1.1-12.1-7** until the governing body of each school corporation affected by the program passes a resolution approving the program. **A program established under subsection (a) takes effect in the part of a program allocation area that lies within an economic development target area when the program is established, without additional approval under this subsection.**

SECTION 18. [EFFECTIVE UPON PASSAGE] **Notwithstanding the January 1, 2020, effective date contained in P.L.121-2019, SECTION 5, the revisor of statutes shall publish IC 6-1.1-15-3, as amended by this act, effective January 1, 2019.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1065 as printed January 27, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 4.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1094, has had the same under consideration and begs leave to report the

same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Engrossed House Bill 1113, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 2. IC 5-1.2-4.5-2, AS ADDED BY P.L.108-2019, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MAY 1, 2020]: Sec. 2. (a) This section applies to:

(1) a public-private agreement to which the authority is a party under IC 8-15.5 and that is originally entered into after May 1, 2019; **and**

(2) any other agreement to which the authority or the state is a party under any provision of the Indiana Code, other than IC 8-15.5, that would increase revenue as the result of the sale or lease of a state asset, or a grant of a license to operate a state asset, and that is entered into after May 1, 2020.

(b) If:

(1) an extension or an amendment to a public-private agreement **described in subsection (a)(1)** would increase the amount to be:

~~(1)~~ **(A)** paid by the authority to the operator, another private entity, or a governmental entity by at least one hundred million dollars ($100,000,000); or

~~(2)~~ **(B)** received by the operator or a party related to the operator by at least one hundred million dollars ($100,000,000); **or**

(2) an agreement described in subsection (a)(2) would increase revenue by at least one hundred million dollars ($100,000,000) as the result of the sale or lease of a state asset, or a grant of a license to operate a state asset;

the authority **or the state** shall submit the proposed extension or amendment to the public-private agreement **described in subdivision (1) or the proposed agreement described in subdivision (2)** to the budget committee established by IC 4-12-1-3 for its review.

(c) The budget committee may request that the authority, ~~or~~ the department of transportation, or both, **or the state, as applicable,** appear at a public meeting of the budget committee concerning the proposed extension or amendment to the public-private agreement **described in subsection (a)(1) or the proposed agreement described in subsection (a)(2).** The authority **or the state** may not enter into any extension or amendment to the public-private agreement **described in subsection (a)(1) or the proposed agreement described in subsection (a)(2)** until after the budget committee has reviewed the proposed extension or amendment **to the public-private agreement described in subsection (a)(1) or the proposed agreement described in subsection (a)(2)**.".

Page 6, delete lines 31 through 42, begin a new paragraph and insert:

"SECTION 8. IC 6-1.1-4-42, AS ADDED BY P.L.182-2009(ss), SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 42. (a) This section applies to assessment dates after January 15, 2010.

(b) ~~As used in~~ **The following definitions apply throughout** this section:

(1) "Golf course" means an area of land and yard improvements that are predominately used to play the game of golf. A golf course consists of a series of holes, each consisting of a teeing area, fairway, rough and other hazards, and the green with the pin and cup.

(2) "Yard improvements" include a clubhouse, irrigation systems, a pro shop, a maintenance building, a driving range, a structure for food and beverage services, or other buildings associated with the operation of and included in the net operating income of a golf course.

(c) The true tax value of real property regularly used as a golf course is the valuation determined by applying the income capitalization appraisal approach. The income capitalization approach used to determine the true tax value of a golf course must:

(1) incorporate an applicable income capitalization method and appropriate capitalization rates that are developed and used in computations that lead to an indication of value commensurate with the risks for the subject property use;

(2) provide for the uniform and equal assessment of golf courses; ~~of similar grade quality and play length;~~ and

(3) exclude the value of personal property, intangible property, and income derived from personal or intangible property.

(d) For assessment dates after January 15, 2010, and before March 1, 2012, a township assessor (if any) or the county assessor shall gather and process information from the owner of a golf course to carry out this section in accordance with the rules adopted by the department of local government finance under IC 4-22-2.

(e) For assessment dates after February 28, 2012, the department of local government finance shall, by rules adopted under IC 4-22-2, establish uniform income capitalization ~~tables and~~ **rates annually and** procedures to be used for the assessment of golf courses. The department of local government finance may rely on ~~analysis conducted by a state educational institution to develop the income capitalization tables and procedures required under this section.~~ **recognized sources of industry capitalization rates.** Assessing officials shall use the ~~tables and~~ procedures adopted by the department of local government finance to assess, reassess, and annually adjust the assessed value of golf courses.

(f) The department of local government finance may prescribe procedures, forms, and due dates for the collection from the owners or operators of golf courses of the necessary earnings, income, profits, losses, and expenditures data necessary to carry out this section. An owner or operator of a golf course shall comply with the procedures and reporting schedules prescribed

by the department of local government finance.

(g) Assessing officials shall solicit and the owners or operators of a golf course shall provide data for the gross income and allowable operating expenses from the owner or operator of the golf course and use federal tax returns or other similar evidence as verification that the submissions are correct. Assessing officials shall examine and evaluate three (3) years of financial records and federal tax returns to obtain the average net operating income. The three (3) year average should include the most current completed financial records and filed federal tax returns of the golf course as of the assessment date to ensure that the appropriate income and expense information for the subject property is used. However, because the financial records and federal tax returns for the year immediately preceding the assessment date would not be completed, the financial records and federal tax returns to be examined may include the three (3) years prior to the year immediately preceding the assessment date.

(h) All income and expense information provided to the assessing official under this section is confidential under IC 6-1.1-35-9.

SECTION 9. IC 6-1.1-4-46 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 46. (a) This section applies to assessment dates after December 31, 2020.**

(b) As used in this section, "distributable property" means property of a solar facility with a definite situs (as defined in IC 6-1.1-8-2(3)) and that is directly used to generate or conduct solar electricity.

(c) As used in this section, "solar energy installation" means:

(1) any solar facility or distributable property utilized for the generation of solar electricity;

(2) any system, building, or improvement that is located at, adjacent to, near, or in the general proximity of the solar facility or distributable property and is necessary or convenient to the construction, completion, or operation of the solar facility or distributable property; and

(3) the collection, transmission, and distribution facilities necessary to conduct the solar electricity produced by the solar facility or distributable property to users.

(d) As used in this section, "solar facility" means a facility that is used for the purpose of generating solar electricity for resale to consumers.

(e) Except as provided in subsection (g), and notwithstanding the provisions of this chapter and any real property assessment guidelines of the department of local government finance, for the property tax assessment of land utilized by, for, or in connection with a solar energy installation, the true tax value per acre for such land shall not exceed three hundred percent (300%) of the statewide agricultural land base rate value per acre determined under section 4.5(e) of this chapter for the current assessment year.

(f) Except as set forth in subsection (g), the department of local government finance shall by rule provide for the method for determining the true tax value of each parcel of land utilized by, for, or in connection with a solar energy installation.

(g) If a solar energy installation has an existing contract with an assessing official on June 30, 2020, that specifies the assessment method for land utilized by, for, or in connection with the solar energy installation, the assessment method set forth under subsection (e) shall apply to the solar energy installation only after the expiration date of that contract.".

Page 7, delete lines 1 through 36.

Page 17, between lines 19 and 20, begin a new paragraph and insert:

"SECTION 18. IC 6-1.1-12-11.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 11.5. (a) The following definitions apply throughout this section:**

(1) "Blind" has the meaning set forth in section 11(c) of this chapter.

(2) "Gross income" has the meaning set forth in Section 61 of the Internal Revenue Code (26 U.S.C. 61).

(3) "Individual with a disability" has the meaning set forth in section 11(d) of this chapter.

(4) "Relative" has the meaning set forth in IC 2-2.2-1-17.

(b) Except as provided in section 40.5 of this chapter, an individual may have the sum of twelve thousand four hundred eighty dollars ($12,480) deducted from the assessed value of real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property that the individual owns, or that the individual is buying under a contract that provides that the individual is to pay property taxes on the real property, mobile home, or manufactured home, if the contract or a memorandum of the contract is recorded in the county recorder's office, and if:

(1) the real property, mobile home, or manufactured home is principally used and occupied by another individual as the other individual's residence;

(2) the occupant who principally uses and occupies the property as the occupant's residence is an individual who is:

(A) blind or an individual with a disability; and

(B) a relative of the owner;

(3) the occupant's gross income for the calendar year preceding the year in which the deduction is claimed did not exceed seventeen thousand dollars ($17,000); and

(4) the individual:

(A) owns the real property, mobile home, or manufactured home; or

(B) is buying the real property, mobile home, or manufactured home under contract;

on the date the statement required by section 12 of this chapter is filed.

(c) An individual who is filing a claim under this section shall submit proof of the occupant's disability. Proof that the occupant is eligible to receive disability benefits under the federal Social Security Act (42 U.S.C. 301 et seq.) shall constitute proof of disability for purposes of this section.

(d) If the occupant is an individual with a disability not covered under the federal Social Security Act, the occupant shall be examined by a physician and the occupant's status as an individual with a disability determined by using the same standards as used by the Social Security Administration. The costs of this examination shall be borne by the claimant.

(e) An individual who has sold real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property, mobile home, or manufactured home may not claim the deduction provided under this section against that real property, mobile home, or manufactured home.

(f) For purposes of this section, if real property, a mobile home, or a manufactured home is owned by:

(1) tenants by the entirety;

(2) joint tenants; or

(3) tenants in common;

only one (1) deduction may be allowed.

SECTION 19. IC 6-1.1-12-12, AS AMENDED BY P.L.214-2019, SECTION 6, AND P.L.257-2019, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) Except as provided in section 17.8 of this chapter and subject to section 45 of this chapter, a person who desires to claim the deduction provided in section 11 **or 11.5** of this chapter must file an application, on forms prescribed by the department of local government finance, with the auditor of the county in which the real property, mobile home not assessed as real property, or manufactured home not assessed as real property is located. To obtain the deduction for a desired calendar year in which property taxes are first due and payable, the application must be completed and dated in the immediately preceding calendar year and filed with the county auditor on or before January 5 of the calendar year in which the property taxes are first due and payable. The application may be filed in person or by mail. If mailed, the mailing must be postmarked on or before the last day for filing.

(b) Proof of blindness may be supported by:

(1) the records of the division of family resources or the division of disability and rehabilitative services; or

(2) the written statement of a physician who is licensed by this state and skilled in the diseases of the eye or of a licensed optometrist.

(c) The application required by this section must contain the record number and page where the contract or memorandum of the contract is recorded if the individual is buying the real property, mobile home, or manufactured home on a contract that provides that the individual is to pay property taxes on the real property, mobile home, or manufactured home.".

Page 19, delete lines 18 through 42, begin a new paragraph and insert:

"SECTION 22. IC 6-1.1-12-17.8, AS AMENDED BY P.L.257-2019, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17.8. (a) An individual who receives a deduction provided under section 1, 9, 11, **11.5,** 13, 14, 16, 17.4 (before its expiration), or 37 of this chapter in a particular year and who remains eligible for the deduction in the following year is not required to file a statement to apply for the deduction in the following year. However, for purposes of a deduction under section 37 of this chapter, the county auditor may, in the county auditor's discretion, terminate the deduction for assessment dates after January 15, 2012, if the individual does not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015), as determined by the county auditor, before January 1, 2013. Before the county auditor terminates the deduction because the taxpayer claiming the deduction did not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013, the county auditor shall mail notice of the proposed termination of the deduction to:

(1) the last known address of each person liable for any property taxes or special assessment, as shown on the tax duplicate or special assessment records; or

(2) the last known address of the most recent owner shown in the transfer book.

(b) An individual who receives a deduction provided under section 1, 9, 11, **11.5,** 13, 14, 16, or 17.4 (before its expiration) of this chapter in a particular year and who becomes ineligible for the deduction in the following year shall notify the auditor of the county in which the real property, mobile home, or manufactured home for which the individual claims the deduction is located of the individual's ineligibility in the year in which the individual becomes ineligible. An individual who becomes ineligible for a deduction under section 37 of this chapter shall notify the county auditor of the county in which the property is located in conformity with section 37 of this chapter.

(c) The auditor of each county shall, in a particular year, apply a deduction provided under section 1, 9, 11, **11.5,** 13, 14, 16, 17.4 (before its expiration), or 37 of this chapter to each individual who received the deduction in the preceding year unless the auditor determines that the individual is no longer eligible for the deduction.

(d) An individual who receives a deduction provided under section 1, 9, 11, **11.5,** 13, 14, 16, 17.4 (before its expiration), or 37 of this chapter for property that is jointly held with another owner in a particular year and remains eligible for the deduction in the following year is not required to file a statement to reapply for the deduction following the removal of the joint owner if:

(1) the individual is the sole owner of the property following the death of the individual's spouse; or

(2) the individual is the sole owner of the property following the death of a joint owner who was not the individual's spouse.

If a county auditor terminates a deduction under section 9 of this chapter, a deduction under section 37 of this chapter, or a credit under IC 6-1.1-20.6-8.5 after June 30, 2017, and before May 1, 2019, because the taxpayer claiming the deduction or credit did not comply with a requirement added to this subsection by P.L.255-2017 to reapply for the deduction or credit, the county auditor shall reinstate the deduction or credit if the taxpayer provides proof that the taxpayer is eligible for the deduction or credit and is not claiming the deduction or credit for any other property.

(e) A trust entitled to a deduction under section 9, 11, 13, 14,

16, 17.4 (before its expiration), or 37 of this chapter for real property owned by the trust and occupied by an individual in accordance with section ~~17.9~~ **17.9(a)** of this chapter is not required to file a statement to apply for the deduction, if:

(1) the individual who occupies the real property receives a deduction provided under section 9, 11, 13, 14, 16, 17.4 (before its expiration), or 37 of this chapter in a particular year; and

(2) the trust remains eligible for the deduction in the following year.

However, for purposes of a deduction under section 37 of this chapter, the individuals that qualify the trust for a deduction must comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013.

(f) A trust entitled to a deduction under section 11.5 of this chapter for real property owned by the trust and occupied by an individual in accordance with section 17.9(b) of this chapter is not required to file a statement to apply for the deduction if:

(1) the occupant of the real property meets the conditions for the deduction in a particular year; and

(2) the trust remains eligible for the deduction in the following year.

~~(f)~~ **(g)** A cooperative housing corporation (as defined in 26 U.S.C. 216) that is entitled to a deduction under section 37 of this chapter in the immediately preceding calendar year for a homestead (as defined in section 37 of this chapter) is not required to file a statement to apply for the deduction for the current calendar year if the cooperative housing corporation remains eligible for the deduction for the current calendar year. However, the county auditor may, in the county auditor's discretion, terminate the deduction for assessment dates after January 15, 2012, if the individual does not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015), as determined by the county auditor, before January 1, 2013. Before the county auditor terminates a deduction because the taxpayer claiming the deduction did not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013, the county auditor shall mail notice of the proposed termination of the deduction to:

(1) the last known address of each person liable for any property taxes or special assessment, as shown on the tax duplicate or special assessment records; or

(2) the last known address of the most recent owner shown in the transfer book.

~~(g)~~ **(h)** An individual who:

(1) was eligible for a homestead credit under IC 6-1.1-20.9 (repealed) for property taxes imposed for the March 1, 2007, or January 15, 2008, assessment date; or

(2) would have been eligible for a homestead credit under IC 6-1.1-20.9 (repealed) for property taxes imposed for the March 1, 2008, or January 15, 2009, assessment date if IC 6-1.1-20.9 had not been repealed;

is not required to file a statement to apply for a deduction under section 37 of this chapter if the individual remains eligible for the deduction in the current year. An individual who filed for a homestead credit under IC 6-1.1-20.9 (repealed) for an assessment date after March 1, 2007 (if the property is real property), or after January 1, 2008 (if the property is personal property), shall be treated as an individual who has filed for a deduction under section 37 of this chapter. However, the county auditor may, in the county auditor's discretion, terminate the deduction for assessment dates after January 15, 2012, if the individual does not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015), as determined by the county auditor, before January 1, 2013. Before the county auditor terminates the deduction because the taxpayer claiming the deduction did not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013, the county auditor shall mail notice of the proposed termination of the deduction to the last known address of each person liable for any property taxes or special assessment, as shown on the tax duplicate or special assessment records, or to the last known address of the most recent owner shown in the transfer book.

~~(h)~~ **(i)** If a county auditor terminates a deduction because the taxpayer claiming the deduction did not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013, the county auditor shall reinstate the deduction if the taxpayer provides proof that the taxpayer is eligible for the deduction and is not claiming the deduction for any other property.

~~(i)~~ **(j)** A taxpayer described in section 37(k) of this chapter is not required to file a statement to apply for the deduction provided by section 37 of this chapter for a calendar year beginning after December 31, 2008, if the property owned by the taxpayer remains eligible for the deduction for that calendar year. However, the county auditor may terminate the deduction for assessment dates after January 15, 2012, if the individual residing on the property owned by the taxpayer does not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015), as determined by the county auditor, before January 1, 2013. Before the county auditor terminates a deduction because the individual residing on the property did not comply with the requirement in IC 6-1.1-22-8.1(b)(9) (expired January 1, 2015) before January 1, 2013, the county auditor shall mail notice of the proposed termination of the deduction to:

(1) the last known address of each person liable for any property taxes or special assessment, as shown on the tax duplicate or special assessment records; or

(2) the last known address of the most recent owner shown in the transfer book.

SECTION 23. IC 6-1.1-12-17.9, AS AMENDED BY P.L.190-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17.9. **(a)** A trust is entitled to a deduction under section 9, 11, 13, 14, 16, or 17.4 (before its expiration) of this chapter for real property owned by the trust and occupied by an individual if the county auditor determines that the individual:

(1) upon verification in the body of the deed or otherwise, has either:

(A) a beneficial interest in the trust; or

(B) the right to occupy the real property rent free under the terms of a qualified personal residence trust created by the individual under United States Treasury

Regulation 25.2702-5(c)(2); and

(2) otherwise qualifies for the deduction.

(b) A trust is entitled to a deduction under section 11.5 of this chapter for real property owned by the trust if the county auditor determines that the trust and the occupant meet the conditions for the deduction.

SECTION 24. IC 6-1.1-12-37, AS AMENDED BY P.L.214-2019, SECTION 16, AND AS AMENDED BY P.L.257-2019, SECTION 28, AND AS AMENDED BY P.L.121-2019, SECTION 1, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 37. (a) The following definitions apply throughout this section:

(1) "Dwelling" means any of the following:

(A) Residential real property improvements that an individual uses as the individual's residence, including a house or garage.

(B) A mobile home that is not assessed as real property that an individual uses as the individual's residence.

(C) A manufactured home that is not assessed as real property that an individual uses as the individual's residence.

(2) "Homestead" means an individual's principal place of residence:

(A) that is located in Indiana;

(B) that:

(i) the individual owns;

(ii) the individual is buying under a contract recorded in the county recorder's office, or evidenced by a memorandum of contract recorded in the county recorder's office under IC 36-2-11-20, that provides that the individual is to pay the property taxes on the residence, and that obligates the owner to convey title to the individual upon completion of all of the individual's contract obligations;

(iii) the individual is entitled to occupy as a tenant-stockholder (as defined in 26 U.S.C. 216) of a cooperative housing corporation (as defined in 26 U.S.C. 216); or

(iv) is a residence described in section ~~17.9~~ **17.9(a)** of this chapter that is owned by a trust if the individual is an individual described in section ~~17.9~~ **17.9(a)** of this chapter; and

(C) that consists of a dwelling and the real estate, not exceeding one (1) acre, that immediately surrounds that dwelling.

Except as provided in subsection (k), the term does not include property owned by a corporation, partnership, limited liability company, or other entity not described in this subdivision.

(b) Each year a homestead is eligible for a standard deduction from the assessed value of the homestead for an assessment date. Except as provided in subsection (p), the deduction provided by this section applies to property taxes first due and payable for an assessment date only if an individual has an interest in the homestead described in subsection (a)(2)(B) on:

(1) the assessment date; or

(2) any date in the same year after an assessment date that a statement is filed under subsection (e) or section 44 of this chapter, if the property consists of real property.

If more than one (1) individual or entity qualifies property as a homestead under subsection (a)(2)(B) for an assessment date, only one (1) standard deduction from the assessed value of the homestead may be applied for the assessment date. Subject to subsection (c), the auditor of the county shall record and make the deduction for the individual or entity qualifying for the deduction.

(c) Except as provided in section 40.5 of this chapter, the total amount of the deduction that a person may receive under this section for a particular year is the lesser of:

(1) sixty percent (60%) of the assessed value of the real property, mobile home not assessed as real property, or manufactured home not assessed as real property; or

(2) forty-five thousand dollars ($45,000).

(d) A person who has sold real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property, mobile home, or manufactured home may not claim the deduction provided under this section with respect to that real property, mobile home, or manufactured home.

(e) Except as provided in sections 17.8 and 44 of this chapter and subject to section 45 of this chapter, an individual who desires to claim the deduction provided by this section must file a certified statement on forms prescribed by the department of local government finance, with the auditor of the county in which the homestead is located. The statement must include:

(1) the parcel number or key number of the property and the name of the city, town, or township in which the property is located;

(2) the name of any other location in which the applicant or the applicant's spouse owns, is buying, or has a beneficial interest in residential real property;

(3) the names of:

(A) the applicant and the applicant's spouse (if any):

(i) as the names appear in the records of the United States Social Security Administration for the purposes of the issuance of a Social Security card and Social Security number; or

(ii) that they use as their legal names when they sign their names on legal documents;

if the applicant is an individual; or

(B) each individual who qualifies property as a homestead under subsection (a)(2)(B) and the individual's spouse (if any):

(i) as the names appear in the records of the United States Social Security Administration for the purposes of the issuance of a Social Security card and Social Security number; or

(ii) that they use as their legal names when they sign their names on legal documents;

if the applicant is not an individual; and

(4) either:

(A) the last five (5) digits of the applicant's Social

Security number and the last five (5) digits of the Social Security number of the applicant's spouse (if any); or

(B) if the applicant or the applicant's spouse (if any) does not have a Social Security number, any of the following for that individual:

(i) The last five (5) digits of the individual's driver's license number.

(ii) The last five (5) digits of the individual's state identification card number.

(iii) The last five (5) digits of a preparer tax identification number that is obtained by the individual through the Internal Revenue Service of the United States.

(iv) If the individual does not have a driver's license, a state identification card, or an Internal Revenue Service preparer tax identification number, the last five (5) digits of a control number that is on a document issued to the individual by the United States government.

If a form or statement provided to the county auditor under this section, IC 6-1.1-22-8.1, or IC 6-1.1-22.5-12 includes the telephone number or part or all of the Social Security number of a party or other number described in subdivision (4)(B) of a party, the telephone number and the Social Security number or other number described in subdivision (4)(B) included are confidential. The statement may be filed in person or by mail. If the statement is mailed, the mailing must be postmarked on or before the last day for filing. The statement applies for that first year and any succeeding year for which the deduction is allowed. ~~*With respect to real property,*~~ *To obtain the deduction for a desired calendar year in which property taxes are first due and payable,* the statement must be completed and dated in the *immediately preceding* calendar year ~~*for which the person desires to obtain the deduction*~~ and filed with the county auditor on or before January 5 of the ~~*immediately succeeding*~~ calendar year ~~*With respect to a mobile home that is not assessed as real property, the person must file the statement during the twelve (12) months before March 31 of the year for which the person desires to obtain the deduction.*~~ *in which the property taxes are first due and payable.*

(f) Except as provided in subsection (n), if a person who is receiving, or seeks to receive, the deduction provided by this section in the person's name:

(1) changes the use of the individual's property so that part or all of the property no longer qualifies for the deduction under this section; or

(2) is not eligible for a deduction under this section because the person is already receiving:

(A) a deduction under this section in the person's name as an individual or a spouse; or

(B) a deduction under the law of another state that is equivalent to the deduction provided by this section;

the person must file a certified statement with the auditor of the county, notifying the auditor of the person's ineligibility, not more than sixty (60) days after the date of the change in eligibility. A person who fails to file the statement required by this subsection may, under IC 6-1.1-36-17, be liable for any additional taxes that would have been due on the property if the person had filed the statement as required by this subsection plus a civil penalty equal to ten percent (10%) of the additional taxes due. The civil penalty imposed under this subsection is in addition to any interest and penalties for a delinquent payment that might otherwise be due. One percent (1%) of the total civil penalty collected under this subsection shall be transferred by the county to the department of local government finance for use by the department in establishing and maintaining the homestead property data base under subsection (i) and, to the extent there is money remaining, for any other purposes of the department. This amount becomes part of the property tax liability for purposes of this article.

(g) The department of local government finance may adopt rules or guidelines concerning the application for a deduction under this section.

(h) This subsection does not apply to property in the first year for which a deduction is claimed under this section if the sole reason that a deduction is claimed on other property is that the individual or married couple maintained a principal residence at the other property on the assessment date in the same year in which an application for a deduction is filed under this section or, if the application is for a homestead that is assessed as personal property, on the assessment date in the immediately preceding year and the individual or married couple is moving the individual's or married couple's principal residence to the property that is the subject of the application. Except as provided in subsection (n), the county auditor may not grant an individual or a married couple a deduction under this section if:

(1) the individual or married couple, for the same year, claims the deduction on two (2) or more different applications for the deduction; and

(2) the applications claim the deduction for different property.

(i) The department of local government finance shall provide secure access to county auditors to a homestead property data base that includes access to the homestead owner's name and the numbers required from the homestead owner under subsection (e)(4) for the sole purpose of verifying whether an owner is wrongly claiming a deduction under this chapter or a credit under IC 6-1.1-20.4, IC 6-1.1-20.6, or IC 6-3.6-5 (after December 31, 2016). *Each county auditor shall submit data on deductions applicable to the current tax year on or before March 15 of each year in a manner prescribed by the department of local government finance.*

(j) A county auditor may require an individual to provide evidence proving that the individual's residence is the individual's principal place of residence as claimed in the certified statement filed under subsection (e). The county auditor may limit the evidence that an individual is required to submit to a state income tax return, a valid driver's license, or a valid voter registration card showing that the residence for which the deduction is claimed is the individual's principal place of residence. The department of local government finance shall work with county auditors to develop procedures to determine whether a property owner that is claiming a standard deduction or homestead credit is not eligible for the standard deduction or

homestead credit because the property owner's principal place of residence is outside Indiana.

(k) As used in this section, "homestead" includes property that satisfies each of the following requirements:

(1) The property is located in Indiana and consists of a dwelling and the real estate, not exceeding one (1) acre, that immediately surrounds that dwelling.

(2) The property is the principal place of residence of an individual.

(3) The property is owned by an entity that is not described in subsection (a)(2)(B).

(4) The individual residing on the property is a shareholder, partner, or member of the entity that owns the property.

(5) The property was eligible for the standard deduction under this section on March 1, 2009.

(l) If a county auditor terminates a deduction for property described in subsection (k) with respect to property taxes that are:

(1) imposed for an assessment date in 2009; and

(2) first due and payable in 2010;

on the grounds that the property is not owned by an entity described in subsection (a)(2)(B), the county auditor shall reinstate the deduction if the taxpayer provides proof that the property is eligible for the deduction in accordance with subsection (k) and that the individual residing on the property is not claiming the deduction for any other property.

(m) For assessment dates after 2009, the term "homestead" includes:

(1) a deck or patio;

(2) a gazebo; or

(3) another residential yard structure, as defined in rules adopted by the department of local government finance (other than a swimming pool);

that is assessed as real property and attached to the dwelling.

(n) A county auditor shall grant an individual a deduction under this section regardless of whether the individual and the individual's spouse claim a deduction on two (2) different applications and each application claims a deduction for different property if the property owned by the individual's spouse is located outside Indiana and the individual files an affidavit with the county auditor containing the following information:

(1) The names of the county and state in which the individual's spouse claims a deduction substantially similar to the deduction allowed by this section.

(2) A statement made under penalty of perjury that the following are true:

(A) That the individual and the individual's spouse maintain separate principal places of residence.

(B) That neither the individual nor the individual's spouse has an ownership interest in the other's principal place of residence.

(C) That neither the individual nor the individual's spouse has, for that same year, claimed a standard or substantially similar deduction for any property other than the property maintained as a principal place of residence by the respective individuals.

A county auditor may require an individual or an individual's spouse to provide evidence of the accuracy of the information contained in an affidavit submitted under this subsection. The evidence required of the individual or the individual's spouse may include state income tax returns, excise tax payment information, property tax payment information, driver license information, and voter registration information.

(o) If:

(1) a property owner files a statement under subsection (e) to claim the deduction provided by this section for a particular property; and

(2) the county auditor receiving the filed statement determines that the property owner's property is not eligible for the deduction;

the county auditor shall inform the property owner of the county auditor's determination in writing. If a property owner's property is not eligible for the deduction because the county auditor has determined that the property is not the property owner's principal place of residence, the property owner may appeal the county auditor's determination ~~*to the county property tax assessment board of appeals*~~ as provided in IC 6-1.1-15. The county auditor shall inform the property owner of the owner's right to appeal ~~*to the county property tax assessment board of appeals*~~ when the county auditor informs the property owner of the county auditor's determination under this subsection.

(p) An individual is entitled to the deduction under this section for a homestead for a particular assessment date if:

(1) either:

(A) the individual's interest in the homestead as described in subsection (a)(2)(B) is conveyed to the individual after the assessment date, but within the calendar year in which the assessment date occurs; or

(B) the individual contracts to purchase the homestead after the assessment date, but within the calendar year in which the assessment date occurs;

(2) on the assessment date:

(A) the property on which the homestead is currently located was vacant land; or

(B) the construction of the dwelling that constitutes the homestead was not completed; and

(3) either:

(A) the individual files the certified statement required by subsection (e); or

(B) a sales disclosure form that meets the requirements of section 44 of this chapter is submitted to the county assessor on or before December 31 of the calendar year for the individual's purchase of the homestead.

An individual who satisfies the requirements of subdivisions (1) through (3) is entitled to the deduction under this section for the homestead for the assessment date, even if on the assessment date the property on which the homestead is currently located was vacant land or the construction of the dwelling that constitutes the homestead was not completed. The county auditor shall apply the deduction for the assessment date and for the assessment date in any later year in which the homestead remains eligible for the deduction. A homestead that qualifies for the deduction under this section as provided in this subsection is considered a homestead for purposes of section 37.5 of this

chapter and IC 6-1.1-20.6.

(q) This subsection applies to an application for the deduction provided by this section that is filed for an assessment date occurring after December 31, 2013. Notwithstanding any other provision of this section, an individual buying a mobile home that is not assessed as real property or a manufactured home that is not assessed as real property under a contract providing that the individual is to pay the property taxes on the mobile home or manufactured home is not entitled to the deduction provided by this section unless the parties to the contract comply with IC 9-17-6-17.

(r) This subsection:

(1) applies to an application for the deduction provided by this section that is filed for an assessment date occurring after December 31, 2013; and

(2) does not apply to an individual described in subsection (q).

The owner of a mobile home that is not assessed as real property or a manufactured home that is not assessed as real property must attach a copy of the owner's title to the mobile home or manufactured home to the application for the deduction provided by this section.

(s) For assessment dates after 2013, the term "homestead" includes property that is owned by an individual who:

(1) is serving on active duty in any branch of the armed forces of the United States;

(2) was ordered to transfer to a location outside Indiana; and

(3) was otherwise eligible, without regard to this subsection, for the deduction under this section for the property for the assessment date immediately preceding the transfer date specified in the order described in subdivision (2).

For property to qualify under this subsection for the deduction provided by this section, the individual described in subdivisions (1) through (3) must submit to the county auditor a copy of the individual's transfer orders or other information sufficient to show that the individual was ordered to transfer to a location outside Indiana. The property continues to qualify for the deduction provided by this section until the individual ceases to be on active duty, the property is sold, or the individual's ownership interest is otherwise terminated, whichever occurs first. Notwithstanding subsection (a)(2), the property remains a homestead regardless of whether the property continues to be the individual's principal place of residence after the individual transfers to a location outside Indiana. The property continues to qualify as a homestead under this subsection if the property is leased while the individual is away from Indiana and is serving on active duty, if the individual has lived at the property at any time during the past ten (10) years. Otherwise, the property ceases to qualify as a homestead under this subsection if the property is leased while the individual is away from Indiana. Property that qualifies as a homestead under this subsection shall also be construed as a homestead for purposes of section 37.5 of this chapter.

SECTION 25. IC 6-1.1-12-43, AS AMENDED BY P.L.214-2019, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 43. (a) For purposes of this section:

(1) "benefit" refers to a deduction under section 1, 9, 11, **11.5,** 13, 14, 16, 17.4 (before its expiration), 26, 29, 33, 34, 37, or 37.5 of this chapter;

(2) "closing agent" means a person that closes a transaction;

(3) "customer" means an individual who obtains a loan in a transaction; and

(4) "transaction" means a single family residential:

(A) first lien purchase money mortgage transaction; or

(B) refinancing transaction.

(b) Before closing a transaction after December 31, 2004, a closing agent must provide to the customer the form referred to in subsection (c).

(c) Before June 1, 2004, the department of local government finance shall prescribe the form to be provided by closing agents to customers under subsection (b). The department shall make the form available to closing agents, county assessors, county auditors, and county treasurers in hard copy and electronic form. County assessors, county auditors, and county treasurers shall make the form available to the general public. The form must:

(1) on one (1) side:

(A) list each benefit;

(B) list the eligibility criteria for each benefit; and

(C) indicate that a new application for a deduction under section 1 of this chapter is required when residential real property is refinanced;

(2) on the other side indicate:

(A) each action by and each type of documentation from the customer required to file for each benefit; and

(B) sufficient instructions and information to permit a party to terminate a standard deduction under section 37 of this chapter on any property on which the party or the spouse of the party will no longer be eligible for the standard deduction under section 37 of this chapter after the party or the party's spouse begins to reside at the property that is the subject of the closing, including an explanation of the tax consequences and applicable penalties, if a party unlawfully claims a standard deduction under section 37 of this chapter; and

(3) be printed in one (1) of two (2) or more colors prescribed by the department of local government finance that distinguish the form from other documents typically used in a closing referred to in subsection (b).

(d) A closing agent:

(1) may reproduce the form referred to in subsection (c);

(2) in reproducing the form, must use a print color prescribed by the department of local government finance; and

(3) is not responsible for the content of the form referred to in subsection (c) and shall be held harmless by the department of local government finance from any liability for the content of the form.

(e) This subsection applies to a transaction that is closed after December 31, 2009. In addition to providing the customer the form described in subsection (c) before closing the transaction,

a closing agent shall do the following as soon as possible after the closing, and within the time prescribed by the department of insurance under IC 27-7-3-15.5:

(1) To the extent determinable, input the information described in IC 27-7-3-15.5(c)(2) into the system maintained by the department of insurance under IC 27-7-3-15.5.

(2) Submit the form described in IC 27-7-3-15.5(c) to the data base described in IC 27-7-3-15.5(c)(2)(D).

(f) A closing agent to which this section applies shall document the closing agent's compliance with this section with respect to each transaction in the form of verification of compliance signed by the customer.

(g) Subject to IC 27-7-3-15.5(d), a closing agent is subject to a civil penalty of twenty-five dollars ($25) for each instance in which the closing agent fails to comply with this section with respect to a customer. The penalty:

(1) may be enforced by the state agency that has administrative jurisdiction over the closing agent in the same manner that the agency enforces the payment of fees or other penalties payable to the agency; and

(2) shall be paid into:

(A) the state general fund, if the closing agent fails to comply with subsection (b); or

(B) the home ownership education account established by IC 5-20-1-27, if the closing agent fails to comply with subsection (e) in a transaction that is closed after December 31, 2009.

(h) A closing agent is not liable for any other damages claimed by a customer because of:

(1) the closing agent's mere failure to provide the appropriate document to the customer under subsection (b); or

(2) with respect to a transaction that is closed after December 31, 2009, the closing agent's failure to input the information or submit the form described in subsection (e).

(i) The state agency that has administrative jurisdiction over a closing agent shall:

(1) examine the closing agent to determine compliance with this section; and

(2) impose and collect penalties under subsection (g).

SECTION 26. IC 6-1.1-12-46, AS AMENDED BY P.L.181-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 46. (a) This section applies to real property for an assessment date in 2011 or a later year if:

(1) the real property is not exempt from property taxation for the assessment date;

(2) title to the real property is transferred after the assessment date and on or before the December 31 that next succeeds the assessment date;

(3) the transferee of the real property applies for an exemption under IC 6-1.1-11 for the next succeeding assessment date; and

(4) the county property tax assessment board of appeals determines that the real property is exempt from property taxation for that next succeeding assessment date.

(b) For the assessment date referred to in subsection (a)(1), real property is eligible for any deductions for which the transferor under subsection (a)(2) was eligible for that assessment date under the following:

(1) IC 6-1.1-12-1.

(2) IC 6-1.1-12-9.

(3) IC 6-1.1-12-11.

(4) IC 6-1.1-12-11.5.

~~(4)~~ **(5)** IC 6-1.1-12-13.

~~(5)~~ **(6)** IC 6-1.1-12-14.

~~(6)~~ **(7)** IC 6-1.1-12-16.

~~(7)~~ **(8)** IC 6-1.1-12-17.4 (before its expiration).

~~(8)~~ **(9)** IC 6-1.1-12-18 (before its expiration).

~~(9)~~ **(10)** IC 6-1.1-12-22 (before its expiration).

~~(10)~~ **(11)** IC 6-1.1-12-37.

~~(11)~~ **(12)** IC 6-1.1-12-37.5.

(c) For the payment date applicable to the assessment date referred to in subsection (a)(1), real property is eligible for the credit for excessive residential property taxes under IC 6-1.1-20.6 for which the transferor under subsection (a)(2) would be eligible for that payment date if the transfer had not occurred.".

Page 20, delete line 1.

Page 36, delete lines 9 through 42.

Page 37, delete lines 1 through 7, begin a new paragraph and insert:

"SECTION 36. IC 6-1.1-18-30 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 30. (a) This section applies only to Sullivan County.**

(b) The executive of the county may, upon approval by the fiscal body of the county, submit a petition to the department of local government finance for an increase in the county's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2021. A petition must be submitted not later than September 1, 2020.

(c) If a petition is submitted under subsection (b), the department of local government finance shall increase the county's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2021. The amount of the increase under this section is equal to the difference between:

(1) the lesser of:

(A) the county's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2020; or

(B) the ad valorem property tax levy adopted by the county fiscal body for property taxes due and payable in 2020; and

(2) the county's ad valorem property tax levy under IC 6-1.1-18.5 as certified by the department of local government finance for property taxes due and payable in 2020.

(d) The adjustment under this section is a temporary, one (1) time increase to the county's maximum permissible ad valorem property tax levy for purposes of IC 6-1.1-18.5.

(e) This section expires June 30, 2023.

SECTION 37. IC 6-1.1-18-31 IS ADDED TO THE

INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 31. (a) This section applies only to the Wabash city school corporation.**

(b) The superintendent of the Wabash city school corporation may, upon approval by the governing board of the school corporation, submit a petition to the department of local government finance for an increase in the school corporation's maximum permissible ad valorem property tax levy under IC 20-46-8-1 for its operations fund for property taxes due and payable in 2021. A petition must be submitted not later than September 1, 2020.

(c) If a petition is submitted under subsection (b), the department of local government finance shall increase the school corporation's maximum permissible ad valorem property tax levy under IC 20-46-8-1 for its operations fund for property taxes due and payable in 2021. The amount of the increase under this section is equal to the difference between:

(1) the lesser of:

(A) the school corporation's maximum permissible ad valorem property tax levy under IC 20-46-8-1 for the operations fund for property taxes due and payable in 2020; or

(B) the ad valorem property tax levy for the operations fund adopted for the school corporation for property taxes due and payable in 2020; and

(2) the school corporation's ad valorem property tax levy under IC 20-46-8-1 for the operations fund as certified by the department of local government finance for property taxes due and payable in 2020.

(d) The adjustment under this section is a temporary, one (1) time increase to the school corporation's maximum permissible ad valorem property tax levy for purposes of IC 20-46-8-1.

(e) This section expires June 30, 2023.

SECTION 38. IC 6-1.1-18-32 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 32. (a) This section applies only to the city of Wabash.**

(b) The executive of the city may, upon approval by the fiscal body of the city, submit a petition to the department of local government finance for an increase in the city's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2021. A petition must be submitted not later than September 1, 2020.

(c) If a petition is submitted under subsection (b), the department of local government finance shall increase the city's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2021. The amount of the increase under this section is equal to the difference between:

(1) the lesser of:

(A) the city's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2020; or

(B) the ad valorem property tax levy adopted by the city fiscal body for property taxes due and payable in 2020; and

(2) the city's ad valorem property tax levy as certified by the department of local government finance for property taxes due and payable in 2020.

(d) The adjustment under this section is a temporary, one (1) time increase to the city's maximum permissible ad valorem property tax levy for purposes of IC 6-1.1-18.5.

(e) This section expires June 30, 2023.".

Delete page 47.

Page 48, delete lines 1 through 11.

Page 74, delete lines 28 through 29, begin a new line double block indented and insert:

"**(B) less than one million dollars ($1,000,000); or**".

Page 74, line 33, delete "seven hundred fifty thousand dollars ($750,000)." and insert "**one million dollars ($1,000,000).**".

Page 82, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 63. IC 6-3.6-3-7, AS AMENDED BY P.L.247-2017, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) This section applies to a county in which the county adopting body is a local income tax council.

(b) Before a member of the local income tax council may propose an ordinance or vote on a proposed ordinance, the member must hold a public hearing on the proposed ordinance and provide the public with notice of the time and place where the public hearing will be held.

(c) The notice required by subsection (b) must be given in accordance with IC 5-3-1 and include the proposed ordinance or resolution to propose an ordinance.

(d) In addition to the notice required by subsection (b), the adopting body shall also:

(1) provide a copy of the notice to all taxing units in the county; **and**

(2) if the proposed ordinance will decrease or rescind a tax rate, or change the use of revenue derived from a tax rate, inform the taxing units of the need to verify and provide notice to the adopting body prior to the hearing on the proposed ordinance if the change proposed in the ordinance will affect the payment of bonds, leases, or other obligations as set forth in IC 6-3.6-4-3 or IC 6-3.6-6-3(b);

at least ten (10) days before the public hearing.

SECTION 64. IC 6-3.6-3-7.5, AS AMENDED BY P.L.247-2017, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7.5. (a) This section applies to a county in which the county adopting body is the county council.

(b) Before the county council may vote on a proposed ordinance under this article, the county council must hold a public hearing on the proposed ordinance and provide the public with notice of the date, time, and place of the public hearing.

(c) The notice required by subsection (b) must be given in accordance with IC 5-3-1 and include the proposed ordinance.

(d) In addition to the notice required by subsection (b), the adopting body shall also:

(1) provide a copy of the notice to all taxing units in the county; **and**

(2) if the proposed ordinance will decrease or rescind a

tax rate, or change the use of revenue derived from a tax rate, inform the taxing units of the need to verify and provide notice to the adopting body prior to the hearing on the proposed ordinance if the change proposed in the ordinance will affect the payment of bonds, leases, or other obligations as set forth in IC 6-3.6-4-3 or IC 6-3.6-6-3(b);

at least ten (10) days before the public hearing.".

Page 83, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 67. IC 12-20-9-5, AS AMENDED BY P.L.73-2005, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. If an individual or a member of an individual's household who is determined to be eligible for township assistance and entitled to temporary relief is in a township in which the individual or household member does not have legal residence, the township trustee, as administrator of township assistance:

(1) may, if the trustee considers advisable, **under IC 12-20-17-4; or**

(2) shall, if the trustee considers advisable, in the case of a trustee of a township to which IC 12-20-17-5 applies;

place the individual or household member temporarily in a county home ~~as provided in IC 12-20-17-4.~~ **or provide temporary township assistance under this article.**

SECTION 68. IC 12-20-17-4, AS AMENDED BY P.L.73-2005, SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. **(a) This section applies only to a township that has a population of less than ten thousand (10,000).**

(b) If **a township trustee determines that:**

(1) an individual ~~who~~ is ~~determined to be~~ eligible for township assistance and entitled to temporary relief;

(2) ~~is in a township in which~~ the individual does not have legal residence **in the township or is unable to ascertain the individual's place of legal residence; and**

(3) the individual is homeless;

the township trustee, as administrator of township assistance, may, if the trustee considers advisable, place the individual temporarily in the county home, if any, where the individual, if capable, is to be employed **or provide temporary township assistance under this article.**

SECTION 69. IC 12-20-17-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5. (a) This section applies only to a township that has a population of at least ten thousand (10,000).**

(b) If a township trustee determines that:

(1) an individual is eligible for township assistance and entitled to temporary relief;

(2) the individual does not have legal residence in the township or is unable to ascertain the individual's place of legal residence; and

(3) the individual is homeless;

the township trustee, as administrator of township assistance, shall, if the trustee considers advisable, place the individual temporarily in the county home, if any, where the individual, if capable, is to be employed or provide temporary township assistance under this article.".

Page 85, between lines 33 and 34, begin a new paragraph and insert:

"SECTION 71. IC 12-20-28-4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 4. (a) Each township trustee within a county shall collaborate together annually to prepare a written comprehensive list of assistance that:**

(1) is available to the homeless population for each township; and

(2) includes both public and known private resources, including township assistance.

(b) Not later than March 1 of each year, the list prepared under this section shall be:

(1) distributed to each city, town, and township within a county; and

(2) published and maintained on the county's Internet web site.".

Page 92, between lines 41 and 42, begin a new paragraph and insert:

"SECTION 77. IC 20-46-7-12, AS AMENDED BY P.L.229-2011, SECTION 220, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) Except as provided by IC 5-1-14-10 **and subsection (c),** the maximum term or repayment period for bonds issued by a school corporation for a school building construction project may not exceed twenty (20) years after the date of the issuance of the bonds.

(b) If a school corporation is an eligible school corporation under IC 5-1-5-2.5, the school corporation may extend the repayment period beyond the maximum repayment period that applied to the bond, loan, or lease at the time the obligation was incurred as provided by IC 5-1-5-2.5.

(c) Except as provided by IC 5-1-14-10, the maximum term or repayment period for bonds issued by a school corporation for a school building construction project and to repay loans made or guaranteed by a federal agency may not exceed forty (40) years after the date of the issuance of the bonds.".

Page 103, between lines 12 and 13, begin a new paragraph and insert:

"SECTION 91. IC 36-6-6-16, AS ADDED BY P.L.129-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019 (RETROACTIVE)]: Sec. 16. (a) This section does not apply to a township that is a distressed political subdivision under IC 6-1.1-20.3.

(b) As used in this section, "township fund" does not include a debt service fund of a township.

(c) Notwithstanding any other law, a township legislative body, in a public meeting, may authorize a one (1) time transfer of any excess balance or part of an excess balance from any township fund to any other township fund. A township legislative body may transfer excess balances from multiple township funds; however, all transfers must be authorized by the township legislative body at one (1) time. Subject to subsection (d), a township must complete all transfers that are authorized by this

section not later than September 1, 2020. Any money transferred under this section may be used for any lawful purpose for which money in the fund to which the balance is transferred may be used.

(d) If IC 36-6-9 applies to the township, the township must adopt the township capital improvement plan before the township may complete a transfer of money under this section.

(e) A township may not spend any money that is transferred until the expenditure of the money has been included in a budget that has been approved by the department of local government finance under IC 6-1.1-17. ~~For purposes of fixing its budget and for purposes of the ad valorem property tax levy limits imposed under IC 6-1.1-18.5, the township shall treat the money transferred under this section that the department of local government finance permits it to spend during a particular calendar year as part of its ad valorem property tax levy for that same calendar year.~~

(f) This section expires January 1, 2021.

SECTION 92. IC 36-6-6-17 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 17. (a) This section does not apply to a township located in a county having a consolidated city.**

(b) As used in this section, "immediate family member" refers only to any of the following relatives of an individual:

(1) A parent.

(2) A sibling.

(3) A spouse.

(4) A child.

A relative by adoption, half-blood, marriage, or remarriage is considered as a relative of whole kinship.

(c) A member of the township board may not participate in a vote on the adoption of the township's budget and tax levies if the member is an immediate family member of the township trustee.

(d) Notwithstanding any other law, if at least a majority of the members of the township board are precluded from voting on the township's budget and tax levies under subsection (c), the township's most recent annual appropriations are continued for the ensuing budget year, subject to the following:

(1) The township trustee may petition the county fiscal body for an increase in the township's budget under subsection (e).

(2) The township trustee may petition the county fiscal body for any additional appropriations under subsection (f).

(e) If subsection (d) applies, the township trustee may petition the county fiscal body for an increase in the township's budget and property tax levies. The county fiscal body may grant or deny the petition only after conducting a public hearing on the petition.

(f) If subsection (d) applies, the county fiscal body may adopt any additional appropriations of the township by ordinance before the department of local government finance may approve the additional appropriation.

SECTION 93. IC 36-7-9-13, AS AMENDED BY P.L.169-2006, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. (a) If all or any part of the costs listed in section 12 of this chapter remain unpaid for any unsafe premises (other than unsafe premises owned by a governmental entity) for more than fifteen (15) days after the completion of the work, the enforcement authority does not act under section 13.5 of this chapter, and the enforcement authority determines that there is a reasonable probability of obtaining recovery, the enforcement authority shall prepare a record stating:

(1) the name and last known address of each person who held a known or recorded fee interest, life estate interest, or equitable interest of a contract purchaser in the unsafe premises from the time the order requiring the work to be performed was recorded to the time that the work was completed;

(2) the legal description or address of the unsafe premises that were the subject of work;

(3) the nature of the work that was accomplished;

(4) the amount of the unpaid bid price of the work that was accomplished; and

(5) the amount of the unpaid average processing expense.

~~The record must be in a form approved by the state board of accounts.~~

(b) The enforcement authority, or its head, shall swear to the accuracy of the record before the clerk of the circuit court and deposit the record in the clerk's office. Notice that the record has been filed and that a hearing on the amounts indicated in the record may be held must be sent in the manner prescribed by section 25 of this chapter to all of the following:

(1) The persons named in the record.

(2) Any mortgagee that has a known or recorded substantial property interest.

(c) If, within thirty (30) days after the notice required by subsection (b), a person named in the record or a mortgagee files with the clerk of the circuit court a written petition objecting to the claim for payment and requesting a hearing, the clerk shall enter the cause on the docket of the circuit or superior court as a civil action, and a hearing shall be held on the question in the manner prescribed by IC 4-21.5. However, issues that could have been determined under section 8 of this chapter may not be entertained at the hearing. At the conclusion of the hearing, the court shall either sustain the petition or enter a judgment against the persons named in the record for the amounts recorded or for modified amounts.

(d) If no petition is filed under subsection (c), the clerk of the circuit court shall enter the cause on the docket of the court and the court shall enter a judgment for the amounts stated in the record.

(e) A judgment under subsection (c) or (d), to the extent that it is not satisfied under IC 27-2-15, is a debt and a lien on all the real and personal property of the person named, or a joint and several debt and lien on the real and personal property of the persons named in the record prepared under subsection (a). The lien on real property is perfected against all creditors and purchasers when the judgment is entered on the judgment docket of the court. The lien on personal property is perfected by filing a lis pendens notice in the appropriate filing office, as prescribed

by the Indiana Rules of Trial Procedure.

(f) Judgments rendered under this section may be enforced in the same manner as all other judgments are enforced.".

Page 109, delete lines 25 through 28, begin a new paragraph and insert:

"SECTION 99. [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)] **(a) This SECTION applies notwithstanding IC 6-1.1-10, IC 6-1.1-11, or any other law or administrative rule or provision.**

(b) This SECTION applies to assessment dates after December 31, 2017, and before January 1, 2020.

(c) As used in this SECTION, "eligible property" means any real property:

(1) that is owned, occupied, and used by a taxpayer that is a church or religious society and is used for one (1) or more of the purposes described in IC 6-1.1-10-16 or IC 6-1.1-10-21;

(2) for which an exemption application was filed after June 8, 2019, and before June 15, 2019; and

(3) that would have been eligible for an exemption under IC 6-1.1-10-16 or IC 6-1.1-10-21 for assessment dates after December 31, 2017, and before January 1, 2020, if an exemption application had been properly and timely filed under IC 6-1.1 for the property.

(d) Before September 1, 2020, the owner of eligible property may file a property tax exemption application and supporting documents claiming a property tax exemption under this SECTION for the eligible property for an assessment date after December 31, 2017, and before January 1, 2020.

(e) A property tax exemption application filed as provided in subsection (d) is considered to have been properly and timely filed for each assessment date.

(f) The following apply if the owner of eligible property files a property tax exemption application as provided in subsection (d):

(1) The property tax exemption for the eligible property shall be allowed and granted for the applicable assessment date by the county assessor and county auditor of the county in which the eligible property is located.

(2) The owner of the eligible property is not required to pay any property taxes, penalties, or interest with respect to the eligible property for the applicable assessment date.

(g) The exemption allowed by this SECTION shall be applied without the need for any further ruling or action by the county assessor, the county auditor, or the county property tax assessment board of appeals of the county in which the eligible property is located or by the Indiana board of tax review.

(h) To the extent the owner of the eligible property has paid any property taxes, penalties, or interest with respect to the eligible property for an applicable date and to the extent that the eligible property is exempt from taxation as provided in this SECTION, the owner of the eligible property is entitled to a refund of the amounts paid. The owner is not entitled to any interest on the refund under IC 6-1.1 or any other law to the extent interest has not been paid by or on behalf of the owner. Notwithstanding the filing deadlines for a claim under IC 6-1.1-26, any claim for a refund filed by the owner of eligible property under this SECTION before September 1, 2020, is considered timely filed. The county auditor shall pay the refund due under this SECTION in one (1) installment.

(i) This SECTION expires June 30, 2022.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1113 as reprinted January 30, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 13, Nays 0.

HOLDMAN, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Engrossed House Bill 1174, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Tax and Fiscal Policy, to which was referred Engrossed House Bill 1235, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 12, reset in roman "only".

Page 1, line 12, delete "not more than".

Page 1, line 13, delete "in a" and insert "**after June 30, 2020, and before July 1, 2023,**".

Page 1, line 14, delete "calendar year".

Page 2, between lines 31 and 32, begin a new paragraph and insert:

"**(e) If the board increases the enhanced prepaid wireless charge under subsection (a), the board shall provide written notice to the department of state revenue not later than sixty (60) days before the date the increase takes effect that includes:**

(1) the effective date for the increase; and

(2) the amount of the charge as increased by the board.".

Page 3, line 24, reset in roman "only".

Page 3, line 24, delete "not more than".

Page 3, line 25, delete "in a" and insert "**after June 30, 2020, and before July 1, 2023,**".

Page 3, line 26, delete "calendar year".

Page 4, after line 34, begin a new paragraph and insert:

"**(g) If the board increases the statewide 911 fee under subsection (a), the board shall provide written notice to the department of state revenue not later than sixty (60) days**

before the date the increase takes effect that includes:

(1) the effective date for the increase; and

(2) the amount of the charge as increased by the board.".

(Reference is to HB 1235 as printed January 27, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 12, Nays 0.

HOLDMAN, Chair

Report adopted.

RESOLUTIONS ON FIRST READING

Senate Resolution 46

Senate Resolution 46, introduced by Senator Koch:

A SENATE RESOLUTION honoring Bob Vollmer upon his retirement from the Department of Natural Resources.

Whereas, Bob Vollmer retired February 6, 2020, after serving Hoosiers for nearly six decades as a surveyor for the Indiana Department of Natural Resources (DNR);

Whereas, After serving in the United States Navy during World War II, Bob returned home to Indiana and graduated from Purdue University with a degree in biological and agricultural engineering in 1952;

Whereas, Before his time at DNR, Bob worked for the Wabash Valley Association on reservoir and flood control projects;

Whereas, Bob joined the then-Indiana Department of Conservation in 1962, as project engineer at Glendale Fish and Wildlife Area;

Whereas, For 57 years, Bob Vollmer traveled throughout the state, including to 90 counties, collecting technical field data and confirming boundary lines for state-managed properties;

Whereas, During Bob's career, he has seen the tools of the trade evolve from paper and pencil to electronic devices with GPS technology;

Whereas, Able to recollect minute details from days long passed, in most cases Bob knows from memory the exact location where state-managed property lines diverge;

Whereas, In 2016, Bob was named a Sagamore of the Wabash in recognition of his years of state service, and in 2020 the Vollmer Trail was named in his honor at Brown County State Park;

Whereas, Upon his retirement, Bob plans to dedicate time to read the Indiana and United States Constitutions, spend time with his children, grandchildren, great-grandchildren, and great-great-grandchildren, and continue volunteering with the American Legion Post 13 and VFW Post 6195; and

Whereas, Bob Vollmer retires from the DNR at 102 years old and as Indiana's most senior state employee: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate honors Bob Vollmer upon his retirement from the Indiana Department of Natural Resources and thanks him for his decades of public service.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Bob Vollmer.

The resolution was read in full and adopted by voice vote.

Senate Resolution 23

Senate Resolution 23, introduced by Senators Kruse, L. Brown, and Busch:

A SENATE RESOLUTION congratulating Allen County Assessor Stacey O'Day on receiving the 2019 Outstanding County Assessor Award from the Association of Indiana Counties.

Whereas, The Association of Indiana Counties awarded Allen County Assessor Stacey O'Day the 2019 Outstanding County Assessor Award, an award she previously won in 2009;

Whereas, A certified Level III Assessor-Appraiser, Stacey O'Day has served as the Allen County Assessor since her election in 2006;

Whereas, Stacey O'Day has served in several leadership capacities, including as President of the Association of Indiana Counties and as Legislative Chair of the Indiana County Assessor Association, where she helped craft and advocate for legislative policies that benefit county assessors and county government; and

Whereas, The Outstanding County Assessor Award recognizes Stacey O'Day's many contributions to county government throughout her years of public service: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate congratulates Allen County Assessor Stacey O'Day on receiving the 2019 Outstanding County Assessor Award from the Association of Indiana Counties.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Allen County Assessor Stacey O'Day.

The resolution was read in full and adopted by voice vote.

Senate Resolution 21

Senate Resolution 21, introduced by Senators Kruse, L. Brown, and Busch:

A SENATE RESOLUTION congratulating Allen County Commissioner Therese Brown on receiving the 2019 Arthur R. Himsel Award from the Association of Indiana Counties.

Whereas, Allen County Commissioner Therese Brown was named the 2019 Arthur R. Himsel Award winner by the Association of Indiana Counties;

Whereas, The Arthur R. Himsel Award, the highest honor given by the Association of Indiana Counties, is given to an elected official who has served the interests of county government through involvement with the Association of Indiana Counties;

Whereas, Commissioner Brown has served the citizens of Allen County in elected office as Auditor, Clerk, and Commissioner, and as a member of the Allen County Plan Commission, Fort Wayne Downtown Improvement District, and the Mayors and Commissioners Caucus of Northeast Indiana;

Whereas, Commissioner Brown has worked to improve county government statewide through her service on the Indiana Commission on Courts, the Indiana Advisory Commission on Intergovernmental Relations, and the Association of Indiana Counties, including serving as the Association's President in 2012; and

Whereas, Therese Brown's work on behalf of Allen County has led to numerous improvements in county government, both in Allen County and Indiana: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate congratulates Allen County Commissioner Therese Brown on receiving the 2019 Arthur R. Himsel Award from the Association of Indiana Counties.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Allen County Commissioner Therese Brown.

The resolution was read in full and adopted by voice vote.

House Concurrent Resolution 24

House Concurrent Resolution 24, sponsored by Senator Crider:

A CONCURRENT RESOLUTION congratulating the New Palestine High School football team.

Whereas, The 2019 New Palestine High School football team won the Indiana High School Athletic Association's 2019 Class 5A state football championship at Lucas Oil Stadium on November 29, 2019;

Whereas, This year's championship game topped off an undefeated season for the New Palestine Dragons;

Whereas, The Dragons captured a hard earned win in the only 2019 state final that featured two undefeated teams;

Whereas, Dragons starting quarterback Lincoln Roth threw a 24-yard scoring pass to Blake Austin in the first quarter of the game;

Whereas, Alex Kropp kicked a 24-yard field goal, giving New Palestine a brief lead before going into halftime tied 10-10;

Whereas, Charlie Spegal ran 80 yards for a touchdown on New Palestine's first play of the second half, which was followed by a 20-yard field goal by Kropp;

Whereas, The Dragons scored again shortly after with Ryker Large and his 34-yard interception return, making the game 27-10;

Whereas, The Dragons won the game, 27-20 over Valparaiso

Whereas, Head coach Kyle Ralph led the Dragons to their third state title win;

Whereas, The Dragons' state championship win reflects the hard work, talent, skill, and commitment given by each player to high school football and their team; and

Whereas, This achievement will be remembered by players, coaches, staff, friends, family, and fans for years to come: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates the New Palestine High School football team for its 2019 state championship win.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to head coach Kyle Ralph of the New Palestine High School football team for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 42

House Concurrent Resolution 42, sponsored by Senator Doriot:

A CONCURRENT RESOLUTION honoring Indiana's women veterans.

Whereas, Women are an essential part of the United States military and the profession of arms, having served throughout the history of the United States of America;

Whereas, Many women, unable to serve lawfully in the profession of arms, provided critical support to the United States Army during the American Revolutionary War as nurses, seamstresses, and cooks;

Whereas, The U.S. Army reports that women did fight alongside their husbands in combat or disguised themselves as men in order to serve, and women took an active role providing the military with intelligence on enemy troop movements throughout the colonies and along the frontier;

Whereas, The U.S. Army reports that women served once again during the Civil War in critical roles as nurses and aides in addition to an estimated 400 women who secretly enlisted as soldiers to fight in the Union or Confederate armies;

Whereas, The U.S. Army established a permanent Nurse Corps in 1901, recognizing the skilled role of nurses in the military, especially during the Spanish-American War and an outbreak of typhoid fever, during which an estimated 1,500 contract nurses served in Army and Navy general hospitals and throughout the Northern Hemisphere during the war effort;

Whereas, An estimated 25,000 women between the ages of 21 and 69 served oversees during World War I and the role of women in the military increased in the Army, Navy, and Marines as World War II, and the United States' involvement, began in earnest;

Whereas, More than 60,000 Army nurses served around the world, with an estimated 140,000 women serving in the U.S. Army and the Women's Army Corps during World War II;

Whereas, The U.S. Army reports that more than 1,000 women flew aircraft for the Women's Airforce Service Pilots during that same period;

Whereas, The role of women in the United States military and their voluntary service continued to grow over the decades, especially in nursing, and an estimated 170,000 women served on active duty by 1980 according to the Women in Military Service Memorial Foundation;

Whereas, The United States, acknowledging the value and strength of women in the military, offered females the opportunity to serve in combat roles throughout the armed forces in 2015; and

Whereas, Women today serve and fight alongside their fellow soldiers, sailors, airmen, and marines on behalf of the United States of America: Therefore,

Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:

SECTION 1. That the Indiana General Assembly honors Indiana's women veterans for their service to the state of Indiana and United States of America.

SECTION 2. That the Indiana General Assembly joins all Hoosiers in celebrating Indiana's women veterans on June 12, 2020.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Chuck Goodrich for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

2:17 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 3:35 p.m., with the President of the Senate in the Chair.

Senator Mishler is excused from the remainder of Session per President Pro Tempore Bray.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SCR 52 Senator Messmer
Recognizing Virgil L. Beckerman.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 52

Senate Concurrent Resolution 52, introduced by Senators Messmer, Alting, Boots, Charbonneau, Garten, Mrvan, Raatz, Sandlin, and Tomes:

A CONCURRENT RESOLUTION recognizing Virgil L. Beckerman on the occasion his 100th birthday.

Whereas, On April 3, 2020, Virgil L. Beckerman of Princeton, Indiana, will celebrate his 100th birthday;

Whereas, Born in Mt. Carmel, Illinois, Virgil enlisted in the U.S. Army Air Force in 1942, and served as an aircraft instruments technician and mechanic for B-24 bomber planes during World War II as part of the 10th Air Force, 7th Bombardment Group, 9th Bomb Squad, Company 436;

Whereas, Virgil's military service earned him several medals, including the Asiatic-Pacific Medal and the Good Conduct Medal;

Whereas, Virgil returned from duty in 1945 and married his wife, Wilma, on December 25, 1949;

Whereas, For almost 40 years, Virgil worked for the A&P grocery store in Princeton as the head butcher;

Whereas, Virgil is the father of three children, Karen, Kay, and Ken, grandfather to Erin, Jill, Scott, and Shannon, and has numerous nieces and nephews; and

Whereas, Virgil's life and military service has been an inspiration to his family and friends, and he is wished well on this joyous occasion: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes Virgil L. Beckerman on the occasion of his 100th birthday.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Virgil L. Beckerman.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Hostettler, Aylesworth, Bartels, Deal, DeLaney, Gutwein, Judy, Lehe, Lindauer, Lucas, Moseley, Pfaff, Soliday, and Zent.

SENATE MOTION

Madam President: I move that the following memorial resolutions be adopted:

SR 50 Senator Messmer
Memorializing Shelby Jacob Schafer.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 50

Senate Resolution 50, introduced by Senator Messmer:

A SENATE RESOLUTION memorializing Shelby Jacob Schafer.

Whereas, Shelby Jacob Schafer passed away February 10, 2020, in Indianapolis;

Whereas, Shelby was born in Huntingburg, Indiana, on December 11, 1920, and graduated from Huntingburg High School in 1939;

Whereas, In 1942, Shelby joined the United States Army, and served as an Army Ranger during World War II where he spent much of his service in the South Pacific;

Whereas, Shelby married Betty Boehm and together they moved to South Bend, Indiana, where Shelby attended the University of Notre Dame until his graduation in 1949;

Whereas, After graduation, Shelby and Betty first moved to Richmond, Virginia, where they adopted their daughter, Shelby, and later moved to Evansville, Indiana, where they adopted their second daughter, Catherine;

Whereas, In 1975, Shelby married Marian Stoelker, and they settled in Micco, Florida, in 1992;

Whereas, Shelby was passionate about traveling and seeing the world, and he and Marian visited every state and every continent except Antarctica, making lifelong friends everywhere they went; and

Whereas, Shelby is survived by his daughters, Shelby and Catherine, step-daughter Barb, step-son Rich, three granddaughters, and a great-granddaughter: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate memorializes Shelby Jacob Schafer.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Steve and Catherine Schutte, Kate and Adam Luebbehusen, and Clare Schutte.

The resolution was read in full and adopted by standing vote.

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Tuesday, February 25, 2020, signed Senate Enrolled Acts: 255.

RODRIC D. BRAY
President Pro Tempore

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 29, 37, 39, 43, 44, 45, 46, and 51 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, with amendments, Engrossed Senate Bills 20, 258, and 405 and the same are herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bills 139, 180, 238, 269, and 302 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 48 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 24 and 42 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1091

Senator Kruse called up Engrossed House Bill 1091 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1091–1)

Madam President: I move that Engrossed House Bill 1091 be amended to read as follows:

Page 8, delete lines 36 through 40, begin a new paragraph and insert:

"SECTION 10. IC 21-14-9-0.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.3. As used in this chapter, "dependent" means:**

(1) a biological child, adopted child, or stepchild of a person described in section 1 of this chapter; or

(2) an individual whose legal guardian is a person described in section 1 of this chapter.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1091 as printed February 21, 2020.)

M. YOUNG

Motion prevailed.

SENATE MOTION
(Amendment 1091–2)

Madam President: I move that Engrossed House Bill 1091 be amended to read as follows:

Page 3, line 23, delete "IC 20-26-19-4." and insert "**IC 20-26-19-5.**".

Page 6, line 21, delete "IC 20-26-19-4." and insert "**IC 20-26-19-5.**".

Page 6, line 22, after "parent" insert "**(as defined in IC 20-26-19-3)**".

Page 6, line 23, delete "IC 20-26-19-4(2)" and insert "**IC 20-26-19-5(2)**".

Page 6, line 25, delete "IC 20-26-19-6," and insert "**IC 20-26-19-7,**".

Page 6, line 28, delete "IC 20-26-19-4(2);" and insert "**IC 20-26-19-5(2);**".

Page 7, between lines 32 and 33, begin a new paragraph and insert:

"**Sec. 3. As used in this chapter, "parent" means the following:**

(1) A parent (as defined in IC 20-18-2-13).

(2) A stepparent of a child with whom a parent (as defined in IC 20-18-2-13) resides.".

Page 7, line 33, delete "3." and insert "**4.**".

Page 7, line 36, delete "4." and insert "**5.**".

Page 8, line 9, delete "5." and insert "**6.**".

Page 8, line 13, delete "4" and insert "**5**".

Page 8, line 14, delete "6." and insert "**7.**".

Page 8, line 14, delete "4" and insert "**5**".

Page 8, line 17, delete "4(2)(B)" and insert "**5(2)(B)**".

Page 8, line 30, delete "7." and insert "**8.**".

Page 8, line 32, delete "4(2)(B)" and insert "**5(2)(B)**".

(Reference is to EHB 1091 as printed February 21, 2020.)

M. YOUNG

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1165

Senator Sandlin called up Engrossed House Bill 1165 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1165–1)

Madam President: I move that Engrossed House Bill 1165 be amended to read as follows:

Page 3, line 39, strike "or".

Page 3, line 42, after "property;" insert "**or**

(C) requirement for the property owner, as a condition of the property receiving service, to enter into an agreement to be financially responsible for rates, charges, and fees assessed for services rendered by the municipally owned utility to the property;".

Page 4, delete lines 9 through 18.

(Reference is to EHB 1165 as printed February 21, 2020.)

J.D. FORD

Upon request of Senator Stoops the President ordered the roll of the Senate to be called. Roll Call 234: yeas 10, nays 36.

Motion failed. The bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1014

Senator Gaskill called up Engrossed House Bill 1014 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 235: yeas 45, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1032

Senator Rogers called up Engrossed House Bill 1032 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 236: yeas 43, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1070

Senator Crider called up Engrossed House Bill 1070 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 237: yeas 43, nays 4. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1081

Senator Houchin called up Engrossed House Bill 1081 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 238: yeas 47, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1082

Senator Jon Ford called up Engrossed House Bill 1082 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning higher education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 239: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1090

Senator Koch called up Engrossed House Bill 1090 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 240: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1093

Senator Perfect called up Engrossed House Bill 1093 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning general provisions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 241: yeas 45, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1112

Senator Koch called up Engrossed House Bill 1112 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 242: yeas 44, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1166

Senator Niemeyer called up Engrossed House Bill 1166 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 243: yeas 42, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1173

Senator Tomes called up Engrossed House Bill 1173 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 244: yeas 44, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1199

Senator Grooms called up Engrossed House Bill 1199 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 245: yeas 42, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1243

Senator Becker called up Engrossed House Bill 1243 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 246: yeas 42, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1301

Senator Crider called up Engrossed House Bill 1301 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 247: yeas 45, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1346

Senator Koch called up Engrossed House Bill 1346 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 248: yeas 45, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1370

Senator Messmer called up Engrossed House Bill 1370 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 249: yeas 45, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young and Zay be added as cosponsors of House Concurrent Resolution 42.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Tomes and Boots be added as coauthors of Senate Concurrent Resolution 28.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young and Zay be added as coauthors of Senate Resolution 46.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators M. Young and Doriot be added as cosponsors of Engrossed House Bill 1032.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1032.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Raatz be added as second sponsor of Engrossed House Bill 1049.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Perfect be added as second sponsor of Engrossed House Bill 1052.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Kruse be added as cosponsor of Engrossed House Bill 1070.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Garten be added as second sponsor of Engrossed House Bill 1081.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as second sponsor of Engrossed House Bill 1082.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Bassler be added as second sponsor of Engrossed House Bill 1093.

PERFECT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as cosponsor of Engrossed House Bill 1093.

PERFECT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as cosponsor of Engrossed House Bill 1099.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as second sponsor of Engrossed House Bill 1165.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as second sponsor of Engrossed House Bill 1174.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Garten be added as second sponsor of Engrossed House Bill 1246.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as cosponsor of Engrossed House Bill 1264.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Messmer and Sandlin be added as cosponsors of Engrossed House Bill 1265.

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Busch be added as cosponsor of Engrossed House Bill 1301.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1341.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second sponsor of Engrossed House Bill 1346.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Gaskill be added as second sponsor of Engrossed House Bill 1348.

BUSCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Zay be added as second sponsor of Engrossed House Bill 1372.

BASSLER

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Thursday, February 27, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 5:00 p.m.

JENNIFER L. MERTZ	SUZANNE CROUCH
Secretary of the Senate	President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Twenty-Fourth Meeting Day Thursday Afternoon February 27, 2020

The Senate convened at 1:49 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Pastor Brock Graham, Harvest Indy South.

The Pledge of Allegiance to the Flag was led by Senator Rodric D. Bray.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M. ▶
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon ▶	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 250: present 48; excused 2. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

RESOLUTIONS ON FIRST READING

Senate Resolution 57

Senate Resolution 57, introduced by Senators Buck, Buchanan, Garten, and Niezgodski:

A SENATE RESOLUTION urging the Indiana Department of Transportation to rename the bridge at State Road 28 (Walnut Avenue) in Frankfort the "Staff Sergeant Jamie Jarboe Memorial Bridge".

Whereas, Staff Sergeant Jamie Jarboe died March 21, 2012, at the age of 27, in Topeka, Kansas, from wounds suffered on April 10, 2011, in Kandahar Province, Afghanistan, when enemy forces attacked his unit with small-arms fire;

Whereas, A 2003 graduate of Frankfort High School, Staff Sergeant Jarboe was a member of the 4th Squadron, 4th Cavalry Regiment, 1st Heavy Brigade Combat Team of the 1st Infantry Division from Fort Riley known as the Pale Riders;

Whereas, Staff Sergeant Jarboe joined the Indiana National Guard in 2005 and attended basic and advanced individual training at Fort Sill, Oklahoma;

Whereas, Staff Sergeant Jarboe's military assignments included B Battery, 1st Battalion, 320 Field Artillery at Fort Campbell, Kentucky, and Troop A, 4th Squadron, 4th Cavalry, 1st Heavy Brigade Combat Team;

Whereas, Staff Sergeant Jamie Jarboe was deployed to Afghanistan only months before he was shot in the neck, an injury that left him a quadriplegic, which required him to undergo more than 100 surgeries in the 12 months before he succumbed to his injuries;

Whereas, Staff Sergeant Jarboe's dedication and devotion to service was recognized with the Bronze Star Medal, the Purple Heart, the Army Commendation Medal (three Oak Leaf Clusters), the Army Achievement Medal, the Good Conduct Medal (two Oak Leaf Clusters), the National Defense Service Medal, the Afghanistan Campaign Medal (1CS), the Iraq Campaign Medal (3CS), the Global War on Terrorism Service Medal, the Armed Forces Reserve Medal (M Device), the NCO Professional Development Ribbon, the Army Service Ribbon, the Overseas Service Ribbon, the NATO Medal, the Combat Action Badge, the Air Assault Badge, and the Expert Marksmanship Badge (Rifle);

Whereas, A soldier's soldier, Staff Sergeant Jarboe dedicated his life to his country and his family; and

Whereas, Throughout history, brave individuals like Staff Sergeant Jamie Jarboe have made the ultimate sacrifice in defense of freedom throughout the world, and without individuals like Staff Sergeant Jamie Jarboe, freedom could not survive: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate urges the Indiana Department of Transportation to rename the bridge at State Road 28 (Walnut Avenue) in Frankfort the "Staff Sergeant Jamie Jarboe Memorial Bridge".

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the family of Staff Sergeant Jamie Jarboe and the Commissioner of the Indiana Department of Transportation.

The resolution was read in full and referred to the Committee on Rules and Legislative Procedure.

REPORT OF THE SENATE COMMITTEE ON ETHICS

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on February 27, 2020, to render an advisory opinion with regard to Senator Houchin's request that the Committee consider whether or not she has a conflict of interest pertaining to HB 1348 which would require her to be excused from voting on this bill at any stage of the legislative process. The members in attendance were: Chairman L. Brown, Senator Charbonneau, Senator Walker, Senator Breaux, and Senator Mrvan.

The Senate Committee on Ethics has considered the facts presented by Senator Houchin and hereby recommends that Senator Houchin be excused from participation in all votes pertaining to House Bill 1348 at any stage in the legislative process because of her potential conflict of interest with regard to the legislation. The vote of the Committee was 5-0.

L. BROWN, Chair

Report adopted.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Senate Concurrent Resolution 28, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.
Committee Vote: Yeas 6, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1002, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1003, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 10-21-2 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 2. Specialized Weapons Training for Employees or Staff Members of a School

Sec. 1. As used in this chapter, "charter school" has the meaning set forth in IC 20-24-1-4.

Sec. 2. As used in this chapter, "nonpublic school" means a school that:

(1) is not:

(A) maintained by a school corporation; or

(B) a charter school; and

(2) employs at least one (1) employee.

The term includes a private school or a parochial school.

Sec. 3. As used in this chapter, "school board" means:

(1) when applicable to a public school of Indiana other than a charter school, the board of school trustees, board of school commissioners, school board of incorporated towns and cities, and township school trustees;

(2) when applicable to a nonpublic school, a person or agency in active charge and management of the school; or

(3) when applicable to a charter school, the body that administers the charter school.

Sec. 4. As used in this chapter, "school corporation" has the meaning set forth in IC 20-18-2-16(a).

Sec. 5. (a) This section applies to a school corporation, charter school, or nonpublic school in which the school board of the school corporation, charter school, or nonpublic school authorizes a person other than a law enforcement officer or school resource officer to carry a firearm in or on school property.

(b) Before an employee or any other staff member, other than a law enforcement officer or school resource officer, of a school corporation, charter school, or nonpublic school may carry a firearm in or on school property as authorized by a school board of the school corporation, charter school, or nonpublic school, the employee or staff member shall do the following:

(1) Successfully complete or have successfully completed:

(A) the specialized weapons training described in section 7 of this chapter; or

(B) other firearm training approved by a school corporation, charter school, or nonpublic school as described in section 10 of this chapter.

(2) Provide proof to the school board that the employee or other staff member has successfully completed the specialized weapons training described in section 7 of

this chapter or other approved firearm training described in section 10 of this chapter.

(3) Complete the Minnesota multiphasic personality inventory 2 (MMPI-II) and provide the results of the inventory to the school board as required under section 6 of this chapter.

(c) An employee or other staff member of a school corporation, charter school, or nonpublic school described in subsection (b) shall successfully complete sixteen (16) hours of weapons training each year that the employee or staff member is authorized and intends to carry a firearm in or on school property.

Sec. 6. Before an employee or other staff member of a school corporation, charter school, or nonpublic school described in section 5(b) of this chapter may carry a firearm in or on school property as authorized by the school board of the school corporation, charter school, or nonpublic school, the employee or other staff member must:

(1) successfully complete the Minnesota multiphasic personality inventory 2 (MMPI-II); and

(2) provide the results from the Minnesota multiphasic personality inventory 2 (MMPI-II) to the school board of the school corporation, charter school, or nonpublic school.

Sec. 7. (a) The specialized weapons training required under section 5(b)(1)(A) of this chapter must consist of at least forty (40) hours of training that includes the following:

(1) Instruction with an attorney licensed to practice law in Indiana concerning the legal responsibilities and liabilities regarding the lawful use of force to protect a person.

(2) Instruction by a mental health professional concerning the following:

(A) Effects on a person of taking another person's life.

(B) Identifying aberrant behavior.

(C) Identifying pre-indicators of violence.

(D) Effects of traumatic events.

(3) Instruction concerning 911 emergency telephone calls.

(4) Training concerning the following:

(A) Firearm auditory identifier and recognition exercises.

(B) Safe handling of weapons.

(C) Proper draw stroke.

(D) Empty hand skill development.

(E) Defending a weapon and retention of a weapon.

(F) Effective striking, disengaging, and staying on your feet.

(G) Fighting in awkward positions.

(H) When a firearm should be drawn or deployed and when a firearm should be not drawn or deployed.

(5) Instruction concerning the following:

(A) Vital area targets for stopping attackers.

(B) Reloading, movement, and communication.

(C) Review of weapons, including:

(i) an explanation regarding types of weapons;

(ii) functional elements of weapons;

(iii) malfunctions that are common in weapons; and

(iv) elimination of panic movement.

(D) Threat discernment.

(6) Instruction by a trauma trained health care provider licensed in Indiana or an active duty, retired, or reserve military medic of the United States armed forces or Indiana National Guard concerning the following:

(A) First aid to stop bleeding.

(B) Applying a tourniquet or use of an improvised tourniquet.

(C) Treating shock.

(D) Quick action field medical care.

(7) Training on the topic of marksmanship.

(8) Not less than twenty (20) hours of scenario based training.

(b) The specialized weapon training described in subsection (a) must be provided by a person or entity approved by the applicable school board under section 8 of this chapter.

Sec. 8. (a) A school board of a school corporation, charter school, or nonpublic school may approve one (1) or more persons or entities to provide specialized weapons training under section 5(b)(1)(A) of this chapter to the employees or other staff members of the school corporation, charter school, or nonpublic school.

(b) To be approved by a school board to provide specialized weapons training under this chapter, the person or entity must meet the following requirements:

(1) The person or entity applies for approval with the school board.

(2) The person or entity provides to the school board a training plan that meets or exceeds the requirements established under section 7(a) of this chapter.

(3) The person or entity has a training team that operates in consultation with the following:

(A) A physician licensed in Indiana.

(B) A law enforcement officer who:

(i) works in Indiana for a law enforcement agency; or

(ii) has retired from a law enforcement agency in Indiana.

(C) A mental health professional.

(D) An attorney licensed in Indiana who is a member of the Indiana bar.

(E) A firearms instructor who has a minimum of five (5) years of documented professional instruction experience.

(F) An educator who teaches at a school in Indiana.

(G) A martial arts instructor who is certified by a national martial arts organization.

Sec. 9. A school board may approve a person or entity to provide specialized weapons training under section 5(b)(1)(A) of this chapter if the person or entity meets the requirements of sections 7 and 8 of this chapter.

Sec. 10. (a) This section applies to a school corporation,

charter school, or nonpublic school that, before July 1, 2020, did the following:

(1) Authorized a person other than a law enforcement officer or school resource officer to carry a firearm in or on school property.

(2) Approved firearm training for an employee or other staff member of the school corporation, charter school, or nonpublic school.

(b) An employee or staff member of a school corporation, charter school, or nonpublic school meets the requirements of section 5(b)(1)(B) of this chapter if the employee or staff member successfully completes or completed firearm training approved by the school corporation, charter school, or nonpublic school as described in subsection (a).

Sec. 11. Nothing in this chapter may be construed to:

(1) require an employee or other staff member of a school corporation, charter school, or nonpublic school to carry a firearm in or on school property; or

(2) authorize a school board or a school corporation, charter school, or nonpublic school to require an employee or other staff member of a school corporation, charter school, or nonpublic school to carry a firearm in or on school property.".

Page 16, delete lines 28 through 42.

Delete page 17.

Page 18, delete lines 1 through 19.

Page 20, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 14. IC 22-11-17-2, AS AMENDED BY P.L.211-2018(ss), SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) Except as provided in subsections (b) and (d) and section 2.5 of this chapter, an owner of a public building shall not permit an exit to be locked or obstructed in any manner that denies the public a continuous and unobstructed means of egress while lawfully occupied by anyone who is not an officer or an employee.

(b) The commission may adopt rules under IC 4-22-2 that:

(1) allow the owner of a public building to equip an exit with a special egress control device;

(2) limit the circumstances under which a special egress control device may be used; and

(3) allow an exit that was in compliance with the rules of the commission when the exit was constructed to be equipped with a special egress control device.

(c) An owner of a public building shall not permit a fire alarm to be disconnected or otherwise rendered inoperative, except in cases of routine maintenance or for repair.

(d) A school that has one (1) or more employees may barricade or block a door **under the following circumstances:**

(1) For a period not to exceed three (3) minutes in the event of an unplanned fire alarm activation in order for a designated school official to investigate the alarm. The school must initiate evacuation and safety procedures after the three (3) minute period expires. However, the period may be extended in the event that an active shooter has been verified to be on the school's property.

(2) During an active shooter drill or during an active shooter emergency in the school building. Any device used to block or barricade a door during an active shooter drill or active shooter emergency must be removed or disengaged immediately after an all clear has been given or if evacuation is necessary. Devices used under this subdivision must remain compliant with all other applicable building and fire safety laws, rules, and regulations.".

Page 20, between lines 41 and 42, begin a new paragraph and insert:

"SECTION 16. IC 35-47-9-1, AS AMENDED BY P.L.107-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) This chapter does not apply to the following:

(1) A:

(A) federal;

(B) state; or

(C) local;

law enforcement officer.

(2) A person who may legally possess a firearm and who, **subject to IC 10-21-2,** has been authorized by:

(A) a school board (as defined by IC 20-26-9-4); or

(B) the body that administers a charter school established under IC 20-24;

to carry a firearm in or on school property.

(3) Except as provided in subsection (b) or (c), a person who:

(A) may legally possess a firearm; and

(B) possesses the firearm in a motor vehicle.

(4) A person who is a school resource officer, as defined in IC 20-26-18.2-1.

(5) Except as provided in subsection (b) or (c), a person who:

(A) may legally possess a firearm; and

(B) possesses only a firearm that is:

(i) locked in the trunk of the person's motor vehicle;

(ii) kept in the glove compartment of the person's locked motor vehicle; or

(iii) stored out of plain sight in the person's locked motor vehicle.

(6) A person who:

(A) may legally possess a firearm; and

(B) possesses a firearm on school property in connection with or while:

(i) attending a worship service or religious ceremony conducted at a house of worship located on the school property; or

(ii) carrying out the person's official duties at a house of worship located on the school property, if the person is employed by or a volunteer at the house of worship.

This subdivision does not affect the right of a property owner to prohibit, in whole or in part, the possession of a firearm on a property where a school or house of worship is located.

(b) For purposes of subsection (a)(3) and (a)(5), a person does not include a person who is:

(1) enrolled as a student in any high school except if the person is a high school student and is a member of a

shooting sports team and the school's principal has approved the person keeping a firearm concealed in the person's motor vehicle on the days the person is competing or practicing as a member of a shooting sports team; or

(2) a former student of the school if the person is no longer enrolled in the school due to a disciplinary action within the previous twenty-four (24) months.

(c) For purposes of subsection (a)(3) and (a)(5), a motor vehicle does not include a motor vehicle owned, leased, or controlled by a school or school district unless the person who possesses the firearm is, **subject to IC 10-21-2,** authorized by the school or school district to possess a firearm.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1003 as printed February 21, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 4.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1004, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 12-7-2-174.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 174.7. (a) "Service facility location", for purposes of IC 12-15-11, means the address where the services of a provider facility or practitioner were provided.**

(b) The term consists of exact address and place of service codes as required on CMS forms 1500 and 1450, including an office, on-campus location of a hospital, and off-campus location of a hospital.

SECTION 2. IC 12-15-11-5, AS AMENDED BY P.L.195-2018, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) A provider who participates in the Medicaid program must comply with the enrollment requirements that are established under rules adopted under IC 4-22-2 by the secretary.

(b) A provider who participates in the Medicaid program may be required to ~~use the centralized credentials verification organization established in section 9 of this chapter.~~ **include the address of the service facility location in order to obtain Medicaid reimbursement for a claim for health care services from the office or a managed care organization.**

(c) The office or a managed care organization is not required to accept a claim for health care services that does not contain the service facility location.

SECTION 3. IC 12-15-11-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. **(a)** After a provider signs a provider agreement under this chapter, the office may not exclude the provider from participating in the Medicaid program by entering into an exclusive contract with another provider or group of providers, except as provided under section 7 of this chapter.

(b) The office or a managed care organization contracting with the office may not prohibit a provider from participating in a network of another insurer, managed care organization, or health maintenance organization.

SECTION 4. IC 16-18-2-163.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 163.6. (a) "Health care services", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-1.**

(b) "Health care services", for purposes of IC 16-51-2, has the meaning set forth in IC 16-51-2-1.

SECTION 5. IC 16-18-2-167.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 167.8. (a) "Health maintenance organization", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-2.**

(b) "Health maintenance organization", for purposes of IC 16-51-2, has the meaning set forth in IC 16-51-2-2.

SECTION 6. IC 16-18-2-188.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 188.4. "Individual provider form", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-3.**

SECTION 7. IC 16-18-2-190.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 190.7. "Institutional provider", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-4.**

SECTION 8. IC 16-18-2-190.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 190.8. "Institutional provider form", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-5.**

SECTION 9. IC 16-18-2-190.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 190.9. "Insurer", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-6.**

(b) "Insurer", for purposes of IC 16-51-2, has the meaning set forth in IC 16-51-2-3.

SECTION 10. IC 16-18-2-254.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 254.7. "Office setting", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-7.**

SECTION 11. IC 16-18-2-288, AS AMENDED BY P.L.96-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 288. (a) "Practitioner", for purposes of IC 16-42-19, has the meaning set forth in IC 16-42-19-5.

(b) "Practitioner", for purposes of IC 16-41-14, has the meaning set forth in IC 16-41-14-4.

(c) "Practitioner", for purposes of IC 16-42-21, has the meaning set forth in IC 16-42-21-3.

(d) "Practitioner", for purposes of IC 16-42-22 and IC 16-42-25, has the meaning set forth in IC 16-42-22-4.5.

(e) "Practitioner", for purposes of IC 16-51-2, has the meaning set forth in IC 16-51-2-4.

SECTION 12. IC 16-18-2-295, AS AMENDED BY P.L.161-2014, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 295. (a) "Provider", for purposes of IC 16-21-8, has the meaning set forth in IC 16-21-8-0.2.

(b) "Provider", for purposes of IC 16-38-5, IC 16-39 (except for IC 16-39-7), and IC 16-41-1 through IC 16-41-9, means any of the following:

(1) An individual (other than an individual who is an employee or a contractor of a hospital, a facility, or an agency described in subdivision (2) or (3)) who is licensed, registered, or certified as a health care professional, including the following:

(A) A physician.
(B) A psychotherapist.
(C) A dentist.
(D) A registered nurse.
(E) A licensed practical nurse.
(F) An optometrist.
(G) A podiatrist.
(H) A chiropractor.
(I) A physical therapist.
(J) A psychologist.
(K) An audiologist.
(L) A speech-language pathologist.
(M) A dietitian.
(N) An occupational therapist.
(O) A respiratory therapist.
(P) A pharmacist.
(Q) A sexual assault nurse examiner.

(2) A hospital or facility licensed under IC 16-21-2 or IC 12-25 or described in IC 12-24-1 or IC 12-29.

(3) A health facility licensed under IC 16-28-2.

(4) A home health agency licensed under IC 16-27-1.

(5) An employer of a certified emergency medical technician, a certified advanced emergency medical technician, or a licensed paramedic.

(6) The state department or a local health department or an employee, agent, designee, or contractor of the state department or local health department.

(c) "Provider", for purposes of IC 16-39-7-1, has the meaning set forth in IC 16-39-7-1(a).

(d) "Provider", for purposes of IC 16-48-1, has the meaning set forth in IC 16-48-1-3.

(e) "Provider", for purposes of IC 16-51-1, has the meaning set forth in IC 16-51-1-8.

SECTION 13. IC 16-18-2-295.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 295.3. "Provider facility", for purposes of IC 16-51-2, has the meaning set forth in IC 16-51-2-5.**

SECTION 14. IC 16-18-2-327.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 327.7. "Service facility location", for purposes of IC 16-51-2, has the meaning set forth in IC 16-51-2-6.**

SECTION 15. IC 16-51 IS ADDED TO THE INDIANA CODE AS A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

ARTICLE 51. HEALTH CARE REQUIREMENTS

Chapter 1. Health Care Provider Billing

Sec. 1. (a) As used in this chapter, "health care services" means health care related services or products rendered or sold by a provider within the scope of the provider's license or legal authorization.

(b) The term includes hospital, medical, surgical, dental, vision, and pharmaceutical services or products.

Sec. 2. As used in this chapter, "health maintenance organization" has the meaning set forth in IC 27-13-1-19.

Sec. 3. (a) As used in this chapter, "individual provider form" means a medical claim form, including an electronic version of the form, that:

(1) is accepted by the federal Centers for Medicare and Medicaid Services for use by individual providers or groups of providers; and

(2) includes a claim field for disclosure of the site at which the health care services to which the form relates were provided.

(b) The term includes the following:

(1) The CMS-1500 form.

(2) The HCFA-1500 form.

Sec. 4. As used in this chapter, "institutional provider" means a facility, operated by a hospital licensed under IC 16-21-2, in which both of the following services are provided:

(1) Emergency services.

(2) Inpatient services.

Sec. 5. (a) As used in this chapter, "institutional provider form" means a medical claim form, including an electronic version of the form, that is accepted by the federal Centers for Medicare and Medicaid Services for use by institutional providers.

(b) The term includes the following:

(1) The 837 Institutional form.

(2) The CMS-1450 form.

(3) The UB-04 form.

Sec. 6. As used in this chapter, "insurer" has the meaning set forth in IC 27-8-11-1(e).

Sec. 7. As used in this chapter, "office setting" means a location not physically located within the facility of an institutional provider and where a provider routinely provides health examinations and diagnosis and treatment of illness or injury on an ambulatory basis.

Sec. 8. As used in this chapter, "provider" means an individual or entity duly licensed or legally authorized to provide health care services.

Sec. 9. (a) A bill for health care services provided by a provider in an office setting:

(1) must not be submitted on an institutional provider form; and

(2) must be submitted on an individual provider form.

(b) An insurer, health maintenance organization, employer, or other person responsible for the payment of the cost of health care services provided by a provider in an

office setting is not required to accept a bill for the health care services that is submitted on an institutional provider form.

(c) This section applies only to an institutional provider form or an individual provider form submitted after December 31, 2020.

Sec. 10. Before March 1 of each year an insurer and health maintenance organization shall submit information, specified by the department of insurance, concerning compliance by providers under this chapter.

Sec. 11. The department of insurance shall adopt rules under IC 4-22-2 for the enforcement of this chapter.

Chapter 2. Health Care Service Location Billing

Sec. 1. (a) As used in this chapter, "health care services" means health care related services or products rendered or sold by a provider within the scope of the provider's license or legal authorization.

(b) The term includes hospital, medical, surgical, dental, vision, and pharmaceutical services or products.

Sec. 2. As used in this chapter, "health maintenance organization" has the meaning set forth in IC 27-13-1-19.

Sec. 3. As used in this chapter, "insurer" has the meaning set forth in IC 27-8-11-1(e).

Sec. 4. As used in this chapter, "practitioner" means an individual or entity duly licensed or legally authorized to provide health care services.

Sec. 5. As used in this chapter, "provider facility" means any of the following:

(1) A hospital.
(2) A skilled nursing facility.
(3) An end stage renal disease provider.
(4) A home health agency.
(5) A hospice organization.
(6) An outpatient physical therapy, occupational therapy, or speech pathology service provider.
(7) A comprehensive outpatient rehabilitation facility.
(8) A community mental health center.
(9) A critical access hospital.
(10) A federally qualified health center.
(11) A histocompatibility laboratory.
(12) An Indian health service facility.
(13) An organ procurement organization.
(14) A religious nonmedical health care institution.
(15) A rural health clinic.

Sec. 6. As used in this chapter, "service facility location" means the address where the services of a provider facility or practitioner were provided. The term consists of exact address and place of service codes as required on CMS forms 1500 and 1450, including an office, on-campus location of a hospital, and off-campus location of a hospital.

Sec. 7. (a) A provider facility or practitioner shall include the address of the service facility location in order to obtain reimbursement for a commercial claim for health care services from an insurer, health maintenance organization, employer, or other person responsible for the payment of the cost of health care services.

(b) An insurer, health maintenance organization, employer, or other person responsible for the payment of the cost of health care services is not required to accept a bill for health care services that does not contain the service facility location.

Sec. 8. A patient is not liable for any additional payment that is the result of a practitioner or provider facility filing an incorrect form or not including the correct service facility location as required under this chapter.

SECTION 16. IC 25-1-9-23 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 23. (a) As used in this section, "covered individual" means an individual who is entitled to be provided health care services at a cost established according to a network plan.**

(b) As used in this section, "in network practitioner" means a practitioner who is required under a network plan to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

(c) As used in this section, "network plan" means a plan under which facilities and practitioners are required by contract to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

(d) As used in this section, "practitioner" means the following:

(1) An individual licensed under IC 25 who provides professional health care services to individuals in a facility.
(2) An organization:
(A) that consists of practitioners described in subdivision (1); and
(B) through which practitioners described in subdivision (1) provide health care services.
(3) An entity that:
(A) is not a facility; and
(B) employs practitioners described in subdivision (1) to provide health care services.

(e) An in network practitioner who provides health care services to a covered individual may not charge more for the health care services than allowed according to the rate or amount of compensation established by the individual's network plan.

(f) An out of network practitioner who provides health care services to a covered individual may charge more for the health care services than allowed according to the rate or amount of compensation established by the individual's network plan if all of the following conditions are met:

(1) At least five (5) days before the health care services are scheduled to be provided to the covered individual, the practitioner provides to the covered individual, on a form separate from any other form provided to the covered individual by the practitioner, a statement in conspicuous type at least as large as fourteen (14) point type that meets the following requirements:
(A) Includes a notice reading substantially as follows: "[Name of practitioner] intends to charge you more for [name or description of health care services] than allowed according to the rate or amount of compensation established by the network

plan applying to your coverage. [Name of practitioner] is not entitled to charge this much for [name or description of health care services] unless you give your written consent to the charge.".

(B) Sets forth the practitioner's good faith estimate of the amount that the practitioner intends to charge for the health care services provided to the covered individual.

(C) Includes a notice reading substantially as follows concerning the good faith estimate set forth under clause (B): "The estimate of our intended charge for [name or description of health care services] set forth in this statement is provided in good faith and is our best estimate of the amount we will charge. If our actual charge for [name or description of health care services] exceeds our estimate, we will explain to you why the charge exceeds the estimate.".

(2) The covered individual signs the statement provided under subdivision (1), signifying the covered individual's consent to the charge for the health care services being greater than allowed according to the rate or amount of compensation established by the network plan.

(g) If the charge of a practitioner for health care services provided to a covered individual exceeds the estimate provided to the covered individual under subsection (f)(1)(B), the facility or practitioner shall explain in a writing provided to the covered individual why the charge exceeds the estimate.

SECTION 17. IC 25-1-9.8 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 9.8. Practitioner Good Faith Estimates

Sec. 1. As used in this chapter, "covered individual" means an individual who is entitled to be provided health care services according to a health carrier's network plan.

Sec. 1.5. As used in this chapter, "episode of care" means the medical care ordered to be provided for a specific medical procedure, condition, or illness.

Sec. 2. As used in this chapter, "good faith estimate" means a reasonable estimate of the price a practitioner anticipates charging for an episode of care for nonemergency health care services that:

(1) is made by a practitioner under this chapter upon the request of:

(A) the individual for whom the nonemergency health care service has been ordered; or

(B) the provider facility in which the nonemergency health care service will be provided; and

(2) is not binding upon the practitioner.

Sec. 3. (a) As used in this chapter, "health carrier" means an entity:

(1) that is subject to IC 27 and the administrative rules adopted under IC 27; and

(2) that enters into a contract to:

(A) provide health care services;

(B) deliver health care services;

(C) arrange for health care services; or

(D) pay for or reimburse any of the costs of health care services.

(b) The term also includes the following:

(1) An insurer, as defined in IC 27-1-2-3(x), that issues a policy of accident and sickness insurance, as defined in IC 27-8-5-1(a).

(2) A health maintenance organization, as defined in IC 27-13-1-19.

(3) An administrator (as defined in IC 27-1-25-1(a)) that is licensed under IC 27-1-25.

(4) A state employee health plan offered under IC 5-10-8.

(5) A short term insurance plan (as defined by IC 27-8-5.9-3).

(6) Any other entity that provides a plan of health insurance, health benefits, or health care services.

Sec. 4. As used in this chapter, "in network", when used in reference to a practitioner, means that the health care services provided by the practitioner are subject to a health carrier's network plan.

Sec. 5. (a) As used in this chapter, "network" means a group of provider facilities and practitioners that:

(1) provide health care services to covered individuals; and

(2) have agreed to, or are otherwise subject to, maximum limits on the prices for the health care services to be provided to the covered individuals.

(b) The term includes the following:

(1) A network described in subsection (a) that is established pursuant to a contract between an insurer providing coverage under a group health policy and:

(A) individual provider facilities and practitioners;

(B) a preferred provider organization; or

(C) an entity that employs or represents providers, including:

(i) an independent practice association; and

(ii) a physician-hospital organization.

(2) A health maintenance organization, as defined in IC 27-13-1-19.

Sec. 6. As used in this chapter, "network plan" means a plan of a health carrier that:

(1) requires a covered person to receive; or

(2) creates incentives, including financial incentives, for a covered person to receive;

health care services from one (1) or more providers that are under contract with, managed by, or owned by the health carrier.

Sec. 7. As used in this chapter, "nonemergency health care service" means a discrete service or series of services ordered by a practitioner for an episode of care for the:

(1) diagnosis;

(2) prevention;

(3) treatment;

(4) cure; or

(5) relief;

of a physical, mental, or behavioral health condition, illness, injury, or disease that is not provided on an emergency or urgent care basis.

Sec. 8. As used in this chapter, "practitioner" means an individual or entity duly licensed or legally authorized to provide health care services.

Sec. 8.5. As used in this chapter, "price" means the negotiated rate between the:

(1) provider facility and practitioner; and

(2) covered individual's primary health carrier.

Sec. 9. As used in this chapter, "provider" means:

(1) a provider facility; or

(2) a practitioner.

Sec. 10. As used in this chapter, "provider facility"means any of the following:

(1) A hospital licensed under IC 16-21-2.

(2) An ambulatory outpatient surgery center licensed under IC 16-21-2.

(3) An abortion clinic licensed under IC 16-21-2.

(4) A birthing center licensed under IC 16-21-2.

(5) Except for an urgent care facility (as defined by IC 27-1-46-10.5), a facility that provides diagnostic services to the medical profession or the general public.

(6) A laboratory where clinical pathology tests are carried out on specimens to obtain information about the health of a patient.

(7) A facility where radiologic and electromagnetic images are made to obtain information about the health of a patient.

(8) An infusion center that administers intravenous medications.

Sec. 11. (a) This section does not apply to an individual who is a Medicaid recipient.

(b) An individual for whom a nonemergency health care service has been ordered may request from the practitioner who may provide the nonemergency health care service a good faith estimate of the total price the practitioner will charge for providing the nonemergency health care service.

(c) A practitioner who receives a request from a patient under subsection (b) shall, not more than five (5) business days after receiving all the relevant information from the individual, provide to the individual a good faith estimate of the price that the practitioner will charge for providing the nonemergency health care service.

(d) A practitioner must ensure that a good faith estimate provided to an individual under this section is accompanied by a notice stating that:

(1) an estimate provided under this section is not binding on the practitioner;

(2) the price the practitioner charges the individual may vary from the estimate based on the individual's medical needs; and

(3) the estimate provided under this section is only valid for thirty (30) days.

(e) A practitioner may not charge an individual for information provided under this section.

Sec. 12. (a) If:

(1) the individual who requests a good faith estimate from a practitioner under this chapter is a covered individual with respect to a network plan; and

(2) the practitioner from which the individual requests the good faith estimate is in network with respect to the same network plan;

the good faith estimate that the practitioner provides to the individual under this chapter must be based on the negotiated price to which the practitioner has agreed as an in network provider.

(b) If the individual who requests a good faith estimate from a practitioner under this chapter:

(1) is not a covered individual with respect to any network plan; or

(2) is not a covered individual with respect to a network plan with respect to which the practitioner is in network;

the good faith estimate that the practitioner provides to the individual under this chapter must be based on the price that the practitioner charges for the nonemergency health care service in the absence of any network plan.

Sec. 13. A practitioner may provide a good faith estimate to an individual under this chapter:

(1) in a writing delivered to the individual;

(2) by electronic mail; or

(3) through a mobile application or other Internet web based method, if available;

according to the preference expressed by the individual.

Sec. 14. (a) A good faith estimate provided by a practitioner to an individual under this chapter must meet the following requirements:

(1) Provide a summary of the services and material items that the good faith estimate is based on.

(2) Include:

(A) the price that the provider facility in which the health care service will be performed will charge for:

(i) the use of the provider facility to care for the individual for the nonemergency health care service;

(ii) the services rendered by the staff of the provider facility in connection with the nonemergency health care service; and

(iii) medication, supplies, equipment, and material items to be provided to or used by the individual while the individual is present in the provider facility in connection with the nonemergency health care service;

(B) the price charged for the services of all practitioners, support staff, and other persons who provide professional health services:

(i) who may provide services to or for the individual during the individual's presence in the provider facility for the nonemergency health care service; and

(ii) for whose services the individual will be charged separately from the charge of the provider facility;

for imaging, laboratory services, diagnostic services, therapy, observation services, and other services expected to be provided to the individual for the episode of care.

(3) Include a total figure that is a sum of the estimated

prices referred to in subdivisions (1) and (2).

(b) Subsection (a) does not prohibit a practitioner from providing to an individual a good faith estimate that indicates how much of the total figure stated under subsection (a)(2) will be the individual's out-of-pocket expense after the health carrier's payment of charges.

(c) A health carrier must provide a practitioner with the information needed by the practitioner to comply with the requirements under this chapter not more than two (2) business days after receiving the request.

(d) A practitioner is not subject to the penalties under section 18 of this chapter if:

(1) a health carrier or provider facility fails to provide the practitioner with the information as required under subsection (c);

(2) the practitioner provides the individual with a good faith estimate based on any information that the practitioner has; and

(3) the practitioner provides the individual with an updated good faith estimate after the health carrier or provider facility has provided the information required under subsection (c).

Sec. 15. If:

(1) a practitioner is expected to provide a nonemergency health care service to an individual in a provider facility; and

(2) the provider facility receives a request from an individual for a good faith estimate under IC 27-1-46;

the practitioner, upon request from the provider facility, shall provide to the provider facility a good faith estimate of the practitioner's price for providing the nonemergency health care service to enable the provider facility to comply with IC 27-1-46-11.

Sec. 16. (a) A practitioner that has ordered the individual for a nonemergency health care service shall provide to the individual an electronic or paper copy of a written notice that states the following, or words to the same effect: "A patient may at any time ask a health care provider for an estimate of the price the health care providers and health facility will charge for providing a nonemergency medical service. The law requires that the estimate be provided within 5 business days.".

(b) The state department may adopt rules under IC 4-22-2 to establish requirements for practitioners to provide additional charging information under this section.

Sec. 17. If:

(1) a practitioner receives a request for a good faith estimate under this chapter; and

(2) the patient is eligible for Medicare coverage;

the practitioner shall provide a good faith estimate to the patient within five (5) business days based on available Medicare rates.

Sec. 18. The appropriate board (as defined in IC 25-1-9-1) may take action against a practitioner:

(1) under IC 25-1-9-9(a)(3) or IC 25-1-9-9(a)(4) for an initial violation or isolated violations of this chapter; or

(2) under IC 25-1-9-9(a)(6) for repeated or persistent violations of this chapter;

concerning the providing of a good faith estimate to an individual for whom a nonemergency health care service has been ordered or the providing of notice in the practitioner's office or on the practitioner's Internet web site that a patient may at any time ask for an estimate of the price that the patient will be charged for a medical service.

SECTION 18. IC 25-1-9.9 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 9.9. Practitioner Employment Contracts And Non-Compete Agreements

Sec. 1. This chapter applies to an employment contract entered into, modified, renewed, or extended after June 30, 2020.

Sec. 2. As used in this chapter, "employee" means a practitioner (as defined in IC 25-1-9-2) employed by an employer for wages or salary. The term includes an individual who has received an offer of employment from a prospective employer.

Sec. 3. As used in this chapter, "employer" means an individual, corporation, partnership, limited liability company, or any other legal entity that has at least one (1) employee and is legally doing business in Indiana.

Sec. 4. As used in this chapter, "non-compete agreement" means a contractual provision by which an employer attempts to limit an employee's ability to seek future employment or engage in future business activity after the employment relationship has terminated.

Sec. 5. An employment contract entered into by an employer and employee may not contain a non-compete agreement.

Sec. 6. A non-compete agreement in an employment contract in violation of this chapter is unenforceable and void.

SECTION 19. IC 25-22.5-17 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 17. Physician's Patient Information

Sec. 1. If a physician licensed under this article leaves the employment of an employer, the following apply:

(1) The employer of the physician must provide the physician with a copy of any notice that:

(A) concerns the physician's departure from the employer; and

(B) was sent to any patient seen or treated by the physician during the two (2) year period preceding the termination of the physician's employment or the expiration of the physician's contract. However, the patient names and contact information must be redacted from the copy of the notice provided from the employer of the physician to the physician.

(2) The physician's employer must, in good faith, provide the physician's last known or current contact and location information to a patient who:

(A) requests updated contact and location information for the physician; and

(B) was seen or treated by the physician during the two (2) year period preceding the termination of the

physician's employment or the expiration of the physician's contract.

(3) The physician's employer must provide the physician with:

(A) access to; or

(B) copies of;

any medical record associated with a patient described in subdivision (1) or (2) upon receipt of the patient's consent.

(4) The physician's employer may not provide patient medical records to a requesting physician in a format that materially differs from the format used to create or store the medical record during the routine or ordinary course of business, unless a different format is mutually agreed upon by the parties. Paper or portable document format copies of the medical records satisfy the formatting provisions of this chapter.

Sec. 2. A person or entity required to create, copy, or transfer a patient medical record for a reason specified in this chapter may charge a reasonable fee for the service as permitted under applicable state or federal law.

SECTION 20. IC 27-1-3-7, AS AMENDED BY P.L.278-2013, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) The department may promulgate rules and regulations for any of the following enumerated purposes:

(1) For the conduct of the work of the department.

(2) Prescribing the methods and standards to be used in making the examinations and prescribing the forms of reports of the several insurance companies to which IC 27-1 is applicable.

(3) Defining what is a safe or an unsafe manner and a safe or an unsafe condition for conducting business by any insurance company to which IC 27-1 is applicable.

(4) For the establishment of safe and sound methods for the transaction of business by such insurance companies and for the purpose of safeguarding the interests of policyholders, creditors, and shareholders respecting the withdrawal or payment of funds by any life insurance company in times of emergency. Any rule or regulation promulgated under this subdivision may apply to one (1) or more insurance companies as the department may determine.

(5) For the administration and termination of the affairs of any such insurance company which is in involuntary liquidation or whose business and property have been taken possession of by the department for the purpose of rehabilitation, liquidation, conservation, or dissolution under IC 27-1.

(6) For the regulation of the solicitation or use of proxies, in general and as they concern consents or authorizations, in respect of securities issued by any domestic stock company for the purpose of protecting investors by prescribing the form of proxies, including such consents or authorizations, and by requiring adequate disclosure of information relevant to such proxies, including such consents or authorizations, and relevant to the business to be transacted at any meeting of shareholders with respect to which such proxies, including such consents or authorizations, may be used, which regulations may, in general, conform to those prescribed by the National Association of Insurance Commissioners.

(7) For regulation related to a health benefit exchange established under the federal Patient Protection and Affordable Care Act (P.L. 111-148), as amended by the federal Health Care and Education Reconciliation Act of 2010 (P.L. 111-152), and operating in Indiana.

(b) The department may adopt a rule under IC 4-22-2 to provide reasonable simplification of the terms and coverage of individual and group Medicare supplement accident and sickness insurance policies and individual and group Medicare supplement subscriber contracts in order to facilitate public understanding and comparison and to eliminate provisions contained in those policies or contracts which may be misleading or confusing in connection either with the purchase of those coverages or with the settlement of claims and to provide for full disclosure in the sale of those coverages.

(c) The department shall adopt rules concerning the enforcement of health care billing requirements in IC 16-51-1.

SECTION 21. IC 27-1-45 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 45. Health Facility Compensation

Sec. 1. As used in this chapter, "covered individual" means an individual who is entitled to be provided health care services at a cost established according to a network plan.

Sec. 2. As used in this chapter, "facility" means an institution in which health care services are provided to individuals. The term includes:

(1) hospitals and other licensed ambulatory surgical centers; and

(2) ambulatory outpatient surgical centers.

Sec. 3. As used in this chapter, "in network provider" means a provider that is required under a network plan to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

Sec. 4. As used in this chapter, "network plan" means a plan under which providers are required by contract to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

Sec. 5. As used in this chapter, "practitioner" means the following:

(1) An individual licensed under IC 25 who provides professional health care services to individuals in a facility.

(2) An organization:

(A) that consists of practitioners described in subdivision (1); and

(B) through which practitioners described in subdivision (1) provide health care services.

(3) An entity that:

(A) is not a facility; and

(B) employs practitioners described in subdivision (1) to provide health care services.

Sec. 6. As used in this chapter, "provider" means:

(1) a facility; or

(2) a practitioner.

Sec. 7. (a) When a covered individual receives health care services in a facility that is an in network provider, neither:

(1) the facility; nor

(2) a practitioner who provides health care services in the facility;

may charge more for the health care services provided to the covered individual than allowed according to the rate or amount of compensation established by the individual's network plan.

(b) A facility that is an out of network provider or a practitioner who provides health care services in the facility may charge more for the health care services provided to the covered individual than allowed according to the rate or amount of compensation established by the individual's network plan if all of the following conditions are met:

(1) At least five (5) days before the health care services are scheduled to be provided to the covered individual, the facility or practitioner provides to the covered individual, on a form separate from any other form provided to the covered individual by the facility or practitioner, a statement in conspicuous type at least as large as fourteen (14) point type that meets the following requirements:

(A) Includes a notice reading substantially as follows: "[Name of facility or practitioner] intends to charge you more for [name or description of health care services] than allowed according to the rate or amount of compensation established by the network plan applying to your coverage. [Name of facility or practitioner] is not entitled to charge this much for [name or description of health care services] unless you give your written consent to the charge.".

(B) Sets forth the facility's or practitioner's good faith estimate of the amount that the facility or practitioner intends to charge for the health care services provided to the covered individual.

(C) Includes a notice reading substantially as follows concerning the good faith estimate set forth under clause (B): "The estimate of our intended charge for [name or description of health care services] set forth in this statement is provided in good faith and is our best estimate of the amount we will charge.".

(2) The covered individual signs the statement provided under subdivision (1), signifying the covered individual's consent to the charge for the health care services being greater than allowed according to the rate or amount of compensation established by the network plan.

(c) If the charge of a facility or practitioner for health care services provided to a covered individual exceeds the estimate provided to the covered individual under subsection (b)(1)(B), the facility or practitioner shall explain in a writing provided to the covered individual why the charge exceeds the estimate.

Sec. 8. (a) The insurance commissioner may, after notice and hearing under IC 4-21.5, impose on the provider facility a civil penalty of not more than one thousand dollars ($1,000) for each violation of this chapter.

(b) A civil penalty collected under this section shall be deposited in the department of insurance fund established by IC 27-1-3-28.

SECTION 22. IC 27-1-46 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 46. Provider Facility Good Faith Estimates

Sec. 0.5. Nothing in this chapter prohibits:

(1) a self-funded health benefit plan that complies with the federal Employee Retirement Income Security Act (ERISA) of 1974 (29 U.S.C. 1001 et seq.); or

(2) a self-insurance program established to provide group health coverage as described in IC 5-10-8-7(b), or a contract for health services as described in IC 5-10-8-7(c);

from providing information requested by a practitioner or provider facility under this chapter.

Sec. 1. As used in this chapter, "covered individual" means an individual who is entitled to be provided health care services according to a health carrier's network plan.

Sec. 1.5. As used in this chapter, "episode of care" means the medical care ordered to be provided for a specific medical procedure, condition, or illness.

Sec. 2. As used in this chapter, "good faith estimate" means a reasonable estimate of the price a provider anticipates charging for an episode of care for nonemergency health care services that:

(1) is made by a provider under this chapter upon the request of the individual for whom the nonemergency health care service has been ordered; and

(2) is not binding upon the provider.

Sec. 3. (a) As used in this chapter, "health carrier" means an entity:

(1) that is subject to IC 27 and the administrative rules adopted under IC 27; and

(2) that enters into a contract to:

(A) provide health care services;

(B) deliver health care services;

(C) arrange for health care services; or

(D) pay for or reimburse any of the costs of health care services.

(b) The term also includes the following:

(1) An insurer, as defined in IC 27-1-2-3(x), that issues a policy of accident and sickness insurance, as defined in IC 27-8-5-1(a).

(2) A health maintenance organization, as defined in IC 27-13-1-19.

(3) An administrator (as defined in IC 27-1-25-1(a)) that is licensed under IC 27-1-25.

(4) A state employee health plan offered under IC 5-10-8.

(5) A short term insurance plan (as defined by IC 27-8-5.9-3).

(6) Any other entity that provides a plan of health insurance, health benefits, or health care services.

Sec. 4. As used in this chapter, "in network", when used in reference to a provider, means that the health care services provided by the provider are subject to a health carrier's network plan.

Sec. 5. (a) As used in this chapter, "network" means a group of provider facilities and practitioners that:

(1) provide health care services to covered individuals; and

(2) have agreed to, or are otherwise subject to, maximum limits on the prices for the health care services to be provided to the covered individuals.

(b) The term includes the following:

(1) A network described in subsection (a) that is established pursuant to a contract between an insurer providing coverage under a group health policy and:

(A) individual provider facilities and practitioners;

(B) a preferred provider organization; or

(C) an entity that employs or represents providers, including:

(i) an independent practice association; and

(ii) a physician-hospital organization.

(2) A health maintenance organization, as defined in IC 27-13-1-19.

Sec. 6. As used in this chapter, "network plan" means a plan of a health carrier that:

(1) requires a covered person to receive; or

(2) creates incentives, including financial incentives, for a covered person to receive;

health care services from one (1) or more providers that are under contract with, managed by, or owned by the health carrier.

Sec. 7. As used in this chapter, "nonemergency health care service" means a discrete service or series of services ordered by a practitioner for an episode of care for the purpose of:

(1) diagnosis;

(2) prevention;

(3) treatment;

(4) cure; or

(5) relief;

of a physical, mental, or behavioral health condition, illness, injury, or disease that is not provided on an emergency or urgent care basis.

Sec. 8. As used in this chapter, "practitioner" means an individual or entity duly licensed or legally authorized to provide health care services.

Sec. 8.5. As used in this chapter, "price" means the negotiated rate between the:

(1) provider facility and practitioner; and

(2) covered individual's primary health carrier.

Sec. 9. As used in this chapter, "provider" means:

(1) a provider facility; or

(2) a practitioner.

Sec. 10. As used in this chapter, "provider facility"means any of the following:

(1) A hospital licensed under IC 16-21-2.

(2) An ambulatory outpatient surgery center licensed under IC 16-21-2.

(3) An abortion clinic licensed under IC 16-21-2.

(4) A birthing center licensed under IC 16-21-2.

(5) Except for an urgent care facility, a facility that provides diagnostic services to the medical profession or the general public, including outpatient facilities.

(6) A laboratory where clinical pathology tests are carried out on specimens to obtain information about the health of a patient.

(7) A facility where radiologic and electromagnetic images are made to obtain information about the health of a patient.

(8) An infusion center that administers intravenous medications.

Sec. 10.5. (a) As used in this chapter, "urgent care facility" means a freestanding health care facility that offers episodic, walk-in care for the treatment of acute, but not life threatening, health conditions.

(b) The term does not include an emergency department of a hospital or a nonprofit or government operated health clinic.

Sec. 11. (a) This section does not:

(1) apply to a individual who is a Medicaid recipient; or

(2) limit the authority of a legal representative of the patient.

(b) An individual for whom a nonemergency health care service has been ordered may request from the provider facility in which the health care service will be provided a good faith estimate of the price that will be charged as a result of the nonemergency health care service.

(c) A provider facility that receives a request from an individual under subsection (b) shall, not more than five (5) business days after receiving all the relevant information from the individual, provide to the individual a good faith estimate of:

(1) the price that the provider facility in which the health care service will be performed will charge for:

(A) the use of the provider facility to care for the individual for the nonemergency health care service;

(B) the services rendered by the staff of the provider facility in connection with the nonemergency health care service; and

(C) medication, supplies, equipment, and material items to be provided to or used by the individual while the individual is present in the provider facility in connection with the nonemergency health care service; and

(2) the price charged for the services of all practitioners, support staff, and other persons who provide professional health services:

(A) who may provide services to or for the individual during the individual's presence in the provider facility for the nonemergency health care service; and

(B) for whose services the individual will be charged separately from the charge of the provider facility.

(d) The price that must be included in a good faith estimate under this section includes all services under subsection (c)(1) or (c)(2) for imaging, laboratory services, diagnostic services, therapy, observation services, and other

services expected to be provided to the individual for the episode of care.

(e) A provider facility shall ensure that a good faith estimate states that:

(1) an estimate provided under this section is not binding on the provider facility;

(2) the price the provider facility charges the individual may vary from the estimate based on the individual's medical needs; and

(3) the estimate provided under this section is only valid for thirty (30) days.

(f) A provider facility may not charge a patient for information provided under this section.

Sec. 12. (a) If:

(1) the individual who requests a good faith estimate from a provider facility under this chapter and has been verified as a covered individual with respect to a network plan; and

(2) the provider facility from which the individual requests the good faith estimate is in network with respect to the same network plan;

the good faith estimate that the provider facility provides to the individual under this chapter must be based on the price to which the provider facility and any practitioners referred to in section 11(c)(2) of this chapter have agreed as in network providers.

(b) If the individual who requests a good faith estimate from a provider facility under this chapter:

(1) is not a covered individual with respect to any network plan; or

(2) is not a covered individual with respect to a network plan with respect to which the provider facility is in network;

the good faith estimate that the provider facility provides to the individual under this chapter must be based on the price that the provider facility and any practitioners referred to in section 11(c)(2) of this chapter charge for the nonemergency health care services in the absence of any network plan.

Sec. 13. A provider facility may provide a good faith estimate to an individual under this chapter:

(1) in a writing delivered to the individual;

(2) by electronic mail; or

(3) through a mobile application or other Internet web based method, if available;

according to the preference expressed by the individual.

Sec. 14. (a) A good faith estimate provided by a provider facility to an individual under this chapter must:

(1) provide a summary of the services and material items that the good faith estimate is based on; and

(2) include a total figure that is a sum of the estimated prices referred to in subdivision (1).

(b) Subsection (a) does not prohibit a provider facility from providing to an individual a good faith estimate that indicates how much of the total figure stated under subsection (a)(2) will be the individual's out-of-pocket expense after the health carrier's payment of charges.

(c) A health carrier or practitioner must provide a provider facility with the information needed by the provider facility to comply with the requirements under this chapter not more than two (2) business days after receiving the request.

(d) A provider facility is not subject to the penalties under section 17 of this chapter if:

(1) a health carrier or practitioner fails to provide the provider facility with the information as required under subsection (c);

(2) the provider facility provides the individual with a good faith estimate based on any information that the provider facility has; and

(3) the provider facility provides the individual with an updated good faith estimate after the health carrier or practitioner has provided the information required under subsection (c).

Sec. 15. (a) As used in this section, "waiting room" means a space in a building used by a provider facility in which people check in or register to:

(1) be seen by practitioners; or

(2) meet with members of the staff of the provider facility.

(b) A provider facility shall ensure that each waiting room of the provider facility includes at least one (1) printed notice that:

(1) is designed, lettered, and positioned within the waiting room so as to be conspicuous to and readable by any individual with normal vision who visits the waiting room; and

(2) states the following, or words to the same effect: "A patient may ask for an estimate of the amount the patient will be charged for a nonemergency medical service provided in this facility. The law requires that an estimate be provided within 5 business days.".

(c) If a provider facility maintains an Internet web site, the provider facility shall ensure that the Internet web site includes at least one (1) printed notice that:

(1) is designed, lettered, and featured on the Internet web site so as to be conspicuous to and readable by any individual with normal vision who visits the Internet web site; and

(2) states the following, or words to the same effect: "A patient may ask for an estimate of the amount the patient will be charged for a nonemergency medical service provided in our facility. The law requires that an estimate be provided within 5 business days.".

Sec. 16. If:

(1) a provider facility receives a request for a good faith estimate under this chapter; and

(2) the patient is eligible for Medicare coverage;

the provider facility shall provide a good faith estimate to the patient within five (5) business days based on available Medicare rates.

Sec. 17. (a) If a provider facility fails or refuses:

(1) to provide a good faith estimate as required by this chapter; or

(2) to provide notice on the provider facility's Internet web site as required under this chapter;

the insurance commissioner may, after notice and hearing

under IC 4-21.5, impose on the provider facility a civil penalty of not more than one thousand dollars ($1,000) for each violation.

(b) A civil penalty collected under this section shall be deposited in the department of insurance fund established by IC 27-1-3-28.

SECTION 23. IC 27-2-25 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 25. Health Carrier Good Faith Estimates

Sec. 1. As used in this chapter, "coverage" means the right of an individual to receive:

(1) health care services; or

(2) payment or reimbursement for health care services;

from a health carrier.

Sec. 2. As used in this chapter, "covered individual" means an individual who is entitled to coverage from a health carrier.

Sec. 2.5. As used in this chapter, "episode of care" means the medical care ordered to be provided for a specific medical procedure, condition, or illness.

Sec. 3. As used in this chapter, "good faith estimate" means a health carrier's reasonable estimate of:

(1) the amount of the cost of a nonemergency health care service that the health carrier will:

(A) pay for; or

(B) reimburse to;

a covered individual; or

(2) the applicable benefit limitations of the nonemergency health care service a covered individual is entitled to receive;

that a health carrier provides upon request to a covered individual for whom a nonemergency health care service has been ordered.

Sec. 4. (a) As used in this chapter, "health carrier" means an entity:

(1) that is subject to this title and the administrative rules adopted under this title; and

(2) that enters into a contract to:

(A) provide health care services;

(B) deliver health care services;

(C) arrange for health care services; or

(D) pay for or reimburse any of the costs of health care services.

(b) The term also includes the following:

(1) An insurer, as defined in IC 27-1-2-3(x), that issues a policy of accident and sickness insurance, as defined in IC 27-8-5-1(a).

(2) A health maintenance organization, as defined in IC 27-13-1-19.

(3) An administrator (as defined in IC 27-1-25-1(a)) that is licensed under IC 27-1-25.

(4) A state employee health plan offered under IC 5-10-8.

(5) A short term insurance plan (as defined by IC 27-8-5.9-3).

(6) Any other entity that provides a plan of health insurance, health benefits, or health care services.

Sec. 5. As used in this chapter, "in network", when used in reference to a practitioner, means that the health care services provided by the practitioner are subject to a health carrier's network plan.

Sec. 6. (a) As used in this chapter, "network" means a group of provider facilities and practitioners that:

(1) provide health care services to covered individuals; and

(2) have agreed to, or are otherwise subject to, maximum limits on the prices for the health care services to be provided to the covered individuals.

(b) The term includes the following:

(1) A network described in subsection (a) that is established pursuant to a contract between an insurer providing coverage under a group health policy and:

(A) individual provider facilities and practitioners;

(B) a preferred provider organization; or

(C) an entity that employs or represents providers, including:

(i) an independent practice association; and

(ii) a physician-hospital organization.

(2) A health maintenance organization, as defined in IC 27-13-1-19.

Sec. 7. As used in this chapter, "network plan" means a plan of a health carrier that:

(1) requires a covered person to receive; or

(2) creates incentives, including financial incentives, for a covered person to receive;

health care services from one (1) or more providers that are under contract with, managed by, or owned by the health carrier.

Sec. 8. As used in this chapter, "nonemergency health care service" means a discrete service or series of services ordered by a practitioner for an episode of care for the:

(1) diagnosis;

(2) prevention;

(3) treatment;

(4) cure; or

(5) relief;

of a physical, mental, or behavioral health condition, illness, injury, or disease that is not provided on an emergency or urgent care basis.

Sec. 9. As used in this chapter, "practitioner" means an individual or entity duly licensed or legally authorized to provide health care services.

Sec. 9.5. As used in this chapter, "price" means the negotiated rate between the:

(1) provider facility and practitioner; and

(2) covered individual's primary health carrier;

minus the amount that the health carrier will pay.

Sec. 10. As used in this chapter, "provider" means:

(1) a provider facility; or

(2) a practitioner.

Sec. 11. As used in this chapter, "provider facility"means any of the following:

(1) A hospital licensed under IC 16-21-2.

(2) An ambulatory outpatient surgery center licensed under IC 16-21-2.

(3) An abortion clinic licensed under IC 16-21-2.
(4) A birthing center licensed under IC 16-21-2.
(5) Except for an urgent care facility (as defined by IC 27-1-46-10.5), a facility that provides diagnostic services to the medical profession or the general public.
(6) A laboratory where clinical pathology tests are carried out on specimens to obtain information about the health of a patient.
(7) A facility where radiologic and electromagnetic images are made to obtain information about the health of a patient.
(8) An infusion center that administers intravenous medications.

Sec. 12. (a) A covered individual for whom a nonemergency health care service has been ordered may request from the health carrier a good faith estimate of:
(1) the amount of the cost of the nonemergency health care service that the health carrier will:
(A) pay for; or
(B) reimburse to;
the covered individual; or
(2) the applicable benefit limitations of the ordered nonemergency health care service a covered individual is entitled to receive from the health carrier.

(b) If:
(1) a health carrier provides coverage to a covered individual through a network plan; and
(2) the health carrier receives a request for a good faith estimate from a covered individual for whom a nonemergency health care service has been ordered;
the health carrier shall inform the covered individual whether the provider facility in which the nonemergency health care service will be provided is in network and whether each scheduled practitioner who may provide the nonemergency health care service is in network.

(c) A health carrier that receives a request from a covered individual patient under subsection (b) shall, not more than five (5) business days after receiving all the relevant information, provide to the individual a good faith estimate as described in section 14 of this chapter.

(d) A health carrier must ensure that a good faith estimate states that the estimate provided under this section is only valid for thirty (30) days and that:
(1) the amount that the health carrier will:
(A) pay; or
(B) reimburse;
for or to the covered individual for the nonemergency health care services the individual receives; and
(2) the applicable benefit limitations of the nonemergency health care services the individual will receive;
may vary from the health carrier's good faith estimate based on the individual's medical needs.

(e) A health carrier may not charge an individual for information provided under this section.

(f) A practitioner and provider facility shall provide a health carrier with the information needed by the health carrier to comply with the requirements under this chapter not more than two (2) business days after receiving the request.

Sec. 13. A health carrier may provide a good faith estimate to an individual under this chapter:
(1) in a writing delivered to the individual;
(2) by electronic mail; or
(3) through a mobile application or other Internet web based method, if available;
according to the preference expressed by the individual.

Sec. 14. (a) A good faith estimate provided by a health carrier to an individual under this chapter must:
(1) in the case of an insurer or another health carrier that pays or reimburses the cost of health care services:
(A) provide a summary of the services and material items that the good faith estimate is based on;
(B) include a total figure that is a sum of the amounts referred to in clause (A); and
(C) state the out-of-pocket costs the covered individual will incur, if any, beyond the amount that the health carrier will pay or reimburse; and
(2) in the case of a health maintenance organization or another health carrier that provides health care services:
(A) provide a summary of the applicable benefit limitations of the health care services to which the covered individual is entitled; and
(B) state the out-of-pocket costs the covered individual will incur, if any, beyond being provided the health care services referred to in clause (A).

(b) A practitioner and provider facility shall provide a health carrier with the information needed by the health carrier to comply with the requirements under this chapter not more than two (2) business days after receiving the request.

(c) A health carrier is not subject to the penalties under section 16 of this chapter if:
(1) a provider facility or practitioner fails to provide the health carrier with the information as required under subsection (b);
(2) the health carrier provides the individual with a good faith estimate based on any information that the health carrier has; and
(3) the health carrier provides the individual with an updated good faith estimate after the provider facility or practitioner has provided the information required under subsection (b).

Sec. 15. A health carrier that provides an Internet web site for the use of its covered individuals shall ensure that the Internet web site includes a printed notice that:
(1) is designed, lettered, and featured on the Internet web site so as to be conspicuous to and readable by any individual with normal vision who visits the Internet web site; and
(2) states the following, or words to the same effect: "A covered individual may at any time ask the health carrier for an estimate of the amount the health carrier will pay for or reimburse to a covered individual for nonemergency health care services that have been

ordered for the covered individual or the applicable benefit limitations of the ordered nonemergency health care services a covered individual is entitled to receive from the health carrier. The law requires that an estimate be provided within 5 business days.".

Sec. 16. (a) If a health carrier fails or refuses:

(1) to provide a good faith estimate as required by this chapter; or

(2) to provide notice on the health carrier's Internet web site as required by section 15 of this chapter;

the insurance commissioner may, after notice and hearing under IC 4-21.5, impose on the health carrier a civil penalty of not more than one thousand dollars ($1,000) for each day of noncompliance.

(b) A civil penalty collected under this section shall be deposited in the department of insurance fund established by IC 27-1-3-28.

SECTION 24. [EFFECTIVE JULY 1, 2020] **(a) As used in this SECTION, "department" refers to the department of insurance.**

(b) The following shall submit, before September 1, 2021, a report described in this SECTION to the department and the general assembly in an electronic format under IC 5-14-6:

(1) An insurer (as defined in IC 27-1-2-3) that issues a policy of accident and sickness insurance (as defined in IC 27-8-5-1).

(2) A health maintenance organization (as defined in IC 27-13-1-19).

(c) The report must include an estimate of the total reduction in reimbursement for health service claims that were appropriately billed as being provided in an office setting under IC 16-51-1-9, as added by this act, instead of being billed as being provided in an institutional setting.

(d) This SECTION expires December 31, 2021.

(Reference is to HB 1004 as printed January 24, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 4.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1006, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, delete lines 1 through 14.

Page 2, delete lines 6 through 42.

Page 3, delete lines 1 through 3.

Page 3, line 18, reset in roman "or electronic cigarettes".

Page 3, line 20, reset in roman "or".

Page 3, line 21, reset in roman "electronic cigarettes".

Page 3, line 31, after "preceding" insert "**one (1) year.**".

Page 3, delete line 32.

Page 4, line 3, reset in roman "three (3) years".

Page 4, line 3, delete "one (1) year".

Page 4, delete lines 23 through 28, begin a new line block indented and insert:

"(2) has committed habitual illegal sale of tobacco as established under ~~IC 35-46-1-10.2(h);~~ **IC 35-46-1-10.2(i);** or

(3) has committed habitual illegal entrance by a minor as established under IC 35-46-1-11.7(f).".

Page 4, line 42, delete "three (3) years" and insert "**one (1) year**".

Page 5, line 3, reset in roman "or".

Page 5, line 4, reset in roman "electronic cigarettes".

Page 5, line 5, reset in roman "or electronic cigarettes".

Page 5, line 8, after "products" delete ".".

Page 5, line 8, reset in roman "or electronic".

Page 5, line 9, reset in roman "cigarettes.".

Page 5, delete lines 15 through 24.

Page 5, line 34, after "products" delete ".".

Page 5, line 34, reset in roman "and electronic".

Page 5, reset in roman line 35.

Page 6, line 6, reset in roman "six (6)".

Page 6, line 6, delete "two (2)".

Page 6, line 7, strike "IC 35-46-1-10.2(a)" and insert "**IC 35-46-1-10.2(b)**".

Page 6, line 7, strike "one hundred eighty (180) day" and insert "**one (1) year**".

Page 6, delete lines 11 through 19.

Page 8, line 8, reset in roman "and tobacco accessories".

Page 8, line 14, reset in roman "and".

Page 8, line 15, reset in roman "tobacco accessories".

Page 8, line 39, reset in roman "and tobacco accessories".

Page 9, delete lines 39 through 42.

Page 10, delete lines 1 through 36, begin a new paragraph and insert:

"SECTION 11. IC 7.1-6-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. The division of mental health and addiction established under IC 12-21 shall coordinate the conduct of random unannounced inspections at locations where tobacco products, **e-liquids, or electronic cigarettes** are sold or distributed to ensure compliance with this article. Only the commission, an Indiana law enforcement agency, the office of the sheriff of a county, or an organized police department of a municipal corporation may conduct the random unannounced inspections. These entities may use retired or off-duty law enforcement officers to conduct inspections under this section.".

Page 11, line 1, after "product" insert ", **e-liquid,**".

Page 11, line 1, reset in roman "or electronic cigarette".

Page 11, line 12, after "product" insert ", **e-liquid,**".

Page 11, line 12, reset in roman "or electronic cigarette".

Page 11, delete lines 15 through 18, begin a new paragraph and insert:

"SECTION 14. IC 7.1-7-2-6.3, AS ADDED BY P.L.206-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.3. "Delivery sale" means a sale of ~~e-liquids~~ **an e-liquid** to a purchaser in Indiana in which the purchaser submits the order for the sale:

(1) by telephone;

(2) over the Internet; or

(3) through the mail or another delivery system;

and the ~~e-liquids are~~ **e-liquid is** shipped through a delivery service. "Delivery sale" does not include a sale of ~~e-liquids~~ **an e-liquid** not for personal consumption to a person who is a retailer.

SECTION 15. IC 7.1-7-2-17 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 17. "Minor" means an individual who is less than eighteen (18) years of age.~~

SECTION 16. IC 7.1-7-4-1, AS AMENDED BY P.L.206-2017, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A manufacturer of e-liquid may not mix, bottle, package, or sell e-liquid to retailers, consumers, or distributors in Indiana without a permit issued by the commission under this article.

(b) ~~All e-liquids~~ **An e-liquid** manufactured by an e-liquids manufacturer approved by the commission under this article before July 1, 2017, may be distributed and sold for retail until the expiration date of the ~~e-liquids.~~ **e-liquid.**

(c) A manufacturing permit issued by the commission is valid for five (5) years. A manufacturing permit issued by the commission under this article before July 1, 2017, does not expire before July 1, 2020.

(d) An initial application for a manufacturing permit must include the following:

(1) The name, telephone number, and address of the applicant.

(2) The name, telephone number, and address of the manufacturing facility.

(3) The name, telephone number, title, and address of the person responsible for the manufacturing facility.

(4) Verification that the facility will comply with applicable tobacco products good manufacturing practices promulgated under 21 U.S.C. 387f(e) of the federal Food, Drug, and Cosmetic Act.

(5) Verification that the manufacturer will comply with the applicable ingredient listing required by 21 U.S.C. 387d(a)(1) of the federal Food, Drug, and Cosmetic Act.

(6) Written consent allowing the state police department to conduct a state or national criminal history background check on any person listed on the application.

(7) A nonrefundable initial application fee of one thousand dollars ($1,000).

(e) The fees collected under subsection (d)(7) shall be deposited in the enforcement and administration fund established under IC 7.1-4-10.

SECTION 17. IC 7.1-7-5.5-1, AS ADDED BY P.L.206-2017, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. A retailer may not make a delivery sale of e-liquid to ~~a minor~~ **an individual who does not meet the minimum age requirement** as set forth in IC 7.1-7-6-5.

SECTION 18. IC 7.1-7-5.5-2, AS ADDED BY P.L.206-2017, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. A retailer may not ship ~~e-liquids~~ **an e-liquid** without first making a good faith effort to verify the age of the purchaser of the ~~e-liquids~~ **e-liquid** as set forth in IC 7.1-7-6-6.

SECTION 19. IC 7.1-7-5.5-3, AS ADDED BY P.L.206-2017, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Before ~~e-liquids are~~ **an e-liquid is** shipped in a delivery sale, a retailer must be fully paid for the purchase and shall accept payment from the purchaser:

(1) by a check drawn on an account in the purchaser's name;

(2) by a credit card issued in the purchaser's name; or

(3) by a debit card issued in the purchaser's name.

(b) A retailer may ship ~~e-liquids~~ **an e-liquid** only to a purchaser.".

Page 11, line 21, strike "e-liquids" and insert "**an e-liquid**".

Page 11, deletes line 25 through 42, begin a new paragraph and insert:

"SECTION 22. IC 7.1-7-6-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 2. (a) This subsection does not apply to a delivery sale as defined in IC 7.1-7-2-6.3. If a retailer:~~

~~(1) knowingly and intentionally sells e-liquid to a minor; or~~

~~(2) knowingly, intentionally, or negligently fails to verify the age of a person who appears to be less than twenty-seven (27) years of age by checking a government issued identification and sells the person e-liquid;~~

~~the retailer commits a Class C infraction. For a sale to take place under this section, the buyer must pay the retail establishment for the e-liquid.~~

~~(b) Notwithstanding IC 34-28-5-4(c), a civil judgment for an infraction committed under this section must be imposed as follows:~~

~~(1) If the retail establishment at that specific business location has not been issued a citation or summons for a violation of this section in the previous one hundred eighty (180) days, a civil penalty of up to two hundred dollars ($200).~~

~~(2) If the retail establishment at that specific business location has had one (1) citation or summons issued for a violation of this section in the previous one hundred eighty (180) days, a civil penalty of up to four hundred dollars ($400).~~

~~(3) If the retail establishment at that specific business location has had two (2) citations or summonses issued for a violation of this section in the previous one hundred eighty (180) days, a civil penalty of up to seven hundred dollars ($700).~~

~~(4) If the retail establishment at that specific business location has had three (3) or more citations or summonses issued for a violation of this section in the previous one hundred eighty (180) days, a civil penalty of up to one thousand dollars ($1,000).~~

~~A retail establishment may not be issued a citation or summons for a violation of this section more than once every twenty-four (24) hours for each specific business location.~~

~~(c) It is not a defense that the person to whom e-liquid was sold or distributed did not inhale or otherwise consume e-liquid.~~

~~(d) The following defenses are available to a retail establishment accused of selling or distributing e-liquid to a person who is less than eighteen (18) years of age:~~

~~(1) The buyer or recipient produced a driver's license bearing the purchaser's or recipient's photograph showing that the purchaser or recipient was of legal age to make the purchase.~~

~~(2) The buyer or recipient produced a photographic identification card issued under IC 9-24-16-1 or a similar card issued under the laws of another state or the federal government showing that the purchaser or recipient was of legal age to make the purchase.~~

~~(3) The appearance of the purchaser or recipient was such that an ordinary prudent person would believe that the purchaser or recipient was not less than the age that complies with regulations promulgated by the federal Food and Drug Administration.~~

~~(c) It is a defense that the accused retail establishment sold or delivered e-liquid to a person who acted in the ordinary course of employment or a business concerning e-liquid:~~

~~(1) agriculture;~~

~~(2) processing;~~

~~(3) transporting;~~

~~(4) wholesaling; or~~

~~(5) retailing.~~

~~(f) As used in this section, "distribute" means to give e-liquid to another person as a means of promoting, advertising, or marketing e-liquid to the general public.~~

~~(g) Unless a person buys or receives e-liquid under the direction of a law enforcement officer as part of an enforcement action, a retail establishment that sells or distributes e-liquid is not liable for a violation of this section unless the person less than eighteen (18) years of age who bought or received the e-liquid is issued a citation or summons in violation of this article.~~

~~(h) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund (IC 7.1-6-2-6).~~

~~(i) A person who violates subsection (a) at least six (6) times in any one hundred eighty (180) day period commits habitual illegal sale of e-liquid, a Class B infraction.~~".

Delete page 12.

Page 13, delete lines 1 through 35, begin a new paragraph and insert:

"SECTION 24. IC 7.1-7-6-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.1. A person who sells or distributes an e-liquid to a person under twenty-one (21) years of age may be in violation of IC 35-46-1.**

SECTION 25. IC 7.1-7-6-5, AS ADDED BY P.L.206-2017, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. A person who knowingly or intentionally makes a delivery sale of ~~e-liquids~~ **an e-liquid** to ~~a minor~~ **an individual who is less than twenty-one (21) years of age** commits a Class C infraction.

SECTION 26. IC 7.1-7-6-6, AS ADDED BY P.L.206-2017, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) As used in this section, "good faith effort to verify the age of ~~a~~ **the** purchaser of ~~e-liquids"~~ **e-liquid"** means:

(1) verifying the age of the purchaser in a commercially available database; or

(2) obtaining a photocopy of a government issued identification;

that indicates the birth date or age of the purchaser.

(b) A person who knowingly or intentionally ships ~~e-liquids~~ **an e-liquid** without first making a good faith effort to verify the age of the purchaser of the ~~e-liquids~~ **e-liquid** commits a Class C infraction.".

Page 14, delete lines 3 through 8.

Page 14, line 23, strike "eighteen (18)" and insert "**twenty-one (21)**".

Page 16, delete lines 15 through 42, begin a new paragraph and insert:

"SECTION 30. IC 35-31.5-2-100, AS AMENDED BY P.L.185-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 100. (a) "Distribute", for purposes of IC 35-45-4-8, has the meaning set forth in IC 35-45-4-8.

(b) "Distribute", for purposes of IC 35-46-1-10, has the meaning set forth in ~~IC 35-46-1-10(e).~~ **IC 35-46-1-10(f).**

(c) "Distribute", for purposes of IC 35-46-1-10.2, has the meaning set forth in ~~IC 35-46-1-10.2(e).~~ **IC 35-46-1-10.2(f).**

(d) "Distribute", for purposes of IC 35-47.5, has the meaning set forth in IC 35-47.5-2-6.

(e) "Distribute", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-14.

(f) "Distribute", for purposes of IC 35-49, has the meaning set forth in IC 35-49-1-2.

SECTION 31. IC 35-31.5-2-107.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 107.5. "E-liquid," for purposes of IC 35-46-1, has the meaning set forth in IC 35-46-1-1.4.**".

Page 17, delete lines 1 through 24.

Page 18, line 3, delete "a tobacco product (as defined in IC 7.1-6-1-3);" and insert "**a cigarette, e-liquid, or tobacco product (as defined in IC 6-7-2-5);**".

Page 18, delete lines 16 through 42, begin a new paragraph and insert:

"SECTION 33. IC 35-46-1-1.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.4. As used in this chapter, "e-liquid" has the meaning set forth in IC 7.1-7-2-10.**

SECTION 34. IC 35-46-1-10, AS AMENDED BY P.L.20-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) **A person may not be charged with a violation under this section and a violation under IC 7.1-7-6-5.**

(b) A person who knowingly:

(1) sells or distributes tobacco, **an e-liquid,** or an electronic cigarette to a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age; or

(2) purchases tobacco, **an e-liquid,** or an electronic cigarette for delivery to another person who is less than

~~eighteen (18)~~ **twenty-one (21)** years of age;

commits a Class C infraction. For a sale to take place under this section, the buyer must pay the seller for the tobacco product, **the e-liquid,** or the electronic cigarette.

~~(b)~~ **(c)** It is not a defense that the person to whom the tobacco, **the e-liquid,** or electronic cigarette was sold or distributed did not smoke, chew, inhale, or otherwise consume the tobacco, **e-liquid,** or the electronic cigarette.

~~(c)~~ **(d)** The following defenses are available to a person accused of selling or distributing tobacco, **an e-liquid,** or an electronic cigarette to a person who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age:

(1) The buyer or recipient produced a driver's license bearing the purchaser's or recipient's photograph, showing that the purchaser or recipient was of legal age to make the purchase.

(2) The buyer or recipient produced a photographic identification card issued under IC 9-24-16-1, or a similar card issued under the laws of another state or the federal government, showing that the purchaser or recipient was of legal age to make the purchase.

(3) The appearance of the purchaser or recipient was such that an ordinary prudent person would believe that the purchaser or recipient was not less than ~~the age that complies with regulations~~ **thirty (30) years of age.** ~~promulgated by the federal Food and Drug Administration.~~

~~(d)~~ **(e)** It is a defense that the accused person sold or delivered the tobacco, **e-liquid,** or electronic cigarette to a person who acted in the ordinary course of employment or a business concerning tobacco, **an e-liquid,** or electronic cigarettes **including the following activities:**

(1) agriculture;

(2) processing;

(3) transporting;

(4) wholesaling; or

(5) retailing.

~~(e)~~ **(f)** As used in this section, "distribute" means to give tobacco, **an e-liquid,** or an electronic cigarette to another person as a means of promoting, advertising, or marketing the tobacco, **e-liquid,** or electronic cigarette to the general public.

~~(f)~~ **(g)** Unless the person buys or receives tobacco, **an e-liquid,** or an electronic cigarette under the direction of a law enforcement officer as part of an enforcement action, a person who sells or distributes tobacco, **an e-liquid,** or an electronic cigarette is not liable for a violation of this section unless the person less than ~~eighteen (18)~~ **twenty-one (21)** years of age who bought or received the tobacco, **e-liquid,** or electronic cigarette is issued a citation or summons under section 10.5 of this chapter.

~~(g)~~ **(h)** Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund (IC 7.1-6-2-6).

SECTION 35. IC 35-46-1-10.2, AS AMENDED BY P.L.20-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.2. (a) **A person may not be charged with a violation under this section and a violation under IC 7.1-7-6-5.**

(b) A retail establishment that:

(1) sells or distributes tobacco, **an e-liquid,** or an electronic cigarette to a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age; **or**

(2) fails to verify the age of a person who appears to be less than thirty (30) years of age by checking a government issued identification and sells the person tobacco, an e-liquid, or an electronic cigarette;

commits a Class C infraction. For a sale to take place under this section, the buyer must pay the retail establishment for the tobacco product, **an e-liquid,** or electronic cigarette.

(c) Notwithstanding IC 34-28-5-4(c), a civil judgment for an infraction committed under this section must be imposed as follows:

(1) If the retail establishment at that specific business location has not been issued a citation or summons for a violation of this section in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~two~~ **four** hundred dollars ~~($200).~~ **($400).**

(2) If the retail establishment at that specific business location has had one (1) citation or summons issued for a violation of this section in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~four~~ **eight** hundred dollars ~~($400).~~ **($800).**

(3) If the retail establishment at that specific business location has had two (2) citations or summonses issued for a violation of this section in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~seven~~ **one thousand four** hundred dollars ~~($700).~~ **($1,400).**

(4) If the retail establishment at that specific business location has had three (3) or more citations or summonses issued for a violation of this section in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~one~~ **two** thousand dollars ~~($1,000).~~ **($2,000).**

A retail establishment may not be issued a citation or summons for a violation of this section more than once every twenty-four (24) hours for each specific business location.

~~(b)~~ **(d)** It is not a defense that the person to whom the tobacco, **an e-liquid,** or electronic cigarette was sold or distributed did not smoke, chew, inhale, or otherwise consume the tobacco, **e-liquid,** or electronic cigarette.

~~(c)~~ **(e)** The following defenses are available to a retail establishment accused of selling or distributing tobacco, **an e-liquid,** or an electronic cigarette to a person who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age:

(1) The buyer or recipient produced a driver's license bearing the purchaser's or recipient's photograph showing that the purchaser or recipient was of legal age to make the purchase.

(2) The buyer or recipient produced a photographic identification card issued under IC 9-24-16-1 or a similar card issued under the laws of another state or the federal government showing that the purchaser or recipient was of legal age to make the purchase.

(3) The appearance of the purchaser or recipient was such that an ordinary prudent person would believe that the

purchaser or recipient was not less than ~~the age that complies with regulations~~ **thirty (30) years of age.** ~~promulgated by the federal Food and Drug Administration.~~

~~(d)~~ **(f)** It is a defense that the accused retail establishment sold or delivered the tobacco, **e-liquid,** or electronic cigarette to a person who acted in the ordinary course of employment or a business concerning tobacco, **an e-liquid,** or electronic cigarettes **for the following activities:**

(1) Agriculture.
(2) Processing.
(3) Transporting.
(4) Wholesaling. ~~or~~
(5) Retailing.

~~(e)~~ **(g)** As used in this section, "distribute" means to give tobacco, **an e-liquid,** or an electronic cigarette to another person as a means of promoting, advertising, or marketing the tobacco, **e-liquid,** or electronic cigarette to the general public.

~~(f)~~ **(h)** Unless a person buys or receives tobacco or an electronic cigarette under the direction of a law enforcement officer as part of an enforcement action, a retail establishment that sells or distributes tobacco, **an e-liquid,** or an electronic cigarette is not liable for a violation of this section unless the person less than ~~eighteen (18)~~ **twenty-one (21)** years of age who bought or received the tobacco, **an e-liquid,** or electronic cigarette is issued a citation or summons under section 10.5 of this chapter.

~~(g)~~ **(i)** Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund (IC 7.1-6-2-6).

~~(h)~~ **(j)** A person who violates subsection ~~(a)~~ **(b)** at least six (6) times in any ~~one hundred eighty (180) day~~ **one (1) year** period commits habitual illegal sale of tobacco, a Class B infraction.

SECTION 36. IC 35-46-1-10.5, AS AMENDED BY P.L.20-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.5. (a) A person less than ~~eighteen (18)~~ **twenty-one (21)** years of age who:

(1) purchases tobacco, **an e-liquid,** or an electronic cigarette;
(2) accepts tobacco, **an e-liquid,** or an electronic cigarette for personal use; or
(3) possesses tobacco, **an e-liquid,** or an electronic cigarette on ~~his~~ **the person's** person;

commits a Class C infraction.

(b) It is a defense under subsection (a) that the accused person acted in the ordinary course of employment in a business concerning tobacco, **an e-liquid,** or **an** electronic ~~cigarettes.~~ **cigarette for the following activities:**

(1) Agriculture.
(2) Processing.
(3) Transporting.
(4) Wholesaling. ~~or~~
(5) Retailing.

SECTION 37. IC 35-46-1-11, AS AMENDED BY P.L.20-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) A tobacco or electronic cigarette vending machine that is located in a public place must bear the following conspicuous notices:

(1) A notice:
(A) that reads as follows, with the capitalization indicated: "If you are under ~~18~~ **21** years of age, YOU ARE FORBIDDEN by Indiana law to buy tobacco or electronic cigarettes from this machine."; or
(B) that:
(i) conveys a message substantially similar to the message described in clause (A); and
(ii) is formatted with words and in a form authorized under the rules adopted by the alcohol and tobacco commission.
(2) A notice that reads as follows, "Smoking by Pregnant Women May Result in Fetal Injury, Premature Birth, and Low Birth Weight.".
(3) A notice printed in letters and numbers at least one-half (1/2) inch high that displays a toll free phone number for assistance to callers in quitting smoking, as determined by the state department of health.

(b) A person who owns or has control over a tobacco or electronic cigarette vending machine in a public place and who:

(1) fails to post a notice required by subsection (a) on the vending machine; or
(2) fails to replace a notice within one (1) month after it is removed or defaced;

commits a Class C infraction.

(c) An establishment selling tobacco or electronic cigarettes at retail shall post and maintain in a conspicuous place, at the point of sale, the following:

(1) Signs printed in letters at least one-half (1/2) inch high, reading as follows:
(A) "The sale of tobacco or electronic cigarettes to persons under ~~18~~ **21** years of age is forbidden by Indiana law.".
(B) "Smoking by Pregnant Women May Result in Fetal Injury, Premature Birth, and Low Birth Weight.".
(2) A sign printed in letters and numbers at least one-half (1/2) inch high that displays a toll free phone number for assistance to callers in quitting smoking, as determined by the state department of health.

(d) A person who:

(1) owns or has control over an establishment selling tobacco or electronic cigarettes at retail; and
(2) fails to post and maintain the sign required by subsection (c);

commits a Class C infraction.".

Delete pages 19 through 23.

Page 24, delete lines 1 through 16.

Page 24, delete lines 33 through 42, begin a new paragraph and insert:

"SECTION 41. IC 35-46-1-11.5, AS AMENDED BY P.L.20-2013, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11.5. (a) Except for a coin machine that is placed in or directly adjacent to an entranceway or an exit, or placed in a hallway, a restroom, or another common area that is accessible to persons who are less than ~~eighteen (18)~~ **twenty-one (21)** years of age, this section

does not apply to a coin machine that is located in the following:

(1) That part of a licensed premises (as defined in IC 7.1-1-3-20) where entry is limited to persons who are at least ~~eighteen (18)~~ **twenty-one (21)** years of age.

(2) Private industrial or office locations that are customarily accessible only to persons who are at least ~~eighteen (18)~~ **twenty-one (21)** years of age.

(3) Private clubs if the membership is limited to persons who are at least ~~eighteen (18)~~ **twenty-one (21)** years of age.

(4) Riverboats where entry is limited to persons who are at least twenty-one (21) years of age and on which lawful gambling is authorized.

(b) As used in this section, "coin machine" has the meaning set forth in IC 35-43-5-1.

(c) Except as provided in subsection (a), an owner of a retail establishment may not:

(1) distribute or sell tobacco or electronic cigarettes by use of a coin machine; or

(2) install or maintain a coin machine that is intended to be used for the sale or distribution of tobacco or electronic cigarettes.

(d) An owner of a retail establishment who violates this section commits a Class C infraction. A citation or summons issued under this section must provide notice that the coin machine must be moved within two (2) business days. Notwithstanding IC 34-28-5-4(c), a civil judgment for an infraction committed under this section must be imposed as follows:

(1) If the owner of the retail establishment has not been issued a citation or summons for a violation of this section in the previous ninety (90) days, a civil penalty of fifty dollars ($50).

(2) If the owner of the retail establishment has had one (1) citation or summons issued for a violation of this section in the previous ninety (90) days, a civil penalty of two hundred fifty dollars ($250).

(3) If the owner of the retail establishment has had two (2) citations or summonses issued for a violation of this section in the previous ninety (90) days for the same machine, the coin machine shall be removed or impounded by a law enforcement officer having jurisdiction where the violation occurs.

An owner of a retail establishment may not be issued a citation or summons for a violation of this section more than once every two (2) business days for each business location.

(e) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund established under IC 7.1-6-2-6.".

Delete page 25.

Page 26, line 4, after "products" insert ", **e-liquids, or electronic cigarettes,**".

Page 26, line 23, strike "one hundred eighty (180) days," and insert "**one (1) year,**".

Page 26, line 24, strike "two" and insert "**four**".

Page 26, line 24, strike "($200)." and insert "**($400).**".

Page 26, line 25, after "previous" strike "one".

Page 26, line 26, strike "hundred eighty (180) days," and insert "**one (1) year,**".

Page 26, line 26, strike "four" and insert "**eight**".

Page 26, line 27, strike "($400)." and insert "**($800).**".

Page 26, line 28, strike "one".

Page 26, line 29, strike "hundred eighty (180) days," and insert "**one (1) year,**".

Page 26, line 29, strike "seven hundred" and insert "**one thousand four hundred**".

Page 26, line 30, strike "($700)." and insert "**($1,400).**".

Page 26, line 32, strike "one hundred eighty (180) days," and insert "**one (1) year,**".

Page 26, line 33, strike "one" and insert "**two**".

Page 26, line 33, strike "($1,000)." and insert "**($2,000).**".

Page 27, line 3, delete "products".

Page 27, line 3, reset in roman "or electronic".

Page 27, line 4, reset in roman "cigarettes".

Page 27, line 6, delete "products".

Page 27, line 6, reset in roman "or electronic cigarettes".

Page 27, line 10, delete "products;".

Page 27, line 10, reset in roman "or electronic".

Page 27, line 11, reset in roman "cigarettes;".

Page 27, line 15, delete "products".

Page 27, line 15, reset in roman "or electronic cigarettes".

Renumber all SECTIONS consecutively.

(Reference is to HB 1006 as reprinted January 17, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Engrossed House Bill 1008, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 14, after "the" insert "**following entities:**

(1) The Indiana auctioneer commission (IC 25-6.1-2-1).

(2) The board of chiropractic examiners (IC 25-10-1).

(3) The state board of cosmetology and barber examiners (IC 25-8-3-1).

(4) The Indiana state board of health facility administrators (IC 25-19-1).

(5) The committee of hearing aid dealer examiners (IC 25-20-1-1.5).

(6) The home inspectors licensing board (IC 25-20.2-3-1).

(7) The manufactured home installer licensing board (IC 25-23.7).

(8) The medical licensing board of Indiana (IC 25-22.5-2).

(9) The occupational therapy committee (IC 25-23.5).

(10) The Indiana board of pharmacy (IC 25-26).

(11) The physician assistant committee (IC 25-27.5).

(12) The board of podiatric medicine (IC 25-29-2-1).

(13) The state psychology board (IC 25-33).

(14) The state board of massage therapy (IC 25-21.8-2-1).".

Page 1, delete lines 15 through 17.

Page 2, delete lines 1 through 2.

(Reference is to HB 1008 as printed January 27, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 1.

PERFECT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1015, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1043, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1045, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "Honor and Remember Flag" and insert "**Display of Flag**".

Page 2, line 16, after "The" insert "**American flag or the**".

(Reference is to HB 1045 as printed January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 13, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1063, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-10-9.8-1, AS ADDED BY P.L.40-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. The following definitions apply throughout this chapter:

(1) "Board" refers to the board of trustees of the Indiana public retirement system.

(2) "Employer" means an employer of ~~a state employee (as defined in IC 5-10-11-3).~~ **an employee that may receive a lump sum death benefit under a statute identified in section 2(a) of this chapter.**

(3) "Fund" refers to the special death benefit fund established by section 2 of this chapter.

SECTION 2. IC 5-10-9.8-2, AS ADDED BY P.L.40-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) The special death benefit fund is established for the purpose of paying lump sum death benefits under the following statutes:

(1) IC 5-10-10.

(2) IC 5-10-11.

(3) IC 10-12-6.

(4) IC 36-8-6-20.

(5) IC 36-8-7-26.

(6) IC 36-8-7.5-22.

(7) IC 36-8-8-20.

(b) The fund consists of:

(1) appropriations by the general assembly;

(2) fees remitted to the board under IC 35-33-8-3.2, ~~and~~ IC 5-10-10-4.5, **IC 5-10-10-4.8, and IC 5-10-10-4.9;**

(3) contributions from employers;

(4) gifts; and

(5) interest or other investment income earned on money in the fund.

(c) The fund shall be administered by the board. The expenses of administering the fund shall be paid from money in the fund.

(d) The board shall invest the money in the fund not currently needed to meet the obligations of the fund in the same manner as the board's other funds may be invested. Interest that accrues from these investments shall be deposited in the fund.

(e) Money in the fund at the end of a state fiscal year does not revert to the state general fund.

SECTION 3. IC 5-10-9.8-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. (a) The board shall determine contributions and contribution rates for individual employers or for a group of employers necessary to adequately maintain the fund.**

(b) The board shall deposit any contributions received under this section in the fund.

SECTION 4. IC 5-10-10-4.5, AS AMENDED BY P.L.179-2018, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4.5. (a) As used in this section, "eligible officer" means a police officer or firefighter whose employer purchases coverage under this section.

(b) As used in this section, "employer" means:

(1) with respect to a police officer:

(A) a postsecondary educational institution, other than a state educational institution, that appoints a police officer under IC 21-17-5; or

(B) an operator that employs the police officer under IC 8-22-3-34(b); or

(2) with respect to a firefighter:

(A) a postsecondary educational institution, other than a state educational institution, located in Indiana that:

(i) maintains a fire department;

(ii) employs firefighters for the fire department; and

(iii) is accredited by the North Central Association; or

(B) an operator that enters into an operating agreement under IC 5-23 for the operation of a public use airport that:

(i) maintains a fire department; and

(ii) employs firefighters for the fire department.

(c) If an employer purchases coverage for an eligible officer, the eligible officer is eligible for a special death benefit from the fund in the same manner that any other public safety officer is eligible for a special death benefit from the fund. The cost of the coverage shall be one hundred dollars ($100) for each eligible officer annually. The cost of the coverage shall be paid to the board for deposit in the fund. **The cost of coverage required by this subsection is in addition to the contribution determined by the board under IC 5-10-9.8-2.5.**

(d) If an employer elects to provide coverage under this section, the employer must purchase coverage for all eligible officers of the employer. An employer that elects to purchase coverage under this section must purchase coverage by making annual payments as prescribed by the board.

SECTION 5. IC 5-10-10-4.8, AS AMENDED BY P.L.193-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4.8. (a) As used in this section, "eligible emergency medical services provider" means an emergency medical services provider who is employed by a person that has contracted with a political subdivision to provide emergency medical services for the political subdivision.

(b) As used in this section, "emergency medical services" has the meaning set forth in IC 16-49-1-5.

(c) As used in this section, "emergency medical services provider" has the meaning set forth in IC 16-41-10-1.

(d) As used in this section, "political subdivision" has the meaning set forth in IC 36-1-2-13.

(e) If an employer purchases coverage for an eligible emergency medical services provider, the eligible emergency medical services provider who dies as a direct result of personal injury or illness resulting from the eligible emergency medical services provider's performance of duties under a contract entered into by the emergency medical services provider's employer to provide emergency medical services for a political subdivision is eligible for a special death benefit from the fund in the same manner as any other public safety officer is eligible for a benefit from the fund. The cost of the coverage must be one hundred dollars ($100) annually for each eligible emergency medical services provider paid by the emergency medical services provider's employer. The cost of the coverage shall be paid to the board for deposit into the fund. **The cost of coverage required by this subsection is in addition to the contribution determined by the board under IC 5-10-9.8-2.5.**

(f) If an employer elects to provide coverage under this section, the employer must purchase coverage for all eligible emergency medical services providers of the employer. An employer who elects to purchase coverage under this section must purchase coverage by making annual payments as prescribed by the board.

SECTION 6. IC 5-10-10-4.9, AS AMENDED BY P.L.179-2018, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4.9. (a) As used in this section, "eligible emergency medical services provider" means an emergency medical services provider whose employer purchases coverage under this section.

(b) As used in this section, "emergency medical services provider" has the meaning set forth in IC 16-41-10-1.

(c) As used in this section, "employer" means a health care system affiliated with a state educational institution that:

(1) maintains an air ambulance services provider; and

(2) employs emergency medical services providers for the air ambulance services provider.

(d) If an employer purchases coverage for an eligible emergency medical services provider, the eligible emergency medical services provider is eligible for a special death benefit from the fund in the same manner that any other public safety officer is eligible for a special death benefit from the fund. The cost of the coverage must be one hundred dollars ($100) for each eligible emergency medical services provider annually. The cost of the coverage shall be paid to the board for deposit into the fund. **The cost of coverage required by this subsection is in addition to the contribution determined by the board under IC 5-10-9.8-2.5.**

(e) If an employer elects to provide coverage under this section, the employer must purchase coverage for all eligible emergency medical services providers of the employer. An employer that elects to purchase coverage under this section must purchase coverage by making annual payments as prescribed by the board.".

Page 2, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 7. IC 10-12-6-2, AS AMENDED BY P.L.40-2017, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. A special death benefit of one hundred fifty thousand dollars ($150,000) for a motor carrier inspector or special police employee who dies in the line of duty **before July 1, 2020, and two hundred twenty-five thousand dollars ($225,000) for a motor carrier inspector or special police employee who dies in the line of duty after June 30, 2020,** shall be paid in a lump sum from the special death benefit fund established under IC 5-10-9.8 to the following relative of a motor carrier inspector or special police employee who dies in the line of duty:

(1) The surviving spouse.

(2) If there is no surviving spouse, the surviving children (to be shared equally).

(3) If there is no surviving spouse and there are no surviving children, the parent or parents in equal shares.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1063 as printed January 27, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1066, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 5, after "IC 20-29-3-15(b)(20)" delete ",".

Page 1, line 6, delete "IC 20-29-3-15(b)(25), and IC 20-29-3-15(b)(27)".

Page 1, between lines 11 and 12, begin a new line block indented and insert:

"**(3) The total number of teaching candidates who:**

(A) are currently enrolled in a teacher preparation program; or

(B) have recently completed a teacher preparation program.

(4) The increase or decrease in kindergarten through grade 12 student enrollments.

(5) The total number of teachers in Indiana.

(6) The teacher workforce growth.

(7) The administrator workforce growth.

(8) For each school corporation, the number of vacant teaching positions by:

(A) grade;

(B) subject; and

(C) required credential;

with critical shortage areas, as determined by unfilled vacancies, highlighted for each school corporation.

SECTION 2. IC 20-19-3-22 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 22. (a) As used in this section, "eligible school" has the meaning set forth in IC 20-51-1-4.7.**

(b) The department shall prepare a report that includes the following information from the 2019-2020 school year:

(1) The following information for each school corporation, charter school, and eligible school for the fall semester or its equivalent:

(A) The number of students who:

(i) were included in the fall count of ADM for the school corporation, charter school, or eligible school; and

(ii) were not reported through the student testing number application center as having completed a course at the school corporation, charter school, or eligible school in the fall semester.

(B) To the extent possible, the number of students described in clause (A) who completed a course in the fall semester at another school and the other school did not include the student in that other school's fall count of ADM.

(C) To the extent possible, the number of students described in clause (A) who:

(i) are not students described in clause (B); and

(ii) were not reported as completing a course at the school corporation, charter school, or eligible school in the fall semester for known reasons, including moving out of state, withdrawing from school, or removal by a parent under IC 20-33-2-28 to provide instruction equivalent to that given in the public schools.

(2) The following information for each school corporation, charter school, and eligible school for the spring semester or its equivalent:

(A) The number of students who:

(i) were included in the spring count of ADM for the school corporation, charter school, or eligible school; and

(ii) were not reported through the student testing number application center as having completed a course at the school corporation, charter school, or eligible school in the spring semester.

(B) To the extent possible, the number of students described in clause (A) who completed a course in the spring semester at another school and the other school did not include the student in the school's spring count of ADM.

(C) To the extent possible, the number of students described in clause (A) who:

(i) are not students described in clause (B); and

(ii) were not reported as completing a course at the school corporation, charter school, or eligible school in the spring semester for known reasons, including moving out of state, withdrawing from school, or removal by parents under IC 20-33-2-28 to provide instruction equivalent to that given in the public schools.

(c) The department shall, not later than December 1, 2020:

(1) submit the report prepared under subsection (b) to the legislative council in an electronic format under IC 5-14-6;

(2) post the report on the department's Internet web site; and

(3) provide notice of the posting and a link to the report's location on the department's Internet web site to each:

(A) school and the governing body of each school corporation;

(B) charter school, and the organizer and authorizer of the charter school; and

(C) eligible school, and the person or agency in active charge and management of the eligible school.

(d) This section expires July 1, 2021.

SECTION 3. IC 20-24-7-13, AS AMENDED BY P.L.159-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) After June 30, 2019, a virtual charter school may only apply for authorization with any statewide authorizer in accordance with

the authorizer's guidelines. After June 30, 2019, a virtual charter school that has a charter on June 30, 2019, may renew a charter only with a statewide authorizer. An authorizer described in IC 20-24-1-2.5(1) and IC 20-24-1-2.5(3) is not considered a statewide authorizer.

(b) For each state fiscal year, a virtual charter school is entitled to receive funding in a month from the state in an amount equal to:

(1) the quotient of:

(A) the school's basic tuition support determined under IC 20-43-6-3(c); divided by

(B) twelve (12); plus

(2) the total of any:

(A) special education grants under IC 20-43-7;

(B) career and technical education grants under IC 20-43-8; and

(C) honor grants under IC 20-43-10;

to which the virtual charter school is entitled for the month. For each state fiscal year, a virtual charter school's special education grants under IC 20-43-7 shall be calculated in the same manner as special education grants are calculated for other school corporations.

(c) The state board shall adopt rules under IC 4-22-2 to govern the operation of virtual charter schools.

(d) Each authorizer of a virtual charter school shall establish requirements or guidelines for virtual charter schools authorized by the authorizer that include the following:

(1) Minimum requirements for the mandatory annual onboarding process and orientation required under IC 20-24-5-4.5, which shall include a requirement that a virtual charter school must provide to a parent of a student:

(A) the student engagement and attendance requirements or policies of the virtual charter school; and

(B) notice that a person who knowingly or intentionally deprives a dependent of education commits a violation under IC 35-46-1-4.

(2) Requirements relating to tracking and monitoring student participation and attendance.

(3) Ongoing student engagement and counseling policy requirements.

(4) Employee policy requirements, including professional development requirements.

(e) The department, with the approval of the state board, shall before December 1 of each year submit an annual report to the budget committee concerning the program under this section.

(f) Each school year, at least sixty percent (60%) of the students who are enrolled in virtual charter schools under this section for the first time must have been included in the state's fall count of ADM conducted in the previous school year.

(g) Each virtual charter school shall report annually to the department concerning the following, on a schedule determined by the department:

(1) Classroom size.

(2) The ratio of teachers per classroom.

(3) The number of student-teacher meetings conducted in person or by video conference.

(4) Any other information determined by the department.

The department shall provide this information annually to the state board and the legislative council in an electronic format under IC 5-14-6.

(h) A virtual charter school shall adopt a student engagement policy. A student who regularly fails to participate in courses may be withdrawn from enrollment under policies adopted by the virtual charter school. The policies adopted by the virtual charter school must ensure that:

(1) adequate notice of the withdrawal is provided to the parent and the student; and

(2) an opportunity is provided, before the withdrawal of the student by the virtual charter school, for the student or the parent to demonstrate that failure to participate in the course is due to an event that would be considered an excused absence under IC 20-33-2.

(i) A student who is withdrawn from enrollment for failure to participate in courses pursuant to the school's student engagement policy may not reenroll in that same virtual charter school for the school year in which the student is withdrawn.

(j) An authorizer shall review and monitor whether a virtual charter school that is authorized by the authorizer complies with the requirements described in subsections (h) and (i).

(k) This subsection applies to a virtual charter school that:

(1) is initially granted a charter; or

(2) has a charter renewed;

after April 1, 2020. If the department finds data irregularities directly related to a virtual charter school's receipt or use of distributions or other funding provided by the state, the department shall send the virtual charter school or organizer, as appropriate, and the authorizer a summary of the department's findings. The virtual charter school or organizer, and the authorizer, have thirty (30) days to respond to the findings. The department shall consider the response and may issue recommendations to the state board to do one (1) or more of the following:

(1) Require an authorizer to revoke a charter.

(2) Withhold distributions and funding to the virtual charter school or organizer.

(3) Require the virtual charter school, organizer, or authorizer to reimburse the state for any distributions or other funding described in this section, and to take any other actions specified by the department to remedy the issues contained in the department's findings. The reimbursement amount required for an authorizer under this subdivision may not exceed an amount equal to the sum of the administrative fees received by the authorizer under section 4 of this chapter that correspond to each state fiscal year in which the department found data irregularities directly related to a virtual charter school's receipt or use of distributions or other funding.

(l) Upon receipt of the department's recommendations under subsection (k), the state board shall hold a public hearing and issue an order with the state board's findings to the virtual charter school or organizer and to the authorizer. The state board shall post a copy of the state board's findings on the state board's Internet web site.".

Page 9, strike lines 1 through 8.

Page 9, delete lines 9 through 15.

Page 12, delete lines 30 through 42, begin a new paragraph and insert:

"SECTION 14. IC 20-43-8-15, AS AMENDED BY P.L.108-2019, SECTION 230, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) This subsection applies to the state fiscal year beginning July 1, 2019. A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the amounts determined under the following STEPS:

STEP ONE: Determine for each career and technical education program provided by the school corporation:

(A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3) credits); multiplied by

(B) the number of pupils enrolled in the program; multiplied by

(C) the following applicable amount:

(i) Six hundred eighty dollars ($680) for a career and technical education program designated by the department of workforce development as a high value program under section 7.5 of this chapter.

(ii) Four hundred dollars ($400) for a career and technical education program designated by the department of workforce development as a moderate value program under section 7.5 of this chapter.

(iii) Two hundred dollars ($200) for a career and technical education program designated by the department of workforce development as a less than moderate value program under section 7.5 of this chapter.

STEP TWO: Determine the number of pupils enrolled in an apprenticeship program, a cooperative education program, a foundational career and technical education course, or a work based learning course designated under section 7.5 of this chapter multiplied by one hundred fifty dollars ($150).

STEP THREE: Determine the number of pupils enrolled in an introductory program designated under section 7.5 of this chapter multiplied by three hundred dollars ($300).

STEP FOUR: Determine the number of pupils who travel from the school in which they are currently enrolled to another school to participate in a career and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars ($150).

(b) This subsection applies to state fiscal years beginning after June 30, 2020. A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the amounts determined under the following STEPS:

STEP ONE: Determine for each career and technical education program provided by the school corporation:

(A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3) credits); multiplied by

(B) the number of pupils enrolled in the program; multiplied by

(C) the following applicable amount:

(i) Six hundred eighty dollars ($680) for a career and technical education program designated by the department of workforce development as a high value level 1 program under section 7.5 of this chapter.

(ii) One thousand twenty dollars ($1,020) for a career and technical education program designated by the department of workforce development as a high value level 2 program under section 7.5 of this chapter.

(iii) Four hundred dollars ($400) for a career and technical education program designated by the department of workforce development as a moderate value level 1 program under section 7.5 of this chapter.

(iv) Six hundred dollars ($600) for a career and technical education program designated by the department of workforce development as a moderate value level 2 program under section 7.5 of this chapter.

(v) Two hundred dollars ($200) for a career and technical education program designated by the department of workforce development as a less than moderate value level 1 program under section 7.5 of this chapter.

(vi) Three hundred dollars ($300) for a career and technical education program designated by the department of workforce development as a less than moderate value level 2 program under section 7.5 of this chapter.

STEP TWO: Determine the number of pupils enrolled in an apprenticeship program or a work based learning program designated under section 7.5 of this chapter multiplied by five hundred dollars ($500).

STEP THREE: Determine the number of pupils enrolled in an introductory program designated under section 7.5 of this chapter multiplied by three hundred dollars ($300).

STEP FOUR: Determine the number of pupils enrolled in a planning for college and career course under section 7.5 of this chapter at the school corporation that is approved by the department of workforce development multiplied by one hundred fifty dollars ($150).

STEP FIVE: Determine the number of pupils who travel from the school in which they are currently enrolled to another school to participate in a career and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars ($150).

~~(c) The amount distributed under subsection (b) may not exceed one hundred thirty million dollars ($130,000,000) for a state fiscal year. If the amount determined under subsection (b) will exceed one hundred thirty million dollars ($130,000,000) for a state fiscal year, the amount distributed to each recipient during the remaining months of the state fiscal year shall be proportionately reduced so that the total reductions equal the amount of the excess for the state fiscal year.~~".

Delete pages 13 through 14.

Page 15, delete lines 1 through 3.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1066 as printed February 21, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 11, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1111, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.
Committee Vote: Yeas 11, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1120, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 35-38-2.6-5, AS AMENDED BY P.L.179-2015, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. **(a)** If a person who is placed under this chapter violates the terms of the placement, the community corrections director may do any of the following:

(1) Change the terms of the placement.

(2) Continue the placement.

(3) Reassign a person assigned to a specific community corrections program to a different community corrections program.

(4) Request that the court revoke the placement and commit the person to the county jail or department of correction for the remainder of the person's sentence.

The community corrections director shall notify the court if the director changes the terms of the placement, continues the placement, or reassigns the person to a different program.

(b) If a person who is placed under this chapter violates the terms of the placement, the prosecuting attorney may request that the court revoke the placement and commit the person to the county jail or department of correction for the remainder of the person's sentence.".

Page 1, line 11, after "program." insert "**The term includes an individualized case management plan.**".

Page 1, line 15, after "means" insert "**educational credit which consists of**".

Page 2, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 3. IC 35-50-6-3.1, AS AMENDED BY P.L.44-2016, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.1. (a) This section applies to a person who commits an offense after June 30, 2014.

(b) A person assigned to Class A earns one (1) day of good time credit for each day the person is imprisoned for a crime or confined awaiting trial or sentencing.

(c) A person assigned to Class B earns one (1) day of good time credit for every three (3) days the person is imprisoned for a crime or confined awaiting trial or sentencing.

(d) A person assigned to Class C earns one (1) day of good time credit for every six (6) days the person is imprisoned for a crime or confined awaiting trial or sentencing.

(e) A person assigned to Class D earns no good time credit.

(f) A person assigned to Class P earns one (1) day of good time credit for every four (4) days the person serves on pretrial home detention awaiting trial. **A person assigned to Class P does not earn accrued time for time served on pretrial home detention awaiting trial.**".

Page 3, delete lines 11 through 13.

Page 3, line 17, strike "both subsections (a) and (b)" and insert "**this section**".

Page 4, line 9, delete "plan." and insert "**plan, not to exceed the maximum amount described in subsection (j).**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1120 as printed January 17, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 8, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1132, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 31-37-13-5, AS AMENDED BY P.L.168-2014, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. **(a)** If a finding of delinquency is based on a delinquent act that would be a felony if committed by an adult, the juvenile court shall state in the findings the following:

(1) The specific statute that was violated.

(2) The class or level of the felony had the violation been committed by an adult.

(b) If a finding of delinquency is based on a delinquent act that would be a serious violent felony (as defined in IC 35-47-4-5) if committed by an adult, the juvenile court shall, notwithstanding IC 31-39-1, transmit the finding to the office of judicial administration for transmission to NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3.

SECTION 2. IC 31-39-8-3, AS AMENDED BY P.L.86-2017, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A person may initiate a petition for the expungement of records of a child alleged to be a delinquent child or a child in need of services by filing a verified petition in the juvenile court in the county of the original

action. The petition must set forth the following:

(1) The allegations and date of adjudication, if applicable, of the juvenile delinquency or child in need of services adjudications.

(2) The court in which juvenile delinquency or child in need of services allegations or petitions were filed.

(3) The law enforcement agency that employs the charging officer, if known.

(4) The case number or court cause number.

(5) Date of birth of the petitioner.

(6) Petitioner's Social Security number.

(7) All juvenile delinquency or child in need of services adjudications and criminal convictions occurring after the adjudication of the action sought to be expunged.

(8) All pending actions under IC 31-34 or IC 31-37 or criminal charges.

(b) A petition described in subsection (a) shall be served on:

(1) the prosecuting attorney; or

(2) in the case of a child in need of services case, the department of child services.

(c) The prosecuting attorney or department of child services has thirty (30) days in which to reply or otherwise object to the petition. The court may reduce the time in which a response must be filed for a show of good cause or within its discretion after a hearing is held.

(d) If the prosecuting attorney or department of child services timely files an objection to the petition, the matter shall be set for a hearing. If no objection is filed, the court may set the petition for a hearing or rule on the petition without a hearing.

(e) In considering whether to grant the petition, the juvenile court may review:

(1) the best interests of the child;

(2) the age of the person during the person's contact with the juvenile court or law enforcement agency;

(3) the nature of any allegations;

(4) whether there was an informal adjustment or an adjudication;

(5) the disposition of the case;

(6) the manner in which the person participated in any court ordered or supervised services;

(7) the time during which the person has been without contact with the juvenile court or with any law enforcement agency;

(8) whether the person acquired a criminal record; ~~and~~

(9) the person's current status;

(10) whether the person has been:

(A) charged with; or

(B) convicted of;

murder or another felony offense as an adult;

(11) whether the person was waived to an adult criminal court for a reason described in IC 31-30-3;

(12) whether an adult sentence for the person was not suspended for a reason described in IC 35-50-2-2.1;

(13) whether the person has been adjudicated a delinquent child for committing an act that would be a serious violent felony (as defined in IC 35-47-4-5) if committed by an adult; and

(14) whether:

(A) the person is currently suffering from a mental health issue;

(B) the mental health issue described in clause (A) is chronic or ongoing;

(C) the person has received, or is receiving, treatment for a current or chronic mental health issue; and

(D) the person is compliant with a treatment regimen recommended by a mental health professional, if applicable.

SECTION 3. IC 33-24-6-3, AS AMENDED BY P.L.207-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The office of judicial administration shall do the following:

(1) Examine the administrative and business methods and systems employed in the offices of the clerks of court and other offices related to and serving the courts and make recommendations for necessary improvement.

(2) Collect and compile statistical data and other information on the judicial work of the courts in Indiana. All justices of the supreme court, judges of the court of appeals, judges of all trial courts, and any city or town courts, whether having general or special jurisdiction, court clerks, court reporters, and other officers and employees of the courts shall, upon notice by the chief administrative officer and in compliance with procedures prescribed by the chief administrative officer, furnish the chief administrative officer the information as is requested concerning the nature and volume of judicial business. The information must include the following:

(A) The volume, condition, and type of business conducted by the courts.

(B) The methods of procedure in the courts.

(C) The work accomplished by the courts.

(D) The receipt and expenditure of public money by and for the operation of the courts.

(E) The methods of disposition or termination of cases.

(3) Prepare and publish reports, not less than one (1) or more than two (2) times per year, on the nature and volume of judicial work performed by the courts as determined by the information required in subdivision (2).

(4) Serve the judicial nominating commission and the judicial qualifications commission in the performance by the commissions of their statutory and constitutional functions.

(5) Administer the civil legal aid fund as required by IC 33-24-12.

(6) Administer the court technology fund established by section 12 of this chapter.

(7) By December 31, 2013, develop and implement a standard protocol for sending and receiving court data:

(A) between the protective order registry, established by IC 5-2-9-5.5, and county court case management systems;

(B) at the option of the county prosecuting attorney, for:

(i) a prosecuting attorney's case management system;

(ii) a county court case management system; and

(iii) a county court case management system

developed and operated by the office of judicial administration;

to interface with the electronic traffic tickets, as defined by IC 9-30-3-2.5; and

(C) between county court case management systems and the case management system developed and operated by the office of judicial administration.

The standard protocol developed and implemented under this subdivision shall permit private sector vendors, including vendors providing service to a local system and vendors accessing the system for information, to send and receive court information on an equitable basis and at an equitable cost.

(8) Establish and administer an electronic system for receiving information that relates to certain individuals who may be prohibited from possessing a firearm ~~and~~ **for the purpose of:**

(A) transmitting this information to the Federal Bureau of Investigation for inclusion in the NICS; **and**

(B) beginning July 1, 2021, compiling and publishing certain statistics related to the confiscation and retention of firearms as described under section 14 of this chapter.

(9) Establish and administer an electronic system for receiving drug related felony conviction information from courts. The office of judicial administration shall notify NPLEx of each drug related felony entered after June 30, 2012, and do the following:

(A) Provide NPLEx with the following information:

(i) The convicted individual's full name.

(ii) The convicted individual's date of birth.

(iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.

(iv) The date the individual was convicted of the felony.

Upon receipt of the information from the office of judicial administration, a stop sale alert must be generated through NPLEx for each individual reported under this clause.

(B) Notify NPLEx if the felony of an individual reported under clause (A) has been:

(i) set aside;

(ii) reversed;

(iii) expunged; or

(iv) vacated.

Upon receipt of information under this clause, NPLEx shall remove the stop sale alert issued under clause (A) for the individual.

(10) Staff the judicial technology oversight committee established by IC 33-23-17-2.

(11) After July 1, 2018, establish and administer an electronic system for receiving from courts felony conviction information for each felony described in IC 20-28-5-8(c). The office of judicial administration shall notify the department of education at least one (1) time each week of each felony described in IC 20-28-5-8(c) entered after July 1, 2018, and do the following:

(A) Provide the department of education with the following information:

(i) The convicted individual's full name.

(ii) The convicted individual's date of birth.

(iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.

(iv) The date the individual was convicted of the felony.

(B) Notify the department of education if the felony of an individual reported under clause (A) has been:

(i) set aside;

(ii) reversed; or

(iii) vacated.

(12) Perform legal and administrative duties for the justices as determined by the justices.

(13) Provide staff support for the judicial conference of Indiana established in IC 33-38-9.

(14) Work with the United States Department of Veterans Affairs to identify and address the needs of veterans in the court system.

(b) All forms to be used in gathering data must be approved by the supreme court and shall be distributed to all judges and clerks before the start of each period for which reports are required.

(c) The office of judicial administration may adopt rules to implement this section.

SECTION 4. IC 33-24-6-14 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14. (a) The following definitions apply throughout this section:**

(1) "Dangerous" has the meaning set forth in IC 35-47-14-1.

(2) "Firearm" has the meaning set forth in IC 35-47-1-5.

(3) "Office" means the office of judicial administration created by section 1 of this chapter.

(b) Beginning July 1, 2021, the office shall collect and record the following information:

(1) The law enforcement agency responsible for each confiscation of a firearm under IC 35-47-14-2 and IC 35-47-14-3.

(2) The number of:

(A) warrant based firearm confiscations under IC 35-47-14-2; and

(B) warrantless firearm confiscations under IC 35-47-14-3;

for each county, as applicable, each year.

(3) The total number of:

(A) handguns; and

(B) long guns;

confiscated under IC 35-47-14 for each county, as applicable, each year.

(4) The county in which a court issues an order that finds or does not find an individual to be dangerous under IC 35-47-14-6.

(c) The office shall, beginning July 1, 2021, not later than January 1 of each year, submit a report to the legislative council in an electronic format under IC 5-14-6 that

consolidates and presents the information described in subsection (b).

(d) Notwithstanding subsections (b) and (c) and information provided to a law enforcement agency for the purposes of handgun licenses, the office shall not collect, store, disclose, distribute, transfer, or provide the following information to any person, entity, agency, or department:

(1) The:

(A) name;

(B) date of birth;

(C) Social Security number;

(D) address; or

(E) other unique identifier;

belonging to or associated with an individual alleged to be dangerous by a law enforcement officer or found to be dangerous by a circuit or superior court.

(2) The make, model, or serial number of any handgun, long gun, or firearm seized, confiscated, retained, disposed of, or sold under IC 35-47-14.

(e) Information:

(1) collected by the office; or

(2) used by the office;

to prepare the report described in subsection (c) is confidential and not subject to public inspection or copying under IC 5-14-3-3.

(f) The office shall make the report described in subsection (c) available to the public.

(g) The office may adopt rules under IC 4-22-2 to implement this section.

SECTION 5. IC 35-31.5-2-294, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 294. "Serious violent felony", for purposes of IC 35-47-4-5 **and IC 35-47-4-9,** has the meaning set forth in ~~IC 35-47-4-5(b).~~ **IC 35-47-4-5.**".

Page 2, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 9. IC 35-44.1-2-3, AS AMENDED BY P.L.107-2016, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) As used in this section, "consumer product" has the meaning set forth in IC 35-45-8-1.

(b) As used in this section, "misconduct" means a violation of a departmental rule or procedure of a law enforcement agency.

(c) A person who reports, by telephone, telegraph, mail, or other written or oral communication, that:

(1) the person or another person has placed or intends to place an explosive, a destructive device, or other destructive substance in a building or transportation facility;

(2) there has been or there will be tampering with a consumer product introduced into commerce; or

(3) there has been or will be placed or introduced a weapon of mass destruction in a building or a place of assembly;

knowing the report to be false, commits false reporting, a Level 6 felony.

(d) A person who:

(1) gives a false report of the commission of a crime or gives false information in the official investigation of the commission of a crime, knowing the report or information to be false;

(2) gives a false alarm of fire to the fire department of a governmental entity, knowing the alarm to be false;

(3) makes a false request for ambulance service to an ambulance service provider, knowing the request to be false;

(4) gives a false report concerning a missing child (as defined in IC 10-13-5-4) or missing endangered adult (as defined in IC 12-7-2-131.3) or gives false information in the official investigation of a missing child or missing endangered adult knowing the report or information to be false;

(5) makes a complaint against a law enforcement officer to the state or municipality (as defined in IC 8-1-13-3(b)) that employs the officer:

(A) alleging the officer engaged in misconduct while performing the officer's duties; and

(B) knowing the complaint to be false;

(6) makes a false report of a missing person, knowing the report or information is false; ~~or~~

(7) gives a false report of actions, behavior, or conditions concerning:

(A) a septic tank soil absorption system under IC 8-1-2-125 or IC 13-26-5-2.5; or

(B) a septic tank soil absorption system or constructed wetland septic system under IC 36-9-23-30.1;

knowing the report or information to be false; **or**

(8) makes a false report that a person is dangerous (as defined in IC 35-47-14-1) knowing the report or information to be false;

commits false informing, a Class B misdemeanor. However, the offense is a Class A misdemeanor if it substantially hinders any law enforcement process or if it results in harm to another person.".

Page 2, delete lines 38 through 42, begin a new paragraph, and insert:

"SECTION 10. IC 35-47-2-18, AS AMENDED BY P.L.158-2013, SECTION 582, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) No person shall:

~~(1) change, alter, remove, or obliterate the name of the maker, model, manufacturer's serial number, or other mark of identification on any handgun; or~~

~~(2) possess any handgun on which the name of the maker, model, manufacturer's serial number, or other mark of identification has been changed, altered, removed, or obliterated;~~

~~except as provided by applicable United States statute.~~

(1) remove, obliterate, or alter the importer or manufacturer's serial number on any firearm; or

(2) possess any firearm on which the importer or manufacturer's serial number has been removed, obliterated, or altered.

(b) A person who knowingly or intentionally violates this section commits a Level 5 felony.".

Page 3, delete lines 1 through 7.

Page 3, between lines 7 and 8, begin a new paragraph and

insert:

"SECTION 11. IC 35-47-4-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9. (a) As used in this section, "serious violent felony" has the meaning set forth in section 5 of this chapter.**

(b) A person who:

(1) has been adjudicated a delinquent child for committing an act while armed with a firearm that would be a serious violent felony if committed by an adult;

(2) is less than:

(A) twenty-six (26) years of age, if the delinquent act, if committed by an adult, would have been a:

(i) Level 6 felony;

(ii) Level 5 felony;

(iii) Level 4 felony; or

(iv) Level 3 felony; or

(B) twenty-eight (28) years of age, if the delinquent act, if committed by an adult, would have been:

(i) a Level 2 felony;

(ii) a Level 1 felony; or

(iii) murder; and

(3) knowingly or intentionally possesses a firearm;

commits unlawful possession of a firearm by a dangerous person, a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior unrelated conviction under this section.

SECTION 12. IC 35-47-14-2, AS AMENDED BY P.L.289-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A circuit or superior court may issue a warrant to search for and seize a firearm in the possession of an individual who is dangerous if:

(1) a law enforcement officer provides the court a sworn affidavit that:

(A) states why the law enforcement officer believes that the individual is dangerous and in possession of a firearm; and

(B) describes the law enforcement officer's interactions and conversations with:

(i) the individual who is alleged to be dangerous; or

(ii) another individual, if the law enforcement officer believes that information obtained from this individual is credible and reliable;

that have led the law enforcement officer to believe that the individual is dangerous and in possession of a firearm;

(2) the affidavit specifically describes the location of the firearm; and

(3) the circuit or superior court determines that probable cause exists to believe that the individual is:

(A) dangerous; and

(B) in possession of a firearm.

(b) A law enforcement agency responsible for the seizure of the firearm under this section shall file a search warrant return with the court setting forth the:

(1) quantity; and

(2) type;

of each firearm seized from an individual under this section. **Beginning July 1, 2021, the court shall provide information described under this subsection to the office of judicial administration in a manner required by the office.**".

Page 3, line 26, after "firearm." insert "**Beginning July 1, 2021, the court shall provide information described under this subsection and subsection (b)(1) to the office of judicial administration in a manner required by the office.**".

Page 3, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 17. IC 35-47-14-6, AS AMENDED BY P.L.289-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) The court shall conduct a hearing as required under this chapter.

(b) The state has the burden of proving all material facts by clear and convincing evidence.

(c) If the court determines that the state has proved by clear and convincing evidence that the individual is dangerous, the court shall issue a written order:

(1) finding the individual is dangerous (as defined in section 1 of this chapter);

(2) ordering the law enforcement agency having custody of the seized firearm to retain the firearm;

(3) ordering the individual's license to carry a handgun, if applicable, suspended; and

(4) enjoining the individual from:

(A) renting;

(B) receiving transfer of;

(C) owning; or

(D) possessing;

a firearm; and

determine whether the individual should be referred to further proceedings to consider whether the individual should be involuntarily detained or committed under IC 12-26-6-2(a)(2)(B).

(d) If the court finds that the individual is dangerous under subsection (c), the clerk shall transmit the order of the court to the office of judicial administration:

(1) for transmission to NICS (as defined in IC 35-47-2.5-2.5); **and**

(2) beginning July 1, 2021, for the collection of certain data related to the confiscation and retention of firearms taken from dangerous individuals;

in accordance with IC 33-24-6-3.

(e) If the court orders a law enforcement agency to retain a firearm, the law enforcement agency shall retain the firearm until the court orders the firearm returned or otherwise disposed of.

(f) If the court determines that the state has failed to prove by clear and convincing evidence that the individual is dangerous, the court shall issue a written order that:

(1) the individual is not dangerous (as defined in section 1 of this chapter); and

(2) the law enforcement agency having custody of the firearm shall return the firearm as quickly as practicable, but not later than five (5) days after the date of the order, to the individual from whom it was seized.

SECTION 18. IC 35-47-14-8, AS AMENDED BY P.L.289-2019, SECTION 12, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) At least one hundred eighty (180) days after the date on which a court orders a law enforcement agency to retain an individual's firearm under section 6(c) of this chapter, the individual may petition the court for a finding that the individual is no longer dangerous.

(b) Upon receipt of a petition described in subsection (a), the court shall:

(1) enter an order setting a date for a hearing on the petition; and

(2) inform the prosecuting attorney of the date, time, and location of the hearing.

(c) The prosecuting attorney shall represent the state at the hearing on a petition under this section.

(d) In a hearing on a petition under this section, the individual may be represented by an attorney.

(e) In a hearing on a petition under this section filed:

(1) not later than one (1) year after the date of the order issued under section 6(c) of this chapter, the individual must prove by a preponderance of the evidence that the individual is no longer dangerous; and

(2) later than one (1) year after the date of the order issued under section 6(c) of this chapter, the state must prove by clear and convincing evidence that the individual is still dangerous.

(f) If, upon the completion of the hearing and consideration of the record, the court finds that the individual is no longer dangerous, the court shall:

(1) issue a court order that finds that the individual is no longer dangerous;

(2) order the law enforcement agency having custody of any firearm to return the firearm as quickly as practicable, but not later than five (5) days after the date of the order, to the individual;

(3) terminate any injunction issued under section 6 of this chapter; and

(4) terminate the suspension of the individual's license to carry a handgun so that the individual may reapply for a license.

(g) If the court denies an individual's petition under this section, the individual may not file a subsequent petition until at least one hundred eighty (180) days after the date on which the court denied the petition.

(h) If a court issues an order described under subsection (f), the court's order shall be transmitted, as soon as practicable, to the office of judicial administration for transmission to the NICS (as defined in IC 35-47-2.5-2.5) **and, beginning July 1, 2021, for the collection of certain data related to the confiscation and retention of firearms taken from dangerous individuals** in accordance with IC 33-24-6-3.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1132 as printed January 24, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1148, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 10, after "completed." insert "**The candidate is responsible for compliance with subsection (e) and subject to action under subsection (f).**".

Page 2, line 12, after "first" insert "**of**".

(Reference is to HB 1148 as printed January 14, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1151, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 10, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1153, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 2. IC 20-30-5-14, AS AMENDED BY P.L.57-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) As used in this section, "Indiana career explorer program and standards" refers to the:

(1) Internet based system approved by the department of workforce development; and

(2) standards established by the department of workforce development that are aligned to interdisciplinary employability skills standards prescribed in subsection ~~(c);~~ **(d);**

that provides students with career and college planning resources. **This subsection expires June 30, 2021.**

(b) This subsection applies beginning July 1, 2021. As used in this section, "Indiana career explorer program" refers to software or an Internet based system approved by the department of workforce development under subsection (m) that provides students with career and college planning resources.

~~(b)~~ **(c)** To:

(1) educate students on the importance of their future

career choices;

(2) prepare students for the realities inherent in the work environment; and

(3) instill in students work values that will enable them to succeed in their respective careers;

each school within a school corporation shall include in the school's curriculum for all students in grades 1 through 12 instruction concerning employment matters and work values described in subsection ~~(c).~~ **(d).**

~~(c) Not later than July 1, 2019,~~ **(d)** Each school within a school corporation shall include interdisciplinary employability skills standards established by the department, in conjunction with the department of workforce development, and approved by the state board in the school's curriculum.

~~(d)~~ **(e)** Each school shall:

(1) integrate within the curriculum instruction that is; or

(2) conduct activities or special events periodically that are;

designed to foster overall career awareness and career development as described in subsection ~~(b).~~ **(c).**

~~(e)~~ **(f)** The department shall develop career awareness and career development models as described in subsection ~~(f)~~ **(g)** to assist schools in complying with this section.

~~(f)~~ **(g)** The models described in this subsection must be developed in accordance with the following:

(1) For grades 1 through 5, career awareness models to introduce students to work values and basic employment concepts.

(2) For grades 6 through 8, initial career information models that focus on career choices as they relate to student interest and skills.

(3) For grades 9 through ~~10,~~ **12,** career exploration models that offer students insight into future employment options **and**

~~(4) For grades 11 through 12,~~ career preparation models that provide job or further education counseling, including the following:

(A) Initial job counseling, including the use of job service officers to provide school based assessment, information, and guidance on employment options and the rights of students as employees.

(B) Workplace orientation visits.

(C) On-the-job experience exercises.

~~(g)~~ **(h)** The department, with assistance from the department of labor and the department of workforce development, shall:

(1) develop and make available teacher guides; and

(2) conduct seminars or other teacher education activities;

to assist teachers in providing the instruction described in this section.

~~(h)~~ **(i)** The department shall, with assistance from the department of workforce development, design and implement innovative career preparation demonstration projects for students in at least grade 9.

~~(i) Beginning July 1, 2017, the department, in consultation with the department of workforce development, shall implement a pilot program for instruction in and use of the Indiana career explorer program and standards by all students in grade 8 attending schools in fifteen (15) schools. The department shall select the following to participate in the pilot program:~~

~~(1) Five (5) urban schools.~~

~~(2) Five (5) rural schools.~~

~~(3) Five (5) suburban schools.~~

~~The pilot program expires July 1, 2018, unless the department determines that the pilot program should be continued for an additional year. If the department determines that the pilot program should be extended, the department, in consultation with the department of workforce development, shall increase the number of schools involved in the pilot program by at least fifteen (15) additional schools in the second year of the pilot program, if possible based on the interest from schools. The pilot program expires July 1, 2019.~~

(j) ~~Beginning July 1 in the year in which the pilot program described in subsection (i) expires,~~ Each school in a school corporation and each charter school shall include in the school's curriculum state developed career standards for all students in grade 8 that include instruction in and use of either:

(1) the Indiana career explorer program and standards; or

(2) an alternative Internet based system and standards that provide students with career and college planning resources that have been approved by the state board under subsection ~~(k).~~ **(l).**

This subsection expires June 30, 2021.

(k) Beginning July 1, 2021, each school in a school corporation and each charter school:

(1) shall include in the school's curriculum state developed career standards for all students in grade 8; and

(2) except as required by subdivision (1), may include in the school's curriculum state developed career standards for all students in any grade level;

that include instruction in and use of the Indiana career explorer program.

~~(k)~~ **(l)** A school corporation or charter school may submit a request to the state board to approve an alternative Internet based system and standards that provide students with career and college planning resources. The state board, in consultation with the department and the department of workforce development, may approve an alternative system and standards if the state board determines that the alternative system:

(1) has an aptitude assessment tool;

(2) contains educational course track information;

(3) has a tool for the preparation and development of the graduation plan prescribed in IC 20-30-4, including a parent sign in component;

(4) allows access to education and career demand information using data prepared by the department of workforce development; and

(5) is aligned to interdisciplinary employability skills standards prescribed in subsection ~~(c).~~ **(d).**

This subsection expires June 30, 2021.

(m) Beginning July 1, 2021, the department of workforce development shall implement an Indiana career explorer program that includes software or an Internet based system that does the following:

(1) Provides access to education and career demand information using data prepared by the department of

workforce development.

(2) Provides educational and career assessments or tools that:

(A) must include an aptitude and career assessment;

(B) are aligned to interdisciplinary employability skills standards prescribed in subsection (d); and

(C) may include:

(i) educational course track information; and

(ii) a tool for the preparation and development of the graduation plan prescribed in IC 20-30-4, including a parent sign-in component.

SECTION 3. IC 20-30-5-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 14.5. (a) Not later than December 31, 2020, the department of workforce development shall issue a request for proposals in accordance with IC 5-22-9 for the purpose of entering a public-private partnership for the provision of educational and career assessments or tools described in section 14(m)(2) of this chapter.**

(b) The department of workforce development shall complete the request for proposals process and implement the Indiana career explorer program described in section 14(m) of this chapter not later than July 1, 2021.

(c) The department of workforce development may adopt rules under IC 4-22-2 to implement this section and section 14(m) of this chapter.

(d) This section expires July 1, 2022.

SECTION 4. IC 20-31-5-4, AS AMENDED BY P.L.143-2019, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) A plan must:

(1) state objectives for a three (3) year period; and

(2) be annually reviewed and revised to accomplish the achievement objectives of the school.

(b) A plan must establish objectives for the school to achieve.

(c) A plan must address the learning needs of all students, including programs and services for exceptional learners.

(d) A plan must specify how and to what extent the school expects to make continuous improvement in all areas of the education system where results are measured by setting benchmarks for progress on an individual school basis.

(e) A plan must note specific areas where improvement is needed immediately.

(f) ~~On or before November 1 of the year in which the pilot program described in IC 20-30-5-14(i) expires,~~ Each school in a school corporation and each charter school shall include in the plan a summary of how the school will implement the curriculum described in ~~IC 20-30-5-14(f),~~ **IC 20-30-5-14(g),** including the proposed student activities. A school may subsequently amend the school's plan under this subsection in a manner prescribed by the department. The department shall review the submitted plans under this subsection every two (2) years and may review a plan at random to review the relevancy of the plan to the changing economy. The department shall assist schools in incorporating best practices from around the state.

(g) Each year before November 1, the budget agency shall estimate the costs incurred by each school corporation in the immediately preceding school year to implement the curriculum described in ~~IC 20-30-5-14(f),~~ **IC 20-30-5-14(g),** including the proposed student activities, and submit a report of these costs by school corporation to the general assembly in an electronic format under IC 5-14-6.

SECTION 5. IC 20-32-4-15 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 15. (a) The following definitions apply throughout this section:**

(1) "Utility career cluster" means a list:

(A) compiled for purposes of college and career pathways relating to career and technical education under section 1.5(g) of this chapter; and

(B) setting forth industries or occupational fields that:

(i) are related to the provision of utility services; and

(ii) share similar knowledge and skill training requirements.

(2) "Utility services" includes:

(A) production, transmission, or distribution of electricity;

(B) acquisition, transportation, distribution, or storage of natural gas;

(C) provision of communications service (as defined in IC 8-1-32.5-3);

(D) treatment, storage, or distribution of water; and

(E) collection or treatment of wastewater.

(b) Not later than December 31, 2020:

(1) the state board shall, for purposes of developing sequences of courses leading to student concentrators in industries or occupational fields related to the provision of utility services under section 1.5(g) of this chapter, approve a utility career cluster; and

(2) the governor's workforce cabinet, in consultation with the state board, department, and department of workforce development, shall create one (1) or more course sequences:

(A) each of which is comprised of courses approved by the state board for purposes of college and career pathways relating to career and technical education under section 1.5(g) of this chapter; and

(B) each of which provides students with knowledge and skills necessary for employment in an industry or occupational field in the utility career cluster.

(c) In creating one (1) or more course sequences under subsection (b)(2), the governor's workforce cabinet, in consultation with the state board, department, and department of workforce development, shall:

(1) consider the impact of course sequences on the long term outcomes of students; and

(2) prioritize course sequences that lead to high wage, high demand jobs.

SECTION 6. IC 20-32-4-16 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 16. (a) Section 15(c) of this chapter and this section apply to any:**

(1) career clusters approved or amended, after July 1,

2020, by the state board; or

(2) course sequences leading to student concentrators created or amended, after July 1, 2020, by the governor's workforce cabinet in consultation with the state board, department, and department of workforce development.

(b) The governor's workforce cabinet shall do the following:

(1) Collect data each year regarding approved career clusters and course sequences to inform decision making around approving, creating, and amending current and future career clusters and course sequence requirements.

(2) Prepare and submit, not later than November 1 of each year, a report to the legislative council in an electronic format under IC 5-14-6 regarding the data collected under subdivision (1).

SECTION 7. IC 22-4.1-25-2, AS ADDED BY P.L.57-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) The department shall establish and maintain a work ethic certificate program to:

(1) connect employers to local school corporations and schools to create a collaborative partnership that benefits the community;

(2) provide high school students with an understanding of necessary employability skills for in-demand jobs and allow students an opportunity to demonstrate their understanding of the employability skills while in high school; and

(3) provide employers with potential employees who understand the values and importance of responsibility and perseverance in the workplace.

(b) The department shall develop the program in consultation with employers, community based programs, and postsecondary educational institutions. The department shall develop application guidelines for the program.

(c) A school corporation, school, consortium of school corporations or schools, or a local workforce development board serving schools may apply to participate in the program at a time and in a manner prescribed by the department.

(d) The department shall align the program to interdisciplinary employability skills standards prescribed in ~~IC 20-30-5-14(c).~~ **IC 20-30-5-14(d).**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1153 as printed January 24, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1157, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-21-3-7, AS AMENDED BY P.L.149-2015, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) Whenever traffic is controlled by traffic control signals exhibiting different colored lights or colored lighted arrows successively, one (1) at a time or in combination, only the colors green, red, or yellow may be used, except for special pedestrian signals under IC 9-21-18.

(b) The lights indicate and apply to drivers of vehicles and pedestrians as follows:

(1) Green indication means the following:

(A) Vehicular traffic facing a circular green signal may proceed straight through or turn right or left, unless a sign at the place prohibits either turn.

(B) Vehicular traffic, including vehicles turning right or left, shall yield the right-of-way to other vehicles and to pedestrians lawfully within the intersection or an adjacent sidewalk at the time the signal is exhibited.

(C) Vehicular traffic facing a green arrow signal, shown alone or in combination with another indication, may cautiously enter the intersection only to make the movement indicated by the green arrow or other movement permitted by other indications shown at the same time.

(D) Vehicular traffic shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic lawfully using the intersection.

(E) Unless otherwise directed by a pedestrian control signal, pedestrians facing a green signal, except when the sole green signal is a turn arrow, may proceed across the roadway within a marked or unmarked crosswalk.

(2) Steady yellow indication means the following:

(A) Vehicular traffic facing a steady circular yellow or yellow arrow signal is warned that the related green movement is being terminated and that a red indication will be exhibited immediately thereafter.

(B) A pedestrian facing a steady circular yellow or yellow arrow signal, unless otherwise directed by a pedestrian control signal, is advised that there is insufficient time to cross the roadway before a red indication is shown, and a pedestrian may not start to cross the roadway at that time.

(3) Steady red indication means the following:

(A) Except as provided in clauses (B) and (D), vehicular traffic facing a steady circular red or red arrow signal shall stop at a clearly marked stop line. However, if there is no clearly marked stop line, vehicular traffic shall stop before entering the crosswalk on the near side of the intersection. If there is no crosswalk, vehicular traffic shall stop before entering the intersection and shall remain standing until an indication to proceed is shown.

(B) Except when a sign is in place prohibiting a turn described in this subdivision, vehicular traffic facing a steady red signal, after coming to a complete stop, may cautiously enter the intersection to do the following:

(i) Make a right turn.

(ii) Make a left turn if turning from the left lane of a one-way street into another one-way street with the flow of traffic.

Vehicular traffic making a turn described in this subdivision shall yield the right-of-way to pedestrians lawfully within an adjacent crosswalk and to other traffic using the intersection.

(C) Unless otherwise directed by a pedestrian control signal pedestrians facing a steady circular red or red arrow signal may not enter the roadway.

(D) This clause does not apply to the operation of an autocycle. If the operator of a motorcycle, motor driven cycle, or bicycle approaches an intersection that is controlled by a traffic control signal, the operator may proceed through the intersection on a steady red signal only if the operator:

(i) comes to a complete stop at the intersection for at least one hundred twenty (120) seconds; and

(ii) exercises due caution as provided by law, otherwise treats the traffic control signal as a stop sign, and determines that it is safe to proceed.

(4) No indication or conflicting indications means the following:

(A) Except as provided in clause (C), vehicular traffic facing an intersection having a signal that displays no indication or conflicting indications, where no other control is present, shall stop before entering the intersection.

(B) After stopping, vehicular traffic may proceed with caution through the intersection and shall yield the right-of-way to traffic within the intersection or approaching so closely as to constitute an immediate hazard.

(C) Vehicular traffic entering an intersection or crosswalk facing a pedestrian hybrid beacon may proceed without stopping if no indication is displayed on the pedestrian hybrid beacon.

(5) This section applies to traffic control signals located at a place other than an intersection. A stop required under this subdivision must be made at the signal, except when the signal is supplemented by a sign or pavement marking indicating where the stop must be made.

(c) A person who violates this section commits a Class C infraction. However, a failure to stop under subsection (b)(3) that results in bodily injury to a person is a Class A infraction.

SECTION 2. IC 9-21-3-8, AS AMENDED BY P.L.43-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) This section does not apply at railroad grade crossings.

(b) Whenever an illuminated flashing red or yellow light is used in a traffic signal or with a traffic sign, vehicular traffic shall obey the signal in the following manner:

(1) Flashing red (stop signal) means the following:

(A) When a red lens is illuminated by rapid intermittent flashes, a person who drives a vehicle shall stop at a clearly marked stop line before entering the crosswalk on the near side of the intersection.

(B) If no line exists, the person shall stop at the point nearest the intersecting roadway where the person has a view of approaching traffic on the intersecting roadway before entering the roadway.

(C) The right to proceed is subject to the rules applicable after making a stop at a stop sign.

(2) Except as provided in subdivision (3), flashing yellow (caution signal) means that when a yellow lens is illuminated with rapid intermittent flashes, a person who drives a vehicle may proceed through the intersection or past the signal only with caution.

(3) When a yellow lens with an arrow is illuminated with rapid intermittent flashes, a person who operates a vehicle may turn only after yielding to oncoming traffic.

(c) A person who violates this section commits a Class C infraction. However, a failure to stop under subsection (b)(1) that results in bodily injury to a person is a Class A infraction.

SECTION 3. IC 9-21-3-11, AS AMENDED BY P.L.217-2014, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. A person who violates section ~~7, 8, or~~ 9 of this chapter commits a Class C infraction.

SECTION 4. IC 9-21-8-31 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 31. (a) A person who drives a vehicle shall do the following:

(1) Stop as required under this article at the entrance to a through highway.

(2) Yield the right-of-way to other vehicles that have entered the intersection from the through highway or that are approaching so closely on the through highway as to constitute an immediate hazard.

(b) After yielding as described in subsection (a)(2), the person who drives a vehicle may proceed and persons who drive other vehicles approaching the intersection on the through highway shall yield the right-of-way to the vehicle proceeding into or across the through highway.

(c) A person who violates this section commits a Class C infraction. However, a failure to stop under subsection (a)(1) that results in bodily injury to a person is a Class A infraction.

SECTION 5. IC 9-21-8-32 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 32. **(a)** A person who drives a vehicle shall stop at an intersection where a stop sign is erected at one (1) or more entrances to a through highway that are not a part of the through highway and proceed cautiously, yielding to vehicles that are not required to stop.

(b) A person who violates this section commits a Class C infraction. However, a failure to stop under this section that results in bodily injury to a person is a Class A infraction.

SECTION 6. IC 9-21-8-49, AS AMENDED BY P.L.188-2015, SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 49. Except as provided in sections **31, 32,** 35, 50, 51, 52, 55, 56, and 58 of this chapter, a person who violates this chapter commits a Class C infraction.

SECTION 7. IC 9-30-6-7, AS AMENDED BY P.L.85-2013,

SECTION 93, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) If a person refuses to submit to a chemical test, the arresting officer shall inform the person that refusal will result in the suspension of the person's driving privileges, **and that the person will not be eligible for specialized driving privileges for at least one hundred eighty (180) days following the suspension.**

(b) If a person refuses to submit to a chemical test after having been advised that the refusal will result in the suspension of driving privileges or submits to a chemical test that results in prima facie evidence of intoxication, the arresting officer shall do the following:

(1) Obtain the person's driver's license or permit if the person is in possession of the document and issue a receipt valid until the initial hearing of the matter held under IC 35-33-7-1.

(2) Submit a probable cause affidavit to the prosecuting attorney of the county in which the alleged offense occurred.".

Page 1, line 7, strike "section 9(c)" and insert "**section 9(b)**".

Page 1, line 8, delete "section 9(b)" and insert "**section 9(c)**".

Page 1, between lines 10 and 11, begin a new paragraph and insert:

"SECTION 9. IC 9-30-7-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A law enforcement officer shall offer a portable breath test or chemical test to any person who the officer has reason to believe operated a vehicle that was involved in a fatal accident or an accident involving serious bodily injury. **If the person refuses to submit to the breath test, the officer shall inform the person that refusal will result in the suspension of the person's driving privileges, and that the person will not be eligible for specialized driving privileges for at least one hundred eighty (180) days following the suspension.** If:

(1) the results of a portable breath test indicate the presence of alcohol;

(2) the results of a portable breath test do not indicate the presence of alcohol but the law enforcement officer has probable cause to believe the person is under the influence of a controlled substance or another drug; or

(3) the person refuses to submit to a portable breath test;

the law enforcement officer shall offer a chemical test to the person.

(b) A law enforcement officer may offer a person more than one (1) portable breath test or chemical test under this section. However, all chemical tests must be administered within three (3) hours after the fatal accident or the accident involving serious bodily injury.

(c) It is not necessary for a law enforcement officer to offer a portable breath test or chemical test to an unconscious person.

SECTION 10. IC 9-30-13-0.5, AS AMENDED BY P.L.198-2016, SECTION 604, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.5. (a) A court shall forward to the bureau a certified abstract of the record of the conviction of a person in the court for a violation of a law relating to motor vehicles.

(b) If in the opinion of the court a defendant should be deprived of the privilege to operate a motor vehicle upon a public highway, the court may recommend the suspension of the convicted person's driving privileges for a period that does not exceed:

(1) the maximum period of incarceration for the offense of which the person was convicted; **or**

(2) one hundred eighty (180) days, if the person was adjudicated to have committed a Class A or Class B infraction under IC 9-21-8.

(c) The bureau shall comply with the court's recommendation.

(d) At the time of a conviction referred to in subsection (a) or under IC 9-30-5-7, the court may obtain and destroy the defendant's current driver's license.

(e) An abstract required by this section must be in the form prescribed by the bureau and, when certified, shall be accepted by an administrative agency or a court as prima facie evidence of the conviction and all other action stated in the abstract.".

Page 4, line 12, delete "the person installs a certified ignition interlock device; and" and insert "**at least one hundred eighty (180) days have elapsed since the person's license was suspended for refusal to submit to a chemical test offered under IC 9-30-6 or IC 9-30-7; and**".

Page 5, after line 7, begin a new paragraph and insert:

"SECTION 14. IC 34-28-5-1, AS AMENDED BY P.L.198-2016, SECTION 667, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) An action to enforce a statute defining an infraction shall be brought in the name of the state of Indiana by the prosecuting attorney for the judicial circuit in which the infraction allegedly took place. However, if the infraction allegedly took place on a public highway (as defined in IC 9-25-2-4) that runs on and along a common boundary shared by two (2) or more judicial circuits, a prosecuting attorney for any judicial circuit sharing the common boundary may bring the action.

(b) An action to enforce an ordinance shall be brought in the name of the municipal corporation. The municipal corporation need not prove that it or the ordinance is valid unless validity is controverted by affidavit.

(c) Actions under this chapter (or IC 34-4-32 before its repeal):

(1) shall be conducted in accordance with the Indiana Rules of Trial Procedure; and

(2) must be brought within two (2) years after the alleged conduct or violation occurred.

(d) The plaintiff in an action under this chapter must prove the commission of an infraction or ordinance violation by a preponderance of the evidence.

(e) The complaint and summons described in IC 9-30-3-6 may be used for any infraction or ordinance violation.

~~(f) Subsection (g) does not apply to an individual who is alleged to have committed an infraction under any of the following when the individual was less than eighteen (18) years of age at the time of the alleged offense:~~

~~IC 9-19~~

~~IC 9-21~~

~~IC 9-24~~

~~IC 9-25~~

~~IC 9-26~~

~~IC 9-30-5~~

~~IC 9-30-10~~
~~IC 9-30-15.~~

~~(g)~~ **(f)** This subsection does not apply to an offense or violation under IC 9-24-6 (before its repeal) or IC 9-24-6.1 involving the operation of a commercial motor vehicle. The prosecuting attorney or the attorney for a municipal corporation may establish a deferral program for deferring actions brought under this section. Actions may be deferred under this section if:

(1) the defendant in the action agrees to conditions of a deferral program offered by the prosecuting attorney or the attorney for a municipal corporation;

(2) the defendant in the action agrees to pay to the clerk of the court an initial user's fee and monthly user's fee set by the prosecuting attorney or the attorney for the municipal corporation in accordance with IC 33-37-4-2(e);

(3) the terms of the agreement are recorded in an instrument signed by the defendant and the prosecuting attorney or the attorney for the municipal corporation;

(4) the defendant in the action agrees to pay a fee of seventy dollars ($70) to the clerk of court if the action involves a moving traffic offense (as defined in IC 9-13-2-110);

(5) the agreement is filed in the court in which the action is brought; and

(6) if the deferral program is offered by the prosecuting attorney, the prosecuting attorney electronically transmits information required by the prosecuting attorneys council concerning the withheld prosecution to the prosecuting attorneys council, in a manner and format designated by the prosecuting attorneys council.

When a defendant complies with the terms of an agreement filed under this subsection (or IC 34-4-32-1(f) before its repeal), the prosecuting attorney or the attorney for the municipal corporation shall request the court to dismiss the action. Upon receipt of a request to dismiss an action under this subsection, the court shall dismiss the action. An action dismissed under this subsection (or IC 34-4-32-1(f) before its repeal) may not be refiled.

~~(h)~~ **(g)** If a judgment is entered against a defendant in an action to enforce an ordinance, the defendant may perform community restitution or service (as defined in IC 35-31.5-2-50) instead of paying a monetary judgment for the ordinance violation as described in section 4(e) of this chapter if:

(1) the:

(A) defendant; and

(B) attorney for the municipal corporation;

agree to the defendant's performance of community restitution or service instead of the payment of a monetary judgment;

(2) the terms of the agreement described in subdivision (1):

(A) include the amount of the judgment the municipal corporation requests that the defendant pay under section 4(e) of this chapter for the ordinance violation if the defendant fails to perform the community restitution or service provided for in the agreement as approved by the court; and

(B) are recorded in a written instrument signed by the defendant and the attorney for the municipal corporation;

(3) the agreement is filed in the court where the judgment was entered; and

(4) the court approves the agreement.

If a defendant fails to comply with an agreement approved by a court under this subsection, the court shall require the defendant to pay up to the amount of the judgment requested in the action under section 4(e) of this chapter as if the defendant had not entered into an agreement under this subsection.

SECTION 15. IC 34-28-5-4, AS AMENDED BY P.L.146-2016, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) A judgment of up to ten thousand dollars ($10,000) may be entered for a violation constituting a Class A infraction.

(b) A judgment of up to one thousand dollars ($1,000) may be entered for a violation constituting a Class B infraction.

(c) Except as provided in subsection (f), a judgment of up to five hundred dollars ($500) may be entered for a violation constituting a Class C infraction.

(d) A judgment of up to twenty-five dollars ($25) may be entered for a violation constituting a Class D infraction.

(e) Subject to section ~~1(i)~~ **1(g)** of this chapter, a judgment:

(1) up to the amount requested in the complaint; and

(2) not exceeding any limitation under IC 36-1-3-8;

may be entered for an ordinance violation.

(f) Except as provided in subsections (g) and (h), a person who has admitted to a moving violation constituting a Class C infraction, pleaded nolo contendere to a moving violation constituting a Class C infraction, or has been found by a court to have committed a moving violation constituting a Class C infraction may not be required to pay more than the following amounts for the violation:

(1) If, before the appearance date specified in the summons and complaint, the person mails or delivers an admission of the moving violation or a plea of nolo contendere to the moving violation, the person may not be required to pay any amount, except court costs and a judgment that does not exceed thirty-five dollars and fifty cents ($35.50).

(2) If the person admits the moving violation or enters a plea of nolo contendere to the moving violation on the appearance date specified in the summons and complaint, the person may not be required to pay any amount, except court costs and a judgment that does not exceed thirty-five dollars and fifty cents ($35.50).

(3) If the person contests the moving violation in court and is found to have committed the moving violation, the person may not be required to pay any amount, except:

(A) court costs and a judgment that does not exceed thirty-five dollars and fifty cents ($35.50) if, in the five (5) years before the appearance date specified in the summons and complaint, the person was not found by a court in the county to have committed a moving violation;

(B) court costs and a judgment that does not exceed two hundred fifty dollars and fifty cents ($250.50) if, in the five (5) years before the appearance date specified in the summons and complaint, the person was found by a

court in the county to have committed one (1) moving violation; and

(C) court costs and a judgment that does not exceed five hundred dollars ($500) if, in the five (5) years before the appearance date specified in the summons and complaint, the person was found by a court in the county to have committed two (2) or more moving violations.

In a proceeding under subdivision (3), the court may require the person to submit an affidavit or sworn testimony concerning whether, in the five (5) years before the appearance date specified in the summons and complaint, the person has been found by a court to have committed one (1) or more moving violations.

(g) The amounts described in subsection (f) are in addition to any amount that a person may be required to pay for attending a defensive driving school program.

(h) This subsection applies only to infraction judgments imposed in Marion County for traffic violations after December 31, 2010. Subsection (f) applies to an infraction judgment described in this subsection. However, a court shall impose a judgment of not less than thirty-five dollars ($35) for an infraction judgment that is entered in Marion County. These funds shall be transferred to a dedicated fund in accordance with section 5 of this chapter.

(i) This subsection applies only to infraction judgments imposed in Clark County for toll violations after January 1, 2017. Subsection (f) applies to an infraction judgment described in this subsection. However, a court shall impose a judgment of not less than thirty-five dollars ($35) for an infraction judgment that is entered in Clark County. These funds shall be transferred to a dedicated fund in accordance with section 5(f) of this chapter.

SECTION 16. IC 34-28-5-8, AS AMENDED BY P.L.200-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. The violations clerk or deputy violations clerk shall:

(1) accept:

(A) written appearances;

(B) waivers of trial;

(C) admissions of violation;

(D) declarations of nolo contendere for moving traffic violations;

(E) payments of judgments (including costs) in traffic violation cases;

(F) deferral agreements made under ~~section 1(f)~~ **section 1** of this chapter (or IC 34-4-32-1(f) before its repeal) and deferral program fees prescribed under IC 33-37-4-2(e); and

(G) community restitution or service agreements made under section 1(g) of this chapter;

(2) issue receipts and account for any judgments (including costs) collected; and

(3) pay the judgments (including costs) collected to the appropriate unit of government as provided by law.

SECTION 17. IC 34-28-5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. The court shall:

(1) designate the traffic violations within the authority of the violations clerk, but these violations may not include misdemeanors or felonies;

(2) establish schedules, within limits prescribed by law, of the judgments to be imposed for first violations, designating each violation specifically;

(3) order that the schedule of judgments be prominently posted in the place where the fines are paid;

(4) establish a procedure under which any violations clerk or deputy violations clerk shall accept, receipt, and account for all money tendered for designated traffic violations; and

(5) dismiss deferred actions if a dismissal request is made under ~~section 1(f)~~ **section 1** of this chapter (or IC 34-4-32-1(f) before its repeal).

SECTION 18. IC 35-46-9-9, AS ADDED BY P.L.40-2012, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) A law enforcement officer who has probable cause to believe that a person has committed an offense under this chapter shall offer the person the opportunity to submit to a chemical test. **If the person refuses to submit to the breath test, the officer shall inform the person that refusal will result in the suspension of the person's driving privileges, and that the person will not be eligible for specialized driving privileges for at least one hundred eighty (180) days following the suspension.** It is not necessary for the law enforcement officer to offer a chemical test to an unconscious person.

(b) A law enforcement officer may offer a person more than one (1) chemical test under this chapter. However, all tests must be administered within three (3) hours after the officer had probable cause to believe the person violated this chapter.

(c) A person must submit to each chemical test offered by a law enforcement officer to comply with the implied consent provisions of this chapter.

SECTION 19. IC 35-46-9-10, AS ADDED BY P.L.40-2012, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) A law enforcement officer shall offer a portable breath test or chemical test to any person if the officer has reason to believe the person operated a motorboat that was involved in a fatal accident or an accident involving serious bodily injury. **If the person refuses to submit to the breath test, the officer shall inform the person that refusal will result in the suspension of the person's driving privileges, and that the person will not be eligible for specialized driving privileges for at least one hundred eighty (180) days following the suspension.** If:

(1) the results of a portable breath test indicate the presence of alcohol;

(2) the results of a portable breath test do not indicate the presence of alcohol but the law enforcement officer has probable cause to believe the person is under the influence of a controlled substance or another drug; or

(3) the person refuses to submit to a portable breath test;

the law enforcement officer shall offer a chemical test to the person.

(b) A law enforcement officer may offer a person more than one (1) portable breath test or chemical test under this section. However, all chemical tests must be administered within three (3) hours after the fatal accident or the accident involving serious

bodily injury.

(c) It is not necessary for a law enforcement officer to offer a portable breath test or chemical test to an unconscious person.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1157 as printed January 17, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 7, Nays 2.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1182, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 4, between lines 4 and 5, begin a new paragraph and insert:

"SECTION 1. IC 16-18-2-163, AS AMENDED BY P.L.2-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 163. (a) **Except as provided in subsection (c),** "health care provider", for purposes of IC 16-21 and IC 16-41, means any of the following:

(1) An individual, a partnership, a corporation, a professional corporation, a facility, or an institution licensed or legally authorized by this state to provide health care or professional services as a licensed physician, a psychiatric hospital, a hospital, a health facility, an emergency ambulance service (IC 16-31-3), a dentist, a registered or licensed practical nurse, a midwife, an optometrist, a pharmacist, a podiatrist, a chiropractor, a physical therapist, a respiratory care practitioner, an occupational therapist, a psychologist, a paramedic, an emergency medical technician, an advanced emergency medical technician, an athletic trainer, or a person who is an officer, employee, or agent of the individual, partnership, corporation, professional corporation, facility, or institution acting in the course and scope of the person's employment.

(2) A college, university, or junior college that provides health care to a student, a faculty member, or an employee, and the governing board or a person who is an officer, employee, or agent of the college, university, or junior college acting in the course and scope of the person's employment.

(3) A blood bank, community mental health center, community intellectual disability center, community health center, or migrant health center.

(4) A home health agency (as defined in IC 16-27-1-2).

(5) A health maintenance organization (as defined in IC 27-13-1-19).

(6) A health care organization whose members, shareholders, or partners are health care providers under subdivision (1).

(7) A corporation, partnership, or professional corporation not otherwise qualified under this subsection that:

(A) provides health care as one (1) of the corporation's, partnership's, or professional corporation's functions;

(B) is organized or registered under state law; and

(C) is determined to be eligible for coverage as a health care provider under IC 34-18 for the corporation's, partnership's, or professional corporation's health care function.

Coverage for a health care provider qualified under this subdivision is limited to the health care provider's health care functions and does not extend to other causes of action.

(b) "Health care provider", for purposes of IC 16-35, has the meaning set forth in subsection (a). However, for purposes of IC 16-35, the term also includes a health facility (as defined in section 167 of this chapter).

(c) "Health care provider", for purposes of IC 16-32-5, IC 16-36-5, ~~and~~ IC 16-36-6, **and IC 16-41-10** means an individual licensed or authorized by this state to provide health care or professional services as:

(1) a licensed physician;

(2) a registered nurse;

(3) a licensed practical nurse;

(4) an advanced practice registered nurse;

(5) a certified nurse midwife;

(6) a paramedic;

(7) an emergency medical technician;

(8) an advanced emergency medical technician;

(9) an emergency medical responder, as defined by section 109.8 of this chapter;

(10) a licensed dentist;

(11) a home health aide, as defined by section 174 of this chapter; or

(12) a licensed physician assistant.

The term includes an individual who is an employee or agent of a health care provider acting in the course and scope of the individual's employment.

(d) "Health care provider", for purposes of section 1.5 of this chapter and IC 16-40-4, means any of the following:

(1) An individual, a partnership, a corporation, a professional corporation, a facility, or an institution licensed or authorized by the state to provide health care or professional services as a licensed physician, a psychiatric hospital, a hospital, a health facility, an emergency ambulance service (IC 16-31-3), an ambulatory outpatient surgical center, a dentist, an optometrist, a pharmacist, a podiatrist, a chiropractor, a psychologist, or a person who is an officer, employee, or agent of the individual, partnership, corporation, professional corporation, facility, or institution acting in the course and scope of the person's employment.

(2) A blood bank, laboratory, community mental health center, community intellectual disability center, community health center, or migrant health center.

(3) A home health agency (as defined in IC 16-27-1-2).

(4) A health maintenance organization (as defined in IC 27-13-1-19).

(5) A health care organization whose members, shareholders, or partners are health care providers under subdivision (1).

(6) A corporation, partnership, or professional corporation not otherwise specified in this subsection that:

(A) provides health care as one (1) of the corporation's, partnership's, or professional corporation's functions;

(B) is organized or registered under state law; and

(C) is determined to be eligible for coverage as a health care provider under IC 34-18 for the corporation's, partnership's, or professional corporation's health care function.

(7) A person that is designated to maintain the records of a person described in subdivisions (1) through (6).

(e) "Health care provider", for purposes of IC 16-45-4, has the meaning set forth in 47 CFR 54.601(a).".

Page 8, line 11, strike "subsection (d)," and insert "**subsection (e),**".

Page 8, line 25, delete "blood borne" and insert "**bloodborne**".

Page 9, strike lines 14 through 21.

Page 15, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 25. IC 16-41-7.5-6, AS AMENDED BY P.L.198-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. A qualified entity that operates a program under this chapter must do the following:

(1) Annually register the program in a manner prescribed by the state department with the:

(A) state department; and

(B) local health department in the county or municipality where services will be provided by the qualified entity if the qualified entity is not the local health department.

(2) Have one (1) of the following licensed in Indiana provide oversight to the qualified entity's programs:

(A) A physician.

(B) A registered nurse.

(C) A physician assistant.

(3) Store and dispose of all syringes and needles collected in a safe and legal manner.

(4) Provide education and training on drug overdose response and treatment, including the administration of an overdose intervention drug.

(5) Provide drug addiction treatment information and referrals to drug treatment programs, including programs in the local area and programs that offer medication assisted treatment that includes a federal Food and Drug Administration approved long acting, nonaddictive medication for the treatment of opioid or alcohol dependence.

(6) Provide syringe and needle distribution and collection without collecting or recording personally identifiable information.

(7) Operate in a manner consistent with public health and safety.

(8) Ensure the program is medically appropriate and part of a comprehensive public health response.

(9) Keep sufficient quantities of an overdose intervention drug (as defined in IC 16-18-2-263.9) in stock and to administer in accordance with IC 16-42-27.

(10) Provide testing for communicable diseases, and if an individual tests positive for a communicable disease, provide health care services or a referral to a health care provider for the services.

(11) Establish a referral process for program participants in need of:

(A) information or education concerning communicable diseases; or

(B) health care.

SECTION 26. IC 16-41-7.5-12, AS ADDED BY P.L.208-2015, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. **(a)** Before November 1 of each year, the state department shall submit a report concerning syringe exchange programs operated under this chapter to the governor and to the general assembly in an electronic format under IC 5-14-6.

(b) Before November 1, 2020, as part of the report to the general assembly required under subsection (a), the state department shall ensure the report includes the following additional information concerning the program:

(1) The number of programs operating in Indiana.

(2) The data, compiled for each program, reported to the state department under section 10 of this chapter.

(3) Any other information the state department deems relevant to the general assembly in assessing the effectiveness of having a program in the state.

SECTION 27. IC 16-41-7.5-14, AS AMENDED BY P.L.198-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. This chapter expires July 1, ~~2021.~~ **2022.**".

Page 30, between lines 10 and 11, begin a new line block indented and insert:

"**(3) A health care provider who is exposed to blood and body fluids while providing medical care to a patient.**".

Page 30, line 11, after "provider" insert ", **a health care provider,**".

Page 30, line 16, after "provider" insert ", **a health care provider,**".

Page 30, line 19, after "provider" insert ", **health care provider,**".

Page 30, line 20, after "provider's" insert ", **health care provider's,**".

Page 30, line 22, after "provider" insert ", **health care provider,**".

Page 30, line 25, after "provider" insert ", **health care provider,**".

Page 30, line 34, after "provider's" insert ", **health care provider's,**".

Page 30, line 41, after "provider" insert ", **a health care provider,**".

Page 31, line 5, after "provider" insert ", **health care provider,**".

Page 31, line 10, after "provider" insert ", **health care provider,**".

Page 31, line 14, after "provider" insert ", **health care provider,**".

Page 31, line 15, after "provider's" insert ", **health care provider's,**".

Page 31, line 20, after "provider" insert ", **health care provider,**".

Page 31, line 29, after "provider" insert ", **health care provider,**".

Page 31, line 30, after "provider's" insert ", **health care provider's,**".

Page 31, line 35, after "provider" insert ", **health care provider,**".

Page 31, between lines 37 and 38, begin a new paragraph and insert:

"SECTION 41. IC 16-41-10-2.6, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2.6. (a) This section applies to:

(1) an emergency medical services provider; ~~and~~

(2) a law enforcement officer; **and**

(3) a health care provider;

who ~~has~~ **have** been exposed to blood or body fluids as described in section 2(a) of this chapter.

(b) A person to whom this ~~chapter~~ **section** applies may submit an emergency application for a blood or body fluid specimen to a circuit or superior court having jurisdiction to issue a warrant.

(c) An emergency application for a blood or body fluid specimen must be verified and include the following information:

(1) The name and employing agency of the person exposed to the blood or body fluids.

(2) The name of the patient to whose blood or body fluids the person has been exposed.

(3) A concise description of the circumstances under which the exposure occurred.

(4) A concise explanation of why immediate testing is necessary.

(5) Any other information required by the court.

(d) If it appears from the emergency application for a blood or body fluid specimen that:

(1) the person exposed to the blood or body fluid is a person to whom this section applies; and

(2) immediate testing is necessary;

the court shall approve the emergency application for a blood or body fluid specimen ex parte, without notice or a hearing, and issue an emergency order requiring the patient to whose blood or body fluid the emergency medical services provider, **health care provider,** or law enforcement officer has been exposed to provide a blood or body fluid specimen for testing.".

Page 31, line 42, after "provider" insert ", **health care provider,**".

Page 32, line 12, after "provider" insert ", **health care provider,**".

Page 32, line 14, after "provider's" insert "**or health care provider's,**".

Page 32, line 17, after "provider" insert ", **health care provider,**".

Page 32, line 18, after "provider's" insert ", **health care provider's,**".

Page 32, line 23, after "provider" insert ", **health care provider,**".

Page 32, line 27, after "provider" insert "**or health care provider**".

Page 32, line 30, after "employer" insert "**or health care provider's employer**".

Page 32, line 34, after "provider" insert ", **health care provider,**".

Page 33, line 15, after "provider" insert ", **health care provider,**".

Page 33, line 19, after "provider" insert ", **health care provider,**".

Page 33, line 22, after "provider" insert ", **health care provider,**".

Page 33, line 25, after "provider" insert ", **health care provider,**".

Page 35, line 10, delete "IC 16-51" and insert "IC 16-49.5".

Page 35, line 13, delete "51." and insert "**49.5.**".

Page 35, between lines 17 and 18, begin a new paragraph and insert:

"**Sec. 2. As used in this chapter, "SOFR" means suicide and overdose fatality review.**".

Page 35, line 18, delete "2." and insert "**3.**".

Page 35, line 21, delete "IC 16-51-2-1." and insert "**IC 16-49.5-2-1.**".

Page 35, delete lines 22 through 23.

Page 49, line 20, delete "IC 16-51-2," and insert "**IC 16-49.5-2,**".

Page 50, line 1, delete "IC 16-51-2-8" and insert "**IC 16-49.5-2-8**".

Page 50, line 4, delete "IC 16-51-2-11" and insert "**IC 16-49.5-2-11**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1182 as reprinted January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Engrossed House Bill 1207, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective date in SECTION 9 with "[EFFECTIVE UPON PASSAGE]".

Page 2, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 2. IC 5-10-8-23 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 23. (a) As used in this section, "covered individual" means an individual who is entitled to coverage under a state employee health plan.**

(b) As used in this section, "state employee health plan" means the following:

(1) A self-insurance program established under section 7(b) of this chapter.

(2) A contract for prepaid health services under section 7(c) of this chapter.

(c) A state employee health plan shall implement a procedure to allow a covered individual to submit a claim to offset the covered individual's deductible for the cost of a purchase by the covered individual of a prescription drug that:

(1) is covered under the state employee health plan; and

(2) was purchased by the covered individual without submitting at the point of purchase the claim through the state employee health plan.

(d) If a covered individual submits a claim to the state employee health plan in accordance with the procedure established under subsection (c), the state employee health plan shall verify the purchase described under subsection (c) and count the cost of the purchased covered prescription drug against the covered individual's deductible.".

Page 6, line 10, delete "electronically." and insert "**electronically, including but not limited to failure to possess the requisite technology.**".

Page 7, delete lines 1 through 2.

Page 8, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 13. IC 25-26-13-31, AS AMENDED BY P.L.247-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 31. (a) A pharmacist may do the following:

(1) Obtain and maintain patient drug histories and other pharmacy records that are related to drug or device therapies.

(2) Perform drug evaluation, drug utilization review, and drug regimen review.

(3) Participate in the selection, storage, and distribution of drugs, dietary supplements, and devices. However, drug selection must comply with IC 16-42-19 and IC 16-42-22.

(4) Participate in drug or drug related research.

(5) Prescribe any of the following devices or supplies approved by the federal Food and Drug Administration:

(A) Inhalation spacer.

(B) Nebulizer.

(C) Supplies for medical devices, including but not limited to, continuous positive airway pressure (CPAP) machine supplies and insulin pump supplies.

(D) Normal saline and sterile water for irrigation for wound care **or for injection with a prescription drug or device.**

(E) Diabetes blood sugar testing supplies.

(F) Pen needles.

(G) Syringes for medication use.

However, the pharmacist must provide the patient with a written advance beneficiary notice that is signed by the patient and that states that the patient may not be eligible for reimbursement for the device or supply. The pharmacy must keep a copy of the patient's advance beneficiary notice on file for seven (7) years.

(b) A pharmacist who participates in an activity allowed under subsection (a) is required to follow the standards for the competent practice of pharmacy adopted by the board.

(c) A pharmacist may issue a prescription for purposes of subsection (a)(5).".

Page 9, line 4, delete ":".

Page 9, line 5, delete "(1)".

Page 9, run in lines 4 through 5.

Page 9, line 7, delete "; and" and insert "**.**".

Page 9, delete lines 8 through 10.

Page 9, delete lines 11 through 21, begin a new paragraph and insert:

"**(d) The board must approve all programs that provide training to pharmacy technicians to administer influenza immunizations as permitted by this section.**".

Page 9, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 17. IC 27-2-9.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]:

Chapter 9.1. Prescription Drug Purchases

Sec. 1. As used in this chapter, "covered individual" means an individual who is entitled to coverage under a health plan.

Sec. 2. As used in this chapter, "health plan" means a plan that is compliant with the PPACA and offered by an insurer to provide, deliver, arrange for, pay for, or reimburse the cost of health care items or services. The term includes the following:

(1) A policy of accident and sickness insurance (as defined in IC 27-8-5-1).

(2) An individual contract (as defined by IC 27-13-1-21) and a group contract (as defined by IC 27-13-1-16).

Sec. 3. As used in this chapter, "insurer" means an entity licensed in Indiana to issue a health plan.

Sec. 4. As used in this chapter, "PPACA" refers to the federal Patient Protection and Affordable Care Act (P.L. 111-148), as amended thereafter, including by the federal Health Care and Education Reconciliation Act of 2010 (P.L. 111-152).

Sec. 5. (a) A health plan shall implement a procedure to allow a covered individual to submit a claim to offset the covered individual's deductible for the cost of a purchase by the covered individual of a prescription drug that:

(1) is covered under the covered individual's health plan; and

(2) was purchased by the covered individual without submitting at the point of purchase the claim through the health plan.

(b) If a covered individual submits a claim to the health plan in accordance with the procedure established under subsection (a), the health plan shall verify the purchase described under subsection (a) and count the cost of the purchased covered prescription drug against the covered individual's deductible.

SECTION 18. IC 27-2-9.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 9.5. Formulary Modifications for Prescription

Drugs

Sec. 1. For purposes of this chapter, "covered individual" means an individual who is entitled to coverage under a health plan.

Sec. 2. For purposes of this chapter, "formulary modification" includes the following with respect to a prescription drug:

(1) The exclusion of coverage for a drug.

(2) Changing:

(A) a copayment amount;

(B) a coinsurance rate;

(C) drug cost sharing minimum or maximum amounts;

(D) a deductible; or

(E) a maximum out-of-pocket amount in a manner as to raise the covered individual's out-of-pocket costs for a drug.

(3) The movement of a drug to a more restrictive coverage category or tier.

(4) The discontinuation of coverage of a drug before the date on which a covered individual is no longer entitled to coverage.

(5) The removal of a drug from a formulary, unless any of the following occur:

(A) The federal Food and Drug Administration has issued a statement calling into question the clinical safety of the drug.

(B) The manufacturer of the drug has notified the federal Food and Drug Administration of a manufacturing discontinuance or potential discontinuance of the drug as required by 21 U.S.C. 356c.

(6) A limitation or reduction in the coverage of a drug in any other way, including subjecting it to a new prior authorization or step therapy requirement.

Sec. 3. For purposes of this chapter, "health plan" includes the following:

(1) A policy of accident and sickness insurance (as defined in IC 27-8-5-1).

(2) An individual contract (as defined in IC 27-13-1-21) and a group contract (as defined in IC 27-13-1-16).

Sec. 4. Not later than sixty (60) days prior to the effective date of a formulary modification, a health plan must provide the following to covered individuals affected by the modification:

(1) Notice of the formulary modification.

(2) Information on the process for requesting an exception to the formulary modification (as described in section 5 of this chapter).

(3) A list of alternative covered drugs for the medical condition in question.

Sec. 5. A health plan must provide, on its Internet web site, a clear and accessible process through which a covered individual may request an exception to a formulary modification. A health plan's existing exceptions process may be used to satisfy the requirements of this section.

Sec. 6. A health plan must grant an exception to a formulary modification if any of the following apply:

(1) The alternative covered drugs provided in the list required by section 4(3) of this chapter are contraindicated or will likely cause an adverse reaction or physical or mental harm to the covered individual.

(2) The alternative covered drugs provided in the list required by section 4(3) of this chapter are expected to be ineffective, based on both of the following:

(A) The known clinical characteristics of the covered individual.

(B) The known characteristics of the alternative covered drugs, as found in sound clinical evidence.

(3) The covered individual has previously received the alternative covered drugs provided in the list required by section 4(3) of this chapter, or a drug in the same pharmacologic class or with the same mechanism of action, and the drug was discontinued due to lack of efficacy or effectiveness, diminished effect, or an adverse event.

(4) Based on clinical appropriateness, the alternative covered drugs provided in the list required by section 4(3) of this chapter are not in the best interest of the covered individual because the covered individual's use of the alternative covered drugs is expected to do any of the following:

(A) Cause a significant barrier to the covered individual's adherence to or compliance with the covered individual's plan of care.

(B) Worsen a comorbid condition of the covered individual.

(C) Decrease the covered individual's ability to achieve or maintain reasonable functional ability in performing daily activities.

Sec. 7. (a) A health plan must make a determination regarding a covered individual's request for an exception to a formulary modification not later than:

(1) for an urgent care situation, one (1) business day after receiving the request; or

(2) for a nonurgent care situation, three (3) business days after receiving the request.

(b) If a health plan does not issue a determination within the time required by subsection (a), a covered individual's request for an exception to a formulary modification is considered to have been granted.

(c) If a health plan denies a covered individual's request for an exception to a formulary modification, the health plan must provide the covered individual and the covered individual's prescribing provider with notice of the denial, including a detailed, written explanation of the reason for the denial and the clinical rationale that supports the denial.

(d) Except when a drug has been removed from a formulary because of concerns about safety, if a drug has been removed from a formulary and a request for an exception to the formulary modification was submitted by or on behalf of a covered individual prior to the effective date of the change, a health plan must continue to provide coverage for that drug until the health plan renders a decision on the covered individual's request for an exception to the formulary modification.

Sec. 8. When an exception to a formulary modification is granted, a health plan:

(1) may not issue a formulary modification for coverage of the drug; and

(2) must authorize coverage of the drug;

for the remainder of the covered individual's policy year.

Sec. 9. (a) Nothing in this chapter prevents a covered individual's:

(1) prescribing provider from prescribing a drug that the prescribing provider considers to be medically necessary for the covered individual; or

(2) pharmacist from substituting:

(A) a generic drug under IC 16-42-22; or

(B) a biosimilar biological product under IC 16-42-25.

(b) Nothing in this chapter prevents a health plan from doing any of the following:

(1) Adding a drug to the health plan's formulary.

(2) Removing a drug from the health plan's formulary if the drug's manufacturer has removed the drug from sale in the United States.".

Page 11, after line 16, begin a new paragraph and insert:

"SECTION 22. [EFFECTIVE JULY 1, 2020] **(a) IC 5-10-8-23, as added by this act, applies to a state employee health plan that is established, entered into, amended, or renewed after June 30, 2020.**

(b) IC 27-2-9.1 and IC 27-2-9.5, as added by this act, apply to a health plan that is issued, entered into, delivered, amended, or renewed after June 30, 2020.

(c) This SECTION expires June 30, 2023.

SECTION 23. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1207 as printed January 24, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 5, Nays 1.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Appropriations, to which was referred Engrossed House Bill 1209, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 2, line 2, after "must" insert "**at least**".

Page 2, line 2, after "reimbursement" insert "**, subject to applicable deductible and coinsurance,**".

Page 2, line 16, after "reimburse" insert "**, subject to applicable deductible and coinsurance,**".

Page 2, line 18, after "reimburse" insert "**, subject to applicable deductible and coinsurance,**".

Page 2, between lines 24 and 25, begin a new paragraph and insert:

"**(g) This section does not restrict the state employee health plan from providing coverage beyond the requirements in this section.**".

(Reference is to EHB 1209 as printed February 21, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 13, Nays 0.

MISHLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Corrections and Criminal Law, to which was referred Engrossed House Bill 1225, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety and public safety officers.

Page 2, line 7, delete "offense" and insert "**violation**".

Page 2, line 9, delete "injury" and insert "**injury, catastrophic injury,**".

Page 2, line 41, delete "offense" and insert "**violation**".

Page 2, line 42, delete "injury" and insert "**injury, catastrophic injury,**".

Page 3, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 4. IC 35-44.1-3-1, AS AMENDED BY P.L.184-2019, SECTION 12, AND AS AMENDED BY P.L.201-2019, SECTION 3, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A person who knowingly or intentionally:

(1) forcibly resists, obstructs, or interferes with a law enforcement officer or a person assisting the officer while the officer is lawfully engaged in the execution of the officer's duties;

(2) forcibly resists, obstructs, or interferes with the authorized service or execution of a civil or criminal process or order of a court; or

(3) flees from a law enforcement officer after the officer has, by visible or audible means, including operation of the law enforcement officer's siren or emergency lights, identified himself or herself and ordered the person to stop;

commits resisting law enforcement, a Class A misdemeanor, except as provided in ~~*subsection (b).*~~ *subsection (c)* **or (d).**

(b) A person who, having been denied entry by a law enforcement officer, knowingly or intentionally enters an area that is marked off with barrier tape or other physical barriers, commits interfering with law enforcement, a Class B misdemeanor, except as provided in subsection (c) or ~~*(h).*~~ **(k).**

~~*(b)*~~ *(c)* The offense under subsection (a) *or (b)* is a:

(1) Level 6 felony if:

(A) ~~*the offense is described in subsection (a)(3) and*~~ the person uses a vehicle to commit the offense; or

(B) while committing ~~*any*~~ *the* offense, ~~*described in subsection (a),*~~ the person draws or uses a deadly weapon, inflicts bodily injury on or otherwise causes bodily injury to another person, or operates a vehicle in a manner that creates a substantial risk of bodily injury to another person;

(2) Level 5 felony if, while committing ~~*any*~~ *the* offense,

~~*described in subsection (a),*~~ the person operates a vehicle in a manner that causes serious bodily injury to another person;

(3) Level 3 felony if, while committing ~~*any*~~ *the* offense, ~~*described in subsection (a),*~~ the person operates a vehicle in a manner that causes the death *or catastrophic injury* of another person; and

(4) Level 2 felony if, while committing any offense described in subsection (a), the person operates a vehicle in a manner that causes the death *or catastrophic injury* of a law enforcement officer while the law enforcement officer is engaged in the officer's official duties.

(d) The offense under subsection (a) is a Level 6 felony if, while committing an offense under:

(1) subsection (a)(1) or (a)(2), the person:

(A) creates a substantial risk of bodily injury to the person or another person; and

(B) has two (2) or more prior unrelated convictions under subsection (a); or

(2) subsection (a)(3), the person has two (2) or more prior unrelated convictions under subsection (a).

~~*(c) (d)*~~ **(e)** If a person uses a vehicle to commit a felony offense under subsection ~~*(b)(1)(B), (b)(2), (b)(3), or (b)(4)*~~ *(c)(1)(B), (c)(2), (c)(3), or (c)(4),* as part of the criminal penalty imposed for the offense, the court shall impose a minimum executed sentence of at least:

(1) thirty (30) days, if the person does not have a prior unrelated conviction under this section;

(2) one hundred eighty (180) days, if the person has one (1) prior unrelated conviction under this section; or

(3) one (1) year, if the person has two (2) or more prior unrelated convictions under this section.

~~*(d) (e)*~~ **(f)** Notwithstanding IC 35-50-2-2.2 and IC 35-50-3-1, the mandatory minimum sentence imposed under subsection ~~*(c) (d)*~~ **(e)** may not be suspended.

~~*(e) (f)*~~ **(g)** If a person is convicted of an offense involving the use of a motor vehicle under:

(1) ~~*subsection (b)(1)(A),*~~ *subsection (c)(1)(A)*, if the person exceeded the speed limit by at least twenty (20) miles per hour while committing the offense;

(2) ~~*subsection (b)(2),*~~ *subsection (c)(2);* or

(3) ~~*subsection (b)(3),*~~ *subsection (c)(3);*

the court may notify the bureau of motor vehicles to suspend or revoke the person's driver's license and all certificates of registration and license plates issued or registered in the person's name in accordance with IC 9-30-4-6.1(b)(3) for the period described in IC 9-30-4-6.1(d)(1) or IC 9-30-4-6.1(d)(2). The court shall inform the bureau whether the person has been sentenced to a term of incarceration. At the time of conviction, the court may obtain the person's current driver's license and return the license to the bureau of motor vehicles.

~~*(f) (g)*~~ **(h)** A person may not be charged or convicted of a crime under subsection (a)(3) if the law enforcement officer is a school resource officer acting in the officer's capacity as a school resource officer.

~~*(g)*~~ **(i)** *A person who commits an offense described in subsection* ~~*(b)*~~ **(c)** *commits a separate offense for each person whose bodily injury, serious bodily injury, catastrophic injury, or death is caused by a violation of subsection* ~~*(b).*~~ **(c).**

~~*(h)*~~ **(j)** *A court may order terms of imprisonment imposed on a person convicted of more than one (1) offense described in subsection* ~~*(b)*~~ **(c)** *to run consecutively. Consecutive terms of imprisonment imposed under this subsection are not subject to the sentencing restrictions set forth in IC 35-50-1-2(c) through IC 35-50-1-2(d).*

~~*(h)*~~ **(k)** *As used in this subsection, "family member" means a child, grandchild, parent, grandparent, or spouse of the person. It is a defense to a prosecution under subsection (b) that the person reasonably believed that the person's family member:*

(1) was in the marked off area; and

(2) had suffered bodily injury or was at risk of suffering bodily injury;

if the person is not charged as a defendant in connection with the offense, if applicable, that caused the area to be secured by barrier tape or other physical barriers.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1225 as reprinted January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

M. YOUNG, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1244, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 16, delete "those".

Page 1, line 17, delete "hearing." and insert "**hearing if the records are made available to the interested parties at least seven (7) days prior to the hearing through the following:**

(1) The United States mail.

(2) The department's electronic portal.".

(Reference is to HB 1244 as printed January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Homeland Security and Transportation, to which was referred Engrossed House Bill 1246, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 9-13-2-1.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.9. "Airbag", for purposes of IC 9-19-10.5, has the meaning set forth in IC 9-19-10.5-0.2.**".

Page 2, between lines 2 and 3, begin a new paragraph and insert:

"SECTION 3. IC 9-13-2-38.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 38.9. "Counterfeit supplemental restraint system component", for purposes of IC 9-19-10.5, has the meaning set forth in IC 9-19-10.5-0.4.**

SECTION 2. IC 9-13-2-39.7, AS AMENDED BY P.L.178-2019, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 39.7. **(a)** "Credential" means the following:

(1) The following forms of documentation in physical form issued by the bureau under IC 9-24:

(A) A driver's license.

(B) A learner's permit.

(C) An identification card.

(D) A photo exempt identification card.

(2) The following forms of documentation in the form of a mobile credential issued by the bureau under IC 9-24:

(A) Except for a commercial driver's license issued under IC 9-24-6.1, a driver's license.

(B) Except for a commercial learner's permit issued under IC 9-24-6.1, a learner's permit.

(C) An identification card.

(b) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 32 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).

SECTION 3. IC 9-13-2-48, AS AMENDED BY P.L.178-2019, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 48. **(a)** "Driver's license" means the following:

(1) Any type of license issued by the state in physical form authorizing an individual to operate the type of vehicle for which the license was issued, in the manner for which the license was issued, on a highway. The term includes any endorsements added to the license under IC 9-24-8.5.

(2) Except for a commercial driver's license issued under IC 9-24-6.1, any type of license issued by the state in the form of a mobile credential authorizing an individual to operate the type of vehicle for which the license was issued, in the manner for which the license was issued, on a highway. The term includes any endorsements added to the license under IC 9-24-8.5.

(b) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 33 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).".

Page 2, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 5. IC 9-13-2-74.5, AS AMENDED BY P.L.178-2019, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 74.5. **(a)** "Identification card" means an identification document issued by a state government either in physical form or in the form of a mobile credential for purposes of identification.

(b) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 34 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).

SECTION 5. IC 9-13-2-79.7 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 79.7. "Inflatable restraint system", for purposes of IC 9-19-10.5, has the meaning set forth in IC 9-19-10.5-1.~~".

Page 2, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 7. IC 9-13-2-103.4, AS ADDED BY P.L.178-2019, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 103.4. **(a)** "Mobile credential" means a digital representation issued by the bureau under IC 9-24-17.5 of the information contained on the following:

(1) A driver's license.

(2) A learner's permit.

(3) An identification card.

The term does not include a commercial driver's license or commercial learner's permit issued under IC 9-24-6.1 or a photo exempt identification card issued under IC 9-24-16.5.

(b) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 36 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).".

Page 3, between lines 7 and 8, begin a new paragraph and insert:

"SECTION 9. IC 9-13-2-111.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 111.8. "Nonfunctional airbag", for purposes of IC 9-19-10.5, has the meaning set forth in IC 9-19-10.5-0.8.**

SECTION 10. IC 9-13-2-123.5, AS AMENDED BY P.L.178-2019, SECTION 37, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 123.5. **(a)** "Permit" means the following:

(1) A permit issued by the state in physical form authorizing an individual to operate the type of vehicle for which the permit was issued on public streets, roads, or highways with certain restrictions. The term under this subdivision includes the following:

(A) A learner's permit.

(B) A motorcycle permit.

(C) A commercial learner's permit.

(2) A permit issued by the state in the form of a mobile credential authorizing an individual to operate the type of vehicle for which the permit was issued on public streets, roads, or highways with certain restrictions. The term under this subdivision includes a learner's permit and a motorcycle permit. The term under this subdivision does not include a commercial learner's permit.

(b) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 37 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).

SECTION 10. IC 9-13-2-175.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 175.5. "Supplemental restraint system", for purposes of IC 9-19-10.5, has the meaning set forth in IC 9-19-10.5-1.**".

Page 3, between lines 11 and 12, begin a new paragraph and insert:

"SECTION 12. IC 9-17-2-4, AS AMENDED BY P.L.27-2018, SECTION 2, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 4. (a) **Except as provided in subsection (b),** an application for a certificate of title for a vehicle for which a certificate of title has been issued previously must be accompanied by the previously issued certificate of title.

(b) An application for a certificate of title submitted only to remove a satisfied lien is not required to be accompanied by the previously issued certificate of title if the application is accompanied by a written instrument:

(1) on the lienholder's letterhead;

(2) identifying the vehicle identification number; and

(3) stating that the lien has been satisfied.

~~(b)~~ **(c)** An application for a certificate of title for a vehicle for which a certificate of title has not been issued previously must be accompanied by the following:

(1) If the vehicle is in Indiana, a manufacturer's certificate of origin as provided in IC 9-32-5-3.

(2) If the vehicle is brought into Indiana from another state, the following:

(A) A sworn bill of sale or dealer's invoice fully describing the vehicle.

(B) The most recent registration receipt issued for the vehicle.

(C) Any other information that the bureau requires to establish ownership.

~~(c)~~ **(d)** A certificate of title may be possessed either in printed form or electronic form.

SECTION 13. IC 9-17-2-12, AS AMENDED BY P.L.198-2016, SECTION 211, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 12. (a) This section does not apply to the following:

(1) A trailer or semitrailer.

(2) A new motor vehicle or recreational vehicle sold by a dealer licensed under IC 9-32.

(3) A vehicle transferred or assigned on a certificate of title issued by the bureau.

(4) A vehicle that is registered under the International Registration Plan.

(5) A vehicle that is titled in the name of a financial institution, lending institution, or insurance company in Canada and imported by a registered importer, if the registered importer provides:

(A) a copy of the registered importer's validation agreement issued by the United States customs and border protection;

(B) a copy of the entry summary issued by the United States customs and border protection (CBP form 7501); and

(C) a vehicle history report issued by an independent provider of vehicle history information that includes the vehicle's title information, odometer readings, and number of owners.

(6) A vehicle that is titled in another state and is in the lawful possession of a financial institution, a lending institution, an insurance company, a vehicle rental company, a vehicle leasing company, or a lessee of a vehicle leasing company if the financial institution, lending institution, insurance company, vehicle rental company, vehicle leasing company, or lessee of a vehicle leasing company:

(A) provides a vehicle history report issued by an independent provider of vehicle history information that includes the vehicle's:

(i) title information;

(ii) odometer readings; and

(iii) number of owners; and

(B) maintains a copy of all documentation required under this subsection for at least ten (10) years.

(7) A vehicle that is purchased in another state and titled in Indiana by a vehicle rental company or a vehicle leasing company if the vehicle rental company or vehicle leasing company:

(A) provides a vehicle history report issued by an independent provider of vehicle history information that includes the vehicle's:

(i) title information;

(ii) odometer readings; and

(iii) number of owners; and

(B) maintains a copy of all documentation required under this subsection for at least ten (10) years.

(b) Subject to subsection (d), an application for a certificate of title for a vehicle may not be accepted by the bureau unless the vehicle has been inspected by one (1) of the following:

(1) An employee of a dealer licensed under IC 9-32.

(2) A military police officer assigned to a military post in Indiana.

(3) A police officer.

(4) A designated employee of the bureau.

(5) An employee of a qualified person operating under a contract with the commission.

(6) An employee of a dealer that is:

(A) licensed as a motor vehicle dealer in a state other than Indiana; and

(B) approved by the bureau.

(c) A person described in subsection (b) inspecting a vehicle shall do the following:

(1) Make a record of inspection upon the application form prepared by the bureau.

(2) Verify the facts set out in the application.

(d) The bureau may accept an inspection performed by a police officer from a jurisdiction outside Indiana if the bureau determines that an inspection performed by an individual described in subsection (b) is unavailable or otherwise insufficient to complete an application for a certificate of title.

(e) A police officer who makes an inspection under this section may charge a fee, subject to the following:

(1) The fee must be established by ordinance adopted by the unit (as defined in IC 36-1-2-23) that employs the police officer.

(2) The fee may not exceed five dollars ($5).

(3) The revenue from the fee shall be deposited in the following manner:

(A) A special vehicle inspection fund if the police officer making the inspection is a member of the county sheriff's department. The fiscal body of the unit must appropriate the money from the inspection fund only for

law enforcement purposes.

(B) A local law enforcement continuing education fund established by IC 5-2-8-2 if the police officer making the inspection is a member of a city or town police department, a town marshal, or a town marshal deputy.

SECTION 14. IC 9-17-5-5, AS AMENDED BY P.L.27-2018, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) A security agreement covering a security interest in a vehicle that is not inventory held for sale ~~can be~~ **is** perfected ~~only if the bureau indicates the security interest on the certificate of title or duplicate.~~ **when:**

(1) the record of the lien is electronically received by the bureau, if the application for certificate of title is received electronically; or

(2) the application for certificate of title is submitted to the bureau, if the application for certificate of title is submitted in physical form.

Except as otherwise provided in subsection (b) and section 1 of this chapter, IC 26-1-9.1 applies to security interests in vehicles.

(b) The secured party, upon presentation to the bureau of a properly completed application for certificate of title together with the fee prescribed, may have a notation of the lien made on the certificate of title to be issued by the bureau. The bureau shall:

(1) enter the notation and the date of the notation; and

(2) note the lien and date of lien in the bureau's files.".

Page 5, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 13. IC 9-19-10.5-0.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.2. As used in this chapter, "airbag" means a motor vehicle inflatable occupant restraint system component that is part of a supplemental restraint system.**

SECTION 14. IC 9-19-10.5-0.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.4. As used in this chapter, "counterfeit supplemental restraint system component" means:**

(1) a replacement airbag; or

(2) any other replacement supplemental restraint system component;

that displays a mark identical to, or substantially similar to, the genuine mark of a motor vehicle manufacturer or a supplier of parts to the manufacturer of a motor vehicle without authorization from that manufacturer or supplier, respectively.

SECTION 15. IC 9-19-10.5-0.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.8. As used in this chapter, "nonfunctional airbag" means a replacement airbag that is described by any of the following criteria:**

(1) The airbag was previously deployed or damaged.

(2) The airbag has a fault that is detected by the vehicle's diagnostic system when the installation procedure is completed.

(3) The airbag includes a part or an object, including a supplemental restraint system component, that is installed in a motor vehicle to mislead the owner or operator of the motor vehicle into believing that a functional airbag has been installed.

(4) The airbag is subject to the prohibitions of 49 U.S.C. 30120(j).

SECTION 16. IC 9-19-10.5-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. **(a)** As used in this chapter, ~~"inflatable~~ **"supplemental** restraint system" means ~~an air bag that is activated in a crash.~~ **a passive inflatable motor vehicle occupant crash protection system designed for use in conjunction with a seat belt assembly as defined in 49 CFR 571.209.**

(b) The term includes one (1) or more airbags and all components required to ensure that an airbag works as designed by the vehicle manufacturer including both of the following:

(1) Each airbag operates as necessary in the event of a crash.

(2) Each airbag is designed in accordance with federal motor vehicle safety standards for the specific make, model, and year of the motor vehicle in which it is or will be installed.

SECTION 17. IC 9-19-10.5-2, AS AMENDED BY P.L.217-2014, SECTION 38, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A person may not knowingly or intentionally **manufacture, import,** install, **reinstall, distribute, sell, or offer for sale a component intended to replace a supplemental restraint system component** in a motor vehicle, ~~as part of the motor vehicle's inflatable restraint system, an object that does not~~ **if any of the following apply to the component:**

(1) The component is a counterfeit supplemental restraint system component.

(2) The component is a nonfunctional airbag.

(3) The component causes a motor vehicle to fail to comply with Federal Motor Vehicle Safety Standard Number 208 (49 CFR 571.208) for the **respective** make, model, and year of the motor vehicle **in question.**

(b) For purposes of this section, an installation or reinstallation is considered to not have occurred until the vehicle is returned to the customer who requested the work be performed or when ownership of the vehicle is intended to be transferred.

~~(b)~~ **(c)** A person who knowingly or intentionally violates this section commits a Class A misdemeanor. However, the offense is a Level 6 felony if a person in a motor vehicle is injured or dies as a result of the violation of subsection (a).

SECTION 18. IC 9-19-10.5-3, AS AMENDED BY P.L.217-2014, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A person may not knowingly or intentionally ~~(1)~~ sell, ~~(2)~~ lease, ~~(3)~~ trade, or ~~(4)~~ transfer a motor vehicle **to an Indiana resident** in which is installed, as part of the motor vehicle's ~~inflatable~~ **supplemental** restraint system, ~~an object that does not comply with Federal Motor Vehicle Safety Standard Number 208 (49 CFR 571.208) for the make, model, and year of the motor vehicle to an Indiana resident.~~ **any of the following:**

(1) A counterfeit supplemental restraint system

component.

(2) A nonfunctional airbag.

(3) A component that is not designed in accordance with federal motor vehicle safety standards for the specific make, model, and year of the motor vehicle in which it is installed.

(b) A person who knowingly or intentionally violates this section commits a Level 6 felony.

SECTION 16. IC 9-24-11-4, AS AMENDED BY P.L.178-2019, SECTION 48, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) Except as provided in subsection (d), an individual may not hold or possess more than one (1) credential at a time.

(b) An individual may not hold or possess:

(1) a credential; and

(2) a driver's license or identification card issued by a government authority that issues driver's licenses and identification cards from another state, territory, federal district, commonwealth, or possession of the United States.

(c) An individual shall destroy or surrender to the bureau any and all credentials, driver's licenses, or identification cards that would cause the individual to violate subsection (a) or (b).

(d) An individual may hold both a credential in physical form and in the form of a mobile credential issued under this article at the same time.

(e) An individual who violates this section commits a Class C infraction.

(f) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 48 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).

SECTION 17. IC 9-24-11-5, AS AMENDED BY P.L.178-2019, SECTION 49, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) Except as provided in subsection (d), a learner's permit or driver's license issued under this article must contain the following information:

(1) The full legal name of the permittee or licensee.

(2) The date of birth of the permittee or licensee.

(3) The address of the principal residence of the permittee or licensee.

(4) The hair color and eye color of the permittee or licensee.

(5) The date of issue and expiration date of the permit or license.

(6) The gender of the permittee or licensee.

(7) The unique identifying number of the permit or license.

(8) The weight of the permittee or licensee.

(9) The height of the permittee or licensee.

(10) A reproduction of the signature of the permittee or licensee.

(11) If the permittee or licensee is less than eighteen (18) years of age at the time of issuance, the dates, notated prominently, on which the permittee or licensee will become:

(A) eighteen (18) years of age; and

(B) twenty-one (21) years of age.

(12) If the permittee or licensee is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date, notated prominently, on which the permittee or licensee will become twenty-one (21) years of age.

(13) Except as provided in subsection (b), a digital photograph of the permittee or licensee.

(b) The bureau may provide for the omission of a photograph or computerized image from any driver's license or learner's permit if there is good cause for the omission. However, a driver's license or learner's permit issued without a digital photograph must include a statement that indicates that the driver's license or learner's permit may not be accepted by a federal agency for federal identification or any other federal purpose.

(c) A driver's license or learner's permit issued to an individual who:

(1) has a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States;

(2) has a pending application for asylum in the United States;

(3) has a pending or approved application for temporary protected status in the United States;

(4) has approved deferred action status; or

(5) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States;

must be clearly identified as a temporary driver's license or learner's permit. A temporary driver's license or learner's permit issued under this subsection may not be renewed without the presentation of valid documentary evidence proving that the licensee's or permittee's temporary status has been extended.

(d) For purposes of subsection (a), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the address of the individual's principal residence, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the address of the individual's principal residence.

(e) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 49 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).

SECTION 18. IC 9-24-11-5.5, AS AMENDED BY P.L.178-2019, SECTION 50, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5.5. (a) If an individual has:

(1) indicated on the application for a driver's license or learner's permit that the individual is a veteran and wishes to have an indication of the individual's veteran status appear on the driver's license or learner's permit; and

(2) provided proof at the time of application of the individual's veteran status;

an indication of the individual's veteran status shall be shown on the driver's license or learner's permit.

(b) If an individual has:

(1) indicated on the individual's application for a driver's license or learner's permit that the applicant:

(A) is a surviving spouse of a veteran; and

(B) wishes to have an indication of the applicant's status as a surviving spouse of a veteran appear on the driver's license or learner's permit; and

(2) provided the documentation necessary to verify that the applicant was married, at the time of the decedent's death, to a veteran;

an indication of the individual's status as a surviving spouse of a veteran shall be shown on the driver's license or learner's permit.

(c) If an individual submits information concerning the individual's medical condition in conjunction with the individual's application for a driver's license or learner's permit, the bureau shall place an identifying symbol in a prominent location on a driver's license or learner's permit to indicate that the individual has a medical condition of note. The bureau shall include information on the individual's driver's license or learner's permit that briefly describes the individual's medical condition. The information must be notated in a manner that alerts an individual reading the driver's license or learner's permit to the existence of the medical condition. The individual submitting the information concerning the medical condition is responsible for its accuracy.

(d) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 50 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).

SECTION 19. IC 9-24-11-8, AS AMENDED BY P.L.178-2019, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) Except as provided in subsections (b) and (c), an individual who violates this chapter commits a Class C infraction.

(b) An individual who:

(1) has been issued a permit or driver's license on which there is a notated restriction as provided under section 7 of this chapter; and

(2) operates a motor vehicle in violation of the restriction;

commits a Class C infraction.

(c) An individual who causes serious bodily injury to or the death of another individual when operating a motor vehicle after knowingly or intentionally failing to take prescribed medication, the taking of which was a condition of the issuance of the restricted driver's license under section 7 of this chapter, commits a Class A misdemeanor. However, the offense is a Level 6 felony if, within the five (5) years preceding the commission of the offense, the individual had a prior unrelated conviction under this subsection.

(d) An individual who violates subsection (c) commits a separate offense for each individual whose serious bodily injury or death is caused by the violation of subsection (c).

(e) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 51 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).

SECTION 20. IC 9-24-13-3, AS AMENDED BY P.L.178-2019, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) An individual holding a permit or driver's license issued under this article must have the permit or driver's license in the individual's immediate possession when driving or operating a motor vehicle. The individual shall display the driver's license or permit upon demand of a court or a police officer authorized by law to enforce motor vehicle rules.

(b) If the permit or driver's license is a mobile credential viewed on a telecommunications device, a court or a police officer authorized by law to enforce motor vehicle rules may not, without the consent of the person:

(1) confiscate a telecommunications device for the purpose of determining compliance with this section;

(2) confiscate a telecommunications device and retain it as evidence pending trial for a violation of this section; or

(3) extract or otherwise download information from a telecommunications device for a violation of this section unless:

(A) the court or police officer has probable cause to believe the telecommunications device has been used in the commission of a crime;

(B) the information is extracted or otherwise downloaded under a valid search warrant; or

(C) otherwise authorized by law.

(c) The display of a mobile credential shall not serve as consent or authorization for the court, a police officer, or any other person to search, view, or access any data or application on the telecommunications device other than the mobile credential. If a person presents the person's telecommunications device to the court, a police officer, or any other person for the purposes of displaying the person's mobile credential, the court, police officer, or person viewing the mobile credential shall not handle the telecommunications device in order to view the mobile credential and to verify the identity of the person.

(d) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 53 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).

SECTION 21. IC 9-24-16-3, AS AMENDED BY P.L.211-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) An identification card:

(1) in physical form must have the same dimensions and shape as a driver's license; and

(2) in the form of a mobile credential must have the same format as a driver's license;

but the card must have markings sufficient to distinguish the card from a driver's license.

(b) Except as provided in subsection (g), the front side of a physical identification card or the top portion of an identification card in the format of a mobile credential must contain the expiration date of the identification card and the following information about the individual to whom the card is being issued:

(1) Full legal name.

(2) The address of the principal residence.

(3) Date of birth.

(4) Date of issue and date of expiration.

(5) Unique identification number.

(6) Gender.

(7) Weight.

(9) Color of eyes and hair.

(10) Reproduction of the signature of the individual identified.

(11) Whether the individual is blind (as defined in IC 12-7-2-21(1)).

(12) If the individual is less than eighteen (18) years of age at the time of issuance, the dates on which the individual

will become:

(A) eighteen (18) years of age; and

(B) twenty-one (21) years of age.

(13) If the individual is at least eighteen (18) years of age but less than twenty-one (21) years of age at the time of issuance, the date on which the individual will become twenty-one (21) years of age.

(14) Digital photograph of the individual.

(c) The information contained on the identification card as required by subsection (b)(12) or (b)(13) for an individual who is less than twenty-one (21) years of age at the time of issuance shall be notated prominently on the identification card.

(d) If the individual complies with section 2(f) or 2(g) of this chapter, an indication of the individual's veteran status or status as the surviving spouse of a veteran of the armed forces of the United States, as applicable, shall be shown on the identification card.

(e) If the applicant for an identification card submits information to the bureau concerning the applicant's medical condition, the bureau shall place an identifying symbol on the face of the identification card to indicate that the applicant has a medical condition of note. The bureau shall include information on the identification card that briefly describes the medical condition of the holder of the card. The information must be printed in a manner that alerts a person reading the card to the existence of the medical condition. The applicant for an identification card is responsible for the accuracy of the information concerning the medical condition submitted under this subsection. The bureau shall inform an applicant that submission of information under this subsection is voluntary.

(f) An identification card issued by the state to an individual who:

(1) has a valid, unexpired nonimmigrant visa or has nonimmigrant visa status for entry in the United States;

(2) has a pending application for asylum in the United States;

(3) has a pending or approved application for temporary protected status in the United States;

(4) has approved deferred action status; or

(5) has a pending application for adjustment of status to that of an alien lawfully admitted for permanent residence in the United States or conditional permanent residence status in the United States;

must be clearly identified as a temporary identification card. A temporary identification card issued under this subsection may not be renewed without the presentation of valid documentary evidence proving that the holder of the identification card's temporary status has been extended.

(g) For purposes of subsection (b), an individual certified as a program participant in the address confidentiality program under IC 5-26.5 is not required to provide the address of the individual's principal residence, but may provide an address designated by the office of the attorney general under IC 5-26.5 as the address of the individual's principal residence.

(h) The bureau shall validate an identification card for Class B motor driven cycle operation upon a highway by endorsement to an individual who:

(1) applies for or has previously been issued an identification card under this chapter;

(2) makes the appropriate application for endorsement; and

(3) satisfactorily completes the test required under section 3.6 of this chapter.

The bureau shall place a designation on the face of the identification card to indicate that the individual has received a Class B motor driven cycle endorsement.

(i) Notwithstanding the July 1, 2021, effective date in SEA 80-2019, SECTION 9 (P.L.211-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).

SECTION 22. IC 9-24-17.5-1, AS ADDED BY P.L.178-2019, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. **(a)** The bureau may develop a secure and uniform system to issue mobile credentials that can be accessed through an application on a telecommunications device.

(b) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 55 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).

SECTION 23. IC 9-24-17.5-2, AS ADDED BY P.L.178-2019, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) In addition to a physical credential issued under this article, upon request by an applicant, the bureau may issue a mobile credential to an individual who satisfies the requirements for application under this article for the following:

(1) A driver's license.

(2) A learner's permit.

(3) An identification card.

(b) The bureau shall not issue a mobile credential for:

(1) a commercial driver's license issued under IC 9-24-6.1;

(2) a commercial learner's permit issued under IC 9-24-6.1; or

(3) a photo exempt identification card issued under IC 9-24-16.5.

(c) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 55 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).

SECTION 24. IC 9-24-17.5-3, AS ADDED BY P.L.178-2019, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. **(a)** The bureau may adopt rules under IC 4-22-2 to administer this chapter, including rules to impose a fee to issue a mobile credential as set forth in IC 9-14-8-3(4).

(b) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 55 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).

SECTION 25. IC 9-24-17.5-4, AS ADDED BY P.L.178-2019, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. **(a)** The bureau may contract with a third party to carry out this chapter.

(b) Notwithstanding the July 1, 2021, effective date in HEA 1506-2019, SECTION 55 (P.L.178-2019), this section takes effect July 1, 2020 (rather than July 1, 2021).".

Page 31, delete lines 23 through 40, begin a new paragraph and insert:

"**(b) The secretary must notify a dealer of a request for**

access to the dealer's place of business under subsection (a) at least three (3) days before access is needed. However, if the secretary is conducting an investigation under section 14 of this chapter, members of the staff of the division, at any time and without prior notice, may request access to the dealer's place of business under subsection (a).

(c) The following apply to records of a dealer licensed under this article:

(1) The records are subject to such reasonable periodic, special, or other audits or inspections by a representative of the secretary, outside or within Indiana, as the secretary considers necessary or appropriate in the public interest and for the protection of investors.

(2) The secretary may audit or inspect electronic records at any time and without prior notice.

(3) The secretary must notify a dealer of an audit or inspection of the dealer's paper records at least three (3) days before the audit or inspection. However, if the secretary is conducting an investigation under section 14 of this chapter, a representative of the secretary may audit or inspect the dealer's paper records at any time and without prior notice.

(4) A representative of the secretary may copy and remove copies of the records the secretary reasonably considers necessary or appropriate to conduct an audit or inspection.

(5) A representative of the secretary may request electronic copies of records the secretary reasonably considers necessary or appropriate to conduct an audit or inspection.

(6) A:

(A) representative of the secretary may make a request for records under this subsection electronically, by mail, or in person at the established place of business of the dealer during reasonable business hours; and

(B) dealer shall produce such records in the manner requested by the representative of the secretary, including in person, electronically, or by mail.".

Page 34, after line 20, begin a new paragraph and insert:

"SECTION 49. [EFFECTIVE UPON PASSAGE] **Notwithstanding the effective date in HEA 1482-2019 (P.L. 284-2019), the effective date of the following SECTIONS of that act is July 1, 2021, and not July 1, 2020:**

(1) SECTION 22 for IC 9-32-9-16.

(2) SECTION 24 for IC 9-32-9-20.

(3) SECTION 26 for IC 9-32-9-29.

SECTION 67. [EFFECTIVE UPON PASSAGE] **(a) Notwithstanding the July 1, 2021, effective date of the following sections added by P.L.178-2019, the effective date for these sections is July 1, 2020, and not July 1, 2021:**

(1) IC 9-13-2-103.4, as added by P.L.178-2019, SECTION 36.

(2) IC 9-24-17.5-1, as added by P.L.178-2019, SECTION 55.

(3) IC 9-24-17.5-2, as added by P.L.178-2019, SECTION 55.

(4) IC 9-24-17.5-3, as added by P.L.178-2019, SECTION 55.

(5) IC 9-24-17.5-4, as added by P.L.178-2019, SECTION 55.

(b) Notwithstanding the July 1, 2021, effective date of the following sections amended by P.L.178-2019, the effective date for these sections is July 1, 2020, and not July 1, 2021:

(1) IC 9-13-2-39.7, as amended by P.L.178-2019, SECTION 32.

(2) IC 9-13-2-48, as amended by P.L.178-2019, SECTION 33.

(3) IC 9-13-2-74.5, as amended by P.L.178-2019, SECTION 34.

(4) IC 9-13-2-123.5, as amended by P.L.178-2019, SECTION 37.

(5) IC 9-24-11-4, as amended by P.L.178-2019, SECTION 48.

(6) IC 9-24-11-5, as amended by P.L.178-2019, SECTION 49.

(7) IC 9-24-11-5.5, as amended by P.L.178-2019, SECTION 50.

(8) IC 9-24-11-8, as amended by P.L.178-2019, SECTION 51.

(9) IC 9-24-13-3, as amended by P.L.178-2019, SECTION 53.

(c) Notwithstanding the July 1, 2021, effective date of IC 9-24-16-3 as amended by P.L.211-2019, SECTION 9, the effective date of IC 9-24-16-3 as amended by P.L.211-2019, SECTION 9, is July 1, 2020, and not July 1, 2021.

(d) Notwithstanding the effective dates of the amendments of IC 9-24-16-3 by P.L.82-2019, SECTION 3, P.L.178-2019, SECTION 54, and P.L.211-2019, SECTION 9, the revisor of statutes shall publish IC 9-24-16-3 in the Indiana Code as amended by P.L.82-2019, SECTION 3, P.L.178-2019, SECTION 54, and P.L.211-2019, SECTION 9, effective July 1, 2020.

SECTION 68. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1246 as printed January 24, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 7, Nays 0.

CRIDER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1283, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 4, delete "that prepares teacher candidates to" and insert "**that:**

(1) prepares teacher candidates to use evidence based trauma informed classroom instruction and recognition of social, emotional, and behavioral reactions to trauma that may interfere with a student's academic

functioning; and

(2) provides information on applicable Indiana laws regarding other instructional requirements and applicable Indiana laws relating to the instruction and recognition described in subdivision (1), including the following:

(A) IC 20-30-5-5.

(B) IC 20-30-5-6.

(C) IC 20-30-5-13.

(D) IC 20-30-5-17.

(E) IC 20-34-3-21.

(F) IC 20-34-9.".

Page 1, delete lines 5 through 7.

Page 1, line 8, delete "should" and insert "**shall**".

(Reference is to HB 1283 as printed January 24, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1305, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Judiciary, to which was referred Engrossed House Bill 1313, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 31-17-2.2-1, AS AMENDED BY P.L.186-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) Except as provided in subsection (b), a relocating individual must file a notice of the intent to move with the clerk of the court that:

(1) issued the custody order or parenting time order; or

(2) if subdivision (1) does not apply, has jurisdiction over the legal proceedings concerning the custody of or parenting time with a child.

(b) A relocating individual is not required to file a notice of intent to move with the clerk of the court if:

(1) the relocation has been addressed by a prior court order, including a court order relieving the relocating individual of the requirement to file a notice; ~~and~~

or

(2) the relocation will:

(A) result in a decrease in the distance between the relocating individual's residence and the nonrelocating individual's residence; or

(B) result in an increase of not more than twenty (20) miles in the distance between the relocating individual's residence and the nonrelocating individual's residence;

and allow the child to remain enrolled in the child's current school.

(c) Upon motion of a party, the court shall set the matter for a hearing to allow or restrain the relocation of a child and to review and modify, if appropriate, a custody order, parenting time order, grandparent visitation order, or child support order. The court's authority to modify a custody order, parenting time order, grandparent visitation order, or child support order is not affected by the fact that a relocating individual is exempt from the requirement to file a notice of relocation by subsection (b). The court shall take into account the following in determining whether to modify a custody order, parenting time order, grandparent visitation order, or child support order:

(1) The distance involved in the proposed change of residence.

(2) The hardship and expense involved for the nonrelocating individual to exercise parenting time or grandparent visitation.

(3) The feasibility of preserving the relationship between the nonrelocating individual and the child through suitable parenting time and grandparent visitation arrangements, including consideration of the financial circumstances of the parties.

(4) Whether there is an established pattern of conduct by the relocating individual, including actions by the relocating individual to either promote or thwart a nonrelocating individual's contact with the child.

(5) The reasons provided by the:

(A) relocating individual for seeking relocation; and

(B) nonrelocating parent for opposing the relocation of the child.

(6) Other factors affecting the best interest of the child.

(d) A court may order the relocating individual and the nonrelocating individual to participate in mediation or another alternative dispute resolution process before a hearing under this section:

(1) on its own motion; or

(2) upon the motion of any party.

(e) If a relocation occurs, all existing orders for custody, parenting time, grandparent visitation, and child support remain in effect until modified by the court.

(f) The court may award reasonable attorney's fees for a motion filed under this section in accordance with IC 31-15-10 and IC 34-52-1-1(b).".

Page 9, after line 28, begin a new paragraph and insert:

"SECTION 12. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to HB 1313 as printed January 24, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

KOCH, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1326, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 3, after "(a)" insert "**As used in this section, "intensive outpatient treatment program" means an organized treatment program that uses behavioral health professionals and clinicians in a group setting to provide multiple treatment service components for rehabilitation of alcohol and other substance use or dependency. The term includes:**

(1) individual and family therapy;
(2) group therapy;
(3) skills training;
(4) medication training and support;
(5) peer recovery services;
(6) care coordination;
(7) counseling; and
(8) other services, as determined by the division.

(b)".

Page 1, line 5, after "who" insert "**either**".

Page 1, line 5, after "experience" insert "**in addiction treatment or hold an addiction credential, as determined by the division,**".

Page 1, line 11, delete "(b)" and insert "**(c)**".

Page 1, line 14, delete "must" and insert "**must, under the supervision of a clinician described in subsection (b), either:**

(1) hold an addiction credential, as determined by the division; or
(2)".

Page 1, line 15, delete "treatment." and insert "**treatment, as determined by the division.**".

Page 2, line 15, after "The" insert "**direct service provider shall complete**".

Page 2, line 15, delete "shall be".

Page 2, line 16, delete "completed".

Page 2, line 28, delete "signature." and insert "**the signature of the supervising provider.**".

Page 2, between lines 28 and 29, begin a new paragraph and insert:

"**(e) In developing a plan of treatment, the following must be completed to demonstrate active treatment with a client:**

(1) A signed client consent form.
(2) The completion of a list of requirements concerning audit compliance, as determined by the division in collaboration with community mental health centers, that verifies active treatment of the client's plan of treatment.
(3) Either:
(A) the signature of the client on the client's plan of treatment; or
(B) if the direct care provider, after a good faith effort, is unable to obtain the client's signature on the client's plan of treatment:
(i) the provision of documentation by the provider of the reasons the provider was unable to obtain the signature;
(ii) the continuation of attempting to obtain the client's signature on the client's plan of treatment; and
(iii) a determination by the division, based on the documentation in item (i), that the direct care provider has made a good faith effort to obtain the signature.".

Page 4, delete lines 41 through 42, begin a new paragraph and insert:

"SECTION 5. IC 12-21-5-7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 7. (a) The division may grant a waiver of any staffing requirements to a community mental health center applicant that is unable to meet any staffing ratio requirements the division has for community mental health centers.**

(b) A licensed clinical addiction counselor shall be counted by the division in determining whether a community mental health center applicant meets the direct care full-time equivalent staffing requirements for community mental health center certification.".

Page 5, delete lines 1 through 21.

Page 5, delete lines 35 through 42, begin a new paragraph and insert:

"SECTION 7. IC 12-29-2-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.5. For purposes of the required nonfederal share of medical assistance payments under Title XIX of the federal Social Security Act (42 U.S.C. 1396 et seq.), a community mental health center is a governmental unit.**".

Delete pages 6 through 7.

Page 8, delete lines 1 through 11.

Page 8, delete lines 35 through 42, begin a new paragraph and insert:

"**(d) This subsection applies for purposes of the Medicaid program to an advanced practice registered nurse who:**

(1) is operating under a collaborative agreement with a physician licensed under IC 25-22.5;
(2) is either certified as:
(A) a psychiatric nurse practitioner; or
(B) a clinical nurse specialist with a psychiatric specialty; and
(3) has, as part of the advanced practice registered nurse's scope of practice and collaborative agreement, supervisory rights and responsibilities described in this subsection.

An advanced practice registered nurse who meets the requirements of this subsection has all of the supervisory rights and responsibilities, including prior authorization, that are available to a licensed physician or a health service provider in psychology (HSPP) operating in a community mental center certified under IC 12-21-2-3(5)(C).

(e) Before January 1, 2021, the office of the secretary shall apply to the United States Department of Health and Human Services for any state plan amendment necessary to

implement subsection (d).".

Delete page 9.

Renumber all SECTIONS consecutively.

(Reference is to HB 1326 as printed January 27, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Pensions and Labor, to which was referred Engrossed House Bill 1332, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 35, after "facility," insert "**an amount not to exceed**".

Page 3, line 41, delete "two hundred twenty-five percent (225%)" and insert "**two hundred seventy-five percent (275%)**".

Page 4, between lines 32 and 33, begin a new paragraph and insert:

"SECTION 3. IC 22-3-3-10, AS AMENDED BY P.L.275-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) With respect to injuries in the schedule set forth in subsection (d) occurring on and after July 1, 1979, and before July 1, 1988, the employee shall receive, in addition to temporary total disability benefits not to exceed fifty-two (52) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred twenty-five dollars ($125) average weekly wages, for the period stated for the injury.

(b) With respect to injuries in the schedule set forth in subsection (d) occurring on and after July 1, 1988, and before July 1, 1989, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred sixty-six dollars ($166) average weekly wages, for the period stated for the injury.

(c) With respect to injuries in the schedule set forth in subsection (d) occurring on and after July 1, 1989, and before July 1, 1990, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred eighty-three dollars ($183) average weekly wages, for the period stated for the injury.

(d) With respect to injuries in the following schedule occurring on and after July 1, 1990, and before July 1, 1991, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed two hundred dollars ($200) average weekly wages, for the period stated for the injury.

(1) Amputation: For the loss by separation of the thumb, sixty (60) weeks, of the index finger forty (40) weeks, of the second finger thirty-five (35) weeks, of the third or ring finger thirty (30) weeks, of the fourth or little finger twenty (20) weeks, of the hand by separation below the elbow joint two hundred (200) weeks, or the arm above the elbow two hundred fifty (250) weeks, of the big toe sixty (60) weeks, of the second toe thirty (30) weeks, of the third toe twenty (20) weeks, of the fourth toe fifteen (15) weeks, of the fifth or little toe ten (10) weeks, for loss occurring on and after April 1, 1959, by separation of the foot below the knee joint, one hundred seventy-five (175) weeks and of the leg above the knee joint two hundred twenty-five (225) weeks. The loss of more than one (1) phalange of a thumb or toes shall be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half (1/2) of the thumb or toe and compensation shall be paid for one-half (1/2) of the period for the loss of the entire thumb or toe. The loss of not more than one (1) phalange of a finger shall be considered as the loss of one-third (1/3) of the finger and compensation shall be paid for one-third (1/3) the period for the loss of the entire finger. The loss of more than one (1) phalange of the finger but not more than two (2) phalanges of the finger, shall be considered as the loss of one-half (1/2) of the finger and compensation shall be paid for one-half (1/2) of the period for the loss of the entire finger.

(2) For the loss by separation of both hands or both feet or the total sight of both eyes, or any two (2) such losses in the same accident, five hundred (500) weeks.

(3) For the permanent and complete loss of vision by enucleation or its reduction to one-tenth (1/10) of normal vision with glasses, one hundred seventy-five (175) weeks.

(4) For the permanent and complete loss of hearing in one (1) ear, seventy-five (75) weeks, and in both ears, two hundred (200) weeks.

(5) For the loss of one (1) testicle, fifty (50) weeks; for the loss of both testicles, one hundred fifty (150) weeks.

(e) With respect to injuries in the schedule set forth in subsection (h) occurring on and after July 1, 1979, and before July 1, 1988, the employee shall receive, in addition to temporary total disability benefits not exceeding fifty-two (52) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages not to exceed one hundred twenty-five dollars ($125) average weekly wages for the period stated for the injury.

(f) With respect to injuries in the schedule set forth in subsection (h) occurring on and after July 1, 1988, and before July 1, 1989, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred sixty-six dollars ($166) average weekly wages, for the period stated for the injury.

(g) With respect to injuries in the schedule set forth in subsection (h) occurring on and after July 1, 1989, and before July 1, 1990, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred eighty-three dollars ($183) average weekly wages, for the period stated for the injury.

(h) With respect to injuries in the following schedule occurring on and after July 1, 1990, and before July 1, 1991, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed two hundred dollars ($200) average weekly wages, for the period stated for the injury.

(1) Loss of use: The total permanent loss of the use of an arm, hand, thumb, finger, leg, foot, toe, or phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange, and compensation shall be paid for the same period as for the loss thereof by separation.

(2) Partial loss of use: For the permanent partial loss of the use of an arm, hand, thumb, finger, leg, foot, toe, or phalange, compensation shall be paid for the proportionate loss of the use of such arm, hand, thumb, finger, leg, foot, toe, or phalange.

(3) For injuries resulting in total permanent disability, five hundred (500) weeks.

(4) For any permanent reduction of the sight of an eye less than a total loss as specified in subsection (d)(3), compensation shall be paid for a period proportionate to the degree of such permanent reduction without correction or glasses. However, when such permanent reduction without correction or glasses would result in one hundred percent (100%) loss of vision, but correction or glasses would result in restoration of vision, then in such event compensation shall be paid for fifty percent (50%) of such total loss of vision without glasses, plus an additional amount equal to the proportionate amount of such reduction with glasses, not to exceed an additional fifty percent (50%).

(5) For any permanent reduction of the hearing of one (1) or both ears, less than the total loss as specified in subsection (d)(4), compensation shall be paid for a period proportional to the degree of such permanent reduction.

(6) In all other cases of permanent partial impairment, compensation proportionate to the degree of such permanent partial impairment, in the discretion of the worker's compensation board, not exceeding five hundred (500) weeks.

(7) In all cases of permanent disfigurement which may impair the future usefulness or opportunities of the employee, compensation, in the discretion of the worker's compensation board, not exceeding two hundred (200) weeks, except that no compensation shall be payable under this subdivision where compensation is payable elsewhere in this section.

(i) With respect to injuries in the following schedule occurring on and after July 1, 1991, the employee shall receive in addition to temporary total disability benefits, not exceeding one hundred twenty-five (125) weeks on account of the injury, compensation in an amount determined under the following schedule to be paid weekly at a rate of sixty-six and two-thirds percent (66 2/3%) of the employee's average weekly wages during the fifty-two (52) weeks immediately preceding the week in which the injury occurred.

(1) Amputation: For the loss by separation of the thumb, twelve (12) degrees of permanent impairment; of the index finger, eight (8) degrees of permanent impairment; of the second finger, seven (7) degrees of permanent impairment; of the third or ring finger, six (6) degrees of permanent impairment; of the fourth or little finger, four (4) degrees of permanent impairment; of the hand by separation below the elbow joint, forty (40) degrees of permanent impairment; of the arm above the elbow, fifty (50) degrees of permanent impairment; of the big toe, twelve (12) degrees of permanent impairment; of the second toe, six (6) degrees of permanent impairment; of the third toe, four (4) degrees of permanent impairment; of the fourth toe, three (3) degrees of permanent impairment; of the fifth or little toe, two (2) degrees of permanent impairment; by separation of the foot below the knee joint, thirty-five (35) degrees of permanent impairment; and of the leg above the knee joint, forty-five (45) degrees of permanent impairment.

(2) Amputations: For the loss by separation of any of the body parts described in subdivision (1) on or after July 1, 1997, and for the loss by separation of any of the body parts described in subdivision (3), (5), or (8), on or after July 1, 1999, the dollar values per degree applying on the date of the injury as described in subsection (j) shall be multiplied by two (2). However, the doubling provision of this subdivision does not apply to a loss of use that is not a loss by separation.

(3) The loss of more than one (1) phalange of a thumb or toe shall be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half (1/2) of the degrees of permanent impairment for the loss of the entire thumb or toe. The loss of not more than one (1) phalange of a finger shall be considered as the loss of one-third (1/3) of the finger and compensation shall be paid for one-third (1/3) of the degrees payable for the loss of the entire finger. The loss of more than one (1) phalange of the finger but not more than two (2) phalanges of the finger shall be considered as the loss of one-half (1/2) of the finger and compensation shall be paid for one-half (1/2) of the degrees payable for the loss of the entire finger.

(4) For the loss by separation of both hands or both feet or the total sight of both eyes or any two (2) such losses in the same accident, one hundred (100) degrees of permanent

impairment.

(5) For the permanent and complete loss of vision by enucleation, thirty-five (35) degrees of permanent impairment.

(6) For the reduction of vision to one-tenth (1/10) of normal vision with glasses, thirty-five (35) degrees of permanent impairment.

(7) For the permanent and complete loss of hearing in one (1) ear, fifteen (15) degrees of permanent impairment, and in both ears, forty (40) degrees of permanent impairment.

(8) For the loss of one (1) testicle, ten (10) degrees of permanent impairment; for the loss of both testicles, thirty (30) degrees of permanent impairment.

(9) Loss of use: The total permanent loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange, and compensation shall be paid in the same amount as for the loss by separation. However, the doubling provision of subdivision (2) does not apply to a loss of use that is not a loss by separation.

(10) Partial loss of use: For the permanent partial loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange, compensation shall be paid for the proportionate loss of the use of the arm, hand, thumb, finger, leg, foot, toe, or phalange.

(11) For injuries resulting in total permanent disability, the amount payable for impairment or five hundred (500) weeks of compensation, whichever is greater.

(12) For any permanent reduction of the sight of an eye less than a total loss as specified in subsection (h)(4), the compensation shall be paid in an amount proportionate to the degree of a permanent reduction without correction or glasses. However, when a permanent reduction without correction or glasses would result in one hundred percent (100%) loss of vision, then compensation shall be paid for fifty percent (50%) of the total loss of vision without glasses, plus an additional amount equal to the proportionate amount of the reduction with glasses, not to exceed an additional fifty percent (50%).

(13) For any permanent reduction of the hearing of one (1) or both ears, less than the total loss as specified in subsection (h)(5), compensation shall be paid in an amount proportionate to the degree of a permanent reduction.

(14) In all other cases of permanent partial impairment, compensation proportionate to the degree of a permanent partial impairment, in the discretion of the worker's compensation board, not exceeding one hundred (100) degrees of permanent impairment.

(15) In all cases of permanent disfigurement which may impair the future usefulness or opportunities of the employee, compensation, in the discretion of the worker's compensation board, not exceeding forty (40) degrees of permanent impairment except that no compensation shall be payable under this subdivision where compensation is payable elsewhere in this section.

(j) Compensation for permanent partial impairment shall be paid according to the degree of permanent impairment for the injury determined under subsection (i) and the following:

(1) With respect to injuries occurring on and after July 1, 1991, and before July 1, 1992, for each degree of permanent impairment from one (1) to thirty-five (35), five hundred dollars ($500) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), nine hundred dollars ($900) per degree; for each degree of permanent impairment above fifty (50), one thousand five hundred dollars ($1,500) per degree.

(2) With respect to injuries occurring on and after July 1, 1992, and before July 1, 1993, for each degree of permanent impairment from one (1) to twenty (20), five hundred dollars ($500) per degree; for each degree of permanent impairment from twenty-one (21) to thirty-five (35), eight hundred dollars ($800) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(3) With respect to injuries occurring on and after July 1, 1993, and before July 1, 1997, for each degree of permanent impairment from one (1) to ten (10), five hundred dollars ($500) per degree; for each degree of permanent impairment from eleven (11) to twenty (20), seven hundred dollars ($700) per degree; for each degree of permanent impairment from twenty-one (21) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(4) With respect to injuries occurring on and after July 1, 1997, and before July 1, 1998, for each degree of permanent impairment from one (1) to ten (10), seven hundred fifty dollars ($750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(5) With respect to injuries occurring on and after July 1, 1998, and before July 1, 1999, for each degree of permanent impairment from one (1) to ten (10), seven hundred fifty dollars ($750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(6) With respect to injuries occurring on and after July 1, 1999, and before July 1, 2000, for each degree of permanent impairment from one (1) to ten (10), nine

hundred dollars ($900) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand one hundred dollars ($1,100) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand six hundred dollars ($1,600) per degree; for each degree of permanent impairment above fifty (50), two thousand dollars ($2,000) per degree.

(7) With respect to injuries occurring on and after July 1, 2000, and before July 1, 2001, for each degree of permanent impairment from one (1) to ten (10), one thousand one hundred dollars ($1,100) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand dollars ($2,000) per degree; for each degree of permanent impairment above fifty (50), two thousand five hundred fifty dollars ($2,500) per degree.

(8) With respect to injuries occurring on and after July 1, 2001, and before July 1, 2007, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred dollars ($1,500) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand four hundred dollars ($2,400) per degree; for each degree of permanent impairment above fifty (50), three thousand dollars ($3,000) per degree.

(9) With respect to injuries occurring on and after July 1, 2007, and before July 1, 2008, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred forty dollars ($1,340) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred forty-five dollars ($1,545) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand four hundred seventy-five dollars ($2,475) per degree; for each degree of permanent impairment above fifty (50), three thousand one hundred fifty dollars ($3,150) per degree.

(10) With respect to injuries occurring on and after July 1, 2008, and before July 1, 2009, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred sixty-five dollars ($1,365) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred seventy dollars ($1,570) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand five hundred twenty-five dollars ($2,525) per degree; for each degree of permanent impairment above fifty (50), three thousand two hundred dollars ($3,200) per degree.

(11) With respect to injuries occurring on and after July 1, 2009, and before July 1, 2010, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred eighty dollars ($1,380) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred eighty-five dollars ($1,585) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand six hundred dollars ($2,600) per degree; for each degree of permanent impairment above fifty (50), three thousand three hundred dollars ($3,300) per degree.

(12) With respect to injuries occurring on and after July 1, 2010, and before July 1, 2014, for each degree of permanent impairment from one (1) to ten (10), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand six hundred dollars ($1,600) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand seven hundred dollars ($2,700) per degree; for each degree of permanent impairment above fifty (50), three thousand five hundred dollars ($3,500) per degree.

(13) With respect to injuries occurring on and after July 1, 2014, and before July 1, 2015, for each degree of permanent impairment from one (1) to ten (10), one thousand five hundred seventeen dollars ($1,517) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand seven hundred seventeen dollars ($1,717) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand eight hundred sixty-two dollars ($2,862) per degree; for each degree of permanent impairment above fifty (50), three thousand six hundred eighty-seven dollars ($3,687) per degree.

(14) With respect to injuries occurring on and after July 1, 2015, and before July 1, 2016, for each degree of permanent impairment from one (1) to ten (10), one thousand six hundred thirty-three dollars ($1,633) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand eight hundred thirty-five dollars ($1,835) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand twenty-four dollars ($3,024) per degree; for each degree of permanent impairment above fifty (50), three thousand eight hundred seventy-three dollars ($3,873) per degree.

(15) With respect to injuries occurring on and after July 1, 2016, **and before July 1, 2020,** for each degree of permanent impairment from one (1) to ten (10), one thousand seven hundred fifty dollars ($1,750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand nine hundred fifty-two dollars ($1,952) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand one hundred eighty-six dollars ($3,186) per degree; for each degree of permanent impairment above fifty (50), four thousand sixty dollars ($4,060) per degree.

(16) With respect to injuries occurring on and after July 1, 2020, and before July 1, 2021, for each degree of permanent impairment from one (1) to ten (10), one thousand seven hundred eighty-five dollars ($1,785) per degree; for each degree of permanent impairment from

eleven (11) to thirty-five (35), one thousand nine hundred ninety-one dollars ($1,991) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand two hundred fifty dollars ($3,250) per degree; for each degree of permanent impairment above fifty (50), four thousand one hundred forty-one dollars ($4,141) per degree.

(17) With respect to injuries occurring on and after July 1, 2021, and before July 1, 2022, for each degree of permanent impairment from one (1) to ten (10), one thousand eight hundred twenty-one dollars ($1,821) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand thirty-one dollars ($2,031) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand three hundred fifteen dollars ($3,315) per degree; for each degree of permanent impairment above fifty (50), four thousand two hundred twenty-four dollars ($4,224) per degree.

(18) With respect to injuries occurring on and after July 1, 2022, for each degree of permanent impairment from one (1) to ten (10), one thousand eight hundred fifty-seven dollars ($1,857) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand seventy-two dollars ($2,072) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand three hundred eighty-one dollars ($3,381) per degree; for each degree of permanent impairment above fifty (50), four thousand three hundred eight dollars ($4,308) per degree.

(k) The average weekly wages used in the determination of compensation for permanent partial impairment under subsections (i) and (j) shall not exceed the following:

(1) With respect to injuries occurring on or after July 1, 1991, and before July 1, 1992, four hundred ninety-two dollars ($492).

(2) With respect to injuries occurring on or after July 1, 1992, and before July 1, 1993, five hundred forty dollars ($540).

(3) With respect to injuries occurring on or after July 1, 1993, and before July 1, 1994, five hundred ninety-one dollars ($591).

(4) With respect to injuries occurring on or after July 1, 1994, and before July 1, 1997, six hundred forty-two dollars ($642).

(5) With respect to injuries occurring on or after July 1, 1997, and before July 1, 1998, six hundred seventy-two dollars ($672).

(6) With respect to injuries occurring on or after July 1, 1998, and before July 1, 1999, seven hundred two dollars ($702).

(7) With respect to injuries occurring on or after July 1, 1999, and before July 1, 2000, seven hundred thirty-two dollars ($732).

(8) With respect to injuries occurring on or after July 1, 2000, and before July 1, 2001, seven hundred sixty-two dollars ($762).

(9) With respect to injuries occurring on or after July 1, 2001, and before July 1, 2002, eight hundred twenty-two dollars ($822).

(10) With respect to injuries occurring on or after July 1, 2002, and before July 1, 2006, eight hundred eighty-two dollars ($882).

(11) With respect to injuries occurring on or after July 1, 2006, and before July 1, 2007, nine hundred dollars ($900).

(12) With respect to injuries occurring on or after July 1, 2007, and before July 1, 2008, nine hundred thirty dollars ($930).

(13) With respect to injuries occurring on or after July 1, 2008, and before July 1, 2009, nine hundred fifty-four dollars ($954).

(14) With respect to injuries occurring on or after July 1, 2009, and before July 1, 2014, nine hundred seventy-five dollars ($975).

(15) With respect to injuries occurring on or after July 1, 2014, and before July 1, 2015, one thousand forty dollars ($1,040).

(16) With respect to injuries occurring on or after July 1, 2015, and before July 1, 2016, one thousand one hundred five dollars ($1,105).

(17) With respect to injuries occurring on or after July 1, 2016, **and before July 1, 2020,** one thousand one hundred seventy dollars ($1,170).

(18) With respect to injuries occurring on or after July 1, 2020, and before July 1, 2021, one thousand one hundred ninety-three dollars ($1,193).

(19) With respect to injuries occurring on or after July 1, 2021, and before July 1, 2022, one thousand two hundred seventeen dollars ($1,217).

(20) With respect to injuries occurring on or after July 1, 2022, one thousand two hundred forty-one dollars ($1,241).

SECTION 4. IC 22-3-3-22, AS AMENDED BY P.L.275-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 22. (a) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1985, and before July 1, 1986, the average weekly wages are considered to be:

(1) not more than two hundred sixty-seven dollars ($267); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(b) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1986, and before July 1, 1988, the average weekly wages are considered to be:

(1) not more than two hundred eighty-five dollars ($285); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(c) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with

respect to injuries occurring on and after July 1, 1988, and before July 1, 1989, the average weekly wages are considered to be:

(1) not more than three hundred eighty-four dollars ($384); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(d) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1989, and before July 1, 1990, the average weekly wages are considered to be:

(1) not more than four hundred eleven dollars ($411); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(e) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1990, and before July 1, 1991, the average weekly wages are considered to be:

(1) not more than four hundred forty-one dollars ($441); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(f) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1991, and before July 1, 1992, the average weekly wages are considered to be:

(1) not more than four hundred ninety-two dollars ($492); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(g) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1992, and before July 1, 1993, the average weekly wages are considered to be:

(1) not more than five hundred forty dollars ($540); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(h) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1993, and before July 1, 1994, the average weekly wages are considered to be:

(1) not more than five hundred ninety-one dollars ($591); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(i) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to injuries occurring on and after July 1, 1994, and before July 1, 1997, the average weekly wages are considered to be:

(1) not more than six hundred forty-two dollars ($642); and

(2) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(j) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, the average weekly wages are considered to be:

(1) with respect to injuries occurring on and after July 1, 1997, and before July 1, 1998:

(A) not more than six hundred seventy-two dollars ($672); and

(B) not less than seventy-five dollars ($75);

(2) with respect to injuries occurring on and after July 1, 1998, and before July 1, 1999:

(A) not more than seven hundred two dollars ($702); and

(B) not less than seventy-five dollars ($75);

(3) with respect to injuries occurring on and after July 1, 1999, and before July 1, 2000:

(A) not more than seven hundred thirty-two dollars ($732); and

(B) not less than seventy-five dollars ($75);

(4) with respect to injuries occurring on and after July 1, 2000, and before July 1, 2001:

(A) not more than seven hundred sixty-two dollars ($762); and

(B) not less than seventy-five dollars ($75);

(5) with respect to injuries occurring on and after July 1, 2001, and before July 1, 2002:

(A) not more than eight hundred twenty-two dollars ($822); and

(B) not less than seventy-five dollars ($75);

(6) with respect to injuries occurring on and after July 1, 2002, and before July 1, 2006:

(A) not more than eight hundred eighty-two dollars ($882); and

(B) not less than seventy-five dollars ($75);

(7) with respect to injuries occurring on and after July 1, 2006, and before July 1, 2007:

(A) not more than nine hundred dollars ($900); and

(B) not less than seventy-five dollars ($75);

(8) with respect to injuries occurring on and after July 1, 2007, and before July 1, 2008:

(A) not more than nine hundred thirty dollars ($930); and

(B) not less than seventy-five dollars ($75);

(9) with respect to injuries occurring on and after July 1, 2008, and before July 1, 2009:

(A) not more than nine hundred fifty-four dollars ($954); and

(B) not less than seventy-five dollars ($75);

(10) with respect to injuries occurring on and after July 1, 2009, and before July 1, 2014:

(A) not more than nine hundred seventy-five dollars ($975); and

(B) not less than seventy-five dollars ($75);

(11) with respect to injuries occurring on and after July 1, 2014, and before July 1, 2015:

(A) not more than one thousand forty dollars ($1,040); and

(B) not less than seventy-five dollars ($75);

(12) with respect to injuries occurring on and after July 1, 2015, and before July 1, 2016:

(A) not more than one thousand one hundred five dollars ($1,105); and

(B) not less than seventy-five dollars ($75); ~~and~~

(13) with respect to injuries occurring on and after July 1, 2016, **and before July 1, 2020:**

(A) not more than one thousand one hundred seventy dollars ($1,170); and

(B) not less than seventy-five dollars ($75);

(14) with respect to injuries occurring on and after July 1, 2020, and before July 1, 2021:

(A) not more than one thousand one hundred ninety-three dollars ($1, 193); and

(B) not less than seventy-five dollars ($75);

(15) with respect to injuries occurring on and after July 1, 2021, and before July 1, 2022:

(A) not more than one thousand two hundred seventeen dollars ($1,217); and

(B) not less than seventy-five dollars ($75); and

(16) with respect to injuries occurring on and after July 1, 2022:

(A) not more than one thousand two hundred forty-one dollars ($1,241); and

(B) not less than seventy-five dollars ($75).

However, the weekly compensation payable shall not exceed the average weekly wages of the employee at the time of the injury.

(k) With respect to any injury occurring on and after July 1, 1985, and before July 1, 1986, the maximum compensation, exclusive of medical benefits, which may be paid for an injury under any provisions of this law or any combination of provisions may not exceed eighty-nine thousand dollars ($89,000) in any case.

(l) With respect to any injury occurring on and after July 1, 1986, and before July 1, 1988, the maximum compensation, exclusive of medical benefits, which may be paid for an injury under any provisions of this law or any combination of provisions may not exceed ninety-five thousand dollars ($95,000) in any case.

(m) With respect to any injury occurring on and after July 1, 1988, and before July 1, 1989, the maximum compensation, exclusive of medical benefits, which may be paid for an injury under any provisions of this law or any combination of provisions may not exceed one hundred twenty-eight thousand dollars ($128,000) in any case.

(n) With respect to any injury occurring on and after July 1, 1989, and before July 1, 1990, the maximum compensation, exclusive of medical benefits, which may be paid for an injury under any provisions of this law or any combination of provisions may not exceed one hundred thirty-seven thousand dollars ($137,000) in any case.

(o) With respect to any injury occurring on and after July 1, 1990, and before July 1, 1991, the maximum compensation, exclusive of medical benefits, which may be paid for an injury under any provisions of this law or any combination of provisions may not exceed one hundred forty-seven thousand dollars ($147,000) in any case.

(p) With respect to any injury occurring on and after July 1, 1991, and before July 1, 1992, the maximum compensation, exclusive of medical benefits, that may be paid for an injury under any provisions of this law or any combination of provisions may not exceed one hundred sixty-four thousand dollars ($164,000) in any case.

(q) With respect to any injury occurring on and after July 1, 1992, and before July 1, 1993, the maximum compensation, exclusive of medical benefits, that may be paid for an injury under any provisions of this law or any combination of provisions may not exceed one hundred eighty thousand dollars ($180,000) in any case.

(r) With respect to any injury occurring on and after July 1, 1993, and before July 1, 1994, the maximum compensation, exclusive of medical benefits, that may be paid for an injury under any provisions of this law or any combination of provisions may not exceed one hundred ninety-seven thousand dollars ($197,000) in any case.

(s) With respect to any injury occurring on and after July 1, 1994, and before July 1, 1997, the maximum compensation, exclusive of medical benefits, which may be paid for an injury under any provisions of this law or any combination of provisions may not exceed two hundred fourteen thousand dollars ($214,000) in any case.

(t) The maximum compensation, exclusive of medical benefits, that may be paid for an injury under any provision of this law or any combination of provisions may not exceed the following amounts in any case:

(1) With respect to an injury occurring on and after July 1, 1997, and before July 1, 1998, two hundred twenty-four thousand dollars ($224,000).

(2) With respect to an injury occurring on and after July 1, 1998, and before July 1, 1999, two hundred thirty-four thousand dollars ($234,000).

(3) With respect to an injury occurring on and after July 1, 1999, and before July 1, 2000, two hundred forty-four thousand dollars ($244,000).

(4) With respect to an injury occurring on and after July 1, 2000, and before July 1, 2001, two hundred fifty-four thousand dollars ($254,000).

(5) With respect to an injury occurring on and after July 1, 2001, and before July 1, 2002, two hundred seventy-four thousand dollars ($274,000).

(6) With respect to an injury occurring on and after July 1, 2002, and before July 1, 2006, two hundred ninety-four thousand dollars ($294,000).

(7) With respect to an injury occurring on and after July 1, 2006, and before July 1, 2007, three hundred thousand dollars ($300,000).

(8) With respect to an injury occurring on and after July 1, 2007, and before July 1, 2008, three hundred ten thousand dollars ($310,000).

(9) With respect to an injury occurring on and after July 1, 2008, and before July 1, 2009, three hundred eighteen thousand dollars ($318,000).

(10) With respect to an injury occurring on and after July 1, 2009, and before July 1, 2014, three hundred twenty-five

thousand dollars ($325,000).

(11) With respect to an injury occurring on and after July 1, 2014, and before July 1, 2015, three hundred forty-seven thousand dollars ($347,000).

(12) With respect to an injury occurring on and after July 1, 2015, and before July 1, 2016, three hundred sixty-eight thousand dollars ($368,000).

(13) With respect to an injury occurring on and after July 1, 2016, **and before July 1, 2020,** three hundred ninety thousand dollars ($390,000).

(14) With respect to an injury occurring on and after July 1, 2020, and before July 1, 2021, three hundred ninety-eight thousand dollars ($398,000).

(15) With respect to an injury occurring on and after July 1, 2021, and before July 1, 2022, four hundred six thousand dollars ($406,000).

(16) With respect to an injury occurring on and after July 1, 2022, four hundred fourteen thousand dollars ($414,000).".

Page 11, line 36, after "facility," insert "**an amount not to exceed**".

Page 12, line 1, delete "two hundred twenty-five percent" and insert "**two hundred seventy-five percent**".

Page 12, line 2, delete "(225%)" and insert "**(275%)**".

Page 18, line 36, after "facility," insert "**an amount not to exceed**".

Page 19, line 1, delete "two hundred twenty-five percent" and insert "**two hundred seventy-five percent**".

Page 19, line 2, delete "(225%)" and insert "**(275%)**".

Page 19, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 7. IC 22-3-7-16, AS AMENDED BY P.L.204-2018, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) Compensation shall be allowed on account of disablement from occupational disease resulting in only temporary total disability to work or temporary partial disability to work beginning with the eighth day of such disability except for the medical benefits provided for in section 17 of this chapter. Compensation shall be allowed for the first seven (7) calendar days only as provided in this section. The first weekly installment of compensation for temporary disability is due fourteen (14) days after the disability begins. Not later than fifteen (15) days from the date that the first installment of compensation is due, the employer or the employer's insurance carrier shall file with the worker's compensation board electronically and tender to the employee or to the employee's dependents, with all compensation due, a properly prepared compensation agreement in a form prescribed by the board. Whenever an employer or the employer's insurance carrier denies or is not able to determine liability to pay compensation or benefits, the employer or the employer's insurance carrier shall notify the worker's compensation board and the employee in writing on a form prescribed by the worker's compensation board not later than thirty (30) days after the employer's knowledge of the claimed disablement. If a determination of liability cannot be made within thirty (30) days, the worker's compensation board may approve an additional thirty (30) days upon a written request of the employer or the employer's insurance carrier that sets forth the reasons that the determination could not be made within thirty (30) days and states the facts or circumstances that are necessary to determine liability within the additional thirty (30) days. More than thirty (30) days of additional time may be approved by the worker's compensation board upon the filing of a petition by the employer or the employer's insurance carrier that sets forth:

(1) the extraordinary circumstances that have precluded a determination of liability within the initial sixty (60) days;

(2) the status of the investigation on the date the petition is filed;

(3) the facts or circumstances that are necessary to make a determination; and

(4) a timetable for the completion of the remaining investigation.

An employer who fails to comply with this section is subject to a civil penalty under IC 22-3-4-15.

(b) Once begun, temporary total disability benefits may not be terminated by the employer unless:

(1) the employee has returned to work;

(2) the employee has died;

(3) the employee has refused to undergo a medical examination under section 20 of this chapter;

(4) the employee has received five hundred (500) weeks of temporary total disability benefits or has been paid the maximum compensation allowable under section 19 of this chapter; or

(5) the employee is unable or unavailable to work for reasons unrelated to the compensable disease.

In all other cases the employer must notify the employee in writing of the employer's intent to terminate the payment of temporary total disability benefits, and of the availability of employment, if any, on a form approved by the board. If the employee disagrees with the proposed termination, the employee must give written notice of disagreement to the board and the employer within seven (7) days after receipt of the notice of intent to terminate benefits. If the board and employer do not receive a notice of disagreement under this section, the employee's temporary total disability benefits shall be terminated. Upon receipt of the notice of disagreement, the board shall immediately contact the parties, which may be by telephone or other means and attempt to resolve the disagreement. If the board is unable to resolve the disagreement within ten (10) days of receipt of the notice of disagreement, the board shall immediately arrange for an evaluation of the employee by an independent medical examiner. The independent medical examiner shall be selected by mutual agreement of the parties or, if the parties are unable to agree, appointed by the board under IC 22-3-4-11. If the independent medical examiner determines that the employee is no longer temporarily disabled or is still temporarily disabled but can return to employment that the employer has made available to the employee, or if the employee fails or refuses to appear for examination by the independent medical examiner, temporary total disability benefits may be terminated. If either party disagrees with the opinion of the independent medical examiner, the party shall apply to the board for a hearing under

section 27 of this chapter.

(c) An employer is not required to continue the payment of temporary total disability benefits for more than fourteen (14) days after the employer's proposed termination date unless the independent medical examiner determines that the employee is temporarily disabled and unable to return to any employment that the employer has made available to the employee.

(d) If it is determined that as a result of this section temporary total disability benefits were overpaid, the overpayment shall be deducted from any benefits due the employee under this section and, if there are no benefits due the employee or the benefits due the employee do not equal the amount of the overpayment, the employee shall be responsible for paying any overpayment which cannot be deducted from benefits due the employee.

(e) For disablements occurring on and after July 1, 1976, from occupational disease resulting in temporary total disability for any work there shall be paid to the disabled employee during the temporary total disability weekly compensation equal to sixty-six and two-thirds percent (66 2/3%) of the employee's average weekly wages, as defined in section 19 of this chapter, for a period not to exceed five hundred (500) weeks. Compensation shall be allowed for the first seven (7) calendar days only if the disability continues for longer than twenty-one (21) days.

(f) For disablements occurring on and after July 1, 1974, from occupational disease resulting in temporary partial disability for work there shall be paid to the disabled employee during such disability a weekly compensation equal to sixty-six and two-thirds percent (66 2/3%) of the difference between the employee's average weekly wages, as defined in section 19 of this chapter, and the weekly wages at which the employee is actually employed after the disablement, for a period not to exceed three hundred (300) weeks. Compensation shall be allowed for the first seven (7) calendar days only if the disability continues for longer than twenty-one (21) days. In case of partial disability after the period of temporary total disability, the latter period shall be included as a part of the maximum period allowed for partial disability.

(g) For disabilities occurring on and after July 1, 1979, and before July 1, 1988, from occupational disease in the schedule set forth in subsection (j), the employee shall receive in addition to disability benefits, not exceeding fifty-two (52) weeks on account of the occupational disease, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred twenty-five dollars ($125) average weekly wages, for the period stated for the disabilities.

(h) For disabilities occurring on and after July 1, 1988, and before July 1, 1989, from occupational disease in the schedule set forth in subsection (j), the employee shall receive in addition to disability benefits, not exceeding seventy-eight (78) weeks on account of the occupational disease, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred sixty-six dollars ($166) average weekly wages, for the period stated for the disabilities.

(i) For disabilities occurring on and after July 1, 1989, and before July 1, 1990, from occupational disease in the schedule set forth in subsection (j), the employee shall receive in addition to disability benefits, not exceeding seventy-eight (78) weeks on account of the occupational disease, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred eighty-three dollars ($183) average weekly wages, for the period stated for the disabilities.

(j) For disabilities occurring on and after July 1, 1990, and before July 1, 1991, from occupational disease in the following schedule, the employee shall receive in addition to disability benefits, not exceeding seventy-eight (78) weeks on account of the occupational disease, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed two hundred dollars ($200) average weekly wages, for the period stated for the disabilities.

(1) Amputations: For the loss by separation, of the thumb, sixty (60) weeks; of the index finger, forty (40) weeks; of the second finger, thirty-five (35) weeks; of the third or ring finger, thirty (30) weeks; of the fourth or little finger, twenty (20) weeks; of the hand by separation below the elbow, two hundred (200) weeks; of the arm above the elbow joint, two hundred fifty (250) weeks; of the big toe, sixty (60) weeks; of the second toe, thirty (30) weeks; of the third toe, twenty (20) weeks; of the fourth toe, fifteen (15) weeks; of the fifth or little toe, ten (10) weeks; of the foot below the knee joint, one hundred fifty (150) weeks; and of the leg above the knee joint, two hundred (200) weeks. The loss of more than one (1) phalange of a thumb or toe shall be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half (1/2) of the thumb or toe and compensation shall be paid for one-half (1/2) of the period for the loss of the entire thumb or toe. The loss of not more than two (2) phalanges of a finger shall be considered as the loss of one-half (1/2) the finger and compensation shall be paid for one-half (1/2) of the period for the loss of the entire finger.

(2) Loss of Use: The total permanent loss of the use of an arm, hand, thumb, finger, leg, foot, toe, or phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange and the compensation shall be paid for the same period as for the loss thereof by separation.

(3) Partial Loss of Use: For the permanent partial loss of the use of an arm, hand, thumb, finger, leg, foot, toe, or phalange, compensation shall be paid for the proportionate loss of the use of such arm, hand, thumb, finger, leg, foot, toe, or phalange.

(4) For disablements for occupational disease resulting in total permanent disability, five hundred (500) weeks.

(5) For the loss of both hands, or both feet, or the total sight of both eyes, or any two (2) of such losses resulting from the same disablement by occupational disease, five hundred (500) weeks.

(6) For the permanent and complete loss of vision by enucleation of an eye or its reduction to one-tenth (1/10) of normal vision with glasses, one hundred fifty (150) weeks, and for any other permanent reduction of the sight of an

eye, compensation shall be paid for a period proportionate to the degree of such permanent reduction without correction or glasses. However, when such permanent reduction without correction or glasses would result in one hundred percent (100%) loss of vision, but correction or glasses would result in restoration of vision, then compensation shall be paid for fifty percent (50%) of such total loss of vision without glasses plus an additional amount equal to the proportionate amount of such reduction with glasses, not to exceed an additional fifty percent (50%).

(7) For the permanent and complete loss of hearing, two hundred (200) weeks.

(8) In all other cases of permanent partial impairment, compensation proportionate to the degree of such permanent partial impairment, in the discretion of the worker's compensation board, not exceeding five hundred (500) weeks.

(9) In all cases of permanent disfigurement, which may impair the future usefulness or opportunities of the employee, compensation in the discretion of the worker's compensation board, not exceeding two hundred (200) weeks, except that no compensation shall be payable under this paragraph where compensation shall be payable under subdivisions (1) through (8). Where compensation for temporary total disability has been paid, this amount of compensation shall be deducted from any compensation due for permanent disfigurement.

(k) With respect to disablements in the following schedule occurring on and after July 1, 1991, the employee shall receive in addition to temporary total disability benefits, not exceeding one hundred twenty-five (125) weeks on account of the disablement, compensation in an amount determined under the following schedule to be paid weekly at a rate of sixty-six and two-thirds percent (66 2/3%) of the employee's average weekly wages during the fifty-two (52) weeks immediately preceding the week in which the disablement occurred:

(1) Amputation: For the loss by separation of the thumb, twelve (12) degrees of permanent impairment; of the index finger, eight (8) degrees of permanent impairment; of the second finger, seven (7) degrees of permanent impairment; of the third or ring finger, six (6) degrees of permanent impairment; of the fourth or little finger, four (4) degrees of permanent impairment; of the hand by separation below the elbow joint, forty (40) degrees of permanent impairment; of the arm above the elbow, fifty (50) degrees of permanent impairment; of the big toe, twelve (12) degrees of permanent impairment; of the second toe, six (6) degrees of permanent impairment; of the third toe, four (4) degrees of permanent impairment; of the fourth toe, three (3) degrees of permanent impairment; of the fifth or little toe, two (2) degrees of permanent impairment; of separation of the foot below the knee joint, thirty-five (35) degrees of permanent impairment; and of the leg above the knee joint, forty-five (45) degrees of permanent impairment.

(2) Amputations occurring on or after July 1, 1997: For the loss by separation of any of the body parts described in subdivision (1) on or after July 1, 1997, the dollar values per degree applying on the date of the injury as described in subsection (l) shall be multiplied by two (2). However, the doubling provision of this subdivision does not apply to a loss of use that is not a loss by separation.

(3) The loss of more than one (1) phalange of a thumb or toe shall be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half (1/2) of the degrees of permanent impairment for the loss of the entire thumb or toe. The loss of not more than one (1) phalange of a finger shall be considered as the loss of one-third (1/3) of the finger and compensation shall be paid for one-third (1/3) of the degrees payable for the loss of the entire finger. The loss of more than one (1) phalange of the finger but not more than two (2) phalanges of the finger shall be considered as the loss of one-half (1/2) of the finger and compensation shall be paid for one-half (1/2) of the degrees payable for the loss of the entire finger.

(4) For the loss by separation of both hands or both feet or the total sight of both eyes or any two (2) such losses in the same accident, one hundred (100) degrees of permanent impairment.

(5) For the permanent and complete loss of vision by enucleation or its reduction to one-tenth (1/10) of normal vision with glasses, thirty-five (35) degrees of permanent impairment.

(6) For the permanent and complete loss of hearing in one (1) ear, fifteen (15) degrees of permanent impairment, and in both ears, forty (40) degrees of permanent impairment.

(7) For the loss of one (1) testicle, ten (10) degrees of permanent impairment; for the loss of both testicles, thirty (30) degrees of permanent impairment.

(8) Loss of use: The total permanent loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange, and compensation shall be paid in the same amount as for the loss by separation. However, the doubling provision of subdivision (2) does not apply to a loss of use that is not a loss by separation.

(9) Partial loss of use: For the permanent partial loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange, compensation shall be paid for the proportionate loss of the use of the arm, hand, thumb, finger, leg, foot, toe, or phalange.

(10) For disablements resulting in total permanent disability, the amount payable for impairment or five hundred (500) weeks of compensation, whichever is greater.

(11) For any permanent reduction of the sight of an eye less than a total loss as specified in subdivision (5), the compensation shall be paid in an amount proportionate to the degree of a permanent reduction without correction or

glasses. However, when a permanent reduction without correction or glasses would result in one hundred percent (100%) loss of vision, then compensation shall be paid for fifty percent (50%) of the total loss of vision without glasses, plus an additional amount equal to the proportionate amount of the reduction with glasses, not to exceed an additional fifty percent (50%).

(12) For any permanent reduction of the hearing of one (1) or both ears, less than the total loss as specified in subdivision (6), compensation shall be paid in an amount proportionate to the degree of a permanent reduction.

(13) In all other cases of permanent partial impairment, compensation proportionate to the degree of a permanent partial impairment, in the discretion of the worker's compensation board, not exceeding one hundred (100) degrees of permanent impairment.

(14) In all cases of permanent disfigurement which may impair the future usefulness or opportunities of the employee, compensation, in the discretion of the worker's compensation board, not exceeding forty (40) degrees of permanent impairment except that no compensation shall be payable under this subdivision where compensation is payable elsewhere in this section.

(l) With respect to disablements occurring on and after July 1, 1991, compensation for permanent partial impairment shall be paid according to the degree of permanent impairment for the disablement determined under subsection (k) and the following:

(1) With respect to disablements occurring on and after July 1, 1991, and before July 1, 1992, for each degree of permanent impairment from one (1) to thirty-five (35), five hundred dollars ($500) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), nine hundred dollars ($900) per degree; for each degree of permanent impairment above fifty (50), one thousand five hundred dollars ($1,500) per degree.

(2) With respect to disablements occurring on and after July 1, 1992, and before July 1, 1993, for each degree of permanent impairment from one (1) to twenty (20), five hundred dollars ($500) per degree; for each degree of permanent impairment from twenty-one (21) to thirty-five (35), eight hundred dollars ($800) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(3) With respect to disablements occurring on and after July 1, 1993, and before July 1, 1997, for each degree of permanent impairment from one (1) to ten (10), five hundred dollars ($500) per degree; for each degree of permanent impairment from eleven (11) to twenty (20), seven hundred dollars ($700) per degree; for each degree of permanent impairment from twenty-one (21) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(4) With respect to disablements occurring on and after July 1, 1997, and before July 1, 1998, for each degree of permanent impairment from one (1) to ten (10), seven hundred fifty dollars ($750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(5) With respect to disablements occurring on and after July 1, 1998, and before July 1, 1999, for each degree of permanent impairment from one (1) to ten (10), seven hundred fifty dollars ($750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(6) With respect to disablements occurring on and after July 1, 1999, and before July 1, 2000, for each degree of permanent impairment from one (1) to ten (10), nine hundred dollars ($900) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand one hundred dollars ($1,100) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand six hundred dollars ($1,600) per degree; for each degree of permanent impairment above fifty (50), two thousand dollars ($2,000) per degree.

(7) With respect to disablements occurring on and after July 1, 2000, and before July 1, 2001, for each degree of permanent impairment from one (1) to ten (10), one thousand one hundred dollars ($1,100) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand dollars ($2,000) per degree; for each degree of permanent impairment above fifty (50), two thousand five hundred fifty dollars ($2,500) per degree.

(8) With respect to disablements occurring on and after July 1, 2001, and before July 1, 2007, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred dollars ($1,500) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand four hundred dollars ($2,400) per degree; for each degree of permanent impairment above fifty (50), three thousand dollars ($3,000) per degree.

(9) With respect to disablements occurring on and after July 1, 2007, and before July 1, 2008, for each degree of permanent impairment from one (1) to ten (10), one

thousand three hundred forty dollars ($1,340) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred forty-five dollars ($1,545) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand four hundred seventy-five dollars ($2,475) per degree; for each degree of permanent impairment above fifty (50), three thousand one hundred fifty dollars ($3,150) per degree.

(10) With respect to disablements occurring on and after July 1, 2008, and before July 1, 2009, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred sixty-five dollars ($1,365) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred seventy dollars ($1,570) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand five hundred twenty-five dollars ($2,525) per degree; for each degree of permanent impairment above fifty (50), three thousand two hundred dollars ($3,200) per degree.

(11) With respect to disablements occurring on and after July 1, 2009, and before July 1, 2010, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred eighty dollars ($1,380) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred eighty-five dollars ($1,585) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand six hundred dollars ($2,600) per degree; for each degree of permanent impairment above fifty (50), three thousand three hundred dollars ($3,300) per degree.

(12) With respect to disablements occurring on and after July 1, 2010, and before July 1, 2014, for each degree of permanent impairment from one (1) to ten (10), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand six hundred dollars ($1,600) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand seven hundred dollars ($2,700) per degree; for each degree of permanent impairment above fifty (50), three thousand five hundred dollars ($3,500) per degree.

(13) With respect to disablements occurring on and after July 1, 2014, and before July 1, 2015, for each degree of permanent impairment from one (1) to ten (10), one thousand five hundred seventeen dollars ($1,517) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand seven hundred seventeen dollars ($1,717) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand eight hundred sixty-two dollars ($2,862) per degree; for each degree of permanent impairment above fifty (50), three thousand six hundred eighty-seven dollars ($3,687) per degree.

(14) With respect to disablements occurring on and after July 1, 2015, and before July 1, 2016, for each degree of permanent impairment from one (1) to ten (10), one thousand six hundred thirty-three dollars ($1,633) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand eight hundred thirty-five dollars ($1,835) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand twenty-four dollars ($3,024) per degree; for each degree of permanent impairment above fifty (50), three thousand eight hundred seventy-three dollars ($3,873) per degree.

(15) With respect to disablements occurring on and after July 1, 2016, **and before July 1, 2020,** for each degree of permanent impairment from one (1) to ten (10), one thousand seven hundred fifty dollars ($1,750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand nine hundred fifty-two dollars ($1,952) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand one hundred eighty-six dollars ($3,186) per degree; for each degree of permanent impairment above fifty (50), four thousand sixty dollars ($4,060) per degree.

(16) With respect to disablements occurring on and after July 1, 2020, and before July 1, 2021, for each degree of permanent impairment from one (1) to ten (10), one thousand seven hundred eighty-five dollars ($1,785) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand nine hundred ninety-one dollars ($1,991) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand two hundred fifty dollars ($3,250) per degree; for each degree of permanent impairment above fifty (50), four thousand one hundred forty-one dollars ($4,141) per degree.

(17) With respect to disablements occurring on and after July 1, 2021, and before July 1, 2022, for each degree of permanent impairment from one (1) to ten (10), one thousand eight hundred twenty-one dollars ($1,821) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand thirty-one dollars ($2,031) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand three hundred fifteen dollars ($3,315) per degree; for each degree of permanent impairment above fifty (50), four thousand two hundred twenty-four dollars ($4,224) per degree.

(18) With respect to disablements occurring on and after July 1, 2022, for each degree of permanent impairment from one (1) to ten (10), one thousand eight hundred fifty-seven dollars ($1,857) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand seventy-two dollars ($2,072) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand three hundred eighty-one dollars ($3,381) per degree; for each degree of permanent impairment above fifty (50), four thousand three hundred eight dollars ($4,308) per degree.

(m) The average weekly wages used in the determination of

compensation for permanent partial impairment under subsections (k) and (l) shall not exceed the following:

(1) With respect to disablements occurring on or after July 1, 1991, and before July 1, 1992, four hundred ninety-two dollars ($492).

(2) With respect to disablements occurring on or after July 1, 1992, and before July 1, 1993, five hundred forty dollars ($540).

(3) With respect to disablements occurring on or after July 1, 1993, and before July 1, 1994, five hundred ninety-one dollars ($591).

(4) With respect to disablements occurring on or after July 1, 1994, and before July 1, 1997, six hundred forty-two dollars ($642).

(5) With respect to disablements occurring on or after July 1, 1997, and before July 1, 1998, six hundred seventy-two dollars ($672).

(6) With respect to disablements occurring on or after July 1, 1998, and before July 1, 1999, seven hundred two dollars ($702).

(7) With respect to disablements occurring on or after July 1, 1999, and before July 1, 2000, seven hundred thirty-two dollars ($732).

(8) With respect to disablements occurring on or after July 1, 2000, and before July 1, 2001, seven hundred sixty-two dollars ($762).

(9) With respect to disablements occurring on or after July 1, 2001, and before July 1, 2002, eight hundred twenty-two dollars ($822).

(10) With respect to disablements occurring on or after July 1, 2002, and before July 1, 2006, eight hundred eighty-two dollars ($882).

(11) With respect to disablements occurring on or after July 1, 2006, and before July 1, 2007, nine hundred dollars ($900).

(12) With respect to disablements occurring on or after July 1, 2007, and before July 1, 2008, nine hundred thirty dollars ($930).

(13) With respect to disablements occurring on or after July 1, 2008, and before July 1, 2009, nine hundred fifty-four dollars ($954).

(14) With respect to disablements occurring on or after July 1, 2009, and before July 1, 2014, nine hundred seventy-five dollars ($975).

(15) With respect to disablements occurring on or after July 1, 2014, and before July 1, 2015, one thousand forty dollars ($1,040).

(16) With respect to disablements occurring on or after July 1, 2015, and before July 1, 2016, one thousand one hundred five dollars ($1,105).

(17) With respect to disablements occurring on or after July 1, 2016, **and before July 1, 2020,** one thousand one hundred seventy dollars ($1,170).

(18) With respect to disablements occurring on or after July 1, 2020, and before July 1, 2021, one thousand one hundred ninety-three dollars ($1,193).

(19) With respect to disablements occurring on or after July 1, 2021, and before July 1, 2022, one thousand two hundred seventeen dollars ($1,217).

(20) With respect to disablements occurring on or after July 1, 2022, one thousand two hundred forty-one dollars ($1,241).

(n) If any employee, only partially disabled, refuses employment suitable to the employee's capacity procured for the employee, the employee shall not be entitled to any compensation at any time during the continuance of such refusal unless, in the opinion of the worker's compensation board, such refusal was justifiable. The employee must be served with a notice setting forth the consequences of the refusal under this subsection. The notice must be in a form prescribed by the worker's compensation board.

(o) If an employee has sustained a permanent impairment or disability from an accidental injury other than an occupational disease in another employment than that in which the employee suffered a subsequent disability from an occupational disease, such as herein specified, the employee shall be entitled to compensation for the subsequent disability in the same amount as if the previous impairment or disability had not occurred. However, if the permanent impairment or disability resulting from an occupational disease for which compensation is claimed results only in the aggravation or increase of a previously sustained permanent impairment from an occupational disease or physical condition regardless of the source or cause of such previously sustained impairment from an occupational disease or physical condition, the board shall determine the extent of the previously sustained permanent impairment from an occupational disease or physical condition as well as the extent of the aggravation or increase resulting from the subsequent permanent impairment or disability, and shall award compensation only for that part of said occupational disease or physical condition resulting from the subsequent permanent impairment. An amputation of any part of the body or loss of any or all of the vision of one (1) or both eyes caused by an occupational disease shall be considered as a permanent impairment or physical condition.

(p) If an employee suffers a disablement from an occupational disease for which compensation is payable while the employee is still receiving or entitled to compensation for a previous injury by accident or disability by occupational disease in the same employment, the employee shall not at the same time be entitled to compensation for both, unless it be for a permanent injury, such as specified in subsection (k)(1), (k)(4), (k)(5), (k)(8), or (k)(9), but the employee shall be entitled to compensation for that disability and from the time of that disability which will cover the longest period and the largest amount payable under this chapter.

(q) If an employee receives a permanent disability from an occupational disease such as specified in subsection (k)(1), (k)(4), (k)(5), (k)(8), or (k)(9) after having sustained another such permanent disability in the same employment the employee shall be entitled to compensation for both such disabilities, but the total compensation shall be paid by extending the period and not by increasing the amount of weekly compensation and, when such previous and subsequent permanent disabilities, in combination result in total permanent disability or permanent total impairment, compensation shall be payable for such

permanent total disability or impairment, but payments made for the previous disability or impairment shall be deducted from the total payment of compensation due.

(r) When an employee has been awarded or is entitled to an award of compensation for a definite period from an occupational disease wherein disablement occurs on and after April 1, 1963, and such employee dies from other causes than such occupational disease, payment of the unpaid balance of such compensation not exceeding three hundred fifty (350) weeks shall be paid to the employee's dependents of the second and third class as defined in sections 11 through 14 of this chapter and compensation, not exceeding five hundred (500) weeks shall be made to the employee's dependents of the first class as defined in sections 11 through 14 of this chapter.

(s) Any payment made by the employer to the employee during the period of the employee's disability, or to the employee's dependents, which, by the terms of this chapter, was not due and payable when made, may, subject to the approval of the worker's compensation board, be deducted from the amount to be paid as compensation, but such deduction shall be made from the distal end of the period during which compensation must be paid, except in cases of temporary disability.

(t) When so provided in the compensation agreement or in the award of the worker's compensation board, compensation may be paid semimonthly, or monthly, instead of weekly.

(u) When the aggregate payments of compensation awarded by agreement or upon hearing to an employee or dependent under eighteen (18) years of age do not exceed one hundred dollars ($100), the payment thereof may be made directly to such employee or dependent, except when the worker's compensation board shall order otherwise.

(v) Whenever the aggregate payments of compensation, due to any person under eighteen (18) years of age, exceed one hundred dollars ($100), the payment thereof shall be made to a trustee, appointed by the circuit or superior court, or to a duly qualified guardian, or, upon the order of the worker's compensation board, to a parent or to such minor person. The payment of compensation, due to any person eighteen (18) years of age or over, may be made directly to such person.

(w) If an employee, or a dependent, is mentally incompetent, or a minor at the time when any right or privilege accrues to the employee under this chapter, the employee's guardian or trustee may, in the employee's behalf, claim and exercise such right and privilege.

(x) All compensation payments named and provided for in this section, shall mean and be defined to be for only such occupational diseases and disabilities therefrom as are proved by competent evidence, of which there are or have been objective conditions or symptoms proven, not within the physical or mental control of the employee.".

Page 20, line 18, after "facility," insert "**an amount not to exceed**".

Page 20, line 24, delete "two hundred twenty-five percent (225%)" and insert "**two hundred seventy-five percent (275%)**".

Page 21, after line 15, begin a new paragraph and insert:

"SECTION 9. IC 22-3-7-19, AS AMENDED BY P.L.275-2013, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 19. (a) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1985, and before July 1, 1986, the average weekly wages are considered to be:

(1) not more than two hundred sixty-seven dollars ($267); and

(2) not less than seventy-five dollars ($75).

(b) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1986, and before July 1, 1988, the average weekly wages are considered to be:

(1) not more than two hundred eighty-five dollars ($285); and

(2) not less than seventy-five dollars ($75).

(c) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1988, and before July 1, 1989, the average weekly wages are considered to be:

(1) not more than three hundred eighty-four dollars ($384); and

(2) not less than seventy-five dollars ($75).

(d) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1989, and before July 1, 1990, the average weekly wages are considered to be:

(1) not more than four hundred eleven dollars ($411); and

(2) not less than seventy-five dollars ($75).

(e) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1990, and before July 1, 1991, the average weekly wages are considered to be:

(1) not more than four hundred forty-one dollars ($441); and

(2) not less than seventy-five dollars ($75).

(f) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1991, and before July 1, 1992, the average weekly wages are considered to be:

(1) not more than four hundred ninety-two dollars ($492); and

(2) not less than seventy-five dollars ($75).

(g) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1992, and before July 1, 1993, the average weekly wages are considered to be:

(1) not more than five hundred forty dollars ($540); and

(2) not less than seventy-five dollars ($75).

(h) In computing compensation for temporary total disability,

temporary partial disability, and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1993, and before July 1, 1994, the average weekly wages are considered to be:

(1) not more than five hundred ninety-one dollars ($591); and

(2) not less than seventy-five dollars ($75).

(i) In computing compensation for temporary total disability, temporary partial disability and total permanent disability, with respect to occupational diseases occurring on and after July 1, 1994, and before July 1, 1997, the average weekly wages are considered to be:

(1) not more than six hundred forty-two dollars ($642); and

(2) not less than seventy-five dollars ($75).

(j) In computing compensation for temporary total disability, temporary partial disability, and total permanent disability, the average weekly wages are considered to be:

(1) with respect to occupational diseases occurring on and after July 1, 1997, and before July 1, 1998:

(A) not more than six hundred seventy-two dollars ($672); and

(B) not less than seventy-five dollars ($75);

(2) with respect to occupational diseases occurring on and after July 1, 1998, and before July 1, 1999:

(A) not more than seven hundred two dollars ($702); and

(B) not less than seventy-five dollars ($75);

(3) with respect to occupational diseases occurring on and after July 1, 1999, and before July 1, 2000:

(A) not more than seven hundred thirty-two dollars ($732); and

(B) not less than seventy-five dollars ($75);

(4) with respect to occupational diseases occurring on and after July 1, 2000, and before July 1, 2001:

(A) not more than seven hundred sixty-two dollars ($762); and

(B) not less than seventy-five dollars ($75);

(5) with respect to disablements occurring on and after July 1, 2001, and before July 1, 2002:

(A) not more than eight hundred twenty-two dollars ($822); and

(B) not less than seventy-five dollars ($75);

(6) with respect to disablements occurring on and after July 1, 2002, and before July 1, 2006:

(A) not more than eight hundred eighty-two dollars ($882); and

(B) not less than seventy-five dollars ($75);

(7) with respect to disablements occurring on and after July 1, 2006, and before July 1, 2007:

(A) not more than nine hundred dollars ($900); and

(B) not less than seventy-five dollars ($75);

(8) with respect to disablements occurring on and after July 1, 2007, and before July 1, 2008:

(A) not more than nine hundred thirty dollars ($930); and

(B) not less than seventy-five dollars ($75);

(9) with respect to disablements occurring on and after July 1, 2008, and before July 1, 2009:

(A) not more than nine hundred fifty-four dollars ($954); and

(B) not less than seventy-five dollars ($75);

(10) with respect to disablements occurring on and after July 1, 2009, and before July 1, 2014:

(A) not more than nine hundred seventy-five dollars ($975); and

(B) not less than seventy-five dollars ($75);

(11) with respect to disablements occurring on and after July 1, 2014, and before July 1, 2015:

(A) not more than one thousand forty dollars ($1,040); and

(B) not less than seventy-five dollars ($75);

(12) with respect to disablements occurring on and after July 1, 2015, and before July 1, 2016:

(A) not more than one thousand one hundred five dollars ($1,105); and

(B) not less than seventy-five dollars ($75); ~~and~~

(13) with respect to disablements occurring on and after July 1, 2016, **and before July 1, 2020:**

(A) not more than one thousand one hundred seventy dollars ($1,170); and

(B) not less than seventy-five dollars ($75);

(14) with respect to disablements occurring on and after July 1, 2020, and before July 1, 2021:

(A) not more than one thousand one hundred ninety-three dollars ($1,193); and

(B) not less than seventy-five dollars ($75);

(15) with respect to disablements occurring on and after July 1, 2021, and before July 1, 2022:

(A) not more than one thousand two hundred seventeen dollars ($1,217); and

(B) not less than seventy-five dollars ($75); and

(16) with respect to disablements occurring on and after July 1, 2022:

(A) not more than one thousand two hundred forty-one dollars ($1,241); and

(B) not less than seventy-five dollars ($75).

(k) The maximum compensation with respect to disability or death occurring on and after July 1, 1985, and before July 1, 1986, which shall be paid for occupational disease and the results thereof under the provisions of this chapter or under any combination of its provisions may not exceed eighty-nine thousand dollars ($89,000) in any case.

(l) The maximum compensation with respect to disability or death occurring on and after July 1, 1986, and before July 1, 1988, which shall be paid for occupational disease and the results thereof under the provisions of this chapter or under any combination of its provisions may not exceed ninety-five thousand dollars ($95,000) in any case.

(m) The maximum compensation with respect to disability or death occurring on and after July 1, 1988, and before July 1, 1989, that shall be paid for occupational disease and the results thereof under this chapter or under any combination of its provisions may not exceed one hundred twenty-eight thousand dollars ($128,000) in any case.

(n) The maximum compensation with respect to disability or

death occurring on and after July 1, 1989, and before July 1, 1990, that shall be paid for occupational disease and the results thereof under this chapter or under any combination of its provisions may not exceed one hundred thirty-seven thousand dollars ($137,000) in any case.

(o) The maximum compensation with respect to disability or death occurring on and after July 1, 1990, and before July 1, 1991, that shall be paid for occupational disease and the results thereof under this chapter or under any combination of its provisions may not exceed one hundred forty-seven thousand dollars ($147,000) in any case.

(p) The maximum compensation with respect to disability or death occurring on and after July 1, 1991, and before July 1, 1992, that shall be paid for occupational disease and the results thereof under this chapter or under any combination of the provisions of this chapter may not exceed one hundred sixty-four thousand dollars ($164,000) in any case.

(q) The maximum compensation with respect to disability or death occurring on and after July 1, 1992, and before July 1, 1993, that shall be paid for occupational disease and the results thereof under this chapter or under any combination of the provisions of this chapter may not exceed one hundred eighty thousand dollars ($180,000) in any case.

(r) The maximum compensation with respect to disability or death occurring on and after July 1, 1993, and before July 1, 1994, that shall be paid for occupational disease and the results thereof under this chapter or under any combination of the provisions of this chapter may not exceed one hundred ninety-seven thousand dollars ($197,000) in any case.

(s) The maximum compensation with respect to disability or death occurring on and after July 1, 1994, and before July 1, 1997, that shall be paid for occupational disease and the results thereof under this chapter or under any combination of the provisions of this chapter may not exceed two hundred fourteen thousand dollars ($214,000) in any case.

(t) The maximum compensation that shall be paid for occupational disease and the results of an occupational disease under this chapter or under any combination of the provisions of this chapter may not exceed the following amounts in any case:

(1) With respect to disability or death occurring on and after July 1, 1997, and before July 1, 1998, two hundred twenty-four thousand dollars ($224,000).

(2) With respect to disability or death occurring on and after July 1, 1998, and before July 1, 1999, two hundred thirty-four thousand dollars ($234,000).

(3) With respect to disability or death occurring on and after July 1, 1999, and before July 1, 2000, two hundred forty-four thousand dollars ($244,000).

(4) With respect to disability or death occurring on and after July 1, 2000, and before July 1, 2001, two hundred fifty-four thousand dollars ($254,000).

(5) With respect to disability or death occurring on and after July 1, 2001, and before July 1, 2002, two hundred seventy-four thousand dollars ($274,000).

(6) With respect to disability or death occurring on and after July 1, 2002, and before July 1, 2006, two hundred ninety-four thousand dollars ($294,000).

(7) With respect to disability or death occurring on and after July 1, 2006, and before July 1, 2007, three hundred thousand dollars ($300,000).

(8) With respect to disability or death occurring on and after July 1, 2007, and before July 1, 2008, three hundred ten thousand dollars ($310,000).

(9) With respect to disability or death occurring on and after July 1, 2008, and before July 1, 2009, three hundred eighteen thousand dollars ($318,000).

(10) With respect to disability or death occurring on and after July 1, 2009, and before July 1, 2014, three hundred twenty-five thousand dollars ($325,000).

(11) With respect to disability or death occurring on and after July 1, 2014, and before July 1, 2015, three hundred forty-seven thousand dollars ($347,000).

(12) With respect to disability or death occurring on and after July 1, 2015, and before July 1, 2016, three hundred sixty-eight thousand dollars ($368,000).

(13) With respect to disability or death occurring on and after July 1, 2016, **and before July 1, 2020,** three hundred ninety thousand dollars ($390,000).

(14) With respect to disability or death occurring on and after July 1, 2020, and before July 1, 2021, three hundred ninety-eight thousand dollars ($398,000).

(15) With respect to disability or death occurring on and after July 1, 2021, and before July 1, 2022, four hundred six thousand dollars ($406,000).

(16) With respect to disability or death occurring on and after July 1, 2022, four hundred fourteen thousand dollars ($414,000).

(u) For all disabilities occurring on and after July 1, 1985, "average weekly wages" means the earnings of the injured employee during the period of fifty-two (52) weeks immediately preceding the disability divided by fifty-two (52). If the employee lost seven (7) or more calendar days during the period, although not in the same week, then the earnings for the remainder of the fifty-two (52) weeks shall be divided by the number of weeks and parts of weeks remaining after the time lost has been deducted. If employment before the date of disability extended over a period of less than fifty-two (52) weeks, the method of dividing the earnings during that period by the number of weeks and parts of weeks during which the employee earned wages shall be followed if results just and fair to both parties will be obtained. If by reason of the shortness of the time during which the employee has been in the employment of the employer or of the casual nature or terms of the employment it is impracticable to compute the average weekly wages for the employee, the employee's average weekly wages shall be considered to be the average weekly amount that, during the fifty-two (52) weeks before the date of disability, was being earned by a person in the same grade employed at the same work by the same employer or, if there is no person so employed, by a person in the same grade employed in that same class of employment in the same district. Whenever allowances of any character are made to an employee instead of wages or a specified part of the wage contract, they shall be considered a part of the employee's earnings.

(v) The provisions of this article may not be construed to

result in an award of benefits in which the number of weeks paid or to be paid for temporary total disability, temporary partial disability, or permanent total disability benefits combined exceeds five hundred (500) weeks. This section shall not be construed to prevent a person from applying for an award under IC 22-3-3-13. However, in case of permanent total disability resulting from a disablement occurring on or after January 1, 1998, the minimum total benefit shall not be less than seventy-five thousand dollars ($75,000).".

Renumber all SECTIONS consecutively.

(Reference is to HB 1332 as reprinted January 31, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 10, Nays 0.

BOOTS, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Education and Career Development, to which was referred Engrossed House Bill 1341, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 1, line 8, delete "1999; or" and insert "**2003; and**".

Page 1, line 17, delete "1999," and insert "**2003,**".

Page 2, line 2, delete "opportunities" and insert "**the opportunities and resources**".

Page 2, delete lines 3 through 14, begin a new paragraph and insert:

"**(c) The plan developed under subsection (b) must include the following:**

(1) A description of the following:

(A) How to contact former students described in subsection (b).

(B) The opportunities that former students described in subsection (b) have to earn a diploma, including an alternative diploma described in IC 20-32-4-14 or an Indiana high school equivalency diploma.

(2) A list of the following:

(A) Resources available to former students described in subsection (b) regarding employment services.

(B) Vocational training opportunities for former students described in subsection (b).".

Page 2, line 15, delete "(e)" and insert "**(d)**".

Page 2, line 18, delete "(f)" and insert "**(e)**".

(Reference is to HB 1341 as printed January 24, 2020.)
and when so amended that said bill do pass.
Committee Vote: Yeas 9, Nays 0.

RAATZ, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Insurance and Financial Institutions, to which was referred Engrossed House Bill 1353, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 25, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 13. IC 28-7-1-17, AS AMENDED BY P.L.176-2019, SECTION 59, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. (a) Every loan application shall be submitted on a form approved by the credit union. Loans may be disbursed upon written approval by a majority of the credit committee or a loan officer. If the credit committee or loan officer fails to approve an application for a loan, the applicant may appeal to the board of directors, if such appeal is authorized by the bylaws.

(b) Loans to members may be made only under the following terms and conditions:

(1) All loans shall be evidenced by notes signed by the borrowing member.

(2) Except as otherwise provided in this section, the terms of any loan to a member with a maturity of more than six (6) months shall provide for principal and interest payments that will amortize the obligation in full within the terms of the loan contract. If the income of the borrowing member is seasonal, the terms of the loan contract may provide for seasonal amortization.

(3) Loans may be made upon the security of improved or unimproved real estate. Except as otherwise specified in this section, such loans must be secured by a first lien upon real estate prior to all other liens, except for taxes and assessments not delinquent, and may be made with repayment terms other than as provided in subdivision (2). The credit union loan folder for all real estate mortgage loans shall include the following:

(A) The loan application.

(B) The mortgage instrument.

(C) The note.

(D) The disclosure statement.

(E) The documentation of property insurance.

(F) For the real estate for which the loan is made:

(i) a written appraisal; ~~which must be performed by a state licensed or certified appraiser designated by the board of directors if the amount of the loan is at least two hundred fifty thousand dollars ($250,000).~~ **or**

(ii) a written estimate of market value;

consistent with the appraisal standards and transaction value limitations set forth in the appraisal regulations of the National Credit Union Administration (12 CFR 722).

(4) Loans made upon security of real estate are subject to the following restrictions:

(A) Real estate loans in which no principal amortization is required shall provide for the payment of interest at least annually and shall mature within five (5) years of the date of the loan unless extended and shall not exceed fifty percent (50%) of the fair cash value of the real estate used as security.

(B) Real estate loans on improved real estate, except for variable rate mortgage loans and rollover mortgage loans provided for in subdivision (5), shall require substantially equal payments at successive intervals of not more than one (1) year, shall mature within thirty

(30) years, and shall not exceed one hundred percent (100%) of the fair cash value of the real estate used as security.

(C) Loans primarily secured by a mortgage which constitutes a second lien on improved real estate may be made only if the aggregate amount of all loans on the real estate does not exceed one hundred percent (100%) of the fair cash value of the real estate after such loan is made. Repayment terms shall be in accordance with subdivision (2).

(D) Real estate loans may be made for the construction of improvements to real property. Funds borrowed may be advanced as work on the improvements progresses. Repayment terms must comply with subdivision (2).

(5) Subject to the limitations of subdivision (3), variable rate mortgage loans and rollover mortgage loans may be made under the same limitations and rights provided state chartered savings associations under IC 28-1-21.5 (before its repeal) or IC 28-15 or federal credit unions.

(6) As used in this subdivision, "originating lender" means the participating lender with which the member contracts. A credit union may participate with other state and federal depository financial institutions (as defined in IC 28-1-1-6) or credit union service organizations in making loans to credit union members and may sell a participating interest in any of its loans under written participation loan policies established by the board of directors. However, the credit union may not sell more than ninety percent (90%) of the principal of participating loans outstanding at the time of sale. A participating credit union that is not the originating lender may participate only in loans made to the credit union's own members or to members of another participating state or federal credit union. A master participation agreement must be properly executed. The agreement must include provisions for identifying, either through documents incorporated by reference or directly in the agreement, the participation loan or loans before the sale of the loans.

(7) As an alternative to making any loan authorized by and under the conditions set forth in subdivisions (1) through (6), a credit union may make any of the following:

(A) Any loan that may be made by a federal credit union. However, IC 24-4.5 applies to any loan that is:

(i) made under this clause; and

(ii) within the scope of IC 24-4.5.

Any provision of federal law that is in conflict with IC 24-4.5 does not apply to a loan made under this clause.

(B) Subject to subdivision (3), any alternative mortgage loan (as defined in IC 28-15-11-2) that may be made by a savings association (as defined in IC 28-15-1-11) under IC 28-15-11. A loan made under this clause by a credit union is subject to the same terms, conditions, exceptions, and limitations that apply to an alternative mortgage loan made by a savings association under IC 28-15-11.

(8) A credit union may make a loan under either:

(A) subdivisions (2) through (6); or

(B) subdivision (7);

but not both. A credit union shall make an initial determination as to whether to make a loan under subdivisions (2) through (6) or under subdivision (7). If the credit union determines that a loan or category of loans is to be made under subdivision (7), the written loan policies of the credit union must include that determination. A credit union may not combine the terms and conditions that apply to a loan made under subdivisions (2) through (6) with the terms and conditions that apply to a loan made under subdivision (7) to make a loan not expressly described and authorized either under subdivisions (2) through (6) or under subdivision (7).

(c) Nothing in this section prevents any credit union from taking an indemnifying or second mortgage on real estate as additional security.".

Renumber all SECTIONS consecutively.

(Reference is to HB 1353 as printed January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 6, Nays 0.

BASSLER, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Health and Provider Services, to which was referred Engrossed House Bill 1392, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 through 5 with "[EFFECTIVE JANUARY 1, 2021]".

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 16-18-2-7.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 7.3. (a) "Advanced practice registered nurse last in attendance" means the individual who pronounced the time of death for a deceased individual.**

(b) For purposes of IC 16-37-3, the term includes an individual who holds a license under IC 25-23 and is practicing as an advanced practice registered nurse and meets the definition of IC 25-23-1-1(b).

SECTION 2. IC 16-18-2-282.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 282.1. (a) "Physician assistant last in attendance" means the individual who pronounced the time of death for a deceased individual.**

(b) For purposes of IC 16-37-3, the term includes an individual who holds a license under IC 25-27.5 and is practicing as a physician assistant under a collaborative agreement that meets the requirements of IC 25-27.5-5-3.".

Page 2, line 19, delete "nurse;" and insert "**nurse**".

Page 4, line 19, delete "Two (2)" and insert "**One (1)**".

Page 4, line 20, after "be" insert "**an**".

Page 4, line 21, delete "nurses, at least one (1) of whom" and

insert "**nurse who**".

Page 5, delete lines 25 through 42.

Delete page 6.

Page 7, delete line 1.

Renumber all SECTIONS consecutively.

(Reference is to HB 1392 as printed January 28, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 11, Nays 0.

CHARBONNEAU, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Utilities, to which was referred Engrossed House Bill 1414, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Replace the effective dates in SECTIONS 1 and 2 with "[EFFECTIVE JULY 1, 2020]".

Page 2, delete lines 4 through 8.

Page 2, line 9, delete "(e)" and insert "**(d)**".

Page 2, line 22, delete "(f)" and insert "**(e)**".

Page 2, line 31, delete "(g)" and insert "**(f)**".

Page 2, delete lines 34 through 42, begin a new line block indented and insert:

"**(1) the retirement, sale, or transfer is consistent with the public utility's preferred portfolio in the public utility's most recent integrated resource plan; and**

(2) the public utility has made a reasonable effort to comply with 170 IAC 4-7-2.6 and 170 IAC 4-7-4.".

Page 3, delete lines 1 through 27.

Page 3, line 28, delete "(j)" and insert "**(g)**".

Page 3, line 28, delete "May 1, 2021." and insert "**December 31, 2020.**".

Page 3, delete lines 29 through 42, begin a new paragraph and insert:

"SECTION 2. IC 8-1-8.5-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 12. (a) As used in this section, "coal industry employment" means employment:**

(1) at a commercial coal mine in Indiana;

(2) at a coal-fired electric generating unit in Indiana; or

(3) in an Indiana based manufacturing or transportation supply chain serving:

(A) a commercial coal mine in Indiana; or

(B) a coal-fired electric generating unit in Indiana.

(b) As used in this section, "coal transition worker" means:

(1) an individual who:

(A) has been laid off or terminated from the individual's coal industry employment; or

(B) has received a notice of termination or layoff from the individual's coal industry employment;

as a result of the permanent closure of, or a substantial layoff at, a commercial coal mine in Indiana or a coal-fired electric generating unit in Indiana; or

(2) an individual who:

(A) has:

(i) been laid off or terminated, for a reason other than cause; or

(ii) received a notice of termination or layoff, for a reason other than cause;

from the individual's coal industry employment; and

(B) is unlikely to obtain employment in an industry described in subsection (a)(1) through (a)(3) because of market forces or other factors affecting the industry.

(c) In awarding high value workforce ready credit-bearing grants under IC 21-12-8, the commission for higher education, in conjunction with the department of workforce development, shall give priority to an applicant who is a coal transition worker if the applicant is otherwise eligible for a grant under IC 21-12-8-9.".

Page 4, delete line 16.

(Reference is to HB 1414 as reprinted January 31, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 8, Nays 2.

MERRITT, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Commerce and Technology, to which was referred Engrossed House Bill 1419, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be amended as follows:

Page 3, line 39, delete "thirty-two (32)" and insert "**thirty-one (31)**".

Page 3, line 41, delete "." and insert ", **serving as a nonvoting member.**".

Page 4, line 3, delete "." and insert ", **serving as a nonvoting member.**".

Page 4, line 19, after "education" insert "**educators or**".

Page 4, delete lines 22 through 27.

Page 4, line 28, delete "(15)" and insert "**(13)**".

Page 4, line 31, delete "(16)" and insert "**(14)**".

Page 4, line 33, delete "(17)" and insert "**(15)**".

Page 4, line 35, delete "(18)" and insert "**(16)**".

Page 4, line 37, delete "(19)" and insert "**(17)**".

Page 4, line 41, delete "(20)" and insert "**(18)**".

Page 5, line 1, delete "(21)" and insert "**(19)**".

Page 5, line 4, delete "(22)" and insert "**(20)**".

Page 5, line 6, delete "(23)" and insert "**(21)**".

Page 5, line 10, delete "The member shall be appointed to fill the first".

Page 5, delete lines 11 through 12.

Page 5, line 13, delete "(24)" and insert "**(22)**".

Page 5, line 14, delete "(25)" and insert "**(23)**".

Page 5, delete lines 15 through 17.

Page 5, between lines 17 and 18, begin a new line block indented and insert:

"**(24) The commissioner of the department of corrections, serving as a nonvoting member.**

(25) The secretary of family and social services, serving

as a nonvoting member.".

Page 5, line 18, delete "(27)" and insert "**(26)**".

Page 5, line 18, reset in roman "A member of the house of representatives appointed by".

Page 5, reset in roman line 19.

Page 5, line 20, reset in roman "nonvoting member.".

Page 5, line 20, delete "Two (2) members appointed by the speaker".

Page 5, delete line 21.

Page 5, line 22, delete "(28)" and insert "**(27)**".

Page 5, line 22, reset in roman "A member of the senate appointed by the president pro".

Page 5, line 23, reset in roman "tempore of the senate who serves as a nonvoting member.".

Page 5, line 23, delete "Two".

Page 5, delete lines 24 through 25.

Page 5, line 26, delete "(29)" and insert "**(28)**".

Page 5, line 28, delete "(a)(15)" and insert "**(a)(13)**".

Page 5, line 29, delete "(a)(23)" and insert "**(a)(21)**".

Page 5, after line 41, begin a new paragraph and insert:

"SECTION 4. IC 20-32-4-15 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 15. (a) The following definitions apply throughout this section:**

(1) "Utility career cluster" means a list:

(A) compiled for purposes of college and career pathways relating to career and technical education under section 1.5(g) of this chapter; and

(B) setting forth industries or occupational fields that:

(i) are related to the provision of utility services; and

(ii) share similar knowledge and skill training requirements.

(2) "Utility services" includes:

(A) production, transmission, or distribution of electricity;

(B) acquisition, transportation, distribution, or storage of natural gas;

(C) provision of communications service (as defined in IC 8-1-32.5-3);

(D) treatment, storage, or distribution of water; and

(E) collection or treatment of wastewater.

(b) Not later than December 31, 2020:

(1) the state board shall, for purposes of developing sequences of courses leading to student concentrators in industries or occupational fields related to the provision of utility services under section 1.5(g) of this chapter, approve a utility career cluster; and

(2) the governor's workforce cabinet, in consultation with the state board, department, and department of workforce development, shall create one (1) or more course sequences:

(A) each of which is comprised of courses approved by the state board for purposes of college and career pathways relating to career and technical education under section 1.5(g) of this chapter; and

(B) each of which provides students with knowledge and skills necessary for employment in an industry or occupational field in the utility career cluster.

(c) In creating one (1) or more course sequences under subsection (b)(2), the governor's workforce cabinet, in consultation with the state board, department, and department of workforce development, shall:

(1) consider the impact of course sequences on the long term outcomes of students; and

(2) prioritize course sequences that lead to high wage, high demand jobs.

SECTION 5. IC 20-32-4-16 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 16. (a) Section 15(c) of this chapter and this section apply to any:**

(1) career clusters approved or amended, after July 1, 2020, by the state board; or

(2) course sequences leading to student concentrators created or amended, after July 1, 2020, by the governor's workforce cabinet in consultation with the state board, department, and department of workforce development.

(b) The governor's workforce cabinet shall do the following:

(1) Collect data each year regarding approved career clusters and course sequences to inform decision making around approving, creating, and amending current and future career clusters and course sequence requirements.

(2) Prepare and submit, not later than November 1 of each year, a report to the legislative council in an electronic format under IC 5-14-6 regarding the data collected under subdivision (1).".

Renumber all SECTIONS consecutively.

(Reference is to HB 1419 as reprinted January 31, 2020.)

and when so amended that said bill do pass.

Committee Vote: Yeas 9, Nays 0.

PERFECT, Chair

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: Pursuant to Senate Rule 68(b), I hereby report that, subsequent to the adoption of the Committee Report on February 27, 2020, Senate Concurrent Resolution 28 was reassigned to the Committee on Homeland Security and Transportation.

BRAY

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SCR 53 Senator L. Brown

Recognizing the significance of the construction of the Vietnam Memorial Wall at the Veterans National Memorial Shrine and Museum in Fort Wayne, Indiana.

SCR 54 Senator Bray
Fixing the date for the Second Regular Technical Session of the One Hundred Twenty First General Assembly.
SR 56 Senator Stoops
Honoring Indiana University Dance Marathon.
BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 53

Senate Concurrent Resolution 53, introduced by Senators L. Brown and Busch:

A CONCURRENT RESOLUTION recognizing the significance of the construction of the Vietnam Memorial Wall at the Veterans National Memorial Shrine and Museum in Fort Wayne, Indiana.

Whereas, On December 30, 2019, the Veterans National Memorial Shrine and Museum in Fort Wayne announced that it will erect a permanent replica of the traveling Washington, D.C., Vietnam Veterans Memorial;

Whereas, The replica monument wall will be part of a new Monument Plaza being constructed, which will include monuments honoring veterans of World War I, World War II, the Korean War, the Iraq War, and Gold Star Families;

Whereas, The Memorial Wall and Monument Plaza are vital parts of the Veterans National Memorial Shrine and Museum mission to remember all veterans and their sacrifices made throughout United States history; and

Whereas, Building a replica of the Vietnam Veterans Memorial in Fort Wayne will help to bring thousands of visitors to the Veterans National Memorial Shrine and Museum to remember all veterans who served in wartime: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes the significance of the construction of the Vietnam Memorial Wall being constructed at the Veterans National Memorial Shrine and Museum in Fort Wayne, Indiana.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Veterans National Memorial Shrine and Museum.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Carbaugh, Judy, Morris, GiaQuinta, and Abbott.

Senate Concurrent Resolution 54

Senate Concurrent Resolution 54, introduced by Senator Bray:

A CONCURRENT RESOLUTION fixing the date for the Second Regular Technical Session of the One Hundred Twenty First General Assembly.

Whereas, IC 2-2.1-1-3.5 authorizes the General Assembly to fix a date for the Second Regular Technical Session of the General Assembly;

Whereas, The General Assembly finds that it is in the best interest of the State of Indiana to fix a date for the Technical Session; and

Whereas, It is prudent to allow the President Pro Tempore of the Senate and the Speaker of the House of Representatives to jointly order that the Technical Session not convene if they determine the cost and inconvenience do not justify meeting in Technical Session: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. The date for the Second Regular Technical Session of the One Hundred Twenty First General Assembly is hereby fixed for Wednesday, May 13, 2020, at 1:30 p.m.

SECTION 2. The President Pro Tempore of the Senate and the Speaker of the House of Representatives may issue a joint order that the General Assembly not convene in Technical Session if they determine the cost and inconvenience of meeting in Technical Session are not justified.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Bosma.

Senate Resolution 56

Senate Resolution 56, introduced by Senator Stoops:

A SENATE RESOLUTION to honor Indiana University Dance Marathon (IUDM) and the students involved in the organization.

Whereas, In 1991, after eighteen-year-old Hoosier, Ryan White, lost his battle with AIDS, students at Indiana University started IUDM to honor Ryan and give back to the hospital where he received treatment, Riley Hospital for Children;

Whereas, Planning for the dance marathon and raising money for Riley Hospital is a year-long effort. Over 1,200 committee members work together to plan for the annual November marathon. Over 4,000 Indiana University students participate in this event;

Whereas, During the 36-hour long marathon, students stand on their feet in honor of the children at Riley Hospital for Children;

Whereas, Over the past 29 years, IUDM has raised over $36 million for the children at Riley Hospital. Through the years, this

money has funded both the Ryan White Infectious Disease Center and the Wells Center of Pediatric Research; and

Whereas, The tireless efforts of the students involved in IUDM to raise money and awareness For The Kids, a motto of the dance marathon, are worthy of honor and recognition: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate honors Indiana University Dance Marathon and the students involved in the organization.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Jacob Holbrook, the President of IUDM.

The resolution was read in full and adopted by voice vote.

House Concurrent Resolution 43

House Concurrent Resolution 43, sponsored by Senator Crider:

A CONCURRENT RESOLUTION recognizing and honoring volunteer firefighters.

Whereas, These brave and dedicated volunteer firefighters have served courageously and risked their lives daily to protect their communities from the threat of fire;

Whereas, For 50 years these volunteer firefighters have answered the call when fire struck Hoosier communities, forsaking all else to protect and serve those in need;

Whereas, It takes a special dedication, a strong desire to help others, and a tireless sense of community to sacrifice precious time with family and friends to respond to the signal that a neighbor is in need;

Whereas, These brave volunteer firefighters have heroically performed, throughout 50 years of devoted service, above and beyond the call of duty to fulfill the tasks and responsibilities of fire protection;

Whereas, It is right and just to recognize the tireless contributions and sacrifices that volunteer firefighters have made to bring safety and security to all Hoosier communities; and

Whereas, The distinguished service of volunteer firefighters has brought pride and honor to the state of Indiana: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes and honors the following volunteer firefighters that have spent 50 years protecting and serving communities across Indiana: Thomas Anderson, Lloyd Woodrick, Weldon Coslet, William H. Flanagin Jr., Jim E. Bullock, Delbert E. Collinsworth, Bill Corning, Randal E. Clinton, Rodney Isaac Cross, John P. Hardy, Jerry D. Knepp, Paul Martin, Bruce R. Bordner, Wayne A. Smith, Steven E. Barcus, Ralph M. Clary, Michael D. Schrader, Daryl R. Daniels, Jerry W. Hochstetler, Michael E. Shearer, Estill A. Ritchie, Robert E. Arnold, Keith A. Balliet, Gary E. Teeple, Daniel G. Anderson, Donald D. Kendall, Richard A. McCarty, Jimmie L. Stipp, Gail G. Sears, Robert J. Haunert, William L. Clark, Phil Dearinger, Carl V. McAnally, Donald Wells, Bryan L. Husband, George Thomas Asbury, William R. Shields, Tim Earl Jenks, Gordon W. Foster, Daniel L. Harshbarger, Larry R. Harmon, Jack C. Giles, Harry H. Green, Gary Poteet, Gary Allen Thomas, Jack Lee Duncan, John A. Pardo, Thomas A. Fulton, James A. Ennis, Don L. Benter, Henry David Taylor, James H. Lohring, John M. Buckman I, James Robert Fechtmeister, Mark A. Ellis, James M. Hardesty, Ronald N. Bell, Stephen L. Murphy, James R. Davis, Max S. Ferree, Raymond D. Spires, Richard K. Taylor, William Bland, Cleon Brahm, Michael J. Gutzwiller, James R. Vinup, Paul E. Covington Jr., John D. Goodrick, Larry Curl, and Walter Bedford Blakely.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the volunteer firefighters named in this resolution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, with amendments, Engrossed Senate Bills 50, 109, 237, 239, 383, 424, and 438 and the same are herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bills 181, 197, 249, 288, and 358 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 6 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 43 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON SECOND READING

House Concurrent Resolution 18

Senator Kruse called up House Concurrent Resolution 18 for second reading. The resolution was read a second time and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1052

Senator Charbonneau called up Engrossed House Bill 1052 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1059

Senator Doriot called up Engrossed House Bill 1059 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1094

Senator Glick called up Engrossed House Bill 1094 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1108

Senator Bassler called up Engrossed House Bill 1108 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1108–8)

Madam President: I move that Engrossed House Bill 1108 be amended to read as follows:

Page 6, line 36, delete "report," and insert "**report.**".

Page 6, line 37, delete "personnel report, or entity report established by this article.".

Page 9, line 31, after "each day" insert "**, beginning on the day that the court imposes the civil penalty and each day thereafter,**".

Page 12, line 4, after "each day" insert "**, beginning on the day that the court imposes the civil penalty and each day thereafter,**".

Page 13, line 38, delete "confidential".

Page 17, delete lines 5 through 13, begin a new paragraph and insert:

"(g) Except as permitted in this section, the information and materials that are part of an exit conference under subsection (b), ~~and~~ the results of an examination, including a preliminary report under subsection (d), **and management letters** are confidential until the occurrence of the earliest of the following:

(1) The final report is made public under subsection (a).

(2) The results of the examination are publicized under subsection (c)(2).

(3) The attorney general institutes an action under subsection (e) on the basis of the preliminary report.".

(Reference is to EHB 1108 as printed February 21, 2020.)

BASSLER

Motion prevailed.

SENATE MOTION
(Amendment 1108–4)

Madam President: I move that Engrossed House Bill 1108 be amended to read as follows:

Page 21, after line 2, begin a new paragraph and insert:

"SECTION 16. IC 20-24-9-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3.5. (a) Notwithstanding IC 5-11-1-9(b), each year, on or before a date established by the department, each charter school and organizer shall obtain in a manner prescribed by the department an independent audit of all public and private funds received.**

(b) Not later than July 1, 2021, and each July 1 thereafter, each charter school and organizer shall submit a copy of the annual audit described in subsection (a) to the department.

SECTION 17. IC 20-51-4-13 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 13. (a) Notwithstanding IC 5-11-1-9(b), each year, on or before a date established by the department, each eligible school shall obtain in a manner prescribed by the department an independent audit of all public and private funds received.**

(b) Not later than July 1, 2021, and each July 1 thereafter, each eligible school shall submit a copy of the annual audit described in subsection (a) to the department.".

(Reference is to EHB 1108 as printed February 21, 2020.)

STOOPS

Motion failed. The bill was ordered engrossed.

Engrossed House Bill 1113

Senator Bassler called up Engrossed House Bill 1113 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1113–2)

Madam President: I move that Engrossed House Bill 1113 be amended to read as follows:

Page 41, between lines 26 and 27, begin a new paragraph and insert:

"SECTION 27. IC 6-1.1-15-17.3, AS AMENDED BY P.L.232-2017, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17.3. (a) As used in this section, "tax official" means:

(1) a township assessor;

(2) a county assessor;
(3) a county auditor;
(4) a county treasurer;
(5) a member of a county board; or
(6) any employee, contract employee, or independent contractor of an individual described in subdivisions (1) through (5).

(b) Except as provided in subsection (c), a tax official in a county may not serve as a tax representative of any taxpayer with respect to property subject to property taxes in the county before the county board of that county or the Indiana board. The prohibition under this subsection applies regardless of whether or not the individual receives any compensation for the representation or assistance.

(c) Subsection (b) does not:
(1) prohibit a contract employee or independent contractor of a tax official from serving as a tax representative before the county board or Indiana board for a taxpayer with respect to property subject to property taxes in the county unless the contract employee or independent contractor personally and substantially participated in the assessment of the property; or
(2) prohibit an individual from appearing before the county board or Indiana board regarding property owned by the individual.

(d) An individual who is a former county assessor, former township assessor, former employee or contract employee of a county assessor or township assessor, or an independent contractor formerly employed by a county assessor or township assessor may not serve as a tax representative for or otherwise assist another person in an assessment appeal before a county board or the Indiana board if:
(1) the appeal involves the assessment of property located in:
(A) the county in which the individual was the county assessor or was an employee, contract employee, or independent contractor of the county assessor; or
(B) the township in which the individual was the township assessor or was an employee, contract employee, or independent contractor of the township assessor; and
(2) while the individual was the county assessor or township assessor, was employed by or a contract employee of the county assessor or the township assessor, or was an independent contractor for the county assessor or the township assessor, the individual personally and substantially participated in the assessment of the property.

The prohibition under this subsection applies regardless of whether the individual receives any compensation for the representation or assistance. However, this subsection does not prohibit an individual from appearing before the Indiana board or county board regarding property owned by the individual.

(e) The department shall prepare and make available to taxpayers a power of attorney form that allows the owner of property that is the subject of an appeal under this article to appoint a relative (as defined in IC 2-2.2-1-17) for specific assessment years to represent the owner concerning the appeal before the county board or the department of local government finance. A relative who is appointed by the owner of the property under this subsection:
(1) may represent the owner before the county board or the department of local government finance but not the Indiana board concerning the appeal; and
(2) is not required to be certified as a tax representative in order to represent the owner concerning the appeal.

(f) Notwithstanding any other law, but subject to subsections (b) and (d) and IC 6-1.1-31.7-3.5, an individual may serve as a tax representative of any taxpayer concerning property subject to property taxes in the county:
(1) before the county board of that county, if:
(A) the individual is certified as a level one or level two assessor-appraiser under IC 6-1.1-35.5; and
(B) the taxpayer authorizes the individual to serve as the taxpayer's tax representative on a form that is:
(i) prepared by the department of local government finance; and
(ii) submitted with the taxpayer's notice to initiate an appeal; or
(2) before the county board of that county or the Indiana board, if the individual is certified as a level three assessor-appraiser under IC 6-1.1-35.5.".

Page 126, line 8, strike "2020." and insert "**2021.**".
Page 126, line 24, strike "2021." and insert "**2022.**".
Renumber all SECTIONS consecutively.
(Reference is to EHB 1113 as printed February 26, 2020.)

NIEMEYER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1131

Senator Garten called up Engrossed House Bill 1131 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1131–2)

Madam President: I move that Engrossed House Bill 1131 be amended to read as follows:

Replace the effective date in each SECTION with "[EFFECTIVE UPON PASSAGE]".

Page 2, between lines 31 and 32, begin a new paragraph and insert:

"SECTION 3. IC 8-1-2-61.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 61.9. (a) As used in this section, "utility" means a municipally owned utility (as defined in IC 8-1-2-1(h)) that provides water service or wastewater service, or both, to the public.**

(b) This section applies only to a utility that on January 1, 2020, provides water service, wastewater service, or both, to property that satisfies all of the following:
(1) The property is not located within the municipality that owns or operates the utility.
(2) The property was in an unincorporated part of a township that reorganized with a municipality under IC 36-1.5 to become a part of the resulting reorganized

municipality.

(c) Notwithstanding IC 8-1-2.7 and any other law under which a water or wastewater utility is exempt from or may withdraw from the jurisdiction of the commission, a utility to which this section applies is subject to the jurisdiction of the commission with respect to:

(1) rates and charges;

(2) stocks, bonds, notes, or other evidence of indebtedness;

(3) rules; and

(4) the annual report filing requirement.

However, a utility to which this section applies may impose and collect rates and charges existing on February 1, 2020, until the rates and charges are replaced by rates and charges determined under the rate case required by subsection (d).

(d) A utility to which this section applies must file a rate case with the commission before July 1, 2020.".

Page 10, after line 8, begin a new paragraph and insert:

"SECTION 10. IC 36-9-23-25.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 25.5. Notwithstanding any other provision of this chapter, a utility to which IC 8-1-2-61.9 applies is subject to the jurisdiction of the Indiana utility regulatory commission with respect to:**

(1) rates and charges;

(2) stocks, bonds, notes, or other evidence of indebtedness;

(3) rules; and

(4) the annual report filing requirement.

SECTION 11. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1131 as printed February 25, 2020.)

J.D. FORD

Motion prevailed.

SENATE MOTION
(Amendment 1131–3)

Madam President: I move that Engrossed House Bill 1131 be amended to read as follows:

Replace the effective date in each SECTION with "[EFFECTIVE UPON PASSAGE]".

Page 1, line 3, delete "(a)".

Page 1, delete line 9.

Page 1, between lines 9 and 10, begin a new paragraph and insert:

"SECTION 2. IC 8-1-1.9-4, AS ADDED BY P.L.126-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Notwithstanding IC 8-1-2.7 and any other law under which a water or wastewater utility is exempt from or may withdraw from the jurisdiction of the commission, a water or wastewater utility that is organized ~~as a legal entity~~ after June 30, 2018, is subject to the jurisdiction of the commission with respect to:

(1) rates and charges;

(2) stocks, bonds, notes, or other evidence of indebtedness;

(3) rules; and

(4) the annual report filing requirement;

for the period of ten (10) years beginning on the day on which the water or wastewater utility is organized. ~~as a legal entity.~~

(b) This section does not affect:

(1) any statutes requiring or permitting a water or wastewater utility to petition the commission before providing service to the public; or

(2) the commission's jurisdiction regarding statutes and petitions referred to in subdivision (1).".

Page 10, after line 8, begin a new paragraph and insert:

"SECTION 10. IC 36-9-25-11.3, AS ADDED BY P.L.175-2006, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11.3. (a) This section applies to:

(1) a board and district created under section 3(b)(2) of this chapter; **and**

(2) a board and district to which the following apply:

(A) The district is within the jurisdiction of a department established under section 1(a)(2) of this chapter.

(B) The district is under an order or party to an agreement with one (1) or more state or federal agencies to remediate environmental conditions.

(b) For purposes of this section, "commission" refers to the Indiana utility regulatory commission created by IC 8-1-1-2.

(c) For purposes of this section, "fees" means fees:

(1) for the treatment and disposal of sewage and other waste discharged into the sewer system of the district; and

(2) related to property that is subject to full taxation.

(d) Fees do not take effect until the fees are:

(1) approved by the board; and

(2) either:

(A) approved in an ordinance adopted by the legislative body of each municipality in the district; or

(B) established by the commission under this section.

(e) Not earlier than thirty (30) days after fees are approved under subsection (d)(1), the board may petition the commission to establish the fees under:

(1) the procedures set forth in IC 8-1-2; and

(2) subsection (f).

(f) The commission shall observe the following requirements when establishing fees for a district:

(1) Fees must be sufficient to enable the district to furnish reasonably adequate services and facilities.

(2) Fees for a service must be nondiscriminatory, reasonable, and just and must produce sufficient revenue, together with taxes levied under this chapter, to do the following:

(A) Pay all legal and other necessary expenses incident to the operation of the utility, including the following:

(i) Maintenance costs.

(ii) Operating charges.

(iii) Upkeep.

(iv) Repairs.

(v) Depreciation.

(vi) Interest charges on bonds or other obligations, including leases.

(B) Provide a sinking fund for the liquidation of bonds or other obligations, including leases.

(C) Provide a debt service reserve for bonds or other obligations, including leases, in an amount established by the board. The amount may not exceed the maximum annual debt service on the bonds or obligations or the maximum annual lease rentals, if any.

(D) Provide adequate money for working capital.

(E) Provide adequate money for making extensions and replacements to the extent not provided for through depreciation in clause (A).

(F) Provide money for the payment of taxes that may be assessed against the district.

(3) The fees charged by the district must produce an income sufficient to maintain district property in a sound physical and financial condition to render adequate and efficient service. Fees may not be too low to meet these requirements.

(4) If the board petitions the commission under subsection (e), the fees established must produce a reasonable return on the sanitary district facilities.

(5) Fees other than fees established for a municipally owned utility taxed under IC 6-1.1-8-3 must be sufficient to compensate the municipality for taxes that would be due the municipality on the utility property located in the municipality if the property were privately owned.

(6) The commission must grant a request by the board to postpone an increase in fees until after the occurrence of a future event.

(g) The board may transfer fees in lieu of taxes established under subsection (f)(5) to the general fund of the appropriate municipality.

(h) Fees established by the commission under this section take effect to the same extent as if the fees were approved by an ordinance adopted by the legislative body of each municipality in the district.

SECTION 11. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1131 as printed February 25, 2020.)

GARTEN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1174

Senator Crider called up Engrossed House Bill 1174 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1176

Senator Ruckelshaus called up Engrossed House Bill 1176 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1176–1)

Madam President: I move that Engrossed House Bill 1176 be amended to read as follows:

Replace the effective date in SECTION 1 with "[EFFECTIVE JANUARY 1, 2021]".

Replace the effective date in SECTION 9 with "[EFFECTIVE JANUARY 1, 2021]".

Replace the effective date in SECTION 12 with "[EFFECTIVE JANUARY 1, 2021]".

Page 2, line 13, reset in roman "shall".

Page 2, line 13, delete "may".

Page 2, line 15, after "IC 12-9-1-1." insert "**Except when the monthly fee is less than the product determined under IC 12-12.7-2-23(b),**".

Page 2, line 15, delete "The" and insert "the".

Page 2, line 15, reset in roman "shall".

Page 2, line 15, delete "may".

Page 2, line 27, after "family" insert "**service plan, if those services are a covered benefit under the plan once**".

Page 2, line 28, delete "service plan once".

Page 2, line 31, delete "subsection (i)." and insert "**this section.**".

Page 6, between lines 28 and 29, begin a new paragraph and insert:

"SECTION 9. IC 12-12.7-2-23 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 23. (a) As used in this section, "covered plan" means a plan providing coverage for early intervention services under IC 5-10-8-7.3, IC 21-38-6-1, or IC 27-8-27-6.**

(b) The division may not be paid by a covered plan for early intervention services provided under this chapter at a rate that is less than the product of the following:

(1) The covered plan's CPT code (as defined by 27-1-37.5-3) rate for each service provided; multiplied by

(2) The frequency of each service.".

Page 6, line 31, delete "Subject to IC 12-12.7-2-23,".

Page 6, line 32, delete "an" and insert "An".

Page 6, line 33, reset in roman "shall".

Page 6, line 33, delete "may".

Page 6, line 34, after "services." insert "**Except when the monthly fee is less than the product determined under IC 12-12.7-2-23(b),**".

Page 6, line 34, delete "The" and insert "**the**".

Page 6, line 35, reset in roman "shall".

Page 6, line 36, delete "may".

Page 6, line 38, after "family" insert "**service plan, if those services are a covered benefit under the plan once**".

Page 6, line 39, delete "service plan once".

Page 6, line 42, delete "subsection (b)." and insert "**this section.**".

Page 7, line 19, after "department" insert "**of insurance**".

Page 7, line 39, after "department" insert "**of insurance**".

Page 8, line 1, after "(a)" delete "Subject to IC 12-12.7-2-23".

Page 8, line 2, delete "a" and insert "**A**".

Page 8, line 3, reset in roman "shall".

Page 8, line 3, delete "may".

Page 8, line 4, after "services." insert "**Except when the monthly fee is less than the product determined under IC 12-12.7-2-23(b),**".

Page 8, line 4, delete "The" and insert "the".

Page 8, line 5, reset in roman "shall".

Page 8, line 5, delete "may".

Page 8, line 8, after "family" insert "**service plan, if those services are a covered benefit under the plan once**".

Page 8, line 9, delete "service plan once".

Page 9, line 6, delete "subject to state or federal regulation." and insert "**a self-funded or fully-funded plan.**".

Renumber all SECTIONS consecutively.

(Reference is to EHB as printed February 25, 2020.)

RUCKELSHAUS

Motion prevailed.

SENATE MOTION
(Amendment 1176–2)

Madam President: I move that Engrossed House Bill 1176 be amended to read as follows:

Page 2, delete lines 32 through 42, begin a new paragraph and insert:

"SECTION 2. IC 12-12.7-2-3, AS AMENDED BY SEA 238-2020, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) As used in this chapter, "early intervention services" means developmental services that meet the following conditions:

(1) Are provided under public supervision.

(2) Are selected in collaboration with the parents.

(3) Are provided at no cost, except when federal or state law provides for a system of payments by the families, including a sliding fee schedule.

(4) Are designed to meet the:

(A) developmental needs of infants and toddlers with disabilities in at least one (1) of the areas specified in section 4(a)(1) of this chapter; and

(B) needs of the family to assist appropriately the development of the infant or toddler as identified by the individualized family service plan adopted in accordance with 20 U.S.C. 1436.

(5) Meet all required state and federal standards.

(6) Are provided by qualified personnel, including the following:

(A) Early childhood special educators, early childhood educators, and special educators, including teachers of children with:

(i) hearing impairments, including deafness; and

(ii) vision impairments, including blindness.

(B) Speech and language pathologists and audiologists.

(C) Occupational therapists.

(D) Physical therapists.

(E) Psychologists.

(F) Social workers.

(G) Nurses.

(H) Nutritionists.

(I) Family therapists.

(J) Orientation and mobility specialists.

(K) Pediatricians and other physicians for diagnostic and evaluation purposes.

(L) Registered dieticians.

(M) Vision specialists, including ophthalmologists and optometrists.

(7) To the maximum extent appropriate, are provided in natural environments, including the home and community settings in which children without disabilities participate.

(8) Are provided in conformity with an individualized family service plan adopted in accordance with 20 U.S.C. 1436.

(b) The term includes the following services:

(1) Family training, counseling, and home visits.

(2) Special instruction.

(3) Speech and language pathology, audiology, and sign language and cued language services.

(4) Occupational therapy.

(5) Physical therapy.

(6) Psychological services.

(7) Service coordination services.

(8) Medical services only for diagnostic, evaluation, or consultation purposes.

(9) Early identification, screening, and assessment services.

(10) Other health services necessary for an infant or a toddler to benefit from the services.

(11) Vision services.

(12) Supportive technology services.

(13) Transportation and related costs that are necessary to enable an infant or a toddler and the infant's or toddler's family to receive early intervention services.

(14) Habilitative services that are necessary to enable an infant or toddler to keep, learn, improve, or recover skills and functioning for daily living, including skills and functioning affected by a developmental delay.

~~(14)~~ **(15)** Assistive technology devices and services.

~~(15)~~ **(16)** Nursing services.

~~(16)~~ **(17)** Nutrition services.

~~(17)~~ **(18)** Social work services.

(c) This section does not provide an exhaustive list of the services that may constitute early intervention services or the qualified personnel that may provide early intervention services. Nothing in this section prohibits an individualized family service plan from including another type of:

(1) service as an early intervention service if the service meets the criteria set forth in subsection (a); or

(2) personnel that may provide early intervention services as long as the personnel meet the requirements of 34 CFR 303.31.".

Page 3, delete lines 1 through 40.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1176 as printed February 25, 2020.)

RUCKELSHAUS

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1222

Senator Walker called up Engrossed House Bill 1222 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1222–1)

Madam President: I move that Engrossed House Bill 1222 be amended to read as follows:

Page 23, line 12, delete "." and insert "**if the petition was unanimously approved by the entire membership of the county election board or the board of elections and registration.**".

(Reference is to EHB 1222 as printed February 19, 2020.)

NIEMEYER

Motion prevailed.

SENATE MOTION
(Amendment 1222–13)

Madam President: I move that Engrossed House Bill 1222 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 3-5-2-40.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 40.4. "Presidential election year" refers to a year in which an election for electors for President of the United States is held.**".

Page 12, delete lines 16 through 42.

Delete pages 13 through 15.

Page 16, delete lines 1 through 19.

Page 21, between lines 23 and 24, begin a new paragraph and insert:

"SECTION 30. IC 3-10-8-1, AS AMENDED BY P.L.219-2013, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. A special election shall be held in the following cases:

(1) Whenever two (2) or more candidates for a federal, state, legislative, circuit, or school board office receive the highest and an equal number of votes for the office, except as provided in Article 5, Section 5 of the Constitution of the State of Indiana or in IC 20.

(2) Whenever a vacancy occurs in the office of United States Senator, as provided in IC 3-13-3-1.

(3) Whenever a vacancy occurs in the office of United States Representative unless the vacancy occurs less than seventy-four (74) days before a general election.

(4) Whenever a vacancy occurs in any local office the filling of which is not otherwise provided by law.

(5) Whenever required by law for a public question. **Notwithstanding any other law, a special election for a local public question may not be held in a year after a presidential election year.**

(6) Whenever ordered by a court under IC 3-12-8-17 or the state recount commission under IC 3-12-11-18.

(7) Whenever required under IC 3-13-5 to fill a vacancy in a legislative office unless the vacancy occurs less than seventy-four (74) days before a general election.

SECTION 31. IC 3-10-8-1.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 1.2. (a) As used in this section, "applicable statute" refers to either of the following:**

(1) IC 20-46-1 (referendum tax levy).

(2) IC 20-46-9 (school safety referendum tax levy).

(b) As used in this section, "levy" refers to a tax levy imposed, reimposed, or extended by a school corporation under an applicable statute.

(c) Notwithstanding section 1(5) of this chapter, a school corporation may reimpose or extend a levy in 2021, 2025, or 2027 under an applicable statute if the school corporation would have been permitted to reimpose or extend the levy under this title and the applicable statute, both as in effect before January 1, 2020.

(d) If a school corporation reimposes or extends a levy as provided in subsection (c), the school corporation may not further reimpose or extend that levy for a period of time permitted under the applicable statute that expires during a year after a presidential election year.

(e) This section expires January 1, 2028.".

Page 22, delete lines 9 through 24.

Page 47, delete lines 28 through 42.

Page 48, delete lines 1 through 25.

Page 50, delete lines 19 through 42, begin a new paragraph and insert:

"SECTION 73. IC 6-1.1-20-3.6, AS AMENDED BY P.L.246-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.6. (a) Except as provided in sections 3.7 and 3.8 of this chapter, this section applies only to a controlled project described in section 3.5(a) of this chapter.

(b) If a sufficient petition requesting the application of the local public question process has been filed as set forth in section 3.5 of this chapter, a political subdivision may not impose property taxes to pay debt service on bonds or lease rentals on a lease for a controlled project unless the political subdivision's proposed debt service or lease rental is approved ~~in an election on~~ **by** a local public question ~~held~~ under this section.

(c) Except as provided in subsection (k), the following question shall be submitted to the eligible voters at the election conducted under this section:

"Shall _____ (insert the name of the political subdivision) issue bonds or enter into a lease to finance _____ (insert a brief description of the controlled project), which is estimated to cost not more than _____ (insert the total cost of the project) and is estimated to increase the property tax rate for debt service by _____ (insert increase in tax rate as determined by the department of local government finance)?".

The public question must appear on the ballot in the form approved by the county election board. If the political subdivision proposing to issue bonds or enter into a lease is located in more than one (1) county, the county election board of each county shall jointly approve the form of the public question that will appear on the ballot in each county. The form approved by the county election board may differ from the language certified to the county election board by the county auditor. If the county election board approves the language of a public question under this subsection, the county election board shall submit the language to the department of local government finance for review.

(d) The department of local government finance shall review the language of the public question to evaluate whether the description of the controlled project is accurate and is not biased against either a vote in favor of the controlled project or a vote

against the controlled project. The department of local government finance may either approve the ballot language as submitted or recommend that the ballot language be modified as necessary to ensure that the description of the controlled project is accurate and is not biased. The department of local government finance shall certify its approval or recommendations to the county auditor and the county election board not more than ten (10) days after the language of the public question is submitted to the department for review. If the department of local government finance recommends a modification to the ballot language, the county election board shall, after reviewing the recommendations of the department of local government finance, submit modified ballot language to the department for the department's approval or recommendation of any additional modifications. The public question may not be certified by the county auditor under subsection (e) unless the department of local government finance has first certified the department's final approval of the ballot language for the public question.

(e) The county auditor shall certify the finally approved public question under IC 3-10-9-3 to the county election board of each county in which the political subdivision is located. The certification must occur not later than noon:

(1) seventy-four (74) days before a primary election if the public question is to be placed on the primary or municipal primary election ballot; or

(2) August 1 if the public question is to be placed on the general or municipal election ballot.

Subject to the certification requirements and deadlines under this subsection and except as provided in subsection (j), the public question shall be placed on the ballot at the next primary election, general election, or municipal election in which all voters of the political subdivision are entitled to vote. ~~However, if a primary election, general election, or municipal election will not be held during the first year in which the public question is eligible to be placed on the ballot under this section and if the political subdivision requests the public question to be placed on the ballot at a special election, the public question shall be placed on the ballot at a special election to be held on the first Tuesday after the first Monday in May or November of the year. The certification must occur not later than noon seventy-four (74) days before a special election to be held in May (if the special election is to be held in May) or noon on August 1 (if the special election is to be held in November). The fiscal body of the political subdivision that requests the special election shall pay the costs of holding the special election. The county election board shall give notice under IC 5-3-1 of a special election conducted under this subsection. A special election conducted under this subsection is under the direction of the county election board. The county election board shall take all steps necessary to carry out the special election.~~

(f) The circuit court clerk shall certify the results of the public question to the following:

(1) The county auditor of each county in which the political subdivision is located.

(2) The department of local government finance.

(g) Subject to the requirements of IC 6-1.1-18.5-8, the political subdivision may issue the proposed bonds or enter into the proposed lease rental if a majority of the eligible voters voting on the public question vote in favor of the public question.

(h) If a majority of the eligible voters voting on the public question vote in opposition to the public question, both of the following apply:

(1) The political subdivision may not issue the proposed bonds or enter into the proposed lease rental.

(2) Another public question under this section on the same or a substantially similar project may not be submitted to the voters earlier than:

(A) except as provided in clause (B), seven hundred (700) days after the date of the public question; or

(B) three hundred fifty (350) days after the date of the election, if a petition that meets the requirements of subsection (m) is submitted to the county auditor.

(i) IC 3, to the extent not inconsistent with this section, applies to an election held under this section.

(j) A political subdivision may not divide a controlled project in order to avoid the requirements of this section and section 3.5 of this chapter. A person that owns property within a political subdivision or a person that is a registered voter residing within a political subdivision may file a petition with the department of local government finance objecting that the political subdivision has divided a controlled project into two (2) or more capital projects in order to avoid the requirements of this section and section 3.5 of this chapter. The petition must be filed not more than ten (10) days after the political subdivision gives notice of the political subdivision's decision under section 3.5 of this chapter or a determination under section 5 of this chapter to issue bonds or enter into leases for a capital project that the person believes is the result of a division of a controlled project that is prohibited by this subsection. If the department of local government finance receives a petition under this subsection, the department shall, not later than thirty (30) days after receiving the petition, make a final determination on the issue of whether the political subdivision divided a controlled project in order to avoid the requirements of this section and section 3.5 of this chapter. If the department of local government finance determines that a political subdivision divided a controlled project in order to avoid the requirements of this section and section 3.5 of this chapter and the political subdivision continues to desire to proceed with the project, the political subdivision may appeal the determination of the department of local government finance to the Indiana board of tax review. A political subdivision shall be considered to have divided a capital project in order to avoid the requirements of this section and section 3.5 of this chapter if the result of one (1) or more of the subprojects cannot reasonably be considered an independently desirable end in itself without reference to another capital project. This subsection does not prohibit a political subdivision from undertaking a series of capital projects in which the result of each capital project can reasonably be considered an independently desirable end in itself without reference to another capital project.

(k) This subsection applies to a political subdivision for which a petition requesting a public question has been submitted under

section 3.5 of this chapter. The legislative body (as defined in IC 36-1-2-9) of the political subdivision may adopt a resolution to withdraw a controlled project from consideration in a public question. If the legislative body provides a certified copy of the resolution to the county auditor and the county election board not later than sixty-three (63) days before the election at which the public question would be on the ballot, the public question on the controlled project shall not be placed on the ballot and the public question on the controlled project shall not be held, regardless of whether the county auditor has certified the public question to the county election board. If the withdrawal of a public question under this subsection requires the county election board to reprint ballots, the political subdivision withdrawing the public question shall pay the costs of reprinting the ballots. If a political subdivision withdraws a public question under this subsection that would have been held at a special election and the county election board has printed the ballots before the legislative body of the political subdivision provides a certified copy of the withdrawal resolution to the county auditor and the county election board, the political subdivision withdrawing the public question shall pay the costs incurred by the county in printing the ballots. If a public question on a controlled project is withdrawn under this subsection, a public question under this section on the same controlled project or a substantially similar controlled project may not be submitted to the voters earlier than three hundred fifty (350) days after the date the resolution withdrawing the public question is adopted.

(l) If a public question regarding a controlled project is placed on the ballot to be voted on at an election under this section, the political subdivision shall submit to the department of local government finance, at least thirty (30) days before the election, the following information regarding the proposed controlled project for posting on the department's Internet web site:

(1) The cost per square foot of any buildings being constructed as part of the controlled project.

(2) The effect that approval of the controlled project would have on the political subdivision's property tax rate.

(3) The maximum term of the bonds or lease.

(4) The maximum principal amount of the bonds or the maximum lease rental for the lease.

(5) The estimated interest rates that will be paid and the total interest costs associated with the bonds or lease.

(6) The purpose of the bonds or lease.

(7) In the case of a controlled project proposed by a school corporation:

(A) the current and proposed square footage of school building space per student;

(B) enrollment patterns within the school corporation; and

(C) the age and condition of the current school facilities.

(m) If a majority of the eligible voters voting on the public question vote in opposition to the public question, a petition may be submitted to the county auditor to request that the limit under subsection (h)(2)(B) apply to the holding of a subsequent public question by the political subdivision. If such a petition is submitted to the county auditor and is signed by the lesser of:

(1) five hundred (500) persons who are either owners of property within the political subdivision or registered voters residing within the political subdivision; or

(2) five percent (5%) of the registered voters residing within the political subdivision;

the limit under subsection (h)(2)(B) applies to the holding of a second public question by the political subdivision and the limit under subsection (h)(2)(A) does not apply to the holding of a second public question by the political subdivision.".

Delete pages 51 through 58.

Page 59, delete lines 1 through 40.

Page 59, delete lines 41 through 42, begin a new paragraph and insert:

"SECTION 74. IC 20-23-4-21, AS AMENDED BY P.L.244-2017, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 21. (a) If the chairperson of the county committee does not receive the certification or combined certifications under section 20(f) of this chapter not later than ninety (90) days after the receipt by the county committee of the plan referred to in section 20(a) of this chapter, the judge of the circuit court of the county from which the county committee submitting the plan was appointed shall:

(1) certify the public question under IC 3-10-9-3; and

(2) order the county election board to ~~conduct a special election in which~~ **place** the **public question on the ballot at the next primary, general, or municipal election at which** registered voters residing in the proposed community school corporation may vote to determine whether the corporation will be created.

~~(b) If:~~

~~(1) a primary election at which county officials are nominated; or~~

~~(2) a general election at which county officials are elected; and for which the question can be certified in compliance with IC 3-10-9-3 is to be held not later than six (6) months after the receipt by the chairperson of the county committee of the plan referred to in section 20(a) of this chapter, regardless of whether the ninety (90) day period referred to in subsection (a) has expired, the judge shall order the county election board to conduct the special election to be held in conjunction with the primary or general election.~~

~~(c) If a primary or general election will not be held in the six (6) month period referred to in subsection (b), the special election shall be held:~~

~~(1) not earlier than sixty (60) days; and~~

~~(2) not later than one hundred twenty (120) days;~~

~~after the expiration of the ninety (90) day period referred to in subsection (a).~~

~~(d)~~ **(b)** The county election board shall give notice under IC 5-3-1 of ~~the special election~~ **a public question** referred to in subsection (a).

~~(e)~~ **(c)** The notice referred to in subsection ~~(d)~~ **(b)** of a ~~special election~~ **public question** must:

(1) clearly state that the election is called to afford the registered voters an opportunity to approve or reject a proposal for the formation of a community school corporation;

(2) contain:

(A) a general description of the boundaries of the community school corporation as set out in the plan;
(B) a statement of the terms of adjustment of:
(i) property;
(ii) assets;
(iii) debts; and
(iv) liabilities;
of an existing school corporation that is to be divided in the creation of the community school corporation;
(C) the name of the community school corporation;
(D) the number of members comprising the board of school trustees; and
(E) the method of selecting the board of school trustees of the community school corporation; and
(3) designate the date, time, and voting place or places at which the election will be held.

~~(f) A special~~ **(d) An** election ~~referred to in~~ **at which a public question is submitted to the voters under** subsection (a) is under the direction of the county election board in the county. ~~The election board shall take all steps necessary to carry out the special election. If the special election is not conducted at a primary or general election, the cost of conducting the election is:~~

~~(1) charged to each component school corporation embraced in the community school corporation in the same proportion as the component school corporation's assessed valuation is to the total assessed valuation of the community school corporation; and~~
~~(2) paid:~~
~~(A) from the school corporation's operations fund not otherwise appropriated of; and~~
~~(B) without appropriation by;~~
~~each component school corporation.~~

~~If a component school corporation is to be divided and its territory assigned to two (2) or more community corporations, the component school corporation's cost of the special election is in proportion to the corporation's assessed valuation included in the community school corporation.~~

~~(g)~~ **(e)** The county election board shall place the public question on the ballot in the form prescribed by IC 3-10-9-4. The public question must state "Shall the (here insert name) community school corporation be formed as provided in the Reorganization Plan of the County Committee for the Reorganization of School Corporations?". Except as otherwise provided in this chapter, the election is governed by IC 3.

~~(h)~~ **(f)** If a majority of the votes cast ~~at a special election referred to in subsection (a)~~ on the public question are in favor of the formation of the corporation, a community school corporation is created and takes effect on the earlier of:
(1) the July 1; or
(2) the January 1;
that next follows the date of publication of the notice referred to in subsection ~~(d).~~ **(b).**

~~(i)~~ **(g)** If a public official fails to perform a duty required of the official under this section within the time prescribed in this section, the omission does not invalidate the proceedings taken under this section.

~~(j)~~ **(h)** An action:
(1) to contest the validity of the formation or creation of a community school corporation under this section;
(2) to declare that a community school corporation:
(A) has not been validly formed or created; or
(B) is not validly existing; or
(3) to enjoin the operation of a community school corporation;
may not be instituted later than thirty (30) days after the date of the ~~special~~ election referred to in subsection (a).

SECTION 75. IC 20-23-6-5, AS AMENDED BY P.L.278-2019, SECTION 169, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) If a petition is filed in one (1) or more of the school corporations protesting consolidation as provided in this chapter by the ~~legal~~ voters of any school corporation the governing body of which proposes to consolidate, the governing body in each school corporation in which a protest petition is filed shall certify the public question to each county election board of the county in which the school corporation is located. The county election board shall ~~call an election of the~~ **place a public question on the ballot at the next primary, general, or municipal election asking the** voters of the school corporation ~~to determine~~ if ~~a majority of~~ the ~~legal~~ voters of the corporation ~~is in~~ favor ~~of~~ consolidating the school corporations.

(b) If a protest is filed in more than one (1) school corporation, the elections shall be held on the same day. Each county election board shall give notice by publication once each week for two (2) consecutive weeks in a newspaper of general circulation in the school corporation. If a newspaper is not published in the:
(1) township;
(2) town; or
(3) city;
the notice shall be published in the nearest newspaper published in the county or counties, **stating** that ~~on a day and at an hour to be named in the notice, the polls will be open at the usual voting places in the various precincts in the corporation for taking the vote of the legal~~ **a public question will be on the ballot asking the** voters ~~upon~~ whether the school corporation shall be consolidated with the other school corporations joining in the resolution.

~~(c) The public question shall be placed on the ballot in the form provided by IC 3-10-9-4 and must state: "Shall (insert name of school corporation) be consolidated with (insert names of other school corporations)?".~~

~~(d)~~ **(c)** Notice shall be given not later than thirty (30) days ~~after the petition is filed. The election shall be held not less than ten (10) days or more than twenty (20) days after the last publication of the notice.~~ **before the date of the election.**

~~(e)~~ **(d)** The governing body of each school corporation in which an election is held is bound by the majority vote of those voting. ~~However, if the election falls within a period of not more than six (6) months before a primary or general election, the election shall be held concurrently with the primary or general election if the public question is certified to the county election board not later than the deadline set forth in IC 3-10-9-3.~~

~~(f)~~ **(e)** If a majority of those voting in any one (1) school corporation votes against the plan of consolidation, the plan fails. However, the failure does not prevent any or all the school corporations from taking further initial action for the consolidation of school corporations under this chapter.".

Delete pages 60 through 63.

Page 64, delete lines 1 through 15.

Page 65, delete lines 10 through 42, begin a new paragraph and insert:

"SECTION 77. IC 20-46-1-14, AS AMENDED BY P.L.278-2019, SECTION 175, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. ~~(a)~~ The referendum shall be held ~~in~~ **at** the next primary election, general election, or municipal election in which all the registered voters who are residents of the appellant school corporation are entitled to vote after certification of the question under IC 3-10-9-3. The certification of the question must occur not later than noon:

(1) seventy-four (74) days before a primary election if the question is to be placed on the primary or municipal primary election ballot; or

(2) August 1 if the question is to be placed on the general or municipal election ballot.

~~(b) However, if a primary election, general election, or municipal election will not be held during the first year in which the public question is eligible to be placed on the ballot under this chapter and if the appellant school corporation requests the public question to be placed on the ballot at a special election, the public question shall be placed on the ballot at a special election to be held on the first Tuesday after the first Monday in May or November of the year. The certification must occur not later than noon:~~

~~(1) sixty (60) days before a special election to be held in May (if the special election is to be held in May); or~~

~~(2) on August 1 (if the special election is to be held in November).~~

~~(c) If the referendum is not conducted at a primary election, general election, or municipal election, the appellant school corporation in which the referendum is to be held shall pay all the costs of holding the referendum.~~

SECTION 78. IC 20-46-9-14, AS ADDED BY P.L.272-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. ~~(a)~~ The referendum shall be held in the next primary election, general election, or municipal election in which all the registered voters who are residents of the school corporation are entitled to vote after certification of the question under IC 3-10-9-3. The certification of the question must occur not later than noon:

(1) sixty (60) days before a primary election if the question is to be placed on the primary or municipal primary election ballot; or

(2) August 1 if the question is to be placed on the general or municipal election ballot.

~~(b) However, if a primary election, general election, or municipal election will not be held during the first year in which the public question is eligible to be placed on the ballot under this chapter and if the school corporation requests the public question to be placed on the ballot at a special election, the public question shall be placed on the ballot at a special election to be held on the first Tuesday after the first Monday in May or November of the year. The certification must occur not later than noon:~~

~~(1) sixty (60) days before a special election to be held in May (if the special election is to be held in May); or~~

~~(2) August 1 (if the special election is to be held in November).~~

~~(c) If the referendum is not conducted at a primary election, general election, or municipal election, the school corporation in which the referendum is to be held shall pay all the costs of holding the referendum.~~".

Page 66, delete lines 1 through 23.

Page 68, line 32, after "next" insert "**primary, general, or municipal**".

Page 68, line 32, after "election" insert "**.**".

Page 68, line 32, delete "permitted under IC 3-10-9-3(a).".

Page 71, line 32, after "next" insert "**primary, general, or municipal**".

Page 71, line 32, after "election" insert ".".

Page 71, line 32, delete "permitted".

Page 71, line 33, delete "under IC 3-10-9-3(a).".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1222 as printed February 19, 2020.)

WALKER

Motion prevailed.

SENATE MOTION
(Amendment 1222–4)

Madam President: I move that Engrossed House Bill 1222 be amended to read as follows:

Page 3, delete lines 34 through 42, begin a new paragraph and insert:

"SECTION 4. IC 3-6-5-14, AS AMENDED BY P.L.258-2013, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) Each county election board, in addition to duties otherwise prescribed by law, shall do the following:

(1) Conduct all elections and administer the election laws within the county, except as provided in IC 3-8-5 ~~and IC 3-10-7~~ **(before its expiration)** for town conventions and municipal elections in certain small towns.

(2) Prepare all ballots.

(3) Distribute all ballots to all of the precincts in the county.

(b) Not later than the Monday before distributing ballots and voting systems to the precincts in the county, the county election board shall notify the county chairman of each major political party and, upon request, the chairman of any other bona fide political party in the county, that sample ballots are available for inspection.".

Page 4, delete lines 1 through 5.

Page 5, line 25, after "IC 3-8-2" delete ".".

Page 5, line 25, reset in roman "or IC 3-8-5.".

Page 5, line 25, after "IC 3-8-5" delete "." and insert "**(before its expiration).**".

Page 5, line 30, reset in roman "IC 3-8-5,".

Page 5, line 30, after "IC 3-8-5" delete "," and insert "**(before**

its expiration),".

Page 8, delete lines 13 through 15, begin a new paragraph and insert:

"SECTION 11. IC 3-8-5-18 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 18. This chapter expires January 1, 2021.**".

Page 8, delete lines 31 through 39, begin a new paragraph and insert:

"SECTION 13. IC 3-8-7-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Except as provided in subsection (b), an error in certification discovered before sixty (60) days before a general election shall be corrected by the public officials charged with the duties of certification.

(b) An error in certification of candidates for a town office under IC 3-8-5 **(before its expiration)** discovered before September 18 before a town election shall be corrected by the public officials charged with the duties of certification.".

Page 10, line 42, reset in roman "3-8-5-13 or".

Page 10, line 42, after "IC 3-8-5-13" insert "**(before its expiration)**".

Page 11, delete lines 2 through 28, begin a new paragraph and insert:

"SECTION 17. IC 3-8-7-28, AS AMENDED BY P.L.216-2015, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 28. (a) Except as provided in subsections (b) and (c), if a nominee certified under this chapter, IC 3-8-5 **(before its expiration),** IC 3-8-6, or IC 3-10-1 desires to withdraw as the nominee, the nominee must file a notice of withdrawal in writing with the public official with whom the certificate of nomination was filed by noon:

(1) July 15 before a general or municipal election;

(2) August 1 before a municipal election in a town subject to IC 3-8-5-10 **(before its expiration);**

(3) on the date specified for town convention nominees under IC 3-8-5-14.5 **(before its expiration);**

(4) on the date specified for declared write-in candidates under IC 3-8-2-2.7;

(5) on the date specified for a school board candidate under IC 3-8-2.5-4; or

(6) forty-five (45) days before a special election.

(b) A candidate who is disqualified from being a candidate under IC 3-8-1-5 must file a notice of withdrawal immediately upon becoming disqualified. IC 3-8-8-7 and the filing requirements of subsection (a) do not apply to a notice of withdrawal filed under this subsection.

(c) A candidate who has moved from the election district the candidate sought to represent must file a notice of withdrawal immediately after changing the candidate's residence. IC 3-8-8-7 and the filing requirements of subsection (a) do not apply to a notice of withdrawal filed under this subsection.".

Page 11, line 34, after "IC 3-8-2" delete ";".

Page 11, line 34, reset in roman "or IC 3-8-5;".

Page 11, line 34, after "IC 3-8-5" delete ";" and insert "**(before its expiration);**".

Page 16, line 25, after "is" insert ":".

Page 16, line 26, reset in roman "(1)".

Page 16, line 26, after "IC 3-8-2-5" delete "." and insert ";".

Page 16, line 26, reset in roman "and".

Page 16, line 27, reset in roman "(2) not a municipal office subject to IC 3-8-5-17".

Page 16, line 27, after "IC 3-8-5-17" insert "**(before its expiration).**".

Page 35, line 13, after "at" insert ":".

Page 35, line 14, reset in roman "(A)".

Page 35, line 14, after "IC 3-8-4" insert ";".

Page 35, line 14, reset in roman "or".

Page 35, line 15, reset in roman "(B) a town convention conducted under IC 3-8-5;".

Page 35, line 15, delete ";" and insert "**(before its expiration);**".

Page 43, delete lines 23 through 33, begin a new paragraph and insert:

"SECTION 62. IC 3-13-1-18 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) If a candidate vacancy occurs in a town subject to IC 3-8-5 **(before its expiration)** for any office on the ticket of a political party whose candidates were selected by petition of nomination, the vacancy may be filled only as prescribed by this section.

(b) To fill the vacancy, the town chairman of the party must file a certificate of candidate selection together with the consent required by section 14 of this chapter with the official with whom certificates must be filed. The certificate of candidate selection must be filed not later than the date and hour that a certificate of nomination by a town convention must be filed under IC 3-8-5-13 **(before its expiration).**".

Page 44, reset in roman lines 31 through 32.

Page 44, line 32, after "IC 3-8-5-14.7" delete "." and insert "**(before their expiration).**".

Page 44, line 33, reset in roman "(c)".

Page 44, line 33, delete "(b)".

Page 44, line 40, reset in roman "(d)".

Page 44, line 40, delete "(c)".

Page 45, line 5, reset in roman "(e)".

Page 45, line 5, delete "(d)".

Page 47, delete lines 25 through 27, begin a new paragraph and insert:

"SECTION 69. IC 3-14-2-30 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 30. **(a)** A person who knowingly votes at a town convention in violation of IC 3-8-5-11(c) commits a Class A misdemeanor.

(b) This section expires January 1, 2021.".

Page 68, delete lines 16 through 17, begin a new paragraph and insert:

"SECTION 90. IC 35-52-3-43, AS ADDED BY P.L.169-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 43. **(a)** IC 3-14-2-30 defines a crime concerning voting.

(b) This section expires January 1, 2021.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1222 as printed February 19, 2020.)

J.D. FORD

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1235

Senator Crider called up Engrossed House Bill 1235 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1264

Senator Houchin called up Engrossed House Bill 1264 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1279

Senator Mishler called up Engrossed House Bill 1279 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1279–5)

Madam President: I move that Engrossed House Bill 1279 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-1.3-3-11, AS ADDED BY P.L.189-2018, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. **(a)** The IFA, the NWIRDA, or the NICTD may:

(1) in the manner provided by IC 32-24; or

(2) as otherwise required for a railroad federal aid project funded in any part under 49 U.S.C. 103, et seq.;

acquire by appropriation any land, rights-of-way, property, rights, easements, or other legal or equitable interests necessary or convenient for the construction or the efficient operation of any rail project. However, compensation for the property taken shall first be made in money as provided by IC 32-24 or as otherwise required for a railroad federal aid project funded in any part under 49 U.S.C. 103, et seq.

(b) The IFA, the NWIRDA, or the NICTD:

(1) may enter upon land to conduct a survey or investigation by manual or mechanical means for the construction or operation of a rail project; and

(2) shall, when acting under subdivision (1), have all the same powers and duties that the Indiana department of transportation has under IC 8-23-7-26 through IC 8-23-7-28.".

Page 10, line 29, after "corporation" insert ", **a nonprofit affiliate entity established by the northwest Indiana regional development authority under IC 36-7.5-4.5-18.5, or a nonprofit affiliate entity established by the north central Indiana regional development authority under IC 36-7.6-3-3.5**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1279 as printed February 21, 2020.)

MISHLER

Motion prevailed.

SENATE MOTION
(Amendment 1279–6)

Madam President: I move that Engrossed House Bill 1279 be amended to read as follows:

Page 16, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 4. IC 8-25-3-6, AS AMENDED BY P.L.197-2016, SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) The following apply to the funding of a public transportation project:

(1) For the first year of operations, an amount must be raised from sources other than taxes and fares that is equal to at least ten percent (10%) of the revenue that the budget agency certifies that the county will receive in that year from a local income tax imposed to fund the public transportation project.

(2) For the second year of operations and each year thereafter, at least ten percent (10%) of the annual operating expenses of the public transportation project must be paid from sources other than taxes and fares. For purposes of this subdivision, operating expenses include only those expenses incurred in the operation of fixed route services that are established or expanded as a result of a public transportation project authorized and funded under this article.

The budget agency shall assist the fiscal body of an eligible county in determining the amount of money that must be raised under subdivision (1).

(b) A county fiscal body or another entity authorized to carry out a public transportation project under IC 8-25-4 shall raise the revenue required by subsection (a) for a particular calendar year before the end of the third quarter of the preceding calendar year. Money raised under this section must be deposited in the county public transportation fund established under section 7 of this chapter.

(c) If a county fiscal body or other entity fails to raise the revenue required by subsection (a) before the deadline specified in subsection (b), the county in which the public transportation project is located is responsible for paying the difference between:

(1) the amount that subsection (a) requires to be raised from sources other than taxes and fares; minus

(2) the amount actually raised from sources other than taxes and fares.

(d) The state budget committee shall annually review the amount raised from sources other than taxes and fares for a public transportation project in eligible counties.

(e) This subsection applies only to Marion County. If, for any year of operation, the fiscal body of Marion County does not pay at least ten percent (10%) of the annual operating expenses of the public transportation project from sources other than taxes and fares, then after December 31 of that year the following apply until the fiscal body of Marion County pays the amount required under this section, as determined following the annual state budget committee review under subsection (d):

(1) Beginning after June 30, 2020, the treasurer of state shall withhold ten percent (10%) from the amount of the certified distribution attributable to the additional tax rate imposed in Marion County under 6-3.6-7-27.

(2) The fiscal body of Marion County may use the county's public transportation fund only for a purpose

identified under section 7(e) of this chapter.

(3) The fiscal body of Marion County may issue bonds only for a purpose identified under IC 8-25-5-3.

(4) The fiscal body of Marion County may not pledge revenues under this article for the payment of bonds and principal on bonds under IC 8-25-5-6.

SECTION 5. IC 8-25-3-7, AS ADDED BY P.L.153-2014, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) If the fiscal body of an eligible county imposes taxes to fund a public transportation project, the county treasurer of the eligible county shall establish a county public transportation project fund to receive tax revenues collected for the public transportation project. Money received from a foundation established under IC 8-25-7 or IC 8-25-8 may be deposited into the fund.

(b) Money in a fund established under subsection (a) at the end of the eligible county's fiscal year remains in the fund. Interest earned by the fund must be deposited in the fund.

(c) **Except as provided in subsections (e) and (f),** money deposited in an eligible county's public transportation project fund may be used only to purchase, establish, operate, repair, or maintain a public transportation project authorized under this article. Money in the fund may be pledged by the fiscal body of the eligible county to the repayment of bonds issued for purposes of a public transportation project authorized under this article.

(d) The fiscal body of an eligible county may, in the manner provided by law, appropriate money from the fund to a public transportation corporation that is authorized to purchase, establish, operate, repair, or maintain the public transportation project if the public transportation project is located, either entirely or partially, within the eligible county.

(e) This subsection applies only to Marion County. If, for any year of operation, the fiscal body of Marion County does not pay at least ten percent (10%) of the annual operating expenses of the public transportation project from sources other than taxes and fares as required by section 6 of this chapter, then after December 31 of that year money deposited in Marion County's public transportation fund may be used only for the following purposes until the fiscal body of Marion County pays the amount described under section 6 of this chapter, as determined following the annual state budget committee review under section 6(d) of this chapter:

(1) To operate, repair, or maintain a public transportation project that is:

(A) authorized under this article; and

(B) constructed and in service before October 1 in the year that the fiscal body of Marion County does not pay at least ten percent (10%) of the annual operating expenses of the public transportation project from sources other than taxes and fares as required by section 6 of this chapter.

(2) To pay debt service on bonds:

(A) issued under this article before October 1 in the year that the fiscal body of Marion County does not pay at least ten percent (10%) of the annual operating expenses of the public transportation project from sources other than taxes and fares as required by section 6 of this chapter; or

(B) issued under this article after September 30 in the year that the fiscal body of Marion County does not pay at least ten percent (10%) of the annual operating expenses of the public transportation project from sources other than taxes and fares as required by section 6 of this chapter, for the purpose of refunding or refinancing bonds described in clause (A).

(f) This subsection applies only to Marion County. If, for any year of operation, the fiscal body of Marion County does not pay at least ten percent (10%) of the annual operating expenses of the public transportation project from sources other than taxes and fares as required by section 6 of this chapter, then after December 31 of that year money deposited in Marion County's public transportation fund may not be used to do any of the following:

(1) Purchase or establish a public transportation project that is not constructed and in service before October 1 in the year that the fiscal body of Marion County does not pay at least ten percent (10%) of the annual operating expenses of the public transportation project from sources other than taxes and fares as required by section 6 of this chapter.

(2) Extend a public transportation project that is constructed and in service before October 1 in the year that the fiscal body of Marion County does not pay at least ten percent (10%) of the annual operating expenses of the public transportation project from sources other than taxes and fares as required by section 6 of this chapter.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1279 as printed February 21, 2020.)

FREEMAN

Upon request of Senator Breaux the President ordered the roll of the Senate to be called. Roll Call 251: yeas 35, nays 12.

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1309

Senator Messmer called up Engrossed House Bill 1309 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1049

Senator Holdman called up Engrossed House Bill 1049 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1372

Senator Bassler called up Engrossed House Bill 1372 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1372–4)

Madam President: I move that Engrossed House Bill 1372 be amended to read as follows:

Page 40, delete lines 32 through 42.
Delete page 41.
Page 42, delete lines 1 through 31.
Renumber all SECTIONS consecutively.
(Reference is to EHB 1372 as printed February 21, 2020.)

BASSLER

Motion prevailed.

SENATE MOTION
(Amendment 1372–3)

Madam President: I move that Engrossed House Bill 1372 be amended to read as follows:

Page 55, between lines 28 and 29, begin a new paragraph and insert:

"Sec. 32. (a) A licensee that satisfies the requirements of this chapter is entitled to an affirmative defense to any cause of action sounding in tort that:

(1) is brought under the laws or in the courts of this state; and

(2) alleges that the failure to implement reasonable information security controls resulted in a data breach concerning nonpublic information.

(b) The affirmative defense available under this section does not limit any other affirmative defenses available to a licensee.".

(Reference is to EHB 1372 as printed February 21, 2020.)

L. BROWN

Motion prevailed.

SENATE MOTION
(Amendment 1372–5)

Madam President: I move that Engrossed House Bill 1372 be amended to read as follows:

Page 79, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 14. IC 27-7-17 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 17. Medical Payment Coverage

Sec. 1. As used in this chapter, "covered individual" means an individual who is entitled to coverage under a health plan.

Sec. 2. As used in this chapter, "health care services" has the meaning set forth in IC 27-8-11-1.

Sec. 3. (a) As used in this chapter, "health plan" means a plan through which coverage is provided for health care services through insurance, prepayment, reimbursement, or otherwise. The term includes the following:

(1) A policy of accident and sickness insurance (as defined in IC 27-8-5-1).

(2) An individual contract (as defined in IC 27-13-1-21) or a group contract (as defined in IC 27-13-1-16).

(3) A state employee health plan offered under IC 5-10-8.

(4) An employee welfare benefit plan (as defined in 29 U.S.C. 1002 et seq.) to the extent allowable under federal law.

(5) Accident only insurance.

(6) Medicare supplement insurance.

(b) The term does not include the following:

(1) Credit, long term care, or disability income insurance.

(2) Liability insurance coverage.

(3) Worker's compensation or similar insurance.

(4) Medical payment coverage.

(5) A specified disease policy issued as an individual policy.

(6) A policy that provides a stipulated daily, weekly, or monthly payment to an insured during hospital confinement, without regard to the actual expense of the confinement.

Sec. 4. (a) As used in this chapter, "medical payment coverage" means an insurance policy benefit that provides payment for expenses incurred by an individual as a result of injury, illness, or death arising from the:

(1) operation of a motor vehicle; or

(2) individual's presence on a premises;

that is covered by the insurance policy.

(b) The term includes coverage for emergency medical transportation, health care services, and funeral and burial expenses.

(c) The term does not include benefits provided by the following:

(1) Liability insurance coverage.

(2) A health plan.

Sec. 5. (a) Medical payment coverage is supplemental to the benefits:

(1) to which a covered individual is entitled under a health plan; and

(2) that are the same as or similar to benefits available to the covered individual under the medical payment coverage.

(b) A health plan may not require the use or exhaustion of medical payment coverage as a condition of payment of benefits:

(1) under the health plan; and

(2) for health care services rendered to a covered individual.

Sec. 6. In the absence of health plan benefits that are the same as or similar to benefits available to an individual under medical payment coverage, the medical payment coverage is primary coverage.

Sec. 7. Nothing in this chapter imposes on any health plan an obligation to provide greater benefits to a covered individual with medical payment coverage than would be provided to a covered individual without medical payment coverage.

Sec. 8. This chapter does not affect any right of subrogation provided under a health plan.

Sec. 9. Nothing in this chapter affects the ability of a covered individual to prohibit a health care provider from billing the covered individual's medical payment coverage insurer directly.

Sec. 10. A contractual provision that is:

(1) contained in a contract entered into, amended, or renewed after June 30, 2020; and

(2) contrary to this chapter;

is void.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1372 as printed February 21, 2020.)

BOHACEK

Motion prevailed.

SENATE MOTION
(Amendment 1372–7)

Madam President: I move that Engrossed House Bill 1372 be amended to read as follows:

Page 55, line 27, delete "commercial bank or a credit union," and insert "**financial institution (as defined in 15 U.S.C. 6809),**".

Page 55, line 28, delete "commercial bank or credit union" and insert "**financial institution**".

(Reference is to EHB 1372 as printed February 21, 2020.)

BASSLER

Motion prevailed.

SENATE MOTION
(Amendment 1372–6)

Madam President: I move that Engrossed House Bill 1372 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 5-10-8-24 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 24. (a) As used in this section, "state employee health plan" means the following:**

(1) A self-insurance program established under section 7(b) of this chapter.

(2) A contract for prepaid health services entered into under section 7(c) of this chapter.

(b) A state employee health plan must provide coverage for treatment of:

(1) pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS); and

(2) pediatric acute-onset neuropsychiatric syndrome (PANS);

including treatment with intravenous immunoglobulin therapy.

(c) The coverage required by this section may not be subject to annual or lifetime limitation, deductible, copayment, or coinsurance provisions that are more restrictive than the annual or lifetime limitation, deductible, copayment, or coinsurance provisions that apply generally under the state employee health plan.".

Page 79, between lines 14 and 15, begin a new paragraph and insert:

"SECTION 15. IC 27-8-37 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 37. Coverage for Pediatric Neuropsychiatric Disorders

Sec. 1. As used in this chapter, "policy of accident and sickness insurance" has the meaning set forth in IC 27-8-5-1, offered on an individual or group basis.

Sec. 2. A policy of accident and sickness insurance must provide coverage for treatment of:

(1) pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS); and

(2) pediatric acute-onset neuropsychiatric syndrome (PANS);

including treatment with intravenous immunoglobulin therapy.

Sec. 3. The coverage required by this chapter may not be subject to annual or lifetime limitation, deductible, copayment, or coinsurance provisions that are more restrictive than the annual or lifetime limitation, deductible, copayment, or coinsurance provisions that apply generally under the policy of accident and sickness insurance.".

Page 80, between lines 29 and 30, begin a new paragraph and insert:

"SECTION 17. IC 27-13-7-26 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 26. (a) An individual contract and a group contract must provide coverage for treatment of:**

(1) pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS); and

(2) pediatric acute-onset neuropsychiatric syndrome (PANS);

including treatment with intravenous immunoglobulin therapy.

(b) The coverage required by this section may not be subject to annual or lifetime limitation, deductible, copayment, or coinsurance provisions that are more restrictive than the annual or lifetime limitation, deductible, copayment, or coinsurance provisions that apply generally under the individual contract or group contract.

SECTION 18. [EFFECTIVE JULY 1, 2020] **(a) IC 5-10-8-24, as added by this act, applies to a state employee health plan that is established, entered into, amended, or renewed after June 30, 2020.**

(b) IC 27-8-37, as added by this act, applies to a policy of accident and sickness insurance that is issued, delivered, amended, or renewed after June 30, 2020.

(c) IC 27-13-7-26, as added by this act, applies to an individual contract or a group contract that is entered into, delivered, amended, or renewed after June 30, 2020.

(d) This SECTION expires July 1, 2023.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1372 as printed February 21, 2020.)

NIEZGODSKI

Upon request of Senator Niezgodski the President ordered the roll of the Senate to be called. Roll Call 252: yeas 32, nays 14.

Motion prevailed. The bill was ordered engrossed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1091

Senator Kruse called up Engrossed House Bill 1091 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 253: yeas 46, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1165

Senator Sandlin called up Engrossed House Bill 1165 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 254: yeas 28, nays 18. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1348

Senator Busch called up Engrossed House Bill 1348 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 255: yeas 45, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

SENATE MOTION

Madam President: I move that Engrossed House Bill 1222, which is eligible for third reading, be returned to second reading for purposes of amendment.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Breaux be added as cosponsor of Engrossed House Bill 1004.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1015.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as cosponsor of Engrossed House Bill 1015.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1043.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Spartz, Garten, and J.D. Ford be added as cosponsors of Engrossed House Bill 1063.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1063.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Charbonneau be added as second sponsor of Engrossed House Bill 1065.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Perfect be added as second sponsor of Engrossed House Bill 1113.

BASSLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as cosponsor of Engrossed House Bill 1113.

BASSLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as second sponsor of Engrossed House Bill 1131.

GARTEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be added as cosponsor of Engrossed House Bill 1151.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1151.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as third sponsor of Engrossed House Bill 1153.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Stoops be added as cosponsor of Engrossed House Bill 1176.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Doriot be added as second sponsor of Engrossed House Bill 1235.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Grooms be added as second sponsor of Engrossed House Bill 1264.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as cosponsor of Engrossed House Bill 1279.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Donato be added as cosponsor of Engrossed House Bill 1283.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as cosponsor of Engrossed House Bill 1283.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Becker be added as second sponsor of Engrossed House Bill 1326.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as cosponsor of Engrossed House Bill 1341.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Koch be added as cosponsor of Engrossed House Bill 1419.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, March 2, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 4:06 p.m.

JENNIFER L. MERTZ	SUZANNE CROUCH
Secretary of the Senate	President of the Senate

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Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Twenty-Fifth Meeting Day Monday Afternoon March 2, 2020

The Senate convened at 3:02 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Pastor Jeff Green, Sunnyside Church of God from Muncie, IN.

The Pledge of Allegiance to the Flag was led by Senator Jean A. Leising.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
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Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 256: present 50; excused 0. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SCR 55 Senator Grooms
Congratulating Michael Cleveland.

SCR 56 Senator Zay
Honoring Dr. Wendy Robinson.

SCR 57 Senator Melton
Honoring State Superintendent of Public Instruction, Dr. Jennifer McCormick.

SCR 58 Senator Zay
Honoring Sister M. Elise Kriss.

SCR 59 Senator Houchin
Recognizing the French Lick Springs Hotel.

SCR 60 Senator Ruckelshaus
Honoring Grant Monahan.

SCR 62 Senator Melton
Honoring Haywood and Fleming Associates.

SR 59 Senator Ruckelshaus
Standing in solidarity with Indiana's Jewish community.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 55

Senate Concurrent Resolution 55, introduced by Senators Grooms and Garten:

A CONCURRENT RESOLUTION congratulating Michael Cleveland for winning the 2020 Grammy Award for Best Bluegrass Album.

Whereas, Michael Cleveland, a fiddler from Charlestown, Indiana, won the 2020 Grammy Award for Best Bluegrass Album, his first career Grammy Award;

Whereas, Born in Henryville in 1980, Michael learned to play by ear and began fiddling at a young age after hearing a fiddler play "Orange Blossom Special";

Whereas, When he was nine years old, Michael attended the Bean Blossom Bluegrass Festival and performed with bluegrass founding father Bill Monroe, beginning his young music performing career;

Whereas, Michael's talents were recognized at an early age while making appearances on the Grand Ole Opry stage, the radio show A Prairie Home Companion, and before the United States Congress;

Whereas, After graduating from the Kentucky School for the Blind, Michael began performing professionally, and released his first solo album, "Sawing on the C String", in 1998;

Whereas, Michael has performed with numerous bluegrass and country legends including Bill Monroe, Ralph Stanley, Doyle Lawson, Allison Krauss, and Vince Gill;

Whereas, Michael is the recipient of numerous awards, including being a six-time winner of the International Bluegrass Music Association (IBMA) Instrumental Recording of the Year Award, a twelve-time winner of the IBMA Fiddle Player of the Year Award, and a six-time winner of the IBMA Instrumental Group of the Year Award with his band, Flamekeeper;

Whereas, In 2018, Michael was nominated for his first Grammy Award for Best Bluegrass Album for his solo album "Fiddler's Dream";

Whereas, Two years later, Michael was again nominated for the Grammy Award for Best Bluegrass Album for his album "Tall Fiddler", for which Michael earned his first Grammy Award; and

Whereas, Michael Cleveland's fiddle talents have taken him all over the world, and he is an exemplary representative of southeastern Indiana: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Michael Cleveland for winning the 2020 Grammy Award for Best Bluegrass Album and wishes him well in his future success.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Michael Cleveland.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Goodin, Fleming, Davisson, and Lauer.

Senate Concurrent Resolution 56

Senate Concurrent Resolution 56, introduced by Senators Zay, L. Brown, Busch, Glick, Holdman, and Kruse:

A CONCURRENT RESOLUTION honoring Dr. Wendy Robinson upon her retirement as Superintendent of Fort Wayne Community Schools.

Whereas, After more than four decades in public education, Dr. Wendy Robinson will retire as Superintendent of Fort Wayne Community Schools at the conclusion of the 2019-2020 school year;

Whereas, Dr. Robinson attained her undergraduate degree from DePauw University, post-graduate degrees from Indiana University-Bloomington and Indiana University-Purdue University Fort Wayne, and earned her Doctor of Education degree in educational administration and supervision from Ball State University in 1996;

Whereas, Dr. Robinson has spent her entire career with Fort Wayne Community Schools, starting out as a classroom teacher before holding the positions of assistant principal, principal, and central office administrator;

Whereas, In July 2003, after serving eight years as Deputy Superintendent, Dr. Robinson was appointed Superintendent of Fort Wayne Community Schools;

Whereas, Dr. Robinson is nationally recognized for her expertise in improving urban education, and has spoken at conferences and events hosted by organizations such as Learning Forward, The Wallace Foundation, the American Association of School Administrators, and the NYC Leadership Academy;

Whereas, A longtime member of the Indiana Urban Schools Association, Dr. Robinson served as the Association's President in 2012, 2013, and 2018;

Whereas, Dr. Robinson also served as a member of the Indiana Panel to Study Alternatives to ISTEP, a committee appointed to recommend changes to Indiana's standardized testing system;

Whereas, Dr. Robinson has worked to form partnerships with Fort Wayne agencies and businesses to increase educational opportunities for Fort Wayne students, and serves on numerous boards including Greater Fort Wayne, Inc. and Parkview Hospital;

Whereas, Dr. Robinson has received numerous awards for her service, including the Superintendent of the Year Award from the Indiana Association of Public School Superintendents in 2018, the Chairman's Award from the Indiana Civil Rights Commission in 2013, the Mike Kneale Educational Excellence in Leadership Award from the Education Research and Development Institute in 2012, the Joseph E. Hill Superintendent of the Year Award from the National Alliance of Black School Educators in 2009, and the District II Superintendent of the Year Award from the Indiana Association of Public School Superintendents in 2008; and

Whereas, Dr. Robinson's tireless advocacy for public education and her work as Superintendent of Fort Wayne Community Schools will be felt for years to come: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly honors Dr. Wendy Robinson upon her retirement as Superintendent of Fort Wayne Community Schools.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Dr. Wendy Robinson.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage

of the resolution. House sponsors: Representatives GiaQuinta, Abbott, Carbaugh, Heine, Lehman, Leonard, Morris, and Zent.

Senate Concurrent Resolution 57

Senate Concurrent Resolution 57, introduced by Senators Melton, Lanane, Breaux, Tallian, J.D. Ford, Mrvan, Niezgodski, Lonnie M. Randolph, Stoops, and G. Taylor:

A CONCURRENT RESOLUTION honoring Indiana's last elected State Superintendent of Public Instruction, Dr. Jennifer McCormick, on her retirement.

Whereas, Dr. Jennifer McCormick is Indiana's 44th Superintendent of Public Instruction;

Whereas, Dr. McCormick will be Indiana's final elected State Superintendent of Public Instruction when her term ends in 2020;

Whereas, Dr. McCormick is a lifelong Hoosier and currently resides in Indianapolis, IN;

Whereas, She earned her bachelor's degree in elementary education from Purdue University in 1993, her master's degree in special education from Ball State University in 1999, and finally her Ph.D. in educational leadership from Indiana State University in 2011;

Whereas, Dr. McCormick has won many awards during her time as an educator including, the Outstanding Contributor to Education Award from the Muncie Delaware County Chamber of Commerce and the 2013: Person of the Year, Yorktown Chamber of Commerce;

Whereas, After serving in every level of K-12 public instruction in Indiana, including the classroom and administrative roles, Dr. McCormick ran for and won the State Superintendent's office in 2016;

Whereas, Dr. McCormick has fulfilled her promises to the state of Indiana remaining non-partisan in her role as Indiana's chief education officer and has demonstrated her unending support of Hoosier teachers in their fight for support from state government and a fair, living wage; and

Whereas, The General Assembly wishes to honor Dr. McCormick for her role as Indiana's Superintendent of Public Instruction. Her efforts to ensure young Hoosiers receive the highest quality education possible should be recognized: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly honors Dr. Jennifer McCormick, Indiana's last elected Superintendent of Public Instruction on her retirement.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Dr. McCormick and the Indiana Department of Education.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Wright.

Senate Concurrent Resolution 58

Senate Concurrent Resolution 58, introduced by Senators Zay, L. Brown, Busch, Glick, Holdman, and Kruse:

A CONCURRENT RESOLUTION honoring Sister M. Elise Kriss upon her retirement as President of the University of Saint Francis.

Whereas, After serving 27 years as President of the University of Saint Francis, Sister M. Elise Kriss will retire on June 30, 2020;

Whereas, Sister Elise is a native of North Judson, Indiana, and earned bachelor's and master's degrees in education from Saint Francis College, and a doctorate from Saint Louis University;

Whereas, A member of the University's Administration since 1983, Sister Elise began her tenure as University of Saint Francis President in July 1993, and has led the University through a period of tremendous expansion;

Whereas, During Sister Elise's leadership, the institution's name changed from Saint Francis College to the University of Saint Francis in 1998, and the University increased the number of programs offered to students and more than doubled enrollment from 961 in 1993 to 2,249 in 2019;

Whereas, Sister Elise helped increase the University's fundraising efforts, resulting in a robust endowment and the construction and opening of new campus facilities, including St. Francis Chapel, the first free-standing chapel in University history, Bishop D'Arcy Stadium, the Campus Ministry Center, Doermer Family Center for Health Science Education, the Mimi and Ian Rolland Art and Visual Communication Center, an expansion of Bonaventure Hall, and renovations to Brookside;

Whereas, Sister Elise oversaw an expansion of the University's geographic footprint outside of northeast Indiana, including offering classes in Crown Point, Lafayette, Indianapolis, and online;

Whereas, During Sister Elise's tenure, the University of Saint Francis expanded its athletics programs, including the University winning NAIA titles in football and men's and women's basketball, and cultivating the University's football team into one of the most successful in the NAIA;

Whereas, Off campus, Sister Elise serves on the boards of many organizations in Allen County, and has guided the

University into building strong relationships with local businesses including Parkview Health, Lutheran Health, Ash Brokerage, Sweetwater, Fort Wayne Metals, and STAR Bank;

Whereas, Sister Elise was named a Sagamore of the Wabash in 2016 in recognition of her dedication to higher education in northeast Indiana; and

Whereas, Sister M. Elise Kriss led the University of Saint Francis through a period of monumental change, and her impact on the University will be felt for generations: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly honors Sister M. Elise Kriss upon her retirement as President of the University of Saint Francis.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Sister M. Elise Kriss.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Judy, Abbott, Carbaugh, GiaQuinta, Heine, Lehman, Leonard, Morris, Smaltz, Wolkins, and Zent.

Senate Concurrent Resolution 59

Senate Concurrent Resolution 59, introduced by Senator Houchin:

A CONCURRENT RESOLUTION recognizing the French Lick Springs Hotel for 175 years of world class hospitality.

Whereas, In 1826, encouraged by the presence of salt deposits near French Lick, the Indiana General Assembly authorized the land to be mined for quantities of salt, but the saline content was insufficient to support large scale salt mining and the property was offered for sale;

Whereas, In 1832, Thomas Bowles and his brother, Dr. William Bowles, a physician from nearby Paoli, purchased 1,500 acres of land that included the site near the mineral springs;

Whereas, In or around 1845, the Bowles Brothers built a three-story wooden framed hotel and named it French Lick Springs Hotel;

Whereas, In 1897, the main hotel building was destroyed by a fire, and from the ashes the Hotel was rebuilt on an even grander scale into a major resort that catered to guests seeking the advertised health benefits of the resort's sulfur springs;

Whereas, In 1903, Dr. George Kahle reported at the annual session of the Indiana State Medical Society that patients who had taken the cure at French Lick had experienced unparalleled recoveries from ailments ranging from rheumatism to gout;

Whereas, Sales of the Hoosier tonic grew 25-fold from 1903 to 1919, when it took 450 railroad cars to transport the bottler's output;

Whereas, Named "Pluto Water" after the Roman god of the underworld, the tonic was awarded a Blue Ribbon at the World's Fair in Paris and sold with the advertising slogan "When Nature Won't, Pluto Will.";

Whereas, Tomato juice was first served as a beverage in 1917 by Chief Louis Perrin at the French Lick Springs Hotel in southern Indiana, when he ran out of orange juice and needed a quick substitute;

Whereas, In 1917, World Golf Hall of Fame designer Donald James Ross designed "The Hill Golf Course" at the French Lick Springs Hotel, and seven years later in 1924, the course hosted a PGA Championship won by Walter Hagen;

Whereas, In 1931, during a Democrat Governor's conference held at the French Lick Spring Hotel, Franklin D. Roosevelt came to find support among its attendees in his bid to become the Democrat Party's nominee for President of the United States;

Whereas, In 2003, the French Lick Springs Hotel was listed on the National Register of Historic Places;

Whereas, French Lick Resort continues to draw visitors to southern Indiana by hosting events such as the Senior Ladies Professional Golf Association Tournament, the Senior Men's Professional Golf Association Tournament, and Concours d'Elegance;

Whereas, The French Lick Springs Hotel and its wide rocking chair filled verandas, gardens, golf courses, spas, swimming pools, and entertainment opportunities have served millions of guests for 175 years; and

Whereas, The French Lick Springs Hotel has greatly added to the cultural history of America and is a vital part of Indiana's tourism future: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly commends the French Lick Springs Hotel for 175 years of world class hospitality and continuously welcoming luminaries and statesmen to the Hotel and extends best wishes for hosting millions of guests in the future.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the French Lick Springs Hotel.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Bartels and Davisson.

Senate Concurrent Resolution 60

Senate Concurrent Resolution 60, introduced by Senator Ruckelshaus:

A CONCURRENT RESOLUTION honoring Grant Monahan upon his retirement.

Whereas, For over 40 years, Grant Monahan has been a familiar face to many members of the Indiana General Assembly;

Whereas, Grant was born in Camden County, New Jersey, and attended Haddon Township High School in Westmont, where he once out-rebounded NFL Hall of Famer Franco Harris in a high school basketball game;

Whereas, As a high school senior, Grant first demonstrated his leadership and political savvy by being elected President of the Haddon Township High School Student Council;

Whereas, A graduate of Albright College in Reading, Pennsylvania, Grant has used his political science degree to further the desires of retail, drug, and grocery stores in the halls of the Indiana General Assembly;

Whereas, Grant has dedicated his adult life as a fixture in the Indiana Statehouse, beginning his career in 1974 as a staff member of the House Democrat Caucus;

Whereas, Grant has been a vital participant in the activities of the Indiana General Assembly ever since, representing the Indiana Retail Council first as Vice President beginning in 1979, and as President from 1982 through 2019;

Whereas, Grant's most cherished life experiences revolve around his wife of 43 years, Julie, his son, Kevin, his daughter and son-in-law, Meghan and Sean, and his two grandchildren, Harper and William;

Whereas, Active outside the Statehouse, Grant has served on the board of directors of the Governmental Affairs Society of Indiana, Council of Independent State Retail Executives, Heartland Film Festival, and Devon Country Club, as well as working for then-Mayor Richard G. Lugar;

Whereas, Throughout his career, Grant has been a dedicated proponent for each of his members, and through his efforts, their lives and businesses have improved dramatically; and

Whereas, With his retirement, Grant Monahan leaves a void in the Senate and House of Representatives chambers, and the hallways and committee rooms of the Indiana Statehouse that will be difficult to fill: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Grant Monahan on the occasion of his retirement and wishes him health and happiness in the future.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Grant Monahan.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative DeLaney.

Senate Concurrent Resolution 62

Senate Concurrent Resolution 62, introduced by Senator Melton:

A CONCURRENT RESOLUTION honoring Haywood and Fleming Associates for 35 years of business and service in the Gary area.

Whereas, Haywood and Fleming Associates is a leading risk management firm located in Gary, Indiana. The firm was established in 1984 by Roosevelt Haywood III, a second-generation insurance professional, who started in the business at an early age working in his father's agency, Haywood Insurance;

Whereas, Haywood and Fleming Associates has developed considerable experience in serving the insurance and risk management needs of large and complex commercial accounts;

Whereas, The city of Gary, the Gary Community School Corporation, the Gary Sanitary District, NiSource/Nipsco, Powers & Sons Construction, the Gary Chicago International Airport, the Regional Development Authority, Methodist Hospitals, and the Congressional Black Caucus are served by Haywood and Fleming Associates;

Whereas, Mr. Haywood is involved in the National African-American Insurance Association (NAAIA), the Independent Insurance Agents of America, the Gary Chamber of Commerce, the Boys and Girls Club of Greater Northwest Indiana, the Independent Agents of Northwest Indiana, and the Professional Agents of Indiana;

Whereas, Mr. Haywood and his firm have attracted nation-wide recognition for their work in the insurance industry;

Whereas, Mr. Haywood himself received the Lifetime Achievement Award from the National African American Insurance Association, the Dr. Charles Nelms Alumni Award from the Neal Marshall Alumni Club of Indiana University, and was honored as Director of the Year by Independent Insurance Agents of Indiana. He also received the Outstanding Achievement in Business and Entrepreneurship award in 2004 and again in 2008;

Whereas, Mr. Haywood received the Indiana University Alumni Association President's Award and his firm gained national recognition at the Independent Insurance Agents and

Brokers of America's Ultimate Producer Challenge competition; and

Whereas, The work of Mr. Haywood and Haywood and Fleming Associates over the past 35 years is worthy of recognition: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana Senate honors Haywood and Fleming Associates for their 35 years of business and service in the Gary area.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Haywood and Fleming Associates.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Hatcher.

Senate Resolution 59

Senate Resolution 59, introduced by Senators Ruckelshaus and J.D. Ford:

A SENATE RESOLUTION standing in solidarity with Indiana's Jewish community.

Whereas, Antisemitism entails prejudicial attitudes, discriminatory acts, or acts of violence toward people who are Jewish on the basis of the person's identity;

Whereas, The United States has experienced expressions of hate and acts of violence motivated by antisemitism;

Whereas, Various Jewish institutions in Indiana have received bomb threats, been vandalized and desecrated, and an increasing number of Jewish youth are experiencing antisemitism in Indiana schools;

Whereas, FBI statistics demonstrate that Jewish people and Jewish institutions, both religious and communal, continue to be the most frequently targeted religious group, accounting for almost 60% of all religiously-motivated crimes in 2018; and

Whereas, Antisemitism is contradictory to democratic values, such as tolerance, pluralism, and liberty: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate stands together in solidarity with the Jewish community in Indiana and across the United States.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Jewish Community Relations Council of Indianapolis.

The resolution was read in full and adopted by voice vote.

SENATE MOTION

Madam President: I move that the following memorial resolutions be adopted:

SCR 61 Senator Glick
Memorializing former State Representative Richard Dodge.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 61

Senate Concurrent Resolution 61, introduced by Senators Glick and Kruse:

A CONCURRENT RESOLUTION memorializing former State Representative Richard Dodge.

Whereas, Richard Dodge devoted a lifetime to the service of his family, his community, his state, and this nation;

Whereas, Richard Dodge, a life-long resident of Pleasant Lake, Indiana, died on February 20, 2020, at the age of 89;

Whereas, Born June 2, 1930, to Howard and Arlene Dodge, Richard graduated from Pleasant Lake High School in 1948;

Whereas, Richard worked on the family farm in Pleasant Lake until 1950, when he joined the U.S. Air Force;

Whereas, Following his honorable discharge in 1954, Richard moved back to Pleasant Lake and went into business with his father at Howard Dodge & Son Heating and Air Conditioning;

Whereas, On December 4, 1971, Richard married Joann Kyser Douglas, and together they raised five children;

Whereas, Richard was a faithful public servant, including serving as State Representative for House District 51 from 2004-2012;

Whereas, Prior to his service as State Representative, Richard served locally in Steuben County, including as a Steuben County Commissioner, member of the Steuben County Council, Steuben Township Trustee, member of the Steuben Township Advisory Board, member of the Steuben County Economic and Development Board, and as chairman of the Steuben County Republican Committee;

Whereas, Richard was also a member of the Pleasant Lake Lions Club, including as District Governor from 1973-1974 and as a board member for Lions Club Cancer Research, the Pleasant Lake Historical Society, the Fremont American Legion Post 257, the Angola Moose Lodge, the Angola Elks Lodge, Hoosier War Birds, and the Pleasant View Church of Christ;

Whereas, In recognition of his service to his state and community, Richard was presented a Sagamore of the Wabash on April 6, 2017; and

Whereas, Richard is survived by his wife, Joann, his children, Terry, Rick, Michael, Katherine, and David, his sister, Catherine, eight grandchildren, and ten great-grandchildren: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana Senate memorializes former State Representative Richard Dodge.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the family of Richard Dodge.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Zent.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, with amendments, Engrossed Senate Bills 10, 194, 299, and 430 and the same are herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS
Principal Clerk of the House

ENGROSSED HOUSE BILLS ON SECOND READING

Engrossed House Bill 1002

Senator Raatz called up Engrossed House Bill 1002 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1003

Senator Raatz called up Engrossed House Bill 1003 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1003–2)

Madam President: I move that Engrossed House Bill 1003 be amended to read as follows:

Page 9, between lines 30 and 31, begin a new paragraph and insert:

"SECTION 4. IC 20-26-13-10, AS AMENDED BY P.L.159-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) Except as provided in section 11 of this chapter, the four (4) year graduation rate for a cohort in a high school is the percentage determined under STEP FIVE of the following formula:

STEP ONE: Determine the grade 9 enrollment at the beginning of the reporting year three (3) years before the reporting year for which the graduation rate is being determined.

STEP TWO: Add:

(A) the number determined under STEP ONE; and

(B) the number of students who:

(i) have enrolled in the high school after the date on which the number determined under STEP ONE was determined; and

(ii) have the same expected graduation year as the cohort.

STEP THREE: Subtract from the sum determined under STEP TWO the number of students who have left the cohort for any of the following reasons:

(A) Transfer to another public or nonpublic school.

(B) Except as provided in IC 20-33-2-28.6 and subsection (b), removal by the student's parents under IC 20-33-2-28 to provide instruction equivalent to that given in the public schools.

(C) Withdrawal because of a long term medical condition or death.

(D) Detention by a law enforcement agency or the department of correction.

(E) Placement by a court order or the department of child services.

(F) Enrollment in a virtual school.

(G) Leaving school, if the student attended school in Indiana for less than one (1) school year and the location of the student cannot be determined.

(H) Leaving school, if the location of the student cannot be determined and the student has been reported to the Indiana clearinghouse for information on missing children and missing endangered adults.

(I) Withdrawing from school before graduation, if the student is a high ability student (as defined in IC 20-36-1-3) who is a full-time student at an accredited institution of higher education during the semester in which the cohort graduates.

(J) Participating in the high school equivalency program under IC 20-30-8.5.

STEP FOUR: Determine the total number of students determined under STEP TWO who have graduated during the current reporting year or a previous reporting year.

STEP FIVE: Divide:

(A) the number determined under STEP FOUR; by

(B) the remainder determined under STEP THREE.

(b) This subsection applies to a high school in which:

(1) for a:

(A) cohort of one hundred (100) students or less, at least ten percent (10%) of the students left a particular cohort for a reason described in subsection (a) STEP THREE clause (B); or

(B) cohort of more than one hundred (100) students, at least five percent (5%) of the students left a particular cohort for a reason described in subsection (a) STEP THREE clause (B); and

(2) the students described in subdivision (1)(A) or (1)(B) are not on track to graduate with their cohort.

A high school must submit a request to the state board in a manner prescribed by the state board requesting that the students

described in this subsection be included in the subsection (a) STEP THREE calculation. The state board shall review the request and may grant or deny the request. The state board shall deny the request unless the high school demonstrates good cause to justify that the students described in this subsection should be included in the subsection (a) STEP THREE calculation. If the state board denies the request the high school may not subtract the students described in this subsection under subsection (a) STEP THREE.

SECTION 5. IC 20-26-13-11, AS AMENDED BY P.L.159-2019, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) A student who has left school is not included in clauses (A) through ~~(I)~~ **(J)** of STEP THREE of the formula established in section 10(a) of this chapter unless the school can provide written proof that the student has left the school for one (1) of the reasons set forth in clauses (A) through ~~(I)~~ **(J)** of STEP THREE of section 10(a) of this chapter. If the location of the student is unknown to the school, the principal of the school shall send a certified letter to the last known address of the student, inquiring about the student's whereabouts and status. If the student is not located after the certified letter is delivered or if no response is received, the principal may submit the student's information, including last known address, parent or guardian name, student testing number, and other pertinent data to the state attendance officer. The state attendance officer, using all available state data and any other means available, shall attempt to locate the student and report the student's location and school enrollment status to the principal so that the principal can appropriately send student records to the new school or otherwise document the student's status.

(b) The department shall conduct a review of each school's graduation cohort on a schedule determined by the department.

(c) If a school cannot provide written proof that a student should be included in clauses (A) through ~~(I)~~ **(J)** of STEP THREE of section 10(a) of this chapter, the student is considered a dropout.

SECTION 6. IC 20-26-13-13, AS AMENDED BY P.L.159-2019, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. For any school that cannot provide written proof supporting the school's determination to include a student under any one (1) of clauses (A) through ~~(I)~~ **(J)** of STEP THREE of section 10(a) of this chapter, the department shall require the publication of the corrected graduation rate in the next school year's report required under IC 20-20-8-3.

SECTION 7. IC 20-26-13-17 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 17. (a) A student must be subtracted under clause (J) of STEP THREE of section 10(a) of this chapter when a student transitions from a traditional high school to the high school equivalency pilot program under IC 20-30-8.5.**

(b) This section expires June 30, 2024.".

Page 20, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 16. IC 20-30-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 8.5. High School Equivalency Pilot Program

Sec. 1. Except as provided in section 6(c) of this chapter, this section applies to the following school corporations:

(1) Richmond Community Schools.

(2) Metropolitan School District of Washington Township Schools.

(3) Metropolitan School District of Warren Township Schools.

Sec. 2. As used in this chapter, an "eligible student" means a student who has completed less than fifty percent (50%) of the required number of credits necessary to graduate upon entering the student's fourth year of high school or any subsequent semester.

Sec. 3. As used in this chapter, "program" refers to the high school equivalency pilot program established by section 6 of this chapter.

Sec. 4. As used in this chapter, "provider" is a current grantee receiving WIOA Title II money from the department of workforce development and that provides academic instruction and education services at the elementary or high school level that:

(1) include adult education, literacy activities, workplace activities, English language acquisition activities, integrated English literacy and civics education, workforce preparation activities, or integrated education and training;

(2) transition to postsecondary education and training; and

(3) provide an ability to obtain employment.

Sec. 5. As used in this chapter, "WIOA" refers to the federal Workforce Innovation and Opportunity Act.

Sec. 6. (a) The high school equivalency pilot program is established. The purpose of the program is to allow an eligible student to enroll in a program to earn a high school equivalency.

(b) A student participating in the program shall be removed from the graduation cohort and will no longer be counted as a dropout.

(c) A high school not listed in section 1 of this chapter may participate in the program beginning July 1, 2021, by notifying the adult education section of the department of workforce development in a manner prescribed by the department. Not more than three (3) additional school corporations may be added to the program before June 30, 2023.

(d) Not more than five percent (5%) of a participating school's cohort may participate in the program at one (1) time.

Sec. 7. An eligible student may participate in the program in lieu of meeting the graduation requirements in IC 20-32-4-1.5.

Sec. 8. In addition to successfully achieving their high school equivalency, an eligible student shall also successfully complete two (2) of the following:

(1) A certification class approved by the department or the department of workforce development.

(2) A work based learning experience that is recognized

by the state board under the graduation pathways requirements.

(3) Indiana specific college ready benchmarks set by the commission for higher education that meet or exceed college ready benchmarks set by the college board and ACT.

(4) Completion of the ASVAB with a minimum AFQT score to qualify for placement into one of the branches of the armed forces of the United States.

(5) Completion of the ACCUPLACER exam with a score that qualifies the eligible student for credit bearing classes.

(6) Admittance into a recognized apprenticeship program.

(7) EmployIndy Job Ready Badges.

Sec. 9. (a) A school corporation may contract with a provider to provide services for the program. However, the program may not receive money from WIOA Title II or state appropriated adult education funding. If contracting with a provider, the school corporation shall ensure the following:

(1) The provider is a WIOA Title II funded organization.

(2) Teachers provided by the provider hold a current teaching license from any state, and teachers of core subjects are qualified in the subjects to which they are assigned.

(3) The provider has provided one (1) or more dropout recovery or high school equivalency programs and testing for at least two (2) years prior to providing a program under this section.

(b) All contracts entered into by a school corporation and a provider shall include requirements for the protection of all personally identifiable student information that shall comply with all applicable state and federal laws and regulations.

Sec. 10. (a) If a school corporation decides to participate in the program, the school corporation shall fund the program from the school corporation's budget or from:

(1) gifts, donations, and bequests;

(2) grants, including federal grants and grants from private entities;

(3) funds from any other source; and

(4) a combination of the resources described in subdivisions (1), (2), and (3).

(b) Not later than sixty (60) days after the identification of the source of the funds, the governing body of a school corporation shall conduct a public hearing at a location within the school corporation to present and discuss the source of the funds. The governing body may conduct the meeting in conjunction with a regular meeting of the governing body.

(c) The school corporation may only use state tuition support received for a student who participates in the program or funds donated to the program to administer the program.

Sec. 11. If an eligible student enrolled in a school corporation participates in the program, the eligible student may not be a student of an adult education center (as described in IC 22-4.1-20) or an adult high school (as defined under IC 20-24-1-2.3).

Sec. 12. Not later than July 1, 2021, and not later than July 1 of each year thereafter, participating school corporations shall submit a report to the general assembly in an electronic format under IC 5-14-6 concerning the program that includes the following:

(1) The number of students eligible for the program.

(2) The number of eligible students who participated in the program.

(3) The number of credits upon entry to the program.

(4) The number of eligible students who successfully achieved their high school equivalency through the program.

(5) A list of credentials earned upon completion of the program.

(6) Recommendations on improvements to the program.

(7) An estimated cost to each school corporation for the program.

(8) To the extent possible, the use of the funding received by the school corporation for an eligible student participating in the program during the previous school year and metrics of student achievement and demographics, including:

(A) the amount of funding received that was used for each course or program of instruction included in the program;

(B) the amount of funding received that was used for transportation costs for students who participate in the program;

(C) the amount of funding received that was used for any other purposes relating to the cost of education for an eligible student who participated in the program; and

(D) metrics of eligible student achievement and demographic information for those eligible students who participated in the program during the previous school year, including a comparison to the metrics of student achievement and demographic information for those students who were not participants in the program.

(9) Any other relevant consideration.

Sec. 13. This chapter expires June 30, 2024.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1003 as printed February 28, 2020.)

RAATZ

Motion prevailed.

SENATE MOTION
(Amendment 1003–3)

Madam President: I move that Engrossed House Bill 1003 be amended to read as follows:

Page 1, delete lines 1 through 17.

Delete pages 2 through 4.

Page 5, delete lines 1 through 25.

Page 22, delete lines 34 through 42.

Page 23, delete lines 1 through 26.

Delete pages 24 through 25.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1003 as printed February 28, 2020.)

GARTEN

Upon request of Senator Lanane the President ordered the roll of the Senate to be called. Roll Call 257: yeas 32, nays 18.

Motion prevailed.

SENATE MOTION
(Amendment 1003–5)

Madam President: I move that Engrossed House Bill 1003 be amended to read as follows:

Page 9, line 36, delete "subsection (c)" and insert "**subsections (c) and (d)**".

Page 10, between lines 37 and 38, begin a new paragraph and insert:

"**(d) As part of an application to the state board under subsection (a) by a school or group of schools, a demonstration of support from:**

(1) the exclusive representative (as defined in IC 20-29-2-9) that represents the teachers of the school or group of schools; or

(2) if teachers of the school or group of schools are not represented by an exclusive representative (as defined in IC 20-29-2-9), the teachers of the school or group of schools;

is required.".

(Reference is to EHB 1003 as printed February 28, 2020.)

MELTON

Motion failed.

SENATE MOTION
(Amendment 1003–4)

Madam President: I move that Engrossed House Bill 1003 be amended to read as follows:

Page 9, line 36, delete "subsection (c)" and insert "**subsections (c) and (d)**".

Page 10, between lines 37 and 38, begin a new paragraph and insert:

"**(d) As part of an application to the state board under subsection (a) by a school or group of schools, a demonstration of support from teachers of the school or group of schools is required.**".

(Reference is to EHB 1003 as printed February 28, 2020.)

MELTON

Upon request of Senator Melton the President ordered the roll of the Senate to be called. Roll Call 258: yeas 16, nays 34.

Motion failed. The bill was ordered engrossed.

Engrossed House Bill 1004

Senator Charbonneau called up Engrossed House Bill 1004 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1004–4)

Madam President: I move that Engrossed House Bill 1004 be amended to read as follows:

Page 2, line 19, delete "(a)".

Page 2, delete lines 22 through 23.

Page 2, line 26, delete "(a)".

Page 2, delete lines 29 through 42.

Page 3, delete lines 1 through 3.

Page 3, line 7, delete "IC 16-51-1-6." and insert "**IC 16-51-1-3.**".

Page 3, delete lines 8 through 13.

Page 3, line 24, delete "IC 16-51-2," and insert "**IC 16-51-1,**".

Page 3, line 25, delete "IC 16-51-2-4." and insert "**IC 16-51-1-4.**".

Page 3, delete lines 26 through 42.

Page 4, delete lines 1 through 27.

Page 4, line 31, delete "IC 16-51-2," and insert "**IC 16-51-1,**".

Page 4, line 31, delete "IC 16-51-2-5." and insert "**IC 16-51-1-5.**".

Page 4, line 35, delete "IC 16-51-2," and insert "**IC 16-51-1,**".

Page 4, line 36, delete "IC 16-51-2-6." and insert "**IC 16-51-1-6.**".

Page 4, delete line 42.

Delete page 5.

Page 6, delete lines 1 through 18.

Page 16, delete lines 36 through 42.

Delete page 17.

Page 18, delete lines 1 through 3.

Page 32, line 4, after "2021," insert "**and before September 1 of each year thereafter,**".

Page 32, delete lines 11 through 16, begin a new paragraph and insert:

"**(c) The report must include the following concerning claims from the preceding calendar year:**

(1) The number of claims submitted to an insurer or health maintenance organization described in subsection (b) for each address for which a claim was submitted.

(2) For the claims described in subdivision (1), the number of claims that were submitted for reimbursement at an institutional provider rate or an office setting rate, and the type of rate the claim was reimbursed at by the insurer or health maintenance organization.

(d) The department may prescribe the manner in which the report is made.

(e) This SECTION expires December 31, 2026.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1004 as printed February 28, 2020.)

CHARBONNEAU

Motion prevailed.

SENATE MOTION
(Amendment 1004–5)

Madam President: I move that Engrossed House Bill 1004 be amended to read as follows:

Page 7, line 30, after "(a)" insert "**This section does not apply to emergency services.**

(b)".

Page 7, line 33, delete "(b)" and insert "**(c)**".

Page 7, line 37, delete "(c)" and insert "**(d)**".

Page 7, line 41, delete "(d)" and insert "**(e)**".

Page 8, line 11, delete "(e)" and insert "**(f)**".

Page 8, line 15, delete "(f)" and insert "**(g)**".

Page 8, line 16, after "services" insert "**at an in network facility**".

Page 9, line 10, delete "(g)" and insert "**(h)**".

Page 9, line 12, delete "(f)(1)(B)," and insert "**(g)(1)(B),**".

Page 14, line 1, after "carrier" insert " **and a provider facility**".

Page 14, line 5, delete "18" and insert "**19**".

Page 14, line 34, delete "state department" and insert "**Indiana professional licensing agency**".

Page 15, line 1, after "18." insert "**(a) As used in this section, "waiting room" means a space in a building used by a practitioner in which people check in or register to:**

(1) be seen by practitioners; or

(2) meet with members of the staff of a practitioner's office.

(b) A practitioner shall ensure that each waiting room of the practitioner's office includes at least one (1) printed notice that:

(1) is designed, lettered, and positioned within the waiting room so as to be conspicuous to and readable by any individual with normal vision who visits the waiting room; and

(2) states the following, or words to the same effect: "A patient may ask for an estimate of the amount the patient will be charged for a nonemergency medical service provided in this practitioner office. The law requires that an estimate be provided within 5 business days.".

(c) If a practitioner maintains an Internet web site, the practitioner shall ensure that the Internet web site includes at least one (1) printed notice that:

(1) is designed, lettered, and featured on the Internet web site so as to be conspicuous to and readable by any individual with normal vision who visits the Internet web site; and

(2) states the following, or words to the same effect: "A patient may ask for an estimate of the amount the patient will be charged for a nonemergency medical service provided in our office. The law requires that an estimate be provided within 5 business days.".

Sec. 19.".

Page 15, line 9, delete "office" and insert "**waiting room**".

Page 18, between lines 7 and 8, begin a new paragraph and insert:

"**Sec. 0.5. This chapter does not apply to emergency services.**".

Page 18, delete lines 41 through 42.

Page 19, delete lines 1 through 12, begin a new paragraph and insert:

"**Sec. 7. (a) An out of network practitioner who provides health care services at an in network facility to a covered individual may charge more for the health care services than allowed according to the rate or amount of compensation established by the individual's network plan if all of the following conditions are met:** ".

Page 19, line 37, delete "charge."." and insert "**charge. If our actual charge for [name or description of health care services] exceeds our estimate, we will explain to you why the charge exceeds the estimate.".**".

Page 20, line 1, delete "(c)" and insert "**(b)**".

(Reference is to EHB 1004 as printed February 28, 2020.)

CHARBONNEAU

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1006

Senator Charbonneau called up Engrossed House Bill 1006 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1006–1)

Madam President: I move that Engrossed House Bill 1006 be amended to read as follows:

Page 2, line 18, after "had" insert "**an interest in**".

Page 2, delete lines 23 through 35.

Page 3, line 12, delete "IC 35-46-1-10.2(i);" and insert "**IC 35-46-1-10.2(j);**".

Page 3, delete lines 15 through 42.

Page 8, line 33, strike "eighteen (18)" and insert "**twenty-one (21)**".

Page 12, line 15, delete "under" and insert "**less than**".

Page 12, line 26, after "e-liquids"" insert "**the**".

Page 12, delete lines 34 through 42.

Page 15, line 15, delete "IC 35-46-1-10.2(f)." and insert "**IC 35-46-1-10.2(g).**".

Page 17, line 18, delete "agriculture;" and insert "Agriculture.".

Page 17, line 19, delete "processing;" and insert "Processing.".

Page 17, line 20, delete "transporting;" and insert "Transporting.".

Page 17, line 21, delete "wholesaling;" and insert "Wholesaling.".

Page 17, line 21, strike "or".

Page 17, line 22, delete "retailing." and insert "Retailing.".

Page 17, line 42, delete ":".

Page 18, line 1, delete "(1)".

Page 18, line 3, delete "; or".

Page 18, delete lines 4 through 7.

Page 17, run in line 42 through page 18, line 8.

Page 23, line 7, strike "that has as its" and insert "**in which tobacco products, electronic cigarettes, and e-liquids account for at least eighty-five percent (85%) of the retail establishment's gross sales**".

Page 23, line 8, strike "primary purpose the sale of tobacco products,".

Page 23, line 8, delete "e-liquids, or electronic".

Page 23, line 9, delete "cigarettes,".
Page 24, line 3, strike "hundred eighty (180) day" and insert "**(1) year**".
Page 24, line 14, after "establishment" insert ":".
Page 24, line 14, strike "that:".
Page 24, line 15, strike "has a primary purpose to sell tobacco or electronic cigarettes;" and insert "**in which tobacco products, electronic cigarettes, and e-liquids account for at least eighty-five percent (85%) of the retail establishment's gross sales;**".
Page 24, line 17, after "(2)" insert "**that**".
Page 24, line 29, after "sells" delete "a".
Page 24, line 29, delete "product" and insert "**, an e-liquid, or an electronic cigarette**".
Renumber all SECTIONS consecutively.
(Reference is to EHB 1006 as printed February 28, 2020.)

CHARBONNEAU

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1008

Senator Messmer called up Engrossed House Bill 1008 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1008–1)

Madam President: I move that Engrossed House Bill 1008 be amended to read as follows:
Page 2, delete lines 3 through 6.
Page 2, line 7, delete "(6)" and insert "**(4)**".
Page 2, line 8, delete "(7)" and insert "**(5)**".
Page 2, line 10, delete "(8)" and insert "**(6)**".
Page 2, line 11, delete "(9)" and insert "**(7)**".
Page 2, line 12, delete "(10)" and insert "**(8)**".
Page 2, line 13, delete "(11)" and insert "**(9)**".
Page 2, line 14, delete "(12)" and insert "**(10)**".
Page 2, line 15, delete "(13)" and insert "**(11)**".
Page 2, line 16, delete "(14)" and insert "**(12)**".
(Reference is to EHB 1008 as printed February 28, 2020.)

MESSMER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1015

Senator Sandlin called up Engrossed House Bill 1015 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1042

Senator L. Brown called up Engrossed House Bill 1042 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1042–2)

Madam President: I move that Engrossed House Bill 1042 be amended to read as follows:
Page 1, delete lines 5 through 6.
Page 1, line 7, delete "2." and insert "**1.**".
Page 1, line 14, delete "3." and insert "**2.**".
Page 1, line 16, delete "4." and insert "**3.**".
Page 2, line 5, delete "5." and insert "**4.**".
Page 2, line 8, delete "and in any class or tier of any".
Page 2, line 9, delete "pharmacy network".
Page 2, line 12, delete "6." and insert "**5.**".
Page 2, line 18, delete "7." and insert "**6.**".
Page 2, line 28, delete "8." and insert "**7.**".
Page 2, line 31, delete "9." and insert "**8.**".
Page 2, line 35, delete "10." and insert "**9.**".
Page 2, line 40, delete "11." and insert "**10.**".
Page 2, line 42, delete "12." and insert "**11.**".
Page 3, line 3, delete "13." and insert "**12.**".
Page 3, line 8, delete "14." and insert "**13.**".
Page 3, line 28, delete "15." and insert "**14.**".
Page 3, line 35, delete "16." and insert "**15.**".
Page 3, line 40, delete "17." and insert "**16.**".
Page 4, line 3, delete "18." and insert "**17.**".
Page 4, delete lines 11 through 17.
Page 4, line 18, delete "20." and insert "**18.**".
Page 4, line 22, delete "21." and insert "**19.**".
Page 4, line 25, delete "22." and insert "**20.**".
Page 4, line 25, delete "do the following:".
Page 4, delete lines 26 through 39.
Page 4, line 40, delete "(4) Provide" and insert "**provide**".
Page 4, run in lines 25 through 40.
Page 5, delete lines 7 through 9.
Page 5, line 10, delete "(3)" and insert "**(2)**".
Page 5, delete line 11.
Page 5, line 12, delete "(5)" and insert "**(3)**".
Page 5, line 21, delete "(6)" and insert "**(4)**".
Page 5, delete lines 25 through 31, begin a new line block indented and insert:

"**(5) Reimburse a pharmacy that is affiliated with the pharmacy benefit manager, other than solely being included in the pharmacy benefit manager's network, at a greater reimbursement rate than other pharmacies in the same network.**".

Page 5, line 35, delete "23." and insert "**21.**".
Page 5, after line 42, begin a new line double block indented and insert:

"**(E) Reporting requirements described in section 22 of this chapter.**
(F) The time frame for the resolution of an appeal under section 23 of this chapter.".

Page 6, line 7, after "manager" insert "**one (1) time per year**".
Page 6, delete line 12.
Page 6, line 13, delete "(ii)" and insert "**(i)**".
Page 6, line 14, delete "(iii)" and insert "**(ii)**".
Page 6, line 16, delete "(iv)" and insert "**(iii)**".
Page 6, line 17, delete "(v)" and insert "**(iv)**".
Page 6, line 19, delete "(vi)" and insert "**(v)**".
Page 6, line 22, delete "(vii)" and insert "**(vi)**".
Page 6, line 24, delete "(viii)" and insert "**(vii)**".
Page 6, delete lines 29 through 32.
Page 6, line 33, delete "25." and insert "**22.**".

Page 6, line 35, after "commissioner" insert "**. The commissioner shall determine what must be included in the report and consider the following information to be included in the report:**".

Page 6, delete line 36.

Page 7, delete lines 20 through 22.

Page 7, line 23, delete "(c)" and insert "**(b)**".

Page 7, line 26, after "published" delete "under".

Page 7, line 27, delete "subsection (b),".

Page 7, line 27, delete "(d)" and insert "**(c)**".

Page 7, line 28, delete "(d)" and insert "**(c)**".

Page 7, line 29, delete "(c)" and insert "**(b)**".

Page 7, line 31, delete "26." and insert "**23.**".

Page 7, line 32, delete "pharmacies" and insert "**pharmacy service administration organizations**".

Page 7, delete lines 41 through 42.

Page 8, delete lines 1 through 3.

Page 8, line 9, delete "not later than ten (10) calendar" and insert "**in a time frame determined by the commissioner.**".

Page 8, delete line 10.

Page 8, line 12, delete "do the following:" and insert "**provide the reason for the denial.**".

Page 8, delete lines 13 through 26.

Page 8, line 34, after "in the" insert "**same**".

Page 8, delete lines 38 through 42.

Page 9, line 1, delete "(D)" and insert "**(C)**".

Page 9, line 4, delete "(E)" and insert "**(D)**".

Page 9, line 10, delete "(F)" and insert "**(E)**".

Page 9, line 11, delete "." and insert "**unless otherwise agreed to by the pharmacy.**".

Page 9, line 31, delete "27." and insert "**24.**".

Page 9, line 34, delete "all contracted pharmacies" and insert "**a contracted pharmacy services administration organization, to make available to the pharmacies,**".

Page 9, delete line 42.

Page 10, delete lines 1 through 2.

Page 10, line 5, delete "pharmacies:" and insert "**pharmacy services administration organizations:**".

Page 10, delete lines 11 through 12.

Page 10, line 13, delete "28." and insert "**25.**".

Page 10, delete lines 22 through 42.

Page 11, delete lines 1 through 27, begin a new paragraph and insert:

"**Sec. 26. (a) A party that has contracted with a pharmacy benefit manager to provide services may, at least one (1) time in a calendar year, request an audit of compliance with the contract. The audit may include full disclosure of rebate amounts secured on prescription drugs, whether product specific or general rebates, that were provided by a pharmaceutical manufacturer and any other revenue and fees derived by the pharmacy benefit manager from the contract. A contract may not contain provisions that impose unreasonable fees or conditions that would severely restrict a party's right to conduct an audit under this subsection.**

(b) A pharmacy benefit manager shall disclose, upon request from a party that has contracted with a pharmacy benefit manager, to the party the actual amounts paid by the pharmacy benefit manager to any pharmacy.

(c) A pharmacy benefit manager shall provide notice to a party contracting with the pharmacy benefit manager any consideration that the pharmacy benefit manager receives from a pharmacy manufacturer for any name brand dispensing of a prescription when a generic or biologically similar product is available for the prescription.

(d) The commissioner may establish a procedure to release information from an audit performed by the department to a party that has requested an audit under this section in a manner that does not violate confidential or proprietary information laws.

(e) Any provision of a contract entered into, issued, or renewed after June 30, 2020, that violates this section is unenforceable.".

Page 11, line 28, delete "30." and insert "**27.**".

Page 12, line 4, delete "31." and insert "**28.**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1042 as printed February 21, 2020.)

L. BROWN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1043

Senator Boots called up Engrossed House Bill 1043 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1045

Senator Glick called up Engrossed House Bill 1045 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1063

Senator Doriot called up Engrossed House Bill 1063 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1065

Senator Holdman called up Engrossed House Bill 1065 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1065–1)

Madam President: I move that Engrossed House Bill 1065 be amended to read as follows:

Page 2, between lines 15 and 16, begin a new paragraph and insert:

"SECTION 2. IC 6-1.1-3-7.2, AS AMENDED BY P.L.273-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 7.2. (a) This section applies to assessment dates occurring after December 31, 2015.

(b) As used in this section, "affiliate" means an entity that effectively controls or is controlled by a taxpayer or is associated

with a taxpayer under common ownership or control, whether by shareholdings or other means.

(c) As used in this section, "business personal property" means personal property that:

(1) is otherwise subject to assessment and taxation under this article;

(2) is used in a trade or business or otherwise held, used, or consumed in connection with the production of income; and

(3) was:

(A) acquired by the taxpayer in an arms length transaction from an entity that is not an affiliate of the taxpayer, if the personal property has been previously used in Indiana before being placed in service in the county; or

(B) acquired in any manner, if the personal property has never been previously used in Indiana before being placed in service in the county.

The term does not include mobile homes assessed under IC 6-1.1-7, personal property held as an investment, or personal property that is assessed under IC 6-1.1-8 and is owned by a public utility subject to regulation by the Indiana utility regulatory commission. However, the term does include the personal property of a telephone company or a communications service provider if that personal property meets the requirements of subdivisions (1) through (3), regardless of whether that personal property is assessed under IC 6-1.1-8 and regardless of whether the telephone company or communications service provider is subject to regulation by the Indiana utility regulatory commission.

(d) Notwithstanding section 7 of this chapter, if the ~~acquisition cost~~ **assessed value** of a taxpayer's total business personal property in a county is less than forty thousand dollars ($40,000) for that assessment date, the taxpayer's business personal property in the county for that assessment date is exempt from taxation.

(e) A taxpayer that is eligible for the exemption under this section for an assessment date shall include the following information on the taxpayer's personal property tax return:

(1) A declaration that the taxpayer's business personal property in the county is exempt from property taxation.

(2) Whether the taxpayer's business personal property within the county is in one (1) location or multiple locations.

(3) An address for the location of the property.

If the business personal property is in multiple locations within a county, the taxpayer shall provide an address for the location where the sum of ~~acquisition costs~~ **assessed values** for business personal property is greatest. If two (2) or more addresses contain the greatest equivalent sum of ~~acquisition costs~~ **assessed values** for business personal property within a given county, the taxpayer shall choose only one (1) address to list on the return.".

Page 22, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 20. [EFFECTIVE JANUARY 1, 2021] **IC 6-1.1-3-7.2, as amended by this act, applies to assessment dates after December 31, 2020.**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1065 as printed February 26, 2020.)

FREEMAN

Upon request of Senator Lanane the President ordered the roll of the Senate to be called. Roll Call 259: yeas 37, nays 11.

Motion prevailed.

SENATE MOTION
(Amendment 1065–2)

Madam President: I move that Engrossed House Bill 1065 be amended to read as follows:

Page 22, delete lines 29 through 30.

Page 22, line 31, delete "IC 6-1.1-12.1-7".

Page 22, line 32, delete "A".

Page 22, delete lines 33 through 36.

(Reference is to EHB 1065 as printed February 26, 2020.)

RAATZ

Motion prevailed.

SENATE MOTION
(Amendment 1065–3)

Madam President: I move that Engrossed House Bill 1065 be amended to read as follows:

Page 22, line 2, delete "program;" and insert "program, **including the superintendents and governing body presidents of all school corporations located within the proposed allocation area;**".

Page 22, line 9, after "neighborhood." insert "**The department of redevelopment shall send notice thirty (30) days prior to the public meeting to the fiscal officer of all affected taxing units and to the superintendents and governing body presidents of all school corporations located within the proposed allocation area.**".

(Reference is to EHB 1065 as printed February 26, 2020.)

HOLDMAN

Motion prevailed.

SENATE MOTION
(Amendment 1065–5)

Madam President: I move that Engrossed House Bill 1065 be amended to read as follows:

Page 22, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 20. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to the interim study committee on fiscal policy during the 2020 legislative interim the task of studying tax credits and other fiscal incentives for a film and media production program.**

(b) The legislative services agency shall prepare a study of film and media production tax incentives in other states and submit the study to the interim study committee on fiscal policy before October 1, 2020. The study must include at least the following:

(1) Information concerning film and media production

incentives offered in all other states.

(2) Information concerning the effectiveness of film and media production incentives offered in all other states.

(c) This SECTION expires July 1, 2023.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1065 as printed February 26, 2020.)

HOLDMAN

Motion prevailed.

SENATE MOTION
(Amendment 1065–6)

Madam President: I move that Engrossed House Bill 1065 be amended to read as follows:

Page 20, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 16. IC 20-24-7-6, AS AMENDED BY P.L.244-2017, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. **(a)** With the approval of a majority of the members of the governing body, a school corporation may distribute a proportionate share of the school corporation's operations fund to a charter school.

(b) A governing body may distribute money that is received as part of a tax levy collected under IC 20-46-1 from the school corporation's education fund to a charter school, excluding a virtual charter school, in the manner provided by IC 20-46-1-8(d).

(c) A governing body may distribute money from the school safety referendum tax levy fund to a charter school, excluding a virtual charter school, in the manner prescribed by IC 20-46-9-6(b).

SECTION 17. IC 20-40-3-5, AS AMENDED BY P.L.244-2017, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. **(a)** Money in the fund may be used for any lawful school expenses, including making a transfer to the school corporation's education fund (IC 20-40-2) or operations fund (IC 20-40-18).

(b) A school corporation may distribute proceeds of a tax levy collected under IC 20-46-1 that is transferred to the school corporation's education fund to a charter school, excluding a virtual charter school, that is located within the attendance area of the school corporation.

SECTION 18. IC 20-40-20-6, AS ADDED BY P.L.272-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) Subject to subsections ~~(b) and (c),~~ **(c) and (d),** money in the fund may be used only for the following purposes:

(1) To employ or compensate a school resource officer or school resource officers.

(2) To establish or fund a school safety office.

(3) To conduct a threat assessment of a school building.

(4) To create or update a school safety plan.

(5) To develop or update school emergency response systems.

(6) To purchase equipment to improve the safety of a school building, school grounds, or school buses.

(7) To pay capital expenses to improve the safety of a school building.

(8) To establish and administer programs to address youth specific mental illness, addiction, anger management, bullying, and school violence.

(9) To develop and administer professional development programs for teachers, administrators, and other school employees designed to improve school safety and reduce violence.

(b) A school corporation may distribute, with the approval of the majority of members of the governing body, a portion of the proceeds of a tax levy collected under IC 20-46-9 that is deposited in the fund to a charter school, excluding a virtual charter school, that is located within the attendance area of the school corporation, to be used by the charter school for the purposes described in subsection (a).

~~(b)~~ **(c)** Expenditures paid using money collected from the levy shall be included in a school's safety plan.

~~(c)~~ **(d)** Local law enforcement shall participate in:

(1) development of a school safety plan;

(2) development or updates to school emergency response systems; and

(3) determination of capital expenses that would improve the safety of a school building.

~~(d)~~ **(e)** Money in the fund may be transferred to the school corporation's education fund (IC 20-40-2), operations fund (IC 20-40-18), or school safety referendum debt service fund (IC 20-40-21), as applicable, to pay for expenditures listed in subsection (a).

SECTION 19. IC 20-46-1-8, AS AMENDED BY P.L.272-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019 (RETROACTIVE)]: Sec. 8. (a) Subject to subsection (c) and this chapter, the governing body of a school corporation may adopt a resolution to place a referendum under this chapter on the ballot for ~~either~~ **any** of the following purposes:

(1) The governing body of the school corporation determines that it cannot, in a calendar year, carry out its public educational duty unless it imposes a referendum tax levy under this chapter.

(2) The governing body of the school corporation determines that a referendum tax levy under this chapter should be imposed to replace property tax revenue that the school corporation will not receive because of the application of the credit under IC 6-1.1-20.6.

(3) The governing body makes the determination required under subdivision (1) or (2) and determines to share a portion of the referendum proceeds with a charter school, excluding a virtual charter school, in the manner prescribed in subsection (d).

(b) The governing body of the school corporation shall certify a copy of the resolution **to place a referendum on the ballot** to the following:

(1) The department of local government finance, including the language for the question required by section 10 of this chapter, or in the case of a resolution to extend a referendum levy certified to the department of local government finance after March 15, 2016, section 10.1 of this chapter. The department shall review the language for compliance with section 10 or 10.1 of this chapter,

whichever is applicable, and either approve or reject the language. The department shall send its decision to the governing body of the school corporation not more than ten (10) days after the resolution is submitted to the department. If the language is approved, the governing body of the school corporation shall certify a copy of the resolution, including the language for the question and the department's approval.

(2) The county fiscal body of each county in which the school corporation is located (for informational purposes only).

(3) The circuit court clerk of each county in which the school corporation is located.

(c) If a school safety referendum tax levy under IC 20-46-9 has been approved by the voters in a school corporation at any time in the previous three (3) years, the school corporation may not:

(1) adopt a resolution to place a referendum under this chapter on the ballot; or

(2) otherwise place a referendum under this chapter on the ballot.

(d) Either:

(1) the resolution described in subsection (a); or

(2) a resolution approved by the governing body at least ten (10) days before the date the vote on the referendum occurs;

must indicate whether proceeds in the school corporation's education fund collected from a tax levy under this chapter will be used to provide a distribution to a charter school, excluding a virtual charter school, under IC 20-40-3-5 as well as the amount that will be distributed to the particular charter school.

SECTION 20. IC 20-46-1-18, AS AMENDED BY P.L.1-2009, SECTION 126, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. A school corporation's levy may not be considered in the determination of the school corporation's **or a charter school's (excluding a virtual charter school)** state tuition support distribution under IC 20-43 or the determination of any other property tax levy imposed by the school corporation.

SECTION 21. IC 20-46-9-6, AS ADDED BY P.L.272-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2019 (RETROACTIVE)]: Sec. 6. (a) Subject to this chapter, the governing body of a school corporation may adopt a resolution to place a referendum under this chapter on the ballot if the governing body of the school corporation determines that a referendum levy should be imposed for measures to improve school safety as described in IC 20-40-20-6(a) **or IC 20-40-20-6(b).**

(b) A school corporation may, with the approval of the majority of members of the governing body, distribute a portion of the proceeds of a tax levy collected under IC 20-46-9 that is deposited in the fund to a charter school, excluding a virtual charter school, that is located within the attendance area of the school corporation, to be used by the charter school for the purposes described in IC 20-40-20-6(a).

~~(b)~~ **(c)** The governing body of the school corporation shall certify a copy of the resolution to the following:

(1) The department of local government finance, including the language for the question required by section 9 of this chapter, or in the case of a resolution to extend a referendum levy certified to the department of local government finance, section 10 of this chapter. The department shall review the language for compliance with section 9 or 10 of this chapter, whichever is applicable, and either approve or reject the language. The department shall send its decision to the governing body of the school corporation not more than ten (10) days after the resolution is submitted to the department. If the language is approved, the governing body of the school corporation shall certify a copy of the resolution, including the language for the question and the department's approval.

(2) The county fiscal body of each county in which the school corporation is located (for informational purposes only).

(3) The circuit court clerk of each county in which the school corporation is located.

SECTION 22. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1065 as printed February 26, 2020.)

ROGERS

Upon request of Senator J.D. Ford the President ordered the roll of the Senate to be called.

The President of the Senate voted yea, thus casting the deciding vote and establishing a majority and a minority.

Roll Call 260: yeas 26, nays 25.

Motion prevailed.

SENATE MOTION
(Amendment 1065–7)

Madam President: I move that Engrossed House Bill 1065 be amended to read as follows:

Page 9, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 10. IC 6-3-3-12, AS AMENDED BY P.L.214-2018(ss), SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 12. (a) As used in this section, "account" has the meaning set forth in IC 21-9-2-2.

(b) As used in this section, "account beneficiary" has the meaning set forth in IC 21-9-2-3.

(c) As used in this section, "account owner" has the meaning set forth in IC 21-9-2-4.

(d) As used in this section, "college choice 529 education savings plan" refers to a college choice 529 plan established under IC 21-9.

(e) As used in this section, "contribution" means the amount of money directly provided to a college choice 529 education savings plan account by a taxpayer. A contribution does not include any of the following:

(1) Money credited to an account as a result of bonus points or other forms of consideration earned by the

taxpayer that result in a transfer of money to the account.

(2) Money transferred from any other qualified tuition program under Section 529 of the Internal Revenue Code or from any other similar plan.

(3) Money that is credited to an account and that will be transferred to an ABLE account (as defined in Section 529A of the Internal Revenue Code).

(f) As used in this section, "nonqualified withdrawal" means a withdrawal or distribution from a college choice 529 education savings plan that is not a qualified withdrawal.

(g) As used in this section, "qualified higher education expenses" has the meaning set forth in ~~IC 21-9-2-19.5.~~ **Section 529 of the Internal Revenue Code in effect on December 31, 2018.**

(h) As used in this section, "qualified K-12 education expenses" means expenses that are for tuition in connection with enrollment or attendance at an elementary or secondary public, private, or religious school located in Indiana and are permitted under Section 529 of the Internal Revenue Code.

(i) As used in this section, "qualified withdrawal" means a withdrawal or distribution from a college choice 529 education savings plan that is made:

(1) to pay for qualified higher education expenses, excluding any withdrawals or distributions used to pay for qualified higher education expenses, if the withdrawals or distributions are made from an account of a college choice 529 education savings plan that is terminated within twelve (12) months after the account is opened;

(2) as a result of the death or disability of an account beneficiary;

(3) because an account beneficiary received a scholarship that paid for all or part of the qualified higher education expenses of the account beneficiary, to the extent that the withdrawal or distribution does not exceed the amount of the scholarship; or

(4) by a college choice 529 education savings plan as the result of a transfer of funds by a college choice 529 education savings plan from one (1) third party custodian to another.

However, a qualified withdrawal does not include a withdrawal or distribution that will be used for expenses that are for tuition in connection with enrollment or attendance at an elementary or secondary public, private, or religious school unless the school is located in Indiana. A qualified withdrawal does not include a rollover distribution or transfer of assets from a college choice 529 education savings plan to any other qualified tuition program under Section 529 of the Internal Revenue Code or to any other similar plan.

(j) As used in this section, "taxpayer" means:

(1) an individual filing a single return; or

(2) a married couple filing a joint return.

(k) A taxpayer is entitled to a credit against the taxpayer's adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for a taxable year equal to the least of the following:

(1) The following amount:

(A) For taxable years beginning before January 1, 2019, the sum of twenty percent (20%) multiplied by the amount of the total contributions that are made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year and that will be used to pay for qualified higher education expenses that are not qualified K-12 education expenses, plus the lesser of:

(i) five hundred dollars ($500); or

(ii) ten percent (10%) multiplied by the amount of the total contributions that are made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year and that will be used to pay for qualified K-12 education expenses.

(B) For taxable years beginning after December 31, 2018, the sum of:

(i) twenty percent (20%) multiplied by the amount of the total contributions that are made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year and that are designated to pay for qualified higher education expenses that are not qualified K-12 education expenses; plus

(ii) twenty percent (20%) multiplied by the amount of the total contributions that are made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year and that are designated to pay for qualified K-12 education expenses.

(2) One thousand dollars ($1,000).

(3) The amount of the taxpayer's adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for the taxable year, reduced by the sum of all credits (as determined without regard to this section) allowed by IC 6-3-1 through IC 6-3-7.

(l) This subsection applies after December 31, 2018. At the time a contribution is made to or a withdrawal is made from an account or accounts of a college choice 529 education savings plan, the person making the contribution or withdrawal shall designate whether the contribution is made for or the withdrawal will be used for:

(1) qualified higher education expenses that are not qualified K-12 education expenses; or

(2) qualified K-12 education expenses.

The Indiana education savings authority (IC 21-9-3) shall use subaccounting to track the designations.

(m) A taxpayer who makes a contribution to a college choice 529 education savings plan is considered to have made the contribution on the date that:

(1) the taxpayer's contribution is postmarked or accepted by a delivery service, for contributions that are submitted to a college choice 529 education savings plan by mail or delivery service; or

(2) the taxpayer's electronic funds transfer is initiated, for contributions that are submitted to a college choice 529 education savings plan by electronic funds transfer.

(n) A taxpayer is not entitled to a carryback, carryover, or refund of an unused credit.

(o) A taxpayer may not sell, assign, convey, or otherwise

transfer the tax credit provided by this section.

(p) To receive the credit provided by this section, a taxpayer must claim the credit on the taxpayer's annual state tax return or returns in the manner prescribed by the department. The taxpayer shall submit to the department all information that the department determines is necessary for the calculation of the credit provided by this section.

(q) An account owner of an account of a college choice 529 education savings plan must repay all or a part of the credit in a taxable year in which any nonqualified withdrawal is made from the account. The amount the taxpayer must repay is equal to the lesser of:

(1) twenty percent (20%) of the total amount of nonqualified withdrawals made during the taxable year from the account; or

(2) the excess of:

(A) the cumulative amount of all credits provided by this section that are claimed by any taxpayer with respect to the taxpayer's contributions to the account for all prior taxable years beginning on or after January 1, 2007; over

(B) the cumulative amount of repayments paid by the account owner under this subsection for all prior taxable years beginning on or after January 1, 2008.

(r) Any required repayment under subsection (q) shall be reported by the account owner on the account owner's annual state income tax return for any taxable year in which a nonqualified withdrawal is made.

(s) A nonresident account owner who is not required to file an annual income tax return for a taxable year in which a nonqualified withdrawal is made shall make any required repayment on the form required under IC 6-3-4-1(2). If the nonresident account owner does not make the required repayment, the department shall issue a demand notice in accordance with IC 6-8.1-5-1.

(t) The executive director of the Indiana education savings authority shall submit or cause to be submitted to the department a copy of all information returns or statements issued to account owners, account beneficiaries, and other taxpayers for each taxable year with respect to:

(1) nonqualified withdrawals made from accounts, including subaccounts of a college choice 529 education savings plan for the taxable year; or

(2) account closings for the taxable year.".

Page 22, between lines 36 and 37, begin a new paragraph and insert:

"SECTION 20. [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)] **(a) IC 6-3-3-12(g), as amended by this act, applies only to taxable years beginning after December 31, 2019.**

(b) This SECTION expires July 1, 2021.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1065 as printed February 26, 2020.)

HOLDMAN

Motion prevailed.

SENATE MOTION
(Amendment 1065–8)

Madam President: I move that Engrossed House Bill 1065 be amended to read as follows:

Page 1, line 10, delete "materials and supplies (as defined in 26 CFR 1.162-3) that" and insert "**uniforms, garments, linens, and facilities services supplies owned, held, possessed, or controlled for the purpose of rental or lease in the ordinary course of trade or business.**".

Page 1, delete lines 11 through 15.

Page 2, line 3, reset in roman "and".

Page 2, line 10, after "community" delete "; and" and insert ".".

Page 2, delete lines 11 through 13.

(Reference is to EHB 1065 as printed February 26, 2020.)

MISHLER

Motion prevailed.

SENATE MOTION
(Amendment 1065–9)

Madam President: I move that Engrossed House Bill 1065 be amended to read as follows:

Page 6, line 6, delete "IC 6-1.1-18-30" and insert "IC 6-1.1-18-28".

Page 6, line 8, delete "30." and insert "**28.**".

Page 7, line 16, delete "IC 6-1.1-18-31" and insert "IC 6-1.1-18-29".

Page 7, line 18, delete "31." and insert "**29.**".

Page 9, between lines 35 and 36, begin a new paragraph and insert:

"SECTION 8. IC 6-3-3-10, AS AMENDED BY P.L.182-2009(ss), SECTION 197, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) As used in this section:

"Base period wages" means the following:

(1) In the case of a taxpayer other than a pass through entity, wages paid or payable by a taxpayer to its employees during the year that ends on the last day of the month that immediately precedes the month in which an enterprise zone is established, to the extent that the wages would have been qualified wages if the enterprise zone had been in effect for that year. If the taxpayer did not engage in an active trade or business during that year in the area that is later designated as an enterprise zone, then the base period wages equal zero (0). If the taxpayer engaged in an active trade or business during only part of that year in an area that is later designated as an enterprise zone, then the department shall determine the amount of base period wages.

(2) In the case of a taxpayer that is a pass through entity, base period wages equal zero (0).

"Enterprise zone" means an enterprise zone created under IC 5-28-15.

"Enterprise zone adjusted gross income" means adjusted gross income of a taxpayer that is derived from sources within an enterprise zone. Sources of adjusted gross income shall be

determined with respect to an enterprise zone, to the extent possible, in the same manner that sources of adjusted gross income are determined with respect to the state of Indiana under IC 6-3-2-2.

"Enterprise zone gross income" means gross income of a taxpayer that is derived from sources within an enterprise zone.

"Enterprise zone insurance premiums" means insurance premiums derived from sources within an enterprise zone.

"Monthly base period wages" means base period wages divided by twelve (12).

"Qualified employee" means an individual who is employed by a taxpayer and who:

(1) has the individual's principal place of residence in the enterprise zone in which the individual is employed;

(2) performs services for the taxpayer, ninety percent (90%) of which are directly related to the conduct of the taxpayer's trade or business that is located in an enterprise zone;

(3) performs at least fifty percent (50%) of the individual's services for the taxpayer during the taxable year in the enterprise zone; and

(4) in the case of an individual who is employed by a taxpayer that is a pass through entity, was first employed by the taxpayer after December 31, 1998.

"Qualified increased employment expenditures" means the following:

(1) For a taxpayer's taxable year other than the taxpayer's taxable year in which the enterprise zone is established, the amount by which qualified wages paid or payable by the taxpayer during the taxable year to qualified employees exceeds the taxpayer's base period wages.

(2) For the taxpayer's taxable year in which the enterprise zone is established, the amount by which qualified wages paid or payable by the taxpayer during all of the full calendar months in the taxpayer's taxable year that succeed the date on which the enterprise zone was established exceed the taxpayer's monthly base period wages multiplied by that same number of full calendar months.

"Qualified state tax liability" means a taxpayer's total income tax liability incurred under:

(1) IC 6-3-1 through IC 6-3-7 (adjusted gross income tax) with respect to enterprise zone adjusted gross income;

(2) IC 27-1-18-2 (insurance premiums tax) with respect to enterprise zone insurance premiums; ~~and~~

(3) IC 6-5.5 (the financial institutions tax); **and**

(4) IC 6-8-15 (nonprofit agricultural organization health coverage tax);

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this section.

"Qualified wages" means the wages paid or payable to qualified employees during a taxable year.

"Taxpayer" includes a pass through entity.

(b) A taxpayer is entitled to a credit against the taxpayer's qualified state tax liability for a taxable year in the amount of the lesser of:

(1) the product of ten percent (10%) multiplied by the qualified increased employment expenditures of the taxpayer for the taxable year; or

(2) one thousand five hundred dollars ($1,500) multiplied by the number of qualified employees employed by the taxpayer during the taxable year.

(c) The amount of the credit provided by this section that a taxpayer uses during a particular taxable year may not exceed the taxpayer's qualified state tax liability for the taxable year. If the credit provided by this section exceeds the amount of that tax liability for the taxable year it is first claimed, then the excess may be carried back to preceding taxable years or carried over to succeeding taxable years and used as a credit against the taxpayer's qualified state tax liability for those taxable years. Each time that the credit is carried back to a preceding taxable year or carried over to a succeeding taxable year, the amount of the carryover is reduced by the amount used as a credit for that taxable year. Except as provided in subsection (e), the credit provided by this section may be carried forward and applied in the ten (10) taxable years that succeed the taxable year in which the credit accrues. The credit provided by this section may be carried back and applied in the three (3) taxable years that precede the taxable year in which the credit accrues.

(d) A credit earned by a taxpayer in a particular taxable year shall be applied against the taxpayer's qualified state tax liability for that taxable year before any credit carryover or carryback is applied against that liability under subsection (c).

(e) Notwithstanding subsection (c), if a credit under this section results from wages paid in a particular enterprise zone, and if that enterprise zone terminates in a taxable year that succeeds the last taxable year in which a taxpayer is entitled to use the credit carryover that results from those wages under subsection (c), then the taxpayer may use the credit carryover for any taxable year up to and including the taxable year in which the enterprise zone terminates.

(f) A taxpayer is not entitled to a refund of any unused credit.

(g) A taxpayer that:

(1) does not own, rent, or lease real property outside of an enterprise zone that is an integral part of its trade or business; and

(2) is not owned or controlled directly or indirectly by a taxpayer that owns, rents, or leases real property outside of an enterprise zone;

is exempt from the allocation and apportionment provisions of this section.

(h) If a pass through entity is entitled to a credit under subsection (b) but does not have state tax liability against which the tax credit may be applied, an individual who is a shareholder, partner, beneficiary, or member of the pass through entity is entitled to a tax credit equal to:

(1) the tax credit determined for the pass through entity for the taxable year; multiplied by

(2) the percentage of the pass through entity's distributive income to which the shareholder, partner, beneficiary, or member is entitled.

The credit provided under this subsection is in addition to a tax credit to which a shareholder, partner, beneficiary, or member of a pass through entity is entitled. However, a pass through entity and an individual who is a shareholder, partner, beneficiary, or

member of a pass through entity may not claim more than one (1) credit for the qualified expenditure.

SECTION 9. IC 6-3.1-7-1, AS AMENDED BY P.L.4-2005, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. As used in this chapter:

"Enterprise zone" means an enterprise zone created under IC 5-28-15.

"Pass through entity" means a:

(1) corporation that is exempt from the adjusted gross income tax under IC 6-3-2-2.8(2);
(2) partnership;
(3) trust;
(4) limited liability company; or
(5) limited liability partnership.

"Qualified loan" means a loan made to an entity that uses the loan proceeds for:

(1) a purpose that is directly related to a business located in an enterprise zone;
(2) an improvement that increases the assessed value of real property located in an enterprise zone; or
(3) rehabilitation, repair, or improvement of a residence.

"State tax liability" means a taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
(2) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);** and
(3) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this chapter.

"Taxpayer" means any person, corporation, limited liability company, partnership, or other entity that has any state tax liability. The term includes a pass through entity.

SECTION 10. IC 6-3.1-7-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) A credit to which a taxpayer is entitled under this chapter shall be applied against taxes owed by the taxpayer in the following order:

(1) First, against the taxpayer's adjusted gross income tax liability (IC 6-3-1 through IC 6-3-7) for the taxable year.
(2) Second, against the taxpayer's insurance premiums tax liability (IC 27-1-18-2) **or nonprofit agricultural organization health coverage tax liability (IC 6-8-15)** for the taxable year.
(3) Third, against the taxpayer's financial institutions tax liability (IC 6-5.5) for the taxable year.

(b) If the tax paid by the taxpayer under a tax provision listed in subsection (a) is a credit against the liability or a deduction in determining the tax base under another Indiana tax provision, the credit or deduction shall be computed without regard to the credit to which a taxpayer is entitled under this chapter.

SECTION 11. IC 6-3.1-11-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. As used in this chapter, "state tax liability" means the taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
(2) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);** and
(3) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this chapter.

SECTION 12. IC 6-3.1-11-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 22. (a) A credit to which a taxpayer is entitled under this chapter shall be applied against taxes owed by the taxpayer in the following order:

(1) Against the taxpayer's adjusted gross income tax liability (IC 6-3-1 through IC 6-3-7) for the taxable year.
(2) Against the taxpayer's insurance premiums tax liability (IC 27-1-18-2) **or nonprofit agricultural organization health coverage tax (IC 6-8-15)** for the taxable year.
(3) Against the taxpayer's financial institutions tax (IC 6-5.5) for the taxable year.

(b) Whenever the tax paid by the taxpayer under any of the tax provisions listed in subsection (a) is a credit against the liability or a deduction in determining the tax base under another Indiana tax provision, the credit or deduction shall be computed without regard to the credit to which a taxpayer is entitled under this chapter.

SECTION 13. IC 6-3.1-13-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. As used in this chapter, "state tax liability" means a taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
(2) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);** and
(3) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

SECTION 14. IC 6-3.1-19-1, AS AMENDED BY P.L.197-2016, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. As used in this chapter, "state and local tax liability" means a taxpayer's total tax liability incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
(2) IC 6-3.6 (local income tax);
(3) IC 6-5.5 (the financial institutions tax); and
(4) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);**

as computed after the application of all credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

SECTION 15. IC 6-3.1-24-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. As used in this chapter, "state tax liability" means a taxpayer's total tax liability that is incurred under:

(1) IC 6-2.5 (state gross retail and use tax);
(2) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
(3) IC 6-5.5 (the financial institutions tax); and
(4) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);**

as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

SECTION 16. IC 6-3.1-26-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. As used in this chapter, "state tax liability" means a taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
(2) IC 27-1-18-2 (the insurance premiums tax); and
(3) IC 6-5.5 (the financial institutions tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);**

as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

SECTION 17. IC 6-3.1-30.5-5, AS ADDED BY P.L.182-2009(ss), SECTION 205, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. As used in this chapter, "state tax liability" means a taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
(2) IC 6-5.5 (the financial institutions tax); and
(3) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);**

as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.".

Page 10, between lines 25 and 26, begin a new paragraph and insert:

"SECTION 19. IC 6-3.1-34-9, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. As used in this chapter, "state tax liability" means the taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);
(2) IC 27-1-18-2 (the insurance premiums tax); and
(3) IC 6-5.5 (the financial institutions tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);**

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this chapter.

SECTION 20. IC 6-3.1-34-12, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) A tax credit that a taxpayer may claim under this chapter shall be applied against taxes owed by the taxpayer in the following order:

(1) First, against the taxpayer's adjusted gross income tax liability (IC 6-3-1 through IC 6-3-7) for the taxable year.
(2) Second, against the taxpayer's insurance premiums tax liability (IC 27-1-18-2) **or nonprofit agricultural organization health coverage tax liability (IC 6-8-15)** for the taxable year.
(3) Third, against the taxpayer's financial institutions tax liability (IC 6-5.5) for the taxable year.

(b) If the tax paid by the taxpayer under a tax provision listed in subsection (a) is a credit against the liability or a deduction in determining the tax base under another Indiana tax provision, the credit or deduction shall be computed without regard to the credit to which a taxpayer may claim under this chapter.".

Page 14, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 24. IC 6-8-15 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 15. Nonprofit Agricultural Organization Health Coverage Tax

Sec. 1. As used in this chapter, "commissioner" refers to the insurance commissioner appointed under IC 27-1-1-2.

Sec. 2. As used in this chapter, "department" refers to the Indiana department of insurance created by IC 27-1-1-1.

Sec. 3. As used in this chapter, "nonprofit agricultural organization" means an organization:

(1) that is exempt from taxation under Section 501(c)(5) of the Internal Revenue Code;
(2) that is domiciled in Indiana;
(3) that was in existence before 1950; and
(4) the members of which include residents of every county in Indiana.

Sec. 4. As used in this chapter, "nonprofit agricultural organization coverage" means health benefit coverage that is:

(1) sponsored by:
(A) a nonprofit agricultural organization; or
(B) an affiliate of a nonprofit agricultural organization;
(2) offered only to:
(A) members of the nonprofit agricultural organization; and
(B) families of the members of the nonprofit agricultural organization;
(3) deemed by the nonprofit agricultural organization to be important in assisting its members to live long and productive lives; and
(4) offered to members of the nonprofit agricultural organization in every county in Indiana.

Sec. 5. If an organization provides nonprofit agricultural organization coverage in Indiana, the organization is subject to a nonprofit agricultural organization health coverage tax under this chapter.

Sec. 6. (a) Before March 1 of each year, an organization providing nonprofit agricultural organization coverage shall report to the department, under the oath of the president and secretary, the gross premiums received from providing

nonprofit agricultural organization coverage during the twelve (12) month period ending on December 31 of the preceding calendar year.

(b) Any organization providing nonprofit agricultural organization coverage shall pay into the treasury of Indiana an amount equal to one and three-tenths percent (1.3%) of gross premiums collected during the previous calendar year. In the computation of the tax, the organization providing nonprofit agricultural organization coverage shall be entitled to deduct any annual Indiana gross premiums returned on account of cancellation or dividends returned to members or expenditures used for the purchase of reinsurance or stop-loss coverage.

(c) Payments of the nonprofit agricultural organization health coverage tax imposed by this chapter shall be made on a quarterly estimated basis. The amounts of the quarterly installments shall be computed on the basis of the total estimated tax liability for the current calendar year and the installments shall be due and payable on or before April 15, June 15, September 15, and December 15 of the current calendar year.

(d) Any balance due shall be paid on or before April 15 of the next succeeding calendar year.

(e) Any overpayment of the estimated tax during the preceding calendar year shall be allowed as a credit against the liability for the first installment of the current calendar year.

(f) If an organization providing nonprofit agricultural organization coverage fails to make any quarterly payment in an amount equal to at least:

(1) twenty-five percent (25%) of the total tax paid during the preceding calendar year; or

(2) twenty percent (20%) of the actual tax for the current calendar year;

the organization shall be liable, in addition to the amount due, for interest in the amount of one percent (1%) of the amount due and unpaid for each month or part of a month that the amount due, together with interest, remains unpaid. This interest penalty shall be exclusive of and in addition to any other fee, assessment, or charge made by the department.

(g) The nonprofit agricultural organization health coverage tax under this chapter shall be in lieu of all license fees or privilege or other tax levied or assessed by Indiana or by any municipality, county, or other political subdivision of Indiana. No municipality, county, or other political subdivision of Indiana shall impose any license fee or privilege or other tax upon any nonprofit agricultural organization or any of its agents for the privilege of providing nonprofit agricultural organization coverage in the municipality, county, or other political subdivision, except the tax authorized by IC 22-12-6-5. However, the taxes authorized under IC 22-12-6-5 shall be credited against the taxes provided for under this chapter. This section shall not be construed to prohibit the levy and collection of state, county, or municipal taxes upon real and tangible personal property of an organization providing nonprofit agricultural organization coverage or to prohibit the levy of any retaliatory tax, fine, penalty, or fee provided by law. However, all organizations providing nonprofit agricultural organization coverages paying taxes in Indiana predicated in part on their income from nonprofit agricultural organization coverage provided shall have the same rights and privileges from further taxation, and shall be given the same credits wherever applicable, as those set out for insurance companies paying only a tax on premiums as set out in IC 27-1-18-2.

(h) Any organization providing nonprofit agricultural organization coverage that fails or refuses, for more than thirty (30) days, to:

(1) render an accurate account of its receipts as provided in this chapter; and

(2) pay the nonprofit agricultural organization health coverage tax due thereon;

shall be subject to a penalty of one hundred dollars ($100) for each additional day such report and payment shall be delayed, not to exceed a maximum penalty of ten thousand dollars ($10,000). The penalty may be ordered by the commissioner after a hearing under IC 4-21.5-3. The commissioner may revoke all authority of the defaulting nonprofit agricultural organization to provide nonprofit agricultural organization coverage or suspend the nonprofit agricultural organization's authority during the period of the default, in the discretion of the commissioner.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1065 as printed February 26, 2020.)

HOLDMAN

Motion prevailed.

SENATE MOTION
(Amendment 1065–10)

Madam President: I move that Engrossed House Bill 1065 be amended to read as follows:

Page 22, line 2, delete "program;" and insert "program, **including the superintendents and governing body presidents of all school corporations located within the proposed allocation area;**".

Page 22, line 9, after "neighborhood." insert "**The department of redevelopment shall send notice of the meeting under this subdivision via certified mail to the fiscal officer of all affected taxing units and to the superintendents and governing body presidents of all school corporations located within the proposed allocation area.**".

Page 22, line 11, reset in roman "twenty (20) years after the".

Page 22, line 12, reset in roman "date the program is established under subsection (b).".

Page 22, line 12, delete "twenty-five (25)".

Page 22, delete lines 13 through 15.

Page 22, delete lines 29 through 30.

Page 22, line 31, delete "IC 6-1.1-12.1-7".

Page 22, line 32, delete "A".

Page 22, delete lines 33 through 36.

(Reference is to EHB 1065 as printed February 26, 2020.)

NIEZGODSKI

Motion failed. The bill was ordered engrossed.

Engrossed House Bill 1066

Senator Raatz called up Engrossed House Bill 1066 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1066–1)

Madam President: I move that Engrossed House Bill 1066 be amended to read as follows:

Page 10, between lines 3 and 4, begin a new paragraph and insert:

"SECTION 7. IC 20-26-11-31, AS AMENDED BY P.L.251-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 31. (a) This section applies to a school corporation **and to a charter school** that enrolls a student who has legal settlement in another school corporation for the purpose of the student receiving services from an accredited nonpublic alternative high school described in IC 20-19-2-10(e).

(b) A school corporation **or a charter school** is entitled to receive state tuition support for a student described in subsection (a) in an amount equal to:

(1) the amount received by the school corporation **or charter school** in which the student is enrolled for ADM purposes; or

(2) the amount received by the school corporation in which the student has legal settlement;

whichever is greater.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1066 as printed February 28, 2020.)

RAATZ

Motion prevailed.

SENATE MOTION
(Amendment 1066–6)

Madam President: I move that Engrossed House Bill 1066 be amended to read as follows:

Page 15, between lines 18 and 19, begin a new paragraph and insert:

"SECTION 15. IC 20-32-5.1-18.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 18.7. A vendor, including any subsidiary or partner of the vendor, that provides the statewide assessment under this chapter is prohibited from selling or providing any form of curricular material or other assessments to any school located in Indiana that administers the statewide assessment.**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1066 as printed February 28, 2020.)

FREEMAN

Motion prevailed.

SENATE MOTION
(Amendment 1066–2)

Madam President: I move that Engrossed House Bill 1066 be amended to read as follows:

Page 15, between lines 2 and 3, begin a new paragraph and insert:

"**(d) Not later than November 1, 2022, and not later than November 1 each year thereafter, the department shall report to the general assembly in an electronic format under IC 5-14-6 the following:**

(1) The number of students who took the naturalization examination described in subsection (a)(3).

(2) The number of students who passed the naturalization examination described in subsection (a)(3) by a score of not less than sixty percent (60%) on their first attempt.

(3) The pass rate of the naturalization examination regarding the students who passed as described in subdivision (2).

(e) Not more than thirty (30) days after the department reports to the general assembly the information under subsection (d), the department shall post the pass rate under subsection (d)(3) on the department's Internet web site.".

(Reference is to EHB 1066 as printed February 28, 2020.)

RAATZ

Motion prevailed.

SENATE MOTION
(Amendment 1066–5)

Madam President: I move that Engrossed House Bill 1066 be amended to read as follows:

Page 3, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 3. IC 20-24-3-2.5, AS AMENDED BY P.L.250-2017, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2.5. **(a)** If a proposed charter school intends to contract with an education service provider for substantial educational services, management services, or both educational services and management services, the request for proposals shall require the applicants to provide the following:

(1) Evidence of the education service provider's success in serving student populations similar to the targeted populations, including demonstrated academic achievement as well as successful management of nonacademic school functions, if applicable.

(2) A term sheet setting forth:

(A) the proposed duration of the service contract;

(B) the roles and responsibilities of the organizer, the school staff, and the education service provider;

(C) the performance evaluation measures and timelines;

(D) the compensation structure, including clear identification of all fees to be paid to the education service provider;

(E) the methods of contract oversight and enforcement;

(F) the investment disclosure;

(G) that the school and the authorizer are entitled to any data directly related to the operation or management of the school, such as financial data, enrollment data, demographic data, performance data, and student data, in the possession of the education service provider, but may not include any proprietary, intellectual property, or

similarly protected data of the education service provider; and

(H) the conditions for renewal and termination of the contract.

(3) A disclosure statement to explain any existing or potential conflicts of interest between the organizer and the proposed education service provider or any affiliated business entities.

(4) Assurance that the organizer will be structurally independent of the education service provider and shall set and approve school policies. The assurance must also provide that the terms of the service contract must be reached by the organizer and the education service provider through arms length negotiations in which the organizer must be represented by legal counsel. The legal counsel may not also represent the education service provider.

(b) Other than de minimis contracts valued at one thousand dollars ($1,000) or less, an organizer may not enter into any contracts with a person (as defined in IC 2-2.2-1-14) from which an officer or employee of the organizer or a relative (as defined in IC 2-2.2-1-17) of an officer or employee of the organizer will receive compensation under or proceeds of the contract.".

Page 19, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 18. IC 35-31.5-2-144, AS AMENDED BY P.L.170-2014, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 144. (a) "Governmental entity" means:

(1) the United States or any state, county, township, city, town, separate municipal corporation, special taxing district, or public school corporation;

(2) any authority, board, bureau, commission, committee, department, division, hospital, military body, or other instrumentality of any of those entities; or

(3) a state assisted college or state assisted university.

(b) For purposes of IC 35-33-5, "governmental entity" also includes a person authorized to act on behalf of a state or local agency.

(c) For purposes of IC 35-44.1, "governmental entity" also includes a charter school (as defined in IC 20-24-1-4) and an organizer (as defined in IC 20-24-1-7).".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1066 as printed February 28, 2020.)

TALLIAN

Upon request of Senator Stoops the President ordered the roll of the Senate to be called. Roll Call 261: yeas 42, nays 8.

Motion prevailed.

SENATE MOTION
(Amendment 1066–3)

Madam President: I move that Engrossed House Bill 1066 be amended to read as follows:

Page 3, between lines 38 and 39, begin a new paragraph and insert:

"SECTION 3. IC 20-24-2.1-3, AS ADDED BY P.L.91-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. The department shall provide staff to carry out the duties of the charter board under this chapter. ~~until the time when the charter board begins receiving administrative fees pursuant to IC 20-24-7-4(c). At that time, the charter board may hire staff to carry out the duties of the charter board under this chapter.~~

SECTION 4. IC 20-24-2.1-4 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 4. Funding for the charter board consists of administrative fees collected under IC 20-24-7-4.~~

SECTION 5. IC 20-24-2.2-1.2, AS ADDED BY P.L.221-2015, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.2. (a) This section applies to an authorizer described in IC 20-24-1-2.5(1), IC 20-24-1-2.5(2), and IC 20-24-1-2.5(5). ~~if the authorizer has not previously issued a charter for any charter school prior to July 1, 2015.~~

(b) An authorizer described in subsection (a) that has not issued a charter for a charter school before July 1, 2015, must comply with this section. In addition, if an authorizer described in subsection (a) issued a charter before July 1, 2015, the authorizer must comply with this section before it may renew an existing charter or authorize a new charter for a charter school. If an authorizer described in subsection (a):

(1) issued a charter before July 1, 2015;

(2) authorizes more than one (1) charter school; and

(3) is denied charter authority by the state board when the authorizer applies to register for charter authority under this section;

the authorizer may complete the term of each current charter but may not subsequently renew the charter for any charter school or grant any new charters.

~~(b)~~ **(c)** A governing body of a school corporation may register with the state board for charter authority within the attendance area of the school corporation. The state board shall post on the state board's Internet web site an application received from an authorizer to register with the state board under this section within ten (10) days after receipt of the application. The state board may not charge an authorizer a fee to register with the state board under this section.

~~(c)~~ **(d)** A governing board of a nonprofit college or university described in IC 20-24-1-2.5(5) may apply to the state board for statewide, regional, or local chartering authority.

~~(d)~~ **(e)** The state board shall publicize to all governing bodies the opportunity to register with the state board for chartering authority within their school corporation. Not later than May 1 of each year, the state board shall provide information about the opportunity, including a registration deadline, to all governing bodies. To register as an authorizer, each interested governing body must submit the following information in a format prescribed by the state board:

(1) A written notification of intent to serve as a charter authorizer in accordance with this article.

(2) An explanation of the governing body's strategic vision for chartering.

(3) An explanation of the governing body's budget and personnel capacity and commitment to execute the duties of quality charter authorizing in accordance with this

article.

(4) An explanation of how the governing body will solicit charter school applicants in accordance with IC 20-24-3.

(5) A description or outline of the performance framework the governing body will use to guide the establishment of a charter contract and for the oversight and evaluation of charter schools, consistent with this article.

(6) A draft of the governing body's renewal, revocation, and nonrenewal processes, consistent with this article.

(7) A statement of assurance that the governing body commits to serving as a charter authorizer in fulfillment of the expectations, spirit, and intent of this article, and that the governing body will fully adopt standards of quality charter school authorizing in accordance with section 1.5 of this chapter.

~~(e)~~ **(f)** Within sixty (60) days of receipt of the information described in subsection ~~(d),~~ **(e),** the state board shall register the governing body as a charter authorizer within the attendance area of the school corporation and shall provide the governing body a letter confirming the governing body's registration as a charter authorizer. A governing body may not engage in any charter authorizing functions without a current registration as a charter authorizer with the state board.

~~(f)~~ **(g)** The state board shall establish an annual application and approval process, including cycles and deadlines during the state fiscal year, for registering an entity described in IC 20-24-1-2.5(5) for authorizer authority. Not later than May 1 of each year, the state board shall make available information and guidelines for an applicant described in IC 20-24-1-2.5(5) concerning the opportunity to apply for chartering authority under this article. The application process must require each applicant to submit an application that clearly explains or presents the following elements:

(1) A written notification of intent to serve as a charter authorizer in accordance with this article.

(2) The applicant's strategic vision for chartering.

(3) A plan to support the applicant's strategic vision described in subdivision (2), including an explanation and evidence of the applicant's budget and personnel capacity and commitment to execute the duties of quality charter authorizing in accordance with this article.

(4) A draft or preliminary outline of the request for proposals that the applicant would, if approved by the state board under this section, issue to solicit charter school applicants under IC 20-24-3.

(5) A draft of the performance framework that the applicant would, if approved by the state board under this section, use to guide the establishment of a charter contract and for ongoing oversight and evaluation of charter schools consistent with this article.

(6) A draft of the applicant's renewal, revocation, and nonrenewal processes.

(7) A statement of assurance that the applicant commits to serving as a charter authorizer in fulfillment of the expectations, spirit, and intent of this article, and that the applicant will fully adopt standards of quality charter school authorizing in accordance with section 1.5 of this chapter.

~~(g)~~ **(h)** Not later than July 1 of each year, the state board shall grant or deny chartering authority to an applicant under subsection ~~(f).~~ **(g).** The state board shall make its decision on the merits of each applicant's proposal and plans submitted under subsection ~~(f).~~ **(g).**

~~(h)~~ **(i)** Within thirty (30) days of the state board's decision under subsection ~~(g),~~ **(h),** the state board shall execute a renewable authorizing contract with an applicant that the state board has approved for chartering authority. The initial term of each authorizing contract is six (6) years. The authorizing contract must specify each approved applicant's agreement to serve as a charter authorizer in accordance with this article and shall specify additional performance terms based on the applicant's proposal and plan for chartering. An approved applicant may not commence charter authorizing without an authorizing contract in effect.

~~(i)~~ **(j)** The state board shall maintain on the state board's Internet web site the names of each authorizer approved by the state board under this section.

SECTION 6. IC 20-24-2.2-2.5, AS AMENDED BY P.L.211-2019, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2.5. (a) If the state board grants a petition request under section 2 of this chapter, the state board shall:

(1) hold a hearing; and

(2) implement one (1) or more of the following actions:

(A) Require the implementation of a charter school improvement plan.

(B) Order the reduction of any administrative fee collected under IC 20-24-7-4 that is applicable to the charter school. The reduction must become effective at the beginning of the month following the month of the authorizer's hearing before the state board.

(C) Prohibit or limit the enrollment of new students in the charter school.

(D) Cancel the charter between the authorizer and organizer.

(E) Order the closure of the charter school at the end of the current school year.

~~A charter school that is closed by the state board under this section may not be granted a charter by any authorizer.~~

(b) In determining which action to implement under subsection (a)(2), the state board shall consider the following:

(1) Enrollment of students with special challenges, such as drug or alcohol addiction, prior withdrawal from school, prior incarceration, or other special circumstances.

(2) High mobility of the student population resulting from the specific purpose of the charter school.

(3) Annual improvement in the performance of students enrolled in the charter school, as measured by IC 20-31-8-1, compared with the performance of students enrolled in the charter school in the immediately preceding school year.

(c) A charter school that is closed by the state board under this section may not be granted a charter by any authorizer.

(d) An organizer of a charter school that is closed by the

state board under this section may not be granted a charter by any authorizer for five (5) years after the date that the charter school is closed.

(e) Unless an agreement entered into or renewed before July 1, 2020, provides otherwise, an authorizer of a charter school that is closed by the state board under this section is responsible for any amounts owed for the following:

(1) Tuition support distributed to the charter school in excess of the amount that the charter school was entitled to under law.

(2) Any loans to the charter school from the common school fund under IC 20-49 that are outstanding.

SECTION 7. IC 20-24-2.2-4, AS AMENDED BY P.L.159-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. If any authorizer:

(1) renews the charter of, fails to close, or grants a new charter to a charter school that the state board has ordered closed under section 2.5 of this chapter; **or**

(2) grants a charter in violation of section 2.5(d) of this chapter;

the authorizer's authority to authorize new charter schools may be suspended by the state board until such a time as the state board formally approves the authorizer to authorize new charter schools. A determination under this section to suspend an authorizer's authority to authorize new charter schools must identify the deficiencies that, if corrected, will result in the approval of the authorizer to authorize new charter schools.

SECTION 8. IC 20-24-2.2-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 4.5. If an authorizer fails to submit a surety bond or other form of financial guarantee as required under IC 20-24-7-16, the authorizer's authority to authorize new charter schools may be suspended by the state board until such time that the authorizer submits the surety bond or other form of financial guarantee.**

SECTION 9. IC 20-24-3-2.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.3. After June 30, 2020, an authorizer may not grant a charter to an organizer under this article unless the organizer and the authorizer submit the surety bond or other form of financial guarantee required under IC 20-24-7-16.**

SECTION 10. IC 20-24-3-10.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 10.5. An authorizer may not accept a proposal to establish a charter school from an organizer that already operates a charter school in Indiana if a charter school that the organizer operates has been placed in either of the lowest two (2) categories or designations under IC 20-31-8-4 for the immediately preceding two (2) consecutive years.**

SECTION 11. IC 20-24-4-1, AS AMENDED BY P.L.211-2019, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A charter must meet the following requirements:

(1) Be a written instrument.

(2) Be executed by an authorizer and an organizer.

(3) Confer certain rights, franchises, privileges, and obligations on a charter school.

(4) Confirm the status of a charter school as a public school.

(5) Subject to subdivisions (6)(E) and (17), be granted for:

(A) not less than three (3) years or more than seven (7) years; and

(B) a fixed number of years agreed to by the authorizer and the organizer.

(6) Provide for the following:

(A) A review by the authorizer of the charter school's performance, including the progress of the charter school in achieving the academic goals set forth in the charter, at least one (1) time in each five (5) year period while the charter is in effect.

(B) Renewal, if the authorizer and the organizer agree to renew the charter.

(C) The renewal application must include guidance from the authorizer, and the guidance must include the performance criteria that will guide the authorizer's renewal decisions.

(D) The renewal application process must, at a minimum, provide an opportunity for the charter school to:

(i) present additional evidence, beyond the data contained in the performance report, supporting its case for charter renewal;

(ii) describe improvements undertaken or planned for the charter school; and

(iii) detail the charter school's plans for the next charter term.

(E) Not later than the end of the calendar year in which the charter school seeks renewal of a charter, the governing board of a charter school seeking renewal shall submit a renewal application to the charter authorizer under the renewal application guidance issued by the authorizer. The authorizer shall make a final ruling on the renewal application not later than April 1 after the filing of the renewal application. A renewal granted under this clause is not subject to the three (3) year minimum described in subdivision (5). The April 1 deadline does not apply to any review or appeal of a final ruling. After the final ruling is issued, the charter school may obtain further review by the authorizer of the authorizer's final ruling in accordance with the terms of the charter school's charter and the protocols of the authorizer.

(7) Specify the grounds for the authorizer to:

(A) revoke the charter before the end of the term for which the charter is granted; or

(B) not renew a charter.

(8) Set forth the methods by which the charter school will be held accountable for achieving the educational mission and goals of the charter school, including the following:

(A) Evidence of improvement in:

(i) assessment measures, including the statewide

assessment program measures;
(ii) attendance rates;
(iii) graduation rates (if appropriate);
(iv) increased numbers of Indiana diplomas with a Core 40 designation and other college and career ready indicators including advanced placement participation and passage, dual credit participation and passage, and International Baccalaureate participation and passage (if appropriate);
(v) increased numbers of Indiana diplomas with Core 40 with academic honors and technical honors designations (if appropriate);
(vi) student academic growth;
(vii) financial performance and stability; and
(viii) governing board performance and stewardship, including compliance with applicable laws, rules and regulations, and charter terms.

(B) Evidence of progress toward reaching the educational goals set by the organizer.

(9) Describe the method to be used to monitor the charter school's:
(A) compliance with applicable law; and
(B) performance in meeting targeted educational performance.

(10) Specify that the authorizer and the organizer may amend the charter during the term of the charter by mutual consent and describe the process for amending the charter.

(11) Describe specific operating requirements, including all the matters set forth in the application for the charter.

(12) Specify a date when the charter school will:
(A) begin school operations; and
(B) have students attending the charter school.

(13) Specify that records of a charter school relating to the school's operation and charter are subject to inspection and copying to the same extent that records of a public school are subject to inspection and copying under IC 5-14-3.

(14) Specify that records provided by the charter school to the department or authorizer that relate to compliance by the organizer with the terms of the charter or applicable state or federal laws are subject to inspection and copying in accordance with IC 5-14-3.

(15) Specify that the charter school is subject to the requirements of IC 5-14-1.5.

(16) This subdivision applies to a charter established or renewed for an adult high school after June 30, 2014. The charter must require:
(A) that the school will offer flexible scheduling;
(B) that students will not complete the majority of instruction of the school's curriculum online or through remote instruction;
(C) that the school will offer dual credit or industry certification course work that aligns with career pathways as recommended by the Indiana career council established by IC 22-4.5-9-3; and
(D) a plan:
(i) to support successful program completion and to assist transition of graduates to the workforce or to a postsecondary education upon receiving a diploma from the adult high school; and
(ii) to review individual student accomplishments and success after a student receives a diploma from the adult high school.

(17) This subdivision applies to a charter between an authorizer and an organizer of a charter school granted or renewed after June 30, 2019. The charter must require that:
(A) a charter school comply with actions implemented by the state board under IC 20-24-2.2-2.5; and
(B) if the state board implements closure of the charter school under IC 20-24-2.2-2.5, the charter is revoked at the time the charter school closes.

(18) This subdivision applies to a charter between an authorizer and an organizer granted or renewed after June 30, 2020. The charter must require the following:
(A) If the charter school is placed in either of the lowest two (2) categories or designations under IC 20-31-8-4 for two (2) consecutive years, the charter school may not accept new students who are not currently enrolled at the charter school for one (1) year.
(B) If the charter school is placed in either of the lowest two (2) categories or designations under IC 20-31-8-4 for three (3) consecutive years, the charter school may not accept new students who are not currently enrolled at the charter school until the charter school is placed in the middle category or designation, or higher, for two (2) consecutive years.
(C) If the charter school is placed in the lowest category or designation under IC 20-31-8-4 for three (3) consecutive years, the charter school may not accept new students who are not currently enrolled at the charter school until the school is placed in the middle category or designation, or higher, for three (3) consecutive years.
This subdivision may not be construed to prevent a student currently enrolled at the charter school from continuing to attend the charter school.

(19) This subdivision applies to a charter between an authorizer and an organizer granted or renewed after June 30, 2020. The charter must require that the organizer seek approval from the authorizer before the organizer requests an advance from the common school fund under IC 20-49.

(b) A charter school shall set annual performance targets in conjunction with the charter school's authorizer. The annual performance targets shall be designed to help each school meet applicable federal, state, and authorizer expectations.

SECTION 12. IC 20-24-4-4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 4. An authorizer may not renew the charter of a charter school unless the organizer of the charter school provides evidence to the authorizer that the organizer has submitted the surety bond or other form of financial guarantee as required under IC 20-24-7-16.**

SECTION 13. IC 20-24-7-1, AS AMENDED BY P.L.218-2015, SECTION 2, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) The organizer is the fiscal agent for the charter school.

(b) **Except as provided under section 5.5 of this chapter,** the organizer has exclusive control of:

(1) funds received by the charter school; and

(2) financial matters of the charter school.

(c) The organizer shall maintain accounts of all funds received and disbursed by the organizer. The organizer shall maintain separate accountings of all funds received and disbursed by each charter school it holds.

(d) Notwithstanding IC 20-43, an organizer that operates more than one (1) charter school may file, before July 1 of each year, a notice with the department that the organizer desires to receive the tuition support distributions, and in the case of an adult high school (as defined in IC 20-24-1-2.3), funding provided in the state biennial budget for adult high schools, for all the charter schools the organizer operates. After the organizer's authorizer or authorizers verify to the department that the organizer operates the charter schools, the department shall distribute the tuition support, and in the case of an adult high school (as defined in IC 20-24-1-2.3), funding provided in the state biennial budget for adult high schools, for the verified charter schools to the organizer. The organizer may distribute the tuition support distribution it receives to each charter school it operates in the amounts determined by the organizer. However, an organizer that receives money from the state under this subsection may not use any of the money received for expenses incurred outside Indiana that are not directly related to the charter school the organizer operates in Indiana.

(e) Organizers receiving tuition support under this section may submit a consolidated audit in accordance with guidelines established by the state examiner and submit any required financial reporting to the department in a manner prescribed by the state examiner. The state examiner shall establish guidelines and prescribe reporting requirements for organizers under this section that are consistent with generally accepted accounting principles (GAAP) and the needs of the department.

SECTION 14. IC 20-24-7-4, AS AMENDED BY P.L.221-2015, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) Services that a school corporation provides to a charter school, including transportation, may be provided at not more than one hundred three percent (103%) of the actual cost of the services.

(b) This subsection applies to an authorizer that is a state educational institution described in IC 20-24-1-2.5(2). Except as provided in subsection (f), in a state fiscal year, a state educational institution may receive from the organizer of a charter school **that is placed in the highest or second highest category or designation under IC 20-31-8-4 and** authorized by the state educational institution an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year from basic tuition support (as defined in IC 20-43-1-8). **The authorizer of a charter school described in this subsection that is placed:**

(1) in the third highest category or designation under IC 20-31-8-4 may receive an administrative fee equal to not more than two percent (2%); and

(2) in the fourth highest category or designation under IC 20-31-8-4 may receive an administrative fee equal to not more than one percent (1%);

of the total amount the organizer receives during the state fiscal year from basic tuition support. The authorizer of a charter school described in this subsection that is placed in the lowest category or designation of school improvement under IC 20-31-8-4 is not entitled to receive an administrative fee during the state fiscal year from basic tuition support, and the organizer must reallocate the amount of the fees that would have been paid if the charter school had been placed in the highest category or designation under IC 20-31-8-4 toward classroom expenditures. The organizer must demonstrate compliance with this subsection to the department. If the organizer does not demonstrate compliance, the department shall withhold from the organizer the state tuition support and federal funds that would otherwise be distributed to the organizer for the charter school during the next state fiscal year.

(c) This subsection applies to the executive of a consolidated city that authorizes a charter school. Except as provided in subsection (f), in a state fiscal year, the executive may collect from the organizer of a charter school **that is placed in the highest or second highest category or designation under IC 20-31-8 and** authorized by the executive an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year for basic tuition support. **The authorizer of a charter school described in this subsection that is placed:**

(1) in the third highest category or designation under IC 20-31-8-4 may receive an administrative fee equal to not more than two percent (2%); and

(2) in the fourth highest category or designation under IC 20-31-8-4 may receive an administrative fee equal to not more than one percent (1%);

of the total amount the organizer receives during the state fiscal year from basic tuition support. The authorizer of a charter school described in this subsection that is placed in the lowest category or designation of school improvement under IC 20-31-8-4 is not entitled to receive an administrative fee during the state fiscal year from basic tuition support, and the organizer must reallocate the amount of the fees that would have been paid if the charter school had been placed in the highest category or designation under IC 20-31-8-4 toward classroom expenditures. The organizer must demonstrate compliance with this subsection to the department. If the organizer does not demonstrate compliance, the department shall withhold from the organizer the state tuition support and federal funds that would otherwise be distributed to the organizer for the charter school during the next state fiscal year.

(d) This subsection applies to an authorizer that is a nonprofit college or university that is approved by the state board of education. Except as provided in IC 20-24-2.2-1.5 and subsection (f), in a state fiscal year, a private college or university may collect from the organizer of a charter school **that is placed in the highest or second highest category or designation under IC 20-31-8 and** authorized by the private college or university an administrative fee equal to not more than

three percent (3%) of the total amount the organizer receives during the state fiscal year for basic tuition support. **The authorizer of a charter school described in this subsection that is placed:**

(1) in the third highest category or designation under IC 20-31-8-4 may receive an administrative fee equal to not more than two percent (2%); and

(2) in the fourth highest category or designation under IC 20-31-8-4 may receive an administrative fee equal to not more than one percent (1%);

of the total amount the organizer receives during the state fiscal year from basic tuition support. The authorizer of a charter school described in this subsection that is placed in the lowest category or designation of school improvement under IC 20-31-8-4 is not entitled to receive an administrative fee during the state fiscal year from basic tuition support, and the organizer must reallocate the amount of the fees that would have been paid if the charter school had been placed in the highest category or designation under IC 20-31-8-4 toward classroom expenditures. The organizer must demonstrate compliance with this subsection to the department. If the organizer does not demonstrate compliance, the department shall withhold from the organizer the state tuition support and federal funds that would otherwise be distributed to the organizer for the charter school during the next state fiscal year.

(e) This subsection applies to the charter board. Except as provided in subsection (f), in a state fiscal year, the charter school board may collect from the organizer of a charter school **that is placed in the highest or second highest category or designation under IC 20-31-8 and** authorized by the charter board an administrative fee equal to not more than three percent (3%) of the total amount the organizer receives during the state fiscal year for basic tuition support. **The authorizer of a charter school described in this subsection that is placed:**

(1) in the third highest category or designation under IC 20-31-8-4 may receive an administrative fee equal to not more than two percent (2%); and

(2) in the fourth highest category or designation under IC 20-31-8-4 may receive an administrative fee equal to not more than one percent (1%);

of the total amount the organizer receives during the state fiscal year from basic tuition support. The authorizer of a charter school described in this subsection that is placed in the lowest category or designation of school improvement under IC 20-31-8-4 is not entitled to receive an administrative fee during the state fiscal year from basic tuition support, and the organizer must reallocate the amount of the fees that would have been paid if the charter school had been placed in the highest category or designation under IC 20-31-8-4 toward classroom expenditures. The organizer must demonstrate compliance with this subsection to the department. If the organizer does not demonstrate compliance, the department shall withhold from the organizer the state tuition support and federal funds that would otherwise be distributed to the organizer for the charter school during the next state fiscal year.

(f) This subsection applies to an adult high school. An authorizer described in subsections (b) through (e) may collect an administrative fee equal to not more than three percent (3%) of the total state appropriation to the adult high school for a state fiscal year under section 13.5 of this chapter.

(g) An authorizer's administrative fee may not include any costs incurred in delivering services that a charter school may purchase at its discretion from the authorizer. The authorizer shall use its funding provided under this section exclusively for the purpose of fulfilling authorizing obligations.

(h) Except for oversight services, a charter school may not be required to purchase services from its authorizer as a condition of charter approval or of executing a charter contract, nor may any such condition be implied.

(i) A charter school may choose to purchase services from its authorizer. In that event, the charter school and authorizer shall execute an annual service contract, separate from the charter contract, stating the parties' mutual agreement concerning the services to be provided by the authorizer and any service fees to be charged to the charter school. An authorizer may not charge more than market rates for services provided to a charter school.

(j) Not later than ninety (90) days after the end of each fiscal year, each authorizer shall provide to each charter school it authorizes an itemized accounting of the actual costs of services purchased by the charter school from the authorizer. Any difference between the amount initially charged to the charter school and the actual cost shall be reconciled and paid to the owed party. If either party disputes the itemized accounting, any charges included in the accounting, or charges to either party, either party may request a review by the department. The requesting party shall pay the costs of the review.

SECTION 15. IC 20-24-7-5, AS ADDED BY P.L.1-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) **Except as provided under section 5.5 of this chapter,** an organizer may apply for and accept for a charter school:

(1) independent financial grants; and

(2) funds from public or private sources other than the department.

(b) An organizer shall make all applications, enter into all contracts, and sign all documents necessary for the receipt by a charter school of aid, money, or property from the federal government.

SECTION 16. IC 20-24-7-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5.5. An organizer of a charter school may not obtain an advance from the common school fund under IC 20-49 for a charter school unless the authorizer of the charter school cosigns on the advance.**".

Page 6, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 18. IC 20-24-7-16 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 16. (a) Not later than October 1, 2020, each organizer operating a charter school in Indiana on July 1, 2020, shall submit to the state board a surety bond or other form of financial guarantee, as**

approved by the state board, in an amount determined under subsection (d) for each charter school which the organizer is operating in Indiana on July 1, 2020.

(b) Not later than October 1, 2020, each authorizer that granted a charter to an organizer of a charter school before July 1, 2020, shall submit to the state board a surety bond or other form of financial guarantee, as approved by the state board, in an amount determined under subsection (d) for each charter school authorized by the authorizer that is operating on July 1, 2020.

(c) Each organizer and authorizer that enters into a charter for a charter school after June 30, 2020, shall submit to the state board a surety bond or other form of financial guarantee, as approved by the state board, in the amount determined under subsection (e) before the organizer and authorizer enter into a charter for the charter school. Both an organizer and an authorizer of a charter school must submit separate surety bonds or other forms of financial guarantee with each surety bond or other form of financial guarantee being in the full amount determined under subsection (e).

(d) The amount of a surety bond or other form of financial guarantee for an organizer and an authorizer of a charter school described in subsections (a) and (b) must be an amount that equals the amount of tuition support that the virtual charter school received for the immediately preceding school year multiplied by ten percent (10%).

(e) The amount of a surety bond or other form of financial guarantee for an organizer and for an authorizer of a charter school described in subsection (c) must be an amount that equals the estimated tuition support that the charter school will receive in its first year of operation multiplied by ten percent (10%).

(f) This subsection applies to organizers and authorizers of charter schools described in subsections (a), (b), and (c). The amount of a surety bond or other form of financial guarantee must be adjusted, as needed, every three (3) years that a charter school is in operation to equal the amount determined under subsection (d) for the charter school. An organizer or authorizer may be required to increase the amount of the surety bond or other financial guarantee, as determined by the state board, if the state board determines that the surety bond or other financial guarantee should be increased under this subsection.

SECTION 19. IC 20-24-7-17 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 17. (a) A surety bond or other financial guarantee under section 16 of this chapter must be conditioned upon the charter school faithfully providing accurate average daily enrollment information to the department under IC 20-43-4, as determined by the department. If the state board determines that a charter school has received more state tuition support than the charter school is entitled to under IC 20-43 or has misrepresented or fraudulently reported average daily enrollment to the department, the department may make a claim against the surety bond or financial guarantee of both the organizer and the authorizer.**

(b) Each organizer and authorizer of a charter school shall annually file information with the state board that evidences the continuation of the organizer's and the authorizer's surety bond or other financial guarantee for each charter school operated by the organizer or authorized by the authorizer in Indiana.

(c) If:

(1) an organizer or authorizer submits a surety bond; and

(2) the total claims filed against a surety bond exceed the amount of the surety bond;

the surety shall pay the amount of the surety bond to the department to recoup any amounts owed to the state.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1066 as printed February 28, 2020.)

LANANE

Upon request of Senator Stoops the President ordered the roll of the Senate to be called. Roll Call 262: yeas 15, nays 34.

Motion failed.

SENATE MOTION
(Amendment 1066–4)

Madam President: I move that Engrossed House Bill 1066 be amended to read as follows:

Page 6, between lines 27 and 28, begin a new paragraph and insert:

"SECTION 3. IC 20-24-9-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3.5. (a) Notwithstanding IC 5-11-1-9(b), each year, on or before a date established by the department, each charter school and organizer shall obtain in a manner prescribed by the department an independent audit of all public and private funds received.**

(b) Not later than July 1, 2021, and each July 1 thereafter, each charter school and organizer shall submit a copy of the annual audit described in subsection (a) to the department.".

Page 19, between lines 24 and 25, begin a new paragraph and insert:

"SECTION 19. IC 20-51-4-13 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 13. (a) Notwithstanding IC 5-11-1-9(b), each year, on or before a date established by the department, each eligible school shall obtain in a manner prescribed by the department an independent audit of all public and private funds received.**

(b) Not later than July 1, 2021, and each July 1 thereafter, each eligible school shall submit a copy of the annual audit described in subsection (a) to the department.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1066 as printed February 28, 2020.)

LANANE

Upon request of Senator Stoops the President ordered the roll of the Senate to be called. Roll Call 263: yeas 20, nays 30.

Motion failed. The bill was ordered engrossed.

Engrossed House Bill 1111

Senator Ruckelshaus called up Engrossed House Bill 1111 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1120

Senator Koch called up Engrossed House Bill 1120 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1120–1)

Madam President: I move that Engrossed House Bill 1120 be amended to read as follows:

Page 7, after line 15, begin a new paragraph and insert:

"**(p) The department of correction shall, before May 1, 2023, submit a report to the legislative council, in an electronic format under IC 5-14-6, concerning the implementation of the individualized case management plan. The report must include the following:**

(1) The ratio of case management staff to offenders participating in the individualized case management plan as of January 1, 2023.

(2) The average number of days awarded to offenders participating in the individualized case management plan from January 1, 2022, through December 31, 2022.

(3) The percentage of the prison population currently participating in an individualized case management plan as of January 1, 2023.

(4) Any other data points or information related to the status of the implementation of the individualized case management plan.

This subsection expires June 30, 2023.".

(Reference is to EHB 1120 as printed February 28, 2020.)

SANDLIN

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1132

Senator Freeman called up Engrossed House Bill 1132 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1132–1)

Madam President: I move that Engrossed House Bill 1132 be amended to read as follows:

Page 10, line 37, delete "has been" and insert "**was, after June 30, 2020,**".

(Reference is to EHB 1132 as printed February 28, 2020.)

BOHACEK

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1148

Senator Jon Ford called up Engrossed House Bill 1148 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1151

Senator Boots called up Engrossed House Bill 1151 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1153

Senator Raatz called up Engrossed House Bill 1153 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1157

Senator Freeman called up Engrossed House Bill 1157 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1157–1)

Madam President: I move that Engrossed House Bill 1157 be amended to read as follows:

Page 5, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 7. IC 9-21-18-1, AS AMENDED BY P.L.38-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. This chapter applies to privately owned real property on which the public is invited to travel for business or ~~before January 1, 2021,~~ residential purposes.

SECTION 8. IC 9-21-18-4.1, AS ADDED BY P.L.38-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4.1. (a) As used in this section, "electronic traffic ticket" has the meaning set forth in IC 9-30-3-2.5.

(b) As used in this section, "legislative body" has the meaning set forth in IC 36-1-2-9.

(c) As used in this section, "moving traffic ordinance" refers to an ordinance regulating the operation of a motor vehicle only while the motor vehicle is in motion.

(d) As used in this section, "residential complex traffic ordinance" refers to an ordinance adopted under subsection (e).

(e) A unit may enforce a residential complex traffic ordinance on the property of a residential complex if all the following conditions are met:

(1) The unit's legislative body adopts the ordinance under this section.

(2) The owner of the residential complex requests in writing from the unit's executive that the unit enforce the residential complex traffic ordinance adopted under subdivision (1) on the property of the residential complex.

(3) The owner of the residential complex enters into an enforcement contract with the unit.

(f) A residential complex traffic ordinance must satisfy the following:

(1) The ordinance must be a moving traffic ordinance.

(2) The ordinance may not duplicate or conflict with Indiana law that is otherwise enforceable on the property of a residential complex.

(3) The ordinance must be reasonably consistent with other ordinances adopted by the unit.

(4) The ordinance must require the owner of the residential complex to enter into an enforcement contract with the unit as provided in subsection (h).

(5) If the unit's law enforcement agency (as defined in IC 35-47-15-2) issues electronic traffic tickets, the ordinance must require the unit's law enforcement agency to issue an electronic traffic ticket for a violation of the unit's ordinance on the property of a residential complex.

(g) A residential complex traffic ordinance may do the following:

(1) Incorporate by reference other moving traffic ordinances of the unit if those other ordinances do not conflict with this section.

(2) Define the term "residential complex" for purposes of the ordinance.

(3) Require the unit's executive to report to the legislative body regarding enforcement contracts entered into with the unit and any other information required by the legislative body regarding the residential complex traffic ordinance.

(h) An enforcement contract must satisfy the following:

(1) The contract must require the owner of the residential complex to install signs notifying residents of and visitors to the residential complex of the relevant provisions of the residential complex traffic ordinance. Signs installed under this subdivision must be placed in a sufficient number of locations to clearly mark where the relevant provisions of the ordinance applies. A sign placed at the entrance to the residential complex does not satisfy this subdivision.

(2) The unit may not charge the owner of the residential complex a fee for enforcing the residential complex traffic ordinance on the property of the residential complex.

(3) Enforcement of the residential complex traffic ordinance in the residential complex may not begin until both of the following have occurred:

(A) The enforcement contract is signed by the unit and the residential complex.

(B) The residential complex has complied with subdivision (1), as determined by the unit.

(i) If the owner of a residential complex enters into an enforcement contract with a unit, then neither the owner nor the residential complex is subject to or incurs any liability, sanction, or adverse legal consequence for any loss or injury resulting from the manner in which the unit's law enforcement agency discharged its duties under the enforcement contract.

(j) Neither a residential complex nor its owner is subject to or incurs any liability, sanction, or adverse legal consequence for the owner's decision not to enter into an enforcement contract with a unit. The failure to enter into an enforcement contract with a unit is not admissible in any legal proceeding brought against a residential complex or its owner.

~~(k) This section expires December 31, 2020.~~ ".

Page 10, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 16. IC 33-24-6-13, AS AMENDED BY P.L.161-2018, SECTION 66, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. (a) Beginning in 2018, not later than March 1 of each year, the office of judicial administration shall submit a report to the legislative council in an electronic format under IC 5-14-6 providing the following information relating to the enforcement of residential complex traffic ordinances on the property of residential complexes under contracts entered into under IC 9-21-18-4.1:

(1) The number of traffic stops.

(2) The number of citations issued.

(3) The number of traffic stops and citations issued.

(b) The report must set forth information required under subsection (a) by:

(1) each unit that has adopted a residential complex traffic ordinance:

(A) under IC 9-21-18-4.1; and

(B) through issuance of electronic traffic tickets (as defined in IC 9-30-3-2.5); and

(2) the totals for all units described in subdivision (1).

~~(c) The office of judicial administration must issue a report under this section for each of the following years:~~

~~(1) 2017.~~

~~(2) 2018.~~

~~(3) 2019.~~

~~(4) 2020.~~

~~(d) This section expires July 1, 2021.~~".

Page 15, between lines 13 and 14, begin a new paragraph and insert:

"SECTION 21. IC 34-30-2-28.5, AS ADDED BY P.L.38-2016, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 28.5. ~~(a)~~ IC 9-21-18-4.1 (Concerning residential complexes and enforcement contracts for enforcement of moving traffic ordinances).

~~(b) This section expires December 31, 2020.~~".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1157 as printed February 28, 2020.)

BUCHANAN

Motion failed.

SENATE MOTION
(Amendment 1157–2)

Madam President: I move that Engrossed House Bill 1157 be amended to read as follows:

Page 16, after line 15, begin a new paragraph and insert:

"SECTION 20. IC 35-48-4-15 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 15. If a person is convicted of an offense under section 1, 1.1, 1.2, 2, 3, 4, or 10 of this chapter, and the court finds that a motor vehicle was used in the commission of the offense, the court may, in addition to any other order the court enters, order that the person's driving privileges be suspended by the bureau of motor vehicles for a period specified by the court of not more than two (2) years.~~".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1157 as printed February 28, 2020.)

M. YOUNG

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1182

Senator Becker called up Engrossed House Bill 1182 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1207

Senator Grooms called up Engrossed House Bill 1207 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1207–3)

Madam President: I move that Engrossed House Bill 1207 be amended to read as follows:

Replace the effective date in SECTION 2 with "[EFFECTIVE JANUARY 1, 2021]".

Page 2, line 26, delete "IC 5-10-8-23" and insert "IC 5-10-8-22.5".

Page 2, line 28, delete "23." and insert "**22.5.**".

Page 3, line 6, delete "cost of" and insert "**amount paid by the covered individual for**".

Page 11, line 22, delete "cost of" and insert "**amount paid by the covered individual for**".

Page 16, line 17, delete "IC 5-10-8-23," and insert "**IC 5-10-8-22.5,**".

Page 16, line 19, delete "June 30, 2020." and insert "**December 31, 2020.**".

Page 16, line 20, delete "IC 27-2-9.1 and".

Page 16, line 20, delete "apply" and insert "**applies**".

Page 16, between lines 22 and 23, begin a new paragraph and insert:

"**(c) IC 27-2-9.1, as added by this act, applies to a health plan that is issued, entered into, delivered, amended, or renewed after December 31, 2020.**".

Page 16, line 23, delete "(c)" and insert "**(d)**".

(Reference is to EHB 1207 as printed February 28, 2020.)

BOHACEK

Motion prevailed.

SENATE MOTION
(Amendment 1207–1)

Madam President: I move that Engrossed House Bill 1207 be amended to read as follows:

Page 3, between lines 8 and 9, begin a new paragraph and insert:

"SECTION 3. IC 5-10-8-25 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 25. (a) As used in this section, "state employee health plan" means the following:**

(1) A self-insurance program established under section 7(b) of this chapter.

(2) A contract for prepaid health services entered into under section 7(c) of this chapter.

(b) A state employee health plan must provide coverage without cost sharing for auto-injectable epinephrine that is prescribed to an individual who is less than eighteen (18) years of age.

(c) The coverage required by this section may not be subject to annual or lifetime limitation, deductible, copayment, or coinsurance provisions that are more restrictive than the annual or lifetime limitation, deductible, copayment, or coinsurance provisions that apply generally under the state employee health plan.

(d) If, solely due to the application of the cost sharing calculation required under subsection (b), a state employee health plan would fail to qualify as a high deductible health plan under Section 223 of the Internal Revenue Code, the requirement under subsection (b) will not apply to the state employee health plan to the extent necessary to avoid disqualification of the state employee health plan.".

Page 15, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 20. IC 27-8-38 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 38. Coverage for Epinephrine Injectors

Sec. 1. As used in this chapter, "policy of accident and sickness insurance" has the meaning set forth in IC 27-8-5-1, offered on an individual or group basis.

Sec. 2. A policy of accident and sickness insurance must provide coverage without cost sharing for auto-injectable epinephrine that is prescribed to an individual who is less than eighteen (18) years of age.

Sec. 3. The coverage required by this section may not be subject to annual or lifetime limitation, deductible, copayment, or coinsurance provisions that are more restrictive than the annual or lifetime limitation, deductible, copayment, or coinsurance provisions that apply generally under the policy of accident and sickness insurance.

Sec. 4. If, solely due to the application of the cost sharing calculation required under section 2 of this chapter, a policy of accident and sickness insurance would fail to qualify as a high deductible health plan under Section 223 of the Internal Revenue Code, the requirement under section 2 of this chapter will not apply to the policy of accident and sickness insurance to the extent necessary to avoid disqualification of the policy of accident and sickness insurance.

SECTION 21. IC 27-13-7-28 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 28. (a) An individual contract and a group contract must provide coverage without cost sharing for auto-injectable epinephrine that is prescribed to an individual who is less than eighteen (18) years of age.**

(b) The coverage required by this section may not be subject to annual or lifetime limitation, deductible, copayment, or coinsurance provisions that are more restrictive than the annual or lifetime limitation, deductible, copayment, or coinsurance provisions that apply generally under the individual contract or group contract.

(c) If, solely due to the application of the cost sharing calculation required under subsection (a), an individual contract or a group contract would fail to qualify as a high deductible health plan under Section 223 of the Internal Revenue Code, the requirement under subsection (a) will not

apply to the individual contract or group contract to the extent necessary to avoid disqualification of the individual contract or group contract.".

Page 16, line 17, delete "IC 5-10-8-23," and insert "**IC 5-10-8-23 and IC 5-10-8-25,**".

Page 16, line 18, delete "applies" and insert "**apply**".

Page 16, between lines 22 and 23, begin a new paragraph and insert:

"(c) IC 27-8-38, as added by this act, applies to a policy of accident and sickness insurance that is issued, delivered, amended, or renewed after June 30, 2020.

(d) IC 27-13-7-28, as added by this act, applies to an individual contract or a group contract that is entered into, delivered, amended, or renewed after June 30, 2020.".

Page 16, line 23, delete "(c)" and insert "**(e)**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1207 as printed February 28, 2020.)

J.D. FORD

Upon request of Senator J.D. Ford the President ordered the roll of the Senate to be called. Roll Call 264: yeas 10, nays 38.

Motion failed.

SENATE MOTION
(Amendment 1207–2)

Madam President: I move that Engrossed House Bill 1207 be amended to read as follows:

Page 15, between lines 17 and 18, begin a new paragraph and insert:

"SECTION 19. IC 27-8-14.5-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3.5. As used in this chapter, "prescription insulin drug" means a prescription drug that contains insulin, is used to treat diabetes, and has been prescribed as medically necessary.**

SECTION 20. IC 27-8-14.5-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 6.5. (a) An insurer shall cap the total amount an insured is required to pay for a thirty (30) day supply of the insured's prescription insulin drugs at an amount not to exceed one hundred dollars ($100), regardless of the number of prescriptions and different types of prescription insulin drugs prescribed and filled in that thirty (30) day period.**

(b) An insurer may reduce the total amount an insured is required to pay for a thirty (30) day supply of the insured's prescription insulin drugs to an amount less than the amount of the cap specified in subsection (a).

(c) This section applies to a health insurance plan that is issued, delivered, amended, or renewed after June 30, 2020.

(d) If, solely due to the application of the cost sharing calculation required under subsection (a), a health insurance plan would fail to qualify as a high deductible health plan under Section 223 of the Internal Revenue Code, the requirement under subsection (a) will not apply to the health insurance plan to the extent necessary to avoid disqualification of the health insurance plan.".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1207 as printed February 28, 2020.)

J.D. FORD

Upon request of Senator J.D. Ford the President ordered the roll of the Senate to be called. Roll Call 265: yeas 13, nays 36.

Motion failed. The bill was ordered engrossed.

Engrossed House Bill 1209

Senator Crider called up Engrossed House Bill 1209 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1222

Senator Walker called up Engrossed House Bill 1222 for second reading. The bill was reread a second time by title.

SENATE MOTION
(Amendment 1222–14)

Madam President: I move that Engrossed House Bill 1222 be amended to read as follows:

Page 20, delete lines 20 through 42.

Page 21, delete lines 1 through 38.

Page 25, delete lines 5 through 42.

Delete pages 26 through 30.

Page 31, delete lines 1 through 37.

Renumber all SECTIONS consecutively.

(Reference is to EHB 1222 as reprinted February 28, 2020.)

WALKER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1225

Senator Messmer called up Engrossed House Bill 1225 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1244

Senator Boots called up Engrossed House Bill 1244 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1244–2)

Madam President: I move that Engrossed House Bill 1244 be amended to read as follows:

Page 2, line 1, delete "at least seven".

Page 2, line 2, delete "(7) days".

(Reference is to EHB 1244 as printed February 28, 2020.)

BOOTS

Motion prevailed.

SENATE MOTION
(Amendment 1244–4)

Madam President: I move that Engrossed House Bill 1244 be amended to read as follows:

Page 1, between the enacting clause and line 1, begin a new paragraph and insert:

"SECTION 1. IC 22-4-14-3, AS AMENDED BY P.L.171-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) An individual who is receiving benefits as determined under IC 22-4-15-1(c)(8) may restrict the individual's availability because of the individual's need to address the physical, psychological, or legal effects of being a victim of domestic or family violence (as defined in IC 31-9-2-42).

(b) An unemployed individual shall be eligible to receive benefits with respect to any week only if the individual:

(1) is physically and mentally able to work;

(2) is available for work;

(3) is found by the department to be making an effort to secure full-time work; and

(4) participates in reemployment services and reemployment and eligibility assessment activities as required by section 3.2 of this chapter or when directed by the department as provided under section 3.5 of this chapter, unless the department determines that:

(A) the individual has completed the reemployment services; or

(B) failure by the individual to participate in or complete the reemployment services is excused by the director under IC 22-4-14-2(b).

~~The term "effort to secure full-time work" shall be defined by the department through rule which shall take into consideration whether such individual has a reasonable assurance of reemployment and, if so, the length of the prospective period of unemployment. However, if an otherwise eligible individual is unable to work or unavailable for work on any normal work day of the week the individual shall be eligible to receive benefits with respect to such week reduced by one-third (1/3) of the individual's weekly benefit amount for each day of such inability to work or unavailability for work.~~

(c) For the purpose of this article, unavailability for work of an individual exists in, but is not limited to, any case in which, with respect to any week, it is found:

(1) that such individual is engaged by any unit, agency, or instrumentality of the United States, in charge of public works or assistance through public employment, or any unit, agency, or instrumentality of this state, or any political subdivision thereof, in charge of any public works or assistance through public employment;

(2) that such individual is in full-time active military service of the United States, or is enrolled in civilian service as a conscientious objector to military service;

(3) that such individual is suspended for misconduct in connection with the individual's work; or

(4) that such individual is in attendance at a regularly established public or private school during the customary hours of the individual's occupation or is in any vacation period intervening between regular school terms during which the individual is a student. However, this subdivision does not apply to any individual who is attending a regularly established school, has been regularly employed and upon becoming unemployed makes an effort to secure full-time work and is available for suitable full-time work with the individual's last employer, or is available for any other full-time employment deemed suitable.

(d) Notwithstanding any other provisions in this section or IC 22-4-15-2, no otherwise eligible individual shall be denied benefits for any week because the individual is in training with the approval of the department, nor shall such individual be denied benefits with respect to any week in which the individual is in training with the approval of the department by reason of the application of the provisions of this section with respect to the availability for work or active search for work or by reason of the application of the provisions of IC 22-4-15-2 relating to failure to apply for, or the refusal to accept, suitable work. The department shall by rule prescribe the conditions under which approval of such training will be granted.

(e) Notwithstanding subsection (b), (c), or (d), or IC 22-4-15-2, an otherwise eligible individual shall not be denied benefits for any week or determined not able, available, and actively seeking work, because the individual is responding to a summons for jury service. The individual shall:

(1) obtain from the court proof of the individual's jury service; and

(2) provide to the department, in the manner the department prescribes by rule, proof of the individual's jury service.

(f) If an otherwise eligible individual is unable to work or unavailable for work on any normal work day of the week, the individual shall be eligible to receive benefits with respect to such week reduced by one-third (1/3) of the individual's weekly benefit amount for each day of such inability to work or unavailability for work.

(g) An individual has made an effort to secure full-time work with respect to any week in which the individual has:

(1) completed activities directed by the department under sections 3.2 and 3.5 of this chapter;

(2) completed any work search activities as directed by the department under rules adopted by the department under subsection (h); and

(3) affirmed the individual has made an effort to secure full-time work.

(h) Not later than December 31, 2021, the department shall adopt rules under IC 4-22-2, including emergency rules adopted in the same manner provided under IC 4-22-2-37.1, to define:

(1) the acceptable types of work search activities;

(2) the number of work search activities required to be completed in any week;

(3) the requirements for producing documentation; and

(4) the requirement to apply to, and accept if offered, suitable jobs referred by the department.

(i) The rules adopted by the department under subsection (h) shall:

(1) take into consideration whether an individual has a reasonable assurance of reemployment and, if so, the length of the prospective period of unemployment; and

(2) be consistent with the guidance provided by the United States Department of Labor in Training and Employment Notice No. 17-19, dated February 10,

2020.".

Page 2, after line 31, begin a new paragraph and insert:

"SECTION 3. [EFFECTIVE UPON PASSAGE] **(a) 646 IAC 5-9-3 is void.**

(b) The publisher of the Indiana Administrative Code and the Indiana Register shall remove the rule voided by subsection (a) from the Indiana Administrative Code.

(c) This SECTION expires January 1, 2021.

SECTION 4. **An emergency is declared for this act.**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1244 as printed February 28, 2020.)

BOOTS

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1246

Senator Crider called up Engrossed House Bill 1246 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1265

Senator Lonnie M. Randolph called up Engrossed House Bill 1265 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1265–4)

Madam President: I move that Engrossed House Bill 1265 be amended to read as follows:

Page 1, line 17, delete "or".

Page 2, line 3, delete "2020." and insert "**2020; or**

(3) has otherwise been tested for compliance with the standards set forth in subsection (a) at least once since 2016.".

(Reference is to EHB 1265 as printed February 25, 2020.)

MESSMER

Motion prevailed.

SENATE MOTION
(Amendment 1265–2)

Madam President: I move that Engrossed House Bill 1265 be amended to read as follows:

Page 1, line 12, delete "this section" and insert "**subsection (a)**".

Page 2, between lines 3 and 4, begin a new paragraph and insert:

"**(c) After calendar year 2022, the drinking water in every school building located in Lake County shall be tested at least one (1) time in each period of two (2) calendar years to determine whether the drinking water equals or exceeds the action level for lead of fifteen (15) parts per billion, or fifteen one thousandths (0.015) milligram of lead per liter of water.**".

Page 2, line 4, delete "(c)" and insert "**(d)**".

Page 2, line 12, delete "(d)" and insert "**(e)**".

Page 2, after line 17, begin a new paragraph and insert:

"SECTION 2. [EFFECTIVE JULY 1, 2020] **(a) The general assembly finds:**

(1) that:

(A) the historic prevalence in Lake County of heavy industry and of the environmental problems associated with heavy industry, including lead contamination; and

(B) concerns arising from the fact that lead accumulates in the human body, so that the risk of lead poisoning increases with repeated exposures to lead;

create a special need to protect the children of Lake County against exposure to lead through the drinking water in school buildings; and

(2) that, for purposes of Article 4, Section 23 of the Constitution of the State of Indiana, the case of IC 16-41-21.1-3(c), as added by this act, is one in which a general law cannot be made applicable.

(b) This SECTION expires July 1, 2021.".

(Reference is to EHB 1265 as printed February 25, 2020.)

LONNIE M. RANDOLPH

Motion prevailed.

SENATE MOTION
(Amendment 1265–1)

Madam President: I move that Engrossed House Bill 1265 be amended to read as follows:

Page 1, line 7, delete "the action level for lead of fifteen (15)" and insert "**five (5)**".

Page 1, line 8, delete "fifteen" and insert "**five**".

Page 1, line 8, delete "(0.015)" and insert "**(0.005)**".

Page 1, line 9, delete "water, established by 40 CFR 141.80 as in effect on January 1," and insert "**water.**".

Page 1, delete line 10.

Page 2, line 3, delete "2020." and insert "**2020; and the test results do not indicate that the lead content of the drinking water equals or exceeds five (5) parts per billion.**".

Page 2, line 6, delete "the lead action level of fifteen (15)" and insert "**five (5)**".

Page 2, line 6, delete "billion" and insert "**billion,**".

Page 2, delete line 7.

Page 2, line 8, delete "2020,".

Page 2, line 10, delete "fifteen (15)" and insert "**five (5)**".

(Reference is to EHB 1265 as printed February 25, 2020.)

STOOPS

Upon request of Senator Stoops the President ordered the roll of the Senate to be called. Roll Call 266: yeas 15, nays 34.

Motion failed. The bill was ordered engrossed.

Engrossed House Bill 1283

Senator Rogers called up Engrossed House Bill 1283 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1305

Senator Doriot called up Engrossed House Bill 1305 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1313

Senator Koch called up Engrossed House Bill 1313 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1326

Senator Crider called up Engrossed House Bill 1326 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1326–2)

Madam President: I move that Engrossed House Bill 1326 be amended to read as follows:

Page 7, delete lines 9 through 17, begin a new line block indented and insert:

"**(1) is licensed pursuant to IC 25-23-1-19.5; and**
(2) has been educated and trained to work with patients with addiction and mental health needs.".

Page 7, line 22, after "mental" insert "**health**".

Page 7, line 26, delete "any state plan amendment necessary to implement subsection (d)." and insert "**any state plan amendment necessary to implement subsection (d).**".

(Reference is to EHB 1326 as printed February 28, 2020.)

CRIDER

Motion prevailed.

SENATE MOTION
(Amendment 1326–3)

Madam President: I move that Engrossed House Bill 1326 be amended to read as follows:

Page 1, line 8, delete "includes:" and insert "**includes services determined by the office and approved in the Medicaid state plan.**".

Page 1, delete lines 9 through 15.

Page 2, delete line 1.

Page 3, line 13, delete "treatment of" and insert "**participation in the development of**".

Page 6, between lines 6 and 7, begin a new paragraph and insert:

"**(c) Any licensed prescriber with prescriptive authority shall be counted by the division when determining whether a community mental health center applicant meets the psychiatric staffing requirements for community mental health center certification.**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1326 as printed February 28, 2020.)

CRIDER

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1332

Senator Boots called up Engrossed House Bill 1332 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1332–2)

Madam President: I move that Engrossed House Bill 1332 be amended to read as follows:

Page 1, line 9, delete "outpatient".

Page 1, line 9, delete "." and insert "**.**".

Page 1, line 13, delete "outpatient".

Page 2, line 39, delete "outpatient".

Page 3, line 19, delete "outpatient".

Page 3, line 23, delete "outpatient".

Page 3, line 27, delete "outpatient".

Page 3, line 41, delete "outpatient".

Page 4, line 1, delete "outpatient".

Page 4, line 3, delete "outpatient".

Page 4, line 6, delete "outpatient".

Page 4, delete lines 34 through 42, begin a new paragraph and insert:

"SECTION 3. IC 22-3-3-10, AS AMENDED BY SEA 269-2020, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) With respect to injuries in the schedule set forth in subsection (d) occurring on and after July 1, 1979, and before July 1, 1988, the employee shall receive, in addition to temporary total disability benefits not to exceed fifty-two (52) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred twenty-five dollars ($125) average weekly wages, for the period stated for the injury.

(b) With respect to injuries in the schedule set forth in subsection (d) occurring on and after July 1, 1988, and before July 1, 1989, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred sixty-six dollars ($166) average weekly wages, for the period stated for the injury.

(c) With respect to injuries in the schedule set forth in subsection (d) occurring on and after July 1, 1989, and before July 1, 1990, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred eighty-three dollars ($183) average weekly wages, for the period stated for the injury.

(d) With respect to injuries in the following schedule occurring on and after July 1, 1990, and before July 1, 1991, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed two hundred dollars ($200) average weekly wages, for the period stated for the injury.

(1) Amputation: For the loss by separation of the thumb, sixty (60) weeks, of the index finger forty (40) weeks, of the second finger thirty-five (35) weeks, of the third or ring finger thirty (30) weeks, of the fourth or little finger twenty (20) weeks, of the hand by separation below the elbow

joint two hundred (200) weeks, or the arm above the elbow two hundred fifty (250) weeks, of the big toe sixty (60) weeks, of the second toe thirty (30) weeks, of the third toe twenty (20) weeks, of the fourth toe fifteen (15) weeks, of the fifth or little toe ten (10) weeks, for loss occurring on and after April 1, 1959, by separation of the foot below the knee joint, one hundred seventy-five (175) weeks and of the leg above the knee joint two hundred twenty-five (225) weeks. The loss of more than one (1) phalange of a thumb or toes shall be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half (1/2) of the thumb or toe and compensation shall be paid for one-half (1/2) of the period for the loss of the entire thumb or toe. The loss of not more than one (1) phalange of a finger shall be considered as the loss of one-third (1/3) of the finger and compensation shall be paid for one-third (1/3) the period for the loss of the entire finger. The loss of more than one (1) phalange of the finger but not more than two (2) phalanges of the finger, shall be considered as the loss of one-half (1/2) of the finger and compensation shall be paid for one-half (1/2) of the period for the loss of the entire finger.

(2) For the loss by separation of both hands or both feet or the total sight of both eyes, or any two (2) such losses in the same accident, five hundred (500) weeks.

(3) For the permanent and complete loss of vision by enucleation or its reduction to one-tenth (1/10) of normal vision with glasses, one hundred seventy-five (175) weeks.

(4) For the permanent and complete loss of hearing in one (1) ear, seventy-five (75) weeks, and in both ears, two hundred (200) weeks.

(5) For the loss of one (1) testicle, fifty (50) weeks; for the loss of both testicles, one hundred fifty (150) weeks.

(e) With respect to injuries in the schedule set forth in subsection (h) occurring on and after July 1, 1979, and before July 1, 1988, the employee shall receive, in addition to temporary total disability benefits not exceeding fifty-two (52) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages not to exceed one hundred twenty-five dollars ($125) average weekly wages for the period stated for the injury.

(f) With respect to injuries in the schedule set forth in subsection (h) occurring on and after July 1, 1988, and before July 1, 1989, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred sixty-six dollars ($166) average weekly wages, for the period stated for the injury.

(g) With respect to injuries in the schedule set forth in subsection (h) occurring on and after July 1, 1989, and before July 1, 1990, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred eighty-three dollars ($183) average weekly wages, for the period stated for the injury.

(h) With respect to injuries in the following schedule occurring on and after July 1, 1990, and before July 1, 1991, the employee shall receive, in addition to temporary total disability benefits not exceeding seventy-eight (78) weeks on account of the injury, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed two hundred dollars ($200) average weekly wages, for the period stated for the injury.

(1) Loss of use: The total permanent loss of the use of an arm, hand, thumb, finger, leg, foot, toe, or phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange, and compensation shall be paid for the same period as for the loss thereof by separation.

(2) Partial loss of use: For the permanent partial loss of the use of an arm, hand, thumb, finger, leg, foot, toe, or phalange, compensation shall be paid for the proportionate loss of the use of such arm, hand, thumb, finger, leg, foot, toe, or phalange.

(3) For injuries resulting in total permanent disability, five hundred (500) weeks.

(4) For any permanent reduction of the sight of an eye less than a total loss as specified in subsection (d)(3), compensation shall be paid for a period proportionate to the degree of such permanent reduction without correction or glasses. However, when such permanent reduction without correction or glasses would result in one hundred percent (100%) loss of vision, but correction or glasses would result in restoration of vision, then in such event compensation shall be paid for fifty percent (50%) of such total loss of vision without glasses, plus an additional amount equal to the proportionate amount of such reduction with glasses, not to exceed an additional fifty percent (50%).

(5) For any permanent reduction of the hearing of one (1) or both ears, less than the total loss as specified in subsection (d)(4), compensation shall be paid for a period proportional to the degree of such permanent reduction.

(6) In all other cases of permanent partial impairment, compensation proportionate to the degree of such permanent partial impairment, in the discretion of the worker's compensation board, not exceeding five hundred (500) weeks.

(7) In all cases of permanent disfigurement which may impair the future usefulness or opportunities of the employee, compensation, in the discretion of the worker's compensation board, not exceeding two hundred (200) weeks, except that no compensation shall be payable under this subdivision where compensation is payable elsewhere in this section.

(i) With respect to injuries in the following schedule occurring on and after July 1, 1991, the employee shall receive in addition to temporary total disability benefits, not exceeding one hundred twenty-five (125) weeks on account of the injury, compensation

in an amount determined under the following schedule to be paid weekly at a rate of sixty-six and two-thirds percent (66 2/3%) of the employee's average weekly wages during the fifty-two (52) weeks immediately preceding the week in which the injury occurred.

(1) Amputation: For the loss by separation of the thumb, twelve (12) degrees of permanent impairment; of the index finger, eight (8) degrees of permanent impairment; of the second finger, seven (7) degrees of permanent impairment; of the third or ring finger, six (6) degrees of permanent impairment; of the fourth or little finger, four (4) degrees of permanent impairment; of the hand by separation below the elbow joint, forty (40) degrees of permanent impairment; of the arm above the elbow, fifty (50) degrees of permanent impairment; of the big toe, twelve (12) degrees of permanent impairment; of the second toe, six (6) degrees of permanent impairment; of the third toe, four (4) degrees of permanent impairment; of the fourth toe, three (3) degrees of permanent impairment; of the fifth or little toe, two (2) degrees of permanent impairment; by separation of the foot below the knee joint, thirty-five (35) degrees of permanent impairment; and of the leg above the knee joint, forty-five (45) degrees of permanent impairment.

(2) Amputations: For the loss by separation of any of the body parts described in subdivision (1) on or after July 1, 1997, and for the loss by separation of any of the body parts described in subdivision (3), (5), or ~~(8),~~ **(7),** on or after July 1, 1999, the dollar values per degree applying on the date of the injury as described in subsection (j) shall be multiplied by two (2). However, the doubling provision of this subdivision does not apply to a loss of use that is not a loss by separation.

(3) The loss of more than one (1) phalange of a thumb or toe shall be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half (1/2) of the degrees of permanent impairment for the loss of the entire thumb or toe. The loss of not more than one (1) phalange of a finger shall be considered as the loss of one-third (1/3) of the finger and compensation shall be paid for one-third (1/3) of the degrees payable for the loss of the entire finger. The loss of more than one (1) phalange of the finger but not more than two (2) phalanges of the finger shall be considered as the loss of one-half (1/2) of the finger and compensation shall be paid for one-half (1/2) of the degrees payable for the loss of the entire finger.

(4) For the loss by separation of both hands or both feet or the total sight of both eyes or any two (2) such losses in the same accident, one hundred (100) degrees of permanent impairment.

(5) For the permanent and complete loss of vision by enucleation, thirty-five (35) degrees of permanent impairment.

(6) For the permanent and complete loss of hearing in one (1) ear, fifteen (15) degrees of permanent impairment, and in both ears, forty (40) degrees of permanent impairment.

(7) For the loss of one (1) testicle, ten (10) degrees of permanent impairment; for the loss of both testicles, thirty (30) degrees of permanent impairment.

(8) Loss of use: The total permanent loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange, and compensation shall be paid in the same amount as for the loss by separation. However, the doubling provision of subdivision (2) does not apply to a loss of use that is not a loss by separation.

(9) Partial loss of use: For the permanent partial loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange, compensation shall be paid for the proportionate loss of the use of the arm, hand, thumb, finger, leg, foot, toe, or phalange.

(10) For injuries resulting in total permanent disability, the amount payable for impairment or five hundred (500) weeks of compensation, whichever is greater.

(11) Visual impairments shall be based on the Functional Vision Score (FVS) assessing the visual acuity and visual field to evaluate any reduction in ability to perform vision-related Activities of Daily Living (ADL). Unless such loss is otherwise specified in subdivision (5), visual impairments shall be paid as a whole person rating.

(12) For any permanent reduction of the hearing of one (1) or both ears, less than the total loss as specified in subsection (h)(5), compensation shall be paid in an amount proportionate to the degree of a permanent reduction.

(13) In all other cases of permanent partial impairment, compensation proportionate to the degree of a permanent partial impairment, in the discretion of the worker's compensation board, not exceeding one hundred (100) degrees of permanent impairment.

(14) In all cases of permanent disfigurement which may impair the future usefulness or opportunities of the employee, compensation, in the discretion of the worker's compensation board, not exceeding forty (40) degrees of permanent impairment except that no compensation shall be payable under this subdivision where compensation is payable elsewhere in this section.

(j) Compensation for permanent partial impairment shall be paid according to the degree of permanent impairment for the injury determined under subsection (i) and the following:

(1) With respect to injuries occurring on and after July 1, 1991, and before July 1, 1992, for each degree of permanent impairment from one (1) to thirty-five (35), five hundred dollars ($500) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), nine hundred dollars ($900) per degree; for each degree of permanent impairment above fifty (50), one thousand five hundred dollars ($1,500) per degree.

(2) With respect to injuries occurring on and after July 1, 1992, and before July 1, 1993, for each degree of permanent impairment from one (1) to twenty (20), five

hundred dollars ($500) per degree; for each degree of permanent impairment from twenty-one (21) to thirty-five (35), eight hundred dollars ($800) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(3) With respect to injuries occurring on and after July 1, 1993, and before July 1, 1997, for each degree of permanent impairment from one (1) to ten (10), five hundred dollars ($500) per degree; for each degree of permanent impairment from eleven (11) to twenty (20), seven hundred dollars ($700) per degree; for each degree of permanent impairment from twenty-one (21) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(4) With respect to injuries occurring on and after July 1, 1997, and before July 1, 1998, for each degree of permanent impairment from one (1) to ten (10), seven hundred fifty dollars ($750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(5) With respect to injuries occurring on and after July 1, 1998, and before July 1, 1999, for each degree of permanent impairment from one (1) to ten (10), seven hundred fifty dollars ($750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(6) With respect to injuries occurring on and after July 1, 1999, and before July 1, 2000, for each degree of permanent impairment from one (1) to ten (10), nine hundred dollars ($900) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand one hundred dollars ($1,100) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand six hundred dollars ($1,600) per degree; for each degree of permanent impairment above fifty (50), two thousand dollars ($2,000) per degree.

(7) With respect to injuries occurring on and after July 1, 2000, and before July 1, 2001, for each degree of permanent impairment from one (1) to ten (10), one thousand one hundred dollars ($1,100) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand dollars ($2,000) per degree; for each degree of permanent impairment above fifty (50), two thousand five hundred fifty dollars ($2,500) per degree.

(8) With respect to injuries occurring on and after July 1, 2001, and before July 1, 2007, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred dollars ($1,500) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand four hundred dollars ($2,400) per degree; for each degree of permanent impairment above fifty (50), three thousand dollars ($3,000) per degree.

(9) With respect to injuries occurring on and after July 1, 2007, and before July 1, 2008, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred forty dollars ($1,340) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred forty-five dollars ($1,545) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand four hundred seventy-five dollars ($2,475) per degree; for each degree of permanent impairment above fifty (50), three thousand one hundred fifty dollars ($3,150) per degree.

(10) With respect to injuries occurring on and after July 1, 2008, and before July 1, 2009, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred sixty-five dollars ($1,365) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred seventy dollars ($1,570) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand five hundred twenty-five dollars ($2,525) per degree; for each degree of permanent impairment above fifty (50), three thousand two hundred dollars ($3,200) per degree.

(11) With respect to injuries occurring on and after July 1, 2009, and before July 1, 2010, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred eighty dollars ($1,380) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred eighty-five dollars ($1,585) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand six hundred dollars ($2,600) per degree; for each degree of permanent impairment above fifty (50), three thousand three hundred dollars ($3,300) per degree.

(12) With respect to injuries occurring on and after July 1, 2010, and before July 1, 2014, for each degree of permanent impairment from one (1) to ten (10), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand six hundred dollars ($1,600)

per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand seven hundred dollars ($2,700) per degree; for each degree of permanent impairment above fifty (50), three thousand five hundred dollars ($3,500) per degree.

(13) With respect to injuries occurring on and after July 1, 2014, and before July 1, 2015, for each degree of permanent impairment from one (1) to ten (10), one thousand five hundred seventeen dollars ($1,517) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand seven hundred seventeen dollars ($1,717) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand eight hundred sixty-two dollars ($2,862) per degree; for each degree of permanent impairment above fifty (50), three thousand six hundred eighty-seven dollars ($3,687) per degree.

(14) With respect to injuries occurring on and after July 1, 2015, and before July 1, 2016, for each degree of permanent impairment from one (1) to ten (10), one thousand six hundred thirty-three dollars ($1,633) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand eight hundred thirty-five dollars ($1,835) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand twenty-four dollars ($3,024) per degree; for each degree of permanent impairment above fifty (50), three thousand eight hundred seventy-three dollars ($3,873) per degree.

(15) With respect to injuries occurring on and after July 1, 2016, **and before July 1, 2020,** for each degree of permanent impairment from one (1) to ten (10), one thousand seven hundred fifty dollars ($1,750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand nine hundred fifty-two dollars ($1,952) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand one hundred eighty-six dollars ($3,186) per degree; for each degree of permanent impairment above fifty (50), four thousand sixty dollars ($4,060) per degree.

(16) With respect to injuries occurring on and after July 1, 2020, and before July 1, 2021, for each degree of permanent impairment from one (1) to ten (10), one thousand seven hundred eighty-five dollars ($1,785) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand nine hundred ninety-one dollars ($1,991) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand two hundred fifty dollars ($3,250) per degree; for each degree of permanent impairment above fifty (50), four thousand one hundred forty-one dollars ($4,141) per degree.

(17) With respect to injuries occurring on and after July 1, 2021, and before July 1, 2022, for each degree of permanent impairment from one (1) to ten (10), one thousand eight hundred twenty-one dollars ($1,821) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand thirty-one dollars ($2,031) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand three hundred fifteen dollars ($3,315) per degree; for each degree of permanent impairment above fifty (50), four thousand two hundred twenty-four dollars ($4,224) per degree.

(18) With respect to injuries occurring on and after July 1, 2022, for each degree of permanent impairment from one (1) to ten (10), one thousand eight hundred fifty-seven dollars ($1,857) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand seventy-two dollars ($2,072) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand three hundred eighty-one dollars ($3,381) per degree; for each degree of permanent impairment above fifty (50), four thousand three hundred eight dollars ($4,308) per degree.

(k) The average weekly wages used in the determination of compensation for permanent partial impairment under subsections (i) and (j) shall not exceed the following:

(1) With respect to injuries occurring on or after July 1, 1991, and before July 1, 1992, four hundred ninety-two dollars ($492).

(2) With respect to injuries occurring on or after July 1, 1992, and before July 1, 1993, five hundred forty dollars ($540).

(3) With respect to injuries occurring on or after July 1, 1993, and before July 1, 1994, five hundred ninety-one dollars ($591).

(4) With respect to injuries occurring on or after July 1, 1994, and before July 1, 1997, six hundred forty-two dollars ($642).

(5) With respect to injuries occurring on or after July 1, 1997, and before July 1, 1998, six hundred seventy-two dollars ($672).

(6) With respect to injuries occurring on or after July 1, 1998, and before July 1, 1999, seven hundred two dollars ($702).

(7) With respect to injuries occurring on or after July 1, 1999, and before July 1, 2000, seven hundred thirty-two dollars ($732).

(8) With respect to injuries occurring on or after July 1, 2000, and before July 1, 2001, seven hundred sixty-two dollars ($762).

(9) With respect to injuries occurring on or after July 1, 2001, and before July 1, 2002, eight hundred twenty-two dollars ($822).

(10) With respect to injuries occurring on or after July 1, 2002, and before July 1, 2006, eight hundred eighty-two dollars ($882).

(11) With respect to injuries occurring on or after July 1, 2006, and before July 1, 2007, nine hundred dollars ($900).

(12) With respect to injuries occurring on or after July 1, 2007, and before July 1, 2008, nine hundred thirty dollars ($930).

(13) With respect to injuries occurring on or after July 1, 2008, and before July 1, 2009, nine hundred fifty-four

dollars ($954).

(14) With respect to injuries occurring on or after July 1, 2009, and before July 1, 2014, nine hundred seventy-five dollars ($975).

(15) With respect to injuries occurring on or after July 1, 2014, and before July 1, 2015, one thousand forty dollars ($1,040).

(16) With respect to injuries occurring on or after July 1, 2015, and before July 1, 2016, one thousand one hundred five dollars ($1,105).

(17) With respect to injuries occurring on or after July 1, 2016, **and before July 1, 2020,** one thousand one hundred seventy dollars ($1,170).

(18) With respect to injuries occurring on or after July 1, 2020, and before July 1, 2021, one thousand one hundred ninety-three dollars ($1,193).

(19) With respect to injuries occurring on or after July 1, 2021, and before July 1, 2022, one thousand two hundred seventeen dollars ($1,217).

(20) With respect to injuries occurring on or after July 1, 2022, one thousand two hundred forty-one dollars ($1,241).".

Delete pages 5 through 14.

Page 15, delete lines 1 through 32.

Page 28, line 17, delete "outpatient".

Page 28, line 17, delete "center" and insert "**center.**".

Page 28, line 17, delete "(as defined in IC 16-18-2-14).".

Page 28, line 25, delete "outpatient".

Page 28, line 39, delete "outpatient".

Page 28, line 42, delete "outpatient".

Page 29, line 2, delete "outpatient".

Page 29, line 4, delete "outpatient".

Page 29, between lines 10 and 11, begin a new paragraph and insert:

"**(m) "Ambulatory surgical center" refers to an ambulatory outpatient surgical center, as defined in IC 16-18-2-14.**".

Page 35, line 17, delete "outpatient".

Page 35, line 17, delete "center" and insert "**center.**".

Page 35, line 17, delete "(as defined in IC 16-18-2-14).".

Page 35, line 25, delete "outpatient".

Page 35, line 39, delete "outpatient".

Page 35, line 42, delete "outpatient".

Page 36, line 2, delete "outpatient".

Page 36, line 4, delete "outpatient".

Page 36, delete lines 11 through 42, begin a new paragraph and insert:

"**(o) "Ambulatory surgical center" refers to an ambulatory outpatient surgical center, as defined in IC 16-18-2-14.**

SECTION 7. IC 22-3-7-16, AS AMENDED BY SEA 269-2020, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) Compensation shall be allowed on account of disablement from occupational disease resulting in only temporary total disability to work or temporary partial disability to work beginning with the eighth day of such disability except for the medical benefits provided for in section 17 of this chapter. Compensation shall be allowed for the first seven (7) calendar days only as provided in this section. The first weekly installment of compensation for temporary disability is due fourteen (14) days after the disability begins. Not later than fourteen (14) days from the date that the first installment of compensation is due, the employer or the employer's insurance carrier shall file a report of payment of compensation with the worker's compensation board electronically and tender to the employee or to the employee's dependents, with all compensation due, a properly prepared compensation agreement in a form prescribed by the board. The presentation to the employee or to the employee's dependents of the check, draft, or electronic payment from the employer or the employer's insurance carrier for the proper amount, drawn upon a bank in which money is on deposit to pay the same on demand, shall be sufficient tender of the compensation.

(b) Whenever an employer or the employer's insurance carrier denies or is not able to determine liability to pay compensation or benefits, the employer or the employer's insurance carrier shall notify the worker's compensation board and the employee in writing on a form prescribed by the worker's compensation board not later than thirty (30) days after the employer's knowledge of the claimed disablement. If a determination of liability cannot be made within thirty (30) days, the worker's compensation board may approve an additional thirty (30) days upon a written request of the employer or the employer's insurance carrier that sets forth the reasons that the determination could not be made within thirty (30) days and states the facts or circumstances that are necessary to determine liability within the additional thirty (30) days. More than thirty (30) days of additional time may be approved by the worker's compensation board upon the filing of a petition by the employer or the employer's insurance carrier that sets forth:

(1) the extraordinary circumstances that have precluded a determination of liability within the initial sixty (60) days;

(2) the status of the investigation on the date the petition is filed;

(3) the facts or circumstances that are necessary to make a determination; and

(4) a timetable for the completion of the remaining investigation.

An employer who fails to comply with this section is subject to a civil penalty under IC 22-3-4-15.

(c) Once begun, temporary total disability benefits may not be terminated by the employer unless:

(1) the employee has returned to work;

(2) the employee has died;

(3) the employee has refused to undergo a medical examination under section 20 of this chapter;

(4) the employee has received five hundred (500) weeks of temporary total disability benefits or has been paid the maximum compensation allowable under section 19 of this chapter; or

(5) the employee is unable or unavailable to work for reasons unrelated to the compensable disease.

In each instance, the employer must provide written notice to the injured worker on a form approved by the board. In all other cases the employer must notify the employee in writing of the employer's intent to terminate the payment of temporary total

disability benefits, and of the availability of employment, if any, on a form approved by the board. In all instances, the employer must file an electronic notice of the termination with the board.

(d) If the employee disagrees with the termination or proposed termination, the employee must give written notice of disagreement to the board and the employer within seven (7) days after receipt of the notice of intent to terminate benefits. If the board and employer do not receive a notice of disagreement under this section, the employee's temporary total disability benefits shall be terminated. Upon receipt of the notice of disagreement, the board shall immediately contact the parties, which may be by telephone or other means and attempt to resolve the disagreement. If the board is unable to resolve the disagreement within ten (10) days of receipt of the notice of disagreement, the board shall immediately arrange for an evaluation of the employee by an independent medical examiner. The independent medical examiner shall be selected by mutual agreement of the parties or, if the parties are unable to agree, appointed by the board under IC 22-3-4-11. If the independent medical examiner determines that the employee is no longer temporarily disabled or is still temporarily disabled but can return to employment that the employer has made available to the employee, or if the employee fails or refuses to appear for examination by the independent medical examiner, temporary total disability benefits may be terminated. If either party disagrees with the opinion of the independent medical examiner, the party shall apply to the board for a hearing under section 27 of this chapter.

(e) An employer is not required to continue the payment of temporary total disability benefits for more than fourteen (14) days after the employer's proposed termination date unless the independent medical examiner determines that the employee is temporarily disabled and unable to return to any employment that the employer has made available to the employee.

(f) If it is determined that as a result of this section temporary total disability benefits were overpaid, the overpayment shall be deducted from any benefits due the employee under this section and, if there are no benefits due the employee or the benefits due the employee do not equal the amount of the overpayment, the employee shall be responsible for paying any overpayment which cannot be deducted from benefits due the employee.

(g) For disablements occurring on and after July 1, 1976, from occupational disease resulting in temporary total disability for any work there shall be paid to the disabled employee during the temporary total disability weekly compensation equal to sixty-six and two-thirds percent (66 2/3%) of the employee's average weekly wages, as defined in section 19 of this chapter, for a period not to exceed five hundred (500) weeks. Compensation shall be allowed for the first seven (7) calendar days only if the disability continues for longer than twenty-one (21) days.

(h) For disablements occurring on and after July 1, 1974, from occupational disease resulting in temporary partial disability for work there shall be paid to the disabled employee during such disability a weekly compensation equal to sixty-six and two-thirds percent (66 2/3%) of the difference between the employee's average weekly wages, as defined in section 19 of this chapter, and the weekly wages at which the employee is actually employed after the disablement, for a period not to exceed three hundred (300) weeks. Compensation shall be allowed for the first seven (7) calendar days only if the disability continues for longer than twenty-one (21) days. In case of partial disability after the period of temporary total disability, the latter period shall be included as a part of the maximum period allowed for partial disability.

(i) For disabilities occurring on and after July 1, 1979, and before July 1, 1988, from occupational disease in the schedule set forth in subsection (l), the employee shall receive in addition to disability benefits, not exceeding fifty-two (52) weeks on account of the occupational disease, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred twenty-five dollars ($125) average weekly wages, for the period stated for the disabilities.

(j) For disabilities occurring on and after July 1, 1988, and before July 1, 1989, from occupational disease in the schedule set forth in subsection (l), the employee shall receive in addition to disability benefits, not exceeding seventy-eight (78) weeks on account of the occupational disease, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred sixty-six dollars ($166) average weekly wages, for the period stated for the disabilities.

(k) For disabilities occurring on and after July 1, 1989, and before July 1, 1990, from occupational disease in the schedule set forth in subsection (l), the employee shall receive in addition to disability benefits, not exceeding seventy-eight (78) weeks on account of the occupational disease, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed one hundred eighty-three dollars ($183) average weekly wages, for the period stated for the disabilities.

(l) For disabilities occurring on and after July 1, 1990, and before July 1, 1991, from occupational disease in the following schedule, the employee shall receive in addition to disability benefits, not exceeding seventy-eight (78) weeks on account of the occupational disease, a weekly compensation of sixty percent (60%) of the employee's average weekly wages, not to exceed two hundred dollars ($200) average weekly wages, for the period stated for the disabilities.

(1) Amputations: For the loss by separation, of the thumb, sixty (60) weeks; of the index finger, forty (40) weeks; of the second finger, thirty-five (35) weeks; of the third or ring finger, thirty (30) weeks; of the fourth or little finger, twenty (20) weeks; of the hand by separation below the elbow, two hundred (200) weeks; of the arm above the elbow joint, two hundred fifty (250) weeks; of the big toe, sixty (60) weeks; of the second toe, thirty (30) weeks; of the third toe, twenty (20) weeks; of the fourth toe, fifteen (15) weeks; of the fifth or little toe, ten (10) weeks; of the foot below the knee joint, one hundred fifty (150) weeks; and of the leg above the knee joint, two hundred (200) weeks. The loss of more than one (1) phalange of a thumb or toe shall be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half (1/2) of the thumb or

toe and compensation shall be paid for one-half (1/2) of the period for the loss of the entire thumb or toe. The loss of not more than two (2) phalanges of a finger shall be considered as the loss of one-half (1/2) the finger and compensation shall be paid for one-half (1/2) of the period for the loss of the entire finger.

(2) Loss of Use: The total permanent loss of the use of an arm, hand, thumb, finger, leg, foot, toe, or phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange and the compensation shall be paid for the same period as for the loss thereof by separation.

(3) Partial Loss of Use: For the permanent partial loss of the use of an arm, hand, thumb, finger, leg, foot, toe, or phalange, compensation shall be paid for the proportionate loss of the use of such arm, hand, thumb, finger, leg, foot, toe, or phalange.

(4) For disablements for occupational disease resulting in total permanent disability, five hundred (500) weeks.

(5) For the loss of both hands, or both feet, or the total sight of both eyes, or any two (2) of such losses resulting from the same disablement by occupational disease, five hundred (500) weeks.

(6) For the permanent and complete loss of vision by enucleation of an eye, or its reduction to one-tenth (1/10) of normal vision with glasses, one hundred fifty (150) weeks, and for any other permanent reduction of the sight of an eye, compensation shall be paid for a period proportionate to the degree of such permanent reduction without correction or glasses. However, when such permanent reduction without correction or glasses would result in one hundred percent (100%) loss of vision, but correction or glasses would result in restoration of vision, then compensation shall be paid for fifty percent (50%) of such total loss of vision without glasses plus an additional amount equal to the proportionate amount of such reduction with glasses, not to exceed an additional fifty percent (50%).

(7) For the permanent and complete loss of hearing, two hundred (200) weeks.

(8) In all other cases of permanent partial impairment, compensation proportionate to the degree of such permanent partial impairment, in the discretion of the worker's compensation board, not exceeding five hundred (500) weeks.

(9) In all cases of permanent disfigurement, which may impair the future usefulness or opportunities of the employee, compensation in the discretion of the worker's compensation board, not exceeding two hundred (200) weeks, except that no compensation shall be payable under this paragraph where compensation shall be payable under subdivisions (1) through (8). Where compensation for temporary total disability has been paid, this amount of compensation shall be deducted from any compensation due for permanent disfigurement.

(m) With respect to disablements in the following schedule occurring on and after July 1, 1991, the employee shall receive in addition to temporary total disability benefits, not exceeding one hundred twenty-five (125) weeks on account of the disablement, compensation in an amount determined under the following schedule to be paid weekly at a rate of sixty-six and two-thirds percent (66 2/3%) of the employee's average weekly wages during the fifty-two (52) weeks immediately preceding the week in which the disablement occurred:

(1) Amputation: For the loss by separation of the thumb, twelve (12) degrees of permanent impairment; of the index finger, eight (8) degrees of permanent impairment; of the second finger, seven (7) degrees of permanent impairment; of the third or ring finger, six (6) degrees of permanent impairment; of the fourth or little finger, four (4) degrees of permanent impairment; of the hand by separation below the elbow joint, forty (40) degrees of permanent impairment; of the arm above the elbow, fifty (50) degrees of permanent impairment; of the big toe, twelve (12) degrees of permanent impairment; of the second toe, six (6) degrees of permanent impairment; of the third toe, four (4) degrees of permanent impairment; of the fourth toe, three (3) degrees of permanent impairment; of the fifth or little toe, two (2) degrees of permanent impairment; of separation of the foot below the knee joint, thirty-five (35) degrees of permanent impairment; and of the leg above the knee joint, forty-five (45) degrees of permanent impairment.

(2) Amputations occurring on or after July 1, 1997: For the loss by separation of any of the body parts described in subdivision (1) on or after July 1, 1997, the dollar values per degree applying on the date of the injury as described in subsection (n) shall be multiplied by two (2). However, the doubling provision of this subdivision does not apply to a loss of use that is not a loss by separation.

(3) The loss of more than one (1) phalange of a thumb or toe shall be considered as the loss of the entire thumb or toe. The loss of more than two (2) phalanges of a finger shall be considered as the loss of the entire finger. The loss of not more than one (1) phalange of a thumb or toe shall be considered as the loss of one-half (1/2) of the degrees of permanent impairment for the loss of the entire thumb or toe. The loss of not more than one (1) phalange of a finger shall be considered as the loss of one-third (1/3) of the finger and compensation shall be paid for one-third (1/3) of the degrees payable for the loss of the entire finger. The loss of more than one (1) phalange of the finger but not more than two (2) phalanges of the finger shall be considered as the loss of one-half (1/2) of the finger and compensation shall be paid for one-half (1/2) of the degrees payable for the loss of the entire finger.

(4) For the loss by separation of both hands or both feet or the total sight of both eyes or any two (2) such losses in the same accident, one hundred (100) degrees of permanent impairment.

(5) For the permanent and complete loss of vision by enucleation, ~~or its reduction to one-tenth (1/10) of normal vision with glasses,~~ thirty-five (35) degrees of permanent impairment.

(6) For the permanent and complete loss of hearing in one (1) ear, fifteen (15) degrees of permanent impairment, and in both ears, forty (40) degrees of permanent impairment.

(7) For the loss of one (1) testicle, ten (10) degrees of permanent impairment; for the loss of both testicles, thirty (30) degrees of permanent impairment.

(8) Loss of use: The total permanent loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange shall be considered as the equivalent of the loss by separation of the arm, hand, thumb, finger, leg, foot, toe, or phalange, and compensation shall be paid in the same amount as for the loss by separation. However, the doubling provision of subdivision (2) does not apply to a loss of use that is not a loss by separation.

(9) Partial loss of use: For the permanent partial loss of the use of an arm, a hand, a thumb, a finger, a leg, a foot, a toe, or a phalange, compensation shall be paid for the proportionate loss of the use of the arm, hand, thumb, finger, leg, foot, toe, or phalange.

(10) For disablements resulting in total permanent disability, the amount payable for impairment or five hundred (500) weeks of compensation, whichever is greater.

(11) Visual impairments shall be based on the Functional Vision Score (FVS) assessing the visual acuity and visual field to evaluate any reduction in ability to perform vision-related Activities of Daily Living (ADL). Unless such loss is otherwise specified in subdivision (5), visual impairments shall be paid as a whole person rating.

(12) For any permanent reduction of the hearing of one (1) or both ears, less than the total loss as specified in subdivision (6), compensation shall be paid in an amount proportionate to the degree of a permanent reduction.

(13) In all other cases of permanent partial impairment, compensation proportionate to the degree of a permanent partial impairment, in the discretion of the worker's compensation board, not exceeding one hundred (100) degrees of permanent impairment.

(14) In all cases of permanent disfigurement which may impair the future usefulness or opportunities of the employee, compensation, in the discretion of the worker's compensation board, not exceeding forty (40) degrees of permanent impairment except that no compensation shall be payable under this subdivision where compensation is payable elsewhere in this section.

(n) With respect to disablements occurring on and after July 1, 1991, compensation for permanent partial impairment shall be paid according to the degree of permanent impairment for the disablement determined under subsection (m) and the following:

(1) With respect to disablements occurring on and after July 1, 1991, and before July 1, 1992, for each degree of permanent impairment from one (1) to thirty-five (35), five hundred dollars ($500) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), nine hundred dollars ($900) per degree; for each degree of permanent impairment above fifty (50), one thousand five hundred dollars ($1,500) per degree.

(2) With respect to disablements occurring on and after July 1, 1992, and before July 1, 1993, for each degree of permanent impairment from one (1) to twenty (20), five hundred dollars ($500) per degree; for each degree of permanent impairment from twenty-one (21) to thirty-five (35), eight hundred dollars ($800) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(3) With respect to disablements occurring on and after July 1, 1993, and before July 1, 1997, for each degree of permanent impairment from one (1) to ten (10), five hundred dollars ($500) per degree; for each degree of permanent impairment from eleven (11) to twenty (20), seven hundred dollars ($700) per degree; for each degree of permanent impairment from twenty-one (21) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(4) With respect to disablements occurring on and after July 1, 1997, and before July 1, 1998, for each degree of permanent impairment from one (1) to ten (10), seven hundred fifty dollars ($750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(5) With respect to disablements occurring on and after July 1, 1998, and before July 1, 1999, for each degree of permanent impairment from one (1) to ten (10), seven hundred fifty dollars ($750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand dollars ($1,000) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment above fifty (50), one thousand seven hundred dollars ($1,700) per degree.

(6) With respect to disablements occurring on and after July 1, 1999, and before July 1, 2000, for each degree of permanent impairment from one (1) to ten (10), nine hundred dollars ($900) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand one hundred dollars ($1,100) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), one thousand six hundred dollars ($1,600) per degree; for each degree of permanent impairment above fifty (50), two thousand dollars ($2,000) per degree.

(7) With respect to disablements occurring on and after July 1, 2000, and before July 1, 2001, for each degree of permanent impairment from one (1) to ten (10), one

thousand one hundred dollars ($1,100) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand dollars ($2,000) per degree; for each degree of permanent impairment above fifty (50), two thousand five hundred fifty dollars ($2,500) per degree.

(8) With respect to disablements occurring on and after July 1, 2001, and before July 1, 2007, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred dollars ($1,300) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred dollars ($1,500) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand four hundred dollars ($2,400) per degree; for each degree of permanent impairment above fifty (50), three thousand dollars ($3,000) per degree.

(9) With respect to disablements occurring on and after July 1, 2007, and before July 1, 2008, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred forty dollars ($1,340) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred forty-five dollars ($1,545) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand four hundred seventy-five dollars ($2,475) per degree; for each degree of permanent impairment above fifty (50), three thousand one hundred fifty dollars ($3,150) per degree.

(10) With respect to disablements occurring on and after July 1, 2008, and before July 1, 2009, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred sixty-five dollars ($1,365) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred seventy dollars ($1,570) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand five hundred twenty-five dollars ($2,525) per degree; for each degree of permanent impairment above fifty (50), three thousand two hundred dollars ($3,200) per degree.

(11) With respect to disablements occurring on and after July 1, 2009, and before July 1, 2010, for each degree of permanent impairment from one (1) to ten (10), one thousand three hundred eighty dollars ($1,380) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand five hundred eighty-five dollars ($1,585) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand six hundred dollars ($2,600) per degree; for each degree of permanent impairment above fifty (50), three thousand three hundred dollars ($3,300) per degree.

(12) With respect to disablements occurring on and after July 1, 2010, and before July 1, 2014, for each degree of permanent impairment from one (1) to ten (10), one thousand four hundred dollars ($1,400) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand six hundred dollars ($1,600) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand seven hundred dollars ($2,700) per degree; for each degree of permanent impairment above fifty (50), three thousand five hundred dollars ($3,500) per degree.

(13) With respect to disablements occurring on and after July 1, 2014, and before July 1, 2015, for each degree of permanent impairment from one (1) to ten (10), one thousand five hundred seventeen dollars ($1,517) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand seven hundred seventeen dollars ($1,717) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), two thousand eight hundred sixty-two dollars ($2,862) per degree; for each degree of permanent impairment above fifty (50), three thousand six hundred eighty-seven dollars ($3,687) per degree.

(14) With respect to disablements occurring on and after July 1, 2015, and before July 1, 2016, for each degree of permanent impairment from one (1) to ten (10), one thousand six hundred thirty-three dollars ($1,633) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand eight hundred thirty-five dollars ($1,835) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand twenty-four dollars ($3,024) per degree; for each degree of permanent impairment above fifty (50), three thousand eight hundred seventy-three dollars ($3,873) per degree.

(15) With respect to disablements occurring on and after July 1, 2016, **and before July 1, 2020,** for each degree of permanent impairment from one (1) to ten (10), one thousand seven hundred fifty dollars ($1,750) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand nine hundred fifty-two dollars ($1,952) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand one hundred eighty-six dollars ($3,186) per degree; for each degree of permanent impairment above fifty (50), four thousand sixty dollars ($4,060) per degree.

(16) With respect to disablements occurring on and after July 1, 2020, and before July 1, 2021, for each degree of permanent impairment from one (1) to ten (10), one thousand seven hundred eighty-five dollars ($1,785) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), one thousand nine hundred ninety-one dollars ($1,991) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand two hundred fifty dollars ($3,250) per degree; for each degree of permanent impairment above fifty (50), four thousand one hundred forty-one dollars ($4,141) per degree.

(17) With respect to disablements occurring on and after July 1, 2021, and before July 1, 2022, for each degree of permanent impairment from one (1) to ten

(10), one thousand eight hundred twenty-one dollars ($1,821) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand thirty-one dollars ($2,031) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand three hundred fifteen dollars ($3,315) per degree; for each degree of permanent impairment above fifty (50), four thousand two hundred twenty-four dollars ($4,224) per degree.

(18) With respect to disablements occurring on and after July 1, 2022, for each degree of permanent impairment from one (1) to ten (10), one thousand eight hundred fifty-seven dollars ($1,857) per degree; for each degree of permanent impairment from eleven (11) to thirty-five (35), two thousand seventy-two dollars ($2,072) per degree; for each degree of permanent impairment from thirty-six (36) to fifty (50), three thousand three hundred eighty-one dollars ($3,381) per degree; for each degree of permanent impairment above fifty (50), four thousand three hundred eight dollars ($4,308) per degree.

(o) The average weekly wages used in the determination of compensation for permanent partial impairment under subsections (m) and (n) shall not exceed the following:

(1) With respect to disablements occurring on or after July 1, 1991, and before July 1, 1992, four hundred ninety-two dollars ($492).

(2) With respect to disablements occurring on or after July 1, 1992, and before July 1, 1993, five hundred forty dollars ($540).

(3) With respect to disablements occurring on or after July 1, 1993, and before July 1, 1994, five hundred ninety-one dollars ($591).

(4) With respect to disablements occurring on or after July 1, 1994, and before July 1, 1997, six hundred forty-two dollars ($642).

(5) With respect to disablements occurring on or after July 1, 1997, and before July 1, 1998, six hundred seventy-two dollars ($672).

(6) With respect to disablements occurring on or after July 1, 1998, and before July 1, 1999, seven hundred two dollars ($702).

(7) With respect to disablements occurring on or after July 1, 1999, and before July 1, 2000, seven hundred thirty-two dollars ($732).

(8) With respect to disablements occurring on or after July 1, 2000, and before July 1, 2001, seven hundred sixty-two dollars ($762).

(9) With respect to disablements occurring on or after July 1, 2001, and before July 1, 2002, eight hundred twenty-two dollars ($822).

(10) With respect to disablements occurring on or after July 1, 2002, and before July 1, 2006, eight hundred eighty-two dollars ($882).

(11) With respect to disablements occurring on or after July 1, 2006, and before July 1, 2007, nine hundred dollars ($900).

(12) With respect to disablements occurring on or after July 1, 2007, and before July 1, 2008, nine hundred thirty dollars ($930).

(13) With respect to disablements occurring on or after July 1, 2008, and before July 1, 2009, nine hundred fifty-four dollars ($954).

(14) With respect to disablements occurring on or after July 1, 2009, and before July 1, 2014, nine hundred seventy-five dollars ($975).

(15) With respect to disablements occurring on or after July 1, 2014, and before July 1, 2015, one thousand forty dollars ($1,040).

(16) With respect to disablements occurring on or after July 1, 2015, and before July 1, 2016, one thousand one hundred five dollars ($1,105).

(17) With respect to disablements occurring on or after July 1, 2016, **and before July 1, 2020,** one thousand one hundred seventy dollars ($1,170).

(18) With respect to disablements occurring on or after July 1, 2020, and before July 1, 2021, one thousand one hundred ninety-three dollars ($1,193).

(19) With respect to disablements occurring on or after July 1, 2021, and before July 1, 2022, one thousand two hundred seventeen dollars ($1,217).

(20) With respect to disablements occurring on or after July 1, 2022, one thousand two hundred forty-one dollars ($1,241).

(p) If any employee, only partially disabled, refuses employment suitable to the employee's capacity procured for the employee, the employee shall not be entitled to any compensation at any time during the continuance of such refusal unless, in the opinion of the worker's compensation board, such refusal was justifiable. The employee must be served with a notice setting forth the consequences of the refusal under this subsection. The notice must be in a form prescribed by the worker's compensation board.

(q) If an employee has sustained a permanent impairment or disability from an accidental injury other than an occupational disease in another employment than that in which the employee suffered a subsequent disability from an occupational disease, such as herein specified, the employee shall be entitled to compensation for the subsequent disability in the same amount as if the previous impairment or disability had not occurred. However, if the permanent impairment or disability resulting from an occupational disease for which compensation is claimed results only in the aggravation or increase of a previously sustained permanent impairment from an occupational disease or physical condition regardless of the source or cause of such previously sustained impairment from an occupational disease or physical condition, the board shall determine the extent of the previously sustained permanent impairment from an occupational disease or physical condition as well as the extent of the aggravation or increase resulting from the subsequent permanent impairment or disability, and shall award compensation only for that part of said occupational disease or physical condition resulting from the subsequent permanent impairment. An amputation of any part of the body or loss of any or all of the vision of one (1) or both eyes caused by an occupational disease shall be considered as a permanent impairment or physical

condition.

(r) If an employee suffers a disablement from an occupational disease for which compensation is payable while the employee is still receiving or entitled to compensation for a previous injury by accident or disability by occupational disease in the same employment, the employee shall not at the same time be entitled to compensation for both, unless it be for a permanent injury, such as specified in subsection (m)(1), (m)(4), (m)(5), (m)(8), or (m)(9), but the employee shall be entitled to compensation for that disability and from the time of that disability which will cover the longest period and the largest amount payable under this chapter.

(s) If an employee receives a permanent disability from an occupational disease such as specified in subsection (m)(1), (m)(4), (m)(5), (m)(8), or (m)(9) after having sustained another such permanent disability in the same employment the employee shall be entitled to compensation for both such disabilities, but the total compensation shall be paid by extending the period and not by increasing the amount of weekly compensation and, when such previous and subsequent permanent disabilities, in combination result in total permanent disability or permanent total impairment, compensation shall be payable for such permanent total disability or impairment, but payments made for the previous disability or impairment shall be deducted from the total payment of compensation due.

(t) When an employee has been awarded or is entitled to an award of compensation for a definite period from an occupational disease wherein disablement occurs on and after April 1, 1963, and such employee dies from other causes than such occupational disease, payment of the unpaid balance of such compensation not exceeding three hundred fifty (350) weeks shall be paid to the employee's dependents of the second and third class as defined in sections 11 through 14 of this chapter and compensation, not exceeding five hundred (500) weeks shall be made to the employee's dependents of the first class as defined in sections 11 through 14 of this chapter.

(u) Any payment made by the employer to the employee during the period of the employee's disability, or to the employee's dependents, which, by the terms of this chapter, was not due and payable when made, may, subject to the approval of the worker's compensation board, be deducted from the amount to be paid as compensation, but such deduction shall be made from the distal end of the period during which compensation must be paid, except in cases of temporary disability.

(v) When so provided in the compensation agreement or in the award of the worker's compensation board, compensation may be paid semimonthly, or monthly, instead of weekly.

(w) When the aggregate payments of compensation awarded by agreement or upon hearing to an employee or dependent under eighteen (18) years of age do not exceed one hundred dollars ($100), the payment thereof may be made directly to such employee or dependent, except when the worker's compensation board shall order otherwise.

(x) Whenever the aggregate payments of compensation, due to any person under eighteen (18) years of age, exceed one hundred dollars ($100), the payment thereof shall be made to a trustee, appointed by the circuit or superior court, or to a duly qualified guardian, or, upon the order of the worker's compensation board, to a parent or to such minor person. The payment of compensation, due to any person eighteen (18) years of age or over, may be made directly to such person.

(y) If an employee, or a dependent, is mentally incompetent, or a minor at the time when any right or privilege accrues to the employee under this chapter, the employee's guardian or trustee may, in the employee's behalf, claim and exercise such right and privilege.

(z) All compensation payments named and provided for in this section, shall mean and be defined to be for only such occupational diseases and disabilities therefrom as are proved by competent evidence, of which there are or have been objective conditions or symptoms proven, not within the physical or mental control of the employee.".

Delete pages 37 through 50.

Page 51, delete lines 1 through 19.

Page 51, line 28, delete "outpatient".

Page 52, line 8, delete "outpatient".

Page 52, line 12, delete "outpatient".

Page 52, line 16, delete "outpatient".

Page 52, line 30, delete "outpatient".

Page 52, line 32, delete "outpatient".

Page 52, line 34, delete "outpatient".

Page 52, line 37, delete "outpatient".

Page 52, line 40, delete "." and insert "**.**".

Renumber all SECTIONS consecutively.

(Reference is to EHB 1332 as printed February 28, 2020.)

BOOTS

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1341

Senator Kruse called up Engrossed House Bill 1341 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1353

Senator Bassler called up Engrossed House Bill 1353 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1385

Senator Glick called up Engrossed House Bill 1385 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

Engrossed House Bill 1392

Senator Charbonneau called up Engrossed House Bill 1392 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1392–1)

Madam President: I move that Engrossed House Bill 1392 be amended to read as follows:

Page 4, line 39, after "has" insert "**, or has had,**".

(Reference is to EHB 1392 as printed February 28, 2020.)

CHARBONNEAU

Motion prevailed. The bill was ordered engrossed.

Engrossed House Bill 1414

Senator Messmer called up Engrossed House Bill 1414 for second reading. The bill was read a second time by title.

SENATE MOTION
(Amendment 1414–2)

Madam President: I move that Engrossed House Bill 1414 be amended to read as follows:
Page 3, delete lines 27 through 41.
(Reference is to EHB 1414 as printed February 28, 2020.)

MESSMER

Motion prevailed.

SENATE MOTION
(Amendment 1414–1)

Madam President: I move that Engrossed House Bill 1414 be amended to read as follows:
Page 1, delete lines 1 through 17.
Page 2, delete lines 1 through 34.
Renumber all SECTIONS consecutively.
(Reference is to EHB 1414 as printed February 28, 2020.)

J.D. FORD

Upon request of Senator J.D. Ford the President ordered the roll of the Senate to be called. Roll Call 267: yeas 10, nays 38.

Motion failed. The bill was ordered engrossed.

Engrossed House Bill 1419

Senator Raatz called up Engrossed House Bill 1419 for second reading. The bill was read a second time by title. There being no amendments, the bill was ordered engrossed.

MOTIONS TO DISSENT FROM HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 10 and that a conference committee be appointed to confer with a like committee of the House.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 80 and that a conference committee be appointed to confer with a like committee of the House.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 438 and that a conference committee be appointed to confer with a like committee of the House.

LEISING

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 60

Senate Resolution 60, introduced by Senator Merritt:

A SENATE RESOLUTION urging the legislative council to assign to an appropriate study committee the task of analyzing changes to local governments and the criminal justice system resulting from HEA 1006-2013 and HEA 1006-2014.

Whereas, The Indiana General Assembly enacted HEA 1006 in 2013 and 2014 in an effort to overhaul Indiana's criminal code;

Whereas, These efforts were the culmination of a five year study to make Indiana's criminal code consistent, proportional, and effective;

Whereas, Change to the Indiana criminal code may have a deep and lasting impact on Indiana's criminal justice system and local governments, thereby affecting the lives of Hoosiers for years to come;

Whereas, The number of Level 6 felons confined in county jails across the state increased from an average of 310 per year in 2015 to an average of 2,550 in 2019;

Whereas, The department of correction has closed two facilities since 2015; and

Whereas, Many questions have been raised concerning the effect that HEA 1006 has had on state and local communities: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the legislative council is urged to assign to an appropriate study committee the task of analyzing changes to local governments and the criminal justice system resulting from HEA 1006-2013 and HEA 1006-2014.

SECTION 2. That, if the legislative council assigns the topic described in SECTION 1 to an appropriate interim study committee, the study committee shall consider the following issues concerning county jails:

(1) Whether county sheriffs have had to add deputies and jail employees because of increased jail populations.

(2) Whether current revenue from property taxes and

reimbursements from county jail maintenance contingency funds adequately cover the costs of confining both the Level 6 felons who were diverted to county jails and the other population in county jails.

SECTION 3. That, if the legislative council assigns the topic described in SECTION 1 to an appropriate interim study committee, the study committee shall consider the following issues concerning the department of correction:

(1) Whether the department of correction has adequate capacity for its offender population.

(2) Whether the number of persons sentenced for Class C and Class D felonies before the enactment of HEA 1006-2013 and HEA 1006-2014 changed after these crimes were reclassified as Level 5 and Level 6 felonies by HEA 1006-2013 and HEA 1006-2014.

(3) How recidivism is measured and whether recidivism rates have changed since enactment of HEA 1006-2013 and HEA 1006-2014.

(4) Whether addiction services, behavioral modification classes, and educational opportunities for Level 6 felons are best provided by county jails or by the department of correction.

SECTION 4. That the Secretary of the Senate is hereby directed to transmit a copy of this resolution to the office of State Senator James W. Merritt Jr.

The resolution was read in full and referred to the Committee on Corrections and Criminal Law.

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Monday, March 2, 2020, signed Senate Enrolled Acts: 139, 180, 181, 197, 238, 249, 288, and 358.

RODRIC D. BRAY
President Pro Tempore

SENATE MOTION

Madam President: I move that Senator Buchanan be added as second sponsor of Engrossed House Bill 1002.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1002.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1003.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1004.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second sponsor of Engrossed House Bill 1006.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1006.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1015.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Glick be added as cosponsor of Engrossed House Bill 1043.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1043.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as second sponsor of Engrossed House Bill 1045.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1063.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buchanan be added as second sponsor of Engrossed House Bill 1066.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as second sponsor of Engrossed House Bill 1094.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1094.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1111.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1120.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1148.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Perfect be added as second sponsor of Engrossed House Bill 1151.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1151.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1153.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1157.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1182.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Garten be added as second sponsor of Engrossed House Bill 1209.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1209.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as cosponsor of Engrossed House Bill 1225.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1225.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Perfect be added as second sponsor of Engrossed House Bill 1244.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1244.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1246.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as cosponsor of Engrossed House Bill 1279.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1283.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1305.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as second sponsor of Engrossed House Bill 1313.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1313.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1326.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1332.

BOOTS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1341.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crider be added as second sponsor of Engrossed House Bill 1385.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Tallian be added as cosponsor of Engrossed House Bill 1385.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Lonnie M. Randolph be added as cosponsor of Engrossed House Bill 1419.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 10:00 a.m., Tuesday, March 3, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 6:53 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Twenty-Sixth Meeting Day Tuesday Morning March 3, 2020

The Senate convened at 10:13 a.m., with the President Pro Tempore of the Senate, Rodric D. Bray, in the Chair.

Prayer was offered by Senator James A. Tomes.

The Pledge of Allegiance to the Flag was led by Senator Tomes.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 268 present 50; excused 0. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that, pursuant to Senate Rule 76, I have received permission from Senator Bassler for Senator Zay to call House Bill 1353 on third reading on March 3, 2020.

BRAY

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Madam President: I hereby report that, pursuant to Senate Rule 76, I have received permission from Senator Bassler for Senator Zay to call House Bill 1372 on third reading on March 3, 2020.

BRAY

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SCR 63 Senator Merritt
Recognizing ATT Indiana.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 63

Senate Concurrent Resolution 63, introduced by Senator Merritt:

A CONCURRENT RESOLUTION recognizing ATT Indiana for 100 years of connectivity and technological innovation in the State of Indiana.

Whereas, Indiana Bell, now known as AT&T Indiana, was founded in 1920 to centrally operate telephone exchanges of the Bell Telephone System in Indiana;

Whereas, AT&T Indiana's roots can be traced to the last quarter of the 19th century following Alexander Graham Bell's 1876 invention of the telephone and the birth of phone service in Indiana;

Whereas, In 1968, the company introduced the Bell System's first 9-1-1 emergency calling system, which connected emergency callers to a central dispatcher serving fire, police, and rescue agencies;

Whereas, After the 1984 Bell System Divestiture, Indiana Bell became a part of Ameritech, one of the seven original Regional Bell Operating Companies;

Whereas, In 1991, Indiana Bell, through its Ameritech parent, was among the first telecommunications operations in the country to be involved with experiments to transmit telephone

and cable TV signals to homes over the same fiberoptic lines in Columbus, Indiana;

Whereas, AT&T Indiana is a valued company in the State of Indiana which annually invests over $400 million in Indiana networks and employs over 3,100 hard-working Hoosiers;

Whereas, By continuing to build state-of-the-art infrastructure in Indiana, AT&T is making business growth possible and assuring that residents have the tools to stay connected and entertained;

Whereas, AT&T has pioneered technological advancements for public safety from the first 9-1-1 calling system to FirstNet, public safety's first dedicated nationwide communications platform;

Whereas, AT&T is committed to rural Indiana by serving tens of thousands of rural Hoosiers; and

Whereas, From the implementation of the first telephone innovations to the future of 5G wireless networks, AT&T Indiana is a leader in advancing technology for the Hoosier state: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes AT&T Indiana for 100 years of connectivity and technological innovation in the State of Indiana, and wishes the company continued success for years to come.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Matt Long, Director of External Affairs for AT&T Indiana.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Manning.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 49 and 50 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bills 230, 254, 343, 406, and 410 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 44 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, with amendments, Engrossed Senate Bills 25, 179, 206, 295, 334, 340, 346, 398, and 427 and the same are herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS
Principal Clerk of the House

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1002

Senator Raatz called up Engrossed House Bill 1002 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 269: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1003

Senator Raatz called up Engrossed House Bill 1003 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 270: yeas 39, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1004

Senator Charbonneau called up Engrossed House Bill 1004 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 271: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1006

Senator Charbonneau called up Engrossed House Bill 1006 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning alcohol and tobacco.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 272: yeas 39, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1008

Senator Messmer called up Engrossed House Bill 1008 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 273: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1015

Senator Sandlin called up Engrossed House Bill 1015 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 274: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1042

Senator L. Brown called up Engrossed House Bill 1042 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 275: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1043

Senator Boots called up Engrossed House Bill 1043 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 276: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1045

Senator Glick called up Engrossed House Bill 1045 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning military and veterans.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 277: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1049

Senator Holdman called up Engrossed House Bill 1049 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning business and other associations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 278: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1052

Senator Charbonneau called up Engrossed House Bill 1052 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 279: yeas 41, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1059

Senator Doriot called up Engrossed House Bill 1059 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 280: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1063

Senator Doriot called up Engrossed House Bill 1063 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning pensions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 281: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

MOTIONS TO DISSENT FROM HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 237 and that a conference committee be appointed to confer with a like committee of the House.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 258 and that a conference committee be appointed to confer with a like committee of the House.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 295 and that a conference committee be appointed to confer with a like committee of the House.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 299 and that a conference committee be appointed to confer with a like committee of the House.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 340 and that a conference committee be appointed to confer with a like committee of the House.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 398 and that a conference committee be appointed to confer with a like committee of the House.

RAATZ

Motion prevailed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1065

Senator Holdman called up Engrossed House Bill 1065 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 282: yeas 31, nays 19. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1066

Senator Raatz called up Engrossed House Bill 1066 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 283: yeas 42, nays 8. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

MOTIONS TO DISSENT FROM HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 346 and that a conference committee be appointed to confer with a like committee of the House.

HOUCHIN

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 383 and that a conference committee be appointed to confer with a like committee of the House.

G. TAYLOR

Motion prevailed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1094

Senator Glick called up Engrossed House Bill 1094 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 284: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1108

Senator Bassler called up Engrossed House Bill 1108 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 285: yeas 47, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1111

Senator Ruckelshaus called up Engrossed House Bill 1111 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 286: yeas 48, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1113

Senator Bassler called up Engrossed House Bill 1113 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning taxation.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 287: yeas 45, nays 5. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

MOTIONS TO DISSENT FROM HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 246 and that a conference committee be appointed to confer with a like committee of the House.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as cosponsor of Engrossed House Bill 1002.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Spartz be added as cosponsor of Engrossed House Bill 1004.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Spartz be added as cosponsor of Engrossed House Bill 1008.

MESSMER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as cosponsor of Engrossed House Bill 1015.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as cosponsor of Engrossed House Bill 1015.

SANDLIN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as cosponsor of Engrossed House Bill 1042.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Spartz be added as cosponsor of Engrossed House Bill 1042.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Crane and Spartz be added as cosponsors of Engrossed House Bill 1045.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as cosponsor of Engrossed House Bill 1063.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be added as cosponsor of Engrossed House Bill 1063.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Sandlin be added as cosponsor of Engrossed House Bill 1063.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as third sponsor of Engrossed House Bill 1066.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as third sponsor of Engrossed House Bill 1094.

GLICK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Rogers be added as cosponsor of Engrossed House Bill 1131.

GARTEN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Niezgodski be added as cosponsor of Engrossed House Bill 1279.

MISHLER

Motion prevailed.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1120

Senator Koch called up Engrossed House Bill 1120 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning corrections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 288: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1131

Senator Garten called up Engrossed House Bill 1131 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 289: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1132

Senator Freeman called up Engrossed House Bill 1132 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 290: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1148

Senator Jon Ford called up Engrossed House Bill 1148 for third reading:

A BILL FOR AN ACT concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 291: yeas 48, nays 2. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1151

Senator Boots called up Engrossed House Bill 1151 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 292: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1153

Senator Raatz called up Engrossed House Bill 1153 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 293: yeas 44, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1157

Senator Freeman called up Engrossed House Bill 1157 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 294: yeas 37, nays 13. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1174

Senator Crider called up Engrossed House Bill 1174 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 295: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 438:
Conferees: Leising, Chair and Lanane
Advisors: Glick and G. Taylor

BRAY
Date: 3/3/20
Time: 11:41 a.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has

appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 10:
Conferees: Boots, Chair and Tallian
Advisors: Doriot, Niezgodski, and Garten

BRAY
Date: 3/3/20
Time: 11:26 a.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 80:
Conferees: M. Young, Chair and G. Taylor
Advisors: Freeman and Lonnie M. Randolph

BRAY
Date: 3/3/20
Time: 11:25 a.m.

Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolution 45 and the same is herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 52 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1176

Senator Ruckelshaus called up Engrossed House Bill 1176 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 296: yeas 47, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1182

Senator Becker called up Engrossed House Bill 1182 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 297: yeas 36, nays 14. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1207

Senator Grooms called up Engrossed House Bill 1207 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 298: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1209

Senator Crider called up Engrossed House Bill 1209 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 299: yeas 49, nays 1. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1222

Senator Walker called up Engrossed House Bill 1222 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning elections.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 300: yeas 37, nays 13. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1225

Senator Messmer called up Engrossed House Bill 1225 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety and public safety officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 301: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1235

Senator Crider called up Engrossed House Bill 1235 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning public safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 302: yeas 39, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1244

Senator Boots called up Engrossed House Bill 1244 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 303: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1246

Senator Crider called up Engrossed House Bill 1246 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning motor vehicles.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 304: yeas 44, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1264

Senator Houchin called up Engrossed House Bill 1264 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 305: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1265

Senator Lonnie M. Randolph called up Engrossed House Bill 1265 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning health.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 306: yeas 50, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1279

Senator Mishler called up Engrossed House Bill 1279 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning state and local administration.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 307: yeas 43, nays 7. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1283

Senator Rogers called up Engrossed House Bill 1283 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 308: yeas 42, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 299:
Conferees: L. Brown, Chair and Breaux
Advisors: Rogers, Tallian, Zay, and J.D. Ford

BRAY
Date: 3/3/20
Time: 1:59 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 258:
Conferees: Koch, Chair and Mrvan
Advisors: Crider and Melton

BRAY
Date: 3/3/20
Time: 2:19 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 237:
Conferees: L. Brown, Chair and Lanane
Advisors: Bohacek, Tallian, and Tomes

BRAY
Date: 3/3/20
Time: 2:07 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 295:
Conferees: Raatz, Chair and Melton
Advisors: Rogers, Stoops, and Crane

BRAY
Date: 3/3/20
Time: 2:20 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 383:
Conferees: Houchin, Chair and G. Taylor
Advisors: Crane and Melton

BRAY
Date: 3/3/20
Time: 2:22 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 398:
Conferees: Raatz, Chair and Stoops
Advisors: Rogers and Mrvan

BRAY
Date: 3/3/20
Time: 2:04 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 346:
Conferees: Houchin, Chair and Stoops
Advisors: Rogers and Mrvan

BRAY
Date: 3/3/20
Time: 2:02 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 340:
Conferees: Spartz, Chair and G. Taylor
Advisors: Koch, Lonnie M. Randolph, Buck, and Mrvan

BRAY
Date: 3/3/20
Time: 2:00 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 246:
Conferees: Crider, Chair and Mrvan
Advisors: Merritt, Lonnie M. Randolph, Becker, and J.D. Ford

BRAY
Date: 3/3/20
Time: 1:58 p.m.

Report adopted.

ENGROSSED HOUSE BILLS ON THIRD READING

Engrossed House Bill 1305

Senator Doriot called up Engrossed House Bill 1305 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 309: yeas 42, nays 6. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1309

Senator Messmer called up Engrossed House Bill 1309 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning environmental law.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 310: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1313

Senator Koch called up Engrossed House Bill 1313 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning courts and court officers.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 311: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1326

Senator Crider called up Engrossed House Bill 1326 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning human services.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 312: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1332

Senator Boots called up Engrossed House Bill 1332 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning labor and safety.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 313: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1341

Senator Kruse called up Engrossed House Bill 1341 for third reading:

A BILL FOR AN ACT concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 314: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1353

Senator Zay called up Engrossed House Bill 1353 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning financial institutions.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 315: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1372

Senator Zay called up Engrossed House Bill 1372 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning insurance.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 316: yeas 45, nays 3. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1385

Senator Glick called up Engrossed House Bill 1385 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning natural and cultural resources.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 317: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1392

Senator Charbonneau called up Engrossed House Bill 1392 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning professions and occupations.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 318: yeas 48, nays 0. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1414

Senator Messmer called up Engrossed House Bill 1414 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning utilities.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 319: yeas 37, nays 11. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

Engrossed House Bill 1419

Senator Raatz called up Engrossed House Bill 1419 for third reading:

A BILL FOR AN ACT to amend the Indiana Code concerning education.

The bill was read a third time by sections and placed upon its passage. The question was, Shall the bill pass?

Roll Call 320: yeas 37, nays 9. The bill was declared passed. The question was, Shall the title of the bill remain the title of the act? There being no objection, it was so ordered. The Chair instructed the Secretary to inform the House of the passage of the bill.

SENATE MOTION

Madam President: I move that Senator Buck be added as cosponsor of Engrossed House Bill 1111.

RUCKELSHAUS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as cosponsor of Engrossed House Bill 1153.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Merritt be added as cosponsor of Engrossed House Bill 1182.

BECKER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as cosponsor of Engrossed House Bill 1207.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Leising be added as cosponsor of Engrossed House Bill 1207.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Buck be added as cosponsor of Engrossed House Bill 1279.

MISHLER

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as cosponsor of Engrossed House Bill 1283.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be added as cosponsor of Engrossed House Bill 1341.

KRUSE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Leising, Buck, and Rogers be added as cosponsors of Engrossed House Bill 1392.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Perfect be added as cosponsor of Engrossed House Bill 1419.

RAATZ

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Wednesday, March 4, 2020.

MESSMER

Motion prevailed.

The Senate adjourned at 3:43 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Twenty-Seventh Meeting Day Wednesday Afternoon March 4, 2020

The Senate convened at 1:36 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Pastor Daron Day from New Palestine Bible Church.

The Pledge of Allegiance to the Flag was led by Senator Michael R. Crider.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops ▶
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 321: present 49; excused 1. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

MOTIONS TO DISSENT FROM HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 132 and that a conference committee be appointed to confer with a like committee of the House.

CRIDER

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 148 and that a conference committee be appointed to confer with a like committee of the House.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 190 and that a conference committee be appointed to confer with a like committee of the House.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 229 and that a conference committee be appointed to confer with a like committee of the House.

SPARTZ

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 241 and that a conference committee be appointed to confer with a like committee of the House.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 243 and that a conference committee be appointed to confer with a like committee of the House.

L. BROWN

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 256 and that a conference

committee be appointed to confer with a like committee of the House.

KOCH

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 335 and that a conference committee be appointed to confer with a like committee of the House.

M. YOUNG

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 350 and that a conference committee be appointed to confer with a like committee of the House.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 367 and that a conference committee be appointed to confer with a like committee of the House.

NIEMEYER

Motion prevailed.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SCR 64 Senator Merritt
Honoring Lisa H. Kobe.

HCR 44 Senator J.D. Ford
Recognizing teachers and the work they do.

SR 64 Senator L. Brown
Recognizing the AAA School Safety Patrol Program.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 64

Senate Concurrent Resolution 64, introduced by Senator Merritt:

A CONCURRENT RESOLUTION honoring Lisa H. Kobe upon her retirement.

Whereas, Lisa H. Kobe will retire from Duke Energy on June 1, 2020, after 33 years of service to the company and its predecessors, PSI Energy and Public Service Indiana;

Whereas, Lisa joined Public Service Indiana in 1987 as a government affairs professional and has represented the company in the state legislature throughout her career;

Whereas, Lisa began her working life as an intern for the Indiana House of Representatives during the 1977 legislative session, and served two additional years as a member of the House staff;

Whereas, Lisa has been involved in every session of the Indiana General Assembly since 1977, and has brought to her work a deep understanding of the state legislature as well as the industries she represented;

Whereas, As a lobbyist for the Indiana Chamber of Commerce, Lisa advocated for the creation of the Indiana Department of Environmental Management, and later served as IDEM's first Director of Legislative Affairs and Communications;

Whereas, A tireless advocate for the electric industry, Lisa was awarded Duke Energy's highest honor, the James B. Duke Award, for her career achievements;

Whereas, Lisa has been a long-time board member of the Lugar Excellence in Public Service Series, providing leadership training experience that encourages, mentors, and prepares women leaders across Indiana to seek new levels of personal achievement and public involvement;

Whereas, Lisa has worked diligently over the course of her career to build trusting and bipartisan relationships with state legislators to achieve consensus on complex issues; and

Whereas, Lisa Kobe's retirement leaves a void in the Statehouse that will be difficult to fill: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates Lisa H. Kobe on the occasion of her retirement.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Lisa H. Kobe.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Sherman.

House Concurrent Resolution 44

House Concurrent Resolution 44, sponsored by Senator J.D. Ford:

A CONCURRENT RESOLUTION recognizing teachers and the work they do.

Whereas, Education and knowledge make up the foundation of the current and future strength of the United States and the state of Indiana;

Whereas, Teachers and education staff have earned the respect of fellow Hoosiers for their selfless dedication to students and their communities;

Whereas, Teachers help mold future citizens through guidance and education;

Whereas, Teachers encounter students of widely differing backgrounds;

Whereas, The future of Indiana and the United States depends upon providing quality education to all students;

Whereas, Teachers spend countless hours preparing lessons, evaluating progress, counseling and coaching students, and performing community service;

Whereas, Hoosiers across Indiana recognize and support teachers in educating Hoosier children; and

Whereas, The purpose of Teacher Appreciation Week, celebrated from May 3, 2020, to May 9, 2020, is to raise public awareness of the contributions of teachers, and to promote greater respect and understanding for the teaching profession: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes teachers and the work they do.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to State Representative Tonya Pfaff for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

Senate Resolution 64

Senate Resolution 64, introduced by Senator L. Brown:

A SENATE RESOLUTION recognizing 100 years of the AAA School Safety Patrol Program.

Whereas, The American Automobile Association (AAA) School Safety Patrol Program has protected Indiana students for 100 years;

Whereas, Established by AAA in 1920, School Safety Patrollers serve as volunteers to provide support to adult crossing guards and traffic officers at pedestrian crossings, car pool drop-off areas, and bus loading and unloading zones;

Whereas, School Safety Patrols are trained to recognize traffic safety and other hazards to assist in keeping fellow classmates safe on their journeys to and from school;

Whereas, Today, the AAA School Safety Patrol Program has 679,000 Patrollers in 35,000 schools across North America and 30 countries, and the Program has been critical to reducing injuries and fatalities among school children ages 5 to 14;

Whereas, The presence of a AAA School Safety Patrol wearing the familiar fluorescent yellow belt and badge is a nationally recognized symbol alerting motorists to drive carefully as school children are in the area;

Whereas, The School Safety Patrol Program embodies AAA's mission of providing safety and security to the motoring public; and

Whereas, The AAA School Safety Patrol Program is a critical program that has saved the lives of countless Hoosier students: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate recognizes 100 years of the AAA School Safety Program.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the AAA Hoosier Motor Club.

The resolution was read in full and adopted by voice vote.

SENATE MOTION

Madam President: I move that the following memorial resolutions be adopted:

HCR 45 Senator Zay
Honoring Eugene Heckman.
SR 63 Senator Sandlin
Memorializing Danny Masters.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 45

House Concurrent Resolution 45, sponsored by Senator Zay:

A CONCURRENT RESOLUTION honoring Eugene Heckman.

Whereas, Eugene Joseph Heckman, 80, passed away Friday, January 24, 2020, at Parkview Regional Medical Center, Fort Wayne;

Whereas, Heckman served as Thorncreek Township Trustee since 1971;

Whereas, Heckman was born on October 30, 1939, in Thorncreek Twp., Whitley County, to Joseph H. and Grace Heckman and graduated from Columbia City High School in 1957 before joining the U.S. Air Force, 122nd Air National Guard Unit;

Whereas, Heckman was deployed to both France and North Africa during the time of the Berlin Wall Crisis, and in November 1963 was honorably discharged;

Whereas, Heckman married Karen Rose VanDeman June 21, 1959, and they called Tri-Lakes their home;

Whereas, In 1971 he bought his father's company, Heckman's Sani-Service, providing solid trash removal, and operated the business until he sold it in 1991;

Whereas, 1971 was the year he was elected Thorncreek Township Trustee, finding his calling in life by serving the people of the community. He was responsible for the operation of the township's public services, including the Thorncreek Twp. School, the Fire Department, cemeteries, and poor assistance, and was key in the Tri-Lake Regional Sewer District;

Whereas, Heckman served on the Whitley County School Board for 24 years;

Whereas, A founding member of the Tri-Lakes Baptist Church, Heckman served as a deacon and superintendent. As a member of Gideons International, he helped distribute Bibles throughout the area. He was a member of the National Solid Waste Association Council for ten years and served as President from 1993 to 1994;

Whereas, His service in government allowed him to meet President George W. Bush, Senator Richard Lugar, Governor Otis Bowen, Vice-President Dan Quayle, and others;

Whereas, Heckman is survived by his wife of 60 years, Karen; three sons, David Heckman, Daniel Heckman, and Bruce Beals; grandchildren, Katrina Straub, Hannah Heckman, Moriah Heckman, Jason Shoemaker, Richard Shoemaker, and Jaime Peppler; nine great-grandchildren; and a brother, Gary Heckman; and

Whereas, Heckman was preceded in death by a sister, Carolyn Boyd, and a great-grandson, Peyton Shoemaker: Therefore,

Be it resolved by the House of Representatives
of the General Assembly of the State of Indiana,
the Senate concurring:

SECTION 1. The Indiana General Assembly honors and recognizes Eugene Heckman.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to Representative Christopher Judy for distribution.

The resolution was read in full and adopted by standing vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

Senate Resolution 63

Senate Resolution 63, introduced by Senators Sandlin, Tomes, and Freeman:

A SENATE RESOLUTION memorializing Danny Masters.

Whereas, Danny Charles Masters of Edmond, Oklahoma, passed away February 25, 2020, following an extended illness;

Whereas, Danny was born in Olustee, Oklahoma, on December 15, 1943, to R.B. and Betty Ruth Masters;

Whereas, Growing up, Danny became involved in the family business of custom harvesting, where he learned the value of hard work, and he participated in FFA and 4-H, where he enjoyed showing steers and competing in 4-H speech contests;

Whereas, Danny was the salutatorian of the 1962 graduating class at Duke High School in Duke, Oklahoma, before attending Oklahoma City University, where he graduated with a degree in philosophy;

Whereas, In 1969, Danny joined the United States Marine Corps where he served with the rank of Captain;

Whereas, A true patriot, Danny's military service took him to Cuba, where he learned to scuba dive;

Whereas, After his military service, Danny attended graduate school at The University of Oklahoma to study public health;

Whereas, Danny's graduate work led him to a position working with the Oklahoma State Department of Health in the Office of the Commissioner, and during that time Danny also began running the family-owned University Park Apartments in Weatherford, Oklahoma, which he continued to do for more than 30 years;

Whereas, In 1982, Danny married Elaine Roubik, and Danny began a new role raising his new teenage children, Geoff and Andrea;

Whereas, In 1986, Danny, with his long-time friend and business partner, Steve Wilson, became a co-owner/operator of the World Class Gun Show, which operated the Indy 1500 Gun and Knife Show annually in Indianapolis;

Whereas, After Elaine's passing to cancer in 1996, Danny married Dianna Giles in 2005, and together they enjoyed the blessings of a blended family through nearly 15 years of marriage;

Whereas, Danny enjoyed public service and volunteerism, and served as a board member for The Oklahoma Foundation for the Disabled, on the Executive Board of Directors for the Oklahoma City University Alumni, and was a contributor to the "Race with the Stars" event that supports nursing scholarships for the Oklahoma City University Kramer School of Nursing;

Whereas, Danny had many hobbies, including hunting, fishing, reading, and visiting with friends and family, but he most enjoyed being a grandpa and papa to his 7 grandchildren;

Whereas, Danny is survived by his wife, Dianna, his son, Geoff, his daughters, Andrea, Amy, and Erin, his two sisters, Robetha and Brenda, and his seven grandchildren; and

Whereas, Danny Masters will be remembered for his passion for public service, his infectious positivity and smile, and love of family: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate memorializes Danny Masters.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the family of Danny Masters.

The resolution was read in full and adopted by standing vote.

Senate Resolution 58

Senate Resolution 58, introduced by Senators Tallian, Lanane, Breaux, J.D. Ford, Melton, Mrvan, Niezgodski, Lonnie M. Randolph, Stoops, and G. Taylor:

A SENATE RESOLUTION to recognize and honor the Senate Democratic Caucus Interns for their service during the Second Regular Session of the One Hundred Twenty First Indiana General Assembly.

Whereas, The following have served as legislative interns for the Democratic Caucus of the State Senate of Indiana during the Second Regular Session of the One Hundred Twenty First Indiana General Assembly: Paige Bragg, La'Kendra Deitche, Marihelen Gallagher, Robin Graber, Kelly Hansen, Blake Hesch, Jalen E. Jones, Tiffany A. Keown, Ashley A. Lopez Gonzalez, Julianne Miller, Madeline Richmond, Evan Robbins, and Lucille Uffelman;

Whereas, The interns of the Senate Democratic Caucus represent nine universities throughout Indiana, including Butler University, Purdue Fort Wayne University, DePauw University, Indiana University - Purdue University Indianapolis, Indiana University - Bloomington, Ball State University, Indiana University - South East, Indiana University - McKinney School of Law, and Indiana State University, along with representation from Kalamazoo College;

Whereas, The conscientious and diligent efforts of the interns enabled a more effective and efficient State Senate this legislative session;

Whereas, The Interns' dedication and hard work enabled the Senators of the Democratic Caucus to better represent and serve their constituents in a prompt and respectful manner; and

Whereas, The work of the Democratic interns is integral to the success of the Indiana General Assembly: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate hereby expresses its deep appreciation to the Senate Democratic Caucus interns.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to all of the Senate Democratic Caucus interns.

1:49 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 1:52 p.m., with the President of the Senate in the Chair.

The resolution was read in full and adopted by voice vote.

Senate Resolution 45

Senate Resolution 45, introduced by Senators Merritt and Messmer:

A SENATE RESOLUTION honoring the 2020 Senate Majority Caucus interns and thanking them for their service to the Indiana General Assembly.

Whereas, Throughout the Second Regular Session of the 121st Indiana General Assembly, the Senate Majority Caucus interns have provided the Senators of the Republican Caucus, individually and collectively, with outstanding assistance and support;

Whereas, Those serving so ably this session include Willy Ariste, Logan Bachelder, Amber Bennett, Lee Breece, Alexandria Burch, Francis Collins, Allyson Davis, Josh DeFonce, Joshua Everetts, Taylor H. Fox, Kristen Gorski, Jared Green, Kyle A. Harmening, Quinton S. Hayes, Cheyenne N. Hodges, Jared C. Huber, Matthew Jelenek, Reagan Johanson,

Veda Keep, Cameron Kelley, John Kristof, Gabrielle Leavitt, Robert Miller, Ramadhan Mulamula, Eric Perry, Kegan Prentice, Bret Runyon, Abigail Schmidter, Kate Semmler, Brent Smith, Ian Songer, Daniel Stevens, Morgan Torres, Jake Torrie, Quinn A. Weikel, Katherine Winchester, and Jordan Zakery;

Whereas, The Senate Majority Caucus interns represent seventeen colleges, universities, and law schools, including Anderson University, Ball State University, Butler University, Franklin College, Indiana State University, Indiana University, Indiana University-Purdue University Indianapolis, Indiana University Robert H. McKinney School of Law, Ivy Tech Community College, Manchester University, Marian University, Purdue University, Purdue University-Fort Wayne, University of Indianapolis, Southern Illinois University School of Law, and Wabash College;

Whereas, The exemplary efforts of the Senate Majority Caucus interns have contributed to the Senate's ability to be more efficient and responsive to the citizens of the great State of Indiana; and

Whereas, It is fitting that the Senate Majority Caucus interns are recognized for their hard work, time devoted, and talents shared with the Indiana General Assembly: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate honors and expresses its full appreciation and sincere commendation to the 2020 Senate Majority Caucus interns.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each Senate Majority Caucus intern who served during the Second Regular Session of the 121st General Assembly.

2:03 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 2:04 p.m., with the President of the Senate in the Chair.

The resolution was read in full and adopted by voice vote.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1014:
Conferees: Gaskill and Lanane
Advisors: Buck and G. Taylor

BRAY
Date: 3/3/20
Time: 4:24 p.m.

Report adopted.

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Tuesday, March 3, 2020, signed Senate Enrolled Acts: 269 and 302 and House Enrolled Acts 1009, 1081, 1095, 1096, 1104, 1109, 1112, 1129, 1143, 1147, 1166, 1189, 1198, 1224, 1267, 1288, 1301, 1334, 1370, and 1403.

RODRIC D. BRAY
President Pro Tempore

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, with amendments, Engrossed Senate Bills 243, 256, 257, 267, 272, 289, 319, 335, 350, 365, 367, 395, 408, 409, and 433 and the same are herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, without amendments, Engrossed Senate Bills 78, 177, 209, and 331 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 53 and 54 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed, with amendments, Engrossed Senate Bills 1, 4, 5, 21, 47, 100, 132, 146, 148, 178, 184, 190, 216, 229, and 241 and the same are herewith returned to the Senate for concurrence.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following

Representatives as a conference committee to confer on Engrossed Senate Bill 438:

Conferees: Lehe and Wright
Advisors: Prescott, Baird, Steuerwald, Deal, and Moed

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 398:

Conferees: Jordan and DeLaney
Advisors: Behning, Thompson, and Klinker

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 383:

Conferees: T. Brown and Porter
Advisors: Vermilion, Cherry, Harris, and Pryor

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 346:

Conferees: Behning and DeLaney
Advisors: Cook, Clere, Klinker, and Pfaff

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 340:

Conferees: Wolkins and Bauer
Advisors: Sherman, Manning, DeLaney, and Pierce

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 295:

Conferees: Behning and Goodin
Advisors: DeVon, Jordan, Clere, DeLaney, Pfaff, and V. Smith

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 258:

Conferees: Frye and Klinker
Advisors: Bartels, Barrett, and Chyung

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 246:

Conferees: Cook and Austin
Advisors: Schaibley, Sherman, Hatfield, and Shackleford

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 237:

Conferees: Morris and Macer
Advisors: Frye, Carbaugh, Klinker, and Moseley

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 80:

Conferees: J. Young and DeLaney
Advisors: Steuerwald, Boy, and Goodin

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 10:

Conferees: Burton and Moseley
Advisors: VanNatter, Lyness, Beck, and Deal

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has not concurred in Senate amendments to Engrossed House Bill 1348. The Speaker of the House has

appointed the following Representatives as a conference committee to meet and confer with a like committee of the Senate on said bill and to report thereon:

Conferees: Gutwein, Chair and Austin
Advisors: Cherry, Lehman, Harris, Jackson

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has not concurred in Senate amendments to Engrossed House Bill 1014. The Speaker of the House has appointed the following Representatives as a conference committee to meet and confer with a like committee of the Senate on said bill and to report thereon:

Conferees: Lehe, Chair and Klinker
Advisors: Steuerwald, Saunders, Abbott, Chyung, and Pryor

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has concurred with the Senate amendments to Engrossed House Bills 1032, 1047, 1080, 1082, 1090, 1091, 1093, 1199, and 1346.

M. CAROLINE SPOTTS
Principal Clerk of the House

MOTIONS TO CONCUR IN HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 19.

CHARBONNEAU

Roll Call 322: yeas 49, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 20.

GASKILL

Roll Call 323: yeas 47, nays 2. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 25.

BOOTS

Roll Call 324: yeas 48, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 39.

FREEMAN

Roll Call 325: yeas 48, nays 1. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 109.

CRIDER

Roll Call 326: yeas 48, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 194.

M. YOUNG

Roll Call 327: yeas 49, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 206.

MESSMER

Roll Call 328: yeas 49, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 239.

L. BROWN

Roll Call 329: yeas 46, nays 3. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 273.

CRIDER

Roll Call 330: yeas 49, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 424.

ROGERS

Roll Call 331: yeas 49, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 427.

BUCHANAN

Roll Call 332: yeas 49, nays 0. Motion prevailed.

Senator Stoops is excused from the remainder of Session per President Pro Tempore Bray.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 430.

MERRITT

Roll Call 333: yeas 46, nays 3. Motion prevailed.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1348:
Conferees: Crider and Melton
Advisors: Busch and Lanane

BRAY
Date: 3/4/2020
Time: 2:44 p.m.

Report adopted.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Thursday, March 5, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 2:48 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Twenty-Eighth Meeting Day Thursday Afternoon March 5, 2020

The Senate convened at 1:35 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Pastor Andy Lynch, Kingsway Christian Church in Avon.

The Pledge of Allegiance to the Flag was led by Senator John B. Crane.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M. ▶
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 334: present 49; excused 1. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

SENATE MOTION

Madam President: I move that the Motion to Concur on Engrossed Senate Bill 47, filed March 4, 2020, be withdrawn from further consideration by the Senate.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that the Motion to Concur on Engrossed Senate Bill 184, filed March 4, 2020, be withdrawn from further consideration by the Senate.

CHARBONNEAU

Motion prevailed.

MOTIONS TO DISSENT FROM HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 4 and that a conference committee be appointed to confer with a like committee of the House.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 289 and that a conference committee be appointed to confer with a like committee of the House.

GROOMS

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 319 and that a conference committee be appointed to confer with a like committee of the House.

ROGERS

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 433 and that a conference committee be appointed to confer with a like committee of the House.

BASSLER

Motion prevailed.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1065:
Conferees: Holdman and Melton
Advisors: Bohacek and Niezgodski

BRAY
Date: 3/4/20
Time: 4:36 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1414:
Conferees: Messmer and J.D. Ford
Advisors: Jon Ford, Stoops, Koch, and Niezgodski

BRAY
Date: 3/4/20
Time: 5:46 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 148:
Conferees: Doriot, Chair and Lanane
Advisors: Rogers, G. Taylor, and Zay

BRAY
Date: 3/4/20
Time: 5:55 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 190:
Conferees: Holdman, Chair and G. Taylor
Advisors: Houchin and J.D. Ford

BRAY
Date: 3/4/20
Time: 5:56 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 229:
Conferees: Spartz, Chair and Stoops
Advisors: Doriot, Tallian, and Rogers

BRAY
Date: 3/4/20
Time: 5:57 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 241:
Conferees: L. Brown, Chair and Breaux
Advisors: Charbonneau, Stoops, and Ruckelshaus

BRAY
Date: 3/4/20
Time: 5:58 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 243:
Conferees: L. Brown, Chair and Mrvan
Advisors: Charbonneau and Breaux

BRAY
Date: 3/4/20
Time: 5:59 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 335:
Conferees: M. Young, Chair and Tallian
Advisors: L. Brown, Lonnie M. Randolph, and Koch

BRAY
Date: 3/4/20
Time: 6:01 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 350:
Conferees: Holdman, Chair and J.D. Ford
Advisors: Houchin and G. Taylor

BRAY
Date: 3/4/20
Time: 6:03 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 367:
Conferees: Niemeyer, Chair and Mrvan
Advisors: Bohacek and Lonnie M. Randolph

BRAY
Date: 3/4/20
Time: 7:08 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1003:
Conferees: Raatz and Melton
Advisors: Buchanan, Niezgodski, and Rogers

BRAY
Date: 3/4/20
Time: 7:13 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1022:
Conferees: Messmer and Lonnie M. Randolph
Advisors: L. Brown and G. Taylor

BRAY
Date: 3/4/20
Time: 7:10 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1108:
Conferees: Bassler and Niezgodski
Advisors: Spartz and Tallian

BRAY
Date: 3/4/20
Time: 7:11 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1113:
Conferees: Bassler and Melton
Advisors: Perfect and G. Taylor

BRAY
Date: 3/4/20
Time: 7:12 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1157:
Conferees: Freeman and Tallian
Advisors: M. Young, Lonnie M. Randolph, and Zay

BRAY
Date: 3/4/20
Time: 7:09 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1419:
Conferees: Raatz and J.D. Ford
Advisors: Zay, Stoops, and Koch

BRAY
Date: 3/4/20
Time: 5:54 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1008:
Conferees: Messmer and Lonnie M. Randolph
Advisors: Busch and J.D. Ford

BRAY
Date: 3/4/20
Time: 9:20 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1042:
Conferees: L. Brown and Breaux
Advisors: Charbonneau, Stoops, and Holdman

BRAY
Date: 3/4/20
Time: 9:25 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1045:
Conferees: Glick and Mrvan
Advisors: Donato and Niezgodski

BRAY
Date: 3/4/20
Time: 9:23 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1066:
Conferees: Raatz and Stoops
Advisors: Buchanan and Melton

BRAY
Date: 3/4/20
Time: 9:26 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1131:
Conferees: Boots and J.D. Ford
Advisors: Garten and Lonnie M. Randolph

BRAY
Date: 3/4/20
Time: 9:28 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1153:
Conferees: Raatz and Melton
Advisors: Koch, Mrvan, and Kruse

BRAY
Date: 3/4/20
Time: 9:50 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 148:
Senator Freeman added as advisor

BRAY
Date: 3/5/20
Time: 10:05 a.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1065:
Senator Rogers added as advisor

BRAY
Date: 3/5/20
Time: 10:05 a.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has

appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1207:
Conferees: Bohacek and Mrvan
Advisors: Ruckelshaus, Breaux, Grooms, and Zay

BRAY
Date: 3/4/20
Time: 9:53 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1004:
Conferees: Charbonneau and Breaux
Advisors: L. Brown and Melton

BRAY
Date: 3/4/20
Time: 9:24 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1332:
Conferees: Boots and Tallian
Advisors: Walker and Niezgodski

BRAY
Date: 3/5/20
Time: 11:49 a.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1372:
Conferees: Bassler and Niezgodski
Advisors: Zay and Breaux

BRAY
Date: 3/5/20
Time: 11:50 a.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1385:
Conferees: Glick and Tallian
Advisors: Rogers, Lanane, and Mishler

BRAY
Date: 3/5/20
Time: 11:51 a.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1326:
Conferees: Crider and Breaux
Advisors: Becker and Mrvan

BRAY
Date: 3/5/20
Time: 11:47 a.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1279:
Conferees: Mishler and Tallian
Advisors: Ruckelshaus, Melton, Freeman, and G. Taylor

BRAY
Date: 3/5/20
Time: 11:46 a.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1235:
Conferees: Crider and Niezgodski
Advisors: Garten, Stoops, and Niemeyer

BRAY
Date: 3/5/20
Time: 11:44 a.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has

appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 256:
Conferees: Koch, Chair and G. Taylor
Advisors: Garten, Lanane, and Mishler

BRAY
Date: 3/5/20
Time: 11:42 a.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 132:
Conferees: Crider, Chair and Mrvan
Advisors: Garten and Lonnie M. Randolph

BRAY
Date: 3/5/20
Time: 11:41 a.m.

Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 46 and 47 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 56, 59, 60, 61, 62, and 63 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has concurred with the Senate amendments to Engrossed House Bills 1173, 1067, 1210, 1218, and 1243.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1385, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Eberhart, Chair and Pfaff
Advisors: Prescott, Karickhoff, and Errington

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 299:

Conferees: Stutzman and Errington
Advisors: Bacon, Lehman, Fleming, Porter, and Shackleford

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1419, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Behning, Chair and Porter
Advisors: Goodrich, Pressel, and Klinker

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1414, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Soliday, Chair and Pierce
Advisors: Hostettler, Morrison, Manning, Hatfield, and Macer

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1372, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Carbaugh, Chair and Austin
Advisors: Judy, Lehman, Borders, Heaton, and Campbell

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1332, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Lehman, Chair and Beck
Advisors: Carbaugh, Borders, Deal, and Moseley

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1326, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Kirchhofer, Chair and Fleming
Advisors: Lindauer, Vermilion, Porter, and Shackleford

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1235, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Karickhoff, Chair and Porter
Advisors: Thompson, Mayfield, Campbell, and Wright

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1207, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Davisson, Chair and Hatfield
Advisors: Barrett, Lehman, Fleming, and Shackleford

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1157, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: McNamara, Chair and Hatfield
Advisors: Sullivan, J. Young, Hatcher, and Shackleford

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1153, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Goodrich, Chair and Klinker
Advisors: Behning, Cook, Pfaff, and V. Smith

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1131, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Pressel, Chair and Pierce
Advisors: Schaibley, DeVon, and Hatfield

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1113, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Leonard, Chair and Pryor
Advisors: T. Brown, Sherman, Cherry, Beck, Hamilton, and Moed

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1108, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Lehman, Chair and Porter
Advisors: Barrett, Negele, Campbell, and Hamilton

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1066, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Thompson, Chair and V. Smith
Advisors: Behning, Bacon, DeLaney, Klinker, and Pfaff

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1065, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Thompson, Chair and Porter

Advisors: T. Brown, Mayfield, Cherry, Jordan, DeLaney, Hamilton, Pierce, and Pryor

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1045, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Abbott, Chair and Macer
Advisors: Judy, Frye, Chyung, and Moseley

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1042, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Davisson, Chair and Hatfield
Advisors: Clere, Judy, Barrett, Lehman, Fleming, and Shackleford

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1022, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Bosma, Chair and Porter
Advisors: Huston, Torr, and Dvorak

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1008, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Carbaugh, Chair and Beck
Advisors: Morris, Leonard, and Deal

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1003, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Jordan, Chair and V. Smith
Advisors: Behning, Lauer, DeLaney, Klinker, and Pfaff

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 367:

Conferees: Aylesworth and Harris
Advisors: Soliday, Pressel, and Campbell

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 350:

Conferees: T. Brown and Porter
Advisors: Barrett, Jordan, Schaibley, DeLaney, Hamilton, and Pryor

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 335:

Conferees: McNamara and Pierce
Advisors: Sherman, Clere, J. Young, Steuerwald, and Errington

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 256:

Conferees: McNamara and DeLaney
Advisors: Hostettler, Mayfield, Engleman, Steuerwald, and Klinker

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 243:

Conferees: Carbaugh and Austin
Advisors: Morris, Lehman, Campbell, and Fleming

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 241:

Conferees: Lehman and Austin
Advisors: Davisson, Carbaugh, Clere, Morris, Hatfield, Fleming, and Shackleford

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 229:

Conferees: Wolkins and Errington
Advisors: Prescott, Abbott, Steuerwald, Bauer, and Deal

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 190:

Conferees: Thompson and Pryor
Advisors: Goodrich, Karickhoff, Hamilton, and Wright

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 148:

Conferees: D. Miller and Shackleford
Advisors: Torr, Zent, and Porter

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 132:

Conferees: Frye and Klinker
Advisors: Sullivan, May, Macer, and Moseley

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1279, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Soliday, Chair and Macer
Advisors: Sherman, Sullivan, Behning, Steuerwald, Harris, Porter, Shackleford, DeLaney, Pryor, Hamilton, and Summers

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1070, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Sullivan, Chair and Candelaria Reardon
Advisors: Morris, Pressel, Vermilion, Goodrich, Lauer, Chyung, and Deal

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1004, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Smaltz, Chair and Fleming
Advisors: Carbaugh, Schaibley, Lehman, Judy, Shackleford, Bauer, and Campbell

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has concurred with the Senate amendments to Engrossed House Bills 1063, 1099, 1148, 1182, 1225, 1244, 1283, 1341, and 1343.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Fleming as a conferee on Engrossed House Bill 1004 and now appoints Representative Austin as a conferee thereon.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments

to Engrossed House Bill 1004, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Advisor: Fleming

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 48 and 49 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 15 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 433:

Conferees: Lindauer and Pfaff
Advisors: Torr, D. Miller, Lehman, Errington, and Fleming

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 319:

Conferees: Behning and Klinker
Advisors: Jordan, Goodrich, DeLaney, Pfaff, and V. Smith

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 289:

Conferees: Lindauer and Wright
Advisors: Engleman, Lauer, J. Young, Boy, Jackson, and Summers

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 4:

Conferees: Kirchhofer and Shackleford
Advisors: Barrett, Schaibley, and Fleming

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1222, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Wesco, Chair and Moseley
Advisors: Manning, Vermilion, Steuerwald, Austin, Boy, and Pfaff

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1132, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Steuerwald, Chair and Hatfield
Advisors: McNamara, J. Young, Beck, and Pierce

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has dissented to the Senate Amendments to Engrossed House Bill 1092, and the Speaker has appointed the following Representatives to a conference committee to confer with a like committee of the Senate:

Conferees: Ziemke, Chair and Fleming
Advisors: Kirchhofer, Karickhoff, and Shackleford

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

HCR 46 Senator Houchin
Honoring Greg McCurdy on his selection as the 2019 Indiana Small and Rural Schools Teacher of the Year.

HCR 47 Senator Holdman
Honoring students from Norwell Middle School in Ossian, Indiana as the National Champions of the Future City Competition.

SR 65 Senator Kruse
Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 46

House Concurrent Resolution 46, sponsored by Senator Houchin:

A CONCURRENT RESOLUTION honoring Greg McCurdy on his selection as the 2019 Indiana Small and Rural Schools Teacher of the Year.

Whereas, Mr. Greg McCurdy has been named the 2019 Indiana Small and Rural Schools Teacher of the Year by the Indiana Small and Rural Schools Association and Indiana Farm Bureau;

Whereas, With 42 years of experience, Mr. McCurdy, a science teacher at Salem High School in the Salem Community Schools system in Southeastern Indiana, is a highly effective and veteran instructor;

Whereas, Salem Community Schools Superintendent Dr. Lynn Reed recognized Mr. McCurdy's talent for detail and planning skills that directly benefit his students and Salem Community Schools;

Whereas, Rural America is rooted in the premise of hard work, dedication, and can-do spirit;

Whereas, Mr. McCurdy is known as an educator who has high classroom expectations and instills in his students the value of a quality education and its impact on their lives; and

Whereas, While keeping students actively involved in their learning, Mr. McCurdy instills in each pupil the desire to work toward doing their very best, to show respect for one another, and to commit themselves to working toward graduation: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly honors Mr. Greg McCurdy for being named the 2019 Indiana Small and Rural Schools Teacher of the Year.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Steve Davisson for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 47

House Concurrent Resolution 47, sponsored by Senator Holdman:

A CONCURRENT RESOLUTION honoring students from Norwell Middle School in Ossian, Indiana, as the National Champions of the Future City Competition.

Whereas, Students Jordyn Xayyachack, Teagan Lesley, Madeline McCabe, Nevada Lenwell, Morgan Batdorff, Connor Reed, Cassandra Coyne, Eli Randol, and Lukas Mashuda teamed with educators Bill Bostain, Stephanie Scott, Bonnie Dickey, and volunteer mentor Albert Bostain represented Norwell Middle School and the state of Indiana in Washington, D.C., at the 2020 Future City Competition;

Whereas, The Norwell Middle School team, Yemoga, won the 19th Indiana Regional Future City Competition, an event supported by multiple organizations and dedicated volunteers in Northeast Indiana, who advanced the team to the National Future City Finals;

Whereas, The Future City Competition is a project-based learning experience in which students in 6th, 7th, and 8th grades imagine, research, design, and build cities of the future;

Whereas, Future City is one of the nation's leading engineering education programs and has received national recognition and acclaim for its role in encouraging middle school students to develop their interest in science, technology, engineering, and math (STEM);

Whereas, More than 45,000 middle school students from 1,500 schools in more than 40 regions from across the nation participated in the national competition;

Whereas, Students were asked to address an authentic, real-world question of "How can we make the world a better place?";

Whereas, The theme of the competition was "Clean Water: Tap Into Tomorrow";

Whereas, Norwell Middle School students designed a virtual city using computer software, researched a citywide issue, and wrote an essay describing their findings and innovative solutions;

Whereas, The futuristic city of Yemoga was engineered using more than 5,000 bottle caps that Norwell Middle School students melted down to mold the buildings;

Whereas, Norwell Middle School students put in more than 1,000 man-hours to produce their city; and

Whereas, Norwell Middle School students took home the Grand Prize of a trip to U.S. Space Camp and $7,500 for their

school's STEM program, showing the nation just how bright Hoosier students are: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly honors Norwell Middle School's students for winning the grand prize in the 2020 Future City Competition.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit a copy of this resolution to State Representative Matt Lehman for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

Senate Resolution 65

Senate Resolution 65, introduced by Senators Kruse, L. Brown, and Busch:

A SENATE RESOLUTION recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.

Whereas, The children of Indiana are our future and will advance their leadership, creativity, and productivity to strengthen and sustain the quality of life in our state;

Whereas, The State of Indiana has the responsibility for seeing that our children have opportunities for school and future success by providing the resources and conditions necessary for meeting each child's basic needs, maintaining a healthy lifestyle, and accessing physically and emotionally safe learning environments;

Whereas, More than ninety percent of Indiana's children choose public schools;

Whereas, Indiana's local communities and Boards of School Trustees actively provide local oversight that helps our public schools remain focused on meeting the needs of children;

Whereas, Public schools nurture and develop the talent and creativity of all students beginning in their early years;

Whereas, Students, teachers, and professionals make Indiana's public schools vital components of our local communities;

Whereas, Public schools work with parents and local communities to improve educational outcomes for our children; and

Whereas, The week of February 24-28, 2020, is National Public Schools Week to recognize the importance of public education in the United States, and public education's importance cannot be overstated: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate recognizes Indiana public schools and National Public Schools Week.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the Indiana Coalition for Public Education.

The resolution was read in full and adopted by voice vote.

Senate Resolution 61

Senate Resolution 61, introduced by Senators Lanane, Tallian, Breaux, J.D. Ford, Melton, Mrvan, Niezgodski, Lonnie M. Randolph, and G. Taylor:

A SENATE RESOLUTION to honor Senator Mark Stoops upon his retirement from the Indiana Senate.

Whereas, Senator Mark Stoops has been representing constituents of Monroe County, Indiana for over twenty years at the municipal and state levels;

Whereas, Senator Stoops served his community as President of the Monroe County Board of Commissioners, President of the Monroe County Council, and State Senator of District 40 since 2012;

Whereas, Since joining the Indiana Senate, Senator Stoops has served on numerous committees including Environmental Affairs, Health and Provider Services, Commerce and Technology, Education and Career Development, Tax and Fiscal Policy, and Utilities;

Whereas, Senator Mark Stoops has advocated for environmental sustainability, green job development, human rights, healthcare accessibility, public schools and teachers, and the safe purchase and storage of firearms over the past eight legislative sessions;

Whereas, Senator Stoops' legislative accomplishments include increasing employment opportunities for individuals with disabilities, expanding residential services for disabled individuals, allowing schools to fill prescriptions for emergency medications such as epinephrine, albuterol, or naloxone, and mandating that student athletes with concussions not be allowed back on the field or court until at least 24 hours after their injury;

Whereas, For his work in the Indiana Senate, Senator Mark Stoops was recognized as Indiana Legislator of the Year by Mental Health America, National Public Policy Advocate in 2017, AARP Capitol Caregiver in 2015, INAPTA Star Legislator in 2013, and was awarded the Life Designs Stewardship Award in 2016;

Whereas, Upon his retirement, Senator Mark Stoops plans to continue his community involvement and his pursuit of his entrepreneurial endeavors. He will also enjoy spending time with his wife, Kara Reagan, and his four children: Rebecca, Mark, Chloe, and Willow; and

Whereas, The work of Senator Mark Stoops in the Indiana Senate over the past eight legislative sessions is worthy of honor and recognition: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate honors Senator Mark Stoops upon his retirement from the Indiana Senate.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Senator Mark Stoops.

The resolution was read in full and adopted by voice vote.

Senate Resolution 62

Senate Resolution 62, introduced by Senator Freeman:

A SENATE RESOLUTION honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Whereas, Senator Victoria Spartz has faithfully and honorably served the constituents of District 20, encompassing parts of Hamilton County, since her appointment in 2017;

Whereas, Senator Spartz has served on the Senate Committees on Education and Career Development, Environmental Affairs, Insurance and Financial Institutions, and Pensions and Labor, and as Chair of the Audit and Financial Reporting Subcommittee of the Legislative Council;

Whereas, During her tenure in the Senate, Senator Spartz has been an advocate for limited government and business deregulation, fiscal conservatism, and bringing transparency and accountability to state government;

Whereas, Senator Spartz earned a Bachelor of Science and Master of Business Administration from the National University of Economics (Ukraine);

Whereas, After immigrating to the United States in 2000, Senator Spartz earned a Masters of Professional Accountancy from the Indiana University Kelley School of Business, and was a participant in the Harvard Business School Executive Education Program;

Whereas, Before her service in the Senate, Senator Spartz worked as a Certified Public Accountant for Big 4 accounting firms for Fortune 500 companies, as an adjunct faculty member at Indiana University's Kelley School of Business, and as the Chief Financial Officer for the Office of the Indiana Attorney General; and

Whereas, Senator Spartz's passion for limited government, knowledge of public finance matters, and commitment to conservative principles will be greatly missed within the Indiana Senate and throughout the Statehouse: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate honors Senator Victoria Spartz upon her retirement and thanks her for her years of service to the Indiana Senate.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Senator Victoria Spartz and her family.

The resolution was read in full and adopted by voice vote.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1222:
Conferees: Walker and J.D. Ford
Advisors: Gaskill and Breaux

BRAY
Date: 3/5/20
Time: 2:11 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1132:
Conferees: Freeman and Tallian
Advisors: M. Young, Lonnie M. Randolph, and Houchin

BRAY
Date: 3/5/20
Time: 2:11 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1092:
Conferees: Charbonneau and Breaux
Advisors: Ruckelshaus and Mrvan

BRAY
Date: 3/5/20
Time: 2:15 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 289:
Conferees: Grooms, Chair and J.D. Ford
Advisors: Walker, Lanane, and Houchin

BRAY
Date: 3/5/20
Time: 2:18 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1004:
Senator Jon Ford added as advisor

BRAY
Date: 3/5/20
Time: 2:25 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 433:
Conferees: Bassler, Chair and Tallian
Advisors: Rogers, G. Taylor, and Doriot

BRAY
Date: 3/5/20
Time: 1:58 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 4:
Conferees: Charbonneau, Chair and Melton
Advisors: Zay, Lonnie M. Randolph, Breaux, and Ruckelshaus

BRAY
Date: 3/5/20
Time: 2:01 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1070:
Conferees: Crider and Niezgodski
Advisors: Grooms, J.D. Ford, Jon Ford, and Mrvan

BRAY
Date: 3/5/20
Time: 1:49 p.m.

Report adopted.

MOTIONS TO DISSENT FROM HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 47 and that a conference committee be appointed to confer with a like committee of the House.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 184 and that a conference committee be appointed to confer with a like committee of the House.

CHARBONNEAU

Motion prevailed.

The President of the Senate yielded the gavel to Senator Rodric D. Bray.

MOTIONS TO CONCUR IN HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 21.

ROGERS

Roll Call 335: yeas 41, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 50.

FREEMAN

Roll Call 336: yeas 41, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 100.

DORIOT

Roll Call 337: yeas 41, nays 0. Motion prevailed.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 319:
Conferees: Rogers, Chair and Melton
Advisors: Becker, Stoops, and Buchanan

BRAY
Date: 3/5/20
Time: 2:39 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1353:
Conferees: Bassler and J.D. Ford
Advisors: Zay and Breaux

BRAY
Date: 3/5/20
Time: 2:40 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 184:
Conferees: Charbonneau, Chair and J.D. Ford
Advisors: Zay, Breaux, and Leising

BRAY
Date: 3/5/20
Time: 2:29 p.m.

Report adopted.

MOTIONS TO CONCUR IN HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 146.

DORIOT

Roll Call 338: yeas 40, nays 2. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 257.

KOCH

Roll Call 339: yeas 41, nays 0. Motion prevailed.

MOTIONS TO DISSENT FROM HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 178 and that a conference committee be appointed to confer with a like committee of the House.

WALKER

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 334 and that a conference committee be appointed to confer with a like committee of the House.

WALKER

Motion prevailed.

MOTIONS TO CONCUR IN HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 272.

JON FORD

Roll Call 340: yeas 41, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 365.

NIEMEYER

Roll Call 341: yeas 32, nays 8. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 405.

GARTEN

Roll Call 342: yeas 40, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 409.

MESSMER

Roll Call 343: yeas 39, nays 3. Motion prevailed.

MOTIONS TO DISSENT FROM HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 395 and that a conference

committee be appointed to confer with a like committee of the House.

BASSLER

Motion prevailed.

MOTIONS TO CONCUR IN HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 267.

BOHACEK

Roll Call 344: yeas 41, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Leising, Merritt, Messmer, Mishler, Niemeyer, Perfect, Raatz, Rogers, Ruckelshaus, Sandlin, Spartz, Tomes, Walker, M. Young, and Zay be added as coauthors of Senate Resolution 61.

LANANE

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be removed as third author of Senate Bill 334.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Melton be added as coauthor of Senate Bill 408.

HOLDMAN

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator J.D. Ford be removed as coauthor of Senate Bill 409.

J.D. FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Lonnie M. Randolph, Rogers, Ruckelshaus, Sandlin, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young, and Zay be added as coauthors of Senate Resolution 62.

FREEMAN

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Monday, March 9, 2020.

MESSMER

Motion prevailed.

The Senate adjourned at 4:44 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Twenty-Ninth Meeting Day Monday Afternoon March 9, 2020

The Senate convened at 1:58 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Imam Ahmed Alamine from Al Fajr Mosque and Chaplain for IMPD in Indianapolis.

The Pledge of Allegiance to the Flag was led by Senator Jean D. Breaux.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton ▶
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 345: present 49; excused 1. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

MOTIONS TO DISSENT FROM HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 1 and that a conference committee be appointed to confer with a like committee of the House.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate dissent to the House Amendments to Engrossed Senate Bill 408 and that a conference committee be appointed to confer with a like committee of the House.

HOLDMAN

Motion prevailed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: Pursuant to Senate Rule 82(e) your Committee on Rules and Legislative Procedure to which was referred Engrossed Senate Bill 4 has had the same under consideration and begs leave to report back to the Senate with the recommendation that the author of said bill may dissent to the House amendments and request a conference committee be appointed to confer with a like committee of the House.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Resolution 57, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said resolution do pass.
Committee Vote: Yeas 12, Nays 0.

BRAY, Chair

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

SCR 65 Senator Perfect
Recognizing Matthew Clifford.

SCR 67 Senator Crider
Congratulating the Mt. Vernon H.S. (Fortville) girls soccer team.

SCR 68 Senator Becker
Recognizing Judge Robert J. Tornatta.

HCR 48 Senator Kruse
Recognizing landscape architects.

HCR 49 Senator Ruckelshaus
Honoring Futsum Zienasellassie.

SR 51 Senator Bray
Recognizing the exceptional work and dedication of the Indiana State Senate employees.

SR 52 Senator Bray
Expressing the sincere gratitude and appreciation of the Indiana Senate to the Indiana Legislative Services Agency.
SR 53 Senator Bray
Expressing the Indiana State Senate's sincere appreciation to the Indiana State Medical Association and the Indiana Academy of Family Physicians for the "Doctor of the Day" program.
SR 54 Senator Bray
Expressing appreciation to the Indiana State Chiropractic Association for the "Chiropractor of the Day" program.
SR 55 Senator Bray
Expressing gratitude to Verizon Communications.
SR 66 Senator Houchin
Honoring Greg McCurdy.
SR 67 Senator Niezgodski
Recognizing landscape architects and recognizing April 2020 as "World Landscape Architecture Month".
SR 69 Senator Jon Ford
Recognizing The Helping Hands thrift store.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Concurrent Resolution 65

Senate Concurrent Resolution 65, introduced by Senators Perfect and Leising:

A CONCURRENT RESOLUTION recognizing Matthew Clifford on being named the 2019 Indiana Middle School Principal of the Year for District 10 by the Indiana Association of School Principals.

Whereas, The Indiana Association of School Principals recognized Matthew Clifford, Principal of Greensburg Junior High School, as the 2019 Indiana Middle School Principal of the Year for District 10;

Whereas, Matthew received his Bachelor of Music Education Degree from DePauw University, and in 2000 he was recognized by the Indiana Music Educator's Association as the Outstanding Future Music Educator of the Year;

Whereas, After graduation, Matthew began his teaching career as a music teacher and high school band director at Greensburg High School;

Whereas, In 2012, Matthew earned a master's degree in Educational Leadership and Supervision from Ball State University;

Whereas, Matthew began his education administration career in 2013 when he became Principal of Greensburg Junior High School;

Whereas, Among his accomplishments as Principal, Matthew changed the school's master schedule to accommodate targeted academic intervention in English and language arts and math to increase instructional time in all classes, volunteered his school to pilot the one-to-one Digital Learning Initiative in the school district, and brought the alternative school program back into the middle school, with changes to improve academic success, attendance, and behavioral statistics; and

Whereas, Matthew is a transformational leader who has shifted from being a building manager to being an education leader, and his work earned recognition by the Indiana Association of School Principals as the 2019 Middle School Principal of the Year for District 10: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes Matthew Clifford on being named the 2019 Indiana Association of School Principals District 10 Middle School Principal of the Year.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Matthew Clifford.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Frye and Ziemke.

Senate Concurrent Resolution 67

Senate Concurrent Resolution 67, introduced by Senator Crider:

A CONCURRENT RESOLUTION congratulating the Mt. Vernon High School (Fortville) girls soccer team on receiving the National United Soccer Coaches Team Pinnacle Award for the 2018-2019 school year.

Whereas, National United Soccer Coaches named the Mt. Vernon High School (Fortville) girls soccer team as a recipient of the 2018-2019 Team Pinnacle Award;

Whereas, To be considered for this award, the team had to receive either the Platinum, Gold, Silver, or Bronze version of the Association's High School Team Ethics and Sportsmanship Award, achieve recognition in the classroom as a recipient of the Association's Team Academic Award, and record a 75% or higher winning percentage;

Whereas, The Lady Marauders soccer team achieved a team grade point average of 3.63, finished the season with a 16-2 record, a winning percentage of 89%, and completed the season with only 2 yellow cards and no red cards assessed against the team; and

Whereas, The Mt. Vernon High School (Fortville) girls soccer team's conduct on the field and in the classroom is an example of strong ethics, academic success, and teamwork: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly congratulates the Mt. Vernon High School (Fortville) girls soccer team on receiving the National United Soccer Coaches Association Team Pinnacle Award for the 2018-2019 school year.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each member of the Mt. Vernon High School (Fortville) girls soccer team.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsor: Representative Cherry.

Senate Concurrent Resolution 68

Senate Concurrent Resolution 68, introduced by Senators Becker and Tomes:

A CONCURRENT RESOLUTION recognizing Judge Robert J. Tornatta upon his retirement as Judge of the Vanderburgh Superior Court.

Whereas, After serving 22 years as Judge of the Vanderburgh Superior Court, Judge Robert J. Tornatta will retire April 3, 2020;

Whereas, Judge Tornatta received his undergraduate degree from Indiana University in 1982 before graduating in 1985 with honors from the Indiana University School of Law–Bloomington;

Whereas, After law school, Judge Tornatta started his legal career as a law clerk for Judge Gene Brooks of the United States District Court for the Southern District of Indiana;

Whereas, Following his federal court clerkship in 1988, Judge Tornatta went into private practice with the Trimble & Jewel law firm, before partnering with former Congressman Philip H. Hayes' law practice in 1990;

Whereas, In 1991, Judge Tornatta was appointed Administrator of the Vanderburgh Superior Court, a position which prepared him for a future judicial career;

Whereas, Judge Tornatta served as Court Administrator until 1995, when the Vanderburgh Superior Court Judges appointed him as a magistrate;

Whereas, Judge Tornatta was appointed by Governor Frank O'Bannon on December 11, 1997, to become Judge of the Vanderburgh Superior Court;

Whereas, During his judicial service, Judge Tornatta has supervised the Court's Drug and Alcohol Deferral Service, Misdemeanor Court, and Small Claims Division;

Whereas, Judge Tornatta is a graduate of the Indiana Judicial College, and has served as a member of the Judicial Administration and Alcohol and Drug Program Advisory Committees of the Judicial Conference of Indiana;

Whereas, Judge Tornatta is an active member of the Evansville Bar Association, serving on its Continuing Legal Education Committee, and twice received the Doran Perdue Service Award for his contributions to the Association;

Whereas, Judge Tornatta is married to his wife of 34 years, Sharon, whom with he raised three children, Scott, Molly, and Katie, and Judge Tornatta is a proud grandfather; and

Whereas, Upon his retirement, Judge Tornatta plans to spend more time with his family and to serve as a Senior Judge; and

Whereas, Judge Tornatta's years of service on the Vanderburgh County bench have left an immeasurable impact: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana, the House of Representatives concurring:

SECTION 1. That the Indiana General Assembly recognizes Judge Robert J. Tornatta upon his retirement as Judge of the Vanderburgh Superior Court.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Judge Robert J. Tornatta.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution. House sponsors: Representatives Hatfield and McNamara.

House Concurrent Resolution 48

House Concurrent Resolution 48, sponsored by Senators Kruse and Niezgodski:

A CONCURRENT RESOLUTION recognizing landscape architects.

Whereas, World Landscape Architecture Month is a month-long opportunity to celebrate landscape architecture and designed public spaces that complement the natural environment throughout the world;

Whereas, Landscape architecture encompasses the analysis, design, planning, management, and stewardship of the natural and built environment;

Whereas, Indiana and its citizenry benefit from the licensed practice of landscape architecture, assuring the design of healthy, equitable, safe, and resilient public and private outdoor spaces;

Whereas, Landscape architects, as licensed professionals, have a responsibility to protect public health by creating

accessible spaces such as public plazas, parks, schools, residential common areas, playgrounds, and trails that lead to active lifestyles and healthy communities;

Whereas, Landscape architects, as licensed professionals, have a responsibility to protect public safety by applying land design skills, technical knowledge, and conservation techniques that ensure the safety of individuals and communities;

Whereas, Landscape architects, as licensed professionals, have a responsibility to protect public welfare through the purposeful design of public and private spaces that provide economic, social, and environmental benefits for people of all ages and abilities to enjoy;

Whereas, Landscape professionals are licensed in all 50 states;

Whereas, Landscape architect licenses are issued by the Indiana Professional Licensing Agency to those who have met the specified education, examination, and experience requirements necessary for protecting public health, safety, and welfare;

Whereas, Science, technology, engineering, and mathematics (STEM) knowledge is at the core of the professional practice of landscape architecture and informs landscape architects as innovators, educators, researchers, and leaders who can solve significant challenges facing Indiana communities;

Whereas, Landscape architects promote security and safety through transportation design and planning of multi-use transportation corridors that accommodate all users, including pedestrians, bicyclists, motorists, people with disabilities, and people who use public transportation, while also protecting sidewalks, public plazas, and other vulnerable outdoor areas from potential attackers and security threats;

Whereas, Landscape architects are leaders in creating resilient and green infrastructure designs addressing erosion and sediment control, stormwater management, and strategies to mitigate the effects of sea level rise and flood waters, thus allowing communities to better withstand and respond to severe weather events and lessening the need for state and local funds and resources in disaster recovery efforts;

Whereas, Landscape architects are leaders in creating sustainable landscapes, helping to reduce water demand and energy consumption, conserve or restore natural resources, ensure wildlife habitat, improve air quality, and regulate climate; and

Whereas, Landscape architects believe in and prioritize the fair treatment and meaningful involvement of all people regardless of race, national origin, education level, or income with regard to the development and implementation of public designs and plans: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly recognizes landscape architects in Indiana and celebrates April 2020 as World Landscape Architecture Month.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Chris Campbell for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 49

House Concurrent Resolution 49, sponsored by Senator Ruckelshaus:

A CONCURRENT RESOLUTION honoring Futsum Zienasellassie.

Whereas, Mr. Futsum Zienasellassie, a naturalized Hoosier, was born December 16, 1992, in Dera, in what is now Eritrea, before moving to Indiana in 2007;

Whereas, Zienasellassie, a successful and talented athlete from Indianapolis, is training for the Olympic trials and hopes to compete in the 2020 Olympics in Tokyo, Japan;

Whereas, Zienasellassie is a seven-time state champion for North Central High School in Indianapolis;

Whereas, Zienasellassie attended Northern Arizona University and finished in the top four of the cross-country NCAA Championships three times before leading the Lumberjacks to a 2016 team title in Terre Haute, Indiana, according to an article published by the Indianapolis Star;

Whereas, Zienasellassie is currently the U.S. champion in the 10 mile race, with a time of 46 minutes, 55 seconds, and pace of 4:41 per mile; and

Whereas, Zienasellassie displays great athleticism, passion, and dedication in pursuit of his dreams: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly honors Mr. Futsum Zienasellassie for his many athletic accomplishments.

SECTION 2. That the Indiana General Assembly wishes Mr. Zienasellassie continued success in his future endeavors as an elite athlete.

SECTION 3. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Carey Hamilton for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

Senate Resolution 51

Senate Resolution 51, introduced by Senator Bray:

A SENATE RESOLUTION recognizing the exceptional work and dedication of the Indiana State Senate employees.

Whereas, The employees of the Indiana State Senate serve as the backbone of the legislative process by helping the legislative session run efficiently and assisting the legislators to better serve Hoosiers through constituent correspondence, legislative and policy research, tracking legislation, writing news releases, managing the General Assembly website, and more;

Whereas, Each year, the employees of the Indiana State Senate continue to set new standards of excellence in their service and have done so once again during the Second Regular Session of the One Hundred Twenty First Indiana General Assembly; and

Whereas, The employees of the Indiana State Senate performed their duties with dedication, unwavering professionalism, and genuine care, benefitting both the Indiana State Senate and the State of Indiana: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate recognizes and sincerely thanks the Indiana State Senate employees for their outstanding work and dedication.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to each Indiana State Senate employee who served during the Second Regular Session of the One Hundred Twenty First General Assembly.

The resolution was read in full and adopted by voice vote.

Senate Resolution 52

Senate Resolution 52, introduced by Senator Bray:

A SENATE RESOLUTION expressing the sincere gratitude and appreciation of the Indiana Senate to the Indiana Legislative Services Agency for its tireless work and dedication during the Second Regular Session of the One Hundred Twenty First General Assembly.

Whereas, Under the leadership of Executive Director George Angelone, the staff of the Indiana Legislative Services Agency ("LSA") has dedicated countless hours and tireless efforts to ensure the sustainability and seamless function of the legislative process;

Whereas, Without the steadfast support of the LSA staff, many challenges and quandaries within the legislature would go unresolved and unanswered; and

Whereas, The staff of the Indiana Legislative Services Agency are gifted and reliable servants of the State of Indiana and are vital to the function of the Indiana General Assembly: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate expresses its full gratitude and sincere praise to the entire staff of the Indiana Legislative Services Agency for its incomparable service to the legislature and the State of Indiana.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to all staff members of the Indiana Legislative Services Agency.

The resolution was read in full and adopted by voice vote.

Senate Resolution 53

Senate Resolution 53, introduced by Senator Bray:

A SENATE RESOLUTION expressing the Indiana State Senate's sincere appreciation to the Indiana State Medical Association and the Indiana Academy of Family Physicians for coordinating and operating the "Doctor of the Day" program and to the dedicated doctors who participated.

Whereas, The Indiana State Medical Association and the Indiana Academy of Family Physicians assembled some of the state's most talented physicians to provide basic check-ups of the legislators and staff of the Senate during the Second Regular Session of the One Hundred Twenty First Indiana General Assembly;

Whereas, Numerous doctors donated their time to make the "Doctor of the Day" program possible, which is responsible for maintaining a healthy, productive, and efficient legislature; and

Whereas, Each member of the Indiana State Senate is appreciative of the efforts of the Indiana State Medical Association and the Indiana Academy of Family Physicians, and the dedicated doctors who traveled to the Statehouse to contribute their services to the program: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate expresses its sincere appreciation to the Indiana State Medical Association and the Indiana Academy of Family Physicians for coordinating and operating the "Doctor of the Day" program at the Indiana Statehouse.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Dr. Lisa Hatcher,

President of the Executive Committee of the Indiana State Medical Association, Dr. Nicole Boersma, President of the Executive Committee of the Indiana Academy of Family Physicians, and each doctor who participated in the "Doctor of the Day" program.

The resolution was read in full and adopted by voice vote.

Senate Resolution 54

Senate Resolution 54, introduced by Senator Bray:

A SENATE RESOLUTION expressing appreciation to the Indiana State Chiropractic Association for coordinating and operating the "Chiropractor of the Day" program at the Indiana Statehouse and to the dedicated chiropractors who participated.

Whereas, The Indiana State Chiropractic Association provided a great service to the Indiana State Senate during the Second Regular Session of the One Hundred Twenty First Indiana General Assembly by operating the "Chiropractor of the Day" program at the Indiana Statehouse;

Whereas, For the program, the Indiana State Chiropractic Association provided competent and experienced chiropractors who donated their time and expertise to provide care to the Senators and staff during the busy legislative session; and

Whereas, Each member of the Indiana State Senate is appreciative of the fine efforts of the dedicated chiropractors who traveled to the Statehouse to contribute their services to the program: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate expresses its sincere appreciation to the Indiana State Chiropractic Association for coordinating and operating the "Chiropractor of the Day" program and to the dedicated chiropractors who participated.

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to Dr. Dianne Vuotto, President of the Indiana State Chiropractic Association, and each chiropractor who participated in the "Chiropractor of the Day" program.

The resolution was read in full and adopted by voice vote.

Senate Resolution 55

Senate Resolution 55, introduced by Senator Bray:

A SENATE RESOLUTION expressing gratitude to Verizon Communications for its role in promoting and supporting the Indiana General Assembly's legislative internship program and scholarships.

Whereas, Since 1995, Verizon Communications has generously awarded scholarships to interns in each caucus of the Indiana Senate and House of Representatives;

Whereas, The Verizon Communications Intern Scholarships reward outstanding performance, dedicated work ethic, and professional, effective interpersonal skills;

Whereas, Scholarship recipients are selected based on a number of criteria, including nominations by legislators and staff, peer votes, student self-assessments, and personal essays; and

Whereas, Verizon Communications has an extensive history of supporting educational initiatives, and its continued support of the legislative internship program and scholarship is tremendously appreciated: Therefore,

Be it resolved by the Senate of the
General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate expresses its sincere appreciation to Verizon Communications for its role in promoting and supporting the Indiana General Assembly's internship program and scholarships.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Melia Carter, Director of Governmental Affairs for Verizon Communications.

The resolution was read in full and adopted by voice vote.

Senate Resolution 66

Senate Resolution 66, introduced by Senator Houchin:

A SENATE RESOLUTION honoring Greg McCurdy on his selection as the 2019 Indiana Small and Rural Schools Teacher of the Year.

Whereas, Mr. Greg McCurdy has been named the 2019 Indiana Small and Rural Schools Teacher of the Year by the Indiana Small and Rural Schools Association and the Indiana Farm Bureau;

Whereas, With 42 years of experience, Mr. McCurdy is a highly effective and veteran instructor serving as a science teacher at Salem High School in the Salem Community Schools system in Southeastern Indiana;

Whereas, Salem Community Schools Superintendent Dr. Lynn Reed recognized Mr. McCurdy's talent for detail and planning skills that directly benefit his students and Salem Community Schools;

Whereas, Rural America is based on the premise of hard work, dedication, and can-do spirit;

Whereas, Mr. McCurdy is known as an educator who has high classroom expectations and instills in his students the value of a quality education and its impact on their lives; and

Whereas, While keeping students actively involved in their learning, Mr. McCurdy instills in each pupil the desire to work

toward doing their very best, show respect for one another, and commit themselves to working toward graduation: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate honors Mr. Greg McCurdy for being named the 2019 Indiana Small and Rural Schools Teacher of the Year.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Mr. Greg McCurdy.

The resolution was read in full and adopted by voice vote.

Senate Resolution 67

Senate Resolution 67, introduced by Senators Niezgodski and Kruse:

A SENATE RESOLUTION recognizing landscape architects and recognizing April 2020 as "World Landscape Architecture Month" (WLAM).

Whereas, April 2020 is "World Landscape Architecture Month" (WLAM), which is a month-long opportunity to celebrate landscape architecture and designed public spaces which complement our natural environment throughout the world;

Whereas, Landscape architecture encompasses the analysis, design, planning, management, and stewardship of the national and built environment;

Whereas, Indiana and its citizenry benefit from the licensed practice of landscape architecture, assuring the design of healthy, equitable, safe, and resilient public and private outdoor spaces;

Whereas, Landscape architects, as licensed professionals, have a responsibility to protect public health by creating accessible spaces such as public plazas, parks, schools, residential common areas, playgrounds, and trails that lead to active lifestyles and healthy communities;

Whereas, Landscape architects, as licensed professionals, have a responsibility to protect public safety by applying land design skills, technical knowledge, and conservation techniques that ensure the safety of individuals and communities;

Whereas, Landscape architects are licensed in all 50 states, the Indiana Professional Licensing Agency issues licenses to those who have met the specified education, examination, and experience requirements necessary for protecting public health, safety, and welfare;

Whereas, Science, technology, engineering, and mathematics (STEM) knowledge are at the core of the professional practice of landscape architecture and informs landscape architects as innovators, educators, researchers, and leaders who can solve the most pressing challenges facing Indiana communities;

Whereas, Landscape architects promote security and safety through transportation design and planning of multi-use transportation corridors that accommodate all users, including pedestrians, bicyclists, motorists, people with disabilities, and people who use public transportation; while also protecting sidewalks, public plazas, and other vulnerable outdoor areas from potential attackers and security threats;

Whereas, Landscape architects are leaders in creating resilient and green infrastructure designs addressing erosion and sediment control, storm water management, and strategies to mitigate the effects of sea level rise and flood waters, thus allowing communities to better withstand and respond to severe weather events thereby lessening the need for state and local funds and resources in disaster recovery efforts;

Whereas, Landscape architects are leaders in creating sustainable landscapes, helping to reduce water demand and energy consumption, conserve or restore natural resources, ensure wildlife habitat, improve air quality, and regulate climate;

Whereas, Landscape architects believe in and prioritize the fair treatment and meaningful involvement of all people regardless of race, national origin, education level, or income with regard to the development and implementation of public designs and plans;

Whereas, Indiana's economy benefits from licensed landscape architects through the creation of inviting and safe spaces for the public, residents, and tourists alike, while simultaneously protecting the environment and associated ecological systems; and

Whereas, Universities in Indiana have been strong leaders in this area with both Ball State University and Purdue University recently celebrating the 50th anniversaries of their acclaimed and accredited landscape architecture programs. These programs prepare students to be the next generation of leaders and innovators in landscape architecture in Indiana: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate recognizes landscape architects and recognizes April 2020 as "World Landscape Architecture Month" (WLAM).

SECTION 2. The Secretary of the Senate is hereby directed to transmit copies of this Resolution to the Troyer Group.

The resolution was read in full and adopted by voice vote.

Senate Resolution 69

Senate Resolution 69, introduced by Senator Jon Ford:

A SENATE RESOLUTION recognizing The Helping Hands thrift store in West Terre Haute.

Whereas, Starting as a dream to help others, The Helping Hands thrift store opened in 2003 to fill a need for a used clothing store in West Terre Haute;

Whereas, The Helping Hands sells quality clothes and small household items at extreme bargain prices, most often selling items for a quarter, to aid the community;

Whereas, Since the store's opening, more than $600,000 has been collected and donated back to the local community;

Whereas, The Helping Hands thrift store focuses primarily on donating its profits to help the hungry, the elderly, and the children of West Terre Haute; and

Whereas, The Helping Hands thrift store is a great asset to West Terre Haute that is making a difference in the community: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate recognizes The Helping Hands thrift store in West Terre Haute.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to The Helping Hands thrift store.

The resolution was read in full and adopted by voice vote.

SENATE MOTION

Madam President: I move that the following memorial resolutions be adopted:

SR 68 Senator Becker
Memorializing Beth Van Vorst (Greene) Gray.
BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

Senate Resolution 68

Senate Resolution 68, introduced by Senators Becker and Ruckelshaus:

A SENATE RESOLUTION memorializing Beth Van Vorst (Greene) Gray.

Whereas, Beth Van Vorst (Greene) Gray passed away on February 24, 2020, in Bloomington, Indiana;

Whereas, Beth was born in Harvey, Illinois, on January 16, 1934, and moved to Indiana before graduating from Central High School in Evansville as valedictorian of the Class of 1952;

Whereas, Beth married Harvey Greene in 1956, and together they had four children;

Whereas, Beth's political activism first began as a staff member of the William Ruckelshaus U.S. Senate campaign in 1968;

Whereas, In 1969, Beth joined the Indiana Senate as journal clerk, and in 1970 was elected as Principal Secretary of the Senate, a position she held until 1976;

Whereas, During her time as Principal Secretary of the Senate, Beth oversaw the colonial-style remodeling of the Senate Chamber in 1974;

Whereas, After leaving the Senate, Beth helped create The Legal Registry, a placement service for attorneys, founded her own business, Action Writing, to help young jobseekers improve their resumes and job applications, and later became the administrative assistant to the head librarian at IUPUI;

Whereas, Beth met her future husband, Professor Ralph D. Gray, on her first day at IUPUI, and they married in Florida in 2003;

Whereas, Beth and Ralph retired to Bloomington in 2009, where Beth continued to author books and became a self-taught artist painting in oils and acrylics; and

Whereas, Beth is survived by her husband, Ralph, her four children, Betsy, Christopher, Jeffrey, and Jennifer, her three step-children, Karen, David, and Sarah, two brothers, James and Charles, and thirteen grandchildren: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate memorializes Beth Van Vorst (Greene) Gray.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to the family of Beth Van Vorst (Greene) Gray.

The resolution was read in full and adopted by standing vote.

SENATE MOTION

Madam President: I move that the Senate rescind its action whereby it adopted the Motion to Dissent on Engrossed Senate Bill 383 and that said Motion be withdrawn.

G. TAYLOR

Motion prevailed.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has

appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 47:
Conferees: Freeman, Chair and Tallian
Advisors: Koch and G. Taylor

BRAY
Date: 3/9/20
Time: 10:34 a.m.

Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 55, 58, and 64 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has concurred with the Senate amendments to Engrossed House Bills 1049, 1059, 1111, 1209, 1246, 1264, 1313, and 1392.

M. CAROLINE SPOTTS
Principal Clerk of the House

MOTIONS TO CONCUR IN HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 5.

CHARBONNEAU

Roll Call 346: yeas 48, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 216.

SANDLIN

Senator Melton is excused from the remainder of session per President Pro Tempore Bray.

Roll Call 347: yeas 49, nays 0. Motion prevailed.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has concurred with the Senate amendments to Engrossed House Bills 1120 and 1176.

M. CAROLINE SPOTTS
Principal Clerk of the House

SENATE MOTION

Madam President: I move that Senator Spartz be added as coauthor of Senate Bill 5.

CHARBONNEAU

Motion prevailed.

SENATE MOTION

Madam President: I move we adjourn until 1:30 p.m., Tuesday, March 10, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 2:20 p.m.

JENNIFER L. MERTZ
Secretary of the Senate

SUZANNE CROUCH
President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Thirtieth Meeting Day Tuesday Afternoon March 10, 2020

The Senate convened at 1:51 p.m., with the President of the Senate, Suzanne Crouch, in the Chair.

Prayer was offered by Pastor Brandon Adkisson from Pleasant Heights Baptist Church in Indianapolis.

The Pledge of Allegiance to the Flag was led by Senator R. Michael Young.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 348: present 50; excused 0. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

SENATE MOTION

Madam President: I move that the Senate rescind its action whereby it adopted the Motion to Dissent on Engrossed Senate Bill 395 and that said Motion be withdrawn.

BASSLER

Motion prevailed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: Pursuant to Senate Rule 86(l) your Committee on Rules and Legislative Procedure to which was referred Conference Committee Reports filed on Engrossed Senate Bills 10, 190, 237, and 258 and Engrossed House Bill 1070 has had the same under consideration and begs leave to report back to the Senate with the recommendation that said Conference Committee Reports are eligible for consideration.

BRAY, Chair

Report adopted.

REPORT OF THE SENATE COMMITTEE ON ETHICS

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on March 9, 2020, to render an advisory opinion with regard to Senator Freeman's request that the Committee consider whether or not he has a conflict of interest pertaining to SB 148 which would require him to be excused from voting on this bill at any stage of the legislative process. The members in attendance were: Chairman L. Brown, Senator Charbonneau, Senator Walker, Senator Breaux, Senator Mrvan, and Senator Lonnie M. Randolph.

The Senate Committee on Ethics has considered the facts presented by Senator Freeman and the Committee found no conflict that could require Senator Freeman to be excused from participating in discussion and voting on SB 148. The vote of the Committee was 6-0.

L. BROWN, Chair

Report adopted.

SENATE MOTION

Madam President: I move that the following resolutions be adopted:

HCR 50 Senator Bassler
Congratulating the Linton-Stockton High School girls basketball team for its Class 2A IHSAA championship win.

HCR 51 Senator Grooms
Honoring the 250th anniversary of William Clark's birth.

SR 70 Senator M. Young
Recognizing Steve Hale.

BRAY

Motion prevailed.

RESOLUTIONS ON FIRST READING

House Concurrent Resolution 50

House Concurrent Resolution 50, sponsored by Senator Bassler:

A CONCURRENT RESOLUTION congratulating the Linton-Stockton High School girls basketball team for its Class 2A IHSAA championship win.

Whereas, The Linton-Stockton High School girls basketball team won the Class 2A IHSAA championship at Bankers Life Fieldhouse on Saturday, February 29, 2020;

Whereas, The Linton-Stockton Miners defeated the Frankton Eagles, 70-28;

Whereas, The Miners set a 2A state finals record for points in a quarter after scoring 27 points in the second quarter;

Whereas, The Miners set a 2A state finals record for points in a half with 47 in the first half;

Whereas, The margin of victory was the highest ever in a state finals for any class;

Whereas, Coach Jared Rehmel led the team in its 25-5 record; and

Whereas, The Miners defeated the previously undefeated #1 ranked Triton Central 48-43 in the semifinals to reach the championship game: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly congratulates the Linton-Stockton High School girls basketball team on its IHSAA Class 2A championship win and record breaking season.

SECTION 2. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the office of State Representative Jeff Ellington for distribution.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

House Concurrent Resolution 51

House Concurrent Resolution 51, sponsored by Senators Grooms and Stoops:

A CONCURRENT RESOLUTION honoring the 250th anniversary of William Clark's birth.

Whereas, William Clark was born to John and Ann Rogers Clark on August 1, 1770, in Caroline County, Virginia;

Whereas, William Clark lived with his older brother, General George Rogers Clark, in Clarksville, Indiana Territory, at the Falls of the Ohio, where he joined Captain Meriwether Lewis as co-commander of the Corps of Discovery and trained initial recruits for the expedition to explore the Louisiana Territory;

Whereas, The Corps of Discovery continued down the Ohio River to the Mississippi River, continued westward along the Missouri River, crossed the Rocky Mountains, and then paddled dugout canoes on the Clearwater, Snake, and Columbia rivers to the Pacific Ocean, exploring parts of the present states of Indiana, Kentucky, Illinois, Missouri, Kansas, Nebraska, Iowa, South Dakota, North Dakota, Montana, Idaho, Washington, and Oregon;

Whereas, William Clark was respected by the soldiers of the Corps of Discovery and the Native Americans they encountered on the expedition, kept a detailed journal of the expedition's discoveries and observations of the land's geography and wildlife, and drew an exceptionally accurate map of the expedition's route;

Whereas, William Clark enjoyed a long and distinguished post-expedition career as superintendent of Indian Affairs and territorial governor of Missouri, and Clark family connections remain prominent in Missouri;

Whereas, The Indiana Lewis and Clark Expedition Commission and the Lewis and Clark Trail Heritage Foundation played leading roles in preserving the story of the Corps of Discovery and publicizing Indiana's role in the expedition; and

Whereas, Indiana is now on the Lewis and Clark National Historic Trail as a result of the Eastern Extension to the Trail signed into law by President Donald Trump on March 12, 2019: Therefore,

Be it resolved by the House of Representatives of the General Assembly of the State of Indiana, the Senate concurring:

SECTION 1. That the Indiana General Assembly hereby commemorates William Clark's accomplishments and role as co-captain of the Lewis and Clark Expedition on the occasion of his 250th birthday.

SECTION 2. That the Indiana General Assembly recognizes the Falls of the Ohio, including the state of Indiana, as the starting point of the Lewis and Clark Expedition where Lewis and Clark recruited and trained the first members of the Corps of Discovery and departed from Clarksville, Indiana.

SECTION 3. That the General Assembly commends the Indiana Lewis and Clark Expedition Commission and the Lewis and Clark Trail Heritage Foundation for their ongoing efforts to commemorate the expedition and to educate people about this important part of our nation's history.

SECTION 4. That the Principal Clerk of the House of Representatives shall transmit copies of this resolution to the Indiana Lewis and Clark Expedition Commission and the Lewis and Clark Trail Heritage Foundation.

The resolution was read in full and adopted by voice vote. The Chair instructed the Secretary to inform the House of the passage of the resolution.

Senate Resolution 70

Senate Resolution 70, introduced by Senator M. Young:

A SENATE RESOLUTION recognizing Steve Hale.

Whereas, Steve Hale has provided the General Assembly with electrical services for many years;

Whereas, Steve began his work with the legislative branch as a contractor with Ermco Electric;

Whereas, Since 2005, Steve has served as the General Assembly's sole electrical services provider through his company, Superior Electric, LLC; and

Whereas, After decades of services to the General Assembly, Steve Hale is retiring in December 2020: Therefore,

Be it resolved by the Senate of the General Assembly of the State of Indiana:

SECTION 1. That the Indiana Senate recognizes Steve Hale upon his retirement and thanks him for his many years of service to the Indiana General Assembly.

SECTION 2. The Secretary of the Senate is hereby directed to transmit a copy of this Resolution to Steve Hale.

The resolution was read in full and adopted by voice vote.

MESSAGE FROM THE PRESIDENT OF THE SENATE

Members of the Senate: I have on the 9th day of March, 2020, signed Senate Enrolled Acts: 61, 139, 180, 181, 187, 197, 238, 255, 288, 307, and 366, and House Enrolled Acts 1009, 1081, 1095, 1104, 1112, 1129, 1143, 1166, 1189, 1224, 1288, 1334, 1370, and 1403.

SUZANNE CROUCH
Lieutenant Governor

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Monday, March 9, 2020, signed Senate Enrolled Acts: 19, 20, 21, 25, 39, 50, 78, 100, 109, 146, 177, 194, 206, 209, 230, 239, 254, 257, 267, 272, 273, 331, 343, 365, 405, 406, 409, 410, 424, 427, and 430 and House Enrolled Acts 1002, 1015, 1032, 1043, 1047, 1052, 1067, 1080, 1082, 1090, 1091, 1093, 1094, 1151, 1173, 1174, 1199, 1210, 1218, 1243, and 1346.

RODRIC D. BRAY
President Pro Tempore

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 1:
Conferees: Charbonneau, Chair and Stoops
Advisors: Ruckelshaus and Lonnie M. Randolph

BRAY
Date: 3/9/20
Time: 2:06 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 334:
Conferees: Walker, Chair and Breaux
Advisors: Grooms, Jon Ford, and J.D. Ford

BRAY
Date: 3/9/20
Time: 2:12 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 395:
Conferees: Bassler, Chair and Breaux
Advisors: Ruckelshaus and J.D. Ford

BRAY
Date: 3/9/20
Time: 2:11 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 408:
Conferees: Holdman, Chair and Melton
Advisors: Mishler and G. Taylor

BRAY
Date: 3/9/20
Time: 2:14 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 178:
Conferees: Messmer, Chair and Lonnie M. Randolph
Advisors: Jon Ford and Breaux

BRAY
Date: 3/9/20
Time: 4:51 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 299:
Conferees: Senator Kruse to replace Senator Breaux

BRAY
Date: 3/9/20
Time: 4:53 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1414:
Remove: Senator Koch as advisor
Conferees: Senator Koch to replace Senator J.D. Ford

BRAY
Date: 3/10/20
Time: 9:18 a.m.

Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has concurred with the Senate amendments to Engrossed House Bills 1077 and 1165.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed Senate Bills 132, 246, and 258.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed House Concurrent Resolutions 50 and 51 and the same are herewith transmitted for further action.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 184:

Conferees: Manning and Wright
Advisors: Prescott, Carbaugh, Barrett, Austin, Bauer, and Campbell

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 408:

Conferees: T. Brown and Porter
Advisors: Cherry, Negele, Ziemke, DeLaney, Hamilton, Klinker, and Pryor

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 395:

Conferees: Burton and Hamilton
Advisors: Heaton, Lehman, VanNatter, Chyung, and Shackleford

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 334:

Conferees: Wesco and Moseley
Advisors: Lucas, Torr, Boy, and Pfaff

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following

Representatives as a conference committee to confer on Engrossed Senate Bill 47:

Conferees: J. Young and Pierce
Advisors: McNamara, May, Beck, and Hatcher

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 1:

Conferees: Kirchhofer and Shackleford
Advisors: Bacon, Davisson, Zent, Fleming, and Hatfield

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed Senate Bills 10 and 190.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed House Bill 1070.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Pfaff as an advisor on Engrossed Senate Bill 334.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Moseley as a conferee on Engrossed Senate Bill 334 and now appoints Representative Pfaff as a conferee thereon.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Morrison as an advisor on Engrossed House Bill 1414.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Pierce as a conferee on Engrossed House Bill 1414 and now appoints Representative Morrison as a conferee thereon.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Boy as advisor on Engrossed House Bill 1222.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Moseley as a conferee on Engrossed House Bill 1222 and now appoints Representative Boy as a conferee thereon.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has concurred with the Senate amendments to Engrossed House Bills 1265, 1309, and 1353.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Torr as an advisor on Engrossed House Bill 1022.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Porter as a conferee on Engrossed House Bill 1022 and now appoints Representative Torr as a conferee thereon.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Bacon as an advisor on Engrossed Senate Bill 299.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Errington as a conferee on Engrossed Senate Bill 299 and now appoints Representative Bacon as a conferee thereon.

M. CAROLINE SPOTTS
Principal Clerk of the House

RESOLUTIONS ON SECOND READING

Senate Resolution 57

Senator Buck called up Senate Resolution 57 for second reading. The resolution was read a second time and adopted by standing vote.

MOTIONS TO CONCUR IN HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 179.

WALKER

Roll Call 349: yeas 50, nays 0. Motion prevailed.

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 383.

G. TAYLOR

Roll Call 350: yeas 45, nays 5. Motion prevailed.

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT
ESB 10–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 10 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 2-3.5-5-6, AS AMENDED BY P.L.35-2012, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 6. (a) A participant who terminates service as a member of the general assembly is entitled to withdraw both the participant's employee contribution account and employer contribution account from the defined contribution fund. The withdrawal shall be made not later than the required beginning date under the Internal Revenue Code. The amount available for the withdrawal shall be the fair market value of the participant's accounts on the last day of the quarter preceding the date of withdrawal plus employee contributions deducted and employer contributions made since the last day of the quarter preceding the date of withdrawal.

(b) The withdrawal amount shall be paid in a lump sum, a partial lump sum, a monthly annuity as purchased by the board with the remaining amount, or a series of monthly installment payments over sixty (60), one hundred twenty (120), or one hundred eighty (180) months, as elected by the participant. The forms of annuity and installments shall be established by the board by rule, in consultation with the system's actuary. The board shall give participants information on these forms of payments and the effects of various dates of withdrawal.

(c) Subject to the Pension Protection Act of 2006 and notwithstanding any state law, after December 31, 2020, an active member who is at least fifty-nine and one-half (59 1/2) years of age may withdraw all or part of the amount in the member's account without separating from a covered position.

SECTION 2. IC 5-10.2-3-6.5, AS AMENDED BY P.L.27-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 6.5. (a) After ~~June 30, 2018,~~ **December 31, 2020,** a member who meets all of the following requirements may elect to withdraw all or part of the amount in the member's annuity savings account:

(1) The member has terminated employment with the applicable fund and is not currently employed in a covered position for the applicable fund.

~~(2) The member has not performed any service in a position covered by the applicable fund or for the same employer for at least thirty (30) days after the date the member terminates employment.~~

~~(3)~~ **(2)** The member makes the election described in this subsection:

(A) after December 31, 2008, if the member is a member of the public employees' retirement fund; or

(B) after June 30, 2009, if the member is a member of the Indiana state teachers' retirement fund.

~~(4)~~ **(3)** Except as provided in subsection (b), the member is not eligible for:

(A) before July 1, 2011, a reduced or unreduced retirement; or

(B) after June 30, 2011, an unreduced retirement;

under IC 5-10.2-4 on the date the fund receives notice of the election described in this subsection.

(b) The requirement described in subsection ~~(a)(4)~~ **(a)(3)** does not apply to a member of the public employees' retirement fund who:

(1) was eligible for a reduced or unreduced retirement; and

(2) received a distribution under this section;

after December 31, 2008, and before June 30, 2010.

(c) A member who elects to withdraw all or part of the amount in the member's annuity savings account under subsection (a) shall provide notice of the election on a form provided by the board.

(d) The election to withdraw all or part of the amount in the member's annuity savings account is irrevocable.

(e) The board shall pay an amount withdrawn from the member's annuity savings account under this section as a lump sum.

(f) Except as provided in subsection (g), a member who makes a withdrawal under this section is entitled to receive, when the member becomes eligible to receive and applies for a retirement benefit under IC 5-10.2-4, a retirement benefit equal to the pension provided by employer contributions computed under IC 5-10.2-4.

(g) A member who:

(1) transfers creditable service earned under the fund to another governmental retirement plan under section 1(i) of this chapter; and

(2) withdraws the member's annuity savings account under this section to purchase the service;

may not use the transferred service in the computation of a retirement benefit payable under subsection (f).

(h) After June 30, 2019, a member's withdrawal of all or part of the member's annuity savings account under:

(1) this section; or

(2) rules adopted by the board with respect to the Pension Protection Act of 2006;

has no effect on the member's service credit or pension.

(i) Subject to the Pension Protection Act of 2006 and notwithstanding any state law, after December 31, 2020, an active member who:

(1) becomes age and service eligible for normal retirement; and

(2) is at least fifty-nine and one-half (59 1/2) years of age;

may withdraw all or part of the amount in the member's annuity savings account without consequence to the member's pension benefit under the fund and without separating from a covered position.

SECTION 3. IC 5-10.2-3-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 9. (a) This section applies if the following conditions are met. A member dies:

(1) after July 1, 1991; and

(2) while receiving or while eligible to receive retirement benefits under IC 5-10.2-4-1 from the fund.

(b) As used in this section, "minimum amount" means the entire amount credited to the member's annuity savings account at the time of:

(1) retirement; or

(2) death while entitled to retirement benefits;

minus all benefits paid to the member and the member's survivors.

(c) If the member dies without a survivor entitled to benefits and the member has not received payments equal to or more than the minimum amount, the difference shall be paid in a lump sum to the member's designated beneficiary or beneficiaries in equal shares. If the member dies without a surviving designated beneficiary, the difference shall be paid in a lump sum to the member's estate.

(d) If the member dies with a survivor entitled to benefits, no payment under this section shall be calculated until after all survivors die. If, at the time of death of the last survivor, the member and all survivors have not received payments equal to or more than the minimum amount, the difference shall be paid in a lump sum to the survivor's estate.

(e) The minimum benefit provided in this section shall not apply to an election under IC 5-10.2-4-7(g).

SECTION 4. IC 5-10.2-4-7, AS AMENDED BY P.L.40-2017, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 7. (a) Benefits provided under this section are subject to IC 5-10.2-2-1.5.

(b) A member who retires is entitled to receive monthly retirement benefits, which are guaranteed for five (5) years or until the member's death, whichever is later. A member may select in writing any of the following nonconflicting options for the payment of the member's retirement benefits instead of the five (5) year guaranteed retirement benefit payments. The amount of the optional payments shall be determined under rules of the board and shall be the actuarial equivalent of the benefit payable under sections 4, 5, and 6 of this chapter. A member who has elected to withdraw the entire amount in the member's annuity savings account under IC 5-10.2-3-6.5 may not select the cash refund annuity option.

(1) Joint and Survivor Option.

(A) The member receives a decreased retirement benefit during the member's lifetime, and there is a benefit payable after the member's death to a designated beneficiary during the lifetime of the beneficiary, which benefit equals, at the option of the member, either the full decreased retirement benefit or two-thirds (2/3) or one-half (1/2) of that benefit.

(B) If the member dies before retirement, the designated beneficiary may receive only the amount credited to the member in the annuity savings account unless the designated beneficiary is entitled to survivor benefits under IC 5-10.2-3.

(C) If the designated beneficiary dies before the member retires, the selection is automatically canceled and the member may make a new beneficiary election and may elect a different form of benefit under this subsection.

(2) Benefit with No Guarantee. The member receives an increased lifetime retirement benefit without the five (5) year guarantee specified in this subsection.

(3) Integration with Social Security. If the member retires before the age of eligibility for Social Security benefits, in order to provide a level benefit during the member's retirement the member receives an increased retirement benefit until the age of Social Security eligibility and decreased retirement benefits after that age.

(4) Cash Refund Annuity. The member receives a lifetime annuity purchasable by all or part of the amount credited to the member in the annuity savings account, and the member's designated beneficiary receives a refund payment equal to:

(A) the total amount used in computing the annuity; minus

(B) the total annuity payments paid and due to the member before the member's death.

(c) This subsection does not apply to a member of the Indiana state teachers' retirement fund after June 30, 2007, or to a member of the public employees' retirement fund after June 30, 2008. If:

(1) the designated beneficiary dies while the member is receiving benefits; or

(2) the member is receiving benefits, the member marries, either for the first time or following the death of the member's spouse, after the member's first benefit payment is made, and the member's designated beneficiary is not the member's current spouse or the member has not designated a beneficiary;

the member may elect to change the member's designated beneficiary or form of benefit under subsection (b) and to receive an actuarially adjusted and recalculated benefit for the remainder of the member's life or for the remainder of the member's life and the life of the newly designated beneficiary. The member may not elect to change to a five (5) year guaranteed form of benefit. If the member's new election is the joint and survivor option, the member shall indicate whether the designated beneficiary's benefit shall equal, at the option of the member, either the member's full recalculated retirement benefit or two-thirds (2/3) or one-half (1/2) of this benefit. The cost of recalculating the benefit shall be borne by the member and shall be included in the actuarial adjustment.

(d) Except as provided in subsection (c) or section 7.2 of this chapter, a member who files for regular or disability retirement may not change:

(1) the member's retirement option under subsection (b);

(2) the selection of a lump sum payment under section 2 of this chapter; or

(3) the beneficiary designated on the member's application for benefits if the member selects the joint and survivor option under subsection (b)(1);

after the first day of the month in which benefit payments are scheduled to begin. For purposes of this subsection, it is immaterial whether a benefit check has been sent, received, or negotiated.

(e) A member may direct that the member's retirement benefits be paid to a revocable trust that permits the member unrestricted access to the amounts held in the revocable trust. The member's direction is not an assignment or transfer of benefits under IC 5-10.3-8-10 or IC 5-10.4-5-14.5.

(f) The board may adopt a policy to permit annual payment of a member's retirement benefit whenever the amount of the monthly retirement benefit to be paid to the member is not more than five dollars ($5).

(g) The board may provide an alternative option for the payment of the member's retirement benefits that does not include the minimum benefit option under IC 5-10.2-3-9.

SECTION 5. IC 5-10.3-12-26, AS AMENDED BY P.L.27-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 26. (a) ~~Subject~~ **After December 31, 2020, subject** to the provisions of the Internal Revenue Code applicable to qualified plan distributions, a member who

~~(1)~~ terminates service in a covered position ~~and~~

~~(2) does not perform any service in a position covered by the fund for at least thirty (30) days after the date on which the member terminates service;~~

is entitled to withdraw all or part of the amounts in the member's account to the extent the member is vested in the account. A member must make a required withdrawal from the member's account not later than the required beginning date under the Internal Revenue Code.

(b) The member may elect to have withdrawals paid as:

(1) a lump sum;

(2) a direct rollover to another eligible retirement plan; or

(3) if the member has attained normal retirement age, a monthly annuity in accordance with the rules of the board.

(c) The board may establish a minimum account balance or a minimum monthly payment amount in order for a member to select the monthly annuity option. The board shall establish the forms of annuity by rule, in consultation with the board's actuary. The board shall give members information about these forms of payment and any information required by federal law to accompany such distributions.

(d) Unless otherwise required by federal or state law, the requirements and rules that apply to the distribution of the annuity savings account apply to distributions from a member's account.

(e) Subject to the Pension Protection Act of 2006 and notwithstanding any state law, after December 31, 2020, an active member who:

(1) reaches normal retirement age; and

(2) has attained vested status in the fund;

may withdraw all or part of the amount in the member's account without separating from a covered position.

SECTION 6. IC 5-10.4-8-12, AS AMENDED BY P.L.27-2019, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 12. (a) ~~Subject~~ **After December 31, 2020, subject** to the provisions of the Internal Revenue Code applicable to qualified plan distributions, a member who

~~(1)~~ terminates service in a covered position ~~and~~

~~(2) does not perform any service in a position covered by the fund for at least thirty (30) days after the date on which the member terminates service;~~

is entitled to withdraw all or part of the amounts in the member's account to the extent the member is vested in the account. A member must make a required withdrawal from the member's account not later than the required beginning date under the Internal Revenue Code.

(b) A member may elect to have withdrawals paid as:

(1) a lump sum;

(2) a direct rollover to another eligible retirement plan; or

(3) if the member has attained normal retirement age, a monthly annuity in accordance with the rules of the board.

(c) The board may establish a minimum account balance or a minimum monthly payment amount in order for a member to select the monthly annuity option. The board shall establish the forms of annuity by rule, in consultation with the board's actuary. The board shall give members information about these forms of payment and any information required by federal law to accompany such distributions.

(d) Unless otherwise required by federal or state law, the requirements and rules that apply to the distribution of the annuity savings account apply to distributions from a member's account.

(e) Subject to the Pension Protection Act of 2006 and

notwithstanding any state law, after December 31, 2020, an active member who:

(1) reaches normal retirement age; and

(2) has attained vested status in the fund;

may withdraw all or part of the amount in the member's account without separating from a covered position.

(Reference is to ESB 10 as reprinted February 26, 2020.)

Boots, Chair	Burton
Tallian	Moseley
Senate Conferees	House Conferees

Roll Call 351: yeas 50, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT
ESB 237–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 237 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Page 2, delete lines 8 through 38.

(Reference is to ESB 237 as printed February 21, 2020.)

L. Brown, Chair	Macer
Lanane	Morris
Senate Conferees	House Conferees

Roll Call 352: yeas 50, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT
ESB 258–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 258 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 27-7-2-4.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 4.5. The bureau may recommend a premium or rate discount for a municipal corporation purchasing or procuring worker's compensation insurance under IC 22-3-2-2(c) or a volunteer fire department purchasing worker's compensation insurance under IC 36-8-12-10 that has implemented the best practices established under IC 36-8-10.5-11.**

SECTION 2. IC 36-8-10.5-11 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 11. (a) The education board must establish best practices to improve safety and health outcomes for full-time firefighters and volunteer firefighters not later than July 1, 2021.**

(b) The best practices must include:

(1) a proactive health and safety risk management system consisting of a joint employer and employee governance structure to oversee a continuous process of identification, evaluation, monitoring and controlling, and reporting of safety and health hazards in the workplace;

(2) ways to reduce firefighter risk of exposure to carcinogens; and

(3) ways to prevent or reduce the risk of injuries and illness with particular focus on causes of compensable worker's compensation or disability claims.

(c) The education board shall:

(1) review programs established by political subdivisions and volunteer fire departments implementing best practices under this section; and

(2) provide a political subdivision or volunteer fire department with a letter for submission to an insurance company for consideration in a premium or rate discount toward the purchase or procurement of worker's compensation insurance under IC 22-3-2-2 that states that the political subdivision or volunteer fire department has implemented best practices under this section.

SECTION 3. IC 36-8-10.5-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 12. (a) The best practices fund is established for the purpose of providing matching grants to political subdivisions and volunteer fire departments to purchase equipment and other gear to implement best practices established under section 11 of this chapter.**

(b) The fund shall be administered by the education board.

(c) The fund consists of:

(1) appropriations from the general assembly; and

(2) amounts deposited from any other public or private source.

(d) The expenses of administering the fund shall be paid from money in the fund.

(e) The treasurer of state shall invest the money in the fund not currently needed to meet obligations of the fund in the same manner as other public money may be invested. Interest that accrues from these investments shall be deposited in the fund.

(f) Money in the fund at the end of the state fiscal year does not revert to the state general fund.

(g) The education board shall adopt rules under IC 4-22-2 to implement this section.

(Reference is to ESB 258 as reprinted February 21, 2020.)

Koch, Chair	Frye
Mrvan	Klinker
Senate Conferees	House Conferees

Roll Call 353: yeas 50, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT
EHB 1070–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1070 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Page 2, after line 29, begin a new paragraph and insert:

"**(e) The bureau may not assess points under the point system for a violation of this section occurring before July 1, 2021.**".

(Reference is to EHB 1070 as printed February 21, 2020.)

Sullivan, Chair	Crider
Candelaria Reardon	Niezgodski
House Conferees	Senate Conferees

Roll Call 354: yeas 49, nays 1. Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolutions 67 and 68 and the same are herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1022:
Remove: Senator L. Brown as advisor
Conferees: Senator L. Brown to replace Senator Lonnie M. Randolph

BRAY
Date: 3/10/20
Time: 2:13 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1014:
Remove: Senator Buck as advisor
Conferees: Senator Buck to replace Senator Lanane

BRAY
Date: 3/10/20
Time: 2:14 p.m.

Report adopted.

SENATE MOTION

Madam President: I move that Senators Boots and Tomes be added as coauthors of Senate Resolution 57.

BUCK

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator M. Young be added as coauthor of Senate Bill 148.

DORIOT

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Jon Ford be removed as second author of Senate Bill 178.

JON FORD

Motion prevailed.

SENATE MOTION

Madam President: I move that Senator Crane be removed as third author of Senate Bill 178.

CRANE

Motion prevailed.

2:26 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 5:06 p.m., with the President of the Senate in the Chair.

SENATE MOTION

Madam President: I move that Senate Rule 82(c) be suspended with regard to its application to all motions to Concur that appear on a calendar for consideration on March 10, 2020 through midnight on March 14, 2020.

BRAY

Motion prevailed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred the motion of Senator Bray, requesting suspension of Senate Rule 82(c) with regard to its application to all motions to Concur that appear on a calendar for consideration on March 10, 2020 through midnight

on March 14, 2020, has had the same under consideration and begs leave to report back to the Senate with the recommendation that said motion be adopted.

BRAY, Chair

Report adopted.

SENATE MOTION

Madam President: I move that Senate Rule 86(a) be suspended with regard to its application to all Conference Committee Reports that appear on a calendar for consideration on March 10, 2020 through midnight on March 14, 2020.

BRAY

Motion prevailed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: The Senate Committee on Rules and Legislative Procedure, to which was referred the motion of Senator Bray, requesting suspension of Senate Rule 86(a) for all Conference Committee Reports that appear on a calendar for consideration on March 10, 2020 through midnight on March 14, 2020, has had the same under consideration and begs leave to report back to the Senate with the recommendation that said motion be adopted.

BRAY, Chair

Report adopted.

COMMITTEE REPORT

Madam President: Pursuant to Senate Rule 86(l) your Committee on Rules and Legislative Procedure to which was referred Conference Committee Reports filed on Engrossed Senate Bills 132, 246, 340, and 433 and Engrossed House Bill 1414 has had the same under consideration and begs leave to report back to the Senate with the recommendation that said Conference Committee Reports are eligible for consideration.

BRAY, Chair

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 47:
Conferees: Senator M. Young to replace Senator Tallian

BRAY
Date: 3/10/20
Time: 4:59 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 229:
Remove: Senator Doriot as advisor
Conferees: Senator Doriot to replace Senator Stoops

BRAY
Date: 3/10/20
Time: 2:52 p.m.

Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed House Bills 1157 and 1414.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed Senate Bill 237.

M. CAROLINE SPOTTS
Principal Clerk of the House

MOTIONS TO CONCUR IN HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 395.

BASSLER

Roll Call 355: yeas 40, nays 7. Motion prevailed.

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT

ESB 132–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 132 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 9-18.5-23-1, AS ADDED BY P.L.198-2016, SECTION 327, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. The bureau shall design and issue a ~~safety~~ first **responder** license plate. The ~~safety~~

first **responder** license plate shall:

(1) be designed and issued as a special group recognition license plate under IC 9-18.5-12; and

(2) replace the emergency medical services license plate issued by the bureau.

SECTION 2. IC 9-18.5-23-2, AS ADDED BY P.L.198-2016, SECTION 327, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 2. A person that is eligible to register a vehicle under this title is eligible to receive a ~~safety~~ first **responder** license plate under this chapter upon doing the following:

(1) Completing an application for a ~~safety~~ first **responder** license plate.

(2) Paying the fees under section 3 of this chapter.

SECTION 3. IC 9-18.5-23-3, AS ADDED BY P.L.198-2016, SECTION 327, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 3. (a) The fees for a ~~safety~~ first **responder** license plate are as follows:

(1) An annual supplemental fee of fifteen dollars ($15) under IC 9-18.5-12-16.

(2) An annual fee of not more than twenty-five dollars ($25) as provided in IC 9-18.5-12-14(d)(2) or IC 9-18.5-12-15(b).

(b) The annual fee referred to in subsection (a)(2) shall be collected by the bureau and deposited in the fund established under IC 10-15-3-1.

SECTION 4. IC 10-19-1-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.5. "Application", for purposes of IC 10-19-2.1, means an application for:**

(1) a permit;

(2) a registration;

(3) a variance;

(4) an authorization;

(5) a license;

(6) a certification; or

(7) a waiver.

SECTION 5. IC 10-19-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 2.1. Powers and Duties of Department

Sec. 1. If a person is required to submit information, an application, or a document to:

(1) the department;

(2) an employee of the department;

(3) an office or division of the department; or

(4) a board, commission, or council staffed by the department;

the department, office, or division of the department, or the board, commission, or council staffed by the department, may require the person to submit the information, application, or document electronically. However, the department, office, or division of the department, or the board, commission, or council staffed by the department, may not require a person to submit information, an application, or a document electronically if the person demonstrates that being required to submit the information, application, or document electronically will constitute an undue hardship for the person.

SECTION 6. IC 10-19-3-8, AS ADDED BY P.L.45-2012, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) The executive director may grant a variance to a rule governing the state disaster relief fund under 290 IAC 1. A variance granted under this section must promote the effective and expeditious distribution of relief assistance.

(b) The executive director may grant a variance to a rule under subsection (a) if an applicant for financial assistance under 290 IAC 1-1 or 290 IAC 1-2 does the following:

(1) Submits to the executive director a written **or electronic** request for the variance in the form and manner specified by the executive director.

(2) Documents that compliance with the rule specified in the application for the variance will create an undue hardship on the applicant, as determined by the executive director.

(3) Documents that the applicant for the variance will be in substantial compliance with 290 IAC 1-1 or 290 IAC 1-2, as applicable, after the variance is granted, as determined by the executive director.

(4) Documents that noncompliance with the rule specified in the application for a variance will not be adverse to public health and safety or the purposes of the fund, as determined by the executive director.

(c) A variance granted under subsection (b) must be conditioned upon compliance with the alternative method approved by the executive director. Noncompliance with the alternative method constitutes the violation of a rule of the executive director and may be the basis for revoking the variance.

SECTION 7. IC 10-19-11-6, AS ADDED BY P.L.29-2014, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) A person shall not produce, use, store, or dispose of radioactive materials until the person:

(1) is registered or licensed in Indiana under this chapter; or

(2) registers in writing **or an electronic format** with the agency, giving the pertinent information the agency requires, in accordance with the procedures prescribed by the agency.

(b) A person that uses, stores, or disposes of radioactive materials may be exempted by the agency from licensure or registration under this chapter if the agency determines that the person's use, storage, or disposal of radioactive materials is not a material hazard to public health, safety, and welfare.

SECTION 8. IC 20-26-18.2-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5. (a) A school corporation or charter school served by a school resource officer employed for the protection of the school corporation or charter school under section 2 of this chapter shall annually report the number of school resource officers serving the school corporation or charter school to the department of homeland security before September 1.**

(b) The department of homeland security shall:

(1) annually compile the information reported under subsection (a); and

(2) retain the information reported under subsection (a).

(c) For purposes of IC 5-14-3, the department of homeland security shall keep information compiled and retained under subsection (b) confidential and shall withhold the information from public disclosure.

SECTION 9. IC 22-11-14-2, AS AMENDED BY P.L.187-2006, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) The fire prevention and building safety commission shall:

(1) adopt rules under IC 4-22-2 for the granting of permits for supervised public displays of fireworks by municipalities, fair associations, amusement parks, and other organizations or groups of individuals; and

(2) establish by rule the fee for the permit, which shall be paid into the fire and building services fund created under IC 22-12-6-1.

(b) The application for a permit required under subsection (a) must:

(1) name a competent operator who is to officiate at the display;

(2) set forth a brief resume of the operator's experience;

(3) be made in writing **or an electronic format;** and

(4) be received with the applicable fee by the division of fire and building safety at least five (5) business days before the display.

No operator who has a prior conviction for violating this chapter may operate any display for one (1) year after the conviction.

(c) Every display shall be handled by a qualified operator approved by the chief of the fire department of the municipality in which the display is to be held. A display shall be located, discharged, or fired as, in the opinion of:

(1) the chief of the fire department of the city or town in which the display is to be held; or

(2) the township fire chief or the fire chief of the municipality nearest the site proposed, in the case of a display to be held outside of the corporate limits of any city or town;

after proper inspection, is not hazardous to property or person.

(d) A permit granted under this section is not transferable.

(e) A denial of a permit by a municipality shall be issued in writing before the date of the display.

(f) A person may not possess, transport, or deliver special fireworks, except as authorized under this section.

SECTION 10. IC 22-13-5-2, AS AMENDED BY P.L.49-2016, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) Except as provided under subsection (c), upon the written request of an interested person, the state building commissioner of the division of fire and building safety shall issue a written interpretation of a building law or a fire safety law not later than ten (10) business days after the date of receiving a request. An interpretation issued by the state building commissioner must be consistent with building laws and fire safety laws enacted by the general assembly or adopted by the commission.

(b) The state building commissioner shall issue a written interpretation of a building law or fire safety law under subsection (a) whether or not the county or municipality has taken any action to enforce the building law or fire safety law.

(c) If:

(1) an interested person submits a written **or electronic** request to the building commissioner for a written interpretation of a building law or fire safety law applicable to a Class 2 structure; and

(2) the building commissioner is absent and unable to issue a written interpretation within the time specified under subsection (a);

the chair of the commission, or, if the chair is absent, the vice chair of the commission, shall issue the written interpretation not later than ten (10) business days after the date of receiving the request.

SECTION 11. IC 22-14-7-22 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 22. (a) The reduced ignition propensity standards for cigarettes fund is established. Money in the fund may be used to support processing, testing, enforcement, and oversight activities under this chapter. The fund shall be administered by the state fire marshal.~~

~~(b) The expenses of administering the fund shall be paid from money in the fund.~~

~~(c) The treasurer of state shall invest money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.~~

~~(d) The fund consists of:~~

~~(1) certification fees collected under section 21 of this chapter; and~~

~~(2) grants, gifts, and donations intended for deposit in the fund.~~

~~(e) The money in the fund at the end of the state fiscal year does not revert to the state general fund.~~

SECTION 12. IC 22-14-7-27, AS AMENDED BY HEA 1174-2020, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 27. (a) The fire prevention and public safety fund is established. The fund shall be administered by the state fire marshal. Money in the fund may be used to support:

(1) fire safety and prevention programs; ~~and~~

(2) processing, testing, enforcement, and oversight activities under this chapter; and

~~(2)~~ **(3)** public safety education and outreach programs, including, but not limited to, youth helmet safety.

(b) The expenses of administering the fund shall be paid from money in the fund.

(c) The treasurer of state shall invest money in the fund not currently needed to meet the obligations of the fund in the same manner as other public money may be invested.

(d) The fund consists of:

(1) certification fees collected under section 21 of this chapter;

~~(1)~~ **(2)** penalties recovered under section 24 of this chapter; and

~~(2)~~ **(3)** grants, gifts, and donations intended for deposit in the fund.

(e) The money in the fund at the end of the state fiscal year

does not revert to the state general fund.

SECTION 13. IC 22-14-7-27.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 27.5. On July 1, 2020, the auditor of state shall transfer the balance that remained on June 30, 2020, in the reduced ignition propensity standards for cigarettes fund established by section 22 of this chapter (before its repeal) to the fire prevention and public safety fund established by section 27 of this chapter.**

SECTION 14. IC 22-15-5-4, AS AMENDED BY P.L.230-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The division shall carry out a program for the periodic inspection of regulated lifting devices being operated in Indiana. A regulated lifting device may not be operated without an operating certificate that covers the operation of the regulated lifting device.

(b) A permit issued under this section expires on the earlier of:

(1) one (1) year after issuance; or

(2) when the regulated lifting device is altered.

(c) After a regulated lifting device has been installed or altered, an applicant shall apply for an initial operating certificate. The division shall issue an initial operating certificate for a regulated lifting device if:

(1) the applicant demonstrates:

(A) through an acceptance inspection made by an elevator inspector licensed under section 11 of this chapter that the regulated lifting device covered by the application complies with the laws governing its construction, repair, maintenance, and operation; and

(B) that the applicant has paid the fee set under IC 22-12-6-6(a)(7); and

(2) the division verifies, through an inspection, that the regulated lifting device complies with the laws governing the construction, repair, maintenance, and operation of the regulated lifting device.

(d) The division shall issue a renewal operating certificate if the applicant:

(1) demonstrates through the completion of applicable safety tests that the regulated lifting device complies with the laws governing the construction, repair, maintenance, and operation of the regulated lifting device;

(2) submits results of all applicable safety tests, including failed safety tests for the regulated lifting device; and

(3) has paid the fee set under IC 22-12-6-6(a)(7).

(e) The division may issue a temporary operating permit to an applicant under this section who does not comply with subsection (c)(1)(A) for a new or altered regulated lifting device or subsection (d)(1) for an existing unaltered regulated lifting device. The applicant must pay the fee set under IC 22-12-6-6(a)(7) to qualify for the temporary operating permit. Except as provided in subsection (f), the permit, including all renewal periods, is limited to sixty (60) days.

(f) The division may renew a temporary operating permit issued under subsection (e) for thirty (30) day periods during the construction of a building if the regulated lifting device is used for the transportation of construction personnel, tools, and materials.

(g) The responsibilities of the division under this section may be carried out by a political subdivision that is approved by the commission under IC 22-13-2-10.

(h) A copy of the operating certificate shall be displayed in or on each regulated lifting device or in an associated machine room. **In addition to the requirements of this subsection, the two-dimensional bar code assigned to an elevator shall be displayed in or on each elevator in a location that is easily viewed and scanned by a person riding on the elevator.**

(i) A licensed elevator mechanic shall perform the maintenance on a regulated lifting device.

SECTION 15. IC 36-8-17-7, AS AMENDED BY P.L.1-2006, SECTION 578, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) A fire department shall investigate and determine the causes and circumstances surrounding each fire occurring within the territory served by the fire department. The fire department shall begin the investigation when the fire occurs. The fire department shall immediately notify the division if the fire chief believes that a crime may have been committed and shall submit a written **or electronic** report to the division concerning every investigation at the end of each month. The fire department shall submit the report on the form prescribed by the division and shall include the following information in the report:

(1) A statement of the facts relating to the cause and origin of the fire.

(2) The extent of damage caused by the fire.

(3) The amount of insurance on the property affected by the fire.

(4) Other information required in the commission's rules.

(b) To carry out this section, a fire department may:

(1) enter and inspect any real or personal property at a reasonable hour;

(2) cooperate with the prosecuting attorney and assist the prosecuting attorney with any criminal investigation;

(3) request that the office subpoena witnesses under IC 22-14-2-8 or order the production of books, documents, and other papers;

(4) give oaths and affirmations;

(5) take depositions and conduct hearings; and

(6) separate witnesses and otherwise regulate the course of proceedings.

(c) Subpoenas, discovery orders, and protective orders issued under this section shall be enforced under IC 4-21.5-6-2.

(Reference is to ESB 132 as printed February 28, 2020.)

Crider, Chair	Frye
Mrvan	Klinker
Senate Conferees	House Conferees

Roll Call 356: yeas 48, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT

ESB 190–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 190 respectfully reports that said two committees have conferred and agreed as

follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 6-1.1-20-1.1, AS AMENDED BY P.L.246-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.1. As used in this chapter, "controlled project" means any project financed by bonds or a lease, except for the following:

(1) A project for which the political subdivision reasonably expects to pay:

(A) debt service; or

(B) lease rentals;

from funds other than property taxes that are exempt from the levy limitations of IC 6-1.1-18.5 or (before January 1, 2009) IC 20-45-3. A project is not a controlled project even though the political subdivision has pledged to levy property taxes to pay the debt service or lease rentals if those other funds are insufficient.

(2) A project that will not cost the political subdivision more than the lesser of the following:

(A) An amount equal to the following:

(i) In the case of an ordinance or resolution adopted before January 1, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, two million dollars ($2,000,000).

(ii) In the case of an ordinance or resolution adopted after December 31, 2017, and before January 1, 2019, making a preliminary determination to issue bonds or enter into a lease for the project, five million dollars ($5,000,000).

(iii) In the case of an ordinance or resolution adopted in a calendar year after December 31, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, an amount (as determined by the department of local government finance) equal to the result of the assessed value growth quotient determined under IC 6-1.1-18.5-2 for the year multiplied by the amount determined under this clause for the preceding calendar year.

The department of local government finance shall publish the threshold determined under item (iii) in the Indiana Register under IC 4-22-7-7 not more than sixty (60) days after the date the budget agency releases the growth quotient for the ensuing year under IC 6-1.1-18.5-2.

(B) An amount equal to the following:

(i) One percent (1%) of the total gross assessed value of property within the political subdivision on the last assessment date, if that total gross assessed value is more than one hundred million dollars ($100,000,000).

(ii) One million dollars ($1,000,000), if the total gross assessed value of property within the political subdivision on the last assessment date is not more than one hundred million dollars ($100,000,000).

(3) A project that is being refinanced for the purpose of providing gross or net present value savings to taxpayers.

(4) A project for which bonds were issued or leases were entered into before January 1, 1996, or where the state board of tax commissioners has approved the issuance of bonds or the execution of leases before January 1, 1996.

(5) A project that is required by a court order holding that a federal law mandates the project.

(6) A project that is in response to:

(A) a natural disaster;

(B) an accident; or

(C) an emergency;

in the political subdivision that makes a building or facility unavailable for its intended use.

(7) A project that was not a controlled project under this section as in effect on June 30, 2008, and for which:

(A) the bonds or lease for the project were issued or entered into before July 1, 2008; or

(B) the issuance of the bonds or the execution of the lease for the project was approved by the department of local government finance before July 1, 2008.

(8) A project of the Little Calumet River basin development commission for which bonds are payable from special assessments collected under IC 14-13-2-18.6.

(9) A project for engineering, land and right-of-way acquisition, construction, resurfacing, maintenance, restoration, and rehabilitation exclusively for or of:

(A) local road and street systems, including bridges that are designated as being in a local road and street system;

(B) arterial road and street systems, including bridges that are designated as being in an arterial road and street system; or

(C) any combination of local and arterial road and street systems, including designated bridges.

SECTION 2. IC 6-1.1-20-10, AS AMENDED BY P.L.198-2011, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) This section applies to:

(1) a political subdivision that adopts an ordinance or a resolution making a preliminary determination to issue bonds or enter into a lease; **and**

(2) any other political subdivision that has assessed value within the same taxing district as the political subdivision described in subdivision (1).

Except as otherwise provided in this section, during the period commencing with the adoption of the ordinance or resolution and, if a petition and remonstrance process is commenced under section 3.2 of this chapter, continuing through the sixty (60) day period commencing with the notice under section 3.2(b)(1) of this chapter, the political subdivision seeking to issue bonds or enter into a lease for the proposed controlled project, **or any other political subdivision that has assessed value within the same taxing district,** may not promote a position on the petition or remonstrance by doing any of the following:

(1) Using facilities or equipment, including mail and messaging systems, owned by the political subdivision to

promote a position on the petition or remonstrance, unless equal access to the facilities or equipment is given to persons with a position opposite to that of the political subdivision.

(2) Making an expenditure of money from a fund controlled by the political subdivision to promote a position on the petition or remonstrance or to pay for the gathering of signatures on a petition or remonstrance. This subdivision does not prohibit a political subdivision from making an expenditure of money to an attorney, an architect, registered professional engineer, a construction manager, or a financial adviser for professional services provided with respect to a controlled project.

(3) Using an employee to promote a position on the petition or remonstrance during the employee's normal working hours or paid overtime, or otherwise compelling an employee to promote a position on the petition or remonstrance at any time. However, if a person described in subsection (f) is advocating for or against a position on the petition or remonstrance or discussing the petition or remonstrance as authorized under subsection (f), an employee of the political subdivision may assist the person in presenting information on the petition or remonstrance, if requested to do so by the person described in subsection (f).

(4) In the case of a school corporation, promoting a position on a petition or remonstrance by:

(A) using students to transport written materials to their residences or in any way involving students in a school organized promotion of a position;

(B) including a statement within another communication sent to the students' residences; or

(C) initiating discussion of the petition and remonstrance process at a meeting between a teacher and parents of a student regarding the student's performance or behavior at school. However, if the parents initiate a discussion of the petition and remonstrance process at the meeting, the teacher may acknowledge the issue and direct the parents to a source of factual information on the petition and remonstrance process.

However, this section does not prohibit an official or employee of the political subdivision from carrying out duties with respect to a petition or remonstrance that are part of the normal and regular conduct of the official's or employee's office or agency, including the furnishing of factual information regarding the petition and remonstrance in response to inquiries from any person.

(b) A person may not solicit or collect signatures for a petition or remonstrance on property owned or controlled by the political subdivision.

(c) The staff and employees of a school corporation may not personally identify a student as the child of a parent or guardian who supports or opposes a petition or remonstrance.

(d) This subsection does not apply to:

(1) a personal expenditure to promote a position on a petition and remonstrance by an employee of a school corporation whose employment is governed by a collective bargaining contract or an employment contract; or

(2) an expenditure to promote a position on a petition and remonstrance by a person or an organization that has a contract or an arrangement with the school corporation solely for the use of the school corporation's facilities.

A person or an organization that has a contract or an arrangement (whether formal or informal) with a school corporation to provide goods or services to the school corporation may not spend any money to promote a position on the petition or remonstrance. A person or an organization that violates this subsection commits a Class A infraction.

(e) An attorney, an architect, registered professional engineer, a construction manager, or a financial adviser for professional services provided with respect to a controlled project may not spend any money to promote a position on the petition or remonstrance. A person who violates this subsection:

(1) commits a Class A infraction; and

(2) is barred from performing any services with respect to the controlled project.

(f) Notwithstanding any other law, an elected or appointed public official of the political subdivision (including any school board member and school corporation superintendent), a school corporation assistant superintendent, or a chief school business official of a school corporation may at any time:

(1) personally advocate for or against a position on the petition or remonstrance; or

(2) discuss the petition or remonstrance with any individual, group, or organization or personally advocate for or against a position on the petition or remonstrance before any individual, group, or organization;

so long as it is not done by using public funds. Advocacy or discussion allowed under this subsection is not considered a use of public funds. However, this subsection does not authorize or apply to advocacy or discussion by a school board member, superintendent, assistant superintendent, or school business official to or with students that occurs during the regular school day.

(g) Nothing in this section shall be construed to prevent a political subdivision that has assessed value within the same taxing district as the political subdivision described in subsection (a) from adopting a resolution or taking a position on the local public question.

SECTION 3. IC 6-1.1-20-10.1, AS AMENDED BY P.L.198-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.1. (a) This section applies only to:

(1) a political subdivision that ~~after June 30, 2008,~~ adopts an ordinance or a resolution making a preliminary determination to issue bonds or enter into a lease subject to sections 3.5 and 3.6 of this chapter; **and**

(2) any other political subdivision that has assessed value within the same taxing district as the political subdivision described in subdivision (1).

(b) Except as otherwise provided in this section, during the period beginning with the adoption of the ordinance or resolution and continuing through the day on which a local public question is submitted to the voters of the political subdivision under section 3.6 of this chapter, the political subdivision seeking to issue bonds or enter into a lease for the proposed controlled

project, **or any other political subdivision that has assessed value within the same taxing district,** may not promote a position on the local public question by doing any of the following:

(1) Using facilities or equipment, including mail and messaging systems, owned by the political subdivision to promote a position on the local public question, unless equal access to the facilities or equipment is given to persons with a position opposite to that of the political subdivision.

(2) Making an expenditure of money from a fund controlled by the political subdivision to promote a position on the local public question. This subdivision does not prohibit a political subdivision from making an expenditure of money to an attorney, an architect, a registered professional engineer, a construction manager, or a financial adviser for professional services provided with respect to a controlled project.

(3) Using an employee to promote a position on the local public question during the employee's normal working hours or paid overtime, or otherwise compelling an employee to promote a position on the local public question at any time. However, if a person described in subsection (f) is advocating for or against a position on the local public question or discussing the local public question as authorized under subsection (f), an employee of the political subdivision may assist the person in presenting information on the local public question, if requested to do so by the person described in subsection (f).

(4) In the case of a school corporation, promoting a position on a local public question by:

(A) using students to transport written materials to their residences or in any way involving students in a school organized promotion of a position;

(B) including a statement within another communication sent to the students' residences; or

(C) initiating discussion of the local public question at a meeting between a teacher and parents of a student regarding the student's performance or behavior at school. However, if the parents initiate a discussion of the local public question at the meeting, the teacher may acknowledge the issue and direct the parents to a source of factual information on the local public question.

However, this section does not prohibit an official or employee of the political subdivision from carrying out duties with respect to a local public question that are part of the normal and regular conduct of the official's or employee's office or agency, including the furnishing of factual information regarding the local public question in response to inquiries from any person.

(c) The staff and employees of a school corporation may not personally identify a student as the child of a parent or guardian who supports or opposes a controlled project subject to a local public question held under section 3.6 of this chapter.

(d) This subsection does not apply to:

(1) a personal expenditure to promote a position on a local public question by an employee of a school corporation whose employment is governed by a collective bargaining contract or an employment contract; or

(2) an expenditure to promote a position on a local public question by a person or an organization that has a contract or an arrangement (whether formal or informal) with the school corporation solely for the use of the school corporation's facilities.

A person or an organization that has a contract or an arrangement (whether formal or informal) with a school corporation to provide goods or services to the school corporation may not spend any money to promote a position on a local public question. A person or an organization that violates this subsection commits a Class A infraction.

(e) An attorney, an architect, a registered professional engineer, a construction manager, or a financial adviser for professional services provided with respect to a controlled project may not spend any money to promote a position on a local public question. A person who violates this subsection:

(1) commits a Class A infraction; and

(2) is barred from performing any services with respect to the controlled project.

(f) Notwithstanding any other law, an elected or appointed public official of the political subdivision (including any school board member and school corporation superintendent), a school corporation assistant superintendent, or a chief school business official of a school corporation may at any time:

(1) personally advocate for or against a position on the local public question; or

(2) discuss the public question with any individual, group, or organization or otherwise personally advocate for or against a position on the public question before any individual, group, or organization;

so long as it is not done by using public funds. Advocacy or discussion allowed under this subsection is not considered a use of public funds. However, this subsection does not authorize or apply to advocacy or discussion by a school board member, superintendent, assistant superintendent, or school business official to or with students that occurs during the regular school day.

(g) A student may use school equipment or facilities to report or editorialize about a local public question as part of the news coverage of the referendum by student newspaper or broadcast.

(h) Nothing in this section shall be construed to prevent a political subdivision that has assessed value within the same taxing district as the political subdivision described in subsection (a) from adopting a resolution or taking a position on the local public question.

(Reference is to ESB 190 as reprinted March 3, 2020.)

Holdman, Chair	Thompson
G. Taylor	Pryor
Senate Conferees	House Conferees

Roll Call 357: yeas 29, nays 19. Report adopted.

CONFERENCE COMMITTEE REPORT

ESB 246–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 246 respectfully reports that said two committees have conferred and agreed as

follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Page 2, delete lines 27 through 38.

Renumber all SECTIONS consecutively.

(Reference is to ESB 246 as reprinted February 18, 2020.)

Crider, Chair	Cook
Mrvan	Austin
Senate Conferees	House Conferees

Roll Call 358: yeas 48, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT

ESB 340–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 340 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 32-21-2-3, AS AMENDED BY P.L.14-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Except as provided in subsection (c), a conveyance, a mortgage, or an instrument of writing to be recorded must be:

(1) acknowledged by the grantor; ~~or~~ **and**

(2) proved before a:

(A) judge;

(B) clerk of a court of record;

(C) county auditor;

(D) county recorder;

(E) notary public;

(F) mayor of a city in Indiana or any other state;

(G) commissioner appointed in a state other than Indiana by the governor of Indiana;

(H) minister, charge d'affaires, or consul of the United States in any foreign country;

(I) clerk of the city county council for a consolidated city, city clerk for a second class city, or clerk-treasurer for a third class city;

(J) clerk-treasurer for a town; or

(K) person authorized under IC 2-3-4-1.

(b) In addition to the requirements under subsection (a), a conveyance may not be recorded after June 30, 2007, unless it meets the requirements of this subsection. The conveyance must include a statement containing substantially the following information:

"The mailing address to which statements should be mailed under IC 6-1.1-22-8.1 is [insert proper mailing address]. The mailing address of the grantee is [insert proper mailing address].".

The mailing address for the grantee must be a street address or a rural route address. A conveyance complies with this subsection if it contains the address or addresses required by this subsection at the end of the conveyance and immediately preceding or following the statements required by IC 36-2-11-15.

(c) This section does not apply to the Indiana department of transportation.

SECTION 2. IC 32-24-1-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) Upon the filing of a complaint under this chapter, the circuit court clerk shall issue a notice requiring the defendants to appear before the court on the day to be fixed by the plaintiff by indorsement on the complaint at the time of filing the complaint, and to show cause, if any, why the property sought to be condemned should not be acquired. **The notice must also provide notice to defendants of their right to object under section 8 of this chapter not later than thirty (30) days from the date the notice is served. The notice must include, either as an attachment or as part of the language of the notice, the full text of section 8 of this chapter.** The notice shall be substantially in the following form:

In the _____ Court of Indiana.

To the Sheriff of _____ County, Indiana:

You are hereby commanded to notify _____, defendants, to appear before the _____ Court of _____ County, Indiana on the ____ day of _____, 20_____, at _____ o'clock, __ M. ~~to show cause, if any, they have why the~~ **to object to the condemnation of** property sought to be acquired in the complaint of _____. ~~should not be acquired.~~ **If defendants object to the acquisition of the property, defendants must file objections with the court under IC 32-24-1-8 not later than thirty (30) days after the date this notice is served. The court may extend the period for filing objections by an additional thirty (30) days upon written motion of the defendants.**

Witness my hand and the seal of the court affixed at _____, Indiana, this ___ day of _____, 20_____.

Clerk of _____ Court.

(b) The notice shall be served in the same manner as a summons is served in civil actions. Upon a showing by affidavit that any defendant is a nonresident of Indiana or that the defendant's name or residence is unknown, publication and proof of the notice may be made as provided in section 7 of this chapter.

SECTION 3. IC 32-24-1-8, AS AMENDED BY P.L.146-2017, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) A defendant may object to the proceedings:

(1) because the court does not have jurisdiction either of the subject matter or of the person;

(2) because the plaintiff does not have the right to exercise the power of eminent domain for the use sought; or

(3) for any other reason disclosed in the complaint or set up in the objections.

(b) Objections under subsection (a) must be:

(1) in writing;

(2) separately stated and numbered; and

(3) filed not later than thirty (30) days after the date the notice required in section 6 of this chapter is served on the defendant. However, the court may extend the period for filing objections by not more than thirty (30) days upon written motion of the defendant.

(c) The court may not allow pleadings in the cause other than the complaint, any objections, and the written exceptions provided for in section 11 of this chapter. However, the court may permit amendments to the pleadings.

(d) If an objection is sustained, the plaintiff may amend the complaint or may appeal from the decision in the manner that appeals are taken from final judgments in civil actions. All the parties shall take notice and are bound by the judgment in an appeal.

(e) If the objections are overruled, the court shall appoint appraisers as provided for in this chapter. Any defendant may appeal the interlocutory order overruling the objections and appointing appraisers in the manner that appeals are taken from final judgments in civil actions.

(f) All the parties shall take notice of and be bound by the judgment in the appeal.

(g) The transcript must be filed in the office of the clerk of the supreme court not later than thirty (30) days after the notice of the defendant's appeal is filed. The appeal does not stay proceedings in the cause.

(h) This subsection does not apply to a condemnation action brought by a public utility (as defined in section 5.9(a) of this chapter) or by a pipeline company. Notwithstanding section 14 of this chapter, if an objection:

(1) is sustained, and no appeal is filed; or

(2) is sustained in the judgment in the appeal;

the court shall award the defendant the reasonable costs and attorney's fees incurred for the objection, in an amount not to exceed twenty-five thousand dollars ($25,000).

SECTION 4. IC 32-24-2-6, AS AMENDED BY P.L.172-2009, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) This chapter applies if the works board of a municipality wants to acquire property for the use of the municipality or to open, change, lay out, or vacate a street, an alley, or a public place in the municipality, including a proposed street or alley crossings of railways or other rights-of-way. However, this chapter does not apply if a municipality wants to acquire the property of a public utility (as defined in IC 8-1-2-1).

(b) The works board must adopt a resolution that the municipality wants to acquire the property. The resolution must describe the property that may be injuriously or beneficially affected. The board shall have notice of the resolution:

(1) published in a newspaper of general circulation published in the municipality once each week for two (2) consecutive weeks; **and**

(2) mailed to the owner of each piece of property affected by the proposed acquisition.

The notice must name a date, at least ~~ten (10)~~ **thirty (30)** days after the last publication, at which time the board will receive or hear remonstrances from persons interested in or affected by the proceeding.

(c) The works board shall consider the remonstrances, if any, and then take final action, confirming, modifying, or rescinding its original resolution. ~~This action is conclusive as to all persons.~~

SECTION 5. IC 32-24-2-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) Upon the completion of the list, the works board shall award the damages sustained and assess the benefits accruing to each piece of property on the list.

(b) When the assessments or awards are completed, the works board shall have a written notice served upon the owner of each piece of property, showing the amount of the assessment or award, by:

(1) if the owner is a resident of the municipality, leaving a copy of the notice at the owner's last usual place of residence in the municipality or by delivering a copy to the owner personally **and mailing a copy of the notice to the owner's address of record; or**

(2) if the owner is not a resident of the municipality, by sending the notice to the owner's address of record by certified mail.

(c) ~~If the owner is a nonresident, or~~ If the owner's residence is unknown, the municipality shall notify the owner by publication in a daily newspaper of general circulation in the municipality once each week for three (3) successive weeks.

(d) The notices must also name a day, at least ~~ten (10)~~ **thirty (30)** days after service of notice or after the last publication, on which the works board will receive or hear remonstrances from ~~persons~~ **owners** with regard to:

(1) the amount of their respective awards or assessments; **and**

(2) objections to the municipality's right to exercise the power of eminent domain for the use sought.

(e) Persons not included in the list of the assessments or awards and claiming to be entitled to them are considered to have been notified of the pendency of the proceedings by the original notice of the resolution of the works board.

(f) The notice required by this section must provide the full text of subsection (d) to provide notice to the property owners of their right to object to the condemnation and be in substantially the same form as the notice required under IC 32-24-1-6(a).

SECTION 6. IC 32-24-2-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) A person notified or considered to be notified under this chapter may appear before the works board on the day fixed for hearing remonstrances to awards and assessments **and the municipality's right to exercise the power of eminent domain for the use sought** and remonstrate in writing against them.

(b) After the remonstrances have been received, the works board shall either sustain or modify the awards or assessments in the case of remonstrances that have been filed **that are based on the amount of the awards or assessments.** The works board shall sustain the award or assessment in the case of an award or assessment against which a remonstrance has not been filed.

(c) If a person remonstrates in writing an objection to the municipality's right to exercise the power of eminent domain for the use sought, the works board shall consider the remonstrance and confirm, modify, or rescind its original

resolution.

~~(c)~~ **(d)** A person remonstrating in writing who is aggrieved by the decision of the works board may, not later than ~~twenty (20)~~ **thirty (30)** days after the decision is made, take an appeal to a court that has jurisdiction in the county in which the municipality is located. The appeal affects only the assessment or award of the person appealing.

SECTION 7. IC 32-24-2-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) The appeal may be taken by filing an original complaint in the court against the municipality within the time required by section ~~10(c)~~ **10(d)** of this chapter, setting forth the action of the works board with respect to the assessment and stating the facts relied upon as showing an error on the part of the board. The court shall rehear the matter of the assessment de novo and confirm, reduce, or increase the assessment. If the court reduces the amount of benefit assessed or increases the amount of damages awarded, the plaintiff may recover costs. If the court confirms the amount of the assessment, the plaintiff may not recover costs. ~~The judgment of the court is conclusive, and an appeal may not be taken from the court's judgment.~~

(b) If upon appeal the benefits assessed or damages awarded by the works board are reduced or increased, the municipality may, upon the payment of costs, discontinue the proceedings. It may also, through the works board, make and adopt an additional assessment against all the property originally assessed in the proceeding, or that part that is benefitted, in the manner provided for the original assessment. However, such an assessment against any one (1) piece of property may not exceed ten percent (10%) of the original assessment against it.

(c) If the municipality decides to discontinue the proceedings upon payment of costs and if assessments for benefits have already been paid, the amounts paid shall be paid back to the person or persons paying them.

(d) The parties may appeal a court's judgment under this section in the manner that appeals are taken from final judgments in civil actions. All of the parties shall take notice of and be bound by the judgment of the appeal.

SECTION 8. IC 32-24-4.5-11, AS ADDED BY P.L.163-2006, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) This section applies to a parcel of real property located in a project area:

(1) that is located in only one (1) county;

(2) that is at least ten (10) acres in size; and

(3) in which a condemnor or its agents has acquired clear title to at least ninety percent (90%) of the parcels in the project area.

(b) As used in this section, "project area" means an area designated by a condemnor and the legislative body for the condemnor for economic development.

(c) Notwithstanding sections 7 and 8 of this chapter, a condemnor may acquire a parcel of real property by the exercise of eminent domain under this section only if all of the following conditions are met:

(1) The parcel of real property is not occupied by the owner of the parcel as a residence.

(2) The legislative body for the condemnor adopts a resolution by a ~~two-thirds (2/3)~~ **three-fourths (3/4)** vote that authorizes the condemnor to exercise eminent domain over a particular parcel of real property.

(d) A condemnor that acquires a parcel of real property through the exercise of eminent domain under this section shall compensate the owner of the parcel as follows:

(1) Payment to the owner equal to one hundred twenty five percent (125%) of the fair market value of the parcel as determined under IC 32-24-1.

(2) Payment of any other damages as determined under IC 32-24-1 and any loss incurred in a trade or business that is attributable to the exercise of eminent domain.

(3) Payment of the owner's relocation costs, if any.

(e) The condemnor may not acquire a parcel of real property through the exercise of eminent domain under this section if the owner of the parcel demonstrates by clear and convincing evidence that:

(1) the location of the parcel is essential to the viability of the owner's commercial activity and **the payment of damages and relocation costs cannot adequately compensate the owner of the parcel; or**

(2) ~~the payment of damages and relocation costs cannot adequately compensate the owner of the parcel.~~ **the parcel is not necessary for the economic development project for which it is sought.**

(f) The court shall award the payment of reasonable attorney's fees to the owner of a parcel in accordance with this chapter.

(Reference is to ESB 340 as printed February 25, 2020.)

Spartz, Chair	Wolkins
G. Taylor	Bauer
Senate Conferees	House Conferees

Roll Call 359: yeas 41, nays 7. Report adopted.

CONFERENCE COMMITTEE REPORT

ESB 433–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 433 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 14-28-1-23 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 23. (a) The director may remove or eliminate a structure, an obstruction, a deposit, or an excavation in a floodway that:

(1) adversely affects the efficiency of or unduly restricts the capacity of the floodway;

(2) constitutes an unreasonable hazard to the safety of life or property; or

(3) is unreasonably detrimental to fish, wildlife, or botanical resources;

by an action in condemnation.

(b) In assessing the damages in the proceedings, the appraisers and the court shall take into consideration whether the structure, obstruction, deposit, or excavation is legally in or on the floodway.

(c) Beginning January 1, 2020, the director shall not exercise the authority under subsection (a) to remove or eliminate an abode or residence from a floodway if:

(1) the abode or residence was constructed before January 1, 2020;

(2) the owner of the abode or residence has taken necessary measures to elevate the lowest floor of the abode or residence, as reconstructed, including the basement, to at least two (2) feet above the one hundred (100) year flood elevation within two (2) years after receiving notification from the department concerning the abode or residence; and

(3) the owner of the abode or residence has taken necessary measures to comply with all applicable local, state, and federal floodway regulations.

SECTION 2. **An emergency is declared for this act.**

(Reference is to ESB 433 as reprinted March 3, 2020.)

Bassler, Chair	Lindauer
Tallian	Pfaff
Senate Conferees	House Conferees

Senator Becker is excused from the remainder of Session per President Pro Tempore Bray.

Roll Call 360: yeas 40, nays 8. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1414–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1414 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 8-1-8.5-11 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 11. (a) As used in this section, "legacy generation resource" means an electric generating facility owned directly or indirectly by a corporation that was formed for the original purpose of providing power to the federal government for use in the nation's defense or in furtherance of national interests, including the Ohio Valley Electric Corporation.**

(b) As used in this section, "reliable capacity resource" means an electric generating unit:

(1) that is located in Indiana;

(2) the capacity of which is valued by a regional transmission organization at a minimum of eighty percent (80%) of the unit's nameplate capacity; and

(3) that maintains an annual average onsite fuel inventory of at least thirty (30) days of average fuel consumption.

(c) The general assembly finds that it is in the public interest to support the reliability, availability, fuel security, and diversity of electric generating capacity in Indiana for the purpose of providing reliable and stable electric service to customers of public utilities.

(d) A public utility that owns and operates a reliable capacity resource shall operate and maintain the unit using good utility practices and in a manner reasonably intended to support the availability of the unit for dispatch and for providing reliable service to customers of the public utility.

(e) A public utility may not terminate a power agreement with a legacy generation resource in which the public utility has an ownership interest unless the public utility provides the commission with at least three (3) years advance notice of the termination. The commission shall determine the reasonable costs incurred by the public utility under the power agreement and allow the public utility to recover those costs in a fuel adjustment charge proceeding under IC 8-1-2-42. For purposes of this subsection, a public utility's reasonable costs related to a legacy generation resource means those costs, including deferred costs, allocated under a power agreement approved by the Federal Energy Regulatory Commission and relating to a legacy generation resource.

(f) A public utility may not retire, sell, or transfer a reliable capacity resource with a capacity exceeding eighty (80) megawatts before May 1, 2021, unless:

(1) the public utility first provides written notice to the commission of the public utility's intent to do so; and

(2) the commission conducts a public hearing, noticed in accordance with IC 5-14-1.5, to receive information concerning the reasonableness of the planned retirement, sale, or transfer.

A public utility may provide the written notice required under subdivision (1) at any time. Not later than one hundred twenty (120) days after the date of the commission's receipt of the public utility's written notice to the commission under this subsection, the commission shall conduct the hearing described in subdivision (2) and issue the commission's analysis and conclusions concerning the reasonableness of the planned retirement, sale, or transfer based on the information received. If the planned retirement, sale, or transfer was included in the public utility's preferred portfolio in the public utility's most recent integrated resource plan, the public utility may proceed with the planned retirement, sale, or transfer after the commission issues the commission's analysis and conclusions under this subsection. If the planned retirement, sale, or transfer was not included in the public utility's preferred portfolio in the public utility's most recent integrated resource plan, the public utility may not proceed with the planned retirement, sale, or transfer until at least six (6) months have elapsed from the date of the commission's receipt of the public utility's written notice under this subsection.

(g) If a public utility that seeks to retire, sell, or transfer a reliable capacity resource under subsection (f) cites a federal mandate as the basis, in whole or in part, for the planned retirement, sale, or transfer of the unit, the commission may consider as part of the commission's analysis and conclusions under subsection (f) whether the cited federal mandate:

(1) is in force;

(2) has not expired or been revoked; and

(3) is not merely anticipated to be enacted;

at the time of the public utility's notice under subsection (f).

(h) This section expires May 1, 2021.

SECTION 2. IC 8-1-8.5-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 12. (a) As used in this section, "coal industry employment" means employment:**

(1) at a commercial coal mine in Indiana;

(2) at a coal fired electric generating unit in Indiana; or

(3) in an Indiana based manufacturing or transportation supply chain serving:

(A) a commercial coal mine in Indiana; or

(B) a coal fired electric generating unit in Indiana.

(b) As used in this section, "coal transition worker" means:

(1) an individual who:

(A) has been laid off or terminated from the individual's coal industry employment; or

(B) has received a notice of termination or layoff from the individual's coal industry employment;

as a result of the permanent closure of, or a substantial layoff at, a commercial coal mine in Indiana or a coal fired electric generating unit in Indiana; or

(2) an individual who:

(A) has:

(i) been laid off or terminated, for a reason other than cause; or

(ii) received a notice of termination or layoff, for a reason other than cause;

from the individual's coal industry employment; and

(B) is unlikely to obtain employment in an industry described in subsection (a)(1) through (a)(3) because of market forces or other factors affecting the industry.

(c) In awarding high value workforce ready credit-bearing grants under IC 21-12-8, the commission for higher education, in conjunction with the department of workforce development, shall give priority to an applicant who is a coal transition worker if the applicant is otherwise eligible for a grant under IC 21-12-8-9.

SECTION 3. **An emergency is declared for this act.**

(Reference is to EHB 1414 as reprinted March 3, 2020.)

Soliday, Chair	Messmer
Morrison	Koch
House Conferees	Senate Conferees

Roll Call 361: yeas 28, nays 21. Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 148:
Conferees: Senator M. Young to replace Senator Lanane

BRAY
Date: 3/10/20
Time: 5:31 p.m.

Report adopted.

5:58 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 9:34 p.m., with the President of the Senate in the Chair.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: Pursuant to Senate Rule 86(l) your Committee on Rules and Legislative Procedure to which was referred Conference Committee Reports filed on Engrossed Senate Bills 256, 299, 346, and 438 and Engrossed House Bills 1014, 1022, 1092, 1153, 1157, 1385, and 1419 has had the same under consideration and begs leave to report back to the Senate with the recommendation that said Conference Committee Reports are eligible for consideration.

BRAY, Chair

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1006:
Conferees: Charbonneau and Stoops
Advisors: Crider and Lonnie M. Randolph

BRAY
Date: 3/10/20
Time: 8:05 p.m.

Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed Senate Bills 256, 340, and 433.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the House has not concurred in Senate amendments to Engrossed House Bill 1006. The Speaker of the House has appointed the following Representatives as a conference committee to meet and confer with a like committee of the Senate on said bill and to report thereon:

Conferees: Engleman, Chair and Wright
Advisors: Schaibley, Bartlett, and Hatfield

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Prescott as advisor on Engrossed Senate Bill 229.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Mr. President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Errington as a conferee on Engrossed Senate Bill 229 and now appoints Representative Prescott as a conferee thereon.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Shackleford as a conferee on Engrossed Senate Bill 148 and now appoints Representative Manning as a conferee thereon.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed House Bills 1022, 1092, 1153, and 1419.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has reconsidered its dissent from the Senate amendments to Engrossed House Bill 1326 and has now concurred in those amendments.

M. CAROLINE SPOTTS
Principal Clerk of the House

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT
ESB 256–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 256 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 2-5-1.3-13, AS AMENDED BY P.L.2-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. (a) A study committee shall study the issues assigned by the legislative council that are within the subject matter for the study committee, as described in section 4 of this chapter.

(b) In addition to the issues assigned under subsection (a), the interim study committee on roads and transportation shall advise the bureau of motor vehicles regarding the suitability of a special group (as defined in IC 9-13-2-170) to receive a special group recognition license plate for the special group (as defined in IC 9-13-2-170) for the first time under IC 9-18.5-12-4 and the suitability of a special group (as defined in IC 9-13-2-170) to continue participating in the special group recognition license plate program under IC 9-18.5-12-5.

(c) In addition to the issues assigned under subsection (a), the interim study committee on corrections and criminal code shall review current trends with respect to criminal behavior, sentencing, incarceration, and treatment and may:

(1) identify particular needs of the criminal justice system that can be addressed by legislation; and

(2) prepare legislation to address the particular needs found by the committee.

(d) In each even-numbered year, in addition to the issues assigned under subsection (a), the interim study committee on courts and the judiciary shall review, consider, and make recommendations concerning all requests for new courts, new judicial officers, and changes in jurisdiction of existing courts. A request under this subsection must include at least the following information to receive full consideration by the committee:

(1) The level of community support for the change, including support from the local fiscal body.

(2) The results of a survey that shall be conducted by the county requesting the change, sampling members of the bar, members of the judiciary, and local officials to determine needs and concerns of existing courts.

(3) Whether the county is already using a judge or magistrate from an overserved area of the judicial district.

(4) The relative severity of need based on the most recent weighted caseload measurement system report published by the office of judicial administration.

(5) Whether the county is using any problem solving court as described in IC 33-23-16-11, and, if so, the list of problem solving courts established in the county, and any evaluation of the impact of the problem solving courts on the overall judicial caseload.

(6) A description of the:

(A) county's population growth in the ten (10) years before the date of the request; and

(B) projected population growth in the county for the ten (10) years after the date of the request, to the extent available;

and any documentation to support the information provided under this subdivision.

(7) A description of the county's use of pre-incarceration diversion services and post-incarceration reentry services in an effort to decrease recidivism.

(8) If the request is a request for a new court or new courts, an acknowledgment from the county fiscal body (as defined in IC 36-1-2-6) with the funding sources and estimated costs the county intends to pay toward the county's part of the operating costs associated with the new court or new courts.

The office of judicial administration shall post the list of required information provided under this subsection on its Internet web site.

(e) In each even-numbered year, in addition to the issues assigned under subsection (a), the interim study committee on courts and the judiciary shall review the most recent weighted caseload measurement system report published by the office of judicial administration and do the following:

(1) Identify each county in which the number of courts or judicial officers exceeds the number used by the county in that report year.

(2) Determine the number of previous report years in which the number of courts or judicial officers in a county identified in subdivision (1) exceeded the number used by the county in that particular report year.

(3) Make a recommendation on whether the number of courts or judicial officers in the county should be decreased.

The office of judicial administration shall post a list of the number of courts or judicial officers used in each county for each report year, and the number of years in which the number of courts or judicial officers in the county has exceeded the number used by the county, on its Internet web site.

SECTION 2. IC 33-33-10-1.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 1.1. IC 33-29-1 does not apply to this chapter.**

SECTION 3. IC 33-33-10-2.5, AS ADDED BY P.L.201-2011, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2.5. (a) The Clark circuit court is a court of general jurisdiction with four (4) judges. The divisions of the court shall be known as Clark circuit court No. 1, No. 2, No. 3, and No. 4. Clark County constitutes the judicial district of the court and each of the court's divisions. The court shall maintain the following dockets:

(1) A small claims and misdemeanor division under IC 33-28-3 that has a:

(A) small claims docket; and

(B) minor offenses and violations docket.

(2) Criminal.

(3) Juvenile.

(4) Civil.

(5) Probate.

(b) The assignment of judges of the circuit court to the dockets specified in subsection (a) must be by rule of the circuit court.

(c) This section expires January 1, 2025.

SECTION 4. IC 33-33-10-2.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 2.7. (a) This section applies beginning January 1, 2025.**

(b) The Clark circuit court is a court of general jurisdiction with six (6) judges.

(c) The court shall have six (6) divisions, known as Clark circuit court No. 1, No. 2, No. 3, No. 4, No. 5, and No. 6.

(d) Clark County constitutes the judicial district of the court and each of the court's divisions.

(e) The court shall maintain the following dockets:

(1) A small claims and misdemeanor division under IC 33-28-3 that has a:

(A) small claims docket; and

(B) minor offenses and violations docket.

(2) Criminal.

(3) Juvenile.

(4) Civil.

(5) Probate.

(f) The assignment of judges of the circuit court to the dockets specified in subsection (e) must be by rule of the circuit court.

SECTION 5. IC 33-33-10-2.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 2.8. (a) The first judge of Clark circuit court No. 5 elected under Article 7, Section 7 of the Constitution of the State of Indiana shall:**

(1) be elected at the November 2024 general election;

(2) take office January 1, 2025; and

(3) serve a term of six (6) years.

(b) The first judge of Clark circuit court No. 6 elected under Article 7, Section 7 of the Constitution of the State of Indiana shall:

(1) be elected at the November 2024 general election;

(2) take office January 1, 2025; and

(3) serve a term of six (6) years.

(c) This section expires January 1, 2026.

SECTION 6. IC 33-33-10-3.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 3.1. (a) Two (2) superior courts are established in Clark County.**

(b) Each court established by subsection (a) consists of one (1) judge, appointed by the governor.

(c) Each judge appointed under subsection (b) will take office July 1, 2021.

(d) The term of office of a judge appointed under subsection (b) expires January 1, 2025.

(e) To be eligible to hold office as a judge of Clark superior court, an individual must be:

(1) a resident of Clark County; and

(2) admitted to the bar of Indiana.

(f) The courts established by subsection (a) will convert to Clark circuit court No. 5 and Clark circuit court No. 6 on January 1, 2025.

(g) This section expires January 2, 2025.

SECTION 7. IC 33-33-10-4.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 4.1. (a) The superior courts shall be known as Clark superior court No. 5 and Clark superior court No. 6.**

(b) Clark County constitutes the judicial district of each court.

(c) Each superior court shall be a court of record having the same jurisdiction as the circuit court. A judge of the superior court has the same powers relating to the conduct of business of the court as the judge of the circuit court.

(d) Each court shall have a seal containing the words "Clark Superior Court _____ (insert "No. 5" or "No. 6") of Clark County, Indiana".

(e) This section expires January 1, 2025.

SECTION 8. IC 33-33-10-5.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 5.1. (a) Each judge of a superior court may make and adopt rules and regulations for conducting the business of the judge's court, not inconsistent with Indiana law.**

(b) This section expires January 1, 2025.

SECTION 9. IC 33-33-10-6.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 6.1. (a) Each judge of a superior court has the same power to do any of the following as is conferred on circuit courts or the judges of circuit courts:**

(1) Grant restraining orders and injunctions.

(2) Issue writs of habeas corpus and of mandate and prohibition.

(3) Appoint receivers, master commissioners to convey real property, and grant commissions for the examination of witnesses.

(4) Appoint other officers necessary to facilitate and transact the business of the court.

(b) This section expires January 1, 2025.

SECTION 10. IC 33-33-10-7.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 7.1. (a) Each superior court shall hold its sessions at the courthouse of the county, or at other convenient places in the county as the court designates.**

(b) The county commissioners shall provide suitable quarters for each court.

(c) This section expires January 1, 2025.

SECTION 11. IC 33-33-10-8.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 8.1. (a) The clerk, under the direction of a judge of the superior court, shall provide order books, judgment dockets, execution dockets, fee books, and such other books, papers, and records as are necessary for that court.**

(b) All books, papers, and proceedings of each court shall be kept distinct and separate from those of other courts, and the records of all civil cases separate and apart from the records of juvenile matters.

(c) This section expires January 1, 2025.

SECTION 12. IC 33-33-10-9.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 9.1. (a) Each judge of a superior court shall appoint a bailiff for the court, whose salary shall be fixed and paid as provided by law.**

(b) This section expires January 1, 2025.

SECTION 13. IC 33-33-10-10.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 10.1. (a) Each judge of a superior court shall appoint a court reporter, whose duties, salary, and term shall be regulated in the same manner as the court reporter of circuit courts.**

(b) This section expires January 1, 2025.

SECTION 14. IC 33-33-10-11.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 11.1. (a) All laws governing the circuit court in matters of pleading, practice, the issuing and service of process, the giving of notice, the appointment of judges pro tempore and special judges, changes of venue from the judge and from the county, adjournments by the court and by the clerk in the absence of the judge, and the selection of jurors for the court are applicable to and govern the superior courts.**

(b) This section expires January 1, 2025.

SECTION 15. IC 33-33-10-12.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 12.1. (a) The process of each superior court must have the seal affixed and be attested, directed, served, and returned, and be in the form as is provided for process issuing from the circuit court.**

(b) This section expires January 1, 2025.

SECTION 16. IC 33-33-10-15.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 15.3. (a) A judge of the circuit court may, with the consent of a judge of the superior court, transfer any action or proceeding from the circuit court to that superior court.**

(b) A judge of the superior court may, with the consent of a judge of the circuit court, transfer any action or proceeding from that superior court to that circuit court.

(c) A judge of the superior court may, with the consent of the judge of the other superior court, transfer any action or proceeding from that superior court to the other superior court.

(d) A judge of the circuit court may, with the consent of a judge of the superior court, sit as a judge of that superior court in any matter, as if the judge were judge of that superior court.

(e) A judge of the superior court may, with consent of a judge of the circuit court, sit as a judge of that circuit court as if the judge were judge of the circuit court.

(f) A judge of the superior court may, with the consent of the judge of the other superior court, sit as judge of the other superior court as if the judge of that superior court.

(g) This section expires January 1, 2025.

SECTION 17. IC 33-33-18-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) The Delaware circuit court is a court of general jurisdiction with ~~five (5)~~ **six (6)** judges. The divisions of the court shall be known as Delaware circuit court No. 1, No. 2, No. 3, No. 4, ~~and~~ No. 5, **and No. 6.** The county of Delaware constitutes the judicial district of the court and each of the court's divisions. The court shall maintain the following dockets:

(1) Small claims.
(2) Minor offenses and violations.
(3) Criminal.
(4) Juvenile.
(5) Civil.
(6) Probate.

(b) The assignment of judges of the court to the dockets specified in subsection (a) shall be by rule of the court. ~~However, Delaware circuit court No. 4 and Delaware circuit court No. 5 shall each have a standard small claims and misdemeanor docket.~~

SECTION 18. IC 33-33-18-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: **Sec. 2.1. (a) Notwithstanding section 2 of this chapter, Delaware circuit court No. 6 is established January 1, 2023.**

(b) The first judge of Delaware circuit court No. 6 shall:

(1) be elected at the November 2022 general election;
(2) take office January 1, 2023; and
(3) serve a term of six (6) years.

(c) This section expires January 1, 2029.

SECTION 19. IC 33-33-26-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. **(a)** Gibson County constitutes the sixty-sixth judicial circuit.

(b) The judges of the Gibson superior court and Gibson circuit court may appoint one (1) full-time magistrate under IC 33-23-5 to serve both courts.

(c) The magistrate continues in office until removed by the judge of the Gibson superior court and the judge of the Gibson circuit court.

SECTION 20. IC 33-33-29-6, AS AMENDED BY P.L.12-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 6. (a) The judge of the Hamilton circuit court and the judges of the Hamilton superior courts may jointly appoint ~~three (3)~~ **four (4)** full-time magistrates under IC 33-23-5 to serve the circuit and superior courts.

(b) A magistrate continues in office until jointly removed by the judge of the Hamilton circuit court and the judges of the Hamilton superior courts.

SECTION 21. IC 33-33-40-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 1. (a) Jennings County constitutes the eighty-sixth judicial circuit.

(b) The Jennings circuit court has a standard small claims and misdemeanor division.

(c) The judge of the Jennings circuit court and the judge of the Jennings superior court may jointly appoint one (1) full-time magistrate under IC 33-23-5 to serve the circuit and superior courts.

(d) A magistrate continues in office until jointly removed by the judge of the Jennings circuit court and the judge of the Jennings superior court.

SECTION 22. IC 33-33-50-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 2. (a) There are established ~~two (2)~~ **three (3)** courts of record to be known as the Marshall superior court No. 1, ~~and~~ the Marshall superior court No. 2, **and the Marshall superior court No. 3.**

(b) The Marshall superior courts are standard superior courts as described in IC 33-29-1.

(c) Marshall County comprises the judicial district of each court.

SECTION 23. IC 33-33-50-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2021]: Sec. 3. The Marshall superior court No. 1 has one (1) judge who shall hold sessions in the Marshall County courthouse in Plymouth. The Marshall superior court No. 2 has one (1) judge who shall hold sessions in a place in the county as the board of county commissioners may provide. **The Marshall superior court No. 3 has one (1) judge who shall hold sessions in a place in the county as the board of county commissioners may provide.**

SECTION 24. IC 35-33-8-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 12. (a) As used in this section, "disposition" has the meaning set forth in section 3.2(c) of this chapter.**

(b) The Indiana criminal justice institute shall collect the following data from each court exercising criminal jurisdiction in Indiana:

(1) Of those defendants who are released on personal recognizance, the number of defendants who are rearrested before the disposition of the defendant's charges.
(2) Of those defendants who are released pursuant to the payment of money bail of one thousand dollars ($1,000) or less, the number of defendants who are rearrested before the disposition of the defendant's charges.

(c) Data collected under subsection (b) shall be compiled in such a manner to present the rearrest rate for:

(1) the entire state;
(2) each county; and
(3) each circuit, superior, city, and town court, including each separate division of each court, if applicable.

(d) The Indiana criminal justice institute shall, before August 1, 2021, and before August 1 of each year thereafter, submit an annual report containing the information collected under this section to the legislative council in an electronic format under IC 5-14-6. The initial report submitted by the Indiana criminal justice institute before August 1, 2021, must also include all data described in subsection (b) for the period beginning after December 31, 2019, through December 31, 2020.

SECTION 25. [EFFECTIVE JULY 1, 2020] **(a) As used in this SECTION, "legislative council" refers to the legislative council created by IC 2-5-1.1-1.**

(b) The legislative council is urged to assign to the interim study committee on courts and the judiciary during the 2020

legislative interim the topic of providing mutual full faith and credit to the judgments, decrees, orders, warrants, subpoenas, and other judicial acts of a tribal court of a federally recognized Indian tribe (as defined by IC 5-33.5-2-1) that are not already given full faith and credit as required under federal law.

(Reference is to ESB 256 Digest Correction as printed February 28, 2020.)

Koch, Chair	McNamara
G. Taylor	DeLaney
Senate Conferees	House Conferees

Roll Call 362: yeas 49, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT
ESB 299–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 299 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 16-34-2-1.1, AS AMENDED BY P.L.129-2018, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.1. (a) An abortion shall not be performed except with the voluntary and informed consent of the pregnant woman upon whom the abortion is to be performed. Except in the case of a medical emergency, consent to an abortion is voluntary and informed only if the following conditions are met:

(1) At least eighteen (18) hours before the abortion and in the private, not group, presence of the pregnant woman, the physician who is to perform the abortion, the referring physician or a physician assistant (as defined in IC 25-27.5-2-10), an advanced practice registered nurse (as defined in IC 25-23-1-1(b)), or a certified nurse midwife (as defined in IC 34-18-2-6.5) to whom the responsibility has been delegated by the physician who is to perform the abortion or the referring physician has informed the pregnant woman orally and in writing of the following:

(A) The name of the physician performing the abortion, the physician's medical license number, and an emergency telephone number where the physician or the physician's designee may be contacted on a twenty-four (24) hour a day, seven (7) day a week basis.

(B) That follow-up care by the physician or the physician's designee (if the designee is licensed under IC 25-22.5) is available on an appropriate and timely basis when clinically necessary.

(C) The nature of the proposed procedure or information concerning the abortion inducing drug.

(D) Objective scientific information of the risks of and alternatives to the procedure or the use of an abortion inducing drug, including:

(i) the risk of infection and hemorrhage;

(ii) the potential danger to a subsequent pregnancy; and

(iii) the potential danger of infertility.

(E) That human physical life begins when a human ovum is fertilized by a human sperm.

(F) The probable gestational age of the fetus at the time the abortion is to be performed, including:

(i) a picture of a fetus;

(ii) the dimensions of a fetus; and

(iii) relevant information on the potential survival of an unborn fetus;

at this stage of development.

(G) That objective scientific information shows that a fetus can feel pain at or before twenty (20) weeks of postfertilization age.

(H) The medical risks associated with carrying the fetus to term.

(I) The availability of fetal ultrasound imaging and auscultation of fetal heart tone services to enable the pregnant woman to view the image and hear the heartbeat of the fetus and how to obtain access to these services.

(J) That the pregnancy of a child less than fifteen (15) years of age may constitute child abuse under Indiana law if the act included an adult and must be reported to the department of child services or the local law enforcement agency under IC 31-33-5.

(K) That Indiana does not allow a fetus to be aborted solely because of the fetus's race, color, national origin, ancestry, sex, or diagnosis or potential diagnosis of the fetus having Down syndrome or any other disability.

(2) At least eighteen (18) hours before the abortion, the pregnant woman will be informed orally and in writing of the following:

(A) That medical assistance benefits may be available for prenatal care, childbirth, and neonatal care from the county office of the division of family resources.

(B) That the father of the unborn fetus is legally required to assist in the support of the child. In the case of rape, the information required under this clause may be omitted.

(C) That adoption alternatives are available and that adoptive parents may legally pay the costs of prenatal care, childbirth, and neonatal care.

(D) That there are physical risks to the pregnant woman in having an abortion, both during the abortion procedure and after.

(E) That Indiana has enacted the safe haven law under IC 31-34-2.5.

(F) The:

(i) Internet web site address of the state department of health's web site; and

(ii) description of the information that will be provided on the web site and that are;

described in section 1.5 of this chapter.

(G) For the facility in which the abortion is to be performed, an emergency telephone number that is available and answered on a twenty-four (24) hour a day, seven (7) day a week basis.

(H) On a form developed by the state department and as described in IC 16-34-3, that the pregnant woman has a right to determine the final disposition of the remains of the aborted fetus.

(I) On a form developed by the state department, ~~information concerning the available options for disposition of~~ **that the pregnant woman has a right, after a surgical abortion, to:**

(i) dispose of the remains of the aborted fetus **by interment in compliance with IC 23-14-54, or cremation through a licensee (as defined in IC 25-15-2-19) and in compliance with IC 23-14-31; or**

(ii) have the health care facility or abortion clinic dispose of the remains of the aborted fetus by interment in compliance with IC 23-14-54, or cremation through a licensee (as defined in IC 25-15-2-19) and in compliance with IC 23-14-31, and ask which method of disposition will be used by the health care facility or abortion clinic.

(J) On a form developed by the state department:

(i) that a pregnant woman, after an abortion induced by an abortion inducing drug, will expel an aborted fetus; and

(ii) the disposition policy of the health care facility or the abortion clinic concerning the disposition of the aborted fetus. The disposition policy must allow the pregnant woman to return the aborted fetus to the health care facility or abortion clinic for disposition by interment in compliance with IC 23-14-54, or cremation through a licensee (as defined in IC 25-15-2-19) and in compliance with IC 23-14-31.

~~(J)~~ **(K)** On a form developed by the state department, information concerning any counseling that is available to a pregnant woman after having an abortion.

The state department shall develop and distribute the forms required by clauses (H) through ~~(J).~~ **(K).**

(3) The pregnant woman certifies in writing, on a form developed by the state department, before the abortion is performed, that:

(A) the information required by subdivisions (1) and (2) has been provided to the pregnant woman;

(B) the pregnant woman has been offered by the provider the opportunity to view the fetal ultrasound imaging and hear the auscultation of the fetal heart tone if the fetal heart tone is audible and that the woman has:

(i) viewed or refused to view the offered fetal ultrasound imaging; and

(ii) listened to or refused to listen to the offered auscultation of the fetal heart tone if the fetal heart tone is audible; and

(C) the pregnant woman has been given a written copy of the printed materials described in section 1.5 of this chapter.

(4) At least eighteen (18) hours before the abortion and in the presence of the pregnant woman, the physician who is to perform the abortion, the referring physician or a physician assistant (as defined in IC 25-27.5-2-10), an advanced practice registered nurse (as defined in IC 25-23-1-1(b)), or a certified nurse midwife (as defined in IC 34-18-2-6.5) to whom the responsibility has been delegated by the physician who is to perform the abortion or the referring physician has provided the pregnant woman with a color copy of the informed consent brochure described in section 1.5 of this chapter by printing the informed consent brochure from the state department's Internet web site and including the following information on the back cover of the brochure:

(A) The name of the physician performing the abortion and the physician's medical license number.

(B) An emergency telephone number where the physician or the physician's designee may be contacted twenty-four (24) hours a day, seven (7) days a week.

(C) A statement that follow-up care by the physician or the physician's designee who is licensed under IC 25-22.5 is available on an appropriate and timely basis when clinically necessary.

(5) At least eighteen (18) hours before an abortion is performed and at the same time that the pregnant woman receives the information required by subdivision (1), the provider shall perform, and the pregnant woman shall view, the fetal ultrasound imaging and hear the auscultation of the fetal heart tone if the fetal heart tone is audible unless the pregnant woman certifies in writing, on a form developed by the state department, before the abortion is performed, that the pregnant woman:

(A) does not want to view the fetal ultrasound imaging; and

(B) does not want to listen to the auscultation of the fetal heart tone if the fetal heart tone is audible.

(b) This subsection applies to a pregnant woman whose unborn child has been diagnosed with a lethal fetal anomaly. The requirements of this subsection are in addition to the other requirements of this section. At least eighteen (18) hours before an abortion is performed on the pregnant woman, the physician who will perform the abortion shall:

(1) orally and in person, inform the pregnant woman of the availability of perinatal hospice services; and

(2) provide the pregnant woman copies of the perinatal hospice brochure developed by the state department under IC 16-25-4.5-4 and the list of perinatal hospice providers and programs developed under IC 16-25-4.5-5, by printing the perinatal hospice brochure and list of perinatal hospice providers from the state department's Internet web site.

(c) If a pregnant woman described in subsection (b) chooses to have an abortion rather than continuing the pregnancy in perinatal hospice care, the pregnant woman shall certify in writing, on a form developed by the state department under

IC 16-25-4.5-6, at least eighteen (18) hours before the abortion is performed, that the pregnant woman has been provided the information described in subsection (b) in the manner required by subsection (b).

SECTION 2. IC 16-34-3-2, AS AMENDED BY P.L.85-2017, SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A pregnant woman who has an abortion under this article has the right to ~~determine the final disposition~~ **have the health care facility or abortion clinic dispose** of the aborted fetus **by interment in compliance with IC 23-14-54, or cremation through a licensee (as defined in IC 25-15-2-19) and in compliance with IC 23-14-31. The pregnant woman who selects to have the health care facility or abortion clinic dispose of the aborted fetus has the right to ask which method will be used by the health care facility or abortion clinic.**

(b) After receiving the notification and information required by IC 16-34-2-1.1(a)(2)(H), ~~and~~ IC 16-34-2-1.1(a)(2)(I), **and IC 16-34-2-1.1(a)(2)(J),** the pregnant woman shall inform the abortion clinic or the health care facility:

(1) in writing; and

(2) on a form prescribed by the state department;

of the pregnant woman's decision for final disposition of the aborted fetus ~~before the aborted fetus may be discharged from the abortion clinic or the health care facility.~~ **by cremation or interment and, in an abortion induced by an abortion inducing drug, whether the pregnant woman will return the aborted fetus to the health care facility or abortion clinic for disposition by interment in compliance with IC 23-14-54, or cremation through a licensee (as defined in IC 25-15-2-19) and in compliance with IC 23-14-31.**

(c) If the pregnant woman is a minor, the abortion clinic or health care facility shall obtain parental consent in the disposition of the aborted fetus unless the minor has received a waiver of parental consent under IC 16-34-2-4.

(d) The abortion clinic or the health care facility shall document the pregnant woman's decision concerning disposition of the aborted fetus in the pregnant woman's medical record.

(e) In the case of an abortion induced by an abortion inducing drug, the pregnant woman may return the aborted fetus to the health care facility or abortion clinic for disposition by interment in compliance with IC 23-14-54, or cremation through a licensee (as defined in IC 25-15-2-19) and in compliance with IC 23-14-31.

SECTION 3. IC 16-34-3-4, AS AMENDED BY P.L.213-2016, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) An abortion clinic or health care facility having possession of an aborted fetus shall provide for the final disposition of the aborted fetus. The burial transit permit requirements of IC 16-37-3 apply to the final disposition of an aborted fetus, which must be interred or cremated. However:

(1) a person is not required to designate a name for the aborted fetus on the burial transit permit and the space for a name may remain blank; and

(2) any information submitted under this section that may be used to identify the pregnant woman is confidential and must be redacted from any public records maintained under IC 16-37-3.

Aborted fetuses may be cremated by simultaneous cremation.

(b) If the abortion clinic or health care facility conducts the cremation of aborted fetal remains on site, the abortion clinic or health care facility must comply with all state laws concerning the cremation of human remains as prescribed in IC 23-14-31. The abortion clinic or health care facility must make the onsite cremation equipment available to the state department for inspection at the time the abortion clinic or health care facility is inspected. When the abortion clinic or health care facility contracts with a licensed funeral home for the disposal of the aborted fetal remains, the contract must be made available for review by the state department at the time the abortion clinic or health care facility is inspected.

(c) Except in extraordinary circumstances where the required information is unavailable or unknown, a burial transit permit issued under IC 16-37-3 that includes multiple fetal remains must be accompanied by a log prescribed by the state department containing the following information about each fetus included under the burial transit permit:

(1) The date of the abortion.

(2) Whether the abortion was surgical or induced by an abortion inducing drug.

(3) The name of the funeral director licensee who will be retrieving the aborted fetus.

(4) In the case of an abortion induced by an abortion inducing drug:

(A) whether the pregnant woman will cremate or inter the fetus, or will return the fetus to the health care facility or abortion clinic for disposition; and

(B) if the pregnant woman returns the fetus to the health care facility or abortion clinic, whether the returned fetus is included in the burial transit permit.

The abortion clinic or health care facility must keep a copy of the burial transit permit and accompanying log in a permanent file.

(d) Each time the fetal remains are transported from one entity to another for disposition, the entity receiving the fetal remains must confirm that the number of fetal remains matches the information contained in the burial transit permit and accompanying log. After final disposition, a copy of the log will be sent back to the health care facility or abortion clinic. The final log will be attached to the original log described in subsection (c) and will be made available for review by the state department at the time of inspection.

(e) An abortion clinic or a health care facility is responsible for demonstrating to the state department that the abortion clinic or the health care facility has complied with the protocol provided in this section.

~~(b)~~ **(f)** ~~The local health officer shall issue a permit for the disposition of the aborted fetus to the person in charge of interment for the interment of the aborted fetus.~~ A certificate of stillbirth is not required to be issued for an aborted fetus with a gestational age of less than twenty (20) weeks of age.

~~(c)~~ **(g)** IC 23-14-31-26, IC 23-14-55-2, IC 25-15-9-18, and IC 29-2-19-17 concerning the authorization of disposition of human remains apply to this section.

(Reference is to ESB 299 as reprinted February 25, 2020.)

L. Brown, Chair	Stutzman
Kruse	Bacon
Senate Conferees	House Conferees

Roll Call 363: yeas 39, nays 10. Report adopted.

CONFERENCE COMMITTEE REPORT
ESB 346–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 346 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 20-19-2-2.2, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.2. (a) Beginning June 1, 2015, the state board consists of the following members:

(1) The state superintendent.

(2) Eight (8) members appointed by the governor. The following provisions apply to members of the state board appointed under this subdivision:

(A) At least six (6) members appointed under this subdivision must have professional experience in the field of education as provided in subsection (b).

(B) Members shall be appointed from different parts of Indiana with not more than one (1) member being appointed from a particular congressional district.

(C) Not more than five (5) members of the state board may be appointed from the membership of any one (1) political party.

(D) Subject to subsection (h), at least one (1) member shall be a practicing licensed special education teacher or special education director at the time the member is appointed.

(3) One (1) member, who is not a member of the general assembly, appointed by the speaker of the house of representatives.

(4) One (1) member, who is not a member of the general assembly, appointed by the president pro tempore of the senate.

(b) For purposes of subsection (a), an individual is considered to have professional experience in the field of education if the individual has teaching or leadership experience at a postsecondary educational institution or is currently employed as, or is retired from a position as:

(1) a teacher;

(2) a principal;

(3) an assistant superintendent; or

(4) a superintendent.

(c) A quorum consists of six (6) members of the state board. An action of the state board is not official unless the action is authorized by at least six (6) members.

(d) ~~Subject to subsection (e),~~ The members of the state board shall elect a chairperson and vice chairperson annually from the members of the state board. The vice chairperson shall act as chairperson in the absence of the chairperson.

~~(e) Notwithstanding subsection (d), the state superintendent shall serve as the chairperson of the state board until a chairperson is elected under subsection (d) at the first meeting of the state board after December 31, 2016, which shall be held not later than January 15, 2017. A vice chairperson shall be elected at the first meeting of the state board after June 30, 2015, which shall be held not later than August 1, 2015. This subsection expires July 1, 2018.~~

~~(f)~~ **(e)** Except as otherwise provided in subsection ~~(g),~~ **(f),** each member appointed under subsection (a)(2) through (a)(4) serves a four (4) year term. The term begins on July 1.

~~(g)~~ **(f)** A member appointed under subsection (a)(2) through (a)(4) may be removed from the state board by the member's appointing authority for just cause. Vacancies in the appointments to the state board shall be filled by the appointing authority. A member appointed under this subsection serves for the remainder of the unexpired term.

~~(h)~~ **(g)** The state board shall meet at a minimum at least one (1) time each month. The state board shall establish the date of the next monthly meeting during the monthly meeting of the state board. In addition to the monthly meeting required under this subsection, the state board shall meet at the call of the chairperson.

(h) This subsection expires July 1, 2024. The governor shall appoint a member who has the qualifications described in subsection (a)(2)(D) for the first appointment made by the governor to fill a vacancy on the state board after March 31, 2020.

SECTION 2. IC 20-19-9.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 9.1. Indiana Standards and Assessment Accommodation Task Force

Sec. 1. As used in this chapter, "task force" refers to the Indiana standards and assessment accommodation task force established by section 2 of this chapter.

Sec. 2. (a) The Indiana standards and assessment accommodation task force is established. The task force shall review:

(1) the accommodations provided for by Indiana's statewide assessment to determine if appropriate accommodations are available to accurately measure a student's learning; and

(2) Indiana's English and language arts academic standards to explore the possibility of separating the academic standard of reading comprehension into a separate reading academic standard and a comprehension academic standard.

On or before November 1, 2020, the task force shall issue a final report and shall make recommendations to the general assembly in an electronic format under IC 5-14-6.

(b) The task force consists of fourteen (14) members as

follows:

(1) One (1) member of the majority party of the house of representatives appointed by the speaker of the house of representatives.

(2) One (1) member of the majority party of the senate appointed by the president pro tempore of the senate.

(3) One (1) member of the minority party of the house of representatives appointed by the speaker of the house of representatives in consultation with the minority floor leader of the house of representatives.

(4) One (1) member of the minority party of the senate appointed by the president pro tempore of the senate in consultation with the minority floor leader of the senate.

(5) The member of the state board described in IC 20-19-2-2.2(a)(3).

(6) The member of the state board described in IC 20-19-2-2.2(a)(4).

(7) One (1) member representing The Arc of Indiana appointed by The Arc of Indiana.

(8) One (1) member who is an assessment expert with experience in special education assessments appointed by The Arc of Indiana.

(9) One (1) member representing Decoding Dyslexia Indiana appointed by Decoding Dyslexia Indiana.

(10) One (1) member who is a special education administrator appointed by the Indiana Council of Administrators of Special Education (ICASE).

(11) One (1) member who is a special education teacher jointly appointed by the co-chairs of the task force.

(12) One (1) member who is an assessment expert appointed by the state board.

(13) The department's director of curriculum and instruction.

(14) One (1) member representing the department's office of student assessment appointed by the department.

(c) The members described in subsection (b)(1) and (b)(2) shall serve as co-chairpersons for the task force. The task force shall meet at the call of the co-chairpersons.

(d) A quorum consists of the majority of the members of the task force.

(e) The affirmative votes of a majority of the members of the task force are required for the task force to take action on any measure.

Sec. 3. (a) A member of the task force who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is also entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(b) A member of the task force who is a state employee but who is not a member of the general assembly is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(c) A member of the task force who is a member of the general assembly is entitled to receive the same per diem, mileage, and travel allowances paid to legislative members of interim study committees established by the legislative council. Per diem, mileage, and travel allowances paid under this subsection shall be paid from current appropriations made to the legislative council or the legislative services agency.

Sec. 4. The legislative services agency shall staff the task force.

Sec. 5. This chapter expires July 1, 2021.

SECTION 3. IC 20-32-5.1-6, AS ADDED BY P.L.242-2017, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) The state board shall:

(1) authorize and oversee the department's development and implementation of the Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program, including:

(A) establishment of criteria for requests for proposals for statewide assessments developed or authorized under this chapter;

(B) establishment of criteria for membership of evaluation teams; and

(C) establishment of criteria for content and format of the statewide assessment; and

(2) require the department to conduct ongoing analysis of whether the statewide assessment results are predictive of success in college and career training programs.

(b) The passing scores on a statewide assessment must be determined by statistically valid and reliable methods as determined by independent experts selected by the state board.

(c) The state board, in consultation with The Arc of Indiana and Indiana Council of Administrators of Special Education (ICASE), shall select one (1) or more individuals who specialize in special education who shall, in turn, be consulted with by the state board as part of the state board's oversight of the development and implementation of the Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program.

~~(c)~~ **(d)** The state superintendent, with the approval of the state board, is responsible for the development, implementation, and monitoring of the Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program.

~~(d)~~ **(e)** The department shall prepare detailed design specifications for the statewide assessment developed under this chapter that must do the following:

(1) Take into account the academic standards adopted under IC 20-31-3.

(2) Include testing of students' higher level cognitive thinking in each subject area tested.

~~(e)~~ **(f)** A statewide assessment described in section 7 of this chapter may be in a form that allows the department and the state board, to the extent possible, to compare the proficiency of Indiana students to the proficiency of students in other states. A

statewide assessment may consist of original test items for Indiana's exclusive use if the state board determines that:

(1) developing original test items for Indiana's exclusive use will result in cost savings; or

(2) it would be impractical to develop a statewide assessment adequately aligned to Indiana's academic standards without including original test items developed for Indiana's exclusive use.

SECTION 4. IC 20-32-5.1-18.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 18.4. Notwithstanding any other law, a student's score on the statewide assessment may not be the primary factor or measure used to determine whether a student is eligible for a particular course or program.**

SECTION 5. IC 20-32-5.1-18.5, AS ADDED BY P.L.287-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18.5. (a) The department shall, ~~make every reasonable attempt~~ to **the extent permitted under federal law,** provide the same ~~voice-to-text,~~ **text-to-speech,** screen reader, or human reader **and calculator** accommodations to a ~~particular~~ student **in grades 6 through 12** on every section of the statewide assessment program ~~as~~ **if that accommodation is** provided as part of the student's:

(1) individualized education program;

(2) service plan developed under 511 IAC 7-34; ~~or~~

(3) choice ~~scholarship~~ **special** education plan developed under 511 IAC 7-49; **or**

(4) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794.

(b) The department must submit any guidance or recommendations the department plans to distribute to a school corporation or school that attempts to affect in any manner based on statewide assessment accommodations which instructional methods are included or excluded from a program or plan described in subsection (a) to the state board for approval.

~~(b)~~ **(c)** This subsection expires January 1, 2020. The state board shall provide a report to the legislative council in an electronic format under IC 5-14-6, explaining in detail the extent that:

(1) individualized education programs;

(2) service plans developed under 511 IAC 7-34; or

(3) choice ~~scholarship~~ **special** education plans developed under 511 IAC 7-49;

were altered to align to the statewide assessment program.

SECTION 6. IC 20-32-5.1-18.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 18.8. (a) As used in this section, "school" means the following:**

(1) A school maintained by a school corporation.

(2) A charter school.

(3) An accredited nonpublic school.

(b) The department, in consultation with The Arc of Indiana and the Indiana Council of Administrators of Special Education (ICASE), shall develop a notice for a parent of a student who:

(1) is enrolled in grade 3, 4, or 5; and

(2) has an accommodation that:

(A) is provided as part of the student's:

(i) individualized education program;

(ii) service plan developed under 511 IAC 7-34;

(iii) choice special education plan developed under 511 IAC 7-49; or

(iv) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794; and

(B) the student is not allowed to use on all or part of the statewide assessment.

(c) The notice developed under subsection (b) must inform the parent of a student described in subsection (b) that the student is not allowed to use the accommodation described in subsection (b)(2) on all or part of the statewide assessment.

(d) The department shall distribute a copy of the notice to each school.

(e) Not later than February 1, 2021, and not later than February 1, 2022, each school shall do the following:

(1) Provide the notice developed under subsection (b) to a parent of a student described in subsection (b) at the annual review of the student's:

(A) individualized education program;

(B) service plan developed under 511 IAC 7-34;

(C) choice special education plan developed under 511 IAC 7-49; or

(D) plan developed under Section 504 of the federal Rehabilitation Act of 1973, 29 U.S.C. 794.

If a parent does not attend the annual review, the school shall provide a copy of the notice to the parent by certified mail or personal delivery.

(2) Discuss and determine, at the annual review described in subdivision (1) in which a parent of the student participates, whether the student may be eligible to opt out of any applicable section of the statewide assessment.

(f) This section expires July 1, 2022.

SECTION 7. **An emergency is declared for this act.**

(Reference is to ESB 346 as reprinted February 28, 2020.)

Houchin, Chair	Behning
Stoops	DeLaney
Senate Conferees	House Conferees

Roll Call 364: yeas 49, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT

ESB 438–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 438 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 15-16-4-3, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. As used in this chapter, "adulterated" refers to a pesticide or pesticide product if:

(1) the strength or purity of the pesticide ~~falls below~~ **does not meet** the professed standard or quality as expressed on its labeling under which it is sold;

(2) any substance has been substituted wholly or in part for the pesticide product; or

(3) any valuable constituent of the pesticide product has been wholly or in part removed.

SECTION 2. IC 15-16-4-10, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. As used in this chapter, "device" means any instrument or contrivance intended for trapping, destroying, repelling, or mitigating ~~insects or rodents or destroying, repelling, or mitigating~~ any pest. The term does not include:

(1) equipment used for the application of pesticides when sold separately from the pesticides;

(2) firearms; or

(3) simple mechanical devices, including barriers, traps, or adhesives, or other simple contrivances that are not subject to this chapter as determined by the pesticide review board.

SECTION 3. IC 15-16-4-14, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. As used in this chapter, ~~"fungi" means all nonchlorophyll-bearing thallophytes (all nonchlorophyll-bearing plants of a lower order than mosses and liverworts), including:~~

~~(1) rusts;~~

~~(2) smuts;~~

~~(3) mildews;~~

~~(4) molds;~~

~~(5) yeasts;~~

~~(6) bacteria; and~~

~~(7) viruses;~~

~~except those on or in a living human or other animal.~~ **"fungus" has the meaning set forth in IC 15-16-5-14.**

SECTION 4. IC 15-16-4-18, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. As used in this chapter, "immediate container" means the part of a container that is in direct contact with a pesticide. ~~product.~~ **In the case of a pesticide product that is a device, the term includes the device itself.**

SECTION 5. IC 15-16-4-28, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 28. As used in this chapter, "person" means: ~~any:~~

(1) **an** individual;

(2) **a** partnership;

(3) **an** association;

(4) **a** fiduciary;

(5) **a** corporation; or

(6) **an** organized group of persons;

whether incorporated or not.

SECTION 6. IC 15-16-4-34, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 34. As used in this chapter, "plant regulator" means any substance or mixture of substances, intended through physiological action, for:

(1) accelerating or retarding the rate of growth or rate of maturation; or

(2) altering the behavior of ornamental or crop plants or the produce of ornamental or crop plants.

The term does not include substances ~~to the extent they~~ **that** are intended **solely** as plant nutrients, trace elements, nutritional chemicals, plant inoculants, and soil amendments.

SECTION 7. IC 15-16-4-56, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 56. For more than one (1) pesticide product to be considered the same pesticide product, each pesticide product must exhibit the same:

(1) product name;

(2) registrant name;

(3) United States Environmental Protection Agency registration number, ~~and~~ **if applicable;**

(4) labeling, **claims, and branding; and**

(5) ingredient statement.

SECTION 8. IC 15-16-4-61, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 61. (a) Each pesticide product that is:

(1) produced, distributed, sold, displayed, or offered for sale within Indiana; or

(2) delivered for transportation or transported:

(A) in intrastate commerce; or

(B) between points within Indiana through any point outside Indiana;

must be registered in the office of the state chemist.

(b) The application for registration must be made on a form provided by the state chemist that includes the following information:

(1) The name and address of the:

(A) applicant; and

(B) person whose name will appear on the label, if a person other than the applicant.

(2) The complete brand name of the pesticide **product.**

(3) A complete copy of the labeling accompanying the pesticide **product.**

~~(4) A statement of all claims to be made for it, including directions for use.~~

~~(5) If requested by the state chemist, a full description of the tests made and the results of the tests upon which the claims are based. In the case of renewal of registration, a statement shall be required only with respect to information that is different from that furnished when the pesticide was registered or last reregistered.~~

SECTION 9. IC 15-16-4-62, AS AMENDED BY P.L.99-2012, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 62. (a) Each registrant shall pay an annual, nonrefundable **application** fee of

one hundred seventy dollars ($170) for each application for each pesticide product submitted for registration **or reregistration.**

(b) Each registration expires January 1 of each year.

(c) All fees collected by the state chemist under this chapter shall be paid to the treasurer of Purdue University, who shall deposit the fees in a special restricted account designated by the treasurer of the board of trustees of Purdue University.

(d) From the account described in subsection (c), the treasurer shall pay all expenses incurred in administering this chapter, including expenses for the following:

(1) The employment of:
(A) inspectors;
(B) investigators;
(C) researchers;
(D) analysts;
(E) administrators; and
(F) clerical and service staff.

(2) Expenses in procuring samples and printing results of inspections.

(3) Purchasing:
(A) supplies;
(B) equipment; and
(C) services.

(4) Necessary remodeling.

(5) Other expenses of the office of the state chemist.

(6) The transfer of ten dollars ($10) from each fee paid under subsection (a) on an annual basis to the office of Purdue pesticide programs to provide education about the safe and effective use of pesticides.

The treasurer is not required to use any other funds, except those collected as registration fees, to pay any expenses incurred in the administration of this chapter. The dean of agriculture shall make an annual financial report to the governor showing total receipts and expenditures of all fees received under this chapter.

(e) A registrant who registers or pays an annual fee after December 31 of any year shall pay a late fee of one hundred seventy dollars ($170) as well as the annual fee.

(f) Excess funds from the collection of fees under this chapter are subject to IC 15-16-2-36.

SECTION 10. IC 15-16-4-64, AS ADDED BY P.L.120-2008, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 64. (a) The state chemist ~~shall~~ **may** require the submission of the complete formula of any pesticide product, including: ~~the:~~

(1) **the** confidential statement of formula;

(2) **the** analytical methods for the analysis of the pesticide formulation and the analysis of residues of the pesticide product in environmental media; ~~and~~

(3) **the** analytical standards of the pesticide product;

(4) the safety data sheet;

(5) the physical sample of the pesticide product; and

(6) a statement of all claims to be made for the pesticide product, including a full description of the tests made and the results of the tests upon which the claims are based.

In the case of a federally registered product, this requirement may be waived.

(b) The state chemist shall register a pesticide product if:

(1) the state chemist determines that the composition of the pesticide product warrants the proposed claims for the pesticide product;

(2) the pesticide product, its labeling, and other material required to be submitted comply with the requirements of section 61 of this chapter; and

(3) the state chemist determines that the person submitting the application for registration has complied with the requirements of this chapter, **including satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 64.5 of this chapter.**

(c) The state chemist shall notify the applicant that the pesticide product, labeling, or other material required to be submitted fails to comply with the law if the state chemist determines:

(1) that the proposed claims for the pesticide product; or

(2) the pesticide product, its labeling, and other material required to be submitted;

does not comply with this chapter, **including satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 64.5 of this chapter.**

(d) If the state chemist notifies an applicant under subsection (c), the state chemist shall give the applicant an opportunity to make the necessary corrections. If upon receipt of notice, the applicant does not make the corrections, the state chemist may refuse to register the pesticide product.

(e) The state chemist, in accordance with the procedures specified in this section, may deny, suspend, or cancel the registration of a pesticide whenever the state chemist determines that:

(1) the pesticide product;

(2) the pesticide product's labeling; or

(3) the person submitting the application for registration of the pesticide product;

does not comply with this chapter, **including satisfying all outstanding judgments resulting from a violation of this chapter, after any action has been finalized under section 64.5 of this chapter.**

(f) If:

(1) an application for registration is refused; or

(2) the state chemist proposes to deny, suspend, or cancel a registration;

notice of the action and information concerning the person's right to obtain a review under section 64.5 of this chapter must be given to the applicant or registrant.

SECTION 11. IC 15-16-4-69, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 69. (a) Subject to this section, if a person violates this chapter or a rule adopted under this chapter, the state chemist under IC 4-21.5-3-6 may warn, cite, or impose a civil penalty on the person or:

(1) deny;

(2) suspend;

(3) revoke; or

(4) amend;

the person's registration under this chapter.

(b) The state chemist may impose civil penalties **under this section** only in accordance with the schedule of civil penalties adopted by the board. The board shall establish a schedule of the civil penalties that may be imposed under subsection (a) by rule adopted under IC 4-22-2. The rule adopted under this subsection may not provide for a civil penalty that exceeds the following:

(1) Two hundred fifty dollars ($250) for a person's first violation.

(2) Five hundred dollars ($500) for a person's second violation.

(3) One thousand dollars ($1,000) for a person's third violation and each subsequent violation.

~~(c) If a violation is of a continuing nature, the state chemist may impose a civil penalty for each day that the violation occurred.~~

~~(d)~~ **(c)** A proceeding under IC 4-21.5-3 that involves the imposition of a civil penalty may be consolidated with any other proceeding commenced under IC 4-21.5 to enforce this chapter or the rules adopted under this chapter.

~~(e)~~ **(d)** Money collected for civil penalties imposed under this section shall be credited to the office of Purdue pesticide programs. The money may be used only to provide education about pesticides.

SECTION 12. IC 15-16-4-73, AS ADDED BY P.L.120-2008, SECTION 72, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 73. (a) Except as provided in subsection (f), if the state chemist:

(1) finds any pesticide product:

(A) upon any premises; or

(B) in any means of conveyance;

where it is held for purposes of, or during or after, distribution or sale; and

(2) determines that the pesticide product:

(A) is in violation of this chapter; or

(B) has been or is intended to be:

(i) distributed;

(ii) sold; or

(iii) used;

in violation of this chapter;

the state chemist may issue an order under subsection (b).

(b) The state chemist may issue a written or printed:

(1) stop sale;

(2) use; or

(3) removal;

order to the owner or custodian of a pesticide product.

(c) Except as provided in subsection (d), after receiving an order under subsection (b), the owner or custodian of a pesticide product may not:

(1) sell;

(2) use; or

(3) remove;

the pesticide product described in the order.

(d) The owner or custodian of a pesticide product who receives an order under subsection (b) may:

(1) sell;

(2) use; or

(3) remove;

the pesticide product only in accordance with the order or until the pesticide product is released in writing by the state chemist or by order of a court.

(e) When a stop sale order is issued under subsection (b), the state chemist shall ~~immediately~~ issue a notification to the dealer or registrant of the pesticide product **within thirty (30) days** that states the following:

(1) A stop sale order has been issued on the pesticide product.

(2) A reference to the specific language of the law or rule that is believed to have been violated.

(f) Labels of pesticide devices may be submitted to the state chemist for ~~approval~~ **evaluation of the need for registration under this chapter** before the sale of the pesticide device.

SECTION 13. IC 15-16-5-7, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. As used in this chapter, "commercial applicator" means a certified applicator, whether or not a private applicator with respect to some uses, who uses or supervises the use of ~~pesticides~~ **pesticide products** for any purpose or on any property other than as provided by section 30 of this chapter.

SECTION 14. IC 15-16-5-10, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. As used in this chapter, "device" ~~means any instrument or contrivance, other than a firearm, that is intended for trapping, destroying, repelling, or mitigating any pest or any other form of plant or animal life other than bacteria, viruses, or other microorganisms on or in living humans or other living animals. The term does not include equipment used for the application of pesticides when sold separately from the pesticides.~~ **has the meaning set forth in IC 15-16-4-10.**

SECTION 15. IC 15-16-5-16, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16. As used in this chapter, "licensed applicator for hire" means any licensed certified commercial applicator who is employed by a licensed pesticide business to use or to supervise the use of any pesticide **product** on the property of another and who has assumed direct responsibility for the use or supervision of the use of ~~pesticides~~ **pesticide products** by the business.

SECTION 16. IC 15-16-5-19, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 19. As used in this chapter, "licensed pesticide business" means any licensed person that owns, operates, or manages a business that is engaged in or professes to be engaged in:

(1) using any pesticide **product,** including restricted use pesticides; or

(2) making diagnostic inspections or reports to determine infestations of wood destroying pests.

SECTION 17. IC 15-16-5-29, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 29. As used in this chapter, "plant regulator" ~~means any substance or mixture of substances intended, through physiological action, for:~~

~~(1) accelerating or retarding the rate of growth or rate of maturation; or~~

~~(2) altering the behavior of plants or the produce of plants.~~ ~~The term does not include substances to the extent they are intended as plant nutrients, trace elements, nutritional chemicals, plant inoculants, or soil amendments.~~ **has the meaning set forth in IC 15-16-4-34.**

SECTION 18. IC 15-16-5-34, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 34. As used in this chapter, "restricted use pesticide" ~~means:~~

~~(1) any pesticide classified as restricted by the administrator of the United States Environmental Protection Agency; or~~

~~(2) a pesticide that the board has determined to be unduly hazardous to persons, animals, plants, wildlife, waters, or lands other than the pests the pesticide is intended to prevent, destroy, control, or mitigate.~~

has the meaning set forth in IC 15-16-4-37.

SECTION 19. IC 15-16-5-39.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 39.6. The board shall establish a working group to review civil penalties. Before December 1, 2020, the working group shall make recommendations concerning civil penalties to the:**

(1) board; and

(2) general assembly in an electronic format under IC 5-14-6.

SECTION 20. IC 15-16-5-45, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 45. (a) The state chemist shall adopt rules to establish categories and qualifications to certify and license persons to use pesticides and to make diagnostic inspections and reports for wood destroying pests under this chapter. Each category is subject to separate testing procedures and requirements. A person is not required to pay an additional license fee if the person desires to be licensed in more than one (1) of the license categories provided for by the state chemist under this section.

(b) The state chemist, in adopting rules under this section, shall establish **examination content and** standards for the certification of persons who use pesticides or who make diagnostic inspections and reports for wood destroying pests. The **examination content and** standards must relate to **the following:**

(1) The hazards involved in the use and handling of pesticides, or ~~to~~ the use and handling of the pesticide or class of pesticides covered by the individual's certification.

(2) The job responsibilities of the individual using pesticides that are covered by the individual's certification.

(3) Any relevant information addressed in 40 CFR Part 171.

~~and must be relative to the hazards involved. In determining standards, the state chemist shall consider the characteristics of the pesticide formulation, including the acute dermal and inhalation toxicity, the persistence, mobility, and susceptibility to biological concentration, the use experience that may reflect an inherent misuse or an unexpected good safety record that does not always follow laboratory toxicological information, the relative hazards of patterns of use, including granular soil applications, ultra-low volume or dust aerial applications, or air blast sprayer applications, and the extent of the intended use. The state chemist shall observe the relevant regulations of Section 4 of the Federal Insecticide, Fungicide, and Rodenticide Act (7 U.S.C. 135 et seq.).~~

(c) The state chemist may require a person certified under this chapter as a commercial applicator or a private applicator to renew the person's certification, under requirements and standards established by the state chemist, to assure that the person maintains a level of competence and ability to use pesticides safely and properly.

(d) An individual who is certified and licensed under this chapter must be at least eighteen (18) years of age, as proven by a valid government issued identification or an equivalent form of identification.

SECTION 21. IC 15-16-5-47, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 47. (a) A license issued under this chapter is not transferable except in the event of disability or death of the licensee. The state chemist may transfer a license **to an individual who is a certified applicator** by issuing a temporary permit to provide for the operation of the business until the expiration of the permanent license.

(b) A ~~certificate~~ **certification** issued under this chapter is not transferable.

SECTION 22. IC 15-16-5-48, AS ADDED BY P.L.120-2008, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 48. (a) Subject to section 55 of this chapter, a person may not engage in or profess to engage in the business of:

(1) using a pesticide; or

(2) making diagnostic inspections or reports to determine infestations of wood destroying pests;

on the property of another for hire at any time without a pesticide business license issued by the state chemist. The state chemist shall require an annual license fee of forty-five dollars ($45) for each pesticide business license that is issued.

(b) A pesticide business license must be obtained for each **unique** business location **or business name** from which pesticide use or application is conducted.

(c) The application for a license must be on a form provided by the state chemist. Each application must contain information necessary for the administration of this chapter.

(d) The state chemist may not issue a pesticide business license until the applicant or a pesticide applicator in the applicant's hire who uses or supervises the use of a pesticide on the property of another is certified by passing an examination to demonstrate to the state chemist the applicant's or applicator's knowledge of the:

(1) use of pesticides under the category for which the applicant or applicator has applied; and

(2) nature and effect of pesticides the applicant or applicator may apply under the categories.

At least one (1) licensed applicator for hire must be associated with each location from which pesticides are used for hire.

(e) The state chemist may renew any pesticide business license.

(f) Subject to subsections (a), (b), (c), and (d) and section 65 of this chapter, if:

(1) the state chemist finds the applicant qualified to engage in the business of using pesticides or making diagnostic inspections or reports to determine infestations of wood destroying pests on the property of another;

(2) the applicant files evidence of financial responsibility required under section 58 of this chapter; and

(3) the applicant applying for a license involving aerial application of pesticides has met all of the requirements of:

(A) the Federal Aviation Administration;

(B) the Indiana department of transportation; and

(C) any other applicable federal or state statutes or regulations to operate the equipment described in the application;

the state chemist may issue a pesticide business license limited to the categories for which the applicant or a pesticide applicator in the applicant's hire is qualified. The license expires January 1 of the year following issue unless it has been invalidated, revoked, or suspended earlier by the state chemist. A surety bond or certificate of liability insurance in force or certificate of financial responsibility required under section 58 of this chapter must be maintained and in effect on a continuing basis.

(g) The state chemist may limit a license or the operation of a business to the use of certain pesticides, or to certain areas, or to certain types of equipment if the applicant is only so qualified.

(h) If a license is not issued as applied for, the state chemist shall inform the applicant in writing of the reasons the license was not issued.

SECTION 23. IC 15-16-5-55, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 55. Section 48 of this chapter relating to **pesticide business** licenses and requirements for their issuance does not apply to the following:

(1) A farmer who applies pesticides for the farmer's own use or with ground equipment or manually for the farmer's neighbors if:

(A) the farmer operates farm property and operates and maintains pesticide application equipment primarily for the farmer's own use;

(B) the farmer is not engaged in the business of applying pesticides for hire and the farmer does not publicly profess to be a pesticide business;

(C) the farmer operates the farmer's pesticide application equipment only in the vicinity of the farmer's own property and for the accommodation of the farmer's neighbors **without any compensation;** and

(D) the farmer is certified as a private applicator if the farmer uses restricted use pesticides.

(2) A veterinarian who uses pesticides as an incidental part of the veterinarian's practice, if the veterinarian is not regularly engaged in or does not profess to be engaged in the business of using pesticides for hire.

(3) Research personnel applying **general use** pesticides only to bona fide experimental plots.

(4) A person who uses nonrestricted general use pesticides for purposes of disinfecting or sanitizing, unless a license is required by a rule established by the board.

SECTION 24. IC 15-16-5-59, AS ADDED BY P.L.120-2008, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 59. (a) Commercial applicators, **private applicators,** and licensed pest inspectors shall maintain records concerning:

(1) the application of restricted use pesticides;

(2) the application of pesticides for hire;

(3) the application of pesticides on golf courses;

(4) the application of pesticides on school property;

~~(2)~~ **(5)** diagnostic inspections to determine infestations of wood destroying pests; and

~~(3)~~ **(6)** any relevant information that the state chemist determines by rule is necessary for purposes of this chapter.

~~(b) The state chemist may require certified applicators to maintain records related to applications of state restricted pesticide uses.~~

~~(c)~~ **(b)** Records required under this section must be kept for:

(1) two (2) years after the date of the inspection or the application of the pesticide; or

(2) the time specified by rule.

~~(d)~~ **(c)** The state chemist shall be provided access to the records ~~by the commercial applicator or licensed pest inspector.~~ **required to be maintained under this section.**

SECTION 25. IC 15-16-5-65, AS AMENDED BY P.L.99-2012, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 65. Subject to section 66 of this chapter, the state chemist under IC 4-21.5-3-6 may warn, cite, or impose a civil penalty on a person for a violation under this chapter. The state chemist may also deny, suspend, revoke, or modify any provision of any license, permit, registration, or certification issued under this chapter if the state chemist finds that the applicant or the holder of a license, permit, registration, or certification has committed any of the following acts, each of which is a violation of this chapter:

(1) Made false or fraudulent claims either verbally or through any media misrepresenting the effect of pesticide products or methods to be used.

(2) Recommended, used, or supervised the use of any registered pesticide product in a manner inconsistent with its labeling approved by the United States Environmental Protection Agency or Indiana state registration for that pesticide, or in violation of the United States Environmental Protection Agency or Indiana state restrictions on the use of that pesticide product.

(3) Used known ineffective or improper pesticide products or known ineffective amounts of pesticides.

(4) Operated faulty or unsafe equipment.

(5) Operated in a careless or negligent manner.

(6) Neglected or, after notice, refused to comply with this chapter, the rules adopted under this chapter, or of any lawful order of the state chemist or the board.

(7) Refused or neglected to:

(A) keep and maintain the records required by this

chapter; or

(B) make reports and supply information when required or requested by the state chemist in the course of an investigation or inspection.

(8) Made false or fraudulent records, invoices, or reports.

(9) Engaged in or professed to be engaged in the business of:

(A) using a pesticide or any other product regulated under this chapter or by rules adopted under this chapter; or

(B) making a diagnostic inspection to determine infestations of a wood destroying pest;

for hire on the property of another without having a business license issued by the state chemist.

(10) Used ~~a restricted use~~ **or supervised the use of a** pesticide **product that is required to be used under this chapter by a person who is certified, licensed, or permitted** without having ~~an applicator,~~ **a person** who is **certified,** licensed, or permitted under this chapter ~~in direct supervision.~~ **conducting the use.**

(11) Used fraud or misrepresentation in ~~making an application~~ **the qualification or application** for, or renewal of, a license, permit, registration, or certification.

(12) Refused or neglected to comply with any limitations or restrictions on or in a duly issued license, permit, registration, or certification.

(13) Aided or abetted a person to evade this chapter, conspired with a person to evade this chapter, or allowed a license, permit, registration, or certification to be used by another person.

(14) Made false or misleading statements during or after an inspection concerning any infestation or infection of pests.

(15) Impersonated any federal, state, county, or city inspector, investigator, or official.

(16) Knowingly purchased or used a pesticide product that was not registered under IC 15-16-4.

(17) Failed to continuously maintain financial responsibility required under section 58 of this chapter or to provide proof of financial responsibility to the state chemist when requested.

(18) Intentionally altered a duly issued license, permit, registration, or certification.

(19) Recklessly, knowingly, or intentionally impeded or prevented the state chemist or the state chemist's agent from performing a duty of the state chemist.

SECTION 26. IC 15-16-5-66, AS ADDED BY P.L.2-2008, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 66. (a) The state chemist may impose civil penalties **under this section** only in accordance with the schedule of civil penalties adopted by the board.

(b) The board shall establish a schedule of civil penalties that may be imposed under section 65 of this chapter by rule adopted under IC 4-22-2. The rule adopted under this subsection may not provide for a civil penalty that exceeds the following:

(1) For a violation committed by a person who is required to be certified as a private applicator, one hundred dollars ($100).

(2) For a violation by a person who is not described in subdivision (1), the following:

(A) Two hundred fifty dollars ($250) for a person's first violation.

(B) Five hundred dollars ($500) for a person's second violation.

(C) One thousand dollars ($1,000) for a person's third violation and each subsequent violation.

~~(c) If a violation is of a continuing nature, the state chemist may impose a civil penalty for each day that the violation occurred.~~

~~(d)~~ **(c)** A proceeding under IC 4-21.5-3 that involves a civil penalty may be consolidated with any other proceeding commenced under IC 4-21.5 to enforce this chapter or the rules adopted under this chapter.

~~(e)~~ **(d)** Money collected for civil penalties imposed under section 65 of this chapter shall be credited to the office of Purdue pesticide programs. The money may be used only to provide education about pesticides.

SECTION 27. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "policy" refers to the FY 2019 pesticide enforcement response policy developed by the state chemist.**

(b) The state chemist shall suspend its enforcement of the policy.

(c) This SECTION expires July 1, 2021.

SECTION 28. **An emergency is declared for this act.**

(Reference is to ESB 438 as printed February 21, 2020.)

Leising, Chair	Lehe
Lanane	Wright
Senate Conferees	House Conferees

Roll Call 365: yeas 48, nays 1. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1014–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1014 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning state offices and administration.

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 4-37-7-8, AS ADDED BY P.L.167-2011, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. **(a)** The chief executive officer of the corporation may enter into a memorandum of understanding with one (1) or more nonprofit organizations that are recognized supporters of a specific state historic site and are exempt from taxation under Section 501(c)(3) of the Internal Revenue Code. The memorandum of understanding may provide that the nonprofit organization or organizations may maintain a gift shop and offer special events

at the state historic site.

(b) A memorandum of understanding entered into under this section may not do any of the following to restrict the fundraising activities of an organization described in subsection (a):

(1) Require the organization to deposit into the fund the proceeds of a fundraising activity approved by the chief executive officer.

(2) Require the organization to send money donated to the organization to the corporation.

(3) Require the approval of the chief executive officer, or the chief executive officer's designee, before the organization pursues general donations from individuals and other entities.

(4) Restrict, regulate, or limit the ability of the organization to hold offsite fundraising programs or activities.

(5) Restrict, regulate, or limit the ability of the organization to promote or advertise any onsite or offsite fundraising programs or activities on social media, via electronic mail, on an Internet web site, or by any other means.

(c) A memorandum of understanding entered into under this section may not do any of the following:

(1) Require the organization to be any type of supporting organization (as the term is used in the Internal Revenue Code).

(2) Require a representative of the corporation to be a voting or nonvoting member of the organization's board of directors.

(3) Require the organization to submit to the corporation any organization documents, correspondence, electronic mail, or other data that are not required to be submitted by the Internal Revenue Service.

(4) Require the organization to submit an audit of the organization's funds.

(5) Restrict, regulate, or otherwise limit the ability of the organization to promote any onsite or offsite activities.

(6) Allow the corporation to take a nonprofit organization's real or financial assets.

(7) Require the organization to pay any rental or other fee to support an event at a state historic site that is sponsored by the organization or the corporation.

(d) The corporation shall return to the organization any funds raised by the organization and donated to the corporation that:

(1) are designated as donor restricted funds for a specific use in a historic site project; and

(2) are not used for the donor's specified use in the historic site project;

upon the completion of the historic site project.

SECTION 2. **An emergency is declared for this act.**

(Reference is to EHB 1014 as printed February 18, 2020.)

Lehe, Chair	Gaskill
Klinker	Buck
House Conferees	Senate Conferees

Roll Call 366: yeas 44, nays 5. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1022–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1022 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete the title and insert:

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Delete everything after the enacting clause and insert:

SECTION 1. IC 35-31.5-2-132.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 132.7. "Financial transaction", for purposes of IC 35-45-17, has the meaning set forth in IC 35-45-17-0.5.**

SECTION 2. IC 35-31.5-2-257.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 257.5. "Public monument", for purposes of IC 35-45-17, has the meaning set forth in IC 35-45-17-1.5.**

SECTION 3. IC 35-45-17-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.5. As used in this chapter, "financial transaction" means any exchange of currency by cash, note, or credit card or through a wireless portal that is received by:**

(1) a business;

(2) a parking meter or parking pay station on a street or another public place;

(3) a public parking garage or parking lot pay station;

(4) a facility or pay station operated by a public transportation authority; or

(5) a restaurant or the service area of an outdoor seating establishment.

SECTION 4. IC 35-45-17-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.5. As used in this chapter, "public monument" means a building, structure, or site that is of historical importance or interest that is preserved as public property.**

SECTION 5. IC 35-45-17-2, AS ADDED BY P.L.140-2005, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. A person who knowingly or intentionally does any of the following commits panhandling, a Class C misdemeanor:

~~(1) Panhandling after sunset and before sunrise.~~

~~(2)~~ **(1)** Panhandling when the individual being solicited is:

(A) at a bus stop;

(B) in a:

(i) vehicle; or

(ii) facility;

used for public transportation;

(C) in a motor vehicle that is parked or stopped on a

public street or alley, unless the person soliciting the individual has the approval to do so by a unit of local government that has jurisdiction over the public street or alley;

(D) in the sidewalk dining area of a restaurant; ~~or~~

(E) within ~~twenty (20)~~ **fifty (50)** feet of:

(i) an automated teller machine; ~~or~~

(ii) the entrance **or exit** to a bank, **business, or restaurant; or**

(iii) the location where a financial transaction occurs; or

(F) within fifty (50) feet of a public monument.

~~(3)~~ **(2)** Panhandling while touching the individual being solicited without the solicited individual's consent.

~~(4)~~ **(3)** Panhandling while the individual being solicited is standing in line and waiting to be admitted to a commercial establishment.

~~(5)~~ **(4)** Panhandling while blocking:

(A) the path of the individual being solicited; or

(B) the entrance to a building or motor vehicle.

~~(6)~~ **(5)** Panhandling while using profane or abusive language:

(A) during a solicitation; or

(B) after the individual being solicited has declined to donate money or something else of value.

~~(7)~~ **(6)** Panhandling while making a statement, a gesture, or another communication to the individual being solicited that would cause a reasonable individual to:

(A) fear for the individual's safety; or

(B) feel compelled to donate.

~~(8)~~ **(7)** Panhandling with at least one (1) other individual.

~~(9)~~ **(8)** Panhandling and then following or accompanying the solicited individual without the solicited individual's consent after the solicited individual has declined to donate money or something else of value.

(Reference is to EHB 1022 as reprinted February 19, 2020.)

Bosma, Chair	Messmer
Torr	L. Brown
House Conferees	Senate Conferees

Roll Call 367: yeas 35, nays 14. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1092–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1092 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 12-15-5-14.5, AS ADDED BY P.L.128-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14.5. **(a)** The office shall include a:

(1) licensed clinical social worker;

(2) licensed mental health counselor;

(3) licensed clinical addiction counselor; and

(4) licensed marriage and family therapist;

as eligible providers for the supervision of a plan of treatment for a patient's outpatient mental health or substance abuse treatment services, if the individual holds at least a master's degree and the supervision is in the scope of practice, education, and training of the clinical social worker, mental health counselor, clinical addiction counselor, or marriage and family therapist.

(b) Before July 1, 2020, the office shall apply to the United States Department of Health and Human Services to amend the state Medicaid plan to implement subsection (a).

SECTION 2. IC 12-15-5-17, AS AMENDED BY P.L.108-2019, SECTION 194, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JUNE 29, 2020]: Sec. 17. (a) This section does not apply to a Medicaid recipient participating in the Program of All-Inclusive Care for the Elderly (PACE) program described in IC 12-15-43.

(b) The office may not include a Medicaid recipient who is eligible to ~~(1)~~ participate in the Medicare program (42 U.S.C. 1395 et seq.) and receive nursing facility services in a risk based managed care program or capitated managed care program.

(c) This section expires ~~June 30, 2020.~~ **June 30, 2021.**

SECTION 3. IC 12-15-13-9, AS ADDED BY P.L.128-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) Subject to subsection (b), the office shall reimburse the following providers if the providers are providing Medicaid covered services at a federally-qualified health center (as defined in 42 U.S.C. 1396d(l)(2)(B)) or a rural health clinic (as defined in 42 U.S.C. 1396d(l)(1)) within the provider's scope of practice:

(1) A clinical social worker licensed under IC 25-23.6-5.

(2) A marriage and family therapist licensed under IC 25-23.6-8.

(3) A mental health counselor licensed under IC 25-23.6-8.5.

(4) A clinical addiction counselor licensed under IC 25-23.6-10.5.

(b) **By July 1, 2020,** the office shall apply to the United States Department of Health and Human Services to amend the state Medicaid plan to include reimbursement described in subsection (a). The office may not implement the reimbursement under subsection (a) until the office has obtained approval for the Medicaid state plan amendment requested under this subsection.

SECTION 4. IC 27-8-5-15.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 15.8. (a) As used in this section, "treatment of a mental illness or substance abuse" means:**

(1) treatment for a mental illness, as defined in IC 12-7-2-130(1); and

(2) treatment for drug abuse or alcohol abuse.

(b) As used in this section, "act" refers to the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Act of 2008 and any amendments thereto, plus any

federal guidance or regulations relevant to that act, including 45 CFR 146.136, 45 CFR 147.136, 45 CFR 147.160, and 45 CFR 156.115(a)(3).

(c) As used in this section, "nonquantitative treatment limitations" refers to those limitations described in 26 CFR 54.9812-1, 29 CFR 2590.712, and 45 CFR 146.136.

(d) An insurer that issues a policy of accident and sickness insurance that provides coverage of services for treatment of a mental illness or substance abuse shall submit a report to the department not later than December 31 of each year that contains the following information:

(1) A description of the processes:

(A) used to develop or select the medical necessity criteria for coverage of services for treatment of a mental illness or substance abuse; and

(B) used to develop or select the medical necessity criteria for coverage of services for treatment of other medical or surgical conditions.

(2) Identification of all nonquantitative treatment limitations that are applied to:

(A) coverage of services for treatment of a mental illness or substance abuse; and

(B) coverage of services for treatment of other medical or surgical conditions;

within each classification of benefits.

(e) There may be no separate nonquantitative treatment limitations that apply to coverage of services for treatment of a mental illness or substance abuse that do not apply to coverage of services for treatment of other medical or surgical conditions within any classification of benefits.

(f) An insurer that issues a policy of accident and sickness insurance that provides coverage of services for treatment of a mental illness or substance abuse shall also submit an analysis showing the insurer's compliance with this section and the act to the department not later than December 31 of each year. The analysis must do the following:

(1) Identify the factors used to determine that a nonquantitative treatment limitation will apply to a benefit, including factors that were considered but rejected.

(2) Identify and define the specific evidentiary standards used to define the factors and any other evidence relied upon in designing each nonquantitative treatment limitation.

(3) Provide the comparative analyses, including the results of the analyses, performed to determine the following:

(A) That the processes and strategies used to design each nonquantitative treatment limitation for coverage of services for treatment of a mental illness or substance abuse are comparable to, and applied no more stringently than, the processes and strategies used to design each nonquantitative treatment limitation for coverage of services for treatment of other medical or surgical conditions.

(B) That the processes and strategies used to apply each nonquantitative treatment limitation for treatment of a mental illness or substance abuse are comparable to, and applied no more stringently than, the processes and strategies used to apply each nonquantitative limitation for treatment of other medical or surgical conditions.

(g) The department shall adopt rules to ensure compliance with this section and the applicable provisions of the act.

SECTION 5. IC 27-13-7-14.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14.2. (a) As used in this section, "treatment of a mental illness or substance abuse" means:**

(1) treatment for a mental illness, as defined in IC 12-7-2-130(1); and

(2) treatment for drug abuse or alcohol abuse.

(b) As used in this section, "act" refers to the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Act of 2008 and any amendments thereto, plus any federal guidance or regulations relevant to that act, including 45 CFR 146.136, 45 CFR 147.136, 45 CFR 147.160, and 45 CFR 156.115(a)(3).

(c) As used in this section, "nonquantitative treatment limitations" refers to those limitations described in 26 CFR 54.9812-1, 29 CFR 2590.712, and 45 CFR 146.136.

(d) An individual contract or a group contract that provides coverage of services for treatment of a mental illness or substance abuse shall submit a report to the department not later than December 31 of each year that contains the following information:

(1) A description of the processes:

(A) used to develop or select the medical necessity criteria for coverage of services for treatment of a mental illness or substance abuse; and

(B) used to develop or select the medical necessity criteria for coverage of services for treatment of other medical or surgical conditions.

(2) Identification of all nonquantitative treatment limitations that are applied to:

(A) coverage of services for treatment of a mental illness or substance abuse; and

(B) coverage of services for treatment of other medical or surgical conditions;

within each classification of benefits.

(e) There may be no separate nonquantitative treatment limitations that apply to coverage of services for treatment of a mental illness or substance abuse that do not apply to coverage of services for treatment of other medical or surgical conditions within any classification of benefits.

(f) An individual contract or a group contract that provides coverage of services for treatment of a mental illness or substance abuse shall also submit an analysis showing the insurer's compliance with this section and the act to the department not later than December 31 of each year. The analysis must do the following:

(1) Identify the factors used to determine that a nonquantitative treatment limitation will apply to a benefit, including factors that were considered but rejected.

(2) Identify and define the specific evidentiary

standards used to define the factors and any other evidence relied upon in designing each nonquantitative treatment limitation.

(3) Provide the comparative analyses, including the results of the analyses, performed to determine the following:

(A) That the processes and strategies used to design each nonquantitative treatment limitation for coverage of services for treatment of a mental illness or substance abuse are comparable to, and applied no more stringently than, the processes and strategies used to design each nonquantitative treatment limitation for coverage of services for treatment of other medical or surgical conditions.

(B) That the processes and strategies used to apply each nonquantitative treatment limitation for treatment of a mental illness or substance abuse are comparable to, and applied no more stringently than, the processes and strategies used to apply each nonquantitative limitation for treatment of other medical or surgical conditions.

(g) The department shall adopt rules to ensure compliance with this section and the applicable provisions of the act.

SECTION 6. [EFFECTIVE UPON PASSAGE] **(a) As used in this SECTION, "act" refers to the Paul Wellstone and Pete Domenici Mental Health Parity and Addiction Act of 2008 and any amendments thereto, plus any federal guidance or regulations relevant to that act, including 45 CFR 146.136, 45 CFR 147.136, 45 CFR 147.160, and 45 CFR 156.115(a)(3).**

(b) Not later than March 1, 2021, the department of insurance shall submit a report to the general assembly concerning its implementation of rules and procedures to ensure compliance with the act. The report must include the following information:

(1) The methodology the department uses to determine insurers' compliance with the act.

(2) The methodology the department uses to determine insurers' compliance with IC 27-8-5-15.6, IC 27-8-5-15.8, as added by this act, IC 27-13-7-14.2, as added by this act, and IC 27-13-7-14.8.

(3) The results of the target market conduct examinations conducted or completed to determine insurers' compliance with state and federal laws regarding parity in coverage of services for treatment of a mental illness or substance abuse in the past twelve (12) months.

(4) Any educational or corrective action the department has taken to ensure insurers' compliance with the act.

(c) The report required under this SECTION must be in an electronic format under IC 5-14-6.

(d) This SECTION expires June 30, 2021.

SECTION 7. **An emergency is declared for this act.**

(Reference is to EHB 1092 as printed February 14, 2020.)

Ziemke, Chair	Charbonneau
Fleming	Breaux
House Conferees	Senate Conferees

Roll Call 368: yeas 49, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1153–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1153 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 4-3-27-3, AS AMENDED BY P.L.143-2019, SECTION 2, AND AS AMENDED BY P.L.237-2019, SECTION 1, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. The governor's workforce cabinet is established under the applicable state and federal programs to do the following:

(1) Review the services and use of funds and resources under applicable state and federal programs and advise the governor, *general assembly, commission for higher education, and state board of education* on methods of coordinating the services and use of funds and resources consistent with the laws and regulations governing the particular applicable state and federal programs.

(2) Advise the governor, *general assembly, commission for higher education, and state board of education* on:

(A) the development and implementation of state and local standards and measures; and

(B) the coordination of the standards and measures;

concerning the applicable federal programs.

(3) Perform the duties as set forth in federal law of the particular advisory bodies for applicable federal programs described in section 4 of this chapter.

(4) Identify the workforce needs in Indiana and recommend to the governor, *general assembly, commission for higher education, and state board of education* goals to meet the investment needs.

(5) Recommend to the governor, *general assembly, commission for higher education, and state board of education* goals for the development and coordination of the talent development system in Indiana.

(6) Prepare and recommend to the governor, *general assembly, commission for higher education, and state board of education* a strategic plan to accomplish the goals developed under subdivisions (4) and (5).

(7) Monitor and direct the implementation of and evaluate the effectiveness of the strategic plan described in subdivision (6).

(8) Advise the governor, *general assembly, commission for higher education, and state board of education* on the coordination of federal, state, and local education and training programs and on the allocation of state and federal funds in Indiana to promote effective services, service

delivery, and innovative programs.

(9) Review and approve regional workforce development board plans, and work with regional workforce development boards to determine appropriate metrics for workforce programming at the state and local levels.

(10) Design for implementation a comprehensive career navigation and coaching system as described in section 11 of this chapter.

(11) Conduct a systematic and comprehensive review, analysis, and evaluation of workforce funding described in section 12 of this chapter.

(12) Conduct a systematic and comprehensive review, analysis, and evaluation of the college and career funding described in section 13 of this chapter.

(13) Based on the reviews in sections 12 and 13 of this chapter, direct the appropriate state agencies to implement administrative changes to the delivery of these programs that align with Indiana's workforce goals, and make recommendations to:

(A) the governor;

(B) the commission for higher education;

(C) the state board of education; and

(D) the ~~*legislative council*~~ *general assembly* in an ~~*in*~~ electronic format under IC 5-14-6;

on possible legislative changes in the future.

(14) Study the advisability of establishing one (1) or more real world career readiness programs as described in section 14 of this chapter and report to:

(A) the governor;

(B) the commission for higher education;

(C) the state board of education; and

(D) the ~~*legislative council*~~ *general assembly* in an electronic format under IC 5-14-6;

concerning the results of the study.

(15) Conduct a systematic and comprehensive review, analysis, and evaluation of whether:

(A) Indiana's **early childhood,** *primary, secondary, and postsecondary education systems are aligned with employer needs; and*

(B) Indiana's students and workforce are prepared for success in the twenty-first century economy.

(16) **On or before December 1, 2020,** *create a comprehensive strategic plan to ensure alignment between Indiana's* **early childhood,** *primary, secondary, and postsecondary education systems with Indiana's workforce training programs and employer needs.*

~~*(15)*~~ **(17)** *Administer the workforce diploma reimbursement program established by IC 22-4.1-27-7.*

~~*(17)*~~ ~~*(16)*~~ **(18)** Carry out other policy duties and tasks as assigned by the governor.

SECTION 2. **An emergency is declared for this act.**

(Reference is to EHB 1153 as printed February 28, 2020.)

Goodrich, Chair	Raatz
Klinker	Melton
House Conferees	Senate Conferees

Roll Call 369: yeas 41, nays 8. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1157–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1157 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 9-21-3-11, AS AMENDED BY P.L.217-2014, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. A person who violates section 7, 8, or 9 of this chapter commits a Class C infraction. **However, a person who violates section 7, 8, or 9 of this chapter in a manner that results in bodily injury to a person commits a Class A infraction.**

SECTION 2. IC 9-21-8-49, AS AMENDED BY P.L.188-2015, SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 49. **(a) Except as provided in subsection (b)** ~~except~~ **or** as provided in sections 35, 50, ~~51,~~ 52, 55, 56, and 58 of this chapter, a person who violates this chapter commits a Class C infraction.

(b) Except as provided in sections 35, 50, 52, 55, 56, 58, and 59 of this chapter, a person who violates this chapter in a manner that results in bodily injury to a person commits a Class A infraction.

SECTION 3. IC 9-21-8-51 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 51. A person ~~who:~~ **may not:**

(1) ~~operates~~ **operate** a vehicle; and

(2) ~~fails~~ **fail** to dim bright or blinding lights when meeting another vehicle or pedestrian.

~~commits a Class B infraction.~~

SECTION 4. IC 9-30-6-8, AS AMENDED BY P.L.188-2015, SECTION 109, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) Whenever a judicial officer has determined that there was probable cause to believe that a person has violated IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal), the clerk of the court shall forward:

(1) a paper copy of the affidavit, or an electronic substitute; or

(2) a bureau certificate as described in section 16 of this chapter;

to the bureau.

(b) The probable cause affidavit required under section 7(b)(2) of this chapter must do the following:

(1) Set forth the grounds for the arresting officer's belief that there was probable cause that the arrested person was operating a vehicle in violation of IC 9-30-5 or a motorboat in violation of IC 35-46-9 or IC 14-15-8 (before its repeal).

(2) State that the person was arrested for a violation of IC 9-30-5 or operating a motorboat in violation of IC 35-46-9 or IC 14-15-8 (before its repeal).

(3) State whether the person:

(A) refused to submit to a chemical test when offered; or

(B) submitted to a chemical test that resulted in prima facie evidence that the person was intoxicated.

(4) Be sworn to by the arresting officer.

(c) Except as provided in subsection (d), if it is determined under subsection (a) that there was probable cause to believe that a person has violated IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal), at the initial hearing of the matter held under IC 35-33-7-1 the court shall recommend immediate suspension of the person's driving privileges to take effect on the date the order is entered, and forward to the bureau a copy of the order recommending immediate suspension of driving privileges.

(d) If it is determined under subsection (a) that there is probable cause to believe that a person violated IC 9-30-5, the court may, as an alternative to **any** suspension of the person's driving privileges under subsection (c), issue an order recommending that the person be prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under IC 9-30-8. **This subsection applies even if the probable cause affidavit in subsection (b) states that the person:**

(1) refused to submit to a chemical test; or

(2) submitted to a chemical test that resulted in prima facie evidence that the person was intoxicated.

The order remains in effect until the bureau is notified by a court that the criminal charges against the person have been resolved. **When the court issues an order under this subsection, no administrative suspension is imposed by the bureau and no suspension is noted on the person's driving record.**

(e) A person commits a Class B infraction if the person:

(1) operates a motor vehicle without a functioning certified ignition interlock device; and

(2) is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under subsection (d).

(f) A person commits a Class B misdemeanor if the person:

(1) operates a motor vehicle without a functioning certified ignition interlock device; and

(2) knows the person is prohibited from operating a motor vehicle unless the motor vehicle is equipped with a functioning certified ignition interlock device under subsection (d).

SECTION 5. IC 9-30-6-13.5, AS AMENDED BY P.L.2-2005, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13.5. ~~Whenever~~ **If:**

(1) a case filed under IC 9-30-5 is terminated in favor of the defendant; and

(2) the defendant's driving privileges were suspended under:

(A) ~~section 9(c)~~ **section 9(b)** of this chapter; **or**

(B) section 9(c) of this chapter;

the bureau shall remove any record of the suspension, including the reason for suspension, from the defendant's official driving record.

SECTION 6. IC 9-30-16-1, AS AMENDED BY P.L.144-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Except as provided in subsection (b), the following are ineligible for specialized driving privileges under this chapter:

(1) A person who has never been an Indiana resident.

(2) A person seeking specialized driving privileges with respect to a suspension based on the person's refusal to submit to a chemical test offered under IC 9-30-6 or IC 9-30-7. **However, a court may grant this person driving privileges under IC 9-30-6-8(d).**

(3) A person whose driving privileges have been suspended or revoked under IC 9-24-10-7(b)(2)(A).

(4) A person whose driving privileges have been suspended under IC 9-21-8-52(e) or IC 9-21-12-1(b).

(b) This chapter applies to the following:

(1) A person who held an operator's, a commercial driver's, a public passenger chauffeur's, or a chauffeur's license at the time of:

(A) the criminal conviction for which the operation of a motor vehicle is an element of the offense;

(B) any criminal conviction for an offense under IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal); or

(C) committing the infraction of exceeding a worksite speed limit for the second time in one (1) year under IC 9-21-5-11(f).

(2) A person who:

(A) has never held a valid Indiana driver's license or does not currently hold a valid Indiana learner's permit; and

(B) was an Indiana resident when the driving privileges for which the person is seeking specialized driving privileges were suspended.

(c) Except as specifically provided in this chapter, a court may suspend the driving privileges of a person convicted of any of the following offenses for a period up to the maximum allowable period of incarceration under the penalty for the offense:

(1) Any criminal conviction in which the operation of a motor vehicle is an element of the offense.

(2) Any criminal conviction for an offense under IC 9-30-5, IC 35-46-9, or IC 14-15-8 (before its repeal).

(3) Any offense under IC 35-42-1, IC 35-42-2, or IC 35-44.1-3-1 that involves the use of a vehicle.

(d) Except as provided in section 3.5 of this chapter, a suspension of driving privileges under this chapter may begin before the conviction. Multiple suspensions of driving privileges ordered by a court that are part of the same episode of criminal conduct shall be served concurrently. A court may grant credit time for any suspension that began before the conviction, except as prohibited by section 6(a)(2) of this chapter.

(e) If a person has had an ignition interlock device installed as a condition of specialized driving privileges or under IC 9-30-6-8(d), the period of the installation shall be credited as part of the suspension of driving privileges.

(f) This subsection applies to a person described in subsection (b)(2). A court shall, as a condition of granting specialized driving privileges to the person, require the person to apply for

and obtain an Indiana driver's license.

(g) If a person indicates to the court at an initial hearing (as described in IC 35-33-7) that the person intends to file a petition for a specialized driving privileges hearing with that court under section 3 or 4 of this chapter, the following apply:

(1) The court shall:

(A) stay the suspension of the person's driving privileges at the initial hearing and shall not submit the probable cause affidavit related to the person's offense to the bureau; and

(B) set the matter for a specialized driving privileges hearing not later than thirty (30) days after the initial hearing.

(2) If the person does not file a petition for a specialized driving privileges hearing not later than ten (10) days after the date of the initial hearing, the court shall lift the stay of the suspension of the person's driving privileges and shall submit the probable cause affidavit related to the person's offense to the bureau for automatic suspension.

(3) If the person files a petition for a specialized driving privileges hearing not later than ten (10) days after the initial hearing, the stay of the suspension of the person's driving privileges continues until the matter is heard and a determination is made by the court at the specialized driving privileges hearing.

(4) If the specialized driving privileges hearing is continued due to:

(A) a congestion of the court calendar;

(B) the prosecuting attorney's motion for a continuance; or

(C) the person's motion for a continuance with no objection by the prosecuting attorney;

the stay of the suspension of the person's driving privileges continues until addressed at the next hearing.

(5) If the person moves for a continuance of the specialized driving privileges hearing and the court grants the continuance over the prosecuting attorney's objection, the court shall lift the stay of the suspension of the person's driving privileges and shall submit the probable cause affidavit related to the person's offense to the bureau for automatic suspension.

SECTION 7. IC 9-30-16-6, AS ADDED BY P.L.188-2015, SECTION 128, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) A person whose driving privileges are suspended under section 1(c) of this chapter:

(1) is entitled to credit for any days during which the license was suspended under IC 9-30-6-9(c); and

(2) may not receive any credit for days during which the person's driving privileges were suspended under IC 9-30-6-9(b).

(b) A period of suspension of driving privileges imposed under section 1(c) of this chapter must be consecutive to any period of suspension imposed under IC 9-30-6-9(b). However, **if the state and defendant agree pursuant to a term in an accepted plea agreement, or** if the court finds ~~in the sentencing order~~ **at sentencing** that it is in the best interest of society, the court ~~may~~ **shall** terminate all or any part of the remaining suspension under IC 9-30-6-9(b) **and shall enter this finding in its sentencing order.**

(c) The bureau shall designate a period of suspension of driving privileges imposed under section 1(c) of this chapter as consecutive to any period of suspension imposed under IC 9-30-6-9(b) unless the sentencing order of the court under subsection (b) terminates all or part of the remaining suspension under IC 9-30-6-9(b).

SECTION 8. IC 9-30-16-6.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 6.5. A court and the bureau, if applicable, shall terminate all or any part of the remaining suspension of a person's license suspension under section 1(c) of this chapter or under IC 9-30-6-9 if:**

(1) the charges against the person are dismissed;

(2) the person is acquitted; or

(3) the person's conviction is vacated or reversed on appeal.

SECTION 9. IC 34-28-5-1, AS AMENDED BY P.L.198-2016, SECTION 667, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) An action to enforce a statute defining an infraction shall be brought in the name of the state of Indiana by the prosecuting attorney for the judicial circuit in which the infraction allegedly took place. However, if the infraction allegedly took place on a public highway (as defined in IC 9-25-2-4) that runs on and along a common boundary shared by two (2) or more judicial circuits, a prosecuting attorney for any judicial circuit sharing the common boundary may bring the action.

(b) An action to enforce an ordinance shall be brought in the name of the municipal corporation. The municipal corporation need not prove that it or the ordinance is valid unless validity is controverted by affidavit.

(c) Actions under this chapter (or IC 34-4-32 before its repeal):

(1) shall be conducted in accordance with the Indiana Rules of Trial Procedure; and

(2) must be brought within two (2) years after the alleged conduct or violation occurred.

(d) The plaintiff in an action under this chapter must prove the commission of an infraction or ordinance violation by a preponderance of the evidence.

(e) The complaint and summons described in IC 9-30-3-6 may be used for any infraction or ordinance violation.

~~(f) Subsection (g) does not apply to an individual who is alleged to have committed an infraction under any of the following when the individual was less than eighteen (18) years of age at the time of the alleged offense:~~

~~IC 9-19~~

~~IC 9-21~~

~~IC 9-24~~

~~IC 9-25~~

~~IC 9-26~~

~~IC 9-30-5~~

~~IC 9-30-10~~

~~IC 9-30-15.~~

~~(g)~~ **(f)** This subsection does not apply to an offense or

violation under IC 9-24-6 (before its repeal) or IC 9-24-6.1 involving the operation of a commercial motor vehicle. The prosecuting attorney or the attorney for a municipal corporation may establish a deferral program for deferring actions brought under this section. Actions may be deferred under this section if:

(1) the defendant in the action agrees to conditions of a deferral program offered by the prosecuting attorney or the attorney for a municipal corporation;

(2) the defendant in the action agrees to pay to the clerk of the court an initial user's fee and monthly user's fee set by the prosecuting attorney or the attorney for the municipal corporation in accordance with IC 33-37-4-2(e);

(3) the terms of the agreement are recorded in an instrument signed by the defendant and the prosecuting attorney or the attorney for the municipal corporation;

(4) the defendant in the action agrees to pay a fee of seventy dollars ($70) to the clerk of court if the action involves a moving traffic offense (as defined in IC 9-13-2-110);

(5) the agreement is filed in the court in which the action is brought; and

(6) if the deferral program is offered by the prosecuting attorney, the prosecuting attorney electronically transmits information required by the prosecuting attorneys council concerning the withheld prosecution to the prosecuting attorneys council, in a manner and format designated by the prosecuting attorneys council.

When a defendant complies with the terms of an agreement filed under this subsection (or IC 34-4-32-1(f) before its repeal), the prosecuting attorney or the attorney for the municipal corporation shall request the court to dismiss the action. Upon receipt of a request to dismiss an action under this subsection, the court shall dismiss the action. An action dismissed under this subsection (or IC 34-4-32-1(f) before its repeal) may not be refiled.

~~(h)~~ **(g)** If a judgment is entered against a defendant in an action to enforce an ordinance, the defendant may perform community restitution or service (as defined in IC 35-31.5-2-50) instead of paying a monetary judgment for the ordinance violation as described in section 4(e) of this chapter if:

(1) the:

(A) defendant; and

(B) attorney for the municipal corporation;

agree to the defendant's performance of community restitution or service instead of the payment of a monetary judgment;

(2) the terms of the agreement described in subdivision (1):

(A) include the amount of the judgment the municipal corporation requests that the defendant pay under section 4(e) of this chapter for the ordinance violation if the defendant fails to perform the community restitution or service provided for in the agreement as approved by the court; and

(B) are recorded in a written instrument signed by the defendant and the attorney for the municipal corporation;

(3) the agreement is filed in the court where the judgment was entered; and

(4) the court approves the agreement.

If a defendant fails to comply with an agreement approved by a court under this subsection, the court shall require the defendant to pay up to the amount of the judgment requested in the action under section 4(e) of this chapter as if the defendant had not entered into an agreement under this subsection.

SECTION 10. IC 34-28-5-4, AS AMENDED BY P.L.146-2016, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) A judgment of up to ten thousand dollars ($10,000) may be entered for a violation constituting a Class A infraction.

(b) A judgment of up to one thousand dollars ($1,000) may be entered for a violation constituting a Class B infraction.

(c) Except as provided in subsection (f), a judgment of up to five hundred dollars ($500) may be entered for a violation constituting a Class C infraction.

(d) A judgment of up to twenty-five dollars ($25) may be entered for a violation constituting a Class D infraction.

(e) Subject to ~~section 1(i)~~ **section 1** of this chapter, a judgment:

(1) up to the amount requested in the complaint; and

(2) not exceeding any limitation under IC 36-1-3-8;

may be entered for an ordinance violation.

(f) Except as provided in subsections (g) and (h), a person who has admitted to a moving violation constituting a Class C infraction, pleaded nolo contendere to a moving violation constituting a Class C infraction, or has been found by a court to have committed a moving violation constituting a Class C infraction may not be required to pay more than the following amounts for the violation:

(1) If, before the appearance date specified in the summons and complaint, the person mails or delivers an admission of the moving violation or a plea of nolo contendere to the moving violation, the person may not be required to pay any amount, except court costs and a judgment that does not exceed thirty-five dollars and fifty cents ($35.50).

(2) If the person admits the moving violation or enters a plea of nolo contendere to the moving violation on the appearance date specified in the summons and complaint, the person may not be required to pay any amount, except court costs and a judgment that does not exceed thirty-five dollars and fifty cents ($35.50).

(3) If the person contests the moving violation in court and is found to have committed the moving violation, the person may not be required to pay any amount, except:

(A) court costs and a judgment that does not exceed thirty-five dollars and fifty cents ($35.50) if, in the five (5) years before the appearance date specified in the summons and complaint, the person was not found by a court in the county to have committed a moving violation;

(B) court costs and a judgment that does not exceed two hundred fifty dollars and fifty cents ($250.50) if, in the five (5) years before the appearance date specified in the summons and complaint, the person was found by a court in the county to have committed one (1) moving violation; and

(C) court costs and a judgment that does not exceed five hundred dollars ($500) if, in the five (5) years before the appearance date specified in the summons and complaint, the person was found by a court in the county to have committed two (2) or more moving violations.

In a proceeding under subdivision (3), the court may require the person to submit an affidavit or sworn testimony concerning whether, in the five (5) years before the appearance date specified in the summons and complaint, the person has been found by a court to have committed one (1) or more moving violations.

(g) The amounts described in subsection (f) are in addition to any amount that a person may be required to pay for attending a defensive driving school program.

(h) This subsection applies only to infraction judgments imposed in Marion County for traffic violations after December 31, 2010. Subsection (f) applies to an infraction judgment described in this subsection. However, a court shall impose a judgment of not less than thirty-five dollars ($35) for an infraction judgment that is entered in Marion County. These funds shall be transferred to a dedicated fund in accordance with section 5 of this chapter.

(i) This subsection applies only to infraction judgments imposed in Clark County for toll violations after January 1, 2017. Subsection (f) applies to an infraction judgment described in this subsection. However, a court shall impose a judgment of not less than thirty-five dollars ($35) for an infraction judgment that is entered in Clark County. These funds shall be transferred to a dedicated fund in accordance with section 5(f) of this chapter.

SECTION 11. IC 34-28-5-8, AS AMENDED BY P.L.200-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. The violations clerk or deputy violations clerk shall:

(1) accept:

(A) written appearances;

(B) waivers of trial;

(C) admissions of violation;

(D) declarations of nolo contendere for moving traffic violations;

(E) payments of judgments (including costs) in traffic violation cases;

(F) deferral agreements made under ~~section 1(f)~~ **section 1** of this chapter (or IC 34-4-32-1(f) before its repeal) and deferral program fees prescribed under IC 33-37-4-2(e); and

(G) community restitution or service agreements made under ~~section 1(g)~~ **section 1** of this chapter;

(2) issue receipts and account for any judgments (including costs) collected; and

(3) pay the judgments (including costs) collected to the appropriate unit of government as provided by law.

SECTION 12. IC 34-28-5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. The court shall:

(1) designate the traffic violations within the authority of the violations clerk, but these violations may not include misdemeanors or felonies;

(2) establish schedules, within limits prescribed by law, of the judgments to be imposed for first violations, designating each violation specifically;

(3) order that the schedule of judgments be prominently posted in the place where the fines are paid;

(4) establish a procedure under which any violations clerk or deputy violations clerk shall accept, receipt, and account for all money tendered for designated traffic violations; and

(5) dismiss deferred actions if a dismissal request is made under ~~section 1(f)~~ **section 1** of this chapter (or IC 34-4-32-1(f) before its repeal).

SECTION 13. IC 35-48-4-15 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 15. If a person is convicted of an offense under section 1, 1.1, 1.2, 2, 3, 4, or 10 of this chapter, and the court finds that a motor vehicle was used in the commission of the offense, the court may, in addition to any other order the court enters, order that the person's driving privileges be suspended by the bureau of motor vehicles for a period specified by the court of not more than two (2) years.~~

(Reference is to EHB 1157 as reprinted March 3, 2020.)

McNamara, Chair	Freeman
Hatfield	Tallian
House Conferees	Senate Conferees

Roll Call 370: yeas 44, nays 4. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1385–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1385 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 6-6-11-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. As used in this chapter, "boat" ~~means any device in which a person may be transported upon water and includes every motorboat, sailboat, pontoon boat, rowboat, skiff, dinghy, or canoe, regardless of size.~~ **or "watercraft" has the meaning set forth for "watercraft" in IC 9-13-2-198.5.**

SECTION 2. IC 6-6-11-2 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 2. As used in this chapter, "boating equipment" means motors used in connection with a boat.~~

SECTION 3. IC 6-6-11-3 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 3. As used in this chapter, "boating year" means a calendar year.~~

SECTION 4. IC 6-6-11-4 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 4. As used in this chapter, "motorized boat" means a boat that is propelled by an internal combustion, steam, or electrical inboard or outboard motor or engine or propelled by any mechanical means, including a sailboat that is~~

~~equipped with a motor or engine.~~

SECTION 5. IC 6-6-11-5, AS AMENDED BY P.L.245-2015, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 5. As used in this chapter, "tax situs" means the taxing district in which a boat is located on the ~~assessment date of a boating year unless:~~

~~(1) the boat is acquired after the assessment date, in which case the boat's tax situs is where the owner intends to have the boat on the following assessment date; or~~

~~(2) the boat is registered outside Indiana, in which case the boat's tax situs is the taxing district in which the boat is principally stored or operated during the boating year.~~ **date the boat is registered under IC 9-18.1-14.5.**

SECTION 6. IC 6-6-11-8, AS AMENDED BY P.L.178-2019, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 8. (a) Except as provided in ~~subsections~~ **subsection** (b), ~~and (d),~~ a boat may not be operated, used, docked, or stored ~~in a county~~ during any part of a ~~boating~~ **registration** year **unless:**

~~(1) unless:~~

~~(A) the boat excise tax; and~~

~~(B) the boat registration fees imposed by IC 9-31-3-9; for that boat have been paid for that boating year; and~~

~~(2) unless valid boat excise tax decals for that boating year are affixed to the boat.~~

(1) the boat has been registered under IC 9-18.1-14.5; or

(2) the boat is not required to be registered under IC 9-18.1-14.5.

~~(b) A boat may be operated, used, docked, or stored in a county without the boat excise tax having been paid if:~~

~~(1) the boat is exempt from the excise tax under section 9 of this chapter; or~~

~~(2) the operator of the boat has in the operator's possession a bill of sale from a dealer or private individual that includes the following:~~

~~(A) The purchaser's name and address.~~

~~(B) A date of purchase that is not more than thirty-one (31) days preceding the date that the operator is required to show the bill of sale.~~

~~(C) The make and type of boat or the hull identification number.~~

(b) A boat is exempt from the boat excise tax imposed by this chapter if the boat is:

(1) exempt from registration fees under IC 9-18.1-14.5-7; or

(2) used by a person for the production of income and subject to assessment under IC 6-1.1, proof of which has been provided to the bureau.

(c) Boats that are subject to the boat excise tax for a ~~boating~~ **registration** year are not subject to assessment and taxation under IC 6-1.1 for ad valorem property taxes first due and payable in the following ~~boating~~ **registration** year, with respect to the taxpayer who must pay the boat excise tax.

~~(d) A boat may be operated, used, docked, or stored in a county without valid boat excise tax decals for that boating year being affixed to the boat if the decals do not have to be affixed to the boat under rules adopted by the department of natural resources.~~

(d) If the boat excise tax imposed by this chapter was not paid for one (1) or more preceding registration years, the bureau of motor vehicles may collect only the boat excise tax imposed by this chapter for the:

(1) registration year immediately preceding the current registration year;

(2) current registration year; and

(3) registration year immediately following the current registration year.

SECTION 7. IC 6-6-11-9 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 9. A boat is exempt from the boat excise tax imposed for a year if the boat is:~~

~~(1) owned by the United States;~~

~~(2) owned by the state or one (1) of its political subdivisions (as defined in IC 36-1-2-13);~~

~~(3) owned by an organization exempt from federal income taxation under 501(c)(3) of the Internal Revenue Code;~~

~~(4) a human powered vessel, as determined by the department of natural resources;~~

~~(5) held by a boat manufacturer, distributor, or dealer for sale in the ordinary course of business;~~

~~(6) used by a person for the production of income and subject to assessment under IC 6-1.1;~~

~~(7) stored in Indiana for less than twenty-two (22) consecutive days and not operated, used, or docked in Indiana;~~

~~(8) except as provided in subdivision (9), registered outside Indiana and operated, used, or docked in Indiana for a combined total of less than twenty-two (22) consecutive days during the boating year;~~

~~(9) a motorboat (as defined by IC 9-13-2-103.5) and is registered outside Indiana and docked on the Indiana part of Lake Michigan for a combined total of not more than one hundred eighty (180) consecutive days; or~~

~~(10) subject to the commercial vessel tonnage tax under IC 6-6-6.~~

SECTION 8. IC 6-6-11-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 10. (a) The amount of boat excise tax that a boat owner shall pay for a ~~boating~~ **registration** year is based on the boat's class and age.

(b) ~~Motorized boats and sailboats~~ **Boats** are classified for excise tax purposes according to the value of the boat when the boat was new. The amount of excise tax ~~for a boating year that is imposed for a motorized boat or a sailboat and owed by the boat owner~~ is prescribed in the following table:

~~MOTORIZED BOAT'S or SAILBOAT'S~~ **BOAT** VALUE

CLASS	WHEN NEW AT LEAST but	LESS THAN	TAX DUE
1	$ 0.01	$ 500	$ 2
2	500	1,000	6
3	1,000	1,500	20
4	1,500	2,000	30
5	2,000	3,000	42
6	3,000	5,000	55
7	5,000	7,500	70
8	7,500	10,000	88
9	10,000	15,000	110

10	15,000	22,500	150
11	22,500	35,000	200
12	35,000	50,000	275
13	50,000	75,000	375
14	75,000 or more		500

The bureau of motor vehicles ~~shall~~ **may** adopt rules under IC 4-22-2 for determining the value of new boats. A tax paid under subsection (c) may be used as a credit against the taxes owed for the same ~~boating~~ **registration** year under this subsection.

(c) Notwithstanding subsection (b), the amount of excise tax imposed and owed by a boat owner is twelve dollars ($12) for a ~~motorized~~ boat ~~or a sailboat~~ that is stored in Indiana for sixty (60) consecutive days or more but not operated, used, or docked in Indiana waters, except to facilitate storage of the boat.

SECTION 9. IC 6-6-11-13, AS AMENDED BY P.L.178-2019, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 13. (a) A boat owner shall pay the boat excise tax for a ~~boating~~ **registration** year to the bureau of motor vehicles. ~~If the motorboat is legally registered in another state, the boat owner must pay the excise tax and the two dollar ($2) fee imposed by IC 9-31-3-2 for a boating year to the bureau of motor vehicles.~~

(b) ~~Subject to subsection (c),~~ The tax ~~and fees~~ set forth in subsection (a) must be paid at the same time that the boat owner pays or would pay the registration fee and vehicle excise taxes on motor vehicles under IC 9-18 (before its expiration), IC 9-18.1, and IC 6-6-5. When the boat owner pays the tax and fees, the owner is entitled to receive the ~~excise tax~~ **registration** decals.

~~(c) If the boat excise tax imposed by this chapter was not paid for one (1) or more preceding boating years, the bureau may collect only the boat excise tax imposed by this chapter for the:~~

~~(1) boating year immediately preceding the current boating year;~~

~~(2) current boating year; and~~

~~(3) boating year immediately following the current boating year.~~

SECTION 10. IC 6-6-11-14, AS AMENDED BY P.L.256-2017, SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 14. (a) ~~For~~ **This section applies to** a boat which has been acquired, or brought into Indiana, or for any other reason becomes subject to **registration or** the **boat** excise tax after the regular annual tax payment date in the ~~boating~~ **registration** year on or before which the owner is required to pay the tax on boats under this chapter. The tax imposed by this chapter shall become due and payable no later than

~~(1) the thirty-second day after the boat is operated in Indiana, if the boat is registered in Indiana;~~

~~(2) except as provided in subdivision (3), the twenty-second consecutive day during the boating year that the boat is:~~

~~(A) stored in Indiana; or~~

~~(B) operated, used, or docked in Indiana waters if the boat is registered outside Indiana; or~~

~~(3) the one hundred eighty-first day that the motorboat (as defined by IC 9-13-2-103.5) is docked on the Indiana part of Lake Michigan if the motorboat is registered outside Indiana.~~ **the date the boat is required to be registered in Indiana under IC 9-18.1-14.5-8.**

~~(b) The amount of excise tax to be paid by the owner for the remainder of the year shall be reduced by one-twelfth (1/12) for each full calendar month which has elapsed since the regular annual tax payment date in the year fixed by the bureau of motor vehicles for tax payment by the owner.~~

(b) The boat excise tax owed by the owner at the time of registration of the boat is calculated in the same manner as a motor vehicle excise tax under IC 6-6-5-7.2(c).

(c) The owner of a boat who sells or otherwise disposes of the boat in a year in which the owner has paid the excise tax imposed by this chapter is entitled to receive a credit that is calculated in the same manner and subject to the same requirements as the credit for the excise tax under IC 6-6-5-7.2(e).

(d) If the name of the owner of a boat is legally changed and the change has caused a change in the owner's annual registration date, the boat excise tax liability of the owner shall be adjusted in the same manner as excise taxes are adjusted under IC 6-6-5-7.2(f).

(e) The owner of a boat registered with the bureau of motor vehicles is entitled to a refund of boat excise taxes calculated in the same manner as motor vehicle excise tax under IC 6-6-5-7.4 if, after the owner's registration date:

(1) the owner registers the boat for use in another state;

(2) the owner pays tax for use of the boat in another state for the same time period for which the tax was paid under this chapter; and

(3) the amount of the refund is at least four dollars ($4).

(f) To claim a credit or a refund, or both, under this chapter, a person must comply with the provisions of IC 6-6-5-7.7.

SECTION 11. IC 6-6-11-15 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 15. For a boat which is acquired, or brought into Indiana, or for any other reason becomes subject to taxation under this chapter during the middle of the current boating year, the owner may pay the fees and the excise tax due on the boat as provided in this chapter and any excise tax due on the boat for the remainder of the boating year and simultaneously pay the fees and the excise tax due for the following boating year.~~

SECTION 12. IC 6-6-11-16 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 16. (a) Except as provided in sections 11 and 19 of this chapter, a reduction in the excise tax is not allowed to Indiana residents if the boat was owned by the person on or before the person's tax payment date.~~

~~(b) A boat owner is not entitled to a refund of excise taxes paid because the boat owner changes the boat owner's state or country of residency.~~

SECTION 13. IC 6-6-11-17 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 17. (a) The owner of a boat who sells or otherwise disposes of the boat in a year in which the boat owner has paid the tax imposed by this chapter is entitled to receive a credit equal to the remainder of:~~

~~(1) the tax paid for the boat; minus~~

~~(2) one-twelfth (1/12) for each full or partial calendar~~

~~month that has elapsed from the date the tax was due to the date of the sale, destruction, or other disposal of the boat.~~

~~(b) If the credit is not fully used within ninety (90) days after the date of the sale, destruction, or other disposal of the boat and the amount of the credit is at least four dollars ($4), the bureau shall issue a refund to the owner in the amount of the unused credit, less a fee of three dollars ($3) to cover the costs of processing the refund. The bureau shall deposit the processing fee in the commission fund (established by IC 9-14-14-1).~~

~~(c) To claim the credit and refund provided by this section, the owner of the boat must present to the bureau proof of the sale, destruction, or other disposal of the boat.~~

SECTION 14. IC 6-6-11-17.5 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 17.5. (a) To claim a credit or refund, or both, a person must provide a sworn statement to the bureau that the person is entitled to the credit or refund, or both, claimed by the person.~~

~~(b) The bureau may inspect records of a person claiming a credit or refund, or both, under this chapter to determine whether a credit or refund, or both, was properly allowed against the excise tax imposed under this chapter for a boat owned by the person.~~

~~(c) If the bureau determines that a credit or refund, or both, was improperly allowed to a person for a boat, the person shall pay the bureau the amount of the credit and refund that was improperly allowed to the person plus a penalty equal to ten percent (10%) of the amount of the credit or refund, or both, that was improperly allowed to the person. The tax collected under this section shall be distributed to the county treasurer of the county where the boat's tax situs is located. However, the bureau shall retain any penalty collected under this subsection.~~

SECTION 15. IC 6-6-11-19 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 19. If the name of the owner of a boat is legally changed and the change has caused a change in the owner's annual tax payment date, the excise tax liability of the owner shall be adjusted as follows:~~

~~(1) If the name change requires the owner to pay the excise tax sooner than the owner would have been required to pay if there had been no name change, the owner shall, at the time the name change is reported, be authorized a refund from the county treasurer in the amount of the product of:~~

~~(A) one-twelfth (1/12) of the owner's last preceding annual excise tax liability; multiplied by~~

~~(B) the number of full calendar months between the owner's new tax payment month and the tax payment month that is based on the owner's former name.~~

~~(2) If the name change requires the owner to pay the excise tax later than the owner would have been required to pay if there had been no name change, the boat is subject to excise tax for the period between the month in which the owner would have been required to pay if there had been no name change and the new tax payment month. The amount of the tax is equal to the amount determined under STEP FOUR of the following formula:~~

~~STEP ONE: Determine the number of full calendar months between the month in which the owner would have been required to register if there had been no name change and the owner's new annual registration month.~~

~~STEP TWO: Multiply:~~

~~(i) the STEP ONE result; by~~

~~(ii) one-twelfth (1/12).~~

~~STEP THREE: Determine the owner's excise tax liability computed as of the time the owner would have been required to pay the excise tax if there had been no name change.~~

~~STEP FOUR: Multiply:~~

~~(i) the STEP TWO result; by~~

~~(ii) the STEP THREE result.~~

SECTION 16. IC 6-6-11-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 21. The state board of accounts shall prescribe the tax payment form to be used by the bureau of motor vehicles. The board shall prescribe one (1) document to serve as the form. The form must have a sufficient number of copies for distribution and include appropriate spaces for the following information:

(1) The owner's name and address.

(2) The name of the county and the address of the location where the boat has its tax situs for the ~~boating~~ **registration** year.

(3) A description of the boat, including the manufacturer's specified length for the boat.

(4) The age of the boat.

(5) The class prescribed for the boat under this chapter.

(6) The excise tax imposed on the boat for the ~~boating~~ **registration** year under this chapter.

(7) The boat's state registration or Coast Guard documentation number, if any, and any other information reasonably required by the department of natural resources.

(8) The signature of the boat owner on the owner's copy of the form verifying that the information is true and correct and acknowledging that the boat owner will be subject to penalties for perjury for providing false information.

(9) Any other information prescribed by the state board of accounts.

SECTION 17. IC 6-6-11-22 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 22. The department of natural resources shall prescribe the design of the boat excise tax decals in sufficient time for the bureau of motor vehicles to procure a sufficient number of boat excise tax decals for each class of boat. Each decal must:~~

~~(1) state the boating year to which the decal applies;~~

~~(2) have a unique identification number;~~

~~(3) be a different color than the colors used for the previous boating year; and~~

~~(4) be designed so that law enforcement officers can easily identify whether the decal is valid.~~

SECTION 18. IC 6-6-11-23.5 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 23.5. The bureau of motor vehicles may issue a decal to a boat owned by an organization exempt from Federal income taxation under 501(c)(3) of the Internal Revenue Code.~~

SECTION 19. IC 6-6-11-24 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 24. The taxpayer shall affix the boat excise tax decals:~~

~~(1) to the bow of each side of the boat, within three (3) inches to the right of the boat's registration number; or~~

~~(2) on each side of the forward half of the bow above the water line of the boat if a registration number is not required to be displayed.~~

~~However, the department of natural resources may adopt rules under IC 4-22-2 providing that decals do not have to be affixed to certain types of boats.~~

SECTION 20. IC 6-6-11-26 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 26. If a boat owner has a judgment entered against the owner for violating section 25 of this chapter, the court shall transmit a copy of the judgment to the bureau of motor vehicles. A boat owner who does not pay the boat excise tax on or before the due date shall pay a delinquent fee equal to one hundred percent (100%) of the boat excise tax due. The bureau of motor vehicles shall collect this delinquent fee along with the excise taxes due for the boat. The amount collected in delinquent fees shall be credited to a special account within the state general fund to be used as provided in section 35 of this chapter.~~

SECTION 21. IC 6-6-11-27 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 27. A person who falsifies, predates, changes, or counterfeits a boat excise tax decal commits a Class C misdemeanor.~~

SECTION 22. IC 6-6-11-29, AS AMENDED BY P.L.178-2019, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 29. (a) The bureau of motor vehicles shall transfer the boat registration fee, the delinquent excise taxes, and the delinquent fees collected under this chapter during the preceding month as follows:

(1) On or before the eleventh day of each month, the bureau of motor vehicles shall transfer to the bureau of motor vehicles commission fund an amount equal to five percent (5%) of each excise tax transaction completed by the bureau. The money is to be used to cover the expenses incurred by or on behalf of the bureau of motor vehicles ~~for returns, decals, collecting the fees and excise taxes and for amounts deposited in the commission fund.~~ **in administering this chapter.**

~~(2) At least quarterly, the bureau of motor vehicles shall set aside for the department of natural resources the delinquent fees collected under this chapter to use as provided in section 35 of this chapter.~~

~~(3)~~ **(2)** On or before the tenth day of each month, the bureau of motor vehicles shall distribute to each county the excise tax collections ~~including delinquent tax collections,~~ for the county for the preceding month. The bureau of motor vehicles shall include a report with each distribution showing the information necessary for the county auditor to allocate the revenue among the taxing units of the county.

~~(4)~~ **(3)** The bureau of motor vehicles shall deposit the revenue from the boat registration fee imposed by IC 9-31-3-9 **(before its repeal) and IC 9-18.1-14.5-6** in the conservation officers marine enforcement fund established by IC 14-9-8-21.5, the fish and wildlife fund established by IC 14-22-3-2, and the lake and river enhancement fund established by IC 14-22-3.5, as provided in IC 9-31-3-9 **(before its repeal) or IC 9-18.1-14.5-6.**

(b) Money credited to each county's account in the state general fund is appropriated to make the distributions and the transfers required by subsection (a). The distributions shall be made upon warrants drawn from the state general fund.

SECTION 23. IC 6-6-11-30 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 30. Before March 1 of each year the bureau of motor vehicles shall prepare a boat excise tax summary covering the previous ~~boating~~ year. The summary must include the following:

(1) The number of boats by county.

(2) The number of boats by class.

(3) The amount of excise tax collected by class.

The bureau shall send a copy of the summary to the auditor of state, the department of natural resources, and the county assessors.

SECTION 24. IC 6-6-11-35 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 35. The money set aside from the department of natural resources fees for the department of natural resources under section 29 of this chapter is annually appropriated and shall be used exclusively for the following:~~

~~(1) The enforcement of laws pertaining to watercraft.~~

~~(2) The state's share of the cost of retirement benefits for the department's conservation officers.~~

~~(3) Improving the navigable waters of Indiana.~~

SECTION 25. IC 8-4.5-1-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. "Recreational trail" means a trail or path that:

(1) includes a corridor along any part of its length; ~~and~~

(2) is intended to be used for:

(A) bicycling;

(B) exercising;

(C) hiking;

(D) running;

(E) riding:

(i) in or on a vehicle of any kind, regardless of the means of propelling the vehicle; or

(ii) on any animal;

(F) walking; or

(G) any other recreational purpose; **and**

(3) is funded through the recreational trails program under IC 8-4.5-5.

However, the term does not include a highway, road, or street (as defined in IC 8-23-1-23).

SECTION 26. IC 8-4.5-4-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. The state may acquire any part of a railroad's interest in a corridor under this chapter for any of the following purposes:

(1) A present or future rail line.

(2) A transportation corridor.

(3) A communication corridor.

(4) A ~~recreational~~ trail.

(5) A utility corridor.

(6) The preservation of a railroad corridor.

(7) Any combination of purposes described in subdivisions (1) through (6).

SECTION 27. IC 8-4.5-4-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. In determining whether the state should acquire any part of a railroad's interest in a corridor, the Indiana department of transportation shall consider the following factors:

(1) The potential for future use of the railroad's interest in the corridor as a freight or high-speed passenger rail line, considering the following:

(A) The potential need for use of the railroad's interest in the corridor for future transportation purposes.

(B) The cost of maintaining the railroad's interest in the corridor during any time before the future transportation use will begin.

(C) The effect of any interim use and the future transportation use of the railroad's interest in the corridor on property owners.

(D) Any relevant requirement of any federal law.

(E) Any other factor the department considers relevant.

(2) Based on the recommendation of the department of natural resources, the potential for recreational use of the railroad's interest in the corridor considering the following:

(A) The recreational value of the railroad's interest in the corridor.

(B) The feasibility of using the railroad's interest in the corridor for recreation.

(C) The likelihood that there may be significant recreational use of the railroad's interest in the corridor if the railroad's interest in the corridor is converted to a ~~recreational~~ trail.

(D) The general acceptability of the proposed recreational use of the railroad's interest in the corridor to property owners and the community at large.

(E) The existence of a willing person, whether public or private, to operate the railroad's interest in the corridor for the proposed recreational use.

(F) Any relevant requirement of any federal law.

(G) Any other factor the department considers relevant.

(3) The potential for the use of the railroad's interest in the corridor for communications or utility use.

(4) Whether there are funds to acquire the railroad's interest in the corridor.

SECTION 28. IC 8-4.5-4-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. If a railroad's interest in a corridor is acquired under this chapter for a recreational purpose, the railroad's interest in the corridor ~~must~~ **may** be developed and operated under IC 8-4.5-5.

SECTION 29. IC 9-13-2-103.5 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 103.5. (a) "Motorboat" means a watercraft propelled by an internal combustion, steam, or electrical inboard or outboard motor or engine or by any mechanical means.~~

~~(b) The term includes a sailboat that is equipped with a motor or an engine described in subsection (a) when the sailboat is in operation whether or not the sails are hoisted.~~

SECTION 30. IC 9-13-2-117.5, AS AMENDED BY P.L.198-2016, SECTION 138, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 117.5. "Operate" means to navigate or otherwise be in actual physical control of a vehicle, ~~motorboat,~~ **watercraft,** off-road vehicle, or snowmobile.

SECTION 31. IC 9-13-2-118, AS AMENDED BY P.L.198-2016, SECTION 139, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 118. **(a)** Except as provided in ~~IC 9-31,~~ **subsection (b),** "operator" means an individual who operates a vehicle, ~~motorboat,~~ **watercraft,** off-road vehicle, or snowmobile.

(b) "Operator", for purposes of IC 9-18.1-14.5, has the meaning set forth in 33 CFR 174.3.

SECTION 32. IC 9-13-2-121, AS AMENDED BY P.L.198-2016, SECTION 142, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 121. **(a)** Except as otherwise provided in ~~IC 9-31,~~ **subsection (b),** "owner" means a person, other than a lienholder, that:

(1) holds the property in or title to, as applicable, a vehicle, manufactured home, mobile home, off-road vehicle, snowmobile, or watercraft; or

(2) is entitled to the use or possession of, as applicable, a vehicle, manufactured home, off-road vehicle, snowmobile, or watercraft, through a lease or other agreement intended to operate as a security.

(b) "Owner" for purposes of IC 9-18.1-14.5, has the meaning set forth in 33 CFR 174.3.

SECTION 33. IC 9-13-2-196, AS AMENDED BY P.L.142-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 196. (a) "Vehicle" means, except as otherwise provided in this section, a device in, upon, or by which a person or property is, or may be, transported or drawn upon a highway. The term does not include the following:

(1) A device moved by human power.

(2) A device that runs only on rails or tracks.

(3) A wheelchair.

(4) An electric foot scooter.

(b) For purposes of IC 9-17, the term includes the following:

(1) Off-road vehicles.

(2) Manufactured homes or mobile homes that are:

(A) personal property not held for resale; and

(B) not attached to real estate by a permanent foundation.

(3) Watercraft.

(c) For purposes of IC 9-22 **(except IC 9-22-6)** and IC 9-32, the term refers to a vehicle **or watercraft** of a type that must be registered under IC 9-18-2 (before its expiration) or IC 9-18.1, other than an off-road vehicle or a snowmobile under IC 9-18-2.5 (before its expiration) or IC 9-18.1-14.

(d) For purposes of IC 9-30-5, IC 9-30-6, IC 9-30-8, and IC 9-30-9, the term means a device for transportation by land or air. The term does not include an electric personal assistive mobility device.

SECTION 34. IC 9-13-2-198.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 198.5. **(a)** "Watercraft" means a contrivance used or designed for navigation on water, including a vessel, boat, motor vessel, steam vessel, sailboat, vessel operated by machinery either permanently

or temporarily affixed, scow, tugboat, or any marine equipment that is capable of carrying passengers. ~~except a ferry.~~

(b) The term does not include a craft that:

(1) is powered by its occupants, including a canoe, rowboat, or paddleboat; and

(2) does not contain any type of mechanical propellant, including internal combustion, steam, or electrical inboard or outboard motor or engine.

SECTION 35. IC 9-14-12-2, AS AMENDED BY P.L.27-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 2. The bureau shall maintain the following records:

(1) All records related to or concerning certificates of title issued by the bureau under IC 9-17 and IC 9-31 **(before its repeal),** including the following:

(A) An original certificate of title and all assignments and reissues of the certificate of title.

(B) All documents submitted in support of an application for a certificate of title.

(C) Any notations recorded on a certificate of title.

(D) A listing of all reported buyback vehicles in accordance with IC 9-17-3-3.5.

(E) Any inspection that is conducted:

(i) by an employee of the bureau or commission; and

(ii) with respect to a certificate of title issued by the bureau.

(2) All records related to or concerning registrations issued under IC 9-18 (before its expiration), IC 9-18.1, or IC 9-31 **(before its repeal),** including the following:

(A) The distinctive registration number assigned to each vehicle registered under IC 9-18 (before its expiration) or IC 9-18.1 or each watercraft registered under IC 9-31 **(before its repeal).**

(B) All documents submitted in support of applications for registration.

(3) All records related to or concerning credentials issued by the bureau under IC 9-24, including applications and information submitted by applicants.

(4) All driving records maintained by the bureau under section 3 of this chapter.

(5) A record of each individual that acknowledges making an anatomical gift as set forth in IC 9-24-17.

SECTION 36. IC 9-17-1-1, AS AMENDED BY P.L.198-2016, SECTION 199, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. (a) This article does not apply to the following:

(1) A vehicle that is not required to be registered under IC 9-18-2 (before its expiration) or IC 9-18.1.

(2) Special machinery.

(3) A motor vehicle that was designed to have a maximum design speed of not more than twenty-five (25) miles per hour and that was built, constructed, modified, or assembled by a person other than the manufacturer.

(4) Motor driven cycles.

(5) An off-road vehicle that was purchased or otherwise acquired before January 1, 2010.

(6) Snowmobiles.

(7) A watercraft that is not required to be registered under IC 9-31-3 **(before its repeal) or IC 9-18.1-14.5.**

(b) Notwithstanding subsection (a), a person may apply for:

(1) a certificate of title under IC 9-17-2-2; or

(2) a special identification number under IC 9-17-4;

for a vehicle listed in subsection (a).

(c) If the bureau issues a certificate of title under subsection (b)(1), the vehicle remains subject to this article until the titleholder surrenders the title to the bureau.

SECTION 37. IC 9-18.1-9-4, AS ADDED BY P.L.198-2016, SECTION 326, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 4. The bureau may issue a confidential license plate **or other proof of registration** for investigative purposes to the following:

(1) A state agency upon the annual consent of the bureau or the Indiana department of administration.

(2) Other investigative agencies upon the annual consent of the superintendent of the state police.

SECTION 38. IC 9-18.1-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]:

Chapter 14.5. Watercraft

Sec. 1. (a) Except as provided in subsection (b), a watercraft may not be operated, used, docked, or stored in Indiana during any part of a calendar year unless the watercraft:

(1) is registered under this chapter; and

(2) displays proof of registration under this chapter.

(b) Registration is not required for the following watercraft:

(1) A watercraft that is from a country other than the United States temporarily using the waters of Indiana.

(2) A ship's lifeboat, when used solely as a lifeboat of another boat and for no other recreational purpose.

(3) Except as provided in subdivision (4), a watercraft that is registered outside of Indiana and operated, used, stored, or docked in Indiana for a combined total of not more than sixty (60) consecutive days during a calendar year.

(4) A watercraft that is registered outside of Indiana and docked on the Indiana part of Lake Michigan for a combined total of not more than one hundred eighty (180) consecutive days.

(5) A watercraft that belongs to a class of boats that has been exempted from registration and numbering by the bureau after the bureau has found the following:

(A) That an agency of the federal government has a numbering system applicable to the class of watercraft to which the watercraft in question belongs.

(B) That the watercraft would also be exempt from numbering if the watercraft were subject to federal law.

(6) A watercraft, the operator of which has in the operator's possession a bill of sale from a dealer licensed under IC 9-32 or private individual that includes the following:

(A) The purchaser's name and address.

(B) A date of purchase that is not more than

forty-five (45) days preceding the date that the operator is required to show the bill of sale.

(C) The make, model, and identification number of the watercraft provided by the manufacturer.

(7) A watercraft held by a watercraft manufacturer, distributor, or dealer for sale in the ordinary course of business.

(8) A watercraft subject to the commercial vessel tonnage tax under IC 6-6-6.

(c) A person that fails to register a watercraft that is required to be registered under this chapter commits a Class C infraction.

Sec. 2. (a) A person that desires to register a watercraft must submit an application, in a form and manner prescribed by the bureau, that contains the following information:

(1) The name of the owner of the watercraft, and, if the watercraft is leased, the name of the lessee.

(2) The person's address in Indiana, including the county and township, on the date of the application, as follows:

(A) If the person is an individual, the person's residence address. However, if the person participates in the address confidentiality program under IC 5-26.5, the address may be a substitute address designated by the office of the attorney general under IC 5-26.5.

(B) If the person is not an individual, the person's principal office in Indiana.

(C) If the person does not have a physical residence or office in Indiana, the county and township in Indiana where the watercraft will be primarily operated or stored.

(3) A description of the watercraft to be registered, including the identification number and color of the watercraft.

(4) The tax situs of the watercraft as defined in IC 6-6-11-5.

(5) Any other information required by the bureau.

(b) An application made online or through the United States mail is not required to be sworn or notarized.

(c) A person may apply on behalf of another person to register a watercraft under this chapter. However, the person in whose name the watercraft will be registered must sign and verify the application.

(d) A person that makes a false statement in an application under this section commits a Class C infraction.

Sec. 3. The bureau may not register a watercraft unless:

(1) the watercraft has an identification number;

(2) the registrant:

(A) pays the applicable boat excise tax for the watercraft under IC 6-6-11; or

(B) provides proof in a manner acceptable to the bureau that the watercraft is exempt from the boat excise tax for watercraft under IC 6-6-11;

(3) the registrant titles the watercraft under IC 9-17; and

(4) the registrant pays the appropriate registration fee under section 6 of this chapter.

Sec. 4. (a) The bureau shall use due diligence in examining and determining the genuineness, regularity, and legality of the information provided by a person as part of a request to register a watercraft under this chapter.

(b) The bureau may:

(1) make investigations or require additional information; and

(2) reject an application or request;

if the bureau is not satisfied of the genuineness, regularity, or legality of an application or the truth of a statement contained in an application or request, or for any other reason.

Sec. 5. (a) If the bureau determines that a person applying to register a watercraft is entitled to register the watercraft, the bureau shall register the watercraft and issue to the applicant proof of registration for display on the watercraft and a certificate of registration.

(b) Proof of registration for display on the watercraft must be displayed in a manner prescribed by the department of natural resources, including the following:

(1) The registration number set forth in the certificate of registration must be displayed on each side of the bow of the watercraft. The display must be legible. However, a watercraft that has a valid marine document issued by the United States Bureau of Customs is not required to display the registration number.

(2) If a watercraft is required to be registered under 33 CFR 173, the registration number must be displayed in the manner prescribed by 33 CFR 173.27.

(3) Decals indicating the year of expiration of registration, with a unique identification number and a different color than colors used for the previous registration year, must be affixed:

(A) to the bow of each side of the watercraft, within three (3) inches to the right of the watercraft's registration number; or

(B) on each side of the forward half of the bow above the water line of the watercraft if a registration number is not required to be displayed.

However, the department of natural resources may adopt rules under IC 4-22-2 providing that the decals do not have to be affixed to a particular type of watercraft.

(c) A number other than the number awarded to a watercraft or granted reciprocity under this chapter may not be painted, attached, or otherwise displayed on each side of the bow of the watercraft.

(d) A person that fails to:

(1) carry a certificate of registration or a legible reproduction of a certificate of registration; or

(2) display proof of registration for display on the watercraft as required by the department of natural resources;

commits a Class C infraction.

(e) Certificates of registration, decals, and other proof of registration issued under this section:

(1) remain the property of the bureau; and

(2) may be revoked, canceled, or repossessed as provided by law.

(f) A person who knowingly or intentionally falsifies, predates, changes, or counterfeits proof of registration for a watercraft commits a Class C misdemeanor.

Sec. 6. (a) A request for registration under this chapter must be signed by the owner of the watercraft and accompanied by the appropriate fee specified under subsection (b). The fee to renew a watercraft registration is based upon the appropriate fee specified under subsection (c).

(b) The fee to register a watercraft in its first year of registration is the amount determined by STEP THREE of the following formula:

STEP ONE: Determine the appropriate fee based upon the length of the watercraft as follows:

Watercraft Length (in feet)

At Least	But Less Than	Fee ($) (before January 1, 2017)	Fee ($) (after December 31, 2016)
0	13	16.50	15
13	26	18.50	18
26	40	21.50	21
40		26.50	24

STEP TWO: Determine the appropriate fee based upon the value of the watercraft as follows:

Value ($) Greater Than or Equal to	Value ($) Less Than	Fee ($)
0	1,000	5
1,000	3,000	10
3,000	5,000	15
5,000	10,000	20
10,000		25

STEP THREE: Determine the sum of the STEP ONE amount plus the STEP TWO amount.

(c) The fee to renew a watercraft registration is based upon the value of the watercraft as follows:

Value ($) Greater Than or Equal to	Value ($) Less Than	Fee ($)
0	1,000	10
1,000	3,000	15
3,000	5,000	20
5,000	10,000	25
10,000		30

(d) The bureau shall determine the value of a watercraft in the same manner as set forth in IC 6-6-11-10.

(e) The fees collected under subsection (b) shall be distributed as follows:

(1) Fees collected from STEP ONE of subsection (b) shall be deposited in the fish and wildlife fund established by IC 14-22-3-2 and shall be used exclusively for the following:

(A) The enforcement of laws pertaining to watercraft.

(B) The state's share of the cost of retirement benefits for conservation officers of the department of natural resources.

(C) Improving the navigable waters of Indiana.

(2) Sixty-six and seven-tenths percent (66.7%) of the fees collected from STEP TWO of subsection (b) shall be deposited in the lake and river enhancement fund established by IC 14-22-3.5-1.

(3) Thirty-three and three-tenths percent (33.3%) of the fees collected from STEP TWO of subsection (b) shall be deposited in the conservation officers marine enforcement fund established by IC 14-9-8-21.5.

(f) A fee collected under subsection (c) shall be distributed as follows:

(1) Five dollars ($5) shall be deposited in the fish and wildlife fund established by IC 14-22-3-2 and shall be used exclusively for the following:

(A) The enforcement of laws pertaining to watercraft.

(B) The state's share of the cost of retirement benefits for conservation officers of the department of natural resources.

(C) Improving the navigable waters of Indiana.

(2) The remaining amount shall be distributed as follows:

(A) Sixty-six and seven-tenths percent (66.7%) to the lake and river enhancement fund established by IC 14-22-3.5-1.

(B) Thirty-three and three-tenths percent (33.3%) to the conservation officers marine enforcement fund established by IC 14-9-8-21.5.

(g) The owner of a watercraft that is registered under this section is required to renew the registration under subsection (c), and the person must pay any applicable fees and excise tax under IC 6-6-11-13 on the watercraft each year.

Sec. 7. (a) A watercraft that is owned or leased and used for official business by the following is exempt from the payment of registration fees under this article:

(1) A state or state agency (as defined in IC 6-1.1-1-18).

(2) A municipal corporation (as defined in IC 36-1-2-10).

(3) A volunteer fire department (as defined in IC 36-8-12-2).

(b) The bureau may issue proof of registration under this chapter for a watercraft owned by or leased by the federal government.

(c) The bureau may adopt rules under IC 4-22-2 to assign permanent registration numbers and accompanying registration cards to watercraft owned or leased by an entity listed in subsection (a)(1).

Sec. 8. (a) A watercraft becomes subject to registration under this chapter on the date the watercraft is acquired.

(b) Upon becoming subject to registration under this chapter, a watercraft must be registered for a period that is not:

(1) less than three (3) months; or

(2) greater than twenty-four (24) months.

(c) A registration under this article may be renewed:

(1) for a watercraft with an unexpired registration, for a period of twelve (12) months from the date on which the registration will expire; or

(2) for a watercraft with an expired registration, for a period of not:

(A) less than three (3) months; or

(B) greater than twenty-four (24) months.

(d) Subject to subsection (b), and except as provided for in subsection (h), the registration year for a registration, other than a renewal described in subsection (c), begins on the date on which the watercraft becomes subject to registration as determined under subsection (a) and ends on the following date selected by the person registering the watercraft:

(1) The date on which the watercraft registration expires, as determined under the schedule established under IC 9-18.1-11-1.

(2) Twelve (12) months after the date described in subdivision (1).

(e) If a person sells or otherwise disposes of a watercraft:

(1) the certificate of registration and proof of registration for the watercraft are canceled; and

(2) except as provided in IC 9-33-3, the person is not entitled to a refund of any unused part of a fee paid by the person under this chapter.

(f) If the watercraft is transferred or sold, the person shall provide ownership documents at the time of delivering the watercraft.

(g) A person that acquires a watercraft that is registered under this chapter must apply to the bureau under this chapter to register the watercraft.

(h) A watercraft registered under this chapter remains subject to continuous registration under this chapter until:

(1) the watercraft is sold or otherwise disposed of; or

(2) the person that registered the watercraft becomes a nonresident.

Sec. 9. (a) If the date on which the registration of a watercraft expires is a day on which all license branches located in the county in which the watercraft is registered are closed, including:

(1) a Sunday; or

(2) a legal holiday listed in IC 1-1-9-1;

the registration expires at midnight on the date following the next day on which a license branch located in the county in which the watercraft is registered is open for business.

(b) Except as provided in subsection (a), a person that owns or operates a watercraft may not operate or permit the operation of a watercraft that:

(1) is required to be registered under this chapter; and

(2) has an expired registration.

(c) A person that operates or permits the operation of a watercraft in violation of subsection (b) commits a Class C infraction.

Sec. 10. (a) The bureau shall collect an administrative penalty of fifteen dollars ($15) from the following:

(1) A person that fails to:

(A) register; or

(B) provide full payment for the registration of;

a watercraft within forty-five (45) days after the date on which the watercraft becomes subject to registration.

(2) A person that fails to:

(A) renew; or

(B) provide full payment for the renewal of;

the registration of a watercraft by the date on which the registration expires.

(b) An administrative penalty collected under subsection (a) shall be deposited in the commission fund.

(c) A person described in subsection (a) commits a Class C infraction.

Sec. 11. (a) If a certificate of registration or decal issued for a watercraft that is registered under this chapter is lost, stolen, destroyed, or damaged, the owner of the watercraft may apply to the bureau for a replacement certificate of registration or decal. If the certificate of registration or decal is lost or stolen, the owner shall provide notice of the loss or theft to a law enforcement agency with jurisdiction over:

(1) the site of the loss or theft; or

(2) the address listed on the certificate of registration.

(b) The bureau shall issue a replacement certificate of registration or decal to the owner of a watercraft after the owner pays a fee of nine dollars and fifty cents ($9.50).

(c) The fee imposed under subsection (b) shall be distributed as follows:

(1) Twenty-five cents ($0.25) to the state construction fund.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) One dollar ($1) to the crossroads 2000 fund.

(4) One dollar and fifty cents ($1.50) to the motor vehicle highway account.

(5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(6) Five dollars ($5) to the commission fund.

(d) A replacement certificate of registration or decal issued under this section must be attached and displayed in the same manner as the original certificate of registration or decal.

Sec. 12. (a) A person that owns a watercraft that is registered under this chapter may apply to the bureau to change the ownership of the watercraft:

(1) by adding at least one (1) other person as a joint owner; or

(2) if the person is a joint owner of the watercraft, by transferring the person's ownership interest in the watercraft to at least one (1) remaining joint owner.

(b) The bureau shall issue an amended certificate of registration to a person that applies under subsection (a) after the person does the following:

(1) Complies with IC 9-17.

(2) Pays the fee of nine dollars and fifty cents ($9.50).

(c) A person may apply to the bureau to amend any obsolete or incorrect information contained in the certificate of registration issued with respect to the watercraft. The bureau shall issue an amended certificate of registration after the person pays a fee of nine dollars and fifty cents ($9.50).

(d) The bureau may not impose or collect a fee for a duplicate, amended, or replacement certificate of registration that is issued as a result of an error on the part of the bureau.

(e) A fee described in subsection (b)(2) or (c) shall be

distributed as follows:

(1) Twenty-five cents ($0.25) to the state construction fund.

(2) Fifty cents ($0.50) to the state motor vehicle technology fund.

(3) One dollar ($1) to the crossroads 2000 fund.

(4) One dollar and fifty cents ($1.50) to the motor vehicle highway account.

(5) One dollar and twenty-five cents ($1.25) to the integrated public safety communications fund.

(6) Five dollars ($5) to the commission fund.

Sec. 13. (a) If an agency of the federal government has an overall system of identification numbering for watercraft within the United States, the registration and numbering system employed under this chapter by the bureau must conform with the system.

(b) In accordance with any request made by an authorized official or agency of the United States, the bureau shall transmit any information compiled or otherwise available to the bureau under:

(1) IC 14-15-4-1;

(2) IC 14-15-4-2; and

(3) IC 14-15-4-3;

to the official or agency of the United States.

Sec. 14. Every law enforcement officer of this state and its subdivisions, including an enforcement officer of the department of natural resources, may enforce this chapter and may stop and board a watercraft subject to this chapter.

SECTION 39. IC 9-20-13-2, AS AMENDED BY P.L.12-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 2. (a) Notwithstanding IC 9-20-3 and IC 9-20-9, and except for length exclusive devices in accordance with 23 CFR 658.13, the following are the maximum limitations on length of a truck-tractor, semitrailer, truck-tractor-semitrailer combination, or truck-tractor-semitrailer-trailer combination:

(1) The maximum length of the semitrailer unit operating in a truck-tractor-semitrailer combination is fifty-three (53) feet, including the vehicle and the load.

(2) The maximum length of the semitrailer unit or trailer operating in a truck-tractor-semitrailer-trailer combination is twenty-eight (28) feet, six (6) inches.

(3) A maximum overall length limit is not imposed on a truck-tractor-semitrailer or truck-tractor-semitrailer-trailer combination.

(4) The maximum length of a maxi-cube vehicle combination is sixty-five (65) feet, and the maximum length of the separable cargo carrying unit is thirty-four (34) feet.

(5) If the combination is used exclusively or primarily in connection with motorsports:

(A) the maximum distance between the kingpin and the rearmost axle of the semitrailer operating in the combination is forty-six (46) feet; and

(B) the maximum length of the semitrailer is fifty-seven (57) feet.

(b) This section does not prohibit the transportation of a motor vehicle or ~~boat~~ **watercraft** on part of a truck-tractor.

SECTION 40. IC 9-22-6-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 0.5. For purposes of this chapter, the term "vehicle" does not include a watercraft.**

SECTION 41. IC 9-31 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. (WATERCRAFT TITLING AND REGISTRATION).

SECTION 42. IC 9-32-8-8, AS AMENDED BY HEA 1246-2020 SECTION 57, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 8. (a) A watercraft dealer licensed by the secretary under this article may, upon successful application to the secretary, obtain dealer license plates and registration cards for use in the testing or demonstrating of ~~motorboats.~~ **watercraft.**

(b) Two (2) dealer license plates must be displayed within a ~~motorboat~~ **watercraft** that is being tested or demonstrated while the ~~motorboat~~ **watercraft** is being tested or demonstrated.

(c) A transfer dealer or automobile auction company licensed by the secretary under this article may request dealer license plates under subsection (a).

(d) The fee to obtain a dealer license plate and registration card under subsection (a) is ten dollars ($10).

(e) The secretary shall retain the fee collected under this section.

SECTION 43. IC 14-8-2-5.7, AS AMENDED BY P.L.219-2014, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5.7. "All-terrain vehicle", for purposes of IC 14-8-2-185, means a motorized, off-highway vehicle that:

(1) is ~~fifty (50)~~ **fifty-five (55)** inches or less in width **when measured from outside of tire rim to outside of tire rim;**

(2) has a dry weight of ~~twelve~~ **one thousand five** hundred ~~(1,200)~~ **(1,500)** pounds or less;

(3) is designed for travel on at least three (3) nonhighway or off-highway tires; and

(4) is designed for recreational use by one (1) or more individuals.

The term includes parts, equipment, or attachments sold with the vehicle.

SECTION 44. IC 14-8-2-233.5, AS AMENDED BY P.L.219-2014, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 233.5. "Recreational ~~off-road~~ **off-highway** vehicle", for purposes of IC 14-8-2-185, means a motorized, off-highway vehicle that:

(1) is ~~sixty-five (65)~~ **eighty (80)** inches or less in width **when measured from outside of tire rim to outside of tire rim;**

(2) has a dry weight of two thousand **five hundred** ~~(2,000)~~ **(2,500)** pounds or less;

(3) is designed for travel on at least four (4) nonhighway or off-highway tires; and

(4) is designed for recreational use by one (1) or more individuals.

SECTION 45. IC 14-9-8-21.5, AS AMENDED BY P.L.178-2019, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 21.5. (a)

As used in this section, "fund" refers to the conservation officers marine enforcement fund established by this section.

(b) The conservation officers marine enforcement fund is established. The department shall administer the fund. The department may expend the money in the fund exclusively for marine enforcement efforts associated with recreational boating on Indiana waters, including uses described in IC 14-9-9-5.

(c) The fund consists of ~~boat~~ **watercraft** registration fees paid by boat owners and deposited under ~~IC 9-31-3-9.~~ **IC 9-18.1-14.5-6.** Money deposited in the fund is annually appropriated and allotted to the department to carry out the purposes of this section. The expenses of administering the fund shall be paid from money in the fund.

(d) Money in the fund at the end of a state fiscal year does not revert to the state general fund. However, the department may transfer from the fund to the counties with special boat patrol needs fund (IC 14-9-9-5) an amount that does not exceed twenty percent (20%) of money deposited into the fund.

SECTION 46. IC 14-10-2-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The commission shall adopt rules under IC 4-22-2 to carry out the commission's duties under this title.

(b) The commission may adopt rules to exempt an activity from licensing under this title, except:

(1) IC 14-34;
(2) IC 14-36-1; and
(3) IC 14-38-2;

if the activity poses not more than a minimal potential for harm.

(c) Except as provided in subsection (d), whenever the department or the director has the authority to adopt rules under IC 4-22-2, the commission shall exclusively exercise the authority.

(d) Emergency rules adopted under section 5 of this chapter shall be adopted by the director.

(e) A person who violates a rule adopted by the commission commits a Class C infraction, unless otherwise specified under state law.

SECTION 47. IC 14-10-2-5, AS AMENDED BY P.L.154-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The department may adopt emergency rules under IC 4-22-2-37.1 to carry out the duties of the department under the following:

(1) IC 14-9.
(2) This article.
(3) IC 14-11.
(4) IC 14-12-2.
(5) IC 14-14.
(6) IC 14-15.
(7) IC 14-17-3.
(8) IC 14-18, except IC 14-18-6 and IC 14-18-8.
(9) IC 14-19-1 and IC 14-19-8.
(10) IC 14-21.
(11) IC 14-22-3, IC 14-22-4, and IC 14-22-5.
(12) IC 14-23-1.
(13) IC 14-24.
(14) IC 14-25, except IC 14-25-8-3 and IC 14-25-13.
(15) IC 14-26.
(16) IC 14-27.
(17) IC 14-28.
(18) IC 14-29.
(19) IC 14-35-1, IC 14-35-2, and IC 14-35-3.
(20) IC 14-37.
(21) IC 14-38, except IC 14-38-3.

(b) A rule adopted under subsection (a) expires not later than one (1) year after the rule is accepted for filing by the publisher of the Indiana Register.

(c) A person who violates an emergency rule adopted by the department commits a Class C infraction, unless otherwise specified under state law.

SECTION 48. IC 14-15-6-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A person may not operate a boat upon public water to carry passengers for hire unless the following conditions are met:

(1) The department **or an organization approved under section 2.5 of this chapter** has inspected and registered the boat.
(2) A certificate of inspection and registration issued by the department is affixed to the boat in a prominent place within the clear view of the passengers.

(b) A certificate of inspection and registration expires one (1) calendar year after the date on which the watercraft was inspected. However, the department may extend the expiration date for not more than thirty (30) days if conditions exist that would prevent the inspection of the watercraft before the first anniversary of the previous inspection.

SECTION 49. IC 14-15-6-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. (a) Each boat that carries passengers upon public water for hire must have:**

(1) a dry dock inspection; or
(2) an underwater survey;

of the exterior portion of the boat that is below the waterline at least one (1) time every sixty (60) months. However, an underwater survey may only be used to satisfy the requirements of this chapter one (1) time every one hundred twenty (120) months.

(b) If the owner of the boat elects to have an underwater survey, the owner must hire and pay for the underwater survey, which must be conducted by an inspector from a certified organization that is approved under subsection (c).

(c) The commission shall maintain a list of certified organizations that are approved to conduct underwater surveys under this chapter.

SECTION 50. IC 14-15-6-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The department shall charge and collect a fee for the following:

(1) Each annual dockside inspection.
(2) Each dry dock inspection. ~~which shall be conducted at least one (1) time every sixty (60) months.~~

(b) The following fees shall be charged:

(1) All watercraft, except sailboats, carrying not more than six (6) passengers for hire on navigable water of Indiana:
(A) Dockside inspection..... $ 50
(B) Dry dock inspection..... $ 75
(2) All watercraft, except sailboats, carrying not more than

six (6) passengers for hire on inland water of Indiana:
(A) Dockside inspection..... $ 30
(B) Dry dock inspection..... $ 30
(3) All watercraft, except sailboats, carrying more than six (6) passengers for hire on inland water of Indiana:
(A) Dockside inspection..... $ 75
(B) Dry dock inspection..... $100
(4) All watercraft propelled primarily by sail that carry passengers for hire on navigable or inland water of Indiana:
(A) Dockside inspection..... $ 50
(B) Dry dock inspection..... $ 75

SECTION 51. IC 14-15-6-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. Each certificate of inspection and registration must certify that the inspection has been made and must set forth, among other things, the following:
(1) The date of inspection.
(2) A description of the boat, including motors, machinery and equipment.
(3) The age of the boat.
(4) The maximum weight, including both passengers and property, that may safely be carried on the boat.
(5) The method of the boat's inspection and the name of the person and organization that performed the inspection.

SECTION 52. IC 14-15-13-3, AS ADDED BY P.L.165-2011, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. An individual may not do the following:
(1) Operate a motorboat inboard or have the inboard engine of a motorboat run idle while an individual is holding onto the swim platform, swim deck, swim step, swim ladder or any part of the exterior of the transom of a motorboat while the motorboat is underway at any speed.
(2) Operate a motorboat powered by an outboard motor or equipped with an outdrive unit while an individual is:
(A) holding onto the swim platform, swim deck, swim step, swim ladder or any portion of the exterior of the transom of a motorboat while the motorboat is underway at any speed; **or**
(B) swimming, or floating on or in the wake directly behind a motorboat that is underway. ~~or~~
~~(C) floating on a board on or in the wake directly behind a motorboat that is underway using the wake itself as the means of propulsion.~~
(3) Operate a motorboat with the number of individual riders on a towed device that exceeds the listed capacity on the towed device or the owner's manual.

SECTION 53. IC 14-22-2-8, AS AMENDED BY P.L.39-2018, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE DECEMBER 31, 2019 (RETROACTIVE)]: Sec. 8. (a) This section applies to a hunting season beginning after June 30, 2016. ~~and ending before January 1, 2020.~~
(b) A hunter may use a rifle to hunt deer on privately owned land subject to the following:
(1) The use of a rifle is permitted during hunting seasons established by the department.
(2) The rifle must be chambered for a cartridge that fires a bullet that is two hundred forty-three thousandths (.243) of an inch in diameter or larger.
(3) The rifle must fire a cartridge that has a minimum case length of one and sixteen-hundredths (1.16) inches, but is no longer than three (3) inches.
(4) A hunter may not possess more than ten (10) cartridges for the rifle while hunting deer under this section.
(5) The rifle must meet any other requirements established by the department.
(c) The use of a full metal jacketed bullet to hunt deer is unlawful.
(d) The department shall report on the impact of the use of rifles to hunt deer under this section to the governor and, in an electronic format under IC 5-14-6, the general assembly before February 15, 2020.
(e) The department may adopt rules under IC 4-22-2 to authorize the use of rifles on public property.
~~(f) This section expires June 30, 2020.~~

SECTION 54. IC 14-22-3.5-4, AS ADDED BY P.L.178-2019, SECTION 65, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 4. The fund consists of the revenue from ~~boat~~ **watercraft** registration fees paid by boat owners and deposited under ~~IC 9-31-3-9.~~ **IC 9-18.1-14.5-6.**

SECTION 55. IC 14-22-9-3, AS AMENDED BY P.L.39-2018, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. A person may not use, set, cause to be used or set, take, or attempt to take fish by means of:
(1) a trotline;
(2) a set line;
(3) a throw line;
(4) a net;
(5) a trap; or
(6) a seine;
~~except legal minnow seines or dip nets,~~ within two hundred (200) yards of a dam that wholly or partly crosses a river, stream, or waterway in Indiana or the boundary water of the state, **except as authorized by rules adopted by the commission under IC 4-22-2.**

SECTION 56. IC 14-22-11-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. (a) Each license and permit issued under this article is issued upon the express condition, to which the licensee or permittee by acceptance of the license or permit is considered to agree and consent, that the licensee or permittee will obey and comply with the following:
(1) All the terms, conditions, and rules:
(A) made by the director under this article; and
(B) incorporated in or attached to the license or permit when issued.
(2) This article.
(3) A wildlife law (as defined by IC 14-22-41-4(p)) while the licensee is in another jurisdiction that has adopted the wildlife violator compact (IC 14-22-41).
(b) A license or permit may be revoked **or denied** by the

director at any time without refund for any of the following:

(1) Failure to comply with or violation of the terms, conditions, rules, or restrictions incorporated in or attached to the license or permit when issued.

(2) Violation of this article.

(3) Violation of a wildlife law (as defined by IC 14-22-41-4(p)) ~~while~~ **occurring after October 31, 2000, by** the licensee ~~is~~ **or permittee** in another jurisdiction that has adopted the wildlife violator compact (IC 14-22-41).

(c) If a person's license or permit is revoked or denied because of a violation described in subsection (b)(3), the person is entitled to a review of the revocation or denial by the commission. However, the commission may not review the merits of the underlying violation committed in another jurisdiction that prompted the revocation or denial under the wildlife violator compact (IC 14-22-41).

~~(c)~~ **(d)** A person whose license or permit has been revoked **or denied** by the director under this article may, by written request to the ~~director,~~ **commission,** have a hearing on the revocation **or denial of issuance.** Upon receipt of written request for a hearing on the revocation, the ~~director~~ **commission** shall do the following:

(1) Set a date for the hearing, which may not be more than fifteen (15) days from the date of receipt of the request.

(2) Give the person requesting the hearing at least five (5) days notice of the date of the hearing, which shall be held in the office of the director.

(3) Receive and keep a record of all evidence presented by the person.

(4) After considering the evidence presented at the hearing, rescind or affirm the order revoking **or denying** the license or permit.

~~(d)~~ **(e)** Every court having jurisdiction of an offense committed in violation of an Indiana law for the protection of wildlife may, at the court's discretion, revoke the license of the offender for ~~any of the following periods:~~

~~(1) Thirty (30) days.~~

~~(2) Sixty (60) days.~~

~~(3) Ninety (90) days.~~

~~(4)~~ **a minimum of** one (1) year.

~~(e)~~ **(f)** After a revocation, the court shall forward to the division a record of the conviction of the person in the court for a violation of the law. At the time of the conviction, the court shall do the following:

(1) Obtain the license certificate of the defendant.

(2) Return the license certificate to the division.

(g) Any denial or revocation of a permit or license under this section is subject to the terms of the wildlife violator compact (IC 14-22-41).

SECTION 57. IC 14-26-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 2.1. Ownership of Lake Michigan in Public Trust

Sec. 0.5. This chapter applies only to the recreational use of Lake Michigan.

Sec. 1. As used in this chapter, "Lake Michigan" means:

(1) the waters of Lake Michigan;

(2) the land under the waters of Lake Michigan; and

(3) the land adjoining the waters of Lake Michigan up to the ordinary high water mark;

within the boundaries of Indiana.

Sec. 2. As used in this chapter, "ordinary high water mark" means the line on the bank or shore of Lake Michigan that is:

(1) established by the fluctuations of water; and

(2) indicated by physical characteristics, including:

(A) a clear and natural line impressed on the shore;

(B) shelving;

(C) changes in character of soils;

(D) the destruction of terrestrial vegetation; and

(E) the presence of litter or debris.

Sec. 3. (a) Absent any authorized legislative conveyance before February 14, 2018, the state of Indiana owns all of Lake Michigan within the boundaries of Indiana in trust for the use and enjoyment of all citizens of Indiana.

(b) An owner of land that borders Lake Michigan does not have the exclusive right to use the water or land below the ordinary high water mark of Lake Michigan.

Sec. 4. (a) As used in this section, "natural scenic beauty" refers to conditions produced by nature without manmade additions or alterations.

(b) As used in this section, "recreational purpose" means any of the following:

(1) Walking.

(2) Fishing.

(3) Boating.

(4) Swimming.

(5) Any other recreational purpose for which Lake Michigan is ordinarily used, as recognized by the commission for the purposes of this section.

(c) The citizens of Indiana have a vested right to:

(1) enjoy the natural scenic beauty of Lake Michigan;

(2) enjoy and use the natural resources of Lake Michigan; and

(3) use Lake Michigan for recreational purposes.

(d) The citizens of Indiana have a vested right in the preservation and protection of Lake Michigan.

Sec. 5. (a) The commission may adopt rules under IC 4-22-2 to administer this chapter.

(b) In the adoption of a rule under subsection (a):

(1) the public hearing held under IC 4-22-2-26 concerning the proposed rule; and

(2) any additional public meeting concerning the proposed rule that is held by:

(A) the commission; or

(B) officers or employees of the department or any other individuals authorized under IC 4-22-2-15 to perform rulemaking actions other than the final adoption of the rule;

may be held only in a county that borders Lake Michigan.

SECTION 58. IC 14-28-1-19.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 19.5. For purposes of this chapter, property owners may jointly apply**

for a permit.

SECTION 59. IC 14-29-1-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9. The department may adopt rules under IC 4-22-2 to identify the location of the ordinary high water mark on the land adjoining the waters of Lake Michigan for purposes of administering this chapter.**

SECTION 60. IC 34-28-6-1, AS AMENDED BY P.L.1-2010, SECTION 137, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. Whenever a person who is not a resident of Indiana:

(1) is arrested or stopped for a misdemeanor violation or infraction under:

(A) ~~IC 9-31-3;~~ **IC 9-18.1-14.5;**

(B) IC 14-15-2 through IC 14-15-7;

(C) IC 14-16-1; or

(D) IC 14-22; and

(2) is not immediately taken to court;

the person may, at the discretion of the officer, be released upon the deposit of a security. The security shall be the amount of the fine or judgment and costs for the violation in the form of cash, money order, or a traveler's check made payable to the clerk of the court in which the person will appear.

SECTION 61. IC 34-30-19.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 19.5. Immunity of Owner of Property Adjacent to Lake Michigan

Sec. 1. As used in this chapter, "owner" means a person that:

(1) has a fee interest in;

(2) is a tenant, lessee, or occupant of; or

(3) is otherwise legally in control of;

a private property that is adjacent to Lake Michigan.

Sec. 2. As used in this chapter, "private property" means a property whose owner is a person other than the state of Indiana.

Sec. 3. (a) The owner of a private property that is adjacent to Lake Michigan does not assume responsibility or incur liability for an injury to an individual or damage to property that:

(1) occurs after June 30, 2020, when an individual is crossing the private property:

(A) to enter; or

(B) upon leaving;

the area of the beach of Lake Michigan that the public has a vested right to use for recreational purposes; and

(2) is caused by:

(A) an act or omission of a person other than the owner;

(B) an act or omission of the owner, except for an act of the owner constituting intentional misconduct; or

(C) the condition of the property.

(b) This section does not affect the following:

(1) Existing Indiana case law on the liability of property owners with respect to:

(A) business invitees in commercial establishments; or

(B) invited guests.

(2) The attractive nuisance doctrine.

SECTION 62. IC 35-52-6-45 IS REPEALED [EFFECTIVE JANUARY 1, 2021]. ~~Sec. 45. IC 6-6-11-27 defines a crime concerning taxes.~~

SECTION 63. IC 35-52-9-7.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 7.6. IC 9-18.1-14.5-5 defines a crime concerning proof of registration of a watercraft.**

SECTION 64. IC 36-1-29 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 29. Seawall and Revetment Permits

Sec. 1. This chapter applies only in a county that is located along the shore of Lake Michigan.

Sec. 2. This chapter does not:

(1) affect the determination of the location of the ordinary high water mark; or

(2) interfere with or supersede state law, state administrative rules, or local ordinances concerning the issuance of permits for seawalls or revetments.

Sec. 3. As used in this chapter, "emergency" means a situation that:

(1) requires immediate action;

(2) is induced by weather or high lake levels; and

(3) either:

(A) creates the potential for imminent structural damage to private property in an area adjacent to Lake Michigan; or

(B) threatens or creates an imminent risk to the public health, welfare, or safety in areas adjacent to Lake Michigan.

Sec. 4. As used in this chapter, "local governmental agency" has the meaning set forth in IC 36-7-4-1109(a).

Sec. 5. As used in this chapter, "ordinary high water mark" has the meaning set forth in IC 14-26-2.1-2.

Sec. 6. As used in this chapter, "owner" means a person that has a fee interest in a private property adjacent to and landward of Lake Michigan.

Sec. 7. As used in this chapter, "permit" has the meaning set forth in IC 36-7-4-1109(b).

Sec. 8. As used in this chapter, "private property" means real property that is not owned or leased by the state or a political subdivision.

Sec. 9. As used in this chapter, "real property" includes any improvements to real property.

Sec. 10. (a) An owner of private property who is subject to the jurisdiction of a local governmental agency in a county subject to this chapter may:

(1) subject to applicable state laws and administrative rules, local ordinances, and section 11 of this chapter, in the case of an emergency, repair an existing seawall or revetment on the owner's private property; or

(2) subject to applicable state laws and administrative rules, local ordinances, and section 12 of this chapter, in the case of an emergency, construct a new seawall or revetment on the owner's private property;

whichever applies.

(b) For the purposes of this chapter, side seawalls on Lake Michigan are temporary structures and must be at least eighteen (18) inches from the private property line.

Sec. 11. In accordance with applicable state laws, state administrative rules, and local ordinances, the repair of an existing seawall or revetment may include placing seawalls or revetments into the waters of Lake Michigan where the water is already coming into contact with those seawalls or revetments as long as the seawall or revetment repair is as close to the existing seawall or revetment as reasonably possible.

Sec. 12. In accordance with applicable state laws, state administrative rules, and local ordinances, the owner of private property may construct a new seawall or revetment on the private property in a location in which the new seawall or revetment can reasonably be expected to provide protection to the property.

Sec. 13. A seawall may be contiguous to another seawall if making one (1) or more seawalls contiguous does not interfere, obstruct, or otherwise inhibit the public's ability to use a public access point or easement that provides access to the shore of Lake Michigan and all parts of the seawall are on private property.

Sec. 14. Not later than ten (10) business days after a person submits a completed application for an emergency seawall or revetment permit and meets all required conditions, a local governmental agency shall:

(1) approve; or

(2) deny;

the person's application for the emergency permit. If a local governmental agency does not approve or deny the emergency seawall or revetment permit within ten (10) business days, the emergency permit is automatically approved and considered issued to the person.

Sec. 15. If a local governmental agency denies the emergency seawall or revetment permit, the local governmental agency shall provide the reasons for the denial in a single response to the person. A person may submit not more than one (1) completed reapplication for an emergency seawall or revetment permit that lists reasons why the local governmental agency should approve the person's emergency permit. Not later than ten (10) business days after the person submits the completed reapplication, a local governmental agency shall:

(1) approve; or

(2) deny;

the person's reapplication for the emergency permit. If a local governmental agency does not approve or deny the person's reapplication for the emergency seawall or revetment permit within ten (10) business days, the emergency permit is automatically approved and considered issued to the person.

Sec. 16. This section applies to an application for a seawall or revetment permit that is not an emergency permit. Not later than thirty (30) business days after a person submits a completed application and meets all required conditions for a seawall or revetment permit, a local governmental agency shall:

(1) approve; or

(2) deny;

the person's application for the permit.

SECTION 65. IC 36-7-4-1103, AS AMENDED BY P.L.119-2012, SECTION 195, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1103. ~~(a) This section does not apply to a plan commission exercising jurisdiction in a county having a population of more than twenty thousand nine hundred (20,900) but less than twenty-one thousand (21,000).~~

~~(b)~~ **(a)** ADVISORY—AREA. For purposes of this section, urban areas include all lands and lots within the corporate boundaries of a municipality, any other lands or lots used for residential purposes where there are at least eight (8) residences within any quarter mile square area, and other lands or lots that have been or are planned for residential areas contiguous to the municipality.

~~(c)~~ **(b)** ADVISORY—AREA. This chapter does not authorize an ordinance or action of a plan commission that would prevent, outside of urban areas, the complete use and alienation of any mineral resources or forests by the owner or alienee of them.

SECTION 66. **An emergency is declared for this act.**

(Reference is to EHB 1385 as printed February 25, 2020.)

Eberhart, Chair	Glick
Pfaff	Tallian
House Conferees	Senate Conferees

Roll Call 371: yeas 36, nays 13. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1419–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1419 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 4-3-27-3, AS AMENDED BY P.L.143-2019, SECTION 2, AND AS AMENDED BY P.L.237-2019, SECTION 1, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. The governor's workforce cabinet is established under the applicable state and federal programs to do the following:

(1) Review the services and use of funds and resources under applicable state and federal programs and advise the governor, *general assembly, commission for higher education, and state board of education* on methods of coordinating the services and use of funds and resources

consistent with the laws and regulations governing the particular applicable state and federal programs.
(2) Advise the governor, *general assembly, commission for higher education, and state board of education* on:
(A) the development and implementation of state and local standards and measures; and
(B) the coordination of the standards and measures;
concerning the applicable federal programs.
(3) Perform the duties as set forth in federal law of the particular advisory bodies for applicable federal programs described in section 4 of this chapter.
(4) Identify the workforce needs in Indiana and recommend to the governor, *general assembly, commission for higher education, and state board of education* goals to meet the investment needs.
(5) Recommend to the governor, *general assembly, commission for higher education, and state board of education* goals for the development and coordination of the talent development system in Indiana.
(6) Prepare and recommend to the governor, *general assembly, commission for higher education, and state board of education* a strategic plan to accomplish the goals developed under subdivisions (4) and (5).
(7) Monitor and direct the implementation of and evaluate the effectiveness of the strategic plan described in subdivision (6).
(8) Advise the governor, *general assembly, commission for higher education, and state board of education* on the coordination of federal, state, and local education and training programs and on the allocation of state and federal funds in Indiana to promote effective services, service delivery, and innovative programs.
(9) Review and approve regional workforce development board plans, and work with regional workforce development boards to determine appropriate metrics for workforce programming at the state and local levels.
(10) Design for implementation a comprehensive career navigation and coaching system as described in section 11 of this chapter.
(11) Conduct a systematic and comprehensive review, analysis, and evaluation of workforce funding described in section 12 of this chapter.
(12) Conduct a systematic and comprehensive review, analysis, and evaluation of the college and career funding described in section 13 of this chapter.
(13) Based on the reviews in sections 12 and 13 of this chapter, direct the appropriate state agencies to implement administrative changes to the delivery of these programs that align with Indiana's workforce goals, and make recommendations to:
(A) the governor;
(B) the commission for higher education;
(C) the state board of education; and
(D) the ~~*legislative council*~~ *general assembly* in an ~~*in*~~ electronic format under IC 5-14-6;
on possible legislative changes in the future.
(14) Study the advisability of establishing one (1) or more real world career readiness programs as described in section 14 of this chapter and report to:
(A) the governor;
(B) the commission for higher education;
(C) the state board of education; and
(D) the ~~*legislative council*~~ *general assembly* in an electronic format under IC 5-14-6;
concerning the results of the study.
(15) Conduct a systematic and comprehensive review, analysis, and evaluation of whether:
(A) Indiana's primary, secondary, and postsecondary education systems are aligned with employer needs; and
(B) Indiana's students and workforce are prepared for success in the twenty-first century economy.
(16) Create a comprehensive strategic plan to ensure alignment between Indiana's primary, secondary, and postsecondary education systems with Indiana's workforce training programs and employer needs.
~~*(15)*~~ **(17)** *Administer the workforce diploma reimbursement program established by IC 22-4.1-27-7.*
(18) Work with stakeholders from early learning to the workforce to establish alignment and coordination between the early learning advisory committee (established by IC 12-17.2-3.8-5), state board of education, commission for higher education, and department of workforce development.
~~*(17)*~~ ~~*(16)*~~ ~~(18)~~ **(19)** Carry out other policy duties and tasks as assigned by the governor.

SECTION 2. IC 4-3-27-5, AS AMENDED BY SEA 272-2020, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The membership of the governor's workforce cabinet established under section 3 of this chapter consists of at least ~~twenty-three (23)~~ **thirty-one (31)** members as follows:
(1) A chairperson appointed by the governor.
(2) The secretary of career connections and talent, **serving as a nonvoting member.**
(3) The commissioner of the department of workforce development.
(4) The secretary of commerce or the secretary of commerce's designee, **serving as a nonvoting member.**
(5) The commissioner of the Indiana commission for higher education.
(6) The superintendent of public instruction.
(7) The president of Ivy Tech Community College.
(8) The president of Vincennes University.
(9) One (1) member representing a research university appointed by the governor.
(10) One (1) member representing a comprehensive university or an independent college appointed by the governor.
~~(9)~~ **(11)** A member appointed by the governor who is an apprenticeship coordinator of a joint labor-management apprenticeship program approved by the United States Department of Labor, Employment and Training Administration, Office of Apprenticeship.
~~(10)~~ **(12)** A member representing high school career and

technical education **educators or** directors appointed by the governor in consultation with the Indiana Association of Career and Technical Education Districts.

~~(11)~~ **(13) Either:**

(A) a member representing manufacturing appointed by the governor in consultation with the Indiana Manufacturers Association; **or**

(B) an employee of the Indiana Manufacturers Association appointed by the governor.

~~(12)~~ **(14)** A member representing a minority business enterprise appointed by the governor.

~~(13)~~ **(15)** A member representing a women's business enterprise appointed by the governor.

~~(14)~~ **(16)** A member representing a veteran owned business appointed by the governor.

~~(15)~~ **(17)** A member representing the nonunion and construction trades appointed by the governor in consultation with the Associated Builders and Contractors, Inc., and the Indiana Builders Association.

~~(16)~~ **(18) Either:**

(A) a business owner appointed by the governor in consultation with the Indiana Chamber of Commerce; **or**

(B) an employee of the Indiana Chamber of Commerce appointed by the governor.

~~(17)~~ **(19)** A small business owner appointed by the governor in consultation with the National Federation of Independent Businesses.

~~(18)~~ **(20)** A member of a community-based organization appointed by the governor.

~~(19)~~ **(21)** Three (3) at-large business owners appointed by the governor, one (1) of whom is a business owner who employs less than fifty (50) employees. **One (1) member appointed under this subdivision shall be from an organization representing technology.**

(22) A school principal, appointed by the governor.

(23) A school superintendent, appointed by the governor.

(24) The commissioner of the department of correction, serving as a nonvoting member.

(25) The secretary of family and social services, serving as a nonvoting member.

~~(20)~~ **(26)** A member of the house of representatives appointed by the speaker of the house of representatives who serves as a nonvoting member.

~~(21)~~ **(27)** A member of the senate appointed by the president pro tempore of the senate who serves as a nonvoting member.

~~(22)~~ **(28)** Any additional members designated and appointed by the governor.

(b) The members appointed under subsection ~~(a)(11)~~ **(a)(13)** through ~~(a)(19)~~ **(a)(21)** must be geographically diverse.

SECTION 3. IC 4-3-27-6, AS AMENDED BY P.L.143-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) Members shall be appointed to the cabinet for two (2) year terms. The terms must be staggered so that the terms of half of the members expire each year. **The governor must rotate appointments described in section 5(a)(9) and 5(a)(10) of this chapter so that the same research university, comprehensive university, or independent college is not represented on the cabinet for two (2) consecutive terms.**

(b) For members appointed by the governor, the governor shall promptly make an appointment to fill any vacancy on the cabinet, but only for the duration of the unexpired term.

(Reference is to EHB 1419 as printed February 28, 2020.)

Behning, Chair	Raatz
Porter	J.D. Ford
House Conferees	Senate Conferees

Roll Call 372: yeas 39, nays 10. Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1003:
Conferees: Senator Kruse to replace Senator Melton

BRAY
Date: 3/10/20
Time: 10:22 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1131:
Remove: Senator Garten as advisor
Conferees: Senator Garten to replace Senator J.D. Ford

BRAY
Date: 3/10/20
Time: 9:46 p.m.

Report adopted.

SENATE MOTION

Madam President: I move we adjourn until 11:00 a.m., Wednesday, March 11, 2020.

BRAY

Motion prevailed.

The Senate adjourned at 10:53 p.m.

JENNIFER L. MERTZ	SUZANNE CROUCH
Secretary of the Senate	President of the Senate

Journal of the Senate

State of Indiana

121st General Assembly Second Regular Session

Thirty-First Meeting Day Wednesday Afternoon March 11, 2020

The Senate convened at 12:52 p.m., with the President Pro Tempore of the Senate, Rodric D. Bray, in the Chair.

Prayer was offered by Senator Jeffery S. Raatz.

The Pledge of Allegiance to the Flag was led by Senator Raatz.

The Chair ordered the roll of the Senate to be called. Those present were:

Alting	Koch
Bassler	Kruse
Becker▶	Lanane
Bohacek	Leising
Boots	Melton
Bray	Merritt
Breaux	Messmer
Brown, L.	Mishler
Buchanan	Mrvan
Buck	Niemeyer
Busch	Niezgodski
Charbonneau	Perfect
Crane	Raatz
Crider	Randolph, Lonnie M.
Donato	Rogers
Doriot	Ruckelshaus
Ford, J.D.	Sandlin
Ford, Jon	Spartz
Freeman	Stoops
Garten	Tallian
Gaskill	Taylor, G.
Glick	Tomes
Grooms	Walker
Holdman	M. Young
Houchin	Zay

Roll Call 373: present 49; excused 1. [*Note: A ▶ indicates those who were excused.*] The Chair announced a quorum present. Pursuant to Senate Rule 5(d), no motion having been heard, the Journal of the previous day was considered read.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: Pursuant to Senate Rule 86(l) your Committee on Rules and Legislative Procedure to which was referred Conference Committee Reports filed on Engrossed Senate Bills 148, 319, 350, 398, and 408 has had the same under consideration and begs leave to report back to the Senate with the recommendation that said Conference Committee Reports are eligible for consideration.

BRAY, Chair

Report adopted.

REPORT OF THE SENATE COMMITTEE ON ETHICS

Madam President: Pursuant to Senate Rule 97, the Senate Committee on Ethics met on March 10, 2020, to render an advisory opinion with regard to Senator Buchanan's request that the Committee consider whether or not he has a conflict of interest pertaining to SB 148 which would require him to be excused from discussion and voting on this bill at any stage of the legislative process. The members in attendance were: Chairman L. Brown, Senator Charbonneau, Senator Walker, Senator Breaux, and Senator Mrvan.

The Senate Committee on Ethics has considered the facts presented by Senator Buchanan and hereby recommends that Senator Buchanan be excused from participation in discussion and all votes pertaining to Senate Bill 148 at any stage in the legislative process because of his potential conflict of interest with regard to the legislation. The vote of the Committee was 5-0.

L. BROWN, Chair

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1235:
Conferees: Senator Messmer to replace Senator Niezgodski

BRAY
Date: 3/11/20
Time: 10:52 a.m.

Report adopted.

MESSAGE FROM THE GOVERNOR

Madam President and Members of the Senate: On Wednesday, March 11, 2020, I signed the following Senate Enrolled Acts into law: SEA 61, 139, 180, 181, 187, 197, 238, 255, 288, 307, and 366.

ERIC J. HOLCOMB
Governor

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Davisson as a conferee on Engrossed House Bill 1207 and now appoints Representative Clere as a conferee thereon.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Clere as an advisor on Engrossed House Bill 1042.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Davisson as a conferee on Engrossed House Bill 1042 and now appoints Representative Clere as a conferee thereon.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed Senate Bills 299, 346, and 438.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed House Bills 1014 and 1385.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has appointed the following Representatives as a conference committee to confer on Engrossed Senate Bill 178:

Conferees: Wesco and Dvorak
Advisors: Bosma, Lehman, Steuerwald, Boy, Moseley, and Pfaff

M. CAROLINE SPOTTS
Principal Clerk of the House

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT
ESB 148–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 148 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 16-18-2-188.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 188.7. "Industrialized residential structure", for purposes of IC 16-41-27, has the meaning set forth in IC 16-41-27-2.1.**

SECTION 2. IC 16-41-27-1, AS AMENDED BY P.L.87-2005, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. This chapter recognizes mobile homes, ~~and~~ manufactured homes, **and industrialized residential structures** as suitable and necessary dwelling units in Indiana. The state department may do the following:

(1) Require reasonable standards of health, sanitation, and safety in using the dwelling units.

(2) Require:

(A) persons dwelling in mobile homes, ~~and~~ manufactured homes, **and industrialized residential structures;** and

(B) mobile home community operators;

to comply with the standards.

(3) Authorize local boards to enforce the standards adopted.

SECTION 3. IC 16-41-27-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.1. (a) As used in this chapter, "industrialized residential structure" means a structure that is both an industrialized building system (as defined in IC 22-12-1-14) and a one (1) or two (2) family private residence.**

(b) The term does not include either of the following:

(1) A manufactured home.

(2) A mobile home.

SECTION 4. IC 16-41-27-3, AS AMENDED BY P.L.87-2005, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. As used in this chapter, "local board" means a local agency of government authorized to enforce the standards of health and sanitation prescribed for:

(1) mobile homes, ~~and~~ manufactured homes, **and industrialized residential structures;** and

(2) mobile home communities by the state department.

SECTION 5. IC 16-41-27-5, AS AMENDED BY P.L.1-2007, SECTION 140, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) As used in this chapter, "mobile home community" means one (1) or more parcels of land:

(1) that are subdivided and contain individual lots that are leased or otherwise contracted;

(2) that are owned, operated, or under the control of one (1)

or more persons; and

(3) on which a total of at least five (5) mobile homes, ~~or~~ manufactured homes, **or industrialized residential structures** are located for the purpose of being occupied as principal residences.

(b) The term includes the following:

(1) All real and personal property used in the operation of the mobile home community.

(2) A single parcel of land.

(3) Contiguous but separately owned parcels of land that are jointly operated.

(4) Parcels of land:

(A) that are separated by other parcels of land; and

(B) that are:

(i) jointly operated; and

(ii) connected by a private road.

(5) One (1) or more parcels of land, if at least two (2) of the mobile homes, ~~or~~ manufactured homes, **or industrialized residential structures** located on the land are:

(A) accessible from a private road or interconnected private roads;

(B) served by a common water distribution system; or

(C) served by a common sewer or septic system.

SECTION 6. IC 16-41-27-9, AS AMENDED BY P.L.87-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. A mobile home community must be in the personal charge of an adult attendant or caretaker designated by the owner or operator of the mobile home community at the times when mobile homes, ~~and~~ manufactured homes, **and industrialized residential structures** in the mobile home community are occupied by tenants. The caretaker present at the time of a violation of this chapter is equally responsible with the owner or operator of the mobile home community for a violation of this chapter.

SECTION 7. IC 16-41-27-11, AS AMENDED BY P.L.87-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) A mobile home community shall dispose of sewage through the use of a public sewerage system if the sewerage system is available within a reasonable distance from the mobile home community. If a public sewerage system is not available, sewage may be disposed of in accordance with rules adopted under section 8 of this chapter. A water carriage system of collecting sewage shall be used. The mobile home community operator shall require the owner of a mobile home to provide a watertight and odor-tight connection of a type acceptable to the state department under rules adopted by the state department.

(b) All occupied mobile homes, ~~and~~ manufactured homes, **and industrialized residential structures** shall be connected to the sewerage system of the mobile home community at all times. All sewer connections not in use must be closed in a manner that does not:

(1) emit odor; or

(2) cause a breeding place for flies.

(c) Sewerage systems other than water carriage systems may not be approved for a mobile home community, except nonwater carriage systems may be provided for emergency use only during a temporary failure of a water or an electric system.

SECTION 8. IC 16-41-27-12, AS AMENDED BY P.L.87-2005, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. Suitable garbage containers or a garbage disposal system and trash containers shall be made available in a sanitary manner to each occupied mobile home, ~~and~~ manufactured home, **and industrialized residential structure.** The garbage and trash of the mobile home community must be disposed of in a manner approved by the state department.

SECTION 9. IC 16-41-27-15, AS AMENDED BY P.L.87-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. Streets must be at least ten (10) feet wide and sufficiently wide to prevent vehicular and pedestrian traffic problems. Adequate area must be provided for the parking of vehicles. All roads in a mobile home community shall be maintained to be dust proof. Each mobile home, ~~and~~ manufactured home, **and industrialized residential structure** in a mobile home community shall have ready and free access to the road in a community.

SECTION 10. IC 16-41-27-16.6, AS ADDED BY P.L.31-2007, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16.6. (a) Each year during National Fire Prevention Week, the operator of a mobile home community is encouraged to provide a written reminder to the owners of all manufactured homes **and industrialized residential structures** in the mobile home community to replace the batteries in all weather radios and smoke detectors contained in their manufactured homes **or industrialized residential structures.**

(b) Any reminder, assistance, or instructions provided by an operator of a mobile home community concerning the function of a weather radio or smoke detector contained in a manufactured home **or industrialized residential structure** shall not subject the operator or an owner or employee of the mobile home community to liability for the functionality of that weather radio or smoke detector.

SECTION 11. IC 16-41-27-24, AS AMENDED BY P.L.87-2005, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 24. (a) An inspection fee must be submitted to the state department with each license application. The fee is two hundred dollars ($200) for a total of not more than fifty (50) mobile home, ~~and~~ manufactured home, **and industrialized residential structure** sites and one hundred fifty dollars ($150) for each increment of not more than fifty (50) additional sites. Units of state and local government are exempt from the fee.

(b) This subsection does not apply to an application made after an enforcement action. A penalty fee of two hundred dollars ($200) for a total of not more than fifty (50) mobile home, ~~and~~ manufactured home, **and industrialized residential structure** sites and one hundred fifty dollars ($150) for each increment of not more than fifty (50) additional sites may be imposed by the state department for an application for license renewal filed after the license has expired.

SECTION 12. IC 16-41-27-29, AS AMENDED BY

P.L.198-2016, SECTION 648, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 29. (a) Subject to subsection (b), the owner, operator, or caretaker of a mobile home community has a lien upon the property of a guest in the same manner, for the same purposes, and subject to the same restrictions as an innkeeper's lien or a hotel keeper's lien.

(b) With regard to a lienholder:

(1) if the property has a properly perfected secured interest; and

(2) the lienholder has notified the owner, operator, or caretaker of the mobile home community of the lienholder's lien by certified mail;

the maximum amount of the innkeeper's lien may not exceed the actual late rent owed for not more than a maximum of sixty (60) days immediately preceding notification by certified mail to the lienholder that the owner of the property has vacated the property or is delinquent in the owner's rent.

(c) If the notification to the lienholder under subsection (b) informs the lienholder that the lienholder will be responsible to the owner, operator, or caretaker of the mobile home community for payment of rent from the time the notice is received until the mobile home, ~~or~~ manufactured home, **or industrialized residential structure** is removed from the mobile home community, the lienholder is liable for the payment of rent that accrues after the notification.

SECTION 13. IC 16-41-27-31, AS AMENDED BY P.L.235-2017, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 31. (a) Each mobile home community operator shall maintain a register open for inspection by the township assessor or county assessor responsible for assessing mobile homes, ~~and~~ manufactured homes, **and industrialized residential structures** located in the mobile home community under IC 6-1.1-7 and by the state department or the state department's representatives.

(b) This subsection applies to entries made in a register described in subsection (a) before January 1, 2020. The register must contain the following for each mobile home and manufactured home in a mobile home community:

(1) The names and ages of all occupants.

(2) The name of the owner of the mobile home or manufactured home.

(c) This subsection applies to entries made in a register described in subsection (a) after December 31, 2019. The register must contain the following for each mobile home, ~~and~~ manufactured home, **and industrialized residential structure** in a mobile home community:

(1) The name of the owner of the mobile home, ~~or~~ manufactured home, **or industrialized residential structure** at the time the entry is made, as shown on the title to the mobile home, ~~or~~ manufactured home, **or industrialized residential structure.**

(2) The vehicle identification number of the mobile home, ~~or~~ manufactured home, **or industrialized residential structure.**

(3) Beginning after September 30, 2020, a copy of the title held by the owner of the mobile home, ~~or~~ manufactured home, **or industrialized residential structure** at the time the entry is made.

SECTION 14. IC 16-41-27-32, AS AMENDED BY P.L.136-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 32. (a) A governmental body other than the state department of health may not license or regulate mobile home communities, except for the following:

(1) Local boards may enforce the standards of health and sanitation prescribed for mobile homes, manufactured homes, **industrialized residential structures,** and mobile home communities by the state department.

(2) **Subject to IC 36-7-2-12,** county and municipal authorities within their respective jurisdictions have jurisdiction regarding zoning and building codes and ordinances pertaining to mobile home communities.

(3) Local boards may regulate the construction and operation of groups of a combined total of not more than four (4) mobile homes, ~~and~~ manufactured homes, **and industrialized residential structures** in accordance with standards that are compatible with standards set by the state department for mobile home communities.

(b) A governmental body other than the state department of health may not regulate mobile homes, ~~or~~ manufactured homes, **or industrialized residential structures** regarding habitability or minimum housing conditions unless the regulation is applicable in the same manner to other forms of residential housing in the jurisdiction.

(c) A governmental body may not regulate or restrict the use, occupancy, movement, or relocation of a mobile home, ~~or~~ manufactured home, **or industrialized residential structure** based upon the age of the mobile home, ~~or~~ manufactured home, **or industrialized residential structure.**

(d) A government body may not regulate or restrict the ability of a:

(1) mobile home community:

(A) owner; or

(B) manager; or

(2) manufactured home community:

(A) owner; or

(B) manager;

to obtain a dealer's license or to sell a mobile home, ~~or~~ manufactured home**, or industrialized residential structure** located within the owner's or manager's mobile home community or manufactured housing community.

SECTION 15. IC 16-41-27-32.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 32.5. In addition to any other requirement applicable to a mobile home community under this chapter, an industrialized residential structure may be located in a mobile home community if all of the following conditions are met:**

(1) The industrialized residential structure is certified under IC 22-15-4.

(2) The industrialized residential structure is placed on a lot that is not used for a mobile home or manufactured home within the mobile home community.

(3) The industrialized residential structure complies

with all requirements related to:

(A) utility line placement;

(B) adequate site drainage;

(C) spacing and setbacks;

(D) minimum recreation area;

(E) water, sewer, or septic service; and

(F) any other similar requirement;

to which a mobile home or manufactured home in a mobile home community is subject.

SECTION 16. IC 16-41-27-35 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 35. (a) A mobile home community operator shall provide each owner of a mobile home, manufactured home, or industrialized residential structure located in the mobile home community written notice of the operator's intent to close the mobile home community not later than one hundred eighty (180) days before the date of the intended closure.**

(b) A mobile home community operator who violates this section commits a deceptive act that is actionable by the attorney general or a consumer under IC 24-5-0.5-4 and is subject to the remedies and penalties under IC 24-5-0.5.

SECTION 17. IC 32-31-1-20, AS AMENDED BY P.L.266-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20. (a) Subject to IC 36-1-3-8.5, this section does not apply to privately owned real property for which government funds or benefits have been allocated from the United States government, the state, or a political subdivision for the express purpose of providing reduced rents to low or moderate income tenants.

(b) A unit (as defined in IC 36-1-2-23) may not regulate rental rates for privately owned real property, through a zoning ordinance or otherwise, unless the regulation is authorized by an act of the general assembly.

(c) A unit (as defined in IC 36-1-2-23) may not regulate, through an ordinance or otherwise, any of the following aspects of a landlord-tenant relationship with respect to privately owned real property located in the unit unless the regulation is authorized by an act of the general assembly:

(1) The screening process used by a landlord in approving tenants to lease privately owned real property.

(2) Security deposits.

(3) Lease applications.

(4) Leasing terms and conditions.

(5) Disclosures concerning the:

(A) property;

(B) lease; or

(C) rights and responsibilities of the parties;

involved in a landlord-tenant relationship.

(6) The rights of the parties to a lease.

(7) Any fees charged by a landlord.

(8) Any other aspects of the landlord-tenant relationship.

Any ordinance or regulation that violates this subsection is void and unenforceable.

SECTION 18. IC 32-31-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 8.5. Retaliatory Acts by Landlords

Sec. 1. The definitions in IC 32-31-3 apply throughout this chapter.

Sec. 2. As used in this chapter, "protected activity" means any of the following actions taken by a tenant:

(1) Complaining to a governmental entity responsible for enforcing an applicable building or housing code about a violation with respect to the rental premises that materially affects health or safety.

(2) Complaining to a landlord in writing concerning the landlord's violation of IC 32-31-5-6 or IC 32-31-8-5.

(3) Bringing an action against the landlord under IC 32-31-6 or IC 32-31-8.

(4) Organizing or becoming a member of a tenant's organization.

(5) Testifying in a court proceeding or an administrative hearing against the landlord.

Sec. 3. As used in this chapter, "rental premises" has the meaning set forth in IC 32-31-7-3.

Sec. 4. As used in this chapter, "retaliatory act" means any of the following actions taken by a landlord in response to a tenant's engaging in a protected activity:

(1) Increasing the amount of the tenant's rent.

(2) Decreasing, terminating, or interfering with services provided to the rental premises.

(3) Bringing or threatening to bring an action for possession of the rental premises.

(4) Bringing or threatening to bring an action to:

(A) evict the tenant from the rental premises; or

(B) otherwise terminate the tenant's rental agreement before the expiration of the term of the rental agreement.

Sec. 5. (a) Subject to subsection (b), and except as provided in subsection (c), a landlord may not engage in a retaliatory act in response to a tenant's engaging in one (1) or more protected activities.

(b) Subsection (a) does not prohibit a landlord from doing any of the following:

(1) Declining to renew a rental agreement at the conclusion of the term of the rental agreement.

(2) Increasing a tenant's rent to that which is charged for comparable market rentals, regardless of whether the increase is effective:

(A) at the conclusion of the term of the rental agreement; or

(B) if provided for in the rental agreement, during the term of the rental agreement.

(3) Subject to applicable law, decreasing or terminating one (1) or more services provided to the rental premises, if those services are decreased or terminated to all tenants on an equal basis.

(c) A landlord may bring an action described in section 4(3) or 4(4) of this chapter (including as a petition for an emergency possessory order under IC 32-31-6) under the following circumstances, or as otherwise authorized by law:

(1) A violation described in section 2(1) of this chapter is caused primarily by the intentional or negligent acts

of, or a lack of reasonable care by:

(A) the tenant;

(B) an authorized occupant of the rental premises; or

(C) a guest or invitee of the tenant.

(2) The tenant is in default with respect to rent due and has failed to cure the default within the time set forth in:

(A) IC 32-31-1-6; or

(B) the rental agreement.

(3) Compliance with an applicable building or housing code requires alteration, remodeling, or demolition of the rental premises, such that the tenant would be effectively deprived of use of the rental premises.

(4) The tenant is in noncompliance with a provision of the rental agreement, and the noncompliance materially affects the health or safety of the tenant or others.

(5) The tenant's rental agreement is for a definite term, and the tenant holds over after expiration of the term.

(6) The landlord's action for possession of the rental premises is made:

(A) in good faith; and

(B) before the tenant engages in a protected activity.

(7) The landlord seeks in good faith to take possession of the rental premises at the end of the term of the tenant's rental agreement in order to:

(A) use the rental premises as the landlord's own abode;

(B) alter, remodel, or demolish the rental premises in a manner that requires the complete displacement of the tenant's household; or

(C) terminate for a period of at least six (6) months the use of the property as a rental unit.

Sec. 6. A unit (as defined in IC 36-1-2-23) may not adopt or enforce any:

(1) ordinance; or

(2) regulation;

concerning retaliatory acts by landlords. Any ordinance or regulation that violates this subsection is void and unenforceable.

SECTION 19. IC 36-7-2-12 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 12. (a) Notwithstanding IC 36-7-4-1106, a unit may not adopt or enforce an ordinance, regulation, requirement, or restriction that mandates size requirements for a manufactured home (as defined in IC 36-7-4-1106) that will be placed in a mobile home community licensed under IC 16-41-27.**

(b) Nothing in this section shall be construed to prohibit a unit from adopting or enforcing a requirement of an ordinance related to:

(1) transportation;

(2) water and sewer service; or

(3) another requirement concerning the use or development of land.

SECTION 20. IC 36-7-4-1106 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1106. (a) **This section does not affect a requirement applicable to property that is subject to the jurisdiction of a preservation commission organized under any of the following:**

(1) IC 36-7-11.

(2) IC 36-7-11.1.

(3) IC 36-7-11.2.

(4) IC 36-7-11.3.

(b) As used in this section:

(1) "Manufactured home" means a dwelling unit, designed and built in a factory, which bears a seal certifying that it was built in compliance with the federal Manufactured Housing Construction and Safety Standards Law of 1974 (42 U.S.C. 5401 et seq.).

(2) "Underfloor space" means that space between the bottom of the floor joists and the earth.

(3) "Occupied space" means the total area of earth horizontally covered by the structure, excluding accessory structures such as, but not limited to, garages, patios and porches.

(4) "Permanent foundation system" includes a pier footing foundation system that is specified as suitable in the manufacturer's installation specifications for a manufactured home.

~~(b)~~ **(c)** Comprehensive plans and ordinances adopted under the provisions of this chapter may subject dwelling units and lots to identical standards and requirements, whether or not the dwelling unit to be placed on a lot is a manufactured home or some other type of dwelling unit. These standards and requirements may include but are not limited to **the following:**

(1) Setback distance.

(2) Side and rear yard area.

(3) Vehicle parking space.

(4) Minimum square footage of the dwelling unit. ~~and~~

(5) Underfloor space enclosure requirements.

(6) Aesthetics. However, aesthetic standards and requirements pertaining to the home structure itself which are adopted under this section may only pertain **to the following:**

(A) Roofing **materials** and siding materials.

(B) Permanent foundation systems of manufactured homes that are located outside of a mobile home community licensed under IC 16-41-27. A unit may require compatibility of a permanent foundation system with surrounding residential structures. However, the unit may not require:

(i) a permanent foundation system that is incompatible with the structural design of the manufactured home; or

(ii) more than one (1) permanent foundation system for a manufactured home.

~~(c)~~ **(d)** METRO. Standards and requirements, specified in comprehensive plans and ordinances, adopted under this section for lots and dwelling units may not totally preclude all manufactured homes constructed after January 1, 1981, and that exceed twenty-three (23) feet in width and nine hundred fifty (950) square feet of occupied space, from being installed as permanent residences on any lot on which any other type of dwelling unit may be placed.

~~(d)~~ **(e)** ADVISORY–AREA. Standards and requirements, specified in comprehensive plans and ordinances, adopted under

this section for lots and dwelling units may not totally preclude all manufactured homes constructed after January 1, 1981, and that exceed nine hundred fifty (950) square feet of occupied space, from being installed as permanent residences on any lot on which any other type of dwelling unit may be placed.

SECTION 21. **An emergency is declared for this act**.

(Reference is to ESB 148 as printed February 28, 2020.)

Doriot, Chair	D. Miller
M. Young	Manning
Senate Conferees	House Conferees

Senator Bray yielded the gavel to the President of the Senate.

Roll Call 374: yeas 29, nays 19. Report adopted.

SENATE MOTION

Madam President: I move that the Senate rescind its action whereby it adopted the Motion to Dissent on Engrossed Senate Bill 184 and that said Motion be withdrawn.

CHARBONNEAU

Motion prevailed.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 367:
Remove: Senator Bohacek as advisor
Conferees: Senator Bohacek to replace Senator Mrvan

BRAY
Date: 3/11/20
Time: 12:58 p.m.

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 334:
Remove: Senator Jon Ford as advisor
Conferees: Senator Jon Ford to replace Senator Breaux

BRAY
Date: 3/11/20
Time: 2:12 p.m.

Report adopted.

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT
ESB 319–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 319 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 20-28-5-25, AS ADDED BY P.L.143-2019, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 25. (a) This section applies to a professional growth plan that begins after July 1, 2019.

(b) Fifteen (15) of the total number of professional growth experience points required to renew a practitioner license or ~~an~~ accomplished practitioner license ~~must~~ **may** be obtained through the completion of one (1) or more of the following:

(1) ~~An externship with a company.~~ **Working for or with a local company in a capacity that includes an understanding of the current and future economic needs of the company and community and a process to disseminate that information to students.**

(2) Professional development provided by the state, a local business, or a community partner that provides opportunities for schools and employers to partner in promoting career navigation.

(3) Professional development provided by the state, a local business, or a community partner that outlines the:

(A) current and future economic needs of the community, state, nation, and globe; and

(B) ways in which the current and future economic needs described in clause (A) can be disseminated to students.

(4) Participation in mentoring or coaching students who are involved in, working with students who are involved in, and exposing students to real world competitions or any other types of programs that provide career skills, including competitions or programs involving or provided by the following:

(A) Robotics.

(B) Tests of Engineering Aptitude, Mathematics and Science (TEAMS).

(C) Technology Student Association (TSA).

(D) Future Health Professionals (HOSA).

(E) Distributive Education Clubs of America (DECA).

(F) Future Farmers of America (FFA).

(c) This section may not be construed to limit the types of professional development that qualify for professional growth experience points.

SECTION 2. **An emergency is declared for this act**.

(Reference is to ESB 319 as printed February 28, 2020.)

Rogers, Chair	Behning
Melton	Klinker
Senate Conferees	House Conferees

Roll Call 375: yeas 49, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT

ESB 398–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 398 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 20-26-13-10, AS AMENDED BY HEA 1305-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) Except as provided in section 11 of this chapter, the four (4) year graduation rate for a cohort in a high school is the percentage determined under STEP FIVE of the following formula:

STEP ONE: Determine the grade 9 enrollment at the beginning of the reporting year three (3) years before the reporting year for which the graduation rate is being determined.

STEP TWO: Add:

(A) the number determined under STEP ONE; and

(B) the number of students who:

(i) have enrolled in the high school after the date on which the number determined under STEP ONE was determined; and

(ii) have the same expected graduation year as the cohort.

STEP THREE: Subtract from the sum determined under STEP TWO the number of students who have left the cohort for any of the following reasons:

(A) Transfer to another public or nonpublic school.

(B) Except as provided in IC 20-33-2-28.6 and subsection (b), removal by the student's parents under IC 20-33-2-28 to provide instruction equivalent to that given in the public schools.

(C) Withdrawal because of a long term medical condition or death.

(D) Detention by a law enforcement agency or the department of correction.

(E) Placement by a court order or the department of child services.

(F) Enrollment in a virtual school.

(G) Leaving school, if the student attended school in Indiana for less than one (1) school year and the location of the student cannot be determined.

(H) Leaving school, if the location of the student cannot be determined and the student has been reported to the Indiana clearinghouse for information on missing children and missing endangered adults.

(I) Withdrawing from school before graduation, if the student is a high ability student (as defined in IC 20-36-1-3) who is a full-time student at an accredited institution of higher education during the semester in which the cohort graduates.

(J) Withdrawing from school before graduation pursuant to providing notice of withdrawal under section 17 of this chapter.

(K) Participating in the high school equivalency pilot program under IC 20-30-8.5, unless the student fails to successfully complete the high school equivalency pilot program in the two (2) year period.

STEP FOUR: Determine the total number of students determined under STEP TWO who have graduated during the current reporting year or a previous reporting year.

STEP FIVE: Divide:

(A) the number determined under STEP FOUR; by

(B) the remainder determined under STEP THREE.

(b) This subsection applies to a high school in which:

(1) for a:

(A) cohort of one hundred (100) students or less, at least ten percent (10%) of the students left a particular cohort for a reason described in subsection (a) STEP THREE clause (B); or

(B) cohort of more than one hundred (100) students, at least five percent (5%) of the students left a particular cohort for a reason described in subsection (a) STEP THREE clause (B); and

(2) the students described in subdivision (1)(A) or (1)(B) are not on track to graduate with their cohort.

A high school must submit a request to the state board in a manner prescribed by the state board requesting that the students described in this subsection be included in the subsection (a) STEP THREE calculation. The state board shall review the request and may grant or deny the request. The state board shall deny the request unless the high school demonstrates good cause to justify that the students described in this subsection should be included in the subsection (a) STEP THREE calculation. If the state board denies the request the high school may not subtract the students described in this subsection under subsection (a) STEP THREE.

SECTION 2. IC 20-26-13-11, AS AMENDED BY HEA 1305-2020, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) A student who has left school is not included in clauses (A) through ~~(J)~~ **(K)** of STEP THREE of the formula established in section 10(a) of this chapter unless the school can provide written proof that the student has left the school for one (1) of the reasons set forth in clauses (A) through ~~(J)~~ **(K)** of STEP THREE of section 10(a) of this chapter. If the location of the student is unknown to the school, the principal of the school shall send a certified letter to the last known address of the student, inquiring about the student's whereabouts and status. If the student is not located after the certified letter is delivered or if no response is received, the principal may submit the student's information, including last known address, parent or guardian name, student testing number, and other pertinent data to the state attendance officer. The state attendance officer, using all available state data and any other means available, shall attempt to locate the student and report the student's location and school enrollment status to the principal so that the principal can appropriately send student records to the new school or otherwise document the student's status.

(b) The department shall conduct a review of each school's graduation cohort on a schedule determined by the department.

(c) If a school cannot provide written proof that a student should be included in clauses (A) through ~~(J)~~ **(K)** of STEP THREE of section 10(a) of this chapter, the student is considered a dropout.

SECTION 3. IC 20-26-13-13, AS AMENDED BY HEA 1305-2020, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. For any school that cannot provide written proof supporting the school's determination to include a student under any one (1) of clauses (A) through ~~(J)~~ **(K)** of STEP THREE of section 10(a) of this chapter, the department shall require the publication of the corrected graduation rate in the next school year's report required under IC 20-20-8-3.

SECTION 4. IC 20-26-13-16.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 16.5. (a) A student must be subtracted under clause (K) of STEP THREE of section 10(a) of this chapter when a student transitions from a traditional high school to the high school equivalency pilot program under IC 20-30-8.5.**

(b) This section expires June 30, 2024.

SECTION 5. IC 20-26-20 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 20. Patriotic Youth Membership Organizations

Sec. 1. As used in this chapter, "organization" means any youth organization listed in Title 36 of the United States Code that has an educational purpose and promotes patriotism and civic involvement.

Sec. 2. As used in this chapter, "public school" means the following:

(1) A school maintained by a school corporation.

(2) A charter school.

Sec. 3. An organization may request that a public school allow representatives of the organization to provide oral, written, or oral and written information regarding the organization, including information regarding how the organization furthers the educational interests and civic involvement of students consistent with good citizenship and moral instruction provided under IC 20-30-5-6 and IC 20-30-5-5, to students of the public school on school property.

Sec. 4. Upon request by an organization under section 3 of this chapter, a public school shall provide at least one (1) time each school year, a day and time, which may be during the school day as approved by the public school, for the representatives of the organization to provide information to students on school property as described in section 3 of this chapter.

Sec. 5. (a) A public school shall conduct an expanded criminal history check of a representative of an organization before the representative may provide information to students at a public school as described in section 4 of this chapter. The representative may be required to provide a written consent for the public school to conduct the expanded criminal history check. The representative of the organization is responsible for all costs associated with obtaining the expanded criminal history check.

(b) A public school may refuse to allow a representative to provide information as described in section 4 of this chapter if the representative has been convicted of a felony listed in IC 20-28-5-8(c) or IC 20-28-5-8(d).

SECTION 6. IC 20-30-5-7, AS AMENDED BY P.L.97-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) Each school corporation shall include in the school corporation's curriculum the following studies:

(1) Language arts, including:

(A) English;

(B) grammar;

(C) composition;

(D) speech; and

(E) second languages.

(2) Mathematics.

(3) Social studies and citizenship, including the:

(A) constitutions;

(B) governmental systems; and

(C) histories;

of Indiana and the United States, including an enhanced study of the Holocaust in each high school United States history course. As part of the United States government credit awarded for the general, Core 40, Core 40 with academic honors, and Core 40 with technical honors designation, each high school shall administer the naturalization examination provided by the United States Citizenship and Immigration Services.

(4) Sciences, including, after June 30, 2021, computer science.

(5) Fine arts, including music and art.

(6) Health education, physical fitness, safety, and the effects of alcohol, tobacco, drugs, and other substances on the human body.

(7) Additional studies selected by each governing body, subject to revision by the state board.

(b) Each:

(1) school corporation;

(2) charter school; and

(3) accredited nonpublic school;

shall offer the study of ethnic and racial groups as a one (1) semester elective course in its high school curriculum at least once every school year.

(c) The course described in subsection (b) may be offered by the school corporation, charter school, or accredited nonpublic school through a course access program administered by the department.

(d) Not later than November 1, 2022, and not later than November 1 each year thereafter, the department shall report to the general assembly in an electronic format under IC 5-14-6 the following:

(1) The number of students who took the naturalization examination described in subsection (a)(3).

(2) The number of students who passed the naturalization examination described in subsection (a)(3) by a score of not less than sixty percent (60%) on

their first attempt.

(3) The pass rate of the naturalization examination regarding the students who passed as described in subdivision (2).

(e) Not more than thirty (30) days after the department reports to the general assembly the information under subsection (d), the department shall post the pass rate under subsection (d)(3) on the department's Internet web site.

SECTION 7. IC 20-30-8.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 8.5. High School Equivalency Pilot Program

Sec. 1. This section applies to the following school corporations:

(1) Richmond Community Schools.

(2) Metropolitan School District of Washington Township Schools.

(3) Metropolitan School District of Warren Township Schools.

Sec. 2. As used in this chapter, an "eligible student" means a student who has completed less than fifty percent (50%) of the required number of credits necessary to graduate upon entering the student's fourth year of high school or any subsequent semester.

Sec. 3. As used in this chapter, "program" refers to the high school equivalency pilot program established by section 6 of this chapter.

Sec. 4. As used in this chapter, "provider" is a current grantee receiving WIOA Title II money from the department of workforce development and that provides academic instruction and education services at the elementary or high school level that:

(1) include adult education, literacy activities, workplace activities, English language acquisition activities, integrated English literacy and civics education, workforce preparation activities, or integrated education and training;

(2) transition to postsecondary education and training; and

(3) provide an ability to obtain employment.

Sec. 5. As used in this chapter, "WIOA" refers to the federal Workforce Innovation and Opportunity Act.

Sec. 6. (a) The high school equivalency pilot program is established. The purpose of the program is to allow an eligible student to enroll in a program to earn a high school equivalency.

(b) An eligible student who successfully completes the program within two (2) years shall be removed from the graduation cohort and will no longer be counted as a dropout.

(c) Not more than five percent (5%) of a participating school's cohort may participate in the program at one (1) time.

Sec. 7. An eligible student may participate in the program in lieu of meeting the graduation requirements in IC 20-32-4-1.5.

Sec. 8. In addition to successfully achieving their high school equivalency, an eligible student shall:

(1) demonstrate employability skills through a:

(A) project based learning experience;

(B) service based learning experience; or

(C) work based learning experience; and

(2) complete one (1) of the following:

(A) A certification class approved by the department of workforce development.

(B) Indiana specific college ready benchmarks set by the commission for higher education that meet or exceed college ready benchmarks set by the college board and ACT.

(C) Completion of the ASVAB and enlistment and service in one (1) of the branches of the armed forces of the United States.

(D) Entry into an apprenticeship program recognized by the state that includes a post secondary credential upon completion.

Sec. 9. (a) A school corporation may contract with a provider to provide services for the program. However, the program may not receive money from WIOA Title II or state appropriated adult education funding. If contracting with a provider, the school corporation shall ensure the following:

(1) The provider is a WIOA Title II funded organization.

(2) Teachers provided by the provider hold a current teaching license from any state, and teachers of core subjects are qualified in the subjects to which they are assigned.

(3) The provider has provided one (1) or more dropout recovery or high school equivalency programs and testing for at least two (2) years prior to providing a program under this section.

(b) All contracts entered into by a school corporation and a provider shall include requirements for the protection of all personally identifiable student information that shall comply with all applicable state and federal laws and regulations.

Sec. 10. (a) If a school corporation decides to participate in the program, the school corporation shall fund the program from the school corporation's budget or from:

(1) gifts, donations, and bequests;

(2) grants, including federal grants and grants from private entities;

(3) funds from any other source; and

(4) a combination of the resources described in subdivisions (1), (2), and (3).

(b) Not later than sixty (60) days after the identification of the source of the funds, the governing body of a school corporation shall conduct a public hearing at a location within the school corporation to present and discuss the source of the funds. The governing body may conduct the meeting in conjunction with a regular meeting of the governing body.

(c) The school corporation may only use state tuition support received for a student who participates in the program or funds donated to the program to administer the program.

Sec. 11. If an eligible student enrolled in a school corporation participates in the program, the eligible student

may not be a student of an adult education center (as described in IC 22-4.1-20) or an adult high school (as defined under IC 20-24-1-2.3).

Sec. 12. Not later than July 1, 2021, and not later than July 1 of each year thereafter, participating school corporations shall submit a report to the general assembly in an electronic format under IC 5-14-6 concerning the program that includes the following:

(1) The number of students eligible for the program.

(2) The number of eligible students who participated in the program.

(3) The number of credits upon entry to the program.

(4) The number of eligible students who successfully achieved their high school equivalency through the program.

(5) A list of credentials earned upon completion of the program.

(6) A report concerning:

(A) eligible students':

(i) job placement outcomes; and

(ii) matriculation into higher education; and

(B) any other information concerning outcomes;

as of one (1) year and two (2) years after an eligible student has successfully completed the program.

(7) Recommendations on improvements to the program.

(8) An estimated cost to each school corporation for the program.

(9) To the extent possible, the use of the funding received by the school corporation for an eligible student participating in the program during the previous school year and metrics of student achievement and demographics, including:

(A) the amount of funding received that was used for each course or program of instruction included in the program;

(B) the amount of funding received that was used for transportation costs for students who participate in the program;

(C) the amount of funding received that was used for any other purposes relating to the cost of education for an eligible student who participated in the program; and

(D) metrics of eligible student achievement and demographic information for those eligible students who participated in the program during the previous school year, including a comparison to the metrics of student achievement and demographic information for those students who were not participants in the program.

(10) Any other relevant consideration.

Sec. 13. This chapter expires June 30, 2024.

SECTION 8. IC 22-4.1-18-3, AS ADDED BY P.L.7-2011, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. **(a)** The department shall administer the testing program provided in this chapter. All administrative costs of this program must be funded through appropriations of the general assembly.

(b) The test shall be:

(1) a nationally administered high school equivalency exam utilizing college and career readiness standards that includes subtests of reading, mathematics, science, social studies, and writing; and

(2) available in a pencil and paper and online formats.

(c) The test vendor shall provide:

(1) annual in-person and online training;

(2) an annual national and Indiana statistical report;

(3) a dedicated customer service line;

(4) at least one (1) practice test available in both pencil and paper and online formats;

(5) at least two (2) retests for each subtest, free of charge; and

(6) a nationally based research report on the long term outcomes for candidates who passed the test, which shall be presented to the department, governor's workforce cabinet, the chairman of the house committee on education, and the chairman of the senate committee on education and career development.

SECTION 9. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to an appropriate interim study committee for study during the 2020 interim the topics of:**

(1) whether the state should encourage robotics classes and clubs for students in kindergarten through grade 12; and

(2) if so, what forms that encouragement should take, in any combination of:

(A) one (1) or more programs of grants, competitive prizes, or other funding methods;

(B) additional teacher training;

(C) cooperative arrangements with postsecondary educational institutions; or

(D) other feasible methods.

(b) This SECTION expires January 1, 2021.

SECTION 10. **An emergency is declared for this act.**

(Reference is to ESB 398 as reprinted February 28, 2020.)

Raatz, Chair	Jordan
Stoops	DeLaney
Senate Conferees	House Conferees

Roll Call 376: yeas 47, nays 1. Report adopted.

CONFERENCE COMMITTEE REPORT

ESB 408–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 408 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 4-38-2-2, AS ADDED BY P.L.293-2019, SECTION 43, IS AMENDED TO READ AS FOLLOWS

[EFFECTIVE JULY 1, 2020]: Sec. 2. "Adjusted gross receipts" means:

(1) the total of all cash and property (including checks received by a certificate holder, whether collected or not) received **from authorized sports wagering offered** by a certificate holder; ~~from sports wagering;~~ minus

(2) the total of:

(A) all cash paid out as winnings to sports wagering patrons, including the cash equivalent of any merchandise or thing of value awarded as a prize; and

(B) uncollectible gaming receivables, not to exceed the lesser of:

(i) a reasonable provision for uncollectible patron checks received from sports wagering; or

(ii) two percent (2%) of the total of all sums (including checks, whether collected or not) less the amount paid out as winnings to sports wagering patrons.

For purposes of this section, a counter or personal check that is invalid or unenforceable under this article is considered cash received by the certificate holder from sports wagering.

SECTION 2. IC 6-2.5-1-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Except as provided in subsection (b) **or (c),** "unitary transaction" includes all items of personal property and services which are furnished under a single order or agreement and for which a total combined charge or price is calculated.

(b) "Unitary transaction" does not include a transaction that meets one (1) of the exceptions in section 11.5(d) of this chapter.

~~(b)~~ **(c)** "Unitary transaction" as it applies to the furnishing of public utility commodities or services means the public utility commodities and services which are invoiced in a single bill or statement for payment by the consumer.

SECTION 3. IC 6-2.5-1-5, AS AMENDED BY P.L.188-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) Except as provided in subsection (b), "gross retail income" means the total amount of consideration, including cash, credit, property, and services, for which tangible personal property is sold, leased, or rented, valued in money, whether received in money or otherwise, without any deduction for:

(1) the seller's cost of the property sold;

(2) the cost of materials used, labor or service cost, interest, losses, all costs of transportation to the seller, all taxes imposed on the seller, and any other expense of the seller;

(3) charges by the seller for any services necessary to complete the sale, other than delivery and installation charges;

(4) delivery charges; or

(5) consideration received by the seller from a third party if:

(A) the seller actually receives consideration from a party other than the purchaser and the consideration is directly related to a price reduction or discount on the sale;

(B) the seller has an obligation to pass the price reduction or discount through to the purchaser;

(C) the amount of the consideration attributable to the sale is fixed and determinable by the seller at the time of the sale of the item to the purchaser; and

(D) the price reduction or discount is identified as a third party price reduction or discount on the invoice received by the purchaser or on a coupon, certificate, or other documentation presented by the purchaser.

For purposes of subdivision (4), delivery charges are charges by the seller for preparation and delivery of the property to a location designated by the purchaser of property, including but not limited to transportation, shipping, postage charges that are not separately stated on the invoice, bill of sale, or similar document, handling, crating, and packing. Delivery charges do not include postage charges that are separately stated on the invoice, bill of sale, or similar document.

(b) "Gross retail income" does not include that part of the gross receipts attributable to:

(1) the value of any tangible personal property received in a like kind exchange in the retail transaction, if the value of the property given in exchange is separately stated on the invoice, bill of sale, or similar document given to the purchaser;

(2) the receipts received in a retail transaction which constitute interest, finance charges, or insurance premiums on either a promissory note or an installment sales contract;

(3) discounts, including cash, terms, or coupons that are not reimbursed by a third party that are allowed by a seller and taken by a purchaser on a sale;

(4) interest, financing, and carrying charges from credit extended on the sale of personal property if the amount is separately stated on the invoice, bill of sale, or similar document given to the purchaser;

(5) any taxes legally imposed directly on the consumer that are separately stated on the invoice, bill of sale, or similar document given to the purchaser, including an excise tax imposed under IC 6-6-15;

(6) installation charges that are separately stated on the invoice, bill of sale, or similar document given to the purchaser;

(7) telecommunications nonrecurring charges; ~~or~~

(8) postage charges that are separately stated on the invoice, bill of sale, or similar document; **or**

(9) charges for serving or delivering food and food ingredients furnished, prepared, or served for consumption at a location, or on equipment, provided by the retail merchant, to the extent that the charges for the serving or delivery are stated separately from the price of the food and food ingredients when the purchaser pays the charges.

(c) Notwithstanding subsection (b)(5):

(1) in the case of retail sales of special fuel (as defined in IC 6-6-2.5-22), the gross retail income is the total sales price of the special fuel minus the part of that price attributable to tax imposed under IC 6-6-2.5 or Section 4041 or Section 4081 of the Internal Revenue Code; and

(2) in the case of retail sales of cigarettes (as defined in IC 6-7-1-2), the gross retail income is the total sales

price of the cigarettes including the tax imposed under IC 6-7-1.

(d) Gross retail income is only taxable under this article to the extent that the income represents:

(1) the price of the property transferred, without the rendition of any services; and

(2) except as provided in subsection (b), any bona fide changes which are made for preparation, fabrication, alteration, modification, finishing, completion, delivery, or other service performed in respect to the property transferred before its transfer and which are separately stated on the transferor's records. For purposes of this subdivision, a transfer is considered to have occurred after the delivery of the property to the purchaser.

~~(c)~~ **(e)** A public utility's or a power subsidiary's gross retail income includes all gross retail income received by the public utility or power subsidiary, including any minimum charge, flat charge, membership fee, or any other form of charge or billing.

SECTION 4. IC 6-2.5-1-11.5, AS ADDED BY P.L.153-2006, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11.5. (a) This section applies to retail transactions occurring after December 31, 2007.

(b) "Bundled transaction" means a retail sale of two (2) or more products, except real property and services to real property, that are:

(1) distinct;

(2) identifiable; and

(3) sold for one (1) nonitemized price.

(c) The term does not include a retail sale in which the sales price of a product varies, or is negotiable, based on other products that the purchaser selects for inclusion in the transaction.

(d) The term does not include a retail sale that:

(1) is comprised of:

(A) a service that is the true object of the transaction; and

(B) tangible personal property that:

(i) is essential to the use of the service; and

(ii) is provided exclusively in connection with the service;

(2) includes both taxable and nontaxable products in which:

(A) the seller's purchase price; or

(B) the sales price;

of the taxable products does not exceed ten percent (10%) of the total purchase price or the total sales price of the bundled products; or

(3) includes both exempt tangible personal property and taxable tangible personal property:

(A) any of which is classified as:

(i) food and food ingredients;

(ii) drugs;

(iii) durable medical equipment;

(iv) mobility enhancing equipment;

(v) over-the-counter drugs;

(vi) prosthetic devices; or

(vii) medical supplies; and

(B) for which:

(i) the seller's purchase price; or

(ii) the sales price;

of the taxable tangible personal property is fifty percent (50%) or less of the total purchase price or the total sales price of the bundled tangible personal property.

The determination under clause (B) must be made on the basis of either individual item purchase prices or individual item sale prices.

(e) A transaction that meets one (1) of the exceptions in subsection (d) shall be excluded from the definition of unitary transaction under section 1(a) of this chapter.

SECTION 5. IC 6-2.5-2-1, AS AMENDED BY P.L.108-2019, SECTION 108, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) An excise tax, known as the state gross retail tax, is imposed on retail transactions made in Indiana.

(b) The person who acquires property in a retail transaction is liable for the tax on the transaction and, except as otherwise provided in this chapter, shall pay the tax to the retail merchant as a separate added amount to the consideration in the transaction. ~~The~~ **A** retail merchant **that has either physical presence in Indiana as described in subsection (c) or that meets one (1) or both of the thresholds in subsection (d)** shall collect the tax as agent for the state.

(c) A retail merchant has physical presence in Indiana when the retail merchant:

(1) maintains an office, place of distribution, sales location, sample location, warehouse, storage place, or other place of business which is located in Indiana and which the retail merchant maintains, occupies, or uses, either permanently or temporarily, either directly or indirectly, and either by the retail merchant or through a representative, agent, or subsidiary;

(2) maintains a representative, agent, salesperson, canvasser, or solicitor who, while operating in Indiana under the authority of and on behalf of the retail merchant or a subsidiary of the retail merchant, sells, delivers, installs, repairs, assembles, sets up, accepts returns of, bills, invoices, or takes orders for sales of tangible personal property or services to be used, stored, or consumed in Indiana; or

(3) is otherwise required to register as a retail merchant under IC 6-2.5-8-1.

~~(c)~~ **(d)** A retail merchant that does not have a physical presence in Indiana shall, as an agent for the state, collect the gross retail tax on a retail transaction made in Indiana, remit the gross retail tax as provided in this article, and comply with all applicable procedures and requirements of this article as if the retail merchant has a physical presence in Indiana, if the retail merchant meets either of the following conditions for the calendar year in which the retail transaction is made or for the calendar year preceding the calendar year in which the retail transaction is made:

(1) The retail merchant's gross revenue from any combination of:

(A) the sale of tangible personal property that is delivered into Indiana;

(B) a product transferred electronically into Indiana; or

(C) a service delivered in Indiana;

exceeds one hundred thousand dollars ($100,000).

(2) The retail merchant sells any combination of:

(A) tangible personal property that is delivered into Indiana;

(B) a product transferred electronically into Indiana; or

(C) a service delivered in Indiana;

in two hundred (200) or more separate transactions.

~~(d)~~ **(e)** A marketplace facilitator must include both transactions made on its own behalf and transactions facilitated for sellers under IC 6-2.5-4-18 for purposes of establishing the requirement to collect gross retail ~~or use~~ tax without having a physical presence in Indiana for purposes of subsection ~~(c).~~ **(d).** In addition, except in instances where the marketplace facilitator has not met the thresholds in subsection ~~(c),~~ **(d),** the transactions of the seller made through the marketplace are not counted toward the seller for purposes of determining whether the seller has met the thresholds in subsection ~~(c).~~ **(d).**

SECTION 6. IC 6-2.5-2-2, AS AMENDED BY P.L.87-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) The state gross retail tax is measured by the gross retail income received by a retail merchant in a retail unitary **or bundled** transaction and is imposed at seven percent (7%) of that gross retail income.

(b) If the tax computed under subsection (a) carried to the third decimal place results in the numeral in the third decimal place being greater than four (4), the amount of the tax shall be rounded to the next additional cent.

(c) A seller may elect to round the tax under subsection (b) on a transaction on an item basis or an invoice basis. However, a seller may not round the tax under subsection (b) to circumvent the tax that would otherwise be imposed on a transaction using an invoice basis.

SECTION 7. IC 6-2.5-3-1, AS AMENDED BY P.L.242-2015, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. For purposes of this chapter:

(a) "Use" means the exercise of any right or power of ownership over tangible personal property.

(b) "Storage" means the keeping or retention of tangible personal property in Indiana for any purpose except temporary storage.

~~(c) "A retail merchant engaged in business in Indiana" includes any retail merchant who makes retail transactions in which a person acquires personal property or services for use, storage, or consumption in Indiana and who:~~

~~(1) maintains an office, place of distribution, sales location, sample location, warehouse, storage place, or other place of business which is located in Indiana and which the retail merchant maintains, occupies, or uses, either permanently or temporarily, either directly or indirectly, and either by the retail merchant or through a representative, agent, or subsidiary;~~

~~(2) maintains a representative, agent, salesman, canvasser, or solicitor who, while operating in Indiana under the authority of and on behalf of the retail merchant or a subsidiary of the retail merchant, sells, delivers, installs, repairs, assembles, sets up, accepts returns of, bills, invoices, or takes orders for sales of tangible personal property or services to be used, stored, or consumed in Indiana;~~

~~(3) is otherwise required to register as a retail merchant under IC 6-2.5-8-1; or~~

~~(4) may be required by the state to collect tax under this article to the extent allowed under the Constitution of the United States and federal law.~~

~~(d)~~ **(c)** "Temporary storage" means the keeping or retention of tangible personal property in Indiana for a period of not more than one hundred eighty (180) days and only for the purpose of the subsequent use of that property solely outside Indiana.

~~(e)~~ **(d)** Notwithstanding any other provision of this section, tangible or intangible property that is:

(1) owned or leased by a person that has contracted with a commercial printer for printing; and

(2) located at the premises of the commercial printer;

shall not be considered to be, or to create, an office, a place of distribution, a sales location, a sample location, a warehouse, a storage place, or other place of business maintained, occupied, or used in any way by the person. A commercial printer with which a person has contracted for printing shall not be considered to be in any way a representative, an agent, a salesman, a canvasser, or a solicitor for the person.

SECTION 8. IC 6-2.5-3-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. The use tax is measured by the gross retail income received in a retail unitary **or bundled** transaction and is imposed at the same rates as the state gross retail tax under IC 6-2.5-2-2. For purposes of this chapter, transactions described in ~~IC 6-2.5-3-2(b) and (c)~~ **section 2(b) and 2(c) of this chapter** shall be treated as retail transactions within the meaning of IC 6-2.5-1-2.

SECTION 9. IC 6-2.5-3-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The storage, use, and consumption of tangible personal property in Indiana is exempt from the use tax if:

(1) the property was acquired in a retail transaction ~~in Indiana~~ and the state gross retail tax has been paid on the acquisition of that property; or

(2) the property was acquired in a transaction that is wholly or partially exempt from the state gross retail tax under any part of IC 6-2.5-5, except IC 6-2.5-5-24(b), and the property is being used, stored, or consumed for the purpose for which it was exempted.

(b) If a person issues a state gross retail or use tax exemption certificate for the acquisition of tangible personal property and subsequently uses, stores, or consumes that property for a nonexempt purpose, then the person shall pay the use tax.

SECTION 10. IC 6-2.5-3-6, AS AMENDED BY P.L.182-2009(ss), SECTION 175, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) For purposes of this section, "person" includes an individual who is personally liable for use tax under IC 6-2.5-9-3.

(b) The person who uses, stores, or consumes the tangible personal property acquired in a retail transaction is personally liable for the use tax.

(c) The person liable for the use tax shall pay ~~the tax to the~~

~~retail merchant from whom the person acquired the property, and the retail merchant shall collect the tax as an agent for the state, if the retail merchant is engaged in business in Indiana or if the retail merchant has departmental permission to collect the tax. In all other cases, the person shall pay~~ the use tax to the department.

(d) Notwithstanding subsection (c), a person liable for the use tax imposed in respect to a vehicle, watercraft, or aircraft under section 2(b) of this chapter shall pay the tax:

(1) to the titling agency when the person applies for a title for the vehicle or the watercraft;

(2) to the registering agency when the person registers the aircraft; or

(3) to the registering agency when the person registers the watercraft because it is a United States Coast Guard documented vessel;

unless the person presents proof to the agency that the use tax or state gross retail tax has already been paid with respect to the purchase of the vehicle, watercraft, or aircraft or proof that the taxes are inapplicable because of an exemption under this article.

(e) At the time a person pays the use tax for the purchase of a vehicle to a titling agency pursuant to subsection (d), the titling agency shall compute the tax due based on the presumption that the sale price was the average selling price for that vehicle, as determined under a used vehicle buying guide to be chosen by the titling agency. However, the titling agency shall compute the tax due based on the actual sale price of the vehicle if the buyer, at the time the buyer pays the tax to the titling agency, presents documentation to the titling agency sufficient to rebut the presumption set forth in this subsection and to establish the actual selling price of the vehicle.

SECTION 11. IC 6-2.5-3.5-26, AS ADDED BY P.L.227-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2014 (RETROACTIVE)]: Sec. 26. (a) The gasoline use tax collected under this chapter is considered equivalent to the state gross retail tax that would be collected by a retail merchant in a retail sale and replaces the obligation of the retail merchant to collect the state gross retail tax on the sale of gasoline.

(b) **Except for the exemption under IC 6-2.5-5-8 for property acquired for resale in the ordinary course of business,** the exemptions set forth in IC 6-2.5-5 apply to the gasoline use tax imposed by this chapter.

SECTION 12. IC 6-2.5-4-1, AS AMENDED BY P.L.227-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A person is a retail merchant making a retail transaction when the person engages in selling at retail.

(b) A person is engaged in selling at retail when, in the ordinary course of the person's regularly conducted trade or business, the person:

(1) acquires tangible personal property for the purpose of resale; and

(2) transfers that property to another person for consideration.

(c) For purposes of determining what constitutes selling at retail, it does not matter whether:

(1) the property is transferred in the same form as when it was acquired;

(2) the property is transferred alone or in conjunction with other property or services; or

(3) the property is transferred conditionally or otherwise.

(d) Notwithstanding subsection (b), a person is not selling at retail if the person is making a wholesale sale as described in section 2 of this chapter. However, in the case of sales of gasoline (as defined in IC 6-6-1.1-103), a person shall collect the gasoline use tax as provided in IC 6-2.5-3.5.

~~(e) The gross retail income received from selling at retail is only taxable under this article to the extent that the income represents:~~

~~(1) the price of the property transferred, without the rendition of any service; and~~

~~(2) except as provided in subsection (g), any bona fide charges which are made for preparation, fabrication, alteration, modification, finishing, completion, delivery, or other service performed in respect to the property transferred before its transfer and which are separately stated on the transferor's records.~~

~~For purposes of this subsection, a transfer is considered to have occurred after delivery of the property to the purchaser.~~

~~(f) Notwithstanding subsection (e):~~

~~(1) in the case of retail sales of special fuel (as defined in IC 6-6-2.5-22), the gross retail income received from selling at retail is the total sales price of the special fuel minus the part of that price attributable to tax imposed under IC 6-6-2.5 or Section 4041(a) or Section 4081 of the Internal Revenue Code; and~~

~~(2) in the case of retail sales of cigarettes (as defined in IC 6-7-1-2), the gross retail income received from selling at retail is the total sales price of the cigarettes including the tax imposed under IC 6-7-1.~~

~~(g) Gross retail income does not include income that represents charges for serving or delivering food and food ingredients furnished, prepared, or served for consumption at a location, or on equipment, provided by the retail merchant. However, the exclusion under this subsection only applies if the charges for the serving or delivery are stated separately from the price of the food and food ingredients when the purchaser pays the charges.~~

SECTION 13. IC 6-2.5-4-18, AS ADDED BY P.L.108-2019, SECTION 112, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) A marketplace facilitator shall be considered the retail merchant of each retail transaction (including a retail transaction under section 4 of this chapter) that is facilitated for sellers on its marketplace when it does any of the following on behalf of the seller:

(1) Collects the sales price or purchase price of the seller's products.

(2) Provides access to payment processing services, either directly or indirectly.

(3) Charges, collects, or otherwise receives fees or other consideration for transactions made on its electronic marketplace.

(b) Regardless of whether a transaction under subsection (a) was made by the marketplace facilitator on its own behalf or

facilitated on behalf of a seller, a marketplace facilitator is required to do the following with each retail transaction made on its marketplace:

(1) Collect and remit the gross retail tax, even if a seller for whom a transaction was facilitated:

(A) does not have a registered retail merchant certificate; or

(B) would not have been required to collect gross retail tax had the transaction not been facilitated by the marketplace facilitator.

(2) Comply with all applicable procedures and requirements imposed under this article as the retail merchant in such transaction.

(c) The gross retail income from a transaction under this section is equal to the total amount of consideration paid by the purchaser, including the payment of any fee, commission, or other charge by the marketplace facilitator, except that the gross retail income does not include any taxes on the transaction that are imposed directly on the consumer other than taxes **described** under ~~section 1(f)(2) of this chapter.~~ **IC 6-2.5-1-5(c)(2).**

SECTION 14. IC 6-2.5-6-6 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 6. When possible, the department shall coordinate the reporting and payment of the state gross retail and use taxes with the reporting and payment of the gross income tax.~~

SECTION 15. IC 6-2.5-6-14.1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14.1. ~~Notwithstanding the refund provisions of this article as incorporated from the gross income tax law (IC 6-2.1, repealed),~~ A retail merchant is not entitled to a refund of state gross retail or use taxes unless the retail merchant refunds those taxes to the person from whom they were collected.

SECTION 16. IC 6-2.5-8-1, AS AMENDED BY P.L.234-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A retail merchant may not make a retail transaction in Indiana, unless the retail merchant has applied for a registered retail merchant's certificate.

(b) A retail merchant may obtain a registered retail merchant's certificate by filing an application with the department and paying a registration fee of twenty-five dollars ($25) for each place of business listed on the application. The retail merchant shall also provide such security for payment of the tax as the department may require under IC 6-2.5-6-12.

(c) The retail merchant shall list on the application the location (including the township) of each place of business where the retail merchant makes retail transactions. However, if the retail merchant does not have a fixed place of business, the retail merchant shall list the retail merchant's residence as the retail merchant's place of business. In addition, a public utility may list only its principal Indiana office as its place of business for sales of public utility commodities or service, but the utility must also list on the application the places of business where it makes retail transactions other than sales of public utility commodities or service.

(d) Upon receiving a proper application, the correct fee, and the security for payment, if required, the department shall issue to the retail merchant a separate registered retail merchant's certificate for each place of business listed on the application. Each certificate shall bear a serial number and the location of the place of business for which it is issued.

(e) The department may deny an application for a registered retail merchant's certificate if the applicant's business is operated, managed, or otherwise controlled by or affiliated with a person, including a relative, family member, responsible officer, or owner, who the department has determined:

(1) failed to:

(A) file all tax returns or information reports with the department for listed taxes; or

(B) pay all taxes, penalties, and interest to the department for listed taxes; and

(2) the business of the person who has failed to file all tax returns or information reports under subdivision (1)(A) or who has failed to pay all taxes, penalties, and interest under subdivision (1)(B) is substantially similar to the business of the applicant.

(f) If a retail merchant intends to make retail transactions during a calendar year at a new Indiana place of business, the retail merchant must file a supplemental application and pay the fee for that place of business.

(g) Except as provided in subsection (i), a registered retail merchant's certificate is valid for two (2) years after the date the registered retail merchant's certificate is originally issued or renewed. If the retail merchant has filed all returns and remitted all taxes the retail merchant is currently obligated to file or remit, the department shall renew the registered retail merchant's certificate within thirty (30) days after the expiration date, at no cost to the retail merchant. Before issuing or renewing the registered retail merchant certification, the department may require the following to be provided:

(1) The names and addresses of the retail merchant's principal employees, agents, or representatives who engage in Indiana in the solicitation or negotiation of the retail transaction.

(2) The location of all of the retail merchant's places of business in Indiana, including offices and distribution houses.

(3) Any other information that the department requests.

(h) The department may not renew a registered retail merchant certificate of a retail merchant who is delinquent in remitting withholding taxes required to be remitted under IC 6-3-4 or sales or use tax. The department, at least sixty (60) days before the date on which a retail merchant's registered retail merchant's certificate expires, shall notify a retail merchant who is delinquent in remitting withholding taxes required to be remitted under IC 6-3-4 or sales or use tax that the department will not renew the retail merchant's registered retail merchant's certificate.

(i) If:

(1) a retail merchant has been notified by the department that the retail merchant is delinquent in remitting withholding taxes or sales or use tax in accordance with subsection (h); and

(2) the retail merchant pays the outstanding liability before the expiration of the retail merchant's registered retail merchant's certificate;

the department shall renew the retail merchant's registered retail merchant's certificate for one (1) year.

~~(j) A retail merchant engaged in business in Indiana as defined in IC 6-2.5-3-1(c) who makes retail transactions that are only subject to the use tax must obtain a registered retail merchant's certificate before making those transactions. The retail merchant may obtain the certificate by following the same procedure as a retail merchant under subsections (b) and (c), except that the retail merchant must also include on the application:~~

~~(1) the names and addresses of the retail merchant's principal employees, agents, or representatives who engage in Indiana in the solicitation or negotiation of the retail transactions;~~

~~(2) the location of all of the retail merchant's places of business in Indiana, including offices and distribution houses; and~~

~~(3) any other information that the department requests.~~

~~The department may also require that this information be updated before renewal of a registered retail merchant's certificate.~~

~~(k)~~ **(j)** The department may permit an out-of-state retail merchant to collect the ~~use~~ **gross retail** tax **in instances where the retail merchant has not met the thresholds in IC 6-2.5-2-1(d).** However, before the out-of-state retail merchant may collect the tax, the out-of-state retail merchant must obtain a registered retail merchant's certificate in the manner provided by this section. Upon receiving the certificate, the out-of-state retail merchant becomes subject to the same conditions and duties as an Indiana retail merchant and must then collect the ~~use~~ **gross retail** tax due on all ~~sales of tangible personal property~~ **retail transactions** that the out-of-state retail merchant knows ~~is intended for use in~~ **are sourced to** Indiana **pursuant to IC 6-2.5-13-1.**

~~(l)~~ **(k)** Except as provided in subsection ~~(m),~~ **(l),** the department shall submit to the township assessor, or the county assessor if there is no township assessor for the township, before ~~March 15~~ **January 15** of each year:

(1) the name of each retail merchant that has newly obtained a registered retail merchant's certificate during the preceding year for a place of business located in the township or county; ~~and~~

(2) the address of each place of business of the taxpayer in the township or county **described in subdivision (1);**

(3) the name of each retail merchant that:

(A) held a registered retail merchant's certificate at any time during the preceding year for a place of business located in the township or county; and

(B) had ceased to hold the registered retail merchant's certificate at the end of the preceding year for the place of business; and

(4) the address of each place of business described in subdivision (3).

~~(m)~~ **(l)** If the duties of the township assessor have been transferred to the county assessor as described in IC 6-1.1-1-24, the department shall submit the information listed in subsection ~~(l)~~ **(k)** to the county assessor.

SECTION 17. IC 6-2.5-9-9, AS ADDED BY P.L.247-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) Notwithstanding any other law and regardless of whether the department initiates an audit or any other collection or enforcement procedure, the department may bring a declaratory judgment action under IC 34-14-1 in any circuit court or superior court against a person that the department believes meets the criteria of ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** in order to establish that:

(1) the person has an obligation to collect state gross retail tax as provided in ~~IC 6-2.5-2-1(c);~~ **IC 6-2.5-2-1(d);** and

(2) the person's obligation to collect state gross retail tax as provided in ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** is valid under state and federal law.

(b) A court in which an action for a declaratory judgment is brought under subsection (a) shall act on the declaratory judgment action as expeditiously as possible.

(c) IC 34-52-1-1(b) and all other provisions authorizing attorney's fees do not apply to a declaratory judgment action brought under subsection (a) or to any appeal from a judgment in a declaratory judgment action brought under subsection (a).

(d) The following apply if the department files a declaratory judgment action under this section:

(1) The department and other state agencies and state entities may not, during the pendency of the declaratory judgment action (including any appeals from a judgment in the declaratory judgment action), enforce the obligation to collect state gross retail tax as provided in ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** against any person that does not affirmatively consent or otherwise remit the gross retail tax on a voluntary basis. However, this subdivision does not apply to a person if there is a previous judgment from a court establishing the validity of the obligation to collect state gross retail tax with respect to that person.

(2) The prohibition under subdivision (1) on the enforcement of the obligation to collect state gross retail tax as provided in ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** does not apply if:

(A) a court enters a final judgment on the merits declaring that the obligation to collect state gross retail tax as provided in ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** is valid; and

(B) the final judgment of the court is no longer subject to appeal.

(e) An obligation to remit the gross retail tax as required by ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** may not be applied retroactively before the effective date of that subsection on July 1, 2017.

SECTION 18. IC 6-2.5-9-10, AS ADDED BY P.L.247-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) A taxpayer complying with ~~IC 6-2.5-2-1(c),~~ **IC 6-2.5-2-1(d),** voluntarily or otherwise, may seek only a refund under IC 6-8.1-9 of taxes, interest, and penalties that have been paid to and collected by the department. However, a refund may not be granted on the basis that the taxpayer lacked a physical presence in Indiana and complied with ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** voluntarily.

(b) ~~IC 6-2.5-2-1(c),~~ **IC 6-2.5-2-1(d),** section 9 of this chapter, and this section do not limit the ability of any taxpayer to obtain a refund for any other reason, including a mistake of fact or

mathematical miscalculation of the applicable tax.

(c) A retail merchant that remits gross retail tax voluntarily or otherwise under ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** is not liable to a purchaser who claims that the sales tax has been overcollected if ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** is later found unlawful.

(d) ~~IC 6-2.5-2-1(c)~~ **IC 6-2.5-2-1(d)** does not affect the obligation of any purchaser to remit use tax as required under IC 6-2.5-3.

SECTION 19. IC 6-2.5-9-11, AS ADDED BY P.L.247-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. The general assembly finds the following:

(1) The inability to effectively collect the gross retail tax or use tax from remote sellers that deliver tangible personal property, products transferred electronically, or services directly into Indiana is seriously eroding the tax base of Indiana and causing revenue losses and imminent harm to Indiana through the loss of critical funding for state and local services.

(2) Gross retail tax and use tax revenues are essential in funding state and local services.

(3) Despite the fact that a use tax is imposed on the storage, use, or consumption of tangible personal property in Indiana if the property was acquired in a retail transaction, many remote sellers actively market sales as "tax free" or as "no sales tax" transactions.

(4) The structural advantages of remote sellers, including the absence of point-of-sale tax collection, and the general growth of the online retail industry make clear that further erosion of Indiana's gross retail tax base is likely in the near future.

(5) Remote sellers that make a substantial number of deliveries into Indiana or have large gross revenues from Indiana benefit extensively from Indiana's market (including the economy generally) and from the infrastructure in Indiana.

(6) In contrast with the expanding harms caused to Indiana from this exemption of gross retail tax collection obligations for remote sellers, the costs of that collection have fallen. Given modern computing and software options, it is neither unusually difficult nor burdensome for remote sellers to collect and remit gross retail taxes associated with sales into Indiana.

(7) The Supreme Court of the United States should reconsider its doctrine that prevents, under certain circumstances, states from requiring remote sellers to collect gross retail tax, and as the findings of this section make clear, this argument has grown stronger, and the cause more urgent, with time.

(8) Given the urgent need for the Supreme Court of the United States to reconsider this doctrine, it is necessary for the general assembly to enact ~~IC 6-2.5-2-1(c),~~ **IC 6-2.5-2-1(d),** clarifying the state's immediate intent to require collection of gross retail taxes by remote sellers.

(9) Expeditious review is necessary and appropriate because, while it may be reasonable notwithstanding this law for remote sellers to continue to refuse to collect the gross retail tax in light of existing federal constitutional doctrine, such a refusal causes imminent harm to Indiana.

(10) It is the intent of the general assembly to apply Indiana's gross retail tax and use tax obligations to the limit of federal and state constitutional doctrines and to specify that Indiana law permits the state to immediately argue in any litigation that such a constitutional doctrine should be changed to permit the obligation to collect state gross retail tax as provided in ~~IC 6-2.5-2-1(c).~~ **IC 6-2.5-2-1(d).**

SECTION 20. IC 6-2.5-10-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 2. The provisions of the adjusted gross income tax law (IC 6-3), which do not conflict with the provisions of this article and which deal with any of the following subjects, apply for the purposes of imposing, collecting, and administering the state gross retail and use taxes under this article:~~

~~(1) Filing of returns.~~

~~(2) Auditing of returns.~~

~~(3) Investigation of tax liability.~~

~~(4) Determination of tax liability.~~

~~(5) Notification of tax liability.~~

~~(6) Assessment of tax liability.~~

~~(7) Collection of tax liability.~~

~~(8) Examination of taxpayer's books and records.~~

~~(9) Legal proceedings.~~

~~(10) Court actions.~~

~~(11) Remedies.~~

~~(12) Privileges.~~

~~(13) Taxpayer and departmental relief.~~

~~(14) Statutes of limitations.~~

~~(15) Hearings.~~

~~(16) Refunds.~~

~~(17) Remittances.~~

~~(18) Imposition of penalties and interest.~~

~~(19) Maintenance of departmental records.~~

~~(20) Confidentiality of taxpayer's returns.~~

~~(21) Duties of the secretary of state and the treasurer of state.~~

~~(22) Administration.~~

SECTION 21. IC 6-3-1-3.5, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 3.5. When used in this article, the term "adjusted gross income" shall mean the following:

(a) In the case of all individuals, "adjusted gross income" (as defined in Section 62 of the Internal Revenue Code), modified as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Except as provided in subsection (c), add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 62 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States.

(3) Subtract one thousand dollars ($1,000), or in the case of a joint return filed by a husband and wife, subtract for

each spouse one thousand dollars ($1,000).

(4) Subtract one thousand dollars ($1,000) for:

(A) each of the exemptions provided by Section 151(c) of the Internal Revenue Code (as effective January 1, 2017);

(B) each additional amount allowable under Section 63(f) of the Internal Revenue Code; and

(C) the spouse of the taxpayer if a separate return is made by the taxpayer and if the spouse, for the calendar year in which the taxable year of the taxpayer begins, has no gross income and is not the dependent of another taxpayer.

(5) Subtract:

(A) one thousand five hundred dollars ($1,500) for each of the exemptions allowed under Section 151(c)(1)(B) of the Internal Revenue Code (as effective January 1, 2004);

(B) one thousand five hundred dollars ($1,500) for each exemption allowed under Section 151(c) of the Internal Revenue Code (as effective January 1, 2017) for an individual:

(i) who is less than nineteen (19) years of age or is a full-time student who is less than twenty-four (24) years of age;

(ii) for whom the taxpayer is the legal guardian; and

(iii) for whom the taxpayer does not claim an exemption under clause (A); and

(C) five hundred dollars ($500) for each additional amount allowable under Section 63(f)(1) of the Internal Revenue Code if the **federal** adjusted gross income of the taxpayer, or the taxpayer and the taxpayer's spouse in the case of a joint return, is less than forty thousand dollars ($40,000). **In the case of a married individual filing a separate return, the qualifying income amount in this clause is equal to twenty thousand dollars ($20,000).**

This amount is in addition to the amount subtracted under subdivision (4).

(6) Subtract any amounts included in federal adjusted gross income under Section 111 of the Internal Revenue Code as a recovery of items previously deducted as an itemized deduction from adjusted gross income.

(7) Subtract any amounts included in federal adjusted gross income under the Internal Revenue Code which amounts were received by the individual as supplemental railroad retirement annuities under 45 U.S.C. 231 and which are not deductible under subdivision (1).

(8) Subtract an amount equal to the amount of federal Social Security and Railroad Retirement benefits included in a taxpayer's federal gross income by Section 86 of the Internal Revenue Code.

(9) In the case of a nonresident taxpayer or a resident taxpayer residing in Indiana for a period of less than the taxpayer's entire taxable year, the total amount of the deductions allowed pursuant to subdivisions (3), (4), and (5) shall be reduced to an amount which bears the same ratio to the total as the taxpayer's income taxable in Indiana bears to the taxpayer's total income.

(10) In the case of an individual who is a recipient of assistance under IC 12-10-6-1, IC 12-10-6-2.1, IC 12-15-2-2, or IC 12-15-7, subtract an amount equal to that portion of the individual's adjusted gross income with respect to which the individual is not allowed under federal law to retain an amount to pay state and local income taxes.

(11) In the case of an eligible individual, subtract the amount of a Holocaust victim's settlement payment included in the individual's federal adjusted gross income.

(12) Subtract an amount equal to the portion of any premiums paid during the taxable year by the taxpayer for a qualified long term care policy (as defined in IC 12-15-39.6-5) for the taxpayer or the taxpayer's spouse ~~or both.~~ **if the taxpayer and the taxpayer's spouse file a joint income tax return or the taxpayer is otherwise entitled to a deduction under this subdivision for the taxpayer's spouse, or both.**

(13) Subtract an amount equal to the lesser of:

(A) two thousand five hundred dollars ($2,500), or **one thousand two hundred fifty dollars ($1,250) in the case of a married individual filing a separate return; or**

(B) the amount of property taxes that are paid during the taxable year in Indiana by the individual on the individual's principal place of residence.

(14) Subtract an amount equal to the amount of a September 11 terrorist attack settlement payment included in the individual's federal adjusted gross income.

(15) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(16) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).

(17) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:

(A) twenty-five thousand dollars ($25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and

(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:

(i) the exchange would have been eligible for

nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;

(ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and

(iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.

The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.

(18) Subtract an amount equal to the amount of the taxpayer's qualified military income that was not excluded from the taxpayer's gross income for federal income tax purposes under Section 112 of the Internal Revenue Code.

(19) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

(B) included in the individual's federal adjusted gross income under the Internal Revenue Code.

(20) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract the amount necessary from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(21) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(22) Subtract an amount as described in Section 1341(a)(2) of the Internal Revenue Code to the extent, if any, that the amount was previously included in the taxpayer's adjusted gross income for a prior taxable year.

(23) For taxable years beginning after December 25, 2016, add an amount equal to the deduction for deferred foreign income that was claimed by the taxpayer for the taxable year under Section 965(c) of the Internal Revenue Code.

(24) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(25) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

(26) Subtract any other amounts the taxpayer is entitled to deduct under IC 6-3-2.

(b) In the case of corporations, the same as "taxable income" (as defined in Section 63 of the Internal Revenue Code) adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 170 of the Internal Revenue Code (concerning charitable contributions).

(3) Except as provided in subsection (c), add an amount equal to any deduction or deductions allowed or allowable pursuant to Section 63 of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state of the United States.

(4) Subtract an amount equal to the amount included in the corporation's taxable income under Section 78 of the Internal Revenue Code (concerning foreign tax credits).

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).

(7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:

(A) twenty-five thousand dollars ($25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and

(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the

Internal Revenue Code on property acquired in an exchange if:

(i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;

(ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and

(iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.

The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.

(8) Add to the extent required by IC 6-3-2-20:

(A) the amount of intangible expenses (as defined in IC 6-3-2-20) for the taxable year that reduced the corporation's taxable income (as defined in Section 63 of the Internal Revenue Code) for federal income tax purposes; and

(B) any directly related interest expenses (as defined in IC 6-3-2-20) that reduced the corporation's adjusted gross income (determined without regard to this subdivision).

For purposes of this ~~subdivision,~~ **clause,** any directly related interest expense that constitutes business interest within the meaning of Section 163(j) of the Internal Revenue Code shall be considered to have reduced the taxpayer's federal taxable income only in the first taxable year in which the deduction otherwise would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(9) Add an amount equal to any deduction for dividends paid (as defined in Section 561 of the Internal Revenue Code) to shareholders of a captive real estate investment trust (as defined in section 34.5 of this chapter).

(10) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

(B) included in the corporation's taxable income under the Internal Revenue Code.

(11) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(12) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(13) For taxable years beginning after December 25, 2016:

(A) for a corporation other than a real estate investment trust, add:

(i) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1; or

(ii) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in determining the taxpayer's taxable income for purposes of the federal income tax, the amount deducted under Section 965(c) of the Internal Revenue Code; and

(B) for a real estate investment trust, add an amount equal to the deduction for deferred foreign income that was claimed by the taxpayer for the taxable year under Section 965(c) of the Internal Revenue Code, but only to the extent that the taxpayer included income pursuant to Section 965 of the Internal Revenue Code in its taxable income for federal income tax purposes or is required to add back dividends paid under subdivision (9).

(14) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed income). The taxpayer shall separately specify the amount of the reduction under Section 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal Revenue Code.

(15) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(16) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

(17) Add or subtract any other amounts the taxpayer is:

(A) required to add or subtract; or

(B) entitled to deduct;

under IC 6-3-2.

(c) The following apply to taxable years beginning after December 31, 2018, for purposes of the add back of any deduction allowed on the taxpayer's federal income tax return for wagering taxes, as provided in subsection (a)(2) if the taxpayer is an individual or subsection (b)(3) if the taxpayer is a corporation:

(1) For taxable years beginning after December 31, 2018, and before January 1, 2020, a taxpayer is required to add back under this section eighty-seven and five-tenths percent (87.5%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(2) For taxable years beginning after December 31, 2019, and before January 1, 2021, a taxpayer is required to add back under this section seventy-five percent (75%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(3) For taxable years beginning after December 31, 2020, and before January 1, 2022, a taxpayer is required to add back under this section sixty-two and five-tenths percent (62.5%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(4) For taxable years beginning after December 31, 2021, and before January 1, 2023, a taxpayer is required to add back under this section fifty percent (50%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(5) For taxable years beginning after December 31, 2022, and before January 1, 2024, a taxpayer is required to add back under this section thirty-seven and five-tenths percent (37.5%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(6) For taxable years beginning after December 31, 2023, and before January 1, 2025, a taxpayer is required to add back under this section twenty-five percent (25%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(7) For taxable years beginning after December 31, 2024, and before January 1, 2026, a taxpayer is required to add back under this section twelve and five-tenths percent (12.5%) of any deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(8) For taxable years beginning after December 31, 2025, a taxpayer is not required to add back under this section any amount of a deduction allowed on the taxpayer's federal income tax return for wagering taxes.

(d) In the case of life insurance companies (as defined in Section 816(a) of the Internal Revenue Code) that are organized under Indiana law, the same as "life insurance company taxable income" (as defined in Section 801 of the Internal Revenue Code), adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal Revenue Code (concerning charitable contributions).

(3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 832(c) of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state.

(4) Subtract an amount equal to the amount included in the company's taxable income under Section 78 of the Internal Revenue Code (concerning foreign tax credits).

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).

(7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:

(A) twenty-five thousand dollars ($25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and

(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:

(i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;

(ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and

(iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.

The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.

(8) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

(B) included in the insurance company's taxable income under the Internal Revenue Code.

(9) Add an amount equal to any income not included in gross income as a result of the deferral of income arising

from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(10) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter N of the Internal Revenue Code.

(11) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(12) For taxable years beginning after December 25, 2016, add:

(A) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1; or

(B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in determining the taxpayer's taxable income for purposes of the federal income tax, the amount deducted under Section 965(c) of the Internal Revenue Code.

(13) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed income). The taxpayer shall separately specify the amount of the reduction under Section 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal Revenue Code.

(14) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(15) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

(16) Add or subtract any other amounts the taxpayer is:

(A) required to add or subtract; or

(B) entitled to deduct;

under IC 6-3-2.

(e) In the case of insurance companies subject to tax under Section 831 of the Internal Revenue Code and organized under Indiana law, the same as "taxable income" (as defined in Section 832 of the Internal Revenue Code), adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Add an amount equal to any deduction allowed or allowable under Section 170 of the Internal Revenue Code (concerning charitable contributions).

(3) Add an amount equal to a deduction allowed or allowable under Section 805 or Section 832(c) of the Internal Revenue Code for taxes based on or measured by income and levied at the state level by any state.

(4) Subtract an amount equal to the amount included in the company's taxable income under Section 78 of the Internal Revenue Code (concerning foreign tax credits).

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(6) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).

(7) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:

(A) twenty-five thousand dollars ($25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and

(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:

(i) the exchange would have been eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;

(ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and

(iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with

regard to the acquired property in the year that the property was placed into service.

The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.

(8) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

(B) included in the insurance company's taxable income under the Internal Revenue Code.

(9) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(10) Add an amount equal to any exempt insurance income under Section 953(e) of the Internal Revenue Code that is active financing income under Subpart F of Subtitle A, Chapter 1, Subchapter N of the Internal Revenue Code.

(11) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(12) For taxable years beginning after December 25, 2016, add:

(A) an amount equal to the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1; or

(B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in determining the taxpayer's taxable income for purposes of the federal income tax, the amount deducted under Section 965(c) of the Internal Revenue Code.

(13) Add an amount equal to the deduction that was claimed by the taxpayer for the taxable year under Section 250(a)(1)(B) of the Internal Revenue Code (attributable to global intangible low-taxed income). The taxpayer shall separately specify the amount of the reduction under Section 250(a)(1)(B)(i) of the Internal Revenue Code and under Section 250(a)(1)(B)(ii) of the Internal Revenue Code.

(14) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(15) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

(16) Add or subtract any other amounts the taxpayer is:

(A) required to add or subtract; or

(B) entitled to deduct;

under IC 6-3-2.

(f) In the case of trusts and estates, "taxable income" (as defined for trusts and estates in Section 641(b) of the Internal Revenue Code) adjusted as follows:

(1) Subtract income that is exempt from taxation under this article by the Constitution and statutes of the United States.

(2) Subtract an amount equal to the amount of a September 11 terrorist attack settlement payment included in the federal adjusted gross income of the estate of a victim of the September 11 terrorist attack or a trust to the extent the trust benefits a victim of the September 11 terrorist attack.

(3) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that owns property for which bonus depreciation was allowed in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election not been made under Section 168(k) of the Internal Revenue Code to apply bonus depreciation to the property in the year that it was placed in service.

(4) Add an amount equal to any deduction allowed under Section 172 of the Internal Revenue Code (concerning net operating losses).

(5) Add or subtract the amount necessary to make the adjusted gross income of any taxpayer that placed Section 179 property (as defined in Section 179 of the Internal Revenue Code) in service in the current taxable year or in an earlier taxable year equal to the amount of adjusted gross income that would have been computed had an election for federal income tax purposes not been made for the year in which the property was placed in service to take deductions under Section 179 of the Internal Revenue Code in a total amount exceeding the sum of:

(A) twenty-five thousand dollars ($25,000) to the extent deductions under Section 179 of the Internal Revenue Code were not elected as provided in clause (B); and

(B) for taxable years beginning after December 31, 2017, the deductions elected under Section 179 of the Internal Revenue Code on property acquired in an exchange if:

(i) the exchange would have been eligible for

nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code in effect on January 1, 2017;

(ii) the exchange is not eligible for nonrecognition of gain or loss under Section 1031 of the Internal Revenue Code; and

(iii) the taxpayer made an election to take deductions under Section 179 of the Internal Revenue Code with regard to the acquired property in the year that the property was placed into service.

The amount of deductions allowable for an item of property under this clause may not exceed the amount of adjusted gross income realized on the property that would have been deferred under the Internal Revenue Code in effect on January 1, 2017.

(6) Subtract income that is:

(A) exempt from taxation under IC 6-3-2-21.7 (certain income derived from patents); and

(B) included in the taxpayer's taxable income under the Internal Revenue Code.

(7) Add an amount equal to any income not included in gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code. Subtract from the adjusted gross income of any taxpayer that added an amount to adjusted gross income in a previous year the amount necessary to offset the amount included in federal gross income as a result of the deferral of income arising from business indebtedness discharged in connection with the reacquisition after December 31, 2008, and before January 1, 2011, of an applicable debt instrument, as provided in Section 108(i) of the Internal Revenue Code.

(8) Add the amount excluded from federal gross income under Section 103 of the Internal Revenue Code for interest received on an obligation of a state other than Indiana, or a political subdivision of such a state, that is acquired by the taxpayer after December 31, 2011.

(9) For taxable years beginning after December 25, 2016, add an amount equal to:

(A) the amount reported by the taxpayer on IRC 965 Transition Tax Statement, line 1;

(B) if the taxpayer deducted an amount under Section 965(c) of the Internal Revenue Code in determining the taxpayer's taxable income for purposes of the federal income tax, the amount deducted under Section 965(c) of the Internal Revenue Code; and

(C) with regard to any amounts of income under Section 965 of the Internal Revenue Code distributed by the taxpayer, the deduction under Section 965(c) of the Internal Revenue Code attributable to such distributed amounts and not reported to the beneficiary.

For purposes of this article, the amount required to be added back under clause (B) is not considered to be distributed or distributable to a beneficiary of the estate or trust for purposes of Sections 651 and 661 of the Internal Revenue Code.

(10) Subtract any interest expense paid or accrued in the current taxable year but not deducted as a result of the limitation imposed under Section 163(j)(1) of the Internal Revenue Code. Add any interest expense paid or accrued in a previous taxable year but allowed as a deduction under Section 163 of the Internal Revenue Code in the current taxable year. For purposes of this subdivision, an interest expense is considered paid or accrued only in the first taxable year the deduction would have been allowable under Section 163 of the Internal Revenue Code if the limitation under Section 163(j)(1) of the Internal Revenue Code did not exist.

(11) Add an amount equal to the deduction for qualified business income that was claimed by the taxpayer for the taxable year under Section 199A of the Internal Revenue Code.

(12) Subtract the amount that would have been excluded from gross income but for the enactment of Section 118(b)(2) of the Internal Revenue Code for taxable years ending after December 22, 2017.

(13) Add or subtract any other amounts the taxpayer is:

(A) required to add or subtract; or

(B) entitled to deduct;

under IC 6-3-2.

(g) Subsections (a)(26), (b)(17), (d)(16), (e)(16), or (f)(13) may not be construed to require an add back or allow a deduction or exemption more than once for a particular add back, deduction, or exemption.

(h) For taxable years beginning after December 25, 2016, if:

(1) a taxpayer is a shareholder, either directly or indirectly, in a corporation that is an E&P deficit foreign corporation as defined in Section 965(b)(3)(B) of the Internal Revenue Code, and the earnings and profit deficit, or a portion of the earnings and profit deficit, of the E&P deficit foreign corporation is permitted to reduce the federal adjusted gross income or federal taxable income of the taxpayer, the deficit, or the portion of the deficit, shall also reduce the amount taxable under this section to the extent permitted under the Internal Revenue Code, however, in no case shall this permit a reduction in the amount taxable under Section 965 of the Internal Revenue Code for purposes of this section to be less than zero (0); and

(2) the Internal Revenue Service issues guidance that such an income or deduction is not reported directly on a federal tax return or is to be reported in a manner different than specified in this section, this section shall be construed as if federal adjusted gross income or federal taxable income included the income or deduction.

SECTION 22. IC 6-3-1-11, AS AMENDED BY P.L.234-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 11. (a) The term "Internal Revenue Code" means the Internal Revenue Code of 1986 of the United States as amended and in effect on January 1, ~~2019.~~ **2020.**

(b) Whenever the Internal Revenue Code is mentioned in this

article, the particular provisions that are referred to, together with all the other provisions of the Internal Revenue Code in effect on January 1, ~~2019,~~ **2020,** that pertain to the provisions specifically mentioned, shall be regarded as incorporated in this article by reference and have the same force and effect as though fully set forth in this article. To the extent the provisions apply to this article, regulations adopted under Section 7805(a) of the Internal Revenue Code and in effect on January 1, ~~2019,~~ **2020,** shall be regarded as rules adopted by the department under this article, unless the department adopts specific rules that supersede the regulation.

(c) An amendment to the Internal Revenue Code made by an act passed by Congress before January 1, ~~2019,~~ **2020,** other than the federal 21st Century Cures Act (P.L. 114-255) and the federal Disaster Tax Relief and Airport and Airway Extension Act of 2017 (P.L. 115-63), that is effective for any taxable year that began before January 1, ~~2019,~~ **2020,** and that affects:

(1) individual adjusted gross income (as defined in Section 62 of the Internal Revenue Code);

(2) corporate taxable income (as defined in Section 63 of the Internal Revenue Code);

(3) trust and estate taxable income (as defined in Section 641(b) of the Internal Revenue Code);

(4) life insurance company taxable income (as defined in Section 801(b) of the Internal Revenue Code);

(5) mutual insurance company taxable income (as defined in Section 821(b) of the Internal Revenue Code); or

(6) taxable income (as defined in Section 832 of the Internal Revenue Code);

is also effective for that same taxable year for purposes of determining adjusted gross income under section 3.5 of this chapter.

(d) This subsection applies to a taxable year ending before January 1, 2013. The following provisions of the Internal Revenue Code that were amended by the Tax Relief Act, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312) are treated as though they were not amended by the Tax Relief Act, Unemployment Insurance Reauthorization, and Job Creation Act of 2010 (P.L. 111-312):

(1) Section 1367(a)(2) of the Internal Revenue Code pertaining to an adjustment of basis of the stock of shareholders.

(2) Section 871(k)(1)(C) and 871(k)(2)(C) of the Internal Revenue Code pertaining the treatment of certain dividends of regulated investment companies.

(3) Section 897(h)(4)(A)(ii) of the Internal Revenue Code pertaining to regulated investment companies qualified entity treatment.

(4) Section 512(b)(13)(E)(iv) of the Internal Revenue Code pertaining to the modification of tax treatment of certain payments to controlling exempt organizations.

(5) Section 613A(c)(6)(H)(ii) of the Internal Revenue Code pertaining to the limitations on percentage depletion in the case of oil and gas wells.

(6) Section 451(i)(3) of the Internal Revenue Code pertaining to special rule for sales or dispositions to implement Federal Energy Regulatory Commission or state electric restructuring policy for qualified electric utilities.

(7) Section 954(c)(6) of the Internal Revenue Code pertaining to the look-through treatment of payments between related controlled foreign corporation under foreign personal holding company rules.

The department shall develop forms and adopt any necessary rules under IC 4-22-2 to implement this subsection.

SECTION 23. IC 6-3-2-6, AS AMENDED BY P.L.146-2008, SECTION 318, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 6. (a) Each taxable year, an individual who rents a dwelling for use as the individual's principal place of residence may deduct from the individual's adjusted gross income (as defined in IC 6-3-1-3.5(a)), the lesser of:

(1) the amount of rent paid by the individual with respect to the dwelling during the taxable year; or

(2) three thousand dollars ($3,000).

(b) Notwithstanding subsection (a):

(1) ~~a husband and wife~~ **a married couple** filing a joint ~~adjusted gross income tax~~ return for a particular taxable year may not claim a deduction under this section of more than three thousand dollars ($3,000); **and**

(2) a married individual filing a separate return for a particular taxable year may not claim a deduction under this section of more than one thousand five hundred dollars ($1,500).

(c) The deduction provided by this section does not apply to an individual who rents a dwelling that is exempt from Indiana property tax.

(d) For purposes of this section, a "dwelling" includes a single family dwelling and unit of a multi-family dwelling.

SECTION 24. IC 6-3-2-9, AS AMENDED BY P.L.99-2007, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 9. (a) An individual who:

(1) retired on disability before the end of the taxable year; and

(2) had a permanent and total disability, as determined under subsection (c), at the time of retirement;

is entitled to a deduction from the individual's adjusted gross income for that taxable year in the amount determined under subsection (b).

(b) The deduction provided by subsection (a) is the amount determined using the following STEPS:

STEP ONE: Determine the amount received by the individual during the taxable year through an accident and health plan for personal injuries or sickness to the extent that:

(A) these amounts are attributable to contributions by the individual's employer that were not includable in the individual's gross income or are paid by the employer; and

(B) these amounts constitute wages or payments in lieu of wages for a period during which the employee is absent from work because of permanent and total disability.

STEP TWO: Determine for each week of the taxable year

the amount by which each weekly payment referred to in STEP ONE exceeds one hundred dollars ($100), then add these amounts.

STEP THREE: Determine the amount by which the individual's federal adjusted gross income for the taxable year, as defined by Section 62 of the Internal Revenue Code, exceeds fifteen thousand dollars ($15,000), **or seven thousand five hundred dollars ($7,500) in the case of a married individual filing a separate return.**

STEP FOUR: Subtract from the amount determined in STEP ONE the amount determined in STEP TWO and the amount determined in STEP THREE.

(c) For purposes of this section, an individual has a permanent and total disability if the individual is unable to engage in any substantial gainful activity by reason of any medically determinable physical or mental impairment that can be expected to result in death or that has lasted or can be expected to last for a continuous period of not less than twelve (12) months. An individual may not be considered to have a permanent and total disability unless the individual furnishes proof of the existence of the disability as the department of revenue may require.

SECTION 25. IC 6-3-3-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. **(a) Subject to subsection (b),** the amount deducted and withheld as tax under ~~IC 6-3-4-8, IC 6-3-4-12, and IC 6-3-4-13~~ **IC 6-3-4 or IC 6-5.5-2-8** during any taxable year shall be allowed as a credit to the taxpayer against the tax imposed on ~~him~~ **the taxpayer** by IC 6-3-2.

(b) For each taxable year, the credit provided to a taxpayer by subsection (a) is reduced to the extent that the amount deducted and withheld as tax under IC 6-3-4 or IC 6-5.5-2-8 during the taxable year is applied as a credit against the tax imposed by IC 6-5.5.

SECTION 26. IC 6-3-4-13.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2020]: **Sec. 13.5. (a) The following definitions apply throughout this section:**

(1) "Initial recipient" means a person or entity to whom prize money is paid by a payor.

(2) "Payor" means a promoter, sanctioning body, or designee of the promoter or sanctioning body that first pays prize money to a race team or any other person or entity. The term does not include a subsequent person or entity who pays or distributes any part of the prize money.

(3) "Prize money" with respect to a racing event at a qualified motorsports facility means any purse or other amounts earned for placement or participation in a race or part of a race, including qualification. The term does not include amounts earned based on placement or participation in more than one (1) race unless the races are conducted at a qualified motorsports facility.

(4) "Qualified motorsports facility" has the meaning set forth in IC 5-1-17.5-14.

(5) "Race team" has the meaning set forth in IC 6-3-2-3.2(a).

(6) "Ultimate recipient" means the person or entity to whom any tax withheld under this section is to be credited for purposes of this article or IC 6-5.5. The term may apply to an initial recipient.

(b) Whenever a payor pays prize money to an initial recipient, the payor shall deduct and retain from the prize money the applicable amount prescribed in the withholding instructions described in section 8 of this chapter. The following provisions apply to a payor and the money required to be deducted and retained by the payor under this section:

(1) Money deducted and retained by a payor under this section immediately becomes the money of the state and every payor who deducts and retains money under this section holds the money in trust for the state.

(2) The provisions of IC 6-8.1 relating to additions to tax in case of delinquency and penalties apply to a payor under this section. For these purposes, the payor shall be considered the taxpayer and any amount required to be remitted to the department under this section shall be considered to be the tax of the payor.

(3) The payor is liable to the state for the payment of the tax required to be deducted and retained under this section. The payor is not liable to any initial recipient or ultimate recipient for the amount deducted from the payment of prize money and paid to the department in compliance, or intended compliance, with this section.

(c) A payor shall remit to the department the amount required to be deducted and retained under subsection (b) not later than thirty (30) days after the end of the month in which the prize money is paid. At the time of the remittance, the payor shall provide to the department a list of all initial recipients and the amount withheld on behalf of each initial recipient on forms prescribed by the department.

(d) Not later than thirty (30) days after the end of the calendar year for which tax is withheld under this section, an initial recipient shall provide a statement to each ultimate recipient and to the department listing the amounts withheld under subsection (b) on behalf of the ultimate recipients. The statement must be made in the manner prescribed by the department. A statement from the initial recipient to the ultimate recipient is evidence of tax withheld by the payor in favor of the ultimate recipient unless the statement from the initial recipient is determined to be erroneous or fraudulent.

(e) This section does not impose a duty to withhold amounts from prize money on an entity other than a payor. However, an initial recipient or ultimate recipient may otherwise have a duty to withhold amounts from prize money under sections 8, 12, 13, or 15 of this chapter.

SECTION 27. IC 6-3-4-16.7, AS ADDED BY P.L.234-2019, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16.7. (a) For taxable years ending after December 31, 2019, a partnership that is required to provide twenty-five (25) or more ~~reports~~ **schedules K-1 of form IT-65** to partners ~~under section 12(b) of this chapter~~ or a corporation that is required to provide twenty-five (25) or more ~~reports~~ **schedules K-1 of form IT-20S** to shareholders ~~under section 13(b) of this chapter~~ must file all such ~~reports~~ **schedules** in an electronic format specified by the department.

(b) For taxable years ending after December 31, 2021, an

estate or trust required to provide ten (10) or more ~~reports~~ **schedules K-1 of form IT-41** to beneficiaries ~~under section 15(b) of this chapter~~ must file all such reports in an electronic format specified by the department.

(c) If the department receives a form IT-65, form IT-20S, or form IT-41 with more than fifty (50) schedules K-1 in a format other than the electronic format specified by the department, the department may provide written notification to the partnership, estate, or trust that the department will consider the schedules to not be filed until the schedules have been filed in the specified electronic format.

SECTION 28. IC 6-3.1-16.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2016 (RETROACTIVE)]:

Chapter 16.1. Historic Rehabilitation Tax Credit

Sec. 1. (a) For purposes of this section, "department" refers to:

(1) the department of natural resources; or

(2) the office of community and rural affairs.

(b) This section applies notwithstanding:

(1) the cap of zero dollars ($0) on the amount of historic rehabilitation tax credits allowed in a state fiscal year beginning after June 30, 2016, as set forth in IC 6-3.1-16-14 (before its expiration); and

(2) the expiration of the historic rehabilitation tax credit chapter (IC 6-3.1-16) on January 1, 2019.

(c) If a taxpayer was granted a historic rehabilitation tax credit by the department before January 1, 2016, for a qualified expenditure made before June 30, 2016, under IC 6-3.1-16 (before its expiration) for use in a taxable year other than the year in which the preservation or rehabilitation of the historic property was performed and the certification of the credit was provided by the department, the credit described in this subsection may nevertheless be claimed in the subsequent year for which the credit was granted by the department and may be carried forward as set forth in this section.

(d) If the credit provided by this section exceeds a taxpayer's state tax liability for the taxable year for which the credit is first claimed, the excess may be carried over to succeeding taxable years and used as a credit against the tax otherwise due and payable by the taxpayer under IC 6-3 during those taxable years. Each time that the credit is carried over to a succeeding taxable year, the credit is to be reduced by the amount that was used as a credit during the immediately preceding taxable year. The credit provided by this chapter may be carried forward and applied to succeeding taxable years for fifteen (15) taxable years following the taxable year in which the taxpayer is first entitled to claim the credit under this chapter.

(e) A credit earned by a taxpayer in a particular taxable year shall be applied against the taxpayer's tax liability for that taxable year before any credit carryover is applied against that liability under subsection (d).

(f) A taxpayer is not entitled to any carryback or refund of any unused credit.

(g) All of the provisions under IC 6-3.1-16 (before its expiration) shall be considered to be in effect for credits claimed under this chapter, except to the extent expressly inconsistent with this chapter.

SECTION 29. IC 6-3.1-20-4, AS AMENDED BY P.L.250-2015, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 4. (a) Except as provided in ~~subsection~~ **subsections** (b) **and (c),** an individual is entitled to a credit under this chapter if:

(1) the individual's Indiana income for the taxable year is less than eighteen thousand six hundred dollars ($18,600); and

(2) the individual pays property taxes in the taxable year on a homestead that:

(A) the individual:

(i) owns; or

(ii) is buying under a contract that requires the individual to pay property taxes on the homestead, if the contract or a memorandum of the contract is recorded in the county recorder's office; and

(B) is located in a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000).

(b) An individual is not entitled to a credit under this chapter for a taxable year for property taxes paid on the individual's homestead if the individual claims the deduction under IC 6-3-1-3.5(a)(13) for the homestead for that same taxable year.

(c) In the case of a married individual filing a separate return, the income amount in subsection (a) shall be fifty percent (50%) of the amount listed in that subsection.

SECTION 30. IC 6-3.1-20-5, AS AMENDED BY P.L.166-2014, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 5. (a) Each year, an individual described in section 4 of this chapter is entitled to a refundable credit against the individual's state income tax liability in the amount determined under this section.

(b) In the case of an individual with Indiana income of less than eighteen thousand dollars ($18,000) for the taxable year, the amount of the credit is equal to the lesser of:

(1) three hundred dollars ($300); or

(2) the amount of property taxes described in section 4(a)(2) of this chapter paid by the individual in the taxable year.

(c) In the case of an individual with Indiana income that is at least eighteen thousand dollars ($18,000) but less than eighteen thousand six hundred dollars ($18,600) for the taxable year, the amount of the credit is equal to the lesser of the following:

(1) An amount determined under the following STEPS:

STEP ONE: Determine the result of:

(i) eighteen thousand six hundred dollars ($18,600); minus

(ii) the individual's Indiana income for the taxable year.

STEP TWO: Determine the result of:

(i) the STEP ONE amount; multiplied by

(ii) five-tenths (0.5).

(2) The amount of property taxes described in section 4(a)(2) of this chapter paid by the individual in the taxable year.

(d) If the amount of the credit under this chapter exceeds the individual's state tax liability for the taxable year, the excess shall be refunded to the taxpayer.

(e) In the case of a married individual filing a separate return, the income and dollar amounts in subsections (b) and (c) shall be fifty percent (50%) of the amounts listed in those subsections.

SECTION 31. IC 6-5.5-1-21 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 21. (a) "Loans arising in factoring" means:**

(1) a loan or extension of credit secured by one (1) or more accounts receivable; or

(2) a sale of one (1) or more accounts receivable in which the purchaser has recourse against the seller for an uncollected accounts receivable.

(b) The term does not refer to:

(1) a sale of one (1) or more accounts receivable without recourse; or

(2) an assignment of an account receivable.

SECTION 32. IC 6-6-1.1-606.5, AS AMENDED BY P.L.234-2019, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 606.5. (a) Every person included within the terms of section 606(a) and 606(c) of this chapter shall register with the administrator before engaging in those activities. The administrator shall issue a transportation license to a person who registers with the administrator under this section.

(b) Every person included within the terms of section 606(a) of this chapter who transports gasoline in a vehicle on the highways in Indiana for purposes other than use and consumption by that person may not make a delivery of that gasoline to any person in Indiana other than a licensed distributor except:

(1) when the tax imposed by this chapter on the receipt of the transported gasoline was charged and collected by the parties; and

(2) under the circumstances described in section 205 of this chapter.

(c) Every person included within the terms of section 606(c) of this chapter who transports gasoline in a vehicle upon the highways of Indiana for purposes other than use and consumption by that person may not, on the journey carrying that gasoline to points outside Indiana, make delivery of that fuel to any person in Indiana.

~~(d) Every transporter of gasoline included within the terms of section 606(a) and 606(c) of this chapter who transports gasoline upon the highways of Indiana for purposes other than use and consumption by that person shall at the time of registration and on an annual basis list with the administrator a description of all vehicles, including the vehicles' license numbers, to be used on the highways of Indiana in transporting gasoline from:~~

~~(1) points outside Indiana to points inside Indiana; and~~

~~(2) points inside Indiana to points outside Indiana.~~

~~(e) The description that subsection (d) requires shall contain the information that is reasonably required by the administrator including the carrying capacity of the vehicle. When the vehicle is a tractor-trailer type, the trailer is the vehicle to be described. When additional vehicles are placed in service or when a vehicle previously listed is retired from service during the year, the administrator shall be notified within ten (10) days of the change so that the listing of the vehicles may be kept accurate.~~

~~(f)~~ **(d)** A distributor's or an Indiana transportation license is required for a person or the person's agent acting in the person's behalf to operate a vehicle for the purpose of delivering gasoline within the boundaries of Indiana when the vehicle has a total tank capacity of at least eight hundred fifty (850) gallons.

~~(g)~~ **(e)** The operator of a vehicle to which this section applies shall at all times when engaged in the transporting of gasoline on the highways have with the vehicle an invoice or manifest showing the origin, quantity, nature, and destination of the gasoline that is being transported.

~~(h)~~ **(f)** The department shall provide for relief if a shipment of gasoline is legitimately diverted from the represented destination state after the shipping paper has been issued by a terminal operator or if a terminal operator failed to cause proper information to be printed on the shipping paper. Provisions for relief under this subsection:

(1) must require that the shipper or its agent obtain a diversion number within twenty-four (24) hours of the diversion and report the number on the shipper's or agent's monthly return to the department; and

(2) must be consistent with the refund provisions of this chapter.

SECTION 33. IC 6-6-2.5-42 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 42. (a) Each application for a license under section 41 of this chapter shall be made upon a form prepared and furnished by the department. It shall be subscribed to by the applicant and shall contain the information as the department may reasonably require for the administration of this chapter, including the applicant's federal identification number and, with respect to the applicant for an exporter's license, a copy of the applicant's license to purchase or handle special fuel tax free in the specified destination state or states for which the export license is to be issued.

(b) The department shall investigate each applicant for a license under this section. No license shall be issued if the department determines that any one (1) of the following exists:

(1) The application is not filed in good faith.

(2) The applicant is not the real party in interest.

(3) The license of the real party in interest has been revoked for cause.

(4) Other reasonable cause for non-issuance exists.

~~(c) Applicants, including corporate officers, partners, and individuals, for a license issued by the commissioner may be required to submit their fingerprints to the commissioner at the time of applying. Officers of publicly held corporations and their subsidiaries shall be exempt from this fingerprinting provision. Fingerprints required by this section must be submitted on forms prescribed by the commissioner. The commissioner may forward to the Federal Bureau of Investigation or any other agency for processing all fingerprints submitted by license applicants. The receiving agency shall issue its findings to the commissioner. The license application fee shall be used to pay the costs of the investigation. The commissioner may maintain a file of fingerprints.~~

SECTION 34. IC 6-6-2.5-43 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 43. (a) Each licensed transporter shall at the time of licensing and on an annual basis, list with the commissioner a description of all vehicles, including license numbers, to be used on the highways of Indiana in transporting special fuel from points outside Indiana to points inside Indiana and from points inside Indiana to points outside Indiana.~~

~~(b) The description required in subsection (a) must comply with what is reasonably required by the commissioner, including the carrying capacity of the vehicle. If the vehicle is a tractor-trailer type vehicle, the trailer is the vehicle that must be described. When additional vehicles are placed in service or when a vehicle previously listed is retired from service during the year, the commissioner shall be notified not more than ten (10) days after the change so that the listing of the vehicles may be kept accurate.~~

SECTION 35. IC 6-6-4.1-21 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 21. A carrier subject to the taxes imposed under section 4 of this chapter, section 4.3 of this chapter (before its repeal), and section 4.5 of this chapter (before its repeal) who fails to file a quarterly report as required by section 10 of this chapter shall pay a civil penalty of three hundred dollars ($300) for each report that is not filed.~~

SECTION 36. IC 6-8.1-3-7.1, AS AMENDED BY P.L.108-2019, SECTION 133, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7.1. (a) **As used in this section,** "fiscal officer" ~~has the meaning set forth~~ **means:**

(1) a fiscal officer (as defined in IC 36-1-2-7); **and**

(2) in the case of a county, the county treasurer.

(b) The department shall enter into an agreement with the fiscal officer of an entity that has adopted an innkeeper's tax, a food and beverage tax, or an admissions tax under IC 6-9 to furnish the fiscal officer annually with:

(1) the name of each business collecting the taxes listed in this subsection; and

(2) the amount of money collected from each business.

For an innkeeper's tax or food and beverage tax remitted through a marketplace facilitator, the information must include the name of each business and the amount of money collected from each business by a marketplace facilitator acting on behalf of the business.

(c) The agreement must provide that the department must provide the information in an electronic format that the fiscal officer can use. ~~as well as a paper copy.~~

(d) The agreement must include a provision that, unless in accordance with a judicial order, the fiscal officer, employees of the fiscal officer, former employees of the fiscal officer, counsel of the fiscal officer, agents of the fiscal officer, or any other person may not divulge the names of the businesses, the amount of taxes paid by the businesses, or any other information disclosed to the fiscal officer by the department.

(e) The department shall also enter into an agreement with the fiscal officer of a capital improvement board of managers:

(1) created under IC 36-10-8 or IC 36-10-9; and

(2) that is responsible for expenditure of funds from:

(A) an innkeeper's tax, a food and beverage tax, or an admissions tax under IC 6-9;

(B) the supplemental auto rental excise tax under IC 6-6-9.7; or

(C) the state gross retail taxes allocated to a professional sports development area fund, a sports and convention facilities operating fund, or other fund under IC 36-7-31 or IC 36-7-31.3;

to furnish the fiscal officer annually with the name of each business collecting the taxes listed in this subsection, and the amount of money collected from each business. An agreement with a fiscal officer under this subsection must include a nondisclosure provision the same as is required for a fiscal officer under subsection (d).

SECTION 37. IC 6-8.1-3-8 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. **(a)** The department may prescribe qualifications a person must have to represent a taxpayer before the department. However, a person may not represent a taxpayer before the department, unless:

(1) the taxpayer is present at all times when the representation occurs; or

(2) the person representing the taxpayer has a properly executed power of attorney authorizing ~~him~~ **the person** to represent the taxpayer.

(b) Notwithstanding any other law, the department may require a power of attorney relating to a listed tax to be completed on a form prescribed by the department.

(c) The department may accept a power of attorney that names an entity as a representative of a taxpayer, subject to rules adopted under IC 4-22-2, including emergency rules adopted in the manner provided in IC 4-22-2-37.1. Notwithstanding this article or IC 30-5, the department may adopt rules under IC 4-22-2, including emergency rules adopted in manner provided in IC 4-22-2-37.1, allowing a change of individuals acting on behalf of the entity without requiring a new or amended power of attorney to be completed by the taxpayer.

SECTION 38. IC 6-8.1-3-17, AS AMENDED BY P.L.214-2018(ss), SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. (a) Before an original tax appeal is filed with the tax court under IC 33-26, the commissioner, **or the taxpayer rights advocate office to the extent granted the authority by the commissioner,** may settle any tax liability dispute if a substantial doubt exists as to:

(1) the constitutionality of the tax under the Constitution of the State of Indiana;

(2) the right to impose the tax;

(3) the correct amount of tax due;

(4) the collectability of the tax; or

(5) whether the taxpayer is a resident or nonresident of Indiana.

(b) After an original tax appeal is filed with the tax court under IC 33-26, and notwithstanding IC 4-6-2-11, the commissioner may settle a tax liability dispute with an amount in contention of twenty-five thousand dollars ($25,000) or less. Notwithstanding IC 6-8.1-7-1(a), the terms of a settlement under this subsection are available for public inspection.

(c) The department shall establish an amnesty program for taxpayers having an unpaid tax liability for a listed tax that was due and payable for a tax period ending before January 1, 2013.

A taxpayer is not eligible for the amnesty program:

(1) for any tax liability resulting from the taxpayer's failure to comply with IC 6-3-1-3.5(b)(3) with regard to the tax imposed by IC 4-33-13 or IC 4-35-8; or

(2) if the taxpayer participated in any previous amnesty program under:

(A) this section (as in effect on December 31, 2014); or

(B) IC 6-2.5-14.

The time in which a voluntary payment of tax liability may be made (or the taxpayer may enter into a payment program acceptable to the department for the payment of the unpaid listed taxes in full in the manner and time established in a written payment program agreement between the department and the taxpayer) under the amnesty program is limited to the period determined by the department, not to exceed eight (8) regular business weeks ending before the earlier of the date set by the department or January 1, 2017. The amnesty program must provide that, upon payment by a taxpayer to the department of all listed taxes due from the taxpayer for a tax period (or payment of the unpaid listed taxes in full in the manner and time established in a written payment program agreement between the department and the taxpayer), entry into an agreement that the taxpayer is not eligible for any other amnesty program that may be established and waives any part of interest and penalties on the same type of listed tax that is being granted amnesty in the current amnesty program, and compliance with all other amnesty conditions adopted under a rule of the department in effect on the date the voluntary payment is made, the department:

(1) shall abate and not seek to collect any interest, penalties, collection fees, or costs that would otherwise be applicable;

(2) shall release any liens imposed;

(3) shall not seek civil or criminal prosecution against any individual or entity; and

(4) shall not issue, or, if issued, shall withdraw, an assessment, a demand notice, or a warrant for payment under IC 6-8.1-5-1, IC 6-8.1-5-3, IC 6-8.1-8-2, or another law against any individual or entity;

for listed taxes due from the taxpayer for the tax period for which amnesty has been granted to the taxpayer. Amnesty granted under this subsection is binding on the state and its agents. However, failure to pay to the department all listed taxes due for a tax period invalidates any amnesty granted under this subsection for that tax period. The department shall conduct an assessment of the impact of the tax amnesty program on tax collections and an analysis of the costs of administering the tax amnesty program. As soon as practicable after the end of the tax amnesty period, the department shall submit a copy of the assessment and analysis to the legislative council in an electronic format under IC 5-14-6. The department shall enforce an agreement with a taxpayer that prohibits the taxpayer from receiving amnesty in another amnesty program.

(d) For purposes of subsection (c), a liability for a listed tax is due and payable if:

(1) the department has issued:

(A) an assessment of the listed tax under IC 6-8.1-5-1;

(B) a demand for payment under IC 6-8.1-5-3; or

(C) a demand notice for payment of the listed tax under IC 6-8.1-8-2;

(2) the taxpayer has filed a return or an amended return in which the taxpayer has reported a liability for the listed tax; or

(3) the taxpayer has filed a written statement of liability for the listed tax in a form that is satisfactory to the department.

(e) The department may waive interest and penalties if the general assembly enacts a change in a listed tax for a tax period that increases a taxpayer's tax liability for that listed tax after the due date for that listed tax and tax period. However, such a waiver shall apply only to the extent of the increase in tax liability and only for a period not exceeding sixty (60) days after the change is enacted. The department may adopt rules, including emergency rules, or issue guidelines to carry out this subsection.

SECTION 39. IC 6-8.1-3-27 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 27. (a) The appropriate county officer, as designated by the county executive, in each county shall, before September 1, 2021, and before September 1 of every year thereafter, submit parcel level data, in a standard developed by the state GIS officer pursuant to IC 4-23-7.3-14, to the state GIS officer. This data may be used by the department's tax systems to identify each taxing unit within which each taxpayer's residence is located.**

(b) Beginning January 1, 2022, the department shall integrate the geographic information system data developed and updated by the state GIS officer.

(c) Before July 1, 2022, and before every July 1 thereafter, the department, consulting with the state GIS officer, shall submit a report to the general assembly in an electronic format under IC 5-14-6 concerning the implementation and use of geographic information systems under this section.

SECTION 40. IC 6-8.1-4-4, AS AMENDED BY P.L.257-2017, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The department shall establish a registration center to service ~~owners of~~ **motor carriers or entities that otherwise own or operate** commercial motor vehicles.

(b) The registration center is under the supervision of the department through the motor carrier services division.

(c) **A motor carrier or an entity that is otherwise** an owner or operator of a commercial motor vehicle may apply to the registration center for the following:

(1) Vehicle registration (IC 9-18.1).

(2) Motor carrier fuel tax annual permit.

(3) Proportional use credit certificate (IC 6-6-4.1-4.7).

(4) Certificate of operating authority.

(5) Oversize vehicle permit (IC 9-20-3).

(6) Overweight vehicle permit (IC 9-20-4).

(7) Payment of the commercial vehicle excise tax imposed under IC 6-6-5.5.

(d) The commissioner may deny an application described in subsection (c) if the applicant fails to do any of the following with respect to a listed tax:

(1) File all tax returns or information reports.

(2) Pay all taxes, penalties, and interest.

(e) The commissioner may:

(1) deny an application for an oversize vehicle permit, an overweight vehicle permit, or a single oversize-overweight permit; or

(2) suspend any permit issued to a person;

if the applicant or permit holder is delinquent in paying escort fees to the state police department.

(f) The commissioner may suspend or revoke any registration, permit, certificate, or authority if the person to whom the registration, permit, certificate, or authority is issued fails to do any of the following with respect to a listed tax:

(1) File all tax returns or information reports.

(2) Pay all taxes, penalties, and interest.

(g) Funding for the development and operation of the registration center shall be taken from the motor carrier regulation fund (IC 8-2.1-23-1).

(h) The department shall recommend to the general assembly other functions that the registration center may perform.

SECTION 41. IC 6-8.1-5-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.5. (a) This section applies to:**

(1) department audits, investigations, or reviews; and

(2) amended returns filed by a taxpayer;

that result in an adjustment to a net operating loss, capital loss, credit, or other tax attribute that does not result in an assessment or refund denial for any taxable year at the time of the adjustment.

(b) A taxpayer may request a secondary review of any adjustments made by the department or by the taxpayer within sixty (60) days from the date of notice of the adjustments based on:

(1) the department's audit, investigation, or review; or

(2) the amended return filed by the taxpayer;

whichever is applicable.

(c) If a taxpayer requests a secondary review under this section, the department shall review the taxpayer's request and may, upon the request of the taxpayer, conduct a conference regarding the adjustment.

(d) Upon completion of the department's secondary review, the department shall either:

(1) determine that the previous adjustments were correct; or

(2) issue revised adjustments of relevant tax attributes.

(e) A taxpayer and the department may enter into a binding agreement to resolve, in whole or in part, any issues relating to one (1) or more adjustments.

(f) Except as provided in subsection (e), for purposes of:

(1) IC 6-8.1-5-1;

(2) IC 6-8.1-9-1; or

(3) an appeal related to subdivision (1) or (2);

an adjustment described in subsection (a) or the result of the department's secondary review under subsection (d) does not constitute a final determination and may not be construed to treat any adjustment as finally determined.

SECTION 42. IC 6-8.1-5-2, AS AMENDED BY P.L.256-2017, SECTION 86, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2020]: Sec. 2. (a) Except as otherwise provided in this section **and section 2.5 of this chapter,** the department may not issue a proposed assessment under section 1 of this chapter more than three (3) years after the latest of the date the return is filed, or ~~either of~~ the following:

(1) The due date of the return.

(2) In the case of a return filed for the state gross retail or use tax, **the gasoline use tax,** the gasoline tax **(including the inventory tax),** the special fuel tax **(including the inventory tax),** the motor carrier fuel tax **(including the inventory tax),** the oil inspection fee, **the cigarette tax, the tobacco products tax, any county innkeeper's taxes imposed under IC 6-9, any food and beverage taxes imposed under IC 6-9, any county or local admissions taxes imposed under IC 6-9,** or the petroleum severance tax, the end of the calendar year which contains the taxable period for which the return is filed.

(3) In the case of the use tax, three (3) years from the end of the calendar year in which the first taxable use, other than an incidental nonexempt use, of the property occurred.

(b) If a person files a return for the utility receipts tax (IC 6-2.3), adjusted gross income tax (IC 6-3), supplemental net income tax

(IC 6-3-8) (repealed), county adjusted gross income tax (IC 6-3.5-1.1) (repealed), county option income tax (IC 6-3.5-6) (repealed), local income tax (IC 6-3.6), or financial institutions tax (IC 6-5.5) that understates the person's income, as that term is defined in the particular income tax law, by at least twenty-five percent (25%), the proposed assessment limitation is six (6) years instead of the three (3) years provided in subsection (a).

(c) In the case of the vehicle excise tax (IC 6-6-5), the tax shall be assessed as provided in IC 6-6-5 and shall include the penalties and interest due on all listed taxes not paid by the due date. A person that fails to properly register a vehicle as required by IC 9-18 (before its expiration) or IC 9-18.1 and pay the tax due under IC 6-6-5 is considered to have failed to file a return for purposes of this article.

(d) In the case of the commercial vehicle excise tax imposed under IC 6-6-5.5, the tax shall be assessed as provided in IC 6-6-5.5 and shall include the penalties and interest due on all listed taxes not paid by the due date. A person that fails to properly register a commercial vehicle as required by IC 9-18 (before its expiration) or IC 9-18.1 and pay the tax due under IC 6-6-5.5 is considered to have failed to file a return for purposes of this article.

(e) In the case of the excise tax imposed on recreational vehicles and truck campers under IC 6-6-5.1, the tax shall be assessed as provided in IC 6-6-5.1 and must include the penalties and interest due on all listed taxes not paid by the due date. A person that fails to properly register a recreational vehicle as required by IC 9-18 (before its expiration) or IC 9-18.1 and pay the tax due under IC 6-6-5.1 is considered to have failed to file a return for purposes of this article. A person that fails to pay the tax due under IC 6-6-5.1 on a truck camper is considered to have failed to file a return for purposes of this article.

(f) If a person files a fraudulent, unsigned, or substantially

blank return, or if a person does not file a return, there is no time limit within which the department must issue its proposed assessment.

(g) If any part of a listed tax has been erroneously refunded by the department, the erroneous refund may be recovered through the assessment procedures established in this chapter. An assessment issued for an erroneous refund must be issued **within the later of:**

(1) the period for which an assessment could otherwise be issued under this section; or

(2) whichever is applicable:

~~(1)~~ **(A)** within two (2) years after making the refund; or

~~(2)~~ **(B)** within five (5) years after making the refund if the refund was induced by fraud or misrepresentation.

(h) If, before the end of the time within which the department may make an assessment, the department and the person agree to extend that assessment period, the period may be extended according to the terms of a written agreement signed by both the department and the person. The agreement must contain:

(1) the date to which the extension is made; and

(2) a statement that the person agrees to preserve the person's records until the extension terminates.

The department and a person may agree to more than one (1) extension under this subsection.

(i) **Except as otherwise provided in subsection (j),** if a taxpayer's federal taxable income, federal adjusted gross income, or federal income tax liability for a taxable year is modified due to a modification as provided under IC 6-3-4-6(c) and IC 6-3-4-6(d) (for the adjusted gross income tax), or a modification or alteration as provided under IC 6-5.5-6-6(c) and IC 6-5.5-6-6(e) (for the financial institutions tax), then the date by which the department must issue a proposed assessment under section 1 of this chapter for tax imposed under IC 6-3 is extended to six (6) months after the date on which the notice of modification is filed with the department by the taxpayer.

(j) The following apply:

(1) This subsection applies to partnerships whose taxable year:

(A) begins after December 31, 2017;

(B) ends after August 12, 2018; or

(C) begins after November 2, 2015, and before January 1, 2018, and for which a valid election under United States Treasury Regulation 301.9100-22 is in effect;

and to the partners of such partnerships, including any partners, shareholders, or beneficiaries of a pass through entity that is a partner in such partnership.

(2) Notwithstanding any other provision of this article, if a partnership is subject to federal income tax liability or a federal tax adjustment at the partnership level as the result of a modification under Sections 6221 through 6241 of the Internal Revenue Code, the date on which the department must issue a proposed assessment to either the partners or the partnership shall be the later of:

(A) the date on which a proposed assessment must otherwise be issued to the partner or the partnership under this section with regard to the taxable year of the partnership to which the modification is taxed at the partnership level; or

(B) December 31, 2021.

(3) For purposes of this section and IC 6-8.1-9-1, a modification under this subsection shall be considered a modification to the federal taxable income, federal adjusted gross income, or federal income tax liability of both the partners and the partnership within the meaning of IC 6-3-4-6 and IC 6-5.5-6-6, and shall be considered to be included in the federal taxable income or federal adjusted gross income of both the partners and partnerships for purposes of this article and IC 6-5.5.

(4) If a modification made to a partnership for federal income tax purposes is reported to the partners to determine the partners' respective federal taxable income, federal adjusted gross income, or federal income tax liability, including reporting to partners as the result of an election made under Section 6226 of the Internal Revenue Code, subdivision (2) shall not apply, and those modifications shall be treated as modifications to the partners' federal taxable income, federal adjusted gross income, or federal income tax liability for purposes of the following:

(A) This section.

(B) IC 6-3-4-6.

(C) IC 6-5.5-6-6.

(D) IC 6-8.1-9-1.

SECTION 43. IC 6-8.1-7-1, AS AMENDED BY P.L.234-2019, SECTION 32, AND AS AMENDED BY P.L.285-2019, SECTION 2, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) This subsection does not apply to the disclosure of information concerning a conviction on a tax evasion charge. Unless in accordance with a judicial order or as otherwise provided in this chapter, the department, its employees, former employees, counsel, agents, or any other person may not divulge the amount of tax paid by any taxpayer, terms of a settlement agreement executed between a taxpayer and the department, investigation records, investigation reports, or any other information disclosed by the reports filed under the provisions of the law relating to any of the listed taxes, including required information derived from a federal return, except to any of the following when it is agreed that the information is to be confidential and to be used solely for official purposes:

(1) Members and employees of the department.

(2) The governor.

(3) A member of the general assembly or an employee of the house of representatives or the senate when acting on behalf of a taxpayer located in the member's legislative district who has provided sufficient information to the member or employee for the department to determine that the member or employee is acting on behalf of the taxpayer.

(4) An employee of the legislative services agency to carry out the responsibilities of the legislative services agency

under IC 2-5-1.1-7 or another law.

(5) The attorney general or any other legal representative of the state in any action in respect to the amount of tax due under the provisions of the law relating to any of the listed taxes.

(6) Any authorized officers of the United States.

(b) The information described in subsection (a) may be revealed upon the receipt of a certified request of any designated officer of the state tax department of any other state, district, territory, or possession of the United States when:

(1) the state, district, territory, or possession permits the exchange of like information with the taxing officials of the state; and

(2) it is agreed that the information is to be confidential and to be used solely for tax collection purposes.

(c) The information described in subsection (a) relating to a person on public welfare or a person who has made application for public welfare may be revealed to the director of the division of family resources, and to any director of a county office of the division of family resources located in Indiana, upon receipt of a written request from either director for the information. The information shall be treated as confidential by the directors. In addition, the information described in subsection (a) relating to a person who has been designated as an absent parent by the state Title IV-D agency shall be made available to the state Title IV-D agency upon request. The information shall be subject to the information safeguarding provisions of the state and federal Title IV-D programs.

(d) The name, address, Social Security number, and place of employment relating to any individual who is delinquent in paying educational loans owed to a postsecondary educational institution may be revealed to that institution if it provides proof to the department that the individual is delinquent in paying for educational loans. This information shall be provided free of charge to approved postsecondary educational institutions (as defined by IC 21-7-13-6(a)). The department shall establish fees that all other institutions must pay to the department to obtain information under this subsection. However, these fees may not exceed the department's administrative costs in providing the information to the institution.

(e) The information described in subsection (a) relating to reports submitted under IC 6-6-1.1-502 concerning the number of gallons of gasoline sold by a distributor and IC 6-6-2.5 concerning the number of gallons of special fuel sold by a supplier and the number of gallons of special fuel exported by a licensed exporter or imported by a licensed transporter may be released by the commissioner upon receipt of a written request for the information.

(f) The information described in subsection (a) may be revealed upon the receipt of a written request from the administrative head of a state agency of Indiana when:

(1) the state agency shows an official need for the information; and

(2) the administrative head of the state agency agrees that any information released will be kept confidential and will be used solely for official purposes.

(g) The information described in subsection (a) may be revealed upon the receipt of a written request from the chief law enforcement officer of a state or local law enforcement agency in Indiana when it is agreed that the information is to be confidential and to be used solely for official purposes.

(h) The name and address of retail merchants, including township, as specified in ~~*IC 6-2.5-8-1(k) IC 6-2.5-8-1(l)*~~ **IC 6-2.5-8-1(k)** may be released solely for tax collection purposes to township assessors and county assessors.

(i) The department shall notify the appropriate innkeeper's tax board, bureau, or commission that a taxpayer is delinquent in remitting innkeepers' taxes under IC 6-9.

(j) All information relating to the delinquency or evasion of the vehicle excise tax may be disclosed to the bureau of motor vehicles in Indiana and may be disclosed to another state, if the information is disclosed for the purpose of the enforcement and collection of the taxes imposed by IC 6-6-5.

(k) All information relating to the delinquency or evasion of commercial vehicle excise taxes payable to the bureau of motor vehicles in Indiana may be disclosed to the bureau and may be disclosed to another state, if the information is disclosed for the purpose of the enforcement and collection of the taxes imposed by IC 6-6-5.5.

(l) All information relating to the delinquency or evasion of commercial vehicle excise taxes payable under the International Registration Plan may be disclosed to another state, if the information is disclosed for the purpose of the enforcement and collection of the taxes imposed by IC 6-6-5.5.

(m) All information relating to the delinquency or evasion of the excise taxes imposed on recreational vehicles and truck campers that are payable to the bureau of motor vehicles in Indiana may be disclosed to the bureau and may be disclosed to another state if the information is disclosed for the purpose of the enforcement and collection of the taxes imposed by IC 6-6-5.1.

(n) This section does not apply to:

(1) the beer excise tax, including brand and packaged type (IC 7.1-4-2);

(2) the liquor excise tax (IC 7.1-4-3);

(3) the wine excise tax (IC 7.1-4-4);

(4) the hard cider excise tax (IC 7.1-4-4.5);

~~*(5) the malt excise tax (IC 7.1-4-5);*~~

~~*(6)*~~ *(5)* the vehicle excise tax (IC 6-6-5);

~~*(7)*~~ *(6)* the commercial vehicle excise tax (IC 6-6-5.5); and

~~*(8)*~~ *(7)* the fees under IC 13-23.

(o) The name and business address of retail merchants within each county that sell tobacco products may be released to the division of mental health and addiction and the alcohol and tobacco commission solely for the purpose of the list prepared under IC 6-2.5-6-14.2.

(p) The name and business address of a person licensed by the department under IC 6-6 or IC 6-7 may be released for the purpose of reporting the status of the person's license.

(q) The department may release information concerning total incremental tax amounts under:

(1) IC 5-28-26;

(2) IC 36-7-13;

(3) IC 36-7-26;

(4) IC 36-7-27;

(5) IC 36-7-31;

(6) IC 36-7-31.3; or

(7) any other statute providing for the calculation of incremental state taxes that will be distributed to or retained by a political subdivision or other entity;

to the fiscal officer of the political subdivision or other entity that established the district or area from which the incremental taxes were received if that fiscal officer enters into an agreement with the department specifying that the political subdivision or other entity will use the information solely for official purposes.

(r) The department may release the information as required in IC 6-8.1-3-7.1 concerning:

(1) an innkeeper's tax, a food and beverage tax, or an admissions tax under IC 6-9;

(2) the supplemental auto rental excise tax under IC 6-6-9.7; and

(3) the covered taxes allocated to a professional sports development area fund, sports and convention facilities operating fund, or other fund under IC 36-7-31 and IC 36-7-31.3.

(s) Information concerning state gross retail tax exemption certificates that relate to a person who is exempt from the state gross retail tax under IC 6-2.5-4-5 may be disclosed to a power subsidiary (as defined in IC 6-2.5-4-5) or a person selling the services or commodities listed in IC 6-2.5-4-5(b) for the purpose of enforcing and collecting the state gross retail and use taxes under IC 6-2.5.

(t) The department may release a statement of tax withholding or other tax information statement provided on behalf of a taxpayer to the department to:

(1) the taxpayer on whose behalf the tax withholding or other tax information statement was provided to the department;

(2) the taxpayer's spouse, if:

(A) the taxpayer is deceased or incapacitated; and

(B) the taxpayer's spouse is filing a joint income tax return with the taxpayer; or

(3) an administrator, executor, trustee, or other fiduciary acting on behalf of the taxpayer if the taxpayer is deceased.

(u) Information related to a listed tax regarding a taxpayer may be disclosed to an individual without a power of attorney under IC 6-8.1-3-8(a)(2) if:

(1) the individual is authorized to file returns and remit payments for one (1) or more listed taxes on behalf of the taxpayer through the department's online tax system before September 8, 2020;

(2) the information relates to a listed tax described in subdivision (1) for which the individual is authorized to file returns and remit payments;

(3) the taxpayer has been notified by the department of the individual's ability to access the taxpayer's information for the listed taxes described in subdivision (1) and the taxpayer has not objected to the individual's access;

(4) the individual's authorization or right to access the taxpayer's information for a listed tax described in subdivision (1) has not been withdrawn by the taxpayer; and

(5) disclosure of the information to the individual is not prohibited by federal law.

Except as otherwise provided by this article, this subsection does not authorize the disclosure of any correspondence from the department that is mailed or otherwise delivered to the taxpayer relating to the specified listed taxes for which the individual was given authorization by the taxpayer. The department shall establish a date, which may be earlier but not later than September 1, 2023, after which a taxpayer's information concerning returns and remittances for a listed tax may not be disclosed to an individual without a power of attorney under IC 6-8.1-3-8(a)(2) by providing notice to the affected taxpayers and previously authorized individuals, including notification published on the department's Internet web site. After the earlier of the date established by the department or September 1, 2023, the department may not disclose a taxpayer's information concerning returns and remittances for a listed tax to an individual unless the individual has a power of attorney under IC 6-8.1-3-8(a)(2) or the disclosure is otherwise allowed under this article.

SECTION 44. IC 6-8.1-9-1, AS AMENDED BY P.L.86-2018, SECTION 81, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2020]: Sec. 1. (a) If a person has paid more tax than the person determines is legally due for a particular taxable period, the person may file a claim for a refund with the department. Except as provided in subsections (j), ~~and~~ (k), **and (l),** in order to obtain the refund, the person must file the claim with the department within three (3) years after the later of the following:

(1) The due date of the return.

(2) The date of payment.

For purposes of this section, the due date for a return filed for the state gross retail or use tax, **the gasoline use tax,** the gasoline tax **(including the inventory tax),** the special fuel tax **(including the inventory tax),** the motor carrier fuel tax **(including the inventory tax),** the oil inspection fee, **the cigarette tax, the tobacco products tax, any county innkeeper's taxes imposed under IC 6-9, any food and beverage taxes imposed under IC 6-9, any county or local admissions taxes imposed under IC 6-9,** or the petroleum severance tax is the end of the calendar year which contains the taxable period for which the return is filed. The claim must set forth the amount of the refund to which the person is entitled and the reasons that the person is entitled to the refund.

(b) After considering the claim and all evidence relevant to the claim, the department shall issue a decision on the claim, stating the part, if any, of the refund allowed and containing a statement of the reasons for any part of the refund that is denied. The department shall mail a copy of the decision to the person that filed the claim. If the person disagrees with a part of the decision on the claim, the person may file a protest and request a hearing with the department. If the department allows the full amount of the refund claim, a warrant for the payment of the claim is sufficient notice of the decision.

(c) The tax court shall hear the appeal de novo and without a jury, and after the hearing may order or deny any part of the appealed refund. The court may assess the court costs in any

manner that it feels is equitable. The court may enjoin the collection of any of the listed taxes under IC 33-26-6-2. The court may also allow a refund of taxes, interest, and penalties that have been paid to and collected by the department.

(d) The decision on the claim must state that the person has sixty (60) days from the date the decision is mailed to file a written protest. If the person files a protest and requests a hearing on the protest, the department shall:

(1) set the hearing at the department's earliest convenient time; and

(2) notify the person by United States mail of the time, date, and location of the hearing.

(e) The department may hold the hearing at the location of its choice within Indiana if that location complies with IC 6-8.1-3-8.5.

(f) After conducting a hearing on a protest, or after making a decision on a protest when no hearing is requested, the department shall issue a memorandum of decision or order denying a refund and shall send a copy of the decision through the United States mail to the person that filed the protest. If the department allows the full amount of the refund claim, a warrant for the payment of the claim is sufficient notice of the decision. The department may continue the hearing until a later date if the taxpayer presents additional information at the hearing or the taxpayer requests an opportunity to present additional information after the hearing.

(g) A person that disagrees with any part of the department's ~~decision~~ **determination** in a memorandum of decision or order denying a refund may request a rehearing not more than thirty (30) days after the date on which the memorandum of decision or order denying a refund is issued by the department. The department shall consider the request and may grant the rehearing if the department reasonably believes that a rehearing would be in the best interests of the taxpayer and the state. **If the department grants the rehearing, the department shall issue a supplemental order denying a refund or a supplemental memorandum of decision based on the rehearing, whichever is applicable.**

(h) If the person disagrees with any part of the department's ~~decision,~~ **determination,** the person may appeal the ~~decision,~~ **determination,** regardless of whether or not the person protested the tax payment or whether or not the person has accepted a refund. The person must file the appeal with the tax court. The tax court does not have jurisdiction to hear a refund appeal if:

(1) the appeal is filed more than ninety (90) days after the ~~later~~ **latest** of the dates on which:

(A) the memorandum of decision or order denying a refund is issued by the department, if the person does not make a timely request for a rehearing under subsection (g) on the ~~letter of findings; or~~ **memorandum of decision or order denying a refund;**

(B) the department issues a denial of the person's timely request for a rehearing under subsection (g) on the memorandum of decision or order denying a refund; or

(C) the department issues a supplemental memorandum of decision or supplemental order denying a refund following a rehearing granted under subsection (g); or

(2) the appeal is filed both before the decision is issued and before the one hundred eighty-first day after the date the person files the claim for a refund with the department.

The ninety (90) day period may be extended according to the terms of a written agreement signed by both the department and the person. The agreement must specify a date upon which the extension will terminate and include a statement that the person agrees to preserve the person's records until that specified termination date. The specified termination date agreed upon under this subsection may not be more than ninety (90) days after the expiration of the period otherwise specified by this subsection.

(i) With respect to the vehicle excise tax, this section applies only to penalties and interest paid on assessments of the vehicle excise tax. Any other overpayment of the vehicle excise tax is subject to IC 6-6-5.

(j) If a taxpayer's federal taxable income, federal adjusted gross income, or federal income tax liability for a taxable year is modified by the Internal Revenue Service, and the modification would result in a reduction of the tax legally due, the due date by which the taxpayer must file a claim for refund with the department is the ~~later~~ **latest** of:

(1) the date determined under subsection (a); ~~or~~

(2) the date that is one hundred eighty (180) days after the date of the modification by the Internal Revenue Service as provided under:

(A) IC 6-3-4-6(c) and IC 6-3-4-6(d) (for the adjusted gross income tax); or

(B) IC 6-5.5-6-6(c) and IC 6-5.5-6-6(d) (for the financial institutions tax); **or**

(3) in the case of a modification described in IC 6-8.1-5-2(j)(1) through IC 6-8.1-5-2(j)(3), December 31, 2021.

(k) Notwithstanding any other provision of this section, if an individual received a severance payment described in Section 3(a)(1)(A) of the Combat-Injured Veterans Tax Fairness Act of 2016 (P.L. 114-292) and upon which the United States Secretary of Defense withheld tax under IC 6-3, IC 6-3.5-1.1 (before its repeal), IC 6-3.5-6 (before its repeal), IC 6-3.5-7 (before its repeal), or IC 6-3.6, the individual must file a claim for refund for taxes that were overpaid and attributable to the severance payment not later than December 31, 2020. Any refund under this subsection shall be computed without regard to subsection (a)(2). The department may establish procedures to provide standard refund amounts if a standard refund amount is requested from the Internal Revenue Service.

~~(k)~~ **(l)** If an agreement to extend the assessment time period is entered into under IC 6-8.1-5-2(h), the period during which a person may file a claim for a refund under subsection (a) is extended to the same date to which the assessment time period is extended.

SECTION 45. IC 6-8.1-9-2, AS AMENDED BY P.L.242-2015, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE APRIL 1, 2020]: Sec. 2. (a) If the department finds that a person has paid more tax for a taxable year than is legally due, the department shall apply the amount of

the excess against any amount of that same tax that is assessed and is currently due. The department may then apply any remaining excess against any of the listed taxes that have been assessed against the person and that are currently due. Subject to subsection (c), if any excess remains after the department has applied the overpayment against the person's tax liabilities, the department shall either refund the amount to the person or, at the person's request, credit the amount to the person's future tax liabilities.

(b) Subject to subsection (c), if a court determines that a person has paid more tax for a taxable year than is legally due, the department shall refund the excess amount to the person.

(c) As used in this subsection, "pass through entity" means a corporation that is exempt from the adjusted gross income tax under IC 6-3-2-2.8(2), a partnership, a limited liability company, or a limited liability partnership and "pass through income" means a person's distributive share of adjusted gross income for a taxable year attributable to the person's interest in a pass through entity. This subsection applies to a person's overpayment of adjusted gross income tax for a taxable year if:

(1) the person has filed a timely claim for refund with respect to the overpayment under IC 6-8.1-9-1;

(2) the overpayment:

(A) is with respect to a taxable year beginning before January 1, 2009;

(B) is attributable to amounts paid to the department by:

(i) a nonresident shareholder, partner, or member of a pass through entity;

(ii) a pass through entity under IC 6-3-4-12 or IC 6-3-4-13 on behalf of a nonresident shareholder, partner, or member of the pass through entity; or

(iii) a pass through entity under IC 6-3-4-12 or IC 6-3-4-13 on behalf of a nonresident shareholder, partner, or member of another pass through entity; and

(3) the overpayment arises from a determination by the department or a court that the person's pass through income is not includible in the person's adjusted gross income derived from sources within Indiana as a result of the application of IC 6-3-2-2(a)(5) and IC 6-3-2-2.2(g).

The department shall apply the overpayment to the person's liability for taxes that have been assessed and are currently due as provided in subsection (a) and apply any remaining overpayment as a credit or credits in satisfaction of the person's liability for listed taxes in taxable years beginning after December 31, 2008. If the person, including any successor to the person's interest in the overpayment, does not have sufficient liability for listed taxes against which to credit all the remaining overpayment in a taxable year beginning after December 31, 2008, and ending before January 1, 2019, the taxpayer is not entitled for any taxable year ending after December 31, 2018, to have any part of the remaining overpayment applied, refunded, or credited to the person's liability for listed taxes. If an overpayment or part of an overpayment is required to be applied as a credit under this subsection to the person's liability for listed taxes for a taxable year beginning after December 31, 2008, and has not been determined by the department or a court to meet the conditions of subdivision (3) by the due date of the person's return for a listed tax for a taxable year beginning after December 31, 2008, the department shall refund to the person that part of the overpayment that should have been applied as a credit for such taxable year within ninety (90) days of the date that the department or a court makes the determination that the overpayment meets the conditions of subdivision (3). However, the department may establish a program to refund small overpayment amounts that do not exceed the threshold dollar value established by the department rather than crediting the amounts against tax liability accruing for a taxable year after December 31, 2008. A person that receives a refund or credit under this subsection shall file a report with the department in the form and in the schedule specified by the department that identifies under penalties of perjury the home state or other jurisdiction where the income subject to the refund or credit was reported as income attributable to that state or jurisdiction.

(d) An excess tax payment that is not refunded or credited against a current or future tax liability within ninety (90) days after the date the refund claim is filed, the date the tax payment was due, or the date the tax was paid, whichever is latest, accrues interest from:

(1) the date the refund claim is filed, if the refund claim is filed before July 1, 2015; or

(2) for a refund claim filed after June 30, 2015, the latest of:

(A) the date the tax payment was due;

(B) the date the tax was paid; or

(C) July 1, 2015;

at the rate established under IC 6-8.1-10-1 until a date, determined by the department, that does not precede by more than thirty (30) days, the date on which the refund or credit is made. As used in this subsection, "refund claim" includes a return and an amended return that indicates an overpayment of tax. For purposes of this subsection only, the due date for the payment of the state gross retail or use tax, the oil inspection fee, and the petroleum severance tax is December 31 of the calendar year that contains the taxable period for which the payment is remitted. Notwithstanding any other provision, no interest is due for any time before the filing of a tax return for the period and tax type for which a taxpayer files a refund claim.

(e) A person who is liable for the payment of excise taxes under IC 7.1-4-3 or IC 7.1-4-4 is entitled to claim a credit against the person's excise tax liability in the amount of the excise taxes paid in duplicate by the person, or the person's assignors or predecessors, upon both:

(1) the receipt of the goods subject to the excise taxes, as reported by the person, or the person's assignors or predecessors, on excise tax returns filed with the department; and

(2) the withdrawal of the same goods from a storage facility operated under 19 U.S.C. 1555(a).

(f) The amount of the credit under subsection (e) is equal to fifty percent (50%) of the amount of excise taxes:

(1) that were paid by the person as described in subsection (e)(2);

(2) that are duplicative of excise taxes paid by the person

as described in subsection (e)(1); and

(3) for which the person has not previously claimed a credit.

The credit may be claimed by subtracting the amount of the credit from the amount of the person's excise taxes reported on the person's monthly excise tax returns filed under IC 7.1-4-6 with the department for taxes imposed under IC 7.1-4-3 or IC 7.1-4-4. The amount of the credit that may be taken monthly by the person on each monthly excise tax return may not exceed ten percent (10%) of the excise tax liability reported by the person on the monthly excise tax return. The credit may be claimed on not more than thirty-six (36) consecutive monthly excise tax returns beginning with the month in which credit is first claimed.

(g) The amount of the credit calculated under subsection (f) must be used for capital expenditures to:

(1) expand employment; or

(2) assist in retaining employment within Indiana.

The department shall annually verify whether the capital expenditures made by the person comply with this subsection.

(h) An excess tax payment under section 1(k) of this chapter that is not refunded or credited against a current or future tax liability within ninety (90) days after the date the refund claim is filed, the date the tax payment was due, or the date the tax was paid, whichever is latest, accrues interest from April 1, 2020. For purposes of this subsection, a refund claim filed prior to April 1, 2020, shall be treated as filed on April 1, 2020.

SECTION 46. IC 6-8.1-10-5, AS AMENDED BY P.L.293-2013(ts), SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 5. ~~(a) If a person makes a tax payment with a check, credit card, debit card, or electronic funds transfer, and the department is unable to obtain payment on the check, credit card, debit card, or electronic funds transfer for its full face amount when the check, credit card, debit card, or electronic funds transfer is presented for payment through normal banking channels, a penalty of ten percent (10%) of the unpaid tax or the value of the check, credit card, debit card, or electronic funds transfer, whichever is smaller, is imposed.~~

~~(b) When a penalty is imposed under subsection (a), the department shall notify the person by mail that the check, credit card, debit card, or electronic funds transfer was not honored and that the person has ten (10) days after the date the notice is mailed to pay the tax and the penalty either in cash, by certified check, or other guaranteed payment. If the person fails to make the payment within the ten (10) day period, the penalty is increased to thirty percent (30%) multiplied by the value of the check, credit card, debit card, or electronic funds transfer, or the unpaid tax, whichever is smaller.~~

~~(c) If a person has been assessed a penalty under subsection (a) more than one (1) time, the department may require all future payments for all listed taxes to be remitted with guaranteed funds.~~

~~(d) If the person subject to the penalty under this section can show that there is reasonable cause for the check, credit card, debit card, or electronic funds transfer not being honored, the department may waive the penalty imposed under this section.~~

(a) As used in this section, "payment instrument" means:

(1) a check;

(2) a credit card;

(3) a debit card;

(4) an electronic funds transfer; or

(5) any other instrument in payment by any commercially allowable means.

(b) If a person makes a payment to the department for an amount due to the department with a payment instrument and the department is unable to obtain payment on the payment instrument for the full amount of the attempted payment when the payment instrument is presented for payment through the normal banking channels, the department shall:

(1) notify the person that the department was unable to obtain payment on the full amount of the payment instrument; and

(2) assess a penalty of thirty-five dollars ($35) not more than thirty (30) days after the department was unable to obtain payment.

(c) If the department determines that the person made a payment described in subsection (b) fraudulently or otherwise knowing that the department would be unable to obtain payment on the payment instrument for the full amount of the attempted payment when the payment instrument is presented for payment through normal banking channels, the penalty is equal to one hundred percent (100%) of the amount on which the department was unable to obtain payment, but not less than thirty-five dollars ($35). The following apply:

(1) A penalty assessment under this subsection shall be made not more than three (3) years after the department was unable to obtain payment.

(2) The penalty under this subsection shall not be made in addition to the penalty under subsection (b)(2). However, nothing shall prohibit the department from issuing a penalty under this subsection with regard to a payment after a penalty under subsection (b)(2) was issued.

(3) If a penalty under this subsection is reduced to the amount specified in subsection (b)(2), the department may issue a new assessment for the penalty within thirty (30) days after the final determination of the penalty reduction.

(d) If the department is unable to obtain payment on a payment instrument, the amount on which the department was unable to obtain payment shall not be considered to be a payment of that amount.

(e) The following apply:

(1) Any penalty under subsection (b)(2) is due not less than twenty (20) days after the department issues the assessment under subsection (b)(2).

(2) If the person fails to pay the penalty provided under this section in full within the time specified by the department, the department may file a tax warrant for the unpaid portion of the penalty in the manner provided under IC 6-8.1-8-2.

(3) For purposes of this article, a penalty under

subsection (b)(2) shall not be considered to be a proposed assessment under IC 6-8.1-5-1.

(f) If a person receives a penalty under subsection (c), the penalty shall be treated as a proposed assessment as provided in IC 6-8.1-5-1. However, if the person pays the penalty under subsection (c) and files a claim for refund of the penalty, notwithstanding IC 6-8.1-9-1, the payment of the penalty shall not be refunded unless the person protested the penalty pursuant to IC 6-8.1-5-1 in a timely manner.

(g) The following apply:

(1) If the penalty under subsection (b)(2) relates to an attempted payment of a liability for which the department has filed a tax warrant under IC 6-8.1-8-2 or for which the department files a tax warrant under IC 6-8.1-8-2 prior to the expiration of the period specified in subsection (e), the tax warrant may include the amount of the penalty provided in this section prior to the expiration of the period specified in subsection (e).

(2) If a penalty under this section is included as part of a proposed assessment under IC 6-8.1-5-1, the filing of a tax warrant for the penalty under this section shall be timely if the tax warrant for the penalty:

(A) was filed on or before the day as a timely filed tax warrant for the proposed assessment;

(B) was filed as part of the tax warrant for the proposed assessment; or

(C) was otherwise filed within the period allowable under IC 6-8.1-8-2.

(h) The following apply:

(1) The department may waive the penalty under this section if the person establishes that the person acted with reasonable cause in the attempted payment.

(2) If the department determines that the penalty under subsection (b)(2) shall not be waived, including a reduction of a penalty under subsection (c) to the amount specified in subsection (b)(2), the determination is not subject to administrative or judicial review.

(3) If the department determines that the penalty under this section should be waived, but the liability for the penalty has advanced to a tax warrant:

(A) the amount due under the tax warrant shall be reduced by the amount of any penalty under this section included in the tax warrant but not paid; or

(B) if the person has paid the penalty under this section, the department shall refund the penalty under this section paid by the person.

(4) Nothing shall prohibit judicial review of a penalty under this section if the penalty was imposed on a payment instrument upon which the department was able to collect the full amount of the payment instrument upon presentation of the payment through the normal banking channels.

(i) If a person has been subject to a penalty under this section more than one (1) time during a twenty-four (24) month period, or has been subject to a penalty under subsection (c) that has not been reduced or waived, the department may require the person to remit all future payments for all listed taxes with guaranteed funds.

SECTION 47. IC 6-8.1-11-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. **(a)** The department shall appoint an employee to serve as a taxpayer rights advocate ~~who~~ **whose office** shall **act as an intermediary between taxpayers and the department to** facilitate the resolution of taxpayer complaints and problems ~~including unsatisfactory treatment of taxpayers by department employees.~~ **not resolved through the normal administrative channels or operational procedures within the department.**

(b) The taxpayer rights advocate office shall perform the following duties:

(1) Receive and evaluate complaints and make appropriate recommendations to the commissioner.

(2) Identify statutes and regulations as well as policies and practices of the department that might inhibit the equitable treatment of taxpayers, and recommend alternatives to the commissioner.

(3) Provide expeditious service to taxpayers whose problems are not resolved through normal channels, including but not limited to:

(A) assisting taxpayers with matters that have been pending for an unreasonable length of time;

(B) assisting with matters where the taxpayer has been unable to communicate with the department; and

(C) working with department personnel to resolve the most complex and sensitive taxpayer problems.

SECTION 48. IC 6-8.1-16.3-5 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 5. (a) As used in this section, "fund" means the department of state revenue pilot program fund established by subsection (b).~~

~~(b) The department of state revenue pilot program fund is established.~~

~~(c) The fund shall be used to assist implementation and administration of the pilot program.~~

~~(d) The fund may consist of one (1) or more of the following:~~

~~(1) Appropriations made by the general assembly.~~

~~(2) Donations made or gifts donated to the fund.~~

~~(3) Any proceeds derived from agreements or contracts made with third parties.~~

~~(e) The fund shall be administered by the department.~~

~~(f) The expenses of administering the pilot program and the fund shall be paid for by the fund.~~

~~(g) Unless otherwise provided by state or federal law, expenses associated with the pilot program shall be paid for by fund proceeds.~~

~~(h) Any money in the fund at the end of a state fiscal year does not revert to the state general fund.~~

~~(i) Money in the fund is continuously appropriated to the department of state revenue to carry out the purposes of the fund.~~

SECTION 49. IC 6-8.1-16.3-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JUNE 30, 2020]: **Sec. 5.5. (a) Any balance remaining on June 30, 2020, in the state revenue pilot program fund established by section 5 of this chapter (before its repeal) is transferred to the motor carrier regulation fund established by IC 8-2.1-23-1.**

(b) Notwithstanding any other law, any proceeds derived from agreements or a contract made with third parties under this chapter, and any other revenue received under this chapter, that would have been deposited in the state revenue pilot program fund established by section 5 of this chapter (before its repeal) shall be deposited in the motor carrier regulation fund established by IC 8-2.1-23-1.

SECTION 50. IC 8-2.1-23-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. Money in the motor carrier regulation fund does not revert to the state general fund. ~~However, if the amount of money in the fund at the end of a fiscal year exceeds five hundred thousand dollars ($500,000), the treasurer of state shall transfer the excess from the fund to the motor vehicle highway account established in IC 8-14-1.~~

SECTION 51. [EFFECTIVE JANUARY 1, 2021] **(a) IC 6-8.1-10-5, as amended by this act, shall be effective for attempted payments made after December 31, 2020.**

(b) This SECTION expires January 1, 2024.

SECTION 52. [EFFECTIVE APRIL 1, 2020] **(a) IC 6-8.1-9-1(k), as added by this act, shall apply to extend the statute of limitations for refund claims described in IC 6-8.1-9-1(k):**

(1) that have expired before April 1, 2020, under IC 6-8.1-9-1(a); or

(2) that would otherwise expire after March 31, 2020, under IC 6-8.1-9-1(a);

to December 31, 2020.

(b) This SECTION expires July 1, 2021.

SECTION 53. [EFFECTIVE JULY 1, 2009 (RETROACTIVE)] **IC 6-8.1-5-2(g), as amended by this act, is intended to be a clarification of the law and not a substantive change in the law and as such shall be applied for purposes of erroneous refunds issued after June 30, 2009.**

SECTION 54. **An emergency is declared for this act.**

(Reference is to ESB 408 as reprinted March 3, 2020.)

Holdman, Chair	T. Brown
Melton	Porter
Senate Conferees	House Conferees

Roll Call 377: yeas 47, nays 0. Report adopted.

SENATE MOTION

Madam President: I move that Senator Spartz be added as coauthor of Senate Bill 241.

L. BROWN

Motion prevailed.

2:58 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 4:39 p.m., with the President of the Senate in the Chair.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: Pursuant to Senate Rule 86(l) your Committee on Rules and Legislative Procedure to which was referred Conference Committee Reports filed on Engrossed Senate Bills 1, 47, 80, 229, and 295 and Engrossed House Bills 1003, 1045, 1066, 1113, 1131, and 1235 has had the same under consideration and begs leave to report back to the Senate with the recommendation that said Conference Committee Reports are eligible for consideration.

BRAY, Chair

Report adopted.

REPORT OF THE PRESIDENT PRO TEMPORE

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed Senate Bill 335:
Conferees: Senator Freeman to replace Senator Tallian

BRAY
Date: 3/11/20
Time: 2:57 p.m.

Report adopted.

PRESIDENT PRO TEMPORE'S REPORT OF CONFEREE ASSIGNMENTS

Pursuant to Rule 84 of the Standing Rules and Orders of the Senate, President Pro Tempore Rodric D. Bray has appointed/removed/changed the following senator(s) as Senate conferees (or advisors) on Engrossed House Bill 1065:
Conferees: Senator Charbonneau to replace Senator Melton

BRAY
Date: 3/11/20
Time: 3:52 p.m.

Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed Senate Bills 229, 319, 350, 398, and 408.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has passed Senate Concurrent Resolution 65 and the same is herewith returned to the Senate.

M. CAROLINE SPOTTS
Principal Clerk of the House

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT

EHB 1131–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1131 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 8-1-1.9-3, AS ADDED BY P.L.126-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. As used in this chapter, "water or wastewater utility" means:

(1) a public utility that provides water service, wastewater service, or both water service and wastewater service to the public; **or**

(2) a municipally owned utility that provides water service to less than eight thousand (8,000) customers.

SECTION 2. IC 8-1-1.9-4, AS ADDED BY P.L.126-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Notwithstanding IC 8-1-2.7 and any other law under which a water or wastewater utility is exempt from or may withdraw from the jurisdiction of the commission, a water or wastewater utility that is organized ~~as a legal entity~~ after June 30, 2018, is subject to the jurisdiction of the commission with respect to:

(1) rates and charges;

(2) stocks, bonds, notes, or other evidence of indebtedness;

(3) rules; and

(4) the annual report filing requirement;

for the period of ten (10) years beginning on the day on which the water or wastewater utility is organized. ~~as a legal entity.~~

(b) This section does not affect:

(1) any statutes requiring or permitting a water or wastewater utility to petition the commission before providing service to the public; or

(2) the commission's jurisdiction regarding statutes and petitions referred to in subdivision (1).

SECTION 3. IC 8-1-2-46.2, AS ADDED BY P.L.91-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 46.2. (a) As used in this section, "water or wastewater utility" means a public utility, other than a not-for-profit utility, as defined in section 125(a) of this chapter, that provides water or wastewater service to the public.

(b) Notwithstanding any law or rule governing extension of service, a water or wastewater utility may, on a nondiscriminatory basis, extend service for economic development purposes or to rural areas without a deposit or other adequate assurance of performance from the customer, to the extent that the extension of service results in a positive contribution to the utility's overall cost of service over a twenty (20) year period. However, if the water or wastewater utility determines that the extension of service will not result in a positive contribution to the utility's overall cost of service over a twenty (20) year period, the water or wastewater utility may require a deposit or other adequate assurance of performance from:

(1) the developer of the project; or

(2) a local, regional, or state economic development organization.

(c) Subsection (d) applies if:

(1) a county executive, a municipal legislative body, or, in Marion County, the county fiscal body, establishes an infrastructure development zone under IC 6-1.1-12.5-4; and

(2) the county executive, municipal legislative body, or county fiscal body requests a public utility to extend water or wastewater utility service to the geographic territory established as the infrastructure development zone.

(d) A water or wastewater utility that receives a request described in subsection (c)(2) may file a petition with the commission seeking approval of the requested extension of service. If the commission approves the petition, in future general rate cases, the commission shall approve rate schedules that include a surcharge payable only by customers located in the geographic area within the jurisdiction of the governmental entity described in subsection (c), ~~including~~ **or, if requested by the governmental entity, only within** the geographic area established as an infrastructure development zone. The surcharge shall recover depreciation expense, weighted cost of capital, and federal and state income tax applicable to the extension of water or wastewater utility service.

SECTION 4. IC 8-1-2-101.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 101.5. (a) This section applies to:**

(1) a water main extension;

(2) a wastewater main extension; or

(3) an agreement that:

(A) is for a water main extension or a wastewater main extension; and

(B) is entered into after June 30, 2020, by a utility and the person requesting the extension.

(b) As used in this section, "utility" means a municipally owned utility (as defined in IC 8-1-2-1(h)) that provides water service or wastewater service, or both, to the public.

(c) With respect to any water main extension or wastewater main extension, a utility shall comply with the commission's rules governing water main extensions or wastewater main extensions, as applicable, including:

(1) 170 IAC 6-1.5, in the case of a water main extension; or

(2) 170 IAC 8.5-4, in the case of a wastewater main extension;

as may be amended by the commission, regardless of whether the utility is subject to the jurisdiction of the commission for the approval of rates and charges. However, a utility is not required to comply with any provisions in the commission's main extension rules that require reporting to the commission.

(d) Disputes arising under this section may be submitted as informal complaints to the commission's consumer affairs division, in accordance with IC 8-1-2-34.5(b) and the commission's rules under 170 IAC 16, including provisions for referrals and appeals to the full commission, regardless of whether the person requesting the extension is a customer of the utility.

(e) The commission shall adopt by:

(1) order; or

(2) rule under IC 4-22-2;

other procedures not inconsistent with this section that the commission determines to be reasonable or necessary to administer this section. In adopting the rules under this section, the commission may adopt emergency rules in the manner provided by IC 4-22-2-37.1. Notwithstanding IC 4-22-2-37.1(g), an emergency rule adopted by the commission under this subsection and in the manner provided by IC 4-22-2-37.1 expires on the date on which a rule that supersedes the emergency rule is adopted by the commission under IC 4-22-2-24 through IC 4-22-2-36.

(f) If the commission determines that it requires additional staff to handle the volume of informal complaints submitted under this section, the commission may impose a fee under this section. Any fee charged by the commission under this section may:

(1) not exceed:

(A) the commission's actual costs in administering this section; or

(B) seven hundred fifty dollars ($750);

whichever is less; and

(2) be assessed against the party against whom a decision is rendered under this section.

SECTION 5. IC 8-1-30.3-5, AS AMENDED BY P.L.229-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) This section applies if:

(1) a utility company acquires property from an offered utility in a transaction involving a willing buyer and a willing seller; and

(2) at least one (1) utility company described in subdivision (1) is subject to the jurisdiction of the commission under this article.

(b) Subject to subsection (c), there is a rebuttable presumption that a cost differential is reasonable.

(c) If the acquisition:

(1) is made under IC 8-1.5-2-6.1, and to the extent the purchase price does not exceed the appraised value as determined under IC 8-1.5-2-5; **or**

(2) is not made under IC 8-1.5-2-6.1, and to the extent the purchase price does not exceed the appraised value as determined under section 5.5 of this chapter;

the purchase price is considered reasonable for purposes of subsection (d) and any resulting cost differential is considered reasonable.

(d) Before closing on the acquisition, the utility company that acquires the utility property may petition the commission to include any cost differential as part of its rate base in future rate cases. The commission shall approve the petition if the commission finds the following:

(1) The utility property is used and useful to the offered utility in providing water service, wastewater service, or both water and wastewater service.

(2) The offered utility is too small to capture economies of scale or has failed to furnish or maintain adequate, efficient, safe, and reasonable service and facilities.

(3) The utility company will improve economies of scale or, if otherwise needed, make reasonable and prudent improvements to the offered utility's plant, the offered utility's operations, or both, so that customers of the offered utility will receive adequate, efficient, safe, and reasonable service.

(4) The acquisition of the utility property is the result of a mutual agreement made at arms length.

(5) The actual purchase price of the utility property is reasonable.

(6) The utility company and the offered utility are not affiliated and share no ownership interests.

(7) The rates charged by the utility company will not increase unreasonably in future general rate cases solely as a result of acquiring the utility property from the offered utility. For purposes of this subdivision, the rates and charges will not increase unreasonably in future general rate cases so long as the net original cost proposed to be recorded under subsection (f) is not greater than two percent (2%) of the acquiring utility's net original cost rate base as determined in the acquiring utility's most recent general rate case. If the amount proposed to be recorded under subsection (f) is greater than two percent (2%) of the acquiring utility's net original cost rate base as determined in the acquiring utility's most recent general rate case, the commission shall proceed to determine whether the rates charged by the utility company will increase unreasonably in future general rate cases solely as a result of acquiring the utility property from the offered utility and, in making the determination, may consider evidence of:

(A) the anticipated dollar value increase; and

(B) the increase as a percentage of the average bill.

(8) The cost differential will be added to the utility company's rate base to be amortized as an addition to expense over a reasonable time with corresponding reductions in the rate base.

(e) In connection with its petition under subsection (d), the acquiring utility company shall provide the following:

(1) Notice to customers of the acquiring utility company that a petition has been filed with the commission under this chapter. The notice provided under this subdivision must include the cause number assigned to the petition. Notice under this subdivision may be provided to customers in a billing insert.

(2) Notice to the office of the utility consumer counselor.

(3) A statement of known infrastructure, environmental, or other issues affecting the offered utility, and the process for determining reasonable and prudent improvements upon completing the acquisition.

(f) In a proceeding under subsection (d), the commission shall

issue its final order not later than two hundred ten (210) days after the filing of the petitioner's case in chief. If the commission grants the petition, the commission's order shall authorize the acquiring utility company to make accounting entries recording the acquisition and that reflect:

(1) the full purchase price;

(2) incidental expenses; and

(3) other costs of acquisition;

as the net original cost of the utility plant in service assets being acquired, allocated in a reasonable manner among appropriate utility plant in service accounts.

SECTION 6. IC 8-1-30.3-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 5.5. (a) For purposes of this section, an individual, or the company employing the individual, is qualified to perform an appraisal if the individual is:**

(1) an engineer registered under IC 25-31; or

(2) an appraiser licensed under IC 25-34.1-8.

(b) For purposes of this section, an individual performing an appraisal, or the company employing the individual, is disinterested if:

(1) the fee for the appraisal services is fixed before the individual performs the appraisal;

(2) the individual is not an employee of one (1) of the parties to the acquisition;

(3) the individual is not a state or municipal employee; and

(4) the:

(A) individual; and

(B) company, if applicable;

do not have affiliated interests (as defined in IC 8-1-2-49) in one (1) of the parties to the acquisition.

(c) An appraisal under section 5(c)(2) of this chapter must be performed by three (3) qualified and disinterested appraisers, including:

(1) at least one (1) appraiser qualified under subsection (a)(1); and

(2) at least one (1) appraiser qualified under subsection (a)(2).

(d) If the three (3) appraisers performing an appraisal for purposes of section 5(c)(2) of this chapter cannot agree as to an appraised value, the appraisal is sufficient for purposes of section 5(c)(2) of this chapter if the appraisal is signed by two (2) of the appraisers.

SECTION 7. IC 8-1-30.3-6, AS AMENDED BY P.L.229-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. For purposes of section 5(d)(2) of this chapter, an offered utility is too small to capture economies of scale or is not furnishing or maintaining adequate, efficient, safe, and reasonable service and facilities if the commission finds one (1) or more of the following:

(1) The offered utility violated one (1) or more state or federal statutory or regulatory requirements in a manner that the commission determines affects the safety, adequacy, efficiency, or reasonableness of its services or facilities.

(2) The offered utility has inadequate financial, managerial, or technical ability or expertise.

(3) The offered utility fails to provide water in sufficient amounts, that is palatable, or at adequate volume or pressure.

(4) The offered utility, due to necessary improvements to its plant or distribution or collection system or operations, is unable to furnish and maintain adequate service to its customers at rates equal to or less than those of the acquiring utility company.

(5) The offered utility serves fewer than ~~five~~ **eight** thousand ~~(5,000)~~ **(8,000)** customers.

(6) Any other facts that the commission determines demonstrate the offered utility's inability to capture economies of scale or to furnish or maintain adequate, efficient, safe, or reasonable service or facilities.

SECTION 8. IC 36-4-3-4, AS AMENDED BY P.L.206-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) The legislative body of a municipality may, by ordinance, annex any of the following:

(1) Territory that is contiguous to the municipality.

(2) Territory that is not contiguous to the municipality and is occupied by a municipally owned or operated as either of the following:

(A) An airport or landing field.

(B) A wastewater treatment facility or water treatment facility. After a municipality annexes territory under this clause, the municipality may annex additional territory to enlarge the territory for the use of the wastewater treatment facility or water treatment facility only if the county legislative body approves that use of the additional territory by ordinance.

(3) Territory that is not contiguous to the municipality but is found by the legislative body to be occupied by:

(A) a municipally owned or regulated sanitary landfill, golf course, or hospital; or

(B) a police station of the municipality.

However, if territory annexed under subdivision (2) or (3) ceases to be used for the purpose for which the territory was annexed for at least one (1) year, the territory reverts to the jurisdiction of the unit having jurisdiction before the annexation if the unit that had jurisdiction over the territory still exists. If the unit no longer exists, the territory reverts to the jurisdiction of the unit that would currently have jurisdiction over the territory if the annexation had not occurred. The clerk of the municipality shall notify the offices required to receive notice of a disannexation under section 19 of this chapter when the territory reverts to the jurisdiction of the unit having jurisdiction before the annexation. Territory that is annexed under subdivision (2) (including territory that is enlarged under subdivision (2)(B) for the use of the wastewater treatment facility or water treatment facility) or subdivision (3) may not be considered a part of the municipality for purposes of annexing additional territory.

(b) This subsection applies to municipalities in a county having any of the following populations:

(1) More than seventy thousand fifty (70,050) but less than

seventy-one thousand (71,000).

(2) More than seventy-five thousand (75,000) but less than seventy-seven thousand (77,000).

(3) More than seventy-one thousand (71,000) but less than seventy-five thousand (75,000).

(4) More than forty-seven thousand (47,000) but less than forty-seven thousand five hundred (47,500).

(5) More than thirty-eight thousand five hundred (38,500) but less than thirty-nine thousand (39,000).

(6) More than thirty-seven thousand (37,000) but less than thirty-seven thousand one hundred twenty-five (37,125).

(7) More than thirty-three thousand three hundred (33,300) but less than thirty-three thousand five hundred (33,500).

(8) More than twenty-three thousand three hundred (23,300) but less than twenty-four thousand (24,000).

(9) More than one hundred eighty-five thousand (185,000) but less than two hundred fifty thousand (250,000).

(10) More than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000).

(11) More than thirty-two thousand five hundred (32,500) but less than thirty-three thousand (33,000).

(12) More than seventy-seven thousand (77,000) but less than eighty thousand (80,000).

Except as provided in subsection (c), the legislative body of a municipality to which this subsection applies may, by ordinance, annex territory that is not contiguous to the municipality, has its entire area not more than two (2) miles from the municipality's boundary, is to be used for an industrial park containing one (1) or more businesses, and is either owned by the municipality or by a property owner who consents to the annexation. However, if territory annexed under this subsection is not used as an industrial park within five (5) years after the date of passage of the annexation ordinance, or if the territory ceases to be used as an industrial park for at least one (1) year, the territory reverts to the jurisdiction of the unit having jurisdiction before the annexation if the unit that had jurisdiction over the territory still exists. If the unit no longer exists, the territory reverts to the jurisdiction of the unit that would currently have jurisdiction over the territory if the annexation had not occurred. The clerk of the municipality shall notify the offices entitled to receive notice of a disannexation under section 19 of this chapter when the territory reverts to the jurisdiction of the unit having jurisdiction before the annexation.

(c) A city in a county with a population of more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000) may not annex territory as prescribed in subsection (b) until the territory is zoned by the county for industrial purposes.

(d) Notwithstanding any other law, territory that is annexed under subsection (b) or (h) is not considered a part of the municipality for the purposes of:

(1) annexing additional territory:

(A) in a county that is not described by clause (B); or

(B) in a county having a population of more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000), unless the boundaries of the noncontiguous territory become contiguous to the city, as allowed by Indiana law;

(2) expanding the municipality's extraterritorial jurisdictional area; or

(3) changing an assigned service area under IC 8-1-2.3-6(1).

(e) As used in this section, "airport" and "landing field" have the meanings prescribed by IC 8-22-1.

(f) As used in this section, "hospital" has the meaning prescribed by IC 16-18-2-179(b).

(g) An ordinance adopted under this section must assign the territory annexed by the ordinance to at least one (1) municipal legislative body district.

(h) This subsection applies to a city having a population of more than twenty-nine thousand nine hundred (29,900) but less than thirty-one thousand (31,000). The city legislative body may, by ordinance, annex territory that:

(1) is not contiguous to the city;

(2) has its entire area not more than eight (8) miles from the city's boundary;

(3) does not extend more than:

(A) one and one-half (1 1/2) miles to the west;

(B) three-fourths (3/4) mile to the east;

(C) one-half (1/2) mile to the north; or

(D) one-half (1/2) mile to the south;

of an interchange of an interstate highway (as designated by the federal highway authorities) and a state highway (as designated by the state highway authorities); and

(4) is owned by the city or by a property owner that consents to the annexation.

(i) This subsection applies to a city having a population of more than thirty-one thousand seven hundred twenty-five (31,725) but less than thirty-five thousand (35,000) in a county having a population of at least one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000). The city legislative body may, by ordinance, annex territory under section 5.1 of this chapter:

(1) that is not contiguous to the city;

(2) that is south of the southernmost boundary of the city;

(3) the entire area of which is not more than four (4) miles from the city's boundary; and

(4) that does not extend more than one (1) mile to the east of a state highway (as designated by the state highway authorities).

Territory annexed under this subsection is not considered a part of the city for purposes of annexation of additional territory. A city may not require connection to a sewer installed to provide service to territory annexed under this subsection.

SECTION 9. IC 36-4-3-5.1, AS AMENDED BY P.L.228-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5.1. (a) Owners of land **that is** located outside but contiguous to a municipality **or that is located in territory described in section 4(i) of this chapter** may file a petition with the legislative body of the municipality:

(1) requesting an ordinance annexing the area described in the petition; and

(2) signed by:

(A) one hundred percent (100%) of the landowners that reside within the territory that is proposed to be annexed, in the case of a petition filed before July 1, 2015; and

(B) in the case of a petition filed after June 30, 2015, one hundred percent (100%) of the owners of land within the territory that is proposed to be annexed.

(b) Sections 2.1 and 2.2 of this chapter do not apply to an annexation under this section.

(c) The petition circulated by the landowners must include on each page where signatures are affixed a heading that is substantially similar to the following:

"PETITION FOR ANNEXATION INTO THE (insert whether city or town) OF (insert name of city or town).".

(d) The municipality may:

(1) adopt an annexation ordinance annexing the territory; and

(2) adopt a fiscal plan and establish a definite policy by resolution of the legislative body;

after the legislative body has held a public hearing on the proposed annexation.

(e) The municipality may introduce and hold the public hearing on the annexation ordinance not later than thirty (30) days after the petition is filed with the legislative body. Notice of the public hearing may be published one (1) time in accordance with IC 5-3-1 at least twenty (20) days before the hearing. All interested parties must have the opportunity to testify at the hearing as to the proposed annexation.

(f) The municipality may adopt the annexation ordinance not earlier than fourteen (14) days after the public hearing under subsection (e).

(g) A landowner may withdraw the landowner's signature from the petition not more than thirteen (13) days after the municipality adopts the fiscal plan by providing written notice to the office of the clerk of the municipality. If a landowner withdraws the landowner's signature, the petition shall automatically be considered a voluntary petition that is filed with the legislative body under section 5 of this chapter, fourteen (14) days after the date the fiscal plan is adopted. All provisions applicable to a petition initiated under section 5 of this chapter apply to the petition.

(h) If the municipality does not adopt an annexation ordinance within sixty (60) days after the landowners file the petition with the legislative body, the landowners may file a duplicate petition with the circuit or superior court of a county in which the territory is located. The court shall determine whether the annexation shall take place as set forth in section 5 of this chapter.

(i) A remonstrance under section 11 of this chapter may not be filed. However, an appeal under section 15.5 of this chapter may be filed.

(j) In the absence of an appeal under section 15.5 of this chapter, an annexation ordinance adopted under this section takes effect not less than thirty (30) days after the adoption of the ordinance and upon the filing and recording of the ordinance under section 22 of this chapter.

SECTION 10. IC 36-9-25-11.3, AS ADDED BY P.L.175-2006, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11.3. (a) This section applies to:

(1) a board and district created under section 3(b)(2) of this chapter; **and**

(2) a board and district to which the following apply:

(A) The district is within the jurisdiction of a department established under section 1(a)(2) of this chapter.

(B) The district is under an order or party to an agreement with one (1) or more state or federal agencies to remediate environmental conditions.

(b) For purposes of this section, "commission" refers to the Indiana utility regulatory commission created by IC 8-1-1-2.

(c) For purposes of this section, "fees" means fees:

(1) for the treatment and disposal of sewage and other waste discharged into the sewer system of the district; and

(2) related to property that is subject to full taxation.

(d) Fees do not take effect until the fees are:

(1) approved by the board; and

(2) either:

(A) approved in an ordinance adopted by the legislative body of each municipality in the district; or

(B) established by the commission under this section.

(e) Not earlier than thirty (30) days after fees are approved under subsection (d)(1), the board may petition the commission to establish the fees under:

(1) the procedures set forth in IC 8-1-2; and

(2) subsection (f).

(f) The commission shall observe the following requirements when establishing fees for a district:

(1) Fees must be sufficient to enable the district to furnish reasonably adequate services and facilities.

(2) Fees for a service must be nondiscriminatory, reasonable, and just and must produce sufficient revenue, together with taxes levied under this chapter, to do the following:

(A) Pay all legal and other necessary expenses incident to the operation of the utility, including the following:

(i) Maintenance costs.

(ii) Operating charges.

(iii) Upkeep.

(iv) Repairs.

(v) Depreciation.

(vi) Interest charges on bonds or other obligations, including leases.

(B) Provide a sinking fund for the liquidation of bonds or other obligations, including leases.

(C) Provide a debt service reserve for bonds or other obligations, including leases, in an amount established by the board. The amount may not exceed the maximum annual debt service on the bonds or obligations or the maximum annual lease rentals, if any.

(D) Provide adequate money for working capital.

(E) Provide adequate money for making extensions and replacements to the extent not provided for through depreciation in clause (A).

(F) Provide money for the payment of taxes that may be assessed against the district.

(3) The fees charged by the district must produce an income sufficient to maintain district property in a sound physical and financial condition to render adequate and efficient service. Fees may not be too low to meet these requirements.

(4) If the board petitions the commission under subsection (e), the fees established must produce a reasonable return on the sanitary district facilities.

(5) Fees other than fees established for a municipally owned utility taxed under IC 6-1.1-8-3 must be sufficient to compensate the municipality for taxes that would be due the municipality on the utility property located in the municipality if the property were privately owned.

(6) The commission must grant a request by the board to postpone an increase in fees until after the occurrence of a future event.

(g) The board may transfer fees in lieu of taxes established under subsection (f)(5) to the general fund of the appropriate municipality.

(h) Fees established by the commission under this section take effect to the same extent as if the fees were approved by an ordinance adopted by the legislative body of each municipality in the district.

SECTION 11. **An emergency is declared for this act.**

(Reference is to EHB 1131 as reprinted February 28, 2020.)

Pressel, Chair	Boots
Pierce	Garten
House Conferees	Senate Conferees

Roll Call 378: yeas 41, nays 6. Report adopted.

MOTIONS TO CONCUR IN HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 184.

CHARBONNEAU

Roll Call 379: yeas 47, nays 1. Motion prevailed.

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT

ESB 1–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 1 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 7.1-1-3-25, AS AMENDED BY P.L.176-2015, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 25. ~~(a)~~ "Minor" ~~except as provided in subsection (b),~~ means a person less than twenty-one (21) years of age.

~~(b) "Minor", for purposes of IC 7.1-7, has the meaning set forth in IC 7.1-7-2-17.~~

SECTION 2. IC 7.1-2-3-33, AS AMENDED BY P.L.214-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 33. The commission is authorized to:

(1) investigate a violation of; and

(2) enforce a penalty for a violation of;

IC 35-46-1-10, IC 35-46-1-10.2, IC 35-46-1-11, IC 35-46-1-11.2, **IC 35-46-1-11.4,** IC 35-46-1-11.5, IC 35-46-1-11.7, or IC 35-46-1-11.8.

SECTION 3. IC 7.1-3-18.5-2, AS AMENDED BY P.L.231-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A person who desires a certificate must provide the following to the commission:

(1) The applicant's name and mailing address and the address of the premises for which the certificate is being issued.

(2) Except as provided in section 6(c) of this chapter, a fee of two hundred dollars ($200).

(3) The name under which the applicant transacts or intends to transact business.

(4) The address of the applicant's principal place of business or headquarters, if any.

(5) The statement required under section 2.6 of this chapter.

(b) A separate certificate is required for each location where the tobacco products or electronic cigarettes are sold or distributed.

(c) A certificate holder shall conspicuously display the holder's certificate on the holder's premises where the tobacco products or electronic cigarettes are sold or distributed.

(d) Any intentional misstatement or suppression of a material fact in an application filed under this section constitutes grounds for denial of the certificate.

(e) A certificate may be issued only to a person who meets the following requirements:

(1) If the person is an individual, the person must be at least ~~eighteen (18)~~ **twenty-one (21)** years of age.

(2) The person must be authorized to do business in Indiana.

(3) The person has not had an interest in a certificate revoked by the commission for that business location within the preceding one (1) year.

(f) The fees collected under this section shall be deposited in the enforcement and administration fund under IC 7.1-4-10.

SECTION 4. IC 7.1-3-18.5-5, AS AMENDED BY P.L.214-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) Subject to subsection (b), the commission may suspend the certificate of a person who fails to pay a civil penalty imposed for violating IC 35-46-1-10, IC 35-46-1-10.2, IC 35-46-1-11,

IC 35-46-1-11.2, **IC 35-46-1-11.4,** IC 35-46-1-11.5, IC 35-46-1-11.7, or IC 35-46-1-11.8.

(b) Before enforcing the imposition of a civil penalty or suspending or revoking a certificate under this chapter, the commission shall provide written notice of the alleged violation to the certificate holder and conduct a hearing. The commission shall provide written notice of the civil penalty or suspension or revocation of a certificate to the certificate holder.

(c) Subject to subsection (b), the commission shall revoke the certificate of a person upon a finding by a preponderance of the evidence that the person:

(1) has violated IC 35-45-5-3, IC 35-45-5-3.5, IC 35-45-5-4, IC 35-46-1-11, IC 35-46-1-11.2, **IC 35-46-1-11.4,** or IC 35-46-1-11.8;

(2) has committed habitual illegal sale of tobacco as established under ~~IC 35-46-1-10.2(h);~~ **IC 35-46-1-10.2(j);** or

(3) has committed habitual illegal entrance by a minor as established under IC 35-46-1-11.7(f).

SECTION 5. IC 7.1-3-18.5-6, AS AMENDED BY P.L.214-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) If a certificate has:

(1) expired; or

(2) been suspended;

the commission may not reinstate or renew the certificate until all civil penalties imposed against the certificate holder for violating IC 35-46-1-10, IC 35-46-1-10.2, IC 35-46-1-11, IC 35-46-1-11.2, **IC 35-46-1-11.4,** IC 35-46-1-11.5, IC 35-46-1-11.7, or IC 35-46-1-11.8 have been paid.

(b) The failure to pay a civil penalty described in subsection (a) is a Class B infraction.

(c) If a certificate has been revoked, the commission may not reinstate or renew the certificate for at least one hundred eighty (180) days after the date of revocation. The commission may reinstate or renew the certificate only upon a reasonable showing by the applicant that the applicant shall:

(1) exercise due diligence in the sale of tobacco products or electronic cigarettes on the applicant's premises where the tobacco products or electronic cigarettes are sold or distributed; and

(2) properly supervise and train the applicant's employees or agents in the handling and sale of tobacco products or electronic cigarettes.

If a certificate is reinstated or renewed, the applicant of the certificate shall pay an application fee of one thousand dollars ($1,000).

(d) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the youth tobacco education and enforcement fund established under IC 7.1-6-2-6.

SECTION 6. IC 7.1-3-18.5-8, AS AMENDED BY P.L.214-2016, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. The commission may mitigate civil penalties imposed against a certificate holder for violating IC 35-46-1-10, IC 35-46-1-10.2, IC 35-46-1-11, IC 35-46-1-11.2, **IC 35-46-1-11.4,** IC 35-46-1-11.5, IC 35-46-1-11.7, IC 35-46-1-11.8, or any of the provisions of this chapter if a certificate holder provides a training program for the certificate holder's employees that includes at least the following topics:

(1) Laws governing the sale of tobacco products and electronic cigarettes.

(2) Methods of recognizing and handling customers who are less than ~~eighteen (18)~~ **twenty-one (21)** years of age.

(3) Procedures for proper examination of identification cards to verify that customers are under ~~eighteen (18)~~ **twenty-one (21)** years of age.

SECTION 7. IC 7.1-3-18.5-9, AS AMENDED BY P.L.231-2015, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. A certificate holder shall exercise due diligence in the supervision and training of the certificate holder's employees or agents in the handling and sale of tobacco products and electronic cigarettes on the holder's retail premises. Proof that employees or agents of the certificate holder, while in the scope of their employment, committed at least six (6) violations relating to ~~IC 35-46-1-10.2(a)~~ **IC 35-46-1-10.2(b)** in any one ~~hundred eighty (180) day~~ **(1) year** period shall be prima facie evidence of a lack of due diligence by the certificate holder in the supervision and training of the certificate holder's employees or agents.

SECTION 8. IC 7.1-5-12-5, AS AMENDED BY HEA 1210-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) Except as provided in subsection (c) and subject to section 13 of this chapter, smoking may be allowed in the following:

(1) A horse racing facility operated under a permit under IC 4-31-5 and any other permanent structure on land owned or leased by the owner of the facility that is adjacent to the facility.

(2) A riverboat (as defined in IC 4-33-2-17) and any other permanent structure that is:

(A) owned or leased by the owner of the riverboat; and

(B) located on land that is adjacent to:

(i) the dock to which the riverboat is moored; or

(ii) the land on which the riverboat is situated in the case of a riverboat described in IC 4-33-2-17(2).

(3) A facility that operates under a gambling game license under IC 4-35-5 and any other permanent structure on land owned or leased by the owner of the facility that is adjacent to the facility.

(4) A satellite facility licensed under IC 4-31-5.5.

(5) An establishment owned or leased by a business that meets the following requirements:

(A) The business was in business and permitted smoking on December 31, 2012.

(B) The business prohibits entry by an individual who is less than twenty-one (21) years of age.

(C) The owner or operator of the business holds a beer, liquor, or wine retailer's permit.

(D) The business limits smoking in the establishment to smoking with a waterpipe or hookah device.

(E) During the preceding calendar year, at least ten percent (10%) of the business's annual gross income was from the sale of loose tobacco for use in a waterpipe or

hookah device.

(F) The person in charge of the business posts in the establishment conspicuous signs that display the message that cigarette smoking is prohibited.

(6) An establishment owned or leased by a business that meets the following requirements:

(A) The business prohibits entry by an individual who is less than twenty-one (21) years of age.

(B) The owner or operator of the business holds a beer, liquor, or wine retailer's permit.

(C) The business limits smoking in the establishment to cigar smoking.

(D) During the preceding calendar year, at least ten percent (10%) of the business's annual gross income was from the sale of cigars and the rental of onsite humidors.

(E) The person in charge of the business posts in the establishment conspicuous signs that display the message that cigarette smoking is prohibited.

(7) A premises owned or leased by and regularly used for the activities of a business that meets all of the following:

(A) The business is exempt from federal income taxation under 26 U.S.C. 501(c).

(B) The business:

(i) meets the requirements to be considered a club under IC 7.1-3-20-1; or

(ii) is a fraternal club (as defined in IC 7.1-3-20-7).

(C) The business provides food or alcoholic beverages only to its bona fide members and their guests.

(D) The business:

(i) provides a separate, enclosed, designated smoking room or area that is adequately ventilated to prevent migration of smoke to nonsmoking areas of the premises;

(ii) allows smoking only in the room or area described in item (i);

(iii) does not allow an individual who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age to enter into the room or area described in item (i); and

(iv) allows a guest in the smoking room or area described in item (i) only when accompanied by a bona fide member of the business.

(8) A retail tobacco store used primarily for the sale of tobacco products and tobacco accessories that meets the following requirements:

(A) The owner or operator of the store holds a valid tobacco sales certificate issued under IC 7.1-3-18.5.

(B) The store prohibits entry by an individual who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age.

(C) The sale of products other than tobacco products and tobacco accessories is merely incidental.

(D) The sale of tobacco products accounts for at least eighty-five percent (85%) of the store's annual gross sales.

(E) Food or beverages are not sold in a manner that requires consumption on the premises, and there is not an area set aside for customers to consume food or beverages on the premises.

(9) A bar or tavern:

(A) for which a permittee holds:

(i) a beer retailer's permit under IC 7.1-3-4;

(ii) a liquor retailer's permit under IC 7.1-3-9; or

(iii) a wine retailer's permit under IC 7.1-3-14;

(B) that does not employ an individual who is less than eighteen (18) years of age;

(C) that does not allow an individual who:

(i) is less than twenty-one (21) years of age; and

(ii) is not an employee of the bar or tavern;

to enter any area of the bar or tavern; and

(D) that is not located in a business that would otherwise be subject to this chapter.

(10) A cigar manufacturing facility that does not offer retail sales.

(11) A premises of a cigar specialty store to which all of the following apply:

(A) The owner or operator of the store holds a valid tobacco sales certificate issued under IC 7.1-3-18.5.

(B) The sale of tobacco products and tobacco accessories account for at least fifty percent (50%) of the store's annual gross sales.

(C) The store has a separate, enclosed, designated smoking room that is adequately ventilated to prevent migration of smoke to nonsmoking areas.

(D) Smoking is allowed only in the room described in clause (C).

(E) Individuals who are less than ~~eighteen (18)~~ **twenty-one (21)** years of age are prohibited from entering into the room described in clause (C).

(F) Cigarette smoking is not allowed on the premises of the store.

(G) The owner or operator of the store posts a conspicuous sign on the premises of the store that displays the message that cigarette smoking is prohibited.

(H) The store does not prepare any food or beverage that would require a certified food ~~handler~~ **protection manager** under IC 16-42-5.2.

(12) The premises of a business that is located in the business owner's private residence (as defined in IC 3-5-2-42.5) if the only employees of the business who work in the residence are the owner and other individuals who reside in the residence.

(b) The owner, operator, manager, or official in charge of an establishment or premises in which smoking is allowed under this section shall post conspicuous signs in the establishment that read "WARNING: Smoking Is Allowed In This Establishment" or other similar language.

(c) This section does not allow smoking in the following enclosed areas of an establishment or premises described in subsection (a)(1) through (a)(11):

(1) Any hallway, elevator, or other common area where an individual who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age is permitted.

(2) Any room that is intended for use by an individual who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age.

(d) The owner, operator, or manager of an establishment or premises that is listed under subsection (a) and that allows smoking shall provide a verified statement to the commission that states that the establishment or premises qualifies for the exemption. The commission may require the owner, operator, or manager of an establishment or premises to provide documentation or additional information concerning the exemption of the establishment or premises.

SECTION 9. IC 7.1-6-2-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. The division of mental health and addiction established under IC 12-21 shall coordinate the conduct of random unannounced inspections at locations where tobacco products, **e-liquids, or electronic cigarettes** are sold or distributed to ensure compliance with this article. Only the commission, an Indiana law enforcement agency, the office of the sheriff of a county, or an organized police department of a municipal corporation may conduct the random unannounced inspections. These entities may use retired or off-duty law enforcement officers to conduct inspections under this section.

SECTION 10. IC 7.1-6-2-4, AS AMENDED BY P.L.20-2013, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) An enforcement officer vested with full police powers and duties may engage a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age as part of an enforcement action under this article if the initial or contemporaneous receipt or purchase of a tobacco product, **e-liquid,** or electronic cigarette by a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age occurs under the direction of an enforcement officer vested with full police powers and duties and is part of the enforcement action.

(b) An enforcement officer vested with full police powers and duties shall not:

(1) recruit or attempt to recruit a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age to participate in an enforcement action under subsection (a) at the scene of a violation of section 2 of this chapter; or

(2) allow a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age to purchase or receive a tobacco product, **e-liquid,** or electronic cigarette as part of an enforcement action under subsection (a) without the written permission of the person's parents or legal guardians.

SECTION 11. IC 7.1-7-2-6.3, AS ADDED BY P.L.206-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.3. "Delivery sale" means a sale of ~~e-liquids~~ **an e-liquid** to a purchaser in Indiana in which the purchaser submits the order for the sale:

(1) by telephone;

(2) over the Internet; or

(3) through the mail or another delivery system;

and the ~~e-liquids are~~ **e-liquid is** shipped through a delivery service. "Delivery sale" does not include a sale of ~~e-liquids~~ **an e-liquid** not for personal consumption to a person who is a retailer.

SECTION 12. IC 7.1-7-2-17 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 17. "Minor" means an individual who is less than eighteen (18) years of age.~~

SECTION 13. IC 7.1-7-4-1, AS AMENDED BY P.L.206-2017, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A manufacturer of e-liquid may not mix, bottle, package, or sell e-liquid to retailers, consumers, or distributors in Indiana without a permit issued by the commission under this article.

(b) ~~All e-liquids~~ **An e-liquid** manufactured by an e-liquids manufacturer approved by the commission under this article before July 1, 2017, may be distributed and sold for retail until the expiration date of the ~~e-liquids.~~ **e-liquid.**

(c) A manufacturing permit issued by the commission is valid for five (5) years. A manufacturing permit issued by the commission under this article before July 1, 2017, does not expire before July 1, 2020.

(d) An initial application for a manufacturing permit must include the following:

(1) The name, telephone number, and address of the applicant.

(2) The name, telephone number, and address of the manufacturing facility.

(3) The name, telephone number, title, and address of the person responsible for the manufacturing facility.

(4) Verification that the facility will comply with applicable tobacco products good manufacturing practices promulgated under 21 U.S.C. 387f(e) of the federal Food, Drug, and Cosmetic Act.

(5) Verification that the manufacturer will comply with the applicable ingredient listing required by 21 U.S.C. 387d(a)(1) of the federal Food, Drug, and Cosmetic Act.

(6) Written consent allowing the state police department to conduct a state or national criminal history background check on any person listed on the application.

(7) A nonrefundable initial application fee of one thousand dollars ($1,000).

(e) The fees collected under subsection (d)(7) shall be deposited in the enforcement and administration fund established under IC 7.1-4-10.

SECTION 14. IC 7.1-7-5.5-1, AS ADDED BY P.L.206-2017, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. A retailer may not make a delivery sale of e-liquid to ~~a minor~~ **an individual who does not meet the minimum age requirement** as set forth in IC 7.1-7-6-5.

SECTION 15. IC 7.1-7-5.5-2, AS ADDED BY P.L.206-2017, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. A retailer may not ship ~~e-liquids~~ **an e-liquid** without first making a good faith effort to verify the age of the purchaser of the ~~e-liquids~~ **e-liquid** as set forth in IC 7.1-7-6-6.

SECTION 16. IC 7.1-7-5.5-3, AS ADDED BY P.L.206-2017, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Before ~~e-liquids are~~ **an e-liquid is** shipped in a delivery sale, a retailer must be fully paid for the purchase and shall accept payment from the purchaser:

(1) by a check drawn on an account in the purchaser's name;

(2) by a credit card issued in the purchaser's name; or

(3) by a debit card issued in the purchaser's name.

(b) A retailer may ship ~~e-liquids~~ **an e-liquid** only to a purchaser.

SECTION 17. IC 7.1-7-5.5-5, AS ADDED BY P.L.206-2017, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. A retailer who ships ~~e-liquids~~ **an e-liquid** from a delivery sale order shall include as part of the shipping documents a document with the following statement: "E-LIQUIDS: Indiana law prohibits the sale of this product to a person who is less than ~~18~~ **21** years of age.".

SECTION 18. IC 7.1-7-6-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 2. (a) This subsection does not apply to a delivery sale as defined in IC 7.1-7-2-6.3. If a retailer:~~

~~(1) knowingly and intentionally sells e-liquid to a minor; or~~

~~(2) knowingly, intentionally, or negligently fails to verify the age of a person who appears to be less than twenty-seven (27) years of age by checking a government issued identification and sells the person e-liquid;~~

~~the retailer commits a Class C infraction. For a sale to take place under this section, the buyer must pay the retail establishment for the e-liquid.~~

~~(b) Notwithstanding IC 34-28-5-4(c), a civil judgment for an infraction committed under this section must be imposed as follows:~~

~~(1) If the retail establishment at that specific business location has not been issued a citation or summons for a violation of this section in the previous one hundred eighty (180) days, a civil penalty of up to two hundred dollars ($200).~~

~~(2) If the retail establishment at that specific business location has had one (1) citation or summons issued for a violation of this section in the previous one hundred eighty (180) days, a civil penalty of up to four hundred dollars ($400).~~

~~(3) If the retail establishment at that specific business location has had two (2) citations or summonses issued for a violation of this section in the previous one hundred eighty (180) days, a civil penalty of up to seven hundred dollars ($700).~~

~~(4) If the retail establishment at that specific business location has had three (3) or more citations or summonses issued for a violation of this section in the previous one hundred eighty (180) days, a civil penalty of up to one thousand dollars ($1,000).~~

~~A retail establishment may not be issued a citation or summons for a violation of this section more than once every twenty-four (24) hours for each specific business location.~~

~~(c) It is not a defense that the person to whom e-liquid was sold or distributed did not inhale or otherwise consume e-liquid.~~

~~(d) The following defenses are available to a retail establishment accused of selling or distributing e-liquid to a person who is less than eighteen (18) years of age:~~

~~(1) The buyer or recipient produced a driver's license bearing the purchaser's or recipient's photograph showing that the purchaser or recipient was of legal age to make the purchase.~~

~~(2) The buyer or recipient produced a photographic identification card issued under IC 9-24-16-1 or a similar card issued under the laws of another state or the federal government showing that the purchaser or recipient was of legal age to make the purchase.~~

~~(3) The appearance of the purchaser or recipient was such that an ordinary prudent person would believe that the purchaser or recipient was not less than the age that complies with regulations promulgated by the federal Food and Drug Administration.~~

~~(e) It is a defense that the accused retail establishment sold or delivered e-liquid to a person who acted in the ordinary course of employment or a business concerning e-liquid:~~

~~(1) agriculture;~~

~~(2) processing;~~

~~(3) transporting;~~

~~(4) wholesaling; or~~

~~(5) retailing.~~

~~(f) As used in this section, "distribute" means to give e-liquid to another person as a means of promoting, advertising, or marketing e-liquid to the general public.~~

~~(g) Unless a person buys or receives e-liquid under the direction of a law enforcement officer as part of an enforcement action, a retail establishment that sells or distributes e-liquid is not liable for a violation of this section unless the person less than eighteen (18) years of age who bought or received the e-liquid is issued a citation or summons in violation of this article.~~

~~(h) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund (IC 7.1-6-2-6).~~

~~(i) A person who violates subsection (a) at least six (6) times in any one hundred eighty (180) day period commits habitual illegal sale of e-liquid, a Class B infraction.~~

SECTION 19. IC 7.1-7-6-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.1. A person who sells or distributes an e-liquid to a person less than twenty-one (21) years of age may be in violation of IC 35-46-1.**

SECTION 20. IC 7.1-7-6-5, AS ADDED BY P.L.206-2017, SECTION 35, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. A person who knowingly or intentionally makes a delivery sale of ~~e-liquids~~ **an e-liquid** to ~~a minor~~ **an individual who is less than twenty-one (21) years of age** commits a Class C infraction.

SECTION 21. IC 7.1-7-6-6, AS ADDED BY P.L.206-2017, SECTION 36, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) As used in this section, "good faith effort to verify the age of ~~a~~ **the** purchaser of ~~e-liquids"~~ **the e-liquid"** means:

(1) verifying the age of the purchaser in a commercially available database; or

(2) obtaining a photocopy of a government issued identification;

that indicates the birth date or age of the purchaser.

(b) A person who knowingly or intentionally ships ~~e-liquids~~ **an e-liquid** without first making a good faith effort to verify the age of the purchaser of the ~~e-liquids~~ **e-liquid** commits a Class C

infraction.

SECTION 22. IC 24-3-5-4, AS AMENDED BY P.L.160-2005, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. Subject to section 4.5 of this chapter, a merchant may not mail or ship cigarettes as part of a delivery sale unless, before mailing or shipping the cigarettes, the merchant:

(1) obtains from the prospective customer a written statement signed by the prospective customer under penalty of perjury:

(A) providing the prospective customer's address and date of birth;

(B) advising the prospective customer that:

(i) signing another person's name to the statement required under this subdivision may subject the person to a civil monetary penalty of not more than one thousand dollars ($1,000); and

(ii) purchasing cigarettes by a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age is a Class C infraction under IC 35-46-1-10.5;

(C) confirming that the cigarette order was placed by the prospective customer;

(D) providing a warning under 15 U.S.C. 1333(a)(1); and

(E) stating the sale of cigarettes by delivery sale is a taxable event for purposes of IC 6-7-1;

(2) makes a good faith effort to verify the information in the written statement obtained under subdivision (1) by using a federal or commercially available data base; and

(3) receives payment for the delivery sale by a credit or debit card issued in the name of the prospective purchaser.

SECTION 23. IC 24-3-5-5, AS AMENDED BY P.L.160-2005, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) A merchant who mails or ships cigarettes as part of a delivery sale shall:

(1) use a mailing or shipping service that requires the customer or a person at least ~~eighteen (18)~~ **twenty-one (21)** years of age who is designated by the customer to:

(A) sign to accept delivery of the cigarettes; and

(B) present a valid operator's license issued under IC 9-24-3 or an identification card issued under IC 9-24-16 if the customer or the customer's designee, in the opinion of the delivery agent or employee of the mailing or shipping service, appears to be less than ~~twenty-seven (27)~~ **thirty (30)** years of age;

(2) provide to the mailing or shipping service used under subdivision (1) proof of compliance with section 6(a) of this chapter; and

(3) include the following statement in bold type or capital letters on an invoice or shipping document:

INDIANA LAW PROHIBITS THE MAILING OR SHIPPING OF CIGARETTES TO A PERSON LESS THAN ~~EIGHTEEN (18)~~ **TWENTY-ONE (21)** YEARS OF AGE AND REQUIRES PAYMENT OF ALL APPLICABLE TAXES.

(b) The commission may impose a civil penalty of not more than one thousand dollars ($1,000) if a mailing or shipping service:

(1) delivers cigarettes as part of a delivery sale without first receiving proof from the merchant of compliance with section 6(a) of this chapter; or

(2) fails to obtain a signature and proof of identification of the customer or the customer's designee under subsection (a)(1).

The commission shall deposit amounts collected under this subsection into the **Richard D. Doyle** youth tobacco education and enforcement fund established by IC 7.1-6-2-6.

(c) The following apply to a merchant that mails or ships cigarettes as part of a delivery sale without using a third party service as required by subsection (a)(1):

(1) The merchant shall require the customer or a person at least ~~eighteen (18)~~ **twenty-one (21)** years of age who is designated by the customer to:

(A) sign to accept delivery of the cigarettes; and

(B) present a valid operator's license issued under IC 9-24-3 or identification card issued under IC 9-24-16 if the customer or the customer's designee, in the opinion of the merchant or the merchant's employee making the delivery, appears to be less than ~~twenty-seven (27)~~ **thirty (30)** years of age.

(2) The commission may impose a civil penalty of not more than one thousand dollars ($1,000) if the merchant:

(A) delivers the cigarettes without first complying with section 6(a) of this chapter; or

(B) fails to obtain a signature and proof of identification of the customer or the customer's designee under subdivision (1).

The commission shall deposit amounts collected under this subdivision into the **Richard D. Doyle** youth tobacco education and enforcement fund established by IC 7.1-6-2-6.

SECTION 24. IC 24-3-5-8, AS AMENDED BY P.L.160-2005, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. The commission may impose a civil penalty of not more one thousand dollars ($1,000) on a:

(1) customer who signs another person's name to a statement required under section 4(1) of this chapter; or

(2) merchant who sells cigarettes by delivery sale to a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age.

The commission shall deposit amounts collected under this section into the **Richard D. Doyle** youth tobacco education and enforcement fund established by IC 7.1-6-2-6.

SECTION 25. IC 35-31.5-2-100, AS AMENDED BY P.L.185-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 100. (a) "Distribute", for purposes of IC 35-45-4-8, has the meaning set forth in IC 35-45-4-8.

(b) "Distribute", for purposes of IC 35-46-1-10, has the meaning set forth in ~~IC 35-46-1-10(c).~~ **IC 35-46-1-10(f).**

(c) "Distribute", for purposes of IC 35-46-1-10.2, has the meaning set forth in ~~IC 35-46-1-10.2(c).~~ **IC 35-46-1-10.2(g).**

(d) "Distribute", for purposes of IC 35-47.5, has the meaning set forth in IC 35-47.5-2-6.

(e) "Distribute", for purposes of IC 35-48, has the meaning set forth in IC 35-48-1-14.

(f) "Distribute", for purposes of IC 35-49, has the meaning set forth in IC 35-49-1-2.

SECTION 26. IC 35-31.5-2-107.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 107.5. "E-liquid", for purposes of IC 35-46-1, has the meaning set forth in IC 35-46-1-1.4.**

SECTION 27. IC 35-43-5-3.8, AS AMENDED BY P.L.158-2013, SECTION 473, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.8. (a) A person who knowingly or intentionally obtains, possesses, transfers, or uses the synthetic identifying information:

(1) with intent to harm or defraud another person;

(2) with intent to assume another person's identity; or

(3) with intent to profess to be another person;

commits synthetic identity deception, a Level 6 felony.

(b) The offense under subsection (a) is a Level 5 felony if:

(1) a person obtains, possesses, transfers, or uses the synthetic identifying information of more than one hundred (100) persons; or

(2) the fair market value of the fraud or harm caused by the offense is at least fifty thousand dollars ($50,000).

(c) The conduct prohibited in subsections (a) and (b) does not apply to:

(1) a person less than twenty-one (21) years of age who uses the synthetic identifying information of another person to acquire:

(A) an alcoholic beverage (as defined in IC 7.1-1-3-5); or

(B) a cigarette, e-liquid, or tobacco product (as defined in IC 6-7-2-5); or

(2) a minor (as defined in IC 35-49-1-4) who uses the synthetic identifying information of another person to acquire:

~~(A) a cigarette or tobacco product (as defined in IC 6-7-2-5);~~

~~(B)~~ **(A)** a periodical, a videotape, or other communication medium that contains or depicts nudity (as defined in IC 35-49-1-5);

~~(C)~~ **(B)** admittance to a performance (live or on film) that prohibits the attendance of the minor based on age; or

~~(D)~~ **(C)** an item that is prohibited by law for use or consumption by a minor.

(d) It is not a defense in a prosecution under subsection (a) or (b) that no person was harmed or defrauded.

SECTION 28. IC 35-46-1-1, AS AMENDED BY P.L.99-2007, SECTION 210, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. As used in this chapter:

"Dependent" means:

(1) an unemancipated person who is under eighteen (18) years of age; or

(2) a person of any age who has a mental or physical disability.

"Endangered adult" has the meaning set forth in IC 12-10-3-2.

"Support" means food, clothing, shelter, or medical care.

"Tobacco and vaping business" means a sole proprietorship, partnership, or other enterprise in which:

(1) the primary activity is the sale of:

(A) e-liquids;

(B) e-liquid accessories;

(C) electronic cigarettes;

(D) tobacco;

(E) tobacco products;

(F) tobacco accessories; or

(G) any combination of the products listed in clauses (A) through (F); and

(2) the sale of other products is incidental.

"Tobacco business" means a sole proprietorship, corporation, partnership, or other enterprise in which:

(1) the primary activity is the sale of tobacco, tobacco products, and tobacco accessories; and

(2) the sale of other products is incidental.

SECTION 29. IC 35-46-1-1.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.4. As used in this chapter, "e-liquid" has the meaning set forth in IC 7.1-7-2-10.**

SECTION 30. IC 35-46-1-10, AS AMENDED BY P.L.20-2013, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) **A person may not be charged with a violation under this section and a violation under IC 7.1-7-6-5.**

(b) A person who knowingly:

(1) sells or distributes tobacco, **an e-liquid,** or an electronic cigarette to a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age; or

(2) purchases tobacco, **an e-liquid,** or an electronic cigarette for delivery to another person who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age;

commits a Class C infraction. For a sale to take place under this section, the buyer must pay the seller for the tobacco product, **the e-liquid,** or the electronic cigarette.

~~(b)~~ **(c)** It is not a defense that the person to whom the tobacco, **the e-liquid,** or electronic cigarette was sold or distributed did not smoke, chew, inhale, or otherwise consume the tobacco, **e-liquid,** or the electronic cigarette.

~~(c)~~ **(d)** The following defenses are available to a person accused of selling or distributing tobacco, **an e-liquid,** or an electronic cigarette to a person who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age:

(1) The buyer or recipient produced a driver's license bearing the purchaser's or recipient's photograph, showing that the purchaser or recipient was of legal age to make the purchase.

(2) The buyer or recipient produced a photographic identification card issued under IC 9-24-16-1, or a similar card issued under the laws of another state or the federal government, showing that the purchaser or recipient was of

legal age to make the purchase.

(3) The appearance of the purchaser or recipient was such that an ordinary prudent person would believe that the purchaser or recipient was not less than ~~the age that complies with regulations~~ **thirty (30) years of age.** ~~promulgated by the federal Food and Drug Administration.~~

~~(d)~~ **(e)** It is a defense that the accused person sold or delivered the tobacco, **e-liquid,** or electronic cigarette to a person who acted in the ordinary course of employment or a business concerning tobacco, **an e-liquid,** or electronic cigarettes **including the following activities:**

(1) Agriculture.

(2) Processing.

(3) Transporting.

(4) Wholesaling. ~~or~~

(5) Retailing.

~~(e)~~ **(f)** As used in this section, "distribute" means to give tobacco, **an e-liquid,** or an electronic cigarette to another person as a means of promoting, advertising, or marketing the tobacco, **e-liquid,** or electronic cigarette to the general public.

~~(f)~~ **(g)** Unless the person buys or receives tobacco, **an e-liquid,** or an electronic cigarette under the direction of a law enforcement officer as part of an enforcement action, a person who sells or distributes tobacco, **an e-liquid,** or an electronic cigarette is not liable for a violation of this section unless the person less than ~~eighteen (18)~~ **twenty-one (21)** years of age who bought or received the tobacco, **e-liquid,** or electronic cigarette is issued a citation or summons under section 10.5 of this chapter.

~~(g)~~ **(h)** Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund (IC 7.1-6-2-6).

SECTION 31. IC 35-46-1-10.2, AS AMENDED BY P.L.20-2013, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.2. (a) **A person may not be charged with a violation under this section and a violation under IC 7.1-7-6-5.**

(b) A retail establishment that sells or distributes tobacco, **an e-liquid,** or an electronic cigarette to a person less than ~~eighteen (18)~~ **twenty-one (21)** years of age commits a Class C infraction. For a sale to take place under this section, the buyer must pay the retail establishment for the tobacco product, **an e-liquid,** or electronic cigarette.

(c) Notwithstanding IC 34-28-5-4(c), a civil judgment for an infraction committed under this section must be imposed as follows:

(1) If the retail establishment at that specific business location has not been issued a citation or summons for a violation of this section in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~two~~ **four** hundred dollars ~~($200).~~ **($400).**

(2) If the retail establishment at that specific business location has had one (1) citation or summons issued for a violation of this section in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~four~~ **eight** hundred dollars ~~($400).~~ **($800).**

(3) If the retail establishment at that specific business location has had two (2) citations or summonses issued for a violation of this section in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~seven~~ **one thousand four** hundred dollars ~~($700).~~ **($1,400).**

(4) If the retail establishment at that specific business location has had three (3) or more citations or summonses issued for a violation of this section in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~one~~ **two** thousand dollars ~~($1,000).~~ **($2,000).**

A retail establishment may not be issued a citation or summons for a violation of this section more than once every twenty-four (24) hours for each specific business location.

~~(b)~~ **(d)** It is not a defense that the person to whom the tobacco, **an e-liquid,** or electronic cigarette was sold or distributed did not smoke, chew, inhale, or otherwise consume the tobacco, **e-liquid,** or electronic cigarette.

~~(c)~~ **(e)** The following defenses are available to a retail establishment accused of selling or distributing tobacco, **an e-liquid,** or an electronic cigarette to a person who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age:

(1) The buyer or recipient produced a driver's license bearing the purchaser's or recipient's photograph showing that the purchaser or recipient was of legal age to make the purchase.

(2) The buyer or recipient produced a photographic identification card issued under IC 9-24-16-1 or a similar card issued under the laws of another state or the federal government showing that the purchaser or recipient was of legal age to make the purchase.

(3) The appearance of the purchaser or recipient was such that an ordinary prudent person would believe that the purchaser or recipient was not less than ~~the age that complies with regulations~~ **thirty (30) years of age.** ~~promulgated by the federal Food and Drug Administration.~~

~~(d)~~ **(f)** It is a defense that the accused retail establishment sold or delivered the tobacco, **e-liquid,** or electronic cigarette to a person who acted in the ordinary course of employment or a business concerning tobacco, **an e-liquid,** or electronic cigarettes **for the following activities:**

(1) Agriculture.

(2) Processing.

(3) Transporting.

(4) Wholesaling. ~~or~~

(5) Retailing.

~~(e)~~ **(g)** As used in this section, "distribute" means to give tobacco, **an e-liquid,** or an electronic cigarette to another person as a means of promoting, advertising, or marketing the tobacco or electronic cigarette to the general public.

~~(f)~~ **(h)** Unless a person buys or receives tobacco, **an e-liquid,** or an electronic cigarette under the direction of a law enforcement officer as part of an enforcement action, a retail establishment that sells or distributes tobacco, **an e-liquid,** or an electronic cigarette is not liable for a violation of this section unless the person less than ~~eighteen (18)~~ **twenty-one (21)** years of age who bought or received the tobacco, **an e-liquid,** or electronic cigarette is issued a citation or summons under section

10.5 of this chapter.

~~(g)~~ **(i)** Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund (IC 7.1-6-2-6).

~~(h)~~ **(j)** A person who violates subsection ~~(a)~~ **(b)** at least six (6) times in any one ~~hundred eighty (180) day period~~ **(1) year** commits habitual illegal sale of tobacco, a Class B infraction.

SECTION 32. IC 35-46-1-10.5, AS AMENDED BY P.L.20-2013, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.5. (a) A person less than ~~eighteen (18)~~ **twenty-one (21)** years of age who:

(1) purchases tobacco, **an e-liquid,** or an electronic cigarette;

(2) accepts tobacco, **an e-liquid,** or an electronic cigarette for personal use; or

(3) possesses tobacco, **an e-liquid,** or an electronic cigarette on ~~his~~ **the person's** person;

commits a Class C infraction.

(b) It is a defense under subsection (a) that the accused person acted in the ordinary course of employment in a business concerning tobacco, **an e-liquid,** or **an** electronic ~~cigarettes.~~ **cigarette for the following activities:**

(1) Agriculture.

(2) Processing.

(3) Transporting.

(4) Wholesaling. ~~or~~

(5) Retailing.

SECTION 33. IC 35-46-1-11, AS AMENDED BY P.L.20-2013, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) A tobacco or electronic cigarette vending machine that is located in a public place must bear the following conspicuous notices:

(1) A notice:

(A) that reads as follows, with the capitalization indicated: "If you are under ~~18~~ **21** years of age, YOU ARE FORBIDDEN by Indiana law to buy tobacco or electronic cigarettes from this machine."; or

(B) that:

(i) conveys a message substantially similar to the message described in clause (A); and

(ii) is formatted with words and in a form authorized under the rules adopted by the alcohol and tobacco commission.

(2) A notice that reads as follows, "Smoking by Pregnant Women May Result in Fetal Injury, Premature Birth, and Low Birth Weight.".

(3) A notice printed in letters and numbers at least one-half (1/2) inch high that displays a toll free phone number for assistance to callers in quitting smoking, as determined by the state department of health.

(b) A person who owns or has control over a tobacco or electronic cigarette vending machine in a public place and who:

(1) fails to post a notice required by subsection (a) on the vending machine; or

(2) fails to replace a notice within one (1) month after it is removed or defaced;

commits a Class C infraction.

(c) An establishment selling tobacco or electronic cigarettes at retail shall post and maintain in a conspicuous place, at the point of sale, the following:

(1) Signs printed in letters at least one-half (1/2) inch high, reading as follows:

(A) "The sale of tobacco or electronic cigarettes to persons under ~~18~~ **21** years of age is forbidden by Indiana law.".

(B) "Smoking by Pregnant Women May Result in Fetal Injury, Premature Birth, and Low Birth Weight.".

(2) A sign printed in letters and numbers at least one-half (1/2) inch high that displays a toll free phone number for assistance to callers in quitting smoking, as determined by the state department of health.

(d) A person who:

(1) owns or has control over an establishment selling tobacco or electronic cigarettes at retail; and

(2) fails to post and maintain the sign required by subsection (c);

commits a Class C infraction.

SECTION 34. IC 35-46-1-11.2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11.2. (a) This section does not apply to a tobacco business:

(1) operating as a tobacco business before April 1, 1996; ~~or~~

(2) that ~~begins~~ **began** operating as a tobacco business after April 1, 1996, if at the time the tobacco business ~~begins operation~~ **began operating** the tobacco business ~~is~~ **was** not located in an area prohibited under this section; **or**

(3) that began operating after June 30, 2020.

(b) A person may not operate a tobacco business within two hundred (200) feet of a public or private elementary or secondary school, as measured between the nearest point of the premises occupied by the tobacco business and the nearest point of a building used by the school for instructional purposes.

(c) A person who violates this section commits a Class C misdemeanor.

SECTION 35. IC 35-46-1-11.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 11.4. (a) This section does not apply to a tobacco and vaping business:**

(1) operating as a tobacco and vaping business before July 1, 2020; or

(2) that began operating as a tobacco and vaping business after June 30, 2020, if at the time the tobacco and vaping business began operating the tobacco and vaping business was not located in an area prohibited under this section.

(b) A person may not operate a tobacco and vaping business within one thousand (1,000) feet of a public or private elementary or secondary school, as measured between the nearest point of the premises occupied by the tobacco and vaping business and the nearest point of a building used by the school for instructional purposes.

(c) A person who violates this section commits a Class C misdemeanor.

SECTION 36. IC 35-46-1-11.5, AS AMENDED BY P.L.20-2013, SECTION 9, IS AMENDED TO READ AS

FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11.5. (a) Except for a coin machine that is placed in or directly adjacent to an entranceway or an exit, or placed in a hallway, a restroom, or another common area that is accessible to persons who are less than ~~eighteen (18)~~ **twenty-one (21)** years of age, this section does not apply to a coin machine that is located in the following:

(1) That part of a licensed premises (as defined in IC 7.1-1-3-20) where entry is limited to persons who are at least ~~eighteen (18)~~ **twenty-one (21)** years of age.

(2) Private industrial or office locations that are customarily accessible only to persons who are at least ~~eighteen (18)~~ **twenty-one (21)** years of age.

(3) Private clubs if the membership is limited to persons who are at least ~~eighteen (18)~~ **twenty-one (21)** years of age.

(4) Riverboats where entry is limited to persons who are at least twenty-one (21) years of age and on which lawful gambling is authorized.

(b) As used in this section, "coin machine" has the meaning set forth in IC 35-43-5-1.

(c) Except as provided in subsection (a), an owner of a retail establishment may not:

(1) distribute or sell tobacco or electronic cigarettes by use of a coin machine; or

(2) install or maintain a coin machine that is intended to be used for the sale or distribution of tobacco or electronic cigarettes.

(d) An owner of a retail establishment who violates this section commits a Class C infraction. A citation or summons issued under this section must provide notice that the coin machine must be moved within two (2) business days. Notwithstanding IC 34-28-5-4(c), a civil judgment for an infraction committed under this section must be imposed as follows:

(1) If the owner of the retail establishment has not been issued a citation or summons for a violation of this section in the previous ninety (90) days, a civil penalty of fifty dollars ($50).

(2) If the owner of the retail establishment has had one (1) citation or summons issued for a violation of this section in the previous ninety (90) days, a civil penalty of two hundred fifty dollars ($250).

(3) If the owner of the retail establishment has had two (2) citations or summonses issued for a violation of this section in the previous ninety (90) days for the same machine, the coin machine shall be removed or impounded by a law enforcement officer having jurisdiction where the violation occurs.

An owner of a retail establishment may not be issued a citation or summons for a violation of this section more than once every two (2) business days for each business location.

(e) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund established under IC 7.1-6-2-6.

SECTION 37. IC 35-46-1-11.7, AS AMENDED BY P.L.94-2008, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11.7. (a) A retail establishment ~~that has as its~~ **in which tobacco products, electronic cigarettes, and e-liquids account for at least eighty-five percent (85%) of the retail establishment's gross sales** ~~primary purpose the sale of tobacco products,~~ may not allow an individual who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age to enter the retail establishment.

(b) An individual who is less than ~~eighteen (18)~~ **twenty-one (21)** years of age may not enter a retail establishment described in subsection (a).

(c) A retail establishment described in subsection (a) must conspicuously post on all entrances to the retail establishment the following:

(1) A sign in boldface type that states "NOTICE: It is unlawful for a person less than ~~18~~ **21** years old to enter this store.".

(2) A sign printed in letters and numbers at least one-half (1/2) inch high that displays a toll free phone number for assistance to callers in quitting smoking, as determined by the state department of health.

(d) A person who violates this section commits a Class C infraction. Notwithstanding IC 34-28-5-4(c), a civil judgment for an infraction committed under this section must be imposed as follows:

(1) If the person has not been cited for a violation of this section in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~two~~ **four** hundred dollars ~~($200).~~ **($400).**

(2) If the person has had one (1) violation in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~four~~ **eight** hundred dollars ~~($400).~~ **($800).**

(3) If the person has had two (2) violations in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~seven~~ **one thousand four** hundred dollars ~~($700).~~ **($1,400).**

(4) If the person has had three (3) or more violations in the previous one ~~hundred eighty (180) days,~~ **(1) year,** a civil penalty of up to ~~one~~ **two** thousand dollars ~~($1,000).~~ **($2,000).**

A person may not be cited more than once every twenty-four (24) hours.

(e) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund established under IC 7.1-6-2-6.

(f) A person who violates subsection (a) at least six (6) times in any one ~~hundred eighty (180) day~~ **(1) year** period commits habitual illegal entrance by a minor, a Class B infraction.

SECTION 38. IC 35-46-1-11.8, AS AMENDED BY P.L.20-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11.8. (a) As used in this section, "self-service display" means a display that contains tobacco or electronic cigarettes in an area where a customer:

(1) is permitted; and

(2) has access to the tobacco or electronic cigarettes without assistance from a sales person.

(b) This section does not apply to a self-service display located in a retail establishment: ~~that:~~

(1) ~~has a primary purpose to sell tobacco or electronic cigarettes;~~ **in which tobacco products, electronic cigarettes, and e-liquids account for at least eighty-five percent (85%) of the retail establishment's gross sales;** and

(2) **that** prohibits entry by persons who are less than ~~eighteen (18)~~ **twenty-one (21)** years of age.

(c) The owner of a retail establishment that sells or distributes tobacco or electronic cigarettes through a self-service display, other than a coin operated machine operated under IC 35-46-1-11 or IC 35-46-1-11.5, commits a Class C infraction.

(d) Notwithstanding IC 34-28-5-5(c), civil penalties collected under this section must be deposited in the Richard D. Doyle youth tobacco education and enforcement fund (IC 7.1-6-2-6).

SECTION 39. IC 35-46-1-11.9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 11.9. A person who knowingly sells tobacco, an e-liquid, or an electronic cigarette that contains vitamin E acetate commits a Class B infraction.**

(Reference is to ESB 1 as reprinted March 3, 2020.)

Charbonneau, Chair	Kirchhofer
Stoops	Shackleford
Senate Conferees	House Conferees

Roll Call 380: yeas 37, nays 11. Report adopted.

CONFERENCE COMMITTEE REPORT

ESB 47–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 47 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 24-4-18-1, AS AMENDED BY P.L.112-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) As used in this chapter, "criminal history information" means information:

(1) concerning:

(A) a criminal conviction in Indiana; **or**

(B) an Indiana civil protection order under IC 34-26-5; and

(2) available in records kept by a clerk of a circuit, superior, city, or town court with jurisdiction in Indiana.

(b) The term consists of the following:

(1) Identifiable descriptions and notations of arrests, indictments, informations, or other formal criminal charges.

(2) Protection order records (as defined in IC 34-26-7.5-2).

~~(2)~~ **(3)** Information, including a photograph, regarding a sex or violent offender (as defined in IC 11-8-8-5) obtained through sex or violent offender registration under IC 11-8-8.

~~(3)~~ **(4)** Any disposition, including sentencing, and correctional system intake, transfer, and release.

~~(4)~~ **(5)** A photograph of the person who is the subject of the information described in ~~subdivisions (1) through (3).~~ **this subsection.**

(c) The term includes fingerprint information described in IC 10-13-3-24(f).

SECTION 2. IC 34-6-2-121.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 121.7. "Protection order records", for purposes of IC 34-26-7.5, has the meaning set forth in IC 34-26-7.5-2.**

SECTION 3. IC 34-26-7.5-1, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. This chapter applies to a person named as the subject of a protection order, and if one (1) of the following applies:

(1) A protection order was issued to the plaintiff, but is subsequently terminated due to the:

(A) dismissal of the petition before a court hearing on the protection order;

(B) denial of the protection order upon the order of the court; or

(C) failure of the plaintiff to appear to the court hearing on the protection order.

(2) A protection order was reversed or vacated by an appellate court.

(3) A petition for a protection order was filed but the court did not grant the petition.

SECTION 4. IC 34-26-7.5-2, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. The following definitions apply throughout this chapter:

(1) "Protection order" means an Indiana civil protection order under IC 34-26-5. The term includes an order for protection and an order for protection ex parte.

(2) "Protection order records" means an Indiana civil protection order under IC 34-26-5 and all records that relate to the protection order, including the petition for the protection order.

~~(2)~~ **(3)** "Subject of a protection order" means the person against whom a protection order was issued.

~~(3)~~ **(4)** "Plaintiff" means the person for whom a protection order was issued.

~~(4)~~ **(5)** "Expungement" means the sealing of protection order ~~court~~ records from public inspection, but not from a law enforcement agency or the court.

SECTION 5. IC 34-26-7.5-3, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) At any time after a court dismisses or denies an order for protection following issuance of an order for protection ex parte, as described in section 1(1) of this chapter, the subject of the protection order

may petition to expunge ~~the~~ protection order **records:**

(1) with the court that issued or denied the protection order; and

(2) in the cause the protection order was issued under.

(b) A petition seeking to expunge ~~a~~ protection order **records** must be filed under seal, verified, and include the following information:

(1) The petitioner's full name.

(2) The petitioner's date of birth.

(3) The petitioner's address.

(4) The case number or court cause number, if available.

(5) The petitioner's Social Security number.

(6) The petitioner's driver's license number.

(7) The date of the order for protection or order for protection ex parte, if applicable.

(8) A description of why the petitioner is entitled to relief, including all relevant dates.

(9) Certified copies of the following, if applicable:

(A) The order for protection.

(B) The order for protection ex parte.

(C) The order denying an order for protection.

(D) The opinion from the appellate court reversing or vacating an order for protection or an order for protection ex parte.

(c) The petition may include any other information that the petitioner believes may assist the court.

SECTION 6. IC 34-26-7.5-5, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. The petitioner bears the burden of proof in a proceeding to expunge ~~a~~ protection order **records.** The court shall order the protection order **records** expunged if the petitioner proves by a preponderance of the evidence that the petitioner is entitled to relief.

SECTION 7. IC 34-26-7.5-6, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) If a court orders ~~a~~ protection order **records** expunged under this chapter, the court shall do the following with respect to the specific records expunged by the court:

(1) Order the office of judicial administration to remove the protection order from the Indiana protective order registry established under IC 5-2-9-5.5.

(2) Redact or permanently seal the court's own records relating to the protection order.

(b) If an appellate court reverses or vacates a protection order, and the protection order is then expunged, the appellate court shall:

(1) redact the opinion or memorandum decision as it appears on the computer gateway administered by the office of technology so that it does not include the name of the subject of the protection order (in the same manner that opinions involving juveniles are redacted); and

(2) provide a redacted copy of the opinion to any publisher or organization to whom the opinion or memorandum decision is provided after the date of the order of expungement.

The supreme court and the court of appeals are not required to redact, destroy, or otherwise dispose of any existing copy of an opinion or memorandum decision that includes the name of the subject of the protection order.

SECTION 8. IC 34-26-7.5-7, AS ADDED BY P.L.219-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. A petitioner whose ~~record is~~ **protection order records are** expunged under this chapter:

(1) shall be treated as if the protection order **and petition for protection order** had never been filed; and

(2) may answer truthfully to a question from the petitioner's employer or prospective employer that a petition or order of protection has never been filed against the petitioner.

SECTION 9. IC 35-38-9-2, AS AMENDED BY P.L.219-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Except as provided in subsection (b) and section 8.5 of this chapter, this section applies only to a person convicted of a misdemeanor, including a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) reduced to a misdemeanor.

(b) This section does not apply to the following:

(1) A person convicted of two (2) or more felony offenses that:

(A) involved the unlawful use of a deadly weapon; and

(B) were not committed as part of the same episode of criminal conduct.

(2) A sex or violent offender (as defined in IC 11-8-8-5).

(c) Not earlier than five (5) years after the date of conviction (unless the prosecuting attorney consents in writing to an earlier period) **for the misdemeanor or the felony reduced to a misdemeanor pursuant to IC 35-38-1-1.5 or IC 35-50-2-7,** the person convicted of the misdemeanor **or the felony reduced to a misdemeanor** may petition a court to expunge all conviction records, including records contained in:

(1) a court's files;

(2) the files of the department of correction;

(3) the files of the bureau of motor vehicles; and

(4) the files of any other person who provided treatment or services to the petitioning person under a court order;

that relate to the person's misdemeanor conviction, including records of a collateral action.

(d) A person who files a petition to expunge conviction records, including any records relating to the conviction and any records concerning a collateral action, shall file the petition in a circuit or superior court in the county of conviction.

(e) If the court finds by a preponderance of the evidence that:

(1) the period required by this section has elapsed;

(2) no charges are pending against the person;

(3) the person has paid all fines, fees, and court costs, and satisfied any restitution obligation placed on the person as part of the sentence; and

(4) the person has not been convicted of a crime within the previous five (5) years (or within a shorter period agreed to by the prosecuting attorney if the prosecuting attorney has consented to a shorter period under subsection (c));

the court shall order the conviction records described in subsection (c), including any records relating to the conviction

and any records concerning a collateral action, expunged in accordance with section 6 of this chapter.

SECTION 10. IC 35-38-9-9.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9.5. (a) This section applies to a collateral action adjudicated or conducted in a county other than the county in which a court granted an expungement.**

(b) Upon receipt of a request to expunge records related to a collateral action and a properly certified expungement order, a circuit or superior court in the county in which the collateral action occurred shall:

(1) notify the prosecuting attorney of the county in which the court is located of the request to expunge records related to a collateral action and set the matter for hearing; or

(2) if it conclusively appears from the court's records that the person is entitled to expungement as described in subsection (c), order the records expunged without a hearing.

(c) The circuit or superior court in the county in which the collateral action was adjudicated or conducted shall order records of the collateral action expunged (for an expungement granted under sections 1 through 3 of this chapter) or marked as expunged (for an expungement granted under sections 4 through 5 of this chapter), unless the court finds that the collateral action does not relate to the expunged arrest or conviction.

(d) A request to expunge records of a collateral action may be made at any time after the original expungement order is issued.

(e) A request to expunge records shall be filed under the cause number of the collateral action, if applicable. A person who requests expungement of records of a collateral action under this section is not required to pay a filing fee, even if the request is filed under a new cause of action.

SECTION 11. IC 35-38-9-10, AS AMENDED BY P.L.219-2019, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) This section does not apply to a person to whom sealed records may be disclosed under section 6(a)(3) of this chapter. **With respect to a person seeking employment with a law enforcement agency or a probation or community corrections department, including volunteer employment, subsections (b), (d), (e), and (f) do not apply to the law enforcement agency or the probation or community corrections department.**

(b) It is unlawful discrimination for any person to:

(1) suspend;

(2) expel;

(3) refuse to employ;

(4) refuse to admit;

(5) refuse to grant or renew a license, permit, or certificate necessary to engage in any activity, occupation, or profession; or

(6) otherwise discriminate against;

any person because of a conviction or arrest record expunged or sealed under this chapter.

(c) Except as provided in section 6(f) of this chapter, the civil rights of a person whose conviction has been expunged shall be fully restored, including the right to vote, to hold public office, to be a proper person under IC 35-47-1-7(2), and to serve as a juror.

(d) In any application for employment, a license, or other right or privilege, a person may be questioned about a previous criminal record only in terms that exclude expunged convictions or arrests, such as: "Have you ever been arrested for or convicted of a crime that has not been expunged by a court?".

(e) A person whose record is expunged shall be treated as if the person had never been convicted of the offense. However, upon a subsequent arrest or conviction for an unrelated offense, the prior expunged conviction:

(1) may be considered by the court in determining the sentence imposed for the new offense;

(2) is a prior unrelated conviction for purposes of:

(A) a habitual offender enhancement; and

(B) enhancing the new offense based on a prior conviction; and

(3) may be admitted as evidence in the proceeding for a new offense as if the conviction had not been expunged.

(f) Any person that discriminates against a person as described in subsection (b) commits a Class C infraction and may be held in contempt by the court issuing the order of expungement or by any other court of general jurisdiction. Any person may file a written motion of contempt to bring an alleged violation of this section to the attention of a court. In addition, the person is entitled to injunctive relief.

(g) In any judicial or administrative proceeding alleging negligence or other fault, an order of expungement may be introduced as evidence of the person's exercise of due care in hiring, retaining, licensing, certifying, admitting to a school or program, or otherwise transacting business or engaging in activity with the person to whom the order of expungement was issued.

(h) A conviction, including any records relating to the conviction and any records concerning a collateral action, that has been expunged under this chapter is not admissible as evidence in an action for negligent hiring, admission, or licensure against a person or entity who relied on the order.

(i) An expungement case, and all documents filed in the case, becomes confidential when the court issues the order granting the petition. However, until the court issues the order granting the petition, documents filed in the case are not confidential, and any hearing held in the case shall be open.

SECTION 12. **An emergency is declared for this act.**

(Reference is to ESB 47 as printed February 28, 2020.)

Freeman, Chair	J. Young
M. Young	Pierce
Senate Conferees	House Conferees

Roll Call 381: yeas 41, nays 8. Report adopted.

CONFERENCE COMMITTEE REPORT

ESB 80–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 80 respectfully

reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Page 6, after line 25, begin a new paragraph and insert:

"SECTION 1. IC 34-30-14-2, AS AMENDED BY P.L.166-2007, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 2. If compliance with sections 3 and 4 of this chapter has occurred, a school administrator, teacher, or other school employee designated by the school administrator, after consultation with the school nurse, who in good faith administers to a pupil:

(1) a nonprescription medication in compliance with the written permission of the pupil's parent or guardian, except in the case of a life threatening emergency;

(2) a legend drug (as defined in IC 16-18-2-199) ~~and including~~ **or** injectable insulin in compliance with the:

(A) written order of a practitioner; and

(B) written permission of the pupil's parent or guardian, except in the case of a life threatening emergency;

(3) a glucose test in compliance with the written order of a practitioner;

(4) health care services, basic life support, or other services that require the administrator, teacher, or employee to place the administrator's, teacher's, or employee's hands on the pupil for therapeutic or sanitary purposes; or

(5) any combination of subdivisions (1) through (4);

is not personally liable for civil damages for any act that is incident to or within the scope of the duties of the employee as a result of the administration except for an act or omission amounting to gross negligence or willful and wanton misconduct.

SECTION 2. IC 5-10-5.5-0.1, AS AMENDED BY SEA 181-2020, SECTION 1, AND AS AMENDED BY SEA 406-2020, SECTION 1, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.1. (a) As used in this section, "plan" refers to the state excise police, gaming agent, gaming control officer, and conservation enforcement officers' retirement plan established by section 2 of this chapter.

(b) The following amendments to this chapter apply as follows:

(1) The addition of section 7.5 of this chapter by P.L.180-2007 applies after June 30, 2007, to active participants of the plan.

(2) The amendments made to section 8 of this chapter by P.L.180-2007 apply after June 30, 2007, to active participants of the plan.

(3) The amendments made to sections 10, 11, and 12 of this chapter by P.L.180-2007 apply to participants of the plan who retire after June 30, 2007.

(4) The amendments made to sections 7 and 13.5 of this chapter by P.L.180-2007 apply to participants of the plan who become disabled after June 30, 2007.

(5) The addition of section 22 of this chapter by P.L.128-2008 applies only to a participant in the plan who is in active service after June 30, 2008.

(6) The amendments made to sections 9 and 10 of this chapter by P.L.128-2008 apply only to a participant in the plan who is in active service after June 30, 2008.

(7) The amendments made to section 22 of this chapter during the 2020 regular session of the general assembly apply only to a participant who:

(A) enters the DROP, before, on, or after June 30, 2020; and

(B) dies after June 30, 2020.

(c) Notwithstanding any other law, if a participant dies in the line of duty after January 31, 2018, and before April 1, 2020, and a survivors' benefit is paid under section 17(b) of this chapter to the participant's survivor, either:

(1) the survivor may repay the full amount distributed under section 17(b) of this chapter and the board shall provide the full annual survivors' allowance allowed under section 16.6 of this chapter; or

(2) the board may adjust the amount of the full annual survivors' allowance allowed under section 16.6 of this chapter to account for any amount distributed under section 17(b) of this chapter.

SECTION 3. IC 34-30-2-24.2, AS AMENDED BY SEA 267-2020, SECTION 10, AND AS AMENDED BY SEA 343-2020, SECTION 23, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 24.2. (a) IC 8-1-2.8-25 (Concerning InTRAC or a local exchange company for the development, adoption, implementation, maintenance, or operation of dual party relay services or telecommunications devices).

(b) IC 8-1-17.5-16 (Concerning a member or director of a rural electric membership corporation or ~~*telephone*~~ *communications* cooperative corporation that is merged or consolidated).

~~*(c) IC 8-1-19.5-10 (Concerning a recognized 211 service provider and its employees, directors, officers, and agents for injuries or loss to persons or property as a result of an act or omission in connection with developing and providing 211 services).*~~

SECTION 4. IC 35-40.5-4-2, AS ADDED BY SEA 146-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. Before a provider commences a forensic medical examination, or as soon as possible, the provider shall inform the victim of the following:

(1) The victim's rights under this article and other relevant law in a document to be developed by the state sexual assault response team, ~~as described in IC 16-21-8-2,~~ which shall be signed by the victim to confirm receipt, unless the victim has already been provided with the document under IC 35-40.5-5-1.

(2) The victim's right to speak with a victim advocate or victim service provider. If a victim advocate or victim service provider is not available, a victim has the right to speak with victims assistance or a social worker.

SECTION 5. IC 35-40.5-5-1, AS ADDED BY SEA 146-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. Before a law

enforcement officer commences an interview of a victim, the law enforcement officer shall inform the victim of the following:

(1) The victim's rights under this article and other relevant law in a document to be developed by the state sexual assault response team, ~~as described in IC 16-21-8-2,~~ which shall be signed by the victim to confirm receipt, unless the victim has already been provided with the document under IC 35-40.5-4-2.

(2) The victim's right to speak with a victim advocate or victim service provider during the course of the investigation, and that the victim has the right to speak to victims assistance or a social worker if a victim advocate or victim service provider is not available.

SECTION 6. IC 35-40.5-7-1, AS ADDED BY SEA 146-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Upon initial interaction with a victim, a law enforcement officer or provider shall provide the victim with a document developed by the state sexual assault response team ~~as described in IC 16-21-8-2,~~ that explains the rights of victims:

(1) under this article and other relevant law;

(2) in a format accessible to persons with visual disabilities; and

(3) in English, Spanish, and German.

(b) The document described in subsection (a) shall include the following:

(1) A clear statement that a victim is not required to receive a medical evidentiary or physical examination in order to retain the rights provided under this article or any other relevant law.

(2) Information concerning state and federal victim compensation funds for medical and other costs associated with the sexual assault.

SECTION 7. IC 5-10-8-7.3, AS AMENDED BY HEA 1176-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 7.3. (a) As used in this section, "covered individual" means an individual who is:

(1) covered under a self-insurance program established under section 7(b) of this chapter to provide group health coverage; or

(2) entitled to services under a contract with a prepaid health care delivery plan that is entered into or renewed under section 7(c) of this chapter.

(b) As used in this section, "early intervention services" means services provided to a first steps child under IC 12-12.7-2 and 20 U.S.C. 1432(4).

(c) As used in this section, "first steps child" means an infant or toddler from birth through two (2) years of age who is enrolled in the Indiana first steps program and is a covered individual.

(d) As used in this section, "first steps program" refers to the program established under IC 12-12.7-2 and 20 U.S.C. 1431 et seq. to meet the needs of:

(1) children who are eligible for early intervention services; and

(2) their families.

The term includes the coordination of all available federal, state, local, and private resources available to provide early intervention services within Indiana.

(e) As used in this section, "health benefits plan" means a:

(1) self-insurance program established under section 7(b) of this chapter to provide group health coverage; or

(2) contract with a prepaid health care delivery plan that is entered into or renewed under section 7(c) of this chapter.

(f) A health benefits plan that provides coverage for early intervention services shall reimburse the first steps program a monthly fee established by the division of disability and rehabilitative services established by IC 12-9-1-1. Except when the monthly fee is less than the product determined under IC 12-12.7-2-23(b), the monthly fee shall be provided instead of claims processing of individual claims.

(g) The reimbursement required under subsection (f) may not be applied to any annual or aggregate lifetime limit on the first steps child's coverage under the health benefits plan.

(h) The first steps program may pay required deductibles, copayments, or other out-of-pocket expenses for a first steps child directly to a provider. A health benefits plan shall apply any payments made by the first steps program to the health benefits plan's deductibles, copayments, or other out-of-pocket expenses according to the terms and conditions of the health benefits plan.

(i) A health benefits plan may not require authorization for services specified in the covered individual's individualized family service plan, if those services are a covered benefit under the ~~plan~~ **plan,** once the individualized family service plan is signed by a physician.

(j) The department of insurance shall adopt rules under IC 4-22-2 to ensure compliance with this section.

SECTION 8. IC 21-38-6-1, AS AMENDED BY HEA 1176-2020, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 1. (a) An employee health plan that provides coverage for early intervention services shall reimburse the first steps program a monthly fee established by the division of disability and rehabilitative services. Except when the monthly fee is less than the product determined under IC 12-12.7-2-23(b), the monthly fee shall be provided instead of claims processing of individual claims.

(b) An employee health plan may not require authorization for services specified in the covered individual's individualized family service plan, if those services are a covered benefit under the ~~plan~~ **plan,** once the individualized family service plan is signed by a physician.

(c) The department of insurance shall adopt rules under IC 4-22-2 to ensure compliance with this section.

SECTION 9. IC 27-8-27-6, AS AMENDED BY HEA 1176-2020, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 6. (a) A health insurance plan that provides coverage for early intervention services shall reimburse the first steps program a monthly fee established by the division of disability and rehabilitative services. Except when the monthly fee is less than the product determined under IC 12-12.7-2-23(b), the monthly fee shall be provided instead of claims processing of individual claims.

(b) A health insurance plan may not require authorization for services specified in the covered individual's individualized family service plan, if those services are a covered benefit under the ~~plan~~ **plan,** once the individualized family service plan is signed by a physician.

(c) The department of insurance shall adopt rules under IC 4-22-2 to ensure compliance with this section.

SECTION 10. IC 35-44.1-3-1, AS AMENDED BY HEA 1032-2020, SECTION 1, AND AS AMENDED BY HEA 1225-2020, SECTION 4, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A person who knowingly or intentionally:

(1) forcibly resists, obstructs, or interferes with a law enforcement officer or a person assisting the officer while the officer is lawfully engaged in the execution of the officer's duties;

(2) forcibly resists, obstructs, or interferes with the authorized service or execution of a civil or criminal process or order of a court; or

(3) flees from a law enforcement officer after the officer has, by visible or audible means, including operation of the law enforcement officer's siren or emergency lights, identified himself or herself and ordered the person to stop;

commits resisting law enforcement, a Class A misdemeanor, except as provided in subsection (c).

(b) A person who, having been denied entry by ~~a~~ *an emergency medical services provider or a* law enforcement officer, knowingly or intentionally enters an area that is marked off with barrier tape or other physical barriers, commits interfering with ~~*law enforcement,*~~ *public safety,* a Class B misdemeanor, except as provided in subsection (c) or ~~(f).~~ *(k).*

(c) The offense under subsection (a) or (b) is a:

(1) Level 6 felony if:

(A) the person uses a vehicle to commit the offense; or

(B) while committing the offense, the person draws or uses a deadly weapon, inflicts bodily injury on or otherwise causes bodily injury to another person, or operates a vehicle in a manner that creates a substantial risk of bodily injury to another person;

(2) Level 5 felony if, while committing the offense, the person operates a vehicle in a manner that causes serious bodily injury to another person;

(3) Level 3 felony if, while committing the offense, the person operates a vehicle in a manner that causes the death or catastrophic injury of another person; and

(4) Level 2 felony if, while committing any offense described in subsection (a), the person operates a vehicle in a manner that causes the death or catastrophic injury of ~~a~~ *an emergency medical services provider or a* law enforcement officer while the *emergency medical services provider or* law enforcement officer is engaged in the ~~*officer's*~~ *emergency medical services provider's or officer's* official duties.

(d) The offense under subsection (a) is a Level 6 felony if, while committing an offense under:

(1) subsection (a)(1) or (a)(2), the person:

(A) creates a substantial risk of bodily injury to the person or another person; and

(B) has two (2) or more prior unrelated convictions under subsection (a); or

(2) subsection (a)(3), the person has two (2) or more prior unrelated convictions under subsection (a).

~~(d)~~ *(e)* If a person uses a vehicle to commit a felony offense under subsection (c)(1)(B), (c)(2), (c)(3), or (c)(4), as part of the criminal penalty imposed for the offense, the court shall impose a minimum executed sentence of at least:

(1) thirty (30) days, if the person does not have a prior unrelated conviction under this section;

(2) one hundred eighty (180) days, if the person has one (1) prior unrelated conviction under this section; or

(3) one (1) year, if the person has two (2) or more prior unrelated convictions under this section.

~~(e)~~ *(f)* Notwithstanding IC 35-50-2-2.2 and IC 35-50-3-1, the mandatory minimum sentence imposed under subsection ~~(d)~~ *(e)* may not be suspended.

~~(f)~~ *(g)* If a person is convicted of an offense involving the use of a motor vehicle under:

(1) subsection (c)(1)(A), if the person exceeded the speed limit by at least twenty (20) miles per hour while committing the offense;

(2) subsection (c)(2); or

(3) subsection (c)(3);

the court may notify the bureau of motor vehicles to suspend or revoke the person's driver's license and all certificates of registration and license plates issued or registered in the person's name in accordance with IC 9-30-4-6.1(b)(3) for the period described in IC 9-30-4-6.1(d)(1) or IC 9-30-4-6.1(d)(2). The court shall inform the bureau whether the person has been sentenced to a term of incarceration. At the time of conviction, the court may obtain the person's current driver's license and return the license to the bureau of motor vehicles.

~~(g)~~ *(h)* A person may not be charged or convicted of a crime under subsection (a)(3) if the law enforcement officer is a school resource officer acting in the officer's capacity as a school resource officer.

~~(h)~~ *(i)* A person who commits an offense described in subsection ~~(b)~~ *(c)* commits a separate offense for each person whose bodily injury, serious bodily injury, catastrophic injury, or death is caused by a violation of subsection ~~(b)~~. *(c).*

~~(i)~~ *(j)* A court may order terms of imprisonment imposed on a person convicted of more than one (1) offense described in subsection ~~(b)~~ *(c)* to run consecutively. Consecutive terms of imprisonment imposed under this subsection are not subject to the sentencing restrictions set forth in IC 35-50-1-2(c) through IC 35-50-1-2(d).

~~(j)~~ *(k)* As used in this subsection, "family member" means a child, grandchild, parent, grandparent, or spouse of the person. It is a defense to a prosecution under subsection (b) that the person reasonably believed that the person's family member:

(1) was in the marked off area; and

(2) had suffered bodily injury or was at risk of suffering bodily injury;

if the person is not charged as a defendant in connection with the offense, if applicable, that caused the area to be secured by

barrier tape or other physical barriers.

SECTION 11. IC 4-3-27-3, AS AMENDED BY HEA 1153-2020, SECTION 1, AND AS AMENDED BY HEA 1419-2020, SECTION 1, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. The governor's workforce cabinet is established under the applicable state and federal programs to do the following:

(1) Review the services and use of funds and resources under applicable state and federal programs and advise the governor, general assembly, commission for higher education, and state board of education on methods of coordinating the services and use of funds and resources consistent with the laws and regulations governing the particular applicable state and federal programs.

(2) Advise the governor, general assembly, commission for higher education, and state board of education on:

(A) the development and implementation of state and local standards and measures; and

(B) the coordination of the standards and measures;

concerning the applicable federal programs.

(3) Perform the duties as set forth in federal law of the particular advisory bodies for applicable federal programs described in section 4 of this chapter.

(4) Identify the workforce needs in Indiana and recommend to the governor, general assembly, commission for higher education, and state board of education goals to meet the investment needs.

(5) Recommend to the governor, general assembly, commission for higher education, and state board of education goals for the development and coordination of the talent development system in Indiana.

(6) Prepare and recommend to the governor, general assembly, commission for higher education, and state board of education a strategic plan to accomplish the goals developed under subdivisions (4) and (5).

(7) Monitor and direct the implementation of and evaluate the effectiveness of the strategic plan described in subdivision (6).

(8) Advise the governor, general assembly, commission for higher education, and state board of education on the coordination of federal, state, and local education and training programs and on the allocation of state and federal funds in Indiana to promote effective services, service delivery, and innovative programs.

(9) Review and approve regional workforce development board plans, and work with regional workforce development boards to determine appropriate metrics for workforce programming at the state and local levels.

(10) Design for implementation a comprehensive career navigation and coaching system as described in section 11 of this chapter.

(11) Conduct a systematic and comprehensive review, analysis, and evaluation of workforce funding described in section 12 of this chapter.

(12) Conduct a systematic and comprehensive review, analysis, and evaluation of the college and career funding described in section 13 of this chapter.

(13) Based on the reviews in sections 12 and 13 of this chapter, direct the appropriate state agencies to implement administrative changes to the delivery of these programs that align with Indiana's workforce goals, and make recommendations to:

(A) the governor;

(B) the commission for higher education;

(C) the state board of education; and

(D) the general assembly in an electronic format under IC 5-14-6;

on possible legislative changes in the future.

(14) Study the advisability of establishing one (1) or more real world career readiness programs as described in section 14 of this chapter and report to:

(A) the governor;

(B) the commission for higher education;

(C) the state board of education; and

(D) the general assembly in an electronic format under IC 5-14-6;

concerning the results of the study.

(15) Conduct a systematic and comprehensive review, analysis, and evaluation of whether:

(A) Indiana's *early childhood,* primary, secondary, and postsecondary education systems are aligned with employer needs; and

(B) Indiana's students and workforce are prepared for success in the twenty-first century economy.

(16) *On or before December 1, 2020,* create a comprehensive strategic plan to ensure alignment between Indiana's *early childhood,* primary, secondary, and postsecondary education systems with Indiana's workforce training programs and employer needs.

(17) Administer the workforce diploma reimbursement program established by IC 22-4.1-27-7.

(18) Work with stakeholders from early learning to the workforce to establish alignment and coordination between the early learning advisory committee (established by IC 12-17.2-3.8-5), state board of education, commission for higher education, and department of workforce development.

~~(18)~~ *(19)* Carry out other policy duties and tasks as assigned by the governor.".

Renumber all SECTIONS consecutively.

(Reference is to ESB 80 as printed February 11, 2020.)

M. Young, Chair	J. Young
G. Taylor	DeLaney
Senate Conferees	House Conferees

Roll Call 382: yeas 49, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT

ESB 229–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 229 respectfully

reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 13-18-22-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Except as provided in subsection (b), a person proposing a wetland activity in a state regulated wetland must obtain a permit under this chapter to authorize the wetland activity.

(b) A permit is not required for the following wetland activities:

(1) The discharge of dirt, sand, rock, stone, concrete, or other inert fill materials in a de minimis amount.

(2) A wetland activity at a surface coal mine for which the department of natural resources has approved a plan to:

(A) minimize, to the extent practical using best technology currently available, disturbances and adverse effects on fish and wildlife;

(B) otherwise effectuate environmental values; and

(C) enhance those values where practicable.

(3) Any activity listed under Section 404(f) of the Clean Water Act, including:

(A) normal farming, silviculture, and ranching activities, such as plowing, seeding, cultivating, minor drainage, harvesting for the production of food, fiber, and forest products, or upland soil and water conservation practices;

(B) maintenance, including emergency reconstruction of recently damaged parts, of currently serviceable structures such as dikes, dams, levees, groins, riprap, breakwaters, causeways, and bridge abutments or approaches, and transportation structures;

(C) construction or maintenance of farm or stock ponds or irrigation ditches, or the maintenance of drainage ditches;

(D) construction of temporary sedimentation basins on a construction site that does not include placement of fill material into the navigable waters; and

(E) construction or maintenance of farm roads or forest roads, or temporary roads for moving mining equipment, where the roads are constructed and maintained, in accordance with best management practices, to assure that:

(i) flow and circulation patterns and chemical and biological characteristics of the navigable waters are not impaired;

(ii) the reach of the navigable waters is not reduced; and

(iii) any adverse effect on the aquatic environment will be otherwise minimized.

(4) The maintenance or reconstruction (as defined in IC 36-9-27-2) of a regulated drain in accordance with IC 36-9-27-29(2) as long as the work takes place within the current easement, and the reconstruction does not substantially change the characteristics of the drain to perform the function for which it was designed and constructed.

(c) The goal of the permitting program for wetland activities in state regulated wetlands is to:

(1) promote a net gain in high quality isolated wetlands; and

(2) assure that compensatory mitigation will offset the loss of isolated wetlands allowed by the permitting program.

(Reference is to ESB 229 as reprinted March 3, 2020.)

Spartz, Chair	Wolkins
Doriot	Prescott
Senate Conferees	House Conferees

Roll Call 383: yeas 32, nays 17. Report adopted.

CONFERENCE COMMITTEE REPORT

ESB 295–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 295 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 20-30-5-5.7, AS ADDED BY P.L.115-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5.7. (a) Not later than December 15, ~~2018,~~ **2020,** and each December 15 thereafter, each public school, including a charter school, and accredited nonpublic school shall provide age appropriate: ~~and~~

(1) research and evidence based; **or**

(2) research or evidence based;

instruction on child abuse and child sexual abuse to students in kindergarten through grade 12.

(b) The department, in consultation with school safety specialists, ~~and~~ school counselors, **school social workers, or school psychologists,** shall identify outlines or materials for the instruction described in subsection (a) and incorporate the instruction in kindergarten through grade 12.

(c) Any outlines and materials identified under subsection (b) must be demonstrated to be effective and promising.

~~(c)~~ **(d)** Instruction on child abuse and child sexual abuse may be delivered by a school safety specialist, school counselor, or any other person with training and expertise in the area of child abuse and child sexual abuse.

SECTION 2. IC 20-30-5-14, AS AMENDED BY P.L.57-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) As used in this section, "Indiana career explorer program and standards" refers to the:

(1) **software or** Internet based system approved by the department of workforce development; and

(2) standards established by the department of workforce development that are aligned to interdisciplinary employability skills standards prescribed in subsection (c);

that provides students with career and college planning resources.

(b) To:

(1) educate students on the importance of their future career choices;

(2) prepare students for the realities inherent in the work environment; and

(3) instill in students work values that will enable them to succeed in their respective careers;

each school within a school corporation shall include in the school's curriculum for all students in grades 1 through 12 instruction concerning employment matters and work values described in subsection (c).

(c) ~~Not later than July 1, 2019,~~ Each school within a school corporation shall include interdisciplinary employability skills standards established by the department, in conjunction with the department of workforce development, and approved by the state board in the school's curriculum.

(d) Each school shall:

(1) integrate within the curriculum instruction that is; or

(2) conduct activities or special events periodically that are;

designed to foster overall career awareness and career development as described in subsection (b).

(e) The department shall develop career awareness and career development models as described in subsection (f) to assist schools in complying with this section.

(f) The models described in this subsection must be developed in accordance with the following:

(1) For grades 1 through 5, career awareness models to introduce students to work values and basic employment concepts.

(2) For grades 6 through 8, initial career information models that focus on career choices as they relate to student interest and skills.

(3) For grades 9 through ~~10,~~ **12,** career exploration models that offer students insight into future employment options **and**

~~(4) For grades 11 through 12,~~ career preparation models that provide job or further education counseling, including the following:

(A) Initial job counseling, including the use of job service officers to provide school based assessment, information, and guidance on employment options and the rights of students as employees.

(B) Workplace orientation visits.

(C) On-the-job experience exercises.

(g) The department, with assistance from the department of labor and the department of workforce development, shall:

(1) develop and make available teacher guides; and

(2) conduct seminars or other teacher education activities;

to assist teachers in providing the instruction described in this section.

(h) The department shall, with assistance from the department of workforce development, design and implement innovative career preparation demonstration projects for students in at least grade 9.

~~(i) Beginning July 1, 2017, the department, in consultation with the department of workforce development, shall implement a pilot program for instruction in and use of the Indiana career explorer program and standards by all students in grade 8 attending schools in fifteen (15) schools. The department shall select the following to participate in the pilot program:~~

~~(1) Five (5) urban schools.~~

~~(2) Five (5) rural schools.~~

~~(3) Five (5) suburban schools.~~

~~The pilot program expires July 1, 2018, unless the department determines that the pilot program should be continued for an additional year. If the department determines that the pilot program should be extended, the department, in consultation with the department of workforce development, shall increase the number of schools involved in the pilot program by at least fifteen (15) additional schools in the second year of the pilot program, if possible based on the interest from schools. The pilot program expires July 1, 2019.~~

~~(j) Beginning July 1 in the year in which the pilot program described in subsection (i) expires,~~ **(i)** Each school in a school corporation and each charter school:

(1) shall include in the school's curriculum state developed career standards for all students in grade 8 that include instruction in and use of either:

~~(1)~~ **(A)** the Indiana career explorer program and standards; or

~~(2)~~ **(B)** an alternative Internet based system and standards that provide students with career and college planning resources that have been approved by the state board under subsection ~~(k),~~ **(j); and**

(2) except as provided in subdivision (1), may include in the school's curriculum state developed career standards for all students in any grade level that include instruction in and use of the program and standards or system and standards described in subdivision (1)(A) or (1)(B).

~~(k)~~ **(j)** A school corporation or charter school may submit a request to the state board to approve an alternative Internet based system and standards that provide students with career and college planning resources. The state board, in consultation with the department and the department of workforce development, may approve an alternative system and standards if the state board determines that the alternative system:

(1) has an aptitude assessment tool;

(2) contains educational course track information;

(3) has a tool for the preparation and development of the graduation plan prescribed in IC 20-30-4, including a parent sign in component;

(4) allows access to education and career demand information using data prepared by the department of workforce development; and

(5) is aligned to interdisciplinary employability skills standards prescribed in subsection (c).

(k) Beginning July 1, 2021, the department of workforce development shall implement an Indiana career explorer program that includes software or an Internet based system

that does the following:

(1) Provides access to education and career demand information using data prepared by the department of workforce development.

(2) Provides educational and career assessments or tools that:

(A) must include an aptitude and career assessment;

(B) are aligned to interdisciplinary employability skills standards prescribed in subsection (c); and

(C) may include:

(i) educational course track information; and

(ii) a tool for the preparation and development of the graduation plan prescribed in IC 20-30-4, including a parent sign in component.

SECTION 3. IC 20-30-5-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14.5. (a) Not later than December 31, 2020, the department of workforce development shall issue a request for proposals in accordance with IC 5-22-9 for the purpose of entering a public-private partnership for the provision of educational and career assessments or tools described in section 14(k)(2) of this chapter.**

(b) The department of workforce development shall complete the request for proposals process and implement the Indiana career explorer program described in section 14(k) of this chapter not later than July 1, 2021.

(c) The department of workforce development may adopt rules under IC 4-22-2 to implement this section and section 14(k) of this chapter.

(d) This section expires July 1, 2022.

SECTION 4. IC 20-30-5-23, AS ADDED BY P.L.132-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 23. (a) After June 30, 2021, each public high school, including each charter school, shall offer at least one (1) computer science course as a one (1) semester elective in the public high school's curriculum at least once each school year for high school students.

(b) After June 30, 2021, each public school, including each charter school, shall include computer science in the public school's curriculum for students in kindergarten through grade 12. A public high school fulfills the requirements under this subsection by meeting the requirements under subsection (a).

(c) If a public school fails to comply with this section, the department shall assist the public school in meeting the requirements under this section.

(d) The department shall:

(1) prepare an annual report concerning the implementation of computer science courses in public high schools, including charter schools, that includes the information described in subsection (e); and

(2) submit, before December 1 of each year, the report to the following:

(A) The state board.

(B) The general assembly.

(C) The commission for higher education.

The department shall submit the written report to the general assembly in an electronic format under IC 5-14-6.

(e) The report under subsection (d) must include the following information:

(1) The total number and percentage of computer science unique student course enrollments and course completions for each public high school, including each charter school, and by each course title approved by the department.

(2) The number and percentage of unique student enrollments and course completions in a computer science course by each course title approved by the department and disaggregated by:

(A) race;

(B) gender;

(C) grade;

(D) ethnicity;

(E) limited English language proficiency;

(F) free or reduced price lunch status; and

(G) eligibility for special education.

(3) The number of computer science instructors at each school disaggregated by:

(A) gender;

(B) certification, if applicable; and

(C) academic degree.

(4) Any other pertinent matters.

(f) The department shall post the report described in subsections (d) and (e) on the department's Internet web site.

SECTION 5. IC 20-31-5-4, AS AMENDED BY P.L.143-2019, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) A plan must:

(1) state objectives for a three (3) year period; and

(2) be annually reviewed and revised to accomplish the achievement objectives of the school.

(b) A plan must establish objectives for the school to achieve.

(c) A plan must address the learning needs of all students, including programs and services for exceptional learners.

(d) A plan must specify how and to what extent the school expects to make continuous improvement in all areas of the education system where results are measured by setting benchmarks for progress on an individual school basis.

(e) A plan must note specific areas where improvement is needed immediately.

(f) ~~On or before November 1 of the year in which the pilot program described in IC 20-30-5-14(i) expires,~~ Each school in a school corporation and each charter school shall include in the plan a summary of how the school will implement the curriculum described in IC 20-30-5-14(f), including the proposed student activities. A school may subsequently amend the school's plan under this subsection in a manner prescribed by the department. The department shall review the submitted plans under this subsection every two (2) years and may review a plan at random to review the relevancy of the plan to the changing economy. The department shall assist schools in incorporating best practices from around the state.

(g) Each year before November 1, the budget agency shall estimate the costs incurred by each school corporation in the immediately preceding school year to implement the curriculum described in IC 20-30-5-14(f), including the proposed student

activities, and submit a report of these costs by school corporation to the general assembly in an electronic format under IC 5-14-6.

(Reference is to ESB 295 as printed February 25, 2020.)

Raatz, Chair	Behning
Melton	Goodin
Senate Conferees	House Conferees

Roll Call 384: yeas 49, nays 0. Report adopted.

SENATE MOTION

Madam President: I move that the Senate rescind its action whereby it adopted the Motion to Dissent on Engrossed Senate Bill 334 and that said Motion be withdrawn.

WALKER

Motion prevailed.

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT

ESB 350–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 350 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 36-7-7.7 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 7.7. Indianapolis Metropolitan Planning Organization

Sec. 1. This chapter applies to an eligible political subdivision located within the metropolitan planning area of the MPO.

Sec. 2. The following definitions apply throughout this chapter:

(1) "Eligible political subdivision" means any of the following:

(A) A county.

(B) A municipality.

(C) An urban mass transportation system (as described in IC 36-9-4).

(2) "Metropolitan planning area" of the MPO means the aggregate geographic territory of the following political subdivisions:

(A) A county having a population of more than seven hundred thousand (700,000).

(B) All eligible political subdivisions in a county having a population of more than seven hundred thousand (700,000).

(C) All counties immediately adjacent to a county having a population of more than seven hundred thousand (700,000).

(D) All eligible political subdivisions in a county immediately adjacent to a county having a population of more than seven hundred thousand (700,000).

(3) "MPO" means the Indianapolis metropolitan planning organization established by section 3 of this chapter.

Sec. 3. The Indianapolis metropolitan planning organization is established.

Sec. 4. (a) An eligible political subdivision that:

(1) is not a member of the MPO; and

(2) is in a county adjacent to a county that:

(A) is a member of the MPO; or

(B) contains a member of the MPO;

may join the MPO under this chapter.

(b) An eligible political subdivision described in subsection (a) may join the MPO under this chapter only if:

(1) the governing body of the eligible political subdivision adopts a resolution authorizing the eligible political subdivision to become a member of the MPO; and

(2) the MPO adopts a resolution authorizing the eligible political subdivision to become a member of the MPO.

(c) An eligible political subdivision becomes a member of the MPO upon the passage of a resolution under subsection (b)(2) authorizing the eligible political subdivision to become a member of the MPO.

(d) The MPO shall notify the governor's office promptly in writing when a new member joins the MPO.

Sec. 5. The purpose of the MPO is to institute and maintain a comprehensive planning and programming process for transportation policy and to assist the central Indiana regional development authority in carrying out its duties under IC 36-7.7. The MPO shall coordinate its activities with all member units in the counties and the member units of the central Indiana regional development authority and shall coordinate and assist the planning programs of member units, the central Indiana regional development authority, and the state that relate to its purposes.

Sec. 6. (a) This section applies to any eligible political subdivision authorized to join the MPO under section 4 of this chapter.

(b) An eligible political subdivision described in subsection (a) may withdraw from the MPO without the approval of the MPO. However, the withdrawal of a county does not affect the membership of eligible political subdivisions within that county that are already members of the MPO. The MPO shall provide a process for withdrawal from the MPO in the MPO's bylaws.

(c) The MPO shall notify the governor's office promptly in writing when a member withdraws from the MPO.

Sec. 7. (a) Each eligible political subdivision described in section 2 of this chapter and each eligible political subdivision that joins the MPO under section 4 of this chapter is considered a member of the MPO.

(b) The highest ranking elected official, executive director, or board president of each MPO member shall serve on the MPO policy board.

(c) A member of the MPO policy board described in subsection (b) may appoint a proxy of record to serve in the member's place as a member of the MPO policy board. The proxy of record has the same authority to act and vote on all matters as does the member.

Sec. 8. The MPO may adopt bylaws and rules for the transaction of business and shall keep a record of its resolutions, transactions, findings, and determinations. The MPO's record is a public record.

Sec. 9. The MPO may perform any function or duty necessary to carry out the purposes authorized by 23 CFR 450.300 through 23 CFR 450.340 or in support of the purposes of the central Indiana regional development authority authorized by IC 36-7.7.

Sec. 10. After review and recommendation by the executive board, the MPO may appoint an executive director, who serves at the pleasure of the MPO.

Sec. 11. Before October 1, 2021, the MPO shall do the following:

(1) Develop a comprehensive asset management report, in collaboration with the Indiana department of transportation centralized electronic statewide asset management data base developed under IC 8-14-3-3, which analyzes and compiles the transportation asset management plans of each eligible political subdivision that is a member of the MPO.

(2) Present the comprehensive asset management report described in subdivision (1) to:

(A) the city-county council of the consolidated city;

(B) the fiscal and legislative bodies of each entity that is a member of the MPO; and

(C) the budget committee.

SECTION 2. IC 36-7.7 IS ADDED TO THE INDIANA CODE AS A **NEW** ARTICLE TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

ARTICLE 7.7. CENTRAL INDIANA REGIONAL DEVELOPMENT AUTHORITY

Chapter 1. Applicability

Sec. 1. This article applies only to eligible political subdivisions described in IC 36-7.7-2-7 that are located in the Indianapolis-Carmel-Anderson Metropolitan Statistical Area as defined by the United States Census Bureau.

Sec. 2. This article expires July 1, 2025.

Chapter 2. Definitions

Sec. 1. Except as otherwise provided, the definitions in this chapter apply throughout this article.

Sec. 2. "Airport authority" refers to an airport authority established under IC 8-22-3.

Sec. 3. "Commuter transportation district" refers to a commuter transportation district established under IC 8-5-15.

Sec. 4. "Comprehensive development plan" refers to a comprehensive strategic economic development plan prepared under IC 36-7.7-3-4.

Sec. 5. "Development authority" refers to the central Indiana regional development authority established under IC 36-7.7-3-1.

Sec. 6. "Economic development project" means an economic development project described in IC 6-3.6-2-8.

Sec. 7. "Eligible political subdivision" means any of the following:

(1) A county.

(2) A municipality.

(3) An airport authority.

(4) A commuter transportation district.

(5) A regional transportation authority.

(6) A public transportation corporation under IC 36-9-4.

Sec. 8. "Strategy committee" refers to the strategy committee composed of members selected according to the terms of the preliminary development plan.

Sec. 9. "Preliminary development plan" means a preliminary strategic economic development plan prepared under IC 36-7.7-3-3.

Sec. 10. "Regional transportation authority" means a regional transportation authority established under IC 36-9-3.

Chapter 3. Development Authority and Board

Sec. 1. (a) In order to establish a development authority under this article, the fiscal bodies of a combination of any two (2) or more counties or municipalities described in subsection (b) must adopt substantially similar resolutions to adopt a preliminary development plan prepared under section 3 of this chapter for the development authority.

(b) A development authority may be established by any of the following:

(1) One (1) or more counties and one (1) or more adjacent counties.

(2) One (1) or more counties and one (1) or more municipalities in adjacent counties.

(3) One (1) or more municipalities and one (1) or more municipalities in adjacent counties.

(c) If a development authority is established under subsection (a), the development authority shall promptly notify the Indiana economic development corporation of the establishment of the development authority by submitting a copy of the preliminary development plan to the Indiana economic development corporation.

(d) When a county establishes a development authority under subsection (a) with another unit, any municipality in the county does not also become a member of the development authority, unless the fiscal body of the municipality also adopts the preliminary development plan prepared under section 3 of this chapter for the development authority.

(e) A county or municipality may become a member of the development authority under this section only if the county or municipality is not a member of a development authority under IC 36-7.6. If a county or municipality is a member of another development authority established under IC 36-7.6, the county or municipality must withdraw its membership in that development authority before the county's or municipality's adoption of a preliminary development plan

under subsection (a). A county or municipality may be a member of only one (1) development authority.

(f) If not already members, Marion County and the city of Indianapolis are required to join the central Indiana regional development authority if sixty percent (60%) or more of the eligible political subdivisions located within the Indianapolis-Carmel-Anderson Metropolitan Statistical Area as defined by the United States Census Bureau become members of the central Indiana regional development authority. If Marion County and the city of Indianapolis are required to become members of the central Indiana regional development authority under this subsection, Marion County and the city of Indianapolis do not incur any financial obligation because of the fact they have become members of the central Indiana regional development authority. Marion County or the city of Indianapolis can incur a financial obligation in relation to the central Indiana regional development authority only by voluntarily entering into an agreement to undertake the financial obligation.

(g) Notwithstanding any other law, any of the following governmental units may immediately withdraw from the development authority to which they belong in order to join the central Indiana regional development authority:

(1) The city of Westfield.
(2) The city of Carmel.
(3) The city of Greenwood.
(4) Marion County.

Sec. 2. A development authority established under this chapter is a separate body corporate and politic that shall carry out the purposes of this article by:

(1) acquiring, constructing, equipping, owning, and financing projects and facilities to or for the benefit of eligible political subdivisions under this article; and
(2) funding and developing:
(A) airport authority projects;
(B) commuter transportation district and other rail projects and services;
(C) regional transportation authority projects and services;
(D) economic development projects;
(E) intermodal transportation projects;
(F) regional trail or greenway projects;
(G) regional transportation infrastructure projects under IC 36-9-43; and
(H) any other capital infrastructure project that enhances the region with the goal of attracting people or business;
that are of regional importance.

Sec. 3. Units that wish to establish a development authority under this chapter must prepare and adopt a preliminary strategic economic development plan that includes provisions and general information concerning the following:

(1) The participating members of the development authority.
(2) The membership of the strategy committee under section 5 of this chapter.
(3) A timeline for submitting the comprehensive development plan under section 4 of this chapter.
(4) A strategy for attracting (or any projected) investments, grants, matching funds, or local tax revenue.

Sec. 4. (a) A development authority established under this chapter shall prepare a comprehensive strategic economic development plan to serve as a roadmap to diversify and strengthen the regional economy, establish regional goals and objectives, develop and implement a regional action plan, identify ways to eliminate duplicative government services within the region, and identify investment priorities and funding sources.

(b) The comprehensive development plan must incorporate and comply with the requirements and content for comprehensive economic development strategies under 13 CFR 303.7 and be developed with broad based and diverse community participation, and may contain the following:

(1) An analysis of economic and community development problems and opportunities including incorporation of any relevant material or suggestions from other government sponsored or supported plans.
(2) A background and history of the economic development situation of the region, with a discussion of the economy, including as appropriate, geography, population, labor force, resources, and the environment.
(3) A discussion of community participation in the planning efforts.
(4) Identification of particular strengths or assets that can be leveraged for economic benefit and goals and objectives for taking advantage of those strengths and assets to solve the economic development problems of the region.
(5) A plan of action, including suggested projects, to achieve the goals and objectives.
(6) Performance measures to be used to evaluate whether and to what extent goals and objectives have been or are being met.
(7) Strategies for:
(A) ensuring access to affordable health care;
(B) ensuring access to affordable child care;
(C) establishing workforce pipelines for those exiting recovery and reentry programs;
(D) recreation and entertainment;
(E) coordinating with local businesses to ensure the supply of high technology or high demand job apprenticeships;
(F) leveraging technology to improve delivery of government services;
(G) eliminating duplicative government services within the region;
(H) increasing the supply of affordable homes and other housing;
(I) building connectivity between the business community and local schools;
(J) incentivizing or attracting out-of-state residents and businesses to relocate to the region; and
(K) branding and marketing the region as a means to

recruit and retain businesses and people.

(8) Data analyses of other workforce and quality of place measures including, without limitation, detailed information for the most recent three (3) year period for which data is available for the following:

(A) Workforce availability compared to job postings.

(B) Commercial and industrial electricity prices.

(C) Local road and infrastructure spending.

(D) Access to fixed broadband and mobile connectivity meeting Federal Communications Commission standards for businesses and residents.

(E) Total employment in firms that are zero (0) to five (5) years old.

(F) Net job creation in firms that are zero (0) to five (5) years old.

(G) Net job creation in firms that are more than five (5) years old.

(H) Venture capital invested.

(I) Summary of the region's health related metrics including the following:

(i) Adult smoking rate.

(ii) Adult obesity rate.

(iii) Drug related deaths.

(9) The proposed projects and programs to be undertaken or financed by the development authority.

(10) The following information for each project and program included under subdivision (9):

(A) Timeline and budget.

(B) The return on investment.

(C) The projected or expected need for an ongoing subsidy.

(D) Any projected or expected federal matching funds.

Sec. 5. (a) A development authority established under this chapter is governed by a strategy committee.

(b) A strategy committee is composed of members according to the terms of the preliminary development plan adopted by the fiscal bodies of development authority members under section 1 of this chapter.

(c) The removal of a member and the filling of a vacancy on the strategy committee shall be made according to the terms of the development authority preliminary development plan.

(d) Each member of a strategy committee, before entering upon the duties of office, must take and subscribe an oath of office under IC 5-4-1, which shall be endorsed upon the certificate of appointment and filed with the records of the investment board.

(e) A member of a strategy committee is not entitled to receive any compensation for performance of the member's duties.

Sec. 6. (a) In January of each year, a strategy committee shall hold an organizational meeting at which the strategy committee shall elect the following officers from the members of the strategy committee:

(1) A chair.

(2) A vice chair.

(3) A secretary-treasurer.

(b) The affirmative vote of at least a majority of the members of the strategy committee is necessary to elect an officer under subsection (a).

(c) An officer elected under subsection (a) serves from the date of the officer's election until the officer's successor is elected and qualified.

Sec. 7. (a) A strategy committee shall meet at least quarterly.

(b) The chair of a strategy committee or any two (2) members of a strategy committee may call a special meeting of the strategy committee.

(c) A majority of the appointed members of a strategy committee constitutes a quorum.

(d) The affirmative votes of at least a majority of the appointed members of a strategy committee are necessary to authorize any action of the strategy committee.

Sec. 8. A strategy committee shall adopt the bylaws and rules that the strategy committee considers necessary for the proper conduct of the strategy committee's duties and the safeguarding of the development authority's funds and property.

Sec. 9. (a) Only one (1) development authority may be established under this article. However, a county or municipality described in subsection (b) may join a development authority established under section 1 of this chapter if the fiscal body of the county or municipality:

(1) adopts an ordinance authorizing the county or municipality to become a member of the development authority; and

(2) adopts a substantially similar resolution to adopt the preliminary development plan of the development authority as set forth under section 1 of this chapter.

A development authority shall notify the Indiana economic development corporation promptly in writing when a new member joins the development authority.

(b) The following counties or municipalities may join a development authority established under section 1 of this chapter:

(1) In the case of a county, a county that is adjacent to a county that:

(A) is a member of the development authority; or

(B) contains a member of the development authority.

(2) In the case of a municipality, a municipality that is located in a county that:

(A) is a member of the development authority;

(B) is adjacent to a county that is a member of the development authority; or

(C) is adjacent to a county containing a member of the development authority.

Sec. 10. A county or municipality that establishes or joins a development authority under this chapter shall be a member of the development authority for not less than five (5) years or until the expiration of this article.

Chapter 4. Compliance and Audit Requirements

Sec. 1. (a) A development authority shall comply with IC 5-22 (public purchasing), IC 36-1-12 (public work projects), and any applicable federal bidding statutes and regulations. An eligible political subdivision that receives a

loan, a grant, or other financial assistance from a development authority or enters into a lease with a development authority must comply with applicable federal, state, and local public purchasing and bidding laws and regulations. However, a purchasing agency (as defined in IC 5-22-2-25) of an eligible political subdivision may:

(1) assign or sell a lease for property to a development authority; or

(2) enter into a lease for property with a development authority;

at any price and under any other terms and conditions as may be determined by the eligible political subdivision and the development authority. However, before making an assignment or a sale of a lease or entering into a lease under this section that would otherwise be subject to IC 5-22, the eligible political subdivision or its purchasing agent must obtain or cause to be obtained a purchase price for the property to be subject to the lease from the lowest responsible and responsive bidder in accordance with the requirements for the purchase of supplies under IC 5-22.

(b) In addition to the provisions of subsection (a), with respect to projects undertaken by a development authority, the development authority shall set a goal for participation by minority business enterprises and women's business enterprises. The goals must be consistent with:

(1) the participation goals established by the counties and municipalities that are members of the development authority; and

(2) the goals of delivering the project on time and within the budgeted amount and, insofar as possible, using Indiana businesses for employees, goods, and services.

Sec. 2. (a) The state board of accounts shall, pursuant to IC 5-11-1-7 and IC 5-11-1-24, allow each development authority to contract with a certified public accountant for an annual financial audit of the development authority. The certified public accountant may not have a significant financial interest in a project, facility, or service funded by or leased by or to any development authority. The certified public accountant selected by a development authority must be approved by the state examiner and is subject to the direction of the state examiner while performing an annual financial audit under this article.

(b) The certified public accountant shall present an audit report not later than four (4) months after the end of each calendar year and shall make recommendations to improve the efficiency of development authority operations. The certified public accountant shall also perform a study and evaluation of internal accounting controls and shall express an opinion on the controls that were in effect during the audit period.

(c) A development authority shall pay the cost of the annual financial audit under subsection (a). In addition, the state board of accounts may at any time conduct an audit of any phase of the operations of a development authority. The development authority shall pay the cost of any audit by the state board of accounts.

(d) The state board of accounts may waive the requirement that a certified public accountant perform an annual financial audit of a development authority for a particular year if the development authority certifies to the state board of accounts that the development authority had no financial activity during that year.

Chapter 5. Development Authority Powers and Duties

Sec. 1. A development authority shall do the following:

(1) Assist in the coordination of local efforts concerning projects that are of regional importance.

(2) Assist a county, a municipality, a commuter transportation district, an airport authority, and a regional transportation authority in coordinating regional transportation and economic development efforts.

(3) Fund projects that are of regional importance, as provided in this article.

Sec. 2. (a) A development authority may do any of the following:

(1) Finance, improve, construct, reconstruct, renovate, purchase, acquire, and equip land and projects that are of regional importance.

(2) Finance and construct additional improvements to projects or other capital improvements owned by the development authority.

(3) Construct or reconstruct highways, roads, and bridges.

(4) Acquire land or all or a part of one (1) or more projects from an eligible political subdivision by purchase.

(5) Acquire all or a part of one (1) or more projects from an eligible political subdivision by purchase to fund or refund indebtedness incurred on account of the projects to enable the eligible political subdivision to make a savings in debt service obligations or lease rental obligations or to obtain relief from covenants that the eligible political subdivision considers to be unduly burdensome.

(6) Make grants or provide other financial assistance to or on behalf of the following:

(A) A commuter transportation district.

(B) An airport authority.

(C) A regional transportation authority. A loan, a loan guarantee, a grant, or other financial assistance under this clause may be used by a regional transportation authority for acquiring, improving, operating, maintaining, financing, and supporting the following:

(i) Bus services (including fixed route services and flexible or demand-responsive services) that are a component of a public transportation system.

(ii) Bus terminals, stations, or facilities or other regional bus authority projects.

(D) A county.

(E) A municipality.

(7) Provide funding to assist a railroad that is providing commuter transportation services in a county containing territory included in the development authority.

(8) Provide funding to assist an airport authority located in a county containing territory included in the development authority in the construction, reconstruction, renovation, purchase, lease, acquisition, and equipping of an airport facility or airport project.

(9) Provide funding for intermodal transportation projects and facilities.

(10) Provide funding for regional trails and greenways.

(11) Provide funding for economic development projects.

(12) Provide funding for regional transportation infrastructure projects under IC 36-9-43.

(13) Hold, use, lease, rent, purchase, acquire, and dispose of by purchase, exchange, gift, bequest, grant, condemnation, lease, or sublease, on the terms and conditions determined by the development authority, any real or personal property.

(14) After giving notice, enter upon any lots or lands for the purpose of surveying or examining them to determine the location of a project.

(15) Make or enter into all contracts and agreements necessary or incidental to the performance of the development authority's duties and the execution of the development authority's powers under this article.

(16) Sue, be sued, plead, and be impleaded.

(17) Design, order, contract for, construct, reconstruct, and renovate a project or improvements to a project.

(18) Appoint an executive director and employ appraisers, real estate experts, engineers, architects, surveyors, attorneys, accountants, auditors, clerks, construction managers, and any consultants or employees who are necessary or desired by the development authority in exercising its powers or carrying out its duties under this article.

(19) Accept loans, grants, and other forms of financial assistance from the federal government, the state government, a political subdivision, or any other public or private source.

(20) Use the development authority's funds to match federal grants or make loans, loan guarantees, or grants to carry out the development authority's powers and duties under this article.

(21) Except as prohibited by law, take any action necessary to carry out this article.

(b) Projects funded by a development authority must be of regional importance.

Sec. 3. A development authority may enter into an agreement with another development authority or any other entity to:

(1) jointly equip, own, lease, and finance projects and facilities; or

(2) otherwise carry out the purposes of the development authority;

in any location.

Sec. 4. A development authority shall, before April 1 of each year, issue a report to the legislative council, the budget committee, the Indiana economic development corporation, and the executive, fiscal body, and legislative body of each member of the development authority concerning the operations and activities of the development authority during the preceding calendar year. The report to the legislative council must be in an electronic format under IC 5-14-6.

Chapter 6. Regional Strategy Fund

Sec. 1. (a) A strategy committee shall establish and administer a regional strategy fund.

(b) A regional strategy fund consists of the following:

(1) Any payments required under an interlocal agreement for a project that specifically states:

(A) the amount for which each member is responsible; and

(B) the term of the agreement.

The transfers allowed by this subdivision may be made from any local revenue of the county or municipality, including property tax revenue, distributions, incentive payments, money deposited in the county's or municipality's local major moves construction fund under IC 8-14-16, money received by the county or municipality under a development agreement (as defined by IC 36-1-8-9.5), or any other local revenue that is not otherwise restricted by law or committed for the payment of other obligations.

(2) Money received from the federal government.

(3) Gifts, contributions, donations, and private grants made to the fund.

(4) Money transferred to the development authority under an interlocal agreement.

Sec. 2. A development authority and an eligible political subdivision may enter into common wall (party wall) agreements or other agreements concerning easements or licenses. These agreements shall be recorded with the recorder of the county in which the project is located.

Sec. 3. (a) All:

(1) property owned by a development authority; and

(2) revenue of a development authority;

are exempt from taxation in Indiana for all purposes except the financial institutions tax imposed under IC 6-5.5.

(b) All securities issued under this chapter are exempt from the registration requirements of IC 23-19 and other securities registration statutes.

SECTION 3. **An emergency is declared for this act.**

(Reference is to ESB 350 as reprinted March 3, 2020.)

Holdman, Chair	T. Brown
J.D. Ford	Porter
Senate Conferees	House Conferees

Roll Call 385: yeas 34, nays 15. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1003–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1003 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate

amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 4-3-27-11, AS AMENDED BY P.L.143-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) As used in this section, "high school" means a high school (as defined in IC 20-18-2-7) that is:

(1) maintained by a school corporation;

(2) a charter school; or

(3) ~~an~~ **a state** accredited nonpublic school **(as defined in IC 20-18-2-18.7).**

(b) Not later than July 1, 2019, the cabinet shall develop a comprehensive career navigation and coaching system for Indiana that does both of the following:

(1) Provides timely, comprehensive, relevant, and useful information on careers, including at least:

(A) general and industry sector based regional, state, national, and global information to identify both immediate and potential career opportunities arising from:

(i) current employer needs;

(ii) developing or foreseeable talent needs and trends; and

(iii) other factors identified by the cabinet;

(B) state, regional, and local labor market supply and demand information from the department of workforce development, industry sectors, and other verifiable sources; and

(C) educational requirements and attainment information from employers, the department of workforce development, and other verifiable sources.

(2) Establishes strategies and identifies capacity to deliver career navigation and coaching to middle school, high school, postsecondary, and adult students, with priority being given to middle school and high school students, including at least:

(A) processes for identifying an individual's aptitude for and interest in, and the education and training required for, various career and employment opportunities;

(B) the use of career coaches and other coaching resources, including the work one system, employers, Ivy Tech Community College, Vincennes University, and other postsecondary educational institutions; and

(C) qualifications for career coaches and a training program to enable the career coaches to provide relevant information to the individuals being served.

(c) All high schools in Indiana shall participate in the career coaching program developed under subsection (b)(2).

(d) In developing the comprehensive career navigation and coaching system under subsection (b)(2), the cabinet shall:

(1) receive cooperation, support, and assistance from:

(A) the department of workforce development, the Indiana commission for higher education, and the department of education; and

(B) the resources, providers, and institutions that the departments and the commission listed in clause (A) use and oversee;

(2) explore approaches and models from Indiana and other states and countries;

(3) where appropriate, use pilot programs or other scaling approaches to develop and implement the comprehensive career navigation and coaching system in a cost effective and efficient manner; and

(4) work to coordinate and align resources to produce effective and efficient results to K-12 educational systems, postsecondary educational systems, the workforce development community, employers, community based organizations, and other entities.

(e) The cabinet shall initially:

(1) focus on:

(A) students in, or of the age to be in, the last two (2) years of high school; and

(B) working age adults; and

(2) use, to the extent possible, the department of workforce development, the K-12 educational system, Ivy Tech Community College, Vincennes University, and other existing resources to implement the comprehensive career navigation and coaching system with a later expansion of the system, as appropriate, to all K-12 and postsecondary schools and institutions and their students.

(f) Not later than July 1, 2019, the cabinet shall submit to:

(1) the governor;

(2) the commission for higher education;

(3) the state board of education; and

(4) the general assembly in an electronic format under IC 5-14-6;

operating and funding recommendations to implement the comprehensive career navigation and coaching system.

SECTION 2. IC 5-2-10.1-13, AS ADDED BY P.L.211-2018(ss), SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. A charter school (as defined in IC 20-24-1-4) or ~~an~~ **a state** accredited nonpublic school **(as defined in IC 20-18-2-18.7)** may do one (1) or more of the following:

(1) Designate an individual to serve as the school safety specialist for the school and comply with section 9 of this chapter.

(2) Establish a school safety plan in accordance with this chapter.

(3) Establish a safe school committee as described under section 12 of this chapter.

SECTION 3. IC 5-3-1-3, AS AMENDED BY P.L.238-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Within sixty (60) days after the expiration of each calendar year, the fiscal officer of each civil city and town in Indiana shall publish an annual report of the receipts and expenditures of the city or town during the preceding calendar year.

(b) Not earlier than August 1 or later than August 15 of each year, the secretary of each school corporation in Indiana shall publish **either:**

(1) an annual financial report; **or**

(2) a summary of the annual financial report with a description of how to find and view the full annual fiscal report on the Internet. The summary must include the following:

(A) The total amounts for:

(i) approved budget receipts for each property tax fund and the total for the approved budget receipts for all of the property tax funds combined; and

(ii) actual receipts for each property tax fund and the total for the approved budget receipts for all of the property tax funds combined.

(B) The total amounts for:

(i) approved budget expenditures for each property tax fund and the total for the approved budget expenditures for all of the property tax funds combined; and

(ii) actual expenditures for all property tax funds and the total for the approved budget receipts for all of the property tax funds combined.

(C) The minimum teacher salary range.

(D) The maximum teacher salary range.

(E) High school extracurricular salaries for head athletic coaches and orchestra, music, and band leaders.

(F) The salary ranges for noncertificated employees (as defined in IC 20-29-2-11) classifications.

(G) The:

(i) lowest salary;

(ii) highest salary; and

(iii) average salary;

for a certificated administrative staff employee.

(H) Student enrollment disaggregated by grade level.

(I) The total assessed valuation for property and the property tax rate per property tax fund for the past two (2) years.

(J) The type of indebtedness for the school corporation and the amount of principal that is outstanding.

(c) In the annual financial report the school corporation shall include the following:

(1) Actual receipts and expenditures by major accounts as compared to the budget advertised under IC 6-1.1-17-3 for the prior calendar year.

(2) The salary schedule for all certificated employees (as defined in IC 20-29-2-4) as of June 30, with the number of employees at each salary increment. However, the listing of salaries of individual teachers is not required.

(3) The extracurricular salary schedule as of June 30.

(4) The range of rates of pay for all noncertificated employees by specific classification.

(5) The number of employees who are full-time certificated, part-time certificated, full-time noncertificated, and part-time noncertificated.

(6) The lowest, highest, and average salary for the administrative staff and the number of administrators without a listing of the names of particular administrators.

(7) The number of students enrolled at each grade level and the total enrollment.

(8) The assessed valuation of the school corporation for the prior and current calendar year.

(9) The tax rate for each fund for the prior and current calendar year.

(10) In the education fund and operations fund, a report of the total payment made to each vendor from each fund in excess of two thousand five hundred dollars ($2,500) during the prior calendar year. However, a school corporation is not required to include more than two hundred (200) vendors whose total payment to each vendor was in excess of two thousand five hundred dollars ($2,500). A school corporation shall list the vendors in descending order from the vendor with the highest total payment to the vendor with the lowest total payment above the minimum listed in this subdivision.

(11) A statement providing that the contracts, vouchers, and bills for all payments made by the school corporation are in its possession and open to public inspection.

(12) The total indebtedness as of the end of the prior calendar year showing the total amount of notes, bonds, certificates, claims due, total amount due from such corporation for public improvement assessments or intersections of streets, and any and all other evidences of indebtedness outstanding and unpaid at the close of the prior calendar year.

(d) The school corporation may provide an interpretation or explanation of the information included in the financial report.

(e) The department of education shall do the following:

(1) Develop guidelines for the preparation and form of the financial report.

(2) Provide information to assist school corporations in the preparation of the financial report.

(f) The annual reports required by this section and IC 36-2-2-19 and the abstract required by IC 36-6-4-13 shall each be published one (1) time only, in accordance with this chapter.

(g) Each school corporation shall submit to the department of education a copy of the financial report required under this section. The department of education shall make the financial reports available ~~for public inspection.~~ **on the department of education's Internet web site.**

(h) As used in this subsection, "bonds" means any bonds, notes, or other evidences of indebtedness, whether payable from property taxes, other taxes, revenues, fees, or any other source. However, the term does not include notes, warrants, or other evidences of indebtedness that have a maturity of not more than five (5) years and that are made in anticipation of and to be paid from revenues of the school corporation. Notwithstanding any other law, a school corporation may not issue any bonds unless the school corporation has filed the annual financial report required under subsection (b) with the department of education. The requirements under this subsection for the issuance of bonds by a school corporation are in addition to any other requirements imposed under any other law. This subsection applies to the issuance of bonds authorized under any statute, regardless of whether that statute specifically references this subsection or the

requirements under this subsection.

SECTION 4. IC 6-3-2-22, AS ADDED BY P.L.229-2011, SECTION 85, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: Sec. 22. (a) The following definitions apply throughout this section:

(1) "Dependent child" means an individual who:

(A) is eligible to receive a free elementary or high school education in an Indiana school corporation;

(B) qualifies as a dependent (as defined in Section 152 of the Internal Revenue Code) of the taxpayer; and

(C) is the natural or adopted child of the taxpayer or, if custody of the child has been awarded in a court proceeding to someone other than the mother or father, the court appointed guardian or custodian of the child.

If the parents of a child are divorced, the term refers to the parent who is eligible to take the exemption for the child under Section 151 of the Internal Revenue Code.

(2) "Education expenditure" refers to any expenditures made in connection with enrollment, attendance, or participation of the taxpayer's dependent child in a private elementary or high school education program. The term includes tuition, fees, computer software, textbooks, workbooks, curricula, school supplies (other than personal computers), and other written materials used primarily for academic instruction or for academic tutoring, or both.

(3) "Private elementary or high school education program" means attendance at:

(A) a nonpublic school (as defined in IC 20-18-2-12); or

(B) ~~an~~ **a state** accredited nonpublic school **(as defined in IC 20-18-2-18.7);**

in Indiana that satisfies a child's obligation under IC 20-33-2 for compulsory attendance at a school. The term does not include the delivery of instructional service in a home setting to a dependent child who is enrolled in a school corporation or a charter school.

(b) This section applies to taxable years beginning after December 31, 2010.

(c) A taxpayer who makes an unreimbursed education expenditure during the taxpayer's taxable year is entitled to a deduction against the taxpayer's adjusted gross income in the taxable year.

(d) The amount of the deduction is:

(1) one thousand dollars ($1,000); multiplied by

(2) the number of the taxpayer's dependent children for whom the taxpayer made education expenditures in the taxable year.

A husband and wife are entitled to only one (1) deduction under this section.

(e) To receive the deduction provided by this section, a taxpayer must claim the deduction on the taxpayer's annual state tax return or returns in the manner prescribed by the department.

SECTION 5. IC 9-21-12-20.5, AS ADDED BY P.L.144-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20.5. (a) As used in this section, "elementary school":

(1) has the meaning set forth in IC 20-18-2-4; and

(2) includes public elementary schools and **state** accredited nonpublic elementary schools **that voluntarily become accredited under IC 20-31-4.1.**

(b) As used in this section, "governing body" has the meaning set forth in IC 20-18-2-5.

(c) If a school bus driver must load or unload an elementary school student at a location that requires the student to cross a roadway that is a U.S. route or state route as described in section 20(a)(1) of this chapter, the superintendent or the superintendent's designee shall present the school bus route described in this subsection to the governing body for approval.

SECTION 6. IC 9-27-6-3, AS AMENDED BY P.L.85-2013, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) As used in this chapter, "driver training school" means:

(1) a business enterprise that:

(A) is conducted by an individual, an association, a partnership, a limited liability company, or a corporation for the education and training of persons, practically or theoretically, or both, to operate or drive motor vehicles or to prepare an applicant for an examination or validation under IC 9-24 for a driver's license; and

(B) charges consideration or tuition for the provision of services; or

(2) a driver education program operated under the authority of:

(A) a school corporation (as defined in IC 36-1-2-17);

(B) a **state accredited** nonpublic secondary school that voluntarily becomes accredited under ~~IC 20-19-2-8;~~ **IC 20-31-4.1;**

~~(C) a nonpublic secondary school recognized under IC 20-19-2-10;~~

~~(D)~~ **(C)** a postsecondary proprietary educational institution (as defined in IC 22-4.1-21-9);

~~(E)~~ **(D)** a postsecondary credit bearing proprietary educational institution (as defined in IC 21-18.5-2-12);

~~(F)~~ **(E)** a state educational institution (as defined in IC 21-7-13-32); or

~~(G)~~ **(F)** a nonaccredited nonpublic school.

(b) The term does not include a business enterprise that educates or trains a person or prepares a person for an examination or a validation given by the bureau to operate or drive a motor vehicle as a vocation.

SECTION 7. IC 9-27-6-6, AS AMENDED BY P.L.149-2015, SECTION 76, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) To establish or operate a driver training school, the driver training school must obtain a driver training school license from the bureau in the manner and form prescribed by the bureau.

(b) Subject to subsections (c) and (d), the bureau shall adopt rules under IC 4-22-2 that state the requirements for obtaining a driver training school license.

(c) The rules adopted under subsection (b) must permit a licensed driver training school to provide classroom training during which an instructor is present in a county outside the county where the driver training school is located to the students of:

(1) a school corporation (as defined in IC 36-1-2-17);

(2) a **state accredited** nonpublic secondary school that voluntarily becomes accredited under ~~IC 20-19-2-8;~~ **IC 20-31-4.1;**

~~(3) a nonpublic secondary school recognized under IC 20-19-2-10;~~

~~(4)~~ **(3)** a state educational institution; or

~~(5)~~ **(4)** a nonaccredited nonpublic school.

However, the rules must provide that a licensed driver training school may provide classroom training in an entity listed in ~~subdivisions~~ **subdivision** (1) ~~through (3)~~ **or (2)** only if the governing body of the entity approves the delivery of the training to its students.

(d) The rules adopted under subsection (b) must provide that driver education instruction may not be provided to a child less than fifteen (15) years of age.

SECTION 8. IC 10-21-1-1, AS AMENDED BY P.L.50-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The following definitions apply throughout this chapter:

(1) "Accredited nonpublic school" means a nonpublic school ~~(as described under IC 20-18-2-12)~~ that:

(A) has voluntarily become accredited under ~~IC 20-19-2-8.~~ **IC 20-31-4.1; or**

(B) is accredited by a national or regional accrediting agency that is recognized by the state board of education.

(2) "Active event warning system" refers to a system that includes services and technology that will notify available law enforcement agencies in the area of a school building of a life threatening emergency.

(3) "ADM" refers to average daily membership determined under IC 20-43-4-2. In the case of a school corporation career and technical education school described in IC 20-37-1-1, "ADM" refers to the count on a full-time equivalency basis of students attending the school on the date ADM is determined under IC 20-43-4-2.

(4) "Board" refers to the secured school safety board established by section 3 of this chapter.

(5) "Fund" refers to the Indiana secured school fund established by section 2 of this chapter.

(6) "Law enforcement agency" refers to a state, local, or federal agency or department that would respond to an emergency event at a school, including both on duty and off duty officers within the agency or department.

(7) "Local plan" means the school safety plan described in IC 20-26-18.2-2(b).

(8) "School corporation or charter school" refers to an individual school corporation, a school corporation career and technical education school described in IC 20-37-1-1, or a charter school but also includes:

(A) a coalition of school corporations;

(B) a coalition of charter schools; or

(C) a coalition of both school corporations and charter schools;

that intend to jointly employ a school resource officer or to jointly apply for a matching grant under this chapter, unless the context clearly indicates otherwise.

(9) "School official" refers to an employee of a school corporation, charter school, or accredited nonpublic school who has access to an active event warning system.

(10) "School resource officer" has the meaning set forth in IC 20-26-18.2-1.

SECTION 9. IC 16-35-8-1, AS AMENDED BY P.L.149-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. As used in this chapter, "child" means a child who is:

(1) at least three (3) years of age and less than seven (7) years of age; or

(2) enrolled in a public school, **state** accredited nonpublic school **(as defined in IC 20-18-2-18.7),** or nonaccredited nonpublic school in kindergarten through grade 12.

SECTION 10. IC 16-41-37.5-2, AS AMENDED BY P.L.168-2009, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) The state department shall before July 1, 2010:

(1) adopt rules under IC 4-22-2 to establish an indoor air quality inspection, evaluation, and employee notification program to assist state agencies in improving indoor air quality; and

(2) amend 410 IAC 6-5.1 or adopt new rules under IC 4-22-2 to do the following:

(A) Establish an indoor air quality inspection, evaluation, and parent and employee notification program to assist schools in improving indoor air quality.

(B) Establish best practices to assure healthful indoor air quality in schools.

(b) Subject to subsection (c), the state department shall:

(1) inspect a school or state agency if the state department receives a complaint about the quality of air in the school or state agency;

(2) prepare a report, which may be in letter form, that:

(A) describes the state department's inspection findings;

(B) identifies any conditions that are contributing or could contribute to poor indoor air quality at the school or state agency, including:

(i) carbon dioxide levels;

(ii) humidity;

(iii) evidence of mold or water damage; and

(iv) excess dust;

(C) provides guidance on steps the school or state agency should take to address any issues; and

(D) requests a response from the school or state agency not later than sixty (60) days after the date of the report;

(3) report the results of the inspection to:

(A) the person who complained about the quality of air;

(B) the school's principal or the state agency head;

(C) the superintendent of the school corporation, if the school is part of a school corporation;

(D) the Indiana state board of education, if the school is a public school or ~~an~~ **a state** accredited nonpublic school **(as defined in IC 20-18-2-18.7);**

(E) the Indiana department of administration, if the inspected entity is a state agency; and

(F) the appropriate local or county board of health; and

(4) assist the school or state agency in developing a reasonable plan to improve air quality conditions found in the inspection.

(c) A complaint referred to in subsection (b)(1):

(1) must be in writing; and

(2) may be made by electronic mail.

(d) The state department may release the name of a person who files a complaint referred to in subsection (b)(1) only if the person has authorized the release in writing.

SECTION 11. IC 16-41-37.5-2.5, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2.5. (a) Before July 31, 2019, the state department shall distribute a manual of best practices for managing indoor air quality at schools as described in this section. The state department may use a manual on indoor air quality in schools developed by a federal health or environmental agency or another state and make additions or revisions to the manual to make the manual most useful to Indiana schools. The manual must include recommendations for radon testing. The state department shall provide the manual:

(1) to:

(A) the legislative council; and

(B) the department of education;

in an electronic format under IC 5-14-6; and

(2) to the facilities manager and superintendent of each school corporation and the chief administrative officer of each **state** accredited nonpublic school **(as defined in IC 20-18-2-18.7).**

(b) At least once every three (3) years the **state** department shall:

(1) review and revise the manual developed under subsection (a) to assure that the manual continues to represent best practices available to schools; and

(2) distribute the manual to individuals listed in subsection (a)(2).

SECTION 12. IC 20-18-2-18.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 18.7. "State accredited nonpublic school" means a nonpublic school that has voluntarily become accredited under IC 20-31-4.1.**

SECTION 13. IC 20-18-2-18.8 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 18.8. "State accredited school" means a public or nonpublic school that is accredited under IC 20-31-4.1.**

SECTION 14. IC 20-19-2-8, AS AMENDED BY P.L.242-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) In addition to any other powers and duties prescribed by law, the state board shall adopt rules under IC 4-22-2 concerning, but not limited to, the following matters:

(1) The designation and employment of the employees and consultants necessary for the department. The state board shall fix the compensation of employees of the department, subject to the approval of the budget committee and the governor under IC 4-12-2.

(2) The establishment and maintenance of standards and guidelines for media centers, libraries, instructional materials centers, or any other area or system of areas in a school where a full range of information sources, associated equipment, and services from professional media staff are accessible to the school community. With regard to library automation systems, the state board may only adopt rules that meet the standards established by the state library board for library automation systems under IC 4-23-7.1-11(b).

(3) The establishment and maintenance of standards for student personnel and guidance services.

~~(4) The inspection of all public schools in Indiana to determine the condition of the schools. The state board shall establish standards governing the accreditation of public schools. Observance of:~~

~~(A) IC 20-31-4;~~

~~(B) IC 20-28-5-2;~~

~~(C) IC 20-28-6-3 through IC 20-28-6-7;~~

~~(D) IC 20-28-11.5; and~~

~~(E) IC 20-31-3, IC 20-32-4, IC 20-32-5 (for school years ending before July 1, 2018), IC 20-32-5.1 (for school years beginning after June 30, 2018), and IC 20-32-8;~~

~~is a prerequisite to the accreditation of a school. Local public school officials shall make the reports required of them and otherwise cooperate with the state board regarding required inspections. Nonpublic schools may also request the inspection for classification purposes. Compliance with the building and site guidelines adopted by the state board is not a prerequisite of accreditation.~~

~~(5)~~ **(4)** The distribution of funds and revenues appropriated for the support of schools in the state.

~~(6) The state board may not establish an accreditation system for nonpublic schools that is less stringent than the accreditation system for public schools.~~

~~(7) A separate system for recognizing nonpublic schools under IC 20-19-2-10. Recognition of nonpublic schools under this subdivision constitutes the system of regulatory standards that apply to nonpublic schools that seek to qualify for the system of recognition.~~

~~(8)~~ **(5)** The establishment and enforcement of standards and guidelines concerning the safety of students participating in cheerleading activities.

~~(9)~~ **(6)** Subject to IC 20-28-2, the preparation and licensing of teachers.

(b) Before final adoption of any rule, the state board shall make a finding on the estimated fiscal impact that the rule will have on school corporations.

SECTION 15. IC 20-19-2-10 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 10. (a) It is the policy of the state that the state:~~

~~(1) recognizes that nonpublic schools provide education to children in Indiana;~~

~~(2) has an interest in ensuring that all Indiana children are well educated in both curricular and extracurricular~~

~~programs; and~~

~~(3) should facilitate the transferability of comparable academic credit between appropriate nonpublic schools and state supported educational institutions.~~

~~(b) The state board shall implement a system of recognition of the educational programs of nonpublic schools to fulfill the policy set forth in subsection (a).~~

~~(c) The system of recognition described under subsection (b) must:~~

~~(1) be voluntary in nature with respect to the nonpublic school;~~

~~(2) recognize the characteristics that distinguish nonpublic schools from public schools; and~~

~~(3) be a recognition system that is separate from the accreditation standards required of public schools and available to nonpublic schools under section 8(a)(4) of this chapter.~~

~~(d) This section does not prohibit a nonpublic school from seeking accreditation under section 8(a)(4) of this chapter.~~

~~(e) The department shall waive accreditation standards for an accredited nonpublic alternative school that enters into a contract with a school corporation to provide alternative education services for students who have:~~

~~(1) dropped out of high school;~~

~~(2) been expelled; or~~

~~(3) been sent to the nonpublic alternative school due to the students' lack of success in the public school environment;~~

~~to accommodate the nonpublic alternative school's program and student population. A nonpublic alternative school to which this subsection applies is not subject to being placed in a category or designation under IC 20-31-8-4. However, the nonpublic alternative school must comply with all state reporting requirements and submit a school improvement growth model on the anniversary date of the nonpublic alternative school's original accreditation.~~

~~(f) The state board may accredit a nonpublic school under this section at the time the nonpublic school begins operation in Indiana.~~

~~(g) The state board shall adopt rules under IC 4-22-2 to implement this section.~~

SECTION 16. IC 20-19-2-11 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 11. (a) As used in this section, "plan" refers to a strategic and continuous school improvement and achievement plan developed under IC 20-31-5.~~

~~(b) A plan must:~~

~~(1) conform to the requirements of IC 20-31-5; and~~

~~(2) include a professional development program.~~

~~(c) The governing body may do the following for a school that participates in a plan:~~

~~(1) Invoke a waiver of a rule adopted by the state board under IC 20-31-5-5(b).~~

~~(2) Develop a plan for the admission of students who do not reside in the school's attendance area but have legal settlement in the school corporation.~~

~~(d) In approving a school corporation's actions under this section, the state board shall consider whether the governing body has done the following:~~

~~(1) Approved a school's plan.~~

~~(2) Demonstrated the support of the exclusive representative only for the professional development program component of the plan.~~

~~(e) The state board may waive any statute or rule relating to curriculum in accordance with IC 20-31-5-5.~~

~~(f) As part of the plan, the governing body may develop and implement a policy to do the following:~~

~~(1) Allow the transfer of a student who resides in the school's attendance area but whose parent requests that the student attend another school in the school corporation of legal settlement.~~

~~(2) Inform parents of their rights under this section.~~

~~(g) The state board shall adopt rules under IC 4-22-2 to implement this section.~~

SECTION 17. IC 20-19-8-3, AS ADDED BY P.L.174-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The legislative council is urged to assign to the study committee during the 2019, 2020, 2021, and 2022 interims the study of the following:

(1) How to do the following:

(A) Eliminate, reduce, or streamline the number of education mandates placed on schools.

(B) Streamline fiscal and compliance reporting to the general assembly on a sustainable and systematic basis.

(2) During the 2019 interim, the following:

(A) The following provisions:

IC 5-2-10.1-11 (school safety specialist).

IC 5-11-1-27 (local government internal control standards).

IC 20-20-40-13 (restraint and seclusion; notice requirement; training; elements of the restraint and seclusion plan).

IC 20-26-5-34.2 (bullying prevention; training for employees and volunteers).

IC 20-26-13 (graduation rate determination).

IC 20-26-16-4 (school corporation police officer minimum training requirements).

IC 20-26-18 (criminal gang measures).

IC 20-26-18.2 (school resource officers).

IC 20-28-3-4.5 (training on child abuse and neglect).

IC 20-28-3-6 (youth suicide awareness and prevention training).

IC 20-28-3-7 (training on human trafficking).

~~IC 20-28-5-3(c) (cardiopulmonary resuscitation training).~~

IC 20-34-7 (student athletes: concussions and head injuries).

(B) The relation, if applicable, of any requirements under provisions listed in clause (A) with the following federal provisions, and whether any of the requirements under provisions listed in clause (A) or other state law can be streamlined with the federal provisions to alleviate administrative burdens for schools:

29 CFR 1910.1030 (bloodborne pathogens).

29 CFR 1910.147 (lock out/tag out).

(3) During the 2020 interim, the following:

(A) The following provisions:

IC 5-11-1-27 (local government internal control standards).

IC 5-22-8-2 (purchases below fifty thousand dollars ($50,000)).

IC 20-19-6.2 (Indiana family friendly school designation program).

IC 20-26-3-5 (constitutional or statutory exercise of powers; written policy).

IC 20-26-5-1 (power and purpose to conduct various education programs).

IC 20-26-5-10 (adoption of criminal history background and child protection index check policy; implementation of policy).

IC 20-26-5-34.4 (child suicide awareness and prevention).

IC 20-33-2-14 (compulsory attendance; school corporation policy; exceptions; service as page or honoree of general assembly).

IC 20-33-8-12 (adoption of discipline rules; publicity requirement; discipline policy regulations and guidelines; delegation of authority; rulemaking powers of governing body).

IC 20-33-8-13.5 (discipline rules prohibiting bullying required).

IC 20-33-8-32 (locker searches).

IC 20-43-10-3.5 (teacher appreciation grants).

410 IAC 33-4-3 (vehicles idling).

410 IAC 33-4-7 (policy for animals in the classroom).

410 IAC 33-4-8 (policy to minimize student exposure to chemicals).

511 IAC 6-10-4 (postsecondary enrollment program local policies).

511 IAC 6.1-5-9 (required homework policy).

511 IAC 6.1-5-10 (policy prohibiting retaining students for athletic purposes).

511 IAC 7-36-9 (medication administration).

511 IAC 7-42-10 (least restrictive environment and delivery of special education and related services).

(B) The relation, if applicable, of any requirements under provisions listed in clause (A) with the following federal provisions, and whether any of the requirements under provisions listed in clause (A) or any other state law can be streamlined with the federal provisions to alleviate administrative burdens for schools:

20 U.S.C. 1232h(c) and 34 CFR 98.3 (parental access to instructional materials).

20 U.S.C. 6318(a)(2) (parent and family engagement).

20 U.S.C. 7961(h)(1) (Gun-Free Schools Act).

41 U.S.C. 8103 and 34 CFR 84 (drug-free workplace).

42 U.S.C. 1751 through 42 U.S.C. 1769 (school lunch).

7 CFR 210.31 (local school wellness policy).

(4) During the 2021 interim, the following:

(A) The following provisions:

IC 5-3-1-3(b) through IC 5-3-1-3(e) and IC 5-3-1-3(g) (publication of annual financial report).

IC 20-18-2-2.7 (definition of "curricular material").

IC 20-19-2-8 (adoption of administrative rules by the state board).

IC 20-19-2-16 (federal aid concerning children with disabilities).

IC 20-19-3-9.4 (disclosure of student test number information).

IC 20-20-8-8 (school corporation annual performance report).

IC 20-20-33 (alternative education program grants).

IC 20-26-13 (graduation rate determination).

IC 20-28-5-1 (department's responsibility for licensing teachers).

IC 20-28-11.5-9 (staff performance evaluation reporting).

IC 20-30-8 (alternative program for certain students).

IC 20-33-2-3.2 (definition of "attend").

IC 20-33-5-7 (public schools; curricular material assistance; state reimbursement).

IC 20-34-6 (student safety reporting).

IC 20-35-5-2 (formation of special education cooperative).

IC 20-36 (high ability students).

IC 20-43-1-3 (definition of "honors designation award").

IC 20-43-4-2 (determination of ADM).

IC 20-43-10-3 (determination of annual performance grant).

IC 21-12-10 (eligibility for Mitch Daniels early graduation scholarship).

511 IAC 6-9.1 (waiver of curriculum and graduation rules for high ability students).

511 IAC 6.2-3.1 (reading plan).

511 IAC 7-46-4 (child count data collection).

511 IAC 10-6-4(a)(1) (staff evaluation measures).

511 IAC 16-2-7 (creditable experience for licensing).

(B) The relation, if applicable, of any requirements under provisions listed in clause (A) with the following federal provisions and whether any of the requirements under provisions listed in clause (A) or other state law can be streamlined with the federal provisions to alleviate administrative burdens for schools:

20 U.S.C. 3413(c)(1) (civil rights data collection).

Individuals with Disabilities Education Act (IDEA), Section 618 Part C (child count reporting requirements).

Elementary and Secondary Education Act of 1965 (ESEA), Section 8303, as amended by the Every Student Succeeds Act (ESSA) (consolidated reporting).

34 CFR 300.601 (state performance plans and data collection).

(5) During the 2022 interim, the following provisions:

IC 20-30-5-5.5 (instruction on bullying prevention).

IC 20-30-5-5.7 (child abuse and child sexual abuse).
IC 20-30-5-7 (required curriculum).
IC 20-30-5-8 (safety instruction).
IC 20-30-5-9 (hygiene instruction).
IC 20-30-5-10 (disease instruction).
IC 20-30-5-11 (drug education).
IC 20-30-5-12 (AIDS education).
IC 20-30-5-13 (human sexuality and sexually transmitted diseases instructional requirements).
IC 20-30-5-14 (career awareness and development).
IC 20-30-5-15 (breast cancer and testicular cancer education).
IC 20-30-5-16 (human organ and blood donor program education).
IC 20-30-5-17 (access to materials; consent for participation).
IC 20-30-5-18 (meningitis information).
IC 20-30-5-19 (personal financial responsibility instruction).
IC 20-30-5-20 (instruction in cardiopulmonary resuscitation).
IC 20-30-5-23 (computer studies).

(b) The study committee shall include in its annual report for each interim the study committee's recommendations, including any recommendations to the general assembly as to whether a provision described in subsection (a)(2)(A), (a)(3)(A), (a)(4)(A), or (a)(5) should repealed or whether the provision may be improved to lessen the administrative burden placed on schools.

(c) This chapter expires January 1, 2023.

SECTION 18. IC 20-20-5.5-3, AS AMENDED BY P.L.286-2013, SECTION 32, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The state superintendent shall notify the governing bodies of each school corporation, charter school, and **state** accredited nonpublic school immediately of:

(1) the initial publication and annual update on the department's Internet web site of the report described in section 2(c) of this chapter, including the Internet web site address where the report is published; and

(2) updates of the following types of information in the report described in section 2(c) of this chapter:

(A) The addition of materials.

(B) The removal of materials.

(C) Changes in the per unit price of curricular materials that exceed five percent (5%).

(b) A notification under this section must state that:

(1) the reviews of curricular materials included in the report described in section 2(c) of this chapter are departmental reviews only; and

(2) each governing body has authority to adopt curricular materials for a school corporation.

SECTION 19. IC 20-20-8-3, AS AMENDED BY P.L.233-2015, SECTION 40, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Not earlier than March 15 or later than March 31 of each year, the governing body of a school corporation shall publish **either:**

(1) an annual performance report of the school corporation; **or**

(2) a summary of the annual performance report with a description of how to find and view the full annual performance report on the Internet. The summary must include the following:

(A) Student enrollment.

(B) Graduation rate (as defined in IC 20-26-13-6) and the graduation rate excluding students that receive a graduation waiver under IC 20-32-4-4.1 or IC 20-32-4-4.

(C) Attendance rate.

(D) All state standardized assessment scores, including the number and percentage of students meeting academic standards.

(E) The school's performance category or designation of school improvement assigned under IC 20-31-8.

(F) The percentage of graduates considered college and career ready in a manner prescribed by the state board.

(G) Financial information and various school cost factors required to be provided to the office of management and budget under IC 20-42.5-3-5.

~~in compliance with the procedures identified in section 7 of this chapter.~~ The report **or summary** must be published one (1) time annually under IC 5-3-1.

(b) The department shall make each school corporation's report available on the department's Internet web site. The annual performance report published on the Internet for a school corporation, including a charter school, must include any additional information submitted by the school corporation under section 6(3)(A) of this chapter. The governing body of a school corporation shall make the school corporation's report available on a prominent page of a school corporation's Internet web site.

(c) The governing body of a school corporation shall provide a copy of the report to a person who requests a copy. The governing body may not charge a fee for providing the copy.

SECTION 20. IC 20-20-40-8, AS ADDED BY P.L.122-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. As used in this chapter, "school employee" means an individual employed by a school corporation or ~~an~~ **a state** accredited nonpublic school.

SECTION 21. IC 20-20-40-11, AS AMENDED BY P.L.191-2018, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) The commission on seclusion and restraint in schools is established.

(b) The commission has the following ten (10) members:

(1) The designee of the state superintendent, who serves at the pleasure of the state superintendent.

(2) A representative of the Autism Society of Indiana, chosen by the organization, who serves a two (2) year term.

(3) A representative of the Arc of Indiana, chosen by the organization, who serves a two (2) year term.

(4) A representative of the Indiana Council of Administrators of Special Education, chosen by the organization, who serves a two (2) year term.

(5) A representative of Mental Health America of Indiana, chosen by the organization, who serves a two (2) year term.

(6) A parent of a student with a disability, nominated by a member described in subdivisions (2), (3), and (5) and approved by a majority of the members described in subdivisions (1) through (5) and (8) through (10), who serves a two (2) year term.

(7) A parent of a student who does not have a disability, nominated by a member described in subdivisions (2), (3), and (5) and approved by a majority of the members described in subdivisions (1) through (5) and (8) through (10), who serves a two (2) year term.

(8) One (1) **state** accredited nonpublic school administrator nominated by the Indiana Non-public Education Association, who serves a two (2) year term.

(9) One (1) public school superintendent nominated by the Indiana Association of Public School Superintendents, who serves a two (2) year term.

(10) One (1) member of the Indiana School Resource Officers Association chosen by the organization, who serves a two (2) year term.

(c) Each member of the commission who is not a state employee is entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). A member who is not a state employee is also entitled to reimbursement for traveling expenses and other expenses actually incurred in connection with the member's duties, as provided in the state travel policies and procedures established by the Indiana department of administration and approved by the budget agency.

SECTION 22. IC 20-20-40-13, AS AMENDED BY P.L.227-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) The commission has the following duties:

(1) To adopt rules concerning the following:

(A) The use of restraint and seclusion in a school corporation or ~~an~~ **a state** accredited nonpublic school, with an emphasis on eliminating or minimizing the use of restraint and seclusion.

(B) The prevention of the use of types of restraint or seclusion that may harm a student, a school employee, a school volunteer, or the educational environment of the school.

(C) Requirements for notifying parents.

(D) Training regarding the use of restraint and seclusion, including the frequency of training and what employees must be trained.

(E) The distribution of the seclusion and restraint policy to parents and the public.

(F) Requirements for the reporting of incidents of restraint and

seclusion in the annual school performance report, including incidents of restraint and seclusion involving school resource officers (as defined in IC 20-26-18.2-1).

(G) Circumstances that may require more timely incident reporting and the requirements for such reporting.

(2) To develop, maintain, and revise a model restraint and seclusion plan for schools that includes the following elements:

(A) A statement on how students will be treated with dignity and respect and how appropriate student behavior will be promoted and taught.

(B) A statement ensuring that the school will use prevention, positive behavior intervention and support, and conflict deescalation to eliminate or minimize the need for use of any of the following:

(i) Seclusion.

(ii) Chemical restraint.

(iii) Mechanical restraint.

(iv) Physical restraint.

(C) A statement ensuring that any behavioral intervention used will be consistent with the student's most current behavioral intervention plan, or individualized education program, if applicable.

(D) Definitions for restraint and seclusion, as defined in this chapter.

(E) A statement ensuring that if a procedure listed in clause (B) is used, the procedure will be used:

(i) as a last resort safety procedure, employed only after another, less restrictive procedure has been implemented without success; and

(ii) in a situation in which there is an imminent risk of injury to the student, other students, school employees, or visitors to the school.

(F) An indication that restraint or seclusion may be used only for a short time period, or until the imminent risk of injury has passed.

(G) A documentation and recording requirement governing instances in which procedures listed in clause (B) are used, including:

(i) how every incident will be documented and debriefed;

(ii) how responsibilities will be assigned to designated employees for evaluation and oversight; and

(iii) designation of a school employee to be the keeper of such documents.

(H) A requirement that the student's parent must be notified as soon as possible when an incident involving the student occurs that includes use of procedures listed in clause (B).

(I) A requirement that a copy of an incident report must be sent to the student's parent after the student is subject to a procedure listed in clause (B).

(J) Required recurrent training for appropriate school employees on the appropriate use of effective alternatives to physical restraint and seclusion, including the use of positive behavioral intervention and support and conflict deescalation. The training must include the safe use of physical restraint and seclusion in incidents involving imminent danger or serious harm to the student, school employees, or others. Consideration must be given to available school resources and the time commitments of school employees.

(3) To accept and review reports from the public and make nonbinding recommendations to the department of any

suggested action to be taken.

(b) The model policy developed by the commission must take into consideration that implementation and reporting requirements for **state** accredited nonpublic schools may vary, and the model plan must provide **state** accredited nonpublic schools flexibility with regards to accountability under and implementation of the plan adopted by ~~an~~ **a state** accredited nonpublic school under section 14 of this chapter.

SECTION 23. IC 20-20-40-14, AS AMENDED BY P.L.227-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) A school corporation or **state** accredited nonpublic school shall adopt a restraint and seclusion plan that incorporates, at a minimum, the elements of the model plan developed under section 13 of this chapter. The school corporation's or **state** accredited nonpublic school's plan must become effective not later than July 1, 2014.

(b) The department has the authority to require schools to submit plans developed in accordance with section 13 of this chapter.

SECTION 24. IC 20-20-40-15, AS ADDED BY P.L.122-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) Nothing in this chapter may be construed to prevent a school employee from stopping a physical altercation, acting to prevent physical harm to a student or another individual, or acting to address an emergency until the emergency is over, whether or not the school employee has received training under this chapter.

(b) This chapter may not be construed to give rise to a cause of action, either civil or criminal, against the state, the department, a school corporation, ~~an~~ **a state** accredited nonpublic school, the commission, or a member of the commission.

(c) In all matters relating to the plan adopted under section 14 of this chapter, school corporation or **state** accredited nonpublic school personnel have qualified immunity with respect to an action taken to promote student conduct under a plan adopted under section 14 of this chapter if the action is taken in good faith and is reasonable.

SECTION 25. IC 20-25-13-5, AS AMENDED BY P.L.13-2013, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. Development and implementation of a staff performance evaluation plan for each school is a condition for accreditation for the school under ~~IC 20-19-2-8(a)(4).~~ **IC 20-31-4.1.**

SECTION 26. IC 20-26-5-34.2, AS ADDED BY P.L.285-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 34.2. A school corporation shall provide training to the school corporation's employees and volunteers who have direct, ongoing contact with students concerning the school's bullying prevention and reporting policy adopted under IC 20-33-8-13.5. **The training shall be conducted in a manner prescribed by the state board under IC 20-28-5.5-1.**

SECTION 27. IC 20-26-7.1-3, AS ADDED BY P.L.270-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) Before a governing body may sell or exchange a building described in this section in accordance with IC 20-25-4-14, ~~IC 20-26-5-4(7),~~ **IC 20-26-5-4(a)(7),** or IC 20-26-7-1, and except as provided in this chapter, a governing body shall make available for lease or purchase to any charter school any school building owned by the school corporation or any other entity that is related in any way to, or created by, the school corporation or the governing body, including but not limited to a building corporation, that:

(1) is vacant or unused; and

(2) was previously used for classroom instruction;

in order for the charter school to conduct kindergarten through grade 12 classroom instruction.

(b) The following are not required to comply with the requirements provided in section 4 of this chapter:

(1) A governing body that vacates a school building in order to:

(A) renovate the school building for future use by the school corporation; or

(B) demolish the school building and build a new school building on the same site as the demolished building.

(2) An emergency manager of a distressed school corporation under IC 6-1.1-20.3.

(3) The governing body of the School City of East Chicago school corporation for the Carrie Gosch Elementary School building.

(c) Notwithstanding subsection (a), a lease entered into by a governing body under ~~IC 20-26-5-4(7)~~ **IC 20-26-5-4(a)(7)** prior to July 1, 2019, with ~~an~~ **a state** accredited nonpublic school shall remain in full force and effect. In addition, the governing body may, during or at the expiration of the term of such lease, sell the school building leased under ~~IC 20-26-5-4(7)~~ **IC 20-26-5-4(a)(7)** to the nonpublic school at a purchase price mutually agreed to by the governing body and the nonpublic school.

SECTION 28. IC 20-26-7.1-7, AS ADDED BY P.L.270-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. **(a) As used in this section, "accredited nonpublic school" means a nonpublic school that:**

(1) has voluntarily become accredited under IC 20-31-4.1; or

(2) is accredited by a national or regional accrediting agency that is recognized by the state board.

~~(a)~~ **(b)** This section applies to a school building with a gross square footage of two hundred thousand (200,000) square feet or less.

~~(b)~~ **(c)** If the school corporation receives notification from the department that the department has not received any preliminary requests to purchase or lease a vacant or unused school building under section 4(c)(1) of this chapter or a charter school has not met the requirements under section 4(c)(2) or 4(e) of this chapter, the school corporation must sell the school building to an accredited nonpublic school or postsecondary educational institution that sends a letter of intent to the school corporation to purchase the vacant or unused school building for an amount not more than the minimum bid for the vacant or unused school building determined in accordance with IC 36-1-11, or an amount agreed to by both parties.

~~(c)~~ **(d)** The accredited nonpublic school or postsecondary educational institution must submit its letter of intent to purchase the school building within thirty (30) days of the date the school corporation passes a resolution or takes other official action to close, no longer use, or no longer occupy a school building that was previously used for classroom instruction. However, in the event that a charter school has submitted a preliminary request to purchase or lease a school building, the accredited nonpublic school or postsecondary educational institution may send a letter of intent to purchase or lease the school building within ninety (90) days of the date that the school corporation passed a resolution or took official action to close, no longer use, or no longer occupy a school building.

~~(d)~~ **(e)** Within forty-five (45) days of notice of the minimum bid, the accredited nonpublic school or postsecondary educational institution must provide a binding offer to the school corporation to purchase the property in its current condition and provide a nonrefundable down payment equal to five percent (5%) of the minimum bid or an amount agreed to by both parties. In the event that two (2) or more binding offers are submitted to the school corporation under this subsection, the school corporation may select which offer to accept.

~~(e)~~ **(f)** If the sale of the property does not close within one hundred eighty (180) days of the school corporation's receipt of the binding offer, and the delay in closing is not caused by the school corporation or its representatives, the school corporation may refund the down payment and sell or otherwise dispose of the school building under IC 20-25-4-14, ~~IC 20-26-5-4(7),~~ **IC 20-26-5-4(a)(7),** or IC 36-1-11.

SECTION 29. IC 20-26-11-6.7, AS ADDED BY P.L.17-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6.7. (a) This section:

(1) applies to a school corporation that does not have a policy of accepting transfer students having legal settlement outside the attendance area of the transferee school corporation; and

(2) does not apply to a school corporation that has more than one (1) high school.

(b) Notwithstanding this chapter, a school corporation shall accept a transferring student who resides in Indiana and who does not have legal settlement in the school corporation if:

(1) the student attended ~~an~~ **a state** accredited nonpublic elementary school located in the attendance area of the transferee school corporation for at least two (2) school years immediately preceding the school year in which the student transfers to a high school in the transferee school corporation under this section;

(2) the student is transferring because the **state** accredited nonpublic school from which the student is transferring does not offer grades 9 through 12;

(3) the majority of the students in the same grade as the transferring student at the **state** accredited nonpublic school have legal settlement in the transferee school corporation and will attend a school under the authority of the transferee school corporation; and

(4) the transferee school corporation has the capacity to accept students.

(c) If the number of students who request to transfer to a transferee school corporation under this section causes the school corporation to exceed the school corporation's maximum student capacity, the governing body shall determine which students will be admitted as transfer students by a random drawing in a public meeting.

SECTION 30. IC 20-26-11-31, AS AMENDED BY P.L.251-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 31. (a) This section applies to a school corporation that enrolls a student who has legal settlement in another school corporation for the purpose of the student receiving services from ~~an~~ **a state** accredited nonpublic alternative high school described in ~~IC 20-19-2-10(c).~~ **IC 20-31-4.1-2(c).**

(b) A school corporation is entitled to receive state tuition support for a student described in subsection (a) in an amount equal to:

(1) the amount received by the school corporation in which the student is enrolled for ADM purposes; or

(2) the amount received by the school corporation in which the student has legal settlement;

whichever is greater.

SECTION 31. IC 20-26-11-32, AS AMENDED BY P.L.86-2018, SECTION 177, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 32. (a) This section does not apply to a school corporation if the governing body has adopted a policy of not accepting the transfer of any student who does not have legal settlement within the school corporation.

(b) The governing body of a school corporation shall annually establish:

(1) except as provided in subsection (m), the number of transfer students the school corporation has the capacity to accept in each grade level; and

(2) the date by which requests to transfer into the school corporation must be received by the governing body.

(c) After establishing the date under subsection (b)(2), the governing body shall:

(1) publish the date on the school corporation's Internet web site; and

(2) report the date to the department.

(d) The department shall publish the dates received from school corporations under subsection (c)(2) on the department's Internet web site.

(e) A student to whom this section applies may not request to transfer under this section primarily for athletic reasons to a school corporation in which the student does not have legal settlement.

(f) If the number of requests to transfer into a school corporation received by the date established for the school corporation under subsection (b)(2) exceeds the capacity established for the school corporation under subsection (b)(1), each timely request must be given an equal chance to be accepted, with the exception that a student described in subsection (h) shall be given priority. The governing body must determine which students will be admitted as transfer students to

each school building and each grade level within the school corporation by using a publicly verifiable random selection process.

(g) Except as provided in subsections (i), (j), (k), and (m), the governing body of a school corporation may not deny a request for a student to transfer into the school corporation based upon the student's academic record, scores on statewide assessment program tests, disciplinary record, or disability, or upon any other factor not related to the school corporation's capacity.

(h) Except as provided in subsections (i), (j), and (k), the governing body of a school corporation may not deny a request for a student to transfer into the school corporation if the student requesting to transfer:

(1) is a member of a household in which any other member of the household is a student in the transferee school; or

(2) has a parent who is an employee of the school corporation.

(i) A governing body of a school corporation may limit the number of new transfers to a school building or grade level in the school corporation:

(1) to ensure that a student who attends a school within the school corporation as a transfer student during a school year may continue to attend the school in subsequent school years; and

(2) to allow a student described in subsection (h) to attend a school within the school corporation.

(j) Notwithstanding subsections (f), (g), and (h), a governing body of a school corporation may deny a request for a student to transfer to the school corporation or may discontinue enrollment currently or in a subsequent school year, or establish terms or conditions for enrollment or for continued enrollment in a subsequent school year, if:

(1) the student has been suspended (as defined in IC 20-33-8-7) or expelled (as defined in IC 20-33-8-3) during the twelve (12) months preceding the student's request to transfer under this section:

(A) for ten (10) or more school days;

(B) for a violation under IC 20-33-8-16;

(C) for causing physical injury to a student, a school employee, or a visitor to the school; or

(D) for a violation of a school corporation's drug or alcohol rules; or

(2) the student has had a history of unexcused absences and the governing body of the school corporation believes that, based upon the location of the student's residence, attendance would be a problem for the student if the student is enrolled with the school corporation.

For purposes of subdivision (1)(A), student discipline received under IC 20-33-8-25(b)(7) for a violation described in subdivision (1)(B) through (1)(D) shall be included in the calculation of the number of school days that a student has been suspended.

(k) The governing body of a school corporation with a school building that offers a special curriculum may require a student who transfers to the school building to meet the same eligibility criteria required of all students who attend the school building that offers the special curriculum.

(l) The parent of a student for whom a request to transfer is made is responsible for providing the school corporation to which the request is made with records or information necessary for the school corporation to determine whether the request to transfer may be denied under subsection (j).

(m) Notwithstanding this section, the governing body of a school corporation may authorize the school corporation to enter into an agreement with ~~an~~ **a state** accredited nonpublic school or charter school to allow students of the **state** accredited nonpublic school or charter school to transfer to a school within the school corporation.

(n) A school corporation that has adopted a policy to not accept student transfers after June 30, 2013, is not prohibited from enrolling a:

(1) transfer student who attended a school within the school corporation during the 2012-2013 school year; or

(2) member of a household in which any other member of the household was a transfer student who attended a school within the school corporation during the 2012-2013 school year.

However, if a school corporation enrolls a student described in subdivision (1) or (2), the school corporation shall also allow a student or member of the same household of a student who attended ~~an~~ **a state** accredited nonpublic school within the attendance area of the school corporation during the 2012-2013 school year to enroll in a school within the school corporation.

SECTION 32. IC 20-26-13-1, AS ADDED BY P.L.1-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. This chapter applies to:

(1) a public high school; and

(2) ~~an~~ **a state** accredited nonpublic high school.

SECTION 33. IC 20-26-14-9, AS ADDED BY P.L.169-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) Before a school corporation, charter high school, or nonpublic high school with at least one (1) employee hires or allows an individual to coach an association recognized sport, the school corporation, charter high school, or nonpublic high school shall:

(1) ask the individual:

(A) whether the individual is or has been accredited by the association; and

(B) if the individual is or has been accredited by the association, whether the individual's accreditation has ever been suspended or revoked;

(2) request references from the individual;

(3) contact the references that the individual provides to the school corporation, charter school, or **state** accredited nonpublic high school; and

(4) contact the association to determine whether the individual's accreditation has ever been suspended or revoked.

(b) Before allowing an individual to be a volunteer coach, a school corporation, charter high school, or nonpublic high school with at least one (1) employee shall conduct an expanded criminal history check (as defined in IC 20-26-2-1.5) on the individual.

(c) Without conferring the rights of an employee on a volunteer coach, a school corporation, charter high school, or nonpublic high school with at least one (1) employee is subject to IC 22-5-3-1 regarding a volunteer coach, including the provisions for civil immunity regarding disclosures made about a volunteer coach.

SECTION 34. IC 20-26-15-4, AS ADDED BY P.L.1-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) **Subject to subsection (c),** the state board and the governing body of a school corporation must enter into a contract that complies with this chapter to designate a school corporation as a freeway school corporation or a school within a school corporation as a freeway school if a school corporation:

(1) petitions the state board for designation as a freeway school corporation or to have a school within the school corporation designated as a freeway school; and

(2) agrees to comply with this chapter.

(b) A school corporation becomes a freeway school corporation and a school becomes a freeway school when the contract is signed by:

(1) the state superintendent, acting for the state board after a majority of the members of the state board have voted in a public session to enter into the contract; and

(2) the president of the governing body of the school corporation, acting for the governing body of the school corporation after a majority of the members of the governing body have voted in a public session to enter into the contract.

(c) The state board and the governing body of a school corporation may not enter into, renew, or otherwise extend a contract under this chapter after June 30, 2020.

SECTION 35. IC 20-26-15-5, AS AMENDED BY P.L.140-2018, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. Notwithstanding any other law, the operation of the following is suspended for a freeway school corporation or a freeway school if the governing body of the school corporation elects to have the specific statute or rule suspended in the contract:

(1) The following statutes and rules concerning curriculum and instructional time:

IC 20-30-2-7
IC 20-30-5-8
IC 20-30-5-9
IC 20-30-5-11
511 IAC 6-7-6
511 IAC 6.1-5-0.5
511 IAC 6.1-5-1
511 IAC 6.1-5-2.5
511 IAC 6.1-5-3.5
511 IAC 6.1-5-4.

(2) The following rule concerning pupil/teacher ratios:

511 IAC 6.1-4-1.

(3) The following statutes and rules concerning curricular materials:

IC 20-26-12-24
IC 20-26-12-26
IC 20-26-12-1
IC 20-26-12-2
511 IAC 6.1-5-5.

(4) 511 IAC 6-7, concerning graduation requirements.

(5) ~~IC 20-31-4,~~ **IC 20-31-4.1,** concerning the performance based accreditation system.

(6) IC 20-32-5 (before its expiration on July 1, 2018), concerning the ISTEP program established under IC 20-32--5-15, if an alternative locally adopted assessment program is adopted under section 6(4) of this chapter.

SECTION 36. IC 20-26-15-9, AS ADDED BY P.L.1-2005, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. **(a) Subject to subsection (b),** the governing body of a freeway school corporation and the state board acting jointly may amend a contract entered into under this chapter:

(1) to comply with any law enacted subsequent to the formation of the contract;

(2) to alter the educational benefits to a level that is not below the minimum educational benefits listed in section 7 of this chapter; or

(3) for a purpose jointly agreed to by the parties.

(b) An amendment made under subsection (a) may not extend the term of a contract in effect on June 30, 2020.

SECTION 37. IC 20-26-15-13, AS AMENDED BY P.L.251-2017, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. (a) **Subject to subsection (f),** a nonpublic school may enter into a contract with the state board to become a freeway school.

(b) The state board and the governing body of a nonpublic school must enter into a contract that complies with this chapter to designate the nonpublic school as a freeway school if the nonpublic school:

(1) petitions the state board for designation as a freeway school; and

(2) agrees to comply with this chapter.

(c) A nonpublic school becomes a freeway school when the contract is signed by:

(1) the state superintendent, acting for the state board after a majority of the members of the board have voted in a public session to enter into the contract; and

(2) the president of the governing body of the nonpublic school, acting for the governing body of the nonpublic school after a majority of the members of the governing body have voted to enter into the contract.

(d) The state board shall accredit a nonpublic school that:

(1) becomes a freeway school under this chapter; and

(2) complies with the terms of the contract.

(e) The state board may accredit a nonpublic school under this section at the time the nonpublic school enters into the contract under subsection (a).

(f) The state board and the governing body of a nonpublic school may not enter into, renew, or otherwise extend a contract under this chapter after June 30, 2020.

SECTION 38. IC 20-26-15-16 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 16. This chapter expires July 1, 2025.**

SECTION 39. IC 20-26-18.2-4, AS ADDED BY P.L.227-2017, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. A school corporation, ~~an~~ **a state** accredited nonpublic school, or a charter school shall report all instances of:

(1) seclusion (as defined in IC 20-20-40-9);

(2) chemical restraint (as defined in IC 20-20-40-2);

(3) mechanical restraint (as defined in IC 20-20-40-4); and

(4) physical restraint (as defined in IC 20-20-40-5);

involving a school resource officer in accordance with the restraint and seclusion plan adopted by the school corporation, **state** accredited nonpublic school, or charter school under IC 20-20-40-14.

SECTION 40. IC 20-26.5-1-2, AS ADDED BY P.L.190-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. As used in this article, "coalition member" refers to a school corporation, eligible school (as defined in IC 20-51-1-4.7), or **state** accredited nonpublic school that is approved by the state board under IC 20-26.5-2 to become a member of a coalition established under IC 20-26.5-2.

SECTION 41. IC 20-26.5-2-1, AS ADDED BY P.L.190-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) The state board may approve not more than one (1) coalition of continuous improvement school districts under this chapter to offer flexibility and innovation to schools to improve student outcomes.

(b) To establish a coalition under this chapter, at least four (4), but not more than a total of eight (8), of any of the following must jointly submit a plan to the state board in a manner prescribed by the state board:

(1) A school corporation.

(2) An eligible school (as defined in IC 20-51-1-4.7).

(3) ~~An~~ **A state** accredited nonpublic school.

(c) The plan submitted under subsection (b) must include:

(1) a description of the various educational programs that will be offered by members of the proposed coalition;

(2) a description that identifies potential coalition member partnerships with:

(A) business or industry;

(B) postsecondary educational institutions; or

(C) community partners;

(3) the specific goals and the measurable student outcomes to be obtained by the proposed coalition members; and

(4) an explanation of how student performance in achieving the specific outcomes will be measured, evaluated, and reported.

If a plan submitted to the state board includes a request to suspend all or portions of IC 20-30 for a proposed coalition, the plan must include how the specific goal of the proposed coalition will be achieved by suspending all or portions of IC 20-30. The state board may approve a plan that proposes to suspend all or portions of IC 20-30 only if the suspension is related to a specific goal of the proposed coalition.

(d) The state board may approve a coalition under this chapter if the state board determines that the coalition will:

(1) improve student performance and outcomes;

(2) offer coalition members flexibility in the administration of educational programs; and

(3) promote innovative educational approaches to student learning.

(e) The plan approved by the state board under subsection (d) must apply uniformly for each member of the coalition.

(f) Upon approval of the coalition by the state board under subsection (d), the state board shall post the following on the state board's Internet web site:

(1) A copy of the plan approved by the state board under subsection (d).

(2) Information describing how a school corporation, an eligible school (as defined in IC 20-51-1-4.7), or ~~an~~ **a state** accredited nonpublic school may submit an application to become a coalition member to the coalition under section 2(b) of this chapter.

SECTION 42. IC 20-26.5-2-2, AS ADDED BY P.L.190-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. (a) Subject to subsection (b), if the state board approves a coalition under section 1(d) of this chapter, the applicants that jointly submitted an application under section 1 of this chapter become coalition members.

(b) In addition to the coalition members described in subsection (a), a school corporation, an eligible school (as defined in IC 20-51-1-4.7), or ~~an~~ **a state** accredited nonpublic school may become a coalition member by submitting an application to the coalition, in a manner prescribed by the coalition. The coalition may submit a recommendation to the state board that an applicant under this subsection should be approved to participate in the coalition. Subject to subsection (c), the state board shall approve an application submitted under this subsection.

(c) For:

(1) the 2018-2019 school year, not more than a total of eight (8) school corporations, eligible schools (as defined in IC 20-51-1-4.7), or **state** accredited nonpublic schools may participate in the coalition;

(2) the 2019-2020 school year, not more than a total of twelve (12) school corporations, eligible schools (as defined in IC 20-51-1-4.7), or **state** accredited nonpublic schools may participate in the coalition; and

(3) the 2020-2021 school year, not more than a total of sixteen (16) school corporations, eligible schools (as defined in IC 20-51-1-4.7), or **state** accredited nonpublic schools may participate in the coalition.

(d) Beginning in the 2021-2022 school year and each school year thereafter, the state board shall limit the number of coalition members to thirty (30) school corporations, eligible schools (as defined in IC 20-51-1-4.7), or **state** accredited nonpublic schools.

SECTION 43. IC 20-26.5-2-3, AS AMENDED BY P.L.267-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) Notwithstanding any other law, the following may be suspended for a coalition member in accordance with the coalition's plan:

(1) Subject to section 1(c) of this chapter, IC 20-30, concerning curriculum.

(2) The following statutes and rules concerning curricular materials:

IC 20-26-12-1.
IC 20-26-12-2.
IC 20-26-12-24.
IC 20-26-12-26.
511 IAC 6.1-5-5.

(3) The following rules concerning teacher licenses:

511 IAC 16.
511 IAC 17.

(4) Subject to subsection (c), IC 20-31-3 (concerning the adoption of academic standards).

(5) ~~IC 20-31-4,~~ **IC 20-31-4.1,** concerning the performance based accreditation system.

(6) Except as provided in subsection (b), any other statute in IC 20 or rule in 511 IAC requested to be suspended as part of the plan that is approved by the state board under section 1 of this chapter.

(b) A coalition member may not suspend under subsection (a)(6) any of the following:

(1) IC 20-26-5-10 (criminal history and child protection index check).

(2) IC 20-28 (school teachers).

(3) IC 20-29 (collective bargaining).

(4) IC 20-31 (accountability for performance and improvement), except for IC 20-31-3 and ~~IC 20-31-4.~~ **IC 20-31-4.1.**

(5) Subject to subsection (c), IC 20-32-4 (graduation requirements).

(6) IC 20-32-5.1 (Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program).

(7) IC 20-33 (students).

(8) IC 20-34 (student health and safety measures).

(9) IC 20-35 (special education).

(10) IC 20-36 (high ability students).

(11) IC 20-39 (accounting and financial reporting procedures).

(12) IC 20-40 (government funds and accounts).

(13) IC 20-41 (extracurricular funds and accounts).

(14) IC 20-42 (fiduciary funds and accounts).

(15) IC 20-42.5 (allocation of expenditures to student instruction and learning).

(16) IC 20-43 (state tuition support).

(17) IC 20-44 (property tax levies).

(18) IC 20-46 (levies other than general fund levies).

(19) IC 20-47 (related entities; holding companies; lease agreements).

(20) IC 20-48 (borrowing and bonds).

(21) IC 20-49 (state management of common school funds; state advances and loans).

(22) IC 20-50 (homeless children and foster care children).

(c) A coalition member must comply with the postsecondary readiness competency requirements under IC 20-32-4-1.5(b)(1). However, notwithstanding any other law, a coalition member may replace high school courses on the high school transcript with courses on the same subject matter with equal or greater rigor to the required high school course and may count such a course as satisfying the equivalent diploma requirements established by IC 20 and any applicable state board administrative rules or requirements. If the coalition member school offers courses that are not aligned with requirements adopted by the state board under IC 20-30-10, a parent of a student and the student who intends to enroll in a course that is not aligned with requirements adopted by the state board under IC 20-30-10 must provide consent to the coalition member school to enroll in the course. The consent form used by the coalition, which shall be developed in collaboration with the commission for higher education, must notify the parent and the student that enrollment in the course may affect the student's ability to attend a particular postsecondary educational institution or enroll in a particular course at a particular postsecondary educational institution because the course does not align with requirements established by the state board under IC 20-30-10.

SECTION 44. IC 20-27-10-0.5, AS ADDED BY P.L.144-2019, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 0.5. (a) On or before September 1, 2019, and each September 1 thereafter, each school corporation, charter school, and **state** accredited nonpublic school that provides transportation for students must review the school's school bus routes and school bus safety policies to improve the safety of students and adults.

(b) The state school bus committee, in consultation with the department, shall develop and post on the department's Internet web site school bus safety guidelines or best practices. The guidelines or best practices must include procedures to be taken to ensure that students do not enter a roadway until approaching traffic has come to a complete stop.

(c) In addition to the requirements under subsection (b), the department, in consultation with the department of transportation, shall include on the department's Internet web site information on how an individual or school may petition to reduce maximum speed limits in areas necessary to ensure that students are safely loaded onto or unloaded from a school bus.

SECTION 45. IC 20-28-3-3.5, AS ADDED BY P.L.220-2015, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3.5. The guidelines developed under section 3 of this chapter must incorporate methods that assist individuals in developing competency in employing approaches to create positive classroom and school climates that are culturally responsive, including:

(1) classroom management strategies;

(2) restorative justice;

(3) positive behavioral interventions and supports;

(4) social and emotional training as described in IC 12-21-5-2, ~~IC 20-19-2-10,~~ IC 20-19-3-12, and IC 20-26-5-34.2; and

(5) conflict resolution.

SECTION 46. IC 20-28-3-4.5, AS ADDED BY P.L.183-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4.5. (a) Each school corporation, charter school, and **state** accredited

nonpublic school shall require each school employee likely to have direct, ongoing contact with children within the scope of the employee's employment to attend or participate in training on child abuse and neglect, including:

(1) training on the duty to report suspected child abuse or neglect under IC 31-33-5; and

(2) training on recognizing possible signs of child abuse or neglect;

~~at least once every two (2) years.~~ **in a manner prescribed by the state board under IC 20-28-5.5-1.**

~~(b) The format of training under this section may include:~~

~~(1) an in-person presentation;~~

~~(2) an electronic or technology based medium, including self-review modules available on an online system;~~

~~(3) an individual program of study of designated materials; or~~

~~(4) any other method approved by the governing body that is consistent with current professional development standards.~~

~~(c)~~ **(b)** The training required under this section must count toward the requirements for professional development required by the governing body.

~~(d)~~ **(c) In the event the state board does not require training to be completed as part of a teacher preparation program under IC 20-28-5.5-1,** the training required under this section must be during the school employee's contracted day or at a time chosen by the employee.

SECTION 47. IC 20-28-3-6, AS AMENDED BY P.L.56-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) For purposes of this section, "teacher" includes the following:

(1) A superintendent who holds a license under IC 20-28-5.

(2) A principal.

(3) A teacher.

(4) A librarian.

(5) A school counselor.

(6) A school psychologist.

(7) A school nurse.

(8) A school social worker.

(b) Beginning after June 30, 2018, each school corporation, charter school, and **state** accredited nonpublic school:

(1) shall require all teachers; and

(2) may require any other appropriate school employees;

who are employed at schools that provide instruction to students in any combination of grade 5, 6, 7, 8, 9, 10, 11, or 12 to attend or participate in ~~at least two (2) hours of~~ research based inservice youth suicide awareness and prevention training ~~every three (3) school years.~~ **in a manner prescribed by the state board under IC 20-28-5.5-1.** The training required under this subsection must be during the teacher's or school employee's contracted day or at a time chosen by the teacher or employee.

~~(c) Subject to subsection (c), the format of training required under this section may include:~~

~~(1) an in-person presentation;~~

~~(2) an electronic or technology based medium, including self-review modules available on an online system;~~

~~(3) an individual program of study of designated materials; or~~

~~(4) any other method approved by the governing body that is consistent with current professional development standards.~~

~~(d)~~ **(c)** The inservice training required under this section shall count toward the requirements for professional development required by the governing body.

~~(e) The research based youth suicide awareness and prevention training program required under subsection (b) must be:~~

~~(1) demonstrated to be an effective or promising program; and~~

~~(2) recommended by the Indiana Suicide Prevention Network Advisory Council.~~

~~(f)~~ **(d)** A school or school corporation may leverage any:

(1) existing or new state and federal grant funds; or

(2) free or reduced cost evidence based youth suicide awareness and prevention training provided by any state agency or qualified statewide or local organization;

to cover the costs of the training required under this section.

SECTION 48. IC 20-28-3-7, AS ADDED BY P.L.211-2018(ss), SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) Each school corporation and **state** accredited nonpublic school shall require all school employees likely to have direct, ongoing contact with children within the scope of the employee's employment to attend or participate in ~~at least one (1) hour of~~ inservice training ~~every two (2) school years~~ pertaining to the identification and reporting of human trafficking. **The training shall be conducted in a manner prescribed by the state board under IC 20-28-5.5-1.**

~~(b) The format of the inservice training required under this section may include:~~

~~(1) an in-person presentation;~~

~~(2) an electronic or technology based medium, including self-review modules available on an online system;~~

~~(3) an individual program of study of designated materials; or~~

~~(4) any other method approved by the governing body, or the equivalent authority for an accredited nonpublic school, that is consistent with current professional development standards.~~

~~(c)~~ **(b)** The inservice training required under this section shall count toward the requirements for professional development required by the governing body or the equivalent authority for ~~an~~ **a state** accredited nonpublic school.

SECTION 49. IC 20-28-4-10, AS AMENDED BY P.L.205-2013, SECTION 251, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) The state board may adopt rules under IC 4-22-2 to administer this chapter.

(b) Rules adopted under this section must include a requirement that entities approved to offer the program submit an annual report to the department of the number of individuals who:

(1) enroll in; and

(2) complete;

the program.

(c) Rules adopted under this section may not require that there be a shortage of other licensed teachers in order for the governing body of a school corporation, including a charter school, or the appointing authority of ~~an~~ **a state** accredited nonpublic school to employ a program participant.

(d) Rules adopted under this section may not impose program requirements, participant qualification requirements, or licensing requirements that are in addition to the requirements set forth in this chapter.

SECTION 50. IC 20-28-5-3, AS AMENDED BY P.L.85-2017, SECTION 79, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The department shall designate the grade point average required for each type of license.

(b) The department shall determine details of licensing not provided in this chapter, including requirements regarding the following:

(1) The conversion of one (1) type of license into another.

(2) The accreditation of teacher education schools and departments.

(3) The exchange and renewal of licenses.

(4) The endorsement of another state's license.

(5) The acceptance of credentials from teacher education institutions of another state.

(6) The academic and professional preparation for each type of license.

(7) The granting of permission to teach a high school subject area related to the subject area for which the teacher holds a license.

(8) The issuance of licenses on credentials.

(9) The type of license required for each school position.

(10) The size requirements for an elementary school requiring a licensed principal.

(11) Any other related matters.

The department shall establish at least one (1) system for renewing a teaching license that does not require a graduate degree.

~~(c) This subsection does not apply to an applicant for a substitute teacher license or to an individual granted a license under section 18 of this chapter. After June 30, 2011, the department may not issue an initial practitioner license at any grade level to an applicant for an initial practitioner license unless the applicant shows evidence that the applicant:~~

~~(1) has successfully completed training approved by the department in:~~

~~(A) cardiopulmonary resuscitation that includes a test demonstration on a mannequin;~~

~~(B) removing a foreign body causing an obstruction in an airway;~~

~~(C) the Heimlich maneuver; and~~

~~(D) the use of an automated external defibrillator;~~

~~(2) holds a valid certification in each of the procedures described in subdivision (1) issued by:~~

~~(A) the American Red Cross;~~

~~(B) the American Heart Association; or~~

~~(C) a comparable organization or institution approved by the state board; or~~

~~(3) has physical limitations that make it impracticable for the applicant to complete a course or certification described in subdivision (1) or (2).~~

~~The training in this subsection applies to a teacher (as defined in IC 20-18-2-22(b)).~~

~~(d) This subsection does not apply to an applicant for a substitute teacher license or to an individual granted a license under section 18 of this chapter. After June 30, 2013, the department may not issue an initial teaching license at any grade level to an applicant for an initial teaching license unless the applicant shows evidence that the applicant has successfully completed education and training on the prevention of child suicide and the recognition of signs that a student may be considering suicide.~~

~~(e) This subsection does not apply to an applicant for a substitute teacher license. After June 30, 2012, the department may not issue a teaching license renewal at any grade level to an applicant unless the applicant shows evidence that the applicant:~~

~~(1) has successfully completed training approved by the department in:~~

~~(A) cardiopulmonary resuscitation that includes a test demonstration on a mannequin;~~

~~(B) removing a foreign body causing an obstruction in an airway;~~

~~(C) the Heimlich maneuver; and~~

~~(D) the use of an automated external defibrillator;~~

~~(2) holds a valid certification in each of the procedures described in subdivision (1) issued by:~~

~~(A) the American Red Cross;~~

~~(B) the American Heart Association; or~~

~~(C) a comparable organization or institution approved by the state board; or~~

~~(3) has physical limitations that make it impracticable for the applicant to complete a course or certification described in subdivision (1) or (2).~~

~~(f)~~ **(c)** The department shall periodically publish bulletins regarding:

(1) the details described in subsection (b);

(2) information on the types of licenses issued;

(3) the rules governing the issuance of each type of license; and

(4) other similar matters.

SECTION 51. IC 20-28-5-15, AS AMENDED BY P.L.121-2009, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. (a) Notwithstanding section 3(b)(6) of this chapter, the department shall grant an initial practitioner's license in a specific subject area to an applicant who:

(1) has earned a postgraduate degree from a regionally accredited postsecondary educational institution in the subject area in which the applicant seeks to be licensed;

(2) has at least one (1) academic year of experience teaching students in a middle school, high school, or college classroom setting; and

(3) complies with sections 4 and 12 of this chapter.

(b) An individual who receives an initial practitioner's license under this section may teach in the specific subject for which the

individual is licensed only in:

(1) high school; or

(2) middle school;

if the subject area is designated by the state board as having an insufficient supply of licensed teachers.

(c) After receiving an initial practitioner's license under this section, an applicant who seeks to renew the applicant's initial practitioner's license or obtain a proficient practitioner's license must:

(1) demonstrate that the applicant has:

(A) participated in cultural competency professional development activities;

(B) obtained training and information from a special education teacher concerning exceptional learners; and

(C) received:

(i) training or certification that complies; or

(ii) an exemption from compliance;

with the standards ~~set forth in section 3(c) of this chapter;~~ **prescribed by the state board under IC 20-28-5.5-1(b);** and

(2) meet the same requirements as other candidates.

SECTION 52. IC 20-28-5-18, AS ADDED BY P.L.106-2016, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) This section applies to an individual who:

(1) holds a valid teaching license issued by another state (excluding a teaching license equivalent to an Indiana temporary or emergency teaching license) in the same content area or areas for which the individual is applying for a license in Indiana; and

(2) was required to pass a content licensure test to obtain the license described in subdivision (1).

(b) Notwithstanding sections 3 and 12 of this chapter, the department shall grant one (1) of the following licenses to an individual described in subsection (a):

(1) If the individual has less than three (3) years of full-time teaching experience, an initial practitioner's license.

(2) If the individual has at least three (3) years of full-time teaching experience, a practitioner's license.

(c) An individual who is granted a license under this section shall comply with ~~section 3(c) and 3(d) of this chapter not later than twelve (12) months after the date the individual's license is issued.~~ **the training or certification requirements prescribed by the state board under IC 20-28-5.5-1(b).**

SECTION 53. IC 20-28-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 5.5. Training for Teachers

Sec. 1. (a) The state board shall determine the timing, frequency, whether training requirements can be combined or merged, and the method of training, including whether the training should be required for purposes of obtaining or renewing a license under IC 20-28-5, or, in consultation with teacher preparation programs (as defined in IC 20-28-3-1(b)), as part of the completion requirements for a teacher preparation program for training required under the following sections:

IC 20-26-5-34.2.

IC 20-28-3-4.5.

IC 20-28-3-6.

IC 20-28-3-7.

IC 20-34-7-6.

IC 20-34-7-7.

However, nothing in this subsection shall be construed to authorize the state board to suspend or otherwise eliminate training requirements described in this subsection.

(b) In addition to the training described in subsection (a), the department shall, in a manner prescribed by the state board:

(1) ensure a teacher has training in:

(A) cardiopulmonary resuscitation that includes a test demonstration on a mannequin;

(B) removing a foreign body causing an obstruction in an airway;

(C) the Heimlich maneuver; and

(D) the use of an automated external defibrillator;

(2) ensure a teacher holds a valid certification in each of the procedures described in subdivision (1) issued by:

(A) the American Red Cross;

(B) the American Heart Association; or

(C) a comparable organization or institution approved by the state board; or

(3) determine if a teacher has physical limitations that make it impracticable to complete a course or certification described in subdivision (1) or (2).

The state board shall determine the timing, frequency, whether training requirements can be combined or merged, and the method of training or certification, including whether the training or certification should be required for purposes of obtaining or renewing a license under IC 20-28-5, or, in consultation with teacher preparation programs (as defined in IC 20-28-3-1(b)), as part of the completion requirements for a teacher preparation program. However, the frequency of the training may not be more frequent and the method of training may not be more stringent than required in IC 20-28-5-3(c) through IC 20-28-5-3(e), as in effect on January 1, 2020. Nothing in this subsection shall be construed to authorize the state board to suspend or otherwise eliminate training requirements described in this subsection.

(c) The state board may recommend to the general assembly in a report in an electronic format under IC 5-14-6, to eliminate training requirements described in subsection (a) or (b).

(d) In determining the training requirements for a school corporation, charter school, or accredited nonpublic school for training required under:

(1) IC 20-26-5-34.2;

(2) IC 20-28-3-4.5;

(3) IC 20-28-3-6; or

(4) IC 20-28-3-7;

the state board may consider whether a particular teacher received the training described in this subsection as part of the teacher's licensing requirements or at a teacher preparation program when determining whether the

particular teacher is required to receive the training by the school corporation, charter school, or accredited nonpublic school.

Sec. 2. The department shall:

(1) publish the requirements established by the state board under this chapter on the department's Internet web site;

(2) notify teacher preparation programs of training required to be completed as part of the teacher preparation program; and

(3) notify teachers of training requirements under this chapter that a teacher must complete in order for the teacher to renew the teacher's license under IC 20-28-5.

Sec. 3. The state board shall adopt rules under IC 4-22-2 necessary to implement this chapter.

SECTION 54. IC 20-30-1-1, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. This article applies only to the following:

(1) Public schools.

(2) ~~Nonpublic schools that voluntarily have become accredited under IC 20-19-2-8.~~ **State accredited nonpublic schools.**

SECTION 55. IC 20-30-5-5.7, AS ADDED BY P.L.115-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5.7. (a) Not later than December 15, 2018, and each December 15 thereafter, each public school, including a charter school, and **state** accredited nonpublic school shall provide age appropriate and research and evidence based instruction on child abuse and child sexual abuse to students in kindergarten through grade 12.

(b) The department, in consultation with school safety specialists and school counselors, shall identify outlines or materials for the instruction described in subsection (a) and incorporate the instruction in kindergarten through grade 12.

(c) Instruction on child abuse and child sexual abuse may be delivered by a school safety specialist, school counselor, or any other person with training and expertise in the area of child abuse and child sexual abuse.

SECTION 56. IC 20-30-5-7, AS AMENDED BY P.L.97-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) Each school corporation shall include in the school corporation's curriculum the following studies:

(1) Language arts, including:

(A) English;

(B) grammar;

(C) composition;

(D) speech; and

(E) second languages.

(2) Mathematics.

(3) Social studies and citizenship, including the:

(A) constitutions;

(B) governmental systems; and

(C) histories;

of Indiana and the United States, including an enhanced study of the Holocaust in each high school United States history course. As part of the United States government credit awarded for the general, Core 40, Core 40 with academic honors, and Core 40 with technical honors designation, each high school shall administer the naturalization examination provided by the United States Citizenship and Immigration Services.

(4) Sciences, including, after June 30, 2021, computer science.

(5) Fine arts, including music and art.

(6) Health education, physical fitness, safety, and the effects of alcohol, tobacco, drugs, and other substances on the human body.

(7) Additional studies selected by each governing body, subject to revision by the state board.

(b) Each:

(1) school corporation;

(2) charter school; and

(3) **state** accredited nonpublic school;

shall offer the study of ethnic and racial groups as a one (1) semester elective course in its high school curriculum at least once every school year.

(c) The course described in subsection (b) may be offered by the school corporation, charter school, or **state** accredited nonpublic school through a course access program administered by the department.

SECTION 57. IC 20-30-5-13, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 13. Throughout instruction on human sexuality or sexually transmitted diseases, ~~an~~ **a state** accredited school shall:

(1) require a teacher to teach abstinence from sexual activity outside of marriage as the expected standard for all school age children;

(2) include in the instruction that abstinence from sexual activity is the only certain way to avoid out-of-wedlock pregnancy, sexually transmitted diseases, and other associated health problems; and

(3) include in the instruction that the best way to avoid sexually transmitted diseases and other associated health problems is to establish a mutually faithful monogamous relationship in the context of marriage.

SECTION 58. IC 20-30-5-19, AS ADDED BY P.L.154-2009, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 19. (a) Each school corporation, charter school, and **state** accredited nonpublic school shall include in its curriculum for all students in grades 6 through 12 instruction concerning personal financial responsibility.

(b) A school corporation, a charter school, and ~~an~~ **a state** accredited nonpublic school may meet the requirements of subsection (a) by:

(1) integrating, within its curriculum, instruction; or

(2) conducting a seminar;

that is designed to foster overall personal financial responsibility.

(c) The state board shall adopt a curriculum that ensures personal financial responsibility is taught:

(1) in a manner appropriate for each grade level; and

(2) as a separate subject or as units incorporated into

appropriate subjects;

as determined by the state board.

SECTION 59. IC 20-30-5-20, AS AMENDED BY P.L.159-2019, SECTION 19, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20. (a) As used in this section, "charter school" does not include a virtual charter school, as defined in IC 20-24-1-10.

(b) As used in this section, "psychomotor skills" means skills using hands on practice to support cognitive learning.

(c) Except as provided in subsection (f), each school corporation, charter school, and **state** accredited nonpublic school shall include in the charter school's, school corporation's, or **state** accredited nonpublic school's high school health education curriculum instruction in cardiopulmonary resuscitation and use of an automated external defibrillator for its students. The instruction must incorporate the psychomotor skills necessary to perform cardiopulmonary resuscitation and use an automated external defibrillator and must include either of the following:

(1) An instructional program developed by the American Heart Association or the American Red Cross.

(2) An instructional program that is nationally recognized and is based on the most current national evidence based emergency cardiovascular care guidelines for cardiopulmonary resuscitation and the use of an automated external defibrillator.

(d) A school corporation, **a** charter school, or ~~an~~ **a state** accredited nonpublic school may offer the instruction required in subsection (c) or may arrange for the instruction to be provided by available community based providers. The instruction is not required to be provided by a teacher. If instruction is provided by a teacher, the teacher is not required to be a certified trainer of cardiopulmonary resuscitation.

(e) This section shall not be construed to require a student to become certified in cardiopulmonary resuscitation and the use of an automated external defibrillator. However, if a school corporation, charter school, or **state** accredited nonpublic school chooses to offer a course that results in certification being earned, the course must be taught by an instructor authorized to provide the instruction by the American Heart Association, the American Red Cross, or a similar nationally recognized association.

(f) A school administrator may waive the requirement that a student receive instruction under subsection (c) if the student has a disability or is physically unable to perform the psychomotor skill component of the instruction required under subsection (c).

SECTION 60. IC 20-30-5-21, AS ADDED BY P.L.219-2015, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 21. ~~An~~ **A state** accredited school may not offer, support, or promote any student program, class, or activity that provides student instruction that is contrary to a curriculum required to be provided to students under this chapter.

SECTION 61. IC 20-30-5-22, AS ADDED BY P.L.162-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22. (a) Each:

(1) school corporation;

(2) charter school; and

(3) **state** accredited nonpublic school;

shall offer Indiana studies as a one (1) semester elective course in its high school curriculum at least once every school year.

(b) The course described in subsection (a) may be offered by the school corporation, charter school, or **state** accredited nonpublic school through a course access program administered by the department.

SECTION 62. IC 20-30-7-5, AS ADDED BY P.L.1-2005, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. A school corporation may enter into an agreement with:

(1) another school corporation;

(2) ~~an~~ **a state** accredited nonpublic school; or

(3) both entities described in subdivisions (1) and (2);

to offer a joint summer school program for high school students.

SECTION 63. IC 20-30-14.5-3, AS ADDED BY P.L.226-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The state certificate of biliteracy is created to:

(1) encourage students to study languages;

(2) certify the attainment of biliteracy;

(3) provide employers with a method of identifying individuals with language and biliteracy skills;

(4) provide postsecondary educational institutions with an additional method to recognize applicants for admission;

(5) prepare students with twenty-first century skills;

(6) recognize the value of foreign language and native language instruction in public schools; and

(7) strengthen intergroup relationships, affirm the value of diversity, and honor the multiple cultures and languages of a community.

(b) The receipt of the certificate demonstrates the attainment of a high level of proficiency by a graduate of a public or ~~an~~ **a state** accredited nonpublic high school, sufficient for meaningful use in college and a career, in one (1) or more languages in addition to English.

(c) A school corporation, a charter school, or ~~an~~ **a state** accredited nonpublic high school is not required to participate in the certificate program.

SECTION 64. IC 20-30-14.5-4, AS ADDED BY P.L.226-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. The state board shall:

(1) establish the criteria for earning a certificate, including:

(A) the number of credits a student must earn in English and language arts and in a language other than English; and

(B) assessments of foreign language and English proficiency the state board considers necessary;

(2) direct the department to prepare and deliver to participating school corporations, charter schools, and **state** accredited nonpublic high schools an appropriate mechanism for awarding the certificate and designating on a student's transcript that the student has been awarded a certificate; and

(3) direct the department to provide any other information

the state board considers necessary for school corporations, charter schools, and **state** accredited nonpublic high schools to successfully participate in the certificate program.

SECTION 65. IC 20-30-14.5-5, AS ADDED BY P.L.226-2015, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. A participating school corporation, charter school, or **state** accredited nonpublic high school shall:

(1) maintain appropriate records to identify students who have earned a certificate; and

(2) make the appropriate designation on the transcript of each student who earns a certificate.

SECTION 66. IC 20-31-1-1, AS AMENDED BY P.L.169-2016, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. This article applies only to the following:

(1) Except as provided in ~~IC 20-31-4-1.1,~~ **IC 20-31-4.1-3,** public schools.

(2) Except as provided in IC 20-31-7 and IC 20-31-9, ~~nonpublic schools that voluntarily become accredited under IC 20-19-2-8.~~ **state accredited nonpublic schools.**

SECTION 67. IC 20-31-2-8, AS ADDED BY P.L.1-2005, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. "School" refers to a public school or ~~an~~ **a state** accredited nonpublic school.

SECTION 68. IC 20-31-4 IS REPEALED [EFFECTIVE UPON PASSAGE]. (Performance Based Accreditation).

SECTION 69. IC 20-31-4.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 4.1. Performance Based Accreditation

Sec. 1. As used in this chapter, "legal standards" means Indiana statutes and rules adopted by the state board that apply to each school for accreditation.

Sec. 2. (a) A school in Indiana shall be accredited under the system established by this chapter if the school meets legal standards as determined by the state board.

(b) The state board shall establish a performance based accreditation system for accrediting schools in Indiana under this chapter.

(c) The department shall waive accreditation standards for an accredited nonpublic alternative school that enters into a contract with a school corporation to provide alternative education services for students who have:

(1) dropped out of high school;

(2) been expelled; or

(3) been sent to the nonpublic alternative school due to the students' lack of success in the public school environment;

to accommodate the nonpublic alternative school's program and student population. A nonpublic alternative school to which this subsection applies is not subject to being placed in a category or designation under IC 20-31-8-4. However, the nonpublic alternative school must comply with all state reporting requirements and submit a school improvement growth model on the anniversary date of the nonpublic alternative school's original accreditation.

(d) The state board may accredit a nonpublic school under this chapter at the time the nonpublic school begins operation in Indiana.

(e) A school accredited under IC 20-26-15 shall be accredited under this chapter by the earlier of the following:

(1) The date the school's contract under IC 20-26-15 expires.

(2) July 1, 2025.

Sec. 3. (a) The state board shall accredit a school that:

(1) becomes a charter school under IC 20-24; and

(2) complies with the requirements under IC 20-24.

(b) An authorizer (as defined in IC 20-24-1-2.5) of a charter school is responsible for ensuring that the charter school is in compliance with applicable legal standards as determined by the state board.

Sec. 4. (a) Subject to subsection (c) and section 7 of this chapter, a school or group of schools accredited under this chapter may submit an application to the state board, in a manner prescribed by the state board, requesting flexibility and to waive compliance with any provision in this title or 511 IAC in order to do one (1) or more of the following:

(1) Improve student performance and outcomes.

(2) Offer the applicant flexibility in the administration of educational programs or improve the efficiency of school operations.

(3) Promote innovative educational approaches to student learning.

(4) Advance the mission or purpose of the school or group of schools.

(b) The application submitted under subsection (a) must include the following:

(1) A list of the one (1) or more provisions in this title, 511 IAC, or this title and 511 IAC that the school or group of schools is requesting that the state board waive.

(2) The following information:

(A) The specific goal or outcome or goals or outcomes that the school or group of schools intends to achieve by waiving the provisions described in subdivision (1).

(B) How the specific goals or outcomes described in clause (A) are likely to be achieved by waiving compliance with the provisions described in subdivision (1).

(3) For an application submitted by:

(A) the governing body of a school corporation, a copy of the resolution adopted by the governing body approving the submission of the application;

(B) a charter school, written authorization by the charter school organizer approving the submission of the application; or

(C) a nonpublic school, written authorization by the person or agency in active charge and management of the nonpublic school approving the submission of the application.

Sec. 5. (a) The state board may approve an application to waive compliance with provisions described in section 4 of this chapter only if the waiver request is related to a specific

goal or outcome of the school or group of schools.

(b) The state board may approve an application under this chapter if the state board determines that approving the application will likely:

(1) improve student performance and outcomes;

(2) offer the applicant flexibility in the administration of educational programs or improve the efficiency of school operations;

(3) promote innovative educational approaches to student learning; or

(4) advance the mission or purpose of the school or group of schools.

Sec. 6. (a) Notwithstanding any other law and subject to section 7 of this chapter, an applicant whose application is approved by the state board under section 5 of this chapter may waive compliance with any provision in this title or 511 IAC that is approved for waiver by the state board.

(b) The flexibility provided under this chapter is separate and distinct from flexibility provided under IC 20-26.5-2.

Sec. 7. A school or group of schools that submits an application under section 4 of this chapter may not request to waive any of the following provisions:

IC 20-26-5-10 (criminal history and child protection index check).

IC 20-27-7 (school bus inspection and registration).

IC 20-27-8-1 (school bus drivers and monitors).

IC 20-27-8-2 (school bus driver driving summary).

IC 20-27-10-3 (capacity of school bus).

IC 20-28 (school teachers).

IC 20-29 (collective bargaining).

IC 20-30-5-0.5 (display of United States flag; Pledge of Allegiance).

IC 20-30-5-1 (constitutions).

IC 20-30-5-2 (constitutions; interdisciplinary course).

IC 20-30-5-3 (protected writings).

IC 20-30-5-4 (American history).

IC 20-30-5-4.5 (moment of silence).

IC 20-30-5-5 (morals instruction).

IC 20-30-5-6 (good citizenship instruction).

IC 20-30-5-13 (human sexuality instructional requirements).

IC 20-30-5-17 (access to materials; consent for participation).

IC 20-30-5-21 (contrary student instruction not permitted).

IC 20-30-5-22 (Indiana studies).

IC 20-31 (accountability for performance and improvement).

IC 20-32-4 (graduation requirements).

IC 20-32-5.1 (Indiana's Learning Evaluation Assessment Readiness Network (ILEARN) program).

IC 20-33-1 (equal educational opportunity).

IC 20-34 (student health and safety measures).

IC 20-35 (special education).

IC 20-36 (high ability students).

IC 20-39 (accounting and financial reporting procedures).

IC 20-40 (government funds and accounts).

IC 20-41 (extracurricular funds and accounts).

IC 20-42 (fiduciary funds and accounts).

IC 20-42.5 (allocation of expenditures to student instruction and learning).

IC 20-43 (state tuition support).

IC 20-44 (property tax levies).

IC 20-46 (levies other than general fund levies).

IC 20-47 (related entities; holding companies; lease agreements).

IC 20-48 (borrowing and bonds).

IC 20-49 (state management of common school funds; state advances and loans).

IC 20-50 (homeless children and foster care children).

IC 20-51 (school scholarships).

Sec. 8. (a) The state board shall periodically review compliance waiver requests that were approved by the state board under this chapter.

(b) The state board may:

(1) amend, suspend, or revoke a compliance waiver request that was approved by the state board if the state board determines that the school or group of schools is not meeting the goals or outcomes described in the applicable application; and

(2) grant approval of a waiver described in section 4 of this chapter as part of a school's application for accreditation under this chapter.

Sec. 9. Not later than November 1, 2020, and not later than November 1 each year thereafter, the state board shall do the following:

(1) Prepare a report that includes a:

(A) summary of the compliance waiver requests received by the state board; and

(B) description of compliance waiver requests that were approved and compliance waiver requests that were denied by the state board.

(2) Submit the report prepared under subdivision (1) to the general assembly in an electronic format under IC 5-14-6.

Sec. 10. The state board shall adopt rules under IC 4-22-2 necessary to implement this chapter.

SECTION 70. IC 20-32-1-1, AS ADDED BY P.L.1-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. This article applies only to the following:

(1) Public schools.

(2) ~~Nonpublic schools that voluntarily have become accredited under IC 20-19-2-8.~~ **State accredited nonpublic schools.**

SECTION 71. IC 20-32-2-3, AS ADDED BY P.L.1-2005, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. "Student" means an individual who is enrolled in:

(1) a public school;

(2) ~~an~~ **a state** accredited nonpublic school; or

(3) another nonpublic school that has requested and received from the state board specific approval of the school's educational program.

SECTION 72. IC 20-32-3-2, AS AMENDED BY

P.L.233-2015, SECTION 238, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 2. As used in this chapter, "student" refers to a student who meets the following conditions:

(1) Is enrolled in a public school, ~~an~~ **a state** accredited nonpublic school, or a nonpublic school that has requested and received from the state board specific approval for the school's education program.

(2) Is in at least grade 9.

(3) If the student is a student with a disability (as defined in IC 20-35-1-8), would benefit from the participation under this chapter as determined by the individualized education program for the student.

SECTION 73. IC 20-32-4-1.5, AS AMENDED BY P.L.10-2019, SECTION 84, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.5. (a) This subsection expires July 1, 2022. Except as provided in subsection (f) and sections 4, 5, 6, 7, 8, 9, and 10 of this chapter, each student is required to meet:

(1) the academic standards tested in the graduation examination;

(2) the Core 40 course and credit requirements adopted by the state board under IC 20-30-10; and

(3) any additional requirements established by the governing body;

to be eligible to graduate.

(b) Except as provided in subsection (f) and sections 4, 4.1, 5, 6, 7, 8, 9, and 10 of this chapter, beginning with the class of students who expect to graduate during the 2022-2023 school year, each student shall:

(1) demonstrate college or career readiness through a pathway established by the state board, in consultation with the department of workforce development and the commission for higher education;

(2) meet the Core 40 course and credit requirements adopted by the state board under IC 20-30-10; and

(3) meet any additional requirements established by the governing body;

to be eligible to graduate.

(c) The state board shall establish graduation pathway requirements under subsection (b)(1) in consultation with the department of workforce development and the commission for higher education. A graduation pathway requirement may include the following postsecondary readiness competencies approved by the state board:

(1) International baccalaureate exams.

(2) Nationally recognized college entrance assessments.

(3) Advanced placement exams.

(4) Assessments necessary to receive college credit for dual credit courses.

(5) Industry recognized certificates.

(6) The Armed Services Vocational Aptitude Battery.

(7) Cambridge International exams.

(8) Any other competency approved by the state board.

(d) If the state board establishes a nationally recognized college entrance exam as a graduation pathway requirement, the nationally recognized college entrance exam must be offered to a student at the school in which the student is enrolled and during the normal school day.

(e) When an apprenticeship is established as a graduation pathway requirement, the state board shall establish as an apprenticeship only an apprenticeship program registered under the federal National Apprenticeship Act (29 U.S.C. 50 et seq.) or another federal apprenticeship program administered by the United States Department of Labor.

(f) Notwithstanding subsection (a), a school corporation, charter school, or **state** accredited nonpublic school may voluntarily elect to use graduation pathways described in subsection (b) in lieu of the graduation examination requirements specified in subsection (a) prior to July 1, 2022.

(g) The state board, in consultation with the department of workforce development and the commission for higher education, shall approve college and career pathways relating to career and technical education, including sequences of courses leading to student concentrators.

SECTION 74. IC 20-32-4-4.1, AS ADDED BY P.L.192-2018, SECTION 28, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4.1. (a) Subject to subsection (b), a student may receive a waiver from the postsecondary readiness competency requirements established under section 1.5(c) of this chapter:

(1) if:

(A) the student was unsuccessful in completing a postsecondary readiness competency requirement established by the state board under section 1.5(c) of this chapter by the conclusion of the student's senior year, including a student who was in the process of completing a competency at one (1) school that was not offered by the school to which the student transferred; and

(B) the student attempted to achieve at least three (3) separate postsecondary readiness competencies established by the state board under section 1.5(c) of this chapter; or

(2) if a student transfers to a school subject to the requirements of this chapter during the student's senior year from a nonaccredited nonpublic school **that has less than one (1) employee** or a school out of state and the student:

(A) attempted to achieve at least one (1) postsecondary readiness competency requirement established by the state board under section 1.5(c) of this chapter; and

(B) was unsuccessful in completing the attempted postsecondary readiness competency described in clause (A).

(b) For a student to receive a waiver described in subsection (a), the student must:

(1) maintain at least a "C" average, or its equivalent, throughout the student's high school career in courses comprising credits required for the student to graduate;

(2) maintain a school attendance rate of at least ninety-five percent (95%) with excused absences not counting against the student's attendance;

(3) satisfy all other state and local graduation requirements beyond the postsecondary readiness competency

requirements established by the state board under section 1.5(c) of this chapter; and

(4) demonstrate postsecondary planning, including:

(A) college acceptance;

(B) acceptance in an occupational training program;

(C) workforce entry; or

(D) military enlistment;

that is approved by the principal of the student's school.

SECTION 75. IC 20-33-2-10, AS AMENDED BY P.L.144-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10. (a) Each public school shall and each private school may require a student who initially enrolls in the school to provide:

(1) the name and address of the school the student last attended; and

(2) a certified copy of the student's birth certificate or other reliable proof of the student's date of birth.

(b) Not more than fourteen (14) days after initial enrollment in a school, the school shall request the student's records from the school the student last attended.

(c) If the document described in subsection (a)(2):

(1) is not provided to the school not more than thirty (30) days after the student's enrollment; or

(2) appears to be inaccurate or fraudulent;

the school shall notify the Indiana clearinghouse for information on missing children and missing endangered adults established under IC 10-13-5-5 and determine if the student has been reported missing.

(d) A school in Indiana receiving a request for records shall send the records promptly to the requesting school. However, if a request is received for records to which a notice has been attached under IC 31-36-1-5 (or IC 31-6-13-6 before its repeal), the school:

(1) shall immediately notify the Indiana clearinghouse for information on missing children and missing endangered adults;

(2) may not send the school records without the authorization of the clearinghouse; and

(3) may not inform the requesting school that a notice under IC 31-36-1-5 (or IC 31-6-13-6 before its repeal) has been attached to the records.

(e) Notwithstanding subsection (d), if a parent of a child who has enrolled in ~~an~~ **a state** accredited nonpublic school is in breach of a contract that conditions release of student records on the payment of outstanding tuition and other fees, the **state** accredited nonpublic school shall provide a requesting school sufficient verbal information to permit the requesting school to make an appropriate placement decision regarding the child.

SECTION 76. IC 20-33-2-47, AS ADDED BY P.L.1-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 47. (a) A school corporation may develop and implement a system of notifying the parent of a student when:

(1) the student fails to attend school; and

(2) the student does not have an excused absence for that day.

(b) A school corporation or ~~an~~ **a state** accredited nonpublic school shall report to the local health department the percentage of student absences above a threshold determined by the department by rule adopted under IC 4-22-2.

(c) If a school corporation implements a notification system under this chapter, the attendance officer or the attendance officer's designee shall make a reasonable effort to contact by telephone the parent of each student who has failed to attend school and does not have an excused absence for that day.

(d) If an attendance officer or an attendance officer's designee has made a reasonable effort to contact a parent under subsection (c), the school corporation is immune from liability for any damages suffered by the parent claimed because of failure to contact the parent.

SECTION 77. IC 20-33-3-7, AS ADDED BY P.L.1-2005, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) This chapter applies to a child less than eighteen (18) years of age who is employed or is seeking employment in Indiana.

(b) A child less than eighteen (18) years of age who is a resident of Indiana and who requires an employment certificate shall obtain the employment certificate from the issuing officer of the:

(1) **state** accredited school ~~(as described in IC 20-19-2-8(a)(5))~~ that the child attends; or

(2) school corporation in which the child resides.

(c) A child less than eighteen (18) years of age who is not a resident of Indiana and who requires an employment certificate to work in Indiana shall obtain the certificate from the issuing officer of the school corporation in which the child is:

(1) employed; or

(2) seeking employment.

The judge of a court with juvenile jurisdiction may suspend the application of this chapter in cases involving juvenile delinquents or incorrigibles whenever, in the opinion of the judge, the welfare of a child warrants this action.

SECTION 78. IC 20-33-3-8, AS AMENDED BY P.L.1-2007, SECTION 147, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) The issuing officer in each **state** accredited school ~~(as described in IC 20-19-2-8(a)(5))~~ shall be an individual who is:

(1) a guidance counselor;

(2) a school social worker; or

(3) an attendance officer for the school corporation and a teacher licensed by the division of professional standards of the department under IC 20-28-4 or IC 20-28-5;

and designated in writing by the principal.

(b) During the times in which the individual described in subsection (a) is not employed by the school or when school is not in session, there shall be an issuing officer available:

(1) who is a teacher licensed by the division of professional standards of the department under IC 20-28-4 or IC 20-28-5; and

(2) whose identity and hours of work shall be determined by the principal.

SECTION 79. IC 20-33-5-9, AS AMENDED BY P.L.286-2013, SECTION 114, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. **(a) As**

used in this section, "accredited nonpublic school" means a nonpublic school that:

(1) has voluntarily become accredited under IC 20-31-4.1; or

(2) is accredited by a national or regional accrediting agency that is recognized by the state board.

~~(a)~~ **(b)** If a parent of a child or an emancipated minor who is enrolled in an accredited nonpublic school meets the financial eligibility standard under section 2 of this chapter, the parent or the emancipated minor may receive a reimbursement from the department as provided in this chapter for the costs or some of the costs incurred by the parent or emancipated minor in fees that are reimbursable under section 7 of this chapter.

~~(b)~~ **(c)** The department shall provide each accredited nonpublic school with sufficient application forms for assistance, prescribed by the state board of accounts.

~~(c)~~ **(d)** Each accredited nonpublic school shall provide the parents or emancipated minors who wish to apply for assistance with:

(1) the appropriate application forms; and

(2) any assistance needed in completing the application form.

~~(d)~~ **(e)** The parent or emancipated minor shall submit the application to the accredited nonpublic school. The accredited nonpublic school shall make a determination of financial eligibility subject to appeal by the parent or emancipated minor.

~~(e)~~ **(f)** If a determination is made that the applicant is eligible for assistance, subsection ~~(a)~~ **(b)** applies.

~~(f)~~ **(g)** To be guaranteed some level of reimbursement from the department, the principal or other designee shall submit the reimbursement request before November 1 of a school year.

~~(g)~~ **(h)** In its request, the principal or other designee shall certify to the department:

(1) the number of students who are enrolled in the accredited nonpublic school and who are eligible for assistance under this chapter;

(2) the costs incurred in providing:

(A) curricular materials (including curricular materials used in special education and high ability classes); and

(B) workbooks, digital content, and consumable curricular materials (including workbooks, consumable curricular materials, and other consumable teaching materials that are used in special education and high ability classes) that are used by students for not more than one (1) school year;

(3) that the curricular materials described in subdivision (2)(A) (except any curricular materials used in special education classes and high ability classes) have been adopted by the governing body; and

(4) any other information required by the department.

~~(h)~~ **(i)** The amount of reimbursement that a parent or emancipated minor is entitled to receive shall be determined as provided in section 9.5 of this chapter.

~~(i)~~ **(j)** The accredited nonpublic school shall distribute the money received under this chapter to the appropriate eligible parents or emancipated minors.

~~(j)~~ **(k)** Section 7(f) of this chapter applies to parents or emancipated minors as described in this section.

~~(k)~~ **(l)** The accredited nonpublic school and the department shall maintain complete and accurate information concerning the number of applicants determined to be eligible for assistance under this section.

~~(l)~~ **(m)** The state board shall adopt rules under IC 4-22-2 to implement this section.

SECTION 80. IC 20-33-5-9.5, AS AMENDED BY P.L.205-2013, SECTION 258, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9.5. (a) This section applies to reimbursements made under this chapter in the state fiscal year beginning after June 30, 2013.

(b) The amount of reimbursement that a school corporation or an accredited nonpublic school **(as defined in section 9(a) of this chapter)** is entitled to receive under section 7 of this chapter in a state fiscal year is equal to the amount determined in the following STEPS:

STEP ONE: Determine the amount appropriated to make reimbursements under this chapter for the state fiscal year.

STEP TWO: Determine the total number of eligible students for which reimbursement was requested under either section 7 or 9 of this chapter before November 1 of the previous calendar year by all school corporations and accredited nonpublic schools.

STEP THREE: Divide the result determined in STEP ONE by the number determined in STEP TWO.

STEP FOUR: Multiply:

(A) the STEP THREE result; by

(B) the number of eligible students for which reimbursement was requested under section 7 or 9 of this chapter before November 1 of the state fiscal year by the school corporation or the accredited nonpublic school.

SECTION 81. IC 20-33-9-10.5, AS AMENDED BY P.L.25-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 10.5. (a) This section does not apply to a charter school or ~~an~~ **a state** accredited nonpublic school.

(b) A school employee shall report any incidence of suspected criminal organization activity, criminal organization intimidation, or criminal organization recruitment to the principal and the school safety specialist.

(c) The principal and the school safety specialist may take appropriate action to maintain a safe and secure school environment, including providing appropriate intervention services.

SECTION 82. IC 20-34-3-20, AS AMENDED BY P.L.197-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 20. (a) The governing body of a school corporation shall require each school in the governing body's jurisdiction to conduct periodic emergency preparedness drills during the school year in compliance with rules adopted under IC 4-22-2 by the state board.

(b) Each school and attendance center shall conduct at least:

(1) one (1) tornado preparedness drill; and

(2) one (1) manmade occurrence disaster drill;

during each semester.

(c) At least one (1) manmade occurrence disaster drill required under subsection (b) must be an active shooter drill and must be conducted within ninety (90) calendar days after the beginning of the school year.

(d) Each:

(1) **state** accredited nonpublic school; and

(2) charter school;

must conduct at least one (1) active shooter drill during each school year.

(e) Notwithstanding rules established by the state fire marshal under IC 12-17-12-19, a drill conducted under subsection (b) may be conducted instead of a periodic or monthly fire evacuation drill requirement established by the state fire marshal. However, a drill conducted under subsection (b) may not be made:

(1) instead of more than two (2) periodic or monthly fire evacuation drills in a particular school semester; and

(2) in two (2) consecutive months.

(f) The governing body of a school corporation may direct schools to conduct emergency preparedness drills in addition to those required under subsection (b).

(g) The governing body of a school corporation shall require each principal to file a certified statement that all drills have been conducted as required under this section.

SECTION 83. IC 20-34-3-23, AS ADDED BY P.L.211-2018(ss), SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 23. (a) Each charter school and **state** accredited nonpublic school shall adopt a local school safety and emergency plan that includes:

(1) safety and emergency training and educational opportunities for school employees; and

(2) periodic safety and emergency preparedness and evacuation drills.

(b) Each charter school and **state** accredited nonpublic school shall provide a copy of the floor plans for each building located on the school's property that clearly indicates each exit, the interior rooms and hallways, and the location of any hazardous materials located in the building to the law enforcement agency and the fire department that have jurisdiction over the school.

SECTION 84. IC 20-34-4.5-0.6, AS ADDED BY P.L.117-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 0.6. As used in this chapter, "school" means **a:**

(1) ~~a~~ public school;

(2) ~~a~~ charter school; or

(3) ~~an~~ **state** accredited nonpublic school.

SECTION 85. IC 20-34-5-8, AS ADDED BY P.L.166-2007, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. As used in this chapter, "school employee" means an individual employed by:

(1) a public school, including a charter school, or ~~an~~ **a state** accredited nonpublic school;

(2) a local health department working with a school under this chapter; or

(3) another entity with which a school has contracted to perform the duties required under this chapter.

SECTION 86. IC 20-34-7-1.6, AS ADDED BY P.L.135-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.6. As used in this chapter, "school" refers to a public school and ~~an~~ **a state** accredited nonpublic school.

SECTION 87. IC 20-34-7-6, AS AMENDED BY P.L.135-2016, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) As used in this section, "football" does not include flag football.

(b) Prior to coaching football to individuals who are less than twenty (20) years of age and are in grades 1 through 12, each head football coach and assistant football coach shall complete a certified coaching education course that:

(1) is sport specific;

(2) contains player safety content, including content on:

(A) concussion awareness;

(B) equipment fitting;

(C) heat emergency preparedness; and

(D) proper technique;

(3) requires a coach to complete a test demonstrating comprehension of the content of the course; and

(4) awards a certificate of completion to a coach who successfully completes the course.

(c) For a coach's completion of a course to satisfy the requirement imposed by subsection (b), the course must have been approved by the department.

(d) A coach shall complete a course ~~not less than once during a two (2) year period. However, if the coach receives notice from the organizing entity that new information has been added to the course before the end of the two (2) year period, the coach must:~~

~~(1) complete instruction; and~~

~~(2) successfully complete a test;~~

~~concerning the new information to satisfy the requirement imposed by subsection (b).~~ **in a manner prescribed by the state board under IC 20-28-5.5-1.**

(e) An organizing entity shall maintain a file of certificates of completion awarded under subsection (b)(4) to any of the organizing entity's head coaches and assistant coaches.

(f) A coach who complies with this chapter and provides coaching services in good faith is not personally liable for damages in a civil action as a result of a concussion or head injury incurred by an athlete participating in an athletic activity in which the coach provided coaching services, except for an act or omission by the coach that constitutes gross negligence or willful or wanton misconduct.

SECTION 88. IC 20-34-7-7, AS AMENDED BY P.L.19-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) Except as provided in subsection (c)(2), this section applies after June 30, 2017.

(b) This section applies to a head coach or assistant coach who:

(1) coaches any:

(A) interscholastic sport; or

(B) intramural sport and elects to comply or as part of

the head coach's or assistant coach's coaching certification requirements is required to comply with this chapter; and

(2) is not subject to section 6 of this chapter.

(c) Before coaching a student athlete in any sport, a head coach and every assistant coach described in subsection (b) must complete a certified coaching education course that:

(1) contains player safety content on concussion awareness;

(2) after December 31, 2018, includes content for prevention of or response to heat related medical issues that may arise from a student athlete's training;

(3) requires a head coach or an assistant coach to complete a test demonstrating comprehension of the content of the course; and

(4) awards a certificate of completion to a head coach or an assistant coach who successfully completes the course.

(d) A course described in subsection (c) must be approved by the department, in consultation with a physician licensed under IC 25-22.5. The consulting physician for a course described in subsection (c)(1) must have expertise in the area of concussions and brain injuries. The department may, in addition to consulting with a physician licensed under IC 25-22.5, consult with other persons who have expertise in the area of concussions and brain injuries when developing a course described in subsection (c)(1).

(e) A head coach and every assistant coach described in subsection (b) must complete a course described in subsection (c) ~~at least once each two (2) year period. If a head coach or an assistant coach receives notice from the school that new information has been added to the course before the end of the two (2) year period, the head coach or the assistant coach shall:~~

~~(1) complete instruction; and~~

~~(2) successfully complete a test;~~

~~concerning the new information to satisfy subsection (c).~~ **in a manner prescribed by the state board under IC 20-28-5.5-1.**

(f) Each school shall maintain all certificates of completion awarded under subsection (c)(4) to each of the school's head coaches and assistant coaches.

(g) A head coach or an assistant coach described in subsection (b) who complies with this chapter and provides coaching services in good faith is not personally liable for damages in a civil action as a result of a concussion or head injury incurred by a student athlete participating in an athletic activity for which the head coach or the assistant coach provided coaching services, except for an act or omission by the head coach or the assistant coach that constitutes gross negligence or willful or wanton misconduct.

SECTION 89. IC 20-34-8-3, AS ADDED BY P.L.139-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. As used in this chapter, "school" refers to a public school and ~~an~~ **a state** accredited nonpublic school.

SECTION 90. IC 20-34-8-5, AS ADDED BY P.L.139-2014, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) ~~Before July 1, 2015,~~ The department shall disseminate guidelines, information sheets, and forms to each **state** accredited nonpublic school, charter school, and each school corporation for distribution to schools to inform and educate coaches, student athletes, and parents and legal guardians of student athletes of the nature and risk of sudden cardiac arrest to student athletes.

(b) The department:

(1) may consult with an association, medical professionals, and others with expertise in diagnosing and treating sudden cardiac arrest; and

(2) may request the assistance of an association in disseminating the guidelines, information sheets, and forms required under subsection (a).

(c) The department may disseminate the guidelines, information sheets, and forms required under this section in an electronic format.

SECTION 91. IC 20-34-9-1, AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. This chapter does not apply to a virtual charter school (as defined in ~~IC 20-24-7-13(a))~~ **IC 20-24-1-10)** or a virtual **state** accredited nonpublic school.

SECTION 92. IC 20-34-9-4, AS ADDED BY P.L.153-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. Beginning after June 30, 2020, and subject to available funding, a school corporation, a charter school, and ~~an~~ **a state** accredited nonpublic school are eligible for a grant under this chapter if the school corporation, charter school, or **state** accredited nonpublic school meets the requirements of this chapter.

SECTION 93. IC 20-34-9-5, AS ADDED BY P.L.153-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The student and parent support services grant program is established to provide grants to school corporations, charter schools, and **state** accredited nonpublic schools for the development and implementation of student and parent support services plans to support parents caring for at-risk students.

(b) The department, in coordination with the division of mental health and addiction, shall administer the program.

SECTION 94. IC 20-34-9-6, AS ADDED BY P.L.153-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. A school corporation, a charter school, or ~~an~~ **a state** accredited nonpublic school must do the following to participate in the program:

(1) Apply to the department to participate in the program.

(2) Submit to the department a student and parent support services plan that the school corporation, charter school, or **state** accredited nonpublic school intends to implement and that includes the following:

(A) A process for a teacher or school employee to notify a school official to contact a student's parent if the student demonstrates a repeated pattern of aberrant or abnormal behavior. The parental notification process described in this clause must also include that the school will hold a conference with the student and the student's parent.

(B) A requirement that the conference described in clause (A) must address the student's potential need for and benefit from:

(i) school based treatment services; or

(ii) treatment services provided by an outside professional care provider that is contracted and paid for by the school corporation, charter school, or **state** accredited nonpublic school.

(C) A procedure for a parent who chooses to seek services for the student to follow that includes granting written parental consent for the student to receive services by a service provider described under clause (B).

(D) A requirement to ensure that a school shall maintain the confidentiality of any medical records that result from a student's participation in any treatment described in clause (B). The school must adopt a policy that prohibits the school from:

(i) sharing any reports or notes resulting from the provision of school based treatment services described in clause (B)(i) with other school officials; and

(ii) maintaining any reports, notes, diagnosis, or appointments that result from a student's participation in any treatment described in clause (B)(i) through (B)(ii) in the student's permanent educational file.

SECTION 95. IC 20-34-9-7, AS ADDED BY P.L.153-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) Before June 30, 2020, and before each June 30 thereafter, the department shall evaluate and prepare a report concerning development and implementation of the following:

(1) The program.

(2) The plans submitted and implemented by school corporations, charter schools, and **state** accredited nonpublic schools.

(b) The department shall submit the report described in subsection (a) to the legislative council in an electronic format under IC 5-14-6.

SECTION 96. IC 20-47-6-4, AS ADDED BY P.L.143-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. As used in this chapter, "school" means a public school, including a charter school, ~~an~~ **a state** accredited nonpublic school, or an eligible school (as defined in IC 20-51-1-4.7).

SECTION 97. IC 21-7-13-4 IS REPEALED [EFFECTIVE UPON PASSAGE]. ~~Sec. 4. "Accredited nonpublic school" means a nonpublic school that has voluntarily become accredited under IC 20-19-2-8.~~

SECTION 98. IC 21-7-13-31.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 31.5. "State accredited nonpublic school" means a nonpublic school that has voluntarily become accredited under IC 20-31-4.1.**

SECTION 99. IC 21-12-6-5, AS AMENDED BY P.L.165-2016, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) Unless a student qualifies under subsection (b), to qualify to participate in the program, a student must meet the following requirements:

(1) Be a resident of Indiana.

(2) Be:

(A) enrolled in grade 7 or 8 at a:

(i) public school; or

(ii) nonpublic school that is accredited either by the state board of education or by a national or regional accrediting agency whose accreditation is accepted as a school improvement plan under ~~IC 20-31-4-2;~~ **IC 20-31-4.1-2;** or

(B) otherwise qualified under the rules of the commission that are adopted under IC 21-18.5-4-9(2) to include students who are in grades other than grade 8 as eligible students.

(3) Be a member of a household with an annual income of not more than the amount required for the individual to qualify for free or reduced priced lunches under the national school lunch program, as determined for the immediately preceding taxable year for the household for which the student was claimed as a dependent.

(4) Agree, in writing, together with the student's custodial parents or guardian, that the student will:

(A) graduate from a secondary school located in Indiana that meets the admission criteria of an eligible institution;

(B) not illegally use controlled substances (as defined in IC 35-48-1-9);

(C) not commit a crime or an infraction described in IC 9-30-5;

(D) not commit any other crime or delinquent act (as described in IC 31-37-1-2 or IC 31-37-2-2 through IC 31-37-2-5 (or IC 31-6-4-1(a)(1) through IC 31-6-4-1(a)(5) before their repeal));

(E) timely apply, when the eligible student is a senior in high school:

(i) for admission to an eligible institution; and

(ii) for any federal and state student financial assistance available to the eligible student to attend an eligible institution;

(F) achieve a cumulative grade point average upon graduation of:

(i) at least 2.0, if the student graduates from high school before July 1, 2014; and

(ii) at least 2.5, if the student graduates from high school after June 30, 2014;

on a 4.0 grading scale (or its equivalent if another grading scale is used) for courses taken during grades 9, 10, 11, and 12; and

(G) complete an academic success program required under the rules adopted by the commission, if the student initially enrolls in high school after June 30, 2013.

(b) A student qualifies to participate in the program if the student:

(1) before or during grade 7 or grade 8, is placed by or with the consent of the department of child services, by a court order, or by a child placing agency in:

(A) a foster family home;

(B) the home of a relative or other unlicensed caretaker;
(C) a child caring institution; or
(D) a group home;
(2) meets the requirements in subsection (a)(1) through (a)(2); and
(3) agrees in writing, together with the student's caseworker (as defined in IC 31-9-2-11) or legal guardian, to the conditions set forth in subsection (a)(4).

(c) The commission may require that an applicant apply electronically to participate in the program using an online Internet application on the commission's **Internet** web site.

SECTION 100. IC 21-12-8-9, AS AMENDED BY P.L.143-2019, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) This section applies to an applicant who attends or has attended any of the following:
(1) An approved secondary school.
(2) ~~An~~ **A state** accredited nonpublic school.
(3) A nonaccredited nonpublic school.

(b) An applicant is eligible to receive a high value workforce ready credit-bearing grant if the following conditions are met:
(1) The applicant is domiciled in Indiana, as defined by the commission.
(2) The applicant:
(A) has received a diploma of graduation from a school described in subsection (a);
(B) has been granted a:
(i) high school equivalency certificate before July 1, 1995; or
(ii) state of Indiana general educational development (GED) diploma under IC 20-10.1-12.1 (before its repeal), IC 20-20-6 (before its repeal), or IC 22-4.1-18; or
(C) is a student in good standing who is completing a final year of study at a school described in subsection (a) and will be eligible upon graduation to attend an approved institution of higher learning.
(3) The applicant is enrolled in an eligible certificate program, as determined under section 2(4) of this chapter, at Ivy Tech Community College, Vincennes University, or a program approved by the commission.
(4) The applicant enrolls at least half-time for purposes of federal financial aid.
(5) The applicant has not received any grant for the maximum number of academic terms specified for the grant in IC 21-12-13-1 or IC 21-12-13-2.
(6) The applicant is not eligible for any state financial aid program described in IC 21-12-13-1(a) or IC 21-12-13-2(a).
(7) The applicant is identified as financially independent from the applicant's parents as determined by the Free Application for Federal Student Aid (FAFSA).
(8) The applicant has correctly filed the FAFSA and, if eligible for aid, accepts all offered federal scholarships and grants.
(9) Except as provided under subsection (c), the applicant maintains satisfactory academic progress, as determined by the eligible institution.
(10) The applicant has not previously received a baccalaureate degree, an associate degree, or an eligible certificate.
(11) The applicant meets any other minimum criteria established by the commission.

(c) This subsection applies to an applicant who does not maintain satisfactory academic progress under subsection (b)(9) but meets all the other conditions required under subsection (b). An applicant is eligible to receive a high value workforce ready credit-bearing grant if the applicant meets one (1) of the following:
(1) The applicant has not attended an eligible institution for the immediately preceding two (2) academic years.
(2) The applicant:
(A) attended an eligible institution at any time during the immediately preceding two (2) academic years; and
(B) maintained satisfactory academic progress, as determined by the eligible institution, during the period described in clause (A) in which the applicant attended the eligible institution.

(d) If an applicant is identified as dependent as determined by the Free Application for Federal Student Aid (FAFSA), the applicant must:
(1) meet the criteria specified in subsection (b), except for subsection (b)(4), (b)(7), and (b)(9);
(2) enroll full time for purposes of federal financial aid;
(3) maintain satisfactory academic progress, as determined by the eligible institution; and
(4) complete a workforce ready grant success program, as determined by the commission, if the applicant graduates from high school after December 31, 2018.

(e) If the demand for high value workforce ready credit-bearing grants exceeds the available appropriation, as determined by the commission, the commission shall prioritize the applicants identified as independent as determined by the Free Application for Federal Student Aid (FAFSA).

SECTION 101. IC 21-12-16-5, AS ADDED BY P.L.105-2016, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) An applicant who is enrolled in an accredited postsecondary educational institution after June 30, 2017, may qualify for a scholarship under this chapter. To qualify for a scholarship, an applicant must:
(1) apply for a scholarship on a form supplied by the commission;
(2) except as provided in subsection (b), have graduated from an Indiana nonaccredited nonpublic or **state** accredited high school **accredited under IC 20-31-4.1** and either:
(A) graduated in the highest twenty percent (20%) of students in the applicant's high school graduating class; or
(B) received a score in the top twentieth percentile on the SAT or ACT examination;
(3) have participated in school activities and community

service activities during high school;

(4) have applied to and been accepted for enrollment in an accredited postsecondary educational institution approved by the commission under section 10 of this chapter;

(5) agree in writing to:

(A) obtain a license to teach under IC 20-28-5; and

(B) teach for at least five (5) consecutive years in a public school or an eligible school (as defined in IC 20-51-1-4.7) in Indiana after graduating with a baccalaureate degree from the accredited postsecondary educational institution described in subdivision (4); and

(6) meet any other criteria established by the commission.

(b) A student who graduates from a nonaccredited nonpublic school must meet the requirement described in subsection (a)(2)(B) in order to meet the eligibility requirement described in subsection (a)(2).

SECTION 102. IC 21-13-2-1, AS AMENDED BY P.L.148-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. The William A. Crawford minority teacher scholarship fund is established:

(1) to encourage and promote qualified minority individuals to pursue a career in teaching in **state** accredited schools **accredited under IC 20-31-4.1** in Indiana;

(2) to enhance the number of individuals who may serve as role models for the minority students in Indiana; and

(3) to rectify the shortage of minority teachers teaching in **state** accredited schools **accredited under IC 20-31-4.1** in Indiana.

SECTION 103. IC 21-13-2-4, AS AMENDED BY P.L.205-2013, SECTION 318, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. An individual qualifies for an initial scholarship from the fund if the individual:

(1) is a minority student;

(2) is admitted to an eligible institution as a full-time student or already attends an eligible institution as a full-time student;

(3) either:

(A) intends to pursue; or

(B) in the case of a student who is already attending an eligible institution, pursues;

a course of study that would enable the student, upon graduation, to teach in ~~an~~ **a state** accredited school **accredited under IC 20-31-4.1** in Indiana;

(4) agrees, in writing, to apply for a teaching position in ~~an~~ **a state** accredited school **accredited under IC 20-31-4.1** in Indiana following that student's certification as a teacher, and, if hired, to teach for at least three (3) years; and

(5) meets any other minimum criteria established by the commission.

SECTION 104. IC 21-13-7-1, AS AMENDED BY P.L.148-2016, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. An individual may apply for a stipend under this chapter if the individual:

(1) is a student who is enrolled in a course of study at an eligible institution that would enable the student, upon graduation, to teach in ~~an~~ **a state** accredited school **accredited under IC 20-31-4.1** in Indiana in:

(A) special education; or

(B) a high-need field;

(2) will participate in student teaching as part of the student's degree requirements;

(3) has earned a cumulative grade point average upon entering student teaching that:

(A) is required by an eligible institution for admission to the eligible institution's school of education; or

(B) is at least a 2.0 on a 4.0 grading scale or its equivalent as determined by the eligible institution, if the eligible institution's school of education does not require a certain minimum cumulative grade point average;

(4) agrees, in writing, to apply for a teaching position at an accredited school in Indiana following the student's certification as a teacher, and, if hired, to teach for at least three (3) years; and

(5) meets any other minimum criteria established by the commission.

SECTION 105. IC 21-13-8-1, AS AMENDED BY P.L.159-2016, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) The Earline S. Rogers student teaching stipend for minority students is established.

(b) An individual may apply for a stipend under this chapter if the individual:

(1) is a minority student enrolled in an eligible institution;

(2) will participate in:

(A) student teaching as part of the student's degree requirements; or

(B) a school administration internship as part of the student's graduate degree program;

(3) has earned a cumulative grade point average:

(A) upon entering student teaching that:

(i) is required by an eligible institution for admission to the eligible institution's school of education; or

(ii) is at least a 2.0 on a 4.0 grading scale or its equivalent as determined by the eligible institution, if the eligible institution's school of education does not require a certain minimum cumulative grade point average; or

(B) upon beginning a school administration internship that is at least 3.0 on a 4.0 scale, or its equivalent as determined by the eligible institution;

(4) agrees, in writing, in the case of an individual entering student teaching, to apply for a teaching position at ~~an~~ **a state** accredited school **accredited under IC 20-31-4.1** in Indiana following the student's certification as a teacher, and, if hired, to teach for at least three (3) years; and

(5) meets any other minimum criteria established by the commission.

SECTION 106. IC 21-18-12-1, AS ADDED BY

P.L.111-2013, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) The Indiana e-transcript program is created to allow students at all **state** accredited high schools **accredited under IC 20-31-4.1** located in Indiana to request that the student's school transcripts be transmitted electronically to state educational institutions, participating Indiana not-for-profit or privately endowed institutions, and participating Indiana institutions authorized by the board for proprietary education established by IC 21-18.5-5-1.

(b) The commission shall administer the program.

(c) Beginning July 1, 2013, the department of education established by IC 20-19-3-1, in collaboration with the state educational institutions and the commission, shall develop a common electronic transcript, using common data fields and formats that are required by state educational institutions.

(d) Not later than July 1, 2015, all public secondary schools shall use the common electronic transcript developed by the department of education.

(e) The governing body of ~~an~~ **a state** accredited nonpublic secondary school may elect to use the common electronic transcript developed by the department of education.

SECTION 107. IC 22-4.1-25-1.5, AS ADDED BY P.L.191-2018, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1.5. As used in this chapter, "school" includes a public school, a charter school, ~~an~~ **a state** accredited nonpublic school **(as defined in IC 20-18-2-18.7),** and a nonaccredited nonpublic school.

SECTION 108. IC 34-30-14-7, AS AMENDED BY P.L.146-2011, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. A teacher:

(1) who meets the ~~requirement of IC 20-28-5-3(c);~~ **training or certification requirements prescribed by the state board under IC 20-28-5.5-1(b);** and

(2) who:

(A) performs cardiopulmonary resuscitation on;

(B) performs the Heimlich maneuver on;

(C) removes a foreign body that is obstructing an airway of; or

(D) uses an automated external defibrillator on;

another person, in the course of employment as a teacher; is not liable in a civil action for damages resulting from an act or omission occurring during the provision of emergency assistance under this section, unless the act or omission constitutes gross negligence or willful and wanton misconduct.

SECTION 109. IC 34-31-10-6, AS ADDED BY P.L.220-2013, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. As used in this chapter, "school" means **a:**

(1) ~~a~~ public school (as defined in IC 20-18-2-15); or

(2) ~~an~~ **state** accredited nonpublic school (as defined in ~~IC 20-18-2-12).~~ **IC 20-18-2-18.7).**

SECTION 110. [EFFECTIVE UPON PASSAGE] **(a) Notwithstanding the repeal of IC 20-31-4 by this act, 511 IAC 6.1 shall remain in effect until the earlier of:**

(1) the date that administrative rules are adopted under IC 20-31-4.1-10, as added by this act; or

(2) July 1, 2021.

(b) This SECTION expires December 31, 2021.

SECTION 111. **An emergency is declared for this act.**

(Reference is to EHB 1003 as reprinted March 3, 2020.)

Jordan, Chair	Raatz
V. Smith	Kruse
House Conferees	Senate Conferees

Roll Call 386: yeas 40, nays 9. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1045–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1045 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 1-1-14.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]:

Chapter 14.5. Honor and Remember Flag

Sec. 1. As used in this chapter, "Honor and Remember flag" means the Honor and Remember, Inc., flag.

Sec. 2. The Honor and Remember flag is designated as the symbol of our state's concern and commitment to honor and remember the lives of all members of the United States armed forces who lost their lives while serving or as a result of service in the armed forces of the United States and their families.

Sec. 3. The symbolism of the Honor and Remember flag is as follows:

(1) The red field represents the blood spilled by brave men and women in America's military throughout our history, who willingly gave their lives so that we all would remain free.

(2) The white border beneath and surrounding the gold star recognizes the purity of that sacrifice. There is no greater price an American can pay than to give his or her life in service to our country.

(3) The blue star represents active service in military conflict. This symbol originated in World War I, but on this flag it signifies service through all generations from the American Revolution to present day.

(4) The gold star signifies the ultimate sacrifice as a warrior in active service who will not return home. The gold color reflects the value of the life given.

(5) The folded flag signifies the final tribute to an individual life that a family sacrificed and gave to the nation.

(6) The flame is an eternal reminder of the spirit that has departed this life yet burns on in the memory of all who knew and loved the fallen hero.

Sec. 4. The Honor and Remember flag may be displayed at:

(1) each state office building;

(2) the Indiana state veterans' cemetery established by IC 10-17-11-4; and

(3) each veterans cemetery managed by the Indiana department of veterans' affairs;

and at all levels of government during the entire month of May annually.

Sec. 5. The Honor and Remember flag may be displayed at any of the entities listed in section 4 of this chapter at any time.

SECTION 2. **An emergency is declared for this act.**

(Reference is to EHB 1045 as printed February 28, 2020.)

Abbott, Chair	Glick
Macer	Mrvan
House Conferees	Senate Conferees

Roll Call 387: yeas 49, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1066–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1066 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 20-19-3-20 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 20. The department shall publish the following information on the department's Internet web site:**

(1) The information reported under IC 20-29-3-15(b)(20) in the most recent report prepared under IC 20-29-3-15.

(2) The number of emergency permits granted by each school corporation, categorized by content area, during the school year or collective bargaining period covered by the most recent report prepared under IC 20-29-3-15.

(3) The total number of teaching candidates who:

(A) are currently enrolled in a teacher preparation program; or

(B) have recently completed a teacher preparation program.

(4) The increase or decrease in kindergarten through grade 12 student enrollments.

(5) The total number of teachers in Indiana.

(6) The teacher workforce growth.

(7) The administrator workforce growth.

(8) For each school corporation, the number of vacant teaching positions by:

(A) grade;

(B) subject; and

(C) required credential;

with critical shortage areas, as determined by unfilled vacancies, highlighted for each school corporation.

SECTION 2. IC 20-19-3-22 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 22. (a) As used in this section, "eligible school" has the meaning set forth in IC 20-51-1-4.7.**

(b) The department shall prepare a report that includes the following information from the 2019-2020 school year:

(1) The following information for each school corporation, charter school, and eligible school for the fall semester or its equivalent:

(A) The number of students who:

(i) were included in the fall count of ADM for the school corporation, charter school, or eligible school; and

(ii) were not reported through the student testing number application center as having completed a course at the school corporation, charter school, or eligible school in the fall semester.

(B) To the extent possible, the number of students described in clause (A) who completed a course in the fall semester at another school and the other school did not include the student in that other school's fall count of ADM.

(C) To the extent possible, the number of students described in clause (A) who:

(i) are not students described in clause (B); and

(ii) were not reported as completing a course at the school corporation, charter school, or eligible school in the fall semester for known reasons, including moving out of state, withdrawing from school, or removal by a parent under IC 20-33-2-28 to provide instruction equivalent to that given in the public schools.

(2) The following information for each school corporation, charter school, and eligible school for the spring semester or its equivalent:

(A) The number of students who:

(i) were included in the spring count of ADM for the school corporation, charter school, or eligible school; and

(ii) were not reported through the student testing number application center as having completed a course at the school corporation, charter school, or eligible school in the spring semester.

(B) To the extent possible, the number of students described in clause (A) who completed a course in the spring semester at another school and the other school did not include the student in the school's spring count of ADM.

(C) To the extent possible, the number of students described in clause (A) who:

(i) are not students described in clause (B); and

(ii) were not reported as completing a course at

the school corporation, charter school, or eligible school in the spring semester for known reasons, including moving out of state, completing graduation requirements between the September ADM and February ADM count dates, withdrawing from school, or removal by parents under IC 20-33-2-28 to provide instruction equivalent to that given in the public schools.

(3) The following information:

(A) The number of student testing numbers assigned for each school.

(B) The number of students for each grade who participated in the most recent statewide assessment, divided by the number of students enrolled in the same grade at that particular school who are not exempted from participation in the statewide assessment because of an individualized education plan or other special education plan.

(C) The number of students who initially enroll in a school during the current school year, and the number of students who initially enrolled in the school during the immediately preceding school year.

(D) The number of students enrolled in a school that are twenty (20) years of age or older who initially enrolled in the school after the particular student's cohort graduated.

(c) The department shall, not later than December 1, 2020:

(1) submit the report prepared under subsection (b) to the legislative council in an electronic format under IC 5-14-6;

(2) post the report on the department's Internet web site; and

(3) provide notice of the posting and a link to the report's location on the department's Internet web site to each:

(A) school and the governing body of each school corporation;

(B) charter school and the organizer and authorizer of the charter school; and

(C) eligible school and the person or agency in active charge and management of the eligible school.

(d) This section expires July 1, 2021.

SECTION 3. IC 20-23-4-21.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 21.5. (a) This section applies to a proposed community school corporation reorganization approved by the:**

(1) state board; and

(2) registered voters in the proposed community school corporation in an election held before July 1, 2020.

(b) A teacher who:

(1) is employed in a school corporation subject to this chapter;

(2) loses his or her job in the school corporation because of a reorganization under this chapter; and

(3) has received a rating of effective or highly effective on his or her most recent performance evaluation;

shall receive an employment preference over other candidates for the same vacant teaching position, for a period of not more than one (1) year after the teacher loses his or her job under subdivision (2), at the community school corporation created by a reorganization under this chapter. In order to qualify for a hiring preference for a vacant teaching position under this section, the teacher must meet the licensing or credential requirements necessary for the teacher to teach the particular grade or subject matter for that particular teaching position.

(c) This section expires July 1, 2023.

SECTION 4. IC 20-23-4-21.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 21.6. (a) This section applies to a proposed community school corporation reorganization approved by the:**

(1) state board; and

(2) registered voters in the proposed community school corporation in an election held before July 1, 2020.

(b) A teacher who:

(1) is employed in a school corporation subject to this chapter;

(2) loses his or her job in the school corporation because of a reorganization under this chapter; and

(3) not later than one (1) year after the teacher loses his or her job as described in subdivision (2), is subsequently employed by a community school corporation created by a reorganization under this chapter;

retains the rights and privileges under IC 20-28-6 through IC 20-28-10 that the teacher held at the time the teacher lost his or her job in the original school corporation.

(c) This section expires July 1, 2023.

SECTION 5. IC 20-25-4-20, AS ADDED BY P.L.1-2005, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20. **(a)** The general school laws of Indiana and all laws and parts of laws applicable to the general system of common schools in school cities, so far as not inconsistent with this chapter and other provisions of this article, and unless made inapplicable by this article, are in full force and effect in a school city to which this chapter applies.

(b) Notwithstanding IC 20-25-13, staff performance evaluation plans in a school city shall be developed and implemented as provided in IC 20-28-11.5-4.

SECTION 6. IC 20-25.7-5-5, AS AMENDED BY P.L.130-2018, SECTION 88, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) IC 20-24-5-5 (with the exception of IC 20-24-5-5(f)) does not apply to a participating innovation network charter school that enters into an agreement with the board to reconstitute or establish an eligible school.

(b) Except as provided in subsections (c) and (d), a participating innovation network charter school must enroll any eligible student who submits a timely application for enrollment.

(c) A participating innovation network charter school that reconstitutes or establishes an eligible school may limit new admissions to the participating innovation network charter school to:

(1) ensure that any student with legal settlement in the

attendance area, or in the school corporation if the school does not have a defined attendance area, may attend the charter school;

(2) ensure that a student who attends the participating innovation network charter school during a school year may continue to attend the charter school in subsequent years;

(3) allow the siblings of a student **alumnus or a current student** who attends the participating innovation network charter school to attend the charter school; ~~and~~

(4) allow preschool students who attend a Level 3 or Level 4 Paths to QUALITY program preschool to attend kindergarten at the participating innovation network charter school if the participating innovation network charter school and the school corporation or preschool provider have entered into an agreement to share services or facilities;

(5) allow each student who qualifies for free or reduced price lunch under the national school lunch program to receive preference for admission to the participating innovation network charter school if the preference is specifically provided for in the charter and is approved by the authorizer; and

(6) allow each student who attended a turnaround academy under IC 20-31-9.5 or attends a school that is located in the same school building as the participating innovation network charter school to receive preference for admission to the participating innovation network charter school if the preference is specifically provided for in the participating innovation network charter school's charter and is approved by the authorizer of the participating innovation network charter school.

(d) A participating innovation network charter school with a curriculum that includes study in a foreign country may deny admission to a student if:

(1) the student:

(A) has completed fewer than twenty-two (22) academic credits required for graduation; and

(B) will be in the grade 11 cohort during the school year in which the student seeks to enroll in the participating innovation network charter school; or

(2) the student has been suspended (as defined in IC 20-33-8-7) or expelled (as defined in IC 20-33-8-3) during the twelve (12) months immediately preceding the student's application for enrollment for:

(A) ten (10) or more school days;

(B) a violation under IC 20-33-8-16;

(C) causing physical injury to a student, a school employee, or a visitor to the school; or

(D) a violation of a school corporation's drug or alcohol rules.

For purposes of subdivision (2)(A), student discipline received under IC 20-33-8-25(b)(7) for a violation described in subdivision (2)(B) through (2)(D) must be included in the calculation of the number of school days that a student has been suspended.

(e) A participating innovation network charter school may give enrollment preferences to children of the participating innovation network charter school's founders, governing board members, and participating innovation network charter school employees, as long as the enrollment preference under this subsection is not given to more than ten percent (10%) of the participating innovation charter school's total population and there is sufficient capacity for a program, class, grade level, or building to ensure that any student with legal settlement in the attendance area may attend the school.

(f) This subsection applies to an existing charter school that enters into an innovation network agreement with the board. During the charter school's first year of operation as a participating innovation network charter school, the charter school may limit admission to:

(1) those students who were enrolled in the charter school on the date it entered into the innovation network agreement; and

(2) siblings of students described in subdivision (1).

~~(f)~~ **(g)** This subsection applies if the number of applications for a program, class, grade level, or building exceeds the capacity of the program, class, grade level, or building. If a participating innovation network charter school receives a greater number of applications than there are spaces for students, each timely applicant must be given an equal chance of admission. The participating innovation network charter school that is not in a county containing a consolidated city must determine which of the applicants will be admitted to the participating innovation network charter school or the program, class, grade level, or building by random drawing in a public meeting with each timely applicant limited to one (1) entry in the drawing. However, the participating innovation network charter school located in a county with a consolidated city shall determine which of the applicants will be admitted to the participating innovation network charter school or the program, class, grade level, or building by using a publicly verifiable random selection process.

SECTION 7. IC 20-26-11-6.5, AS AMENDED BY P.L.241-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.5. (a) Notwithstanding this chapter, a school corporation shall accept a transferring student who does not have legal settlement in the school corporation ~~and who has a parent who is a current employee of the transferee school corporation:~~

~~(1) with an annual salary of at least eight thousand dollars ($8,000); and~~

~~(2) who resides in Indiana;~~

~~if the transferee school corporation has the capacity to accept the student.~~ **if:**

(1) the student's parent is a current employee of the transferee school corporation with an annual salary of at least:

(A) eight thousand dollars ($8,000); or

(B) three thousand dollars ($3,000) earned due to being included as an employee in the extracurricular portion of the transferee school corporation's current collective bargaining agreement;

(2) the student's parent currently resides in Indiana; and

(3) the transferee school corporation has the capacity to accept the student.

(b) If the number of students who request to transfer to a transferee school corporation under this section causes the school corporation to exceed the school corporation's maximum student capacity, the governing body shall determine which students will be admitted as transfer students by random drawing in a public meeting. However, the governing body of a school corporation located in a county with a consolidated city shall determine which students will be admitted by using a publicly verifiable random selection process.

(c) Notwithstanding this chapter and IC 20-43, if a school corporation has adopted a policy of not accepting the transfer of any student who does not have legal settlement within the school corporation, the school corporation may not enroll and may not report for purposes of state tuition support a student under this section whose parent does not meet the requirements described in subsection (a).

SECTION 8. IC 20-26-11-31, AS AMENDED BY P.L.251-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 31. (a) This section applies to a school corporation **and to a charter school** that enrolls a student who has legal settlement in another school corporation for the purpose of the student receiving services from an accredited nonpublic alternative high school described in IC 20-19-2-10(e).

(b) A school corporation **or a charter school** is entitled to receive state tuition support for a student described in subsection (a) in an amount equal to:

(1) the amount received by the school corporation **or charter school** in which the student is enrolled for ADM purposes; or

(2) the amount received by the school corporation in which the student has legal settlement;

whichever is greater.

SECTION 9. IC 20-27-9-2, AS AMENDED BY P.L.144-2019, SECTION 13, AND AS AMENDED BY P.L.270-2019, SECTION 20, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. The governing body of a school corporation may allow, by written authorization, the use of a school bus or a special purpose bus for the transportation of adults at least sixty-five (65) years of age or *adults with developmental or physical disabilities.* ~~*disabled adults.*~~

SECTION 10. IC 20-27-9-5, AS AMENDED BY P.L.144-2019, SECTION 14, AND AS AMENDED BY P.L.270-2019, SECTION 21, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) A special purpose bus may be used:

(1) by a school corporation to provide regular transportation of a student between one (1) school and another school but not between the student's residence and the school;

(2) to transport students and their supervisors, including coaches, managers, and sponsors to athletic or other extracurricular school activities and field trips;

(3) by a school corporation to provide transportation between an individual's residence and the school for an individual enrolled in a special program for the habilitation or rehabilitation of persons with a developmental or physical disability, and, if applicable, the individual's sibling;

(4) to transport homeless students under IC 20-27-12; ~~and~~

(5) by a school corporation to provide regular transportation of an individual described in section 4 or 7 of this chapter between the individual's residence and the school; **and**

~~*(5) to transport adults under section 2 of this chapter.*~~

(6) to transport students to career and technical education programs under IC 20-27-12.1.

(b) The mileage limitation of section 3 of this chapter does not apply to special purpose buses.

(c) The operator of a special purpose bus must be at least twenty-one (21) years of age, be authorized by the school corporation, and meet the following requirements:

(1) *Except as provided in subdivision (2)(B) and in addition to the license required under this subdivision,* if the special purpose bus has a capacity of less than sixteen (16) passengers, the operator must hold a valid:

(A) operator's;

(B) chauffeur's;

(C) public passenger chauffeur's; or

(D) commercial driver's;

license.

(2) If the special purpose bus:

(A) has a capacity of more than fifteen (15) passengers; *or*

(B) is used to provide transportation to an individual described in subsection (a)(3) or (a)(5);

the operator must meet the requirements for a school bus driver set out in IC 20-27-8.

(d) A special purpose bus is not required to be constructed, equipped, or painted as specified for school buses under this article or by the rules of the committee.

(e) An owner or operator of a special purpose bus, other than a special purpose bus owned or operated by a school corporation or a nonpublic school, is subject to IC 8-2.1.

SECTION 11. IC 20-27-12.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 12.1. Transportation of Students for Career and Technical Education Training

Sec. 1. As used in this chapter, "appropriate vehicle" has the meaning set forth in IC 20-27-12-0.1.

Sec. 2. As used in this chapter, "career and technical education" has the meaning set forth in IC 20-20-38-1.

Sec. 3. (a) A school corporation may use the following types of vehicles in transporting a student to and from a career and technical education program:

(1) If more than seven (7) students are being transported to or from a career and technical education program, a special purpose bus must be used to transport the students.

(2) If seven (7) or fewer students are being transported to or from a career and technical education program, an appropriate vehicle may be used to transport the students.

(b) The driver of a vehicle used to transport students to or

from career and technical education programs under subsection (a) must meet the qualifications set forth in IC 20-27-9-5(c).

SECTION 12. IC 20-28-8-6, AS AMENDED BY P.L.208-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) A contract entered into by a governing body and its superintendent is subject to the following conditions:

(1) If the superintendent holds a license under IC 20-28-5, the basic contract must be in the form of the regular teacher's contract.

(2) The contract may be altered or rescinded for a new one at any time by mutual consent of the governing body and the superintendent. The consent of both parties must be in writing and must be expressed in a manner consistent with this section and section 7 of this chapter.

(3) If the superintendent holds a license under IC 20-28-5, the rights of a superintendent as a teacher under any other law are not affected by the contract. However, if a right of a superintendent as a teacher under any other law conflicts with the conditions under subsection (b), subsection (b) governs.

(4) For a contract entered into or renewed after June 30, 2017, the conditions set forth under subsection (b).

(b) This subsection applies to contracts entered into or renewed after June 30, 2017. A contract entered into by a governing body and its superintendent is subject to the following conditions:

(1) The contract must be for a term of at least one (1) year and not more than three (3) years. However, a contract may be extended for not more than an additional five (5) years beyond the term of the original contract.

(2) If the contract contains a provision that establishes an amount the governing body must pay to the superintendent to buy out the contract, the amount may not be more than an amount equal to the lesser of:

(A) the superintendent's salary for any one (1) year under the contract; or

(B) two hundred fifty thousand dollars ($250,000).

A superintendent's salary under clause (A) does not include benefits or any other forms of compensation that the superintendent receives as payment under the contract other than the superintendent's salary.

(c) This subsection applies to a governing body in which at least one (1) member is elected. After June 30, 2021, a governing body may not enter into a contract with a superintendent under this section on or after the date of the election for one (1) or more members of the governing body until January 1 of the year immediately following the year of the election. However, this subsection does not apply if the membership of the governing body does not change as a result of the particular election.

SECTION 13. IC 20-29-3-15, AS ADDED BY P.L.161-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. (a) The board shall prepare an annual report covering the previous school year or collective bargaining period that includes at least the information described in subsection (b). Before November 15 each year, the board shall:

(1) submit the report to the budget committee, department of education, state board, and legislative council in an electronic format under IC 5-14-6; and

(2) publish the report on the state's interactive and searchable Internet web site containing local government information (the Indiana gateway for governmental units).

(b) The report must cover at least the following information:

(1) The total number of full-time public school teachers and the number of nonteaching full-time district level administrators.

(2) The average tenure of all full-time public school teachers.

(3) The number of first-year, full-time teachers hired during the previous calendar year.

(4) The number of full-time teachers who retired during the interval between the immediately preceding collective bargaining period and the previous calendar year's collective bargaining period.

(5) The overall average salary of nonteaching full-time district level administrators.

(6) The overall average salary of full-time public school teachers.

(7) The statewide average total compensation of full-time public school teachers, the statewide average daily teacher salary rate, and the statewide average annual teacher contract days.

(8) The statewide average total compensation of full-time public school administrators, the statewide average daily nonteaching, full-time, district level administrator salary rate, and the statewide average annual administrator contract days.

(9) The average salary and total compensation of full-time public school teachers for each school corporation.

(10) The average salary and total compensation of nonteaching, full-time district level administrators, including separately the superintendent, for each school corporation.

(11) The minimum full-time public school teacher salary.

(12) The maximum full-time public school teacher salary.

(13) The minimum nonteaching full-time district level administrative salary.

(14) The maximum nonteaching full-time district level administrative salary.

(15) The number of full-time public school teachers earning a salary under the statewide average.

(16) The number of full-time public school teachers earning a salary in excess of the statewide average.

(17) For each school corporation, the average salary paid to full-time public school teachers in each of the following tenure benchmarks:

(A) First year.

(B) Fifth year.

(C) Tenth year.

(D) Fifteenth year.

(E) Twentieth year.

(F) Twenty-fifth year.

(G) Thirty (30) or more years of service.

(18) For each school corporation, the nominal dollar figures for subdivisions (5), (6), (11), (12), (13), (14), and (17) in nationally recognized, open-source, state-specific cost of living index-adjusted dollars to compare to the figures described in subdivision (19).

(19) Comparative data on overall full-time public school teacher salary averages and by each of the tenure benchmarks listed in subdivision (17) in both nominal dollars and nationally recognized, open-source, state-specific cost of living index-adjusted dollars for each of the following states:

(A) Illinois.

(B) Kentucky.

(C) Michigan.

(D) Ohio.

(E) Wisconsin.

(20) The total number of full-time teachers retained from the previous year.

(21) The total number of newly hired teachers with previous work experience in teaching.

(22) The total number of teaching candidates who:

(A) are currently enrolled in a teacher preparation program; or

(B) have recently completed a teacher preparation program.

(23) The increase or decrease in kindergarten through grade 12 student enrollments.

(24) The total number of teachers in Indiana.

(25) The teacher workforce growth.

(26) The administrator workforce growth.

(27) For each school corporation, the number of vacant teaching positions by:

(A) grade;

(B) subject; and

(C) required credential;

with critical shortage areas, as determined by unfilled vacancies, highlighted for each school corporation.

As used in this subsection, total compensation includes the monetary value of salary, wages, bonuses, stipends, supplemental payments, commissions, employment benefits, and any other form of remuneration paid for personal services.

(c) The board may require schools to submit any school corporation specific information needed to complete the report. Parties to a collective bargaining agreement shall comply with the board's requests for information necessary to complete the report.

SECTION 14. IC 20-30-3-5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5. (a) Subject to subsection (b), each school corporation and charter school may place a durable poster or framed picture representing:**

(1) the national motto of the United States, "In God We Trust"; and

(2) an accurate representation of the:

(A) United States flag; and

(B) Indiana state flag;

which may be positioned under the national motto described in subdivision (1);

in each school library and classroom within the school corporation or charter school.

(b) The durable poster or framed picture described in subsection (a) may be at least eleven (11) inches in height by seventeen (17) inches in width. The dimensions of the national motto described in subsection (a)(1) may be at least four (4) inches in height by fifteen (15) inches in width and include print large enough to fill the dimensions established by this subdivision.

(c) If a school corporation or charter school places a poster or framed picture under subsection (a), the representation of the United States flag and the Indiana state flag as described in subsection (a)(2) must comply with any applicable federal or state laws concerning the design, dimensions, or presentation of the respective flags.

SECTION 15. IC 20-30-6.1-3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3. A school corporation, charter school, or nonpublic school with at least one (1) employee may provide a presentation or instruction to students explaining aspects of autism, including behaviors that students with autism may exhibit as well as student interaction with students with autism.**

SECTION 16. IC 20-32-5.1-17, AS AMENDED BY P.L.269-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. (a) The state board shall approve two (2) or more benchmark, formative, interim, or similar assessments to identify students that require remediation and provide individualized instruction in which a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may receive a grant under subsection (c). The benchmark, formative, interim, or similar assessments must show alignment, verified by a third party, to Indiana's academic standards. **The majority of the assessment reporting must indicate the degree to which students are on track for grade level proficiency and college and career readiness.** Approved assessments must also provide predictive study results for student performance on the statewide assessment under section 7 of this chapter, not later than two (2) years after the summative assessment has been first administered.

(b) A school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may elect to administer a benchmark, formative, interim, or similar assessment described in subsection (a). If a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) administers an assessment described in subsection (a), the school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) may prescribe the time and the manner in which the assessment is administered.

(c) If a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) elects to administer a benchmark, formative, interim, or similar assessment described in subsection (a), the school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) is entitled to receive a grant or reimbursement from the department

in an amount not to exceed the cost of the assessment. The department shall provide grants and reimbursements to a school corporation, charter school, state accredited nonpublic school, or eligible school (as defined in IC 20-51-1-4.7) under this section from money appropriated to the department for the purpose of carrying out this section.

(d) The state board and the department may not contract with, approve, or endorse the use of a single vendor to provide benchmark, formative, interim, or similar assessments for any grade level or levels of kindergarten through grade 7.

SECTION 17. IC 20-33-2-10, AS AMENDED BY P.L.144-2012, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) Each public school shall and each private school may require a student who initially enrolls in the school to provide:

(1) the name and address of the school the student last attended; and

(2) a certified copy of the student's birth certificate or other reliable proof of the student's date of birth.

(b) Each public school, charter school, and nonpublic school with at least one (1) employee shall provide upon request of another school a copy of a particular student's disciplinary records that are relevant to the safety of students, if the particular student currently attends the requesting school and is currently enrolled in the requesting school.

~~(b)~~ **(c)** Not more than fourteen (14) days after initial enrollment in a school, the school shall request the student's records from the school the student last attended.

~~(c)~~ **(d)** If the document described in subsection (a)(2):

(1) is not provided to the school not more than thirty (30) days after the student's enrollment; or

(2) appears to be inaccurate or fraudulent;

the school shall notify the Indiana clearinghouse for information on missing children and missing endangered adults established under IC 10-13-5-5 and determine if the student has been reported missing.

~~(d)~~ **(e)** A school in Indiana receiving a request for records shall send the records promptly to the requesting school. However, if a request is received for records to which a notice has been attached under IC 31-36-1-5 (or IC 31-6-13-6 before its repeal), the school:

(1) shall immediately notify the Indiana clearinghouse for information on missing children and missing endangered adults;

(2) may not send the school records without the authorization of the clearinghouse; and

(3) may not inform the requesting school that a notice under IC 31-36-1-5 (or IC 31-6-13-6 before its repeal) has been attached to the records.

~~(e)~~ **(f)** Notwithstanding subsection ~~(d),~~ **(e),** if a parent of a child who has enrolled in an accredited nonpublic school is in breach of a contract that conditions release of student records on the payment of outstanding tuition and other fees, the accredited nonpublic school shall provide a requesting school sufficient verbal information to permit the requesting school to make an appropriate placement decision regarding the child. **However, the accredited nonpublic school must provide the information described in subsection (b) to the requesting school.**

SECTION 18. IC 20-33-8-18, AS AMENDED BY P.L.94-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) A principal may suspend a student for not more than ten (10) school days under section 14, 15, or 16 of this chapter. However, the student may be suspended for more than ten (10) school days under section 23 of this chapter.

(b) A principal may not suspend a student before the principal affords the student an opportunity for a meeting during which the student is entitled to the following:

(1) A written or an oral statement of the charges against the student.

(2) If the student denies the charges, a summary of the evidence against the student.

(3) An opportunity for the student to explain the student's conduct.

(c) When misconduct requires immediate removal of a student, the meeting under subsection (b) must begin as soon as reasonably possible after the student's suspension.

(d) Following a suspension, the principal shall send a written statement to the parent of the suspended student describing the following:

(1) The student's misconduct.

(2) The action taken by the principal.

(e) If a student is suspended, the student is required to complete all assignments and school work assigned during the period of the student's suspension. The principal or the principal's designee shall ensure that the student receives:

(1) notice of any assignments or school work due; ~~and~~

(2) teacher contact information in the event the student has questions regarding the assignments or school work; **and**

(3) credit, in the same manner that a student who is not suspended would receive, for any assignments or school work assigned during the period of the student's suspension that the student completes.

A student may be allowed to make up missed tests or quizzes when the student returns to school.

SECTION 19. IC 20-43-4-6, AS AMENDED BY P.L.169-2016, SECTION 18, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) In determining ADM, each pupil enrolled in a public school, including a charter school, and a nonpublic school is to be counted on a full-time equivalency basis if the pupil:

(1) is enrolled in a public school and a nonpublic school;

(2) has legal settlement in a school corporation; and

(3) receives instructional services from ~~the~~ **a** school corporation.

(b) For purposes of this section, full-time equivalency is calculated as follows:

STEP ONE: Determine the result of:

(A) the number of days instructional services will be provided to the pupil, not to exceed one hundred eighty (180); divided by

(B) one hundred eighty (180).

STEP TWO: Determine the result of:

(A) the pupil's public school instructional time (as

defined in IC 20-30-2-1); divided by
(B) the actual public school regular instructional day (as defined in IC 20-30-2-2).
STEP THREE: Determine the result of:
(A) the STEP ONE result; multiplied by
(B) the STEP TWO result.
STEP FOUR: Determine the lesser of one (1) or the result of:
(A) the STEP THREE result; multiplied by
(B) one and five hundredths (1.05).

However, the state board may, by rules adopted under IC 4-22-2, specify an equivalent formula if the state board determines that the equivalent formula would more accurately reflect the instructional services provided by a school corporation during a period that a particular ADM count is in effect for the school corporation.

SECTION 20. IC 35-31.5-2-144, AS AMENDED BY P.L.170-2014, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 144. (a) "Governmental entity" means:
(1) the United States or any state, county, township, city, town, separate municipal corporation, special taxing district, or public school corporation;
(2) any authority, board, bureau, commission, committee, department, division, hospital, military body, or other instrumentality of any of those entities; or
(3) a state assisted college or state assisted university.

(b) For purposes of IC 35-33-5, "governmental entity" also includes a person authorized to act on behalf of a state or local agency.

(c) For purposes of IC 35-44.1, "governmental entity" also includes a charter school (as defined in IC 20-24-1-4) and an organizer (as defined in IC 20-24-1-7).

SECTION 21. [EFFECTIVE UPON PASSAGE] **(a) The provisions of SEA 2-2020 apply to an adult high school (as defined under IC 20-24-1-2.3).**

(c) This SECTION expires July 1, 2023.

SECTION 22. [EFFECTIVE JULY 1, 2020] **(a) The following definitions apply throughout this SECTION:**
(1) "Utility career cluster" means a list:
(A) compiled for purposes of college and career pathways relating to career and technical education under IC 20-32-4-1.5(g); and
(B) setting forth industries or occupational fields that:
(i) are related to the provision of utility services; and
(ii) share similar knowledge and skill training requirements.
(2) "Utility services" includes:
(A) production, transmission, or distribution of electricity;
(B) acquisition, transportation, distribution, or storage of natural gas;
(C) provision of communications service (as defined in IC 8-1-32.5-3);
(D) treatment, storage, or distribution of water; and
(E) collection or treatment of wastewater.

(b) The general assembly finds the following:
(1) Careers in utility services provide rewarding, highly stable employment in jobs that offer high wages and benefits.
(2) The number of individuals entering the utility services workforce is insufficient to keep pace with industry demand.
(3) Current Indiana college and career pathways relating to career and technical education are not presently aligned to guide students toward and into careers in utility services and meet utility services industry demand.

(c) The general assembly:
(1) urges the state board of education to approve a utility career cluster for purposes of developing sequences of courses leading to student concentrators in industries or occupational fields related to the provision of utility services under IC 20-32-4-1.5(g);
(2) urges the governor's workforce cabinet, in consultation with the state board of education, the department of education, and the department of workforce development:
(A) to create one (1) or more course sequences:
(i) each of which is comprised of courses approved by the state board of education for purposes of college and career pathways relating to career and technical education under IC 20-32-4-1.5(g); and
(ii) each of which provides students with knowledge and skills necessary for employment in an industry or occupational field in the utility career cluster; and
(B) in creating course sequences under clause (A):
(i) to consider the impact of course sequences on the long term outcomes of students; and
(ii) to prioritize course sequences that lead to high wage, high demand jobs; and
(3) urges the governor's workforce cabinet to:
(A) collect data regarding career clusters approved under subdivision (1) and course sequences created under subdivision (2) to inform decision making around approving, creating, and amending current and future career clusters and course sequence requirements; and
(B) report to the general assembly regarding data collected under clause (A).

(d) This SECTION expires July 1, 2021.

SECTION 23. **An emergency is declared for this act.**

(Reference is to EHB 1066 as reprinted March 3, 2020.)

Thompson, Chair	Raatz
V. Smith	Stoops
House Conferees	Senate Conferees

Roll Call 388: yeas 49, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT
EHB 1113–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed

Senate Amendments to Engrossed House Bill 1113 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 5-1-18-6, AS AMENDED BY P.L.137-2012, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. A political subdivision that issues bonds or enters into a lease after December 31, 2005, shall supply the department with a debt issuance report not later than:

(1) one (1) month after the date on which the bonds are issued or the lease is executed, **if the bonds are issued or the lease is executed before October 1; or**

(2) five (5) business days after the date on which the bonds are issued or the lease is executed, if the bonds are issued or the lease is executed after September 30.

SECTION 2. IC 5-1.2-4.5-2, AS ADDED BY P.L.108-2019, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE MAY 1, 2020]: Sec. 2. (a) This section applies to:

(1) a public-private agreement to which the authority is a party under IC 8-15.5 and that is originally entered into after May 1, 2019; **and**

(2) any other agreement to which the authority or the state is a party under any provision of the Indiana Code, other than IC 8-15.5, that would increase revenue as the result of the sale or lease of a state asset, or a grant of a license to operate a state asset, and that is entered into after May 1, 2020.

(b) If:

(1) an extension or an amendment to a public-private agreement **described in subsection (a)(1)** would increase the amount to be:

~~(1)~~ **(A)** paid by the authority to the operator, another private entity, or a governmental entity by at least one hundred million dollars ($100,000,000); or

~~(2)~~ **(B)** received by the operator or a party related to the operator by at least one hundred million dollars ($100,000,000); **or**

(2) an agreement described in subsection (a)(2) would increase revenue by at least one hundred million dollars ($100,000,000) as the result of the sale or lease of a state asset, or a grant of a license to operate a state asset;

the authority **or the state** shall submit the proposed extension or amendment to the public-private agreement **described in subdivision (1) or the proposed agreement described in subdivision (2)** to the budget committee established by IC 4-12-1-3 for its review.

(c) The budget committee may request that the authority, ~~or~~ the department of transportation, or both, **or the state, as applicable,** appear at a public meeting of the budget committee concerning the proposed extension or amendment to the public-private agreement **described in subsection (a)(1) or the proposed agreement described in subsection (a)(2).** The authority **or the state** may not enter into any extension or amendment to the public-private agreement **described in subsection (a)(1) or the proposed agreement described in subsection (a)(2)** until after the budget committee has reviewed the proposed extension or amendment **to the public-private agreement described in subsection (a)(1) or the proposed agreement described in subsection (a)(2).**

SECTION 3. IC 6-1.1-2-8, AS ADDED BY P.L.220-2011, SECTION 117, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) IC 6-1.1-1-3, as amended by P.L.6-1997, and all changes in tax rates, deductions, and limits on indebtedness made by P.L.6-1997 apply only to budget years and property taxes first due and payable after December 31, 2001.

(b) For the purpose of computing:

(1) the ~~assessed value~~ **maximum levy** growth quotient under IC 6-1.1-18.5-2; and

(2) any other value that requires the use of an assessed value from a date before March 1, 2001;

for a budgetary appropriation, state distribution, or property tax levy first due and payable after December 31, 2001, the assessed value from a date before March 1, 2001, must first be increased from thirty-three and thirty-three hundredths percent (33.33%) of true tax value to one hundred percent (100%) of true tax value before the computation is made.

(c) For the purpose of computing:

(1) a tax rate under IC 6-1.1-19-1.5 (before its repeal); and

(2) any other value that requires the use of a tax rate from a date before March 1, 2001;

for a budgetary appropriation, state distribution, or property tax levy first due and payable after December 31, 2001, a tax rate from a date before January 1, 2002, must first be reduced by dividing the tax rate by three (3) before the computation is made.

(d) The ~~state board~~ **department** of ~~tax commissioners~~ **local government finance** shall adjust the tax rates of all taxing units to eliminate the effects of changing assessed values from thirty-three and thirty-three hundredths percent (33.33%) of true tax value to one hundred percent (100%) of true tax value.

(e) If a maximum property tax rate that was enacted before 1997 is not amended by P.L.6-1997, the ~~state board~~ **department** of ~~tax commissioners~~ **local government finance** shall adjust the maximum tax rate to eliminate the effects of changing assessed values from thirty-three and thirty-three hundredths percent (33.33%) of true tax value to one hundred percent (100%) of true tax value.

(f) The state board of tax commissioners shall prepare the initial schedule of adjusted assessed values for all political subdivisions under IC 36-1-15, as added by P.L.6-1997, not later than July 1, 2001.

(g) It is the intent of the general assembly that all adjustments necessary to implement IC 6-1.1-1-3, as amended by P.L.6-1997, be made without raising the revenues available to governmental units more than would have occurred if P.L.6-1997 were not enacted. The ~~state board~~ **department** of ~~tax commissioners~~ **local government finance** shall provide fiscal officers in the taxing units, assessing officials, and members of the board of tax

adjustment with instructions on how to implement this section.

(h) If a statute that imposes an assessed value limitation on the aggregate amount of bonds that a political subdivision may issue that was enacted before 1997 is not amended by P.L.6-1997, the ~~state board~~ **department** of ~~tax commissioners~~ **local government finance** shall adjust the assessed value limitation to eliminate the effects of changing assessed values from thirty-three and thirty-three hundredths percent (33.33%) of true tax value to one hundred percent (100%) of true tax value.

(i) The ~~state board~~ **department** of ~~tax commissioners~~ **local government finance** shall, if necessary to protect owners of bonds payable in whole or in part from tax increment, adjust the base assessed value to neutralize the effect of changing assessed values under P.L.6-1997 from thirty-three and thirty-three hundredths percent (33.33%) of true tax value to one hundred percent (100%) of true tax value under the following statutes:

(1) IC 6-1.1-39.
(2) IC 8-22-3.5.
(3) IC 36-7-14.
(4) IC 36-7-14.5.
(5) IC 36-7-15.1.
(6) IC 36-7-30.

SECTION 4. IC 6-1.1-3-22, AS AMENDED BY P.L.245-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 22. (a) Except to the extent that it conflicts with a statute and subject to subsection (f), 50 IAC 4.2 (as in effect January 1, 2001), which was formerly incorporated by reference into this section, is reinstated as a rule.

(b) Tangible personal property within the scope of 50 IAC 4.2 (as in effect January 1, 2001) shall be assessed on the assessment dates in calendar years 2003 and thereafter in conformity with 50 IAC 4.2 (as in effect January 1, 2001).

(c) The publisher of the Indiana Administrative Code shall publish 50 IAC 4.2 (as in effect January 1, 2001) in the Indiana Administrative Code.

(d) 50 IAC 4.3 and any other rule to the extent that it conflicts with this section is void.

(e) A reference in 50 IAC 4.2 to a governmental entity that has been terminated or a statute that has been repealed or amended shall be treated as a reference to its successor.

(f) The department of local government finance may not amend or repeal the following (all as in effect January 1, 2001):

(1) 50 IAC 4.2-4-3(f).
(2) 50 IAC 4.2-4-7.
(3) 50 IAC 4.2-4-9.
(4) 50 IAC 4.2-5-7.
(5) 50 IAC 4.2-5-13.
(6) 50 IAC 4.2-6-1.
(7) 50 IAC 4.2-6-2.
(8) 50 IAC 4.2-8-9.

However, the department of local government finance may amend these rules to conform with statutory changes.

(g) Notwithstanding any other provision of this section, 50 IAC 4.2-4-6(c) is void effective July 1, 2015. The publisher of the Indiana Administrative Code and the Indiana Register shall remove this provision from the Indiana Administrative Code.

SECTION 5. IC 6-1.1-4-19.5, AS AMENDED BY P.L.257-2019, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 19.5. (a) The department of local government finance shall develop a standard contract or standard provisions for contracts to be used in securing professional appraising services.

(b) The standard contract or contract provisions must contain:

(1) a fixed date by which the professional appraiser or appraisal firm shall have completed all responsibilities under the contract;
(2) a penalty clause under which the amount to be paid for appraisal services is decreased for failure to complete specified services within the specified time;
(3) a provision requiring the appraiser, or appraisal firm, to make periodic reports to the county assessor;
(4) a provision stipulating the manner in which, and the time intervals at which, the periodic reports referred to in subdivision (3) of this subsection are to be made;
(5) a precise stipulation of what service or services are to be provided and what class or classes of property are to be appraised;
(6) a provision stipulating that the contractor will generate complete parcel characteristics and parcel assessment data in a manner and format acceptable to the legislative services agency and the department of local government finance;
(7) a provision stipulating that the ~~legislative services agency and the~~ department of local government finance ~~have~~ **has** unrestricted access to the contractor's work product under the contract; and
(8) a provision stating that the contract is void and unenforceable if the appraiser is not certified by the department of local government finance on the date that the contract is executed or the department of local government finance subsequently revokes the professional appraiser's certification under IC 6-1.1-31.7-4 after the contract is executed.

The department of local government finance may devise other necessary provisions for the contracts in order to give effect to this chapter.

(c) In order to comply with the duties assigned to it by this section, the department of local government finance may develop:

(1) one (1) or more model contracts;
(2) one (1) contract with alternate provisions; or
(3) any combination of subdivisions (1) and (2).

The department may approve special contract language in order to meet any unusual situations.

SECTION 6. IC 6-1.1-4-25, AS AMENDED BY P.L.273-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 25. (a) Each township assessor and each county assessor shall keep the assessor's reassessment data and records current by securing the necessary field data and by making changes in the assessed value of real property as changes occur in the use of the real property. The township or county assessor's records shall at all times show the assessed value of real property in accordance with this

chapter. The township assessor shall ensure that the county assessor has full access to the assessment records maintained by the township assessor.

(b) The county assessor shall:

(1) maintain an electronic data file of:

(A) the parcel characteristics and parcel assessments of all parcels; and

(B) the personal property return characteristics and assessments by return;

for each township in the county as of each assessment date;

(2) maintain the electronic file in a form that formats the information in the file with the standard data, field, and record coding required and approved by:

(A) the legislative services agency; and

(B) the department of local government finance; and

(3) before September 1 of each year, transmit the data in the file with respect to the assessment date of that year to

~~(A) the legislative services agency; and~~

~~(B)~~ the department of local government finance.

(c) The appropriate county officer, as designated by the county executive, shall:

(1) maintain an electronic data file of the geographic information system characteristics of each parcel for each township in the county as of each assessment date;

(2) maintain the electronic file in a form that formats the information in the file with the standard data, field, and record coding required and approved by the office of technology; and

(3) before September 1 of each year, transmit the data in the file with respect to the assessment date of that year to the geographic information office of the office of technology.

(d) An assessor under subsection (b) and an appropriate county officer under subsection (c) shall do the following:

(1) Transmit the data in a manner that meets the data export and transmission requirements in a standard format, as prescribed by the office of technology established by IC 4-13.1-2-1 and approved by the legislative services agency.

(2) Resubmit the data in the form and manner required under subsection (b) or (c) upon request of the legislative services agency, the department of local government finance, or the geographic information office of the office of technology, as applicable, if data previously submitted under subsection (b) or (c) does not comply with the requirements of subsection (b) or (c), as determined by the legislative services agency, the department of local government finance, or the geographic information office of the office of technology, as applicable.

An electronic data file maintained for a particular assessment date may not be overwritten with data for a subsequent assessment date until a copy of an electronic data file that preserves the data for the particular assessment date is archived in the manner prescribed by the office of technology established by IC 4-13.1-2-1 and approved by the legislative services agency.

SECTION 7. IC 6-1.1-4-42, AS ADDED BY P.L.182-2009(ss), SECTION 89, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 42. (a) This section applies to assessment dates after January 15, 2010.

(b) ~~As used in~~ **The following definitions apply throughout** this section:

(1) "Golf course" means an area of land ~~and yard improvements that are~~ predominately used to play the game of golf **and associated yard improvements.** A golf course consists of a series of holes, each consisting of a teeing area, fairway, rough and other hazards, and the green with the pin and cup.

(2) "Yard improvements" include a clubhouse, irrigation systems, a pro shop, a maintenance building, a driving range, a structure for food and beverage services, or other buildings associated with the operation of and included in the net operating income of a golf course.

(c) The true tax value of real property regularly used as a golf course is the valuation determined by applying the income capitalization appraisal approach. The income capitalization approach used to determine the true tax value of a golf course must:

(1) incorporate an applicable income capitalization method and appropriate capitalization rates that are developed and used in computations that lead to an indication of value commensurate with the risks for the subject property use;

(2) provide for the uniform and equal assessment of golf courses; ~~of similar grade quality and play length;~~ and

(3) exclude the value of personal property, intangible property, and income derived from personal or intangible property.

(d) For assessment dates after January 15, 2010, and before March 1, 2012, a township assessor (if any) or the county assessor shall gather and process information from the owner of a golf course to carry out this section in accordance with the rules adopted by the department of local government finance under IC 4-22-2.

(e) For assessment dates after February 28, 2012, the department of local government finance shall, by rules adopted under IC 4-22-2, establish uniform income capitalization ~~tables and~~ **rates annually and** procedures to be used for the assessment of golf courses. The department of local government finance may rely on ~~analysis conducted by a state educational institution to develop the income capitalization tables and procedures required under this section.~~ **recognized sources of industry capitalization rates.** Assessing officials shall use the ~~tables and~~ procedures adopted by the department of local government finance to assess, reassess, and annually adjust the assessed value of golf courses.

(f) The department of local government finance may prescribe procedures, forms, and due dates for the collection from the owners or operators of golf courses of the necessary earnings, income, profits, losses, and expenditures data necessary to carry out this section. An owner or operator of a golf course shall comply with the procedures and reporting schedules prescribed by the department of local government finance.

(g) On or before December 31 of each year, assessing officials shall solicit, and the owners or operators of a golf course shall provide to the assessing officials, data for the gross income and allowable operating expenses for the three (3) years immediately preceding the year in which the solicitation and submission of data is being made. Assessing officials may use federal tax returns or other similar evidence as verification that the submissions are correct.

(h) For each assessment date, assessing officials shall examine and evaluate the three (3) consecutive years of financial records and federal tax returns that are submitted under subsection (g) in the year immediately preceding the year of the assessment date to obtain the average net operating income. The three (3) year average should include the most current completed financial records and filed federal tax returns of the golf course as of the assessment date to ensure that the appropriate income and expense information for the subject property is used.

(i) All income and expense information provided to the assessing official under this section is confidential under IC 6-1.1-35-9.

SECTION 8. IC 6-1.1-5.5-3, AS AMENDED BY P.L.111-2014, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) For purposes of this section, "party" includes:

(1) a seller of property that is exempt under the seller's ownership; or

(2) a purchaser of property that is exempt under the purchaser's ownership;

from property taxes under IC 6-1.1-10.

(b) Subject to subsections (g) and (h), before filing a conveyance document with the county auditor under IC 6-1.1-5-4, all the parties to the conveyance must do the following:

(1) Complete and sign a sales disclosure form as prescribed by the department of local government finance under section 5 of this chapter. All the parties may sign one (1) form, or if all the parties do not agree on the information to be included on the completed form, each party may sign and file a separate form. For conveyance transactions involving more than two (2) parties, one (1) transferor and one (1) transferee signing the sales disclosure form is sufficient.

(2) Before filing a sales disclosure form with the county auditor, submit the sales disclosure form to the county assessor. The county assessor must review the accuracy and completeness of each sales disclosure form submitted immediately upon receipt of the form and, if the form is accurate and complete, stamp or otherwise approve the form as eligible for filing with the county auditor and return the form to the appropriate party for filing with the county auditor. If multiple forms are filed in a short period, the county assessor shall process the forms as quickly as possible. For purposes of this subdivision, a sales disclosure form is considered to be accurate and complete if:

(A) the county assessor does not have substantial evidence when the form is reviewed under this subdivision that information in the form is inaccurate; and

(B) both of the following conditions are satisfied:

(i) The form contains the information required by section 5(a)(1) through 5(a)(16) of this chapter as that section applies to the conveyance transaction, subject to the obligation of a party to furnish or correct that information in the manner required by and subject to the penalty provisions of section 12 of this chapter. The form may not be rejected for failure to contain information other than that required by section 5(a)(1) through 5(a)(16) of this chapter.

(ii) The form is submitted to the county assessor in a format usable to the county assessor.

(3) File the sales disclosure form with the county auditor.

(c) The auditor shall review each sales disclosure form and process any deduction for which the form serves as an application under IC 6-1.1-12-44. The auditor shall forward each sales disclosure form to the county assessor. The county assessor shall verify the assessed valuation of the property for the assessment date to which the application applies and transmit that assessed valuation to the auditor. The county assessor shall retain the forms for five (5) years. The county assessor shall forward the sales disclosure form data to the department of local government finance ~~and the legislative services agency~~ in an electronic format specified ~~jointly~~ by the department of local government finance ~~and the legislative services agency~~ on or before April 1 in a year ending before January 1, 2016, and on or before February 1 in a year beginning after December 31, 2015. The county assessor shall forward a copy of the sales disclosure forms to the township assessors in the county. **The department of local government finance shall make sales disclosure form data received from a county assessor available to the legislative services agency.** The forms may be used by the county assessing officials, the department of local government finance, and the legislative services agency for the purposes established in IC 6-1.1-4-13.6, sales ratio studies, equalization, adoption of rules under IC 6-1.1-31-3 and IC 6-1.1-31-6, and any other authorized purpose.

(d) In a county containing a consolidated city, the auditor shall review each sales disclosure form and process any deduction for which the form serves as an application under IC 6-1.1-12-44. The auditor shall forward the sales disclosure form to the appropriate township assessor (if any). The township assessor shall verify the assessed valuation of the property for the assessment date to which the application applies and transmit that assessed valuation to the auditor. The township or county assessor shall forward the sales disclosure form to the department of local government finance ~~and the legislative services agency~~ in an electronic format specified ~~jointly~~ by the department of local government finance. ~~and the legislative services agency.~~ **The department of local government finance shall make sales disclosure form data received from a township or county assessor available to the legislative services agency.** The forms may be used by the county assessing officials, the county auditor, the department of local government finance, and the legislative services agency for the purposes established in IC 6-1.1-4-13.6, sales ratio studies, equalization, adoption of rules under

IC 6-1.1-31-3 and IC 6-1.1-31-6, and any other authorized purpose.

(e) If a sales disclosure form includes the telephone number or Social Security number of a party, the telephone number or Social Security number is confidential.

(f) County assessing officials, county auditors, and other local officials may not establish procedures or requirements concerning sales disclosure forms that substantially differ from the procedures and requirements of this chapter.

(g) Except as provided in subsection (h), a separate sales disclosure form is required for each parcel conveyed, regardless of whether more than one (1) parcel is conveyed under a single conveyance document.

(h) Only one (1) sales disclosure form is required for the conveyance under a single conveyance document of two (2) or more contiguous parcels located entirely within a single taxing district.

SECTION 9. IC 6-1.1-5.5-5, AS AMENDED BY P.L.87-2009, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The department of local government finance shall prescribe a sales disclosure form for use under this chapter. The form prescribed by the department of local government finance must include at least the following information:

(1) The key number (as defined in IC 6-1.1-1-8.5) of each parcel.

(2) With respect to each parcel, whether the entire parcel is being conveyed.

(3) The address of each improved parcel.

(4) The date of the execution of the form.

(5) The date the property was transferred.

(6) Whether the transfer includes an interest in land or improvements, or both.

(7) Whether the transfer includes personal property.

(8) An estimate of the value of any personal property included in the transfer.

(9) The name, address, and telephone number of:

(A) each transferor and transferee; and

(B) the person that prepared the form.

(10) The mailing address to which the property tax bills or other official correspondence should be sent.

(11) The ownership interest transferred.

(12) The classification of the property (as residential, commercial, industrial, agricultural, vacant land, or other).

(13) Subject to subsection (c), the total price actually paid or required to be paid in exchange for the conveyance, whether in terms of money, property, a service, an agreement, or other consideration, but excluding tax payments and payments for legal and other services that are incidental to the conveyance.

(14) The terms of seller provided financing. ~~such as interest rate, points, type of loan, amount of loan, and amortization period, and whether the borrower is personally liable for repayment of the loan.~~

(15) Any family or business relationship existing between the transferor and the transferee.

(16) A legal description of each parcel subject to the conveyance.

(17) Whether the transferee is using the form to claim one (1) or more deductions under IC 6-1.1-12-44 for property taxes first due and payable in a calendar year after 2008.

(18) If the transferee uses the form to claim the standard deduction under IC 6-1.1-12-37, the information required for a standard deduction under IC 6-1.1-12-37.

(19) Sufficient instructions and information to permit a party to terminate a standard deduction under IC 6-1.1-12-37 on any parcel of property on which the party or the spouse of the party will no longer be eligible for the standard deduction under IC 6-1.1-12-37 after the party or the party's spouse begins to reside at the property that is the subject of the sales disclosure form, including an explanation of the tax consequences and applicable penalties if a party unlawfully claims a standard deduction under IC 6-1.1-12-37.

(20) Other information as required by the department of local government finance to carry out this chapter.

If a form under this section includes the telephone number or part or all of the Social Security number of a party, the telephone number or the Social Security number is confidential.

(b) The instructions for completing the form described in subsection (a) must include the information described in IC 6-1.1-12-43(c)(1).

(c) If the conveyance includes more than one (1) parcel as described in section 3(h) of this chapter, the form:

(1) is not required to include the price referred to in subsection (a)(13) for each of the parcels subject to the conveyance; and

(2) may state a single combined price for all of those parcels.

SECTION 10. IC 6-1.1-8.5-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. As used in this chapter, "industrial facility" means a company's real property that:

(1) has been classified as industrial property under the rules of the department of local government finance; and

(2) has a true tax value, as estimated by the department, of at least ~~twenty-five~~ **thirty-five** million dollars ~~($25,000,000)~~ **($35,000,000)** in a qualifying county.

The term includes real property that is used under an agreement under which the user exercises the beneficial rights of ownership for the majority of a year. The term does not include real property assessed under IC 6-1.1-8.

SECTION 11. IC 6-1.1-8.5-8, AS AMENDED BY P.L.86-2018, SECTION 39, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) For purposes of:

(1) a reassessment of a group of parcels under a county's reassessment plan prepared under IC 6-1.1-4-4.2; or

(2) a new assessment;

the department of local government finance shall assess each industrial facility in a qualifying county.

(b) The following may not assess an industrial facility in a qualifying county:

(1) A county assessor.

(2) A township assessor.

~~(2)~~ **(3)** An assessing official.

(4) A vendor under contract with a county assessor or township assessor.

~~(3)~~ **(5)** A county property tax assessment board of appeals.

SECTION 12. IC 6-1.1-8.5-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. The county assessor **and the township assessors, if any,** of the qualifying county in which an industrial facility is located shall provide support to the assessor of the department of local government finance during the course of the assessment of the industrial facility.

SECTION 13. IC 6-1.1-8.7-2 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. As used in this chapter, "industrial facility" means a company's real property that:

(1) has been classified as industrial property under the rules of the department; and

(2) has a true tax value, as estimated by the department, of at least ~~twenty-five~~ **thirty-five** million dollars ~~($25,000,000)~~ **($35,000,000)** in a county.

The term includes real property that is used under an agreement under which the user exercises the beneficial rights of ownership for the majority of a year. The term does not include real property assessed under IC 6-1.1-8.

SECTION 14. IC 6-1.1-8.7-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. The county assessor **and the township assessors, if any,** of the county in which the industrial facility is located shall provide support to the department's assessor during the course of the assessment of an industrial facility.

SECTION 15. IC 6-1.1-11-4, AS AMENDED BY P.L.86-2018, SECTION 41, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The exemption application referred to in section 3 of this chapter is not required if the exempt property is owned by the United States, the state, an agency of this state, or a political subdivision (as defined in IC 36-1-2-13). However, this subsection applies only when the property is used, and in the case of real property occupied, by the owner.

(b) The exemption application referred to in section 3 of this chapter is not required if the exempt property is a cemetery:

(1) described by IC 6-1.1-2-7; or

(2) maintained by a township executive under IC 23-14-68.

(c) The exemption application referred to in section 3 of this chapter is not required if the exempt property is owned by the bureau of motor vehicles commission established under IC 9-14-9.

(d) The exemption application referred to in section 3 or 3.5 of this chapter is not required if:

(1) the exempt property is:

(A) tangible property used for religious purposes described in IC 6-1.1-10-21;

(B) tangible property owned by a church or religious society used for educational purposes described in IC 6-1.1-10-16;

(C) other tangible property owned, occupied, and used by a person for educational, literary, scientific, religious, or charitable purposes described in IC 6-1.1-10-16; or

(D) other tangible property owned by a fraternity or sorority (as defined in IC 6-1.1-10-24);

(2) the exemption application referred to in section 3 or 3.5 of this chapter was filed properly at least once for a religious use under IC 6-1.1-10-21, an educational, literary, scientific, religious, or charitable use under IC 6-1.1-10-16, or use by a fraternity or sorority under IC 6-1.1-10-24; and

(3) the property continues to meet the requirements for an exemption under IC 6-1.1-10-16, IC 6-1.1-10-21, or IC 6-1.1-10-24.

(e) If, after an assessment date, an exempt property is transferred or its use is changed resulting in its ineligibility for an exemption under IC 6-1.1-10, the county assessor shall terminate the exemption for ~~that~~ **the next** assessment date. However, if the property remains eligible for an exemption under IC 6-1.1-10 following the transfer or change in use, the exemption shall be left in place for that assessment date. For the following assessment date, the person that obtained the exemption or the current owner of the property, as applicable, shall, under section 3 of this chapter and except as provided in this section, file a certified application in duplicate with the county assessor of the county in which the property that is the subject of the exemption is located. In all cases, the person that obtained the exemption or the current owner of the property shall notify the county assessor for the county where the tangible property is located of the change in ownership or use in the year that the change occurs. The notice must be in the form prescribed by the department of local government finance.

(f) If the county assessor discovers that title to or use of property granted an exemption under IC 6-1.1-10 has changed, the county assessor shall notify the persons entitled to a tax statement under IC 6-1.1-22-8.1 for the property of the change in title or use and indicate that the county auditor will suspend the exemption for the property until the persons provide the county assessor with an affidavit, signed under penalties of perjury, that identifies the new owners or use of the property and indicates whether the property continues to meet the requirements for an exemption under IC 6-1.1-10. Upon receipt of the affidavit, the county assessor shall reinstate the exemption under IC 6-1.1-15-12.1. However, a claim under IC 6-1.1-26-1.1 for a refund of all or a part of a tax installment paid and any correction of error under IC 6-1.1-15-12.1 must be filed not later than three (3) years after the taxes are first due.

SECTION 16. IC 6-1.1-12-9, AS AMENDED BY P.L.114-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) An individual may obtain a deduction from the assessed value of the individual's real property, or mobile home or manufactured home which is not assessed as real property, if:

(1) the individual is at least sixty-five (65) years of age on or before December 31 of the calendar year preceding the year in which the deduction is claimed;

(2) for assessment dates before January 1, 2020, the combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) of:

(A) the individual and the individual's spouse; or
(B) the individual and all other individuals with whom:
(i) the individual shares ownership; or
(ii) the individual is purchasing the property under a contract;
as joint tenants or tenants in common;
for the calendar year preceding the year in which the deduction is claimed did not exceed twenty-five thousand dollars ($25,000);
(3) for assessment dates after December 31, 2019:
(A) the individual had, in the case of an individual who filed a single return, adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding thirty thousand dollars ($30,000);
(B) the individual had, in the case of an individual who filed a joint income tax return with the individual's spouse, combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding forty thousand dollars ($40,000); or
(C) the combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) of the individual and all other individuals with whom:
(i) the individual shares ownership; or
(ii) the individual is purchasing the property under a contract;
as joint tenants or tenants in common did not exceed forty thousand dollars ($40,000);
for the calendar year preceding by two (2) years the calendar year in which the property taxes are first due and payable;
(4) the individual has owned the real property, mobile home, or manufactured home for at least one (1) year before claiming the deduction; or the individual has been buying the real property, mobile home, or manufactured home under a contract that provides that the individual is to pay the property taxes on the real property, mobile home, or manufactured home for at least one (1) year before claiming the deduction, and the contract or a memorandum of the contract is recorded in the county recorder's office;
(5) for assessment dates:
(A) before January 1, 2020, the individual and any individuals covered by subdivision (2)(B) reside on the real property, mobile home, or manufactured home; or
(B) after December 31, 2019, the individual and any individuals covered by subdivision (3)(C) reside on the real property, mobile home, or manufactured home;
(6) except as provided in subsection (i), the assessed value of the real property, mobile home, or manufactured home does not exceed two hundred thousand dollars ($200,000).
(7) the individual receives no other property tax deduction for the year in which the deduction is claimed, except the deductions provided by sections 1, 37, (for assessment dates after February 28, 2008) 37.5, and 38 of this chapter; and
(8) the person:
(A) owns the real property, mobile home, or manufactured home; or
(B) is buying the real property, mobile home, or manufactured home under contract;
on the date the statement required by section 10.1 of this chapter is filed.

(b) Except as provided in subsection (h), in the case of real property, an individual's deduction under this section equals the lesser of:
(1) one-half (1/2) of the assessed value of the real property; or
(2) fourteen thousand dollars ($14,000).

(c) Except as provided in subsection (h) and section 40.5 of this chapter, in the case of a mobile home that is not assessed as real property or a manufactured home which is not assessed as real property, an individual's deduction under this section equals the lesser of:
(1) one-half (1/2) of the assessed value of the mobile home or manufactured home; or
(2) fourteen thousand dollars ($14,000).

(d) An individual may not be denied the deduction provided under this section because the individual is absent from the real property, mobile home, or manufactured home while in a nursing home or hospital.

(e) For purposes of this section, if real property, a mobile home, or a manufactured home is owned by:
(1) tenants by the entirety;
(2) joint tenants; or
(3) tenants in common;
only one (1) deduction may be allowed. However, the age requirement is satisfied if any one (1) of the tenants is at least sixty-five (65) years of age.

(f) A surviving spouse is entitled to the deduction provided by this section if:
(1) the surviving spouse is at least sixty (60) years of age on or before December 31 of the calendar year preceding the year in which the deduction is claimed;
(2) the surviving spouse's deceased husband or wife was at least sixty-five (65) years of age at the time of a death;
(3) the surviving spouse has not remarried; and
(4) the surviving spouse satisfies the requirements prescribed in subsection (a)(2) through (a)(8).

(g) An individual who has sold real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property may not claim the deduction provided under this section against that real property.

(h) In the case of tenants covered by subsection (a)(2)(B) or (a)(3)(C), if all of the tenants are not at least sixty-five (65) years of age, the deduction allowed under this section shall be reduced by an amount equal to the deduction multiplied by a fraction. The numerator of the fraction is the number of tenants who are not at least sixty-five (65) years of age, and the denominator is the total number of tenants.

(i) For purposes of determining the assessed value of the real property, mobile home, or manufactured home under subsection (a)(6) for an individual who has received a deduction under this section in a particular year, increases in assessed value ~~due solely to an annual adjustment of the assessed value under IC 6-1.1-4-4.5~~ that occur after the later of:

(1) December 31, 2019; or

(2) the first year that the individual has received the deduction;

are not considered **unless the increase in assessed value is attributable to physical improvements to the property.**

SECTION 17. IC 6-1.1-12-14, AS AMENDED BY P.L.114-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 14. (a) Except as provided in subsection (c) and except as provided in section 40.5 of this chapter, an individual may have the sum of fourteen thousand dollars ($14,000) deducted from the assessed value of the real property, mobile home not assessed as real property, or manufactured home not assessed as real property that the individual owns (or the real property, mobile home not assessed as real property, or manufactured home not assessed as real property that the individual is buying under a contract that provides that the individual is to pay property taxes on the real property, mobile home, or manufactured home if the contract or a memorandum of the contract is recorded in the county recorder's office) if:

(1) the individual served in the military or naval forces of the United States for at least ninety (90) days;

(2) the individual received an honorable discharge;

(3) the individual either:

(A) has a total disability; or

(B) is at least sixty-two (62) years old and has a disability of at least ten percent (10%);

(4) the individual's disability is evidenced by:

(A) a pension certificate or an award of compensation issued by the United States Department of Veterans Affairs; or

(B) a certificate of eligibility issued to the individual by the Indiana department of veterans' affairs after the Indiana department of veterans' affairs has determined that the individual's disability qualifies the individual to receive a deduction under this section; and

(5) the individual:

(A) owns the real property, mobile home, or manufactured home; or

(B) is buying the real property, mobile home, or manufactured home under contract;

on the date the statement required by section 15 of this chapter is filed.

(b) Except as provided in subsections (c) and (d), the surviving spouse of an individual may receive the deduction provided by this section if:

(1) the individual satisfied the requirements of subsection (a)(1) through (a)(4) at the time of death; or

(2) the individual:

(A) was killed in action;

(B) died while serving on active duty in the military or naval forces of the United States; or

(C) died while performing inactive duty training in the military or naval forces of the United States; and

the surviving spouse satisfies the requirement of subsection (a)(5) at the time the deduction statement is filed. The surviving spouse is entitled to the deduction regardless of whether the property for which the deduction is claimed was owned by the deceased veteran or the surviving spouse before the deceased veteran's death.

(c) Except as provided in subsection (f), no one is entitled to the deduction provided by this section if the assessed value of the individual's Indiana real property, Indiana mobile home not assessed as real property, and Indiana manufactured home not assessed as real property, as shown by the tax duplicate, exceeds the assessed value limit specified in subsection (d).

(d) Except as provided in subsection (f), for the:

(1) January 1, 2017, January 1, 2018, and January 1, 2019, assessment dates, the assessed value limit for purposes of subsection (c) is one hundred seventy-five thousand dollars ($175,000); and

(2) January 1, 2020, assessment date and for each assessment date thereafter, the assessed value limit for purposes of subsection (c) is two hundred thousand dollars ($200,000).

(e) An individual who has sold real property, a mobile home not assessed as real property, or a manufactured home not assessed as real property to another person under a contract that provides that the contract buyer is to pay the property taxes on the real property, mobile home, or manufactured home may not claim the deduction provided under this section against that real property, mobile home, or manufactured home.

(f) For purposes of determining the assessed value of the real property, mobile home, or manufactured home under subsection (d) for an individual who has received a deduction under this section in a particular year, increases in assessed value ~~due solely to an annual adjustment of the assessed value under IC 6-1.1-4-4.5~~ that occur after the later of:

(1) December 31, 2019; or

(2) the first year that the individual has received the deduction;

are not considered **unless the increase in assessed value is attributable to physical improvements to the property.**

SECTION 18. IC 6-1.1-15-1.1, AS AMENDED BY P.L.195-2019, SECTION 1, AND AS AMENDED BY P.L.257-2019, SECTION 30, AND AS AMENDED BY P.L.121-2019, SECTION 2, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.1. (a) A taxpayer may appeal an assessment of a taxpayer's tangible property by filing a notice in writing with the township assessor, or the county assessor if the township is not served by a township assessor. Except as provided in ~~*subsection*~~ *subsections* (e) *and (h),* an appeal under this section may raise any claim of an error related to the following:

(1) The assessed value of the property.

(2) The assessment was against the wrong person.

(3) The approval, denial, or omission of a deduction, credit, exemption, abatement, or tax cap.

(4) A clerical, mathematical, or typographical mistake.

(5) The description of the real property.

(6) The legality or constitutionality of a property tax or assessment.

A written notice under this section must be made on a form designated by the department of local government finance. A taxpayer must file a separate petition for each parcel.

(b) A taxpayer may appeal an error in the assessed value of the property under subsection (a)(1) any time after the official's action, but not later than the following:

(1) For assessments before January 1, 2019, the earlier of:

(A) forty-five (45) days after the date on which the notice of assessment is mailed by the county; or

(B) forty-five (45) days after the date on which the tax statement is mailed by the county treasurer, regardless of whether the assessing official changes the taxpayer's assessment.

(2) For assessments *of real property* after December 31, 2018, the earlier of:

(A) June 15 of the assessment year, if the notice of assessment is mailed by the county before May 1 of the assessment year; or

(B) June 15 of the year in which the tax statement is mailed by the county treasurer, if the notice of assessment is mailed by the county on or after May 1 of the assessment year.

(3) For assessments of personal property, forty-five (45) days after the date on which the county mails the notice under IC 6-1.1-3-20.

A taxpayer may appeal an error in the assessment under subsection (a)(2), (a)(3), (a)(4), (a)(5), or (a)(6) not later than three (3) years after the taxes were first due.

(c) Except as provided in subsection (d), an appeal under this section applies only to the tax year corresponding to the tax statement or other notice of action.

(d) An appeal under this section applies to a prior tax year if a county official took action regarding a prior tax year, and such action is reflected for the first time in the tax statement. A taxpayer who has timely filed a written notice of appeal under this section may be required to file a petition for each tax year, and each petition filed later must be considered timely.

(e) A taxpayer may not appeal under this section any claim of error related to the following:

(1) The denial of a deduction, exemption, abatement, or credit if the authority to approve or deny is not vested in the county board, county auditor, county assessor, or township assessor.

(2) The calculation of interest and penalties.

(3) A matter under subsection (a) if a separate appeal or review process is statutorily prescribed.

However, a claim may be raised under this section regarding the omission or application of a deduction approved by an authority other than the county board, county auditor, county assessor, or township assessor. ~~under subdivision (2).~~

(f) The filing of a written notice under this section constitutes a request by the taxpayer for a preliminary informal meeting with the township assessor, or the county assessor if the township is not served by a township assessor.

(g) A county or township official who receives a written notice under this section shall forward the notice to:

(1) the county board; *and*

(2) the county auditor, if the taxpayer raises a claim regarding a matter that is in the discretion of the county auditor.

(h) A taxpayer may not raise any claim in an appeal under this section related to the legality or constitutionality of:

(1) a user fee (as defined in IC 33-23-1-10.5);

(2) any other charge, fee, or rate imposed by a political subdivision under any other law; or

(3) any tax imposed by a political subdivision other than a property tax.

SECTION 19. IC 6-1.1-16-1, AS AMENDED BY P.L.232-2017, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Except as provided in section 2 of this chapter, an assessing official or county property tax assessment board of appeals may not change the assessed value claimed by a taxpayer on a personal property return unless the assessing official or county property tax assessment board of appeals takes the action and gives the notice required by IC 6-1.1-3-20 within the following periods:

(1) A township assessor (if any) must make a change in the assessed value and give the notice of the change on or before the later of:

(A) September 15 of the year for which the assessment is made; or

(B) four (4) months from the date the personal property return is filed if the return is filed after the filing date for the personal property tax return.

(2) A county assessor ~~or county property tax assessment board of appeals~~ must make a change in the assessed value ~~including the final determination by the board of an assessment changed by an assessing official,~~ and give the notice of the change on or before the later of:

(A) October 30 of the year for which the assessment is made; or

(B) five (5) months from the date the personal property return is filed if the return is filed after the filing date for the personal property tax return.

(3) A county property tax assessment board of appeals must make a change in the assessed value and give notice of the change on or before the later of:

(A) October 30 of the year for which the assessment is made; or

(B) five (5) months from the date the personal property return is filed if the return is filed after the filing date for the personal property tax return.

This subdivision does not apply to a determination by a county property tax assessment board of appeals acting upon a petition for review filed under subsection (e)(1).

~~(3)~~ **(4)** The department of local government finance must make a preliminary change in the assessed value and give the notice of the change on or before the later of:

(A) October 1 of the year immediately following the year for which the assessment is made; or

(B) sixteen (16) months from the date the personal property return is filed if the return is filed after the filing date for the personal property tax return.

(b) Except as provided in section 2 of this chapter, if an

assessing official or a county property tax assessment board of appeals fails to change an assessment and give notice of the change within the time prescribed by this section, the assessed value claimed by the taxpayer on the personal property return is final.

(c) This section does not limit the authority of a county auditor to correct errors in a tax duplicate under IC 6-1.1-15-12.1.

(d) This section does not apply if the taxpayer:

(1) fails to file a personal property return which substantially complies with this article and the regulations of the department of local government finance; or

(2) files a fraudulent personal property return with the intent to evade the payment of property taxes.

(e) **A taxpayer may appeal a change in the assessed value under this section as follows:**

(1) A taxpayer may appeal a change in the assessed value under subsection (a)(1) or (a)(2) by filing a written notice of review with the county property tax assessment board of appeals under IC 6-1.1-15-1.1.

(2) A taxpayer may appeal a change in the assessed value under subsection (a)(3) by filing a written notice of review with the Indiana board under IC 6-1.1-15-3.

(3) A taxpayer may appeal a preliminary determination of the department of local government finance under subsection ~~(a)(3)~~ **(a)(4)** to the Indiana board. An appeal under this subdivision shall be conducted in the same manner as an appeal under IC 6-1.1-15-4 through IC 6-1.1-15-8. A preliminary determination that is not appealed under this subsection is a final unappealable order of the department of local government finance.

SECTION 20. IC 6-1.1-16-2, AS AMENDED BY P.L.146-2008, SECTION 145, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. ~~(a) If a county property tax assessment board of appeals fails to change an assessed value claimed by a taxpayer on a personal property return and give notice of the change within the time prescribed in section 1(a)(2) of this chapter, the township assessor, or the county assessor if there is no township assessor for the township, may file a petition for review of the assessment by the Indiana board. The township or county assessor must file the petition for review in the manner provided in IC 6-1.1-15-3(d). The period for filing the petition begins to run on the last day that the county board is permitted to act on the assessment under section 1(a)(2) of this chapter as though the board acted and gave notice of its action on that day.~~

~~(b)~~ Notwithstanding section ~~1(a)(3)~~ **1(a)(4)** of this chapter, the department of local government finance shall reassess tangible property when an appealed assessment of the property is remanded to the **Indiana** board under IC 6-1.1-15-8.

SECTION 21. IC 6-1.1-17-0.7, AS ADDED BY P.L.184-2016, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.7. (a) Before ~~May 1~~ **June 15** of each year after ~~2017,~~ **2019,** the fiscal officer of each political subdivision shall provide the department of local government finance with an estimate of the total amount of the political subdivision's debt service obligations (as defined in IC 6-1.1-20.6-9.8) that will be due in the last six (6) months of the current year and in the ensuing year.

(b) Before July 15 of each year after 2017, the department of local government finance shall provide the following to each political subdivision:

(1) An estimate of the maximum property tax rate that may be imposed by the political subdivision for property taxes payable in the ensuing year for each cumulative fund or other fund for which a maximum property tax rate is established by law.

(2) An estimate of the property tax rates that would be imposed by the political subdivision for property taxes payable in the ensuing year for debt service.

(c) The department of local government finance shall before August 1 of each year after 2017 provide to each political subdivision an estimate of the maximum amount of net property tax revenue and miscellaneous revenue that the political subdivision will receive in the ensuing year if the political subdivision's property tax rates are imposed at the maximum allowed under law and if the political subdivision imposes the maximum permissible ad valorem property tax levy allowed under law for the political subdivision. In making each of the estimates under this subsection, the department of local government finance shall consider the estimated amount of any credits that will be granted under IC 6-1.1-20.6 against property taxes imposed by the political subdivision.

SECTION 22. IC 6-1.1-17-3, AS AMENDED BY P.L.257-2019, SECTION 33, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The proper officers of a political subdivision shall formulate its estimated budget and its proposed tax rate and tax levy on the form prescribed by the department of local government finance and approved by the state board of accounts. In formulating a political subdivision's estimated budget under this section, the proper officers of the political subdivision must consider the net property tax revenue that will be collected by the political subdivision during the ensuing year, after taking into account the estimate by the department of local government finance under IC 6-1.1-20.6-11.1 of the amount by which the political subdivision's distribution of property taxes will be reduced by credits under IC 6-1.1-20.6-9.5 in the ensuing year, after taking into account the estimate by the department of local government finance under section 0.7 of this chapter of the maximum amount of net property tax revenue and miscellaneous revenue that the political subdivision will receive in the ensuing year, and after taking into account all payments for debt service obligations that are to be made by the political subdivision during the ensuing year. The political subdivision or appropriate fiscal body, if the political subdivision is subject to section 20 of this chapter, shall submit the following information to the department's computer gateway:

(1) The estimated budget.

(2) The estimated maximum permissible levy, as provided by the department under IC 6-1.1-18.5-24.

(3) The current and proposed tax levies of each fund.

(4) The percentage change between the current and proposed tax levies of each fund.

(5) The amount by which the political subdivision's distribution of property taxes may be reduced by credits

granted under IC 6-1.1-20.6, as estimated by the department of local government finance under IC 6-1.1-20.6-11.

(6) The amounts of excessive levy appeals to be requested.

(7) The time and place at which the political subdivision or appropriate fiscal body will hold a public hearing on the items described in subdivisions (1) through (6).

(8) The time and place at which the political subdivision or appropriate fiscal body will meet to fix the budget, tax rate, and levy under section 5 of this chapter.

(9) The date, time, and place of the final adoption of the budget, tax rate, and levy under section 5 of this chapter.

The political subdivision or appropriate fiscal body shall submit this information to the department's computer gateway at least ten (10) days before the public hearing required by this subsection in the manner prescribed by the department. **If the date, time, or place of the final adoption subsequently changes, the political subdivision shall update the information submitted to the department's computer gateway.** The department shall make this information available to taxpayers, at least ten (10) days before the public hearing, through its computer gateway and provide a telephone number through which taxpayers may request mailed copies of a political subdivision's information under this subsection. The department's computer gateway must allow a taxpayer to search for the information under this subsection by the taxpayer's address. The department shall review only the submission to the department's computer gateway for compliance with this section.

(b) The board of directors of a solid waste management district established under IC 13-21 or IC 13-9.5-2 (before its repeal) may conduct the public hearing required under subsection (a):

(1) in any county of the solid waste management district; and

(2) in accordance with the annual notice of meetings published under IC 13-21-5-2.

(c) The trustee of each township in the county shall estimate the amount necessary to meet the cost of township assistance in the township for the ensuing calendar year. The township board shall adopt with the township budget a tax rate sufficient to meet the estimated cost of township assistance. The taxes collected as a result of the tax rate adopted under this subsection are credited to the township assistance fund.

(d) A political subdivision for which any of the information under subsection (a) is not submitted to the department's computer gateway in the manner prescribed by the department shall have its most recent annual appropriations and annual tax levy continued for the ensuing budget year.

(e) If a political subdivision or appropriate fiscal body timely submits the information under subsection (a) but subsequently discovers the information contains an error, the political subdivision or appropriate fiscal body may submit amended information to the department's computer gateway. However, submission of an amendment to information described in subsection (a)(1) through (a)(6) must occur at least ten (10) days before the public hearing held under subsection (a), and submission of an amendment to information described in subsection (a)(7) must occur at least twenty-four (24) hours before the time in which the meeting to fix the budget, tax rate, and levy was originally advertised to commence.

SECTION 23. IC 6-1.1-17-5, AS AMENDED BY P.L.257-2019, SECTION 34, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The officers of political subdivisions shall meet each year to fix the budget, tax rate, and tax levy of their respective subdivisions for the ensuing budget year as follows:

(1) The board of school trustees of a school corporation that is located in a city having a population of more than one hundred thousand (100,000) but less than one hundred ten thousand (110,000), not later than:

(A) the time required in section 5.6(b) of this chapter; or

(B) November 1 if a resolution adopted under section 5.6(d) of this chapter is in effect.

(2) Except as provided in section 5.2 of this chapter, the proper officers of all other political subdivisions that are not school corporations, not later than November 1.

(3) The governing body of a school corporation (other than a school corporation described in subdivision (1)) that elects to adopt a budget under section 5.6 of this chapter for budget years beginning after June 30, 2011, not later than the time required under section 5.6(b) of this chapter for budget years beginning after June 30, 2011.

(4) The governing body of a school corporation that is not described in subdivision (1) or (3), not later than November 1.

Except in a consolidated city and county and in a second class city, the public hearing required by section 3 of this chapter must be completed at least ten (10) days before the proper officers of the political subdivision meet to fix the budget, tax rate, and tax levy. In a consolidated city and county and in a second class city, that public hearing, by any committee or by the entire fiscal body, may be held at any time after introduction of the budget.

(b) Ten (10) or more taxpayers may object to a budget, tax rate, or tax levy of a political subdivision fixed under subsection (a) by filing an objection petition with the proper officers of the political subdivision not more than seven (7) days after the hearing. The objection petition must specifically identify the provisions of the budget, tax rate, and tax levy to which the taxpayers object.

(c) If a petition is filed under subsection (b), the fiscal body of the political subdivision shall adopt with its budget a finding concerning the objections in the petition and any testimony presented at the adoption hearing.

(d) A political subdivision shall file the budget adopted by the political subdivision with the department of local government finance not later than five (5) business days after the budget is adopted under subsection (a). The filing with the department of local government finance must be in a manner prescribed by the department.

(e) In a consolidated city and county and in a second class city, the clerk of the fiscal body shall, notwithstanding subsection (d), file the adopted budget and tax ordinances with the department of local government finance within five (5) business days after the ordinances are signed by the executive, or within

five (5) business days after action is taken by the fiscal body to override a veto of the ordinances, whichever is later.

(f) If a fiscal body does not fix the budget, tax rate, and tax levy of the political subdivisions for the ensuing budget year as required under this section, the most recent annual appropriations and annual tax levy are continued for the ensuing budget year.

(g) When fixing a budget, tax rate, or tax levy under subsection (a), the political subdivision shall indicate on its adopting document, in the manner prescribed by the department, whether the political subdivision intends to:

(1) issue debt after December 1 of the year preceding the budget year; or

(2) file a shortfall appeal under IC 6-1.1-18.5-16.

SECTION 24. IC 6-1.1-17-16, AS AMENDED BY P.L.257-2019, SECTION 47, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) The department of local government finance shall certify the tax rates and tax levies for all funds of political subdivisions subject to the department of local government finance's review.

(b) For a fund of a political subdivision subject to levy limits under IC 6-1.1-18.5-3, the department of local government finance shall calculate and certify the allowable budget of the fund if the political subdivision adopts a tax levy that exceeds the estimated maximum levy limits as provided by the department of local government finance under IC 6-1.1-18.5-24.

(c) For a fund of a political subdivision subject to levy limits under IC 6-1.1-18.5-3 and for which the political subdivision adopts a tax levy that is not more than the levy limits under IC 6-1.1-18.5-3, the department of local government finance shall review the fund to ensure the adopted budget is fundable based on the unit's adopted tax levy and estimates of available revenues. If the adopted budget is fundable, the department of local government finance shall use the adopted budget as the approved appropriation for the fund for the budget year. As needed, the political subdivision may complete the additional appropriation process through IC 6-1.1-18-5 for these funds during the budget year.

(d) For a fund of the political subdivision subject to levy limits under IC 6-1.1-18.5-3 and for which the political subdivision adopts a tax levy that is not more than the levy limits under IC 6-1.1-18.5-3, if the department of local government finance has determined the adopted budget is not fundable based on the unit's adopted tax levy and estimates of available revenues, the department of local government finance shall calculate and certify the allowable budget that is fundable based on the adopted tax levy and the department's estimates of available revenues.

(e) For all other funds of a political subdivision not described in subsections (b), (c), and (d), the department of local government finance shall certify a budget for the fund.

(f) Except as provided in section 16.1 of this chapter, the department of local government finance is not required to hold a public hearing before the department of local government finance reviews, revises, reduces, or increases a political subdivision's budget by fund, tax rate, or tax levy under this section.

(g) Except as provided in subsection (l), IC 20-46, or IC 6-1.1-18.5, the department of local government finance may not increase a political subdivision's budget by fund, tax rate, or tax levy to an amount which exceeds the amount originally fixed by the political subdivision. However, if the department of local government finance determines that IC 5-3-1-2.3(b) applies to the tax rate, tax levy, or budget of the political subdivision, the maximum amount by which the department may increase the tax rate, tax levy, or budget is the amount originally fixed by the political subdivision, and not the amount that was incorrectly published or omitted in the notice described in IC 5-3-1-2.3(b). The department of local government finance shall give the political subdivision notification electronically in the manner prescribed by the department of local government finance specifying any revision, reduction, or increase the department proposes in a political subdivision's tax levy or tax rate. The political subdivision has ten (10) calendar days from the date the political subdivision receives the notice to provide a response electronically in the manner prescribed by the department of local government finance. The response may include budget reductions, reallocation of levies, a revision in the amount of miscellaneous revenues, and further review of any other item about which, in the view of the political subdivision, the department is in error. The department of local government finance shall consider the adjustments as specified in the political subdivision's response if the response is provided as required by this subsection and shall deliver a final decision to the political subdivision. **The department of local government finance may not consider any adjustments that are suggested by the political subdivision after the expiration of the ten (10) day period allowed for the political subdivision's response.**

(h) The department of local government finance may not approve a levy for lease payments by a city, town, county, library, or school corporation if the lease payments are payable to a building corporation for use by the building corporation for debt service on bonds and if:

(1) no bonds of the building corporation are outstanding; or

(2) the building corporation has enough legally available funds on hand to redeem all outstanding bonds payable from the particular lease rental levy requested.

(i) The department of local government finance shall certify its action to:

(1) the county auditor;

(2) the political subdivision if the department acts pursuant to an appeal initiated by the political subdivision; and

(3) a taxpayer that owns property that represents at least ten percent (10%) of the taxable assessed valuation in the political subdivision.

(j) The following may petition for judicial review of the final determination of the department of local government finance under subsection (i):

(1) If the department acts under an appeal initiated by a political subdivision, the political subdivision.

(2) A taxpayer that owns property that represents at least ten percent (10%) of the taxable assessed valuation in the political subdivision.

The petition must be filed in the tax court not more than forty-five (45) days after the department certifies its action under subsection (i).

(k) The department of local government finance is expressly directed to complete the duties assigned to it under this section

as follows:

(1) Not later than December 31 of the year preceding that budget year, unless subdivision (2) applies.

(2) Not later than January 15 of the budget year if **any of the following are true:**

(A) A taxing unit in a county ~~is issuing~~ **intends to issue** debt after December 1 in the year preceding the budget year ~~or~~ **and has indicated its intent to issue debt after December 1 in the year preceding the budget year as specified in section 5 of this chapter.**

(B) A taxing unit intends to file a shortfall appeal under IC 6-1.1-18.5-16 **and has indicated its intent to file a shortfall appeal as specified in section 5 of this chapter.** ~~or~~

~~(B)~~ **(C)** The deadline for a city in the county to fix the budget, tax rate, and tax levy has been extended, in accordance with section 5.2 of this chapter, due to the executive's veto of the ordinance fixing the budget, tax rate, and tax levy.

(l) Subject to the provisions of all applicable statutes, and notwithstanding IC 6-1.1-18-1, the department of local government finance shall, unless the department finds extenuating circumstances, increase a political subdivision's tax levy to an amount that exceeds the amount originally advertised or adopted by the political subdivision if:

(1) the increase is requested in writing by the officers of the political subdivision;

(2) the request includes:

(A) the corrected budget, tax rate, or levy, as applicable; and

(B) the time and place of the meeting described in subdivision (4);

(3) the political subdivision publishes the requested increase on the department's advertising Internet web site;

(4) the political subdivision adopts the needed changes to its budget, tax levy, or rate in a public meeting of the governing body; and

(5) notice is given to the county fiscal body of the department's correction.

The political subdivision shall publish notice of the meeting described in subdivision (4) on the Indiana transparency Internet web site in the manner prescribed by the department not later than forty-eight (48) hours (excluding weekends and holidays) before the meeting. If the department increases a levy beyond what was advertised or adopted under this subsection, it shall, unless the department finds extenuating circumstances, reduce the certified levy affected below the maximum allowable levy by the lesser of five percent (5%) of the difference between the advertised or adopted levy and the increased levy, or one hundred thousand dollars ($100,000).

SECTION 25. IC 6-1.1-17-16.7, AS AMENDED BY P.L.184-2016, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16.7. (a) A political subdivision that in any year adopts a proposal to establish a cumulative fund or sinking fund under any of the following provisions must submit the proposal to the department of local government finance before August 2 of that year, for years before 2018, and before May 1 of that year, for years after 2017:

IC 3-11-6
IC 8-10-5
IC 8-16-3
IC 8-16-3.1
IC 8-22-3
IC 14-27-6
IC 14-33-21
IC 16-22-5
IC 16-22-8
IC 36-8-8-14.2
IC 36-8-14
IC 36-9-4
IC 36-9-14
IC 36-9-14.5
IC 36-9-15
IC 36-9-15.5
IC 36-9-16
IC 36-9-17
IC 36-9-26
IC 36-9-27
IC 36-10-3
IC 36-10-4
IC 36-10-7.5

(b) If a proposal described in subsection (a) is not submitted to the department of local government finance before August 2 of a year, for years before 2018, and before May 1 of a year, for years after 2017, the political subdivision may not levy a tax for the cumulative fund or sinking fund in the ensuing year.

SECTION 26. IC 6-1.1-17-20.3, AS AMENDED BY SEA 410-2020, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20.3. (a) Except as provided in section 20.4 of this chapter, this section applies only to the governing body of a public library that:

(1) is not comprised of a majority of officials who are elected to serve on the governing body; and

(2) has a percentage increase in the proposed budget for the taxing unit for the ensuing calendar year that is more than the result of:

(A) the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the ensuing calendar year; minus

(B) one (1).

For purposes of this section, an individual who qualifies to be appointed to a governing body or serves on a governing body because of the individual's status as an elected official of another taxing unit shall be treated as an official who was not elected to serve on the governing body.

(b) This section does not apply to an entity whose tax levies are subject to review and modification by a city-county legislative body under IC 36-3-6-9.

(c) If:

(1) the assessed valuation of a public library's territory is entirely contained within a city or town; or

(2) the assessed valuation of a public library's territory is not entirely contained within a city or town but more than

fifty percent (50%) of the assessed valuation of the public library's territory is contained within the city or town;

the governing body shall submit its proposed budget and property tax levy to the city or town fiscal body in the manner prescribed by the department of local government finance before September 2 of a year. However, the governing body shall submit its proposed budget and property tax levy to the county fiscal body in the manner provided in subsection (d), rather than to the city or town fiscal body, if more than fifty percent (50%) of the parcels of real property within the jurisdiction of the public library are located outside the city or town.

(d) If subsection (c) does not apply or the public library's territory covers more than one (1) county, the governing body of the public library shall submit its proposed budget and property tax levy to the county fiscal body in the county where the public library has the most assessed valuation. The proposed budget and levy shall be submitted to the county fiscal body in the manner prescribed by the department of local government finance before September 2 of a year.

(e) The fiscal body of the city, town, or county (whichever applies) shall review each budget and proposed tax levy and adopt a final budget and tax levy for the public library. The fiscal body may reduce or modify but not increase the proposed budget or tax levy.

(f) If a public library fails to file the information required in subsection (c) or (d), whichever applies, with the appropriate fiscal body by the time prescribed by this section, the most recent annual appropriations and annual tax levy of that public library are continued for the ensuing budget year.

(g) If the appropriate fiscal body fails to complete the requirements of subsection (e) before the adoption deadline in section 5 of this chapter for any public library subject to this section, the most recent annual appropriations and annual tax levy of the city, town, or county, whichever applies, are continued for the ensuing budget year.

SECTION 27. IC 6-1.1-18-5, AS AMENDED BY P.L.252-2019, SECTION 3, AND AS AMENDED BY P.L.257-2019, SECTION 49, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) If the proper officers of a political subdivision desire to appropriate more money for a particular year than the amount prescribed in the budget for that year as finally determined under this article, they shall give notice of their proposed additional appropriation. The notice shall state the time and place at which a public hearing will be held on the proposal. The notice shall be given once in accordance with IC 5-3-1-2(b).

(b) If the additional appropriation by the political subdivision is made from a fund ~~*that receives:*~~

~~*(1) distributions from the motor vehicle highway account established under IC 8-14-1-1 or the local road and street account established under IC 8-14-2-4; or*~~

~~*(2) revenue from property taxes levied under IC 6-1.1;*~~ *for which the budget, rate, or levy is certified by the department of local government finance under IC 6-1.1-17-16,*

the political subdivision must report the additional appropriation to the department of local government finance. If the additional appropriation is made from a fund described under this subsection, subsections (f), (g), (h), and (i) apply to the political subdivision.

(c) However, if the additional appropriation is not made from a fund described under subsection (b), subsections (f), (g), (h), and (i) do not apply to the political subdivision. Subsections (f), (g), (h), and (i) do not apply to an additional appropriation made from the cumulative bridge fund if the appropriation meets the requirements under IC 8-16-3-3(c).

(d) A political subdivision may make an additional appropriation without approval of the department of local government finance if the additional appropriation is made from a fund that is not described under subsection (b). However, the fiscal officer of the political subdivision shall report the additional appropriation to the department of local government finance.

(e) *Subject to subsections (j) and (k),* after the public hearing, the proper officers of the political subdivision shall file a certified copy of their final proposal and any other relevant information to the department of local government finance **not later than fifteen (15) days after the additional appropriation is adopted by the appropriate fiscal body. If the additional appropriation is not submitted to the department of local government finance within fifteen (15) days after adoption, the department of local government finance may require the political subdivision to conduct a readoption hearing.**

(f) When the department of local government finance receives a certified copy of a proposal for an additional appropriation under subsection (e), the department shall determine whether sufficient funds are available or will be available for the proposal. The determination shall be made in writing and sent to the political subdivision not more than fifteen (15) days after the department of local government finance receives the proposal.

(g) In making the determination under subsection (f), the department of local government finance shall limit the amount of the additional appropriation to revenues available, or to be made available, which have not been previously appropriated.

(h) If the department of local government finance disapproves an additional appropriation under subsection (f), the department shall specify the reason for its disapproval on the determination sent to the political subdivision.

(i) A political subdivision may request a reconsideration of a determination of the department of local government finance under this section by filing a written request for reconsideration. A request for reconsideration must:

(1) be filed with the department of local government finance within fifteen (15) days of the receipt of the determination by the political subdivision; and

(2) state with reasonable specificity the reason for the request.

The department of local government finance must act on a request for reconsideration within fifteen (15) days of receiving the request.

(j) This subsection applies to an additional appropriation by a political subdivision that must have the political subdivision's annual appropriations and annual tax levy adopted by a city,

town, or county fiscal body under IC 6-1.1-17-20 or IC 36-1-23 or by a legislative or fiscal body under IC 36-3-6-9. The fiscal or legislative body of the city, town, or county that adopted the political subdivision's annual appropriation and annual tax levy must adopt the additional appropriation by ordinance before the department of local government finance may approve the additional appropriation.

(k) This subsection applies to a public library that is not required to submit the public library's budgets, tax rates, and tax levies for binding review and approval under IC 6-1.1-17-20 *or IC 6-1.1-17-20.4.* If a public library subject to this subsection proposes to make an additional appropriation for a year, and the additional appropriation would result in the budget for the library for that year increasing (as compared to the previous year) by a percentage that is greater than the result of the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the calendar year minus one (1), the additional appropriation must first be approved by the city, town, or county fiscal body described in IC 6-1.1-17-20.3(c) or ~~*IC 6-1.1-17-20(d),*~~ *IC 6-1.1-17-20.3(d),* as appropriate.

SECTION 28. IC 6-1.1-18-30 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 30. (a) This section applies only to Sullivan County.**

(b) The executive of the county may, upon approval by the fiscal body of the county, submit a petition to the department of local government finance for an increase in the county's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2021. A petition must be submitted not later than September 1, 2020.

(c) If a petition is submitted under subsection (b), the department of local government finance shall increase the county's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2021. The amount of the increase under this section is equal to the difference between:

(1) the lesser of:

(A) the county's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2020; or

(B) the ad valorem property tax levy adopted by the county fiscal body for property taxes due and payable in 2020; and

(2) the county's ad valorem property tax levy under IC 6-1.1-18.5 as certified by the department of local government finance for property taxes due and payable in 2020.

(d) The adjustment under this section is a temporary, one (1) time increase to the county's maximum permissible ad valorem property tax levy for purposes of IC 6-1.1-18.5.

(e) This section expires June 30, 2023.

SECTION 29. IC 6-1.1-18-31 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 31. (a) This section applies only to the Wabash city school corporation.**

(b) The superintendent of the Wabash city school corporation may, upon approval by the governing board of the school corporation, submit a petition to the department of local government finance for an increase in the school corporation's maximum permissible ad valorem property tax levy under IC 20-46-8-1 for its operations fund for property taxes due and payable in 2021. A petition must be submitted not later than September 1, 2020.

(c) If a petition is submitted under subsection (b), the department of local government finance shall increase the school corporation's maximum permissible ad valorem property tax levy under IC 20-46-8-1 for its operations fund for property taxes due and payable in 2021. The amount of the increase under this section is equal to the difference between:

(1) the lesser of:

(A) the school corporation's maximum permissible ad valorem property tax levy under IC 20-46-8-1 for the operations fund for property taxes due and payable in 2020; or

(B) the ad valorem property tax levy for the operations fund adopted for the school corporation for property taxes due and payable in 2020; and

(2) the school corporation's ad valorem property tax levy under IC 20-46-8-1 for the operations fund as certified by the department of local government finance for property taxes due and payable in 2020.

(d) The adjustment under this section is a temporary, one (1) time increase to the school corporation's maximum permissible ad valorem property tax levy for purposes of IC 20-46-8-1.

(e) This section expires June 30, 2023.

SECTION 30. IC 6-1.1-18-32 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 32. (a) This section applies only to the city of Wabash.**

(b) The executive of the city may, upon approval by the fiscal body of the city, submit a petition to the department of local government finance for an increase in the city's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2021. A petition must be submitted not later than September 1, 2020.

(c) If a petition is submitted under subsection (b), the department of local government finance shall increase the city's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2021. The amount of the increase under this section is equal to the difference between:

(1) the lesser of:

(A) the city's maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for property taxes due and payable in 2020; or

(B) the ad valorem property tax levy adopted by the city fiscal body for property taxes due and payable in 2020; and

(2) the city's ad valorem property tax levy as certified by the department of local government finance for property taxes due and payable in 2020.

(d) The adjustment under this section is a temporary, one (1) time increase to the city's maximum permissible ad valorem property tax levy for purposes of IC 6-1.1-18.5.

(e) This section expires June 30, 2023.

SECTION 31. IC 6-1.1-18.5-2, AS AMENDED BY P.L.238-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) As used in this section, "Indiana nonfarm personal income" means the estimate of total nonfarm personal income for Indiana in a calendar year as computed by the federal Bureau of Economic Analysis using any actual data for the calendar year and any estimated data determined appropriate by the federal Bureau of Economic Analysis.

(b) Except as provided in subsection (c), for purposes of determining a civil taxing unit's maximum permissible ad valorem property tax levy for an ensuing calendar year, the civil taxing unit shall use the ~~assessed value~~ **maximum levy** growth quotient determined in the last STEP of the following STEPS:

STEP ONE: For each of the six (6) calendar years immediately preceding the year in which a budget is adopted under IC 6-1.1-17-5 for the ensuing calendar year, divide the Indiana nonfarm personal income for the calendar year by the Indiana nonfarm personal income for the calendar year immediately preceding that calendar year, rounding to the nearest one-thousandth (0.001).

STEP TWO: Determine the sum of the STEP ONE results.

STEP THREE: Divide the STEP TWO result by six (6), rounding to the nearest one-thousandth (0.001).

STEP FOUR: Determine the lesser of the following:

(A) The STEP THREE quotient.

(B) One and six-hundredths (1.06).

(c) A school corporation shall use for its operations fund maximum levy calculation under IC 20-46-8-1 the ~~assessed value~~ **maximum levy** growth quotient determined in the last STEP of the following STEPS:

STEP ONE: Determine for each school corporation, the average annual growth in net assessed value using the three (3) calendar years immediately preceding the year in which a budget is adopted under IC 6-1.1-17-5 for the ensuing calendar year.

STEP TWO: Determine the greater of:

(A) zero (0); or

(B) the STEP ONE amount minus the sum of:

(i) the ~~assessed value~~ **maximum levy** growth quotient determined under subsection (b) minus one (1); plus

(ii) two-hundredths (0.02).

STEP THREE: Determine the lesser of:

(A) the STEP TWO amount; or

(B) four-hundredths (0.04).

STEP FOUR: Determine the sum of:

(A) the STEP THREE amount; plus

(B) the ~~assessed value~~ **maximum levy** growth quotient determined under subsection (b).

STEP FIVE: Determine the greater of:

(A) the STEP FOUR amount; or

(B) the ~~assessed value~~ **maximum levy** growth quotient determined under subsection (b).

(d) The budget agency shall provide the ~~assessed value~~ **maximum levy** growth quotient for the ensuing year to civil taxing units, school corporations, and the department of local government finance before July 1 of each year.

SECTION 32. IC 6-1.1-18.5-7, AS AMENDED BY P.L.203-2016, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) A civil taxing unit is not subject to the levy limits imposed by section 3 of this chapter for an ensuing calendar year if the civil taxing unit did not adopt an ad valorem property tax levy for the immediately preceding calendar year.

(b) If under subsection (a) a civil taxing unit is not subject to the levy limits imposed under section 3 of this chapter for ~~a~~ **an ensuing** calendar year, the civil taxing unit shall, **before June 30 of the immediately preceding year,** refer its proposed budget, ad valorem property tax levy, and property tax rate for ~~that~~ **the ensuing** calendar year to the department of local government finance. The department of local government finance shall make a final determination of the civil taxing unit's budget, ad valorem property tax levy, and property tax rate for ~~that~~ **the ensuing** calendar year. However, a civil taxing unit may not impose a property tax levy for ~~a~~ **an ensuing calendar** year if the unit did not exist as of January 1 of the **immediately** preceding year.

(c) This subsection does not apply to an ad valorem property tax levy imposed by a civil taxing unit for fire protection services within a fire protection territory under IC 36-8-19. In determining a budget, ad valorem property tax levy, and property tax rate under subsection (b), the department shall consider the effect of a property tax levy on a local income tax distribution to the civil taxing unit under IC 6-3.6-6.

SECTION 33. IC 6-1.1-18.5-10, AS AMENDED BY P.L.76-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) The ad valorem property tax levy limits imposed by section 3 of this chapter do not apply to ad valorem property taxes imposed by a civil taxing unit to be used to fund:

(1) community mental health centers under:

(A) IC 12-29-2-1.2, for only those civil taxing units that authorized financial assistance under IC 12-29-1 before 2002 for a community mental health center as long as the tax levy under this section does not exceed the levy authorized in 2002;

(B) IC 12-29-2-2 through IC 12-29-2-4; and

(C) IC 12-29-2-13; or

(2) community intellectual disability and other developmental disabilities centers under IC 12-29-1-1.

(b) For purposes of computing the ad valorem property tax levy limits imposed on a civil taxing unit by section 3 of this chapter, the civil taxing unit's ad valorem property tax levy for a particular calendar year does not include that part of the levy described in subsection (a).

(c) This subsection applies to property taxes first due and payable after December 31, 2008. Notwithstanding subsections (a) and (b) or any other law, any property taxes imposed by a civil taxing unit that are exempted by this section from the ad valorem property tax levy limits imposed by section 3 of this chapter may not increase annually by a percentage greater than the result of:

(1) the ~~assessed value~~ **maximum levy** growth quotient

determined under section 2 of this chapter; minus

(2) one (1).

(d) Before July 15 of each year, the department of local government finance shall provide to each county an estimate of the maximum amount of property taxes imposed for community mental health centers or community intellectual disability and other developmental disabilities centers that are exempt from the levy limits for the ensuing year.

SECTION 34. IC 6-1.1-18.5-10.5, AS AMENDED BY P.L.245-2015, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.5. (a) The ad valorem property tax levy limits imposed by section 3 of this chapter do not apply to ad valorem property taxes imposed by a civil taxing unit for fire protection services within a fire protection territory under IC 36-8-19, if the civil taxing unit is a participating unit in a fire protection territory established before August 1, 2001. For purposes of computing the ad valorem property tax levy limits imposed on a civil taxing unit by section 3 of this chapter on a civil taxing unit that is a participating unit in a fire protection territory, established before August 1, 2001, the civil taxing unit's ad valorem property tax levy for a particular calendar year does not include that part of the levy imposed under IC 36-8-19. Any property taxes imposed by a civil taxing unit that are exempted by this subsection from the ad valorem property tax levy limits imposed by section 3 of this chapter and first due and payable after December 31, 2008, may not increase annually by a percentage greater than the result of:

(1) the ~~assessed value~~ **maximum levy** growth quotient determined under section 2 of this chapter; minus

(2) one (1).

(b) The department of local government finance may, under this subsection, increase the maximum permissible ad valorem property tax levy that would otherwise apply to a civil taxing unit under section 3 of this chapter to meet the civil taxing unit's obligations to a fire protection territory established under IC 36-8-19. To obtain an increase in the civil taxing unit's maximum permissible ad valorem property tax levy, a civil taxing unit shall submit a petition to the department of local government finance in the year immediately preceding the first year in which the civil taxing unit levies a tax to support the fire protection territory. The petition must be filed before the date specified in section 12(a)(1) of this chapter of that year. The department of local government finance shall make a final determination of the civil taxing unit's budget, ad valorem property tax levy, and property tax rate for the fire protection territory for the ensuing calendar year. In making its determination under this subsection, the department of local government finance shall consider the amount that the civil taxing unit is obligated to provide to meet the expenses of operation and maintenance of the fire protection services within the territory, including the participating unit's reasonable share of an operating balance for the fire protection territory. The department of local government finance shall determine the entire amount of the allowable adjustment in the final determination. The department shall order the adjustment implemented in the amounts and over the number of years, not exceeding three (3), requested by the petitioning civil taxing unit. However, the department of local government finance may not approve under this subsection a property tax levy greater than zero (0) if the civil taxing unit did not exist as of the assessment date for which the tax levy will be imposed. For purposes of applying this subsection to the civil taxing unit's maximum permissible ad valorem property tax levy in subsequent calendar years, the department of local government finance may determine not to consider part or all of the part of the property tax levy imposed to establish the operating balance of the fire protection territory.

SECTION 35. IC 6-1.1-18.5-12, AS AMENDED BY P.L.84-2016, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) Any civil taxing unit that determines that it cannot carry out its governmental functions for an ensuing calendar year under the levy limitations imposed by section 3 **or 25** of this chapter, **as applicable,** may:

(1) before October 20 of the calendar year immediately preceding the ensuing calendar year; or

(2) in the case of a request described in section 16 of this chapter, before December 31 of the calendar year immediately preceding the ensuing calendar year;

appeal to the department of local government finance for relief from those levy limitations. In the appeal the civil taxing unit must state that it will be unable to carry out the governmental functions committed to it by law unless it is given the authority that it is petitioning for. The civil taxing unit must support these allegations by reasonably detailed statements of fact.

(b) The department of local government finance shall immediately proceed to the examination and consideration of the merits of the civil taxing unit's appeal.

(c) In considering an appeal, the department of local government finance has the power to conduct hearings, require any officer or member of the appealing civil taxing unit to appear before it, or require any officer or member of the appealing civil taxing unit to provide the department with any relevant records or books.

(d) If an officer or member:

(1) fails to appear at a hearing after having been given written notice requiring that person's attendance; or

(2) fails to produce the books and records that the department by written notice required the officer or member to produce;

then the department may file an affidavit in the circuit court, superior court, or probate court in the jurisdiction in which the officer or member may be found setting forth the facts of the failure.

(e) Upon the filing of an affidavit under subsection (d), the court shall promptly issue a summons, and the sheriff of the county within which the court is sitting shall serve the summons. The summons must command the officer or member to appear before the department to provide information to the department or to produce books and records for the department's use, as the case may be. Disobedience of the summons constitutes, and is punishable as, a contempt of the court that issued the summons.

(f) All expenses incident to the filing of an affidavit under subsection (d) and the issuance and service of a summons shall

be charged to the officer or member against whom the summons is issued, unless the court finds that the officer or member was acting in good faith and with reasonable cause. If the court finds that the officer or member was acting in good faith and with reasonable cause or if an affidavit is filed and no summons is issued, the expenses shall be charged against the county in which the affidavit was filed and shall be allowed by the proper fiscal officers of that county.

(g) The fiscal officer of a civil taxing unit that appeals under section 16 of this chapter for relief from levy limitations shall immediately file a copy of the appeal petition with the county auditor and the county treasurer of the county in which the unit is located.

SECTION 36. IC 6-1.1-18.5-13, AS AMENDED BY P.L.86-2018, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. (a) With respect to an appeal filed under section 12 of this chapter, the department may find that a civil taxing unit should receive any one (1) or more of the following types of relief:

(1) Permission to the civil taxing unit to increase its levy in excess of the limitations established under section 3 **or 25** of this chapter, **as applicable,** if in the judgment of the department the increase is reasonably necessary due to increased costs of the civil taxing unit resulting from annexation, consolidation, or other extensions of governmental services by the civil taxing unit to additional geographic areas. With respect to annexation, consolidation, or other extensions of governmental services in a calendar year, if those increased costs are incurred by the civil taxing unit in that calendar year and more than one (1) immediately succeeding calendar year, the unit may appeal under section 12 of this chapter for permission to increase its levy under this subdivision based on those increased costs in any of the following:

(A) The first calendar year in which those costs are incurred.

(B) One (1) or more of the immediately succeeding four (4) calendar years.

(2) Permission to the civil taxing unit to increase its levy in excess of the limitations established under section 3 **or 25** of this chapter, **as applicable,** if the department finds that the quotient determined under STEP SIX of the following formula is equal to or greater than one and two-hundredths (1.02):

STEP ONE: Determine the three (3) calendar years that most immediately precede the ensuing calendar year.

STEP TWO: Compute separately, for each of the calendar years determined in STEP ONE, the quotient (rounded to the nearest ten-thousandth (0.0001)) of the sum of the civil taxing unit's total assessed value of all taxable property and:

(i) for a particular calendar year before 2007, the total assessed value of property tax deductions in the unit under IC 6-1.1-12-41 (repealed) or IC 6-1.1-12-42 in the particular calendar year; or

(ii) for a particular calendar year after 2006, the total assessed value of property tax deductions that applied in the unit under IC 6-1.1-12-42 in 2006 plus for a particular calendar year after 2009, the total assessed value of property tax deductions that applied in the unit under IC 6-1.1-12-37.5 in 2008;

divided by the sum determined under this STEP for the calendar year immediately preceding the particular calendar year.

STEP THREE: Divide the sum of the three (3) quotients computed in STEP TWO by three (3).

STEP FOUR: Compute separately, for each of the calendar years determined in STEP ONE, the quotient (rounded to the nearest ten-thousandth (0.0001)) of the sum of the total assessed value of all taxable property in all counties and:

(i) for a particular calendar year before 2007, the total assessed value of property tax deductions in all counties under IC 6-1.1-12-41 (repealed) or IC 6-1.1-12-42 in the particular calendar year; or

(ii) for a particular calendar year after 2006, the total assessed value of property tax deductions that applied in all counties under IC 6-1.1-12-42 in 2006 plus for a particular calendar year after 2009, the total assessed value of property tax deductions that applied in the unit under IC 6-1.1-12-37.5 in 2008;

divided by the sum determined under this STEP for the calendar year immediately preceding the particular calendar year.

STEP FIVE: Divide the sum of the three (3) quotients computed in STEP FOUR by three (3).

STEP SIX: Divide the STEP THREE amount by the STEP FIVE amount.

The civil taxing unit may increase its levy by a percentage not greater than the percentage by which the STEP THREE amount exceeds the percentage by which the civil taxing unit may increase its levy under section 3 **or 25** of this chapter, **as applicable,** based on the ~~assessed value~~ **maximum levy** growth quotient determined under section 2 of this chapter.

(3) A levy increase may be granted under this subdivision only for property taxes first due and payable after December 31, 2008. Permission to a civil taxing unit to increase its levy in excess of the limitations established under section 3 **or 25** of this chapter, **as applicable,** if the civil taxing unit cannot carry out its governmental functions for an ensuing calendar year under the levy limitations imposed by section 3 **or 25** of this chapter, **as applicable,** due to a natural disaster, an accident, or another unanticipated emergency.

(b) The department of local government finance shall increase the maximum permissible ad valorem property tax levy under section 3 of this chapter for the city of Goshen for 2012 and thereafter by an amount equal to the greater of zero (0) or the result of:

(1) the city's total pension costs in 2009 for the 1925 police pension fund (IC 36-8-6) and the 1937 firefighters' pension fund (IC 36-8-7); minus

(2) the sum of:

(A) the total amount of state funds received in 2009 by the city and used to pay benefits to members of the 1925 police pension fund (IC 36-8-6) or the 1937 firefighters' pension fund (IC 36-8-7); plus

(B) any previous permanent increases to the city's levy that were authorized to account for the transfer to the state of the responsibility to pay benefits to members of the 1925 police pension fund (IC 36-8-6) and the 1937 firefighters' pension fund (IC 36-8-7).

SECTION 37. IC 6-1.1-18.5-14, AS AMENDED BY P.L.182-2009(ss), SECTION 134, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) The department of local government finance may order a correction of any advertising error, mathematical error, or error in data made at the local level for any calendar year if the department finds that the error affects the determination of the limitations established by section 3 **or 25** of this chapter, **as applicable,** or the tax rate or levy of a civil taxing unit. The department of local government finance may on its own initiative correct such an advertising error, mathematical error, or error in data for any civil taxing unit.

(b) A correction made under subsection (a) for a prior calendar year shall be applied to the civil taxing unit's levy limitations, rate, and levy for the ensuing calendar year to offset any cumulative effect that the error caused in the determination of the civil taxing unit's levy limitations, rate, or levy for the ensuing calendar year.

SECTION 38. IC 6-1.1-18.5-16, AS AMENDED BY P.L.257-2019, SECTION 53, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) A civil taxing unit may request permission from the department to impose an ad valorem property tax levy that exceeds the limits imposed by section 3 of this chapter if:

(1) the civil taxing unit experienced a property tax revenue shortfall that resulted from erroneous assessed valuation figures being provided to the civil taxing unit;

(2) the erroneous assessed valuation figures were used by the civil taxing unit in determining its total property tax rate; and

(3) the error in the assessed valuation figures was found after the civil taxing unit's property tax levy resulting from that total rate was finally approved by the department of local government finance.

However, a civil taxing unit may not make a request described in this subsection on account of a revenue shortfall experienced in excess of five (5) years from the date of the most recent certified budget, tax rate, and levy of the civil taxing unit under IC 6-1.1-17-16.

(b) A civil taxing unit may request permission from the department to impose an ad valorem property tax levy that exceeds the limits imposed by section 3 **or 25** of this chapter, **as applicable,** if the civil taxing unit experienced a property tax revenue shortfall because of the payment of refunds that resulted from appeals under this article and IC 6-1.5. However, a civil taxing unit may not make a request described in this subsection on account of a revenue shortfall experienced in excess of five (5) years from the date of the most recent certified budget, tax rate, and levy of the civil taxing unit under IC 6-1.1-17-16.

(c) If the department determines that a shortfall described in subsection (a) or (b) has occurred, the department of local government finance may find that the civil taxing unit should be allowed to impose a property tax levy exceeding the limit imposed by section 3 **or 25** of this chapter, **as applicable.** However, the maximum amount by which the civil taxing unit's levy may be increased over the limits imposed by section 3 **or 25** of this chapter, **as applicable,** equals the remainder of the civil taxing unit's property tax levy for the particular calendar year as finally approved by the department of local government finance minus the actual property tax levy collected by the civil taxing unit for that particular calendar year.

(d) Any property taxes collected by a civil taxing unit over the limits imposed by section 3 **or 25** of this chapter, **as applicable,** under the authority of this section may not be treated as a part of the civil taxing unit's maximum permissible ad valorem property tax levy for purposes of determining its maximum permissible ad valorem property tax levy for future years.

(e) If the department of local government finance authorizes an excess tax levy under this section, it shall take appropriate steps to insure that the proceeds are first used to repay any loan made to the civil taxing unit for the purpose of meeting its current expenses.

SECTION 39. IC 6-1.1-18.5-25, AS ADDED BY P.L.180-2016, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 25. (a) The ad valorem property tax levy limits imposed under section 3 of this chapter do not apply to a municipality in a year if all the following apply:

(1) The percentage growth in the municipality's assessed value for the preceding year compared to the year before the preceding year is at least two (2) times the ~~assessed value~~ **maximum levy** growth quotient determined under section 2 of this chapter for the preceding year.

(2) The municipality's population increased by at least one hundred fifty percent (150%) between the last two (2) decennial censuses.

(b) A municipality that meets all the requirements under subsection (a) may increase its ad valorem property tax levy in excess of the limits imposed under section 3 of this chapter by a percentage equal to the lesser of:

(1) the percentage growth in the municipality's assessed value for the preceding year compared to the year before the preceding year; or

(2) six percent (6%).

(c) A municipality's ~~assessed value~~ **maximum levy** growth that results from either annexation or the pass through of assessed value from a tax increment financing district may not be included for the purposes of determining a municipality's ~~assessed value~~ **maximum levy** growth under this section.

(d) This section applies to property tax levies imposed after December 31, 2016.

SECTION 40. IC 6-1.1-20-1.1, AS AMENDED BY P.L.246-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.1. As used in this chapter, "controlled project" means any project financed by

bonds or a lease, except for the following:

(1) A project for which the political subdivision reasonably expects to pay:

(A) debt service; or

(B) lease rentals;

from funds other than property taxes that are exempt from the levy limitations of IC 6-1.1-18.5 or (before January 1, 2009) IC 20-45-3. A project is not a controlled project even though the political subdivision has pledged to levy property taxes to pay the debt service or lease rentals if those other funds are insufficient.

(2) A project that will not cost the political subdivision more than the lesser of the following:

(A) An amount equal to the following:

(i) In the case of an ordinance or resolution adopted before January 1, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, two million dollars ($2,000,000).

(ii) In the case of an ordinance or resolution adopted after December 31, 2017, and before January 1, 2019, making a preliminary determination to issue bonds or enter into a lease for the project, five million dollars ($5,000,000).

(iii) In the case of an ordinance or resolution adopted in a calendar year after December 31, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, an amount (as determined by the department of local government finance) equal to the result of the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the year multiplied by the amount determined under this clause for the preceding calendar year.

The department of local government finance shall publish the threshold determined under item (iii) in the Indiana Register under IC 4-22-7-7 not more than sixty (60) days after the date the budget agency releases the **maximum levy** growth quotient for the ensuing year under IC 6-1.1-18.5-2.

(B) An amount equal to the following:

(i) One percent (1%) of the total gross assessed value of property within the political subdivision on the last assessment date, if that total gross assessed value is more than one hundred million dollars ($100,000,000).

(ii) One million dollars ($1,000,000), if the total gross assessed value of property within the political subdivision on the last assessment date is not more than one hundred million dollars ($100,000,000).

(3) A project that is being refinanced for the purpose of providing gross or net present value savings to taxpayers.

(4) A project for which bonds were issued or leases were entered into before January 1, 1996, or where the state board of tax commissioners has approved the issuance of bonds or the execution of leases before January 1, 1996.

(5) A project that is required by a court order holding that a federal law mandates the project.

(6) A project that is in response to:

(A) a natural disaster;

(B) an accident; or

(C) an emergency;

in the political subdivision that makes a building or facility unavailable for its intended use.

(7) A project that was not a controlled project under this section as in effect on June 30, 2008, and for which:

(A) the bonds or lease for the project were issued or entered into before July 1, 2008; or

(B) the issuance of the bonds or the execution of the lease for the project was approved by the department of local government finance before July 1, 2008.

(8) A project of the Little Calumet River basin development commission for which bonds are payable from special assessments collected under IC 14-13-2-18.6.

SECTION 41. IC 6-1.1-20-3.1, AS AMENDED BY P.L.246-2017, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.1. (a) Subject to section 3.5(a)(1)(C) of this chapter, this section applies only to the following:

(1) A controlled project (as defined in section 1.1 of this chapter as in effect June 30, 2008) for which the proper officers of a political subdivision make a preliminary determination in the manner described in subsection (b) before July 1, 2008.

(2) An elementary school building, middle school building, high school building, or other school building for academic instruction that:

(A) is a controlled project;

(B) will be used for any combination of kindergarten through grade 12; and

(C) will not cost more than the lesser of the following:

(i) The threshold amount determined under this item. In the case of an ordinance or resolution adopted before January 1, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is ten million dollars ($10,000,000). In the case of an ordinance or resolution adopted after December 31, 2017, and before January 1, 2019, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is fifteen million dollars ($15,000,000). In the case of an ordinance or resolution adopted in a calendar year after December 31, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is an amount (as determined by the department of local government finance) equal to the result of the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the year multiplied by the threshold amount determined under this item for the preceding calendar year. In the case of a threshold amount determined under this item that applies for a calendar year after December 31, 2018, the department of local government finance shall publish the threshold in the Indiana Register under IC 4-22-7-7 not more than sixty (60) days after

the date the budget agency releases the ~~assessed value~~ **maximum levy** growth quotient for the ensuing year under IC 6-1.1-18.5-2.

(ii) An amount equal to one percent (1%) of the total gross assessed value of property within the political subdivision on the last assessment date, if that total gross assessed value is more than one billion dollars ($1,000,000,000), or ten million dollars ($10,000,000), if the total gross assessed value of property within the political subdivision on the last assessment date is not more than one billion dollars ($1,000,000,000).

(3) Any other controlled project that:

(A) is not a controlled project described in subdivision (1) or (2); and

(B) will not cost the political subdivision more than the lesser of the following:

(i) The threshold amount determined under this item. In the case of an ordinance or resolution adopted before January 1, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is twelve million dollars ($12,000,000). In the case of an ordinance or resolution adopted after December 31, 2017, and before January 1, 2019, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is fifteen million dollars ($15,000,000). In the case of an ordinance or resolution adopted in a calendar year after December 31, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is an amount (as determined by the department of local government finance) equal to the result of the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the year multiplied by the threshold amount determined under this item for the preceding calendar year. In the case of a threshold amount determined under this item that applies for a calendar year after December 31, 2018, the department of local government finance shall publish the threshold in the Indiana Register under IC 4-22-7-7 not more than sixty (60) days after the date the budget agency releases the ~~assessed value~~ **maximum levy** growth quotient for the ensuing year under IC 6-1.1-18.5-2.

(ii) An amount equal to one percent (1%) of the total gross assessed value of property within the political subdivision on the last assessment date, if that total gross assessed value is more than one hundred million dollars ($100,000,000), or one million dollars ($1,000,000), if the total gross assessed value of property within the political subdivision on the last assessment date is not more than one hundred million dollars ($100,000,000).

(b) A political subdivision may not impose property taxes to pay debt service on bonds or lease rentals on a lease for a controlled project without completing the following procedures:

(1) The proper officers of a political subdivision shall publish notice in accordance with IC 5-3-1 and send notice by first class mail to the circuit court clerk and to any organization that delivers to the officers, before January 1 of that year, an annual written request for such notices of any meeting to consider adoption of a resolution or an ordinance making a preliminary determination to issue bonds or enter into a lease and shall conduct at least two (2) public hearings on a preliminary determination before adoption of the resolution or ordinance. The political subdivision must at each of the public hearings on the preliminary determination allow the public to testify regarding the preliminary determination and must make the following information available to the public at each of the public hearings on the preliminary determination, in addition to any other information required by law:

(A) The result of the political subdivision's current and projected annual debt service payments divided by the net assessed value of taxable property within the political subdivision.

(B) The result of:

(i) the sum of the political subdivision's outstanding long term debt plus the outstanding long term debt of other taxing units that include any of the territory of the political subdivision; divided by

(ii) the net assessed value of taxable property within the political subdivision.

(C) The information specified in subdivision (3)(A) through (3)(H).

(2) When the proper officers of a political subdivision make a preliminary determination to issue bonds or enter into a lease for a controlled project, the officers shall give notice of the preliminary determination by:

(A) publication in accordance with IC 5-3-1; and

(B) first class mail to the circuit court clerk and to the organizations described in subdivision (1).

(3) A notice under subdivision (2) of the preliminary determination of the political subdivision to issue bonds or enter into a lease for a controlled project must include the following information:

(A) The maximum term of the bonds or lease.

(B) The maximum principal amount of the bonds or the maximum lease rental for the lease.

(C) The estimated interest rates that will be paid and the total interest costs associated with the bonds or lease.

(D) The purpose of the bonds or lease.

(E) A statement that any owners of property within the political subdivision or registered voters residing within the political subdivision who want to initiate a petition and remonstrance process against the proposed debt service or lease payments must file a petition that complies with subdivisions (4) and (5) not later than thirty (30) days after publication in accordance with IC 5-3-1.

(F) With respect to bonds issued or a lease entered into to open:

(i) a new school facility; or

(ii) an existing facility that has not been used for at least three (3) years and that is being reopened to provide additional classroom space;

the estimated costs the school corporation expects to incur annually to operate the facility.

(G) A statement of whether the school corporation expects to appeal for a new facility adjustment (as defined in IC 20-45-1-16 (repealed) before January 1, 2009) for an increased maximum permissible tuition support levy to pay the estimated costs described in clause (F).

(H) The following information:

(i) The political subdivision's current debt service levy and rate.

(ii) The estimated increase to the political subdivision's debt service levy and rate that will result if the political subdivision issues the bonds or enters into the lease.

(iii) The estimated amount of the political subdivision's debt service levy and rate that will result during the following ten (10) years if the political subdivision issues the bonds or enters into the lease, after also considering any changes that will occur to the debt service levy and rate during that period on account of any outstanding bonds or lease obligations that will mature or terminate during that period.

(I) The information specified in subdivision (1)(A) through (1)(B).

(4) After notice is given, a petition requesting the application of a petition and remonstrance process may be filed by the lesser of:

(A) five hundred (500) persons who are either owners of property within the political subdivision or registered voters residing within the political subdivision; or

(B) five percent (5%) of the registered voters residing within the political subdivision.

(5) The state board of accounts shall design and, upon request by the county voter registration office, deliver to the county voter registration office or the county voter registration office's designated printer the petition forms to be used solely in the petition process described in this section. The county voter registration office shall issue to an owner or owners of property within the political subdivision or a registered voter residing within the political subdivision the number of petition forms requested by the owner or owners or the registered voter. Each form must be accompanied by instructions detailing the requirements that:

(A) the carrier and signers must be owners of property or registered voters;

(B) the carrier must be a signatory on at least one (1) petition;

(C) after the signatures have been collected, the carrier must swear or affirm before a notary public that the carrier witnessed each signature; and

(D) govern the closing date for the petition period.

Persons requesting forms may be required to identify themselves as owners of property or registered voters and may be allowed to pick up additional copies to distribute to other owners of property or registered voters. Each person signing a petition must indicate whether the person is signing the petition as a registered voter within the political subdivision or is signing the petition as the owner of property within the political subdivision. A person who signs a petition as a registered voter must indicate the address at which the person is registered to vote. A person who signs a petition as an owner of property must indicate the address of the property owned by the person in the political subdivision.

(6) Each petition must be verified under oath by at least one (1) qualified petitioner in a manner prescribed by the state board of accounts before the petition is filed with the county voter registration office under subdivision (7).

(7) Each petition must be filed with the county voter registration office not more than thirty (30) days after publication under subdivision (2) of the notice of the preliminary determination.

(8) The county voter registration office shall determine whether each person who signed the petition is a registered voter. However, after the county voter registration office has determined that at least five hundred twenty-five (525) persons who signed the petition are registered voters within the political subdivision, the county voter registration office is not required to verify whether the remaining persons who signed the petition are registered voters. If the county voter registration office does not determine that at least five hundred twenty-five (525) persons who signed the petition are registered voters, the county voter registration office shall, not more than fifteen (15) business days after receiving a petition, forward a copy of the petition to the county auditor. Not more than ten (10) business days after receiving the copy of the petition, the county auditor shall provide to the county voter registration office a statement verifying:

(A) whether a person who signed the petition as a registered voter but is not a registered voter, as determined by the county voter registration office, is the owner of property in the political subdivision; and

(B) whether a person who signed the petition as an owner of property within the political subdivision does in fact own property within the political subdivision.

(9) The county voter registration office, not more than ten (10) business days after determining that at least five hundred twenty-five (525) persons who signed the petition are registered voters or receiving the statement from the county auditor under subdivision (8), as applicable, shall make the final determination of the number of petitioners that are registered voters in the political subdivision and, based on the statement provided by the county auditor, the number of petitioners that own property within the political subdivision. Whenever the name of an individual who signs a petition form as a registered voter contains a minor variation from the name of the registered voter as set forth

in the records of the county voter registration office, the signature is presumed to be valid, and there is a presumption that the individual is entitled to sign the petition under this section. Except as otherwise provided in this chapter, in determining whether an individual is a registered voter, the county voter registration office shall apply the requirements and procedures used under IC 3 to determine whether a person is a registered voter for purposes of voting in an election governed by IC 3. However, an individual is not required to comply with the provisions concerning providing proof of identification to be considered a registered voter for purposes of this chapter. A person is entitled to sign a petition only one (1) time in a particular petition and remonstrance process under this chapter, regardless of whether the person owns more than one (1) parcel of real property, mobile home assessed as personal property, or manufactured home assessed as personal property, or a combination of those types of property within the subdivision and regardless of whether the person is both a registered voter in the political subdivision and the owner of property within the political subdivision. Notwithstanding any other provision of this section, if a petition is presented to the county voter registration office within forty-five (45) days before an election, the county voter registration office may defer acting on the petition, and the time requirements under this section for action by the county voter registration office do not begin to run until five (5) days after the date of the election.

(10) The county voter registration office must file a certificate and each petition with:

(A) the township trustee, if the political subdivision is a township, who shall present the petition or petitions to the township board; or

(B) the body that has the authority to authorize the issuance of the bonds or the execution of a lease, if the political subdivision is not a township;

within thirty-five (35) business days of the filing of the petition requesting a petition and remonstrance process. The certificate must state the number of petitioners that are owners of property within the political subdivision and the number of petitioners who are registered voters residing within the political subdivision.

If a sufficient petition requesting a petition and remonstrance process is not filed by owners of property or registered voters as set forth in this section, the political subdivision may issue bonds or enter into a lease by following the provisions of law relating to the bonds to be issued or lease to be entered into.

(c) A political subdivision may not divide a controlled project in order to avoid the requirements of this section and section 3.2 of this chapter. A person that owns property within a political subdivision or a person that is a registered voter residing within a political subdivision may file a petition with the department of local government finance objecting that the political subdivision has divided a controlled project in order to avoid the requirements of this section and section 3.2 of this chapter. The petition must be filed not more than ten (10) days after the political subdivision gives notice of the political subdivision's decision to issue bonds or enter into leases for a capital project that the person believes is the result of a division of a controlled project that is prohibited by this subsection. If the department of local government finance receives a petition under this subsection, the department shall not later than thirty (30) days after receiving the petition make a final determination on the issue of whether the political subdivision divided a controlled project in order to avoid the requirements of this section and section 3.2 of this chapter. If the department of local government finance determines that a political subdivision divided a controlled project in order to avoid the requirements of this section and section 3.2 of this chapter and the political subdivision continues to desire to proceed with the project, the political subdivision shall fulfill the requirements of this section and section 3.2 of this chapter, if applicable, regardless of the cost of the project in dispute. A political subdivision shall be considered to have divided a capital project in order to avoid the requirements of this section and section 3.2 of this chapter if the result of one (1) or more of the subprojects cannot reasonably be considered an independently desirable end in itself without reference to another capital project. This subsection does not prohibit a political subdivision from undertaking a series of capital projects in which the result of each capital project can reasonably be considered an independently desirable end in itself without reference to another capital project.

SECTION 42. IC 6-1.1-20-3.5, AS AMENDED BY P.L.272-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. (a) This section applies only to a controlled project that meets the following conditions:

(1) The controlled project is described in one (1) of the following categories:

(A) An elementary school building, middle school building, high school building, or other school building for academic instruction that will be used for any combination of kindergarten through grade 12 and will cost more than the lesser of the following:

(i) The threshold amount determined under this item. In the case of an ordinance or resolution adopted before January 1, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is ten million dollars ($10,000,000). In the case of an ordinance or resolution adopted after December 31, 2017, and before January 1, 2019, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is fifteen million dollars ($15,000,000). In the case of an ordinance or resolution adopted in a calendar year after December 31, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is an amount (as determined by the department of local government finance) equal to the result of the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the year multiplied by the threshold amount determined

under this item for the preceding calendar year. In the case of a threshold amount determined under this item that applies for a calendar year after December 31, 2018, the department of local government finance shall publish the threshold in the Indiana Register under IC 4-22-7-7 not more than sixty (60) days after the date the budget agency releases the ~~assessed value~~ **maximum levy** growth quotient for the ensuing year under IC 6-1.1-18.5-2.

(ii) An amount equal to one percent (1%) of the total gross assessed value of property within the political subdivision on the last assessment date, if that total gross assessed value is more than one billion dollars ($1,000,000,000), or ten million dollars ($10,000,000), if the total gross assessed value of property within the political subdivision on the last assessment date is not more than one billion dollars ($1,000,000,000).

(B) Any other controlled project that is not a controlled project described in clause (A) and will cost the political subdivision more than the lesser of the following:

(i) The threshold amount determined under this item. In the case of an ordinance or resolution adopted before January 1, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is twelve million dollars ($12,000,000). In the case of an ordinance or resolution adopted after December 31, 2017, and before January 1, 2019, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is fifteen million dollars ($15,000,000). In the case of an ordinance or resolution adopted in a calendar year after December 31, 2018, making a preliminary determination to issue bonds or enter into a lease for the project, the threshold amount is an amount (as determined by the department of local government finance) equal to the result of the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the year multiplied by the threshold amount determined under this item for the preceding calendar year. In the case of a threshold amount determined under this item that applies for a calendar year after December 31, 2018, the department of local government finance shall publish the threshold in the Indiana Register under IC 4-22-7-7 not more than sixty (60) days after the date the budget agency releases the ~~assessed value~~ **maximum levy** growth quotient for the ensuing year under IC 6-1.1-18.5-2.

(ii) An amount equal to one percent (1%) of the total gross assessed value of property within the political subdivision on the last assessment date, if that total gross assessed value is more than one hundred million dollars ($100,000,000), or one million dollars ($1,000,000), if the total gross assessed value of property within the political subdivision on the last assessment date is not more than one hundred million dollars ($100,000,000).

(C) Any other controlled project for which a political subdivision adopts an ordinance or resolution making a preliminary determination to issue bonds or enter into a lease for the project, if the sum of:

(i) the cost of that controlled project; plus

(ii) the costs of all other controlled projects for which the political subdivision has previously adopted within the preceding three hundred sixty-five (365) days an ordinance or resolution making a preliminary determination to issue bonds or enter into a lease for those other controlled projects;

exceeds twenty-five million dollars ($25,000,000).

(2) The proper officers of the political subdivision make a preliminary determination after June 30, 2008, in the manner described in subsection (b) to issue bonds or enter into a lease for the controlled project.

(b) Subject to subsection (d), a political subdivision may not impose property taxes to pay debt service on bonds or lease rentals on a lease for a controlled project without completing the following procedures:

(1) The proper officers of a political subdivision shall publish notice in accordance with IC 5-3-1 and send notice by first class mail to the circuit court clerk and to any organization that delivers to the officers, before January 1 of that year, an annual written request for notices of any meeting to consider the adoption of an ordinance or a resolution making a preliminary determination to issue bonds or enter into a lease and shall conduct at least two (2) public hearings on the preliminary determination before adoption of the ordinance or resolution. The political subdivision must at each of the public hearings on the preliminary determination allow the public to testify regarding the preliminary determination and must make the following information available to the public at each of the public hearings on the preliminary determination, in addition to any other information required by law:

(A) The result of the political subdivision's current and projected annual debt service payments divided by the net assessed value of taxable property within the political subdivision.

(B) The result of:

(i) the sum of the political subdivision's outstanding long term debt plus the outstanding long term debt of other taxing units that include any of the territory of the political subdivision; divided by

(ii) the net assessed value of taxable property within the political subdivision.

(C) The information specified in subdivision (3)(A) through (3)(G).

(2) If the proper officers of a political subdivision make a preliminary determination to issue bonds or enter into a lease, the officers shall give notice of the preliminary determination by:

(A) publication in accordance with IC 5-3-1; and

(B) first class mail to the circuit court clerk and to the organizations described in subdivision (1).

(3) A notice under subdivision (2) of the preliminary determination of the political subdivision to issue bonds or enter into a lease must include the following information:

(A) The maximum term of the bonds or lease.

(B) The maximum principal amount of the bonds or the maximum lease rental for the lease.

(C) The estimated interest rates that will be paid and the total interest costs associated with the bonds or lease.

(D) The purpose of the bonds or lease.

(E) A statement that the proposed debt service or lease payments must be approved in an election on a local public question held under section 3.6 of this chapter.

(F) With respect to bonds issued or a lease entered into to open:

(i) a new school facility; or

(ii) an existing facility that has not been used for at least three (3) years and that is being reopened to provide additional classroom space;

the estimated costs the school corporation expects to annually incur to operate the facility.

(G) The following information:

(i) The political subdivision's current debt service levy and rate.

(ii) The estimated increase to the political subdivision's debt service levy and rate that will result if the political subdivision issues the bonds or enters into the lease.

(iii) The estimated amount of the political subdivision's debt service levy and rate that will result during the following ten (10) years if the political subdivision issues the bonds or enters into the lease, after also considering any changes that will occur to the debt service levy and rate during that period on account of any outstanding bonds or lease obligations that will mature or terminate during that period.

(H) The information specified in subdivision (1)(A) through (1)(B).

(4) After notice is given, a petition requesting the application of the local public question process under section 3.6 of this chapter may be filed by the lesser of:

(A) five hundred (500) persons who are either owners of property within the political subdivision or registered voters residing within the political subdivision; or

(B) five percent (5%) of the registered voters residing within the political subdivision.

(5) The state board of accounts shall design and, upon request by the county voter registration office, deliver to the county voter registration office or the county voter registration office's designated printer the petition forms to be used solely in the petition process described in this section. The county voter registration office shall issue to an owner or owners of property within the political subdivision or a registered voter residing within the political subdivision the number of petition forms requested by the owner or owners or the registered voter. Each form must be accompanied by instructions detailing the requirements that:

(A) the carrier and signers must be owners of property or registered voters;

(B) the carrier must be a signatory on at least one (1) petition;

(C) after the signatures have been collected, the carrier must swear or affirm before a notary public that the carrier witnessed each signature; and

(D) govern the closing date for the petition period.

Persons requesting forms may be required to identify themselves as owners of property or registered voters and may be allowed to pick up additional copies to distribute to other owners of property or registered voters. Each person signing a petition must indicate whether the person is signing the petition as a registered voter within the political subdivision or is signing the petition as the owner of property within the political subdivision. A person who signs a petition as a registered voter must indicate the address at which the person is registered to vote. A person who signs a petition as an owner of property must indicate the address of the property owned by the person in the political subdivision.

(6) Each petition must be verified under oath by at least one (1) qualified petitioner in a manner prescribed by the state board of accounts before the petition is filed with the county voter registration office under subdivision (7).

(7) Each petition must be filed with the county voter registration office not more than thirty (30) days after publication under subdivision (2) of the notice of the preliminary determination.

(8) The county voter registration office shall determine whether each person who signed the petition is a registered voter. However, after the county voter registration office has determined that at least five hundred twenty-five (525) persons who signed the petition are registered voters within the political subdivision, the county voter registration office is not required to verify whether the remaining persons who signed the petition are registered voters. If the county voter registration office does not determine that at least five hundred twenty-five (525) persons who signed the petition are registered voters, the county voter registration office, not more than fifteen (15) business days after receiving a petition, shall forward a copy of the petition to the county auditor. Not more than ten (10) business days after receiving the copy of the petition, the county auditor shall provide to the county voter registration office a statement verifying:

(A) whether a person who signed the petition as a registered voter but is not a registered voter, as determined by the county voter registration office, is the owner of property in the political subdivision; and

(B) whether a person who signed the petition as an owner of property within the political subdivision does in fact own property within the political subdivision.

(9) The county voter registration office, not more than ten (10) business days after determining that at least five hundred twenty-five (525) persons who signed the petition

are registered voters or after receiving the statement from the county auditor under subdivision (8), as applicable, shall make the final determination of whether a sufficient number of persons have signed the petition. Whenever the name of an individual who signs a petition form as a registered voter contains a minor variation from the name of the registered voter as set forth in the records of the county voter registration office, the signature is presumed to be valid, and there is a presumption that the individual is entitled to sign the petition under this section. Except as otherwise provided in this chapter, in determining whether an individual is a registered voter, the county voter registration office shall apply the requirements and procedures used under IC 3 to determine whether a person is a registered voter for purposes of voting in an election governed by IC 3. However, an individual is not required to comply with the provisions concerning providing proof of identification to be considered a registered voter for purposes of this chapter. A person is entitled to sign a petition only one (1) time in a particular referendum process under this chapter, regardless of whether the person owns more than one (1) parcel of real property, mobile home assessed as personal property, or manufactured home assessed as personal property or a combination of those types of property within the political subdivision and regardless of whether the person is both a registered voter in the political subdivision and the owner of property within the political subdivision. Notwithstanding any other provision of this section, if a petition is presented to the county voter registration office within forty-five (45) days before an election, the county voter registration office may defer acting on the petition, and the time requirements under this section for action by the county voter registration office do not begin to run until five (5) days after the date of the election.

(10) The county voter registration office must file a certificate and each petition with:

(A) the township trustee, if the political subdivision is a township, who shall present the petition or petitions to the township board; or

(B) the body that has the authority to authorize the issuance of the bonds or the execution of a lease, if the political subdivision is not a township;

within thirty-five (35) business days of the filing of the petition requesting the referendum process. The certificate must state the number of petitioners who are owners of property within the political subdivision and the number of petitioners who are registered voters residing within the political subdivision.

(11) If a sufficient petition requesting the local public question process is not filed by owners of property or registered voters as set forth in this section, the political subdivision may issue bonds or enter into a lease by following the provisions of law relating to the bonds to be issued or lease to be entered into.

(c) If the proper officers of a political subdivision make a preliminary determination to issue bonds or enter into a lease, the officers shall provide to the county auditor:

(1) a copy of the notice required by subsection (b)(2); and

(2) any other information the county auditor requires to fulfill the county auditor's duties under section 3.6 of this chapter.

(d) In addition to the procedures in subsection (b), if any capital improvement components addressed in the most recent:

(1) threat assessment of the buildings within the school corporation; or

(2) school safety plan (as described in IC 20-26-18.2-2(b));

concerning a particular school have not been completed or require additional funding to be completed, before the school corporation may impose property taxes to pay debt service on bonds or lease rentals for a lease for a controlled project, and in addition to any other components of the controlled project, the controlled project must include any capital improvements necessary to complete those components described in subdivisions (1) and (2) that have not been completed or that require additional funding to be completed.

SECTION 43. IC 6-1.1-20.6-8.5, AS AMENDED BY P.L.114-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8.5. (a) This section applies to an individual who:

(1) qualified for a standard deduction granted under IC 6-1.1-12-37 for the individual's homestead property in the immediately preceding calendar year (or was married at the time of death to a deceased spouse who qualified for a standard deduction granted under IC 6-1.1-12-37 for the individual's homestead property in the immediately preceding calendar year);

(2) qualifies for a standard deduction granted under IC 6-1.1-12-37 for the same homestead property in the current calendar year;

(3) is or will be at least sixty-five (65) years of age on or before December 31 of the calendar year immediately preceding the current calendar year; and

(4) had:

(A) in the case of an individual who filed a single return, adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding thirty thousand dollars ($30,000); or

(B) in the case of an individual who filed a joint income tax return with the individual's spouse, combined adjusted gross income (as defined in Section 62 of the Internal Revenue Code) not exceeding forty thousand dollars ($40,000);

for the calendar year preceding by two (2) years the calendar year in which property taxes are first due and payable.

(b) Except as provided in subsection (g), this section does not apply if:

(1) for an individual who received a credit under this section before January 1, 2020, the gross assessed value of the homestead on the assessment date for which property taxes are imposed is at least two hundred thousand dollars ($200,000); or

(2) for an individual who initially applies for a credit under

this section after December 31, 2019, the assessed value of the individual's Indiana real property is at least two hundred thousand dollars ($200,000).

(c) An individual is entitled to an additional credit under this section for property taxes first due and payable for a calendar year on a homestead if:

(1) the individual and the homestead qualify for the credit under subsection (a) for the calendar year;

(2) the homestead is not disqualified for the credit under subsection (b) for the calendar year; and

(3) the filing requirements under subsection (e) are met.

(d) The amount of the credit is equal to the greater of zero (0) or the result of:

(1) the property tax liability first due and payable on the homestead property for the calendar year; minus

(2) the result of:

(A) the property tax liability first due and payable on the qualified homestead property for the immediately preceding year after the application of the credit granted under this section for that year; multiplied by

(B) one and two hundredths (1.02).

However, property tax liability imposed on any improvements to or expansion of the homestead property after the assessment date for which property tax liability described in subdivision (2) was imposed shall not be considered in determining the credit granted under this section in the current calendar year.

(e) Applications for a credit under this section shall be filed in the manner provided for an application for a deduction under IC 6-1.1-12-9. However, an individual who remains eligible for the credit in the following year is not required to file a statement to apply for the credit in the following year. An individual who receives a credit under this section in a particular year and who becomes ineligible for the credit in the following year shall notify the auditor of the county in which the homestead is located of the individual's ineligibility not later than sixty (60) days after the individual becomes ineligible.

(f) The auditor of each county shall, in a particular year, apply a credit provided under this section to each individual who received the credit in the preceding year unless the auditor determines that the individual is no longer eligible for the credit.

(g) For purposes of determining the:

(1) assessed value of the homestead on the assessment date for which property taxes are imposed under subsection (b)(1); or

(2) assessed value of the individual's Indiana real property under subsection (b)(2);

for an individual who has received a credit under this section in a particular year, increases in assessed value ~~due solely to an annual adjustment of the assessed value under IC 6-1.1-4-4.5~~ that occur after the later of December 31, 2019, or the first year that the individual has received the credit are not considered **unless the increase in assessed value is attributable to physical improvements to the property.**

SECTION 44. IC 6-1.1-22-8.1, AS AMENDED BY P.L.232-2017, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8.1. (a) The county treasurer shall:

(1) except as provided in subsection (h), mail to the last known address of each person liable for any property taxes or special assessment, as shown on the tax duplicate or special assessment records, or to the last known address of the most recent owner shown in the transfer book; and

(2) transmit by written, electronic, or other means to a mortgagee maintaining an escrow account for a person who is liable for any property taxes or special assessments, as shown on the tax duplicate or special assessment records;

a statement in the form required under subsection (b).

(b) The department of local government finance shall prescribe a form, subject to the approval of the state board of accounts, for the statement under subsection (a) that includes at least the following:

(1) A statement of the taxpayer's current and delinquent taxes and special assessments.

(2) A breakdown showing the total property tax and special assessment liability and the amount of the taxpayer's liability that will be distributed to each taxing unit in the county.

(3) An itemized listing for each property tax levy, including:

(A) the amount of the tax rate;

(B) the entity levying the tax owed; and

(C) the dollar amount of the tax owed.

(4) Information designed to show the manner in which the taxes and special assessments billed in the tax statement are to be used.

(5) Information regarding how a taxpayer can obtain information regarding the taxpayer's notice of assessment or reassessment under IC 6-1.1-4-22.

~~(5)~~ **(6)** A comparison showing any change in the assessed valuation for the property as compared to the previous year.

~~(6)~~ **(7)** A comparison showing any change in the property tax and special assessment liability for the property as compared to the previous year. The information required under this subdivision must identify:

(A) the amount of the taxpayer's liability distributable to each taxing unit in which the property is located in the current year and in the previous year; and

(B) the percentage change, if any, in the amount of the taxpayer's liability distributable to each taxing unit in which the property is located from the previous year to the current year.

~~(7)~~ **(8)** An explanation of the following:

(A) Homestead credits under IC 6-1.1-20.4, IC 6-3.6-5, or another law that are available in the taxing district where the property is located.

(B) All property tax deductions that are available in the taxing district where the property is located.

(C) The procedure and deadline for filing for any available homestead credits under IC 6-1.1-20.4, IC 6-3.6-5, or another law and each deduction.

(D) The procedure that a taxpayer must follow to:

(i) appeal a current assessment; or

(ii) petition for the correction of an error related to the taxpayer's property tax and special assessment

liability.

(E) The forms that must be filed for an appeal or a petition described in clause (D).

(F) The procedure and deadline that a taxpayer must follow and the forms that must be used if a credit or deduction has been granted for the property and the taxpayer is no longer eligible for the credit or deduction.

(G) Notice that an appeal described in clause (D) requires evidence relevant to the true tax value of the taxpayer's property as of the assessment date that is the basis for the taxes payable on that property.

The department of local government finance shall provide the explanation required by this subdivision to each county treasurer.

~~(8)~~ **(9)** A checklist that shows:

(A) homestead credits under IC 6-1.1-20.4, IC 6-3.6-5, or another law and all property tax deductions; and

(B) whether each homestead credit and property tax deduction applies in the current statement for the property transmitted under subsection (a).

(10) A remittance coupon indicating the payment amounts due at each payment due date and other information determined by the department of local government finance.

(c) The county treasurer shall mail or transmit the statement one (1) time each year on or before April 15. Whenever a person's tax liability for a year is due in one (1) installment under IC 6-1.1-7-7 or section 9 of this chapter, a statement that is mailed must include the date on which the installment is due and denote the amount of money to be paid for the installment. Whenever a person's tax liability is due in two (2) installments, a statement that is mailed must contain the dates on which the first and second installments are due and denote the amount of money to be paid for each installment. If a statement is returned to the county treasurer as undeliverable and the forwarding order is expired, the county treasurer shall notify the county auditor of this fact. Upon receipt of the county treasurer's notice, the county auditor may, at the county auditor's discretion, treat the property as not being eligible for any deductions under IC 6-1.1-12 or any homestead credits under IC 6-1.1-20.4 and IC 6-3.6-5.

(d) All payments of property taxes and special assessments shall be made to the county treasurer. The county treasurer, when authorized by the board of county commissioners, may open temporary offices for the collection of taxes in cities and towns in the county other than the county seat.

(e) The county treasurer, county auditor, and county assessor shall cooperate to generate the information to be included in the statement under subsection (b).

(f) The information to be included in the statement under subsection (b) must be simply and clearly presented and understandable to the average individual.

(g) After December 31, 2007, a reference in a law or rule to IC 6-1.1-22-8 (expired January 1, 2008, and repealed) shall be treated as a reference to this section.

(h) Transmission of statements and other information under this subsection applies in a county only if the county legislative body adopts an authorizing ordinance. Subject to subsection (i), in a county in which an ordinance is adopted under this subsection for property taxes and special assessments, a person may, in any manner permitted by subsection (n), direct the county treasurer and county auditor to transmit the following to the person by electronic mail:

(1) A statement that would otherwise be sent by the county treasurer to the person by regular mail under subsection (a)(1), including a statement that reflects installment payment due dates under section 9.5 or 9.7 of this chapter.

(2) A provisional tax statement that would otherwise be sent by the county treasurer to the person by regular mail under IC 6-1.1-22.5-6.

(3) A reconciling tax statement that would otherwise be sent by the county treasurer to the person by regular mail under any of the following:

(A) Section 9 of this chapter.

(B) Section 9.7 of this chapter.

(C) IC 6-1.1-22.5-12, including a statement that reflects installment payment due dates under IC 6-1.1-22.5-18.5.

(4) Any other information that:

(A) concerns the property taxes or special assessments; and

(B) would otherwise be sent:

(i) by the county treasurer or the county auditor to the person by regular mail; and

(ii) before the last date the property taxes or special assessments may be paid without becoming delinquent.

The information listed in this subsection may be transmitted to a person by using electronic mail that provides a secure Internet link to the information.

(i) For property with respect to which more than one (1) person is liable for property taxes and special assessments, subsection (h) applies only if all the persons liable for property taxes and special assessments designate the electronic mail address for only one (1) individual authorized to receive the statements and other information referred to in subsection (h).

(j) The department of local government finance shall create a form to be used to implement subsection (h). The county treasurer and county auditor shall:

(1) make the form created under this subsection available to the public;

(2) transmit a statement or other information by electronic mail under subsection (h) to a person who files, on or before March 15, the form created under this subsection:

(A) with the county treasurer; or

(B) with the county auditor; and

(3) publicize the availability of the electronic mail option under this subsection through appropriate media in a manner reasonably designed to reach members of the public.

(k) The form referred to in subsection (j) must:

(1) explain that a form filed as described in subsection (j)(2) remains in effect until the person files a replacement form to:

(A) change the person's electronic mail address; or

(B) terminate the electronic mail option under subsection (h); and

(2) allow a person to do at least the following with respect to the electronic mail option under subsection (h):

(A) Exercise the option.

(B) Change the person's electronic mail address.

(C) Terminate the option.

(D) For a person other than an individual, designate the electronic mail address for only one (1) individual authorized to receive the statements and other information referred to in subsection (h).

(E) For property with respect to which more than one (1) person is liable for property taxes and special assessments, designate the electronic mail address for only one (1) individual authorized to receive the statements and other information referred to in subsection (h).

(l) The form created under subsection (j) is considered filed with the county treasurer or the county auditor on the postmark date or on the date it is electronically submitted. If the postmark is missing or illegible, the postmark is considered to be one (1) day before the date of receipt of the form by the county treasurer or the county auditor.

(m) The county treasurer shall maintain a record that shows at least the following:

(1) Each person to whom a statement or other information is transmitted by electronic mail under this section.

(2) The information included in the statement.

(3) Whether the county treasurer received a notice that the person's electronic mail was undeliverable.

(n) A person may direct the county treasurer and county auditor to transmit information by electronic mail under subsection (h) on a form prescribed by the department submitted:

(1) in person;

(2) by mail; or

(3) in an online format developed by the county and approved by the department.

SECTION 45. IC 6-1.1-24-5.3, AS AMENDED BY P.L.149-2016, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5.3. (a) This section applies to the following:

(1) A person who:

(A) owns a fee interest, a life estate interest, or the equitable interest of a contract purchaser in an unsafe building or unsafe premises; and

(B) is subject to an order issued under IC 36-7-9-5(a)(2), IC 36-7-9-5(a)(3), IC 36-7-9-5(a)(4), or IC 36-7-9-5(a)(5) regarding which the conditions set forth in IC 36-7-9-10(a)(1) through IC 36-7-9-10(a)(4) exist.

(2) A person who:

(A) owns a fee interest, a life estate interest, or the equitable interest of a contract purchaser in an unsafe building or unsafe premises; and

(B) is subject to an order issued under IC 36-7-9-5(a), other than an order issued under IC 36-7-9-5(a)(2), IC 36-7-9-5(a)(3), IC 36-7-9-5(a)(4), or IC 36-7-9-5(a)(5), regarding which the conditions set forth in IC 36-7-9-10(b)(1) through IC 36-7-9-10(b)(4) exist.

(3) A person who is the defendant in a court action brought under IC 36-7-9-18, IC 36-7-9-19, IC 36-7-9-20, IC 36-7-9-21, or IC 36-7-9-22 that has resulted in a judgment in favor of the plaintiff and the unsafe condition that caused the action to be brought has not been corrected.

(4) A person who has any of the following relationships to a person, partnership, corporation, or legal entity described in subdivision (1), (2), ~~or~~ (3), **or (5):**

(A) A partner of a partnership.

(B) A member of a limited liability company.

~~(B)~~ **(C)** An officer, **director,** or majority stockholder of a corporation.

~~(C)~~ **(D)** The person who **controls or** directs the activities or has a majority ownership in a legal entity other than a partnership or corporation.

(5) A person who owes:

(A) delinquent taxes;

(B) special assessments;

(C) penalties;

(D) interest; or

(E) costs directly attributable to a prior tax sale;

on a tract or an item of real property listed under section 1 of this chapter.

(6) A person who owns a fee interest, a life estate interest, or the equitable interest of a contract purchaser in a vacant or abandoned structure subject to an enforcement order under IC 32-30-6, IC 32-30-7, IC 32-30-8, or IC 36-7-9, or a court order under IC 36-7-37.

(7) A person who is an agent of the person described in this subsection.

(b) A person subject to this section may not **bid on or** purchase a tract offered for sale under section 5 or 6.1 of this chapter. However, this section does not prohibit a person from bidding on a tract that is owned by the person and offered for sale under section 5 of this chapter.

(c) The county treasurer shall require each person who will be bidding at the tax sale to sign a statement in a form substantially similar to the following:

"Indiana law prohibits a person who owes delinquent taxes, special assessments, penalties, interest, or costs directly attributable to a prior tax sale of a tract or item of real property listed under IC 6-1.1-24-1 from **bidding on or** purchasing tracts or items of real property at a tax sale. I hereby affirm under the penalties for perjury that I do not owe delinquent taxes, special assessments, penalties, interest, costs directly attributable to a prior tax sale, amounts from a final adjudication in favor of a political subdivision, any civil penalties imposed for the violation of a building code or county ordinance, or any civil penalties imposed by a county health department. **I also affirm that I am not purchasing tracts or items of real property on behalf of or as an agent for a person who is prohibited from purchasing at a tax sale.** Further, I hereby acknowledge that any successful bid I make in violation of this statement is subject to forfeiture. In the event of forfeiture, the amount by which my bid exceeds the

minimum bid on the tract or item or real property under IC 6-1.1-24-5(e), if any, shall be applied to the delinquent taxes, special assessments, penalties, interest, costs, judgments, or civil penalties I owe, and a certificate will be issued to the county executive.".

(d) If a person purchases a tract that the person was not eligible to purchase under this section, the sale of the property is subject to forfeiture. If the county treasurer determines or is notified not more than six (6) months after the date of the sale that the sale of the property should be forfeited, the county treasurer shall:

(1) notify the person in writing that the sale is subject to forfeiture if the person does not pay the amounts that the person owes within thirty (30) days of the notice;

(2) if the person does not pay the amounts that the person owes within thirty (30) days after the notice, apply the surplus amount of the person's bid to the person's delinquent taxes, special assessments, penalties, and interest;

(3) remit the amounts owed from a final adjudication or civil penalties in favor of a political subdivision to the appropriate political subdivision; and

(4) notify the county auditor that the sale has been forfeited.

Upon being notified that a sale has been forfeited, the county auditor shall issue a certificate to the county executive under section 6 of this chapter.

(e) A county treasurer may decline to forfeit a sale under this section because of inadvertence or mistake, lack of actual knowledge by the bidder, substantial harm to other parties with interests in the tract or item of real property, or other substantial reasons. If the treasurer declines to forfeit a sale, the treasurer shall:

(1) prepare a written statement explaining the reasons for declining to forfeit the sale; and

(2) retain the written statement as an official record.

(f) If a sale is forfeited under this section and the tract or item of real property is redeemed from the sale, the county auditor shall deposit the amount of the redemption into the county general fund and notify the county executive of the redemption. Upon being notified of the redemption, the county executive shall surrender the certificate to the county auditor.

SECTION 46. IC 6-1.1-26-4.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: **Sec. 4.2. (a) This section applies to any refund for a property resulting from a real property tax assessment appeal for the property for an assessment date occurring after December 31, 2014. This section does not apply if any refund for a property under appeal has been paid before January 1, 2020. Except as modified by this section, all other provisions of IC 6-1.1 apply regarding the payment of refunds and application of credits.**

(b) If, upon conclusion of a real property tax assessment appeal, the total amount of property taxes owed to the taxpayer as a result of the appeal is five hundred thousand dollars ($500,000) or more for the assessment dates under appeal, the auditor of the county in which the property is located may, instead of a refund, elect to apply credits in equal installments to future property tax installments for the property over a period of not more than:

(1) five (5) years following the date of the conclusion of the assessment appeal, if the total amount of property taxes owed to the taxpayer as a result of the appeal is:

(A) greater than or equal to five hundred thousand dollars ($500,000); and

(B) less than five million dollars ($5,000,000);

(2) seven (7) years following the date of the conclusion of the assessment appeal, if the total amount of property taxes owed to the taxpayer as a result of the appeal is:

(A) greater than or equal to five million dollars ($5,000,000); and

(B) less than ten million dollars ($10,000,000); or

(3) ten (10) years following the date of the conclusion of the assessment appeal, if the total amount of property taxes owed to the taxpayer as a result of the appeal is greater than or equal to ten million dollars ($10,000,000).

The auditor may elect to accelerate credits or to provide a full or partial refund within the period specified under subdivision (1), (2), or (3), as applicable.

(c) Notwithstanding subsection (b), if a claimant is no longer the taxpayer for the property on which the appeal was filed, the overpayment shall not be applied as a credit and the overpayment may be refunded in equal installments over the period specified in subsection (b)(1), (b)(2), or (b)(3), as applicable.

SECTION 47. IC 6-1.1-30-16 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 16. The department of local government finance is the agency through which public access to information provided for a county to both the department of local government finance and the legislative services agency shall be provided. This information to which this section applies includes information provided under the following:~~

~~(1) IC 5-14-1.5-2.~~

~~(2) IC 6-1.1-4-18.5.~~

~~(3) IC 6-1.1-4-19.5.~~

~~(4) IC 6-1.1-4-25.~~

~~(5) IC 6-1.1-5.5-3.~~

~~(6) IC 6-1.1-11-8.~~

~~(7) IC 6-1.1-31.5-3.5.~~

~~(8) IC 6-1.1-33.5-3.~~

~~(9) IC 36-2-9-20.~~

SECTION 48. IC 6-1.1-31-1, AS AMENDED BY P.L.257-2019, SECTION 61, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) The department of local government finance shall do the following:

(1) Prescribe the property tax forms and returns which taxpayers are to complete and on which the taxpayers' assessments will be based.

(2) Prescribe the forms to be used to give taxpayers notice of assessment actions.

(3) Adopt rules concerning the assessment of tangible property.

(4) Develop specifications that prescribe state requirements

for computer software and hardware to be used by counties for assessment purposes. The specifications developed under this subdivision apply only to computer software and hardware systems purchased for assessment purposes after July 1, 1993. The specifications, including specifications in a rule or other standard adopted under IC 6-1.1-31.5, must provide for:

(A) maintenance of data in a form that formats the information in the file with the standard data, field, and record coding jointly required and approved by the department of local government finance and the legislative services agency;

(B) data export and transmission that is compatible with the data export and transmission requirements in a standard format prescribed by the office of technology established by IC 4-13.1-2-1 and jointly approved by the department of local government finance and legislative services agency; and

(C) maintenance of data in a manner that ensures prompt and accurate transfer of data to the department of local government finance, ~~and the legislative services agency,~~ as jointly approved by the department of local government finance and the legislative services agency.

(5) Adopt rules establishing criteria for the revocation of a certification under IC 6-1.1-35.5-6.

~~(6) Prescribe the state address confidentiality form to be used by a covered person (as defined in IC 36-1-8.5-2) under IC 36-1-8.5 to restrict access to the person's address maintained in a public property data base.~~

(6) Notwithstanding IC 2-5-1.7, provide to the legislative services agency:

(A) parcel level real property assessment and tax data; and

(B) return level personal property assessment and tax data, including depreciation schedules;

received from counties within one (1) business day of receipt.

(7) Notwithstanding IC 2-5-1.7, provide the following to the legislative services agency upon request:

(A) Sales disclosure form data received from county and township assessors under IC 6-1.1-5.5-3.

(B) Public utility assessment return data, including depreciation schedules, received under IC 6-1.1-8.

(C) Public utility tax data for taxes determined under IC 6-1.1-8.

(b) The department of local government finance may adopt rules that are related to property taxation or the duties or the procedures of the department.

(c) The department of local government finance may adopt rules for procedures related to local government budgeting. Notwithstanding any contrary provision in IC 4-22-2, the adoption, amendment, or repeal of a rule by the department of local government finance under this subsection may not take effect before March 1 or after July 31 of a particular year.

(d) Rules of the state board of tax commissioners are for all purposes rules of the department of local government finance and the Indiana board until the department and the Indiana board adopt rules to repeal or supersede the rules of the state board of tax commissioners.

SECTION 49. IC 6-1.1-31.5-3.5, AS AMENDED BY P.L.146-2008, SECTION 273, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. (a) Until the system described in subsection (e) is implemented, each county shall maintain a state certified computer system that has the capacity to:

(1) process and maintain assessment records;

(2) process and maintain standardized property tax forms;

(3) process and maintain standardized property assessment notices;

(4) maintain complete and accurate assessment records for the county; and

(5) process and compute complete and accurate assessments in accordance with Indiana law.

The county assessor shall select the computer system.

(b) All information on a computer system referred to in subsection (a) shall be readily accessible to:

(1) the department of local government finance; and

(2) assessing officials.

(c) The certified system referred to in subsection (a) used by the counties must be:

(1) compatible with the data export and transmission requirements in a standard format prescribed by the office of technology established by IC 4-13.1-2-1 and approved by the legislative services agency; and

(2) maintained in a manner that ensures prompt and accurate transfer of data to the department of local government finance. ~~and the legislative services agency.~~

(d) All standardized property forms and notices on the certified computer system referred to in subsection (a) shall be maintained by the county assessor in an accessible location and in a format that is easily understandable for use by persons of the county.

(e) The department shall adopt rules before July 1, 2006, for the establishment of:

(1) a uniform and common property tax management system for all counties that:

(A) includes a combined mass appraisal and county auditor system integrated with a county treasurer system; and

(B) replaces the computer system referred to in subsection (a); and

(2) a schedule for implementation of the system referred to in subdivision (1) structured to result in the implementation of the system in all counties with respect to an assessment date:

(A) determined by the department; and

(B) specified in the rule.

(f) The department shall appoint an advisory committee to assist the department in the formulation of the rules referred to in subsection (e). The department shall determine the number of members of the committee. The committee:

(1) must include at least:

(A) one (1) township assessor;

(B) one (1) county assessor;

(C) one (1) county auditor; and

(D) one (1) county treasurer; and

(2) shall meet at times and locations determined by the department.

(g) Each member of the committee appointed under subsection (f) who is not a state employee is not entitled to the minimum salary per diem provided by IC 4-10-11-2.1(b). The member is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(h) Each member of the committee appointed under subsection (f) who is a state employee is entitled to reimbursement for traveling expenses as provided under IC 4-13-1-4 and other expenses actually incurred in connection with the member's duties as provided in the state policies and procedures established by the Indiana department of administration and approved by the budget agency.

(i) The department shall report to the budget committee in writing the department's estimate of the cost of implementation of the system referred to in subsection (e).

SECTION 50. IC 6-1.1-33.5-8, AS ADDED BY P.L.146-2008, SECTION 276, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) This section applies to a system designed to permit the department of local government finance or a provider in a partnership or another arrangement with the department of local government finance to do any of the following:

(1) Receive data subject to IC 6-1.1-4-25, IC 6-1.1-5.5-3, or IC 36-2-9-20 in a uniform format through a secure connection over the Internet.

(2) Maintain data subject to IC 6-1.1-4-25, IC 6-1.1-5.5-3, or IC 36-2-9-20 in an electronic data base.

(3) Provide public access to data subject to IC 6-1.1-4-25, IC 6-1.1-5.5-3, or IC 36-2-9-20.

(b) A system described in subsection (a) must do the following:

(1) Maintain the confidentiality of data that is declared to be confidential by IC 6-1.1-5.5-3, IC 6-1.1-5.5-5, IC 6-1.1-35-9, or other provisions of law.

(2) Provide prompt notice to the department of local government finance ~~and legislative services agency~~ of the receipt of data from counties and townships and other critical events, as ~~jointly~~ determined by the department of local government finance. ~~and the legislative services agency.~~

(3) Maintain data in a form that formats the information in the file with the standard data, field, and record coding jointly required and approved by the department of local government finance and the legislative services agency.

(4) Provide data export and transmission capabilities that are compatible with the data export and transmission requirements prescribed by the office of technology established by IC 4-13.1-2-1 and jointly approved by the department of local government finance and the legislative services agency.

(5) Provide to the legislative services agency and the department of local government finance unrestricted on line access and access through data export and transmission protocols to:

(A) the data transmitted to the system; and

(B) hardware, software, and other work product associated with the system;

including access to conduct the tests and inspections of the system and data determined necessary by the ~~legislative services agency~~ **department of local government finance** and access to data received from counties and townships in the form submitted by the counties and townships.

(6) Maintain data in a manner that provides for prompt and accurate transfer of data to the department of local government finance, ~~and the legislative services agency,~~ as jointly approved by the department of local government finance and the legislative services agency.

~~(c) The department of local government finance and any third party system provider shall provide for regular consultation with the legislative services agency concerning the development and operation of the system and shall provide the legislative services agency with copies of system documentation of the procedures, standards, and internal controls and any written agreements related to the receipt of data and the management, operation, and use of the system.~~

SECTION 51. IC 6-1.1-35.5-3 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. The department of local government finance shall design two (2) assessor-appraiser examinations, to be called "level one" and "level two". ~~All citizens of Indiana are eligible to apply for and to be examined under "level one" and "level two" examinations, subject only to the resources and limitations of the department of local government finance in conducting the examinations.~~ Both examinations should cover the subjects of real estate appraising, accounting, and property tax law. Successful performance on the level one examination requires the minimum knowledge needed for effective performance as a county or township assessor under this article. Success on the level two examination requires substantial knowledge of the subjects covered in the examination.

SECTION 52. IC 6-1.1-35.5-5, AS AMENDED BY P.L.219-2007, SECTION 77, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. A county or township assessor, a member or hearing officer of the county property tax assessment board of appeals, or a member of the public may apply for and take the level one examination. A person who is successful on the level one examination may apply for and take the level two examination. A person who is successful on the level two examination may apply for level three certification **upon completion of the requirements specified in section 4.5 of this chapter.**

SECTION 53. IC 6-1.1-41-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. This chapter applies to establishing and imposing a tax levy for cumulative funds under the following:

(1) IC 3-11-6.

(2) IC 8-10-5.

(3) IC 8-16-3.

(4) IC 8-16-3.1.

(5) IC 8-22-3.
(6) IC 14-27-6.
(7) IC 14-33-21.
(8) IC 16-22-4.
(9) IC 16-22-8.
(10) IC 36-8-8-14.2.
~~(10)~~ **(11)** IC 36-8-14.
~~(11)~~ **(12)** IC 36-9-4.
~~(12)~~ **(13)** IC 36-9-14.
~~(13)~~ **(14)** IC 36-9-14.5.
~~(14)~~ **(15)** IC 36-9-15.
~~(15)~~ **(16)** IC 36-9-15.5.
~~(16)~~ **(17)** IC 36-9-16.
~~(17)~~ **(18)** IC 36-9-17.
~~(18)~~ **(19)** IC 36-9-17.5.
~~(19)~~ **(20)** IC 36-9-26.
~~(20)~~ **(21)** IC 36-9-27.
~~(21)~~ **(22)** IC 36-10-3.
~~(22)~~ **(23)** IC 36-10-4.
~~(23)~~ **(24)** IC 36-10-7.5.
~~(24)~~ **(25)** Any other statute that specifies that a property tax levy may be imposed under this chapter.

SECTION 54. IC 6-3.6-3-2, AS AMENDED BY P.L.257-2019, SECTION 69, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) An adopting body or, if authorized by this article, another governmental entity that is not an adopting body, may take an action under this article only by ordinance, unless this article permits the action to be taken by resolution.

(b) The department of local government finance, in consultation with the department of state revenue, may make electronically available uniform notices, ordinances, and resolutions that an adopting body or other governmental entity may use to take an action under this article. An adopting body or other governmental entity may submit a proposed notice, ordinance, or resolution to the department of local government finance for review not later than thirty (30) days prior to the date that the adopting body or governing body intends to submit the notice, adopting ordinance or resolution, and vote results on an ordinance or resolution under subsection (d). **If the adopting body or other governmental entity wishes to submit the proposed notice, ordinance, or resolution to the department of local government finance for review, the adopting body or other governmental entity shall submit the proposed notice, ordinance, or resolution to the department of local government finance on the prescribed forms.** The department of local government finance shall provide to the submitting entity a determination of the appropriateness of the proposed notice, ordinance, or resolution, including recommended modifications, within thirty (30) days of receiving the proposed notice, ordinance, or resolution.

(c) An ordinance or resolution adopted under this article must comply with the notice and hearing requirements set forth in IC 5-3-1.

(d) The department of local government finance shall prescribe the procedures to be used by the adopting body or governmental entity for submitting to the department the notice, the adopting ordinance or resolution, and the vote results on an ordinance or resolution. The department of local government finance shall notify the submitting entity within thirty (30) days after submission whether the department has received the necessary information required by the department. A final action taken by an adopting body or governmental entity under this article to impose a new tax or amend an existing tax is not effective until the department of local government finance notifies the adopting body or governmental entity that it has received the required information from the submitting entity.

SECTION 55. IC 6-3.6-11-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9. (a) This section applies to the calculation and allocation of certified shares among civil taxing units in Hamilton County after 2020 and before 2024.**

(b) For each calendar year to which this section applies, the amount of a civil taxing unit's certified shares is equal to:
(1) the amount of the civil taxing unit's certified shares determined under IC 6-3.6-6, for a civil taxing unit other than the city of Carmel or the city of Fishers;
(2) the adjusted amount determined under subsection (c), for the city of Carmel; or
(3) the adjusted amount determined under subsection (d), for the city of Fishers.

(c) For each calendar year to which this section applies, the adjusted amount of the city of Carmel's certified shares is equal to the lesser of:
(1) the amount of the city of Carmel's certified shares determined under IC 6-3.6-6, without regard to this section; or
(2) the product of:
(A) the amount of the city of Carmel's certified shares determined for the immediately preceding calendar year under IC 6-3.6-6, for 2021, or this section, after 2021; and
(B) one and twenty-five thousandths (1.025).

(d) For each calendar year to which this section applies, the adjusted amount of the city of Fishers' certified shares is equal to:
(1) the sum of:
(A) the amount of the city of Carmel's certified shares determined under IC 6-3.6-6, without regard to this section; and
(B) the amount of the city of Fishers' certified shares determined under IC 6-3.6-6, without regard to this section; minus
(2) the adjusted amount of the city of Carmel's certified shares determined under subsection (c).

SECTION 56. IC 12-20-21-3.2, AS AMENDED BY P.L.249-2015, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.2. (a) This section applies only to a township if the township's township assistance property tax rate (as defined in IC 6-1.1-20.3-6.7(a)) for property taxes first due and payable in 2013 or any year thereafter is more than the result of:
(1) the statewide average township assistance property tax rate (as determined by the department of local government

finance) for property taxes first due and payable in the preceding year; multiplied by

(2) twelve (12).

(b) Notwithstanding any other law, beginning with property taxes first due and payable in the year following the year in which this section first applies to the township, as provided in subsection (a), the department of local government finance shall do the following in the case of a township subject to this section:

(1) Remove the township assistance property tax levy from the maximum permissible ad valorem property tax levy for the township's general fund.

(2) Require the township to separate its township assistance property tax levy into the following two (2) property tax levies:

(A) A township assistance benefits property tax levy.

(B) A township assistance administration property tax levy.

(3) Calculate a separate maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for each of the township's property tax levies described in subdivision (2).

(c) The department of local government finance shall, for property taxes first due and payable in the year following the year in which this section first applies to the township, as provided in subsection (a), determine the initial maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for a township's township assistance administration property tax levy.

(d) The initial maximum permissible ad valorem property tax levy under IC 6-1.1-18.5 for a township's township assistance benefits property tax levy for property taxes first due and payable in the year following the year in which this section first applies to the township, as provided in subsection (a), is equal to the amount determined in the following STEPS:

STEP ONE: Determine the result of:

(A) the township's township assistance property tax levy for property taxes first due and payable in the year in which this section first applies to the township, as provided in subsection (a); minus

(B) the result determined by the department of local government finance for the township under subsection (c).

STEP TWO: Multiply the STEP ONE result by the ~~assessed value~~ **maximum levy** growth quotient under IC 6-1.1-18.5-2 that is applicable to the township for property taxes first due and payable in the year following the year in which this section first applies to the township, as provided in subsection (a).

(e) The maximum permissible ad valorem property tax levy for the township's general fund shall be adjusted as determined in the following STEPS:

STEP ONE: Multiply:

(A) the township's township assistance property tax levy for property taxes first due and payable in the year in which this section first applies to the township, as provided in subsection (a); by

(B) the ~~assessed value~~ **maximum levy** growth quotient under IC 6-1.1-18.5-2 that is applicable to the township for property taxes first due and payable in the year following the year in which this section first applies to the township, as provided in subsection (a).

STEP TWO: Subtract the STEP ONE result from the maximum permissible ad valorem property tax levy that would otherwise apply for the township's general fund.

The adjustment under this subsection applies beginning with property taxes first due and payable in the year following the year in which this section first applies to the township, as provided in subsection (a).

(f) The property taxes collected from a township's township assistance administration property tax levy:

(1) shall be deposited into a separate fund;

(2) shall be used only for the administration of township assistance within the township; and

(3) shall not be used to pay township assistance to any person.

(g) The property taxes collected from a township's township assistance benefits property tax levy:

(1) shall be deposited into a separate fund;

(2) shall be used only for the purpose of paying township assistance to eligible recipients; and

(3) shall not be used to pay for the administration of township assistance within the township.

(h) Except as provided in this section, references in the Indiana Code to a township assistance property tax levy shall, in the case of a township subject to this section, be considered a reference to the township's township assistance benefits property tax levy and the township's township assistance administration property tax levy.

SECTION 57. IC 12-29-1-1, AS AMENDED BY P.L.184-2016, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) The county executive of a county may authorize the furnishing of financial assistance to a community intellectual disability and other developmental disabilities center that is located or will be located in the county.

(b) Assistance authorized under this section shall be used for the following purposes:

(1) Constructing a center.

(2) Operating a center.

(c) Upon request of the county executive, the county fiscal body may appropriate annually from the county's general fund the money to provide financial assistance for the purposes described in subsection (b). For property taxes first due and payable before January 1, 2017, the appropriation may not exceed the amount that could be collected from an annual tax levy of not more than three and thirty-three hundredths cents ($0.0333) on each one hundred dollars ($100) of taxable property within the county.

(d) For property taxes first due and payable after December 31, 2016, the maximum allowable appropriation for the purposes described in subsection (b) is equal to the result of:

(1) the maximum allowable appropriation by the county for the preceding year; multiplied by

(2) the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the year.

(e) For purposes of this subsection, "first calendar year" refers to the first calendar year after 2008 in which the county imposes an ad valorem property tax levy for the county general fund to provide financial assistance under this chapter. If a county did not provide financial assistance under this chapter in 2008, the county for a following calendar year:

(1) may propose a financial assistance budget; and

(2) shall refer its proposed financial assistance budget for the first calendar year to the department of local government finance before the tax levy is advertised.

The ad valorem property tax levy to fund the budget for the first calendar year is subject to review and approval under IC 6-1.1-18.5-10.

SECTION 58. IC 12-29-1-2, AS AMENDED BY P.L.184-2016, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) If a community intellectual disability and other developmental disabilities center is organized to provide services to at least two (2) counties, the county executive of each county may authorize the furnishing of financial assistance for the purposes described in section 1(b) of this chapter.

(b) Upon the request of the county executive of the county, the county fiscal body of each county may appropriate annually from the county's general fund the money to provide financial assistance for the purposes described in section 1(b) of this chapter. For property taxes first due and payable before January 1, 2017, the appropriation of each county may not exceed the amount that could be collected from an annual tax levy of three and thirty-three hundredths cents ($0.0333) on each one hundred dollars ($100) of taxable property within the county.

(c) For property taxes first due and payable after December 31, 2016, the maximum allowable appropriation by each county for the purposes described in section 1(b) of this chapter is equal to the result of:

(1) the maximum allowable appropriation by the county for the preceding year; multiplied by

(2) the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the year.

SECTION 59. IC 12-29-1-3, AS AMENDED BY P.L.184-2016, SECTION 25, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The county executive of each county whose residents may receive services from a community intellectual disability and other developmental disabilities center may authorize the furnishing of a share of financial assistance for the purposes described in section 1(b) of this chapter if the following conditions are met:

(1) The facilities for the center are located in a state adjacent to Indiana.

(2) The center is organized to provide services to Indiana residents.

(b) Upon the request of the county executive of a county, the county fiscal body of the county may appropriate annually from the county's general fund the money to provide financial assistance for the purposes described in section 1(b) of this chapter. For property taxes first due and payable before January 1, 2017, the appropriations of the county may not exceed the amount that could be collected from an annual tax levy of three and thirty-three hundredths cents ($0.0333) on each one hundred dollars ($100) of taxable property within the county.

(c) For property taxes first due and payable after December 31, 2016, the maximum allowable appropriation by the county for the purposes described in section 1(b) of this chapter is equal to the result of:

(1) the maximum allowable appropriation by the county for the preceding year; multiplied by

(2) the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2 for the year.

SECTION 60. IC 12-29-2-2, AS AMENDED BY P.L.257-2019, SECTION 82, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A county shall provide funding for the operation of community mental health centers in the amount determined under subsection (b) or, in the case of Marion County for calendar year 2019, calendar year 2020, and calendar year 2021, the amount determined under subsection (c).

(b) Except as provided in subsection (c), the amount of funding under subsection (a) for a calendar year is equal to the following:

(1) The county's maximum appropriation amount for the operation of community mental health centers determined under this chapter in the previous calendar year, if the STEP THREE result under the following formula is less than or equal to zero (0):

STEP ONE: Determine the amount of the certified levy for funds subject to the civil maximum levy in the immediately preceding calendar year minus the amount of credits granted under IC 6-1.1-20.6 that were allocated to funds subject to the civil maximum levy in the immediately preceding calendar year, as determined by the department of local government finance under IC 6-1.1-20.6-11.

STEP TWO: Determine the amount of the certified levy for funds subject to the civil maximum levy in the year prior to the immediately preceding calendar year minus the amount of credits granted under IC 6-1.1-20.6 that were allocated to funds subject to the civil maximum levy in the year prior to the immediately preceding calendar year, as determined by the department of local government finance under IC 6-1.1-20.6-11.

STEP THREE: Determine the remainder of the STEP ONE amount minus the STEP TWO amount.

(2) If the STEP THREE result under the formula in subdivision (1) is greater than zero (0), then the county's maximum appropriation amount for the operation of community mental health centers determined under this chapter in the previous calendar year, multiplied by the greater of:

(A) one (1); or

(B) the result of STEP SIX of the following formula:

STEP ONE: Determine the ~~assessed value~~ **maximum levy** growth quotient for the year under IC 6-1.1-18.5 minus one (1).

STEP TWO: Determine the amount of the certified levy for funds subject to the civil maximum levy in

the immediately preceding calendar year minus the amount of credits granted under IC 6-1.1-20.6 that were allocated to funds subject to the civil maximum levy in the immediately preceding calendar year, as determined by the department of local government finance under IC 6-1.1-20.6-11.

STEP THREE: Determine the amount of the certified levy for funds subject to the civil maximum levy in the immediately preceding calendar year.

STEP FOUR: Determine the result of the STEP TWO amount divided by the STEP THREE amount.

STEP FIVE: Determine the product of the STEP ONE amount multiplied by the STEP FOUR result.

STEP SIX: Determine the STEP FIVE amount plus one (1).

The department of local government finance shall verify the maximum appropriation calculation under this subsection as part of the certification of the county's budget under IC 6-1.1-17. For taxes due and payable in 2020, the department of local government finance shall calculate the maximum appropriation under this subsection as if the taxes were due and payable in 2019.

(c) This subsection applies only in calendar year 2019, calendar year 2020, and calendar year 2021. In the case of Marion County, the amount of funding under subsection (a) for a calendar year is determined under this subsection and is equal to the following:

(1) For calendar year 2019, the sum of:

(A) the actual amount of the appropriations by the county for community mental health centers under this chapter in 2018; plus

(B) the result of thirty-three percent (33%) multiplied by the result of:

(i) the amount that would have, except for the application of this subsection, applied to the county under subsection (b) for calendar year 2019; minus

(ii) the actual amount of the appropriations by the county for community mental health centers under this chapter in 2018.

(2) For calendar year 2020, the sum of:

(A) the actual amount of the appropriations by the county for community mental health centers under this chapter in 2019; plus

(B) the result of sixty-six percent (66%) multiplied by the result of:

(i) the amount that would have, except for the application of this subsection, applied to the county under subsection (b) for calendar year 2020; minus

(ii) the actual amount of the appropriations by the county for community mental health centers under this chapter in 2019.

(3) For calendar year 2021, the amount that would have, except for the application of this subsection, applied to the county under subsection (b) for calendar year 2021.

The department of local government finance shall verify the maximum appropriation calculation under this subsection as part of the certification of the county's budget under IC 6-1.1-17. This subsection expires January 1, 2022.

(d) The funding provided by a county under this section shall be used solely for:

(1) the operations of community mental health centers serving the county; or

(2) contributing to the nonfederal share of medical assistance payments to community mental health centers serving the county.

SECTION 61. IC 13-21-15-3, AS ADDED BY P.L.189-2016, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) This section applies to the imposition of property taxes in a county that:

(1) dissolves its county solid waste management district as described in section 1(a) of this chapter; or

(2) withdraws from a joint solid waste management district and determines that it will no longer be a member of a joint solid waste management district or be designated as a county district as described in section 2(a) of this chapter.

(b) The following apply to a county that dissolves its county solid waste management district as described in section 1(a) of this chapter:

(1) Subject to the limitations of this subsection, the authority of the county solid waste management district to impose property taxes for purposes of this article is transferred to the county.

(2) For property taxes first due and payable in the first year in which the county no longer has a county solid waste management district, the department of local government finance shall establish a separate solid waste management maximum permissible ad valorem property tax levy for the county that is equal to:

(A) the county solid waste management district's maximum permissible ad valorem property tax levy for the last year in which the county solid waste management district was in existence; multiplied by

(B) the ~~assessed value~~ **maximum levy** growth quotient under IC 6-1.1-18.5-2 that applies to the determination of maximum permissible ad valorem property tax levies for the first year in which the county no longer has a county solid waste management district.

(3) Property taxes collected by the county under the property tax levy authorized under this subsection may be used only for those purposes for which a property tax levy imposed by a solid waste management district under this article may be used.

(c) The following apply to a county that withdraws from a joint district and determines that it will no longer be a member of a joint district or be designated as a county district as described in section 2(a) of this chapter:

(1) Subject to the limitations of this subsection, the county has the authority to impose property taxes for purposes of this article.

(2) For property taxes first due and payable in the first year in which the county is no longer a member of the joint district, the department of local government finance shall establish a separate solid waste management maximum permissible ad valorem property tax levy for the county

that is equal to:

(A) the joint solid waste management district's maximum permissible property tax levy for the last year in which the county was a member of the joint district; multiplied by

(B) a fraction equal to:

(i) the certified assessed valuation of the county for taxes payable in the last year in which the county was a member of the joint district; divided by

(ii) the certified assessed valuation of the joint solid waste management district for taxes payable in the last year in which the county was a member of the joint district; multiplied by

(C) the ~~assessed value~~ **maximum levy** growth quotient under IC 6-1.1-18.5-2 that applies to the determination of maximum permissible ad valorem property tax levies for the first year in which the county is no longer a member of the joint district.

(3) For property taxes first due and payable in the first year in which the county is no longer a member of the joint district, the department of local government finance shall reduce the joint solid waste management district's maximum permissible property tax levy that would otherwise apply by the amount determined under subdivision (2) for the withdrawing county.

(4) Property taxes collected by the county under the property tax levy authorized under this subsection may be used only for those purposes for which a property tax levy imposed by a solid waste management district under this article may be used.

SECTION 62. IC 20-29-6-12.5, AS AMENDED BY P.L.272-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12.5. (a) Before September 15 of the first year of the state budget biennium, the department shall provide the parties with an estimate of the general fund (before January 1, 2019) or education fund (after December 31, 2018) revenue available for bargaining in the school corporation from the school funding formula.

(b) Within thirty (30) days after the date of the fall count of ADM of the school year in the first year of the state budget biennium, the department shall provide the parties with a certification of estimated general fund (before January 1, 2019) or education fund (after December 31, 2018) revenue available for bargaining from the school funding formula. If the parties do not receive a certified estimate from the department within thirty (30) days after the fall count of ADM, the parties may use the school corporation's estimate of the general fund (before January 1, 2019) or education fund (after December 31, 2018) revenue available based on the school corporation's fall count of ADM for purposes of collective bargaining. However, if the parties subsequently receive the certification of estimated general fund (before January 1, 2019) or education fund (after December 31, 2018) revenue available for bargaining before an impasse is declared, the parties shall use the certified general fund (before January 1, 2019) or education fund (after December 31, 2018) revenue from the school funding formula for purposes of collective bargaining.

~~(c) A school employer for which the voters have passed a general fund operating referendum (before January 1, 2019), an operating referendum tax levy (after December 31, 2018) under IC 20-46-1, or a school safety referendum tax levy under IC 20-46-9 must have that amount certified by the department of local government finance.~~

~~(d)~~ **(c)** A school employer that passes a resolution under section 3(c) of this chapter to consider a portion or percentage of money transferred from the school employer's operations fund to the education fund as education fund revenue for purposes of determining whether an agreement places a school corporation in a position of deficit financing must submit a copy of the resolution to the department of local government finance on or before November 1. The resolution shall include:

(1) all transfers between the operations fund and the education fund; and

(2) a statement regarding whether or not the transfer is for the purpose of funding teacher contracts.

~~(e)~~ **(d)** ~~The school corporation must obtain the certification described in subsection (c) before the conclusion of bargaining.~~ The certifications or estimate described in subsection (b) must be the basis for determinations throughout impasse proceedings under this chapter.

SECTION 63. IC 20-46-7-12, AS AMENDED BY P.L.229-2011, SECTION 220, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) Except as provided by IC 5-1-14-10 **and subsection (c),** the maximum term or repayment period for bonds issued by a school corporation for a school building construction project may not exceed twenty (20) years after the date of the issuance of the bonds.

(b) If a school corporation is an eligible school corporation under IC 5-1-5-2.5, the school corporation may extend the repayment period beyond the maximum repayment period that applied to the bond, loan, or lease at the time the obligation was incurred as provided by IC 5-1-5-2.5.

(c) Except as provided by IC 5-1-14-10, the maximum term or repayment period for bonds issued by a school corporation for a school building construction project and to repay loans made or guaranteed by a federal agency may not exceed forty (40) years after the date of the issuance of the bonds.

SECTION 64. IC 20-46-8-1, AS AMENDED BY P.L.140-2018, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A school corporation may impose an annual property tax levy for its operations fund.

(b) For property taxes first due and payable in 2019, the maximum permissible property tax levy a school corporation may impose for its operations fund (IC 20-40-18) is the following:

STEP ONE: Determine the sum of the following:

(A) The 2018 maximum permissible transportation levy determined under IC 20-46-4 (repealed January 1, 2019).

(B) The 2018 maximum permissible school bus replacement levy determined under IC 20-46-5 (repealed January 1, 2019).

(C) The 2018 amount that would be raised from a capital projects fund tax rate equal to the sum of:

(i) the maximum capital projects fund rate that the school corporation was authorized to impose for 2018 under IC 20-46-6 (repealed January 1, 2019), after any adjustment under IC 6-1.1-18-12 (but excluding any rate imposed for qualified utility and insurance costs); plus

(ii) the capital projects fund rate imposed for qualified utility and insurance costs in 2018.

(D) For school corporations described in IC 36-10-13-7, the 2018 levy as provided in section 6 of this chapter (repealed January 1, 2019) to provide funding for an art association.

(E) For a school corporation in a county having a population of more than two hundred fifty thousand (250,000) but less than two hundred seventy thousand (270,000), the 2018 levy as provided in section 7 of this chapter (repealed January 1, 2019) to provide funding for a historical society.

(F) For a school corporation described in IC 36-10-14-1, the 2018 levy as provided in section 8 of this chapter (repealed January 1, 2019) to provide funding for a public playground.

STEP TWO: Determine the product of:

(A) The amount determined in STEP ONE, after eliminating the effects of temporary excessive levy appeals and any other temporary adjustments made to each of these levies for 2018 (regardless of whether the school corporation imposed the entire amount of that maximum permissible levy for the previous year); multiplied by

(B) the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2.

STEP THREE: Determine the result of the following:

(A) Determine the sum of:

(i) the amount determined in STEP TWO; plus

(ii) the amount granted due to an appeal to increase the levy for transportation for 2019.

(B) Make the school bus replacement adjustment for 2019.

(c) After 2019, the maximum permissible property tax levy a school corporation may impose for its operations fund for a particular year is the following:

STEP ONE: Determine the product of:

(A) the maximum permissible property tax levy for the school corporation's operations fund for the previous year, after eliminating the effects of temporary excessive levy appeals and any other temporary adjustments made to the levy for the previous year (regardless of whether the school corporation imposed the entire amount of the maximum permissible levy for the previous year); multiplied by

(B) the ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2.

STEP TWO: Determine the result of the following:

(A) Determine the sum of:

(i) the amount determined in STEP ONE; plus

(ii) the amount granted due to an appeal to increase the maximum permissible operations fund levy for the year under section 3 of this chapter for transportation.

(B) Make the school bus replacement adjustment permitted by section ~~4~~ **3** of this chapter.

SECTION 65. IC 20-46-8-3, AS AMENDED BY P.L.140-2018, SECTION 23, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. A school corporation may appeal to the department of local government finance under IC 6-1.1-19 to increase the school corporation's maximum permissible operations fund levy. The appeal must be filed with the department of local government finance before October 20 of the year before the increase is proposed to take effect. To be granted an increase by the department of local government finance, the school corporation must establish that the increase is necessary because of **either or both of the following:**

(1) A cost increase of at least ten percent (10%) over the preceding year for at least one (1) of the following:

~~(1)~~ **(A)** A fuel expense increase.

~~(2)~~ **(B)** A cost increase due to an increase in the number of students enrolled in the school corporation who need transportation or an increase in the mileage traveled by the school corporation's buses compared with the previous year.

~~(3)~~ **(C)** A cost increase due to an increase in the number of students enrolled in special education who need transportation or an increase in the mileage traveled by the school corporation's buses due to students enrolled in special education as compared with the previous year.

~~(4)~~ **(D)** Increased transportation operating costs due to compliance with a court ordered desegregation plan.

~~(5)~~ **(E)** A cost increase due to the closure of a school building within the school corporation that results in a significant increase in the distances that students must be transported to attend another school building.

~~(6)~~ **(F)** A cost increase due to restructuring or redesigning transportation services due to a need for additional, expanded, consolidated, or modified routes.

~~(7)~~ **(G)** A labor cost increase due to a labor shortage affecting the school corporation's ability to hire qualified transportation employees.

To obtain the increase, the school corporation must establish that it will be unable to provide transportation services without an increase.

(2) A cost increase associated with the school corporation's bus replacement plan adopted or amended under IC 20-40-18-9 (after December 31, 2018). To obtain the increase, the school corporation must show that the school corporation must incur reasonable and necessary expenses to acquire additional buses under the plan.

~~In addition, before the department of local government finance may grant a maximum permissible operations fund levy increase, the school corporation must establish that the school corporation will be unable to provide transportation services without an~~

~~increase.~~ The department of local government finance may grant a levy increase that is less than the increase requested by the school corporation. If the department of local government finance determines that a permanent increase in the maximum permissible levy is necessary, the increase granted under this section shall be added to the school corporation's maximum permissible operations fund levy as provided in section 1 of this chapter.

SECTION 66. IC 20-46-8-4 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 4. The department of local government finance may, upon petition by a school corporation, adjust the school corporation's maximum permissible levy for its operations fund under section 1 of this chapter to reflect the school corporation's plan adopted or amended under IC 20-46-5 (before its repeal January 1, 2019) or IC 20-40-18-9 (after December 31, 2018). The petition must be filed with the department of local government finance before October 20 of the year before the adjustment is proposed to take effect.~~

SECTION 67. IC 20-46-8-9, AS ADDED BY P.L.76-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) This section applies only to the North Spencer County School Corporation (school corporation) due to unique circumstances regarding the calculation of the capital projects fund levy component that was used in determining the school corporation's 2019 maximum permissible operations fund property tax levy.

(b) For property taxes first due and payable in 2020, the maximum permissible operations fund property tax levy of a school corporation subject to this section is equal to the amount determined in the following STEPS, instead of the amount determined under section 1 of this chapter:

STEP ONE: Determine the result under section 1(c) of this chapter, without regard to this section.

STEP TWO: Determine the result of:

(A) six hundred forty thousand three hundred thirty-five dollars ($640,335); multiplied by

(B) the 2020 ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2.

STEP THREE: Determine the sum of:

(A) the STEP ONE amount; plus

(B) the STEP TWO amount.

(c) For purposes of determining the school corporation's 2021 maximum permissible operations fund property tax levy, the amount to be used for purposes of STEP ONE (A) of section 1(c) of this chapter is equal to the amount determined under STEP THREE of subsection (b).

(d) This section expires January 1, 2022.

SECTION 68. IC 20-46-8-10, AS ADDED BY P.L.238-2019, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) This section applies to a school corporation in a county having a population of more than one hundred seventy-five thousand (175,000) but less than one hundred eighty-five thousand (185,000).

(b) For property taxes first due and payable in 2020, the maximum permissible operations fund property tax levy of a school corporation subject to this section is equal to the amount determined in the following STEPS, instead of the amount determined under section 1 of this chapter:

STEP ONE: Determine the result under section 1(c) of this chapter, without regard to this section.

STEP TWO: Determine the result of:

(A) the amount of the school corporation's 2018 historical society fund levy under IC 36-10-13-5 (as it existed on December 31, 2018); multiplied by

(B) the 2019 ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2.

STEP THREE: Determine the result of:

(A) the STEP TWO amount; multiplied by

(B) the 2020 ~~assessed value~~ **maximum levy** growth quotient determined under IC 6-1.1-18.5-2.

STEP FOUR: Determine the sum of:

(A) the STEP ONE amount;

(B) the STEP TWO amount; and

(C) the STEP THREE amount.

(c) For purposes of determining the 2021 maximum permissible property tax levy for the school corporation's operations fund, the amount to be used for purposes of STEP ONE (A) of section 1(c) of this chapter is equal to the remainder of:

(1) the amount determined under STEP FOUR of subsection (b); minus

(2) the amount determined under STEP TWO of subsection (b).

(d) This section expires January 1, 2022.

SECTION 69. IC 24-7-5-12, AS ADDED BY P.L.222-2013, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) A lessor may contract for and receive a fee for accepting rental payments by telephone in connection with a rental purchase agreement, if all of the following conditions are met:

(1) The fee is assessed only upon request by the lessee for the underlying payment by telephone service.

(2) The payment by telephone service is not established in advance, under the rental purchase agreement or otherwise, as the expected method for making rental payments under the rental purchase agreement.

(3) The fee does not exceed ~~one dollar and fifty cents ($1.50).~~ **three dollars ($3).**

(4) The lessee retains the right to make rental payments by payment methods in connection with which no additional fee would be assessed or incurred (including in-person payments and payments by mail) as a result of such alternative payment methods.

(5) The fee is contracted for and disclosed by the lessor in the rental purchase agreement.

(6) The lessor posts a sign at each store location disclosing to existing and prospective lessees:

(A) the amount of the fee;

(B) the lessee's right and option to make rental payments by alternative payment methods and not be assessed or incur an additional fee; and

(C) the alternative payment methods offered by the lessor in connection with which no additional fee would be assessed or incurred.

(7) The lessor's books and records provide an audit trail sufficient to allow the department and its examiners to confirm the lessee's compliance with the conditions listed in subdivisions (1) through (6).

(b) A fee may not be charged under this section unless there is interaction between a live employee or representative of the lessor and the lessee.

SECTION 70. IC 36-1-8-17.5, AS AMENDED BY P.L.183-2014, SECTION 24, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17.5. A political subdivision must report, in the manner specified by the ~~department of local government finance,~~ **state board of accounts,** information and data on its retiree benefits and expenditures by March 1 of each year.

SECTION 71. IC 36-1-8.5-5.5 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 5.5. As used in this chapter, "state address confidentiality form" means the form prescribed by the department of local government finance under IC 6-1.1-31-1(a)(6).~~

SECTION 72. IC 36-1-8.5-7, AS AMENDED BY P.L.111-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) A covered person who wants to restrict access to the covered person's home address by means of a public property data base **Internet** web site must submit a ~~state address confidentiality form~~ **written request** to the unit that operates the public property data base **Internet** web site. ~~However, the unit may accept a written request from a covered person as an alternative to the state address confidentiality form.~~

(b) A unit that operates a public property data base **Internet** web site, directly or through a third party, shall establish a process to prevent a member of the general public from gaining access to the home address of a covered person by means of the public property data base **Internet** web site.

(c) In establishing a process under subsection (b), a unit shall do all of the following:

(1) Determine which person or department of the unit will receive and process the request.

(2) Provide a method under which a covered person is notified of the procedure to be used to restrict or allow disclosure of the home address of the covered person under this chapter.

(d) A unit may charge a covered person a reasonable fee to make a written request under this section.

SECTION 73. IC 36-1-8.5-9, AS AMENDED BY P.L.111-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) This section applies to a covered person who has ~~applied for address confidentiality~~ **submitted a written request** under section 7(a) of this chapter.

(b) A unit shall restrict access to the home address of a covered person until the covered person submits a written request to the unit to allow public access to the person's home address on the public property data base web site. The unit shall take reasonable steps to verify the authenticity of the written request, including requiring the covered person to provide appropriate identification.

SECTION 74. IC 36-1-8.5-11, AS AMENDED BY P.L.111-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. A ~~state address confidentiality form,~~ written request, notification of name change, or any other information submitted to the unit by a covered person under this chapter is confidential under IC 5-14-3-4(a).

SECTION 75. IC 36-1-11-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) This section applies to the following:

(1) A person who owes delinquent taxes, special assessments, penalties, interest, or costs directly attributable to a prior tax sale on a tract of real property listed under IC 6-1.1-24-1.

(2) A person who is an agent of the person described in subdivision (1).

(3) A person who has any of the following relationships to a person, partnership, corporation, or legal entity described in subdivision (1):

(A) A partner of a partnership.

(B) A member of a limited liability company.

(C) An officer, director, or majority stockholder of a corporation.

(D) The person who controls or directs the activities or has a majority ownership in a legal entity other than a partnership or corporation.

(b) A person subject to this section may not **bid on,** purchase, receive, or lease a tract that is offered in a sale, exchange, or lease under this chapter.

(c) If a person purchases, receives, or leases a tract that the person was not eligible to purchase, receive, or lease under this section, the sale, transfer, or lease of the property is void and the county retains the interest in the tract it possessed before the sale, transfer, or lease of the tract.

SECTION 76. IC 36-1.5-3-5, AS AMENDED BY P.L.238-2019, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) This subsection applies to the plan of reorganization of a political subdivision other than a school corporation. The plan of reorganization must specify the amount (if any) of the decrease that the department of local government finance shall make to the maximum permissible property tax levies, maximum permissible property tax rates, and budgets under IC 6-1.1-17 and IC 6-1.1-18.5 of the reorganized political subdivision to:

(1) eliminate double taxation for services or goods provided by the reorganized political subdivision; or

(2) eliminate any excess by which the amount of property taxes imposed by the reorganized political subdivision exceeds the amount necessary to pay for services or goods provided under this article.

(b) This subsection applies to a plan of reorganization for a school corporation. The plan of reorganization must specify the adjustments that the department of local government finance shall make to the maximum permissible property tax levies, maximum permissible property tax rates, and budgets under IC 6-1.1-17 and IC 6-1.1-18.5 of the reorganized school corporation. The following apply to a school corporation reorganized under this article:

(1) The new maximum permissible tax levy under IC 20-46-8 (operations fund property tax levy) for the first calendar year in which the reorganization is effective equals the following:

STEP ONE: Determine for each school corporation that is part of the reorganization the sum of the maximum levies under IC 20-46-8 (operations fund property tax levy) for the ensuing calendar year, including the ~~assessed value~~ **maximum levy** growth quotient (IC 6-1.1-18.5-2) adjustment for the ensuing calendar year.

STEP TWO: Determine the sum of the STEP ONE amounts.

STEP THREE: Multiply the STEP TWO amount by one hundred three percent (103%).

(2) The new debt service levy under IC 20-46-7 for the first calendar year in which the reorganization is effective equals the sum of the debt service fund levies for each school corporation that is part of the reorganization that would have been permitted under IC 20-46-7 in the calendar year.

(c) The fiscal body of the reorganized political subdivision shall determine and certify to the department of local government finance the amount of the adjustment (if any) under subsection (a).

(d) The amount of the adjustment (if any) under subsection (a) or (b) must comply with the reorganization agreement under which the political subdivision or school corporation is reorganized under this article.

SECTION 77. IC 36-1.5-4-40.5, AS ADDED BY P.L.255-2013, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 40.5. The following apply in the case of a reorganization under this article that includes a township and another political subdivision:

(1) If the township borrowed money from a township fund under IC 36-6-6-14(c) to pay the operating expenses of the township fire department or a volunteer fire department before the reorganization:

(A) the reorganized political subdivision is not required to repay the entire loan during the following year; and

(B) the reorganized political subdivision may repay the loan in installments during the following five (5) years.

(2) Except as provided in subdivision (3):

(A) the reorganized political subdivision continues to be responsible after the reorganization for providing township services in all areas of the township, including within the territory of a municipality in the township that does not participate in the reorganization; and

(B) the reorganized political subdivision retains the powers of a township after the reorganization in order to provide township services as required by clause (A).

(3) Powers and duties of the reorganized political subdivision may be transferred as authorized in an interlocal cooperation agreement approved under IC 36-1-7 or as authorized in a cooperative agreement approved under IC 36-1.5-5.

(4) If all or part of a municipality in the township is not participating in the reorganization, not less than ten (10) township taxpayers who reside within territory that is not participating in the reorganization may file a petition with the county auditor protesting the reorganized political subdivision's township assistance levy. The petition must be filed not more than thirty (30) days after the reorganized political subdivision finally adopts the reorganized political subdivision's township assistance levy. The petition must state the taxpayers' objections and the reasons why the taxpayers believe the reorganized political subdivision's township assistance levy is excessive or unnecessary. The county auditor shall immediately certify a copy of the petition, together with other data necessary to present the questions involved, to the department of local government finance. Upon receipt of the certified petition and other data, the department of local government finance shall fix a time and place for the hearing of the matter. The hearing shall be held not less than five (5) days and not more than thirty (30) days after the receipt of the certified documents. The hearing shall be held in the county where the petition arose. Notice of the hearing shall be given by the department of local government finance to the reorganized political subdivision and to the first ten (10) taxpayer petitioners listed on the petition by letter. The letter shall be sent to the first ten (10) taxpayer petitioners at the taxpayers' usual place of residence at least five (5) days before the date of the hearing. After the hearing, the department of local government finance may reduce the reorganized political subdivision's township assistance levy to the extent that the levy is excessive or unnecessary. A taxpayer who signed a petition under this subdivision or a reorganized political subdivision against which a petition under this subdivision is filed may petition for judicial review of the final determination of the department of local government finance under this subdivision. The petition must be filed in the tax court not more than forty-five (45) days after the date of the department of local government finance's final determination.

(5) Section 40 of this chapter applies to the debt service levy of the reorganized political subdivision and to the department of local government finance's determination of the new maximum permissible ad valorem property tax levy for the reorganized political subdivision.

(6) The reorganized political subdivision may not borrow money under IC 36-6-6-14(b) or IC 36-6-6-14(c).

(7) The new maximum permissible ad valorem property tax levy for the reorganized political subdivision's firefighting fund under IC 36-8-13-4 is equal to:

(A) the result of:

(i) the maximum permissible ad valorem property tax levy for the township's firefighting fund under IC 36-8-13-4 in the year preceding the year in which the reorganization is effective; multiplied by

(ii) the ~~assessed value~~ **maximum levy** growth quotient applicable for property taxes first due and payable in the year in which the reorganization is effective; plus

(B) any amounts borrowed by the township under

IC 36-6-6-14(b) or IC 36-6-6-14(c) in the year preceding the year in which the reorganization is effective.

SECTION 78. IC 36-2-9-20, AS AMENDED BY P.L.137-2012, SECTION 117, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20. The county auditor shall:

(1) maintain an electronic data file of the information contained on the tax duplicate for all:

(A) parcels; and

(B) personal property returns;

for each township in the county as of each assessment date;

(2) maintain the electronic data file in a form that formats the information in the file with the standard data, field, and record coding required and approved by:

(A) the legislative services agency; and

(B) the department of local government finance;

(3) transmit the data in the file with respect to the assessment date of each year before March 16 of the next year to

~~(A) the legislative services agency in an electronic format under IC 5-14-6; and~~

~~(B)~~ the department of local government finance

in a manner that meets the data export and transmission requirements in a standard format, as prescribed by the office of technology established by IC 4-13.1-2-1 and approved by the legislative services agency; and

(4) resubmit the data in the form and manner required under this subsection, upon request of the legislative services agency or the department of local government finance, if data previously submitted under this subsection does not comply with the requirements of this subsection, as determined by the legislative services agency or the department of local government finance.

An electronic data file maintained for a particular assessment date may not be overwritten with data for a subsequent assessment date until a copy of an electronic data file that preserves the data for the particular assessment date is archived in the manner prescribed by the office of technology established by IC 4-13.1-2-1 and approved by the legislative services agency.

SECTION 79. IC 36-6-6-16, AS ADDED BY P.L.129-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 16. (a) This section does not apply to a township that is a distressed political subdivision under IC 6-1.1-20.3.

(b) As used in this section, "township fund" does not include a debt service fund of a township.

(c) Notwithstanding any other law, a township legislative body, in a public meeting, may authorize a one (1) time transfer of any excess balance or part of an excess balance from any township fund to any other township fund. A township legislative body may transfer excess balances from multiple township funds; however, all transfers must be authorized by the township legislative body at one (1) time. Subject to subsection (d), a township must complete all transfers that are authorized by this section not later than September 1, ~~2020.~~ **2021.** Any money transferred under this section may be used for any lawful purpose for which money in the fund to which the balance is transferred may be used.

(d) If IC 36-6-9 applies to the township, the township must adopt the township capital improvement plan before the township may complete a transfer of money under this section.

(e) A township may not spend any money that is transferred until the expenditure of the money has been included in a budget that has been approved by the department of local government finance under IC 6-1.1-17. ~~For purposes of fixing its budget and for purposes of the ad valorem property tax levy limits imposed under IC 6-1.1-18.5, the township shall treat the money transferred under this section that the department of local government finance permits it to spend during a particular calendar year as part of its ad valorem property tax levy for that same calendar year.~~

(f) This section expires January 1, ~~2021.~~ **2022.**

SECTION 80. IC 36-6-6-17 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 17. (a) This section does not apply to a township located in a county having a consolidated city.**

(b) As used in this section, "immediate family member" refers only to any of the following relatives of an individual:

(1) A parent.

(2) A sibling.

(3) A spouse.

(4) A child.

A relative by adoption, half-blood, marriage, or remarriage is considered as a relative of whole kinship.

(c) A member of the township board may not participate in a vote on the adoption of the township's budget and tax levies if the member is an immediate family member of the township trustee.

(d) Notwithstanding any other law, if at least a majority of the members of the township board are precluded from voting on the township's budget and tax levies under subsection (c), the township's most recent annual appropriations are continued for the ensuing budget year, subject to the following:

(1) The township trustee may petition the county fiscal body for an increase in the township's budget under subsection (e).

(2) The township trustee may petition the county fiscal body for any additional appropriations under subsection (f).

(e) If subsection (d) applies, the township trustee may petition the county fiscal body for an increase in the township's budget and property tax levies. The county fiscal body may grant or deny the petition only after conducting a public hearing on the petition.

(f) If subsection (d) applies, the county fiscal body may adopt any additional appropriations of the township by ordinance before the department of local government finance may approve the additional appropriation.

SECTION 81. IC 36-7-9-13, AS AMENDED BY P.L.169-2006, SECTION 64, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. (a) If all or

any part of the costs listed in section 12 of this chapter remain unpaid for any unsafe premises (other than unsafe premises owned by a governmental entity) for more than fifteen (15) days after the completion of the work, the enforcement authority does not act under section 13.5 of this chapter, and the enforcement authority determines that there is a reasonable probability of obtaining recovery, the enforcement authority shall prepare a record stating:

(1) the name and last known address of each person who held a known or recorded fee interest, life estate interest, or equitable interest of a contract purchaser in the unsafe premises from the time the order requiring the work to be performed was recorded to the time that the work was completed;

(2) the legal description or address of the unsafe premises that were the subject of work;

(3) the nature of the work that was accomplished;

(4) the amount of the unpaid bid price of the work that was accomplished; and

(5) the amount of the unpaid average processing expense.

~~The record must be in a form approved by the state board of accounts.~~

(b) The enforcement authority, or its head, shall swear to the accuracy of the record before the clerk of the circuit court and deposit the record in the clerk's office. Notice that the record has been filed and that a hearing on the amounts indicated in the record may be held must be sent in the manner prescribed by section 25 of this chapter to all of the following:

(1) The persons named in the record.

(2) Any mortgagee that has a known or recorded substantial property interest.

(c) If, within thirty (30) days after the notice required by subsection (b), a person named in the record or a mortgagee files with the clerk of the circuit court a written petition objecting to the claim for payment and requesting a hearing, the clerk shall enter the cause on the docket of the circuit or superior court as a civil action, and a hearing shall be held on the question in the manner prescribed by IC 4-21.5. However, issues that could have been determined under section 8 of this chapter may not be entertained at the hearing. At the conclusion of the hearing, the court shall either sustain the petition or enter a judgment against the persons named in the record for the amounts recorded or for modified amounts.

(d) If no petition is filed under subsection (c), the clerk of the circuit court shall enter the cause on the docket of the court and the court shall enter a judgment for the amounts stated in the record.

(e) A judgment under subsection (c) or (d), to the extent that it is not satisfied under IC 27-2-15, is a debt and a lien on all the real and personal property of the person named, or a joint and several debt and lien on the real and personal property of the persons named in the record prepared under subsection (a). The lien on real property is perfected against all creditors and purchasers when the judgment is entered on the judgment docket of the court. The lien on personal property is perfected by filing a lis pendens notice in the appropriate filing office, as prescribed by the Indiana Rules of Trial Procedure.

(f) Judgments rendered under this section may be enforced in the same manner as all other judgments are enforced.

SECTION 82. IC 36-7-15.6-23 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE MARCH 1, 2020 (RETROACTIVE)]: **Sec. 23. (a) This section applies only to a district established after December 31, 2019.**

(b) Notwithstanding section 16(d) of this chapter, money in the fund of a district may be used for a flood control works project in a location outside the boundaries of the district if the flood control works project outside the boundaries of the district directly benefits special flood hazard property within the district.

(c) Notwithstanding section 17(a) and 17(g) of this chapter, money received by a district from bonds issued under section 17 of this chapter may be applied to the payment or reimbursement of the cost of a flood control works project in a location outside the boundaries of the district if the flood control works project outside the boundaries of the district directly benefits special flood hazard property within the district.

(d) Notwithstanding section 19(a) and 19(d) of this chapter:

(1) money received from bonds described in section 19(a) of this chapter may be applied to the payment of the costs of a flood control works project of a district; and

(2) money in the flood control improvement fund of the district may be applied to reimburse debt service payments on the bonds described in section 19(a) of this chapter;

even though the flood control works project was in a location outside the boundaries of the district, if the flood control works project directly benefits special flood hazard property within the district.

(e) This section expires March 1, 2022.

SECTION 83. IC 36-8-8-14.2 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14.2. (a) This section applies to every unit that is an employer of one (1) or more individuals who are active members of the 1977 fund.**

(b) As used in this section, "survivor" means:

(1) a surviving spouse of a deceased member of the 1977 fund; or

(2) a surviving natural child, stepchild, or adopted child of a deceased member of the 1977 fund;

who is entitled to health insurance coverage under section 14.1(h) of this chapter.

(c) If a unit is obligated under section 14.1(h) of this chapter to pay for health insurance coverage for one (1) or more survivors of a deceased member of the 1977 fund who died in the line of duty, the legislative body of the unit may establish a public safety officer survivors' health coverage cumulative fund under this section to pay for health coverage under section 14.1(h) of this chapter.

(d) The fiscal body of a unit may provide money for a public safety officer survivors' health coverage cumulative fund established under subsection (c) by levying a tax in

compliance with IC 6-1.1-41 on the taxable property in the unit.

(e) The property tax rate that may be imposed under this section for property taxes first due and payable during a particular year may not exceed the rate necessary to pay the annual cost of the health coverage that the unit is obligated to pay under section 14.1(h) of this chapter. The unit shall provide any documentation requested by the department of local government finance that is necessary to certify the rate adopted by the unit. The unit's maximum permissible ad valorem property tax levy determined under IC 6-1.1-18.5-3 excludes the property tax levied under this section.

(f) The tax money collected under this section shall be held in a special fund to be known as the public safety officer survivors' health coverage cumulative fund.

(g) In a consolidated city, money may be transferred from the public safety officer survivors' health coverage cumulative fund to the fund of a department of the consolidated city responsible for carrying out a purpose for which the public safety officer survivors' health coverage cumulative fund was created. The department may not expend any money transferred under this subsection until an appropriation is made, and the department may not expend any money transferred under this subsection for operating costs of the department.

SECTION 84. IC 36-12-3-12, AS AMENDED BY P.L.257-2019, SECTION 167, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) The library board shall determine the rate of taxation for the library district that is necessary for the proper operation of the library. The library board shall certify the rate to the county auditor. An additional rate may be levied under section 10(4) of this chapter.

(b) If the library board fails to:

(1) give:

(A) a first published notice to the board's taxpayers of the board's proposed budget and tax levy for the ensuing year at least ten (10) days before the public hearing required under IC 6-1.1-17-3; and

(B) a second published notice to the board's taxpayers of the board's proposed budget and tax levy for the ensuing year at least three (3) days before the public hearing required under IC 6-1.1-17-3; or

(2) finally adopt the budget and fix the tax levy not later than ~~September 30;~~ **November 1;**

the last preceding annual appropriation made for the public library is renewed for the ensuing year, and the last preceding annual tax levy is continued. Under this subsection, the treasurer of the library board shall report the continued tax levy to the county auditor not later than ~~September 30.~~ **November 1.**

SECTION 85. [EFFECTIVE JANUARY 1, 2017 (RETROACTIVE)] **(a) This SECTION applies notwithstanding IC 6-1.1-10, IC 6-1.1-11, or any other law or administrative rule or provision.**

(b) This SECTION applies to an assessment date occurring after December 31, 2016, and before January 1, 2020.

(c) As used in this SECTION, "eligible property" means real property:

(1) on which property taxes were imposed for the 2017, 2018, and 2019 assessment dates; and

(2) that would have been eligible for an exemption from property taxation under IC 6-1.1-10-25(a)(8) for the 2017, 2018, and 2019 assessment dates if an exemption application had been properly and timely filed under IC 6-1.1 for the real property.

(d) As used in this SECTION, "qualified taxpayer" refers to a nonprofit veterans organization that owns eligible property.

(e) A qualified taxpayer may, before September 1, 2020, file a property tax exemption application and supporting documents claiming a property tax exemption under IC 6-1.1-10-16 or IC 6-1.1-10-25(a)(8) for any assessment date described in subsection (b).

(f) A property tax exemption application filed under subsection (e) by a qualified taxpayer is considered to have been properly and timely filed.

(g) If a qualified taxpayer files property tax exemption applications under subsection (e), the following apply:

(1) The property tax exemption for the eligible property is allowed and granted for the 2017, 2018, and 2019 assessment dates by the county assessor and county auditor of the county in which the eligible property is located.

(2) The qualified taxpayer is not required to pay any property taxes, penalties, interest, or tax sale reimbursement expenses with respect to the eligible property exempted under this SECTION for the 2017, 2018, and 2019 assessment dates.

(3) If the eligible property was placed on the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5 or was otherwise subject to a tax sale under IC 6-1.1-24 and IC 6-1.1-25 because one (1) or more installments of property taxes due for the eligible property for the 2017, 2018, and 2019 assessment dates were not timely paid:

(A) the county auditor shall remove the eligible property from the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5; and

(B) a tax deed may not be issued under IC 6-1.1-25 for the eligible property for any tax sale of the eligible property under IC 6-1.1-24 and IC 6-1.1-25 that was held because one (1) or more installments of property taxes due for the eligible property for the 2017, 2018, and 2019 assessment dates were not timely paid.

(h) A taxpayer is entitled to the exemption from real property tax as claimed on a property tax exemption application filed under this SECTION, regardless of whether:

(1) a property tax exemption application was previously filed for the same or similar property for the assessment date;

(2) the county property tax assessment board of appeals has issued a final determination regarding any previously filed property tax exemption application for the assessment date;

(3) the taxpayer appealed any denial of a previously filed property tax exemption application for the assessment date; or

(4) the records of the county in which the property subject to the property tax exemption application is located identified the taxpayer as the owner of the property on the assessment date described in subsection (b) for which the property tax exemption is claimed.

(i) The exemption allowed by this SECTION shall be applied and considered approved without the need for any further ruling or action by the county assessor, the county auditor, or the county property tax assessment board of appeals of the county in which the eligible property is located or by the Indiana board of tax review. The exemption approval is final and may not be appealed by the county assessor, the county property tax assessment board of appeals, or any member of the county property tax assessment board of appeals.

(j) To the extent the qualified taxpayer has paid any property taxes, penalties, or interest with respect to the eligible property for the 2017, 2018, and 2019 assessment dates, the eligible taxpayer is entitled to a refund of the amounts paid. Notwithstanding the filing deadlines for a claim in IC 6-1.1-26, any claim for a refund filed by an eligible taxpayer under this subsection before September 1, 2020, is considered timely filed. The county auditor shall pay the refund due under this SECTION in one (1) installment.

(k) This SECTION expires July 1, 2023.

SECTION 86. [EFFECTIVE JANUARY 1, 2018 (RETROACTIVE)] **(a) This SECTION applies notwithstanding IC 6-1.1-10, IC 6-1.1-11, or any other law or administrative rule or provision.**

(b) This SECTION applies to an assessment date occurring after December 31, 2017, and before January 1, 2020.

(c) As used in this SECTION, "eligible property" means real property:

(1) that was conveyed to an eligible taxpayer in 2014 or 2017;

(2) on which property taxes were imposed for the 2018 and 2019 assessment dates; and

(3) that would have been eligible for an exemption from property taxation under IC 6-1.1-10-16 for the 2018 and 2019 assessment dates if an exemption application had been properly and timely filed under IC 6-1.1 for the real property.

(d) As used in this SECTION, "qualified taxpayer" refers to a nonprofit corporation created in 1903 that owns eligible property.

(e) A qualified taxpayer may, before September 1, 2020, file a property tax exemption application and supporting documents claiming a property tax exemption under IC 6-1.1-10-16 for any assessment date described in subsection (b).

(f) A property tax exemption application filed under subsection (e) by a qualified taxpayer is considered to have been properly and timely filed.

(g) If a qualified taxpayer files the property tax exemption applications under subsection (e), the following apply:

(1) The property tax exemption for the eligible property is allowed and granted for the 2018 and 2019 assessment dates by the county assessor and county auditor of the county in which the eligible property is located.

(2) The qualified taxpayer is not required to pay any property taxes, penalties, interest, or tax sale reimbursement expenses with respect to the eligible property exempted under this SECTION for the 2018 and 2019 assessment dates.

(3) If the eligible property was placed on the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5 or was otherwise subject to a tax sale under IC 6-1.1-24 and IC 6-1.1-25 because one (1) or more installments of property taxes due for the eligible property for the 2018 and 2019 assessment dates were not timely paid:

(A) the county auditor shall remove the eligible property from the list certified under IC 6-1.1-24-1 or IC 6-1.1-24-1.5; and

(B) a tax deed may not be issued under IC 6-1.1-25 for the eligible property for any tax sale of the eligible property under IC 6-1.1-24 and IC 6-1.1-25 that was held because one (1) or more installments of property taxes due for the eligible property for the 2018 and 2019 assessment dates were not timely paid.

(h) A taxpayer is entitled to the exemption from real property tax as claimed on a property tax exemption application filed under this SECTION, regardless of whether:

(1) a property tax exemption application was previously filed for the same or similar property for the assessment date;

(2) the county property tax assessment board of appeals has issued a final determination regarding any previously filed property tax exemption application for the assessment date;

(3) the taxpayer appealed any denial of a previously filed property tax exemption application for the assessment date; or

(4) the records of the county in which the property subject to the property tax exemption application is located identified the taxpayer as the owner of the property on the assessment date described in subsection (b) for which the property tax exemption is claimed.

(i) The exemption allowed by this SECTION shall be applied and considered approved without the need for any further ruling or action by the county assessor, the county auditor, or the county property tax assessment board of appeals of the county in which the eligible property is located or by the Indiana board of tax review. The exemption approval is final and may not be appealed by the county assessor, the county property tax assessment board of appeals, or any member of the county property tax assessment board of appeals.

(j) To the extent the qualified taxpayer has paid any property taxes, penalties, or interest with respect to the

eligible property for the 2018 and 2019 assessment dates, the eligible taxpayer is entitled to a refund of the amounts paid. Notwithstanding the filing deadlines for a claim in IC 6-1.1-26, any claim for a refund filed by an eligible taxpayer under this subsection before September 1, 2020, is considered timely filed. The county auditor shall pay the refund due under this SECTION in one (1) installment.

(k) This SECTION expires July 1, 2023.

SECTION 87. [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)] **(a) This SECTION applies notwithstanding IC 6-1.1-10, IC 6-1.1-11, or any other law or administrative rule or provision.**

(b) This SECTION applies to assessment dates after December 31, 2017, and before January 1, 2020.

(c) As used in this SECTION, "eligible property" means any real property:

(1) that is owned, occupied, and used by a taxpayer that is a church or religious society and is used for one (1) or more of the purposes described in IC 6-1.1-10-16 or IC 6-1.1-10-21;

(2) for which an exemption application was filed after June 8, 2019, and before June 15, 2019; and

(3) that would have been eligible for an exemption under IC 6-1.1-10-16 or IC 6-1.1-10-21 for assessment dates after December 31, 2017, and before January 1, 2020, if an exemption application had been properly and timely filed under IC 6-1.1 for the property.

(d) Before September 1, 2020, the owner of eligible property may file a property tax exemption application and supporting documents claiming a property tax exemption under this SECTION for the eligible property for an assessment date after December 31, 2017, and before January 1, 2020.

(e) A property tax exemption application filed as provided in subsection (d) is considered to have been properly and timely filed for each assessment date.

(f) The following apply if the owner of eligible property files a property tax exemption application as provided in subsection (d):

(1) The property tax exemption for the eligible property shall be allowed and granted for the applicable assessment date by the county assessor and county auditor of the county in which the eligible property is located.

(2) The owner of the eligible property is not required to pay any property taxes, penalties, or interest with respect to the eligible property for the applicable assessment date.

(g) The exemption allowed by this SECTION shall be applied without the need for any further ruling or action by the county assessor, the county auditor, or the county property tax assessment board of appeals of the county in which the eligible property is located or by the Indiana board of tax review.

(h) To the extent the owner of the eligible property has paid any property taxes, penalties, or interest with respect to the eligible property for an applicable date and to the extent that the eligible property is exempt from taxation as provided in this SECTION, the owner of the eligible property is entitled to a refund of the amounts paid. The owner is not entitled to any interest on the refund under IC 6-1.1 or any other law to the extent interest has not been paid by or on behalf of the owner. Notwithstanding the filing deadlines for a claim under IC 6-1.1-26, any claim for a refund filed by the owner of eligible property under this SECTION before September 1, 2020, is considered timely filed. The county auditor shall pay the refund due under this SECTION in one (1) installment.

(i) This SECTION expires June 30, 2022.

SECTION 88. [EFFECTIVE UPON PASSAGE] **(a) IC 6-1.1-12-9, IC 6-1.1-12-14, and IC 6-1.1-20.6-8.5, all as amended by this act, apply to assessment dates after December 31, 2019.**

(b) This SECTION expires June 30, 2023.

SECTION 89. **An emergency is declared for this act.**

(Reference is to EHB 1113 as reprinted February 28, 2020.)

Leonard, Chair	Bassler
Pryor	Melton
House Conferees	Senate Conferees

Roll Call 389: yeas 48, nays 1. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1235–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1235 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 36-8-4-6.5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6.5. (a) This section applies to the appointment of a police chief or deputy police chief in all cities.

(b) An applicant must meet the following requirements:

(1) Have five (5) years of service as:

(A) a police officer with a full-time, paid police department or agency; **or**

(B) a federal enforcement officer (as defined in IC 35-31.5-2-129) with a full-time, paid federal law enforcement agency.

(2) Be a citizen of the United States.

(3) Be a high school graduate or equivalent.

(4) Be at least twenty-one (21) years of age.

(5) Be free of mental illness.

(6) Be physically fit.

(7) Have successfully completed:

(A) the minimum basic training requirements established by the law enforcement training board under IC 5-2-1, or have continuous service with the same department to which the applicant was appointed as a law enforcement

officer before July 6, 1972; **or**

(B) the minimum basic federal law enforcement training requirements that are substantially equivalent to the training requirements as described in clause (A).

(c) In addition to the requirements of subsection (b), an applicant for appointment as police chief or deputy police chief must have at least five (5) years of continuous service with the police department of that city **or with the same federal law enforcement agency** immediately before the appointment. This requirement may be waived by the city executive.

SECTION 2. IC 36-8-16.6-11, AS AMENDED BY P.L.36-2016, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. (a) The board shall impose an enhanced prepaid wireless charge on each retail transaction. The charge is not required to be paid by an eligible telecommunications carrier that is required to pay the monthly statewide 911 fee under IC 36-8-16.7-32 for the same transaction. The amount of the charge is one dollar ($1). The board may increase the enhanced prepaid wireless charge to ensure adequate revenue for the board to fulfill its duties and obligations under this chapter and IC 36-8-16.7. The following apply to an increase in the enhanced prepaid wireless charge:

(1) The board may increase the charge only one (1) time ~~after June 30, 2015, and before July 1, 2020.~~ **after April 1, 2020, and before July 1, 2023, in an amount not to exceed ten cents ($0.10).**

(2) The board may increase the charge only after review by the budget committee.

~~(3) If the board increases the charge, the amount of the increase must be ten cents ($0.10).~~

(b) A consumer that is the federal government or an agency of the federal government is exempt from the enhanced prepaid wireless charge imposed under this section.

(c) This subsection applies to an eligible telecommunications carrier for purposes of receiving Lifeline reimbursement from the universal service fund through the administrator designated by the Federal Communications Commission. An eligible telecommunications carrier:

(1) is not considered an agency of the federal government for purposes of the exemption set forth in subsection (b); and

(2) with respect to prepaid wireless telecommunications service provided to end users by the eligible telecommunications carrier in its capacity as an eligible telecommunications carrier, is liable for the charge imposed under subsection (d).

(d) Beginning September 1, 2015, and on the first day of each month thereafter, an eligible telecommunications carrier described in subsection (c) shall pay to the board a charge equal to the product of the following factors:

(1) The enhanced prepaid wireless charge established under subsection (a).

(2) The number of unique end users for which the eligible telecommunications carrier received reimbursement from the universal service fund during the immediately preceding month.

The eligible telecommunications carrier may bill and collect from each end user the charges calculated under this subsection with respect to the end user. The eligible telecommunications carrier shall determine the manner in which the eligible telecommunications carrier bills and collects the charges. Except as provided in section 15 of this chapter, an eligible telecommunications carrier may not bill and collect from an end user an amount greater than the charges paid by the eligible telecommunications carrier to the board with respect to the end user.

(e) If the board increases the enhanced prepaid wireless charge under subsection (a), the board shall provide written notice to the department of state revenue not later than sixty (60) days before the date the increase takes effect that includes:

(1) the effective date for the increase; and

(2) the amount of the charge as increased by the board.

SECTION 3. IC 36-8-16.7-22, AS ADDED BY P.L.132-2012, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 22. ~~(a)~~ As used in this chapter, "statewide 911 system" means a communications system that uses the three (3) digit number 911 to send:

(1) an emergency call for assistance from the public by voice, text message, or other communication method or a functional equivalent or successor;

~~(1)~~ **(2)** automatic number identification or its functional equivalent or successor; and

~~(2)~~ **(3)** automatic location information or its functional equivalent or successor;

for reporting police, fire, medical, or other emergency situations.

~~(b) The term includes the following:~~

~~(1) A wireless 911 emergency telephone system funded under IC 36-8-16.5 (before its repeal on July 1, 2012).~~

~~(2) An emergency notification system.~~

~~(c) The term does not include a wireline enhanced emergency telephone system funded under IC 36-8-16 (before its repeal on July 1, 2012).~~

SECTION 4. IC 36-8-16.7-32, AS AMENDED BY P.L.85-2017, SECTION 127, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 32. (a) Except as provided in subsections (b) and (d), and subject to section 48(e) of this chapter, the board shall assess a monthly statewide 911 fee on each standard user that is a customer having a place of primary use in Indiana at a rate that ensures full recovery of the amount needed for the board to make distributions to county treasurers consistent with this chapter and that provides for the proper development, operation, and maintenance of a statewide 911 system. The amount of the fee assessed under this subsection is one dollar ($1). The board may adjust the statewide 911 fee to ensure adequate revenue for the board to fulfill the board's duties and obligations under this chapter, subject to the following:

(1) The following apply to an increase in the fee:

(A) The board may increase the fee only one (1) time ~~after June 30, 2015, and before July 1, 2020.~~ **after April 1, 2020, and before July 1, 2023, in an amount not to exceed ten cents ($0.10).**

(B) The board may increase the fee only after review by

the budget committee.

~~(C) If the board increases the fee, the amount of the increase must be ten cents ($0.10).~~

(2) The fee may not be lowered more than one (1) time in a calendar year.

(3) The fee may not be lowered by an amount that is more than ten cents ($0.10) without legislative approval.

(b) The fee assessed under this section does not apply to a prepaid user in a retail transaction under IC 36-8-16.6.

(c) An additional fee relating to the provision of 911 service may not be levied by a state agency or local unit of government. An enhanced prepaid wireless charge (as defined in IC 36-8-16.6-4) is not considered an additional fee relating to the provision of wireless 911 service for purposes of this section.

(d) A user is exempt from the fee if the user is any of the following:

(1) The federal government or an agency of the federal government.

(2) The state or an agency or instrumentality of the state.

(3) A political subdivision (as defined in IC 36-1-2-13) or an agency of a political subdivision.

(4) A user that accesses communications service solely through a wireless data only service plan.

(e) This subsection applies to an eligible telecommunications carrier for purposes of receiving Lifeline reimbursement from the universal service fund through the administrator designated by the Federal Communications Commission. An eligible telecommunications carrier:

(1) is not considered an agency of the federal government for purposes of the exemption set forth in subsection (d); and

(2) with respect to communications service provided to end users by the eligible telecommunications carrier in its capacity as an eligible telecommunications carrier, is liable for the fee assessed under subsection (f).

(f) Beginning September 1, 2015, and on the first day of each month thereafter, an eligible telecommunications carrier described in subsection (e) shall pay to the board a fee equal to the product of the following factors:

(1) The monthly statewide 911 fee established under subsection (a).

(2) The number of unique end users for which the eligible telecommunications carrier received reimbursement from the universal service fund during the immediately preceding month.

The eligible telecommunications carrier may bill and collect from each end user the fees calculated under this subsection with respect to the end user. The eligible telecommunications carrier shall determine the manner in which the eligible telecommunications carrier bills and collects the fees. Except as provided in section 33(c) of this chapter, an eligible telecommunications carrier may not bill and collect from an end user an amount greater than the fees paid by the eligible telecommunications carrier to the board with respect to the end user.

(g) If the board increases the statewide 911 fee under subsection (a), the board shall provide written notice to the department of state revenue not later than sixty (60) days before the date the increase takes effect that includes:

(1) the effective date for the increase; and

(2) the amount of the charge as increased by the board.

SECTION 5. **An emergency is declared for this act.**

(Reference is to EHB 1235 as printed February 26, 2020.)

Karickhoff, Chair	Crider
Porter	Messmer
House Conferees	Senate Conferees

Roll Call 390: yeas 28, nays 21. Report adopted.

5:28 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 8:09 p.m., with the President of the Senate in the Chair.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: Pursuant to Senate Rule 86(l) your Committee on Rules and Legislative Procedure to which was referred Conference Committee Reports filed on Engrossed Senate Bills 335 and 367 and Engrossed House Bills 1006, 1065, 1108, and 1372 has had the same under consideration and begs leave to report back to the Senate with the recommendation that said Conference Committee Reports are eligible for consideration.

BRAY, Chair

Report adopted.

MESSAGE FROM THE PRESIDENT OF THE SENATE

Members of the Senate: I have on the 11th day of March, 2020, signed Senate Enrolled Acts 21, 39, 78, 109, and 358, and House Enrolled Acts 1015, 1047, 1067, 1080, 1082, 1091, 1093, 1094, 1151, 1173, 1174, 1199, 1210, 1218, 1301, and 1346.

SUZANNE CROUCH
Lieutenant Governor

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Pressel as an advisor on Engrossed Senate Bill 367.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative

Harris as a conferee on Engrossed Senate Bill 367 and now appoints Representative Pressel as a conferee thereon.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Jordan as an advisor on Engrossed House Bill 1065.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Porter as a conferee on Engrossed House Bill 1065 and now appoints Representative Jordan as a conferee thereon.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed Senate Bills 1, 47, 80, 148, and 295.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed House Bills 1003, 1045, 1066, 1113, and 1131.

M. CAROLINE SPOTTS
Principal Clerk of the House

MOTIONS TO CONCUR IN HOUSE AMENDMENTS

SENATE MOTION

Madam President: I move that the Senate concur with the House amendments to Engrossed Senate Bill 334.

WALKER

Roll Call 391: yeas 39, nays 10. Motion prevailed.

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT
ESB 335–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 335 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 1-1-2-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. (a) This section applies to every crime in which proof that a person has a prior conviction or judgment for an infraction increases:**

(1) the class or level of the crime;

(2) the penalty for the crime from a misdemeanor to a felony; or

(3) the penalty for an infraction to a misdemeanor or felony.

(b) This section does not apply to a sentencing provision that increases the penalty that may be imposed for an infraction or crime but does not increase:

(1) the class or level of the crime;

(2) the penalty for the crime from a misdemeanor to a felony; or

(3) the penalty for an infraction to a misdemeanor or felony;

including IC 35-50-2-8 (habitual offenders), IC 35-50-2-9 (death penalty sentencing), IC 9-30-15.5 (habitual vehicular substance offender), and IC 35-50-2-14 (repeat sexual offender).

(c) This section does not apply to a crime that contains a specific lookback period for a prior conviction or judgment for an infraction.

(d) Subject to subsection (e), and except as provided in subsection (f), a prior conviction or a prior judgment for an infraction increases the class or level of the crime, the penalty for the crime from a misdemeanor to a felony, or the penalty for an infraction to a misdemeanor or felony only if the current crime was committed not later than twelve (12) years from the date the defendant was:

(1) convicted of the prior crime, if the defendant was not sentenced to a term of incarceration or probation;

(2) adjudicated to have committed the infraction; or

(3) released from a term of incarceration, probation, or parole (whichever occurs later) imposed for the prior conviction;

whichever occurred last.

(e) If a crime described in subsection (a) requires proof of more than one (1) criminal conviction or judgment for an infraction, the increased penalty applies only if the current crime was committed not later than twelve (12) years from the date the defendant was:

(1) convicted of one (1) of the prior crimes, if the person was not sentenced to a term of incarceration or probation;

(2) adjudicated to have committed one (1) of the infractions; or

(3) released from a term of incarceration, probation, or parole (whichever occurs later) imposed for one (1) of the prior convictions;

whichever occurred last.

(f) This section does not apply if the crime described in

subsection (a) is one (1) or more of the following:

(1) A crime of violence (as defined by IC 35-50-1-2).

(2) A crime that results in bodily injury or death to a victim.

(3) A sex offense (as defined by IC 11-8-8-5.2).

(4) Domestic battery (IC 35-42-2-1.3).

(5) Strangulation (IC 35-42-2-9).

(6) Operating while intoxicated with a prior conviction for operating while intoxicated that resulted in death, serious bodily injury, or catastrophic injury (IC 9-30-5-3(b)).

(7) Dealing in cocaine or a narcotic drug (IC 35-48-4-1).

(8) Dealing in methamphetamine (IC 35-48-4-1.1).

(9) Manufacturing methamphetamine (IC 35-48-4-1.2).

(10) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).

(g) If there is a conflict between a provision in this section and another provision of the Indiana Code, this section controls.

SECTION 2. IC 1-1-2-4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 4. (a) As used in this section, "reference to a conviction for an Indiana criminal offense" means both a specific reference to a conviction for a criminal offense in Indiana (with or without an Indiana Code citation reference) and a general reference to a conviction for a class or type of criminal offense, such as:**

(1) a felony;

(2) a misdemeanor;

(3) a sex offense;

(4) a violent crime;

(5) a crime of domestic violence;

(6) a crime of dishonesty;

(7) fraud;

(8) a crime resulting in a specified injury or committed against a specified victim; or

(9) a crime under IC 35-42 or IC 9-30-5 or under any other statute describing one (1) or more criminal offenses.

(b) Except as provided in subsection (c), a reference to a conviction for an Indiana criminal offense appearing within the Indiana Code also includes a conviction for any of the following:

(1) An attempt to commit the offense, unless the offense is murder (IC 35-42-1-1).

(2) A conspiracy to commit the offense.

(3) A substantially similar offense committed in another jurisdiction, including an attempt or conspiracy to commit the offense, even if the reference to the conviction for the Indiana criminal offense specifically refers to an "Indiana conviction" or a conviction "in Indiana" or under "Indiana law" or "laws of this state".

(c) A reference to a conviction for an Indiana criminal offense appearing within the Indiana Code does not include an offense described in subsection (b)(1) through (b)(3) if:

(1) the reference expressly excludes an offense described in subsection (b)(1) through (b)(3); or

(2) with respect to an offense described in subsection (b)(3), the reference imposes an additional qualifier on the offense committed in another jurisdiction.

(d) If there is a conflict between a provision in this section and another provision of the Indiana Code, this section controls.

SECTION 3. IC 3-8-1-5, AS AMENDED BY P.L.74-2017, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) This section does not apply to a candidate for federal office.

(b) As used in this section, "felony" means a conviction ~~in any jurisdiction~~ for which the convicted person might have been imprisoned for more than one (1) year.

(c) A person is not disqualified under this section for:

(1) a felony conviction for which the person has been pardoned;

(2) a felony conviction that has been:

(A) reversed;

(B) vacated;

(C) set aside;

(D) not entered because the trial court did not accept the person's guilty plea; or

(E) expunged under IC 35-38-9; or

(3) a person's plea of guilty or nolo contendere at a guilty plea hearing that is not accepted and entered by a trial court.

(d) A person is disqualified from assuming or being a candidate for an elected office if:

(1) the person gave or offered a bribe, threat, or reward to procure the person's election, as provided in Article 2, Section 6 of the Constitution of the State of Indiana;

(2) the person does not comply with IC 5-8-3 because of a conviction for a violation of the federal laws listed in that statute;

(3) in a:

(A) jury trial, a jury publicly announces a verdict against the person for a felony;

(B) bench trial, the court publicly announces a verdict against the person for a felony; or

(C) guilty plea hearing, the person pleads guilty or nolo contendere to a felony;

(4) the person has been removed from the office the candidate seeks under Article 7, Section 11 or Article 7, Section 13 of the Constitution of the State of Indiana;

(5) the person is a member of the United States armed forces on active duty and prohibited by the United States Department of Defense from being a candidate; or

(6) the person is subject to:

(A) 5 U.S.C. 1502 (the Little Hatch Act); or

(B) 5 U.S.C. 7321-7326 (the Hatch Act);

and would violate either federal statute by becoming or remaining the candidate of a political party for nomination or election to an elected office or a political party office.

(e) The subsequent reduction of a felony to a Class A misdemeanor under IC 35 after the:

(1) jury has announced its verdict against the person for a felony;

(2) court has announced its verdict against the person for a

felony; or

(3) person has pleaded guilty or nolo contendere to a felony;

does not affect the operation of subsection (d).

SECTION 4. IC 4-33-8-11 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) An individual who is disqualified under section 3(2) of this chapter due to a conviction for a felony may apply to the commission for a waiver of the requirements of section 3(2) of this chapter.

(b) The commission may waive the requirements of section 3(2) of this chapter with respect to an individual applying for an occupational license if:

(1) the individual qualifies for a waiver under subsection (e) or (f); and

(2) the commission determines that the individual has demonstrated by clear and convincing evidence the individual's rehabilitation.

(c) In determining whether the individual applying for the occupational license has demonstrated rehabilitation under subsection (b), the commission shall consider the following factors:

(1) The nature and duties of the position applied for by the individual.

(2) The nature and seriousness of the offense or conduct.

(3) The circumstances under which the offense or conduct occurred.

(4) The date of the offense or conduct.

(5) The age of the individual when the offense or conduct was committed.

(6) Whether the offense or conduct was an isolated or a repeated incident.

(7) A social condition that may have contributed to the offense or conduct.

(8) Evidence of rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received, acquisition of additional academic or vocational education, successful participation in a correctional work release program, or the recommendation of a person who has or has had the individual under the person's supervision.

(9) The complete criminal record of the individual.

(10) The prospective employer's written statement that:

(A) the employer has been advised of all of the facts and circumstances of the individual's criminal record; and

(B) after having considered the facts and circumstances, the prospective employer will hire the individual if the commission grants a waiver of the requirements of section 3(2) of this chapter.

(d) The commission may not waive the requirements of section 3(2) of this chapter for an individual who has been convicted of committing any of the following:

(1) A felony in violation of federal law (as classified in 18 U.S.C. 3559).

(2) A felony of fraud, deceit, or misrepresentation. ~~under the laws of Indiana or any other jurisdiction.~~

~~(3) A felony of conspiracy to commit a felony described in subdivision (1), (2), or (4) under the laws of Indiana or any other jurisdiction.~~

~~(4)~~ **(3)** A felony of gambling under IC 35-45-5 or IC 35-45-6. ~~or a crime in any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a crime described in IC 35-45-5 or IC 35-45-6.~~

(e) The commission may waive the requirements of section 3(2) of this chapter for an individual if:

(1) the individual has been convicted of committing:

(A) a felony described in IC 35-42 against another human being or a felony described in IC 35-48-4; **or**

(B) a felony ~~under Indiana law~~ that results in bodily injury, serious bodily injury, or death to another human being; ~~or~~

~~(C) a crime in any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a felony described in clause (A) or (B);~~ and

(2) ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later, for the conviction described in subdivision (1).

(f) The commission may waive the requirements of section 3(2) of this chapter for an individual if:

(1) the individual has been convicted in Indiana or any other jurisdiction of committing a felony not described in subsection (d) or (e); and

(2) five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later, for the conviction described in subdivision (1).

(g) To enable a prospective employer to determine, for purposes of subsection (c)(10), whether the prospective employer has been advised of all of the facts and circumstances of the individual's criminal record, the commission shall notify the prospective employer of all information that the commission:

(1) has obtained concerning the individual; and

(2) is authorized to release under IC 5-14.

(h) The commission shall deny the individual's request to waive the requirements of section 3(2) of this chapter if the individual fails to disclose to both the commission and the prospective employer all information relevant to this section.

SECTION 5. IC 4-35-6.5-11, AS ADDED BY P.L.233-2007, SECTION 21, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) An individual who is disqualified under section 3(2) of this chapter due to a conviction for a felony may apply to the commission for a waiver of the requirements of section 3(2) of this chapter.

(b) The commission may waive the requirements of section 3(2) of this chapter with respect to an individual applying for an occupational license if:

(1) the individual qualifies for a waiver under subsection (e) or (f); and

(2) the commission determines that the individual has demonstrated by clear and convincing evidence the individual's rehabilitation.

(c) In determining whether the individual applying for the

occupational license has demonstrated rehabilitation under subsection (b), the commission shall consider the following factors:

(1) The nature and duties of the position applied for by the individual.

(2) The nature and seriousness of the offense or conduct.

(3) The circumstances under which the offense or conduct occurred.

(4) The date of the offense or conduct.

(5) The age of the individual when the offense or conduct was committed.

(6) Whether the offense or conduct was an isolated or a repeated incident.

(7) A social condition that may have contributed to the offense or conduct.

(8) Evidence of rehabilitation, including good conduct in prison or in the community, counseling or psychiatric treatment received, acquisition of additional academic or vocational education, successful participation in a correctional work release program, or the recommendation of a person who has or has had the individual under the person's supervision.

(9) The complete criminal record of the individual.

(10) The prospective employer's written statement that:

(A) the employer has been advised of all of the facts and circumstances of the individual's criminal record; and

(B) after having considered the facts and circumstances, the prospective employer will hire the individual if the commission grants a waiver of the requirements of section 3(2) of this chapter.

(d) The commission may not waive the requirements of section 3(2) of this chapter for an individual who has been convicted of committing any of the following:

(1) A felony in violation of federal law (as classified in 18 U.S.C. 3559).

(2) A felony of fraud, deceit, or misrepresentation. ~~under the laws of Indiana or any other jurisdiction.~~

~~(3) A felony of conspiracy to commit a felony described in subdivision (1), (2), or (4) under the laws of Indiana or any other jurisdiction.~~

~~(4)~~ **(3)** A felony of gambling under IC 35-45-5 or IC 35-45-6. ~~or a crime in any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a crime described in IC 35-45-5 or IC 35-45-6.~~

(e) The commission may waive the requirements of section 3(2) of this chapter for an individual if:

(1) the individual has been convicted of committing:

(A) a felony described in IC 35-42 against another human being or a felony described in IC 35-48-4; **or**

(B) a felony under Indiana law that results in bodily injury, serious bodily injury, or death to another human being; ~~or~~

~~(C) a crime in any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a felony described in clause (A) or (B);~~ and

(2) ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later, for the conviction described in subdivision (1).

(f) The commission may waive the requirements of section 3(2) of this chapter for an individual if:

(1) the individual has been convicted in Indiana or any other jurisdiction of committing a felony not described in subsection (d) or (e); and

(2) five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later, for the conviction described in subdivision (1).

(g) To enable a prospective employer to determine, for purposes of subsection (c)(10), whether the prospective employer has been advised of all of the facts and circumstances of the individual's criminal record, the commission shall notify the prospective employer of all information that the commission:

(1) has obtained concerning the individual; and

(2) is authorized to release under IC 5-14.

(h) The commission shall deny the individual's request to waive the requirements of section 3(2) of this chapter if the individual fails to disclose to both the commission and the prospective employer all information relevant to this section.

SECTION 6. IC 7.1-1-3-13.5, AS AMENDED BY P.L.196-2015, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13.5. "Conviction for operating while intoxicated" means a conviction (as defined in IC 9-13-2-38)

~~(1) in Indiana~~ for a crime under IC 9-30-5-1 through IC 9-30-5-9, IC 35-46-9-6, or IC 14-15-8 (before its repeal). ~~or~~

~~(2) in any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a crime described in IC 9-30-5-1 through IC 9-30-5-9, IC 35-46-9-6, or IC 14-15-8-8 (before its repeal).~~

SECTION 7. IC 9-13-2-130 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 130. "Previous conviction of operating while intoxicated" means a previous conviction **for:**

~~(1) in Indiana of:~~

~~(A)~~ **(1)** an alcohol related or drug related crime under Acts 1939, c.48, s.52, as amended, IC 9-4-1-54 (repealed September 1, 1983), or IC 9-11-2 (repealed July 1, 1991); or

~~(B)~~ **(2)** a crime under IC 9-30-5-1 through IC 9-30-5-9. ~~or~~

~~(2) in any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a crime described in IC 9-30-5-1 through IC 9-30-5-9.~~

SECTION 8. IC 9-30-5-1, AS AMENDED BY P.L.63-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A person who operates a vehicle with an alcohol concentration equivalent to at least eight-hundredths (0.08) gram of alcohol but less than fifteen-hundredths (0.15) gram of alcohol per:

(1) one hundred (100) milliliters of the person's blood; or

(2) two hundred ten (210) liters of the person's breath;

commits a Class C misdemeanor.

(b) A person who operates a vehicle with an alcohol concentration equivalent to at least fifteen-hundredths (0.15) gram of alcohol per:

(1) one hundred (100) milliliters of the person's blood; or

(2) two hundred ten (210) liters of the person's breath;

commits a Class A misdemeanor.

(c) A person who operates a vehicle with a controlled substance listed in schedule I or II of IC 35-48-2 or its metabolite in the person's ~~body~~ **blood** commits a Class C misdemeanor.

(d) It is a defense to subsection (c) that the accused person consumed the controlled substance in accordance with a valid prescription or order of a practitioner (as defined in IC 35-48-1) who acted in the course of the practitioner's professional practice.

SECTION 9. IC 9-30-5-3, AS AMENDED BY P.L.184-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) Except as provided in subsection (b), a person who violates section 1 or 2 of this chapter commits a Level 6 felony if:

(1) the person has a previous conviction of operating while intoxicated that occurred within the seven (7) years immediately preceding the occurrence of the violation of section 1 or 2 of this chapter; or

(2) the person:

(A) is at least twenty-one (21) years of age;

(B) violates section 1(b), **1(c),** or 2(b) of this chapter; and

(C) operated a vehicle in which at least one (1) passenger was less than eighteen (18) years of age.

(b) A person who violates section 1 or 2 of this chapter or subsection (a)(2) commits a Level 5 felony if:

(1) the person has a previous conviction of operating while intoxicated causing death or catastrophic injury (IC 9-30-5-5); or

(2) the person has a previous conviction of operating while intoxicated causing serious bodily injury (IC 9-30-5-4).

SECTION 10. IC 10-13-3-27, AS AMENDED BY P.L.32-2019, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 27. (a) Except as provided in subsection (b), on request, a law enforcement agency shall release a limited criminal history to or allow inspection of a limited criminal history by noncriminal justice organizations or individuals only if the subject of the request:

(1) has applied for employment with a noncriminal justice organization or individual;

(2) has:

(A) applied for a license or is maintaining a license; and

(B) provided criminal history data as required by law to be provided in connection with the license;

(3) is a candidate for public office or a public official;

(4) is in the process of being apprehended by a law enforcement agency;

(5) is placed under arrest for the alleged commission of a crime;

(6) has charged that the subject's rights have been abused repeatedly by criminal justice agencies;

(7) is the subject of a judicial decision or determination with respect to the setting of bond, plea bargaining, sentencing, or probation;

(8) has volunteered services that involve contact with, care of, or supervision over a child who is being placed, matched, or monitored by a social services agency or a nonprofit corporation;

(9) is currently residing in a location designated by the department of child services (established by IC 31-25-1-1) or by a juvenile court as the out-of-home placement for a child at the time the child will reside in the location;

(10) has volunteered services at a public school (as defined in IC 20-18-2-15) or nonpublic school (as defined in IC 20-18-2-12) that involve contact with, care of, or supervision over a student enrolled in the school;

(11) is being investigated for welfare fraud by an investigator of the division of family resources or a county office of the division of family resources;

(12) is being sought by the parent locator service of the child support bureau of the department of child services;

(13) is or was required to register as a sex or violent offender under IC 11-8-8;

(14) has been convicted of any of the following:

(A) Rape (IC 35-42-4-1), if the victim is less than eighteen (18) years of age.

(B) Criminal deviate conduct (IC 35-42-4-2) (repealed), if the victim is less than eighteen (18) years of age.

(C) Child molesting (IC 35-42-4-3).

(D) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).

(E) Possession of child pornography (IC 35-42-4-4(d) or IC 35-42-4-4(e)).

(F) Vicarious sexual gratification (IC 35-42-4-5).

(G) Child solicitation (IC 35-42-4-6).

(H) Child seduction (IC 35-42-4-7).

(I) Sexual misconduct with a minor as a felony (IC 35-42-4-9).

(J) Incest (IC 35-46-1-3), if the victim is less than eighteen (18) years of age;

~~(K) Attempt under IC 35-41-5-1 to commit an offense listed in clauses (A) through (J).~~

~~(L) Conspiracy under IC 35-41-5-2 to commit an offense listed in clauses (A) through (J).~~

~~(M) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described under clauses (A) through (J);~~

(15) is identified as a possible perpetrator of child abuse or neglect in an assessment conducted by the department of child services under IC 31-33-8; or

(16) is:

(A) a parent, guardian, or custodian of a child; or

(B) an individual who is at least eighteen (18) years of age and resides in the home of the parent, guardian, or custodian;

with whom the department of child services or a county

probation department has a case plan, dispositional decree, or permanency plan approved under IC 31-34 or IC 31-37 that provides for reunification following an out-of-home placement.

However, limited criminal history information obtained from the National Crime Information Center may not be released under this section except to the extent permitted by the Attorney General of the United States.

(b) A law enforcement agency shall allow inspection of a limited criminal history by and release a limited criminal history to the following noncriminal justice organizations:

(1) Federally chartered or insured banking institutions.

(2) Officials of state and local government for any of the following purposes:

(A) Employment with a state or local governmental entity.

(B) Licensing.

(3) Segments of the securities industry identified under 15 U.S.C. 78q(f)(2).

(c) Any person who knowingly or intentionally uses limited criminal history for any purpose not specified under this section commits a Class C infraction. However, the violation is a Class A misdemeanor if the person has a prior unrelated adjudication or conviction for a violation of this section within the previous five (5) years.

SECTION 11. IC 10-13-6-10, AS AMENDED BY P.L.111-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) This section applies to the following:

(1) A person arrested for a felony after December 31, 2017.

(2) A person convicted of a felony under IC 35-42 (offenses against the person) or IC 35-43-2-1 (burglary):

(A) after June 30, 1996, whether or not the person is sentenced to a term of imprisonment; or

(B) before July 1, 1996, if the person is held in jail or prison on or after July 1, 1996.

(3) A person convicted of a criminal law in effect before October 1, 1977, that penalized an act substantially similar to a felony described in IC 35-42 or IC 35-43-2-1 or that would have been an included offense of a felony described in IC 35-42 or IC 35-43-2-1 if the felony had been in effect:

(A) after June 30, 1998, whether or not the person is sentenced to a term of imprisonment; or

(B) before July 1, 1998, if the person is held in jail or prison on or after July 1, 1998.

(4) A person convicted of a felony: ~~conspiracy to commit a felony, or attempt to commit a felony:~~

(A) after June 30, 2005, whether or not the person is sentenced to a term of imprisonment; or

(B) before July 1, 2005, if the person is held in jail or prison on or after July 1, 2005.

(b) A person described in subsection (a) shall provide a DNA sample to the:

(1) department of correction or the designee of the department of correction if the offender is committed to the department of correction;

(2) county sheriff or the designee of the county sheriff if the offender is held in a county jail or other county penal facility, placed in a community corrections program (as defined in IC 35-38-2.6-2), placed on probation, or released on bond;

(3) agency that supervises the person, or the agency's designee, if the person is on conditional release in accordance with IC 35-38-1-27; or

(4) sheriff, in the case of a person arrested for a felony.

A DNA sample provided under subdivision (4) may be obtained only by buccal swab. A person is not required to submit a blood sample if doing so would present a substantial and an unreasonable risk to the person's health.

(c) The detention, arrest, or conviction of a person based on a data base match or data base information is not invalidated if a court determines that the DNA sample was obtained or placed in the Indiana DNA data base by mistake.

(d) The officer, employee, or designee who obtains a DNA sample from a person under this section shall:

(1) inform the person of the person's right to DNA removal under section 18 of this chapter; and

(2) provide the person with instructions and a form that may be used for DNA removal.

(e) This subsection applies only to a DNA sample provided by a person arrested for a felony. A person described in subsection (b)(1), (b)(2), (b)(3), or (b)(4) may not ship a DNA sample collected from a felony arrestee for DNA identification testing unless:

(1) the arrestee was arrested pursuant to a felony arrest warrant; or

(2) a court has found probable cause for the felony arrest.

SECTION 12. IC 11-8-8-4.5, AS AMENDED BY P.L.144-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4.5. (a) Except as provided in section 22 of this chapter, as used in this chapter, "sex offender" means a person convicted of any of the following offenses:

(1) Rape (IC 35-42-4-1).

(2) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).

(3) Child molesting (IC 35-42-4-3).

(4) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).

(5) Vicarious sexual gratification (including performing sexual conduct in the presence of a minor) (IC 35-42-4-5).

(6) Child solicitation (IC 35-42-4-6).

(7) Child seduction (IC 35-42-4-7).

(8) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a crime committed after June 30, 2014), unless:

(A) the person is convicted of sexual misconduct with a minor as a Class C felony (for a crime committed before July 1, 2014) or a Level 5 felony (for a crime committed after June 30, 2014);

(B) the person is not more than:

(i) four (4) years older than the victim if the offense was committed after June 30, 2007; or

(ii) five (5) years older than the victim if the offense was committed before July 1, 2007; and

(C) the sentencing court finds that the person should not be required to register as a sex offender.

(9) Incest (IC 35-46-1-3).

(10) Sexual battery (IC 35-42-4-8).

(11) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age, and the person who kidnapped the victim is not the victim's parent or guardian.

(12) Criminal confinement (IC 35-42-3-3), if the victim is less than eighteen (18) years of age, and the person who confined or removed the victim is not the victim's parent or guardian.

(13) Possession of child pornography (IC 35-42-4-4(d) or IC 35-42-4-4(e)).

(14) Promoting prostitution (IC 35-45-4-4) as a Class B felony (for a crime committed before July 1, 2014) or a Level 4 felony (for a crime committed after June 30, 2014).

(15) Promotion of human sexual trafficking under IC 35-42-3.5-1.1.

(16) Promotion of child sexual trafficking under IC 35-42-3.5-1.2(a).

(17) Promotion of sexual trafficking of a younger child (IC 35-42-3.5-1.2(c)).

(18) Child sexual trafficking (IC 35-42-3.5-1.3).

(19) Human trafficking under IC 35-42-3.5-1.4 if the victim is less than eighteen (18) years of age.

(20) Sexual misconduct by a service provider with a detained or supervised child (IC 35-44.1-3-10(c)).

~~(21) An attempt or conspiracy to commit a crime listed in this subsection.~~

~~(22) A crime under the laws of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in this subsection.~~

(b) The term includes:

(1) a person who is required to register as a sex offender in any jurisdiction; and

(2) a child who has committed a delinquent act and who:

(A) is at least fourteen (14) years of age;

(B) is on probation, is on parole, is discharged from a facility by the department of correction, is discharged from a secure private facility (as defined in IC 31-9-2-115), or is discharged from a juvenile detention facility as a result of an adjudication as a delinquent child for an act that would be an offense described in subsection (a) if committed by an adult; and

(C) is found by a court by clear and convincing evidence to be likely to repeat an act that would be an offense described in subsection (a) if committed by an adult.

(c) In making a determination under subsection (b)(2)(C), the court shall consider expert testimony concerning whether a child is likely to repeat an act that would be an offense described in subsection (a) if committed by an adult.

SECTION 13. IC 11-8-8-5, AS AMENDED BY P.L.144-2018, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) Except as provided in section 22 of this chapter, as used in this chapter, "sex or violent offender" means a person convicted of any of the following offenses:

(1) Rape (IC 35-42-4-1).

(2) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).

(3) Child molesting (IC 35-42-4-3).

(4) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).

(5) Vicarious sexual gratification (including performing sexual conduct in the presence of a minor) (IC 35-42-4-5).

(6) Child solicitation (IC 35-42-4-6).

(7) Child seduction (IC 35-42-4-7).

(8) Sexual misconduct with a minor (IC 35-42-4-9) as a Class A, Class B, or Class C felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 4, or Level 5 felony (for a crime committed after June 30, 2014), unless:

(A) the person is convicted of sexual misconduct with a minor as a Class C felony (for a crime committed before July 1, 2014) or a Level 5 felony (for a crime committed after June 30, 2014);

(B) the person is not more than:

(i) four (4) years older than the victim if the offense was committed after June 30, 2007; or

(ii) five (5) years older than the victim if the offense was committed before July 1, 2007; and

(C) the sentencing court finds that the person should not be required to register as a sex offender.

(9) Incest (IC 35-46-1-3).

(10) Sexual battery (IC 35-42-4-8).

(11) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age, and the person who kidnapped the victim is not the victim's parent or guardian.

(12) Criminal confinement (IC 35-42-3-3), if the victim is less than eighteen (18) years of age, and the person who confined or removed the victim is not the victim's parent or guardian.

(13) Possession of child pornography (IC 35-42-4-4(d) or IC 35-42-4-4(e)).

(14) Promoting prostitution (IC 35-45-4-4) as a Class B felony (for a crime committed before July 1, 2014) or a Level 4 felony (for a crime committed after June 30, 2014).

(15) Promotion of human sexual trafficking under IC 35-42-3.5-1.1.

(16) Promotion of child sexual trafficking under IC 35-42-3.5-1.2(a).

(17) Promotion of sexual trafficking of a younger child (IC 35-42-3.5-1.2(c)).

(18) Child sexual trafficking (IC 35-42-3.5-1.3).

(19) Human trafficking under IC 35-42-3.5-1.4 if the victim is less than eighteen (18) years of age.

(20) Murder (IC 35-42-1-1).

(21) Voluntary manslaughter (IC 35-42-1-3).

(22) Sexual misconduct by a service provider with a detained or supervised child (IC 35-44.1-3-10(c)).

~~(23) An attempt or conspiracy to commit a crime listed in this subsection.~~

~~(24) A crime under the laws of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in this subsection.~~

(b) The term includes:

(1) a person who is required to register as a sex or violent offender in any jurisdiction; and

(2) a child who has committed a delinquent act and who:

(A) is at least fourteen (14) years of age;

(B) is on probation, is on parole, is discharged from a facility by the department of correction, is discharged from a secure private facility (as defined in IC 31-9-2-115), or is discharged from a juvenile detention facility as a result of an adjudication as a delinquent child for an act that would be an offense described in subsection (a) if committed by an adult; and

(C) is found by a court by clear and convincing evidence to be likely to repeat an act that would be an offense described in subsection (a) if committed by an adult.

(c) In making a determination under subsection (b)(2)(C), the court shall consider expert testimony concerning whether a child is likely to repeat an act that would be an offense described in subsection (a) if committed by an adult.

SECTION 14. IC 11-8-8-17, AS AMENDED BY P.L.44-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. (a) A sex or violent offender who knowingly or intentionally:

(1) fails to register when required to register under this chapter;

(2) fails to register in every location where the sex or violent offender is required to register under this chapter;

(3) makes a material misstatement or omission while registering as a sex or violent offender under this chapter;

(4) fails to register in person as required under this chapter; or

(5) does not reside at the sex or violent offender's registered address or location;

commits a Level 6 felony.

(b) The offense described in subsection (a) is a Level 5 felony if the sex or violent offender has a prior unrelated conviction for an offense:

(1) under this section;

(2) based on the person's failure to comply with any requirement imposed on a sex or violent offender under this chapter or under IC 5-2-12 before its repeal; or

(3) that

~~(A) is a crime under the laws of another jurisdiction, including a military court; and~~

~~(B) is:~~

~~(i) the same or substantially similar to an offense under this section; or~~

~~(ii)~~ **is** based on the person's failure to comply with a requirement imposed on the person that is the same or substantially similar to a requirement imposed on a sex or violent offender under this chapter or under IC 5-2-12 before its repeal.

(c) It is not a defense to a prosecution under this section that the sex or violent offender was unable to pay the sex or violent offender registration fee or the sex or violent offender address change fee described under IC 36-2-13-5.6.

SECTION 15. IC 11-12-3.7-6, AS AMENDED BY P.L.211-2019, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. As used in this chapter, "violent offense" means one (1) or more of the following offenses:

(1) Murder (IC 35-42-1-1).

(2) Attempted murder (IC 35-41-5-1).

(3) Voluntary manslaughter (IC 35-42-1-3).

(4) Involuntary manslaughter (IC 35-42-1-4).

(5) Reckless homicide (IC 35-42-1-5).

(6) Aggravated battery (IC 35-42-2-1.5).

(7) Battery (IC 35-42-2-1) as a:

(A) Class A felony, Class B felony, or Class C felony (for a crime committed before July 1, 2014); or

(B) Level 2 felony, Level 3 felony, or Level 5 felony (for a crime committed after June 30, 2014).

(8) Kidnapping (IC 35-42-3-2).

(9) A sex crime listed in IC 35-42-4-1 through IC 35-42-4-8 that is a:

(A) Class A felony, Class B felony, or Class C felony (for a crime committed before July 1, 2014); or

(B) Level 1 felony, Level 2 felony, Level 3 felony, Level 4 felony, or Level 5 felony (for a crime committed after June 30, 2014).

(10) Sexual misconduct with a minor (IC 35-42-4-9) as a:

(A) Class A felony or Class B felony (for a crime committed before July 1, 2014); or

(B) Level 1 felony, Level 2 felony, or Level 4 felony (for a crime committed after June 30, 2014).

(11) Incest (IC 35-46-1-3).

(12) Robbery (IC 35-42-5-1) as a:

(A) Class A felony or a Class B felony (for a crime committed before July 1, 2014); or

(B) Level 2 felony or Level 3 felony (for a crime committed after June 30, 2014).

(13) Burglary (IC 35-43-2-1) as a:

(A) Class A felony or a Class B felony (for a crime committed before July 1, 2014); or

(B) Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (for a crime committed after June 30, 2014).

(14) Carjacking (IC 35-42-5-2) (repealed).

(15) Assisting a criminal (IC 35-44.1-2-5) as a:

(A) Class C felony (for a crime committed before July 1, 2014); or

(B) Level 5 felony (for a crime committed after June 30, 2014).

(16) Escape (IC 35-44.1-3-4) as a:

(A) Class B felony or Class C felony (for a crime committed before July 1, 2014); or

(B) Level 4 felony or Level 5 felony (for a crime committed after June 30, 2014).

(17) Trafficking with an inmate (IC 35-44.1-3-5) as a:

(A) Class C felony (for a crime committed before July 1, 2014); or
(B) Level 5 felony (for a crime committed after June 30, 2014).
(18) Causing death or catastrophic injury when operating a vehicle (IC 9-30-5-5).
(19) Criminal confinement (IC 35-42-3-3) as a:
(A) Class B felony (for a crime committed before July 1, 2014); or
(B) Level 3 felony (for a crime committed after June 30, 2014).
(20) Arson (IC 35-43-1-1) as a:
(A) Class A or Class B felony (for a crime committed before July 1, 2014); or
(B) Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014).
(21) Possession, use, or manufacture of a weapon of mass destruction (IC 35-46.5-2-1) (or IC 35-47-12-1 before its repeal).
(22) Terroristic mischief (IC 35-46.5-2-3) (or IC 35-47-12-3 before its repeal) as a:
(A) Class B felony (for a crime committed before July 1, 2014); or
(B) Level 4 felony (for a crime committed after June 30, 2014).
(23) Hijacking or disrupting an aircraft (IC 35-47-6-1.6).
(24) A violation of IC 35-47.5 (controlled explosives) as a:
(A) Class A or Class B felony (for a crime committed before July 1, 2014); or
(B) Level 2 or Level 4 felony (for a crime committed after June 30, 2014).
(25) Domestic battery (IC 35-42-2-1.3) as a Level 2 felony, Level 3 felony, or Level 5 felony.
~~(26) A crime under the laws of another jurisdiction, including a military court, that is substantially similar to any of the offenses listed in this subdivision.~~
~~(27)~~ **(26)** Any other crimes evidencing a propensity or history of violence.

SECTION 16. IC 12-7-2-53.2, AS AMENDED BY P.L.168-2014, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 53.2. "Dangerous felony", for purposes of IC 12-17.2, means one (1) or more of the following felonies:
(1) Murder (IC 35-42-1-1).
(2) Attempted murder (IC 35-41-5-1).
(3) Voluntary manslaughter (IC 35-42-1-3).
(4) Involuntary manslaughter (IC 35-42-1-4).
(5) Reckless homicide (IC 35-42-1-5).
(6) Aggravated battery (IC 35-42-2-1.5).
(7) Kidnapping (IC 35-42-3-2).
(8) Rape (IC 35-42-4-1).
(9) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
(10) Child molesting (IC 35-42-4-3).
(11) Sexual misconduct with a minor as a Class A felony (for a crime committed before July 1, 2014) or a Level 1 felony (for a crime committed after June 30, 2014) under IC 35-42-4-9(a)(2) or a Class B felony (for a crime committed before July 1, 2014) or a Level 2 felony (for a crime committed after June 30, 2014) under IC 35-42-4-9(b)(2).
(12) Robbery as a Class A or Class B felony (for a crime committed before July 1, 2014) or a Level 2 or Level 3 felony (for a crime committed after June 30, 2014) (IC 35-42-5-1).
(13) Burglary as a Class A or Class B felony (for a crime committed before July 1, 2014) or a Level 2 or Level 3 felony (for a crime committed after June 30, 2014) (IC 35-43-2-1).
(14) Battery as a felony (IC 35-42-2-1).
(15) Domestic battery (IC 35-42-2-1.3).
(16) Strangulation (IC 35-42-2-9).
(17) Criminal confinement (IC 35-42-3-3).
(18) Sexual battery (IC 35-42-4-8).
~~(19) A felony committed in another jurisdiction that is substantially similar to a felony in this section.~~
~~(20) An attempt to commit or a conspiracy to commit an offense listed in subdivisions (1) through (19).~~

SECTION 17. IC 14-15-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. **(a) Subject to subsection (b),** the operator of a boat involved in an accident or a collision resulting in injury to or death of a person or damage to a boat or other property, shall do the following:
(1) **If the action described in this subdivision can be done without endangering a person,** stop the boat immediately and as close as possible to the scene of the accident.
(2) **If the action described in this subdivision can be done without endangering a person,** return to the scene of the accident and remain there until the operator has complied with this section.
(3) Give:
(A) the operator's name and address;
(B) a full identification of the boat operated; and
(C) the name and address of the owner;
to the operator of each other boat and each person injured.
(4) Upon request, exhibit the operator's license to the operator of each other boat and each person injured.
(5) **Notify emergency services as soon as possible, and** provide reasonable assistance to each person injured, including carrying or arranging for carrying each injured person to a physician, surgeon, or hospital for medical or surgical treatment if:
(A) it is apparent that treatment is necessary; or
(B) the injured person so requests.

(b) An operator described in subsection (a) shall make a reasonable and good faith effort to perform the actions described in subsection (a). However, an operator is not required to perform an act that would endanger a person.

SECTION 18. IC 16-27-2-5, AS AMENDED BY P.L.51-2016, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) Except as provided in subsection (b), a person who operates a home health agency under IC 16-27-1 or a personal services agency under

IC 16-27-4 may not employ a person to provide services in a patient's or client's temporary or permanent residence if that person's national criminal history background check or expanded criminal history check indicates that the person has been convicted of any of the following:

(1) Rape (IC 35-42-4-1).

(2) Criminal deviate conduct (IC 35-42-4-2) (repealed).

(3) Exploitation of an endangered adult (IC 35-46-1-12).

(4) Failure to report battery, neglect, or exploitation of an endangered adult (IC 35-46-1-13).

(5) Theft (IC 35-43-4), if the conviction for theft occurred less than ten (10) years before the person's employment application date.

~~(6) A felony that is substantially equivalent to a felony listed in:~~

~~(A) subdivisions (1) through (4); or~~

~~(B) subdivision (5), if the conviction for theft occurred less than ten (10) years before the person's employment application date;~~

~~for which the conviction was entered in another state.~~

(b) A home health agency or personal services agency may not employ a person to provide services in a patient's or client's temporary or permanent residence for more than twenty-one (21) calendar days without receipt of that person's national criminal history background check or expanded criminal history check required by section 4 of this chapter, unless the state police department, the Federal Bureau of Investigation under IC 10-13-3-39, or the private agency providing the expanded criminal history check is responsible for failing to provide the person's national criminal history background check or expanded criminal history check to the home health agency or personal services agency within the time required under this subsection.

SECTION 19. IC 16-31-3-14, AS AMENDED BY P.L.80-2019, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) A person holding a certificate or license issued under this article must comply with the applicable standards and rules established under this article. A certificate holder or license holder is subject to disciplinary sanctions under subsection (b) if the department of homeland security determines that the certificate holder or license holder:

(1) engaged in or knowingly cooperated in fraud or material deception in order to obtain a certificate or license, including cheating on a certification or licensure examination;

(2) engaged in fraud or material deception in the course of professional services or activities;

(3) advertised services or goods in a false or misleading manner;

(4) falsified or knowingly allowed another person to falsify attendance records or certificates of completion of continuing education courses required under this article or rules adopted under this article;

(5) is convicted of a crime, if the act that resulted in the conviction has a direct bearing on determining if the certificate holder or license holder should be entrusted to provide emergency medical services;

(6) is convicted of violating IC 9-19-14.5;

(7) fails to comply and maintain compliance with or violates any applicable provision, standard, or other requirement of this article or rules adopted under this article;

(8) continues to practice if the certificate holder or license holder becomes unfit to practice due to:

(A) professional incompetence that includes the undertaking of professional activities that the certificate holder or license holder is not qualified by training or experience to undertake;

(B) failure to keep abreast of current professional theory or practice;

(C) physical or mental disability; or

(D) addiction to, abuse of, or dependency on alcohol or other drugs that endanger the public by impairing the certificate holder's or license holder's ability to practice safely;

(9) engages in a course of lewd or immoral conduct in connection with the delivery of services to the public;

(10) allows the certificate holder's or license holder's name or a certificate or license issued under this article to be used in connection with a person who renders services beyond the scope of that person's training, experience, or competence;

(11) is subjected to disciplinary action in another state or jurisdiction on grounds similar to those contained in this chapter. For purposes of this subdivision, a certified copy of a record of disciplinary action constitutes prima facie evidence of a disciplinary action in another jurisdiction;

(12) assists another person in committing an act that would constitute a ground for disciplinary sanction under this chapter; or

(13) allows a certificate or license issued by the commission to be:

(A) used by another person; or

(B) displayed to the public when the certificate or license is expired, inactive, invalid, revoked, or suspended.

(b) The department of homeland security may issue an order under IC 4-21.5-3-6 to impose one (1) or more of the following sanctions if the department of homeland security determines that a certificate holder or license holder is subject to disciplinary sanctions under subsection (a):

(1) Revocation of a certificate holder's certificate or license holder's license for a period not to exceed seven (7) years.

(2) Suspension of a certificate holder's certificate or license holder's license for a period not to exceed seven (7) years.

(3) Censure of a certificate holder or license holder.

(4) Issuance of a letter of reprimand.

(5) Assessment of a civil penalty against the certificate holder or license holder in accordance with the following:

(A) The civil penalty may not exceed five hundred dollars ($500) per day per violation.

(B) If the certificate holder or license holder fails to pay the civil penalty within the time specified by the department of homeland security, the department of

homeland security may suspend the certificate holder's certificate or license holder's license without additional proceedings.

(6) Placement of a certificate holder or license holder on probation status and requirement of the certificate holder or license holder to:

(A) report regularly to the department of homeland security upon the matters that are the basis of probation;

(B) limit practice to those areas prescribed by the department of homeland security;

(C) continue or renew professional education approved by the department of homeland security until a satisfactory degree of skill has been attained in those areas that are the basis of the probation; or

(D) perform or refrain from performing any acts, including community restitution or service without compensation, that the department of homeland security considers appropriate to the public interest or to the rehabilitation or treatment of the certificate holder or license holder.

The department of homeland security may withdraw or modify this probation if the department of homeland security finds after a hearing that the deficiency that required disciplinary action is remedied or that changed circumstances warrant a modification of the order.

(c) If an applicant or a certificate holder or license holder has engaged in or knowingly cooperated in fraud or material deception to obtain a certificate or license, including cheating on the certification or licensure examination, the department of homeland security may rescind the certificate or license if it has been granted, void the examination or other fraudulent or deceptive material, and prohibit the applicant from reapplying for the certificate or license for a length of time established by the department of homeland security.

(d) The department of homeland security may deny certification or licensure to an applicant who would be subject to disciplinary sanctions under subsection (b) if that person were a certificate holder or license holder, has had disciplinary action taken against the applicant or the applicant's certificate or license to practice in another state or jurisdiction, or has practiced without a certificate or license in violation of the law. A certified copy of the record of disciplinary action is conclusive evidence of the other jurisdiction's disciplinary action.

(e) The department of homeland security may order a certificate holder or license holder to submit to a reasonable physical or mental examination if the certificate holder's or license holder's physical or mental capacity to practice safely and competently is at issue in a disciplinary proceeding. Failure to comply with a department of homeland security order to submit to a physical or mental examination makes a certificate holder or license holder liable to temporary suspension under subsection (i).

(f) Except as provided under subsection (a), subsection (g), and section 14.5 of this chapter, a certificate or license may not be denied, revoked, or suspended because the applicant, certificate holder, or license holder has been convicted of an offense. The acts from which the applicant's, certificate holder's, or license holder's conviction resulted may be considered as to whether the applicant or certificate holder or license holder should be entrusted to serve the public in a specific capacity.

(g) The department of homeland security may deny, suspend, or revoke a certificate or license issued under this article if the individual who holds or is applying for the certificate or license is convicted of any of the following:

(1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.

(2) Possession of methamphetamine under IC 35-48-4-6.1.

(3) Possession of a controlled substance under IC 35-48-4-7(a).

(4) Fraudulently obtaining a controlled substance under IC 35-48-4-7(c).

(5) Manufacture of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.1(b).

(6) Dealing in paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.5(b).

(7) Possession of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.3(b) (before its amendment on July 1, 2015).

(8) Possession of marijuana, hash oil, hashish, or salvia as a Class D felony (for a crime committed before July 1, 2014) or Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-11.

(9) A felony offense under IC 35-48-4 involving:

(A) possession of a synthetic drug (as defined in IC 35-31.5-2-321);

(B) possession of a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:

(i) Class D felony (for a crime committed before July 1, 2014); or

(ii) Level 6 felony (for a crime committed after June 30, 2014);

under IC 35-48-4-11.5 (before its repeal on July 1, 2019); or

(C) possession of a controlled substance analog (as defined in IC 35-48-1-9.3).

(10) Maintaining a common nuisance under IC 35-48-4-13 (repealed) or IC 35-45-1-5, if the common nuisance involves a controlled substance.

(11) An offense relating to registration, labeling, and prescription forms under IC 35-48-4-14.

~~(12) Conspiracy under IC 35-41-5-2 to commit an offense listed in this section.~~

~~(13) Attempt under IC 35-41-5-1 to commit an offense listed in this section.~~

~~(14) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described in this section.~~

(h) A decision of the department of homeland security under subsections (b) through (g) may be appealed to the commission under IC 4-21.5-3-7.

(i) The department of homeland security may temporarily suspend a certificate holder's certificate or license holder's license under IC 4-21.5-4 before a final adjudication or during the appeals process if the department of homeland security finds that a certificate holder or license holder would represent a clear and immediate danger to the public's health, safety, or property if the certificate holder or license holder were allowed to continue to practice.

(j) On receipt of a complaint or information alleging that a person certified or licensed under this chapter or IC 16-31-3.5 has engaged in or is engaging in a practice that is subject to disciplinary sanctions under this chapter, the department of homeland security must initiate an investigation against the person.

(k) The department of homeland security shall conduct a factfinding investigation as the department of homeland security considers proper in relation to the complaint.

(l) The department of homeland security may reinstate a certificate or license that has been suspended under this section if the department of homeland security is satisfied that the applicant is able to practice with reasonable skill, competency, and safety to the public. As a condition of reinstatement, the department of homeland security may impose disciplinary or corrective measures authorized under this chapter.

(m) The department of homeland security may not reinstate a certificate or license that has been revoked under this chapter.

(n) The department of homeland security must be consistent in the application of sanctions authorized in this chapter. Significant departures from prior decisions involving similar conduct must be explained in the department of homeland security's findings or orders.

(o) A certificate holder may not surrender the certificate holder's certificate, and a license holder may not surrender the license holder's license, without the written approval of the department of homeland security, and the department of homeland security may impose any conditions appropriate to the surrender or reinstatement of a surrendered certificate or license.

(p) For purposes of this section, "certificate holder" means a person who holds:

(1) an unlimited certificate;

(2) a limited or probationary certificate; or

(3) an inactive certificate.

(q) For purposes of this section, "license holder" means a person who holds:

(1) an unlimited license;

(2) a limited or probationary license; or

(3) an inactive license.

SECTION 20. IC 16-31-3-14.5, AS AMENDED BY P.L.80-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14.5. The department of homeland security may issue an order under IC 4-21.5-3-6 to deny an applicant's request for certification or licensure or permanently revoke a certificate or license under procedures provided by section 14 of this chapter if the individual who holds the certificate or license issued under this title is convicted of any of the following:

(1) Dealing in a controlled substance resulting in death under IC 35-42-1-1.5.

(2) Dealing in or manufacturing cocaine or a narcotic drug under IC 35-48-4-1.

(3) Dealing in methamphetamine under IC 35-48-4-1.1.

(4) Manufacturing methamphetamine under IC 35-48-4-1.2.

(5) Dealing in a schedule I, II, or III controlled substance under IC 35-48-4-2.

(6) Dealing in a schedule IV controlled substance under IC 35-48-4-3.

(7) Dealing in a schedule V controlled substance under IC 35-48-4-4.

(8) Dealing in a substance represented to be a controlled substance under IC 35-48-4-4.5 (repealed).

(9) Knowingly or intentionally manufacturing, advertising, distributing, or possessing with intent to manufacture, advertise, or distribute a substance represented to be a controlled substance under IC 35-48-4-4.6.

(10) Dealing in a counterfeit substance under IC 35-48-4-5.

(11) Dealing in marijuana, hash oil, hashish, or salvia as a felony under IC 35-48-4-10.

(12) An offense under IC 35-48-4 involving the manufacture or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in IC 35-48-1-9.3), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).

~~(13) Conspiracy under IC 35-41-5-2 to commit an offense listed in this section.~~

~~(14) Attempt under IC 35-41-5-1 to commit an offense listed in this section.~~

~~(15)~~ **(13)** A crime of violence (as defined in IC 35-50-1-2(a)).

~~(16) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described under this section.~~

SECTION 21. IC 20-26-5-11, AS AMENDED BY P.L.85-2017, SECTION 78, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) This section applies to:

(1) a school corporation;

(2) a charter school; and

(3) an entity:

(A) with which the school corporation contracts for services; and

(B) that has employees who are likely to have direct, ongoing contact with children within the scope of the employees' employment.

(b) A school corporation, charter school, or entity may use information obtained under section 10 of this chapter concerning an individual's conviction for one (1) of the following offenses as

grounds to not employ or contract with the individual:

(1) Murder (IC 35-42-1-1).

(2) Causing suicide (IC 35-42-1-2).

(3) Assisting suicide (IC 35-42-1-2.5).

(4) Voluntary manslaughter (IC 35-42-1-3).

(5) Reckless homicide (IC 35-42-1-5).

(6) Battery (IC 35-42-2-1) unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

(7) Aggravated battery (IC 35-42-2-1.5).

(8) Kidnapping (IC 35-42-3-2).

(9) Criminal confinement (IC 35-42-3-3).

(10) A sex offense under IC 35-42-4.

(11) Carjacking (IC 35-42-5-2) (repealed).

(12) Arson (IC 35-43-1-1), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

(13) Incest (IC 35-46-1-3).

(14) Neglect of a dependent as a Class B felony (for a crime committed before July 1, 2014) or a Level 1 felony or Level 3 felony (for a crime committed after June 30, 2014) (IC 35-46-1-4(b)(2)), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

(15) Child selling (IC 35-46-1-4(d)).

(16) Contributing to the delinquency of a minor (IC 35-46-1-8), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

(17) An offense involving a weapon under IC 35-47 or IC 35-47.5, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

(18) An offense relating to controlled substances under IC 35-48-4, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

(19) An offense relating to material or a performance that is harmful to minors or obscene under IC 35-49-3, unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

(20) An offense relating to operating a motor vehicle while intoxicated under IC 9-30-5, unless five (5) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is later.

(21) Domestic battery (IC 35-42-2-1.3), unless ten (10) years have elapsed from the date the individual was discharged from probation, imprisonment, or parole, whichever is latest.

~~(22) An offense that is substantially equivalent to any of the offenses listed in this subsection in which the judgment of conviction was entered under the law of any other jurisdiction.~~

(c) An individual employed by a school corporation, charter school, or entity described in subsection (a) shall notify the governing body of the school corporation, if during the course of the individual's employment, the individual is convicted in Indiana or another jurisdiction of an offense described in subsection (b).

(d) A school corporation, charter school, or entity may use information obtained under section 10 of this chapter concerning an individual being the subject of a substantiated report of child abuse or neglect as grounds to not employ or contract with the individual.

(e) An individual employed by a school corporation, charter school, or entity described in subsection (a) shall notify the governing body of the school corporation, if during the course of the individual's employment, the individual is the subject of a substantiated report of child abuse or neglect.

SECTION 22. IC 20-26-14-8, AS ADDED BY P.L.169-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) The department shall notify the association of any license revocation or suspension involving a licensed teacher (as defined in IC 20-18-2-22) under IC 20-28-5-8 who:

(1) has:

(A) been convicted of an offense described in IC 20-28-5-8(c); ~~or of a known comparable offense in another state;~~ or

(B) committed misconduct described in IC 20-28-5-7(1) or IC 20-28-5-7(2); and

(2) is also a coach accredited by the association.

(b) A school corporation, charter high school, or nonpublic high school with at least one (1) employee must report to the association, in a manner prescribed by the association, when a nonteaching or volunteer coach accredited by the association has been convicted of an offense described in IC 20-28-5-8(c). ~~or of a known comparable offense in another state.~~

(c) The association shall develop a rule, as soon as practicable, to suspend or revoke the coaching accreditation of a teacher who has been reported to the association under subsection (a) for committing misconduct described in IC 20-28-5-7(1) or IC 20-28-5-7(2).

(d) The association shall revoke the accreditation of any coach who has been convicted of an offense described in IC 20-28-5-8. The association may, after holding a hearing on the matter, reinstate the accreditation of an individual whose accreditation has been revoked by the association if the individual's conviction has been reversed, vacated, or set aside on appeal.

(e) Nothing in this section shall be construed to prohibit the association from revoking a coaching accreditation or otherwise imposing any other form of discipline for misconduct not described in IC 20-28-5-7(1), IC 20-28-5-7(2), or IC 20-28-5-8.

(f) The:

(1) association or its employees;

(2) department or its employees; or

(3) school corporation, charter high school, or nonpublic high school with at least one (1) employee or its employees;

are immune from civil liability for any act done or omitted under this section or section 9 of this chapter unless the action constitutes gross negligence or willful or wanton misconduct.

SECTION 23. IC 22-15-5-16, AS AMENDED BY

P.L.80-2019, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) A practitioner shall comply with the standards established under this licensing program. A practitioner is subject to the exercise of the disciplinary sanctions under subsection (b) if the department finds that a practitioner has:

(1) engaged in or knowingly cooperated in fraud or material deception in order to obtain a license to practice, including cheating on a licensing examination;

(2) engaged in fraud or material deception in the course of professional services or activities;

(3) advertised services or goods in a false or misleading manner;

(4) falsified or knowingly allowed another person to falsify attendance records or certificates of completion of continuing education courses provided under this chapter;

(5) been convicted of a crime that has a direct bearing on the practitioner's ability to continue to practice competently;

(6) knowingly violated a state statute or rule or federal statute or regulation regulating the profession for which the practitioner is licensed;

(7) continued to practice although the practitioner has become unfit to practice due to:

(A) professional incompetence;

(B) failure to keep abreast of current professional theory or practice;

(C) physical or mental disability; or

(D) addiction to, abuse of, or severe dependency on alcohol or other drugs that endanger the public by impairing a practitioner's ability to practice safely;

(8) engaged in a course of lewd or immoral conduct in connection with the delivery of services to the public;

(9) allowed the practitioner's name or a license issued under this chapter to be used in connection with an individual or business who renders services beyond the scope of that individual's or business's training, experience, or competence;

(10) had disciplinary action taken against the practitioner or the practitioner's license to practice in another state or jurisdiction on grounds similar to those under this chapter;

(11) assisted another person in committing an act that would constitute a ground for disciplinary sanction under this chapter; or

(12) allowed a license issued by the department to be:

(A) used by another person; or

(B) displayed to the public when the license has expired, is inactive, is invalid, or has been revoked or suspended.

For purposes of subdivision (10), a certified copy of a record of disciplinary action constitutes prima facie evidence of a disciplinary action in another jurisdiction.

(b) The department may impose one (1) or more of the following sanctions if the department finds that a practitioner is subject to disciplinary sanctions under subsection (a):

(1) Permanent revocation of a practitioner's license.

(2) Suspension of a practitioner's license.

(3) Censure of a practitioner.

(4) Issuance of a letter of reprimand.

(5) Assessment of a civil penalty against the practitioner in accordance with the following:

(A) The civil penalty may not be more than one thousand dollars ($1,000) for each violation listed in subsection (a), except for a finding of incompetency due to a physical or mental disability.

(B) When imposing a civil penalty, the department shall consider a practitioner's ability to pay the amount assessed. If the practitioner fails to pay the civil penalty within the time specified by the department, the department may suspend the practitioner's license without additional proceedings. However, a suspension may not be imposed if the sole basis for the suspension is the practitioner's inability to pay a civil penalty.

(6) Placement of a practitioner on probation status and requirement of the practitioner to:

(A) report regularly to the department upon the matters that are the basis of probation;

(B) limit practice to those areas prescribed by the department;

(C) continue or renew professional education approved by the department until a satisfactory degree of skill has been attained in those areas that are the basis of the probation; or

(D) perform or refrain from performing any acts, including community restitution or service without compensation, that the department considers appropriate to the public interest or to the rehabilitation or treatment of the practitioner.

The department may withdraw or modify this probation if the department finds after a hearing that the deficiency that required disciplinary action has been remedied or that changed circumstances warrant a modification of the order.

(c) If an applicant or a practitioner has engaged in or knowingly cooperated in fraud or material deception to obtain a license to practice, including cheating on the licensing examination, the department may rescind the license if it has been granted, void the examination or other fraudulent or deceptive material, and prohibit the applicant from reapplying for the license for a length of time established by the department.

(d) The department may deny licensure to an applicant who has had disciplinary action taken against the applicant or the applicant's license to practice in another state or jurisdiction or who has practiced without a license in violation of the law. A certified copy of the record of disciplinary action is conclusive evidence of the other jurisdiction's disciplinary action.

(e) The department may order a practitioner to submit to a reasonable physical or mental examination if the practitioner's physical or mental capacity to practice safely and competently is at issue in a disciplinary proceeding. Failure to comply with a department order to submit to a physical or mental examination makes a practitioner liable to temporary suspension under subsection (j).

(f) Except as provided under subsection (g) or (h), a license may not be denied, revoked, or suspended because the applicant or holder has been convicted of an offense. The acts from which

the applicant's or holder's conviction resulted may, however, be considered as to whether the applicant or holder should be entrusted to serve the public in a specific capacity.

(g) The department may deny, suspend, or revoke a license issued under this chapter if the individual who holds the license is convicted of any of the following:

(1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.

(2) Possession of methamphetamine under IC 35-48-4-6.1.

(3) Possession of a controlled substance under IC 35-48-4-7(a).

(4) Fraudulently obtaining a controlled substance under IC 35-48-4-7(b) (for a crime committed before July 1, 2014) or IC 35-48-4-7(c) (for a crime committed after June 30, 2014).

(5) Manufacture of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.1(b).

(6) Dealing in paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.5(b).

(7) Possession of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.3(b) (before its amendment on July 1, 2015).

(8) Possession of marijuana, hash oil, hashish, or salvia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-11.

(9) A felony offense under IC 35-48-4 involving possession of a synthetic drug (as defined in IC 35-31.5-2-321), possession of a controlled substance analog (as defined in IC 35-48-1-9.3), or possession of a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:

(A) Class D felony for a crime committed before July 1, 2014; or

(B) Level 6 felony for a crime committed after June 30, 2014;

under IC 35-48-4-11.5 (before its repeal on July 1, 2019).

(10) Maintaining a common nuisance under IC 35-48-4-13 (repealed) or IC 35-45-1-5, if the common nuisance involves a controlled substance.

(11) An offense relating to registration, labeling, and prescription forms under IC 35-48-4-14.

~~(12) Conspiracy under IC 35-41-5-2 to commit an offense listed in this subsection.~~

~~(13) Attempt under IC 35-41-5-1 to commit an offense listed in this subsection.~~

~~(14) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described in this subsection.~~

(h) The department shall deny, revoke, or suspend a license issued under this chapter if the individual who holds the license is convicted of any of the following:

(1) Dealing in a controlled substance resulting in death under IC 35-42-1-1.5.

(2) Dealing in cocaine or a narcotic drug under IC 35-48-4-1.

(3) Dealing in methamphetamine under IC 35-48-4-1.1.

(4) Manufacturing methamphetamine under IC 35-48-4-1.2.

(5) Dealing in a schedule I, II, or III controlled substance under IC 35-48-4-2.

(6) Dealing in a schedule IV controlled substance under IC 35-48-4-3.

(7) Dealing in a schedule V controlled substance under IC 35-48-4-4.

(8) Dealing in a substance represented to be a controlled substance under IC 35-48-4-4.5 (repealed).

(9) Knowingly or intentionally manufacturing, advertising, distributing, or possessing with intent to manufacture, advertise, or distribute a substance represented to be a controlled substance under IC 35-48-4-4.6.

(10) Dealing in a counterfeit substance under IC 35-48-4-5.

(11) Dealing in marijuana, hash oil, hashish, or salvia as a felony under IC 35-48-4-10.

(12) An offense under IC 35-48-4 involving the manufacture or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in IC 35-48-1-9.3), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).

~~(13) Conspiracy under IC 35-41-5-2 to commit an offense listed in this subsection.~~

~~(14) Attempt under IC 35-41-5-1 to commit an offense listed in this subsection.~~

~~(15) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described in this subsection.~~

~~(16)~~ **(13)** A violation of any federal or state drug law or rule related to wholesale legend drug distributors licensed under IC 25-26-14.

(i) A decision of the department under subsections (b) through (h) may be appealed to the commission under IC 4-21.5-3-7.

(j) The department may temporarily suspend a practitioner's license under IC 4-21.5-4 before a final adjudication or during the appeals process if the department finds that a practitioner represents a clear and immediate danger to the public's health, safety, or property if the practitioner is allowed to continue to practice.

(k) On receipt of a complaint or an information alleging that a person licensed under this chapter has engaged in or is engaging in a practice that jeopardizes the public health, safety, or welfare, the department shall initiate an investigation against the person.

(l) Any complaint filed with the office of the attorney general alleging a violation of this licensing program shall be referred to

the department for summary review and for its general information and any authorized action at the time of the filing.

(m) The department shall conduct a fact finding investigation as the department considers proper in relation to the complaint.

(n) The department may reinstate a license that has been suspended under this section if, after a hearing, the department is satisfied that the applicant is able to practice with reasonable skill, safety, and competency to the public. As a condition of reinstatement, the department may impose disciplinary or corrective measures authorized under this chapter.

(o) The department may not reinstate a license that has been revoked under this chapter. An individual whose license has been revoked under this chapter may not apply for a new license until seven (7) years after the date of revocation.

(p) The department shall seek to achieve consistency in the application of sanctions authorized in this chapter. Significant departures from prior decisions involving similar conduct must be explained in the department's findings or orders.

(q) A practitioner may petition the department to accept the surrender of the practitioner's license instead of having a hearing before the commission. The practitioner may not surrender the practitioner's license without the written approval of the department, and the department may impose any conditions appropriate to the surrender or reinstatement of a surrendered license.

(r) A practitioner who has been subjected to disciplinary sanctions may be required by the commission to pay the costs of the proceeding. The practitioner's ability to pay shall be considered when costs are assessed. If the practitioner fails to pay the costs, a suspension may not be imposed solely upon the practitioner's inability to pay the amount assessed. The costs are limited to costs for the following:

(1) Court reporters.
(2) Transcripts.
(3) Certification of documents.
(4) Photo duplication.
(5) Witness attendance and mileage fees.
(6) Postage.
(7) Expert witnesses.
(8) Depositions.
(9) Notarizations.

SECTION 24. IC 24-5-26-1, AS ADDED BY P.L.137-2009, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. As used in this chapter, "identity theft" means:

(1) identity deception (IC 35-43-5-3.5); **or**
(2) synthetic identity deception (IC 35-43-5-3.8). ~~or~~
~~(3) a substantially similar crime committed in another jurisdiction.~~

SECTION 25. IC 25-1-1.1-2, AS AMENDED BY P.L.80-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. Notwithstanding IC 25-1-7, a board, a commission, or a committee may suspend, deny, or revoke a license or certificate issued under this title by the board, the commission, or the committee without an investigation by the office of the attorney general if the individual who holds the license or certificate is convicted of any of the following and the board, commission, or committee determines, after the individual has appeared in person, that the offense affects the individual's ability to perform the duties of the profession:

(1) Possession of cocaine or a narcotic drug under IC 35-48-4-6.
(2) Possession of methamphetamine under IC 35-48-4-6.1.
(3) Possession of a controlled substance under IC 35-48-4-7(a).
(4) Fraudulently obtaining a controlled substance under IC 35-48-4-7(c).
(5) Manufacture of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.1(b).
(6) Dealing in paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.5(b).
(7) Possession of paraphernalia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-8.3(b) (before its amendment on July 1, 2015).
(8) Possession of marijuana, hash oil, hashish, or salvia as a Class D felony (for a crime committed before July 1, 2014) or a Level 6 felony (for a crime committed after June 30, 2014) under IC 35-48-4-11.
(9) A felony offense under IC 35-48-4 involving possession of a synthetic drug (as defined in IC 35-31.5-2-321), possession of a controlled substance analog (as defined in IC 35-48-1-9.3), or possession of a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) as a:
(A) Class D felony for a crime committed before July 1, 2014; or
(B) Level 6 felony for a crime committed after June 30, 2014;
under IC 35-48-4-11.5 (before its repeal on July 1, 2019).
(10) Maintaining a common nuisance under IC 35-48-4-13 (repealed) or IC 35-45-1-5, if the common nuisance involves a controlled substance.
(11) An offense relating to registration, labeling, and prescription forms under IC 35-48-4-14.
~~(12) Conspiracy under IC 35-41-5-2 to commit an offense listed in this section.~~
~~(13) Attempt under IC 35-41-5-1 to commit an offense listed in this section.~~
~~(14)~~ **(12)** A sex crime under IC 35-42-4.
~~(15)~~ **(13)** A felony that reflects adversely on the individual's fitness to hold a professional license.
~~(16) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described in this section.~~

SECTION 26. IC 25-1-1.1-3, AS AMENDED BY P.L.80-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. A board, a

commission, or a committee shall revoke or suspend a license or certificate issued under this title by the board, the commission, or the committee if the individual who holds the license or certificate is convicted of any of the following:

(1) Dealing in a controlled substance resulting in death under IC 35-42-1-1.5.

(2) Dealing in or manufacturing cocaine or a narcotic drug under IC 35-48-4-1.

(3) Dealing in methamphetamine under IC 35-48-4-1.1.

(4) Manufacturing methamphetamine under IC 35-48-4-1.2.

(5) Dealing in a schedule I, II, or III controlled substance under IC 35-48-4-2.

(6) Dealing in a schedule IV controlled substance under IC 35-48-4-3.

(7) Dealing in a schedule V controlled substance under IC 35-48-4-4.

(8) Dealing in a substance represented to be a controlled substance under IC 35-48-4-4.5 (before its repeal on July 1, 2019).

(9) Knowingly or intentionally manufacturing, advertising, distributing, or possessing with intent to manufacture, advertise, or distribute a substance represented to be a controlled substance under IC 35-48-4-4.6.

(10) Dealing in a counterfeit substance under IC 35-48-4-5.

(11) Dealing in marijuana, hash oil, hashish, or salvia as a felony under IC 35-48-4-10.

(12) An offense under IC 35-48-4 involving the manufacture or sale of a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in IC 35-48-1-9.3), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).

~~(13) Conspiracy under IC 35-41-5-2 to commit an offense listed in this section.~~

~~(14) Attempt under IC 35-41-5-1 to commit an offense listed in this section.~~

~~(15) An offense in any other jurisdiction in which the elements of the offense for which the conviction was entered are substantially similar to the elements of an offense described in this section.~~

~~(16)~~ **(13)** A violation of any federal or state drug law or rule related to wholesale legend drug distributors licensed under IC 25-26-14.

SECTION 27. IC 25-23.6-1-5.7, AS ADDED BY P.L.122-2009, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5.7. (a) "Practice of addiction counseling" means the providing of professional services that are delivered by a licensed addiction counselor, that are designed to change substance use or addictive behavior, and that involve specialized knowledge and skill related to addictions and addictive behaviors, including understanding addiction, knowledge of the treatment process, application to practice, and professional readiness. The term includes:

(1) gathering information through structured interview screens using routine protocols;

(2) reviewing assessment findings to assist in the development of a plan individualized for treatment services and to coordinate services;

(3) referring for assessment, diagnosis, evaluation, and mental health therapy;

(4) providing client and family education related to addictions;

(5) providing information on social networks and community systems for referrals and discharge planning;

(6) participating in multidisciplinary treatment team meetings or consulting with clinical addiction professionals;

(7) counseling, through individual and group counseling, as well as group and family education, to treat addiction and substance abuse in a variety of settings, including:

(A) mental and physical health facilities; and

(B) child and family service agencies; and

(8) maintaining the highest level of professionalism and ethical responsibility.

(b) The term does not include the use of psychotherapy or diagnosis (as defined in IC 25-22.5-1-1.1(c) or as defined as the practice of psychology under IC 25-33-1-2(a)).

(c) For an individual who obtains a license as an addiction counselor by:

(1) holding a valid:

(A) level II or higher certification or the equivalent certification from a credentialing agency approved by the division of mental health and addiction; or

(B) certification as an addiction counselor or addiction therapist from a credentialing agency that is approved by the board;

(2) having at least ten (10) years of experience in addiction counseling;

(3) furnishing satisfactory evidence to the board that the individual does not have:

(A) a conviction for a crime of violence (as defined in ~~IC 35-50-1-2(a)(1) through IC 35-50-1-2(a)(13));~~ **IC 35-50-1-2);** or

(B) a conviction in the previous two (2) years that has a direct bearing on the individual's ability to practice competently; and

(4) filing an initial application with the board before July 1, 2010;

the term includes the provision of addiction counseling services in private practice in consultation with other licensed professionals as required by the client's individualized treatment plan.

SECTION 28. IC 25-23.6-10.5-1, AS ADDED BY P.L.122-2009, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. An individual who applies for a license as an addiction counselor must meet the following requirements:

(1) Furnish satisfactory evidence to the board that the individual has:

(A) received a baccalaureate or higher degree in addiction counseling or in a related area as determined

by the board from:

(i) an eligible postsecondary educational institution that meets the requirements under section 3(1) of this chapter; or

(ii) a foreign school that has a program of study that meets the requirements under section 3(2) or 3(3) of this chapter;

(B) completed the educational requirements under section 5 of this chapter; and

(C) completed the experience requirements under section 7 of this chapter.

(2) Furnish satisfactory evidence to the board that the individual does not have a:

(A) conviction for a crime of violence (as defined in ~~IC 35-50-1-2(a)(1) through IC 35-50-1-2(a)(13)); IC 35-50-1-2)~~**;** or

(B) conviction in the previous two (2) years that has a direct bearing on the individual's ability to practice competently.

(3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as an addiction counselor without endangering the public.

(4) Pass an examination established by the board.

(5) Pay the fee established by the board.

SECTION 29. IC 25-23.6-10.5-1.5, AS AMENDED BY P.L.195-2018, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.5. (a) An individual who applies for a license as an addiction counselor associate must meet the following requirements:

(1) Furnish satisfactory evidence to the board that the individual has:

(A) received a baccalaureate or higher degree in addiction counseling, or in a related area as determined by the board from:

(i) an eligible postsecondary educational institution that meets the requirement under section 3(1) of this chapter; or

(ii) a foreign school that has a program of study that meets the requirement under section 3(2) or 3(3) of this chapter; and

(B) completed the educational requirements under section 5 of this chapter.

(2) Furnish satisfactory evidence to the board that the individual does not have a:

(A) conviction for a crime of violence (as defined in ~~IC 35-50-1-2(a)(1) through IC 35-50-1-2(a)(19)); IC 35-50-1-2)~~**;** or

(B) conviction in the previous two (2) years that has a direct bearing on the individual's ability to practice competently.

(3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as an addiction counselor associate without endangering the public.

(4) Pass an examination established by the board.

(5) Pay the fee established by the board.

(b) The board shall issue an associate temporary permit to practice addiction counseling or clinical addiction counseling to an individual who:

(1) meets the educational requirements for a license as an addiction counselor or clinical addiction counselor;

(2) is pursuing the required clinical supervisory hours for a license as an addiction counselor or clinical addiction counselor; and

(3) pays a fee for the temporary permit set by the board.

An associate temporary permit issued under this subsection expires one (1) year after the date the permit is issued, without regard to the number of times the individual passes or fails the required examination to become a licensed addiction counselor or clinical addiction counselor. The temporary permit may not be renewed.

SECTION 30. IC 25-23.6-10.5-2, AS ADDED BY P.L.122-2009, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. An individual who applies for a license as a clinical addiction counselor must meet the following requirements:

(1) Furnish satisfactory evidence to the board that the individual has:

(A) received a master's or doctor's degree in addiction counseling, addiction therapy, or a related area as determined by the board from an eligible postsecondary educational institution that meets the requirements under section 4(a)(1) of this chapter or from a foreign school that has a program of study that meets the requirements under section 4(a)(2) or 4(a)(3) of this chapter;

(B) completed the educational requirements under section 6 of this chapter; and

(C) completed the experience requirements under section 8 of this chapter.

(2) Furnish satisfactory evidence to the board that the individual does not have a:

(A) conviction for a crime of violence (as defined in ~~IC 35-50-1-2(a)(1) through IC 35-50-1-2(a)(13)); IC 35-50-1-2)~~**;** or

(B) conviction in the previous two (2) years that has a direct bearing on the individual's ability to practice competently.

(3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as a clinical addiction counselor without endangering the public.

(4) Pass an examination established by the board.

(5) Pay the fee established by the board.

SECTION 31. IC 25-23.6-10.5-2.5, AS AMENDED BY P.L.80-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2.5. An individual who applies for a license as a clinical addiction

counselor associate must meet the following requirements:

(1) Furnish satisfactory evidence to the board that the individual has:

(A) received a master's or doctor's degree in addiction counseling, or in a related area as determined by the board from:

(i) an eligible postsecondary educational institution that meets the requirements under section 4(a)(1) of this chapter; or

(ii) a foreign school that has a program of study that meets the requirements under section 4(a)(2) or 4(a)(3) of this chapter; and

(B) completed the education requirements under section 6 of this chapter.

(2) Furnish satisfactory evidence to the board that the individual does not have a:

(A) conviction for a crime of violence (as defined in ~~IC 35-50-1-2(a)(1) through IC 35-50-1-2(a)(19)); **IC 35-50-1-2);** or

(B) conviction in the previous two (2) years that has a direct bearing on the individual's ability to practice competently.

(3) Furnish satisfactory evidence to the board that the individual has not been the subject of a disciplinary action by a licensing or certification agency of another state or jurisdiction on the grounds that the individual was not able to practice as a clinical addiction counselor associate without endangering the public.

(4) Pass an examination established by the board.

(5) Pay the fee established by the board.

SECTION 32. IC 29-1-2-1, AS AMENDED BY P.L.143-2009, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) The estate of a person dying intestate shall descend and be distributed as provided in this section.

(b) Except as otherwise provided in subsection (c), the surviving spouse shall receive the following share:

(1) One-half (1/2) of the net estate if the intestate is survived by at least one (1) child or by the issue of at least one (1) deceased child.

(2) Three-fourths (3/4) of the net estate, if there is no surviving issue, but the intestate is survived by one (1) or both of the intestate's parents.

(3) All of the net estate, if there is no surviving issue or parent.

(c) If the surviving spouse is a second or other subsequent spouse who did not at any time have children by the decedent, and the decedent left surviving the decedent a child or children or the descendants of a child or children by a previous spouse, the surviving second or subsequent childless spouse shall take only an amount equal to twenty-five percent (25%) of the remainder of:

(1) the fair market value as of the date of death of the real property of the deceased spouse; minus

(2) the value of the liens and encumbrances on the real property of the deceased spouse.

The fee shall, at the decedent's death, vest at once in the decedent's surviving child or children, or the descendants of the decedent's child or children who may be dead. A second or subsequent childless spouse described in this subsection shall, however, receive the same share of the personal property of the decedent as is provided in subsection (b) with respect to surviving spouses generally.

(d) The share of the net estate not distributable to the surviving spouse, or the entire net estate if there is no surviving spouse, shall descend and be distributed as follows:

(1) To the issue of the intestate, if they are all of the same degree of kinship to the intestate, they shall take equally, or if of unequal degree, then those of more remote degrees shall take by representation.

(2) Except as provided in subsection (e), if there is a surviving spouse but no surviving issue of the intestate, then to the surviving parents of the intestate.

(3) Except as provided in subsection (e), if there is no surviving spouse or issue of the intestate, then to the surviving parents, brothers, and sisters, and the issue of deceased brothers and sisters of the intestate. Each living parent of the intestate shall be treated as of the same degree as a brother or sister and shall be entitled to the same share as a brother or sister. However, the share of each parent shall be not less than one-fourth (1/4) of the decedent's net estate. Issue of deceased brothers and sisters shall take by representation.

(4) If there is no surviving parent or brother or sister of the intestate, then to the issue of brothers and sisters. If the distributees described in this subdivision are all in the same degree of kinship to the intestate, they shall take equally or, if of unequal degree, then those of more remote degrees shall take by representation.

(5) If there is no surviving issue or parent of the intestate or issue of a parent, then to the surviving grandparents of the intestate equally.

(6) If there is no surviving issue or parent or issue of a parent, or grandparent of the intestate, then the estate of the decedent shall be divided into that number of shares equal to the sum of:

(A) the number of brothers and sisters of the decedent's parents surviving the decedent; plus

(B) the number of deceased brothers and sisters of the decedent's parents leaving issue surviving both them and the decedent;

and one (1) of the shares shall pass to each of the brothers and sisters of the decedent's parents or their respective issue per stirpes.

(7) If interests in real estate go to a husband and wife under this subsection, the aggregate interests so descending shall be owned by them as tenants by the entireties. Interests in personal property so descending shall be owned as tenants in common.

(8) If there is no person mentioned in subdivisions (1) through (7), then to the state.

(e) A parent may not receive an intestate share of the estate of the parent's minor or adult child if the parent was convicted of causing the death of the child's other parent by:

(1) murder (IC 35-42-1-1);
(2) voluntary manslaughter (IC 35-42-1-3); **or**
(3) another criminal act, if the death does not result from the operation of a vehicle. ~~or~~
~~(4) a crime in any other jurisdiction in which the elements of the crime are substantially similar to the elements of a crime listed in subdivisions (1) through (3).~~

If a parent is disqualified from receiving an intestate share under this subsection, the estate of the deceased child shall be distributed as though the parent had predeceased the child.

SECTION 33. IC 29-3-7-7, AS AMENDED BY P.L.86-2018, SECTION 213, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. A court may not appoint a person to serve as the guardian or permit a person to continue to serve as a guardian if the person:

(1) is a sexually violent predator (as described in IC 35-38-1-7.5);
(2) was at least eighteen (18) years of age at the time of the offense and was convicted of child molesting (IC 35-42-4-3) or sexual misconduct with a minor (IC 35-42-4-9) against a child less than sixteen (16) years of age:
(A) by using or threatening the use of deadly force;
(B) while armed with a deadly weapon; or
(C) that resulted in serious bodily injury; or
(3) was less than eighteen (18) years of age at the time of the offense and was convicted as an adult of
~~(A)~~ an offense described in:
~~(i)~~ **(A)** IC 35-42-4-1;
~~(ii)~~ **(B)** IC 35-42-4-2 (before its repeal);
~~(iii)~~ **(C)** IC 35-42-4-3 as a Class A or Class B felony (for crimes committed before July 1, 2014) or as a Level 1, Level 2, Level 3, or Level 4 felony (for crimes committed after June 30, 2014);
~~(iv)~~ **(D)** IC 35-42-4-5(a)(1);
~~(v)~~ **(E)** IC 35-42-4-5(a)(2);
~~(vi)~~ **(F)** IC 35-42-4-5(a)(3) (before that provision was redesignated by P.L.158-2013, SECTION 441);
~~(vii)~~ **(G)** IC 35-42-4-5(b)(1) as a Class A or Class B felony (for crimes committed before July 1, 2014) or as a Level 2, Level 3, or Level 4 felony (for crimes committed after June 30, 2014);
~~(viii)~~ **(H)** IC 35-42-4-5(b)(2); or
~~(ix)~~ **(I)** IC 35-42-4-5(b)(3) as a Class A or Class B felony (for crimes committed before July 1, 2014) or as a Level 2, Level 3, or Level 4 felony (for crimes committed after June 30, 2014).
~~(B) an attempt or conspiracy to commit a crime listed in clause (A); or~~
~~(C) a crime under the laws of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in clauses (A) and (B).~~

SECTION 34. IC 31-9-2-84.8, AS AMENDED BY P.L.243-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 84.8. "Nonwaivable offense", for purposes of this title, means a conviction of any of the following felonies:

(1) Murder (IC 35-42-1-1).
(2) Causing suicide (IC 35-42-1-2).
(3) Assisting suicide (IC 35-42-1-2.5).
(4) Voluntary manslaughter (IC 35-42-1-3).
(5) Involuntary manslaughter (IC 35-42-1-4).
(6) Reckless homicide (IC 35-42-1-5).
(7) Feticide (IC 35-42-1-6).
(8) Battery (IC 35-42-2-1) within the past five (5) years.
(9) Domestic battery (IC 35-42-2-1.3).
(10) Aggravated battery (IC 35-42-2-1.5).
(11) Criminal recklessness (IC 35-42-2-2) within the past five (5) years.
(12) Strangulation (IC 35-42-2-9).
(13) Kidnapping (IC 35-42-3-2).
(14) Criminal confinement (IC 35-42-3-3) within the past five (5) years.
(15) Human and sexual trafficking (IC 35-42-3.5).
(16) A felony sex offense under IC 35-42-4.
(17) Arson (IC 35-43-1-1) within the past five (5) years.
(18) Incest (IC 35-46-1-3).
(19) Neglect of a dependent (IC 35-46-1-4(a) and IC 35-46-1-4(b)).
(20) Child selling (IC 35-46-1-4(d)).
(21) Reckless supervision (IC 35-46-1-4.1).
(22) Nonsupport of a dependent child (IC 35-46-1-5) within the past five (5) years.
(23) Operating a motorboat while intoxicated (IC 35-46-9-6) within the past five (5) years.
(24) A felony involving a weapon under IC 35-47 within the past five (5) years.
(25) A felony relating to controlled substances under IC 35-48-4 within the past five (5) years.
(26) An offense relating to material or a performance that is harmful to minors or obscene under IC 35-49-3.
(27) A felony under IC 9-30-5 within the past five (5) years.
(28) A felony related to the health or safety of a child (as defined in IC 31-9-2-13(h)) or an endangered adult (as defined in IC 12-10-3-2).
~~(29) Attempt (IC 35-41-5-1) to commit a felony described in subdivisions (1) through (28). If a conviction for a felony is nonwaivable for a stated duration under subdivisions (1) through (28), a conviction for an attempt to commit the felony is nonwaivable for the same duration under this subdivision.~~
~~(30) A felony that is substantially equivalent to a felony described in subdivisions (1) through (29) for which the conviction was entered in another jurisdiction. If a conviction for a felony is nonwaivable for a stated duration under subdivisions (1) through (29), a conviction for a substantially equivalent felony in another jurisdiction is nonwaivable for the same duration under this subdivision.~~

SECTION 35. IC 31-19-9-8, AS AMENDED BY P.L.113-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) Consent to adoption, which may be required under section 1 of this chapter, is not required from any of the following:

(1) A parent or parents if the child is adjudged to have been abandoned or deserted for at least six (6) months immediately preceding the date of the filing of the petition for adoption.

(2) A parent of a child in the custody of another person if for a period of at least one (1) year the parent:

(A) fails without justifiable cause to communicate significantly with the child when able to do so; or

(B) knowingly fails to provide for the care and support of the child when able to do so as required by law or judicial decree.

(3) The biological father of a child born out of wedlock whose paternity has not been established:

(A) by a court proceeding other than the adoption proceeding; or

(B) by executing a paternity affidavit under IC 16-37-2-2.1.

(4) The biological father of a child born out of wedlock who was conceived as a result of:

(A) a rape for which the father was convicted under IC 35-42-4-1;

(B) child molesting (IC 35-42-4-3);

(C) sexual misconduct with a minor (IC 35-42-4-9); **or**

(D) incest (IC 35-46-1-3). ~~or~~

~~(E) a crime in any other jurisdiction in which the elements of the crime are substantially similar to the elements of a crime listed in clauses (A) through (D).~~

(5) The putative father of a child born out of wedlock if the putative father's consent to adoption is irrevocably implied under section 15 of this chapter.

(6) The biological father of a child born out of wedlock if the:

(A) father's paternity is established after the filing of a petition for adoption in a court proceeding or by executing a paternity affidavit under IC 16-37-2-2.1; and

(B) father is required to but does not register with the putative father registry established by IC 31-19-5 within the period required by IC 31-19-5-12.

(7) A parent who has relinquished the parent's right to consent to adoption as provided in this chapter.

(8) A parent after the parent-child relationship has been terminated under IC 31-35 (or IC 31-6-5 before its repeal).

(9) A parent judicially declared incompetent or mentally defective if the court dispenses with the parent's consent to adoption.

(10) A legal guardian or lawful custodian of the person to be adopted who has failed to consent to the adoption for reasons found by the court not to be in the best interests of the child.

(11) A parent if:

(A) a petitioner for adoption proves by clear and convincing evidence that the parent is unfit to be a parent; and

(B) the best interests of the child sought to be adopted would be served if the court dispensed with the parent's consent.

(12) A child's biological father who denies paternity of the child before or after the birth of the child if the denial of paternity:

(A) is in writing;

(B) is signed by the child's father in the presence of a notary public; and

(C) contains an acknowledgment that:

(i) the denial of paternity is irrevocable; and

(ii) the child's father will not receive notice of adoption proceedings.

A child's father who denies paternity of the child under this subdivision may not challenge or contest the child's adoption.

(b) If a parent has made only token efforts to support or to communicate with the child the court may declare the child abandoned by the parent.

SECTION 36. IC 31-19-9-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. A court shall determine that consent to adoption is not required from a parent if the:

(1) parent is convicted of and incarcerated at the time of the filing of a petition for adoption for:

(A) murder (IC 35-42-1-1);

(B) causing suicide (IC 35-42-1-2); **or**

(C) voluntary manslaughter (IC 35-42-1-3);

~~(D) an attempt under IC 35-41-5-1 to commit a crime described in clauses (A) through (C); or~~

~~(E) a crime in another state that is substantially similar to a crime described in clauses (A) through (D);~~

(2) victim of the crime is the child's other parent; and

(3) court determines, after notice to the convicted parent and a hearing, that dispensing with the parent's consent to adoption is in the child's best interests.

SECTION 37. IC 31-19-9-10, AS AMENDED BY P.L.210-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. A court shall determine that consent to adoption is not required from a parent if:

(1) the parent is convicted of and incarcerated at the time of the filing of a petition for adoption for:

(A) murder (IC 35-42-1-1);

(B) causing suicide (IC 35-42-1-2);

(C) voluntary manslaughter (IC 35-42-1-3);

(D) rape (IC 35-42-4-1);

(E) criminal deviate conduct (IC 35-42-4-2) (before its repeal);

(F) child molesting (IC 35-42-4-3) as a:

(i) Class A or Class B felony, for a crime committed before July 1, 2014; or

(ii) Level 1, Level 2, Level 3, or Level 4 felony, for a crime committed after June 30, 2014;

(G) incest (IC 35-46-1-3) as a:

(i) Class B felony, for a crime committed before July 1, 2014; or

(ii) Level 4 felony, for a crime committed after June 30, 2014;

(H) neglect of a dependent (IC 35-46-1-4) as a:

(i) Class B felony, for a crime committed before July

1, 2014; or

(ii) Level 1 or Level 3 felony, for a crime committed after June 30, 2014;

(I) battery (IC 35-42-2-1) of a child as a:

(i) Class C felony, for a crime committed before July 1, 2014; or

(ii) Level 5 felony, for a crime committed after June 30, 2014;

(J) battery (IC 35-42-2-1) as a:

(i) Class A or Class B felony, for a crime committed before July 1, 2014; or

(ii) Level 2, Level 3, or Level 4 felony, for a crime committed after June 30, 2014;

(K) domestic battery (IC 35-42-2-1.3) as a Level 5, Level 4, Level 3, or Level 2 felony; **or**

(L) aggravated battery (IC 35-42-2-1.5) as a Level 3 or Level 1 felony;

~~(M) an attempt under IC 35-41-5-1 to commit an offense described in this subdivision; or~~

~~(N) a crime in another state that is substantially similar to a crime described in clauses (A) through (M);~~

(2) the child or the child's sibling, half-blood sibling, or step-sibling of the parent's current marriage is the victim of the offense; and

(3) after notice to the parent and a hearing, the court determines that dispensing with the parent's consent to adoption is in the child's best interests.

SECTION 38. IC 31-19-11-1, AS AMENDED BY P.L.243-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Whenever the court has heard the evidence and finds that:

(1) the adoption requested is in the best interest of the child;

(2) the petitioner or petitioners for adoption are of sufficient ability to rear the child and furnish suitable support and education;

(3) the report of the investigation and recommendation under IC 31-19-8-5 has been filed;

(4) the attorney or agency arranging an adoption has filed with the court an affidavit prepared by the state department of health under IC 31-19-5-16 indicating whether a man is entitled to notice of the adoption because the man has registered with the putative father registry in accordance with IC 31-19-5;

(5) proper notice arising under subdivision (4), if notice is necessary, of the adoption has been given;

(6) the attorney or agency has filed with the court an affidavit prepared by the state department of health under:

(A) IC 31-19-6 indicating whether a record of a paternity determination; or

(B) IC 16-37-2-2(g) indicating whether a paternity affidavit executed under IC 16-37-2-2.1;

has been filed in relation to the child;

(7) proper consent, if consent is necessary, to the adoption has been given;

(8) the petitioner for adoption is not prohibited from adopting the child as the result of an inappropriate criminal history described in subsection (c) or (d); and

(9) the person, licensed child placing agency, or local office that has placed the child for adoption has provided the documents and other information required under IC 31-19-17 to the prospective adoptive parents;

the court shall grant the petition for adoption and enter an adoption decree.

(b) A court may not grant an adoption unless the state department of health's affidavit under IC 31-19-5-16 is filed with the court as provided under subsection (a)(4).

(c) A juvenile adjudication for an act listed in IC 31-9-2-84.8 that would be a felony if committed by an adult, a conviction of a misdemeanor related to the health and safety of a child, or a conviction of a felony not listed in IC 31-9-2-84.8 by a petitioner for adoption or household member is a permissible basis for the court to deny the petition for adoption. In addition, the court may not grant an adoption if a petitioner for adoption has been convicted of a nonwaivable offense under IC 31-9-2-84.8. However, the court is not prohibited from granting an adoption based upon a felony conviction for:

(1) a felony under IC 9-30-5;

(2) battery (IC 35-42-2-1);

(3) criminal recklessness (IC 35-42-2-2) as a felony;

(4) criminal confinement (IC 35-42-3-3);

(5) arson (IC 35-43-1-1);

(6) nonsupport of a dependent child (IC 35-46-1-5);

(7) operating a motorboat while intoxicated (IC 35-46-9-6) as a felony;

(8) a felony involving a weapon under IC 35-47; **or**

(9) a felony relating to controlled substances under IC 35-48-4;

~~(10) attempt to commit a felony listed in subdivisions (1) through (9); or~~

~~(11) a felony that is substantially equivalent to a felony listed in this section for which the conviction was entered in another jurisdiction;~~

if the date of the conviction did not occur within the immediately preceding five (5) year period.

(d) A court may not grant an adoption if the petitioner is a sex or violent offender (as defined in IC 11-8-8-5) or a sexually violent predator (as defined in IC 35-38-1-7.5).

SECTION 39. IC 31-30-1-2.5, AS AMENDED BY P.L.86-2018, SECTION 218, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2.5. A juvenile court may not appoint a person to serve as the guardian or custodian of a child or permit a person to continue to serve as a guardian or custodian of a child if the person:

(1) is a sexually violent predator (as described in IC 35-38-1-7.5);

(2) was at least eighteen (18) years of age at the time of the offense and committed child molesting (IC 35-42-4-3) or sexual misconduct with a minor (IC 35-42-4-9) against a child less than sixteen (16) years of age:

(A) by using or threatening the use of deadly force;

(B) while armed with a deadly weapon; or

(C) that resulted in serious bodily injury; or

(3) was less than eighteen (18) years of age at the time of

the offense but was tried and convicted as an adult of

~~(A)~~ an offense described in:

~~(i)~~ **(A)** IC 35-42-4-1;

~~(ii)~~ **(B)** IC 35-42-4-2 (before its repeal);

~~(iii)~~ **(C)** IC 35-42-4-3 as a Class A or Class B felony (for crimes committed before July 1, 2014) or as a Level 1, Level 2, or Level 3 felony (for crimes committed after June 30, 2014);

~~(iv)~~ **(D)** IC 35-42-4-5(a)(1);

~~(v)~~ **(E)** IC 35-42-4-5(a)(2);

~~(vi)~~ **(F)** IC 35-42-4-5(a)(3) (before that provision was redesignated by P.L.158-2013, SECTION 441);

~~(vii)~~ **(G)** IC 35-42-4-5(b)(1) as a Class A or Class B felony (for crimes committed before July 1, 2014) or as a Level 2, Level 3, or Level 4 felony (for crimes committed after June 30, 2014);

~~(viii)~~ **(H)** IC 35-42-4-5(b)(2); or

~~(ix)~~ **(I)** IC 35-42-4-5(b)(3) as a Class A or Class B felony (for crimes committed before July 1, 2014) or as a Level 1, Level 2, or Level 3 felony (for crimes committed after June 30, 2014).

~~(B) an attempt or conspiracy to commit a crime listed in clause (A); or~~

~~(C) a crime under the laws of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in clauses (A) and (B).~~

SECTION 40. IC 31-34-1-2, AS AMENDED BY P.L.71-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A child is a child in need of services if before the child becomes eighteen (18) years of age:

(1) the child's physical or mental health is seriously endangered due to injury by the act or omission of the child's parent, guardian, or custodian; and

(2) the child needs care, treatment, or rehabilitation that:

(A) the child is not receiving; and

(B) is unlikely to be provided or accepted without the coercive intervention of the court.

(b) A child is a child in need of services if, before the child becomes eighteen (18) years of age, the child:

(1) is a victim of:

(A) an offense under IC 35-42-1-2.5;

(B) an offense under IC 35-42-2-1;

(C) an offense under IC 35-42-2-1.3;

(D) an offense under IC 35-42-2-1.5;

(E) an offense under IC 35-42-2-9; **or**

(F) an offense under IC 35-46-1-4; **and**

~~(G) an attempt or conspiracy to commit:~~

~~(i) an offense listed in clauses (A) through (F); or~~

~~(ii) an offense under IC 35-42-1-1, IC 35-42-1-2, IC 35-42-1-3, IC 35-42-1-4, or IC 35-42-1-5; or~~

~~(H) an offense under the law of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in clauses (A) through (G); and~~

(2) needs care, treatment, or rehabilitation that:

(A) the child is not receiving; and

(B) is unlikely to be provided or accepted without the coercive intervention of the court.

(c) A child is a child in need of services if, before the child becomes eighteen (18) years of age, the child:

(1) lives in the same household as an adult who:

(A) committed:

(i) an offense described in subsection (b)(1); or

(ii) an offense under IC 35-42-1-1, IC 35-42-1-2, IC 35-42-1-3, IC 35-42-1-4, or IC 35-42-1-5;

against another child who lives in the household and the offense resulted in a conviction or a judgment under IC 31-34-11-2; or

(B) has been charged with committing an offense described in clause (A) against another child who lives in the household and is awaiting trial; and

(2) needs care, treatment, or rehabilitation that:

(A) the child is not receiving; and

(B) is unlikely to be provided or accepted without the coercive intervention of the court.

(d) Evidence that the illegal manufacture of a drug or controlled substance is occurring on property where a child resides creates a rebuttable presumption that the child's physical or mental health is seriously endangered.

SECTION 41. IC 31-34-1-3, AS AMENDED BY P.L.144-2018, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A child is a child in need of services if, before the child becomes eighteen (18) years of age:

(1) the child is the victim of an offense under:

(A) IC 35-42-4-1;

(B) IC 35-42-4-2 (before its repeal);

(C) IC 35-42-4-3;

(D) IC 35-42-4-4;

(E) IC 35-42-4-5;

(F) IC 35-42-4-6;

(G) IC 35-42-4-7;

(H) IC 35-42-4-8;

(I) IC 35-42-4-9;

(J) IC 35-45-4-1;

(K) IC 35-45-4-2;

(L) IC 35-45-4-3;

(M) IC 35-45-4-4; **or**

(N) IC 35-46-1-3; ~~or~~

~~(O) the law of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in clauses (A) through (N);~~ and

(2) the child needs care, treatment, or rehabilitation that:

(A) the child is not receiving; and

(B) is unlikely to be provided or accepted without the coercive intervention of the court.

(b) A child is a child in need of services if, before the child becomes eighteen (18) years of age, the child:

(1) lives in the same household as an adult who:

(A) committed an offense described in subsection (a)(1) against a child and the offense resulted in a conviction or a judgment under IC 31-34-11-2; or

(B) has been charged with an offense described in

subsection (a)(1) against a child and is awaiting trial; and

(2) needs care, treatment, or rehabilitation that:

(A) the child is not receiving; and

(B) is unlikely to be provided or accepted without the coercive intervention of the court.

(c) A child is a child in need of services if, before the child becomes eighteen (18) years of age:

(1) the child lives in the same household as another child who is the victim of an offense described in subsection (a)(1);

(2) the child needs care, treatment, or rehabilitation that:

(A) the child is not receiving; and

(B) is unlikely to be provided or accepted without the coercive intervention of the court; and

(3) a caseworker assigned to provide services to the child:

(A) places the child in a program of informal adjustment or other family or rehabilitative services based on the existence of the circumstances described in subdivisions (1) and (2), and the caseworker subsequently determines further intervention is necessary; or

(B) determines that a program of informal adjustment or other family or rehabilitative services is inappropriate.

(d) A child is a child in need of services if, before the child becomes eighteen (18) years of age:

(1) the child lives in the same household as an adult who:

(A) committed a human or sexual trafficking offense under IC 35-42-3.5-1 through IC 35-42-3.5-1.4 or the law of another jurisdiction, including federal law, that resulted in a conviction or a judgment under IC 31-34-11-2; or

(B) has been charged with a human or sexual trafficking offense under IC 35-42-3.5-1 through IC 35-42-3.5-1.4 or the law of another jurisdiction, including federal law, and is awaiting trial; and

(2) the child needs care, treatment, or rehabilitation that:

(A) the child is not receiving; and

(B) is unlikely to be provided or accepted without the coercive intervention of the court.

SECTION 42. IC 31-34-1-3.5, AS ADDED BY P.L.46-2016, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. (a) A child is a child in need of services if, before the child becomes eighteen (18) years of age:

(1) the child is the victim of

~~(A)~~ human or sexual trafficking (as defined in IC 31-9-2-133.1); ~~or~~

~~(B) a human or sexual trafficking offense under the law of another jurisdiction, including federal law, that is substantially equivalent to the act described in clause (A);~~ and

(2) the child needs care, treatment, or rehabilitation that:

(A) the child is not receiving; and

(B) is unlikely to be provided or accepted without the coercive intervention of the court.

(b) A child is considered a victim of human or sexual trafficking regardless of whether the child consented to the conduct described in subsection (a)(1).

SECTION 43. IC 31-34-4-2, AS AMENDED BY P.L.243-2019, SECTION 16, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) If a child alleged to be a child in need of services is taken into custody under an order of the court under this chapter and the court orders out-of-home placement, the department is responsible for that placement and care and must consider placing the child with a:

(1) suitable and willing relative; or

(2) de facto custodian;

before considering any other out-of-home placement.

(b) The department shall consider placing a child described in subsection (a) with a relative related by blood, marriage, or adoption before considering any other placement of the child.

(c) Before the department places a child in need of services with a relative or a de facto custodian, the department shall complete an evaluation based on a home visit of the relative's home.

(d) Except as provided in subsection (f), before placing a child in need of services in an out-of-home placement, the department shall conduct a criminal history check of each person who is currently residing in the location designated as the out-of-home placement.

(e) Except as provided in subsection (g), the department may not make an out-of-home placement if a person described in subsection (d) has:

(1) committed an act resulting in a substantiated report of child abuse or neglect; or

(2) been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 or had a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult.

(f) The department is not required to conduct a criminal history check under subsection (d) if the department makes an out-of-home placement to an entity or a facility that is not a residence (as defined in IC 3-5-2-42.5) or that is licensed by the state.

(g) A court may order or the department may approve an out-of-home placement if:

(1) a person described in subsection (d) has:

(A) committed an act resulting in a substantiated report of child abuse or neglect;

(B) been convicted of:

(i) battery (IC 35-42-2-1);

(ii) criminal recklessness (IC 35-42-2-2) as a felony;

(iii) criminal confinement (IC 35-42-3-3) as a felony;

(iv) arson (IC 35-43-1-1) as a felony;

(v) nonsupport of a dependent child (IC 35-46-1-5);

(vi) operating a motorboat while intoxicated (IC 35-46-9-6) as a felony;

(vii) a felony involving a weapon under IC 35-47;

(viii) a felony relating to controlled substances under IC 35-48-4; **or**

(ix) a felony under IC 9-30-5;

~~(x) attempt to commit a felony listed in items (i) through (ix); or~~

~~(xi) a felony that is substantially equivalent to a felony listed in this clause for which the conviction was entered in another jurisdiction;~~

if the conviction did not occur within the past five (5) years; or

(C) had a juvenile adjudication for a nonwaivable offense, as defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony; and

(2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and the placement is in the best interest of the child.

However, a court or the department may not make an out-of-home placement if the person has been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 that is not specifically excluded under subdivision (1)(B).

(h) In considering the placement under subsection (g), the court or the department shall consider the following:

(1) The length of time since the person committed the offense, delinquent act, or abuse or neglect.

(2) The severity of the offense, delinquent act, or abuse or neglect.

(3) Evidence of the person's rehabilitation, including the person's cooperation with a treatment plan, if applicable.

SECTION 44. IC 31-34-20-1.5, AS AMENDED BY P.L.243-2019, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.5. (a) Except as provided in subsection (d), the juvenile court may not enter a dispositional decree approving or ordering placement of a child in another home under section 1(a)(3) of this chapter or awarding wardship to the department that will place the child in another home under section 1(a)(4) of this chapter if a person who is currently residing in the home in which the child would be placed under section 1(a)(3) or 1(a)(4) of this chapter has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(b) The department or caseworker who prepared the predispositional report shall conduct a criminal history check (as defined in IC 31-9-2-22.5) to determine if a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8. However, the department or caseworker is not required to conduct a criminal history check under this section if criminal history information under IC 31-34-4-2 or IC 31-34-18-6.1 establishes whether a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(c) The department or caseworker is not required to conduct a criminal history check under this section if:

(1) the department or caseworker is considering only an out-of-home placement to an entity or a facility that:

(A) is not a residence (as defined in IC 3-5-2-42.5); or

(B) is licensed by the state; or

(2) placement under this section is undetermined at the time the predispositional report is prepared.

(d) A juvenile court may enter a dispositional decree that approves placement of a child in another home or award wardship to the department that will place the child in a home with a person described in subsection (a) if:

(1) the person described in subsection (a) has:

(A) committed an act resulting in a substantiated report of child abuse or neglect;

(B) been convicted of:

(i) battery (IC 35-42-2-1);

(ii) criminal recklessness (IC 35-42-2-2) as a felony;

(iii) criminal confinement (IC 35-42-3-3) as a felony;

(iv) arson (IC 35-43-1-1) as a felony;

(v) nonsupport of a dependent child (IC 35-46-1-5);

(vi) operating a motorboat while intoxicated (IC 35-46-9-6) as a felony;

(vii) a felony involving a weapon under IC 35-47;

(viii) a felony relating to controlled substances under IC 35-48-4; **or**

(ix) a felony under IC 9-30-5;

~~(x) attempt to commit a felony listed in items (i) through (ix); or~~

~~(xi) a felony that is substantially equivalent to a felony listed in this clause for which the conviction was entered in another jurisdiction;~~

if the conviction did not occur within the past five (5) years; or

(C) had a juvenile adjudication for a nonwaivable offense, as defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony; and

(2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and placing a child in another home or awarding wardship to the department is in the best interest of the child.

However, a court may not enter a dispositional decree that approves placement of a child in another home or awards wardship to the department if the person has been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 that is not specifically excluded under subdivision (1)(B).

(e) In considering the placement under subsection (d), the court shall consider the following:

(1) The length of time since the person committed the offense, delinquent act, or act that resulted in the substantiated report of abuse or neglect.

(2) The severity of the offense, delinquent act, or abuse or neglect.

(3) Evidence of the person's rehabilitation, including the person's cooperation with a treatment plan, if applicable.

SECTION 45. IC 31-34-21-7.5, AS AMENDED BY THE

TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7.5. (a) Except as provided in subsection (d), the juvenile court may not approve a permanency plan under subsection ~~(c)(1)(D),~~ **(c)(1)(C),** ~~(c)(1)(E),~~ **(c)(1)(D),** or ~~(c)(1)(F)~~ **(c)(1)(E)** if a person who is currently residing with a person described in subsection ~~(c)(1)(D)~~ **(c)(1)(C)** or ~~(c)(1)(E)~~ **(c)(1)(D)** or in a residence in which the child would be placed under subsection ~~(c)(1)(F)~~ **(c)(1)(E)** has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(b) Before requesting juvenile court approval of a permanency plan, the department shall conduct a criminal history check (as defined in IC 31-9-2-22.5) to determine if a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8. However, the department is not required to conduct a criminal history check under this section if criminal history information under IC 31-34-4-2, IC 31-34-18-6.1, or IC 31-34-20-1.5 establishes whether a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(c) A permanency plan, or plans, if concurrent planning, under this chapter includes the following:

(1) The intended permanent or long term arrangements for care and custody of the child that may include any one (1), or two (2), if concurrent planning, of the following arrangements that the department or the court considers most appropriate and consistent with the best interests of the child:

(A) Return to or continuation of existing custodial care within the home of the child's parent, guardian, or custodian or placement of the child with the child's noncustodial parent.

(B) Placement of the child for adoption.

(C) Placement of the child with a responsible person, including:

(i) an adult sibling;

(ii) a grandparent;

(iii) an aunt;

(iv) an uncle;

(v) a custodial parent of a sibling of the child; or

(vi) another relative;

who is able and willing to act as the child's permanent custodian and carry out the responsibilities required by the permanency plan.

(D) Appointment of a legal guardian. The legal guardian appointed under this section is a caretaker in a judicially created relationship between the child and caretaker that is intended to be permanent and self-sustaining as evidenced by the transfer to the caretaker of the following parental rights with respect to the child:

(i) Care, custody, and control of the child.

(ii) Decision making concerning the child's upbringing.

(E) A supervised independent living arrangement or foster care for the child with a permanency plan of another planned, permanent living arrangement. However, a child less than sixteen (16) years of age may not have another planned, permanent living arrangement as the child's permanency plan.

(2) A time schedule for implementing the applicable provisions of the permanency plan.

(3) Provisions for temporary or interim arrangements for care and custody of the child, pending completion of implementation of the permanency plan.

(4) Other items required to be included in a case plan under IC 31-34-15 or federal law, consistent with the permanent or long term arrangements described by the permanency plan.

(d) A juvenile court may approve a permanency plan if:

(1) a person described in subsection (a) has:

(A) committed an act resulting in a substantiated report of child abuse or neglect;

(B) been convicted of:

(i) battery (IC 35-42-2-1);

(ii) criminal recklessness (IC 35-42-2-2) as a felony;

(iii) criminal confinement (IC 35-42-3-3) as a felony;

(iv) arson (IC 35-43-1-1) as a felony;

(v) nonsupport of a dependent child (IC 35-46-1-5);

(vi) operating a motorboat while intoxicated (IC 35-46-9-6) as a felony;

(vii) a felony involving a weapon under IC 35-47;

(viii) a felony relating to controlled substances under IC 35-48-4; **or**

(ix) a felony under IC 9-30-5;

~~(x) attempt to commit a felony listed in items (i) through (ix); or~~

~~(xi) a felony that is substantially equivalent to a felony listed in this clause for which the conviction was entered in another jurisdiction;~~

if the conviction did not occur within the past five (5) years; or

(C) had a juvenile adjudication for a nonwaivable offense, as defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony; and

(2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and that approval of the permanency plan is in the best interest of the child.

However, a court may not approve a permanency plan if the person has been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 that is not specifically excluded under subdivision (1)(B), or has a juvenile adjudication for an act that

would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult that is not specifically excluded under subdivision (1)(B).

(e) In making its written finding under subsection (d), the court shall consider the following:

(1) The length of time since the person committed the offense, delinquent act, or act that resulted in the substantiated report of abuse or neglect.

(2) The severity of the offense, delinquent act, or abuse or neglect.

(3) Evidence of the person's rehabilitation, including the person's cooperation with a treatment plan, if applicable.

SECTION 46. IC 31-37-13-5, AS AMENDED BY P.L.168-2014, SECTION 45, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. **(a)** If a finding of delinquency is based on a delinquent act that would be a felony if committed by an adult, the juvenile court shall state in the findings the following:

(1) The specific statute that was violated.

(2) The class or level of the felony had the violation been committed by an adult.

(b) If a finding of delinquency is based on a delinquent act that would be a serious violent felony (as defined in IC 35-47-4-5) if committed by an adult, the juvenile court shall, notwithstanding IC 31-39-1, transmit the finding to the office of judicial administration for transmission to NICS (as defined in IC 35-47-2.5-2.5) in accordance with IC 33-24-6-3.

SECTION 47. IC 31-37-19-6.5, AS AMENDED BY P.L.243-2019, SECTION 20, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.5. (a) Except as provided in subsection (d), the juvenile court may not enter a dispositional decree approving placement of a child in another home under section 1(a)(3) or 6(b)(2)(D) of this chapter or awarding wardship to a person or facility that results in a placement with a person under section 1(a)(4) or 6(b)(2)(E) of this chapter if a person who is currently residing in the home in which the child would be placed under section 1(a)(3), 1(a)(4), 6(b)(2)(D), or 6(b)(2)(E) of this chapter has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(b) The juvenile probation officer who prepared the predispositional report shall conduct a criminal history check (as defined in IC 31-9-2-22.5) to determine if a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8. However, the probation officer is not required to conduct a criminal history check under this section if criminal history information obtained under IC 31-37-17-6.1 establishes whether a person described in subsection (a) has committed an act resulting in a substantiated report of child abuse or neglect, has a juvenile adjudication for an act that would be a nonwaivable offense, as defined in IC 31-9-2-84.8 if committed by an adult, or has a conviction for a nonwaivable offense, as defined in IC 31-9-2-84.8.

(c) The juvenile probation officer is not required to conduct a criminal history check under this section if:

(1) the probation officer is considering only an out-of-home placement to an entity or a facility that:

(A) is not a residence (as defined in IC 3-5-2-42.5); or

(B) is licensed by the state; or

(2) placement under this section is undetermined at the time the predispositional report is prepared.

(d) The juvenile court may enter a dispositional decree approving placement of a child in another home under section 1(a)(3) or 6(b)(2)(D) of this chapter or awarding wardship to a person or facility that results in a placement with a person under section 1(a)(4) or 6(b)(2)(E) of this chapter if:

(1) a person described in subsection (a) has:

(A) committed an act resulting in a substantiated report of child abuse or neglect;

(B) been convicted of:

(i) a felony under IC 9-30-5;

(ii) battery (IC 35-42-2-1);

(iii) criminal recklessness (IC 35-42-2-2) as a felony;

(iv) criminal confinement (IC 35-42-3-3) as a felony;

(v) arson (IC 35-43-1-1) as a felony;

(vi) nonsupport of a dependent child (IC 35-46-1-5);

(vii) operating a motorboat while intoxicated (IC 35-46-9-6) as a felony;

(viii) a felony involving a weapon under IC 35-47; **or**

(ix) a felony relating to controlled substances under IC 35-48-4;

~~(x) attempt to commit a felony listed in items (i) through (ix); or~~

~~(xi) a felony that is substantially equivalent to a felony listed in this clause for which the conviction was entered in another jurisdiction;~~

if the conviction did not occur within the past five (5) years; or

(C) had a juvenile adjudication for a nonwaivable offense, as defined in IC 31-9-2-84.8 that, if committed by an adult, would be a felony; and

(2) the person's commission of the offense, delinquent act, or act of abuse or neglect described in subdivision (1) is not relevant to the person's present ability to care for a child, and placing the child in another home is in the best interest of the child.

However, a court may not enter a dispositional decree placing a child in another home under section 1(a)(3) or 6(b)(2)(D) of this chapter or awarding wardship to a person or facility under this subsection if a person with whom the child is or will be placed has been convicted of a nonwaivable offense, as defined in IC 31-9-2-84.8 that is not specifically excluded under subdivision (1)(B).

(e) In considering the placement under subsection (d), the court shall consider the following:

(1) The length of time since the person committed the offense, delinquent act, or act that resulted in the substantiated report of abuse or neglect.

(2) The severity of the offense, delinquent act, or abuse or

neglect.

(3) Evidence of the person's rehabilitation, including the person's cooperation with a treatment plan, if applicable.

SECTION 48. IC 31-37-22-11, AS ADDED BY P.L.86-2017, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) As used in this section, "trafficked child" means a child who was the victim of human trafficking (IC 35-42-3.5), ~~or a substantially similar human trafficking offense committed in another jurisdiction,~~ regardless of whether the person who committed the human trafficking offense was charged, tried, or convicted. The term includes a person who is now an adult.

(b) Upon the written motion of a trafficked child, or any person acting on behalf of a trafficked child, the court that adjudicated the trafficked child a delinquent child shall vacate the adjudication issued with respect to the trafficked child, if the movant proves by a preponderance of the evidence that:

(1) the child was a trafficked child at the time the child performed the delinquent act that resulted in the adjudication;

(2) the delinquent act did not result in bodily injury to another person; and

(3) at the time the child committed the delinquent act, the child was:

(A) coerced by; or

(B) under the control of;

another person.

(c) Before vacating an adjudication under subsection (b), the court shall:

(1) forward a copy of the motion to the prosecuting attorney; and

(2) conduct a hearing at which the prosecuting attorney and the movant are entitled to be heard.

SECTION 49. IC 31-39-8-3, AS AMENDED BY P.L.86-2017, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) A person may initiate a petition for the expungement of records of a child alleged to be a delinquent child or a child in need of services by filing a verified petition in the juvenile court in the county of the original action. The petition must set forth the following:

(1) The allegations and date of adjudication, if applicable, of the juvenile delinquency or child in need of services adjudications.

(2) The court in which juvenile delinquency or child in need of services allegations or petitions were filed.

(3) The law enforcement agency that employs the charging officer, if known.

(4) The case number or court cause number.

(5) Date of birth of the petitioner.

(6) Petitioner's Social Security number.

(7) All juvenile delinquency or child in need of services adjudications and criminal convictions occurring after the adjudication of the action sought to be expunged.

(8) All pending actions under IC 31-34 or IC 31-37 or criminal charges.

(b) A petition described in subsection (a) shall be served on:

(1) the prosecuting attorney; or

(2) in the case of a child in need of services case, the department of child services.

(c) The prosecuting attorney or department of child services has thirty (30) days in which to reply or otherwise object to the petition. The court may reduce the time in which a response must be filed for a show of good cause or within its discretion after a hearing is held.

(d) If the prosecuting attorney or department of child services timely files an objection to the petition, the matter shall be set for a hearing. If no objection is filed, the court may set the petition for a hearing or rule on the petition without a hearing.

(e) In considering whether to grant the petition, the juvenile court may review:

(1) the best interests of the child;

(2) the age of the person during the person's contact with the juvenile court or law enforcement agency;

(3) the nature of any allegations;

(4) whether there was an informal adjustment or an adjudication;

(5) the disposition of the case;

(6) the manner in which the person participated in any court ordered or supervised services;

(7) the time during which the person has been without contact with the juvenile court or with any law enforcement agency;

(8) whether the person acquired a criminal record; ~~and~~

(9) the person's current status;

(10) whether the person has been:

(A) charged with; or

(B) convicted of;

murder or another felony offense as an adult;

(11) whether the person was waived to an adult criminal court for a reason described in IC 31-30-3;

(12) whether an adult sentence for the person was not suspended for a reason described in IC 35-50-2-2.1; and

(13) whether:

(A) the person has been adjudicated a delinquent child for committing an act that would be a serious violent felony (as defined in IC 35-47-4-5) if committed by an adult; and

(B) the:

(i) person is currently suffering from a mental health issue;

(ii) mental health issue described in item (i) is chronic or ongoing;

(iii) person has received, or is receiving, treatment for a current or chronic mental health issue; or

(iv) person is compliant with a treatment regimen recommended by a mental health professional, if applicable.

SECTION 50. IC 32-30-8-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. As used in this chapter, "nuisance" means

~~(1)~~ the use of a property to commit an act constituting an offense under IC 35-48-4. ~~or~~

~~(2) an attempt to commit or a conspiracy to commit an act described in subdivision (1).~~

SECTION 51. IC 33-23-6-2, AS AMENDED BY

P.L.55-2005, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) In each county participating in the program under this chapter, there is established an alternative dispute resolution fund for each of the following:

(1) The circuit court.

(2) The superior court.

(3) The probate court established by IC 33-31-1.

(b) Notwithstanding subsection (a), if more than one (1) court exercises jurisdiction over domestic relations and paternity cases in a county, one (1) alternative dispute resolution fund may be established to be used by all the courts to implement this chapter if:

(1) the:

(A) county auditor; and

(B) judge of each court that exercises jurisdiction over domestic relations and paternity cases in the county;

agree to establish one (1) fund; and

(2) the agreement to establish the fund is included in the plan adopted by the county under section 3 of this chapter.

(c) The sources of money for each fund established under subsection (a) or (b) are:

(1) the alternative dispute resolution fee collected under section 1 of this chapter for the circuit court, superior court, or probate court, respectively; and

(2) copayments collected under subsection (d) if:

(A) a county chooses to deposit the copayments into the fund; and

(B) the county specifies in the plan adopted by the county under section 3 of this chapter that the copayments will be deposited in the fund.

(d) The funds shall be used to foster domestic relations alternative dispute resolution, including:

(1) mediation;

(2) reconciliation;

(3) nonbinding arbitration; and

(4) parental counseling.

Litigants referred by the court to services covered by the fund shall make a copayment for the services in an amount determined by the court based on the litigants' ability to pay. The fund shall be administered by the circuit, superior, or probate court that exercises jurisdiction over domestic relations and paternity cases in the county. A fund used by multiple courts under subsection (b) shall be administered jointly by all the courts using the fund. Money in each fund at the end of a fiscal year does not revert to the county general fund but remains in the fund for the uses specified in this section.

(e) Each circuit, superior, or probate court that administers an alternative dispute resolution fund shall ensure that money in the fund is disbursed in a manner that primarily benefits those litigants who have the least ability to pay, in accordance with the plan adopted by the county under section 3 of this chapter.

(f) A court may not order parties into mediation or refer parties to mediation if a party is currently charged with or has been convicted of a crime

~~(1)~~ under IC 35-42. ~~or~~

~~(2) in another jurisdiction that is substantially similar to the elements of a crime described in IC 35-42.~~

SECTION 52. IC 33-23-8-4, AS AMENDED BY P.L.181-2005, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. If a practitioner is convicted under IC 35-43-5-4.5 of

~~(1)~~ insurance fraud,

~~(2) an attempt to commit insurance fraud; or~~

~~(3) conspiracy to commit insurance fraud;~~

the sentencing court shall provide notice of the conviction to each governmental body that has issued a license to the practitioner.

SECTION 53. IC 33-24-6-3, AS AMENDED BY HEA 1313-2020, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The office of judicial administration shall do the following:

(1) Examine the administrative and business methods and systems employed in the offices of the clerks of court and other offices related to and serving the courts and make recommendations for necessary improvement.

(2) Collect and compile statistical data and other information on the judicial work of the courts in Indiana. All justices of the supreme court, judges of the court of appeals, judges of all trial courts, and any city or town courts, whether having general or special jurisdiction, court clerks, court reporters, and other officers and employees of the courts shall, upon notice by the chief administrative officer and in compliance with procedures prescribed by the chief administrative officer, furnish the chief administrative officer the information as is requested concerning the nature and volume of judicial business. The information must include the following:

(A) The volume, condition, and type of business conducted by the courts.

(B) The methods of procedure in the courts.

(C) The work accomplished by the courts.

(D) The receipt and expenditure of public money by and for the operation of the courts.

(E) The methods of disposition or termination of cases.

(3) Prepare and publish reports, not less than one (1) or more than two (2) times per year, on the nature and volume of judicial work performed by the courts as determined by the information required in subdivision (2).

(4) Serve the judicial nominating commission and the judicial qualifications commission in the performance by the commissions of their statutory and constitutional functions.

(5) Administer the civil legal aid fund as required by IC 33-24-12.

(6) Administer the court technology fund established by section 12 of this chapter.

(7) By December 31, 2013, develop and implement a standard protocol for sending and receiving court data:

(A) between the protective order registry, established by IC 5-2-9-5.5, and county court case management systems;

(B) at the option of the county prosecuting attorney, for:

(i) a prosecuting attorney's case management system;

(ii) a county court case management system; and
(iii) a county court case management system developed and operated by the office of judicial administration;
to interface with the electronic traffic tickets, as defined by IC 9-30-3-2.5; and
(C) between county court case management systems and the case management system developed and operated by the office of judicial administration.
The standard protocol developed and implemented under this subdivision shall permit private sector vendors, including vendors providing service to a local system and vendors accessing the system for information, to send and receive court information on an equitable basis and at an equitable cost.
(8) Establish and administer an electronic system for receiving information that relates to certain individuals who may be prohibited from possessing a firearm ~~and~~ **for the purpose of:**
(A) transmitting this information to the Federal Bureau of Investigation for inclusion in the NICS; **and**
(B) beginning July 1, 2021, compiling and publishing certain statistics related to the confiscation and retention of firearms as described under section 14 of this chapter.
(9) Establish and administer an electronic system for receiving drug related felony conviction information from courts. The office of judicial administration shall notify NPLEx of each drug related felony entered after June 30, 2012, and do the following:
(A) Provide NPLEx with the following information:
(i) The convicted individual's full name.
(ii) The convicted individual's date of birth.
(iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.
(iv) The date the individual was convicted of the felony.
Upon receipt of the information from the office of judicial administration, a stop sale alert must be generated through NPLEx for each individual reported under this clause.
(B) Notify NPLEx if the felony of an individual reported under clause (A) has been:
(i) set aside;
(ii) reversed;
(iii) expunged; or
(iv) vacated.
Upon receipt of information under this clause, NPLEx shall remove the stop sale alert issued under clause (A) for the individual.
(10) After July 1, 2018, establish and administer an electronic system for receiving from courts felony conviction information for each felony described in IC 20-28-5-8(c). The office of judicial administration shall notify the department of education at least one (1) time each week of each felony described in IC 20-28-5-8(c) entered after July 1, 2018, and do the following:
(A) Provide the department of education with the following information:
(i) The convicted individual's full name.
(ii) The convicted individual's date of birth.
(iii) The convicted individual's driver's license number, state personal identification number, or other unique number, if available.
(iv) The date the individual was convicted of the felony.
(B) Notify the department of education if the felony of an individual reported under clause (A) has been:
(i) set aside;
(ii) reversed; or
(iii) vacated.
(11) Perform legal and administrative duties for the justices as determined by the justices.
(12) Provide staff support for the judicial conference of Indiana established in IC 33-38-9.
(13) Work with the United States Department of Veterans Affairs to identify and address the needs of veterans in the court system.
(b) All forms to be used in gathering data must be approved by the supreme court and shall be distributed to all judges and clerks before the start of each period for which reports are required.
(c) The office of judicial administration may adopt rules to implement this section.
SECTION 54. IC 33-24-6-14 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 14. (a) The following definitions apply throughout this section:**
(1) "Dangerous" has the meaning set forth in IC 35-47-14-1.
(2) "Firearm" has the meaning set forth in IC 35-47-1-5.
(3) "Office" means the office of judicial administration created by section 1 of this chapter.
(b) Beginning July 1, 2021, the office shall collect and record the following information:
(1) The law enforcement agency responsible for each confiscation of a firearm under IC 35-47-14-2 and IC 35-47-14-3.
(2) The number of:
(A) warrant based firearm confiscations under IC 35-47-14-2; and
(B) warrantless firearm confiscations under IC 35-47-14-3;
for each county, as applicable, each year.
(3) The total number of:
(A) handguns; and
(B) long guns;
confiscated under IC 35-47-14 for each county, as applicable, each year.
(4) The county in which a court issues an order that finds or does not find an individual to be dangerous under IC 35-47-14-6.
(c) The office shall, beginning July 1, 2021, not later than January 1 of each year, submit a report to the legislative council in an electronic format under IC 5-14-6 that

consolidates and presents the information described in subsection (b).

(d) Notwithstanding subsections (b) and (c) and information provided to a law enforcement agency for the purposes of handgun licenses, the office shall not disclose, distribute, transfer, or provide the following information to any person, entity, agency, or department:

(1) The:

(A) name;

(B) date of birth;

(C) Social Security number;

(D) address; or

(E) other unique identifier;

belonging to or associated with an individual alleged to be dangerous by a law enforcement officer or found to be dangerous by a circuit or superior court.

(2) The make, model, or serial number of any handgun, long gun, or firearm seized, confiscated, retained, disposed of, or sold under IC 35-47-14.

(e) Information:

(1) collected by the office; or

(2) used by the office;

to prepare the report described in subsection (c) is confidential and not subject to public inspection or copying under IC 5-14-3-3.

(f) The office shall make the report described in subsection (c) available to the public.

(g) The office may adopt rules under IC 4-22-2 to implement this section.

SECTION 55. IC 34-24-1-1, AS AMENDED BY P.L.211-2019, SECTION 43, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) The following may be seized:

(1) All vehicles (as defined by IC 35-31.5-2-346), if they are used or are intended for use by the person or persons in possession of them to transport or in any manner to facilitate the transportation of the following:

(A) A controlled substance for the purpose of committing, attempting to commit, or conspiring to commit any of the following:

(i) Dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1).

(ii) Dealing in methamphetamine (IC 35-48-4-1.1).

(iii) Manufacturing methamphetamine (IC 35-48-4-1.2).

(iv) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).

(v) Dealing in a schedule IV controlled substance (IC 35-48-4-3).

(vi) Dealing in a schedule V controlled substance (IC 35-48-4-4).

(vii) Dealing in a counterfeit substance (IC 35-48-4-5).

(viii) Possession of cocaine or a narcotic drug (IC 35-48-4-6).

(ix) Possession of methamphetamine (IC 35-48-4-6.1).

(x) Dealing in paraphernalia (IC 35-48-4-8.5).

(xi) Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).

(xii) An offense under IC 35-48-4 involving a synthetic drug (as defined in IC 35-31.5-2-321), a synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019), a controlled substance analog (as defined in IC 35-48-1-9.3), or a substance represented to be a controlled substance (as described in IC 35-48-4-4.6).

(B) Any stolen (IC 35-43-4-2) or converted property (IC 35-43-4-3) if the retail or repurchase value of that property is one hundred dollars ($100) or more.

(C) Any hazardous waste in violation of IC 13-30-10-1.5.

(D) A bomb (as defined in IC 35-31.5-2-31) or weapon of mass destruction (as defined in IC 35-31.5-2-354) used to commit, used in an attempt to commit, or used in a conspiracy to commit a felony terrorist offense (as defined in IC 35-50-2-18) or an offense under IC 35-47 as part of or in furtherance of an act of terrorism (as defined by IC 35-31.5-2-329).

(2) All money, negotiable instruments, securities, weapons, communications devices, or any property used to commit, used in an attempt to commit, or used in a conspiracy to commit a felony terrorist offense (as defined in IC 35-50-2-18) or an offense under IC 35-47 as part of or in furtherance of an act of terrorism or commonly used as consideration for a violation of IC 35-48-4 (other than items subject to forfeiture under IC 16-42-20-5 or IC 16-6-8.5-5.1, before its repeal):

(A) furnished or intended to be furnished by any person in exchange for an act that is in violation of a criminal statute;

(B) used to facilitate any violation of a criminal statute; or

(C) traceable as proceeds of the violation of a criminal statute.

(3) Any portion of real or personal property purchased with money that is traceable as a proceed of a violation of a criminal statute.

(4) A vehicle that is used by a person to:

(A) commit, attempt to commit, or conspire to commit;

(B) facilitate the commission of; or

(C) escape from the commission of;

murder (IC 35-42-1-1), dealing in a controlled substance resulting in death (IC 35-42-1-1.5), kidnapping (IC 35-42-3-2), criminal confinement (IC 35-42-3-3), rape (IC 35-42-4-1), child molesting (IC 35-42-4-3), or child exploitation (IC 35-42-4-4), or an offense under IC 35-47 as part of or in furtherance of an act of terrorism.

(5) Real property owned by a person who uses it to commit any of the following as a Level 1, Level 2, Level 3, Level 4, or Level 5 felony:

(A) Dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1).

(B) Dealing in methamphetamine (IC 35-48-4-1.1).
(C) Manufacturing methamphetamine (IC 35-48-4-1.2).
(D) Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).
(E) Dealing in a schedule IV controlled substance (IC 35-48-4-3).
(F) Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).
(G) Dealing in a synthetic drug (as defined in IC 35-31.5-2-321) or synthetic drug lookalike substance (as defined in IC 35-31.5-2-321.5 (before its repeal on July 1, 2019)) under IC 35-48-4-10.5 (before its repeal on July 1, 2019).
(H) Dealing in a controlled substance resulting in death (IC 35-42-1-1.5).

(6) Equipment and recordings used by a person to commit fraud under IC 35-43-5-4(10).
(7) Recordings sold, rented, transported, or possessed by a person in violation of IC 24-4-10.
(8) Property (as defined by IC 35-31.5-2-253) or an enterprise (as defined by IC 35-45-6-1) that is the object of a corrupt business influence violation (IC 35-45-6-2).
(9) Unlawful telecommunications devices (as defined in IC 35-45-13-6) and plans, instructions, or publications used to commit an offense under IC 35-45-13.
(10) Any equipment, including computer equipment and cellular telephones, used for or intended for use in preparing, photographing, recording, videotaping, digitizing, printing, copying, or disseminating matter in violation of IC 35-42-4.
(11) Destructive devices used, possessed, transported, or sold in violation of IC 35-47.5.
(12) Tobacco products that are sold in violation of IC 24-3-5, tobacco products that a person attempts to sell in violation of IC 24-3-5, and other personal property owned and used by a person to facilitate a violation of IC 24-3-5.
(13) Property used by a person to commit counterfeiting or forgery in violation of IC 35-43-5-2.
(14) After December 31, 2005, if a person is convicted of an offense specified in IC 25-26-14-26(b) or IC 35-43-10, the following real or personal property:
(A) Property used or intended to be used to commit, facilitate, or promote the commission of the offense.
(B) Property constituting, derived from, or traceable to the gross proceeds that the person obtained directly or indirectly as a result of the offense.
(15) Except as provided in subsection (e), a vehicle used by a person who operates the vehicle:
(A) while intoxicated, in violation of IC 9-30-5-1 through IC 9-30-5-5, if in the previous five (5) years the person has two (2) or more prior unrelated convictions
~~(i)~~ for operating a motor vehicle while intoxicated in violation of IC 9-30-5-1 through IC 9-30-5-5; ~~or~~
~~(ii) for an offense that is substantially similar to IC 9-30-5-1 through IC 9-30-5-5 in another jurisdiction;~~ or
(B) on a highway while the person's driving privileges are suspended in violation of IC 9-24-19-2 through IC 9-24-19-3, if in the previous five (5) years the person has two (2) or more prior unrelated convictions
~~(i)~~ for operating a vehicle while intoxicated in violation of IC 9-30-5-1 through IC 9-30-5-5. ~~or~~
~~(ii) for an offense that is substantially similar to IC 9-30-5-1 through IC 9-30-5-5 in another jurisdiction.~~

If a court orders the seizure of a vehicle under this subdivision, the court shall transmit an order to the bureau of motor vehicles recommending that the bureau not permit a vehicle to be registered in the name of the person whose vehicle was seized until the person possesses a current driving license (as defined in IC 9-13-2-41).
(16) The following real or personal property:
(A) Property used or intended to be used to commit, facilitate, or promote the commission of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or IC 30-2-13-38(f).
(B) Property constituting, derived from, or traceable to the gross proceeds that a person obtains directly or indirectly as a result of an offense specified in IC 23-14-48-9, IC 30-2-9-7(b), IC 30-2-10-9(b), or IC 30-2-13-38(f).
(17) An automated sales suppression device (as defined in IC 35-43-5-4.6(a)(1) or phantom-ware (as defined in IC 35-43-5-4.6(a)(3)).
(18) Real or personal property, including a vehicle, that is used by a person to:
(A) commit, attempt to commit, or conspire to commit;
(B) facilitate the commission of; or
(C) escape from the commission of;
a violation of IC 35-42-3.5-1 through IC 35-42-3.5-1.4 (human trafficking) or IC 35-45-4-4 (promoting prostitution).

(b) A vehicle used by any person as a common or contract carrier in the transaction of business as a common or contract carrier is not subject to seizure under this section, unless it can be proven by a preponderance of the evidence that the owner of the vehicle knowingly permitted the vehicle to be used to engage in conduct that subjects it to seizure under subsection (a).

(c) Equipment under subsection (a)(10) may not be seized unless it can be proven by a preponderance of the evidence that the owner of the equipment knowingly permitted the equipment to be used to engage in conduct that subjects it to seizure under subsection (a)(10).

(d) Money, negotiable instruments, securities, weapons, communications devices, or any property commonly used as consideration for a violation of IC 35-48-4 found near or on a person who is committing, attempting to commit, or conspiring to commit any of the following offenses shall be admitted into evidence in an action under this chapter as prima facie evidence that the money, negotiable instrument, security, or other thing of value is property that has been used or was to have been used to facilitate the violation of a criminal statute or is the proceeds of the violation of a criminal statute:

(1) IC 35-42-1-1.5 (dealing in a controlled substance resulting in death).
(2) IC 35-48-4-1 (dealing in or manufacturing cocaine or a narcotic drug).
(3) IC 35-48-4-1.1 (dealing in methamphetamine).
(4) IC 35-48-4-1.2 (manufacturing methamphetamine).
(5) IC 35-48-4-2 (dealing in a schedule I, II, or III controlled substance).
(6) IC 35-48-4-3 (dealing in a schedule IV controlled substance).
(7) IC 35-48-4-4 (dealing in a schedule V controlled substance) as a Level 4 felony.
(8) IC 35-48-4-6 (possession of cocaine or a narcotic drug) as a Level 3, Level 4, or Level 5 felony.
(9) IC 35-48-4-6.1 (possession of methamphetamine) as a Level 3, Level 4, or Level 5 felony.
(10) IC 35-48-4-10 (dealing in marijuana, hash oil, hashish, or salvia) as a Level 5 felony.
(11) IC 35-48-4-10.5 (before its repeal on July 1, 2019) (dealing in a synthetic drug or synthetic drug lookalike substance) as a Level 5 felony or Level 6 felony (or as a Class C felony or Class D felony under IC 35-48-4-10 before its amendment in 2013).

(e) A vehicle operated by a person who is not:
(1) an owner of the vehicle; or
(2) the spouse of the person who owns the vehicle;
is not subject to seizure under subsection (a)(15) unless it can be proven by a preponderance of the evidence that the owner of the vehicle knowingly permitted the vehicle to be used to engage in conduct that subjects it to seizure under subsection (a)(15).

SECTION 56. IC 35-31.5-2-91, AS AMENDED BY P.L.158-2013, SECTION 365, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 91. "Designated offense", for purposes of IC 35-33.5, means the following:
(1) A Class A, Class B, or Class C felony, for a crime committed before July 1, 2014, or a Level 1, Level 2, Level 3, Level 4, or Level 5 felony, for a crime committed after June 30, 2014, that is a controlled substance offense (IC 35-48-4).
(2) Murder (IC 35-42-1-1).
(3) Kidnapping (IC 35-42-3-2).
(4) Criminal confinement (IC 35-42-3-3).
(5) Robbery (IC 35-42-5-1).
(6) Arson (IC 35-43-1-1).
(7) Child solicitation (IC 35-42-4-6).
(8) Human and sexual trafficking crimes under IC 35-42-3.5.
(9) Escape as a Class B felony or Class C felony, for a crime committed before July 1, 2014, or a Level 4 felony or Level 5 felony, for a crime committed after June 30, 2014 (IC 35-44.1-3-4).
(10) An offense that relates to a weapon of mass destruction (as defined in section 354 of this chapter).
~~(11) An attempt or conspiracy to commit an offense described in subdivisions (1) through (10).~~
~~(12) An offense under the law of the United States or in another state or country that is substantially similar to an offense described in subdivisions (1) through (11).~~

SECTION 57. IC 35-31.5-2-294, AS ADDED BY P.L.114-2012, SECTION 67, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 294. "Serious violent felony", for purposes of IC 35-47-4-5 **and IC 35-47-4-9,** has the meaning set forth in ~~IC 35-47-4-5(b).~~ **IC 35-47-4-5.**

SECTION 58. IC 35-37-4-6, AS AMENDED BY P.L.65-2016, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) This section applies to a criminal action involving the following offenses where the victim is a protected person under subsection (c)(1) or (c)(2):
(1) Sex crimes (IC 35-42-4).
(2) A battery offense included in IC 35-42-2 upon a child less than fourteen (14) years of age.
(3) Kidnapping and confinement (IC 35-42-3).
(4) Incest (IC 35-46-1-3).
(5) Neglect of a dependent (IC 35-46-1-4).
(6) Human and sexual trafficking crimes (IC 35-42-3.5).
~~(7) An attempt under IC 35-41-5-1 to commit an offense listed in this subsection.~~

(b) This section applies to a criminal action involving the following offenses where the victim is a protected person under subsection (c)(3):
(1) Exploitation of a dependent or endangered adult (IC 35-46-1-12).
(2) A sex crime (IC 35-42-4).
(3) A battery offense included in IC 35-42-2.
(4) Kidnapping, confinement, or interference with custody (IC 35-42-3).
(5) Home improvement fraud (IC 35-43-6).
(6) Fraud (IC 35-43-5).
(7) Identity deception (IC 35-43-5-3.5).
(8) Synthetic identity deception (IC 35-43-5-3.8).
(9) Theft (IC 35-43-4-2).
(10) Conversion (IC 35-43-4-3).
(11) Neglect of a dependent (IC 35-46-1-4).
(12) Human and sexual trafficking crimes (IC 35-42-3.5).

(c) As used in this section, "protected person" means:
(1) a child who is less than fourteen (14) years of age;
(2) an individual with a mental disability who has a disability attributable to an impairment of general intellectual functioning or adaptive behavior that:
(A) is manifested before the individual is eighteen (18) years of age;
(B) is likely to continue indefinitely;
(C) constitutes a substantial impairment of the individual's ability to function normally in society; and
(D) reflects the individual's need for a combination and sequence of special, interdisciplinary, or generic care, treatment, or other services that are of lifelong or extended duration and are individually planned and coordinated; or
(3) an individual who is:
(A) at least eighteen (18) years of age; and
(B) incapable by reason of mental illness, intellectual disability, dementia, or other physical or mental

incapacity of:

(i) managing or directing the management of the individual's property; or

(ii) providing or directing the provision of self-care.

(d) A statement or videotape that:

(1) is made by a person who at the time of trial is a protected person;

(2) concerns an act that is a material element of an offense listed in subsection (a) or (b) that was allegedly committed against the person; and

(3) is not otherwise admissible in evidence;

is admissible in evidence in a criminal action for an offense listed in subsection (a) or (b) if the requirements of subsection (e) are met.

(e) A statement or videotape described in subsection (d) is admissible in evidence in a criminal action listed in subsection (a) or (b) if, after notice to the defendant of a hearing and of the defendant's right to be present, all of the following conditions are met:

(1) The court finds, in a hearing:

(A) conducted outside the presence of the jury; and

(B) attended by the protected person in person or by using closed circuit television testimony as described in section 8(f) and 8(g) of this chapter;

that the time, content, and circumstances of the statement or videotape provide sufficient indications of reliability.

(2) The protected person:

(A) testifies at the trial; or

(B) is found by the court to be unavailable as a witness for one (1) of the following reasons:

(i) From the testimony of a psychiatrist, physician, or psychologist, and other evidence, if any, the court finds that the protected person's testifying in the physical presence of the defendant will cause the protected person to suffer serious emotional distress such that the protected person cannot reasonably communicate.

(ii) The protected person cannot participate in the trial for medical reasons.

(iii) The court has determined that the protected person is incapable of understanding the nature and obligation of an oath.

(f) If a protected person is unavailable to testify at the trial for a reason listed in subsection (e)(2)(B), a statement or videotape may be admitted in evidence under this section only if the protected person was available for cross-examination:

(1) at the hearing described in subsection (e)(1); or

(2) when the statement or videotape was made.

(g) A statement or videotape may not be admitted in evidence under this section unless the prosecuting attorney informs the defendant and the defendant's attorney at least ten (10) days before the trial of:

(1) the prosecuting attorney's intention to introduce the statement or videotape in evidence; and

(2) the content of the statement or videotape.

(h) If a statement or videotape is admitted in evidence under this section, the court shall instruct the jury that it is for the jury to determine the weight and credit to be given the statement or videotape and that, in making that determination, the jury shall consider the following:

(1) The mental and physical age of the person making the statement or videotape.

(2) The nature of the statement or videotape.

(3) The circumstances under which the statement or videotape was made.

(4) Other relevant factors.

(i) If a statement or videotape described in subsection (d) is admitted into evidence under this section, a defendant may introduce a:

(1) transcript; or

(2) videotape;

of the hearing held under subsection (e)(1) into evidence at trial.

SECTION 59. IC 35-37-4-8, AS AMENDED BY P.L.65-2016, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) This section applies to a criminal action under the following:

(1) Sex crimes (IC 35-42-4).

(2) A battery offense included in IC 35-42-2 upon a child less than fourteen (14) years of age.

(3) Kidnapping and confinement (IC 35-42-3).

(4) Incest (IC 35-46-1-3).

(5) Neglect of a dependent (IC 35-46-1-4).

(6) Human and sexual trafficking crimes (IC 35-42-3.5).

~~(7) An attempt under IC 35-41-5-1 for an offense listed in subdivisions (1) through (6).~~

(b) As used in this section, "protected person" has the meaning set forth in section 6 of this chapter.

(c) On the motion of the prosecuting attorney, the court may order that the testimony of a protected person be taken in a room other than the courtroom, and that the questioning of the protected person by the prosecution and the defense be transmitted using a two-way closed circuit television arrangement that:

(1) allows the protected person to see the accused and the trier of fact; and

(2) allows the accused and the trier of fact to see and hear the protected person.

(d) On the motion of the prosecuting attorney or the defendant, the court may order that the testimony of a protected person be videotaped for use at trial. The videotaping of the testimony of a protected person under this subsection must meet the requirements of subsection (c).

(e) The court may not make an order under subsection (c) or (d) unless:

(1) the testimony to be taken is the testimony of a protected person who:

(A) is the alleged victim of an offense listed in subsection (a) for which the defendant is being tried or is a witness in a trial for an offense listed in subsection (a); and

(B) is found by the court to be a protected person who should be permitted to testify outside the courtroom because:

(i) the court finds from the testimony of a

psychiatrist, physician, or psychologist and any other evidence that the protected person's testifying in the physical presence of the defendant would cause the protected person to suffer serious emotional harm and the court finds that the protected person could not reasonably communicate in the physical presence of the defendant to the trier of fact;

(ii) a physician has certified that the protected person cannot be present in the courtroom for medical reasons; or

(iii) evidence has been introduced concerning the effect of the protected person's testifying in the physical presence of the defendant, and the court finds that it is more likely than not that the protected person's testifying in the physical presence of the defendant creates a substantial likelihood of emotional or mental harm to the protected person;

(2) the prosecuting attorney has informed the defendant and the defendant's attorney of the intention to have the protected person testify outside the courtroom; and

(3) the prosecuting attorney informed the defendant and the defendant's attorney under subdivision (2) at least ten (10) days before the trial of the prosecuting attorney's intention to have the protected person testify outside the courtroom.

(f) If the court makes an order under subsection (c), only the following persons may be in the same room as the protected person during the protected person's testimony:

(1) A defense attorney if:

(A) the defendant is represented by the defense attorney; and

(B) the prosecuting attorney is also in the same room.

(2) The prosecuting attorney if:

(A) the defendant is represented by a defense attorney; and

(B) the defense attorney is also in the same room.

(3) Persons necessary to operate the closed circuit television equipment.

(4) Persons whose presence the court finds will contribute to the protected person's well-being.

(5) A court bailiff or court representative.

(g) If the court makes an order under subsection (d), only the following persons may be in the same room as the protected person during the protected person's videotaped testimony:

(1) The judge.

(2) The prosecuting attorney.

(3) The defendant's attorney (or the defendant, if the defendant is not represented by an attorney).

(4) Persons necessary to operate the electronic equipment.

(5) The court reporter.

(6) Persons whose presence the court finds will contribute to the protected person's well-being.

(7) The defendant, who can observe and hear the testimony of the protected person with the protected person being able to observe or hear the defendant. However, if the defendant is not represented by an attorney, the defendant may question the protected person.

(h) If the court makes an order under subsection (c) or (d), only the following persons may question the protected person:

(1) The prosecuting attorney.

(2) The defendant's attorney (or the defendant, if the defendant is not represented by an attorney).

(3) The judge.

SECTION 60. IC 35-38-1-7.5, AS AMENDED BY P.L.86-2018, SECTION 332, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7.5. (a) As used in this section, "sexually violent predator" means a person who suffers from a mental abnormality or personality disorder that makes the individual likely to repeatedly commit a sex offense (as defined in IC 11-8-8-5.2). The term includes a person convicted in another jurisdiction who is identified as a sexually violent predator under IC 11-8-8-20. The term does not include a person no longer considered a sexually violent predator under subsection (g).

(b) A person who:

(1) being at least eighteen (18) years of age, commits an offense described in:

(A) IC 35-42-4-1;

(B) IC 35-42-4-2 (before its repeal);

(C) IC 35-42-4-3 as a Class A or Class B felony (for a crime committed before July 1, 2014) or a Level 1, Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014);

(D) IC 35-42-4-5(a)(1);

(E) IC 35-42-4-5(a)(2);

(F) IC 35-42-4-5(a)(3) (before that provision was redesignated by P.L.158-2013, SECTION 441);

(G) IC 35-42-4-5(b)(1) as a Class A or Class B felony (for a crime committed before July 1, 2014) or Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014);

(H) IC 35-42-4-5(b)(2); **or**

(I) IC 35-42-4-5(b)(3) as a Class A or Class B felony (for a crime committed before July 1, 2014) or a Level 2, Level 3, or Level 4 felony (for a crime committed after June 30, 2014);

~~(J) an attempt or conspiracy to commit a crime listed in clauses (A) through (I); or~~

~~(K) a crime under the laws of another jurisdiction, including a military court, that is substantially equivalent to any of the offenses listed in clauses (A) through (J);~~

(2) commits a sex offense (as defined in IC 11-8-8-5.2) while having a previous unrelated conviction for a sex offense for which the person is required to register as a sex or violent offender under IC 11-8-8;

(3) commits a sex offense (as defined in IC 11-8-8-5.2) while having had a previous unrelated adjudication as a delinquent child for an act that would be a sex offense if committed by an adult, if, after considering expert testimony, a court finds by clear and convincing evidence that the person is likely to commit an additional sex offense; or

(4) commits a sex offense (as defined in IC 11-8-8-5.2) while having had a previous unrelated adjudication as a delinquent child for an act that would be a sex offense if

committed by an adult, if the person was required to register as a sex or violent offender under IC 11-8-8-5(b)(2);

is a sexually violent predator. Except as provided in subsection (g) or (h), a person is a sexually violent predator by operation of law if an offense committed by the person satisfies the conditions set forth in subdivision (1) or (2) and the person was released from incarceration, secure detention, probation, or parole for the offense after June 30, 1994.

(c) This section applies whenever a court sentences a person or a juvenile court issues a dispositional decree for a sex offense (as defined in IC 11-8-8-5.2) for which the person is required to register with the local law enforcement authority under IC 11-8-8.

(d) At the sentencing hearing, the court shall indicate on the record whether the person has been convicted of an offense that makes the person a sexually violent predator under subsection (b).

(e) If a person is not a sexually violent predator under subsection (b), the prosecuting attorney may request the court to conduct a hearing to determine whether the person (including a child adjudicated to be a delinquent child) is a sexually violent predator under subsection (a). If the court grants the motion, the court shall appoint two (2) psychologists or psychiatrists who have expertise in criminal behavioral disorders to evaluate the person and testify at the hearing. After conducting the hearing and considering the testimony of the two (2) psychologists or psychiatrists, the court shall determine whether the person is a sexually violent predator under subsection (a). A hearing conducted under this subsection may be combined with the person's sentencing hearing.

(f) If a person is a sexually violent predator:

(1) the person is required to register with the local law enforcement authority as provided in IC 11-8-8; and

(2) the court shall send notice to the department of correction.

(g) This subsection does not apply to a person who has two (2) or more unrelated convictions for an offense described in IC 11-8-8-4.5 for which the person is required to register under IC 11-8-8. A person who is a sexually violent predator may petition the court to consider whether the person should no longer be considered a sexually violent predator. The person may file a petition under this subsection not earlier than ten (10) years after:

(1) the sentencing court or juvenile court makes its determination under subsection (e); or

(2) the person is released from incarceration or secure detention.

A person may file a petition under this subsection not more than one (1) time per year. A court may dismiss a petition filed under this subsection or conduct a hearing to determine if the person should no longer be considered a sexually violent predator. If the court conducts a hearing, the court shall appoint two (2) psychologists or psychiatrists who have expertise in criminal behavioral disorders to evaluate the person and testify at the hearing. After conducting the hearing and considering the testimony of the two (2) psychologists or psychiatrists, the court shall determine whether the person should no longer be considered a sexually violent predator under subsection (a). If a court finds that the person should no longer be considered a sexually violent predator, the court shall send notice to the department of correction that the person is no longer considered a sexually violent predator or an offender against children. Notwithstanding any other law, a condition imposed on a person due to the person's status as a sexually violent predator, including lifetime parole or GPS monitoring, does not apply to a person no longer considered a sexually violent predator.

(h) A person is not a sexually violent predator by operation of law under subsection (b)(1) if all of the following conditions are met:

(1) The victim was not less than twelve (12) years of age at the time the offense was committed.

(2) The person is not more than four (4) years older than the victim.

(3) The relationship between the person and the victim was a dating relationship or an ongoing personal relationship. The term "ongoing personal relationship" does not include a family relationship.

(4) The offense committed by the person was not any of the following:

(A) Rape (IC 35-42-4-1).

(B) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).

(C) An offense committed by using or threatening the use of deadly force or while armed with a deadly weapon.

(D) An offense that results in serious bodily injury.

(E) An offense that is facilitated by furnishing the victim, without the victim's knowledge, with a drug (as defined in IC 16-42-19-2(1)) or a controlled substance (as defined in IC 35-48-1-9) or knowing that the victim was furnished with the drug or controlled substance without the victim's knowledge.

(5) The person has not committed another sex offense (as defined in IC 11-8-8-5.2) (including a delinquent act that would be a sex offense if committed by an adult) against any other person.

(6) The person did not have a position of authority or substantial influence over the victim.

(7) The court finds that the person should not be considered a sexually violent predator.

SECTION 61. IC 35-38-10-1, AS ADDED BY P.L.86-2017, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. As used in this chapter, "trafficked person" means a person who was the victim of human trafficking (IC 35-42-3.5), ~~or a substantially similar human trafficking offense committed in another jurisdiction,~~ regardless of whether the person who committed the human trafficking offense was charged, tried, or convicted.

SECTION 62. IC 35-40-14-1, AS ADDED BY P.L.137-2009, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. As used in this chapter, "identity theft" means:

(1) identity deception (IC 35-43-5-3.5); **or**

(2) synthetic identity deception (IC 35-43-5-3.8). ~~or~~

~~(3) a substantially similar crime committed in another jurisdiction.~~

SECTION 63. IC 35-42-2-1, AS AMENDED BY P.L.80-2018, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) As used in this section, "public safety official" means:

(1) a law enforcement officer, including an alcoholic beverage enforcement officer;

(2) an employee of a penal facility or a juvenile detention facility (as defined in IC 31-9-2-71);

(3) an employee of the department of correction;

(4) a probation officer;

(5) a parole officer;

(6) a community corrections worker;

(7) a home detention officer;

(8) a department of child services employee;

(9) a firefighter;

(10) an emergency medical services provider;

(11) a judicial officer;

(12) a bailiff of any court; or

(13) a special deputy (as described in IC 36-8-10-10.6).

(b) As used in this section, "relative" means an individual related by blood, half-blood, adoption, marriage, or remarriage, including:

(1) a spouse;

(2) a parent or stepparent;

(3) a child or stepchild;

(4) a grandchild or stepgrandchild;

(5) a grandparent or stepgrandparent;

(6) a brother, sister, stepbrother, or stepsister;

(7) a niece or nephew;

(8) an aunt or uncle;

(9) a daughter-in-law or son-in-law;

(10) a mother-in-law or father-in-law; or

(11) a first cousin.

(c) Except as provided in subsections (d) through (k), a person who knowingly or intentionally:

(1) touches another person in a rude, insolent, or angry manner; or

(2) in a rude, insolent, or angry manner places any bodily fluid or waste on another person;

commits battery, a Class B misdemeanor.

(d) The offense described in subsection (c)(1) or (c)(2) is a Class A misdemeanor if it:

(1) results in bodily injury to any other person; or

(2) is committed against a member of a foster family home (as defined in IC 35-31.5-2-139.3) by a person who is not a resident of the foster family home if the person who committed the offense is a relative of a person who lived in the foster family home at the time of the offense.

(e) The offense described in subsection (c)(1) or (c)(2) is a Level 6 felony if one (1) or more of the following apply:

(1) The offense results in moderate bodily injury to any other person.

(2) The offense is committed against a public safety official while the official is engaged in the official's official duty.

(3) The offense is committed against a person less than fourteen (14) years of age and is committed by a person at least eighteen (18) years of age.

(4) The offense is committed against a person of any age who has a mental or physical disability and is committed by a person having the care of the person with the mental or physical disability, whether the care is assumed voluntarily or because of a legal obligation.

(5) The offense is committed against an endangered adult (as defined in IC 12-10-3-2).

(6) The offense:

(A) is committed against a member of a foster family home (as defined in IC 35-31.5-2-139.3) by a person who is not a resident of the foster family home if the person who committed the offense is a relative of a person who lived in the foster family home at the time of the offense; and

(B) results in bodily injury to the member of the foster family.

(f) The offense described in subsection (c)(2) is a Level 6 felony if the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus.

(g) The offense described in subsection (c)(1) or (c)(2) is a Level 5 felony if one (1) or more of the following apply:

(1) The offense results in serious bodily injury to another person.

(2) The offense is committed with a deadly weapon.

(3) The offense results in bodily injury to a pregnant woman if the person knew of the pregnancy.

(4) The person has a previous conviction for a battery offense

~~(A)~~ included in this chapter against the same victim. ~~or (B) against the same victim in any other jurisdiction, including a military court, in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a battery offense included in this chapter.~~

(5) The offense results in bodily injury to one (1) or more of the following:

(A) A public safety official while the official is engaged in the official's official duties.

(B) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(C) A person who has a mental or physical disability if the offense is committed by an individual having care of the person with the disability, regardless of whether the care is assumed voluntarily or because of a legal obligation.

(D) An endangered adult (as defined in IC 12-10-3-2).

(h) The offense described in subsection (c)(2) is a Level 5 felony if:

(1) the person knew or recklessly failed to know that the bodily fluid or waste placed on another person was infected with hepatitis, tuberculosis, or human immunodeficiency virus; and

(2) the person placed the bodily fluid or waste on a public safety official.

(i) The offense described in subsection (c)(1) or (c)(2) is a Level 4 felony if it results in serious bodily injury to an endangered adult (as defined in IC 12-10-3-2).

(j) The offense described in subsection (c)(1) or (c)(2) is a Level 3 felony if it results in serious bodily injury to a person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(k) The offense described in subsection (c)(1) or (c)(2) is a Level 2 felony if it results in the death of one (1) or more of the following:

(1) A person less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(2) An endangered adult (as defined in IC 12-10-3-2).

SECTION 64. IC 35-42-2-1.3, AS AMENDED BY P.L.40-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.3. (a) Except as provided in subsections (b) through (f), a person who knowingly or intentionally:

(1) touches a family or household member in a rude, insolent, or angry manner; or

(2) in a rude, insolent, or angry manner places any bodily fluid or waste on a family or household member;

commits domestic battery, a Class A misdemeanor.

(b) The offense under subsection (a)(1) or (a)(2) is a Level 6 felony if one (1) or more of the following apply:

(1) The person who committed the offense has a previous, unrelated conviction:

(A) for a battery offense included in this chapter; **or**

(B) for a strangulation offense under IC 35-42-2-9. ~~or~~

~~(C) in any other jurisdiction, including a military court, in which the elements of the crime for which the conviction was entered are substantially similar to the elements of:~~

~~(i) a battery offense included in this chapter; or~~

~~(ii) a strangulation offense under IC 35-42-2-9.~~

(2) The person who committed the offense is at least eighteen (18) years of age and committed the offense against a family or household member in the physical presence of a child less than sixteen (16) years of age, knowing that the child was present and might be able to see or hear the offense.

(3) The offense results in moderate bodily injury to a family or household member.

(4) The offense is committed against a family or household member who is less than fourteen (14) years of age and is committed by a person at least eighteen (18) years of age.

(5) The offense is committed against a family or household member of any age who has a mental or physical disability and is committed by a person having the care of the family or household member with the mental or physical disability, whether the care is assumed voluntarily or because of a legal obligation.

(6) The offense is committed against a family or household member who is an endangered adult (as defined in IC 12-10-3-2).

(c) The offense described in subsection (a)(1) or (a)(2) is a Level 5 felony if one (1) or more of the following apply:

(1) The offense results in serious bodily injury to a family or household member.

(2) The offense is committed with a deadly weapon against a family or household member.

(3) The offense results in bodily injury to a pregnant family or household member if the person knew of the pregnancy.

(4) The person has a previous conviction for a battery offense

~~(A)~~ included in this chapter against the same family or household member. ~~or~~

~~(B) against the same family or household member in any other jurisdiction, including a military court, in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a battery offense included in this chapter.~~

(5) The offense results in bodily injury to one (1) or more of the following:

(A) A family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(B) A family or household member who has a mental or physical disability if the offense is committed by an individual having care of the family or household member with the disability, regardless of whether the care is assumed voluntarily or because of a legal obligation.

(C) A family or household member who is an endangered adult (as defined in IC 12-10-3-2).

(d) The offense described in subsection (a)(1) or (a)(2) is a Level 4 felony if it results in serious bodily injury to a family or household member who is an endangered adult (as defined in IC 12-10-3-2).

(e) The offense described in subsection (a)(1) or (a)(2) is a Level 3 felony if it results in serious bodily injury to a family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(f) The offense described in subsection (a)(1) or (a)(2) is a Level 2 felony if it results in the death of one (1) or more of the following:

(1) A family or household member who is less than fourteen (14) years of age if the offense is committed by a person at least eighteen (18) years of age.

(2) A family or household member who is an endangered adult (as defined in IC 12-10-3-2).

SECTION 65. IC 35-42-2-9, AS AMENDED BY P.L.40-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) This section does not apply to a medical procedure.

(b) As used in this section, "torso" means any part of the upper body from the collarbone to the hips.

(c) A person who, in a rude, angry, or insolent manner, knowingly or intentionally:

(1) applies pressure to the throat or neck of another person;

(2) obstructs the nose or mouth of the another person; or

(3) applies pressure to the torso of another person;

in a manner that impedes the normal breathing or the blood circulation of the other person commits strangulation, a Level 6 felony.

(d) However, the offense under subsection (c) is a Level 5 felony if:

(1) the offense is committed by a person:

(A) against a pregnant woman; and

(B) who knew the victim was pregnant at the time of the offense; **or**

(2) the person has a prior unrelated conviction under this section. ~~or~~

~~(3) the person has a prior unrelated conviction in any jurisdiction, including a military court, in which the elements of the crime for which the conviction was entered are substantially similar to the elements set forth in this section.~~

SECTION 66. IC 35-42-4-11, AS AMENDED BY P.L.220-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. (a) As used in this section, and except as provided in subsection (d), "offender against children" means a person required to register as a sex or violent offender under IC 11-8-8 who has been:

(1) found to be a sexually violent predator under IC 35-38-1-7.5; or

(2) convicted of one (1) or more of the following offenses:

(A) Child molesting (IC 35-42-4-3).

(B) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).

(C) Child solicitation (IC 35-42-4-6).

(D) Child seduction (IC 35-42-4-7).

(E) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age, and the person is not the child's parent or guardian.

~~(F) Attempt to commit or conspiracy to commit an offense listed in clauses (A) through (E).~~

~~(G) An offense in another jurisdiction that is substantially similar to an offense described in clauses (A) through (F).~~

A person is an offender against children by operation of law if the person meets the conditions described in subdivision (1) or (2) at any time.

(b) As used in this section, "reside" means to spend more than three (3) nights in:

(1) a residence; or

(2) if the person does not reside in a residence, a particular location;

in any thirty (30) day period.

(c) An offender against children who knowingly or intentionally:

(1) resides within one thousand (1,000) feet of:

(A) school property, not including property of an institution providing post-secondary education;

(B) a youth program center;

(C) a public park; or

(D) a day care center licensed under IC 12-17.2;

(2) establishes a residence within one (1) mile of the residence of the victim of the offender's sex offense; or

(3) resides in a residence where a child care provider (as defined by IC 31-33-26-1) provides child care services;

commits a sex offender residency offense, a Level 6 felony.

(d) This subsection does not apply to an offender against children who has two (2) or more unrelated convictions for an offense described in subsection (a). A person who is an offender against children may petition the court to consider whether the person should no longer be considered an offender against children. The person may file a petition under this subsection not earlier than ten (10) years after the person is released from incarceration or parole, whichever occurs last (or, if the person is not incarcerated, not earlier than ten (10) years after the person is released from probation). A person may file a petition under this subsection not more than one (1) time per year. A court may dismiss a petition filed under this subsection or conduct a hearing to determine if the person should no longer be considered an offender against children. If the court conducts a hearing, the court shall appoint two (2) psychologists or psychiatrists who have expertise in criminal behavioral disorders to evaluate the person and testify at the hearing. After conducting the hearing and considering the testimony of the two (2) psychologists or psychiatrists, the court shall determine whether the person should no longer be considered an offender against children. If a court finds that the person should no longer be considered an offender against children, the court shall send notice to the department of correction that the person is no longer considered an offender against children.

SECTION 67. IC 35-42-4-14, AS AMENDED BY P.L.87-2018, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) As used in this section, "serious sex offender" means a person required to register as a sex offender under IC 11-8-8 who is:

(1) found to be a sexually violent predator under IC 35-38-1-7.5; or

(2) convicted of one (1) or more of the following offenses:

(A) Child molesting (IC 35-42-4-3).

(B) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).

(C) Possession of child pornography (IC 35-42-4-4(d) or IC 35-42-4-4(e)).

(D) Vicarious sexual gratification (IC 35-42-4-5(a) and IC 35-42-4-5(b)).

(E) Performing sexual conduct in the presence of a minor (IC 35-42-4-5(c)).

(F) Child solicitation (IC 35-42-4-6).

(G) Child seduction (IC 35-42-4-7).

(H) Sexual misconduct with a minor (IC 35-42-4-9).

~~(I) A conspiracy or an attempt to commit an offense described in clauses (A) through (H).~~

~~(J) An offense in another jurisdiction that is substantially similar to an offense described in clauses (A) through (I).~~

(b) A serious sex offender who knowingly or intentionally enters school property commits unlawful entry by a serious sex offender, a Level 6 felony.

(c) It is a defense to a prosecution under subsection (b) that:

(1) a religious institution or house of worship is located on the school property; and

(2) the person:

(A) enters the school property or other entity described in IC 35-31.5-2-285(1)(A) through IC 35-31.5-2-285(1)(D) when classes, extracurricular activities, or any other school activities are not being held:

(i) for the sole purpose of attending worship services or receiving religious instruction; and

(ii) not earlier than thirty (30) minutes before the beginning of the worship services or religious instruction; and

(B) leaves the school property not later than thirty (30) minutes after the conclusion of the worship services or religious instruction.

SECTION 68. IC 35-43-2-2.1 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.1. (a) A person who, with the intent to commit theft under section 2 of this chapter:**

(1) agrees with at least two (2) other persons to commit theft; and

(2) performs an overt act in furtherance of the agreement;

commits organized theft, a Level 6 felony.

(b) It is not a defense to a prosecution under this section that one (1) or more persons with whom the accused person is alleged to have agreed:

(1) has not been prosecuted;

(2) has not been convicted;

(3) has been acquitted;

(4) has been convicted of a different crime;

(5) cannot be prosecuted for any reason; or

(6) lacked the capacity to commit the crime.

(c) A person may not be convicted of an offense under this section and:

(1) an attempt to commit theft; or

(2) a conspiracy to commit theft;

with respect to the same underlying theft.

SECTION 69. IC 35-43-6-13, AS AMENDED BY P.L.238-2015, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 13. (a) The offense in section 12(a) of this chapter is a Class A misdemeanor:

(1) in the case of an offense under section 12(a)(1) through 12(a)(4) of this chapter or section 12(a)(6) through 12(a)(9) of this chapter, if the home improvement contract price is one thousand dollars ($1,000) or more;

(2) for the second or subsequent offense under this chapter; ~~or in another jurisdiction for an offense that is substantially similar to another offense described in this chapter;~~

(3) if two (2) or more home improvement contracts exceed an aggregate amount of one thousand dollars ($1,000) and are entered into with the same consumer by one (1) or more suppliers as part of or in furtherance of a common fraudulent scheme, design, or intention; or

(4) if, in a violation of section 12(a)(5) of this chapter, the home improvement contract price is at least seven thousand dollars ($7,000), but less than ten thousand dollars ($10,000).

(b) The offense in section 12 of this chapter is a Level 6 felony:

(1) if, in a violation of section 12(a)(5) of this chapter, the home improvement contract price is at least ten thousand dollars ($10,000);

(2) if, in a violation of:

(A) section 12(a)(1) through 12(a)(5); or

(B) section 12(a)(7) through 12(a)(9);

of this chapter, the consumer is at least sixty (60) years of age and the home improvement contract price is less than ten thousand dollars ($10,000);

(3) if, in a violation of section 12(b) of this chapter, the consumer is at least sixty (60) years of age; or

(4) if the home improvement supplier violates more than one (1) subdivision of section 12(a) of this chapter.

(c) The offense in section 12(a) of this chapter is a Level 5 felony:

(1) if, in a violation of:

(A) section 12(a)(1) through 12(a)(5); or

(B) section 12(a)(7) through 12(a)(9);

of this chapter, the consumer is at least sixty (60) years of age and the home improvement contract price is at least ten thousand dollars ($10,000); or

(2) if, in a violation of:

(A) section 12(a)(1) through 12(a)(4); or

(B) section 12(a)(7) through 12(a)(9);

of this chapter, the consumer is at least sixty (60) years of age, and two (2) or more home improvement contracts exceed an aggregate amount of one thousand dollars ($1,000) and are entered into with the same consumer by one (1) or more suppliers as part of or in furtherance of a common fraudulent scheme, design, or intention.

SECTION 70. IC 35-44.1-2-3, AS AMENDED BY P.L.107-2016, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) As used in this section, "consumer product" has the meaning set forth in IC 35-45-8-1.

(b) As used in this section, "misconduct" means a violation of a departmental rule or procedure of a law enforcement agency.

(c) A person who reports, by telephone, telegraph, mail, or other written or oral communication, that:

(1) the person or another person has placed or intends to place an explosive, a destructive device, or other destructive substance in a building or transportation facility;

(2) there has been or there will be tampering with a consumer product introduced into commerce; or

(3) there has been or will be placed or introduced a weapon of mass destruction in a building or a place of assembly;

knowing the report to be false, commits false reporting, a Level 6 felony.

(d) A person who:

(1) gives a false report of the commission of a crime or gives false information in the official investigation of the

commission of a crime, knowing the report or information to be false;

(2) gives a false alarm of fire to the fire department of a governmental entity, knowing the alarm to be false;

(3) makes a false request for ambulance service to an ambulance service provider, knowing the request to be false;

(4) gives a false report concerning a missing child (as defined in IC 10-13-5-4) or missing endangered adult (as defined in IC 12-7-2-131.3) or gives false information in the official investigation of a missing child or missing endangered adult knowing the report or information to be false;

(5) makes a complaint against a law enforcement officer to the state or municipality (as defined in IC 8-1-13-3(b)) that employs the officer:

(A) alleging the officer engaged in misconduct while performing the officer's duties; and

(B) knowing the complaint to be false;

(6) makes a false report of a missing person, knowing the report or information is false; ~~or~~

(7) gives a false report of actions, behavior, or conditions concerning:

(A) a septic tank soil absorption system under IC 8-1-2-125 or IC 13-26-5-2.5; or

(B) a septic tank soil absorption system or constructed wetland septic system under IC 36-9-23-30.1;

knowing the report or information to be false; **or**

(8) makes a false report that a person is dangerous (as defined in IC 35-47-14-1) knowing the report or information to be false;

commits false informing, a Class B misdemeanor. However, the offense is a Class A misdemeanor if it substantially hinders any law enforcement process or if it results in harm to another person.

SECTION 71. IC 35-45-4-1, AS AMENDED BY P.L.158-2013, SECTION 524, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) A person who knowingly or intentionally, in a public place:

(1) engages in sexual intercourse;

(2) engages in other sexual conduct (as defined in IC 35-31.5-2-221.5);

(3) appears in a state of nudity with the intent to arouse the sexual desires of the person or another person; or

(4) fondles the person's genitals or the genitals of another person;

commits public indecency, a Class A misdemeanor.

(b) A person at least eighteen (18) years of age who knowingly or intentionally, in a public place, appears in a state of nudity with the intent to be seen by a child less than sixteen (16) years of age commits public indecency, a Class A misdemeanor.

(c) However, the offense under subsection (a) or (b) is a Level 6 felony if the person who commits the offense has a prior unrelated conviction

~~(1)~~ under subsection (a) or (b). ~~or~~

~~(2) in another jurisdiction, including a military court, that is substantially equivalent to an offense described in subsection (a) or (b).~~

(d) As used in this section, "nudity" means the showing of the human male or female genitals, pubic area, or buttocks with less than a fully opaque covering, the showing of the female breast with less than a fully opaque covering of any part of the nipple, or the showing of covered male genitals in a discernibly turgid state.

(e) A person who, in a place other than a public place, with the intent to be seen by persons other than invitees and occupants of that place:

(1) engages in sexual intercourse;

(2) engages in other sexual conduct (as defined in IC 35-31.5-2-221.5);

(3) fondles the person's genitals or the genitals of another person; or

(4) appears in a state of nudity;

where the person can be seen by persons other than invitees and occupants of that place commits indecent exposure, a Class C misdemeanor.

SECTION 72. IC 35-45-4-5, AS AMENDED BY P.L.107-2017, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) The following definitions apply throughout this section:

(1) "Camera" means a camera, a video camera, a device that captures a digital image, or any other type of video recording device.

(2) "Peep" means any looking of a clandestine, surreptitious, prying, or secretive nature.

(3) "Private area" means the naked or undergarment clad genitals, pubic area, or buttocks of an individual.

(b) A person:

(1) who knowingly or intentionally:

(A) peeps; or

(B) goes upon the land of another with the intent to peep;

into an occupied dwelling of another person; or

(2) who knowingly or intentionally peeps into an area where an occupant of the area reasonably can be expected to disrobe, including:

(A) restrooms;

(B) baths;

(C) showers; and

(D) dressing rooms;

without the consent of the other person, commits voyeurism, a Class B misdemeanor.

(c) However, the offense under subsection (b) is a Level 6 felony if:

(1) it is knowingly or intentionally committed by means of a camera; or

(2) the person who commits the offense has a prior unrelated conviction

~~(A)~~ under this section. ~~or~~

~~(B) in another jurisdiction, including a military court, for an offense that is substantially similar to an offense described in this section.~~

(d) A person who:

(1) without the consent of the individual; and

(2) with intent to peep at the private area of an individual; peeps at the private area of an individual and records an image by means of a camera commits public voyeurism, a Class A misdemeanor.

(e) The offense under subsection (d) is a Level 6 felony if the person has a prior unrelated conviction under this section ~~or in another jurisdiction, including a military court, for an offense that is substantially similar to an offense described in this section,~~ or if the person:

(1) publishes the image;

(2) makes the image available on the Internet; or

(3) transmits or disseminates the image to another person.

(f) It is a defense to a prosecution under subsection (d) that the individual deliberately exposed the individual's private area.

(g) A person who, with the intent to peep, operates an unmanned aerial vehicle in a manner that is intended to cause the unmanned aerial vehicle to enter the space above or surrounding another person's occupied dwelling for the purpose of capturing images, photographs, video recordings, or audio recordings of the other person while the other person is:

(1) within the other person's occupied dwelling; or

(2) on the land or premises:

(A) on which the other person's occupied dwelling is located; and

(B) in a location that is not visible from an area:

(i) open to the general public; or

(ii) where a member of the general public has the right to be;

commits remote aerial voyeurism, a Class A misdemeanor.

(h) The offense under subsection (g) is a Level 6 felony if the person has a prior unrelated conviction under this section ~~or in another jurisdiction, including a military court, for an offense that is substantially similar to an offense described in this section,~~ or if the person:

(1) publishes the images, photographs, or recordings captured;

(2) makes the images, photographs, or recordings captured available on the Internet; or

(3) transmits or disseminates the images, photographs, or recordings captured to another person.

SECTION 73. IC 35-47-2-18, AS AMENDED BY P.L.158-2013, SECTION 582, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. (a) No person shall:

~~(1) change, alter, remove, or obliterate the name of the maker, model, manufacturer's serial number, or other mark of identification on any handgun; or~~

~~(2) possess any handgun on which the name of the maker, model, manufacturer's serial number, or other mark of identification has been changed, altered, removed, or obliterated;~~

~~except as provided by applicable United States statute.~~

(1) remove, obliterate, or alter the importer or manufacturer's serial number on any firearm; or

(2) possess any firearm on which the importer or manufacturer's serial number has been removed, obliterated, or altered.

(b) A person who knowingly or intentionally violates this section commits a Level 5 felony.

SECTION 74. IC 35-47-4-5, AS AMENDED BY P.L.198-2018, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. (a) As used in this section, "serious violent felon" means a person who has been convicted of

~~(1)~~ committing a serious violent felony. ~~in:~~

~~(A) Indiana; or~~

~~(B) any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of a serious violent felony; or~~

~~(2) attempting to commit or conspiring to commit a serious violent felony in:~~

~~(A) Indiana as provided under IC 35-41-5-1 or IC 35-41-5-2; or~~

~~(B) any other jurisdiction in which the elements of the crime for which the conviction was entered are substantially similar to the elements of attempting to commit or conspiring to commit a serious violent felony.~~

(b) As used in this section, "serious violent felony" means:

(1) murder (IC 35-42-1-1);

(2) voluntary manslaughter (IC 35-42-1-3);

(3) reckless homicide not committed by means of a vehicle (IC 35-42-1-5);

(4) battery (IC 35-42-2-1) as a:

(A) Class A felony, Class B felony, or Class C felony, for a crime committed before July 1, 2014; or

(B) Level 2 felony, Level 3 felony, Level 4 felony, or Level 5 felony, for a crime committed after June 30, 2014;

(5) domestic battery (IC 35-42-2-1.3) as a Level 2 felony, Level 3 felony, Level 4 felony, or Level 5 felony;

(6) aggravated battery (IC 35-42-2-1.5);

(7) kidnapping (IC 35-42-3-2);

(8) criminal confinement (IC 35-42-3-3);

(9) rape (IC 35-42-4-1);

(10) criminal deviate conduct (IC 35-42-4-2) (before its repeal);

(11) child molesting (IC 35-42-4-3);

(12) sexual battery (IC 35-42-4-8) as a:

(A) Class C felony, for a crime committed before July 1, 2014; or

(B) Level 5 felony, for a crime committed after June 30, 2014;

(13) robbery (IC 35-42-5-1);

(14) carjacking (IC 5-42-5-2) (before its repeal);

(15) arson (IC 35-43-1-1(a)) as a:

(A) Class A felony or Class B felony, for a crime committed before July 1, 2014; or

(B) Level 2 felony, Level 3 felony, or Level 4 felony, for a crime committed after June 30, 2014;

(16) burglary (IC 35-43-2-1) as a:

(A) Class A felony or Class B felony, for a crime committed before July 1, 2014; or

(B) Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony, for a crime committed after June 30,

2014;

(17) assisting a criminal (IC 35-44.1-2-5) as a:

(A) Class C felony, for a crime committed before July 1, 2014; or

(B) Level 5 felony, for a crime committed after June 30, 2014;

(18) resisting law enforcement (IC 35-44.1-3-1) as a:

(A) Class B felony or Class C felony, for a crime committed before July 1, 2014; or

(B) Level 2 felony, Level 3 felony, or Level 5 felony, for a crime committed after June 30, 2014;

(19) escape (IC 35-44.1-3-4) as a:

(A) Class B felony or Class C felony, for a crime committed before July 1, 2014; or

(B) Level 4 felony or Level 5 felony, for a crime committed after June 30, 2014;

(20) trafficking with an inmate (IC 35-44.1-3-5) as a:

(A) Class C felony, for a crime committed before July 1, 2014; or

(B) Level 5 felony, for a crime committed after June 30, 2014;

(21) criminal organization intimidation (IC 35-45-9-4);

(22) stalking (IC 35-45-10-5) as a:

(A) Class B felony or Class C felony, for a crime committed before July 1, 2014; or

(B) Level 4 felony or Level 5 felony, for a crime committed after June 30, 2014;

(23) incest (IC 35-46-1-3);

(24) dealing in or manufacturing cocaine or a narcotic drug (IC 35-48-4-1);

(25) dealing in methamphetamine (IC 35-48-4-1.1) or manufacturing methamphetamine (IC 35-48-4-1.2);

(26) dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2);

(27) dealing in a schedule IV controlled substance (IC 35-48-4-3);

(28) dealing in a schedule V controlled substance (IC 35-48-4-4); or

(29) dealing in a controlled substance resulting in death (IC 35-42-1-1.5).

(c) A serious violent felon who knowingly or intentionally possesses a firearm commits unlawful possession of a firearm by a serious violent felon, a Level 4 felony.

SECTION 75. IC 35-47-4-9 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9. (a) As used in this section, "serious violent felony" has the meaning set forth in section 5 of this chapter.**

(b) A person who:

(1) has been adjudicated a delinquent child for committing an act while armed with a firearm that would be a serious violent felony if committed by an adult;

(2) is less than:

(A) twenty-six (26) years of age, if the delinquent act, if committed by an adult, would have been a:

(i) Level 6 felony;

(ii) Level 5 felony;

(iii) Level 4 felony; or

(iv) Level 3 felony; or

(B) twenty-eight (28) years of age, if the delinquent act, if committed by an adult, would have been:

(i) a Level 2 felony;

(ii) a Level 1 felony; or

(iii) murder; and

(3) knowingly or intentionally possesses a firearm; commits unlawful possession of a firearm by a dangerous person, a Level 6 felony. However, the offense is a Level 5 felony if the person has a prior unrelated conviction under this section.

SECTION 76. IC 35-47-14-2, AS AMENDED BY P.L.289-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) A circuit or superior court may issue a warrant to search for and seize a firearm in the possession of an individual who is dangerous if:

(1) a law enforcement officer provides the court a sworn affidavit that:

(A) states why the law enforcement officer believes that the individual is dangerous and in possession of a firearm; and

(B) describes the law enforcement officer's interactions and conversations with:

(i) the individual who is alleged to be dangerous; or

(ii) another individual, if the law enforcement officer believes that information obtained from this individual is credible and reliable;

that have led the law enforcement officer to believe that the individual is dangerous and in possession of a firearm;

(2) the affidavit specifically describes the location of the firearm; and

(3) the circuit or superior court determines that probable cause exists to believe that the individual is:

(A) dangerous; and

(B) in possession of a firearm.

(b) A law enforcement agency responsible for the seizure of the firearm under this section shall file a search warrant return with the court setting forth the:

(1) quantity; and

(2) type;

of each firearm seized from an individual under this section. **Beginning July 1, 2021, the court shall provide information described under this subsection to the office of judicial administration in a manner required by the office.**

SECTION 77. IC 35-47-14-3, AS AMENDED BY P.L.289-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) If a law enforcement officer seizes a firearm from an individual whom the law enforcement officer believes to be dangerous without obtaining a warrant, the law enforcement officer shall submit to the circuit or superior court having jurisdiction over the individual believed to be dangerous an affidavit describing the basis for the law enforcement officer's belief that the individual is dangerous.

(b) An affidavit described in subsection (a) shall:

(1) set forth the quantity and type of each firearm

seized from the individual under this section; and

(2) be submitted to a circuit or superior court having jurisdiction over the individual believed to be dangerous not later than forty-eight (48) hours after the seizure of the firearm.

(c) The court shall review the affidavit described in subsection (a) as soon as possible.

(d) If the court finds that probable cause exists to believe that the individual is dangerous, the court shall order the law enforcement agency having custody of the firearm to retain the firearm. **Beginning July 1, 2021, the court shall provide information described under this subsection and subsection (b)(1) to the office of judicial administration in a manner required by the office.**

~~(e) A law enforcement agency responsible for the seizure of the firearm under this section shall file a search warrant return with the court setting forth the:~~

~~(1) quantity; and~~

~~(2) type;~~

~~of each firearm seized from an individual under this section.~~

~~(f)~~ **(e)** If the court finds that there is no probable cause to believe that the individual is dangerous, the court shall order the law enforcement agency having custody of the firearm to return the firearm to the individual as quickly as practicable, but not later than five (5) days after the date of the order.

SECTION 78. IC 35-47-14-6, AS AMENDED BY P.L.289-2019, SECTION 11, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) The court shall conduct a hearing as required under this chapter.

(b) The state has the burden of proving all material facts by clear and convincing evidence.

(c) If the court determines that the state has proved by clear and convincing evidence that the individual is dangerous, the court shall issue a written order:

(1) finding the individual is dangerous (as defined in section 1 of this chapter);

(2) ordering the law enforcement agency having custody of the seized firearm to retain the firearm;

(3) ordering the individual's license to carry a handgun, if applicable, suspended; and

(4) enjoining the individual from:

(A) renting;

(B) receiving transfer of;

(C) owning; or

(D) possessing;

a firearm; and

determine whether the individual should be referred to further proceedings to consider whether the individual should be involuntarily detained or committed under IC 12-26-6-2(a)(2)(B).

(d) If the court finds that the individual is dangerous under subsection (c), the clerk shall transmit the order of the court to the office of judicial administration:

(1) for transmission to NICS (as defined in IC 35-47-2.5-2.5); **and**

(2) beginning July 1, 2021, for the collection of certain data related to the confiscation and retention of firearms taken from dangerous individuals;

in accordance with IC 33-24-6-3.

(e) If the court orders a law enforcement agency to retain a firearm, the law enforcement agency shall retain the firearm until the court orders the firearm returned or otherwise disposed of.

(f) If the court determines that the state has failed to prove by clear and convincing evidence that the individual is dangerous, the court shall issue a written order that:

(1) the individual is not dangerous (as defined in section 1 of this chapter); and

(2) the law enforcement agency having custody of the firearm shall return the firearm as quickly as practicable, but not later than five (5) days after the date of the order, to the individual from whom it was seized.

SECTION 79. IC 35-47-14-8, AS AMENDED BY P.L.289-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. (a) At least one hundred eighty (180) days after the date on which a court orders a law enforcement agency to retain an individual's firearm under section 6(c) of this chapter, the individual may petition the court for a finding that the individual is no longer dangerous.

(b) Upon receipt of a petition described in subsection (a), the court shall:

(1) enter an order setting a date for a hearing on the petition; and

(2) inform the prosecuting attorney of the date, time, and location of the hearing.

(c) The prosecuting attorney shall represent the state at the hearing on a petition under this section.

(d) In a hearing on a petition under this section, the individual may be represented by an attorney.

(e) In a hearing on a petition under this section filed:

(1) not later than one (1) year after the date of the order issued under section 6(c) of this chapter, the individual must prove by a preponderance of the evidence that the individual is no longer dangerous; and

(2) later than one (1) year after the date of the order issued under section 6(c) of this chapter, the state must prove by clear and convincing evidence that the individual is still dangerous.

(f) If, upon the completion of the hearing and consideration of the record, the court finds that the individual is no longer dangerous, the court shall:

(1) issue a court order that finds that the individual is no longer dangerous;

(2) order the law enforcement agency having custody of any firearm to return the firearm as quickly as practicable, but not later than five (5) days after the date of the order, to the individual;

(3) terminate any injunction issued under section 6 of this chapter; and

(4) terminate the suspension of the individual's license to carry a handgun so that the individual may reapply for a license.

(g) If the court denies an individual's petition under this section, the individual may not file a subsequent petition until at least one hundred eighty (180) days after the date on which the court denied the petition.

(h) If a court issues an order described under subsection (f), the court's order shall be transmitted, as soon as practicable, to the office of judicial administration for transmission to the NICS (as defined in IC 35-47-2.5-2.5) **and, beginning July 1, 2021, for the collection of certain data related to the confiscation and retention of firearms taken from dangerous individuals** in accordance with IC 33-24-6-3.

SECTION 80. IC 35-48-1-16.5, AS AMENDED BY P.L.182-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16.5. "Enhancing circumstance" means one (1) or more of the following:

(1) The person has a prior conviction ~~in any jurisdiction,~~ for dealing in a controlled substance that is not marijuana, hashish, hash oil, or salvia divinorum. ~~including an attempt or conspiracy to commit the offense.~~

(2) The person committed the offense while in possession of a firearm.

(3) The person committed the offense:

(A) on a school bus; or

(B) in, on, or within five hundred (500) feet of:

(i) school property while a person under eighteen (18) years of age was reasonably expected to be present; or

(ii) a public park while a person under eighteen (18) years of age was reasonably expected to be present.

(4) The person delivered or financed the delivery of the drug to a person under eighteen (18) years of age at least three (3) years junior to the person.

(5) The person manufactured or financed the manufacture of the drug.

(6) The person committed the offense in the physical presence of a child less than eighteen (18) years of age, knowing that the child was present and might be able to see or hear the offense.

(7) The person committed the offense on the property of a:

(A) penal facility; or

(B) juvenile facility (as defined in IC 35-44.1-3-5).

(8) The person knowingly committed the offense in, on, or within one hundred (100) feet of a facility. For purposes of this subdivision, "facility" means a place that is:

(A) created and funded under IC 12-23-14 or IC 33-23-16;

(B) certified under IC 12-23-1-6; or

(C) used for the purpose of conducting a recovery or support group meeting;

and at which a drug abuser (as defined in IC 12-7-2-73) may be provided with treatment, care, or rehabilitation.

SECTION 81. IC 35-48-4-10.1, AS ADDED BY P.L.190-2019, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10.1. (a) A person who:

(1) knowingly or intentionally:

(A) manufactures;

(B) finances the manufacture of;

(C) delivers;

(D) finances the delivery of; or

(E) possesses;

smokable hemp; or

(2) possesses smokable hemp with intent to:

(A) manufacture;

(B) finance the manufacture of;

(C) deliver; or

(D) finance the delivery of;

smokable hemp;

commits dealing in smokable hemp, a Class A misdemeanor.

(b) Subsection (a)(1)(B), (a)(1)(D), (a)(2)(B), and (a)(2)(D) do not apply to:

(1) a financial institution organized or reorganized under the laws of Indiana, any other state, or the United States; or

(2) any agency or instrumentality of the state or the United States.

(c) Subsection (a)(1)(C), (a)(1)(D), (a)(1)(E), (a)(2)(C), and (a)(2)(D) do not apply to the shipment of smokable hemp from a licensed producer in another state in continuous transit through Indiana to a licensed handler in any state.

SECTION 82. IC 35-48-4-12, AS AMENDED BY P.L.80-2019, SECTION 31, AND AS AMENDED BY P.L.190-2019, SECTION 32, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS CORRECTED AND AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. If a person who has no prior conviction of an offense under this article ~~or under a law of another jurisdiction~~ relating to controlled substances pleads guilty to possession of marijuana, hashish, ~~*or*~~ salvia, **or** *smokable hemp* ~~*or a synthetic drug or a synthetic drug lookalike substance*~~ as a misdemeanor, the court, without entering a judgment of conviction and with the consent of the person, may defer further proceedings and place the person in the custody of the court under conditions determined by the court. Upon violation of a condition of the custody, the court may enter a judgment of conviction. However, if the person fulfills the conditions of the custody, the court shall dismiss the charges against the person. There may be only one (1) dismissal under this section with respect to a person.

SECTION 83. IC 35-50-1-2, AS AMENDED BY P.L.184-2019, SECTION 15, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) As used in this section, "crime of violence" means the following:

(1) Murder (IC 35-42-1-1).

(2) Attempted murder (IC 35-41-5-1).

(3) Voluntary manslaughter (IC 35-42-1-3).

(4) Involuntary manslaughter (IC 35-42-1-4).

(5) Reckless homicide (IC 35-42-1-5).

(6) Battery (IC 35-42-2-1) as a:

(A) Level 2 felony;

(B) Level 3 felony;

(C) Level 4 felony; or

(D) Level 5 felony.

(7) Domestic battery (IC 35-42-2-1.3) as a:

(A) Level 2 felony;

(B) Level 3 felony;

(C) Level 4 felony; or

(D) Level 5 felony.

~~(7)~~ **(8)** Aggravated battery (IC 35-42-2-1.5).

~~(8)~~ **(9)** Kidnapping (IC 35-42-3-2).

~~(9)~~ **(10)** Rape (IC 35-42-4-1).

~~(10)~~ **(11)** Criminal deviate conduct (IC 35-42-4-2) (before its repeal).

~~(11)~~ **(12)** Child molesting (IC 35-42-4-3).

~~(12)~~ **(13)** Sexual misconduct with a minor as a Level 1 felony under IC 35-42-4-9(a)(2) or a Level 2 felony under IC 35-42-4-9(b)(2).

~~(13)~~ **(14)** Robbery as a Level 2 felony or a Level 3 felony (IC 35-42-5-1).

~~(14)~~ **(15)** Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (IC 35-43-2-1).

~~(15)~~ **(16)** Operating a vehicle while intoxicated causing death or catastrophic injury (IC 9-30-5-5).

~~(16)~~ **(17)** Operating a vehicle while intoxicated causing serious bodily injury to another person (IC 9-30-5-4).

~~(17)~~ **(18)** Child exploitation as a Level 5 felony under IC 35-42-4-4(b) or a Level 4 felony under IC 35-42-4-4(c).

~~(18)~~ **(19)** Resisting law enforcement as a felony (IC 35-44.1-3-1).

~~(19)~~ **(20)** Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5).

(21) Strangulation (IC 35-42-2-9) as a Level 5 felony.

(b) As used in this section, "episode of criminal conduct" means offenses or a connected series of offenses that are closely related in time, place, and circumstance.

(c) Except as provided in subsection (e) or (f) the court shall determine whether terms of imprisonment shall be served concurrently or consecutively. The court may consider the:

(1) aggravating circumstances in IC 35-38-1-7.1(a); and

(2) mitigating circumstances in IC 35-38-1-7.1(b);

in making a determination under this subsection. The court may order terms of imprisonment to be served consecutively even if the sentences are not imposed at the same time. However, except for crimes of violence, the total of the consecutive terms of imprisonment, exclusive of terms of imprisonment under IC 35-50-2-8 and IC 35-50-2-10 (before its repeal) to which the defendant is sentenced for felony convictions arising out of an episode of criminal conduct shall not exceed the period described in subsection (d).

(d) Except as provided in subsection (c), the total of the consecutive terms of imprisonment to which the defendant is sentenced for felony convictions arising out of an episode of criminal conduct may not exceed the following:

(1) If the most serious crime for which the defendant is sentenced is a Level 6 felony, the total of the consecutive terms of imprisonment may not exceed four (4) years.

(2) If the most serious crime for which the defendant is sentenced is a Level 5 felony, the total of the consecutive terms of imprisonment may not exceed seven (7) years.

(3) If the most serious crime for which the defendant is sentenced is a Level 4 felony, the total of the consecutive terms of imprisonment may not exceed fifteen (15) years.

(4) If the most serious crime for which the defendant is sentenced is a Level 3 felony, the total of the consecutive terms of imprisonment may not exceed twenty (20) years.

(5) If the most serious crime for which the defendant is sentenced is a Level 2 felony, the total of the consecutive terms of imprisonment may not exceed thirty-two (32) years.

(6) If the most serious crime for which the defendant is sentenced is a Level 1 felony, the total of the consecutive terms of imprisonment may not exceed forty-two (42) years.

(e) If, after being arrested for one (1) crime, a person commits another crime:

(1) before the date the person is discharged from probation, parole, or a term of imprisonment imposed for the first crime; or

(2) while the person is released:

(A) upon the person's own recognizance; or

(B) on bond;

the terms of imprisonment for the crimes shall be served consecutively, regardless of the order in which the crimes are tried and sentences are imposed.

(f) If the factfinder determines under IC 35-50-2-11 that a person used a firearm in the commission of the offense for which the person was convicted, the term of imprisonment for the underlying offense and the additional term of imprisonment imposed under IC 35-50-2-11 must be served consecutively.

SECTION 84. IC 35-50-2-1, AS AMENDED BY P.L.20-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) As used in this chapter, "Level 6 felony conviction" means:

(1) a conviction in Indiana for:

(A) a Class D felony, for a crime committed before July 1, 2014; or

(B) a Level 6 felony, for a crime committed after June 30, 2014; and

(2) a conviction, in any other jurisdiction at any time, with respect to which the convicted person might have been imprisoned for more than one (1) year but less than two and one-half (2 1/2) years.

However, the term does not include a conviction with respect to which the person has been pardoned, or a conviction of a Class A misdemeanor entered under IC 35-38-1-1.5 or section 7(c) or 7(d) of this chapter.

(b) As used in this chapter, "felony conviction" means a conviction, ~~in any jurisdiction~~ at any time, with respect to which the convicted person might have been imprisoned for more than one (1) year. However, it does not include a conviction with respect to which the person has been pardoned, or a conviction of a Class A misdemeanor under section 7(c) of this chapter.

(c) As used in this chapter, "minimum sentence" means:

(1) for murder, forty-five (45) years;

(2) for a Class A felony, for a crime committed before July 1, 2014, twenty (20) years;

(3) for a Class B felony, for a crime committed before July 1, 2014, six (6) years;

(4) for a Class C felony, for a crime committed before July 1, 2014, two (2) years;

(5) for a Class D felony, for a crime committed before July 1, 2014, one-half (1/2) year;

(6) for a Level 1 felony, for a crime committed after June 30, 2014, twenty (20) years;

(7) for a Level 2 felony, for a crime committed after June 30, 2014, ten (10) years;

(8) for a Level 3 felony, for a crime committed after June 30, 2014, three (3) years;

(9) for a Level 4 felony, for a crime committed after June 30, 2014, two (2) years;

(10) for a Level 5 felony, for a crime committed after June 30, 2014, one (1) year; and

(11) for a Level 6 felony, for a crime committed after June 30, 2014, one-half (1/2) year.

SECTION 85. IC 35-50-2-2.2, AS AMENDED BY P.L.252-2017, SECTION 27, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2.2. (a) Except as provided in subsection (b), (c), (d), or (e), the court may suspend any part of a sentence for a felony.

(b) Except as provided in subsection (d), if a person is convicted of a Level 2 felony or a Level 3 felony, except a Level 2 felony or a Level 3 felony concerning a controlled substance under IC 35-48-4, and has any prior unrelated felony conviction, the court may suspend only that part of a sentence that is in excess of the minimum sentence for the:

(1) Level 2 felony; or

(2) Level 3 felony.

(c) If:

(1) a person has a prior unrelated felony conviction ~~in any jurisdiction~~ for dealing in a controlled substance that is not marijuana, hashish, hash oil, **or** salvia divinorum; ~~or a synthetic drug, including an attempt or conspiracy to commit the offense;~~ and

(2) the person is convicted of a Level 2 felony under IC 35-48-4-1.1 or IC 35-48-4-1.2;

the court may suspend only that part of a sentence that is in excess of the minimum sentence for the Level 2 felony.

(d) If a person:

(1) is convicted of dealing in heroin as a Level 2 or Level 3 felony under IC 35-48-4-1 or IC 35-48-4-2; and

(2) has a prior unrelated felony conviction;

the court may suspend only that part of a sentence that is in excess of the minimum sentence for the Level 2 or Level 3 felony.

(e) The court may suspend only that part of a sentence for murder or a Level 1 felony conviction that is in excess of the minimum sentence for murder or the Level 1 felony conviction.

SECTION 86. IC 35-50-2-14, AS AMENDED BY P.L.125-2009, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14. (a) As used in this section, "sex offense" means a felony conviction

~~(1)~~ under IC 35-42-4-1 through IC 35-42-4-9 or under IC 35-46-1-3.

~~(2) for an attempt or conspiracy to commit an offense described in subdivision (1); or~~

~~(3) for an offense under the laws of another jurisdiction, including a military court, that is substantially similar to an offense described in subdivision (1).~~

(b) The state may seek to have a person sentenced as a repeat sexual offender for a sex offense described in subsection ~~(a)(1) or (a)(2)~~ **(a)** by alleging, on a page separate from the rest of the charging instrument, that the person has accumulated one (1) prior unrelated felony conviction for a sex offense described in subsection (a).

(c) After a person has been convicted and sentenced for a felony described in subsection ~~(a)(1) or (a)(2)~~ **(a)** after having been sentenced for a prior unrelated sex offense described in subsection (a), the person has accumulated one (1) prior unrelated felony sex offense conviction. However, a conviction does not count for purposes of this subsection, if:

(1) it has been set aside; or

(2) it is a conviction for which the person has been pardoned.

(d) If the person was convicted of the sex offense in a jury trial, the jury shall reconvene to hear evidence in the enhancement hearing. If the trial was to the court, or the judgment was entered on a guilty plea, the court alone shall hear evidence in the enhancement hearing.

(e) A person is a repeat sexual offender if the jury (if the hearing is by jury) or the court (if the hearing is to the court alone) finds that the state has proved beyond a reasonable doubt that the person had accumulated one (1) prior unrelated felony sex offense conviction.

(f) The court may sentence a person found to be a repeat sexual offender to an additional fixed term that is the advisory sentence for the underlying offense. However, the additional sentence may not exceed ten (10) years.

SECTION 87. IC 35-50-6-3.1, AS AMENDED BY P.L.44-2016, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.1. (a) This section applies to a person who commits an offense after June 30, 2014.

(b) A person assigned to Class A earns one (1) day of good time credit for each day the person is imprisoned for a crime or confined awaiting trial or sentencing.

(c) A person assigned to Class B earns one (1) day of good time credit for every three (3) days the person is imprisoned for a crime or confined awaiting trial or sentencing.

(d) A person assigned to Class C earns one (1) day of good time credit for every six (6) days the person is imprisoned for a crime or confined awaiting trial or sentencing.

(e) A person assigned to Class D earns no good time credit.

(f) A person assigned to Class P earns one (1) day of good time credit for every four (4) days the person serves on pretrial home detention awaiting trial. **A person assigned to Class P does not earn accrued time for time served on pretrial home detention awaiting trial.**

SECTION 88. IC 35-50-6-3.3, AS AMENDED BY HEA 1120-2020, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.3. (a) In addition to any educational credit a person earns under subsection (b), or good time credit a person earns under section 3 or 3.1 of this chapter, a person earns educational credit if the person:

(1) is in credit Class I, Class A, or Class B;

(2) has demonstrated a pattern consistent with rehabilitation; and

(3) successfully completes requirements to obtain one (1)

of the following:

(A) A general educational development (GED) diploma under IC 20-20-6 (before its repeal) or IC 22-4.1-18, if the person has not previously obtained a high school diploma.

(B) Except as provided in subsection (o), a high school diploma, if the person has not previously obtained a general educational development (GED) diploma.

(C) An associate degree from an approved postsecondary educational institution (as defined under IC 21-7-13-6(a)) earned during the person's incarceration.

(D) A bachelor degree from an approved postsecondary educational institution (as defined under IC 21-7-13-6(a)) earned during the person's incarceration.

(b) In addition to any educational credit that a person earns under subsection (a), or good time credit a person earns under section 3 or 3.1 of this chapter, a person may earn educational credit if, while confined by the department of correction, the person:

(1) is in credit Class I, Class A, or Class B;

(2) demonstrates a pattern consistent with rehabilitation; and

(3) successfully completes requirements for at least one (1) of the following:

(A) To obtain a certificate of completion of a career and technical or vocational education program approved by the department of correction.

(B) To obtain a certificate of completion of a substance abuse program approved by the department of correction.

(C) To obtain a certificate of completion of a literacy and basic life skills program approved by the department of correction.

(D) To obtain a certificate of completion of a reformative program approved by the department of correction.

(E) An individualized case management plan approved by the department of correction.

(c) The department of correction shall establish admissions criteria and other requirements for programs available for earning educational credit under subsection (b). A person may not earn educational credit under this section for the same program of study. The department of correction, in consultation with the department of workforce development, shall approve a program only if the program is likely to lead to an employable occupation.

(d) The amount of educational credit a person may earn under this section is the following:

(1) Six (6) months for completion of a state of Indiana general educational development (GED) diploma under IC 20-20-6 (before its repeal) or IC 22-4.1-18.

(2) One (1) year for graduation from high school.

(3) Not more than one (1) year for completion of an associate degree.

(4) Not more than two (2) years for completion of a bachelor degree.

(5) Not more than a total of one (1) year, as determined by the department of correction, for the completion of one (1) or more career and technical or vocational education programs approved by the department of correction.

(6) Not more than a total of six (6) months, as determined by the department of correction, for the completion of one (1) or more substance abuse programs approved by the department of correction.

(7) Not more than a total of six (6) months, as determined by the department of correction, for the completion of one (1) or more literacy and basic life skills programs approved by the department of correction.

(8) Not more than a total of six (6) months, as determined by the department of correction, for completion of one (1) or more reformative programs approved by the department of correction. However, a person who is serving a sentence for an offense listed under IC 11-8-8-4.5 may not earn educational credit under this subdivision.

(9) An amount determined by the department of correction under a policy adopted by the department of correction concerning the individualized case management plan, not to exceed the maximum amount described in subsection (j).

However, a person who does not have a substance abuse problem that qualifies the person to earn educational credit in a substance abuse program may earn not more than a total of twelve (12) months of educational credit, as determined by the department of correction, for the completion of one (1) or more career and technical or vocational education programs approved by the department of correction. If a person earns more than six (6) months of educational credit for the completion of one (1) or more career and technical or vocational education programs, the person is ineligible to earn educational credit for the completion of one (1) or more substance abuse programs.

(e) Educational credit earned under this section must be directly proportional to the time served and course work completed while incarcerated. The department of correction shall adopt rules under IC 4-22-2 necessary to implement this subsection.

(f) Educational credit earned by a person under this section is subtracted from the release date that would otherwise apply to the person by the sentencing court after subtracting all other credit time earned by the person.

(g) A person does not earn educational credit under subsection (a) unless the person completes at least a portion of the degree requirements after June 30, 1993.

(h) A person does not earn educational credit under subsection (b) unless the person completes at least a portion of the program requirements after June 30, 1999.

(i) Educational credit earned by a person under subsection (a) for a diploma or degree completed before July 1, 1999, shall be subtracted from:

(1) the release date that would otherwise apply to the person after subtracting all other credit time earned by the person, if the person has not been convicted of an offense described in subdivision (2); or

(2) the period of imprisonment imposed on the person by the sentencing court, if the person has been convicted of

one (1) of the following crimes:

(A) Rape (IC 35-42-4-1).

(B) Criminal deviate conduct (IC 35-42-4-2) (before its repeal).

(C) Child molesting (IC 35-42-4-3).

(D) Child exploitation (IC 35-42-4-4(b) or IC 35-42-4-4(c)).

(E) Vicarious sexual gratification (IC 35-42-4-5).

(F) Child solicitation (IC 35-42-4-6).

(G) Child seduction (IC 35-42-4-7).

(H) Sexual misconduct with a minor (IC 35-42-4-9) as a:

(i) Class A felony, Class B felony, or Class C felony for a crime committed before July 1, 2014; or

(ii) Level 1, Level 2, or Level 4 felony, for a crime committed after June 30, 2014.

(I) Incest (IC 35-46-1-3).

(J) Sexual battery (IC 35-42-4-8).

(K) Kidnapping (IC 35-42-3-2), if the victim is less than eighteen (18) years of age.

(L) Criminal confinement (IC 35-42-3-3), if the victim is less than eighteen (18) years of age.

~~(M) An attempt or a conspiracy to commit a crime listed in clauses (A) through (L).~~

(j) The maximum amount of educational credit a person may earn under this section is the lesser of:

(1) two (2) years; or

(2) one-third (1/3) of the person's total applicable credit time.

(k) Educational credit earned under this section by an offender serving a sentence for stalking (IC 35-45-10-5), a felony against a person under IC 35-42, or for a crime listed in IC 11-8-8-5, shall be reduced to the extent that application of the educational credit would otherwise result in:

(1) postconviction release (as defined in IC 35-40-4-6); or

(2) assignment of the person to a community transition program;

in less than forty-five (45) days after the person earns the educational credit.

(l) A person may earn educational credit for multiple degrees at the same education level under subsection (d) only in accordance with guidelines approved by the department of correction. The department of correction may approve guidelines for proper sequence of education degrees under subsection (d).

(m) A person may not earn educational credit:

(1) for a general educational development (GED) diploma if the person has previously earned a high school diploma; or

(2) for a high school diploma if the person has previously earned a general educational development (GED) diploma.

(n) A person may not earn educational credit under this section if the person:

(1) commits an offense listed in IC 11-8-8-4.5 while the person is required to register as a sex or violent offender under IC 11-8-8-7; and

(2) is committed to the department of correction after being convicted of the offense listed in IC 11-8-8-4.5.

(o) For a person to earn educational credit under subsection (a)(3)(B) for successfully completing the requirements for a high school diploma through correspondence courses, each correspondence course must be approved by the department before the person begins the correspondence course. The department may approve a correspondence course only if the entity administering the course is recognized and accredited by the department of education in the state where the entity is located.

(p) The department of correction shall, before May 1, 2023, submit a report to the legislative council, in an electronic format under IC 5-14-6, concerning the implementation of the individualized case management plan. The report must include the following:

(1) The ratio of case management staff to offenders participating in the individualized case management plan as of January 1, 2023.

(2) The average number of days awarded to offenders participating in the individualized case management plan from January 1, 2022, through December 31, 2022.

(3) The percentage of the prison population currently participating in an individualized case management plan as of January 1, 2023.

(4) Any other data points or information related to the status of the implementation of the individualized case management plan.

This subsection expires June 30, 2023.

SECTION 89. IC 36-1-9.5-48 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 48. (a) An entity may revoke a certificate of qualification only if the entity determines that the contractor or subcontractor has done at least one (1) of the following:

(1) Fails to timely pay or satisfactorily settle any bills due for labor and material on former or existing contracts.

(2) Violates:

(A) a state or federal statute; or

(B) a rule or regulation of a state or federal department, board, bureau, agency, or commission.

(3) Defaults on a contract.

(4) Fails to enter into a contract with the entity.

(5) Falsifies any document required by the entity, the state board of accounts, or any other agency.

(6) Is convicted of a bidding crime. ~~in any jurisdiction.~~

(7) Enters a plea of guilty or nolo contendere to a bidding crime in any state.

(8) Does any of the following:

(A) Makes a public admission concerning a bidding crime in any state.

(B) Makes a presentation as an unindicted co-conspirator in a bidding crime in any state.

(C) Gives testimony that is protected by a grant of immunity in a trial for a bidding crime in any jurisdiction.

(9) Fails to perform any part of an existing or previous contract.

(10) Fails to submit in a timely manner information, documented explanations, or evidence required in the

contract documents or proposal.

(11) Has been debarred by a federal agency.

(12) Failed to comply with any proposal requirements established by the entity concerning disadvantaged business enterprise goals or women business enterprise goals.

(b) An entity shall provide notification of a pending action for revocation in writing, setting forth the grounds for the proposed certificate revocation. The revocation becomes effective on the date determined by the entity.

(c) A period of disqualification under this chapter may not exceed two (2) years.

SECTION 90. [EFFECTIVE JULY 1, 2020] **(a) The legislative services agency shall prepare legislation for introduction in the 2021 regular session of the general assembly to make appropriate amendments to the Indiana Code necessary to conform with this act.**

(b) This SECTION expires June 30, 2021.

(Reference is to ESB 335 as reprinted March 3, 2020.)

M. Young, Chair	McNamara
Freeman	Pierce
Senate Conferees	House Conferees

Roll Call 392: yeas 48, nays 1. Report adopted.

CONFERENCE COMMITTEE REPORT

ESB 367–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 367 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning local government.

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 36-7.5-2-3, AS AMENDED BY P.L.248-2017, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 3. (a) The development authority is governed by the development board appointed under this section.

(b) Except as provided in subsections (e), (f), and (h), the development board is composed of the following ~~seven (7)~~ **ten (10)** members:

(1) Two (2) members appointed by the governor. One (1) of the members appointed by the governor under this subdivision must be an individual nominated under subsection (d). The members appointed by the governor under this subdivision serve at the pleasure of the governor.

(2) The following members from a county having a population of more than four hundred thousand (400,000) but less than seven hundred thousand (700,000):

(A) One (1) member appointed by the mayor of the largest city in the county in which a riverboat is located.

(B) One (1) member appointed by the mayor of the second largest city in the county in which a riverboat is located.

(C) One (1) member appointed by the mayor of the third largest city in the county in which a riverboat is located.

(D) One (1) member appointed jointly by the county executive and the county fiscal body. A member appointed under this clause may not reside in a city described in clause (A), (B), or (C).

(3) One (1) member appointed jointly by the county executive and county fiscal body of a county having a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000).

(4) The following three (3) members appointed under subsection (j):

(A) One (1) member appointed from Lake County.

(B) One (1) member appointed from Porter County.

(C) One (1) member appointed from LaPorte County.

The members appointed under this subdivision may only vote on matters that pertain strictly to a transit development district established under IC 36-7.5-4.5-17.

(c) A member appointed to the development board must have knowledge and at least five (5) years professional work experience in at least one (1) of the following:

(1) Rail transportation or air transportation.

(2) Regional economic development.

(3) Business or finance.

(d) The mayor of the largest city in a county having a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000) shall nominate three (3) residents of the county for appointment to the development board. One (1) of the governor's initial appointments under subsection (b)(1) must be an individual nominated by the mayor. At the expiration of the member's term, the mayor of the second largest city in the county shall nominate three (3) residents of the county for appointment to the development board. One (1) of the governor's appointments under subsection (b)(1) must be an individual nominated by the mayor. Thereafter, the authority to nominate the three (3) individuals from among whom the governor shall make an appointment under subsection (b)(1) shall alternate between the mayors of the largest and the second largest city in the county at the expiration of a member's term.

(e) A county having a population of more than one hundred eleven thousand (111,000) but less than one hundred fifteen thousand (115,000) shall be an eligible county participating in the development authority if the fiscal body of the county adopts an ordinance providing that the county is joining the development authority and the fiscal body of a city that is located in the county and that has a population of more than thirty-one thousand (31,000) but less than thirty-one thousand five hundred (31,500) adopts an ordinance providing that the city is joining the development authority. Notwithstanding subsection (b), if ordinances are adopted under this subsection and the county becomes an eligible county participating in the development

authority:

(1) the development board shall be composed of ~~nine (9)~~ **twelve (12)** members rather than ~~seven (7)~~ **ten (10)** members; and

(2) the additional two (2) members shall be appointed in the following manner:

(A) One (1) additional member shall be appointed by the governor and shall serve at the pleasure of the governor. The member appointed under this clause must be an individual nominated under subsection (f).

(B) One (1) additional member shall be appointed jointly by the county executive and county fiscal body.

(f) This subsection applies only if the county described in subsection (e) is an eligible county participating in the development authority. The mayor of the largest city in the county described in subsection (e) shall nominate three (3) residents of the county for appointment to the development board. The governor's initial appointment under subsection (e)(2)(A) must be an individual nominated by the mayor. At the expiration of the member's term, the mayor of the second largest city in the county described in subsection (e) shall nominate three (3) residents of the county for appointment to the development board. The governor's second appointment under subsection (e)(2)(A) must be an individual nominated by the mayor. Thereafter, the authority to nominate the three (3) individuals from among whom the governor shall make an appointment under subsection (e)(2)(A) shall alternate between the mayors of the largest and the second largest city in the county at the expiration of a member's term.

(g) An individual or entity required to make an appointment under subsection (b) or nominations under subsection (d) must make the initial appointment before September 1, 2005, or the initial nomination before August 15, 2005. If an individual or entity does not make an initial appointment under subsection (b) before September 1, 2005, or the initial nominations required under subsection (d) before September 1, 2005, the governor shall instead make the initial appointment.

(h) Subsection (i) applies only to municipalities located in a county that:

(1) has a population of more than one hundred fifty thousand (150,000) but less than one hundred seventy thousand (170,000); and

(2) was a member of the development authority on January 1, 2009, and subsequently ceases to be a member of the development authority.

(i) If the fiscal bodies of at least two (2) municipalities subject to this subsection adopt ordinances to become members of the development authority, those municipalities shall become members of the development authority. If two (2) or more municipalities become members of the development authority under this subsection, the fiscal bodies of the municipalities that become members of the development authority shall jointly appoint one (1) member of the development board who shall serve in place of the member described in subsection (b)(3). A municipality that becomes a member of the development authority under this subsection is considered an eligible municipality for purposes of this article.

(j) The governor shall appoint three (3) members to the development board as follows:

(1) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the county executive of Lake County. The nominations shall be transmitted to the governor before July 1, 2020. If the county executive of Lake County does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the expiration of the term of a member appointed under this subdivision, or if a vacancy occurs before the end of the term of a member appointed under this subdivision, the county executive of Lake County shall transmit a list of three (3) nominations to the governor not later than ninety (90) days after the expiration or the vacancy occurs. The governor shall appoint one (1) member out of the list of three (3) nominations, or, if the county executive of Lake County does not make the nominations within ninety (90) days after the expiration or the vacancy occurs, the governor shall instead make the appointment. A member appointed under this subdivision must be a resident of Lake County.

(2) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the county executive of Porter County. The nominations shall be transmitted to the governor before July 1, 2020. If the county executive of Porter County does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the expiration of the term of a member appointed under this subdivision, or if a vacancy occurs before the end of the term of a member appointed under this subdivision, the county executive of Porter County shall transmit a list of three (3) nominations to the governor not later than ninety (90) days after the expiration or the vacancy occurs. The governor shall appoint one (1) member out of the list of three (3) nominations, or, if the county executive of Porter County does not make the nominations within ninety (90) days after the expiration or the vacancy occurs, the governor shall instead make the appointment. A member appointed under this subdivision must be a resident of Porter County.

(3) The initial appointment of one (1) member shall be selected out of a list of three (3) nominations from the county executive of LaPorte County. The nominations shall be transmitted to the governor before July 1, 2020. If the county executive of LaPorte County does not make the initial nominations by July 1, 2020, the governor shall instead make the initial appointment. After the expiration of the term of a member appointed under this subdivision, or if a vacancy occurs before the end of the term of a member appointed under this subdivision, the county executive of LaPorte County shall transmit a list of three (3) nominations to the governor not later than ninety (90) days after the expiration or the vacancy occurs. The governor shall appoint one (1) member out of the list of three (3)

nominations, or, if the county executive of LaPorte County does not make the nominations within ninety (90) days after the expiration or the vacancy occurs, the governor shall instead make the appointment. A member appointed under this subdivision must be a resident of LaPorte County.

SECTION 2. IC 36-7.5-2-4, AS AMENDED BY P.L.47-2006, SECTION 56, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 4. (a) Except as provided in subsection (b) for the initial appointments to the development board, a member appointed to the development board serves a four (4) year term. However, a member serves at the pleasure of the appointing authority. A member may be reappointed to subsequent terms.

(b) The terms of the initial members appointed to the development board are as follows:

(1) The initial member appointed by the governor who is not nominated under section 3(d) or 3(f) of this chapter shall serve a term of four (4) years.

(2) The initial member appointed by the governor who is nominated under section 3(d) of this chapter shall serve a term of two (2) years. If a member is appointed under section 3(e)(2)(A) of this chapter, the initial member who is appointed under that provision shall serve a term of two (2) years.

(3) The initial member appointed under section 3(b)(2)(D) of this chapter shall serve a term of three (3) years.

(4) The initial member appointed under section 3(b)(3) of this chapter shall serve a term of three (3) years.

(5) The initial members appointed under section 3(b)(2)(A) through 3(b)(2)(C) of this chapter shall serve a term of two (2) years.

(6) If a member is appointed under section 3(e)(2)(B) of this chapter, the initial member appointed under that provision shall serve a term of three (3) years.

(c) **Subject to section 3(j) of this chapter,** if a vacancy occurs on the development board, the appointing authority that made the original appointment shall fill the vacancy by appointing a new member for the remainder of the vacated term.

(d) Each member appointed to the development board, before entering upon the duties of office, must take and subscribe an oath of office under IC 5-4-1, which shall be endorsed upon the certificate of appointment and filed with the records of the development board.

(e) A member appointed to the development board is not entitled to receive any compensation for performance of the member's duties. However, a member is entitled to a per diem from the development authority for the member's participation in development board meetings. The amount of the per diem is equal to the amount of the per diem provided under IC 4-10-11-2.1(b).

SECTION 3. IC 36-7.5-2-6, AS AMENDED BY P.L.192-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. **(a) The development authority is a public agency for purposes of IC 5-14-1.5 and IC 5-14-3. The development board is a governing body for purposes of IC 5-14-1.5.**

~~(a)~~ **(b)** The development board shall meet at least quarterly.

~~(b)~~ **(c)** The chair of the development board or any two (2) members of the development board may call a special meeting of the development board.

~~(c)~~ **(d)** Five (5) members of the development board constitute a quorum. However, if the county described in section 3(e) of this chapter is an eligible county participating in the development authority, six (6) members of the development board constitute a quorum.

~~(d)~~ **(e) Except as provided in subsection (h),** the affirmative votes of at least five (5) members of the development board are necessary to authorize any action of the development authority. However, if the county described in section 3(e) of this chapter is an eligible county participating in the development authority, the affirmative votes of at least six (6) members of the development board are necessary to authorize any action of the development authority.

~~(e)~~ **(f)** Notwithstanding any other provision of this article, the minimum number of affirmative votes required under subsection ~~(d)~~ **(e)** to take any of the following actions must include the affirmative vote of the member appointed by the governor who is not nominated under section 3(d) or 3(f) of this chapter:

(1) Making loans, loan guarantees, or grants or providing any other funding or financial assistance for projects.

(2) Acquiring or condemning property.

(3) Entering into contracts.

(4) Employing an executive director or any consultants or technical experts.

(5) Issuing bonds or entering into a lease of a project.

~~(f)~~ **(g)** A member of the board may not:

(1) designate another individual to attend a board meeting on behalf of the member in the member's absence; or

(2) allow another member of the board to cast a proxy vote on behalf of the member in the member's temporary absence from a meeting.

(h) This subsection only applies to a vote on matters that pertain strictly to a transit development district established under IC 36-7.5-4.5-17 on which the members of the development board appointed under section 3(b)(4) may cast a vote. The affirmative votes of at least six (6) members of the development board are necessary to authorize any action of the development authority.

SECTION 4. IC 36-7.6-2-11, AS ADDED BY P.L.232-2007, SECTION 7, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 11. **(a) A development authority is a public agency for purposes of IC 5-14-1.5 and IC 5-14-3. A development board is a governing body for purposes of IC 5-14-1.5.**

~~(a)~~ **(b)** A development board shall meet at least quarterly.

~~(b)~~ **(c)** The chair of a development board or any two (2) members of a development board may call a special meeting of the development board.

~~(c)~~ **(d)** A majority of the appointed members of a development board constitutes a quorum.

~~(d)~~ **(e)** The affirmative votes of at least a majority of the appointed members of a development board are necessary to authorize any action of the development authority.

SECTION 5. **An emergency is declared for this act.**

(Reference is to ESB 367 as reprinted March 3, 2020.)

Niemeyer, Chair	Aylesworth
Bohacek	Pressel
Senate Conferees	House Conferees

Roll Call 393: yeas 40, nays 9. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1006–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1006 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete the title and insert the following:

A BILL FOR AN ACT to amend the Indiana Code concerning family law and juvenile law.

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 31-9-2-7, AS AMENDED BY P.L.191-2011, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) "Adult", for purposes of IC 31-19-17 through IC 31-19-25.5, means a person who is at least twenty-one (21) years of age.

(b) "Adult", for purposes of the juvenile law, means a person other than a child.

(c) "Adult", for purposes of IC 31-11, means:

(1) a person at least eighteen (18) years of age; or

(2) a:

(A) married minor who is at least sixteen (16) years of age; or

(B) minor who has been completely emancipated by a court;

subject to specific constitutional and statutory age requirements and health and safety regulations that remain applicable to the person because of the person's age.

SECTION 2. IC 31-9-2-133.1, AS AMENDED BY P.L.144-2018, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 133.1. "Victim of human or sexual trafficking", for purposes of IC 31-34-1-3.5, refers to a child who is recruited, harbored, transported, or engaged in:

(1) forced labor;

(2) involuntary servitude;

(3) prostitution;

(4) juvenile prostitution, as defined in IC 35-31.5-2-178.5;

(5) child exploitation, as defined in IC 35-42-4-4(b);

(6) marriage, unless authorized by a court under ~~IC 31-11-1-6;~~ **IC 31-11-1-7;**

(7) trafficking for the purpose of prostitution, juvenile prostitution, or participation in sexual conduct as defined in IC 35-42-4-4(a)(4); or

(8) human trafficking as defined in IC 35-42-3.5-0.5.

SECTION 3. IC 31-11-1-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. Except as provided in ~~section~~ **sections** 5 ~~or 6~~ **and 7** of this chapter, two (2) individuals may not marry each other unless both individuals are at least eighteen (18) years of age.

SECTION 4. IC 31-11-1-5 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. Two (2) individuals may marry each other if:

(1) both individuals are at least ~~seventeen (17)~~ **sixteen (16)** years of age;

(2) one (1) of the individuals is not more than four (4) years older than the other individual if the other individual is sixteen (16) or seventeen (17) years of age;

~~(2)~~ **(3)** each individual who is less than eighteen (18) years of age: ~~receives the consent required by IC 31-11-2;~~

(A) has been granted an order by a juvenile court under section 7 of this chapter granting the individual approval to marry and completely emancipating the individual; and

(B) not earlier than fifteen (15) days after the issuance of the order described in clause (A), presents to the clerk of the circuit court an application for a marriage license accompanied by:

(i) a certified copy of the order; and

(ii) a certificate of completion of any premarital counseling required under the order; and

~~(3)~~ **(4)** the individuals are not prohibited from marrying each other for a reason set forth in this article.

SECTION 5. IC 31-11-1-6 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 6. (a) Two (2) individuals may marry each other if:~~

~~(1) the individuals are not prohibited from marrying for a reason set forth in this article; and~~

~~(2) a circuit or superior court of the county of residence of either individual considers the information required to be submitted by subsection (b) and authorizes the clerk of the circuit court to issue the individuals a marriage license.~~

~~(b) A court may not authorize the clerk of the circuit court to issue a marriage license under subsection (a) unless:~~

~~(1) the individuals have filed with the court a verified petition that includes allegations that:~~

~~(A) the female is at least fifteen (15) years of age;~~

~~(B) the female is pregnant or is a mother;~~

~~(C) each of the individuals who is less than eighteen (18) years of age has received the consent required by IC 31-11-2;~~

~~(D) the male is at least fifteen (15) years of age and is either:~~

~~(i) the putative father of the expected child of the female; or~~

~~(ii) the father of the female's child; and~~

~~(E) the individuals desire to marry each other;~~

~~(2) the court has provided notice of the hearing required by this section to both parents of both petitioners or, if applicable to either petitioner:~~

~~(A) to the legally appointed guardian or custodian of a petitioner; or~~

~~(B) to one (1) parent of a petitioner if the other parent:~~
~~(i) is deceased;~~
~~(ii) has abandoned the petitioner;~~
~~(iii) is mentally incompetent;~~
~~(iv) is an individual whose whereabouts is unknown; or~~
~~(v) is a noncustodial parent who is delinquent in the payment of court ordered child support on the date the petition is filed;~~
~~(3) a hearing is held on the petition in which the petitioners and interested persons, including parents, guardians, and custodians, are given an opportunity to appear and present evidence; and~~
~~(4) the allegations of the petition filed under subdivision (1) have been proven.~~
~~(c) A court's authorization granted under subsection (a):~~
~~(1) constitutes part of the confidential files of the clerk of the circuit court; and~~
~~(2) may be inspected only by written permission of a circuit, superior, or juvenile court.~~

SECTION 6. IC 31-11-1-7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 7. (a) A minor who is sixteen (16) or seventeen (17) years of age may petition the juvenile court in the county in which the minor resides for an order granting the minor approval to marry and completely emancipating the minor. The petition must contain the following information:**

(1) The minor's name, gender, and age.
(2) Documentary proof of the minor's date of birth.
(3) The minor's address, and how long the minor has resided at that address.
(4) The following information with regard to the intended spouse:
(A) The intended spouse's name, gender, and age.
(B) Documentary proof of the intended spouse's date of birth.
(C) The intended spouse's address, and how long the intended spouse has resided at that address.
(5) A statement of:
(A) the reasons the minor desires to marry;
(B) how the minor and the intended spouse came to know each other; and
(C) how long the minor and the intended spouse have known each other.
(6) Copies of:
(A) any criminal records of the minor and of the intended spouse; and
(B) any protective order:
(i) issued to protect or restrain either the minor or the intended spouse; and
(ii) relating to domestic or family violence, a sexual offense, or stalking.
(7) Evidence that the minor has demonstrated maturity and capacity for self-sufficiency and self-support independent of the minor's parents or legal guardians or the intended spouse, including proof that the minor:
(A) has graduated from high school;
(B) has obtained a high school equivalency diploma;
(C) has a plan for continued education;
(D) has completed a vocational training or certificate program;
(E) has attained a professional licensure or certification; or
(F) has maintained stable housing or employment for at least three (3) consecutive months prior to filing the petition.

(b) A court with which a petition under subsection (a) is filed shall:
(1) set a date for an evidentiary hearing on the petition;
(2) provide reasonable notice of the hearing to the minor and the minor's parents or legal guardians; and
(3) appoint an attorney to serve as guardian ad litem for the minor.

(c) At the evidentiary hearing, the court shall conduct an in camera interview with the minor separate from the minor's parents or legal guardians and intended spouse.

(d) Following the evidentiary hearing, and subject to subsection (e), the court may grant the petition if the court finds all of the following:
(1) The minor is a county resident who is at least sixteen (16) years of age.
(2) The intended spouse is not more than four (4) years older than the minor.
(3) The minor's decision to marry is voluntary, and free from force, fraud, or coercion.
(4) The minor is mature enough to make a decision to marry.
(5) The minor has established the minor's capacity to be self-sufficient and self-supporting independent of the minor's parents, legal guardians, and intended spouse.
(6) The minor understands the rights and responsibilities of parties to marriage and of completely emancipated minors.
(7) It is in the best interests of the minor for the court to grant the petition to marry and to completely emancipate the minor. In making the determination under this subdivision, the court shall consider how marriage and emancipation may affect the minor's health, safety, education, and welfare.

A court that grants a petition under this section shall issue written findings regarding the court's conclusions under subdivisions (1) through (7).

(e) The following, considered independently or together, are not sufficient to determine the best interests of a minor for purposes of this section:
(1) The fact that the minor or the intended spouse is pregnant or has had a child.
(2) The wishes of the parents or legal guardians of the minor.

However, there is a rebuttable presumption that marriage and emancipation are not in the best interests of the minor if both parents of the minor oppose the minor's marriage and emancipation.

(f) The juvenile court shall deny a petition under this section if the court finds any of the following:

(1) The intended spouse:

(A) is or was in a position of authority or special trust in relation to the minor; or

(B) has or had a professional relationship with the minor, as defined in IC 35-42-4-7.

(2) The intended spouse has been convicted of, or entered into a diversion program for, an offense under IC 35-42:

(A) that involves an act of violence;

(B) of which a child was the victim; or

(C) that is an offense under:

(i) IC 35-42-3.5; or

(ii) IC 35-42-4.

(3) Either the minor or the intended spouse is pregnant or is the mother of a child, and the court finds by a preponderance of evidence that:

(A) the other party to the marriage is the father of the child or unborn child; and

(B) the conception of the child or unborn child resulted from the commission of an offense under:

(i) IC 35-42-4-3 (child molesting);

(ii) IC 35-42-4-6 (child solicitation);

(iii) IC 35-42-4-7 (child seduction); or

(iv) IC 35-42-4-9 (sexual misconduct with a minor).

(4) The intended spouse has previously been enjoined by a protective order relating to domestic or family violence, a sexual offense, or stalking, regardless of whether the person protected by the order was the minor.

(g) If a court grants a petition under this section, the court shall also issue an order of complete emancipation of the minor and provide a certified copy of the order to the minor.

(h) A minor emancipated under this section is considered to have all the rights and responsibilities of an adult, except as provided under specific constitutional or statutory age requirements that apply to the minor because of the minor's age, including requirements related to voting, use of alcoholic beverages or tobacco products, and other health and safety regulations.

(i) A court hearing a petition under this section may issue any other order the court considers appropriate for the minor's protection.

(j) A court that grants a petition under this section may require that both parties to the marriage complete premarital counseling with a marriage and family therapist licensed under IC 25-22.5, IC 25-23.6-8, or IC 25-33.

(k) A court that grants a petition under this section may impose any other condition on the grant of the petition that the court determines is reasonable under the circumstances.

SECTION 7. IC 31-11-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. (Consent to Marry Required for Certain Individuals).

SECTION 8. IC 31-11-4-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. Each individual who applies for a marriage license must submit to the clerk of the circuit court **documentary proof of the individual's age, in the form of:**

(1) a:

(A) certified copy of the individual's birth certificate;

(B) copy of a birth record; or

(C) certification of birth issued by the state department of health, a local registrar of vital statistics, or another public office charged with similar duties under the law of another state, territory, or country;

(2) a certified copy of a judicial decree issued under IC 34-28-1 (or IC 34-4-3 before its repeal) that establishes the date of the individual's birth;

~~(3) any written evidence of the individual's date of birth that is satisfactory to the clerk; or~~

(3) a passport;

(4) a valid operator's license or other identification **that is** issued by a state **or another governmental entity and** that contains the individual's date of birth and current address;

(5) an immigration or naturalization record showing the individual's date of birth;

(6) a United States selective service card or armed forces record showing the individual's date of birth; or

(7) a:

(A) court record; or

(B) document or record issued by a governmental entity;

showing the individual's date of birth.

SECTION 9. IC 31-11-4-8 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 8. If a written consent is required by IC 31-11-2, a clerk of a circuit court may not receive an application for a marriage license unless:~~

~~(1) the clerk has filed the consent form in the clerk's office; and~~

~~(2) the clerk has entered a notice of the filing on the marriage license docket.~~

SECTION 10. IC 31-11-8-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. A marriage is void if the parties to the marriage:

(1) are residents of Indiana;

(2) had their marriage solemnized in another state with the intent to:

(A) evade **IC 31-11-1-4,** IC 31-11-4-4, or IC 31-11-4-11 (or IC 31-7-3-3 or IC 31-7-3-10 before their repeal); and

(B) subsequently return to Indiana and reside in Indiana; and

(3) without having established residence in another state in good faith, return to Indiana and reside in Indiana after the marriage is solemnized.

SECTION 11. IC 31-11-11-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 2. A person who knowingly furnishes false information in a verified written consent under IC 31-11-2 commits a Level 6 felony.~~

SECTION 12. IC 31-34-20-6, AS AMENDED BY P.L.85-2017, SECTION 104, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) The juvenile court **for the county in which a child resides** may emancipate ~~a~~ **the** child under section 1(a)(5) of this chapter **upon a petition brought by the child.**

(b) The court in which a petition is filed under subsection (a) shall appoint an attorney to serve as guardian ad litem

for the child. The guardian ad litem shall investigate the statements contained in the petition and file a report of the investigation with the court.

(c) After receiving the report of the guardian ad litem under subsection (b) and holding a hearing, the court may grant the petition if the court finds:

(1) that emancipation is in the child's best interests; and

(2) that the child:

~~(1)~~ **(A)** wishes to be free from parental control and protection and no longer needs that control and protection;

~~(2)~~ **(B)** has sufficient money for the child's own support;

~~(3)~~ **(C)** understands the consequences of being free from parental control and protection; and

~~(4)~~ **(D)** has an acceptable plan for independent living.

~~(b)~~ **(d)** If the juvenile court **completely emancipates the child, the child has all the rights and responsibilities of an adult. If the juvenile court** partially ~~or completely~~ emancipates the child, the court shall specify the terms of the emancipation, which may include the following:

(1) Suspension of the parent's or guardian's duty to support the child. In this case, the judgment of emancipation supersedes the support order of a court.

(2) Suspension of the following:

(A) The parent's or guardian's right to the control or custody of the child.

(B) The parent's right to the child's earnings.

~~(3) Empowering the child to consent to marriage.~~

~~(4)~~ **(3)** Empowering the child to consent to military enlistment.

~~(5)~~ **(4)** Empowering the child to consent to:

(A) medical;

(B) psychological;

(C) psychiatric;

(D) educational; or

(E) social;

services.

~~(6)~~ **(5)** Empowering the child to contract.

~~(7)~~ **(6)** Empowering the child to own property.

~~(c)~~ **(e)** An emancipated child remains subject to the following:

(1) IC 20-33-2 concerning compulsory school attendance.

(2) The continuing jurisdiction of the court.

(3) IC 31-11-1-4 concerning minimum age for marriage.

(4) Other specific constitutional and statutory age requirements applicable to the emancipated child because of the emancipated child's age, including requirements regarding voting, use of alcoholic beverages or tobacco products, and other health and safety regulations.

SECTION 13. IC 31-37-19-27, AS AMENDED BY P.L.85-2017, SECTION 107, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 27. (a) The juvenile court **for the county in which a child resides** may emancipate ~~a~~ **the** child under section 1(a)(5) or 5(b)(5) of this chapter **upon a petition brought by the child.**

(b) The court in which a petition is filed under subsection (a) shall appoint an attorney to serve as guardian ad litem for the child. The guardian ad litem shall investigate the statements contained in the petition and file a report of the investigation with the court.

(c) After receiving the report of the guardian ad litem under subsection (b) and holding a hearing, the court may grant the petition if the court finds that the child:

(1) wishes to be free from parental control and protection and no longer needs that control and protection;

(2) has sufficient money for the child's own support;

(3) understands the consequences of being free from parental control and protection; and

(4) has an acceptable plan for independent living.

~~(b)~~ **(d)** ~~Whenever~~ **If** the juvenile court **completely emancipates the child, the child has all the rights and responsibilities of an adult. If the juvenile court** partially ~~or completely~~ emancipates the child, the court shall specify the terms of the emancipation, which may include the following:

(1) Suspension of the parent's or guardian's duty to support the child. In this case, the judgment of emancipation supersedes the support order of a court.

(2) Suspension of:

(A) the parent's or guardian's right to the control or custody of the child; and

(B) the parent's right to the child's earnings.

~~(3) Empowering the child to consent to marriage.~~

~~(4)~~ **(3)** Empowering the child to consent to military enlistment.

~~(5)~~ **(4)** Empowering the child to consent to:

(A) medical;

(B) psychological;

(C) psychiatric;

(D) educational; or

(E) social;

services.

~~(6)~~ **(5)** Empowering the child to contract.

~~(7)~~ **(6)** Empowering the child to own property.

~~(c)~~ **(e)** An emancipated child remains subject to **the following:**

(1) IC 20-33-2 concerning compulsory school attendance.

~~and~~

(2) The continuing jurisdiction of the court.

(3) IC 31-11-1-4 concerning minimum age for marriage.

(4) Other specific constitutional and statutory age requirements applicable to the emancipated child because of the emancipated child's age, including requirements regarding voting, use of alcoholic beverages or tobacco products, and other health and safety regulations.

SECTION 14. IC 35-52-31-2 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 2. IC 31-11-11-2 defines a crime concerning marriage.~~

(Reference is to EHB 1006 as reprinted March 3, 2020.)

Engleman, Chair	Charbonneau
Wright	Stoops
House Conferees	Senate Conferees

Roll Call 394: yeas 47, nays 2. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1108–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1108 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 2-5-1.1-6.3, AS ADDED BY P.L.104-2014, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.3. (a) The following definitions apply throughout this section:

(1) "Audit committee" refers to the audit and financial reporting subcommittee of the legislative council established by subsection (b).

(2) "Audited entity" refers to the state, a municipality, a public hospital, or another person or entity that is subject to an examination by the state board of accounts under IC 5-11-1 or another law. However, the term applies to an entity (as defined in IC 5-11-1-16(e)) to the extent that the entity is required to be examined under IC 5-11-1-9 or another law.

(3) "Examination" refers to an audit, examination, or other engagement by the state board of accounts, its field examiners, or private examiners under IC 5-11-1 or another law.

(b) The audit and financial reporting subcommittee of the legislative council is established to assure the independence of the state board of accounts. The subcommittee is comprised of five (5) voting members and one (1) advisory member, who shall be the director of the office of management and budget, or the director's designee. The chairman of the legislative council, with the advice of the vice chairman of the legislative council, shall appoint the voting members of the audit committee and its chairperson. The audit committee may have members who are not members of the legislative council. If the individual appointed is not a member of the general assembly, the term of the member is three (3) years. If the individual appointed is a member of the general assembly, the term of the member is one (1) year. However, to stagger the terms of the members, if the individual appointed is not a member of the general assembly, the initial term of two (2) of these members is two (2) years instead of three (3) years. All members of the audit committee must possess or obtain a basic understanding of governmental financial reporting and auditing. To ensure the audit committee's independence and effectiveness, a member of the audit committee may not exercise managerial responsibilities that fall within the scope of an examination required by IC 5-11-1.

(c) It is the responsibility of the audit committee to provide independent review and oversight of the state board of accounts and the examination process used by the state board of accounts. To carry out this responsibility, the audit committee shall do at least the following:

(1) Review and monitor the independence and objectivity of the state board of accounts and the effectiveness of the examination process, taking into consideration relevant professional and regulatory requirements.

(2) Evaluate the findings and recommendations of any peer review of the state board of accounts that is required by recognized government auditing standards.

(3) Receive and review reports of examinations submitted under IC 5-11-5-1 or another law to monitor the integrity of the financial reporting process and the effectiveness of the state board of accounts in evaluating the internal accounting controls of audited entities.

(4) Monitor the actions of the examined entities to follow up on reported findings to assure corrective action is taken.

(5) Review the policy on the engagement of the state board of accounts, its field examiners, and private examiners to supply nonaudit services, taking into account relevant ethical guidance regarding the provision of nonaudit services by the state board of accounts.

(6) Provide guidance to the state board of accounts on any accounting, examination, or financial reporting matter requested by the state board of accounts.

(7) At least annually, report to the legislative council on how the audit committee has discharged its duties and met its responsibilities.

(d) An examined entity shall provide the audit committee with information, including any reports of internal auditors and annual internal audit work plans, that the audit committee requests as necessary or appropriate to carry out the responsibilities of the audit committee.

(e) IC 2-5-1.2 applies to the committee. In addition, the audit committee may retain the services of at least one (1) financial expert who is either an audit committee member or an outside party engaged by the audit committee for this purpose. The financial expert must, through both education and experience and in a manner specifically relevant to the government sector, possess:

(1) an understanding of generally accepted accounting principles and financial statements;

(2) experience in preparing or auditing financial statements of comparable entities;

(3) experience in applying such principles in connection with the accounting for estimates, accruals, and reserves;

(4) experience with internal accounting controls; and

(5) an understanding of audit committee functions.

The expenses of the audit committee shall be paid from appropriations for the legislative council and the legislative services agency.

(f) The audit committee shall receive appeals and conduct hearings as described in IC 5-11-1-9.3.

SECTION 2. IC 5-11-1-2, AS AMENDED BY P.L.176-2009, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. The state board of accounts shall formulate, prescribe, and install a system of accounting and reporting in conformity with this chapter **for use by an audited entity,** which must comply with the following:

(1) Be uniform for every public office and every public account of the same class and contain written standards that an entity that is subject to audit must observe.

(2) Exhibit true accounts and detailed statements of funds collected, received, obligated, and expended for or on account of the public for any and every purpose whatever, and by all public officers, employees, or other individuals.

(3) Show the receipt, use, and disposition of all public property and the income, if any, derived from the property.

(4) Show all sources of public income and the amounts due and received from each source.

(5) Show all receipts, vouchers, contracts, obligations, and other documents kept, or that may be required to be kept, to prove the validity of every transaction.

The state board of accounts shall formulate or approve all statements and reports necessary for the internal administration of the office to which the statements and reports pertain. The state board of accounts shall approve all reports that are published or that are required to be filed in the office of state examiner. The state board of accounts shall from time to time make and enforce changes in the system and forms of accounting and reporting as necessary to conform to law.

SECTION 3. IC 5-11-1-4, AS AMENDED BY P.L.244-2017, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The state examiner shall require from every ~~municipality and every state or local governmental unit, entity, or instrumentality~~ **audited entity** financial reports covering the full period of each fiscal year. These reports shall be prepared, verified, and filed with the state examiner not later than sixty (60) days after the close of each fiscal year. The reports must be in the form and content prescribed by the state examiner and filed electronically in the manner prescribed under IC 5-14-3.8-7.

(b) The department of local government finance may not approve the budget of a political subdivision or a supplemental appropriation for a political subdivision until the political subdivision files an annual report under subsection (a) for the preceding calendar year.

(c) As used in this subsection, "bonds" means any bonds, notes, or other evidences of indebtedness, whether payable from property taxes, other taxes, revenues, fees, or any other source. However, the term does not include notes, warrants, or other evidences of indebtedness that have a maturity of not more than five (5) years and that are made in anticipation of and to be paid from revenues of the political subdivision. Notwithstanding any other law, a county or municipality may not issue any bonds unless the county or municipality has filed an annual financial report with the state examiner for the preceding fiscal year. The requirements under this subsection for the issuance of bonds by a county or municipality are in addition to any other requirements imposed under any other law. This subsection applies to the issuance of bonds authorized under any statute, regardless of whether that statute specifically references this subsection or the requirements under this subsection.

SECTION 4. IC 5-11-1-9, AS AMENDED BY P.L.209-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) The state examiner, personally or through the deputy examiners, field examiners, or private examiners, shall examine all accounts and all financial affairs of every ~~public office and officer, state office, state institution, and entity.~~ **audited entity.** However, an examination of an entity under this subsection shall be limited to matters relevant to the use of the public money received by the entity.

(b) An examination of an entity that is organized as a not-for-profit corporation deriving:

(1) less than fifty percent (50%); or

(2) subject to subsection (i), at least fifty percent (50%) but less than seven hundred fifty thousand dollars ($750,000);

of its disbursements during the period subject to an examination from appropriations, public funds, taxes, and other sources of public expense shall be limited to matters relevant to the use of the public money received by the entity.

(c) The examination of an entity described in subsection (b) may be waived by the state examiner if the state examiner determines that:

(1) in consideration of the applicable risk based examination criteria described in and approved under section 25 of this chapter; and

(2) based on submitted information;

there are no compelling reasons to conclude that disbursements of public money during the period subject to examination were inconsistent with the purposes for which the money was received. However, the state examiner may revoke a waiver granted under this subsection if the state examiner determines that revocation of the waiver is necessary in accordance with the risk based examination criteria set forth in section 25 of this chapter. The state examiner shall communicate the determination to grant or revoke a waiver under this subsection to the entity in writing.

(d) Notwithstanding any other law, the:

(1) Indiana economic development corporation created by IC 5-28-3 and the corporation's funds, accounts, and financial affairs shall be examined by the state board of accounts unless the examination is waived under subsection (j); and

(2) department of financial institutions established by IC 28-11-1-1 and the department's funds, accounts, and financial affairs shall be examined by the state board of accounts.

(e) On every examination under this section, inquiry shall be made as to the following:

(1) The financial condition and resources of each ~~municipality, office, institution, or entity.~~ **audited entity.**

(2) Whether the laws of the state and the uniform compliance guidelines of the state board of accounts established under section 24 of this chapter have been complied with.

(3) The methods and accuracy of the accounts and reports of the person examined.

The examinations may be made without notice.

(f) If during an examination of a state office **or a body corporate and politic** under this chapter the examiner encounters an inefficiency in the operation of the state office **or the body corporate and politic,** the examiner may comment on the inefficiency in the examiner's report.

(g) The state examiner, deputy examiners, any field examiner, or any private examiner, when engaged in making any examination or when engaged in any official duty devolved upon them by the state examiner, is entitled to do the following:

(1) Enter into any state, county, city, township, or other public office in this state, or any entity, agency, or instrumentality, and examine any books, papers, documents, or electronically stored information for the purpose of making an examination.

(2) Have access, in the presence of the custodian or the custodian's deputy, to the cash drawers and cash in the custody of the officer.

(3) During business hours, examine the public accounts in any depository that has public funds in its custody pursuant to the laws of this state.

(h) The state examiner, deputy examiner, or any field examiner, when engaged in making any examination authorized by law, may issue subpoenas for witnesses to appear before the examiner in person or to produce books, papers, or other records (including records stored in electronic data processing systems) for inspection and examination. **The state examiner, deputy examiner, or any field examiner may issue a subpoena to enforce the filing of the annual financial report.** The state examiner, deputy examiner, and any field examiner may administer oaths and examine witnesses under oath orally or by interrogatories concerning the matters under investigation and examination. Under the authority of the state examiner, the oral examinations may be transcribed with the reasonable expense paid by the examined person in the same manner as the compensation of the field examiner is paid. The subpoenas shall be served by any person authorized to serve civil process from any court in this state. If a witness **or officer** duly subpoenaed refuses to attend, refuses to produce information required in the subpoena, or attends and refuses to be sworn or affirmed, or to testify when called upon to do so, the examiner may apply to the circuit court having jurisdiction of the witness **or officer** for the enforcement of attendance and answers to questions as provided by the law governing the taking of depositions **or to enforce the filing of any report referred to in this subsection.**

(i) The definitions in IC 20-24-1 apply throughout this subsection. Appropriations, public funds, taxes, and other sources of public money received by a nonprofit corporation as a charter school or organizer of a charter school for the purposes of a charter school may not be counted for the purpose of applying subsection (b)(2). Unless the nonprofit corporation receives other public money that would qualify the nonprofit corporation for a full examination of all accounts and financial affairs of the entity under subsection (b)(2), an examination of a charter school or organizer of a charter school must be limited to matters relevant to the use of the public money received for the charter school. This subsection does not prohibit the state examiner, personally or through the deputy examiners, field examiners, or private examiners, from examining the accounts in which appropriations, public funds, taxes, or other sources of public money are applied that are received by a nonprofit corporation as a charter school or organizer of a charter school relating to the operation of the charter school.

(j) The state examiner may waive the examination of the Indiana economic development corporation and a nonprofit subsidiary corporation established under IC 5-28-5-13 if:

(1) an independent certified public accounting firm conducts an examination under IC 5-28-3-2(c) of:

(A) the Indiana economic development corporation and the Indiana economic development corporation's funds, accounts, and financial affairs; and

(B) the nonprofit subsidiary corporation;

for the year;

(2) the Indiana economic development corporation submits the examination report to the state board of accounts; and

(3) the state board of accounts reviews the examination report and determines that the examination and examination report comply with the uniform compliance guidelines, directives, and standards established by the state board of accounts.

(k) Notwithstanding the waiver of an examination of the Indiana economic development corporation and its nonprofit subsidiary corporation by the state examiner, the state board of accounts may examine the Indiana economic development corporation and its nonprofit subsidiary corporation at any time.

SECTION 5. IC 5-11-1-9.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 9.3. (a) This section applies only to a body corporate and politic whose enabling statute does not provide for an annual audit, examination, or other engagement by:**

(1) the state board of accounts; or

(2) an independent public accounting firm;

concerning financial or compliance related matters of the body corporate and politic.

(b) This section does not affect a body corporate and politic whose enabling statute provides for an annual audit, examination, or other engagement by the state board of accounts or an independent public accounting firm.

(c) As used in this section, "audit committee" refers to the audit and financial reporting subcommittee of the legislative council established by IC 2-5-1.1-6.3(b).

(d) As used in this section, "enabling statute" refers to a statute, including a statute enacted after June 30, 2020, that establishes a body corporate and politic.

(e) The state board of accounts may conduct an examination of a body corporate and politic described in this section. The state board of accounts shall permit a body corporate and politic to request in writing to the state examiner that an examination under this section be performed by an independent public accounting firm. The state examiner may approve a request under this section based on the applicable risk based examination criteria described in and approved under section 25 of this chapter.

(f) If a request under subsection (e) for an independent public accounting firm to conduct an examination is denied by the state examiner, the body corporate and politic may file an appeal of the denial with the audit committee. The audit committee shall hold a public hearing concerning the appeal and prepare a written decision determining whether the independent public accounting firm selected by the body

corporate and politic is permitted to conduct the examination under this section. The audit committee's written decision is binding, and the state board of accounts shall allow the independent public accounting firm to conduct the examination if the audit committee determines the independent public accounting firm is permitted. The audit committee shall provide a copy of the written decision to the state board of accounts and to the body corporate and politic. The audit committee shall post a copy of the written decision on the audit committee's Internet web site.

(g) An examination of a body corporate and politic conducted under this section by the state board of accounts or an independent public accounting firm shall be filed with:

(1) the state board of accounts in the manner provided by this article; and

(2) the auditor of state.

SECTION 6. IC 5-11-1-10 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. **(a)** A public officer **or responsible officer of an audited entity** who:

(1) fails to make, verify, and file with the state examiner any report required by this chapter;

(2) fails to follow the directions of the state examiner in keeping the accounts of the officer's office;

(3) refuses the state examiner, deputy examiner, field examiner, or private examiner access to the books, accounts, papers, documents, cash drawer, or cash of the officer's office; or

(4) interferes with an examiner in the discharge of the examiner's official duties;

commits a Class B infraction. ~~and forfeits office.~~ **The court may also order the officer described in this subsection to forfeit the officer's office.**

(b) As an alternative to an order to forfeit office under subsection (a), a court in which an action described in subsection (a) is filed may impose a civil penalty that does not exceed five hundred dollars ($500) for each day, beginning on the day that the court imposes the civil penalty and each day thereafter, that the public officer or responsible officer continues to violate an obligation described in subsection (a). The individual is personally liable for a civil penalty imposed on the individual under this section.

(c) The state board of accounts may collect the expenses incurred in carrying out the audit, examination, or engagement from the audited entity of the officer described in this section.

SECTION 7. IC 5-11-1-15 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. (a) The state examiner, deputy examiners, and field examiners shall each give bond for the faithful performance of the examiner's duties ~~as follows:~~

~~(1) The state examiner in the sum of five thousand dollars ($5,000), to be approved by the governor.~~

~~(2) Each deputy examiner in the sum of three thousand dollars ($3,000), to be approved by the governor.~~

~~(3) Each field examiner in the sum of one thousand dollars ($1,000), to be approved by the state examiner.~~ **in an amount determined by the audit committee and based on applicable risk considerations.** However, field examiners may be covered by a blanket bond or crime insurance policy endorsed to include faithful performance under IC 5-4-1-15.1 subject to approval of the **audit committee and** state examiner.

(b) The commissioner of insurance shall prescribe the form of the bonds or crime policies required by this section.

SECTION 8. IC 5-11-1-16, AS AMENDED BY P.L.257-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) As used in this article, "municipality" means any county, township, city, town, school corporation, special taxing district, or other political subdivision of Indiana.

(b) As used in this article, "state" means any board, commission, department, division, bureau, committee, agency, governmental subdivision, military body, authority, or other instrumentality of the state, but does not include a municipality.

(c) As used in this article, "public office" means the office of any and every individual who for or on behalf of the state or any municipality or any public hospital holds, receives, disburses, or keeps the accounts of the receipts and disbursements of any public funds.

(d) As used in this article, "public officer" means any individual who holds, receives, disburses, or is required by law to keep any account of public funds or other funds for which the individual is accountable by virtue of the individual's public office.

(e) As used in this article, "entity" means any provider of goods, services, or other benefits that is:

(1) maintained in whole or in part at public expense; or

(2) supported in whole or in part by appropriations or public funds or by taxation.

The term does not include the state or a municipality (as defined in this section).

(f) As used in this article, a "public hospital" means either of the following:

(1) An institution licensed under IC 16-21 and which is owned by the state or an agency of the state or one which is a municipal corporation. A hospital is a municipal corporation if its governing board members are appointed by elected officials of a municipality.

(2) A state institution (as defined in IC 12-7-2-184).

(g) As used in this article, "audit committee" refers to the audit and financial reporting subcommittee of the legislative council established by IC 2-5-1.1-6.3.

(h) As used in this article, "audited entity" has the meaning set forth in IC 2-5-1.1-6.3.

(i) As used in this article, "development authority" has the meaning set forth in the following:

(1) IC 36-7.5-1-8.

(2) IC 36-7.6-1-8.

(j) As used in this article, "responsible officer of an audited entity" refers to the chief executive officer or another individual who has executive decision making authority for the audited entity with respect to a compliance obligation prescribed by or established under this article or another law.

SECTION 9. IC 5-11-1-18, AS AMENDED BY

P.L.181-2015, SECTION 14, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 18. All examinations under this chapter may be made without notice to the **audited entities or** officers whose accounts are to be examined, and without notice to any clerk, deputy, employee, or other person employed in or connected with the office or the business of such an **audited entity or** officer. A person who recklessly communicates knowledge of any proposed examination of any public account:

(1) that the board has determined to make without notice under this section; and

(2) to the officer in charge of the account or to any other unauthorized person;

commits a Class B misdemeanor.

SECTION 10. IC 5-11-1-21 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 21. **(a)** All public officers **and responsible officers of audited entities** shall adopt and use the books, forms, records, and systems of accounting and reporting adopted by the state board of accounts, when directed so to do by the board, and all forms, books, and records shall be purchased by those officers in the manner provided by law. An officer **described in this subsection** who refuses to provide such books, forms, or records, fails to use them, or fails to keep the accounts of ~~his~~ **the officer's** office as directed by the board commits a Class C infraction. ~~and forfeits his office.~~ **The court may also order the officer to forfeit the officer's office.**

(b) As an alternative to an order to forfeit office under subsection (a), a court in which an action described in subsection (a) is filed may impose a civil penalty that does not exceed five hundred dollars ($500) for each day, beginning on the day that the court imposes the civil penalty and each day thereafter, that the public officer or responsible officer continues to violate an obligation described in subsection (a). The individual is personally liable for a civil penalty imposed on the individual under this section.

(c) The state board of accounts may collect the expenses incurred in carrying out the audit, examination, or engagement from the audited entity of the officer described in this section.

SECTION 11. IC 5-11-1-22 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 22. The provisions of this chapter shall not be construed to relieve any officer of any duties required by law of him on April 5, 1909, with relation to the auditing of public accounts or the disbursement of public funds, but the provisions of this chapter shall be construed to be supplemental to all provisions of law existing on April 5, 1909, safeguarding the care and disbursement of public funds; and provided further, that the provisions of this chapter shall not be construed to limit or curtail the power of the governor of the state under laws existing on April 5, 1909, to make examination or investigation of any public office or to require reports therefrom.~~

SECTION 12. IC 5-11-1-25, AS AMENDED BY P.L.257-2019, SECTION 6, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 25. (a) This section and section 24.4 of this chapter do not limit the application of any law that requires a municipality, a public hospital, another public office or public officer, an entity, or another person or organization to be audited or otherwise examined on an annual or other basis by:

(1) a certified public accountant; or

(2) a person other than the state examiner or the state board of accounts.

(b) Subject to section 9 of this chapter and subsections (c) and (d), the state board of accounts shall conduct examinations of audited entities at the times determined by the state board of accounts, but not less than once every four (4) years, using risk based examination criteria that are established by the state board of accounts and approved by the audit committee. The risk based examination criteria must include the following risk factors:

(1) An audited entity has a newly elected or appointed fiscal officer.

(2) An audited entity:

(A) has not timely filed; or

(B) has filed a materially incorrect or incomplete;

annual financial report required by section 4 of this chapter.

(3) A ratings agency that rates debt maintained by an audited entity has determined an examination of the audited entity is required more frequently than once every four (4) years.

~~(3)~~ **(4)** Any other factor determined by the state examiner and approved by the audit committee.

(c) Examinations must be conducted annually for the following:

(1) The state.

(2) An audited entity (other than a school corporation) that requires an annual audit:

(A) because of the receipt of federal financial assistance in an amount that subjects the audited entity to an annual federal audit;

(B) due to continuing disclosure requirements; or

(C) as a condition of a public bond issuance.

(3) A development authority.

An audited entity shall, under the guidelines established by the state board of accounts, provide notice to the state examiner not later than sixty (60) days after the close of the audited entity's fiscal year that the audited entity is required to have an annual audit under subdivision (2).

(d) As permitted under this section since September 1, 1986 (the effective date of P.L.3-1986, SECTION 16), examinations of school corporations shall be conducted biennially.

SECTION 13. IC 5-11-5-1, AS AMENDED BY P.L.209-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Whenever an examination is made under this article, a report of the examination shall be made. The report must include a list of findings and shall be signed and verified by the examiner making the examination. A finding that is critical of an examined entity must be based upon one (1) of the following:

(1) Failure of the entity to observe a uniform compliance guideline established under IC 5-11-1-24(a).

(2) Failure of the entity to comply with a specific law.

A report that includes a finding that is critical of an examined entity must designate the uniform compliance guideline or the

specific law upon which the finding is based. **Except as provided in subsection (g), the state board of accounts may also issue confidential management letters, based on professional auditing standards, to an audited entity (as defined in section 1.5(a) of this chapter) in a situation involving noncompliance that does not result in the establishment of a corrective action plan but that must be brought to the attention of the audited entity's governing body. If issues addressed in the confidential management letter become part of a finding in the subsequent audit period, it shall be noted in the public report.** The reports shall immediately be filed with the state examiner, and, after inspection of the report, the state examiner shall immediately file one (1) copy with the officer or person examined, one (1) copy with the auditing department of the municipality examined and reported upon (if the subject of the report is a municipality), and one (1) copy in an electronic format under IC 5-14-6 with the legislative services agency, as staff to the audit committee and the general assembly. Upon filing, the report becomes a part of the public records of the office of the state examiner, of the office or the person examined, of the auditing department of the municipality examined and reported upon, and of the legislative services agency, as staff to the audit committee and the general assembly. A report is open to public inspection at all reasonable times after it is filed. If an examination discloses malfeasance, misfeasance, or nonfeasance in office or of any officer or employee, a copy of the report, signed and verified, shall be placed by the state examiner with the attorney general and the inspector general. The attorney general shall diligently institute and prosecute civil proceedings against the delinquent officer **or employee,** or upon the officer's **or employee's** official bond, or both, and against any other proper person that will secure to the state or to the proper municipality the recovery of any funds misappropriated, diverted, or unaccounted for.

(b) Before an examination report is signed, verified, and filed as required by subsection (a), the officer or the chief executive officer of the state office, municipality, or entity examined must have an opportunity to review the report and to file with the state examiner a written response to that report. If a written response is filed, it becomes a part of the examination report that is signed, verified, and filed as required by subsection (a). As part of the review of the examination report, the state examiner shall hold a gathering of the officer or chief executive officer of the state office, municipality, or entity examined, any employees or agents of the state office, municipality, or entity examined who are requested to attend by the officer or chief executive officer of the state office, municipality, or entity examined, and the members of the legislative and fiscal bodies of the municipality or entity examined. Such a gathering is referred to as an "exit conference" for purposes of this subsection. The following apply to an exit conference:

(1) All information discussed and materials presented or delivered by any person during an exit conference are confidential and may not be discussed or shared publicly until the earliest of the occurrences set forth in subsection (g). However, the information discussed and materials presented or delivered during an exit conference may be shared with an officer, employee, consultant, adviser, or attorney of the officer or chief executive officer of the state office, municipality, or entity examined who was not present at the exit conference. An individual with whom information and materials are shared must maintain the confidentiality of the information and materials as provided in this subdivision until the earliest of the occurrences set forth in subsection (g).

(2) An individual attending an exit conference may not electronically record the exit conference.

(3) If a majority of a governing body (as defined in IC 5-14-1.5-2(b)) is present during an exit conference, the governing body shall be considered in an executive session under IC 5-14-1.5. However, the governing body has no obligation to give notice as prescribed by IC 5-14-1.5-5 when it participates in the exit conference.

(4) If the state examiner determines after the exit conference that additional actions must be undertaken by a deputy examiner, field examiner, or private examiner with respect to information discussed or materials presented at the exit conference, the state examiner may call for an additional exit conference to be held.

(5) Not more than thirty (30) days after the initial exit conference is held under this subsection, the legislative body of the municipality or entity examined and reported upon may adopt a resolution, approved by at least a two-thirds (2/3) vote of the legislative body, requesting that an additional exit conference be held. The legislative body shall notify the state board of accounts if the legislative body adopts a resolution under this subdivision. If a legislative body adopts a resolution under this subdivision, the state board of accounts shall conduct an additional exit conference not more than sixty (60) days after the state board of accounts receives notice of the adoption of the resolution. The municipality or entity examined must pay the travel and staff costs incurred by the state board of accounts in conducting an additional exit conference under this subdivision.

(6) Except as provided in subdivision (7), a final report under subsection (a) may not be issued earlier than forty-five (45) days after the initial exit conference is held under this subsection.

(7) If:

(A) the state examiner does not call for an additional exit conference to be held as described in subdivision (4); and

(B) the:

(i) legislative body of the municipality or entity examined and reported upon provides written notice to the state examiner that the legislative body waives an additional exit conference described in subdivision (5); or

(ii) state examiner determines that a final report under subsection (a) must be issued as soon as possible;

the final report may be issued earlier than forty-five (45) days after the initial exit conference is held under this subsection.

(c) Except as provided by subsections (b), (d), and (e), it is

unlawful for any person, before an examination report is made public as provided by this section, to make any disclosure of the result of any examination of any public account, except:

(1) to the state examiner;

(2) if directed to give publicity to the examination report by the state examiner or by any court;

(3) to another deputy examiner, field examiner, or private examiner engaged in conducting the examination; or

(4) if directed by the state examiner, to the chair of the audit committee or the members of the audit committee acting in executive session, or both.

If an examination report shows or discloses the commission of a crime by any person, it is the duty of the state examiner to transmit and present the examination report to the prosecuting attorney of the county in which the crime was committed. The state examiner shall furnish to the prosecuting attorney all evidence at the state examiner's command necessary in the investigation and prosecution of the crime.

(d) If, during an examination under this article, a deputy examiner, field examiner, or private examiner acting as an agent of the state examiner determines that the following conditions are satisfied, the examiner shall report the determination to the state examiner:

(1) A substantial amount of public funds has been misappropriated or diverted.

(2) The deputy examiner, field examiner, or private examiner acting as an agent of the state examiner has a reasonable belief that the malfeasance or misfeasance that resulted in the misappropriation or diversion of the public funds was committed by the officer or an employee of the office **or entity.**

(e) After receiving a preliminary report under subsection (d), the state examiner may provide a copy of the report to the attorney general. The attorney general may institute and prosecute civil proceedings against the delinquent officer or employee, or upon the officer's or employee's official bond, or both, and against any other proper person that will secure to the state or to the proper municipality the recovery of any funds misappropriated, diverted, or unaccounted for.

(f) In an action under subsection (e), the attorney general may attach the defendant's property under IC 34-25-2.

(g) Except as permitted in this section, the information and materials that are part of an exit conference under subsection (b), ~~and~~ the results of an examination, including a preliminary report under subsection (d), are confidential until the occurrence of the earliest of the following:

(1) The final report is made public under subsection (a).

(2) The results of the examination are publicized under subsection (c)(2).

(3) The attorney general institutes an action under subsection (e) on the basis of the preliminary report.

(h) Except as permitted in this section, an individual, a public agency (as defined in IC 5-14-3-2), a public employee, a public official, or an employee or officer of a contractor or subcontractor of a public agency that knowingly or intentionally discloses information in violation of subsection (b) or (g), regardless of whether the information is received orally or by any other means, is subject to the following:

(1) A public agency (as defined in IC 5-14-3-2), a public employee, a public official, or an employee or officer of a contractor or subcontractor of a public agency commits a Class A infraction under IC 5-14-3-10.

(2) If the disclosure is by a person who is not described in subdivision (1), the person commits a Class A infraction.

(i) Unless in accordance with a judicial order or as otherwise provided in this section, the state board of accounts or its employees, former employees, counsel, or agents, or any other person may not divulge the examination workpapers and investigation records of a deputy examiner, a field examiner, or a private examiner acting as an agent of the state examiner, except to:

(1) employees and members of the state board of accounts;

(2) the audit committee;

(3) law enforcement officers, the attorney general, a prosecuting attorney, or any other legal representative of the state in any action with respect to the misappropriation or diversion of public funds;

(4) an authorized representative of the United States;

(5) a successor examiner or auditor, in accordance with applicable professional auditing standards; or

(6) another individual for any other factor that constitutes good cause as set forth in criteria established by the state examiner and approved by the audit committee.

(j) An individual described in subsection (i)(3) or (i)(4) who receives examination workpapers and investigation records described in subsection (i) may divulge the workpapers and records in any action with respect to the misappropriation or diversion of public funds.

SECTION 14. IC 5-11-5-1.5, AS ADDED BY P.L.176-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.5. (a) As used in this section, "audited entity" includes only the following:

(1) A state agency (as defined in IC 4-13-1-1).

(2) A public hospital.

(3) A municipality.

(4) A body corporate and politic.

(5) A state educational institution.

(6) An entity to the extent that the entity is required to be examined under IC 5-11-1-9 or another law.

(b) If an examination report contains a finding that an audited entity failed to observe a uniform compliance guideline established under IC 5-11-1-24(a) or to comply with a specific law, the audited entity shall take action to address the audit finding.

(c) If a subsequent examination report of the audited entity contains a finding that is the same as or substantially similar to the finding contained in the previous examination report described in subsection (b), the public officer of the audited entity shall file a corrective action plan as a written response to the report under section 1(b) of this chapter.

(d) The state board of accounts shall create guidelines for use by an audited entity to establish a corrective action plan described in subsection (c). The guidelines must include a requirement that the issue that is the subject of a finding

described in subsection (c) must be corrected not later than six (6) months after the date on which the corrective action plan is filed.

(e) After the successful completion of a corrective action plan by an audited entity that was required to file a corrective action plan under subsection (c), the audited entity shall notify the state board of accounts. The state board of accounts shall review each corrective action plan. If a corrective action plan is not implemented or the issue that is the subject of the finding is not corrected within six (6) months, the state board of accounts shall prepare a memorandum summarizing:

(1) the examination report finding;

(2) the corrective action plan;

(3) the manner by which the examination report finding was or was not addressed; and

(4) a recommended course of action.

(f) The state board of accounts shall present to the audit committee established by IC 2-5-1.1-6.3 a memorandum described in subsection (e). If the audit committee determines that further action should be taken, the audit committee may do any of the following:

(1) Request a written statement from the public officer of the audited entity.

(2) Request the personal attendance of the public officer of the audited entity at the next audit committee meeting.

(3) Request that the public officer of the audited entity take corrective action.

(4) Notify the:

(A) office of management and budget (in the case of an audited entity that is a state agency, a body corporate and politic, or a state educational institution); or

(B) officer or chief executive officer, legislative body, and fiscal body of the audited entity and the department of local government finance (in the case of any other audited entity);

that the audited entity refused to correct the audited entity's failure to observe a uniform compliance guideline established under IC 5-11-1-24(a), or refused to comply with a specific law, with notice of the recommendation described in subsection (e)(4) published on the general assembly's Internet web site.

(5) Refer the facts drawn from the examination and the actions taken under this section for investigation and prosecution of a violation of IC 5-11-1-10 or IC 5-11-1-21 to the:

(A) inspector general, in the case of an audited entity that is a state agency, a body corporate and politic, or a state educational institution; or

(B) prosecuting attorney of the county in which a violation of IC 5-11-1-10 or IC 5-11-1-21 may have been committed, in the case of any other audited entity;

with notice of the referral published on the general assembly's Internet web site. Notice of a referral described in clause (B) must be sent to the officer or chief executive officer, legislative body, and fiscal body of the audited entity.

(6) Recommend that legislation be introduced in the general assembly to amend any statute under which the audited entity is found to be noncompliant.

(7) Recommend that the state board of accounts examine the audited entity within the calendar year following the year in which the audited entity was required to file a corrective action plan under subsection (c).

(g) When implementing this section, the state board of accounts may issue confidential management letters, based on professional auditing standards, to an audited entity in a situation involving noncompliance that does not result in the establishment of a corrective action plan but that must be brought to the attention of the audited entity's governing body.

SECTION 15. IC 5-11-13-1, AS AMENDED BY P.L.137-2012, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) ~~Every state, county, city, town, township, or school official, elective or appointive, who is the head of or in charge of any office, department, board, or commission of the state or of any county, city, town, or township, and every state, county, city, town, or township employee or agent who is the head of, or in charge of, or the executive officer of any department, bureau, board, or commission of the state, county, city, town, or township, and every executive officer by whatever title designated, who is in charge of any state educational institution or of any other state, county, or city institution,~~ **As used in this section, "audited entity" includes only the following:**

(1) The state.

(2) A municipality.

(3) A state educational institution.

(b) Each audited entity shall during the month of January of each year prepare, make, and sign a certified report, correctly and completely showing the names and business addresses of ~~each and all~~ **the** officers, employees, and agents ~~in their respective offices, departments, boards, commissions, and institutions, and~~ **of the audited entity. The report shall indicate** the respective duties and compensation of each ~~and~~ **officer, employee, and agent of the audited entity. The audited entity** shall ~~forthwith~~ file ~~said~~ **the** report in the office of the state examiner of the state board of accounts. The report must also indicate whether the political subdivision offers a health plan, a pension, and other benefits to full-time and part-time employees. However, no more than one (1) report covering the same officers, employees, and agents need be made from the state or any county, city, town, township, or school unit in any one year. The certification must be filed electronically in the manner prescribed under IC 5-14-3.8-7.

~~(b)~~ **(c)** The department of local government finance may not approve the budget of a county, city, town, or township or a supplemental appropriation for a county, city, town, or township until the county, city, town, or township files an annual report under subsection ~~(a)~~ **(b)** for the preceding calendar year.

(Reference is to EHB 1108 as reprinted February 28, 2020.)

Lehman, Chair	Bassler
Porter	Niezgodski
House Conferees	Senate Conferees

Roll Call 395: yeas 43, nays 6. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1372–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1372 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 5-10-8-24 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 24. (a) As used in this section, "state employee health plan" means the following:**

(1) A self-insurance program established under section 7(b) of this chapter.

(2) A contract for prepaid health services entered into under section 7(c) of this chapter.

(b) A state employee health plan must provide coverage for treatment of:

(1) pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS); and

(2) pediatric acute-onset neuropsychiatric syndrome (PANS);

including treatment with intravenous immunoglobulin therapy.

(c) The coverage required by this section may not be subject to annual or lifetime limitation, deductible, copayment, or coinsurance provisions that are more restrictive than the annual or lifetime limitation, deductible, copayment, or coinsurance provisions that apply generally under the state employee health plan.

SECTION 2. IC 27-1-12-2, AS AMENDED BY P.L.124-2018, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) The following definitions apply to this section:

(1) "Acceptable collateral" means, as to securities lending transactions:

(A) cash;

(B) cash equivalents;

(C) letters of credit; and

(D) direct obligations of, or securities that are fully guaranteed as to principal and interest by, the government of the United States or any agency of the United States, including the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

(2) "Acceptable collateral" means, as to lending foreign securities, sovereign debt that is rated:

(A) A- or higher by Standard & Poor's Corporation;

(B) A3 or higher by Moody's Investors Service, Inc.;

(C) A- or higher by Duff and Phelps, Inc.; or

(D) 1 by the Securities Valuation Office.

(3) "Acceptable collateral" means, as to repurchase transactions:

(A) cash;

(B) cash equivalents; and

(C) direct obligations of, or securities that are fully guaranteed as to principal and interest by, the government of the United States or any agency of the United States, including the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

(4) "Acceptable collateral" means, as to reverse repurchase transactions:

(A) cash; and

(B) cash equivalents.

(5) "Admitted assets" means assets permitted to be reported as admitted assets on the statutory financial statement of the life insurance company most recently required to be filed with the commissioner.

(6) "Business entity" means:

(A) a sole proprietorship;

(B) a corporation;

(C) a limited liability company;

(D) an association;

(E) a partnership;

(F) a joint stock company;

(G) a joint venture;

(H) a mutual fund;

(I) a trust;

(J) a joint tenancy; or

(K) other, similar form of business organization;

whether organized for-profit or not-for-profit.

(7) "Cash" means any of the following:

(A) United States denominated paper currency and coins.

(B) Negotiable money orders and checks.

(C) Funds held in any time or demand deposit in any depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation.

(8) "Cash equivalent" means any of the following:

(A) A certificate of deposit issued by a depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation.

(B) A banker's acceptance issued by a depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation.

(C) A government money market mutual fund.

(D) A class one money market mutual fund.

(9) "Class one money market mutual fund" means a money market mutual fund that at all times qualifies for investment pursuant to the Purposes and Procedures Manual of the NAIC Investment Analysis Office either using the bond class one reserve factor or because it is exempt from asset valuation reserve requirements.

(10) "Dollar roll transaction" means two (2) simultaneous transactions that have settlement dates not more than ninety-six (96) days apart and that meet the following description:

(A) In one (1) transaction, a life insurance company sells

to a business entity one (1) or both of the following:

(i) Asset-backed securities that are issued, assumed, or guaranteed by the Government National Mortgage Association, the Federal National Mortgage Association, or the Federal Home Loan Mortgage Corporation.

(ii) Other asset-backed securities referred to in Section 106 of Title I of the Secondary Mortgage Market Enhancement Act of 1984 (15 U.S.C. 77r-1).

(B) In the other transaction, the life insurance company is obligated to purchase from the same business entity securities that are substantially similar to the securities sold under clause (A).

(11) "Domestic jurisdiction" means:

(A) the United States;

(B) any state, territory, or possession of the United States;

(C) the District of Columbia;

(D) Canada; or

(E) any province of Canada.

(12) "Earnings available for fixed charges" means income, after deducting:

(A) operating and maintenance expenses other than expenses that are fixed charges;

(B) taxes other than federal and state income taxes;

(C) depreciation; and

(D) depletion;

but excluding extraordinary nonrecurring items of income or expense appearing in the regular financial statements of a business entity.

(13) "Fixed charges" includes:

(A) interest on funded and unfunded debt;

(B) amortization of debt discount; and

(C) rentals for leased property.

(14) "Foreign currency" means a currency of a foreign jurisdiction.

(15) "Foreign jurisdiction" means a jurisdiction other than a domestic jurisdiction.

(16) "Government money market mutual fund" means a money market mutual fund that at all times:

(A) invests only in:

(i) obligations that are issued, guaranteed, or insured by the United States; or

(ii) collateralized repurchase agreements composed of obligations that are issued, guaranteed, or insured by the United States; and

(B) qualifies for investment without a reserve pursuant to the Purposes and Procedures Manual of the NAIC Investment Analysis Office.

(17) "Guaranteed or insured," when used in reference to an obligation acquired under this section, means that the guarantor or insurer has agreed to:

(A) perform or insure the obligation of the obligor or purchase the obligation; or

(B) be unconditionally obligated, until the obligation is repaid, to maintain in the obligor a minimum net worth, fixed charge coverage, stockholders' equity, or sufficient liquidity to enable the obligor to pay the obligation in full.

(18) "Investment company" means:

(A) an investment company as defined in Section 3(a) of the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.); or

(B) a person described in Section 3(c) of the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.).

(19) "Investment company series" means an investment portfolio of an investment company that is organized as a series company to which assets of the investment company have been specifically allocated.

(20) "Letter of credit" means a clean, irrevocable, and unconditional letter of credit that is:

(A) issued or confirmed by; and

(B) payable and presentable at;

a financial institution on the list of financial institutions meeting the standards for issuing letters of credit under the Purposes and Procedures Manual of the NAIC Investment Analysis Office. To constitute acceptable collateral for the purposes of paragraph 29 of subsection (b), a letter of credit must have an expiration date beyond the term of the subject transaction.

(21) "Market value" means the following:

(A) As to cash, the amount of the cash.

(B) As to cash equivalents, the amount of the cash equivalents.

(C) As to letters of credit, the amount of the letters of credit.

(D) As to a security as of any date:

(i) the price for the security on that date obtained from a generally recognized source, or the most recent quotation from such a source; or

(ii) if no generally recognized source exists, the price for the security as determined in good faith by the parties to a transaction;

plus accrued but unpaid income on the security to the extent not included in the price as of that date.

(22) "Money market mutual fund" means a mutual fund that meets the conditions of 17 CFR 270.2a-7, under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.).

(23) "Multilateral development bank" means an international development organization of which the United States is a member.

(24) "Mutual fund" means:

(A) an investment company; or

(B) in the case of an investment company that is organized as a series company, an investment company series;

that is registered with the United States Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.).

(25) "Obligation" means any of the following:

(A) A bond.

(B) A note.

(C) A debenture.

(D) Any other form of evidence of debt.

(26) "Person" means:

(A) an individual;

(B) a business entity;

(C) a multilateral development bank; or

(D) a government or quasi-governmental body, such as a political subdivision or a government sponsored enterprise.

(27) "Repurchase transaction" means a transaction in which a life insurance company purchases securities from a business entity that is obligated to repurchase the purchased securities or equivalent securities from the life insurance company at a specified price, either within a specified period of time or upon demand.

(28) "Reverse repurchase transaction" means a transaction in which a life insurance company sells securities to a business entity and is obligated to repurchase the sold securities or equivalent securities from the business entity at a specified price, either within a specified period of time or upon demand.

(29) "Securities lending transaction" means a transaction in which securities are loaned by a life insurance company to a business entity that is obligated to return the loaned securities or equivalent securities to the life insurance company, either within a specified period of time or upon demand.

(30) "Securities Valuation Office" refers to the Securities Valuation Office of the NAIC.

(31) "Series company" means an investment company that is organized as a series company (as defined in Rule 18f-2(a) adopted under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.)).

(32) "Supported", when used in reference to an obligation, by whomever issued or made, means that:

(A) repayment of the obligation by:

(i) a domestic jurisdiction or by an administration, agency, authority, or instrumentality of a domestic jurisdiction; or

(ii) a business entity;

as the case may be, is secured by real or personal property of value at least equal to the principal amount of the obligation by means of mortgage, assignment of vendor's interest in one (1) or more conditional sales contracts, other title retention device, or by means of other security interest in such property for the benefit of the holder of the obligation; and

(B) the:

(i) domestic jurisdiction or administration, agency, authority, or instrumentality of the domestic jurisdiction; or

(ii) business entity;

as the case may be, has entered into a firm agreement to rent or use the property pursuant to which it is obligated to pay money as rental or for the use of such property in amounts and at times which shall be sufficient, after provision for taxes upon and other expenses of use of the property, to repay in full the obligation with interest and when such agreement and the money obligated to be paid thereunder are assigned, pledged, or secured for the benefit of the holder of the obligation. However, where the security for the repayment of the obligation consists of a first mortgage lien or deed of trust on a fee interest in real property, the obligation may provide for the amortization, during the initial, fixed period of the lease or contract, of less than one hundred percent (100%) of the obligation if there is pledged or assigned, as additional security for the obligation, sufficient rentals payable under the lease, or of contract payments, to secure the amortized obligation payments required during the initial, fixed period of the lease or contract, including but not limited to payments of principal, interest, and taxes other than the income taxes of the borrower, and if there is to be left unamortized at the end of such period an amount not greater than the original appraised value of the land only, exclusive of all improvements, as prescribed by law.

(b) Investments of domestic life insurance companies at the time they are made shall conform to the following categories, conditions, limitations, and standards:

1. Obligations of a domestic jurisdiction or of any administration, agency, authority, or instrumentality of a domestic jurisdiction.

2. Obligations guaranteed, supported, or insured as to principal and interest by a domestic jurisdiction or by an administration, agency, authority, or instrumentality of a domestic jurisdiction.

3. Obligations issued under or pursuant to the Farm Credit Act of 1971 (12 U.S.C. 2001 through 2279aa-14) as in effect on December 31, 1990, or the Federal Home Loan Bank Act (12 U.S.C. 1421 through 1449) as in effect on December 31, 1990, interest bearing obligations of the FSLIC Resolution Fund or shares of any institution whose deposits are insured by the Federal Deposit Insurance Corporation to the extent that such shares are insured, obligations issued or guaranteed by a multilateral development bank, and obligations issued or guaranteed by the African Development Bank.

4. Obligations issued, guaranteed, or insured as to principal and interest by a city, county, drainage district, road district, school district, tax district, town, township, village, or other civil administration, agency, authority, instrumentality, or subdivision of a domestic jurisdiction, providing such obligations are authorized by law and are:

(a) direct and general obligations of the issuing, guaranteeing or insuring governmental unit, administration, agency, authority, district, subdivision, or instrumentality;

(b) payable from designated revenues pledged to the payment of the principal and interest thereof; or

(c) improvement bonds or other obligations constituting a first lien, except for tax liens, against all of the real estate within the improvement district or on that part of such real estate not discharged from such lien through payment of the assessment. The area to which such improvement bonds or other obligations relate shall be situated within the limits of a town or city and at least fifty percent (50%) of the

properties within such area shall be improved with business buildings or residences.

5. Loans evidenced by obligations secured by first mortgage liens on otherwise unencumbered real estate or otherwise unencumbered leaseholds having at least fifty (50) years of unexpired term, such real estate, or leaseholds to be located in a domestic jurisdiction. Such loans shall not exceed eighty percent (80%) of the fair value of the security determined in a manner satisfactory to the department, except that the percentage stated may be exceeded if and to the extent such excess is guaranteed or insured by:

(a) a domestic jurisdiction or by an administration, agency, authority, or instrumentality of any domestic jurisdiction; or

(b) a private mortgage insurance corporation approved by the department.

If improvements constitute a part of the value of the real estate or leaseholds, such improvements shall be insured against fire for the benefit of the mortgagee in an amount not less than the difference between the value of the land and the unpaid balance of the loan.

For the purpose of this section, real estate or a leasehold shall not be deemed to be encumbered by reason of the existence in relation thereto of:

(1) liens inferior to the lien securing the loan made by the life insurance company;

(2) taxes or assessment liens not delinquent;

(3) instruments creating or reserving mineral, oil, water or timber rights, rights-of-way, common or joint driveways, sewers, walls, or utility connections;

(4) building restrictions or other restrictive covenants; or

(5) an unassigned lease reserving rents or profits to the owner.

A loan that is authorized by this paragraph remains qualified under this paragraph notwithstanding any refinancing, modification, or extension of the loan. Investments authorized by this paragraph shall not in the aggregate exceed forty-five percent (45%) of the life insurance company's admitted assets.

6. Loans evidenced by obligations guaranteed or insured, but only to the extent guaranteed or insured, by a domestic jurisdiction or by any agency, administration, authority, or instrumentality of any domestic jurisdiction, and secured by second or subsequent mortgages or deeds of trust on real estate or leaseholds, provided the terms of the leasehold mortgages or deeds of trust shall not exceed four-fifths (4/5) of the unexpired lease term, including enforceable renewable options remaining at the time of the loan.

7. Real estate contracts involving otherwise unencumbered real estate situated in a domestic jurisdiction, to be secured by the title to such real estate, which shall be transferred to the life insurance company or to a trustee or nominee of its choosing. For statement and deposit purposes, the value of a contract acquired pursuant to this paragraph shall be whichever of the following amounts is the least:

(a) eighty percent (80%) of the contract price of the real estate;

(b) eighty percent (80%) of the fair value of the real estate at the time the contract is purchased, such value to be determined in a manner satisfactory to the department; or

(c) the amount due under the contract.

For the purpose of this paragraph, real estate shall not be deemed encumbered by reason of the existence in relation thereto of: (1) taxes or assessment liens not delinquent; (2) instruments creating or reserving mineral, oil, water or timber rights, rights-of-way, common or joint driveways, sewers, walls or utility connections; (3) building restrictions or other restrictive covenants; or (4) an unassigned lease reserving rents or profits to the owner. Fire insurance upon improvements constituting a part of the real estate described in the contract shall be maintained in an amount at least equal to the unpaid balance due under the contract or the fair value of improvements, whichever is the lesser.

8. Improved or unimproved real property, whether encumbered or unencumbered, or any interest therein, held directly or evidenced by joint venture interests, general or limited partnership interests, trust certificates, or any other instruments, and acquired by the life insurance company as an investment, which real property, if unimproved, is developed within five (5) years. Real property acquired for investment under this paragraph, whether leased or intended to be developed for commercial or residential purposes or otherwise lawfully held, is subject to the following conditions and limitations:

(a) The real estate shall be located in a domestic jurisdiction.

(b) The admitted assets of the life insurance company must exceed twenty-five million dollars ($25,000,000).

(c) The life insurance company shall have the right to expend from time to time whatever amount or amounts may be necessary to conform the real estate to the needs and purposes of the lessee and the amount so expended shall be added to and become a part of the investment in such real estate.

(d) The value for statement and deposit purposes of an investment under this paragraph shall be reduced annually by amortization of the costs of improvement and development, less land costs, over the expected life of the property, which value and amortization shall for statement and deposit purposes be determined in a manner satisfactory to the commissioner. In determining such value with respect to the calendar years in which an investment begins or ends with respect to a point in time other than the beginning or end of a calendar year, the amortization provided above shall be made on a proportional basis.

(e) Fire insurance shall be maintained in an amount at least equal to the insurable value of the improvements or the difference between the value of the land and the value at which such real estate is carried for statement and deposit purposes, whichever amount is smaller.

(f) Real estate acquired in any of the manners described and sanctioned under section 3 of this chapter, or otherwise lawfully held, except paragraph 5 of that section which specifically relates to the acquisition of real estate under this paragraph, shall not be affected in any respect by this paragraph unless such real estate at or subsequent to its acquisition fulfills the conditions and limitations of this

paragraph, and is declared by the life insurance company in a writing filed with the department to be an investment under this paragraph. The value of real estate acquired under section 3 of this chapter, or otherwise lawfully held, and invested under this paragraph shall be initially that at which it was carried for statement and deposit purposes under that section.

(g) Neither the cost of each parcel of improved real property nor the aggregate cost of all unimproved real property acquired under the authority of this paragraph may exceed two percent (2%) of the life insurance company's admitted assets. For purposes of this paragraph, "unimproved real property" means land containing no structures intended for commercial, industrial, or residential occupancy, and "improved real property" consists of all land containing any such structure. When applying the limitations of subparagraph (d) of this paragraph, unimproved real property becomes improved real property as soon as construction of any commercial, industrial, or residential structure is so completed as to be capable of producing income. In the event the real property is mortgaged with recourse to the life insurance company or the life insurance company commences a plan of construction upon real property at its own expense or guarantees payment of borrowed funds to be used for such construction, the total project cost of the real property will be used in applying the two percent (2%) test. Further, no more than ten percent (10%) of the life insurance company's admitted assets may be invested in all property, measured by the property value for statement and deposit purposes as defined in this paragraph, held under this paragraph at the same time.

9. Deposits of cash in a depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation, or certificates of deposit issued by a depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation.

10. Bank and bankers' acceptances and other bills of exchange of kinds and maturities eligible for purchase or rediscount by federal reserve banks.

11. Obligations that are issued, guaranteed, assumed, or supported by a business entity organized under the laws of a domestic jurisdiction and that are rated:

(a) BBB- or higher by Standard & Poor's Corporation (or A-2 or higher in the case of commercial paper);

(b) Baa 3 or higher by Moody's Investors Service, Inc. (or P-2 or higher in the case of commercial paper);

(c) BBB- or higher by Duff and Phelps, Inc. (or D-2 or higher in the case of commercial paper); or

(d) 1 or 2 by the Securities Valuation Office.

Investments may also be made under this paragraph in obligations that have not received a rating if the earnings available for fixed charges of the business entity for the period of its five (5) fiscal years next preceding the date of purchase shall have averaged per year not less than one and one-half (1 1/2) times its average annual fixed charges applicable to such period and if during either of the last two (2) years of such period such earnings available for fixed charges shall have been not less than one and one-half (1 1/2) times its fixed charges for such year. However, if the business entity is a finance company or other lending institution at least eighty percent (80%) of the assets of which are cash and receivables representing loans or discounts made or purchased by it, the multiple shall be one and one-quarter (1 1/4) instead of one and one-half (1 1/2).

11.(A) Obligations issued, guaranteed, or assumed by a business entity organized under the laws of a domestic jurisdiction, which obligations have not received a rating or, if rated, have not received a rating that would qualify the obligations for investment under paragraph 11 of this section. Investments authorized by this paragraph may not exceed ~~ten percent (10%)~~ **twenty percent (20%)** of the life insurance company's admitted assets.

12. Preferred stock of, or common or preferred stock guaranteed as to dividends by, any corporation organized under the laws of a domestic jurisdiction, which over the period of the seven (7) fiscal years immediately preceding the date of purchase earned an average amount per annum at least equal to five percent (5%) of the par value of its common and preferred stock (or, in the case of stocks having no par value, of its issued or stated value) outstanding at date of purchase, or which over such period earned an average amount per annum at least equal to two (2) times the total of its annual interest charges, preferred dividends and dividends guaranteed by it, determined with reference to the date of purchase. No investment shall be made under this paragraph in a stock upon which any dividend is in arrears or has been in arrears for ninety (90) days within the immediately preceding five (5) year period.

13. Common stock of any solvent corporation organized under the laws of a domestic jurisdiction which over the seven (7) fiscal years immediately preceding purchase earned an average amount per annum at least equal to six percent (6%) of the par value of its capital stock (or, in the case of stock having no par value, of the issued or stated value of such stock) outstanding at date of purchase, but the conditions and limitations of this paragraph shall not apply to the special area of investment to which paragraph 23 of this section pertains.

13.(A) Stock or shares of any mutual fund that:

(a) has been in existence for a period of at least five (5) years immediately preceding the date of purchase, has assets of not less than twenty-five million dollars ($25,000,000) at the date of purchase, and invests substantially all of its assets in investments permitted under this section; or

(b) is a class one money market mutual fund or a class one bond mutual fund.

Investments authorized by this paragraph 13(A) in mutual funds having the same or affiliated investment advisers shall not at any one (1) time exceed in the aggregate ten percent (10%) of the life insurance company's admitted assets. The limitations contained in paragraph 22 of this subsection apply to investments in the types of mutual funds described in subparagraph (a). For the purposes of this paragraph, "class one bond mutual fund" means a mutual fund that at all times qualifies for investment using the bond class one reserve factor under the Purposes and Procedures

Manual of the NAIC Investment Analysis Office.

The aggregate amount of investments under this paragraph may be limited by the commissioner if the commissioner finds that investments under this paragraph may render the operation of the life insurance company hazardous to the company's policyholders or creditors or to the general public.

14. Loans upon the pledge of any of the investments described in this section other than real estate and those qualifying solely under paragraph 20 of this subsection, but the amount of such a loan shall not exceed seventy-five percent (75%) of the value of the investment pledged.

15. Real estate acquired or otherwise lawfully held under the provisions of IC 27-1, except under paragraph 7 or 8 of this subsection, which real estate as an investment shall also include the value of improvements or betterments made thereon subsequent to its acquisition. The value of such real estate for deposit and statement purposes is to be determined in a manner satisfactory to the department.

15.(A) Tangible personal property, equipment trust obligations, or other instruments evidencing an ownership interest or other interest in tangible personal property when the life insurance company purchasing such property has admitted assets in excess of twenty-five million dollars ($25,000,000), and where there is a right to receive determined portions of rental, purchase, or other fixed obligatory payments for the use of such personal property from a corporation whose obligations would be eligible for investment under the provisions of paragraph 11 of this subsection, provided that the aggregate of such payments together with the estimated salvage value of such property at the end of its minimum useful life, to be determined in a manner acceptable to the insurance commissioner, and the estimated tax benefits to the insurer resulting from ownership of such property, is adequate to return the cost of the investment in such property, and provided further, that each net investment in tangible personal property for which any single private corporation is obligated to pay rental, purchase, or other obligatory payments thereon does not exceed one-half of one percent (1/2%) of the life insurance company's admitted assets, and the aggregate net investments made under the provisions of this paragraph do not exceed five percent (5%) of the life insurance company's admitted assets.

16. Loans to policyholders of the life insurance company in amounts not exceeding in any case the reserve value of the policy at the time the loan is made.

17. A life insurance company doing business in a foreign jurisdiction may, if permitted or required by the laws of such jurisdiction, invest funds equal to its obligations in such jurisdiction in investments legal for life insurance companies domiciled in such jurisdiction or doing business therein as alien companies.

17.(A) Investments in (i) obligations issued, guaranteed, assumed, or supported by a foreign jurisdiction or by a business entity organized under the laws of a foreign jurisdiction and (ii) preferred stock and common stock issued by any such business entity, if the obligations of such foreign jurisdiction or business entity, as appropriate, are rated:

(a) BBB- or higher by Standard & Poor's Corporation (or A-2 or higher in the case of commercial paper);

(b) Baa 3 or higher by Moody's Investors Service, Inc. (or P-2 or higher in the case of commercial paper);

(c) BBB- or higher by Duff and Phelps, Inc. (or D-2 or higher in the case of commercial paper); or

(d) 1 or 2 by the Securities Valuation Office.

If the obligations issued by a business entity organized under the laws of a foreign jurisdiction have not received a rating, investments may nevertheless be made under this paragraph in such obligations and in the preferred and common stock of the business entity if the earnings available for fixed charges of the business entity for a period of five (5) fiscal years preceding the date of purchase have averaged at least three (3) times its average fixed charges applicable to such period, and if during either of the last two (2) years of such period, the earnings available for fixed charges were at least three (3) times its fixed charges for such year. Investments authorized by this paragraph in a single foreign jurisdiction shall not exceed ten percent (10%) of the life insurance company's admitted assets. Subject to section 2.2(g) of this chapter, investments authorized by this paragraph denominated in foreign currencies shall not in the aggregate exceed ten percent (10%) of a life insurance company's admitted assets, and investments in any one (1) foreign currency shall not exceed five percent (5%) of the life insurance company's admitted assets. Investments authorized by this paragraph and paragraph 17(B) shall not in the aggregate exceed twenty percent (20%) of the life insurance company's admitted assets. This paragraph in no way limits or restricts investments which are otherwise specifically eligible for deposit under this section.

17.(B) Investments in:

(a) obligations issued, guaranteed, or assumed by a foreign jurisdiction or by a business entity organized under the laws of a foreign jurisdiction; and

(b) preferred stock and common stock issued by a business entity organized under the laws of a foreign jurisdiction;

which investments are not eligible for investment under paragraph 17.(A).

Investments authorized by this paragraph 17(B) shall not in the aggregate exceed five percent (5%) of the life insurance company's admitted assets. Subject to section 2.2(g) of this chapter, if investments authorized by this paragraph 17(B) are denominated in a foreign currency, the investments shall not, as to such currency, exceed two percent (2%) of the life insurance company's admitted assets. Investments authorized by this paragraph 17(B) in any one (1) foreign jurisdiction shall not exceed two percent (2%) of the life insurance company's admitted assets.

Investments authorized by paragraph 17(A) of this subsection and this paragraph 17(B) shall not in the aggregate exceed twenty percent (20%) of the life insurance company's admitted assets.

18. To protect itself against loss, a company may in good faith receive in payment of or as security for debts due or to become due, investments or property which do not conform to the categories, conditions, limitations, and standards set out above.

19. A life insurance company may purchase for its own benefit any of its outstanding annuity or insurance contracts or other obligations and the claims of holders thereof.

20. A life insurance company may make investments although not conforming to the categories, conditions, limitations, and standards contained in paragraphs 1 through 11, 12 through 19, and 29 through 31 of this subsection, but limited in aggregate amount to the ~~lesser~~ **greater** of:

(a) ten percent (10%) of the company's admitted assets; or

(b) ~~the aggregate of the company's capital,~~ **seventy-five percent (75%) of the company's capital and** surplus ~~and contingency reserves~~ reported on the statutory financial statement of the insurer most recently required to be filed with the commissioner.

This paragraph 20 does not apply to investments authorized by paragraph 11.(A) of this subsection.

20.(A) Investments under paragraphs 1 through 20 and paragraphs 29 through 31 of this subsection are subject to the general conditions, limitations, and standards contained in paragraphs 21 through 28 of this subsection.

21. Investments in obligations (other than real estate mortgage indebtedness) and capital stock of, and in real estate and tangible personal property leased to, a single corporation, shall not exceed ~~two percent (2%)~~ **three percent (3%)** of the life insurance company's admitted assets, taking into account the provisions of section 2.2(h) of this chapter. The conditions and limitations of this paragraph shall not apply to investments under paragraph 13(A) of this subsection or the special area of investment to which paragraph 23 of this subsection pertains.

22. Investments in:

(a) preferred stock; and

(b) common stock;

shall not, in the aggregate, exceed twenty percent (20%) of the life insurance company's admitted assets, exclusive of assets held in segregated accounts of the nature defined in class 1(c) of IC 27-1-5-1. These limitations shall not apply to investments for the special purposes described in paragraph 23 of this subsection nor to investments in connection with segregated accounts provided for in class 1(c) of IC 27-1-5-1.

23. Investments in subsidiary companies must be made in accordance with IC 27-1-23-2.6.

24. No investment, other than commercial bank deposits and loans on life insurance policies, shall be made unless authorized by the life insurance company's board of directors or a committee designated by the board of directors and charged with the duty of supervising loans or investments.

25. No life insurance company shall subscribe to or participate in any syndicate or similar underwriting of the purchase or sale of securities or property or enter into any transaction for such purchase or sale on account of said company, jointly with any other corporation, firm, or person, or enter into any agreement to withhold from sale any of its securities or property, but the disposition of its assets shall at all times be within its control. Nothing contained in this paragraph shall be construed to invalidate or prohibit an agreement by two (2) or more companies to join and share in the purchase of investments for bona fide investment purposes.

26. No life insurance company may invest in the stocks or obligations, except investments under paragraphs 9 and 10 of this subsection, of any corporation in which an officer of such life insurance company is either an officer or director. However, this limitation shall not apply with respect to such investments in:

(a) a corporation which is a subsidiary or affiliate of such life insurance company; or

(b) a trade association, provided such investment meets the requirements of paragraph 5 of this subsection.

27. Except for the purpose of mutualization provided for in section 23 of this chapter, or for the purpose of retirement of outstanding shares of capital stock pursuant to amendment of its articles of incorporation, or in connection with a plan approved by the commissioner for purchase of such shares by the life insurance company's officers, employees, or agents, no life insurance company shall invest in its own stock.

28. In applying the conditions, limitations, and standards prescribed in paragraphs 11, 12, and 13 of this subsection to the stocks or obligations of a corporation which in the seven (7) year period preceding purchase of such stocks or obligations acquired its property or a substantial part thereof through consolidation, merger, or purchase, the earnings of the several predecessors or constituent corporations shall be consolidated.

29. A. Before a life insurance company may engage in securities lending transactions, repurchase transactions, reverse repurchase transactions, or dollar roll transactions, the life insurance company's board of directors must adopt a written plan that includes guidelines and objectives to be followed, including the following:

(1) A description of how cash received will be invested or used for general corporate purposes of the company.

(2) Operational procedures for managing interest rate risk, counterparty default risk, and the use of acceptable collateral in a manner that reflects the liquidity needs of the transaction.

(3) A statement of the extent to which the company may engage in securities lending transactions, repurchase transactions, reverse repurchase transactions, and dollar roll transactions.

B. A life insurance company must enter into a written agreement for all transactions authorized by this paragraph, other than dollar roll transactions. The written agreement:

(1) must require the termination of each transaction not more than one (1) year after its inception or upon the earlier demand of the company; and

(2) must be with the counterparty business entity, except that, for securities lending transactions, the agreement may be with an agent acting on behalf of the life insurance company if:

(A) the agent is:

(i) a business entity, the obligations of which are rated BBB- or higher by Standard & Poor's Corporation (or A-2 or higher in the case of commercial paper), Baa3 or higher by Moody's Investors Service, Inc. (or P-2 or higher in the case of commercial paper), BBB- or higher by Duff and Phelps, Inc. (or D-2 or higher in the case of commercial paper), or 1 or 2 by the Securities Valuation Office;

(ii) a business entity that is a primary dealer in United

States government securities, recognized by the Federal Reserve Bank of New York; or

(iii) any other business entity approved by the commissioner; and

(B) the agreement requires the agent to enter into with each counterparty separate agreements that are consistent with the requirements of this paragraph.

C. Cash received in a transaction under this paragraph shall be:

(1) invested:

(A) in accordance with this section 2; and

(B) in a manner that recognizes the liquidity needs of the transaction; or

(2) used by the life insurance company for its general corporate purposes.

D. For as long as a transaction under this paragraph remains outstanding, the life insurance company or its agent or custodian shall maintain, as to acceptable collateral received in the transaction, either physically or through book entry systems of the Federal Reserve, the Depository Trust Company, the Participants Trust Company, or another securities depository approved by the commissioner:

(1) possession of the acceptable collateral;

(2) a perfected security interest in the acceptable collateral; or

(3) in the case of a jurisdiction outside the United States:

(A) title to; or

(B) rights of a secured creditor to;

the acceptable collateral.

E. The limitations set forth in paragraphs 17 and 21 of this subsection do not apply to transactions under this paragraph 29. For purposes of calculations made to determine compliance with this paragraph, no effect may be given to the future obligation of the life insurance company to:

(1) resell securities, in the case of a repurchase transaction; or

(2) repurchase securities, in the case of a reverse repurchase transaction.

F. A life insurance company shall not enter into a transaction under this paragraph if, as a result of the transaction, and after giving effect to the transaction:

(1) the aggregate amount of securities then loaned, sold to, or purchased from any one (1) business entity under this paragraph would exceed five percent (5%) of the company's admitted assets (but in calculating the amount sold to or purchased from a business entity under repurchase or reverse repurchase transactions, effect may be given to netting provisions under a master written agreement); or

(2) the aggregate amount of all securities then loaned, sold to, or purchased from all business entities under this paragraph would exceed forty percent (40%) of the admitted assets of the company (provided, however, that this limitation does not apply to a reverse repurchase transaction if the borrowing is used to meet operational liquidity requirements resulting from an officially declared catastrophe and is subject to a plan approved by the commissioner).

G. The following collateral requirements apply to all transactions under this paragraph:

(1) In a securities lending transaction, the life insurance company must receive acceptable collateral having a market value as of the transaction date at least equal to one hundred two percent (102%) of the market value of the securities loaned by the company in the transaction as of that date. If at any time the market value of the acceptable collateral received from a particular business entity is less than the market value of all securities loaned by the company to that business entity, the business entity shall be obligated to deliver additional acceptable collateral to the company, the market value of which, together with the market value of all acceptable collateral then held in connection with all securities lending transactions with that business entity, equals at least one hundred two percent (102%) of the market value of the loaned securities.

(2) In a reverse repurchase transaction, other than a dollar roll transaction, the life insurance company must receive acceptable collateral having a market value as of the transaction date equal to at least ninety-five percent (95%) of the market value of the securities transferred by the company in the transaction as of that date. If at any time the market value of the acceptable collateral received from a particular business entity is less than ninety-five percent (95%) of the market value of all securities transferred by the company to that business entity, the business entity shall be obligated to deliver additional acceptable collateral to the company, the market value of which, together with the market value of all acceptable collateral then held in connection with all reverse repurchase transactions with that business entity, equals at least ninety-five percent (95%) of the market value of the transferred securities.

(3) In a dollar roll transaction, the life insurance company must receive cash in an amount at least equal to the market value of the securities transferred by the company in the transaction as of the transaction date.

(4) In a repurchase transaction, the life insurance company must receive acceptable collateral having a market value equal to at least one hundred two percent (102%) of the purchase price paid by the company for the securities. If at any time the market value of the acceptable collateral received from a particular business entity is less than one hundred percent (100%) of the purchase price paid by the life insurance company in all repurchase transactions with that business entity, the business entity shall be obligated to provide additional acceptable collateral to the company, the market value of which, together with the market value of all acceptable collateral then held in connection with all repurchase transactions with that business entity, equals at least one hundred two percent (102%) of the purchase price. Securities acquired by a life insurance company in a repurchase transaction shall not be:

(A) sold in a reverse repurchase transaction;

(B) loaned in a securities lending transaction; or

(C) otherwise pledged.

30. A life insurance company may invest in obligations or interests in trusts or partnerships regardless of the issuer, which are secured by:

(a) investments authorized by paragraphs 1, 2, 3, 4, or 11 of this subsection; or

(b) collateral with the characteristics and limitations prescribed for loans under paragraph 5 of this subsection.

For the purposes of this paragraph 30, collateral may be substituted for other collateral if it is in the same amount with the same or greater interest rate and qualifies as collateral under subparagraph (a) or (b) of this paragraph.

31. A life insurance company may invest in obligations or interests in trusts or partnerships, regardless of the issuer, secured by any form of collateral other than that described in subparagraphs (a) and (b) of paragraph 30 of this subsection, which obligations or interests in trusts or partnerships are rated:

(a) ~~A-~~ **BBB-** or higher by Standard & Poor's Corporation or Duff and Phelps, Inc.;

(b) ~~A 3~~ **Baa3** or higher by Moody's Investor Service, Inc.; or

(c) 1 **or 2** by the Securities Valuation Office.

Investments authorized by this paragraph may not exceed ~~ten percent (10%)~~ **twenty percent (20%)** of the life insurance company's admitted assets.

32. A. A life insurance company may invest in short-term pooling arrangements as provided in this paragraph.

B. The following definitions apply throughout this paragraph:

(1) "Affiliate" means, as to any person, another person that, directly or indirectly through one (1) or more intermediaries, controls, is controlled by, or is under common control with the person.

(2) "Control" means the possession, directly or indirectly, of the power to direct or cause the direction of the management and policies of a person, whether through the ownership of voting securities, by contract (other than a commercial contract for goods or non-management services), or otherwise, unless the power is the result of an official position with or corporate office held by the person. Control shall be presumed to exist if a person, directly or indirectly, owns, controls, holds with the power to vote or holds proxies representing ten percent (10%) or more of the voting securities of another person. This presumption may be rebutted by a showing that control does not exist in fact. The commissioner may determine, after furnishing all interested persons notice and an opportunity to be heard and making specific findings of fact to support the determination, that control exists in fact, notwithstanding the absence of a presumption to that effect.

(3) "Qualified bank" means a national bank, state bank, or trust company that at all times is not less than adequately capitalized as determined by standards adopted by United States banking regulators and that is either regulated by state banking laws or is a member of the Federal Reserve System.

C. A life insurer may participate in investment pools qualified under this paragraph that invest only in:

(1) obligations that are rated BBB- or higher by Standard & Poor's Corporation (or A-2 or higher in the case of commercial paper), Baa 3 or higher by Moody's Investors Service, Inc. (or P-2 or higher in the case of commercial paper), BBB- or higher by Duff and Phelps, Inc. (or D-2 or higher in the case of commercial paper), or 1 or 2 by the Securities Valuation Office, and have:

(A) a remaining maturity of three hundred ninety-seven (397) days or less or a put that entitles the holder to receive the principal amount of the obligation which put may be exercised through maturity at specified intervals not exceeding three hundred ninety-seven (397) days; or

(B) a remaining maturity of three (3) years or less and a floating interest rate that resets not less frequently than quarterly on the basis of a current short-term index (for example, federal funds, prime rate, treasury bills, London InterBank Offered Rate (LIBOR) or commercial paper) and is not subject to a maximum limit, if the obligations do not have an interest rate that varies inversely to market interest rate changes;

(2) government money market mutual funds or class one money market mutual funds; or

(3) securities lending, repurchase, and reverse repurchase and dollar roll transactions that meet the requirements of paragraph 29 of this subsection and any applicable regulations of the department;

provided that the investment pool shall not acquire investments in any one (1) business entity that exceed ten percent (10%) of the total assets of the investment pool.

D. For an investment pool to be qualified under this paragraph, the investment pool shall not:

(1) acquire securities issued, assumed, guaranteed, or insured by the life insurance company or an affiliate of the company; or

(2) borrow or incur any indebtedness for borrowed money, except for securities lending, reverse repurchase, and dollar roll transactions that meet the requirements of paragraph 29 of this subsection.

E. A life insurance company shall not participate in an investment pool qualified under this paragraph if, as a result of and after giving effect to the participation, the aggregate amount of participation then held by the company in all investment pools under this paragraph and section 2.4 of this chapter would exceed thirty-five percent (35%) of its admitted assets.

F. For an investment pool to be qualified under this paragraph:

(1) the manager of the investment pool must:

(A) be organized under the laws of the United States, a state or territory of the United States, or the District of Columbia, and designated as the pool manager in a pooling agreement; and

(B) be the life insurance company, an affiliated company, a business entity affiliated with the company, or a qualified bank or a business entity registered under the Investment Advisors Act of 1940 (15 U.S.C. 80a-1 et seq.);

(2) the pool manager or an entity designated by the pool manager of the type set forth in subdivision (1) of this subparagraph F shall compile and maintain detailed

accounting records setting forth:

(A) the cash receipts and disbursements reflecting each participant's proportionate participation in the investment pool;

(B) a complete description of all underlying assets of the investment pool (including amount, interest rate, maturity date (if any) and other appropriate designations); and

(C) other records which, on a daily basis, allow third parties to verify each participant's interest in the investment pool; and

(3) the assets of the investment pool shall be held in one (1) or more accounts, in the name of or on behalf of the investment pool, under a custody agreement or trust agreement with a qualified bank, which must:

(A) state and recognize the claims and rights of each participant;

(B) acknowledge that the underlying assets of the investment pool are held solely for the benefit of each participant in proportion to the aggregate amount of its participation in the investment pool; and

(C) contain an agreement that the underlying assets of the investment pool shall not be commingled with the general assets of the qualified bank or any other person.

G. The pooling agreement for an investment pool qualified under this paragraph must be in writing and must include the following provisions:

(1) Insurers, subsidiaries, or affiliates of insurers holding interests in the pool, or any pension or profit sharing plan of such insurers or their subsidiaries or affiliates, shall, at all times, hold one hundred percent (100%) of the interests in the investment pool.

(2) The underlying assets of the investment pool shall not be commingled with the general assets of the pool manager or any other person.

(3) In proportion to the aggregate amount of each pool participant's interest in the investment pool:

(A) each participant owns an undivided interest in the underlying assets of the investment pool; and

(B) the underlying assets of the investment pool are held solely for the benefit of each participant.

(4) A participant or (in the event of the participant's insolvency, bankruptcy, or receivership) its trustee, receiver, or other successor-in-interest may withdraw all or any portion of its participation from the investment pool under the terms of the pooling agreement.

(5) Withdrawals may be made on demand without penalty or other assessment on any business day, but settlement of funds shall occur within a reasonable and customary period thereafter. Payments upon withdrawals under this paragraph shall be calculated in each case net of all then applicable fees and expenses of the investment pool. The pooling agreement shall provide for such payments to be made to the participants in one (1) of the following forms, at the discretion of the pool manager:

(A) in cash, the then fair market value of the participant's pro rata share of each underlying asset of the investment pool;

(B) in kind, a pro rata share of each underlying asset; or

(C) in a combination of cash and in kind distributions, a pro rata share in each underlying asset.

(6) The records of the investment pool shall be made available for inspection by the commissioner.

SECTION 3. IC 27-1-12.1-9, AS ADDED BY P.L.115-2011, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. A limited purpose subsidiary that is granted a certificate of authority by the commissioner under this chapter:

(1) is authorized to engage in the business of reinsurance for purposes of ~~IC 27-6-10~~ **IC 27-6-10.1** only for the lines of insurance for which the:

(A) organizing domestic life insurance company; and

(B) affiliates of the organizing domestic life insurance company;

are authorized;

(2) may reinsure only risks of:

(A) the organizing domestic life insurance company; and

(B) affiliates of the organizing domestic life insurance company; and

(3) may access alternative forms of financing.

SECTION 4. IC 27-1-13-3, AS AMENDED BY P.L.124-2018, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3. (a) The following definitions apply throughout this section:

(1) "Acceptable collateral" means the following:

(A) As to securities lending transactions and for the purpose of calculating counterparty exposure:

(i) cash;

(ii) cash equivalents;

(iii) letters of credit; and

(iv) direct obligations of, or securities that are fully guaranteed as to principal and interest by, the government of the United States or any agency of the United States, including the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

(B) As to lending foreign securities, sovereign debt rated 1 by the Securities Valuation Office.

(C) As to repurchase transactions:

(i) cash;

(ii) cash equivalents; and

(iii) direct obligations of, or securities that are fully guaranteed as to principal and interest by, the government of the United States or any agency of the United States, including the Federal National Mortgage Association and the Federal Home Loan Mortgage Corporation.

(D) As to reverse repurchase transactions:

(i) cash; and

(ii) cash equivalents.

(2) "Admitted assets" means assets permitted to be reported as admitted assets on the statutory financial statement of the insurer most recently required to be filed with the commissioner.

(3) "Business entity" means any of the following:
(A) A sole proprietorship.
(B) A corporation.
(C) A limited liability company.
(D) An association.
(E) A general partnership.
(F) A limited partnership.
(G) A limited liability partnership.
(H) A joint stock company.
(I) A joint venture.
(J) A trust.
(K) A joint tenancy.
(L) Any other similar form of business organization, whether for profit or nonprofit.
(4) "Cash" means any of the following:
(A) United States denominated paper currency and coins.
(B) Negotiable money orders and checks.
(C) Funds held in any time or demand deposit in any depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation.
(5) "Cash equivalent" means any of the following:
(A) A certificate of deposit issued by a depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation.
(B) A banker's acceptance issued by a depository institution, the deposits of which are insured by the Federal Deposit Insurance Corporation.
(C) A government money market mutual fund.
(D) A class one (1) money market mutual fund.
(6) "Class one (1) money market mutual fund" means a money market mutual fund that at all times qualifies for investment using the bond class one (1) reserve factor pursuant to the Purposes and Procedures Manual of the NAIC Investment Analysis Office.
(7) "Derivative transaction" has the meaning set forth in IC 27-1-12-2.2(a)(14).
(8) "Government money market mutual fund" means a money market mutual fund that at all times:
(A) invests only in obligations issued, guaranteed, or insured by the United States or collateralized repurchase agreements composed of these obligations; and
(B) qualifies for investment without a reserve pursuant to the Purposes and Procedures Manual of the NAIC Investment Analysis Office.
(9) "Money market mutual fund" means a mutual fund that meets the conditions of 17 CFR 270.2a-7, under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.).
(10) "Mutual fund" means:
(A) an investment company; or
(B) in the case of an investment company that is organized as a series company, an investment company series;
that is registered with the United States Securities and Exchange Commission under the Investment Company Act of 1940 (15 U.S.C. 80a-1 et seq.).
(11) "Obligation" means any of the following:
(A) A bond.
(B) A note.
(C) A debenture.
(D) Any other form of evidence of debt.
(12) "Qualified business entity" means a business entity that is:
(A) an issuer of obligations or preferred stock that is rated one (1) or two (2) or is rated the equivalent of one (1) or two (2) by the Securities Valuation Office or by a nationally recognized statistical rating organization recognized by the Securities Valuation Office; or
(B) a primary dealer in United States government securities, recognized by the Federal Reserve Bank of New York.
(13) "Securities Valuation Office" refers to the Securities Valuation Office of the NAIC.

(b) Any company, other than one organized as a life insurance company, organized under the provisions of IC 27-1 or any other law of this state and authorized to make any or all kinds of insurance described in class 2 or class 3 of IC 27-1-5-1 shall invest its capital or guaranty fund as follows and not otherwise:
(1) In cash.
(2) In:
(A) direct obligations of the United States; or
(B) obligations secured or guaranteed as to principal and interest by the United States.
(3) In:
(A) direct obligations; or
(B) obligations secured by the full faith and credit;
of any state of the United States or the District of Columbia.
(4) In obligations of any county, township, city, town, village, school district, or other municipal district within the United States which are a direct obligation of the county, township, city, town, village, or district issuing the same.
(5) In obligations secured by mortgages or deeds of trust or unencumbered real estate or perpetual leases thereon in the United States not exceeding eighty percent (80%) of the fair value of the security determined in a manner satisfactory to the department, except that the percentage stated may be exceeded if and to the extent such excess is guaranteed or insured by the United States, any state, territory, or possession of the United States, the District of Columbia, Canada, any province of Canada, or by an administration, agency, authority, or instrumentality of any such governmental units. Where improvements on the land constitute a part of the value on which the loan is made, the improvements shall be insured against fire and tornado for the benefit of the mortgagee. For the purposes of this section, real estate may not be deemed to be encumbered by reason of the existence of taxes or assessments that are not delinquent, instruments creating or reserving mineral, oil, or timber rights, rights-of-way, joint driveways, sewer rights, rights-in-walls, nor by reason of building restrictions, or other restrictive covenants, nor when such

real estate is subject to lease in whole or in part whereby rents or profits are reserved to the owner. The restrictions contained in this subdivision do not apply to loans or investments made under section 5 of this chapter.

(c) Any company organized under the provisions of this article or any other law of this state and authorized to make any or all of the kinds of insurance described in class 2 or class 3 of IC 27-1-5-1 shall invest its funds over and above its required capital stock or required guaranty fund as follows, and not otherwise:

(1) In cash or cash equivalents. However, not more than ten percent (10%) of admitted assets may be invested in any single government money market mutual fund or class one (1) money market mutual fund.

(2) In direct obligations of the United States or obligations secured or guaranteed as to principal and interest by the United States.

(3) In obligations issued, guaranteed, or insured as to principal and interest by a city, county, drainage district, road district, school district, tax district, town, township, village or other civil administration, agency, authority, instrumentality or subdivision of a state, territory, or possession of the United States, the District of Columbia, Canada, or any province of Canada, providing such obligations are authorized by law and are either:

(A) direct and general obligations of the issuing, guaranteeing, or insuring governmental unit, administration, agency, authority, district, subdivision, or instrumentality;

(B) payable from designated revenues pledged to the payment of the principal and interest of the obligations; or

(C) improvement bonds or other obligations constituting a first lien, except for tax liens, against all of the real estate within the improvement district or on that part of such real estate not discharged from such lien through payment of the assessment.

The area to which the improvement bonds or other obligations under clause (C) relate must be situated within the limits of a town or city and at least fifty percent (50%) of the properties within that area must be improved with business buildings or residences.

(4) In:

(A) direct obligations; or

(B) obligations secured by the full faith and credit;

of any state of the United States, the District of Columbia, or Canada or any province thereof.

(5) In obligations guaranteed, supported, or insured as to principal and interest by the United States, any state, territory, or possession of the United States, the District of Columbia, Canada, any province of Canada, or by an administration, agency, authority, or instrumentality of any of the political units listed in this subdivision. An obligation is "supported" for the purposes of this subdivision when repayment of the obligation is secured by real or personal property of value at least equal to the principal amount of the indebtedness by means of mortgage, assignment of vendor's interest in one (1) or more conditional sales contracts, other title retention device, or by means of other security interest in the property for the benefit of the holder of the obligation, and one (1) of the political units listed in this subdivision, or an administration, agency, authority, or instrumentality listed in this subdivision, has entered into a firm agreement to rent or use the property pursuant to which entity is obligated to pay money as rental or for the use of the property in amounts and at times that are sufficient, after provision for taxes upon and for other expenses of the use of the property, to repay in full the indebtedness, both principal and interest, and when the firm agreement and the money obligated to be paid under the agreement are assigned, pledged, or secured for the benefit of the holder of the obligation. However, where the security consists of a first mortgage lien or deed of trust on a fee interest in real property, the obligation may provide for the amortization, during the initial fixed period of the lease or contract of less than one hundred percent (100%) of the indebtedness if there is pledged or assigned, as additional security for the obligation, sufficient rentals payable under the lease, or of contract payments, to secure the amortized obligation payments required during the initial, fixed period of the lease or contract, including but not limited to payments of principal, interest, and taxes other than the income taxes of the borrower, and if there is to be left unamortized at the end of the period an amount not greater than the original appraised value of the land only, exclusive of all improvements, as prescribed by law.

(6) In obligations secured by mortgages or deeds of trust or unencumbered real estate or perpetual leases thereon, in any state in the United States, the District of Columbia, Canada, or any province of Canada, not exceeding eighty percent (80%) of the fair value of the security determined in a manner satisfactory to the department, except that the percentage stated may be exceeded if and to the extent that the excess is guaranteed or insured by the United States, any state, territory, or possession of the United States, the District of Columbia, Canada, any province of Canada, or by an administration, agency, authority, or instrumentality of any of such governmental units. The value of the real estate must be determined by a method and in a manner satisfactory to the department. The restrictions contained in this subdivision do not apply to loans or investments made under section 5 of this chapter.

(7) In obligations issued under or pursuant to the Farm Credit Act of 1971 (12 U.S.C. 2001 through 2279aa-14) as in effect on December 31, 1990, or the Federal Home Loan Bank Act (12 U.S.C. 1421 through 1449) as in effect on December 31, 1990, interest bearing obligations of the FSLIC Resolution Fund and shares of any institution that is insured by the Federal Deposit Insurance Corporation to the extent that the shares are insured, obligations issued or guaranteed by the International Bank for Reconstruction and Development, obligations issued or guaranteed by the Inter-American Development Bank, and obligations issued

or guaranteed by the African Development Bank.

(8) In any mutual fund that:

(A) has been registered with the Securities and Exchange Commission for a period of at least five (5) years immediately preceding the date of purchase;

(B) has net assets of at least twenty-five million dollars ($25,000,000) on the date of purchase; and

(C) invests substantially all of its assets in investments permitted under this subsection.

The amount invested in any single mutual fund shall not exceed ten percent (10%) of admitted assets. The aggregate amount of investments under this subdivision may be limited by the commissioner if the commissioner finds that investments under this subdivision may render the operation of the company hazardous to the company's policyholders, to the company's creditors, or to the general public. This subdivision in no way limits or restricts investments that are otherwise specifically permitted under this section.

(9) In obligations payable in United States dollars and issued, guaranteed, assumed, insured, or accepted by a foreign government or by a solvent business entity existing under the laws of a foreign government, if the obligations of the foreign government or business entity meet at least one (1) of the following criteria:

(A) The obligations carry a rating of at least A3 conferred by Moody's Investor Services, Inc.

(B) The obligations carry a rating of at least A- conferred by Standard & Poor's Corporation.

(C) The earnings available for fixed charges of the business entity for a period of five (5) fiscal years preceding the date of purchase have averaged at least three (3) times the average fixed charges of the business entity applicable to the period, and if during either of the last two (2) years of the period, the earnings available for fixed charges were at least three (3) times the fixed charges of the business entity for the year. As used in this subdivision, the terms "earnings available for fixed charges" and "fixed charges" have the meanings set forth in IC 27-1-12-2(a).

Foreign investments authorized by this subdivision shall not exceed twenty percent (20%) of the company's admitted assets. This subdivision in no way limits or restricts investments that are otherwise specifically permitted under this section. Canada is not a foreign government for purposes of this subdivision.

(10) In the obligations of any solvent business entity existing under the laws of the United States, any state of the United States, the District of Columbia, Canada, or any province of Canada, provided that interest on the obligations is not in default.

(11) In the preferred or guaranteed shares of any solvent business entity, so long as the business entity is not and has not been for the preceding five (5) years in default in the payment of interest due and payable on its outstanding debt or in arrears in the payment of dividends on any issue of its outstanding preferred or guaranteed stock.

(12) In the shares, other than those specified in subdivision (7), of any solvent business entity existing under the laws of any state of the United States, the District of Columbia, Canada, or any province of Canada, and in the shares of any institution wherever located which has the insurance protection provided by the Federal Deposit Insurance Corporation. Except for the purpose of mutualization or for the purpose of retirement of outstanding shares of capital stock pursuant to amendment of its articles of incorporation, or in connection with a plan approved by the commissioner for purchase of such shares by the insurance company's officers, employees, or agents, or for the elimination of fractional shares, no company subject to the provisions of this section may invest in its own stock.

(13) In loans upon the pledge of any mortgage, stocks, bonds, or other evidences of indebtedness, acceptable as investments under the terms of this chapter, if the current value of the mortgage, stock, bond, or other evidences of indebtedness is at least twenty-five percent (25%) more than the amount loaned on it.

(14) In real estate, subject to subsections (d) and (e).

(15) In securities lending, repurchase, and reverse repurchase transactions with business entities, subject to the following requirements:

(A) The company's board of directors shall adopt a written plan that specifies guidelines and objectives to be followed, such as:

(i) a description of how cash received will be invested or used for general corporate purposes of the company;

(ii) operational procedures to manage interest rate risk, counterparty default risk, and the use of acceptable collateral in a manner that reflects the liquidity needs of the transaction; and

(iii) the extent to which the company may engage in these transactions.

(B) The company shall enter into a written agreement for all transactions authorized in this subdivision. The written agreement shall require the termination of each transaction not more than one (1) year from its inception or upon the earlier demand of the company. The agreement shall be with the counterparty business entity but, for securities lending transactions, the agreement may be with an agent acting on behalf of the company if the agent is a qualified business entity and if the agreement:

(i) requires the agent to enter into separate agreements with each counterparty that are consistent with the requirements of this section; and

(ii) prohibits securities lending transactions under the agreement with the agent or its affiliates.

(C) Cash received in a transaction under this section shall be invested in accordance with this section and in a manner that recognizes the liquidity needs of the transaction or used by the company for its general corporate purposes. For as long as the transaction remains outstanding, the company or its agent or

custodian shall maintain, as to acceptable collateral received in a transaction under this section, either physically or through book entry systems of the Federal Reserve, Depository Trust Company, Participants Trust Company, or other securities depositories approved by the commissioner:

(i) possession of the acceptable collateral;

(ii) a perfected security interest in the acceptable collateral; or

(iii) in the case of a jurisdiction outside the United States, title to, or rights of a secured creditor to, the acceptable collateral.

(D) For purposes of calculations made to determine compliance with this subdivision, no effect may be given to the company's future obligation to resell securities in the case of a repurchase transaction, or to repurchase securities in the case of a reverse repurchase transaction. A company shall not enter into a transaction under this subdivision if, as a result of and after giving effect to the transaction:

(i) the aggregate amount of securities then loaned, sold to, or purchased from any one (1) business entity pursuant to this subdivision would exceed five percent (5%) of its admitted assets (but, in calculating the amount sold to or purchased from a business entity pursuant to repurchase or reverse repurchase transactions, effect may be given to netting provisions under a master written agreement); or

(ii) the aggregate amount of all securities then loaned, sold to, or purchased from all business entities under this subdivision would exceed forty percent (40%) of its admitted assets.

(E) In a securities lending transaction, the company shall receive acceptable collateral having a market value as of the transaction date at least equal to one hundred two percent (102%) of the market value of the securities loaned by the company in the transaction as of that date. If at any time the market value of the acceptable collateral is less than the market value of the loaned securities, the business entity shall be obligated to deliver additional acceptable collateral, the market value of which, together with the market value of all acceptable collateral then held in connection with the transaction, at least equals one hundred two percent (102%) of the market value of the loaned securities.

(F) In a reverse repurchase transaction, the company shall receive acceptable collateral having a market value as of the transaction date at least equal to ninety-five percent (95%) of the market value of the securities transferred by the company in the transaction as of that date. If at any time the market value of the acceptable collateral is less than ninety-five percent (95%) of the market value of the securities so transferred, the business entity shall be obligated to deliver additional acceptable collateral, the market value of which, together with the market value of all acceptable collateral then held in connection with the transaction, equals at least ninety-five percent (95%) of the market value of the transferred securities.

(G) In a repurchase transaction, the company shall receive as acceptable collateral transferred securities having a market value equal to at least one hundred two percent (102%) of the purchase price paid by the company for the securities. If at any time the market value of the acceptable collateral is less than one hundred percent (100%) of the purchase price paid by the company, the business entity shall be obligated to provide additional acceptable collateral, the market value of which, together with the market value of all acceptable collateral then held in connection with the transaction, equals at least one hundred two percent (102%) of the purchase price. Securities acquired by a company in a repurchase transaction shall not be sold in a reverse repurchase transaction, loaned in a securities lending transaction, or otherwise pledged.

(16) In mortgage backed securities, including collateralized mortgage obligations, mortgage pass through securities, mortgage backed bonds, and real estate mortgage investment conduits, adequately secured by a pool of mortgages, which mortgages are fully guaranteed or insured by the government of the United States or any agency of the United States, including the Federal National Mortgage Association or the Federal Home Loan Mortgage Corporation.

(17) In mortgage backed securities, including collateralized mortgage obligations, mortgage pass through securities, mortgage backed bonds, and real estate mortgage investment conduits, adequately secured by a pool of mortgages, if the securities carry a rating of at least:

(A) ~~A3~~ **Baa3** conferred by Moody's Investor Services, Inc.; or

(B) ~~A-~~ **BBB-** conferred by Standard & Poor's Corporation.

The amount invested in any one (1) obligation or pool of obligations described in this subdivision shall not exceed five percent (5%) of admitted assets. The aggregate amount of all investments under this subdivision shall not exceed ten percent (10%) of admitted assets.

(18) Any other investment acquired in good faith as payment on account of existing indebtedness or in connection with the refinancing, restructuring, or workout of existing indebtedness, if taken to protect the interests of the company in that investment.

(19) In obligations or interests in trusts or partnerships in which a life insurance company may invest as described in paragraph 31 of IC 27-1-12-2(b). Investments authorized by this paragraph may not exceed ~~ten percent (10%)~~ **twenty percent (20%)** of the company's admitted assets.

(20) In any other investment. The total of all investments under this subdivision, except for investments in subsidiary companies under IC 27-1-23-2.6, may not exceed ~~an aggregate amount~~ **the greater** of ten percent (10%) of the insurer's admitted assets **or fifty percent (50%) of the insurer's capital and surplus.** Investments are not

permitted under this subdivision:

(A) if expressly prohibited by statute; or

(B) in an insolvent organization or an organization in default with respect to the payment of principal or interest on its obligations.

(d) Any company subject to the provisions of this section shall have power to acquire, hold, or convey real estate, or an interest therein, as described below, and no other:

(1) Leaseholds, provided the mortgage term shall not exceed four-fifths (4/5) of the unexpired lease term, including enforceable renewable options, remaining at the time of the loan, such real estate or leaseholds to be located in the United States, any territory or possession of the United States, or Canada, the value of such leasehold for statement purposes shall be determined in a manner and form satisfactory to the department. At the time the leasehold is acquired and approved by the department, a schedule of annual depreciation shall be set up by the department in which the value of said leasehold is to be depreciated, and said depreciation is to be averaged out over not exceeding a period of fifty (50) years.

(2) The building in which it has its principal office and the land on which it stands.

(3) Such as shall be necessary for the convenient transaction of its business.

(4) Such as shall have been acquired for the accommodation of its business.

(5) Such as shall have been mortgaged to it in good faith by way of security for loans previously contracted or for money due.

(6) Such as shall have been conveyed to it in connection with its investments in real estate contracts or its investments in real estate under lease or for the purpose of leasing or such as shall have been acquired for the purpose of investment under any law, order, or regulation authorizing such investment, for statement purposes, the value of such real estate shall be determined in a manner satisfactory to the department.

(7) Such as shall have been conveyed to it in satisfaction of debts previously contracted in the course of its dealings, or in exchange for real estate so conveyed to it.

(8) Such as it shall have purchased at sales on judgments, decrees, or mortgages obtained or made for such debts.

(e) All real estate described in subsection (d)(4) through (d)(8) which is not necessary for the convenient transaction of its business shall be sold by said company and disposed of within ten (10) years after it acquired title to the same, or within five (5) years after the same has ceased to be necessary for the accommodation of its business, unless the company procures the certificate of the commissioner that its interests will suffer materially by a forced sale of the real estate, in which event the time for the sale may be extended to such time as the commissioner directs in the certificate.

(f) The board of directors of a company, other than a company organized as a life insurance company, shall do all the following:

(1) Before engaging in derivatives transactions, approve a written plan that specifies guidelines, systems, and objectives to be followed, such as:

(A) investment of or, if applicable, underwriting objectives and risk constraints, such as credit risk limits;

(B) permissible transactions and the relationship of those transactions to the insurer's operations;

(C) internal control procedures;

(D) a system for determining whether a derivative instrument used for hedging has been effective;

(E) a credit risk management system for over-the-counter derivatives transactions that measures credit risk exposure using the counterparty exposure amount; and

(F) a mechanism for reviewing and auditing compliance with the guidelines, systems, and objectives specified in the written plan.

(2) Before engaging in derivatives transactions, make a determination that the insurer's investment managers have adequate professional personnel, technical expertise, and systems to implement the insurer's intended investment practices involving derivative instruments.

(3) Review whether derivatives transactions have been made in accordance with the approved guidelines and are consistent with stated objectives.

(4) Take action to correct any deficiencies in internal controls relating to derivatives transactions.

SECTION 5. IC 27-1-25-7 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. All claims paid by an administrator from funds collected on behalf of an insurer shall ~~only~~ be paid: ~~on~~

(1) by ~~drafts~~ **draft** or ~~checks~~ **check; or**

(2) via electronic payment;

as authorized by the insurer.

SECTION 6. IC 27-1-28-15, AS ADDED BY P.L.11-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 15. (a) Except as provided in section 16 of this chapter **and in subsection (e),** an individual who applies for an independent adjuster license under this chapter must pass a written examination that is:

(1) developed and conducted according to rules adopted by the commissioner under IC 4-22-2; and

(2) intended to test the knowledge of the individual concerning:

(A) the lines of authority in which the individual has applied for licensing under this chapter;

(B) the duties and responsibilities of an independent adjuster; and

(C) Indiana insurance law.

(b) The commissioner may contract with a nongovernmental entity to administer the written examination required by this section.

(c) An individual described in subsection (a) shall remit, with the application to take the written examination required by this section, a nonrefundable examination fee in an amount set by the commissioner or the organization administering the examination.

(d) If an individual:

(1) fails to appear for or to pass an examination; and

(2) desires to reschedule the examination;

the individual shall reapply for the written examination and remit all fees and forms before scheduling an examination date.

(e) An individual who holds a current claims certification issued by a national or state claims association whose certification program includes:

(1) a precertification course for new adjusters that is approved by the department;

(2) an examination for new adjusters that is approved by the department; and

(3) a continuing education program that is approved by the department;

is not required to complete a prelicensing course described in section 12(b)(5) of this chapter or pass a written examination described in subsection (a) to be issued an independent adjuster license under this chapter.

SECTION 7. IC 27-1-28-16, AS ADDED BY P.L.11-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) An individual who applies for an independent adjuster license under this chapter and who:

(1) possesses an independent adjuster license for the same line of authority in which the individual has applied for licensing under this chapter in a state in which a prelicensing independent adjuster licensure examination is required;

(2) possessed an independent adjuster license that:

(A) was for the same line of authority in which the individual has applied for licensing under this chapter in a state in which a prelicensing independent adjuster licensure examination is required; and

(B) expired less than ninety (90) days before the date the commissioner receives the application; or

(3) provides proof from contracting insurers that the individual has participated in claims adjudication in the same line of authority during the five (5) years immediately preceding the date of application;

is not required to complete a prelicensing course as described in section 12(b)(5) of this chapter or pass a written examination under section 15 of this chapter before being licensed under this chapter.

(b) An applicant who meets the criteria set forth in subsection (a)(1) or (a)(2) must provide certification from the other state that the applicant's independent adjuster license:

(1) is currently in good standing; or

(2) was in good standing at the time of expiration.

(c) A person:

(1) ~~that:~~ **who:**

~~(1)~~ **(A)** is licensed as an independent adjuster in another state where a prelicensing independent adjuster licensure examination is required;

~~(2)~~ **(B)** establishes legal residency in Indiana; and

~~(3)~~ **(C)** applies for a resident independent adjuster license under this chapter less than ninety (90) days after the person establishes legal residency in Indiana; **or**

(2) who holds a current claims certification issued by a national or state claims association whose certification program includes:

(A) a precertification course for new adjusters that is approved by the department;

(B) an examination for new adjusters that is approved by the department; and

(C) a continuing education program that is approved by the department;

is not required to complete a prelicensing course as described in section 12(b)(5) of this chapter or pass a written examination under section 15 of this chapter before being licensed under this chapter.

SECTION 8. IC 27-1-28-19, AS ADDED BY P.L.11-2011, SECTION 22, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 19. (a) Except as provided in subsection (b), an individual who holds a license under this chapter shall, every two (2) years, satisfactorily complete a minimum of twenty-four (24) hours of continuing education courses and report the completion of the courses to the commissioner.

(b) This section does not apply to the following:

(1) An individual who is licensed for less than twelve (12) months before the end of the applicable continuing education biennium.

(2) A licensed nonresident independent adjuster who has met the continuing education requirements of the licensed nonresident independent adjuster's designated home state.

(3) An individual holding a current claims certification if:

(A) the claims certification is issued by a national or state claims association whose certification program is approved by the department for purposes of this section;

(B) the number of hours of study required to complete the certification program described in clause (A) is not less than the number of hours of continuing education that an individual is required to complete every two (2) years under subsection (a);

(C) the content of the certification program described in clause (A):

(i) includes the content of the prelicensing course of study required by section 12(b)(5) of this chapter for the line of authority in which the individual has applied for or obtained licensing under this chapter; and

(ii) is made available for review and audit by the commissioner through an electronic portal maintained by the association;

(D) the claims association referred to in clause (A) is approved as a continuing education provider in Indiana;

(E) the claims association referred to in clause (A) reports the individual's completion of the certification program described in clause (A) to the commissioner through an electronic portal maintained by the commissioner; and

(F) the association, through an electronic portal maintained by the association, provides the commissioner access to the individual's transcript showing the individual's completion of the certification program described in clause (A).

SECTION 9. IC 27-1-34-1.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 1.5. A multiple employer welfare arrangement may be established through an interlocal cooperation agreement under IC 36-1-7.**

SECTION 10. IC 27-2-27 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 27. Insurance Data Security

Sec. 1. This chapter applies after June 30, 2021.

Sec. 2. As used in this chapter, "authorized individual" means an individual authorized by the licensee to have access to the nonpublic information held by the licensee and its information systems.

Sec. 3. As used in this chapter, "commissioner" refers to the insurance commissioner appointed under IC 27-1-1-2.

Sec. 4. As used in this chapter, "consumer" means a resident of Indiana whose nonpublic information is in a licensee's possession, custody, or control.

Sec. 5. As used in this chapter, "cybersecurity event" means an event resulting in unauthorized access to or a disruption or misuse of an information system or nonpublic information stored on the information system that has a reasonable likelihood of materially harming a consumer or any material part of the normal operations of the licensee. However, the term does not include the following:

(1) The unauthorized acquisition of encrypted nonpublic information if the encryption, process, or key is not also acquired, released, or used without authorization.

(2) An event in which a licensee has determined that the nonpublic information accessed by an unauthorized person has not been used or released and has been returned or destroyed.

Sec. 6. As used in this chapter, "department" means the department of insurance created by IC 27-1-1-1.

Sec. 7. As used in this chapter, "encrypted" means the transformation of data into a form that results in a low probability of assigning meaning without the use of a protective process or key.

Sec. 8. As used in this chapter, "information security program" means the administrative, technical, and physical safeguards that a licensee uses to access, collect, distribute, process, protect, store, use, transmit, dispose of, or otherwise handle nonpublic information.

Sec. 9. As used in this chapter, "information system" means either of the following:

(1) A discrete set of electronic information resources organized for the collection, processing, maintenance, use, sharing, dissemination, or disposition of nonpublic information.

(2) Any specialized system, such as industrial or process control systems, telephone switching systems, private exchange systems, and environmental control systems.

Sec. 10. (a) As used in this chapter, "licensee" means a person that is:

(1) licensed, authorized to operate, or registered; or

(2) required to be licensed, authorized to operate, or registered;

under this title and the rules adopted under this title.

(b) The term does not include any of the following:

(1) A purchasing group or risk retention group that is chartered and licensed in another state.

(2) A person that is:

(A) acting as an assuming insurer; and

(B) domiciled in a state or jurisdiction other than Indiana.

Sec. 11. As used in this chapter, "multi-factor authentication" means authentication through verification of at least two (2) of the following types of authentication factors:

(1) Knowledge factors, such as a password.

(2) Possession factors, such as a token or text message on a mobile phone.

(3) Inherence factors, such as a biometric characteristic.

Sec. 12. As used in this chapter, "nonpublic information" means electronic information that is not publicly available information and is described in either of the following subdivisions:

(1) Any information concerning a consumer, which because of name, number, personal mark, or other identifier can be used, in combination with any one (1) or more of the following data elements, to identify the consumer:

(A) Social Security number.

(B) Driver's license number or nondriver identification card number.

(C) Financial account number, credit card number, or debit card number.

(D) Any security code, access code, or password that would permit access to a consumer's financial account.

(E) Biometric records.

(2) Any information or data, except age or gender, in any form or medium created by or derived from a health care provider or a consumer that can be used to identify a consumer and relates to:

(A) the past, present, or future physical, mental, or behavioral health or condition of the consumer or a member of the consumer's family;

(B) the provision of health care to the consumer; or

(C) payment for the provision of health care provided to the consumer.

Sec. 13. As used in this chapter, "publicly available information" means any information that a licensee has a reasonable basis to believe is lawfully made available to the general public from:

(1) federal, state, or local government records;

(2) widely distributed media; or

(3) disclosures to the general public that are required to be made by federal, state, or local law.

Sec. 14. As used in this chapter, "risk assessment" means the assessment a licensee is required to conduct under section 17 of this chapter.

Sec. 15. As used in this chapter, "third party service

provider" means a person that contracts with a licensee to maintain, process, store, or otherwise is permitted access to nonpublic information through its provision of services to the licensee.

Sec. 16. (a) A licensee shall develop, implement, and maintain a comprehensive, written information security program that:

(1) is based on the risk assessment required under section 17 of this chapter; and

(2) contains administrative, technical, and physical safeguards for the protection of nonpublic information and the licensee's information systems.

(b) An information security program must accomplish the following:

(1) Protect the security and confidentiality of nonpublic information and information systems.

(2) Protect against any threats or hazards to the security or integrity of nonpublic information and information systems.

(3) Protect against unauthorized access to or use of nonpublic information and minimize the likelihood of harm to a consumer.

(4) Define and periodically reevaluate a schedule for retention of nonpublic information and a procedure for its destruction when no longer needed.

Sec. 17. A licensee shall conduct a risk assessment of its information systems and treatment of nonpublic information by doing the following:

(1) Designating one (1) or more employees, an affiliate, or an outside vendor designated to act on behalf of the licensee information security program.

(2) Identifying reasonably foreseeable internal or external threats that could result in a cybersecurity event, including threats to information systems and nonpublic information held or accessed by third party service providers.

(3) Assessing the likelihood and potential damage of the threats identified in subdivision (2), taking into consideration the sensitivity of the nonpublic information.

(4) Assessing the sufficiency of the policies, procedures, information systems, and other safeguards currently in place to manage the threats identified in subdivision (2), including an assessment of threats in each relevant area of the licensee's operations, including the following:

(A) Employee training and management.

(B) Information systems, including network and software design, and information classification, governance, processing, storage, transmission, and disposal.

(C) Procedures for detecting, preventing, and responding to cybersecurity events or other systems failures.

(5) Implementing information safeguards to manage the threats identified under subdivision (2), and assessing the effectiveness of the safeguards' key controls, systems, and procedures at least one (1) time each year.

Sec. 18. Based on the results of the risk assessment, a licensee shall do the following:

(1) Design its information security program to mitigate the identified risks, commensurate with:

(A) the licensee's size and complexity;

(B) the nature and scope of the licensee's activities; and

(C) the sensitivity of the nonpublic information in the licensee's control.

(2) Determine and implement appropriate security measures, which may include the following:

(A) Placing access controls on information systems, including controls to authenticate and permit only authorized individuals to have access to nonpublic information.

(B) Identifying and managing the data, personnel, devices, systems, and facilities that enable the licensee to achieve business purposes in accordance with their relative importance to business objectives and risk strategy.

(C) Restricting physical access to nonpublic information to authorized individuals only.

(D) Protecting by encryption or other appropriate means all nonpublic information while being transmitted over an external network and all nonpublic information stored on a laptop computer or other portable computing or storage device or media.

(E) Adopting secure development practices for in-house developed applications used by the licensee.

(F) Modifying information systems in accordance with the licensee's information security program.

(G) Using effective controls, which may include multi-factor authentication procedures for any employees accessing nonpublic information.

(H) Regularly testing and monitoring systems and procedures to detect actual and attempted attacks on, or intrusions into, information systems.

(I) Including audit trails within the information security program designed to detect and respond to a cybersecurity event and designed to reconstruct material financial transactions sufficient to support normal operations and obligations of the licensee.

(J) Implementing measures to protect against destruction, loss, or damage of nonpublic information due to environmental hazards, such as fire and water damage or other catastrophes or technological failures.

(K) Developing, implementing, and maintaining procedures for the secure disposal of nonpublic information in any format.

(3) Include cybersecurity risks in the licensee's enterprise risk management process.

(4) Stay informed regarding emerging threats or vulnerabilities.

(5) Use reasonable security measures when sharing information, relative to the character of the sharing and the type of information shared.

(6) Provide personnel with cybersecurity awareness

training that is updated as necessary to reflect risks identified in the risk assessment.

Sec. 19. (a) If the licensee has a board of directors, the board of directors shall require the licensee's executive management or its delegates to develop, implement, and maintain the licensee's information security program.

(b) If the licensee's executive management delegates any of its responsibilities under this section, it shall:

(1) oversee the development, implementation, and maintenance of the licensee's information security program prepared by the delegate; and

(2) receive a report from the delegate concerning:

(A) the overall status of the information security program;

(B) the licensee's compliance with this chapter; and

(C) material matters related to the information security program addressing such issues as:

(i) risk assessment;

(ii) risk management and control decisions;

(iii) third party service provider arrangements;

(iv) results of testing;

(v) cybersecurity events and management's responses to cybersecurity events; and

(vi) recommendations for changes in the information security program.

Sec. 20. (a) As part of its information security program, a licensee shall establish a written incident response plan designed to promptly respond to, and recover from, any cybersecurity event.

(b) An incident response plan must include the following:

(1) The internal process for responding to a cybersecurity event.

(2) The goals of the incident response plan.

(3) The definition of clear roles, responsibilities, and levels of decision making authority.

(4) External and internal communications and information sharing.

(5) Identification of requirements for the remediation of any identified weaknesses in information systems and associated controls.

(6) Documentation and reporting regarding cybersecurity events and related incident response activities.

(7) The evaluation and revision, as necessary, of the incident response plan.

(c) Annually, not later than April 15, each insurer domiciled in Indiana shall submit to the commissioner a written statement certifying that the insurer is in compliance with the requirements set forth in sections 16 through 19 of this chapter and this section. Each insurer shall maintain for examination by the department all records, schedules, and data supporting this certificate for a period of five (5) years. To the extent an insurer has identified areas, systems, or processes that require material improvement, updating, or redesign, the insurer shall document the identification of the areas, systems, or processes and the remedial efforts planned and underway to address the areas, systems, or processes. The documentation must be available for inspection by the commissioner.

Sec. 21. (a) If a licensee learns that a cybersecurity event has or may have occurred, the licensee, or an outside vendor or service provider designated to act on the licensee's behalf, shall conduct a prompt investigation. During the investigation, the licensee or outside vendor or service provider designated to act on the licensee's behalf shall:

(1) determine:

(A) whether a cybersecurity event has occurred;

(B) if so, the nature and scope of the cybersecurity event; and

(C) whether any nonpublic information may have been involved in the cybersecurity event; and

(2) perform or oversee reasonable measures to restore the security of the information systems compromised in the cybersecurity event in order to prevent further unauthorized acquisition, release, or use of nonpublic information in the licensee's possession, custody, or control.

(b) A licensee shall maintain records concerning all cybersecurity events for at least five (5) years after the date of the cybersecurity event. A licensee shall produce these records upon demand of the commissioner.

(c) A licensee shall notify the commissioner as promptly as possible but not later than three (3) business days after a determination that a cybersecurity event involving nonpublic information that is in the possession of the licensee has occurred if either of the following applies:

(1) Indiana is the licensee's state of domicile, if the licensee is an insurer, or the licensee's home state, if the licensee is a producer, and the cybersecurity event has a reasonable likelihood of materially harming a consumer residing in Indiana or materially harming any material part of the normal operations of the licensee.

(2) The licensee reasonably believes that the nonpublic information of at least two hundred fifty (250) consumers residing in Indiana was affected by the cybersecurity event and that the cybersecurity event is either of the following:

(A) A cybersecurity event impacting the licensee of which notice is required to be provided by any other state, federal, or local law.

(B) A cybersecurity event that has a reasonable likelihood of materially harming:

(i) a consumer residing in Indiana; or

(ii) any material part of the normal operations of the licensee.

(d) After learning that a cybersecurity event has or may have occurred, a licensee shall provide as much of the following information as possible in electronic form, as directed by the commissioner:

(1) The date of the cybersecurity event.

(2) A description of how the information was exposed, lost, stolen, or breached, including the specific roles and responsibilities of any third party service providers.

(3) How the cybersecurity event was discovered.

(4) Whether any lost, stolen, or breached information

has been recovered and, if so, how this was done.

(5) The identity of the source of the cybersecurity event.

(6) Whether the licensee has filed a police report or has notified any regulatory, government, or law enforcement agencies and, if so, when the notification was provided.

(7) A description of the specific types of information acquired without authorization. Specific types of information means particular data elements including, for example, types of medical information, types of financial information, or types of information allowing identification of the consumer.

(8) The period during which the information system was compromised by the cybersecurity event.

(9) The total number of consumers in Indiana affected by the cybersecurity event. The licensee shall provide the best estimate in the initial report to the commissioner and update this estimate with each subsequent report to the commissioner under this section.

(10) The results of any internal review:

(A) identifying a lapse in either automated controls or internal procedures; or

(B) confirming that all automated controls or internal procedures were followed.

(11) A description of efforts being undertaken to remediate the situation that permitted the cybersecurity event to occur.

(12) A copy of the licensee's privacy policy and a statement outlining the steps the licensee will take to investigate and notify consumers affected by the cybersecurity event.

(13) The name of a contact person who is both familiar with the cybersecurity event and authorized to act for the licensee.

(e) The licensee has a continuing obligation to update and supplement initial and subsequent notifications to the commissioner regarding material changes to previously provided information relating to the cybersecurity event.

(f) A licensee shall comply with IC 24-4.9, as applicable, and provide a copy of the notice sent to consumers under IC 24-4.9 to the commissioner if the licensee is required to notify the commissioner under subsection (c).

(g) Nothing in this chapter abrogates or prevents an agreement between a licensee and:

(1) another licensee;

(2) a third party service provider; or

(3) any other party;

to fulfill any investigation requirements imposed under subsection (a) or notice requirements imposed under subsections (c) through (f).

Sec. 22. (a) In the case of a cybersecurity event involving nonpublic information that:

(1) is used by a licensee acting as an assuming insurer; or

(2) is in the possession, custody, or control of a licensee that:

(A) is acting as an assuming insurer; and

(B) does not have a direct contractual relationship with the affected consumers;

the assuming insurer shall notify its affected ceding insurers and the commissioner of its state of domicile within three (3) business days after making the determination that a cybersecurity event has occurred and the ceding insurers that have a direct contractual relationship with affected consumers shall fulfill the consumer notification requirements imposed under IC 24-4.9 and any other notification requirements relating to a cybersecurity event imposed under section 21(c) through 21(f) of this chapter.

(b) In the case of a cybersecurity event involving nonpublic information that is in the possession, custody, or control of a third party service provider of a licensee that is an assuming insurer:

(1) the assuming insurer shall notify its affected ceding insurers and the commissioner of its state of domicile within three (3) business days after receiving notice from its third party service provider that a cybersecurity event has occurred; and

(2) the ceding insurers that have a direct contractual relationship with affected consumers shall fulfill the consumer notification requirements imposed under IC 24-4.9 and any other notification requirements relating to a cybersecurity event imposed under section 21(c) through 21(f) of this chapter.

(c) Except for the obligations set forth in this section, a licensee acting as assuming insurer has no notice obligations relating to a cybersecurity event or other data breach under section 21 of this chapter or any other law of Indiana.

Sec. 23. (a) In the case of a cybersecurity event:

(1) that involves nonpublic information:

(A) that is in the possession, custody, or control of a licensee that is an insurer or its third party service provider; and

(B) for which a consumer accessed the insurer's services through an independent insurance producer; and

(2) for which consumer notice is required by IC 24-4.9;

the insurer shall notify the producers of record of all affected consumers of the cybersecurity event not later than the time at which notice is provided to the affected consumers.

(b) The insurer is excused from the obligation set forth in subsection (a):

(1) for any producers who are not authorized by law or contract to sell, solicit, or negotiate on behalf of the insurer; and

(2) in those instances in which the insurer does not have the current producer of record information for an individual consumer.

Sec. 24. (a) The commissioner may examine and investigate into the affairs of any licensee to determine whether the licensee has been or is engaged in any conduct in violation of this chapter. This power is in addition to the other powers the commissioner has under this title. Any investigation or examination of a licensee under this section shall be conducted pursuant to IC 27-1.

(b) Whenever the commissioner has reason to believe that

a licensee has been or is engaged in conduct in Indiana that violates this chapter, the commissioner may take action that is necessary or appropriate to enforce this chapter.

Sec. 25. (a) Any documents, materials, or other information in the control or possession of the department that are:

(1) furnished by a licensee or an employee or agent acting on behalf of a licensee under section 20(c), 21(d)(2) through 21(d)(5), 21(d)(8), or 21(d)(10) through 21(d)(11) of this chapter; or

(2) obtained by the commissioner in an investigation or examination under section 24 of this chapter;

are confidential by law and privileged, are not subject to IC 5-14-3, are not subject to subpoena, and are not subject to discovery or admissible in evidence in any private civil action. However, the commissioner is authorized to use the documents, materials, or other information in the furtherance of any regulatory or legal action brought as a part of the commissioner's duties. The commissioner shall not otherwise make the documents, materials, or other information public without the prior written consent of the licensee.

(b) Neither the commissioner nor any person who received documents, materials, or other information while acting under the authority of the commissioner shall be permitted or required to testify in any private civil action concerning any confidential documents, materials, or information subject to subsection (a).

(c) In order to assist in the performance of the commissioner's duties under this chapter, the commissioner:

(1) may share documents, materials, or other information, including the confidential and privileged documents, materials, or information subject to subsection (a), with other state, federal, and international regulatory agencies, with the NAIC and its affiliates or subsidiaries, and with state, federal, and international law enforcement authorities, provided that the recipient agrees in writing to maintain the confidentiality and privileged status of the document, material, or other information;

(2) may receive documents, materials, or information, including otherwise confidential and privileged documents, materials, or information, from the NAIC and its affiliates or subsidiaries and from regulatory and law enforcement officials of other foreign or domestic jurisdictions, and shall maintain as confidential or privileged any document, material, or information received with notice or the understanding that it is confidential or privileged under the laws of the jurisdiction that is the source of the document, material, or information;

(3) may share documents, materials, or other information subject to subsection (a), with a third party consultant or vendor provided the consultant or vendor agrees in writing to maintain the confidentiality and privileged status of the document, material, or other information; and

(4) may enter into agreements governing sharing and use of information consistent with this subsection.

(d) No waiver of any applicable privilege or claim of confidentiality in the documents, materials, or information shall occur as a result of disclosure to the commissioner under this section or as a result of sharing as authorized in subsection (c).

(e) Nothing in this chapter prohibits the commissioner from releasing final, adjudicated actions that are open to public inspection under IC 5-14-3 to a data base or other clearinghouse service maintained by the NAIC, its affiliates, or subsidiaries.

(f) Documents, materials, or other information in the possession or control of the NAIC or a third party consultant or vendor under this chapter shall be confidential by law and privileged, shall not be subject to IC 5-14-3, shall not be subject to subpoena, and shall not be subject to discovery or admissible in evidence in any private civil action.

Sec. 26. (a) A licensee is exempt from sections 16 through 20 of this chapter if the licensee has:

(1) fewer than fifty (50) employees;

(2) less than five million dollars ($5,000,000) in gross annual revenue; or

(3) less than ten million dollars ($10,000,000) in year-end total assets.

(b) A licensee that:

(1) is subject to the federal Health Insurance Portability and Accountability Act (Pub.L. 104–191, 110 Stat. 1936, enacted August 21, 1996); and

(2) has established and maintains an information security program pursuant to that federal act and the regulations, procedures, or guidelines established under that act;

will be considered as meeting the requirements of this chapter, except for the notice requirements described in section 21 of this chapter.

(c) An individual who:

(1) is an employee, agent, representative, or designee of a licensee; and

(2) is also a licensee;

is exempt from sections 16 through 20 of this chapter and need not develop the individual's own information security program to the extent that the individual is covered by the information security program of the licensee of which the individual is an employee, agent, representative, or designee.

(d) A licensee shall be considered to have complied with sections 16 through 20 of this chapter if the licensee is affiliated with a financial institution (as defined in 15 U.S.C. 6809) that maintains an information security program in compliance with the Interagency Guidelines Establishing Standards for Safeguarding Consumer Information adopted under Sections 501 and 505(b) of the Gramm-Leach-Bliley Act (15 U.S.C. 6801 and 6805(b)).

(e) If a licensee ceases to qualify for an exception under subsection (a), (b), (c), or (d), the licensee must comply with sections 16 through 20 of this chapter not more than one hundred eighty (180) days after the licensee ceases to qualify for the exception.

Sec. 27. If a licensee violates this chapter, the insurance

commissioner may, after notice and hearing under IC 4-21.5, suspend or revoke the license, certificate of authority, or registration of the licensee.

Sec. 28. The insurance commissioner may adopt rules under IC 4-22-2 to carry out the provisions of this chapter.

Sec. 29. This chapter does not create a private right of action against any person.

Sec. 30. Notwithstanding any other provision of law, this chapter establishes the exclusive state standards applying to licensees for:

(1) data security;

(2) the investigation of a cybersecurity event; and

(3) notification to the insurance commissioner concerning a cybersecurity event.

Sec. 31. The requirements of this chapter do not apply to a financial institution (as defined in 15 U.S.C. 6809), except to the extent the financial institution transacts insurance business.

Sec. 32. (a) A licensee that satisfies the requirements of this chapter is entitled to an affirmative defense to any cause of action sounding in tort that:

(1) is brought under the laws or in the courts of this state; and

(2) alleges that the failure to implement reasonable information security controls resulted in a data breach concerning nonpublic information.

(b) The affirmative defense available under this section does not limit any other affirmative defenses available to a licensee.

SECTION 11. IC 27-6-10 IS REPEALED [EFFECTIVE JULY 1, 2020]. (Credit for Reinsurance).

SECTION 12. IC 27-6-10.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 10.1. Credit for Reinsurance

Sec. 1. (a) The purpose of this chapter is to protect the interest of insureds, claimants, ceding insurers, assuming insurers, and the public generally.

(b) The general assembly declares that its intent is to ensure adequate regulation of insurers and reinsurers and adequate protection for those to whom they owe obligations. In furtherance of that state interest, the general assembly provides a mandate that upon the insolvency of a non-U.S. insurer or reinsurer that provides security to fund its U.S. obligations in accordance with this chapter, the assets representing the security shall be maintained in the United States and claims shall be filed with and valued by the state insurance commissioner with regulatory oversight, and the assets shall be distributed, in accordance with the insurance laws of the state in which the trust is domiciled that are applicable to the liquidation of domestic U.S. insurance companies.

(c) The general assembly declares that the matters contained in this chapter are fundamental to the business of insurance in accordance with 15 U.S.C. 1011 through 15 U.S.C. 1012.

Sec. 2. Credit Allowed a Domestic Ceding Insurer. Credit for reinsurance shall be allowed a domestic ceding insurer as either an asset or a reduction from liability on account of reinsurance ceded only when the reinsurer meets the requirements of Subsection A, B, C, D, E, F, or G; provided further, that the insurance commissioner may adopt by regulation pursuant to Section 5B of this chapter specific additional requirements relating to or setting forth: (1) the valuation of assets or reserve credits; (2) the amount and forms of security supporting reinsurance arrangements described in Section 5B of this chapter; and/or (3) the circumstances pursuant to which credit will be reduced or eliminated. Credit shall be allowed under Subsection A, B, or C only as respects cessions of those kinds or classes of business which the assuming insurer is licensed or otherwise permitted to write or assume in its state of domicile or, in the case of a U.S. branch of an alien assuming insurer, in the state through which it is entered and licensed to transact insurance or reinsurance. Credit shall be allowed under Subsection C or D only if the applicable requirements of Subsection H have been satisfied.

A. Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is licensed to transact insurance or reinsurance in Indiana.

B. Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is accredited by the insurance commissioner as a reinsurer in Indiana. In order to be eligible for accreditation, a reinsurer must:

(1) file with the insurance commissioner evidence of its submission to Indiana's jurisdiction;

(2) submit to Indiana's authority to examine its books and records;

(3) be licensed to transact insurance or reinsurance in at least one (1) state, or in the case of a U.S. branch of an alien assuming insurer, be entered through and licensed to transact insurance or reinsurance in at least one (1) state;

(4) file annually with the insurance commissioner a copy of its annual statement filed with the insurance department of its state of domicile and a copy of its most recent audited financial statement; and

(5) demonstrate to the satisfaction of the insurance commissioner that it has adequate financial capacity to meet its reinsurance obligations and is otherwise qualified to assume reinsurance from domestic insurers. An assuming insurer is deemed to meet this requirement as of the time of its application if it maintains a surplus as regards policyholders in an amount not less than twenty million dollars ($20,000,000) and its accreditation has not been denied by the insurance commissioner within ninety (90) days after submission of its application.

C. (1) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that is domiciled in, or in the case of a U.S. branch of an alien assuming insurer is entered through, a state that employs standards regarding credit for reinsurance substantially similar to those applicable under this statute and the assuming insurer or U.S. branch of an alien assuming insurer:

(a) maintains a surplus as regards policyholders in

an amount not less than twenty million dollars ($20,000,000); and

(b) submits to the authority of Indiana to examine its books and records.

(2) The requirement of Paragraph (1)(a) of this subsection does not apply to reinsurance ceded and assumed pursuant to pooling arrangements among insurers in the same holding company system.

D. (1) Credit shall be allowed when the reinsurance is ceded to an assuming insurer that maintains a trust fund in a qualified U.S. financial institution, as defined in Section 4B of this chapter, for the payment of the valid claims of its U.S. ceding insurers, their assigns, and successors in interest. To enable the insurance commissioner to determine the sufficiency of the trust fund, the assuming insurer shall report annually to the insurance commissioner information substantially the same as that required to be reported on the NAIC Annual Statement form by licensed insurers. The assuming insurer shall submit to examination of its books and records by the insurance commissioner and bear the expense of examination.

(2) (a) Credit for reinsurance shall not be granted under this subsection unless the form of the trust and any amendments to the trust have been approved by:

(i) the insurance commissioner of the state where the trust is domiciled; or

(ii) the insurance commissioner of another state who, pursuant to the terms of the trust instrument, has accepted principal regulatory oversight of the trust.

(b) The form of the trust and any trust amendments also shall be filed with the insurance commissioner of every state in which the ceding insurer beneficiaries of the trust are domiciled. The trust instrument shall provide that contested claims shall be valid and enforceable upon the final order of any court of competent jurisdiction in the United States. The trust shall vest legal title to its assets in its trustees for the benefit of the assuming insurer's U.S. ceding insurers, their assigns, and successors in interest. The trust and the assuming insurer shall be subject to examination as determined by the insurance commissioner.

(c) The trust shall remain in effect for as long as the assuming insurer has outstanding obligations due under the reinsurance agreements subject to the trust. No later than February 28 of each year the trustee of the trust shall report to the insurance commissioner in writing the balance of the trust, provide a listing of the trust's investments at the preceding year end, and certify the date of termination of the trust, if so planned, or certify that the trust will not expire prior to the following December 31.

(3) The following requirements apply to the following categories of assuming insurer:

(a) The trust fund for a single assuming insurer shall consist of funds in trust in an amount not less than the assuming insurer's liabilities attributable to reinsurance ceded by U.S. ceding insurers, and, in addition, the assuming insurer shall maintain a trusteed surplus of not less than twenty million dollars ($20,000,000), except as provided in Paragraph 3(b) of this subsection.

(b) At any time after the assuming insurer has permanently discontinued underwriting new business secured by the trust for at least three (3) full years, the insurance commissioner with principal regulatory oversight of the trust may authorize a reduction in the required trusteed surplus, but only after a finding, based on an assessment of the risk, that the new required surplus level is adequate for the protection of U.S. ceding insurers, policyholders, and claimants in light of reasonably foreseeable adverse loss development. The risk assessment may involve an actuarial review, including an independent analysis of reserves and cash flows, and shall consider all material risk factors, including when applicable the lines of business involved, the stability of the incurred loss estimates and the effect of the surplus requirements on the assuming insurer's liquidity or solvency. The minimum required trusteed surplus may not be reduced to an amount less than thirty percent (30%) of the assuming insurer's liabilities attributable to reinsurance ceded by U.S. ceding insurers covered by the trust.

(c) (i) In the case of a group including incorporated and individual unincorporated underwriters:

(I) for reinsurance ceded under reinsurance agreements with an inception, amendment, or renewal date on or after January 1, 1993, the trust shall consist of a trusteed account in an amount not less than the respective underwriters' several liabilities attributable to business ceded by U.S. domiciled ceding insurers to any underwriter of the group;

(II) for reinsurance ceded under reinsurance agreements with an inception date on or before December 31, 1992, and not amended or renewed after that date, notwithstanding the other provisions of this chapter, the trust shall consist of a trusteed account in an amount not less than the respective underwriters' several insurance and reinsurance liabilities attributable to business written in the United States; and

(III) in addition to these trusts, the group shall maintain in trust a trusteed surplus of which one hundred million dollars ($100,000,000) shall be held jointly for the benefit of the U.S. domiciled ceding insurers of any member of the group for all years of account; and

(ii) the incorporated members of the group shall not be engaged in any business other than underwriting as a member of the group and shall

be subject to the same level of regulation and solvency control by the group's domiciliary regulator as are the unincorporated members; and

(iii) within ninety (90) days after its financial statements are due to be filed with the group's domiciliary regulator, the group shall provide to the insurance commissioner an annual certification by the group's domiciliary regulator of the solvency of each underwriter member; or if a certification is unavailable, financial statements, prepared by independent public accountants, of each underwriter member of the group.

(d) In the case of a group of incorporated underwriters under common administration, the group shall:

(i) have continuously transacted an insurance business outside the United States for at least three (3) years immediately prior to making application for accreditation;

(ii) maintain aggregate policyholders' surplus of at least ten billion dollars ($10,000,000,000);

(iii) maintain a trust fund in an amount not less than the group's several liabilities attributable to business ceded by U.S. domiciled ceding insurers to any member of the group pursuant to reinsurance contracts issued in the name of the group;

(iv) in addition, maintain a joint trusteed surplus of which one hundred million dollars ($100,000,000) shall be held jointly for the benefit of U.S. domiciled ceding insurers of any member of the group as additional security for these liabilities; and

(v) within ninety (90) days after its financial statements are due to be filed with the group's domiciliary regulator, make available to the insurance commissioner an annual certification of each underwriter member's solvency by the member's domiciliary regulator and financial statements of each underwriter member of the group prepared by its independent public accountant.

E. Credit shall be allowed when the reinsurance is ceded to an assuming insurer that has been certified by the insurance commissioner as a reinsurer in Indiana and secures its obligations in accordance with the requirements of this subsection.

(1) In order to be eligible for certification, the assuming insurer shall meet all of the following requirements:

(a) The assuming insurer must be domiciled and licensed to transact insurance or reinsurance in a qualified jurisdiction, as determined by the insurance commissioner pursuant to Paragraph (3) of this subsection.

(b) The assuming insurer must maintain minimum capital and surplus, or its equivalent, in an amount to be determined by the insurance commissioner pursuant to regulation.

(c) The assuming insurer must maintain financial strength ratings from two (2) or more rating agencies deemed acceptable by the insurance commissioner pursuant to regulation.

(d) The assuming insurer must agree to submit to the jurisdiction of Indiana, appoint the insurance commissioner as its agent for service of process in Indiana, and agree to provide security for one hundred percent (100%) of the assuming insurer's liabilities attributable to reinsurance ceded by U.S. ceding insurers if it resists enforcement of a final U.S. judgment.

(e) The assuming insurer must agree to meet applicable information filing requirements as determined by the insurance commissioner, both with respect to an initial application for certification and on an ongoing basis.

(f) The assuming insurer must satisfy any other requirements for certification deemed relevant by the insurance commissioner.

(2) An association including incorporated and individual unincorporated underwriters may be a certified reinsurer. In order to be eligible for certification, in addition to satisfying requirements of Paragraph (1) of this subsection:

(a) the association shall satisfy its minimum capital and surplus requirements through the capital and surplus equivalents (net of liabilities) of the association and its members, which shall include a joint central fund that may be applied to any unsatisfied obligation of the association or any of its members, in an amount determined by the insurance commissioner to provide adequate protection;

(b) the incorporated members of the association shall not be engaged in any business other than underwriting as a member of the association and shall be subject to the same level of regulation and solvency control by the association's domiciliary regulator as are the unincorporated members; and

(c) within ninety (90) days after its financial statements are due to be filed with the association's domiciliary regulator, the association shall provide to the insurance commissioner an annual certification by the association's domiciliary regulator of the solvency of each underwriter member; or if a certification is unavailable, financial statements, prepared by independent public accountants, of each underwriter member of the association.

(3) The insurance commissioner shall create and publish a list of qualified jurisdictions, under which an assuming insurer licensed and domiciled in such jurisdiction is eligible to be considered for certification by the insurance commissioner as a certified reinsurer.

(a) In order to determine whether the domiciliary jurisdiction of a non-U.S. assuming insurer is eligible to be recognized as a qualified jurisdiction, the

insurance commissioner shall evaluate the appropriateness and effectiveness of the reinsurance supervisory system of the jurisdiction, both initially and on an ongoing basis, and consider the rights, benefits and the extent of reciprocal recognition afforded by the non-U.S. jurisdiction to reinsurers licensed and domiciled in the U.S. A qualified jurisdiction must agree to share information and cooperate with the insurance commissioner with respect to all certified reinsurers domiciled within that jurisdiction. A jurisdiction may not be recognized as a qualified jurisdiction if the insurance commissioner has determined that the jurisdiction does not adequately and promptly enforce final U.S. judgments and arbitration awards. Additional factors may be considered in the discretion of the insurance commissioner.

(b) A list of qualified jurisdictions shall be published through the NAIC Committee Process. The insurance commissioner shall consider this list in determining qualified jurisdictions. If the insurance commissioner approves a jurisdiction as qualified that does not appear on the list of qualified jurisdictions, the commissioner shall provide thoroughly documented justification in accordance with criteria to be developed under regulations.

(c) U.S. jurisdictions that meet the requirement for accreditation under the NAIC financial standards and accreditation program shall be recognized as qualified jurisdictions.

(d) If a certified reinsurer's domiciliary jurisdiction ceases to be a qualified jurisdiction, the insurance commissioner has the discretion to suspend the reinsurer's certification indefinitely, in lieu of revocation.

(4) The insurance commissioner shall assign a rating to each certified reinsurer, giving due consideration to the financial strength ratings that have been assigned by rating agencies deemed acceptable to the insurance commissioner pursuant to regulation. The insurance commissioner shall publish a list of all certified reinsurers and their ratings.

(5) A certified reinsurer shall secure obligations assumed from U.S. ceding insurers under this subsection at a level consistent with its rating, as specified in regulations promulgated by the insurance commissioner.

(a) In order for a domestic ceding insurer to qualify for full financial statement credit for reinsurance ceded to a certified reinsurer, the certified reinsurer shall maintain security in a form acceptable to the insurance commissioner and consistent with the provisions of Section 3 of this chapter, or in a multibeneficiary trust in accordance with Subsection D, except as otherwise provided in this subsection.

(b) If a certified reinsurer maintains a trust to fully secure its obligations subject to Subsection D, and chooses to secure its obligations incurred as a certified reinsurer in the form of a multibeneficiary trust, the certified reinsurer shall maintain separate trust accounts for its obligations incurred under reinsurance agreements issued or renewed as a certified reinsurer with reduced security as permitted by this subsection or comparable laws of other U.S. jurisdictions and for its obligations subject to Subsection D. It shall be a condition to the grant of certification under this subsection that the certified reinsurer shall have bound itself, by the language of the trust and agreement with the insurance commissioner with principal regulatory oversight of each such trust account, to fund, upon termination of any such trust account, out of the remaining surplus of such trust any deficiency of any other such trust account.

(c) The minimum trusteed surplus requirements provided in Subsection D are not applicable with respect to a multibeneficiary trust maintained by a certified reinsurer for the purpose of securing obligations incurred under this subsection, except that such trust shall maintain a minimum trusteed surplus of ten million dollars ($10,000,000).

(d) With respect to obligations incurred by a certified reinsurer under this subsection, if the security is insufficient, the insurance commissioner shall reduce the allowable credit by an amount proportionate to the deficiency, and has the discretion to impose further reductions in allowable credit upon finding that there is a material risk that the certified reinsurer's obligations will not be paid in full when due.

(e) For purposes of this subsection, a certified reinsurer whose certification has been terminated for any reason shall be treated as a certified reinsurer required to secure one hundred percent (100%) of its obligations.

(i) As used in this subsection, the term "terminated" refers to revocation, suspension, voluntary surrender, and inactive status.

(ii) If the insurance commissioner continues to assign a higher rating as permitted by other provisions of this section, this requirement does not apply to a certified reinsurer in inactive status or to a reinsurer whose certification has been suspended.

(6) If an applicant for certification has been certified as a reinsurer in an NAIC accredited jurisdiction, the insurance commissioner has the discretion to defer to that jurisdiction's certification, and has the discretion to defer to the rating assigned by that jurisdiction, and such assuming insurer shall be considered to be a certified reinsurer in Indiana.

(7) A certified reinsurer that ceases to assume new business in Indiana may request to maintain its certification in inactive status in order to continue to qualify for a reduction in security for its in force business. An inactive certified reinsurer shall continue

to comply with all applicable requirements of this subsection, and the insurance commissioner shall assign a rating that takes into account, if relevant, the reasons why the reinsurer is not assuming new business.

F. (1) Credit shall be allowed when the reinsurance is ceded to an assuming insurer meeting each of the conditions set forth below.

(a) The assuming insurer must have its head office or be domiciled in, as applicable, and be licensed in a Reciprocal Jurisdiction. A "Reciprocal Jurisdiction" is a jurisdiction that meets one (1) of the following:

(i) A non-U.S. jurisdiction that is subject to an in force covered agreement with the United States, each within its legal authority, or, in the case of a covered agreement between the United States and European Union, is a member state of the European Union. For purposes of this subsection, a "covered agreement" is an agreement entered into pursuant to Dodd-Frank Wall Street Reform and Consumer Protection Act, 31 U.S.C. 313 and 31 U.S.C 314, that is currently in effect or in a period of provisional application and addresses the elimination, under specified conditions, of collateral requirements as a condition for entering into any reinsurance agreement with a ceding insurer domiciled in Indiana or for allowing the ceding insurer to recognize credit for reinsurance.

(ii) A U.S. jurisdiction that meets the requirements for accreditation under the NAIC financial standards and accreditation program.

(iii) A qualified jurisdiction, as determined by the insurance commissioner pursuant to Subsection E(3), which is not otherwise described in Subparagraphs (a)(i) or (a)(ii) and which meets certain additional requirements, consistent with the terms and conditions of in force covered agreements, as specified by the insurance commissioner in regulation.

(b) The assuming insurer must have and maintain, on an ongoing basis, minimum capital and surplus, or its equivalent, calculated according to the methodology of its domiciliary jurisdiction, in an amount to be set forth in regulation. If the assuming insurer is an association, including incorporated and individual unincorporated underwriters, it must have and maintain, on an ongoing basis, minimum capital and surplus equivalents (net of liabilities), calculated according to the methodology applicable in its domiciliary jurisdiction, and a central fund containing a balance in amounts to be set forth in regulation.

(c) The assuming insurer must have and maintain, on an ongoing basis, a minimum solvency or capital ratio, as applicable, which will be set forth in regulation. If the assuming insurer is an association, including incorporated and individual unincorporated underwriters, it must have and maintain, on an ongoing basis, a minimum solvency or capital ratio in the Reciprocal Jurisdiction where the assuming insurer has its head office or is domiciled, as applicable, and is also licensed.

(d) The assuming insurer must agree and provide adequate assurance to the insurance commissioner, in a form specified by the insurance commissioner pursuant to regulation, as follows:

(i) The assuming insurer must provide prompt written notice and explanation to the insurance commissioner if it falls below the minimum requirements set forth in Subparagraph (b) or (c) of this section, or if any regulatory action is taken against it for serious noncompliance with applicable law.

(ii) The assuming insurer must consent in writing to the jurisdiction of the courts of Indiana and to the appointment of the insurance commissioner as agent for service of process. The insurance commissioner may require that consent for service of process be provided to the insurance commissioner and included in each reinsurance agreement. Nothing in this provision shall limit, or in any way alter, the capacity of parties to a reinsurance agreement to agree to alternative dispute resolution mechanisms, except to the extent such agreements are unenforceable under applicable insolvency or delinquency laws.

(iii) The assuming insurer must consent in writing to pay all final judgments, wherever enforcement is sought, obtained by a ceding insurer or its legal successor, that have been declared enforceable in the jurisdiction where the judgment was obtained.

(iv) Each reinsurance agreement must include a provision requiring the assuming insurer to provide security in an amount equal to one hundred percent (100%) of the assuming insurer's liabilities attributable to reinsurance ceded pursuant to that agreement if the assuming insurer resists enforcement of a final judgment that is enforceable under the law of the jurisdiction in which it was obtained or a properly enforceable arbitration award, whether obtained by the ceding insurer or by its legal successor on behalf of its resolution estate.

(v) The assuming insurer must confirm that it is not presently participating in any solvent scheme of arrangement which involves Indiana's ceding insurers, and agree to notify the ceding insurer and the insurance commissioner and to provide security in an amount equal to one hundred percent (100%) of the assuming insurer's liabilities to the ceding insurer, should the assuming insurer enter into such a solvent scheme of arrangement. Such security shall be in a form consistent with the provisions of Subsection E and Section 3 of this chapter and as specified by the insurance commissioner in regulation.

(e) The assuming insurer or its legal successor must

provide, if requested by the insurance commissioner, on behalf of itself and any legal predecessors, certain documentation to the insurance commissioner, as specified by the insurance commissioner in regulation.

(f) The assuming insurer must maintain a practice of prompt payment of claims under reinsurance agreements, pursuant to criteria set forth in regulation.

(g) The assuming insurer's supervisory authority must confirm to the insurance commissioner on an annual basis, as of the preceding December 31 or at the annual date otherwise statutorily reported to the Reciprocal Jurisdiction, that the assuming insurer complies with the requirements set forth in Subparagraphs (b) and (c) of this section.

(h) Nothing in this provision precludes an assuming insurer from providing the insurance commissioner with information on a voluntary basis.

(2) The insurance commissioner shall timely create and publish a list of Reciprocal Jurisdictions.

(a) A list of Reciprocal Jurisdictions is published through the NAIC Committee Process. The insurance commissioner's list shall include any Reciprocal Jurisdiction as defined under Subsection F(1)(a)(i) and F(1)(a)(ii), and shall consider any other Reciprocal Jurisdiction included on the NAIC list. The insurance commissioner may approve a jurisdiction that does not appear on the NAIC list of Reciprocal Jurisdictions in accordance with criteria to be developed under regulations issued by the insurance commissioner.

(b) The insurance commissioner may remove a jurisdiction from the list of Reciprocal Jurisdictions upon a determination that the jurisdiction no longer meets the requirements of a Reciprocal Jurisdiction, in accordance with a process set forth in regulations issued by the insurance commissioner, except that the insurance commissioner shall not remove from the list a Reciprocal Jurisdiction as defined under Subsection F(1)(a)(i) and F(1)(a)(ii). Upon removal of a Reciprocal Jurisdiction from this list credit for reinsurance ceded to an assuming insurer which has its home office or is domiciled in that jurisdiction shall be allowed, if otherwise allowed pursuant to Indiana law.

(3) The insurance commissioner shall timely create and publish a list of assuming insurers that have satisfied the conditions set forth in this subsection and to which cessions shall be granted credit in accordance with this subsection. The insurance commissioner may add an assuming insurer to such list if an NAIC accredited jurisdiction has added such assuming insurer to a list of such assuming insurers or if, upon initial eligibility, the assuming insurer submits the information to the insurance commissioner as required under Paragraph (1)(d) of this subsection and complies with any additional requirements that the insurance commissioner may impose by regulation, except to the extent that they conflict with an applicable covered agreement.

(4) If the insurance commissioner determines that an assuming insurer no longer meets one (1) or more of the requirements under this subsection, the insurance commissioner may revoke or suspend the eligibility of the assuming insurer for recognition under this subsection in accordance with procedures set forth in regulation.

(a) While an assuming insurer's eligibility is suspended, no reinsurance agreement issued, amended, or renewed after the effective date of the suspension qualifies for credit except to the extent that the assuming insurer's obligations under the contract are secured in accordance with Section 3 of this chapter.

(b) If an assuming insurer's eligibility is revoked, no credit for reinsurance may be granted after the effective date of the revocation with respect to any reinsurance agreements entered into by the assuming insurer, including reinsurance agreements entered into prior to the date of revocation, except to the extent that the assuming insurer's obligations under the contract are secured in a form acceptable to the insurance commissioner and consistent with the provisions of Section 3 of this chapter.

(5) If subject to a legal process of rehabilitation, liquidation, or conservation, as applicable, the ceding insurer, or its representative, may seek and, if determined appropriate by the court in which the proceedings are pending, may obtain an order requiring that the assuming insurer post security for all outstanding ceded liabilities.

(6) Nothing in this subsection shall limit or in any way alter the capacity of parties to a reinsurance agreement to agree on requirements for security or other terms in that reinsurance agreement, except as expressly prohibited by this chapter or other applicable law or regulation.

(7) Credit may be taken under this subsection only for reinsurance agreements entered into, amended, or renewed on or after the effective date of the statute adding this subsection, and only with respect to losses incurred and reserves reported on or after the later of: (i) the date on which the assuming insurer has met all eligibility requirements pursuant to Subsection F(1) herein; and (ii) the effective date of the new reinsurance agreement, amendment, or renewal.

(a) This paragraph does not alter or impair a ceding insurer's right to take credit for reinsurance, to the extent that credit is not available under this subsection, as long as the reinsurance qualifies for credit under any other applicable provision of this chapter.

(b) Nothing in this subsection shall authorize an assuming insurer to withdraw or reduce the security provided under any reinsurance agreement except as

permitted by the terms of the agreement.

(c) Nothing in this subsection shall limit, or in any way alter, the capacity of parties to any reinsurance agreement to renegotiate the agreement.

G. Credit shall be allowed when the reinsurance is ceded to an assuming insurer not meeting the requirements of Subsection A, B, C, D, E, or F, but only as to the insurance of risks located in jurisdictions where the reinsurance is required by applicable law or regulation of that jurisdiction.

H. If the assuming insurer is not licensed, accredited or certified to transact insurance or reinsurance in Indiana, the credit permitted by Subsections C and D shall not be allowed unless the assuming insurer agrees in the reinsurance agreements:

(1) (a) That in the event of the failure of the assuming insurer to perform its obligations under the terms of the reinsurance agreement, the assuming insurer, at the request of the ceding insurer, shall submit to the jurisdiction of any court of competent jurisdiction in any state of the United States, will comply with all requirements necessary to give the court jurisdiction, and will abide by the final decision of the court or of any appellate court in the event of an appeal; and

(b) To designate the insurance commissioner or a designated attorney as its true and lawful attorney upon whom may be served any lawful process in any action, suit, or proceeding instituted by or on behalf of the ceding insurer.

(2) This subsection is not intended to conflict with or override the obligation of the parties to a reinsurance agreement to arbitrate their disputes, if this obligation is created in the agreement.

I. If the assuming insurer does not meet the requirements of Subsection A, B, C, or F, the credit permitted by Subsection D or E shall not be allowed unless the assuming insurer agrees in the trust agreements to all of the following conditions:

(1) Notwithstanding any other provisions in the trust instrument, if the trust fund is inadequate because it contains an amount less than the amount required by Subsection D(3), or if the grantor of the trust has been declared insolvent or placed into receivership, rehabilitation, liquidation, or similar proceedings under the laws of its state or country of domicile, the trustee shall comply with an order of the insurance commissioner with regulatory oversight over the trust or with an order of a court of competent jurisdiction directing the trustee to transfer to the insurance commissioner with regulatory oversight all of the assets of the trust fund.

(2) The assets shall be distributed by and claims shall be filed with and valued by the insurance commissioner with regulatory oversight in accordance with the laws of the state in which the trust is domiciled that are applicable to the liquidation of domestic insurance companies.

(3) If the insurance commissioner with regulatory oversight determines that the assets of the trust fund or any part thereof are not necessary to satisfy the claims of the U.S. ceding insurers of the grantor of the trust, the assets or part thereof shall be returned by the insurance commissioner with regulatory oversight to the trustee for distribution in accordance with the trust agreement.

(4) The grantor shall waive any right otherwise available to it under U.S. law that is inconsistent with this provision.

J. If an accredited or certified reinsurer ceases to meet the requirements for accreditation or certification, the insurance commissioner may suspend or revoke the reinsurer's accreditation or certification.

(1) The insurance commissioner must give the reinsurer notice and opportunity for hearing. The suspension or revocation may not take effect until after the insurance commissioner's order on hearing, unless:

(a) the reinsurer waives its right to hearing;

(b) the insurance commissioner's order is based on regulatory action by the reinsurer's domiciliary jurisdiction or the voluntary surrender or termination of the reinsurer's eligibility to transact insurance or reinsurance business in its domiciliary jurisdiction or in the primary certifying state of the reinsurer under Subsection E(6); or

(c) the insurance commissioner finds that an emergency requires immediate action and a court of competent jurisdiction has not stayed the insurance commissioner's action.

(2) While a reinsurer's accreditation or certification is suspended, no reinsurance contract issued or renewed after the effective date of the suspension qualifies for credit except to the extent that the reinsurer's obligations under the contract are secured in accordance with Section 3 of this chapter. If a reinsurer's accreditation or certification is revoked, no credit for reinsurance may be granted after the effective date of the revocation except to the extent that the reinsurer's obligations under the contract are secured in accordance with Subsection E(5) or Section 3 of this chapter.

K. Concentration Risk.

(1) A ceding insurer shall take steps to manage its reinsurance recoverables proportionate to its own book of business. A domestic ceding insurer shall notify the insurance commissioner within thirty (30) days after reinsurance recoverables from any single assuming insurer, or group of affiliated assuming insurers, exceeds fifty percent (50%) of the domestic ceding insurer's last reported surplus to policyholders, or after it is determined that reinsurance recoverables from any single assuming insurer, or group of affiliated assuming insurers, is likely to exceed this limit. The notification shall demonstrate that the exposure is safely managed by the domestic ceding insurer.

(2) A ceding insurer shall take steps to diversify its reinsurance program. A domestic ceding insurer shall

notify the insurance commissioner within thirty (30) days after ceding to any single assuming insurer, or group of affiliated assuming insurers, more than twenty percent (20%) of the ceding insurer's gross written premium in the prior calendar year, or after it has determined that the reinsurance ceded to any single assuming insurer, or group of affiliated assuming insurers, is likely to exceed this limit. The notification shall demonstrate that the exposure is safely managed by the domestic ceding insurer.

Sec. 3. Asset or Reduction from Liability for Reinsurance Ceded by a Domestic Insurer to an Assuming Insurer not Meeting the Requirements of Section 2 of this chapter. An asset or a reduction from liability for the reinsurance ceded by a domestic insurer to an assuming insurer not meeting the requirements of Section 2 of this chapter shall be allowed in an amount not exceeding the liabilities carried by the ceding insurer; provided further, that the insurance commissioner may adopt by regulation pursuant to Section 5B of this chapter specific additional requirements relating to or setting forth: (1) the valuation of assets or reserve credits; (2) the amount and forms of security supporting reinsurance arrangements described in Section 5B of this chapter; and/or (3) the circumstances pursuant to which credit will be reduced or eliminated. The reduction shall be in the amount of funds held by or on behalf of the ceding insurer, including funds held in trust for the ceding insurer, under a reinsurance contract with the assuming insurer as security for the payment of obligations thereunder, if the security is held in the United States subject to withdrawal solely by, and under the exclusive control of, the ceding insurer; or, in the case of a trust, held in a qualified U.S. financial institution, as defined in Section 4B of this chapter. This security may be in the form of:

A. cash;

B. securities listed by the Securities Valuation Office of the NAIC, including those deemed exempt from filing as defined by the Purposes and Procedures Manual of the Securities Valuation Office, and qualifying as admitted assets;

C. (1) clean, irrevocable, unconditional letters of credit, issued or confirmed by a qualified U.S. financial institution, as defined in Section 4A of this chapter, effective no later than December 31 of the year for which the filing is being made, and in the possession of, or in trust for, the ceding insurer on or before the filing date of its annual statement;

(2) letters of credit meeting applicable standards of issuer acceptability as of the dates of their issuance (or confirmation) shall, notwithstanding the issuing (or confirming) institution's subsequent failure to meet applicable standards of issuer acceptability, continue to be acceptable as security until their expiration, extension, renewal, modification, or amendment, whichever first occurs; or

D. any other form of security acceptable to the insurance commissioner.

Sec. 4. Qualified U.S. Financial Institutions

A. For purposes of Section 3C of this chapter, a "qualified U.S. financial institution" means an institution that:

(1) is organized or (in the case of a U.S. office of a foreign banking organization) licensed, under the laws of the United States or any state thereof;

(2) is regulated, supervised, and examined by U.S. federal or state authorities having regulatory authority over banks and trust companies; and

(3) has been determined by either the commissioner or the Securities Valuation Office of the NAIC to meet such standards of financial condition and standing as are considered necessary and appropriate to regulate the quality of financial institutions whose letters of credit will be acceptable to the commissioner.

B. A "qualified U.S. financial institution" means, for purposes of those provisions of this chapter specifying those institutions that are eligible to act as a fiduciary of a trust, an institution that:

(1) is organized, or, in the case of a U.S. branch or agency office of a foreign banking organization, licensed, under the laws of the United States or any state thereof and has been granted authority to operate with fiduciary powers; and

(2) is regulated, supervised and examined by federal or state authorities having regulatory authority over banks and trust companies.

Sec. 5. Rules and Regulations.

A. The insurance commissioner may adopt rules and regulations under IC 4-22-2 implementing the provisions of this chapter.

B. The insurance commissioner is further authorized to adopt rules and regulations under IC 4-22-2 applicable to reinsurance arrangements described in Paragraph (1) of this subsection.

(1) A regulation adopted pursuant to this subsection may apply only to reinsurance relating to:

(a) life insurance policies with guaranteed nonlevel gross premiums or guaranteed nonlevel benefits;

(b) universal life insurance policies with provisions resulting in the ability of a policyholder to keep a policy in force over a secondary guarantee period;

(c) variable annuities with guaranteed death or living benefits;

(d) long term care insurance policies; or

(e) such other life and health insurance and annuity products as to which the NAIC adopts model regulatory requirements with respect to credit for reinsurance.

(2) A regulation adopted pursuant to Paragraph 1(a) or 1(b) of this subsection may apply to any treaty containing: (i) policies issued on or after January 1, 2015; and/or (ii) policies issued prior to January 1, 2015, if risk pertaining to such pre-2015 policies is ceded in connection with the treaty, in whole or in part, on or after January 1, 2015.

(3) A regulation adopted pursuant to this subsection may require the ceding insurer, in calculating the

amounts or forms of security required to be held under regulations promulgated under this authority, to use the Valuation Manual adopted by the NAIC under Section 11B(1) of the NAIC Standard Valuation Law, including all amendments adopted by the NAIC and in effect on the date as of which the calculation is made, to the extent applicable.

(4) A regulation adopted pursuant to this subsection shall not apply to cessions to an assuming insurer that:

(a) meets the conditions set forth in Section 2F of this chapter in Indiana;

(b) is certified in Indiana; or

(c) maintains at least two hundred fifty million dollars ($250,000,000) in capital and surplus when determined in accordance with the NAIC Accounting Practices and Procedures Manual, including all amendments thereto adopted by the NAIC, excluding the impact of any permitted or prescribed practices; and is:

(i) licensed in at least twenty-six (26) states; or

(ii) licensed in at least ten (10) states, and licensed or accredited in a total of at least thirty-five (35) states.

(5) The authority to adopt regulations pursuant to this subsection does not limit the insurance commissioner's general authority to adopt regulations pursuant to Subsection A.

Sec. 6. Reinsurance Agreements Affected. This chapter shall apply to all cessions after June 30, 2020, under reinsurance agreements that have an inception, anniversary, or renewal date not less than six (6) months after July 1, 2020.

SECTION 13. IC 27-7-5-2, AS AMENDED BY P.L.208-2018, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) Except as provided in subsections (d), (f), and (h), the insurer shall make available, in each automobile liability or motor vehicle liability policy of insurance which is delivered or issued for delivery in this state with respect to any motor vehicle registered or principally garaged in this state, insuring against loss resulting from liability imposed by law for bodily injury or death suffered by any person and for injury to or destruction of property to others arising from the ownership, maintenance, or use of a motor vehicle, or in a supplement to such a policy, the following types of coverage:

(1) in limits for bodily injury or death and for injury to or destruction of property not less than those set forth in IC 9-25-4-5 under policy provisions approved by the commissioner of insurance, for the protection of persons insured under the policy who are legally entitled to recover damages from owners or operators of uninsured or underinsured motor vehicles because of bodily injury, sickness or disease, including death, and for the protection of persons insured under the policy who are legally entitled to recover damages from owners or operators of uninsured motor vehicles for injury to or destruction of property resulting therefrom; or

(2) in limits for bodily injury or death not less than those set forth in IC 9-25-4-5 under policy provisions approved by the commissioner of insurance, for the protection of persons insured under the policy provisions who are legally entitled to recover damages from owners or operators of uninsured or underinsured motor vehicles because of bodily injury, sickness or disease, including death resulting therefrom.

The uninsured and underinsured motorist coverages must be provided by insurers for either a single premium or for separate premiums, in limits at least equal to the limits of liability specified in the bodily injury liability provisions of an insured's policy, unless such coverages have been rejected in writing by the insured. However, underinsured motorist coverage must be made available in limits of not less than fifty thousand dollars ($50,000). At the insurer's option, the bodily injury liability provisions of the insured's policy may be required to be equal to the insured's underinsured motorist coverage. Insurers may not sell or provide underinsured motorist coverage in an amount less than fifty thousand dollars ($50,000). Insurers must make underinsured motorist coverage available to all existing policyholders on the date of the first renewal of existing policies that occurs on or after January 1, 1995, and on any policies newly issued or delivered on or after January 1, 1995. Uninsured motorist coverage or underinsured motorist coverage may be offered by an insurer in an amount exceeding the limits of liability specified in the bodily injury and property damage liability provisions of the insured's policy.

(b) A named insured of an automobile or motor vehicle liability policy has the right, in writing, to:

(1) reject both the uninsured motorist coverage and the underinsured motorist coverage provided for in this section; or

(2) reject either the uninsured motorist coverage alone or the underinsured motorist coverage alone, if the insurer provides the coverage not rejected separately from the coverage rejected.

A rejection of coverage under this subsection by a named insured is a rejection on behalf of all other named insureds, all other insureds, and all other persons entitled to coverage under the policy. No insured may have uninsured motorist property damage liability insurance coverage under this section unless the insured also has uninsured motorist bodily injury liability insurance coverage under this section. Following rejection of either or both uninsured motorist coverage or underinsured motorist coverage, unless later requested in writing, the insurer need not offer uninsured motorist coverage or underinsured motorist coverage in or supplemental to a renewal or replacement policy issued to the same insured by the same insurer or a subsidiary or an affiliate of the originally issuing insurer. Renewals of policies issued or delivered in this state which have undergone interim policy endorsement or amendment do not constitute newly issued or delivered policies for which the insurer is required to provide the coverages described in this section.

(c) A rejection under subsection (b) must specify:

(1) that the named insured is rejecting:

(A) the uninsured motorist coverage;

(B) the underinsured motorist coverage; or

(C) both the uninsured motorist coverage and the underinsured motorist coverage;

that would otherwise be provided under the policy; and

(2) the date on which the rejection is effective.

(d) The following apply to the coverage described in subsection (a) in connection with a commercial umbrella or excess liability policy, including a commercial umbrella or excess liability policy that is issued or delivered to a motor carrier (as defined in IC 8-2.1-17-10) that is in compliance with the minimum levels of financial responsibility set forth in 49 CFR Part 387:

(1) An insurer is not required to make available in a commercial umbrella or excess liability policy the coverage described in subsection (a).

(2) An insurer that, through a rider or an endorsement, reduces or removes from a commercial umbrella or excess liability policy the coverage described in subsection (a) shall:

(A) through the United States mail; or

(B) by electronic means;

provide to the named insured written notice of the reduction or removal.

(3) An insurer that makes available in a commercial umbrella or excess liability policy the coverage described in subsection (a):

(A) may make available the coverage in limits determined by the insurer; and

(B) is not required to make available the coverage in limits equal to the limits specified in the commercial umbrella or excess liability policy.

(e) A rejection under subsection (b) of uninsured motorist coverage or underinsured motorist coverage in an underlying commercial policy of insurance is also a rejection of uninsured motorist coverage or underinsured motorist coverage in a commercial umbrella or excess liability policy.

(f) An insurer is not required to make available the coverage described in subsection (a) in connection with coverage that:

(1) is related to or included in a commercial policy of property and casualty insurance described in Class 2 or Class 3 of IC 27-1-5-1; and

(2) covers a loss related to a motor vehicle:

(A) of which the insured is not the owner; and

(B) that is used:

(i) by the insured or an agent of the insured; and

(ii) for purposes authorized by the insured.

(g) For purposes of subsection (f), "owner" means:

(1) a person who holds the legal title to a motor vehicle;

(2) a person who rents or leases a motor vehicle and has exclusive use of the motor vehicle for more than thirty (30) days;

(3) the conditional vendee or lessee under an agreement for the conditional sale or lease of a motor vehicle; or

(4) the mortgagor under an agreement for the conditional sale or lease of a motor vehicle under which the mortgagor has:

(A) the right to purchase; and

(B) an immediate right of possession of;

the motor vehicle upon the performance of the conditions stated in the agreement.

(h) The following apply to the coverage described in subsection (a) in relation to a personal umbrella or excess liability policy:

(1) An insurer is not required to make available the coverage described in subsection (a) under a personal umbrella or excess liability policy.

(2) An insurer that reduces or removes, through a rider or an endorsement, coverage described in subsection (a) under a personal umbrella or excess liability policy shall:

(A) through the United States mail; or

(B) by electronic means;

provide to the named insured written notice of the reduction or removal.

(3) An insurer that makes available the coverage described in subsection (a) under a personal umbrella or excess liability policy:

(A) may make available the coverage in limits determined by the insurer; and

(B) is not required to make available the coverage in limits equal to the limits specified in the personal umbrella or excess liability policy.

(4) A rejection under subsection (b) of uninsured motorist coverage or underinsured motorist coverage in an underlying personal policy of insurance is also a rejection of uninsured motorist coverage or underinsured motorist coverage in a personal umbrella or excess liability policy.

SECTION 14. IC 27-8-37 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 37. Coverage for Pediatric Neuropsychiatric Disorders

Sec. 1. As used in this chapter, "policy of accident and sickness insurance" has the meaning set forth in IC 27-8-5-1, offered on an individual or group basis.

Sec. 2. A policy of accident and sickness insurance must provide coverage for treatment of:

(1) pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS); and

(2) pediatric acute-onset neuropsychiatric syndrome (PANS);

including treatment with intravenous immunoglobulin therapy.

Sec. 3. The coverage required by this chapter may not be subject to annual or lifetime limitation, deductible, copayment, or coinsurance provisions that are more restrictive than the annual or lifetime limitation, deductible, copayment, or coinsurance provisions that apply generally under the policy of accident and sickness insurance.

SECTION 15. IC 27-13-4-1 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Subject to section 3 of this chapter, the powers of a health maintenance organization include the following:

(1) The purchase, lease, construction, renovation, operation, or maintenance of:

(A) hospitals and medical facilities;
(B) equipment for hospitals and medical facilities; and
(C) other property reasonably required for the principal office of the health maintenance organization or for purposes necessary in the transaction of the business of the organization.

(2) Engaging in transactions between affiliated entities, including loans and the transfer of responsibility under any or all contracts:
(A) between affiliates; or
(B) between the health maintenance organization and the parent organization of the health maintenance organization.

(3) The furnishing of health care services through:
(A) providers;
(B) provider associations; and
(C) agents for providers;
who are under contract with or are employed by the health maintenance organization. The contracts with providers, provider associations, or agents of providers may include fee for service, cost plus, capitation, or other payment or risk-sharing arrangements.

(4) Contracting with any person for the performance on behalf of the health maintenance organization of certain functions, including:
(A) marketing;
(B) enrollment; and
(C) administration.

(5) Contracting with:
(A) an insurance company licensed in Indiana;
(B) an authorized reinsurer; or
(C) a hospital authorized to conduct business in Indiana;
for the provision of insurance, indemnity, or reimbursement against the cost of health care services provided by the health maintenance organization.

(6) The offering of point-of-service products.

(7) The joint marketing of products with:
(A) an insurance company that is licensed in Indiana; or
(B) a hospital that is authorized to conduct business in Indiana;
if the company that is offering each product is clearly identified.

(8) Administration of the provision of health care services at the expense of a self-funded plan.

(b) A health maintenance organization may offer any of the following:
(1) Plans that include only basic health care services.
(2) Plans that include basic health care services and other health care services.
(3) Plans that include health care services other than basic health care services so long as at least one (1) of the plans offered by the health maintenance organization includes basic health care services.

(c) Notwithstanding subsection (a)(5), a health maintenance organization may not take credit for reinsurance unless the risk is ceded to a reinsurer qualified under ~~IC 27-6-10.~~ **IC 27-6-10.1.**

SECTION 16. IC 27-13-7-26 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 26. (a) An individual contract and a group contract must provide coverage for treatment of:**
(1) pediatric autoimmune neuropsychiatric disorders associated with streptococcal infections (PANDAS); and
(2) pediatric acute-onset neuropsychiatric syndrome (PANS);
including treatment with intravenous immunoglobulin therapy.

(b) The coverage required by this section may not be subject to annual or lifetime limitation, deductible, copayment, or coinsurance provisions that are more restrictive than the annual or lifetime limitation, deductible, copayment, or coinsurance provisions that apply generally under the individual contract or group contract.

SECTION 17. [EFFECTIVE JULY 1, 2020] **(a) IC 5-10-8-24, as added by this act, applies to a state employee health plan that is established, entered into, amended, or renewed after June 30, 2020.**

(b) IC 27-8-37, as added by this act, applies to a policy of accident and sickness insurance that is issued, delivered, amended, or renewed after June 30, 2020.

(c) IC 27-13-7-26, as added by this act, applies to an individual contract or a group contract that is entered into, delivered, amended, or renewed after June 30, 2020.

(d) This SECTION expires July 1, 2023.

SECTION 18. [EFFECTIVE UPON PASSAGE] **(a) The following definitions apply throughout this SECTION:**
(1) "Covered individual" means an individual who is entitled to coverage under a health plan.
(2) "Health care services" has the meaning set forth in IC 27-8-11-1.
(3) "Health plan" means a plan through which coverage is provided for health care services through insurance, prepayment, reimbursement, or otherwise. The term:
(A) includes:
(i) a policy of accident and sickness insurance (as defined in IC 27-8-5-1);
(ii) an individual contract (as defined in IC 27-13-1-21) or a group contract (as defined in IC 27-13-1-16);
(iii) a state employee health plan offered under IC 5-10-8;
(iv) an employee welfare benefit plan (as defined in 29 U.S.C. 1002 et seq.) to the extent allowable under federal law;
(v) accident only insurance; and
(vi) medicare supplement insurance; but
(B) does not include:
(i) credit, long term care, or disability income insurance;
(ii) liability insurance coverage;
(iii) worker's compensation or similar insurance;
(iv) medical payment coverage;
(v) a specified disease policy issued as an

individual policy; or

(vi) a policy that provides a stipulated daily, weekly, or monthly payment to an insured during hospital confinement, without regard to the actual expense of the confinement.

(4) "Medical payment coverage" means an insurance policy benefit that provides payment for expenses incurred by an individual as a result of injury, illness, or death arising from:

(A) the operation of a motor vehicle; or

(B) the presence of an individual on a premises;

that is covered by the insurance policy.

(b) The legislative council is urged to assign to an appropriate interim study committee the task of studying medical payment coverage, including:

(1) whether medical payment coverage should be supplemental to the benefits:

(A) to which a covered individual is entitled under a health plan; and

(B) that are the same as or similar to benefits available to the covered individual under the medical payment coverage; and

(2) whether a health plan should be prohibited from requiring the use or exhaustion of medical payment coverage as a condition of payment of benefits under the health plan for health care services rendered to a covered individual.

(c) This SECTION expires January 1, 2021.

SECTION 19. **An emergency is declared for this act.**

(Reference is to EHB 1372 as reprinted February 28, 2020.)

Carbaugh, Chair	Bassler
Austin	Niezgodski
House Conferees	Senate Conferees

Roll Call 396: yeas 45, nays 4. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1065–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1065 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 6-1.1-1-8.4, AS AMENDED BY P.L.235-2017, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2014 (RETROACTIVE)]: Sec. 8.4. (a) "Inventory" means:

(1) materials held for processing or for use in production;

(2) finished or partially finished goods of a manufacturer or processor; ~~and~~

(3) property held for sale in the ordinary course of trade or business; **and**

(4) uniforms, garments, linens, and facilities services supplies owned, held, possessed, or controlled for the purpose of rental or lease in the ordinary course of trade or business.

(b) The term includes:

(1) items that qualify as inventory under 50 IAC 4.2-5-1 (as effective December 31, 2008); and

(2) subject to subsection (c), a mobile home or manufactured home that:

(A) does not qualify as real property;

(B) is located in a mobile home community;

(C) is unoccupied; and

(D) is owned and held for sale or lease by the owner of the mobile home community.

(c) Subsection (b)(2) applies regardless of whether the mobile home that is held for sale or lease is new or was previously owned.

SECTION 2. IC 6-1.1-4-12, AS AMENDED BY P.L.257-2019, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 12. (a) As used in this section, "land developer" means a person that holds land for sale in the ordinary course of the person's trade or business. The term includes a financial institution (as defined in IC 28-1-1-3(1)) if the financial institution's land in inventory is purchased, acquired, or held for one (1) or more of the purposes established under IC 28-1-11-5(a)(2), IC 28-1-11-5(a)(3), and IC 28-1-11-5(a)(4). **The determination of whether a person qualifies as a land developer shall be based upon whether such person satisfies the requirements contained in this subsection, and no consideration shall be given to either the person's industry classification, such as classification as a developer or builder, or any other activities undertaken by the person in addition to holding land for sale in the ordinary course of the person's trade or business.**

(b) As used in this section, "land in inventory" means:

(1) a lot; or

(2) a tract that has not been subdivided into lots;

to which a land developer holds title in the ordinary course of the land developer's trade or business.

(c) As used in this section, "title" refers to legal or equitable title, including the interest of a contract purchaser.

(d) For purposes of this section, land purchased, acquired, or held by a financial institution for one (1) or more of the purposes established under IC 28-1-11-5(a)(2), IC 28-1-11-5(a)(3), and IC 28-1-11-5(a)(4) is considered held for sale in the ordinary course of the financial institution's trade or business.

(e) Except as provided in subsections (i), (j), and (k), if:

(1) land assessed on an acreage basis is subdivided into lots; or

(2) land is rezoned for, or put to, a different use;

the land shall be reassessed on the basis of its new classification.

(f) If improvements are added to real property, the improvements shall be assessed.

(g) An assessment or reassessment made under this section is effective on the next assessment date.

(h) No petition to the department of local government finance is necessary with respect to an assessment or reassessment made under this section.

(i) Except as provided in subsection (k) and subject to subsection (j), land in inventory may not be reassessed until the next assessment date following the earliest of:

(1) the date on which title to the land is transferred by:

(A) the land developer; or

(B) a successor land developer that acquires title to the land;

to a person that is not a land developer;

(2) the date on which construction of a structure begins on the land; or

(3) the date on which a building permit is issued for construction of a building or structure on the land.

(j) Subsection (i) applies regardless of whether the land in inventory is rezoned while a land developer holds title to the land.

(k) This subsection applies to land in inventory that a for-profit land developer acquires from a:

(1) school corporation; or

(2) local unit of government (as defined in IC 14-22-31.5-1), but only if the local unit of government:

(A) acquired the land in a tax sale procedure under IC 6-1.1; or

(B) has held the land for not less than three (3) years prior to the date on which the for-profit land developer acquires it from the local unit of government.

Land in inventory to which this subsection applies shall be assessed on the first assessment date immediately following the date on which the land developer acquires title to the land in inventory. Notwithstanding section 13(a) of this chapter, land in inventory to which this subsection applies is considered to be devoted to agricultural use and shall be assessed at the agricultural land base rate. After the initial assessment under this subsection, land in inventory to which this subsection applies shall be reassessed in accordance with subsection (i).

SECTION 3. IC 6-1.1-9-10, AS ADDED BY P.L.154-2006, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)]: Sec. 10. (a) If in the course of a review of a taxpayer's personal property assessment under this chapter an assessing official or the assessing official's representative or contractor discovers an error indicating that the taxpayer has overreported a personal property assessment, the assessing official shall:

(1) adjust the personal property assessment to correct the error; and

(2) process a refund or credit for any resulting overpayment.

(b) Application of subsection (a) is subject to the restrictions of IC 6-1.1-11-1.

(c) If a taxpayer believes that the taxpayer overreported a personal property assessment that is discovered in the course of a review of the taxpayer's personal property assessment under this chapter for which the assessing official fails to make an adjustment to correct the error under this section either in whole or in part, the taxpayer may:

(1) initiate an appeal of the assessment under IC 6-1.1-15-1.1 for a credit to offset any resulting overpayment against the taxpayer's current personal property tax liability; or

(2) file a claim for refund under IC 6-1.1-26-1.1 of personal property taxes paid with regard to any resulting overpayment.

SECTION 4. IC 6-1.1-15-3, AS AMENDED BY P.L.121-2019, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)]: Sec. 3. (a) A taxpayer may obtain a review by the Indiana board of:

(1) a county board's action with respect to a claim under section 1.1 of this chapter; **or**

(2) a denial by the county auditor, the county assessor, or the county treasurer of a claim for refund under IC 6-1.1-9-10(c)(2) that is appealed to the Indiana board as authorized in IC 6-1.1-26-2.1(d)(2).

(b) The county assessor is the party to ~~the~~ **a** review under ~~this section~~ **subsection (a)(1)** to defend the determination of the county board. The county auditor may appear as an additional party to the review if the determination concerns a matter that is in the discretion of the county auditor. At the time the notice of that determination is given to the taxpayer, the taxpayer shall also be informed in writing of:

(1) the taxpayer's opportunity for review under ~~this section;~~ **subsection (a)(1);** and

(2) the procedures the taxpayer must follow in order to obtain review under this section.

(c) A county assessor who dissents from the determination of the county board may obtain a review by the Indiana board. A county auditor who dissents from the determination of the county board concerning a matter that is in the discretion of the county auditor may obtain a review by the Indiana board.

(d) In order to obtain a review by the Indiana board under ~~this section,~~ **subsection (a)(1),** the party must, not later than forty-five (45) days after the date of the notice given to the party or parties of the determination of the county board:

(1) file a petition for review with the Indiana board; and

(2) mail a copy of the petition to the other party.

(e) The Indiana board shall prescribe the form of the petition for review under this chapter. The Indiana board shall issue instructions for completion of the form. The form and the instructions must be clear, simple, and understandable to the average individual. A petition for review of such a determination must be made on the form prescribed by the Indiana board. The form must require the petitioner to specify the reasons why the petitioner believes that the determination by the county board is erroneous.

(f) If the action for which a taxpayer seeks review under this section is the assessment of tangible property, the taxpayer is not required to have an appraisal of the property in order to do the following:

(1) Initiate the review.

(2) Prosecute the review.

(g) If an owner petitions the Indiana board under IC 6-1.1-11-7(d), the Indiana board is authorized to approve or disapprove an exemption application:

(1) previously submitted to a county board under IC 6-1.1-11-6; and

(2) that is not approved or disapproved by the county board within one hundred eighty (180) days after the owner filed

the application for exemption under IC 6-1.1-11.

The county assessor is a party to a petition to the Indiana board under IC 6-1.1-11-7(d).

(h) This subsection applies only to the review by the Indiana board of a denial of a refund claim described in subsection (a)(2). The county assessor is the party to a review under subsection (a)(2) to defend the denial of the refund under IC 6-1.1-26-2.1. In order to obtain a review by the Indiana board under subsection (a)(2), the taxpayer must, within forty-five (45) days of the notice of denial under IC 6-1.1-26-2.1(d):

(1) file a petition for review with the Indiana board; and

(2) mail a copy of the petition to the county auditor.

SECTION 5. IC 6-1.1-18-28 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 28. (a) The executive of a township may, upon approval by the township fiscal body, submit a petition to the department of local government finance for an increase in the township's maximum permissible ad valorem property tax levy for its township firefighting fund under IC 36-8-13-4 for property taxes first due and payable in 2021 or for any year thereafter for which a petition is submitted under this section.**

(b) If the township submits a petition as provided in subsection (a) before August 1, 2020, or April 1 of a year thereafter, the department of local government finance shall increase the township's maximum permissible ad valorem property tax levy for the township firefighting fund under IC 36-8-13-4 for property taxes first due and payable in the immediately succeeding year by using the following formula for purposes of subsection (c)(2):

STEP ONE: Determine the percentage increase in the population, as determined by the township fiscal body and as may be prescribed by the department of local government finance, that is within the fire protection and emergency services area of the township during the ten (10) year period immediately preceding the year in which the petition is submitted under subsection (a). The township fiscal body may use the most recently available population data issued by the Bureau of the Census during the ten (10) year period immediately preceding the petition.

STEP TWO: Determine the greater of zero (0) or the result of:

(A) the STEP ONE percentage; minus

(B) six percent (6%);

expressed as a decimal.

STEP THREE: Determine a rate that is the lesser of:

(A) fifteen-hundredths (0.15); or

(B) the STEP TWO result.

STEP FOUR: Reduce the STEP THREE rate by any rate increase in the township's property tax rate for its township firefighting fund within the immediately preceding ten (10) year period that was made based on a petition submitted by the township under this section.

(c) The township's maximum permissible ad valorem property tax levy for its township firefighting fund under IC 36-8-13-4 for property taxes first due and payable in a given year, as adjusted under this section, shall be calculated as:

(1) the amount of the ad valorem property tax levy increase for the township firefighting fund without regard to this section; plus

(2) an amount equal to the result of:

(A) the rate determined under the formula in subsection (b); multiplied by

(B) the net assessed value of the fire protection and emergency services area divided by one hundred (100).

The calculation under this subsection shall be used in the determination of the township's maximum permissible ad valorem property tax levy under IC 36-8-13-4 for property taxes first due and payable in the first year of the increase and thereafter.

SECTION 6. IC 6-1.1-18-29 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 29. (a) The board of trustees of a fire protection district may, upon approval by the county legislative body, submit a petition to the department of local government finance for an increase in the fire protection district's maximum permissible ad valorem property tax levy for property taxes first due and payable in 2021 or for any year thereafter for which a petition is submitted under this section.**

(b) If a petition is submitted as provided in subsection (a) before August 1, 2020, or April 1 of a year thereafter, the department of local government finance shall increase the fire protection district's maximum permissible ad valorem property tax levy for property taxes first due and payable in the immediately succeeding year by using the following formula for purposes of subsection (c)(2):

STEP ONE: Determine the percentage increase in the population, as determined by the county legislative body and as may be prescribed by the department of local government finance, that is within the fire protection district area during the ten (10) year period immediately preceding the year in which the petition is submitted under subsection (a). The county legislative body may use the most recently available population data issued by the Bureau of the Census during the ten (10) year period immediately preceding the petition.

STEP TWO: Determine the greater of zero (0) or the result of:

(A) the STEP ONE percentage; minus

(B) six percent (6%);

expressed as a decimal.

STEP THREE: Determine a rate that is the lesser of:

(A) fifteen-hundredths (0.15); or

(B) the STEP TWO result.

STEP FOUR: Reduce the STEP THREE rate by any rate increase in the fire protection district's property tax rate within the immediately preceding ten (10) year period that was made based on a petition submitted by the fire protection district under this section.

(c) The fire protection district's maximum permissible ad

valorem property tax levy for property taxes first due and payable in a given year, as adjusted under this section, shall be calculated as:

(1) the amount of the ad valorem property tax levy increase for the fire protection district without regard to this section; plus

(2) an amount equal to the result of:

(A) the rate determined under the formula in subsection (b); multiplied by

(B) the net assessed value of the fire protection district area divided by one hundred (100).

The calculation under this subsection shall be used in the determination of the fire protection district's maximum permissible ad valorem property tax levy for property taxes first due and payable in the first year of the increase and thereafter.

SECTION 7. IC 6-1.1-20.3-17, AS ADDED BY P.L.257-2019, SECTION 55, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. **(a)** If the distressed unit appeal board delays or suspends, for a period determined by the board, any payments on loans or advances from the common school fund under section 6.8 of this chapter, the distressed unit appeal board may recommend to the state board of finance that the term of the loans or advances be extended. If the distressed unit appeal board makes a recommendation to extend the term of the loan or advances, the state board of finance may extend the term of the loans or advances for a period of time that is equal to or less than the number of months for which the payments are delayed or suspended.

(b) If payments on loans or advances from the common school fund are suspended under section 6.8 of this chapter, the distressed unit appeal board shall require that the school corporation:

(1) establish a school improvement fund; and

(2) transfer to the school improvement fund an amount equal to the payments that are delayed or suspended.

(c) A school improvement fund established under subsection (b)(1) may be used only for the following purposes:

(1) Repair, renovation, or other improvements to school buildings and property being used for education purposes as of July 1, 2020.

(2) Demolition of school buildings or other structures on school property in existence as of July 1, 2020.

(d) All expenditures from a school improvement fund established under subsection (b)(1) must be approved by the distressed unit appeal board.

(e) A school corporation may, on an annual basis, levy a tax in the debt service fund equal to the amount that would have been deducted from the distribution of state tuition support for the payment of loans made under section 6.8 of this chapter during calendar year 2020 if the loans had not been suspended. The amount received from a tax under this subsection must be transferred from the debt service fund to the education fund.

(f) With the approval of the distressed unit appeal board, a school corporation may spend other funds of the school corporation for the purposes described in subsection (c) and reimburse the expenditures from a school improvement fund established under subsection (b)(1).

(g) This section expires January 1, 2025.

SECTION 8. IC 6-1.1-26-2.1, AS ADDED BY P.L.232-2017, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2019 (RETROACTIVE)]: Sec. 2.1. (a) The county auditor shall approve or deny a claim for refund.

(b) If the county auditor approves the claim for refund, the county auditor shall forward the claim to the county treasurer and county assessor for approval or denial. The county treasurer and county assessor shall each certify their approval or denial and return the claim to the county auditor not later than seventy-five (75) days after the date of the filing of the claim under section 1.1 of this chapter.

(c) If the county auditor, the county assessor, and the county treasurer approve the refund, the county auditor shall issue a warrant to the claimant payable on the general fund for the amount due under this section within forty-five (45) days of the approval of a claim for refund. In addition, the taxpayer is entitled to interest on any overpayment of property taxes. Interest shall be computed:

(1) from the date on which the taxes were paid or due, whichever is later, to the date on which the county auditor and the county treasurer approve the refund; and

(2) using the rate in effect under IC 6-8.1-10-1 for each particular year covered by the refund.

If the taxpayer no longer owns the property on which the tax was assessed and paid, the county auditor shall pay the refunds to the taxpayer or other lawful claimant.

(d) If the county auditor, the county assessor, or the county treasurer denies a refund, the county auditor shall send a notice to the claimant. The claimant may, within forty-five (45) days of the notice of denial:

(1) file an original action claiming a refund in a court of competent jurisdiction in the county where the property is located; **or**

(2) in the case of notice of denial of a claim for refund that is filed pursuant to IC 6-1.1-9-10(c)(2), file a petition for review with the Indiana board under the procedures set forth in IC 6-1.1-15-3.

(e) If a credit is not applied or a refund is not paid within one hundred twenty (120) days from the date a claim was filed under section 1.1 of this chapter, a claimant may file an original action claiming a refund in a court of competent jurisdiction in the county where the property is located. An original action must be filed by the later of four (4) years after the tax is paid, or four (4) years after the final disposition of an appeal by the county board, board of tax review, department of local government finance, or a court, with respect to a particular tax year.

(f) The county auditor shall correct the tax duplicate for refunds. In the June or December settlement and apportionment of taxes, or both the June and December settlement and apportionment of taxes, immediately following a refund made under this section the county auditor shall deduct the amount refunded from the gross tax collections of the taxing units for which the refunded taxes were originally paid and shall pay the amount so deducted out of the general fund. However, the county

auditor shall make the deductions and payments required by this subsection not later than the December settlement and apportionment. The county auditor shall notify the county executive of the payment of the amount due.

SECTION 9. IC 6-3-3-10, AS AMENDED BY P.L.182-2009(ss), SECTION 197, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. (a) As used in this section:

"Base period wages" means the following:

(1) In the case of a taxpayer other than a pass through entity, wages paid or payable by a taxpayer to its employees during the year that ends on the last day of the month that immediately precedes the month in which an enterprise zone is established, to the extent that the wages would have been qualified wages if the enterprise zone had been in effect for that year. If the taxpayer did not engage in an active trade or business during that year in the area that is later designated as an enterprise zone, then the base period wages equal zero (0). If the taxpayer engaged in an active trade or business during only part of that year in an area that is later designated as an enterprise zone, then the department shall determine the amount of base period wages.

(2) In the case of a taxpayer that is a pass through entity, base period wages equal zero (0).

"Enterprise zone" means an enterprise zone created under IC 5-28-15.

"Enterprise zone adjusted gross income" means adjusted gross income of a taxpayer that is derived from sources within an enterprise zone. Sources of adjusted gross income shall be determined with respect to an enterprise zone, to the extent possible, in the same manner that sources of adjusted gross income are determined with respect to the state of Indiana under IC 6-3-2-2.

"Enterprise zone gross income" means gross income of a taxpayer that is derived from sources within an enterprise zone.

"Enterprise zone insurance premiums" means insurance premiums derived from sources within an enterprise zone.

"Monthly base period wages" means base period wages divided by twelve (12).

"Qualified employee" means an individual who is employed by a taxpayer and who:

(1) has the individual's principal place of residence in the enterprise zone in which the individual is employed;

(2) performs services for the taxpayer, ninety percent (90%) of which are directly related to the conduct of the taxpayer's trade or business that is located in an enterprise zone;

(3) performs at least fifty percent (50%) of the individual's services for the taxpayer during the taxable year in the enterprise zone; and

(4) in the case of an individual who is employed by a taxpayer that is a pass through entity, was first employed by the taxpayer after December 31, 1998.

"Qualified increased employment expenditures" means the following:

(1) For a taxpayer's taxable year other than the taxpayer's taxable year in which the enterprise zone is established, the amount by which qualified wages paid or payable by the taxpayer during the taxable year to qualified employees exceeds the taxpayer's base period wages.

(2) For the taxpayer's taxable year in which the enterprise zone is established, the amount by which qualified wages paid or payable by the taxpayer during all of the full calendar months in the taxpayer's taxable year that succeed the date on which the enterprise zone was established exceed the taxpayer's monthly base period wages multiplied by that same number of full calendar months.

"Qualified state tax liability" means a taxpayer's total income tax liability incurred under:

(1) IC 6-3-1 through IC 6-3-7 (adjusted gross income tax) with respect to enterprise zone adjusted gross income;

(2) IC 27-1-18-2 (insurance premiums tax) with respect to enterprise zone insurance premiums; ~~and~~

(3) IC 6-5.5 (the financial institutions tax); **and**

(4) IC 6-8-15 (nonprofit agricultural organization health coverage tax);

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this section.

"Qualified wages" means the wages paid or payable to qualified employees during a taxable year.

"Taxpayer" includes a pass through entity.

(b) A taxpayer is entitled to a credit against the taxpayer's qualified state tax liability for a taxable year in the amount of the lesser of:

(1) the product of ten percent (10%) multiplied by the qualified increased employment expenditures of the taxpayer for the taxable year; or

(2) one thousand five hundred dollars ($1,500) multiplied by the number of qualified employees employed by the taxpayer during the taxable year.

(c) The amount of the credit provided by this section that a taxpayer uses during a particular taxable year may not exceed the taxpayer's qualified state tax liability for the taxable year. If the credit provided by this section exceeds the amount of that tax liability for the taxable year it is first claimed, then the excess may be carried back to preceding taxable years or carried over to succeeding taxable years and used as a credit against the taxpayer's qualified state tax liability for those taxable years. Each time that the credit is carried back to a preceding taxable year or carried over to a succeeding taxable year, the amount of the carryover is reduced by the amount used as a credit for that taxable year. Except as provided in subsection (e), the credit provided by this section may be carried forward and applied in the ten (10) taxable years that succeed the taxable year in which the credit accrues. The credit provided by this section may be carried back and applied in the three (3) taxable years that precede the taxable year in which the credit accrues.

(d) A credit earned by a taxpayer in a particular taxable year shall be applied against the taxpayer's qualified state tax liability for that taxable year before any credit carryover or carryback is applied against that liability under subsection (c).

(e) Notwithstanding subsection (c), if a credit under this section results from wages paid in a particular enterprise zone,

and if that enterprise zone terminates in a taxable year that succeeds the last taxable year in which a taxpayer is entitled to use the credit carryover that results from those wages under subsection (c), then the taxpayer may use the credit carryover for any taxable year up to and including the taxable year in which the enterprise zone terminates.

(f) A taxpayer is not entitled to a refund of any unused credit.

(g) A taxpayer that:

(1) does not own, rent, or lease real property outside of an enterprise zone that is an integral part of its trade or business; and

(2) is not owned or controlled directly or indirectly by a taxpayer that owns, rents, or leases real property outside of an enterprise zone;

is exempt from the allocation and apportionment provisions of this section.

(h) If a pass through entity is entitled to a credit under subsection (b) but does not have state tax liability against which the tax credit may be applied, an individual who is a shareholder, partner, beneficiary, or member of the pass through entity is entitled to a tax credit equal to:

(1) the tax credit determined for the pass through entity for the taxable year; multiplied by

(2) the percentage of the pass through entity's distributive income to which the shareholder, partner, beneficiary, or member is entitled.

The credit provided under this subsection is in addition to a tax credit to which a shareholder, partner, beneficiary, or member of a pass through entity is entitled. However, a pass through entity and an individual who is a shareholder, partner, beneficiary, or member of a pass through entity may not claim more than one (1) credit for the qualified expenditure.

SECTION 10. IC 6-3-3-12, AS AMENDED BY P.L.214-2018(ss), SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: Sec. 12. (a) As used in this section, "account" has the meaning set forth in IC 21-9-2-2.

(b) As used in this section, "account beneficiary" has the meaning set forth in IC 21-9-2-3.

(c) As used in this section, "account owner" has the meaning set forth in IC 21-9-2-4.

(d) As used in this section, "college choice 529 education savings plan" refers to a college choice 529 plan established under IC 21-9.

(e) As used in this section, "contribution" means the amount of money directly provided to a college choice 529 education savings plan account by a taxpayer. A contribution does not include any of the following:

(1) Money credited to an account as a result of bonus points or other forms of consideration earned by the taxpayer that result in a transfer of money to the account.

(2) Money transferred from any other qualified tuition program under Section 529 of the Internal Revenue Code or from any other similar plan.

(3) Money that is credited to an account and that will be transferred to an ABLE account (as defined in Section 529A of the Internal Revenue Code).

(f) As used in this section, "nonqualified withdrawal" means a withdrawal or distribution from a college choice 529 education savings plan that is not a qualified withdrawal.

(g) As used in this section, "qualified higher education expenses" has the meaning set forth in IC 21-9-2-19.5, **except that the term does not include qualified education loan repayments under Section 529(c)(9) of the Internal Revenue Code.**

(h) As used in this section, "qualified K-12 education expenses" means expenses that are for tuition in connection with enrollment or attendance at an elementary or secondary public, private, or religious school located in Indiana and are permitted under Section 529 of the Internal Revenue Code.

(i) As used in this section, "qualified withdrawal" means a withdrawal or distribution from a college choice 529 education savings plan that is made:

(1) to pay for qualified higher education expenses, excluding any withdrawals or distributions used to pay for qualified higher education expenses, if the withdrawals or distributions are made from an account of a college choice 529 education savings plan that is terminated within twelve (12) months after the account is opened;

(2) as a result of the death or disability of an account beneficiary;

(3) because an account beneficiary received a scholarship that paid for all or part of the qualified higher education expenses of the account beneficiary, to the extent that the withdrawal or distribution does not exceed the amount of the scholarship; or

(4) by a college choice 529 education savings plan as the result of a transfer of funds by a college choice 529 education savings plan from one (1) third party custodian to another.

However, a qualified withdrawal does not include a withdrawal or distribution that will be used for expenses that are for tuition in connection with enrollment or attendance at an elementary or secondary public, private, or religious school unless the school is located in Indiana. A qualified withdrawal does not include a rollover distribution or transfer of assets from a college choice 529 education savings plan to any other qualified tuition program under Section 529 of the Internal Revenue Code or to any other similar plan.

(j) As used in this section, "taxpayer" means:

(1) an individual filing a single return; ~~or~~

(2) a married couple filing a joint return; **or**

(3) for taxable years beginning after December 31, 2019, a married individual filing a separate return.

(k) A taxpayer is entitled to a credit against the taxpayer's adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for a taxable year equal to the least of the following:

(1) The following amount:

(A) For taxable years beginning before January 1, 2019, the sum of twenty percent (20%) multiplied by the amount of the total contributions that are made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year and that will be used to pay for qualified higher education expenses that are not qualified K-12 education expenses,

plus the lesser of:

(i) five hundred dollars ($500); or

(ii) ten percent (10%) multiplied by the amount of the total contributions that are made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year and that will be used to pay for qualified K-12 education expenses.

(B) For taxable years beginning after December 31, 2018, the sum of:

(i) twenty percent (20%) multiplied by the amount of the total contributions that are made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year and that are designated to pay for qualified higher education expenses that are not qualified K-12 education expenses; plus

(ii) twenty percent (20%) multiplied by the amount of the total contributions that are made by the taxpayer to an account or accounts of a college choice 529 education savings plan during the taxable year and that are designated to pay for qualified K-12 education expenses.

(2) One thousand dollars ($1,000), **or five hundred dollars ($500) in the case of a married individual filing a separate return.**

(3) The amount of the taxpayer's adjusted gross income tax imposed by IC 6-3-1 through IC 6-3-7 for the taxable year, reduced by the sum of all credits (as determined without regard to this section) allowed by IC 6-3-1 through IC 6-3-7.

(l) This subsection applies after December 31, 2018. At the time a contribution is made to or a withdrawal is made from an account or accounts of a college choice 529 education savings plan, the person making the contribution or withdrawal shall designate whether the contribution is made for or the withdrawal will be used for:

(1) qualified higher education expenses that are not qualified K-12 education expenses; or

(2) qualified K-12 education expenses.

The Indiana education savings authority (IC 21-9-3) shall use subaccounting to track the designations.

(m) A taxpayer who makes a contribution to a college choice 529 education savings plan is considered to have made the contribution on the date that:

(1) the taxpayer's contribution is postmarked or accepted by a delivery service, for contributions that are submitted to a college choice 529 education savings plan by mail or delivery service; or

(2) the taxpayer's electronic funds transfer is initiated, for contributions that are submitted to a college choice 529 education savings plan by electronic funds transfer.

(n) A taxpayer is not entitled to a carryback, carryover, or refund of an unused credit.

(o) A taxpayer may not sell, assign, convey, or otherwise transfer the tax credit provided by this section.

(p) To receive the credit provided by this section, a taxpayer must claim the credit on the taxpayer's annual state tax return or returns in the manner prescribed by the department. The taxpayer shall submit to the department all information that the department determines is necessary for the calculation of the credit provided by this section.

(q) An account owner of an account of a college choice 529 education savings plan must repay all or a part of the credit in a taxable year in which any nonqualified withdrawal is made from the account. The amount the taxpayer must repay is equal to the lesser of:

(1) twenty percent (20%) of the total amount of nonqualified withdrawals made during the taxable year from the account; or

(2) the excess of:

(A) the cumulative amount of all credits provided by this section that are claimed by any taxpayer with respect to the taxpayer's contributions to the account for all prior taxable years beginning on or after January 1, 2007; over

(B) the cumulative amount of repayments paid by the account owner under this subsection for all prior taxable years beginning on or after January 1, 2008.

(r) Any required repayment under subsection (q) shall be reported by the account owner on the account owner's annual state income tax return for any taxable year in which a nonqualified withdrawal is made.

(s) A nonresident account owner who is not required to file an annual income tax return for a taxable year in which a nonqualified withdrawal is made shall make any required repayment on the form required under IC 6-3-4-1(2). If the nonresident account owner does not make the required repayment, the department shall issue a demand notice in accordance with IC 6-8.1-5-1.

(t) The executive director of the Indiana education savings authority shall submit or cause to be submitted to the department a copy of all information returns or statements issued to account owners, account beneficiaries, and other taxpayers for each taxable year with respect to:

(1) nonqualified withdrawals made from accounts, including subaccounts of a college choice 529 education savings plan for the taxable year; or

(2) account closings for the taxable year.

SECTION 11. IC 6-3.1-7-1, AS AMENDED BY P.L.4-2005, SECTION 51, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. As used in this chapter:

"Enterprise zone" means an enterprise zone created under IC 5-28-15.

"Pass through entity" means a:

(1) corporation that is exempt from the adjusted gross income tax under IC 6-3-2-2.8(2);

(2) partnership;

(3) trust;

(4) limited liability company; or

(5) limited liability partnership.

"Qualified loan" means a loan made to an entity that uses the loan proceeds for:

(1) a purpose that is directly related to a business located in an enterprise zone;

(2) an improvement that increases the assessed value of real property located in an enterprise zone; or

(3) rehabilitation, repair, or improvement of a residence.

"State tax liability" means a taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);

(2) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);** and

(3) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this chapter.

"Taxpayer" means any person, corporation, limited liability company, partnership, or other entity that has any state tax liability. The term includes a pass through entity.

SECTION 12. IC 6-3.1-7-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) A credit to which a taxpayer is entitled under this chapter shall be applied against taxes owed by the taxpayer in the following order:

(1) First, against the taxpayer's adjusted gross income tax liability (IC 6-3-1 through IC 6-3-7) for the taxable year.

(2) Second, against the taxpayer's insurance premiums tax liability (IC 27-1-18-2) **or nonprofit agricultural organization health coverage tax liability (IC 6-8-15)** for the taxable year.

(3) Third, against the taxpayer's financial institutions tax liability (IC 6-5.5) for the taxable year.

(b) If the tax paid by the taxpayer under a tax provision listed in subsection (a) is a credit against the liability or a deduction in determining the tax base under another Indiana tax provision, the credit or deduction shall be computed without regard to the credit to which a taxpayer is entitled under this chapter.

SECTION 13. IC 6-3.1-11-12 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. As used in this chapter, "state tax liability" means the taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);

(2) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);** and

(3) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this chapter.

SECTION 14. IC 6-3.1-11-16, AS AMENDED BY SEA 272-2020, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 16. (a) Subject to entering into an agreement with the corporation under section 19.5 of this chapter and subject to section 21 of this chapter, a taxpayer is entitled to a credit against the taxpayer's state tax liability for a taxable year if the taxpayer makes a qualified investment **as certified by the corporation for** ~~in~~ that year.

(b) The amount of the credit to which a taxpayer is entitled is the qualified investment made by the taxpayer **and certified by the corporation for a** ~~during the~~ taxable year multiplied by the applicable percentage.

(c) The taxpayer may assign any part of the credit that the taxpayer may claim under this chapter. A credit that is assigned under this subsection remains subject to this chapter. **If a taxpayer assigns a part of a credit during a taxable year, the assignee may not subsequently assign all or part of the credit to another taxpayer. Nothing in this subsection shall prohibit a taxpayer from making more than one (1) assignment of any part of the credit, but a taxpayer may not assign the same part of a credit more than once.**

(d) ~~If a taxpayer assigns a part of a credit during a taxable year, the assignee may not subsequently assign all or part of the credit to another taxpayer. A taxpayer may make only one (1) assignment of a credit.~~ Before a credit may be assigned, the taxpayer must notify the corporation of the assignment of the credit in the manner prescribed by the corporation. An assignment of a credit must be in writing, and both the taxpayer and assignee shall report the assignment on the taxpayer's and the assignee's state tax returns for the year in which the assignment is made, in the manner prescribed by the department. A taxpayer may not receive value in connection with an assignment under this section that exceeds the value of the part of the credit assigned.

SECTION 15. IC 6-3.1-11-22 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 22. (a) A credit to which a taxpayer is entitled under this chapter shall be applied against taxes owed by the taxpayer in the following order:

(1) Against the taxpayer's adjusted gross income tax liability (IC 6-3-1 through IC 6-3-7) for the taxable year.

(2) Against the taxpayer's insurance premiums tax liability (IC 27-1-18-2) **or nonprofit agricultural organization health coverage tax (IC 6-8-15)** for the taxable year.

(3) Against the taxpayer's financial institutions tax (IC 6-5.5) for the taxable year.

(b) Whenever the tax paid by the taxpayer under any of the tax provisions listed in subsection (a) is a credit against the liability or a deduction in determining the tax base under another Indiana tax provision, the credit or deduction shall be computed without regard to the credit to which a taxpayer is entitled under this chapter.

SECTION 16. IC 6-3.1-13-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. As used in this chapter, "state tax liability" means a taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);

(2) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);** and

(3) IC 6-5.5 (the financial institutions tax);

as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

SECTION 17. IC 6-3.1-19-1, AS AMENDED BY P.L.197-2016, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. As used in this chapter, "state and local tax liability" means a taxpayer's

total tax liability incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);

(2) IC 6-3.6 (local income tax);

(3) IC 6-5.5 (the financial institutions tax); and

(4) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);**

as computed after the application of all credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

SECTION 18. IC 6-3.1-24-4 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. As used in this chapter, "state tax liability" means a taxpayer's total tax liability that is incurred under:

(1) IC 6-2.5 (state gross retail and use tax);

(2) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);

(3) IC 6-5.5 (the financial institutions tax); and

(4) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);**

as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

SECTION 19. IC 6-3.1-26-9 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. As used in this chapter, "state tax liability" means a taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);

(2) IC 27-1-18-2 (the insurance premiums tax); and

(3) IC 6-5.5 (the financial institutions tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);**

as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

SECTION 20. IC 6-3.1-30.5-5, AS ADDED BY P.L.182-2009(ss), SECTION 205, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 5. As used in this chapter, "state tax liability" means a taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);

(2) IC 6-5.5 (the financial institutions tax); and

(3) IC 27-1-18-2 (the insurance premiums tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);**

as computed after the application of the credits that under IC 6-3.1-1-2 are to be applied before the credit provided by this chapter.

SECTION 21. IC 6-3.1-34-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3.5. As used in this chapter, "mine reclamation site" means:**

(1) land that has been mined using surface mining methods or underground mining methods, specifically and primarily for the removal of coal; and

(2) land that is contiguous to land described in subdivision (1).

SECTION 22. IC 6-3.1-34-6, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. As used in this chapter, "qualified redevelopment site" means:

(1) land on which a vacant building or complex of buildings was placed in service at least fifteen (15) years before the date on which the application is filed with the corporation under this chapter;

(2) land on which a vacant building or complex of buildings:

(A) was placed in service at least fifteen (15) years before the date on which the demolition of the vacant building or complex of buildings was completed; and

(B) that was demolished in an effort to protect the health, safety, and welfare of the community;

(3) land on which a vacant building or complex of buildings:

(A) was placed in service at least fifteen (15) years before the date on which the demolition of the vacant building or complex of buildings was completed;

(B) was placed in service as a public building;

(C) was owned by a unit of local government; and

(D) has not been redeveloped since the building was taken out of service as a public building;

(4) vacant land; ~~or~~

(5) mine reclamation site; or

~~(5)~~ **(6)** brownfields consisting of more than fifty (50) acres.

For a complex of buildings to be considered a qualified redevelopment site under subdivision (1), (2) or (3), the buildings must have been located on a single parcel or contiguous parcels of land that were under common ownership at the time the site was placed in service.

SECTION 23. IC 6-3.1-34-9, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. As used in this chapter, "state tax liability" means the taxpayer's total tax liability that is incurred under:

(1) IC 6-3-1 through IC 6-3-7 (the adjusted gross income tax);

(2) IC 27-1-18-2 (the insurance premiums tax); and

(3) IC 6-5.5 (the financial institutions tax) **or IC 6-8-15 (the nonprofit agricultural organization health coverage tax);**

as computed after the application of the credits that, under IC 6-3.1-1-2, are to be applied before the credit provided by this chapter.

SECTION 24. IC 6-3.1-34-10, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 10. As used in this chapter, "taxpayer" means any person, corporation, limited liability company, partnership, or other entity that has any state tax liability. The term includes the owner or the developer of the qualified development site property, a pass through entity, and ~~a person~~ **an assignee** that is assigned part or all of a credit under section 14 of this chapter.

SECTION 25. IC 6-3.1-34-12, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) A tax credit that a taxpayer may claim under this chapter shall be applied against taxes owed by the taxpayer in the following order:

(1) First, against the taxpayer's adjusted gross income tax liability (IC 6-3-1 through IC 6-3-7) for the taxable year.

(2) Second, against the taxpayer's insurance premiums tax liability (IC 27-1-18-2) **or nonprofit agricultural organization health coverage tax liability (IC 6-8-15)** for the taxable year.

(3) Third, against the taxpayer's financial institutions tax liability (IC 6-5.5) for the taxable year.

(b) If the tax paid by the taxpayer under a tax provision listed in subsection (a) is a credit against the liability or a deduction in determining the tax base under another Indiana tax provision, the credit or deduction shall be computed without regard to the credit to which a taxpayer may claim under this chapter.

SECTION 26. IC 6-3.1-34-14, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 14.(a) If a taxpayer is awarded a credit under this chapter before July 1, 2029, the taxpayer may assign any part of the credit that the taxpayer may claim under this chapter. A credit that is assigned under this subsection remains subject to this chapter.

(b) If a taxpayer assigns a part of a credit during a taxable year, the assignee may not subsequently assign all or part of the credit to another ~~person.~~ **taxpayer.** A taxpayer may make only one (1) assignment of a credit. Before a credit may be assigned, the taxpayer must notify the corporation of the assignment of the credit in the manner prescribed by the corporation. An assignment of a credit must be in writing, and both the taxpayer and assignee shall report the assignment on the taxpayer's and assignee's state tax returns for the year in which the assignment is made, in the manner prescribed by the department. A taxpayer may not receive value in connection with an assignment under this section that exceeds the value of that part of the credit assigned.

(c) The corporation shall collect and compile data on the assignments of tax credits under this chapter and determine the effectiveness of each assignment in getting projects completed. The corporation shall report its findings under this subsection to the legislative council in an electronic format under IC 5-14-6 before November 1, 2022.

SECTION 27. IC 6-3.1-34-17, AS ADDED BY P.L.158-2019, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 17. (a) The following apply if the corporation determines that a credit should be awarded under this chapter:

(1) The corporation shall require the taxpayer to enter into an agreement with the corporation as a condition of receiving a credit under this chapter.

(2) The agreement with the corporation must:

(A) prescribe the method of certifying the taxpayer's qualified investment; and

(B) include provisions that authorize the corporation to work with the department and the taxpayer, if the corporation determines that the taxpayer is noncompliant with the terms of the agreement or the provisions of this chapter, to bring the taxpayer into compliance or to protect the interests of the state.

(3) The corporation shall specify the taxpayer's expenditures that will be considered a qualified investment.

(4) The corporation shall determine the applicable credit percentage under subsections (b) and (c).

(b) If the corporation determines that a credit should be awarded under this chapter, the corporation shall determine the applicable credit percentage for a qualified investment certified by the corporation. However, and except as provided in subsection (c), the applicable credit percentage may not exceed the following:

(1) If the qualified redevelopment site was placed in service at least fifteen (15) years ago but less than thirty (30) years ago, or is vacant land or a brownfield described in section ~~6(5)~~ **6(6)** of this chapter:

(A) fifteen percent (15%), if the qualified redevelopment site is part of a development plan of a regional development authority established under IC 36-7.5-2-1 or IC 36-7.6-2-3; or

(B) ten percent (10%), if the qualified redevelopment site is not part of a development plan of a regional development authority described under clause (A).

(2) If the qualified redevelopment site was placed in service at least thirty (30) years ago but less than forty (40) years ago:

(A) twenty percent (20%), if the qualified redevelopment site is part of a development plan of a regional development authority established under IC 36-7.5-2-1 or IC 36-7.6-2-3; or

(B) ten percent (10%), if the qualified redevelopment site is not part of a development plan of a regional development authority described under clause (A).

(3) If the qualified redevelopment site was placed in service at least forty (40) years ago:

(A) twenty-five percent (25%), if the qualified redevelopment site is part of a development plan of a regional development authority established under IC 36-7.5-2-1 or IC 36-7.6-2-3; or

(B) fifteen percent (15%), if the qualified redevelopment site is not part of a development plan of a regional development authority described under clause (A).

(c) The corporation may increase the credit amount by not more than an additional five percent (5%) if:

(1) the qualified redevelopment site is located in a federally designated qualified opportunity zone (Section 1400Z-1 and 1400Z-2 of the Internal Revenue Code); or

(2) the project qualifies for federal new markets tax credits under Section 45D of the Internal Revenue Code.

(d) To be eligible for the credit for a qualified investment, a taxpayer's expenditures that are considered a qualified investment must be certified by the corporation not later than two (2) taxable years after the end of the calendar year in which the taxpayer's expenditures are made.

SECTION 28. IC 6-3.6-2-7.4 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 7.4. "County with a single voting bloc" means a county that has a local income tax council in which one (1) city that is a member of the local income tax council or one (1) town that is a member of the local income tax council is allocated more than fifty percent (50%) of the total one hundred (100) votes allocated under IC 6-3.6-3-6(d). This section expires May 31, 2021.**

SECTION 29. IC 6-3.6-3-5, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. (a) The auditor of a county shall record all votes taken on ordinances presented for a vote under this article and not more than ten (10) days after the vote, send a certified copy of the results to:

(1) the commissioner of the department of state revenue; and

(2) the commissioner of the department of local government finance;

in an electronic format approved by the commissioner of the department of local government finance.

(b) **Except as provided in subsection (c),** this subsection applies only to a county that has a local income tax council The county auditor may cease sending certified copies after the county auditor sends a certified copy of results showing that members of the local income tax council have cast a majority of the votes on the local income tax council for or against the proposed ordinance.

(c) This subsection applies only to a county with a single voting bloc that proposes to increase (but not decrease) a tax rate in the county. The county auditor may cease sending certified copies of the votes on the local income tax council voting as a whole under section 9.5 of this chapter after the county auditor sends a certified copy of results showing that the individuals who sit on the fiscal bodies of the county, cities, and towns that are members of the local income tax council have cast a majority of the votes on the local income tax council voting as a whole under section 9.5 of this chapter for or against the proposed ordinance. This subsection expires May 31, 2021.

SECTION 30. IC 6-3.6-3-6, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) This section applies to a county in which the county adopting body is a local income tax council.

(b) In the case of a city or town that lies within more than one (1) county, the county auditor of each county shall base the allocations required by subsection (c) on the population of that part of the city or town that lies within the county for which the allocations are being made.

(c) Each local income tax council has a total of one hundred (100) votes.

(d) Each **county, city, or town that is a** member of a local income tax council is allocated a percentage of the total one hundred (100) votes that may be cast. The percentage that a city or town is allocated for a year equals the same percentage that the population of the city or town bears to the population of the county. The percentage that the county is allocated for a year equals the same percentage that the population of all areas in the county not located in a city or town bears to the population of the county.

(e) This subsection applies only to a county with a single voting bloc. Each individual who sits on the fiscal body of a county, city, or town that is a member of the local income tax council is allocated for a year the number of votes equal to the total number of votes allocated to the particular county, city, or town under subsection (d) divided by the number of members on the fiscal body of the county, city, or town. This subsection expires May 31, 2021.

(f) On or before January 1 of each year, the county auditor shall certify to each member of the local income tax council the number of votes, rounded to the nearest one hundredth (0.01), each member has for that year.

(g) This subsection applies only to a county with a single voting bloc. On or before January 1 of each year, in addition to the certification to each member of the local income tax council under subsection (f), the county auditor shall certify to each individual who sits on the fiscal body of each county, city, or town that is a member of the local income tax council the number of votes, rounded to the nearest one hundredth (0.01), each individual has under subsection (e) for that year. This subsection expires May 31, 2021.

SECTION 31. IC 6-3.6-3-7, AS AMENDED BY P.L.247-2017, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 7. (a) This section applies to a county in which the county adopting body is a local income tax council.

(b) Before a member of the local income tax council may propose an ordinance **under section 8 of this chapter,** or vote on a proposed ordinance **(including a proposed ordinance under section 8(e) of this chapter that is being considered by the local income tax council as a whole as required under section 9.5 of this chapter (before its expiration)),** the member must hold a public hearing on the proposed ordinance and provide the public with notice of the time and place where the public hearing will be held.

(c) The notice required by subsection (b) must be given in accordance with IC 5-3-1 and include the proposed ordinance or resolution to propose an ordinance.

(d) In addition to the notice required by subsection (b), the adopting body shall also provide a copy of the notice to all taxing units in the county at least ten (10) days before the public hearing.

SECTION 32. IC 6-3.6-3-8, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) This section applies to a county in which the county adopting body is a local income tax council.

(b) **Except as provided in subsection (e),** any member of a local income tax council may present an ordinance for passage. To do so, the member must adopt a resolution to propose the ordinance to the local income tax council and distribute a copy of the proposed ordinance to the county auditor. The county auditor shall treat any proposed ordinance distributed to the auditor under this section as a casting of all that member's votes in favor of the proposed ordinance.

(c) **Except as provided in subsection (f),** the county auditor shall deliver copies of a proposed ordinance the auditor receives to all members of the local income tax council within ten (10) days after receipt. Subject to subsection (d), once a member receives a proposed ordinance from the county auditor, the member shall vote on it within thirty (30) days after receipt.

(d) **Except as provided in subsection (h),** if, before the elapse of thirty (30) days after receipt of a proposed ordinance, the county auditor notifies the member that the members of the local income tax council have cast a majority of the votes on the local income tax council for or against the proposed ordinance the member need not vote on the proposed ordinance.

(e) This subsection applies only to a county with a single voting bloc that proposes to increase (but not decrease) a tax rate in the county. The fiscal body of any county, city, or town that is a member of a local income tax council may adopt a resolution to propose an ordinance to increase a tax rate in the county to be voted on by the local income tax council as a whole as required under section 9.5 of this chapter and distribute a copy of the proposed ordinance to the county auditor. The county auditor shall treat the vote tally on the resolution adopted under this subsection for each individual who is a member of the fiscal body of the county, city, or town as the voting record for that individual either for or against the ordinance being proposed for consideration by the local income tax council as a whole under section 9.5 of this chapter. This subsection expires May 31, 2021.

(f) This subsection applies only to a county with a single voting bloc that proposes to increase (but not decrease) a tax rate in the county. The county auditor shall deliver copies of a proposed ordinance the auditor receives under subsection (e) to the fiscal officers of all members of the local income tax council (other than the member proposing the ordinance under subsection (e)) within ten (10) days after receipt. Subject to subsection (h), once a member receives a proposed ordinance from the county auditor, the member shall vote on it within thirty (30) days after receipt. This subsection expires May 31, 2021.

(g) This subsection applies only to a county with a single voting bloc that proposes to increase (but not decrease) a tax rate in the county. The fiscal body of each county, city, or town voting on a resolution to propose an ordinance under subsection (e), or voting on a proposed ordinance being considered by the local income tax council as a whole under section 9.5 of this chapter, must take a roll call vote on the resolution or the proposed ordinance. If an individual who sits on the fiscal body is absent from the meeting in which a vote is taken or abstains from voting on the resolution or proposed ordinance, the fiscal officer of the county, city, or town shall nevertheless consider that individual's vote as a "no" vote against the resolution or the proposed ordinance being considered, whichever is applicable, for purposes of the vote tally under this section and shall note on the vote tally that the individual's "no" vote is due to absence or abstention. The fiscal body of each county, city, or town shall certify the roll call vote on a resolution or a proposed ordinance, either for or against, to the county auditor as set forth under this chapter. This subsection expires May 31, 2021.

(h) This subsection applies only to a county with a single voting bloc that proposes to increase (but not decrease) a tax rate in the county. If, before the elapse of thirty (30) days after receipt of a proposed ordinance under subsection (e), the county auditor notifies the member that the individuals who sit on the fiscal bodies of the county, cities, and towns that are members of the local income tax council have cast a majority of the votes on the local income tax council for or against a proposed ordinance voting as a whole under section 9.5 of this chapter, the member need not vote on the proposed ordinance under subsection (e). This subsection expires May 31, 2021.

SECTION 33. IC 6-3.6-3-9, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 9. (a) **Except as provided in subsection (d),** this section applies to a county in which the county adopting body is a local income tax council.

(b) A member of the local income tax council may exercise its votes by passing a resolution and transmitting the resolution to the county auditor.

(c) A resolution passed by a member of the local income tax council exercises all votes of the member on the proposed ordinance, and those votes may not be changed during the year.

(d) This section does not apply to a county in which the county adopting body is a local income tax council to which section 9.5 of this chapter applies. This subsection expires May 31, 2021.

SECTION 34. IC 6-3.6-3-9.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: **Sec. 9.5. (a) This section applies to a county:**

(1) in which the county adopting body is a local income tax council;

(2) that is a county with a single voting bloc; and

(3) that proposes to increase a tax rate in the county.

However, the provisions under section 9 of this chapter shall apply to a county described in subdivisions (1) and (2) that proposes to decrease a tax rate in the county.

(b) A local income tax council described in subsection (a) must vote as a whole to exercise its authority to increase a tax rate under this article.

(c) A resolution passed by the fiscal body of a county, city, or town that is a member of the local income tax council exercises the vote of each individual who sits on the fiscal body of the county, city, or town on the proposed ordinance, and the individual's vote may not be changed during the year.

(d) This section expires May 31, 2021.

SECTION 35. IC 6-3.6-3-11 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)]: **Sec. 11. (a) This section applies to a county in which the county adopting body is the local income tax council and is a county with a single voting bloc.**

(b) Notwithstanding any other law, any action taken under this chapter after December 31, 2019, and before April 1,

2020, by:

(1) a member of a local income tax council; or

(2) the local income tax council;

on a resolution or proposed ordinance to increase a local income tax rate in the county is void. However, this subsection does not apply to any action taken under this chapter on a resolution or proposed ordinance to decrease a local income tax rate in the county.

(c) This section expires May 31, 2021.

SECTION 36. IC 6-3.6-7-10, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015 (RETROACTIVE)]: Sec. 10. (a) This section applies only to Howard County.

(b) Maintaining low property tax rates is essential to economic development, and the use of a tax under this section, as needed in the county, to carry out the purposes of this section, rather than the use of property taxes, promotes these purposes.

(c) The county fiscal body may impose a tax rate on the adjusted gross income of local taxpayers that does not exceed twenty-five hundredths percent (0.25%).

(d) Revenues raised from a tax imposed under this section may be used only ~~for the purposes of funding a property tax credit to reduce the property tax liability imposed by a county~~ to fund the county's operation and maintenance of a jail or a juvenile detention center, or both.

~~(e) The total of all tax credits granted under this section for a year may not exceed the amount of revenue raised by the tax imposed under this section. If the amount available in a year for property tax credits under this section is less than the amount necessary to provide all the property tax credits authorized by the adopting body, the county auditor shall reduce the property tax credits granted to eliminate the excess. The county auditor shall reduce credits uniformly in proportion to the tax liability incurred by each taxpayer.~~

~~(f) The total of all tax credits granted under this section for a year may not exceed the amount necessary to offset the property tax liability imposed for the purposes of this section. If the amount available in a year for property tax credits under this section is greater than the amount necessary to provide property tax credits to offset the property tax liability imposed for the purposes of this section, the county auditor shall retain and apply the excess, as necessary, to provide the property tax credits for the purposes of this section for the following year.~~

~~(g) The county auditor shall allocate the amount of revenue applied as tax credits under this section to the county.~~

SECTION 37. IC 6-3.6-7-16, AS ADDED BY P.L.243-2015, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2015 (RETROACTIVE)]: Sec. 16. (a) This section applies only to Monroe County.

(b) Maintaining low property tax rates is essential to economic development, and the use of a tax under this section, as needed in the county, to carry out the purposes of this section, rather than the use of property taxes, promotes these purposes.

(c) The county fiscal body may impose a tax rate on the adjusted gross income of local taxpayers that does not exceed twenty-five hundredths percent (0.25%).

(d) Revenues raised from a tax imposed under this section may be used only ~~for the purposes of funding a property tax credit to reduce the property tax liability imposed by a county~~ to fund the operation and maintenance of a juvenile detention center and other facilities to provide juvenile services.

~~(e) The total of all tax credits granted under this section for a year may not exceed the amount of revenue raised by the tax imposed under this section. If the amount available in a year for property tax credits under this section is less than the amount necessary to provide all the property tax credits authorized by the adopting body, the county auditor shall reduce the property tax credits granted to eliminate the excess. The county auditor shall reduce credits uniformly in proportion to the tax liability incurred by each taxpayer.~~

~~(f) The total of all tax credits granted under this section for a year may not exceed the amount necessary to offset the property tax liability imposed for the purposes of this section. If the amount available in a year for property tax credits under this section is greater than the amount necessary to provide property tax credits to offset the property tax liability imposed for the purposes of this section, the county auditor shall retain and apply the excess, as necessary, to provide the property tax credits for the purposes of this section for the following year.~~

~~(g) The county auditor shall allocate the amount of revenue applied as tax credits under this section to the county.~~

SECTION 38. IC 6-8-15 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 15. Nonprofit Agricultural Organization Health Coverage Tax

Sec. 1. As used in this chapter, "commissioner" refers to the insurance commissioner appointed under IC 27-1-1-2.

Sec. 2. As used in this chapter, "department" refers to the Indiana department of insurance created by IC 27-1-1-1.

Sec. 3. As used in this chapter, "nonprofit agricultural organization" means an organization:

(1) that is exempt from taxation under Section 501(c)(5) of the Internal Revenue Code;

(2) that is domiciled in Indiana;

(3) that was in existence before 1950; and

(4) the members of which include residents of every county in Indiana.

Sec. 4. As used in this chapter, "nonprofit agricultural organization coverage" means health benefit coverage that is:

(1) sponsored by:

(A) a nonprofit agricultural organization; or

(B) an affiliate of a nonprofit agricultural organization;

(2) offered only to:

(A) members of the nonprofit agricultural organization; and

(B) families of the members of the nonprofit agricultural organization;

(3) deemed by the nonprofit agricultural organization to be important in assisting its members to live long and productive lives; and

(4) offered to members of the nonprofit agricultural organization in every county in Indiana.

Sec. 5. If an organization provides nonprofit agricultural

organization coverage in Indiana, the organization is subject to a nonprofit agricultural organization health coverage tax under this chapter.

Sec. 6. (a) Before March 1 of each year, an organization providing nonprofit agricultural organization coverage shall report to the department, under the oath of the president and secretary, the gross premiums received from providing nonprofit agricultural organization coverage during the twelve (12) month period ending on December 31 of the preceding calendar year.

(b) Any organization providing nonprofit agricultural organization coverage shall pay into the treasury of Indiana an amount equal to one and three-tenths percent (1.3%) of gross premiums collected during the previous calendar year. In the computation of the tax, the organization providing nonprofit agricultural organization coverage shall be entitled to deduct any annual Indiana gross premiums returned on account of cancellation or dividends returned to members or expenditures used for the purchase of reinsurance or stop-loss coverage.

(c) Payments of the nonprofit agricultural organization health coverage tax imposed by this chapter shall be made on a quarterly estimated basis. The amounts of the quarterly installments shall be computed on the basis of the total estimated tax liability for the current calendar year and the installments shall be due and payable on or before April 15, June 15, September 15, and December 15 of the current calendar year.

(d) Any balance due shall be paid on or before April 15 of the next succeeding calendar year.

(e) Any overpayment of the estimated tax during the preceding calendar year shall be allowed as a credit against the liability for the first installment of the current calendar year.

(f) If an organization providing nonprofit agricultural organization coverage fails to make any quarterly payment in an amount equal to at least:

(1) twenty-five percent (25%) of the total tax paid during the preceding calendar year; or

(2) twenty percent (20%) of the actual tax for the current calendar year;

the organization shall be liable, in addition to the amount due, for interest in the amount of one percent (1%) of the amount due and unpaid for each month or part of a month that the amount due, together with interest, remains unpaid. This interest penalty shall be exclusive of and in addition to any other fee, assessment, or charge made by the department.

(g) The nonprofit agricultural organization health coverage tax under this chapter shall be in lieu of all license fees or privilege or other tax levied or assessed by Indiana or by any municipality, county, or other political subdivision of Indiana. No municipality, county, or other political subdivision of Indiana shall impose any license fee or privilege or other tax upon any nonprofit agricultural organization or any of its agents for the privilege of providing nonprofit agricultural organization coverage in the municipality, county, or other political subdivision, except the tax authorized by IC 22-12-6-5. However, the taxes authorized under IC 22-12-6-5 shall be credited against the taxes provided for under this chapter. This section shall not be construed to prohibit the levy and collection of state, county, or municipal taxes upon real and tangible personal property of an organization providing nonprofit agricultural organization coverage or to prohibit the levy of any retaliatory tax, fine, penalty, or fee provided by law. However, all organizations providing nonprofit agricultural organization coverage paying taxes in Indiana predicated in part on their income from nonprofit agricultural organization coverage provided shall have the same rights and privileges from further taxation, and shall be given the same credits wherever applicable, as those set out for insurance companies paying only a tax on premiums as set out in IC 27-1-18-2.

(h) Any organization providing nonprofit agricultural organization coverage that fails or refuses, for more than thirty (30) days, to:

(1) render an accurate account of its receipts as provided in this chapter; and

(2) pay the nonprofit agricultural organization health coverage tax due thereon;

shall be subject to a penalty of one hundred dollars ($100) for each additional day such report and payment shall be delayed, not to exceed a maximum penalty of ten thousand dollars ($10,000). The penalty may be ordered by the commissioner after a hearing under IC 4-21.5-3. The commissioner may revoke all authority of the defaulting nonprofit agricultural organization to provide nonprofit agricultural organization coverage or suspend the nonprofit agricultural organization's authority during the period of the default, in the discretion of the commissioner.

SECTION 39. IC 20-24-7-6, AS AMENDED BY P.L.244-2017, SECTION 29, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. **(a)** With the approval of a majority of the members of the governing body, a school corporation may distribute a proportionate share of the school corporation's operations fund to a charter school. **A charter school may elect to distribute a proportionate share of the charter school's operations fund to the school corporation in whose district the charter school is located.**

(b) A governing body may distribute money that is received as part of a tax levy collected under IC 20-46-1 from the school corporation's education fund to a charter school, excluding a virtual charter school, in the manner provided by IC 20-46-1-8(d).

(c) A governing body may distribute money from the school safety referendum tax levy fund to a charter school, excluding a virtual charter school, in the manner prescribed by IC 20-46-9-6(b).

SECTION 40. IC 20-40-3-5, AS AMENDED BY P.L.244-2017, SECTION 75, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 5. **(a)** Money in the fund may be used for any lawful school expenses, including making a transfer to the school corporation's education fund (IC 20-40-2) or operations fund (IC 20-40-18).

(b) A school corporation may distribute proceeds of a tax

levy collected under IC 20-46-1 that is transferred to the school corporation's education fund to a charter school, excluding a virtual charter school, that is located within the attendance area of the school corporation.

SECTION 41. IC 20-40-20-6, AS ADDED BY P.L.272-2019, SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) Subject to subsections ~~(b) and (c),~~ **(c) and (d),** money in the fund may be used only for the following purposes:

(1) To employ or compensate a school resource officer or school resource officers.

(2) To establish or fund a school safety office.

(3) To conduct a threat assessment of a school building.

(4) To create or update a school safety plan.

(5) To develop or update school emergency response systems.

(6) To purchase equipment to improve the safety of a school building, school grounds, or school buses.

(7) To pay capital expenses to improve the safety of a school building.

(8) To establish and administer programs to address youth specific mental illness, addiction, anger management, bullying, and school violence.

(9) To develop and administer professional development programs for teachers, administrators, and other school employees designed to improve school safety and reduce violence.

(b) A school corporation may distribute, with the approval of the majority of members of the governing body, a portion of the proceeds of a tax levy collected under IC 20-46-9 that is deposited in the fund to a charter school, excluding a virtual charter school, that is located within the attendance area of the school corporation, to be used by the charter school for the purposes described in subsection (a).

~~(b)~~ **(c)** Expenditures paid using money collected from the levy shall be included in a school's safety plan.

~~(c)~~ **(d)** Local law enforcement shall participate in:

(1) development of a school safety plan;

(2) development or updates to school emergency response systems; and

(3) determination of capital expenses that would improve the safety of a school building.

~~(d)~~ **(e)** Money in the fund may be transferred to the school corporation's education fund (IC 20-40-2), operations fund (IC 20-40-18), or school safety referendum debt service fund (IC 20-40-21), as applicable, to pay for expenditures listed in subsection (a).

SECTION 42. IC 20-43-8-15, AS AMENDED BY P.L.108-2019, SECTION 230, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 15. (a) This subsection applies to the state fiscal year beginning July 1, 2019. A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the amounts determined under the following STEPS:

STEP ONE: Determine for each career and technical education program provided by the school corporation:

(A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3) credits); multiplied by

(B) the number of pupils enrolled in the program; multiplied by

(C) the following applicable amount:

(i) Six hundred eighty dollars ($680) for a career and technical education program designated by the department of workforce development as a high value program under section 7.5 of this chapter.

(ii) Four hundred dollars ($400) for a career and technical education program designated by the department of workforce development as a moderate value program under section 7.5 of this chapter.

(iii) Two hundred dollars ($200) for a career and technical education program designated by the department of workforce development as a less than moderate value program under section 7.5 of this chapter.

STEP TWO: Determine the number of pupils enrolled in an apprenticeship program, a cooperative education program, a foundational career and technical education course, or a work based learning course designated under section 7.5 of this chapter multiplied by one hundred fifty dollars ($150).

STEP THREE: Determine the number of pupils enrolled in an introductory program designated under section 7.5 of this chapter multiplied by three hundred dollars ($300).

STEP FOUR: Determine the number of pupils who travel from the school in which they are currently enrolled to another school to participate in a career and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars ($150).

(b) This subsection applies to state fiscal years beginning after June 30, 2020. A school corporation's career and technical education enrollment grant for a state fiscal year is the sum of the amounts determined under the following STEPS:

STEP ONE: Determine for each career and technical education program provided by the school corporation:

(A) the number of credit hours of the program (one (1) credit, two (2) credits, or three (3) credits); multiplied by

(B) the number of pupils enrolled in the program; multiplied by

(C) the following applicable amount:

(i) Six hundred eighty dollars ($680) for a career and technical education program designated by the department of workforce development as a high value level 1 program under section 7.5 of this chapter.

(ii) One thousand twenty dollars ($1,020) for a career and technical education program designated by the department of workforce development as a high value level 2 program under section 7.5 of this chapter.

(iii) Four hundred dollars ($400) for a career and technical education program designated by the department of workforce development as a moderate value level 1 program under section 7.5 of this chapter.

(iv) Six hundred dollars ($600) for a career and

technical education program designated by the department of workforce development as a moderate value level 2 program under section 7.5 of this chapter.

(v) Two hundred dollars ($200) for a career and technical education program designated by the department of workforce development as a less than moderate value level 1 program under section 7.5 of this chapter.

(vi) Three hundred dollars ($300) for a career and technical education program designated by the department of workforce development as a less than moderate value level 2 program under section 7.5 of this chapter.

STEP TWO: Determine the number of pupils enrolled in an apprenticeship program or a work based learning program designated under section 7.5 of this chapter multiplied by five hundred dollars ($500).

STEP THREE: Determine the number of pupils enrolled in an introductory program designated under section 7.5 of this chapter multiplied by three hundred dollars ($300).

STEP FOUR: Determine the number of pupils enrolled in a planning for college and career course under section 7.5 of this chapter at the school corporation that is approved by the department of workforce development multiplied by one hundred fifty dollars ($150).

STEP FIVE: Determine the number of pupils who travel from the school in which they are currently enrolled to another school to participate in a career and technical education program in which pupils from multiple schools are served at a common location multiplied by one hundred fifty dollars ($150).

~~(c) The amount distributed under subsection (b) may not exceed one hundred thirty million dollars ($130,000,000) for a state fiscal year. If the amount determined under subsection (b) will exceed one hundred thirty million dollars ($130,000,000) for a state fiscal year, the amount distributed to each recipient during the remaining months of the state fiscal year shall be proportionately reduced so that the total reductions equal the amount of the excess for the state fiscal year.~~

SECTION 43. IC 20-46-1-8, AS AMENDED BY P.L.272-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 8. (a) Subject to subsection (c) and this chapter, the governing body of a school corporation may adopt a resolution to place a referendum under this chapter on the ballot for ~~either~~ **any** of the following purposes:

(1) The governing body of the school corporation determines that it cannot, in a calendar year, carry out its public educational duty unless it imposes a referendum tax levy under this chapter.

(2) The governing body of the school corporation determines that a referendum tax levy under this chapter should be imposed to replace property tax revenue that the school corporation will not receive because of the application of the credit under IC 6-1.1-20.6.

(3) The governing body makes the determination required under subdivision (1) or (2) and determines to share a portion of the referendum proceeds with a charter school, excluding a virtual charter school, in the manner prescribed in subsection (d).

(b) The governing body of the school corporation shall certify a copy of the resolution **to place a referendum on the ballot** to the following:

(1) The department of local government finance, including the language for the question required by section 10 of this chapter, or in the case of a resolution to extend a referendum levy certified to the department of local government finance after March 15, 2016, section 10.1 of this chapter. The department shall review the language for compliance with section 10 or 10.1 of this chapter, whichever is applicable, and either approve or reject the language. The department shall send its decision to the governing body of the school corporation not more than ten (10) days after the resolution is submitted to the department. If the language is approved, the governing body of the school corporation shall certify a copy of the resolution, including the language for the question and the department's approval.

(2) The county fiscal body of each county in which the school corporation is located (for informational purposes only).

(3) The circuit court clerk of each county in which the school corporation is located.

(c) If a school safety referendum tax levy under IC 20-46-9 has been approved by the voters in a school corporation at any time in the previous three (3) years, the school corporation may not:

(1) adopt a resolution to place a referendum under this chapter on the ballot; or

(2) otherwise place a referendum under this chapter on the ballot.

(d) The resolution described in subsection (a) must indicate whether proceeds in the school corporation's education fund collected from a tax levy under this chapter will be used to provide a distribution to a charter school or charter schools, excluding a virtual charter school, under IC 20-40-3-5 as well as the amount that will be distributed to the particular charter school or charter schools. A school corporation may request from the designated charter school or charter schools any financial documentation necessary to demonstrate the financial need of the charter school or charter schools.

SECTION 44. IC 20-46-1-18, AS AMENDED BY P.L.1-2009, SECTION 126, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 18. A school corporation's levy may not be considered in the determination of the school corporation's **or a charter school's (excluding a virtual charter school)** state tuition support distribution under IC 20-43 or the determination of any other property tax levy imposed by the school corporation.

SECTION 45. IC 20-46-9-6, AS ADDED BY P.L.272-2019, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 6. (a) Subject to this chapter, the governing body of a school corporation may adopt a resolution to place a referendum under this chapter on the

ballot if the governing body of the school corporation determines that a referendum levy should be imposed for measures to improve school safety as described in IC 20-40-20-6(a) **or IC 20-40-20-6(b).**

(b) A school corporation may, with the approval of the majority of members of the governing body, distribute a portion of the proceeds of a tax levy collected under this chapter that is deposited in the fund to a charter school, excluding a virtual charter school, that is located within the attendance area of the school corporation, to be used by the charter school for the purposes described in IC 20-40-20-6(a).

~~(b)~~ **(c)** The governing body of the school corporation shall certify a copy of the resolution to the following:

(1) The department of local government finance, including the language for the question required by section 9 of this chapter, or in the case of a resolution to extend a referendum levy certified to the department of local government finance, section 10 of this chapter. The department shall review the language for compliance with section 9 or 10 of this chapter, whichever is applicable, and either approve or reject the language. The department shall send its decision to the governing body of the school corporation not more than ten (10) days after the resolution is submitted to the department. If the language is approved, the governing body of the school corporation shall certify a copy of the resolution, including the language for the question and the department's approval.

(2) The county fiscal body of each county in which the school corporation is located (for informational purposes only).

(3) The circuit court clerk of each county in which the school corporation is located.

(d) The resolution described in subsection (a) must indicate whether proceeds in the school corporation's fund collected from a tax levy under this chapter will be used to provide a distribution to a charter school or charter schools, excluding a virtual charter school, under IC 20-40-20-6(b) as well as the amount that will be distributed to the particular charter school or charter schools. A school corporation may request from the designated charter school or charter schools any financial documentation necessary to demonstrate the financial need of the charter school or charter schools.

SECTION 46. IC 36-7-4-1103, AS AMENDED BY P.L.119-2012, SECTION 195, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1103. ~~(a) This section does not apply to a plan commission exercising jurisdiction in a county having a population of more than twenty thousand nine hundred (20,900) but less than twenty-one thousand (21,000).~~

~~(b)~~ **(a)** ADVISORY—AREA. For purposes of this section, urban areas include all lands and lots within the corporate boundaries of a municipality, any other lands or lots used for residential purposes where there are at least eight (8) residences within any quarter mile square area, and other lands or lots that have been or are planned for residential areas contiguous to the municipality.

~~(c)~~ **(b)** ADVISORY—AREA. This chapter does not authorize an ordinance or action of a plan commission that would prevent, outside of urban areas, the complete use and alienation of any mineral resources or forests by the owner or alienee of them.

SECTION 47. IC 36-7-14-0.5, AS AMENDED BY P.L.235-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 0.5. (a) The definitions in this section apply throughout this chapter.

(b) "Obligation" means any bond, note, warrant, lease, or other instrument under which money is borrowed.

(c) "Public funds" means all fees, payments, tax receipts, and funds of whatever kind or character coming into the possession of a:

(1) redevelopment commission; or

(2) department of redevelopment.

(d) "Residential housing" means housing or workforce housing that consists of single family dwelling units sufficient to secure quality housing in reasonable proximity to employment. **The term includes condominiums and townhouses located within an economic development target area that is designated under IC 6-1.1-12.1-7.**

(e) "Residential housing development program" means a residential housing development program for the:

(1) construction of new residential housing; or

(2) renovation of existing residential housing;

established by a commission under section 53 of this chapter.

(f) "Workforce housing" means housing that is affordable for households with earned income that is sufficient to secure quality housing in reasonable proximity to employment.

SECTION 48. IC 36-7-14-53, AS ADDED BY P.L.235-2019, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 53. (a) Subject to subsection (g), a commission may establish a residential housing development program by resolution for the construction of new residential housing or the renovation of existing residential housing **in an area within the jurisdiction of the commission** if:

(1) for a commission established by a county, the average of new, single family residential houses constructed ~~in the unincorporated~~ **within the township in which the** area ~~of the county~~ **is located** during the preceding three (3) calendar years is less than one percent (1%) of the total number of single family residential houses within ~~the unincorporated area of the county~~ **that township** on January 1 of the year in which the resolution is adopted; or

(2) for a commission established by a municipality, the average of new, single family residential houses constructed within the municipal boundaries during the preceding three (3) calendar years is less than one percent (1%) of the total number of single family residential houses within the boundaries of the municipality on January 1 of the year in which the resolution is adopted.

However, the calculations described in subdivisions (1) and (2) and the provisions of subsection (f) do not apply for purposes of establishing a residential housing development program within an economic development target area designated under IC 6-1.1-12.1-7.

(b) The program, which may include any relevant elements the commission considers appropriate, may be adopted as part of a

redevelopment plan or amendment to a redevelopment plan, and must establish an allocation area for purposes of sections 39 and 56 of this chapter for the accomplishment of the program. The program must be approved by the municipal legislative body or county executive as specified in section 17 of this chapter.

(c) The notice and hearing provisions of sections 17 and 17.5 of this chapter, including notice under section 17(c) of this chapter to a taxing unit that is wholly or partly located within an allocation area, apply to the resolution adopted under subsection (b). Judicial review of the resolution may be made under section 18 of this chapter.

(d) Before formal submission of any residential housing development program to the commission, the department of redevelopment shall:

(1) consult with persons interested in or affected by the proposed program, **including the superintendents and governing body presidents of all school corporations located within the proposed allocation area;**

(2) provide the affected neighborhood associations, residents, and township assessors with an adequate opportunity to participate in an advisory role in planning, implementing, and evaluating the proposed program; and

(3) hold ~~public meetings in the affected neighborhood~~ **at least one (1) public meeting** to obtain the views of neighborhood associations and residents **of the affected neighborhood. The department of redevelopment shall send notice thirty (30) days prior to the public meeting to the fiscal officer of all affected taxing units and to the superintendents and governing body presidents of all school corporations located within the proposed allocation area.**

(e) A residential housing development program established under this section must terminate not later than ~~twenty (20) years after the date the program is established under subsection (b).~~ **twenty-five (25) years after the date on which the first obligation was incurred to pay principal and interest on bonds or lease rentals on leases payable from tax increment revenues from the program.**

(f) The department of local government finance in cooperation with either the appropriate county agency or the appropriate municipal agency, or both, shall determine whether a county or municipality meets the **threshold** requirements under subsection (a). **In making the determination, the department of local government finance may request information necessary to make the determination.** A county or municipality may request from the department of local government finance a report, if it exists, describing the effect of current assessed value allocated to tax increment financing allocation areas on the amount of the tax levy or proceeds and the credit for excessive property taxes under IC 6-1.1-20.6 for the taxing units within the boundaries of the residential housing development program.

(g) A program established under subsection (a) may not take effect until the governing body of each school corporation affected by the program passes a resolution approving the program.

SECTION 49. IC 36-7-32-8, AS AMENDED BY P.L.158-2019, SECTION 30, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. As used in this chapter, "income tax base period amount" means ~~the following:~~

~~(1) Except as provided in subdivision (2),~~ the aggregate amount of the following taxes paid by employees employed in the territory comprising a certified technology park with respect to wages and salary earned for work in the certified technology park for the state fiscal year that precedes the date on which the certified technology park was designated under section 11 of this chapter:

~~(A)~~ **(1)** The adjusted gross income tax.

~~(B)~~ **(2)** The local income tax (IC 6-3.6).

~~(2) In the case of a certified technology park for which the amount limit under section 22(c) or 22(d) of this chapter has been exceeded, the aggregate amount of adjusted gross income taxes and local income taxes (IC 6-3.6) paid by employees employed in the territory comprising a certified technology park with respect to wages and salary earned for work in the certified technology park for:~~

~~(A) the state fiscal year in which the total deposits in the incremental tax financing fund for the certified technology park first exceeded the amount limit under section 22(c) or 22(d) of this chapter; or~~

~~(B) the state fiscal year beginning July 1, 2019, and ending June 30, 2020, in the case of a certified technology park for which the amount limit under section 22(c) or 22(d) of this chapter was exceeded before July 1, 2020.~~

SECTION 50. IC 36-7-32-8.5, AS AMENDED BY P.L.158-2019, SECTION 31, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8.5. As used in this chapter, "income tax incremental amount" means the following:

(1) Except as provided in subdivision (2), the remainder of:

(A) the total amount of state adjusted gross income taxes and local income taxes paid by employees employed in the territory comprising the certified technology park with respect to wages and salary earned for work in the territory comprising the certified technology park for a particular state fiscal year; minus

(B) the sum of the:

(i) income tax base period amount as defined in section ~~8(1)~~ **8** of this chapter; and

(ii) tax credits awarded by the Indiana economic development corporation under IC 6-3.1-13 to businesses operating in a certified technology park as the result of wages earned for work in the certified technology park for the state fiscal year;

as determined by the department of state revenue.

(2) In the case of a certified technology park for which the amount limit under section 22(c) or 22(d) of this chapter has been exceeded, the remainder of:

(A) the total amount of state adjusted gross income taxes and local income taxes paid by employees employed in the territory comprising the certified technology park with respect to wages and salary earned for work in the territory comprising the certified technology park for a particular state fiscal year; minus

(B) the sum of the:

(i) income tax base period amount as defined in section ~~8(2)~~ **8** of this chapter; and

(ii) tax credits awarded by the Indiana economic development corporation under IC 6-3.1-13 to businesses operating in a certified technology park as the result of wages earned for work in the certified technology park for the state fiscal year;

as determined by the department of state revenue.

SECTION 51. [EFFECTIVE UPON PASSAGE] **(a) The legislative council is urged to assign to the interim study committee on fiscal policy during the 2020 legislative interim the task of studying tax credits and other fiscal incentives for a film and media production program.**

(b) If the legislative council assigns the task described in subsection (a) to the interim study committee on fiscal policy during the 2020 legislative interim, the legislative services agency shall prepare a study of film and media production tax incentives in other states and submit the study to the interim study committee on fiscal policy before October 1, 2020. The study must include at least the following:

(1) Information concerning film and media production incentives offered in all other states.

(2) Information concerning the effectiveness of film and media production incentives offered in all other states.

(c) This SECTION expires July 1, 2023.

SECTION 52. [EFFECTIVE JANUARY 1, 2020 (RETROACTIVE)] **(a) IC 6-3-3-12, as amended by this act, applies only to taxable years beginning after December 31, 2019.**

(b) This SECTION expires July 1, 2021.

SECTION 53. [EFFECTIVE UPON PASSAGE] **Notwithstanding the January 1, 2020, effective date contained in P.L.121-2019, SECTION 4, the revisor of statutes shall publish IC 6-1.1-15-3, as amended by this act, effective January 1, 2019.**

SECTION 54. **An emergency is declared for this act.**

(Reference is to EHB 1065 as reprinted March 3, 2020.)

Thompson, Chair	Holdman
Jordan	Charbonneau
House Conferees	Senate Conferees

Roll Call 397: yeas 31, nays 18. Report adopted.

9:16 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 9:42 p.m., with the President of the Senate in the Chair.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: Pursuant to Senate Rule 86(l) your Committee on Rules and Legislative Procedure to which was referred Conference Committee Reports filed on Engrossed Senate Bill 241 and Engrossed House Bills 1279 and 1207 has had the same under consideration and begs leave to report back to the Senate with the recommendation that said Conference Committee Reports are eligible for consideration.

BRAY, Chair

Report adopted.

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Schaibley as an advisor on Engrossed House Bill 1004.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the Speaker of the House has removed Representative Austin as a conferee on Engrossed House Bill 1004 and now appoints Representative Schaibley as a conferee thereon.

M. CAROLINE SPOTTS
Principal Clerk of the House

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT

ESB 241–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed House Amendments to Engrossed Senate Bill 241 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the Senate recede from its dissent from all House amendments and that the Senate now concur in all House amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 27-1-24.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 24.5. Pharmacy Benefit Managers

Sec. 1. As used in this chapter, "covered individual" means an individual who is entitled to coverage under a health plan.

Sec. 2. As used in this chapter, "effective rate of reimbursement" includes the following:

(1) Generic effective rates.

(2) Brand effective rates.

(3) Direct and indirect remuneration fees.

(4) Any other reduction or aggregate reduction of payment.

Sec. 3. As used in this chapter, "equal access and incentives" means that a pharmacy benefit manager allows any willing pharmacy provider to participate as part of any of the pharmacy benefit manager's networks as long as the

pharmacy provider agrees to the terms and conditions of the relevant contract applicable to any other pharmacy provider within that network.

Sec. 4. As used in this chapter, "generic drug" means a drug product that is identified by the drug's chemical name and that is:

(1) accepted by the federal Food and Drug Administration;

(2) available from at least three (3) sources; and

(3) therapeutically equivalent to an originating brand name drug.

Sec. 5. As used in this chapter, "health plan" means the following:

(1) A state employee health plan (as defined in IC 5-10-8-6.7).

(2) A policy of accident and sickness insurance (as defined in IC 27-8-5-1). However, the term does not include the coverages described in IC 27-8-5-2.5(a).

(3) An individual contract (as defined in IC 27-13-1-21) or a group contract (as defined in IC 27-13-1-16) that provides coverage for basic health care services (as defined in IC 27-13-1-4).

Sec. 6. As used in this chapter, "independent pharmacies" means pharmacies that are not a pharmacy benefit manager affiliate.

Sec. 7. As used in this chapter, "maximum allowable cost" means the maximum amount that a pharmacy benefit manager will reimburse a pharmacy for the cost of a generic prescription drug. The term does not include a dispensing fee or professional fee.

Sec. 8. As used in this chapter, "maximum allowable cost list" means a list of drugs that is used:

(1) by a pharmacy benefit manager; and

(2) to set the maximum amount that may be reimbursed to a pharmacy or pharmacist for a drug.

Sec. 9. As used in this chapter, "pharmacist" means an individual licensed as a pharmacist under IC 25-26.

Sec. 10. As used in this chapter, "pharmacist services" means products, goods, and services provided as part of the practice of pharmacy.

Sec. 11. As used in this chapter, "pharmacy" means the physical location:

(1) that is licensed under IC 25-26; and

(2) at which drugs, chemicals, medicines, prescriptions, and poisons are compounded, dispensed, or sold at retail.

Sec. 12. (a) As used in this chapter, "pharmacy benefit manager" means an entity that, on behalf of a health benefits plan, state agency, insurer, managed care organization, or other third party payor:

(1) contracts directly or indirectly with pharmacies to provide prescription drugs to individuals;

(2) administers a prescription drug benefit;

(3) processes or pays pharmacy claims;

(4) creates or updates prescription drug formularies;

(5) makes or assists in making prior authorization determinations on prescription drugs;

(6) administers rebates on prescription drugs; or

(7) establishes a pharmacy network.

(b) The term does not include the following:

(1) A person licensed under IC 16.

(2) A health provider who is:

(A) described in IC 25-0.5-1; and

(B) licensed or registered under IC 25.

(3) A consultant who only provides advice concerning the selection or performance of a pharmacy benefit manager.

Sec. 13. As used in this chapter, "pharmacy benefit manager affiliate" means a pharmacy or pharmacist that directly or indirectly, through one (1) or more intermediaries:

(1) owns or controls;

(2) is owned or controlled by; or

(3) is under common ownership or control with;

a pharmacy benefit manager.

Sec. 14. As used in this chapter, "pharmacy benefit manager network" means a group of pharmacies or pharmacists that is offered:

(1) through an agreement or health plan contract; and

(2) to provide pharmacist services for health plans.

Sec. 15. As used in this chapter, "pharmacy services administrative organization" means an organization that assists independent pharmacies and pharmacy benefit managers or health plans to achieve administrative efficiencies, including contracting and payment efficiencies.

Sec. 16. (a) As used in this chapter, "rebate" means a discount or other price concession that is:

(1) based on use of a prescription drug; and

(2) paid by a manufacturer or third party to a pharmacy benefit manager, pharmacy services administrative organization, or pharmacy after a claim has been processed and paid at a pharmacy.

(b) The term includes an incentive and a disbursement.

Sec. 17. As used in this chapter, "third party" means a person other than a:

(1) pharmacy benefit manager; or

(2) covered individual.

Sec. 18. A person shall, before establishing or operating as a pharmacy benefit manager, apply to and obtain a license from the commissioner under this chapter.

Sec. 19. (a) A pharmacy benefit manager shall provide equal access and incentives to all pharmacies within the pharmacy benefit network.

(b) A pharmacy benefit manager may not do any of the following:

(1) Condition participation in any network on accreditation, credentialing, or licensing of a pharmacy provider that, other than a license or permit required by the Indiana board of pharmacy or other state or federal regulatory authority for the services provided by the pharmacy. However, nothing in this subdivision precludes the department from providing credentialing or accreditation standards for pharmacies.

(2) Discriminate against any pharmacy provider.

(3) Directly or indirectly retroactively deny a claim or aggregate of claims after the claim or aggregate of

claims has been adjudicated, unless any of the following apply:

(A) The original claim was submitted fraudulently.

(B) The original claim payment was incorrect because the pharmacy or pharmacist had already been paid for the drug.

(C) The pharmacist services were not properly rendered by the pharmacy or pharmacist.

(4) Reduce, directly or indirectly, payment to a pharmacy for pharmacist services to an effective rate of reimbursement, including permitting an insurer or plan sponsor to make such a reduction.

(5) Reimburse a pharmacy that is affiliated with the pharmacy benefit manager, other than solely being included in the pharmacy benefit manager's network, at a greater reimbursement rate than other pharmacies in the same network.

A violation of this subsection by a pharmacy benefit manager constitutes an unfair or deceptive act or practice in the business of insurance under IC 27-4-1-4.

Sec. 20. (a) The commissioner shall do the following:

(1) Prescribe an application for use in applying for a license to operate as a pharmacy benefit manager.

(2) Adopt rules under IC 4-22-2 to establish the following:

(A) Pharmacy benefit manager licensing requirements.

(B) Licensing fees.

(C) A license application.

(D) Financial standards for pharmacy benefit managers.

(E) Reporting requirements described in section 21 of this chapter.

(F) The time frame for the resolution of an appeal under section 22 of this chapter.

(b) The commissioner may do the following:

(1) Charge a license application fee and renewal fees established under subsection (a)(2) in an amount not to exceed five hundred dollars ($500) to be deposited in the department of insurance fund established by IC 27-1-3-28.

(2) Examine or audit the books and records of a pharmacy benefit manager one (1) time per year to determine if the pharmacy benefit manager is in compliance with this chapter.

(3) Adopt rules under IC 4-22-2 to:

(A) implement this chapter; and

(B) specify requirements for the following:

(i) Prohibited market conduct practices.

(ii) Data reporting in connection with violations of state law.

(iii) Maximum allowable cost list compliance and enforcement requirements, including the requirements of sections 22 and 23 of this chapter.

(iv) Prohibitions and limits on pharmacy benefit manager practices that require licensure under IC 25-22.5.

(v) Pharmacy benefit manager affiliate information sharing.

(vi) Lists of health plans administered by a pharmacy benefit manager in Indiana.

(c) Financial information and proprietary information submitted by a pharmacy benefit manager to the department is confidential.

Sec. 21. (a) Beginning June 1, 2021, and annually thereafter, a pharmacy benefit manager shall submit a report containing data from the immediately preceding calendar year to the commissioner. The commissioner shall determine what must be included in the report and consider the following information to be included in the report:

(1) The aggregate amount of all rebates that the pharmacy benefit manager received from all pharmaceutical manufacturers for:

(A) all insurers; and

(B) each insurer;

with which the pharmacy benefit manager contracted during the immediately preceding calendar year.

(2) The aggregate amount of administrative fees that the pharmacy benefit manager received from all pharmaceutical manufacturers for:

(A) all insurers; and

(B) each insurer;

with which the pharmacy benefit manager contracted during the immediately preceding calendar year.

(3) The aggregate amount of retained rebates that the pharmacy benefit manager received from all pharmaceutical manufacturers and did not pass through to insurers with which the pharmacy benefit manager contracted during the immediately preceding calendar year.

(4) The highest, lowest, and mean aggregate retained rebate for:

(A) all insurers; and

(B) each insurer;

with which the pharmacy benefit manager contracted during the immediately preceding calendar year.

(b) A pharmacy benefit manager that provides information under this section may designate the information as a trade secret (as defined in IC 24-2-3-2). Information designated as a trade secret under this subsection must not be published unless required under subsection (c).

(c) Disclosure of information designated as a trade secret under subsection (b) may be ordered by a court of Indiana for good cause shown or made in a court filing.

Sec. 22. (a) A pharmacy benefit manager shall do the following:

(1) Identify to contracted:

(A) pharmacy service administration organizations; or

(B) pharmacies if the pharmacy benefit manager contracts directly with pharmacies;

the sources used by the pharmacy benefit manager to calculate the drug product reimbursement paid for covered drugs available under the pharmacy health benefit plan administered by the pharmacy benefit manager.

(2) Establish an appeal process for contracted pharmacies, pharmacy services administrative organizations, or group purchasing organizations to appeal and resolve disputes concerning the maximum allowable cost pricing.

(3) Update and make available to pharmacies:

(A) at least every forty-five (45) days; or

(B) in a different time frame if contracted between a pharmacy benefit manager and a pharmacy;

the pharmacy benefit manager's maximum allowable cost list.

(b) The appeal process required by subsection (a)(2) must include the following:

(1) The right to appeal a claim not to exceed sixty (60) days following the initial filing of the claim.

(2) The investigation and resolution of a filed appeal by the pharmacy benefit manager in a time frame determined by the commissioner.

(3) If an appeal is denied, a requirement that the pharmacy benefit manager provide the reason for the denial.

(4) If an appeal is approved, a requirement that the pharmacy benefit manager do the following:

(A) Change the maximum allowable cost of the drug for the pharmacy that filed the appeal as of the initial date of service that the appealed drug was dispensed.

(B) Adjust the maximum allowable cost of the drug for the appealing pharmacy and for all other contracted pharmacies in the same network of the pharmacy benefit manager that filled a prescription for patients covered under the same health benefit plan beginning on the initial date of service the appealed drug was dispensed.

(C) Adjust the drug product reimbursement for contracted pharmacies that resubmit claims to reflect the adjusted maximum allowable cost, if applicable.

(D) Allow the appealing pharmacy and all other contracted pharmacies in the network that filled the prescriptions for patients covered under the same health benefit plan to reverse and resubmit claims and receive payment based on the adjusted maximum allowable cost from the initial date of service the appealed drug was dispensed.

(E) Make retroactive price adjustments in the next payment cycle unless otherwise agreed to by the pharmacy.

(5) The establishment of procedures for auditing submitted claims by a contract pharmacy in a manner established by administrative rules under IC 4-22-2 by the department. The auditing procedures:

(A) may not use extrapolation or any similar methodology;

(B) may not allow for recovery by a pharmacy benefit manager of a submitted claim due to clerical or other error where the patient has received the drug for which the claim was submitted;

(C) must allow for recovery by a contract pharmacy for underpayments by the pharmacy benefit manager; and

(D) may only allow for the pharmacy benefit manager to recover overpayments on claims that are actually audited and discovered to include a recoverable error.

(c) The department must approve the manner in which a pharmacy benefit manager may respond to an appeal filed under this section. The department shall establish a process for a pharmacy benefit manager to obtain approval from the department under this section.

Sec. 23. (a) For every drug for which the pharmacy benefit manager establishes a maximum allowable cost to determine the drug product reimbursement, the pharmacy benefit manager shall make available to a contracted pharmacy services administration organization to make available to the pharmacies, or to a pharmacy if the pharmacy benefit manager contracts directly with a pharmacy, in a manner established by the department by administrative rule described in subsection (b) the following:

(1) Information identifying the national drug pricing compendia or sources used to obtain the drug price data.

(2) The comprehensive list of drugs subject to maximum allowable cost and the actual maximum allowable cost for each drug.

(b) The department shall adopt rules under IC 4-22-2 concerning the manner in which a pharmacy benefit manager shall communicate the following to contracted pharmacy services administration organizations:

(1) Drug price data should be used to establish drug reimbursements by pharmacy benefit managers as described in subsection (a)(1).

(2) The comprehensive list of drugs described in subsection (a)(2).

(c) The department may, concerning a maximum allowable cost list, consider whether a drug is:

(1) obsolete;

(2) temporary unavailable;

(3) to be included on a drug shortage list; or

(4) unable to be lawfully substituted.

Sec. 24. (a) For every drug for which a pharmacy benefit manager establishes a maximum allowable cost to determine reimbursement for the drug product, the pharmacy benefit manager shall make available to the department, upon request of the department, information that is needed to resolve an appeal.

(b) If the pharmacy benefit manager fails to promptly make available to the department the information as required in subsection (a), the department shall consider the appeal granted in favor of the appealing pharmacy.

Sec. 25. (a) A party that has contracted with a pharmacy benefit manager to provide services may, at least one (1) time in a calendar year, request an audit of compliance with the contract. The audit may include full disclosure of rebate amounts secured on prescription drugs, whether product specific or general rebates, that were provided by a

pharmaceutical manufacturer and any other revenue and fees derived by the pharmacy benefit manager from the contract. A contract may not contain provisions that impose unreasonable fees or conditions that would severely restrict a party's right to conduct an audit under this subsection.

(b) A pharmacy benefit manager shall disclose, upon request from a party that has contracted with a pharmacy benefit manager, to the party the actual amounts paid by the pharmacy benefit manager to any pharmacy.

(c) A pharmacy benefit manager shall provide notice to a party contracting with the pharmacy benefit manager any consideration that the pharmacy benefit manager receives from a pharmacy manufacturer for any name brand dispensing of a prescription when a generic or biologically similar product is available for the prescription.

(d) The commissioner may establish a procedure to release information from an audit performed by the department to a party that has requested an audit under this section in a manner that does not violate confidential or proprietary information laws.

(e) Any provision of a contract entered into, issued, or renewed after June 30, 2020, that violates this section is unenforceable.

Sec. 26. A person or entity that has contracted with a pharmacy benefit manager for the performance of services described in section 12(a) of this chapter is entitled to full disclosure from the pharmacy benefit manager of the terms of a contract between the pharmacy benefit manager and any other person or entity within the same network concerning the performance of the services described in section 12(a) of this chapter, including:

(1) the purchase price for prescription drugs within the same network and set by a contract entered into by the pharmacy benefit manager; and

(2) the amount of any rebate provided in connection with the purchase of prescription drugs within the same network by a contract entered into by the pharmacy benefit manager.

Sec. 27. A pharmacy services administrative organization shall, upon request, fully disclose to an independent pharmacy on whose behalf the pharmacy services administrative organization acts the terms of a contract between the pharmacy services administrative organization and any other person or entity concerning the actions taken by the pharmacy services administrative organization on behalf of the independent pharmacy.

Sec. 28. (a) A violation of this chapter is an unfair or deceptive act or practice in the business of insurance under IC 27-4-1-4.

(b) The department may also adopt rules under IC 4-22-2 to set forth fines for a violation under this chapter.

SECTION 2. IC 27-1-24.8 IS REPEALED [EFFECTIVE JULY 1, 2020]. (Pharmacy Benefit Managers).

SECTION 3. [EFFECTIVE JULY 1, 2020] **(a) Notwithstanding IC 27-1-24.5, as added by this act, a pharmacy benefit manager must be licensed by the department of insurance not later than December 31, 2020, in order to do business in Indiana and provide services for any health provider contract (as defined in IC 27-1-37-3) that is in effect beginning or after January 1, 2021.**

(b) This SECTION expires December 31, 2021.

(Reference is to ESB 241 as reprinted March 3, 2020.)

L. Brown, Chair	Lehman
Breaux	Austin
Senate Conferees	House Conferees

Roll Call 398: yeas 49, nays 0. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1207–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1207 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 5-10-8-20, AS ADDED BY P.L.209-2018, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 20. (a) As used in this section, "covered individual" means an individual entitled to coverage under a state employee plan.

(b) As used in this section, "drug" means a prescription drug.

(c) As used in this section, "pharmacy" refers to a pharmacist or pharmacy that has entered into an agreement with a state employee plan to provide drugs to individuals covered under a state employee plan.

(d) As used in this section, "state employee plan" refers to the following that provide coverage for drugs:

(1) A self-insurance program established under section 7(b) of this chapter to provide group health coverage.

(2) A contract with a prepaid health care delivery plan that is entered into or renewed under section 7(c) of this chapter.

The term includes a person that administers drug benefits on behalf of a state employee plan.

(e) A pharmacy or pharmacist shall have the right to provide a covered individual with information concerning the amount of the covered individual's cost share for a prescription drug. Neither a pharmacy nor a pharmacist shall be proscribed by a pharmacy benefits manager from discussing this information or from selling to the covered individual a more affordable alternative if an affordable alternative is available.

(f) A pharmacy benefits manager that covers prescription drugs may not include a provision that requires a covered individual to make payment for a prescription drug at the point of sale in an amount that exceeds the lesser of:

(1) the contracted copayment amount; or

(2) the amount of total approved charges by the pharmacy benefits manager at the point of sale.

This subsection does not prohibit the adjudication of claims in accordance with the state employee plan administered by a

pharmacy benefits manager. The covered individual is not liable for any additional charges or entitled to any credits as a result of the adjudicated claim.

(g) The state employee plan or a pharmacy benefits manager may not require a pharmacy or pharmacist to collect a higher copayment for a prescription drug from a covered individual than the state employee plan or pharmacy benefits manager allows the pharmacy or pharmacist to retain.

SECTION 2. IC 5-10-8-22.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]: **Sec. 22.5. (a) As used in this section, "covered individual" means an individual who is entitled to coverage under a state employee health plan.**

(b) As used in this section, "state employee health plan" means the following:

(1) A self-insurance program established under section 7(b) of this chapter.

(2) A contract for prepaid health services under section 7(c) of this chapter.

(c) A state employee health plan shall implement a procedure to allow a covered individual to submit a claim to offset the covered individual's deductible for the cost of a purchase by the covered individual of a prescription drug that:

(1) is covered under the state employee health plan; and

(2) was purchased by the covered individual without submitting at the point of purchase the claim through the state employee health plan.

(d) If a covered individual submits a claim to the state employee health plan in accordance with the procedure established under subsection (c), the state employee health plan shall verify the purchase described under subsection (c) and count the amount paid by the covered individual for the purchased covered prescription drug against the covered individual's deductible.

SECTION 3. IC 16-18-2-338.3, AS ADDED BY P.L.32-2015, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 338.3. **(a)** "Standing order", for purposes of IC 16-31 and IC 16-42-27, means:

(1) a written order; or

(2) an order transmitted by other means of communication;

that is prepared by a person authorized to write a prescription for the distribution and administration of an overdose intervention drug, including any actions and interventions to be used in order to ensure timely access to treatment.

(b) "Standing order", for purposes of IC 16-41-43, means:

(1) a written order; or

(2) an order transmitted by other means of communication;

that is prepared by a person authorized to write a prescription for the distribution and administration of auto-injectable epinephrine, including any actions and interventions to be used in order to ensure timely access to treatment.

SECTION 4. IC 16-41-43-2.3 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.3. (a) A pharmacist may, by standing order, dispense auto-injectable epinephrine without examining the individual to whom it may be administered if all of the following conditions are met:**

(1) The auto-injectable epinephrine is dispensed to a person who:

(A) presents a certificate of completion issued under section 2.5(c) of this chapter to the pharmacist before the auto-injectable epinephrine is dispensed; and

(B) is an individual who is or may be in a position to assist an individual who is at risk of experiencing anaphylaxis.

(2) The pharmacist provides instruction concerning how to properly administer auto-injectable epinephrine from the specific device being dispensed at the time of the device's dispensing.

(3) The pharmacist instructs the individual receiving the auto-injectable epinephrine to summon emergency medical services either immediately before or immediately after administering the auto-injectable epinephrine to an individual experiencing anaphylaxis.

(b) A person wishing to receive auto-injectable epinephrine by standing order must do the following:

(1) Successfully complete the course described in section 2.5(a) of this chapter.

(2) Present a certificate of completion issued under section 2.5(c) of this chapter to a pharmacist at the time the auto-injectable epinephrine is requested.

(c) An individual described in subsection (a)(1) may administer auto-injectable epinephrine to an individual that the person reasonably believes is experiencing anaphylaxis.

(d) An individual described in subsection (a)(1) may not be considered to be practicing medicine without a license in violation of IC 25-22.5-8-2 if the individual, acting in good faith:

(1) obtains auto-injectable epinephrine from a pharmacist by standing order;

(2) administers auto-injectable epinephrine to an individual that the person reasonably believes is experiencing anaphylaxis in a manner that is consistent with:

(A) the training provided during the course described in section 2.5(a) of this chapter; or

(B) the instruction provided to the person by a pharmacist at the time the auto-injectable epinephrine was dispensed; and

(3) attempts to summon emergency medical services either immediately before or immediately after administering the auto-injectable epinephrine.

(e) The state department shall ensure that a statewide standing order for the dispensing of auto-injectable epinephrine in Indiana is issued under this section. The state health commissioner may, as part of the individual's official capacity, issue a statewide standing order that may be used for the dispensing of auto-injectable epinephrine under this section. The immunity provided in IC 34-13-3-3 applies to an individual described in this subsection.

SECTION 5. IC 16-41-43-2.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 2.5. (a) The state department shall approve courses concerning allergies and the administration of auto-injectable epinephrine that are offered by an approved organization (as defined in IC 25-1-4-0.2).**

(b) The state department shall do the following:

(1) Maintain, on its Internet web site, a list of all approved courses.

(2) Prescribe the certification process for the course described in subsection (a).

(3) Revoke the certification of an organization that fails to comply with any certification prerequisite specified by the state department.

(c) A person who successfully completes a certified course shall receive a certificate of completion. The state department may contract with a third party for the purpose of creating or manufacturing the certificate of completion, which must meet the requirements set forth in subsection (d).

(d) A certificate of completion issued under subsection (c) must:

(1) have dimensions that permit the certificate of completion to be carried in a wallet; and

(2) display the following information:

(A) The first and last name of the person.

(B) The first and last name of the course instructor.

(C) The name of the entity responsible for providing the course, if applicable.

(D) The date the course described in subsection (a) was completed.

(E) Any other information required by the state department.

(e) The state department may adopt rules under IC 4-22-2, including emergency rules under IC 4-22-2-37.1, to implement this section.

SECTION 6. IC 16-41-43-3.5, AS ADDED BY P.L.117-2017, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.5. Injectable epinephrine that is filled and used in accordance with this chapter must have an expiration date of not less than twelve (12) months from the date that the pharmacy dispenses the injectable epinephrine to the entity **or person, as applicable.**

SECTION 7. IC 16-41-43-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 5.5. (a) This chapter does not apply to a person who is eligible for immunity specified in one (1) or more of the following sections:**

(1) Section 6 of this chapter.

(2) IC 20-34-4.5-4.

(3) IC 21-44.5-2-6.

(b) Except as provided in subsection (d), a person who meets all of the following criteria is not liable for civil damages for any act or omission related to the administration of auto-injectable epinephrine:

(1) The person has successfully completed a course described in section 2.5(a) of this chapter before administering auto-injectable epinephrine to a person.

(2) The person administered the auto-injectable epinephrine in a manner that was consistent with:

(A) the training provided during the course described in section 2.5(a) of this chapter; or

(B) the instruction provided to the person by the pharmacist at the time the auto-injectable epinephrine was dispensed to the person.

(3) The person reasonably believed that the recipient of the auto-injectable epinephrine was suffering from anaphylaxis at the time the auto-injectable epinephrine was administered.

(c) A pharmacist who complies with section 2.3(a) of this chapter is not liable for civil damages resulting from the administration of auto-injectable epinephrine.

(d) The immunity described in subsection (b) or (c) does not apply to any act or omission that constitutes gross negligence or willful and wanton misconduct.

SECTION 8. IC 25-1-9.3-8, AS ADDED BY P.L.28-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 8. A prescriber may issue a prescription for a controlled substance in a written format, a faxed format, or an oral order if any of the following apply:

(1) The prescriber cannot transmit an electronically transmitted prescription due to:

(A) temporary technological or electrical failure; **or**

(B) the technological inability to issue a prescription electronically, including but not limited to failure to possess the requisite technology.

(2) The prescriber issues a prescription to be dispensed by a pharmacy located outside Indiana.

(3) The prescriber and the pharmacist are the same entity.

(4) The prescriber issues a prescription that meets any of the following:

(A) The prescription contains elements that are not supported by the technical standards developed by the National Council for Prescription Drug Programs for electronically transmitted prescriptions (NCPDP SCRIPT).

(B) The federal Food and Drug Administration requires the prescription to contain certain elements that cannot be supported in an electronically transmitted prescription.

(C) The prescription is a non-patient specific prescription in response to a public health emergency or another instance allowable under state law and that requires a non-patient specific prescription under:

(i) a standing order;

(ii) approved protocol for drug therapy;

(iii) collaborative drug management; or

(iv) comprehensive medication management.

(D) The prescription is issued under a research protocol.

(5) The prescriber has received a waiver or a renewal of a previously received waiver from the board in accordance with rules adopted under section 9 of this chapter.

(6) The board, in accordance with rules adopted under section 9 of this chapter, has determined that issuing an electronically transmitted prescription would be impractical

and cause delay, adversely impacting the patient's medical condition.

(7) The prescriber reasonably determines that it would be impractical for the patient to obtain an electronic prescription in a timely manner and the delay would adversely affect the patient's medical condition.

SECTION 9. IC 25-1-9.3-9, AS ADDED BY P.L.28-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 9. (a) The board shall, in consultation with the medical licensing board, adopt rules under IC 4-22-2 to implement this chapter, including:

(1) a process to grant or deny waivers or renewals of waivers from the requirement to issue electronically transmitted prescriptions for controlled substances due to:

(A) economic hardship;

(B) technological limitations outside the control of the prescriber; or

(C) other circumstances determined by the board; and

(2) a list of circumstances in which issuing an electronically transmitted prescription would be impractical and cause delay that would adversely impact the user's medical condition.

(b) Any rules adopted under this chapter must be substantially similar to the requirements and exceptions under 42 U.S.C. 1395w-104.

(c) The board, in consultation with the medical licensing board, may adopt emergency rules in the manner provided in IC 4-22-2-37.1. A rule adopted under this section expires on the earlier of the following:

(1) The date that the rule is superseded, amended, or repealed by a permanent rule adopted under IC 4-22-2.

(2) July 1, 2023.

SECTION 10. IC 25-26-13-16 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 16. (a) A pharmacist shall exercise ~~his~~ **the pharmacist's** professional judgment in the best interest of the patient's health when engaging in the practice of pharmacy.

(b) A pharmacist has a duty to honor all prescriptions from a practitioner or from a physician, podiatrist, dentist, **advanced practice registered nurse, physician assistant,** or veterinarian licensed under the laws of another state. Before honoring a prescription, the pharmacist shall take reasonable steps to determine whether the prescription has been issued in compliance with the laws of the state where it originated. The pharmacist is immune from criminal prosecution or civil liability if ~~he,~~ **the pharmacist,** in good faith, refuses to honor a prescription because, in ~~his~~ **the pharmacist's** professional judgment, the honoring of the prescription would:

(1) be contrary to law;

(2) be against the best interest of the patient;

(3) aid or abet an addiction or habit; or

(4) be contrary to the health and safety of the patient.

SECTION 11. IC 25-26-13-24.8, AS ADDED BY P.L.28-2019, SECTION 16, AND P.L.246-2019, SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 24.8. **(a)** Upon request of a patient, a pharmacy shall transfer to another pharmacy a prescription for the patient that the pharmacy has received but not filled unless:

(1) prohibited in writing on the prescription by the prescriber; or

(2) otherwise prohibited by federal law.

(b) Unless prohibited by federal law, a prescription for a patient may be transferred electronically or by facsimile by a pharmacy to another pharmacy if the pharmacies do not share a common data base.

(c) A licensed pharmacy technician may transfer a prescription under subsection (b).

SECTION 12. IC 25-26-13-25.3, AS ADDED BY P.L.246-2019, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 25.3. **(a)** ~~Beginning January 1, 2020,~~ A pharmacy may not dispense injectable epinephrine or glucagon to a person unless:

(1) the injectable epinephrine or glucagon has an expiration date of not less than twelve (12) months from the date that the drug is dispensed; or

(2) the person consents to the injectable epinephrine or glucagon having an expiration date of less than twelve (12) months from the date that the drug is dispensed.

(b) Except as provided in IC 25-26-16.5, a pharmacist may substitute a therapeutic alternative (as defined in IC 25-26-16.5-4) for epinephrine products for a patient.

SECTION 13. IC 25-26-13-31, AS AMENDED BY P.L.247-2019, SECTION 4, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 31. (a) A pharmacist may do the following:

(1) Obtain and maintain patient drug histories and other pharmacy records that are related to drug or device therapies.

(2) Perform drug evaluation, drug utilization review, and drug regimen review.

(3) Participate in the selection, storage, and distribution of drugs, dietary supplements, and devices. However, drug selection must comply with IC 16-42-19 and IC 16-42-22.

(4) Participate in drug or drug related research.

(5) Prescribe any of the following devices or supplies approved by the federal Food and Drug Administration:

(A) Inhalation spacer.

(B) Nebulizer.

(C) Supplies for medical devices, including but not limited to, continuous positive airway pressure (CPAP) machine supplies and insulin pump supplies.

(D) Normal saline and sterile water for irrigation for wound care **or for injection with a prescription drug or device.**

(E) Diabetes blood sugar testing supplies.

(F) Pen needles.

(G) Syringes for medication use.

However, the pharmacist must provide the patient with a written advance beneficiary notice that is signed by the patient and that states that the patient may not be eligible for reimbursement for the device or supply. The pharmacy must keep a copy of the patient's advance beneficiary notice on file for seven (7) years.

(b) A pharmacist who participates in an activity allowed under subsection (a) is required to follow the standards for the competent practice of pharmacy adopted by the board.

(c) A pharmacist may issue a prescription for purposes of subsection (a)(5).

SECTION 14. IC 25-26-13-31.7 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 31.7. (a) Subject to rules adopted under subsection (c), a pharmacy technician may administer an influenza immunization to an individual under a drug order or prescription.**

(b) Subject to rules adopted under subsection (c), a pharmacy technician may administer an influenza immunization to an individual or a group of individuals under a drug order, under a prescription, or according to a protocol approved by a physician.

(c) The board shall adopt rules under IC 4-22-2 to establish requirements applying to a pharmacy technician who administers an influenza immunization to an individual or group of individuals. The rules adopted under this section must provide for the direct supervision of the pharmacy technician by a pharmacist, a physician, a physician assistant, or an advanced practice registered nurse.

(d) The board must approve all programs that provide training to pharmacy technicians to administer influenza immunizations as permitted by this section.

SECTION 15. IC 27-1-24.5-22.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 22.5. Aggregated information compiled from reports submitted by pharmacy benefit managers to the insurance commissioner under section 22 of this chapter is not confidential except for information that would reveal a specific pharmacy benefit manager's proprietary information.**

SECTION 16. IC 27-1-24.5-27.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 27.5. A pharmacy benefits manager may not require a pharmacy or pharmacist to collect a higher copayment for a prescription drug from a customer than the pharmacy benefits manager allows the pharmacy or pharmacist to retain.**

SECTION 17. IC 27-2-9.1 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JANUARY 1, 2021]:

Chapter 9.1. Prescription Drug Purchases

Sec. 1. As used in this chapter, "covered individual" means an individual who is entitled to coverage under a health plan.

Sec. 2. As used in this chapter, "health plan" means a plan that is compliant with the PPACA and offered by an insurer to provide, deliver, arrange for, pay for, or reimburse the cost of health care items or services. The term includes the following:

(1) A policy of accident and sickness insurance (as defined in IC 27-8-5-1).

(2) An individual contract (as defined by IC 27-13-1-21) and a group contract (as defined by IC 27-13-1-16).

Sec. 3. As used in this chapter, "insurer" means an entity licensed in Indiana to issue a health plan.

Sec. 4. As used in this chapter, "PPACA" refers to the federal Patient Protection and Affordable Care Act (P.L. 111-148), as amended thereafter, including by the federal Health Care and Education Reconciliation Act of 2010 (P.L. 111-152).

Sec. 5. (a) A health plan shall implement a procedure to allow a covered individual to submit a claim to offset the covered individual's deductible for the cost of a purchase by the covered individual of a prescription drug that:

(1) is covered under the covered individual's health plan; and

(2) was purchased by the covered individual without submitting at the point of purchase the claim through the health plan.

(b) If a covered individual submits a claim to the health plan in accordance with the procedure established under subsection (a), the health plan shall verify the purchase described under subsection (a) and count the amount paid by the covered individual for the purchased covered prescription drug against the covered individual's deductible.

SECTION 18. IC 27-8-5-31 IS REPEALED [EFFECTIVE JULY 1, 2020]. ~~Sec. 31. (a) The definitions in section 30 of this chapter apply throughout this section.~~

~~(b) This section applies to an insurer that uses a formulary, cost sharing, or utilization review for prescription drug coverage.~~

~~(c) An insurer shall not remove a prescription drug from the insurer's formulary, change the cost sharing requirements that apply to a prescription drug, or change the utilization review requirements that apply to a prescription drug unless the insurer does at least one (1) of the following:~~

~~(1) At least sixty (60) days before the removal or change is effective, send written notice of the removal or change to each insured for whom the prescription drug has been prescribed during the preceding twelve (12) month period.~~

~~(2) At the time an insured for whom the prescription drug has been prescribed during the preceding twelve (12) month period requests a refill of the prescription drug, provide to the insured:~~

~~(A) written notice of the removal or change; and~~

~~(B) a sixty (60) day supply of the prescription drug under the terms that applied before the removal or change.~~

SECTION 19. IC 27-8-5-31.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 31.5. (a) This section applies to a policy of accident and sickness insurance that is issued, entered into, amended, or renewed after June 30, 2020.**

(b) The definitions in section 30 of this chapter apply throughout this section.

(c) This section applies to an insurer that uses a formulary or cost sharing review for prescription drug coverage.

(d) An insurer shall not remove a prescription drug from the insurer's formulary or change the cost sharing requirements that apply to a prescription drug unless the insurer does the following:

(1) At least sixty (60) days before the removal or change is effective, sends written notice of the removal or change to each insured for whom the prescription drug has been prescribed during the plan year.

(2) Provides a timely appeal process through which an insured may request an extension of coverage for the prescription drug through the end of the plan year. The appeal process must consider the following:

(A) Clinical appropriateness that is evidence based.

(B) Whether the insured has been adherent to the prescription drug regimen long enough that discontinuation of the prescription drug would cause a significant barrier to the insured's adherence to or compliance with the insured's plan of care.

(C) Whether discontinuation of the prescription drug would worsen a comorbid condition of the insured.

(D) Whether discontinuation of the prescription drug would decrease the insured's ability to achieve or maintain reasonable functional ability to perform daily activities.

(e) If the request for an extension made by an insured under subsection (d) is supported by documentation from the prescribing health care provider, the insurer shall make a determination concerning the insured's request:

(1) in an urgent care situation, not more than one (1) business day after receiving the request; or

(2) in a non-urgent situation, not more than three (3) business days after receiving the request.

(f) If an appeal under subsection (d)(2) is granted, the insurer shall notify the insured and the insured's health care provider of the authorization for coverage of the prescription drug that was the subject of the appeal.

(g) An extension of coverage of a prescription drug through the end of the plan year under this section is permitted only once and may not be repeated unless otherwise provided by the insurer.

(h) Nothing under this section prohibits an insurer from removing a prescription drug from its formulary or denying an insured coverage if:

(1) the federal Food and Drug Administration has issued a statement about the prescription drug that calls into question the clinical safety of the prescription drug;

(2) the manufacturer of the prescription drug has notified the federal Food and Drug Administration of a manufacturing discontinuance or potential discontinuance of the prescription drug as required by 21 U.S.C. 356c of the federal Food, Drug, and Cosmetic Act; or

(3) the manufacturer of the prescription drug has removed the prescription drug from the market.

(i) This chapter does not prohibit a pharmacist from substituting:

(1) a generically equivalent drug product for a brand name drug under IC 16-42-22; or

(2) a biosimilar biological product for a prescribed biological product under 16-42-25.

SECTION 20. IC 27-8-11-12, AS ADDED BY P.L.209-2018, SECTION 12, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 12. (a) As used in this section, "drug" means a prescription drug.

(b) As used in this section, "insurer" refers to an insurer that provides coverage for drugs. The term includes a person that administers drug benefits on behalf of an insurer.

(c) As used in this section, "pharmacy" refers to a pharmacist or pharmacy that has entered into an agreement with an insurer under section 3 of this chapter.

(d) A pharmacy or pharmacist shall have the right to provide an insured with information concerning the amount of the insured's cost share for a prescription drug. Neither a pharmacy nor a pharmacist shall be proscribed by an insurer from discussing this information or from selling to the insured a more affordable alternative if an affordable alternative is available.

(e) An insurer that covers prescription drugs may not include a provision that requires an insured to make payment for a prescription drug at the point of sale in an amount that exceeds the lesser of:

(1) the contracted copayment amount; or

(2) the amount of total approved charges by the insurer at the point of sale.

This subsection does not prohibit the adjudication of claims in accordance with an accident and sickness insurance policy issued or administered by an insurer. The insured is not liable for any additional charges or entitled to any credits as a result of the adjudicated claim.

(f) The insurer or a pharmacy benefits manager may not require a pharmacy or pharmacist to collect a higher copayment for a prescription drug from an insured than the insurer or pharmacy benefits manager allows the pharmacy or pharmacist to retain.

SECTION 21. IC 27-13-15-6, AS ADDED BY P.L.209-2018, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. (a) As used in this section, "drug" means a prescription drug.

(b) As used in this section, "health maintenance organization" refers to a health maintenance organization that provides coverage for drugs. The term includes the following:

(1) A limited service health maintenance organization.

(2) A person that administers drug benefits on behalf of a health maintenance organization or a limited service health maintenance organization.

(c) As used in this section, "pharmacy" refers to a pharmacist or pharmacy that is a participating provider.

(d) A pharmacy or pharmacist shall have the right to provide an enrollee with information concerning the amount of the enrollee's cost share for a prescription drug. Neither a pharmacy nor a pharmacist shall be proscribed by a health maintenance organization from discussing this information or from selling to the enrollee a more affordable alternative if an affordable alternative is available.

(e) A health maintenance organization that covers prescription drugs may not include a provision that requires an enrollee to make payment for a prescription drug at the point of sale in an amount that exceeds the lesser of:

(1) the contracted copayment amount; or

(2) the amount of total approved charges by the health maintenance organization at the point of sale.

This subsection does not prohibit the adjudication of claims in accordance with an individual contract or group contract issued or administered by a health maintenance organization. The

enrollee is not liable for any additional charges or entitled to any credits as a result of the adjudicated claim.

(f) The health maintenance organization or a pharmacy benefits manager may not require a pharmacy or pharmacist to collect a higher copayment for a prescription drug from an enrollee than the health maintenance organization or pharmacy benefits manager allows the pharmacy or pharmacist to retain.

SECTION 22. IC 34-30-2-83.6 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 83.6. IC 16-41-43-5.5 (Concerning the administration of auto-injectable epinephrine by laypersons and the dispensing of auto-injectable epinephrine by pharmacists).**

SECTION 23. [EFFECTIVE JULY 1, 2020] **(a) IC 5-10-8-22.5, as added by this act, applies to a state employee health plan that is established, entered into, amended, or renewed after December 31, 2020.**

(b) IC 27-2-9.1, as added by this act, applies to a health plan that is issued, entered into, delivered, amended, or renewed after December 31, 2020.

(c) This SECTION expires June 30, 2023.

SECTION 24. **An emergency is declared for this act.**

(Reference is to EHB 1207 as reprinted March 3, 2020.)

Clere, Chair	Bohacek
Hatfield	Mrvan
House Conferees	Senate Conferees

Roll Call 399: yeas 47, nays 2. Report adopted.

CONFERENCE COMMITTEE REPORT

EHB 1279–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1279 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 5-1.3-3-11, AS ADDED BY P.L.189-2018, SECTION 26, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 11. **(a)** The IFA, the NWIRDA, or the NICTD may:

(1) in the manner provided by IC 32-24; or

(2) as otherwise required for a railroad federal aid project funded in any part under 49 U.S.C. 103, et seq.;

acquire by appropriation any land, rights-of-way, property, rights, easements, or other legal or equitable interests necessary or convenient for the construction or the efficient operation of any rail project. However, compensation for the property taken shall first be made in money as provided by IC 32-24 or as otherwise required for a railroad federal aid project funded in any part under 49 U.S.C. 103, et seq.

(b) The IFA, the NWIRDA, or the NICTD:

(1) may enter upon land to conduct a survey or investigation by manual or mechanical means for the construction or operation of a rail project; and

(2) shall, when acting under subdivision (1), have all the same powers and duties that the Indiana department of transportation has under IC 8-23-7-26 through IC 8-23-7-28.

SECTION 2. IC 5-14-1.5-3.6, AS AMENDED BY P.L.237-2017, SECTION 13, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 3.6. (a) This section applies only to a governing body of the following:

(1) A charter school (as defined in IC 20-24-1-4).

(2) A public agency of the state, including a body corporate and politic established as an instrumentality of the state.

(3) An airport authority or a department of aviation under IC 8-22.

(b) A member of a governing body who is not physically present at a meeting of the governing body may participate in a meeting of the governing body by electronic communication only if the member uses a means of communication that permits:

(1) the member;

(2) all other members participating in the meeting;

(3) all members of the public physically present at the place where the meeting is conducted; and

(4) if the meeting is conducted under a policy adopted under subsection (g)(7), all members of the public physically present at a public location at which a member participates by means of electronic communication;

to simultaneously communicate with each other during the meeting.

(c) The governing body must fulfill both of the following requirements for a member of the governing body to participate in a meeting by electronic communication:

(1) This subdivision does not apply to committees appointed by a board of trustees of a state educational institution, by the commission for higher education, by the board of the Indiana economic development corporation, ~~or~~ by the board of directors of the Indiana secondary market for education loans, as established, incorporated, and designated under IC 21-16-5-1, **the governing board of a nonprofit affiliate entity established by the northwest Indiana regional development authority under IC 36-7.5-4.5-18.5, or the governing board of a nonprofit affiliate entity established by the north central Indiana regional development authority under IC 36-7.6-3-3.5.** The minimum number of members who must be physically present at the place where the meeting is conducted must be the greater of:

(A) two (2) of the members; or

(B) one-third (1/3) of the members.

(2) All votes of the governing body during the electronic meeting must be taken by roll call vote.

Nothing in this section affects the public's right under this chapter to attend a meeting of the governing body at the place where the meeting is conducted and the minimum number of members is physically present as provided for in subdivision (1).

(d) Each member of the governing body is required to physically attend at least one (1) meeting of the governing body

annually.

(e) Unless a policy adopted by a governing body under subsection (g) provides otherwise, a member who participates in a meeting by electronic communication:

(1) is considered to be present at the meeting;

(2) shall be counted for purposes of establishing a quorum; and

(3) may vote at the meeting.

(f) A governing body may not conduct meetings using a means of electronic communication until the governing body:

(1) meets all requirements of this chapter; and

(2) by a favorable vote of a majority of the members of the governing body, adopts a policy under subsection (g) governing participation in meetings of the governing body by electronic communication.

(g) A policy adopted by a governing body to govern participation in the governing body's meetings by electronic communication may do any of the following:

(1) Require a member to request authorization to participate in a meeting of the governing body by electronic communication within a certain number of days before the meeting to allow for arrangements to be made for the member's participation by electronic communication.

(2) Subject to subsection (e), limit the number of members who may participate in any one (1) meeting by electronic communication.

(3) Limit the total number of meetings that the governing body may conduct in a calendar year by electronic communication.

(4) Limit the number of meetings in a calendar year in which any one (1) member of the governing body may participate by electronic communication.

(5) Provide that a member who participates in a meeting by electronic communication may not cast the deciding vote on any official action. For purposes of this subdivision, a member casts the deciding vote on an official action if, regardless of the order in which the votes are cast:

(A) the member votes with the majority; and

(B) the official action is adopted or defeated by one (1) vote.

(6) Require a member participating in a meeting by electronic communication to confirm in writing the votes cast by the member during the meeting within a certain number of days after the date of the meeting.

(7) Provide that in addition to the location where a meeting is conducted, the public may also attend some or all meetings of the governing body, excluding executive sessions, at a public place or public places at which a member is physically present and participates by electronic communication. If the governing body's policy includes this provision, a meeting notice must provide the following information:

(A) The identity of each member who will be physically present at a public place and participate in the meeting by electronic communication.

(B) The address and telephone number of each public place where a member will be physically present and participate by electronic communication.

(C) Unless the meeting is an executive session, a statement that a location described in clause (B) will be open and accessible to the public.

(8) Require at least a quorum of members to be physically present at the location where the meeting is conducted.

(9) Provide that a member participating by electronic communication may vote on official action only if, subject to subsection (e), a specified number of members:

(A) are physically present at the location where the meeting is conducted; and

(B) concur in the official action.

(10) Establish any other procedures, limitations, or conditions that govern participation in meetings of the governing body by electronic communication and are not in conflict with this chapter.

(h) The policy adopted by the governing body must be posted on the Internet web site of the governing body, the charter school, the airport, or the public agency.

(i) Nothing in this section affects a public agency's or charter school's right to exclude the public from an executive session in which a member participates by electronic communication.

SECTION 3. IC 5-14-1.5-6.1, AS AMENDED BY P.L.164-2019, SECTION 1, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6.1. (a) As used in this section, "public official" means a person:

(1) who is a member of a governing body of a public agency; or

(2) whose tenure and compensation are fixed by law and who executes an oath.

(b) Executive sessions may be held only in the following instances:

(1) Where authorized by federal or state statute.

(2) For discussion of strategy with respect to any of the following:

(A) Collective bargaining.

(B) Initiation of litigation or litigation that is either pending or has been threatened specifically in writing. As used in this clause, "litigation" includes any judicial action or administrative law proceeding under federal or state law.

(C) The implementation of security systems.

(D) A real property transaction including:

(i) a purchase;

(ii) a lease as lessor;

(iii) a lease as lessee;

(iv) a transfer;

(v) an exchange; or

(vi) a sale;

by the governing body up to the time a contract or option is executed by the parties. This clause does not affect a political subdivision's duty to comply with any other statute that governs the conduct of the real property transaction, including IC 36-1-10 or IC 36-1-11.

(E) School consolidation.

However, all such strategy discussions must be necessary

for competitive or bargaining reasons and may not include competitive or bargaining adversaries.

(3) For discussion of the assessment, design, and implementation of school safety and security measures, plans, and systems.

(4) Interviews and negotiations with industrial or commercial prospects or agents of industrial or commercial prospects by:

(A) the Indiana economic development corporation;

(B) the office of tourism development (before July 1, 2020) or the Indiana destination development corporation (after June 30, 2020);

(C) the Indiana finance authority;

(D) the ports of Indiana;

(E) an economic development commission;

(F) the Indiana state department of agriculture;

(G) a local economic development organization that is a nonprofit corporation established under state law whose primary purpose is the promotion of industrial or business development in Indiana, the retention or expansion of Indiana businesses, or the development of entrepreneurial activities in Indiana; ~~or~~

(H) a governing body of a political subdivision; **or**

(I) a nonprofit affiliate entity established by the northwest Indiana regional development authority under IC 36-7.5-4.5-18.5, or a nonprofit affiliate entity established by the north central Indiana regional development authority under IC 36-7.6-3-3.5.

However, this subdivision does not apply to any discussions regarding research that is prohibited under IC 16-34.5-1-2 or under any other law.

(5) To receive information about and interview prospective employees.

(6) With respect to any individual over whom the governing body has jurisdiction:

(A) to receive information concerning the individual's alleged misconduct; and

(B) to discuss, before a determination, the individual's status as an employee, a student, or an independent contractor who is:

(i) a physician; or

(ii) a school bus driver.

(7) For discussion of records classified as confidential by state or federal statute.

(8) To discuss before a placement decision an individual student's abilities, past performance, behavior, and needs.

(9) To discuss a job performance evaluation of individual employees. This subdivision does not apply to a discussion of the salary, compensation, or benefits of employees during a budget process.

(10) When considering the appointment of a public official, to do the following:

(A) Develop a list of prospective appointees.

(B) Consider applications.

(C) Make one (1) initial exclusion of prospective appointees from further consideration.

Notwithstanding IC 5-14-3-4(b)(12), a governing body may release and shall make available for inspection and copying in accordance with IC 5-14-3-3 identifying information concerning prospective appointees not initially excluded from further consideration. An initial exclusion of prospective appointees from further consideration may not reduce the number of prospective appointees to fewer than three (3) unless there are fewer than three (3) prospective appointees. Interviews of prospective appointees must be conducted at a meeting that is open to the public.

(11) To train school board members with an outside consultant about the performance of the role of the members as public officials.

(12) To prepare or score examinations used in issuing licenses, certificates, permits, or registrations under IC 25.

(13) To discuss information and intelligence intended to prevent, mitigate, or respond to the threat of terrorism.

(14) To train members of a board of aviation commissioners appointed under IC 8-22-2 or members of an airport authority board appointed under IC 8-22-3 with an outside consultant about the performance of the role of the members as public officials. A board may hold not more than one (1) executive session per calendar year under this subdivision.

(15) For discussion by the governing body of a state educational institution of:

(A) the assessment of; or

(B) negotiation with another entity concerning;

the establishment of a collaborative relationship or venture to advance the research, engagement, or education mission of the state educational institution. However, this subdivision does not apply to any discussions regarding research that is prohibited under IC 16-34.5-1-2 or under any other law.

(c) A final action must be taken at a meeting open to the public.

(d) Public notice of executive sessions must state the subject matter by specific reference to the enumerated instance or instances for which executive sessions may be held under subsection (b). The requirements stated in section 4 of this chapter for memoranda and minutes being made available to the public is modified as to executive sessions in that the memoranda and minutes must identify the subject matter considered by specific reference to the enumerated instance or instances for which public notice was given. The governing body shall certify by a statement in the memoranda and minutes of the governing body that no subject matter was discussed in the executive session other than the subject matter specified in the public notice.

(e) A governing body may not conduct an executive session during a meeting, except as otherwise permitted by applicable statute. A meeting may not be recessed and reconvened with the intent of circumventing this subsection.

SECTION 4. IC 5-14-3-4, AS AMENDED BY SEA 216-2020, SECTION 2, AND AS AMENDED BY THE TECHNICAL CORRECTIONS BILL OF THE 2020 GENERAL ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 4. (a) The following public

records are excepted from section 3 of this chapter and may not be disclosed by a public agency, unless access to the records is specifically required by a state or federal statute or is ordered by a court under the rules of discovery:

(1) Those declared confidential by state statute.

(2) Those declared confidential by rule adopted by a public agency under specific authority to classify public records as confidential granted to the public agency by statute.

(3) Those required to be kept confidential by federal law.

(4) Records containing trade secrets.

(5) Confidential financial information obtained, upon request, from a person. However, this does not include information that is filed with or received by a public agency pursuant to state statute.

(6) Information concerning research, including actual research documents, conducted under the auspices of a state educational institution, including information:

(A) concerning any negotiations made with respect to the research; and

(B) received from another party involved in the research.

(7) Grade transcripts and license examination scores obtained as part of a licensure process.

(8) Those declared confidential by or under rules adopted by the supreme court of Indiana.

(9) Patient medical records and charts created by a provider, unless the patient gives written consent under IC 16-39 or as provided under IC 16-41-8.

(10) Application information declared confidential by the Indiana economic development corporation under IC 5-28-16, **a nonprofit affiliate entity established by the northwest Indiana regional development authority under IC 36-7.5-4.5-18.5, or a nonprofit affiliate entity established by the north central Indiana regional development authority under IC 36-7.6-3-3.5.**

(11) A photograph, a video recording, or an audio recording of an autopsy, except as provided in IC 36-2-14-10.

(12) A Social Security number contained in the records of a public agency.

(13) The following information that is part of a foreclosure action subject to IC 32-30-10.5:

(A) Contact information for a debtor, as described in IC 32-30-10.5-8(d)(1)(B).

(B) Any document submitted to the court as part of the debtor's loss mitigation package under IC 32-30-10.5-10(a)(3).

(14) The following information obtained from a call made to a fraud hotline established under IC 36-1-8-8.5:

(A) The identity of any individual who makes a call to the fraud hotline.

(B) A report, transcript, audio recording, or other information concerning a call to the fraud hotline.

However, records described in this subdivision may be disclosed to a law enforcement agency, a private university police department, the attorney general, the inspector general, the state examiner, or a prosecuting attorney.

(b) Except as otherwise provided by subsection (a), the following public records shall be excepted from section 3 of this chapter at the discretion of a public agency:

(1) Investigatory records of law enforcement agencies or private university police departments. For purposes of this chapter, a law enforcement recording is not an investigatory record. Law enforcement agencies or private university police departments may share investigatory records with a:

(A) person who advocates on behalf of a crime victim, including a victim advocate (as defined in IC 35-37-6-3.5) or a victim service provider (as defined in IC 35-37-6-5), for the purposes of providing services to a victim or describing services that may be available to a victim; and

(B) school corporation (as defined by IC 20-18-2-16(a)), charter school (as defined by IC 20-24-1-4), or nonpublic school (as defined by IC 20-18-2-12) for the purpose of enhancing the safety or security of a student or a school facility;

without the law enforcement agency or private university police department losing its discretion to keep those records confidential from other records requesters. However, certain law enforcement records must be made available for inspection and copying as provided in section 5 of this chapter.

(2) The work product of an attorney representing, pursuant to state employment or an appointment by a public agency:

(A) a public agency;

(B) the state; or

(C) an individual.

(3) Test questions, scoring keys, and other examination data used in administering a licensing examination, examination for employment, or academic examination before the examination is given or if it is to be given again.

(4) Scores of tests if the person is identified by name and has not consented to the release of the person's scores.

(5) The following:

(A) Records relating to negotiations between:

(i) the Indiana economic development corporation;

(ii) the ports of Indiana;

(iii) the Indiana state department of agriculture;

(iv) the Indiana finance authority;

(v) an economic development commission;

(vi) a local economic development organization that is a nonprofit corporation established under state law whose primary purpose is the promotion of industrial or business development in Indiana, the retention or expansion of Indiana businesses, or the development of entrepreneurial activities in Indiana; ~~or~~

(vii) a governing body of a political subdivision; **or**

(viii) a nonprofit affiliate entity established by the northwest Indiana regional development authority under IC 36-7.5-4.5-18.5, or a nonprofit affiliate entity established by the north central Indiana regional development authority under IC 36-7.6-3-3.5;

with industrial, research, or commercial prospects, if the records are created while negotiations are in progress.

However, this clause does not apply to records regarding research that is prohibited under IC 16-34.5-1-2 or any other law.

(B) Notwithstanding clause (A), the terms of the final offer of public financial resources communicated by the Indiana economic development corporation, the ports of Indiana, the Indiana finance authority, an economic development commission, **a nonprofit affiliate entity established by the northwest Indiana regional development authority under IC 36-7.5-4.5-18.5, a nonprofit affiliate entity established by the north central Indiana regional development authority under IC 36-7.6-3-3.5,** or a governing body of a political subdivision to an industrial, a research, or a commercial prospect shall be available for inspection and copying under section 3 of this chapter after negotiations with that prospect have terminated.

(C) When disclosing a final offer under clause (B), the Indiana economic development corporation, **a nonprofit affiliate entity established by the northwest Indiana regional development authority under IC 36-7.5-4.5-18.5, or a nonprofit affiliate entity established by the north central Indiana regional development authority under IC 36-7.6-3-3.5** shall certify that the information being disclosed accurately and completely represents the terms of the final offer.

(D) Notwithstanding clause (A), an incentive agreement with an incentive recipient shall be available for inspection and copying under section 3 of this chapter after the date the incentive recipient and the Indiana economic development corporation execute the incentive agreement regardless of whether negotiations are in progress with the recipient after that date regarding a modification or extension of the incentive agreement.

(6) Records that are intra-agency or interagency advisory or deliberative material, including material developed by a private contractor under a contract with a public agency, that are expressions of opinion or are of a speculative nature, and that are communicated for the purpose of decision making.

(7) Diaries, journals, or other personal notes serving as the functional equivalent of a diary or journal.

(8) Personnel files of public employees and files of applicants for public employment, except for:

(A) the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first and last employment of present or former officers or employees of the agency;

(B) information relating to the status of any formal charges against the employee; and

(C) the factual basis for a disciplinary action in which final action has been taken and that resulted in the employee being suspended, demoted, or discharged.

However, all personnel file information shall be made available to the affected employee or the employee's representative. This subdivision does not apply to disclosure of personnel information generally on all employees or for groups of employees without the request being particularized by employee name.

(9) Minutes or records of hospital medical staff meetings.

(10) Administrative or technical information that would jeopardize a record keeping system, voting system, voter registration system, or security system.

(11) Computer programs, computer codes, computer filing systems, and other software that are owned by the public agency or entrusted to it and portions of electronic maps entrusted to a public agency by a utility.

(12) Records specifically prepared for discussion or developed during discussion in an executive session under IC 5-14-1.5-6.1. However, this subdivision does not apply to that information required to be available for inspection and copying under subdivision (8).

(13) The work product of the legislative services agency under personnel rules approved by the legislative council.

(14) The work product of individual members and the partisan staffs of the general assembly.

(15) The identity of a donor of a gift made to a public agency if:

(A) the donor requires nondisclosure of the donor's identity as a condition of making the gift; or

(B) after the gift is made, the donor or a member of the donor's family requests nondisclosure.

(16) Library or archival records:

(A) which can be used to identify any library patron; or

(B) deposited with or acquired by a library upon a condition that the records be disclosed only:

(i) to qualified researchers;

(ii) after the passing of a period of years that is specified in the documents under which the deposit or acquisition is made; or

(iii) after the death of persons specified at the time of the acquisition or deposit.

However, nothing in this subdivision shall limit or affect contracts entered into by the Indiana state library pursuant to IC 4-1-6-8.

(17) The identity of any person who contacts the bureau of motor vehicles concerning the ability of a driver to operate a motor vehicle safely and the medical records and evaluations made by the bureau of motor vehicles staff or members of the driver licensing medical advisory board regarding the ability of a driver to operate a motor vehicle safely. However, upon written request to the commissioner of the bureau of motor vehicles, the driver must be given copies of the driver's medical records and evaluations.

(18) School safety and security measures, plans, and systems, including emergency preparedness plans developed under 511 IAC 6.1-2-2.5.

(19) A record or a part of a record, the public disclosure of which would have a reasonable likelihood of threatening public safety by exposing a vulnerability to terrorist attack. A record described under this subdivision includes the following:

(A) A record assembled, prepared, or maintained to

prevent, mitigate, or respond to an act of terrorism under IC 35-47-12-1 (before its repeal), an act of agricultural terrorism under IC 35-47-12-2 (before its repeal), or a felony terrorist offense (as defined in IC 35-50-2-18).
(B) Vulnerability assessments.
(C) Risk planning documents.
(D) Needs assessments.
(E) Threat assessments.
(F) Intelligence assessments.
(G) Domestic preparedness strategies.
(H) The location of community drinking water wells and surface water intakes.
(I) The emergency contact information of emergency responders and volunteers.
(J) Infrastructure records that disclose the configuration of critical systems such as voting system and voter registration system critical infrastructure, and communication, electrical, ventilation, water, and wastewater systems.
(K) Detailed drawings or specifications of structural elements, floor plans, and operating, utility, or security systems, whether in paper or electronic form, of any building or facility located on an airport (as defined in IC 8-21-1-1) that is owned, occupied, leased, or maintained by a public agency, or any part of a law enforcement recording that captures information about airport security procedures, areas, or systems. A record described in this clause may not be released for public inspection by any public agency without the prior approval of the public agency that owns, occupies, leases, or maintains the airport. Both of the following apply to the public agency that owns, occupies, leases, or maintains the airport:
(i) The public agency is responsible for determining whether the public disclosure of a record or a part of a record, including a law enforcement recording, has a reasonable likelihood of threatening public safety by exposing a security procedure, area, system, or vulnerability to terrorist attack.
(ii) The public agency must identify a record described under item (i) and clearly mark the record as "confidential and not subject to public disclosure under IC 5-14-3-4(b)(19)(J) without approval of (insert name of submitting public agency)". However, in the case of a law enforcement recording, the public agency must clearly mark the record as "confidential and not subject to public disclosure under IC 5-14-3-4(b)(19)(K) without approval of (insert name of the public agency that owns, occupies, leases, or maintains the airport)".
(L) The home address, home telephone number, and emergency contact information for any:
(i) emergency management worker (as defined in IC 10-14-3-3);
(ii) public safety officer (as defined in IC 35-47-4.5-3);
(iii) emergency medical responder (as defined in IC 16-18-2-109.8); or
(iv) advanced emergency medical technician (as defined in IC 16-18-2-6.5).
This subdivision does not apply to a record or portion of a record pertaining to a location or structure owned or protected by a public agency in the event that an act of terrorism under IC 35-47-12-1 (before its repeal), an act of agricultural terrorism under IC 35-47-12-2 (before its repeal), or a felony terrorist offense (as defined in IC 35-50-2-18) has occurred at that location or structure, unless release of the record or portion of the record would have a reasonable likelihood of threatening public safety by exposing a vulnerability of other locations or structures to terrorist attack.
(20) The following personal information concerning a customer of a municipally owned utility (as defined in IC 8-1-2-1):
(A) Telephone number.
(B) Address.
(C) Social Security number.
(21) The following personal information about a complainant contained in records of a law enforcement agency:
(A) Telephone number.
(B) The complainant's address. However, if the complainant's address is the location of the suspected crime, infraction, accident, or complaint reported, the address shall be made available for public inspection and copying.
(22) Notwithstanding subdivision (8)(A), the name, compensation, job title, business address, business telephone number, job description, education and training background, previous work experience, or dates of first employment of a law enforcement officer who is operating in an undercover capacity.
(23) Records requested by an offender, an agent, or a relative of an offender that:
(A) contain personal information relating to:
(i) a correctional officer (as defined in IC 5-10-10-1.5);
(ii) a probation officer;
(iii) a community corrections officer;
(iv) a law enforcement officer (as defined in IC 35-31.5-2-185);
(v) a judge (as defined in IC 33-38-12-3);
(vi) the victim of a crime; or
(vii) a family member of a correctional officer, probation officer, community corrections officer, law enforcement officer (as defined in IC 35-31.5-2-185), judge (as defined in IC 33-38-12-3), or victim of a crime; or
(B) concern or could affect the security of a jail or correctional facility.
For purposes of this subdivision, "agent" means a person who is authorized by an offender to act on behalf of, or at the direction of, the offender, and "relative" has the meaning set forth in IC 35-42-2-1(b). However, the term

"agent" does not include an attorney in good standing admitted to the practice of law in Indiana.

(24) Information concerning an individual less than eighteen (18) years of age who participates in a conference, meeting, program, or activity conducted or supervised by a state educational institution, including the following information regarding the individual or the individual's parent or guardian:

(A) Name.

(B) Address.

(C) Telephone number.

(D) Electronic mail account address.

(25) Criminal intelligence information.

(26) The following information contained in a report of unclaimed property under IC 32-34-1-26 or in a claim for unclaimed property under IC 32-34-1-36:

(A) Date of birth.

(B) Driver's license number.

(C) Taxpayer identification number.

(D) Employer identification number.

(E) Account number.

(27) Except as provided in subdivision (19) and sections 5.1 and 5.2 of this chapter, a law enforcement recording. However, before disclosing the recording, the public agency must comply with the obscuring requirements of sections 5.1 and 5.2 of this chapter, if applicable.

(28) Records relating to negotiations between a state educational institution and another entity concerning the establishment of a collaborative relationship or venture to advance the research, engagement, or educational mission of the state educational institution, if the records are created while negotiations are in progress. The terms of the final offer of public financial resources communicated by the state educational institution to an industrial, a research, or a commercial prospect shall be available for inspection and copying under section 3 of this chapter after negotiations with that prospect have terminated. However, this subdivision does not apply to records regarding research prohibited under IC 16-34.5-1-2 or any other law.

(c) Nothing contained in subsection (b) shall limit or affect the right of a person to inspect and copy a public record required or directed to be made by any statute or by any rule of a public agency.

(d) Notwithstanding any other law, a public record that is classified as confidential, other than a record concerning an adoption or patient medical records, shall be made available for inspection and copying seventy-five (75) years after the creation of that record.

(e) Only the content of a public record may form the basis for the adoption by any public agency of a rule or procedure creating an exception from disclosure under this section.

(f) Except as provided by law, a public agency may not adopt a rule or procedure that creates an exception from disclosure under this section based upon whether a public record is stored or accessed using paper, electronic media, magnetic media, optical media, or other information storage technology.

(g) Except as provided by law, a public agency may not adopt a rule or procedure nor impose any costs or liabilities that impede or restrict the reproduction or dissemination of any public record.

(h) Notwithstanding subsection (d) and section 7 of this chapter:

(1) public records subject to IC 5-15 may be destroyed only in accordance with record retention schedules under IC 5-15; or

(2) public records not subject to IC 5-15 may be destroyed in the ordinary course of business.

SECTION 5. IC 8-25-3-6, AS AMENDED BY P.L.197-2016, SECTION 94, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. ~~(a) The following apply to the funding of a public transportation project:~~

~~(1) For the first year of operations, an amount must be raised from sources other than taxes and fares that is equal to at least ten percent (10%) of the revenue that the budget agency certifies that the county will receive in that year from a local income tax imposed to fund the public transportation project.~~

~~(2) For the second year of operations and each year thereafter, at least ten percent (10%) of the annual operating expenses of the public transportation project must be paid from sources other than taxes and fares.~~

(a) The following apply to the funding of a public transportation project:

(1) For the year beginning January 1, 2020, and ending December 31, 2020, a nonprofit corporation located in an eligible county shall raise donations from private donors in an amount that equals or exceeds two percent (2%) of the revenue required to fund the annual operating expenses of the bus rapid transit system.

(2) For the year beginning January 1, 2021, and ending December 31, 2021, a nonprofit corporation located in an eligible county shall raise donations from private donors in an amount that equals or exceeds four percent (4%) of the revenue required to fund the annual operating expenses of the bus rapid transit system.

(3) For the year beginning January 1, 2022, and for each year thereafter, a nonprofit corporation located in an eligible county shall raise donations from private donors in an amount that equals or exceeds ten percent (10%) of the revenue required to fund the annual operating expenses of the bus rapid transit system.

(b) If a nonprofit corporation located in an eligible county fails to raise the amount required under subsection (a)(1), (a)(2), or (a)(3), the auditor of state shall withhold from the amount of the certified distribution attributable to the additional tax rate imposed in Marion County under IC 6-3.6-7-27 the difference between the amount required to be raised under subsection (a)(1), (a)(2), or (a)(3) and the amount actually raised.

(c) The donations raised under subsection (a)(1) through (a)(3) shall be used by the nonprofit corporation to provide transportation related programmatic services that benefit the community in which the public transportation system operates.

(d) For purposes of this ~~subdivision,~~ **section,** operating

expenses include only those expenses incurred in the operation of ~~fixed route~~ **bus rapid transit** services that are established or expanded as a result of a public transportation project authorized and funded under this article. The budget agency shall assist the fiscal body of an eligible county in determining the amount of money that must be raised under ~~subdivision (1).~~ **subsection (a)(1) through (a)(3).**

~~(b)~~ **(e)** A county fiscal body, **a nonprofit corporation located in an eligible county,** or another entity authorized to carry out a public transportation project under IC 8-25-4 shall raise the revenue required by subsection ~~(a)~~ **(a)(1) through (a)(3)** for a particular calendar year before the end of the third quarter of the preceding calendar year. Money raised under this section must be deposited in the county public transportation fund established under section 7 of this chapter.

(f) On or before June 30, 2021, the Indiana department of transportation shall engage an independent consultant to conduct a study and make a report on the overall impact and options of the bus rapid transit system "blue line" project including, but not limited to:

(1) a practical comparison of using shared versus dedicated lanes;

(2) a cost comparison of using shared versus dedicated lanes; and

(3) the impact on the state highway system in the vicinity of the project.

The Indiana department of transportation shall present the report made under this section to the budget committee.

(g) The department of transportation is authorized to:

(1) sole source select the independent consultant to conduct the study described in subsection (f); and

(2) fund the study described in subsection (f) out of the public mass transit fund established by IC 8-23-3-8.

~~(c) If a county fiscal body or other entity fails to raise the revenue required by subsection (a) before the deadline specified in subsection (b), the county in which the public transportation project is located is responsible for paying the difference between:~~

~~(1) the amount that subsection (a) requires to be raised from sources other than taxes and fares; minus~~

~~(2) the amount actually raised from sources other than taxes and fares.~~

(h) If an amount is withheld under subsection (b) as a result of failing to raise the amount required under subsection (a)(1), (a)(2), or (a)(3), the auditor of state shall hold the amount in escrow. After March 31, 2021, and before the annual review by the auditor of state, the public transportation funds may not be used for:

(1) the purchase or establishment of a public transportation project that is not constructed and in service before October 1 in the year that the auditor of state withholds funds;

(2) the extension of a public transportation project that is constructed and in service before October 1 in the year that the auditor of state withholds funds; or

(3) awarding new contracts for a project described in subsection (f)(1).

(i) The amount withheld by the auditor of state under subsection (b) shall be used to make principal and interest payments subject to the payment schedule contained in the bond documents on the bonds issued for a public transportation project at the earliest opportunity.

SECTION 6. IC 8-25-3-7, AS ADDED BY P.L.153-2014, SECTION 17, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) If the fiscal body of an eligible county imposes taxes to fund a public transportation project, the county treasurer of the eligible county shall establish a county public transportation project fund to receive tax revenues collected for the public transportation project. Money received from a foundation established under IC 8-25-7 or IC 8-25-8 may be deposited into the fund.

(b) Money in a fund established under subsection (a) at the end of the eligible county's fiscal year remains in the fund. Interest earned by the fund must be deposited in the fund.

(c) Money deposited in an eligible county's public transportation project fund may be used:

(1) ~~only~~ to purchase, establish, operate, repair, or maintain a public transportation project authorized under this article; **or**

(2) to provide transportation related programmatic services that benefit the community in which the public transportation system operates.

Money in the fund may be pledged by the fiscal body of the eligible county to the repayment of bonds issued for purposes of a public transportation project authorized under this article.

(d) The fiscal body of an eligible county may, in the manner provided by law, appropriate money from the fund to a public transportation corporation that is authorized to:

(1) purchase, establish, operate, repair, or maintain the public transportation project; **or**

(2) provide transportation related programmatic services that benefit the community in which the public transportation system operates;

if the public transportation project is located, either entirely or partially, within the eligible county.

SECTION 7. IC 36-7.5-3-1.5, AS AMENDED BY P.L.189-2018, SECTION 169, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1.5. (a) Except as provided in section 1.7 of this chapter, this section applies to revenue received by the authority to the extent that the revenue has not been pledged or otherwise obligated to pay bonds or leases entered into before July 1, 2015, for a project other than a rail project.

(b) The authority may expend money received under this article to fund economic development projects ~~only~~ to the extent that:

(1) the development board finds that the economic development project is a destination based economic development project evaluated under IC 36-7.5-2-1(4) or is consistent with:

(A) a duty imposed upon the development authority under section 1(2) or 1(4) of this chapter; or

(B) the Marquette Plan; and

(2) funding the project is reviewed by the budget committee under subsection (c).

(c) The development board shall submit to the budget

committee for review and comment any proposal to fund an economic development project (including any destination based economic development project) under this article. The budget committee shall review any proposal received under this subsection and may request that the authority appear at a public meeting of the budget committee concerning the funding proposal. This subsection does not apply to a rail project financed under IC 5-1.3.

(d) Notwithstanding subsections (a) through (c), the development authority may expend money related to transit development districts (established under IC 36-7.5-4.5) or any entity created under IC 36-7.5-4.5-18.5.

SECTION 8. IC 36-7.5-4.5-18.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 18.5. (a) The development board may establish any nonprofit entity to solicit and accept private or public funding, gifts, donations, bequests, devises, and contributions in order to carry out and further the purposes, plans, and goals of the development authority with regard to projects located within a transit development district established under section 17 of this chapter.**

(b) Any nonprofit entity established under this section shall be a governmental body under IC 5-22-2-13 and:

(1) may use money received under subsection (a) only for projects that are located within a transit development district and to further any part of the comprehensive strategic plan of the development authority that relates to transit development districts;
(2) must report to the budget committee each year; and
(3) may deposit money received under subsection (a) in an account or fund that is:
(A) administered by the entity; and
(B) not part of the state treasury.

(c) Each member of the governing board of a nonprofit entity created under this section must be nominated by one (1) or more officers of the development board described in IC 36-7.5-2-5(b) and approved by majority vote of all members of the development board at a regular or special board meeting.

(d) Any nonprofit entity created under this section shall provide its current audited financial statements to the development authority not later than four (4) months after the end of the development authority's fiscal year.

(e) All assets of the nonprofit entity shall accrue to and vest in the development authority upon dissolution.

SECTION 9. IC 36-7.5-4.5-29, AS ADDED BY P.L.248-2017, SECTION 10, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 29. All expenses incurred in carrying out this chapter ~~are~~ **may be** payable ~~solely~~ from revenue received under this chapter or from the proceeds of the financial instruments issued by the development authority payable from revenues received under this chapter, **or any other fund the development authority finds appropriate.** A liability or obligation may not be incurred by the development authority that is greater than the revenue to be received under this chapter.

SECTION 10. IC 36-7.6-3-3.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 3.5. (a) This section applies only to the development authority established under this article for north central Indiana.**

(b) As used in this section, "transit development district" refers to a transit development district established by the northwest Indiana regional development authority under IC 36-7.5-4.5-17.

(c) The development board of the development authority described in subsection (a) may establish any nonprofit entity to solicit and accept private or public funding, gifts, donations, bequests, devises, and contributions in order to carry out and further the purposes, plans, and goals of the development authority with regard to projects located within a transit development district.

(d) Any nonprofit entity established under this section shall be a governmental body under IC 5-22-2-13 and:

(1) may use money received under subsection (c) only for projects that are located within a transit development district and to further any part of the comprehensive strategic plan of the development authority that relates to transit development districts;
(2) must report to the budget committee each year; and
(3) may deposit money received under subsection (c) in an account or fund that is:
(A) administered by the entity; and
(B) not part of the state treasury.

(e) Each member of the governing board of a nonprofit entity created under this section must be nominated by one (1) or more officers of the development board described in IC 36-7.6-2-10(a) and approved by majority vote of all members of the development board at a regular or special board meeting.

(f) Any nonprofit entity created under this section shall provide its current audited financial statements to the development authority not later than four (4) months after the end of the development authority's fiscal year.

(g) All assets of the nonprofit entity shall accrue to and vest in the development authority upon dissolution.

(h) The redevelopment commission for each county that is a member of the development authority shall collaborate with the development authority for the purposes of any nonprofit entity created under this section.

SECTION 11. **An emergency is declared for this act.**

(Reference is to EHB 1279 as reprinted February 28, 2020.)

Soliday, Chair	Mishler
Macer	Tallian
House Conferees	Senate Conferees

Roll Call 400: yeas 46, nays 3. Report adopted.

10:07 p.m.

The Chair declared a recess until the fall of the gavel.

RECESS

The Senate reconvened at 10:25 p.m., with the President of the Senate in the Chair.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: Pursuant to Senate Rule 86(l) your Committee on Rules and Legislative Procedure to which was referred Conference Committee Reports filed on Engrossed House Bill 1004 has had the same under consideration and begs leave to report back to the Senate with the recommendation that said Conference Committee Reports are eligible for consideration.

BRAY, Chair

Report adopted.

CONFERENCE COMMITTEE REPORTS

CONFERENCE COMMITTEE REPORT

EHB 1004–1

Madam President: Your Conference Committee appointed to confer with a like committee from the House upon Engrossed Senate Amendments to Engrossed House Bill 1004 respectfully reports that said two committees have conferred and agreed as follows to wit:

that the House recede from its dissent from all Senate amendments and that the House now concur in all Senate amendments to the bill and that the bill be further amended as follows:

Delete everything after the enacting clause and insert the following:

SECTION 1. IC 12-15-11-6 IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 6. **(a)** After a provider signs a provider agreement under this chapter, the office may not exclude the provider from participating in the Medicaid program by entering into an exclusive contract with another provider or group of providers, except as provided under section 7 of this chapter.

(b) The office or a managed care organization contracting with the office may not prohibit a provider from participating in a network of another insurer, managed care organization, or health maintenance organization.

SECTION 2. IC 16-18-2-375.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 375.5. "Weighted average negotiated charge", for purposes of IC 16-21-17 and IC 16-21-24.5, has the meaning set forth in IC 16-21-17-0.5.**

SECTION 3. IC 16-21-17-0.5 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 0.5. As used in this chapter, "weighted average negotiated charge" means the amount determined in STEP SIX of the following formula with respect to a particular procedure:**

STEP ONE: For each insurer with whom the hospital or an ambulatory outpatient surgical center negotiates a charge for a particular procedure, determine the percentage of the hospital's patients or the ambulatory outpatient surgical center's patients insured by the insurer in the previous calendar year rounded to a whole percentage.

STEP TWO: Multiply each percentage determined under STEP ONE by one hundred (100) and express the results as whole numbers so that the sum of the percentage points determined under STEP ONE is one hundred (100).

STEP THREE: For a particular procedure, determine the amount of the negotiated charge for the procedure for each insurer described in STEP ONE.

STEP FOUR: For each insurer described in STEP ONE, multiply the STEP THREE amount determined for a particular procedure by the result determined under STEP TWO for that insurer.

STEP FIVE: For a particular procedure, determine the sum of the amounts determined under STEP FOUR for all of the insurers described in STEP ONE with respect to that procedure.

STEP SIX: For a particular procedure, determine the quotient of:

(A) the sum determined under STEP FIVE for that procedure; divided by

(B) one hundred (100).

SECTION 4. IC 16-21-17-1, AS ADDED BY SEA 5-2020, SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 1. (a) Not later than March 31, 2021, a hospital and an ambulatory outpatient surgical center shall post on the Internet web site of the hospital or ambulatory outpatient surgical center pricing and other information specified in this chapter for the following:

(1) For as many of the seventy (70) shoppable services specified in the final rule of the Centers for Medicare and Medicaid Services published in 84 FR 65524 that are provided by the hospital or ambulatory outpatient surgical center.

(2) In addition to the services specified in subdivision (1), the thirty (30) most common services that are provided by the hospital or ambulatory outpatient surgical center not included in subdivision (1).

(b) The following information, to the extent applicable, must be included on the Internet web site by a hospital and an ambulatory outpatient surgical center for the shoppable and common services described in subsection (a):

(1) A description of the shoppable and common service.

(2) The weighted average negotiated charge per service per provider type for each of the following categories:

(A) Any nongovernment sponsored health benefit plan or insurance plan provided by a health carrier in which the provider is in the network.

(B) Medicare, including fee for service and Medicare Advantage.

(C) Self-pay without charitable assistance from the hospital or ambulatory outpatient surgical center.

(D) Self-pay with charitable assistance from the hospital or ambulatory outpatient surgical center.

(E) Medicaid, including fee for service and risk based managed care.

SECTION 5. IC 16-21-24.5-2, AS ADDED BY SEA 5-2020, SECTION 3, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 2. (a) Not later than March

31, 2021, an urgent care facility shall post on the Internet web site of the urgent care facility pricing and other information specified in this chapter for the fifteen (15) most common services that are provided by the urgent care facility.

(b) The following information, to the extent applicable, must be included on the Internet web site by an urgent care facility for the fifteen (15) most common services described in subsection (a):

(1) The number of times each service is provided by the urgent care facility.

(2) A description of the service.

(3) The weighted average negotiated charge per service per provider type for each of the following categories:

(A) Any nongovernment sponsored health benefit plan or insurance provided by a health carrier in which the provider is in the network.

(B) Medicare, including fee for service and Medicare Advantage.

(C) Self-pay without charitable assistance from the urgent care facility.

(D) Self-pay with charitable assistance from the urgent care facility.

(E) Medicaid, including fee for service and risk based managed care.

SECTION 6. IC 25-1-9-23 IS ADDED TO THE INDIANA CODE AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: **Sec. 23. (a) This section does not apply to emergency services.**

(b) As used in this section, "covered individual" means an individual who is entitled to be provided health care services at a cost established according to a network plan.

(c) As used in this section, "emergency services" means services that are:

(1) furnished by a provider qualified to furnish emergency services; and

(2) needed to evaluate or stabilize an emergency medical condition.

(d) As used in this section, "in network practitioner" means a practitioner who is required under a network plan to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

(e) As used in this section, "network plan" means a plan under which facilities and practitioners are required by contract to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

(f) As used in this section, "practitioner" means the following:

(1) An individual licensed under IC 25 who provides professional health care services to individuals in a facility.

(2) An organization:

(A) that consists of practitioners described in subdivision (1); and

(B) through which practitioners described in subdivision (1) provide health care services.

(3) An entity that:

(A) is not a facility; and

(B) employs practitioners described in subdivision (1) to provide health care services.

(g) An in network practitioner who provides covered health care services to a covered individual may not charge more for the covered health care services than allowed according to the rate or amount of compensation established by the individual's network plan.

(h) This subsection is effective beginning July 1, 2021. Except as provided in subsection (l), a practitioner shall provide to a covered individual, at least five (5) days before the health care service is scheduled to be provided to the covered individual, a good faith estimate of the amount that the practitioner intends to charge the covered individual for the health care service and in compliance with IC 25-1-9.8-14(a).

(i) An out of network practitioner who provides health care services at an in network facility to a covered individual may not be reimbursed more for the health care services than allowed according to the rate or amount of compensation established by the covered individual's network plan unless all of the following conditions are met:

(1) At least five (5) days before the health care services are scheduled to be provided to the covered individual, the practitioner provides to the covered individual, on a form separate from any other form provided to the covered individual by the practitioner, a statement in conspicuous type at least as large as 14 point type that meets the following requirements:

(A) Includes a notice reading substantially as follows: "[Name of practitioner] intends to charge you more for [name or description of health care services] than allowed according to the rate or amount of compensation established by the network plan applying to your coverage. [Name of practitioner] is not entitled to charge this much for [name or description of health care services] unless you give your written consent to the charge.".

(B) Sets forth the practitioner's good faith estimate of the amount that the practitioner intends to charge for the health care services provided to the covered individual.

(C) Includes a notice reading substantially as follows concerning the good faith estimate set forth under clause (B): "The estimate of our intended charge for [name or description of health care services] set forth in this statement is provided in good faith and is our best estimate of the amount we will charge. If our actual charge for [name or description of health care services] exceeds our estimate, we will explain to you why the charge exceeds the estimate.".

(2) The covered individual signs the statement provided under subdivision (1), signifying the covered individual's consent to the charge for the health care services being greater than allowed according to the rate or amount of compensation established by the network plan.

(j) If an out of network practitioner does not meet the requirements of subsection (i), the out of network

practitioner shall include on any bill remitted to a covered individual a written statement in 14 point type stating that the covered individual is not responsible for more than the rate or amount of compensation established by the covered individual's network plan plus any required copayment, deductible, or coinsurance.

(k) If a covered individual's network plan remits reimbursement to the covered individual for health care services subject to the reimbursement limitation of subsection (i), the network plan shall provide with the reimbursement a written statement in 14 point type that states that the covered individual is not responsible for more than the rate or amount of compensation established by the covered individual's network plan and that is included in the reimbursement plus any required copayment, deductible, or coinsurance.

(l) If the charge of a practitioner for health care services provided to a covered individual exceeds the estimate provided to the covered individual under subsection (i)(1)(B), the facility or practitioner shall explain in a writing provided to the covered individual why the charge exceeds the estimate.

(m) An in network practitioner is not required to provide a covered individual with the good faith estimate required under subsection (h) if the nonemergency health care service is scheduled to be performed by the practitioner within five (5) business days after the health care service is ordered.

(n) The department of insurance shall adopt emergency rules under IC 4-22-2-37.1 to specify the requirements of the notifications set forth in subsections (j) and (k).

SECTION 7. IC 25-1-9.8 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 9.8. Practitioner Good Faith Estimates

Sec. 1. As used in this chapter, "covered individual" means an individual who is entitled to be provided health care services according to a health carrier's network plan.

Sec. 1.5. As used in this chapter, "episode of care" means the medical care ordered to be provided for a specific medical procedure, condition, or illness.

Sec. 2. As used in this chapter, "good faith estimate" means a reasonable estimate of the price a practitioner anticipates charging for an episode of care for nonemergency health care services that:

(1) is made by a practitioner under this chapter upon the request of:

(A) the individual for whom the nonemergency health care service has been ordered; or

(B) the provider facility in which the nonemergency health care service will be provided; and

(2) is not binding upon the practitioner.

Sec. 3. (a) As used in this chapter, "health carrier" means an entity:

(1) that is subject to IC 27 and the administrative rules adopted under IC 27; and

(2) that enters into a contract to:

(A) provide health care services;

(B) deliver health care services;

(C) arrange for health care services; or

(D) pay for or reimburse any of the costs of health care services.

(b) The term includes the following:

(1) An insurer, as defined in IC 27-1-2-3(x), that issues a policy of accident and sickness insurance, as defined in IC 27-8-5-1(a).

(2) A health maintenance organization, as defined in IC 27-13-1-19.

(3) An administrator (as defined in IC 27-1-25-1(a)) that is licensed under IC 27-1-25.

(4) A state employee health plan offered under IC 5-10-8.

(5) A short term insurance plan (as defined by IC 27-8-5.9-3).

(6) Any other entity that provides a plan of health insurance, health benefits, or health care services.

(c) The term does not include:

(1) an insurer that issues a policy of accident and sickness insurance;

(2) a limited service health maintenance organization (as defined in IC 27-13-34-4); or

(3) an administrator;

that only provides coverage for, or processes claims for, dental or vision care services.

Sec. 4. As used in this chapter, "in network", when used in reference to a practitioner, means that the health care services provided by the practitioner are subject to a health carrier's network plan.

Sec. 5. (a) As used in this chapter, "network" means a group of provider facilities and practitioners that:

(1) provide health care services to covered individuals; and

(2) have agreed to, or are otherwise subject to, maximum limits on the prices for the health care services to be provided to the covered individuals.

(b) The term includes the following:

(1) A network described in subsection (a) that is established pursuant to a contract between an insurer providing coverage under a group health policy and:

(A) individual provider facilities and practitioners;

(B) a preferred provider organization; or

(C) an entity that employs or represents providers, including:

(i) an independent practice association; and

(ii) a physician-hospital organization.

(2) A health maintenance organization, as defined in IC 27-13-1-19.

Sec. 6. As used in this chapter, "network plan" means a plan of a health carrier that:

(1) requires a covered individual to receive; or

(2) creates incentives, including financial incentives, for a covered individual to receive;

health care services from one (1) or more providers that are under contract with, managed by, or owned by the health carrier.

Sec. 7. As used in this chapter, "nonemergency health care service" means a discrete service or series of services ordered

by a practitioner for an episode of care for the:
(1) diagnosis;
(2) prevention;
(3) treatment;
(4) cure; or
(5) relief;
of a physical, mental, or behavioral health condition, illness, injury, or disease that is not provided on an emergency or urgent care basis.

Sec. 8. (a) As used in this chapter, "practitioner" means an individual or entity duly licensed or legally authorized to provide health care services.

(b) The term does not include the following:
(1) A dentist licensed under IC 25-14.
(2) An optometrist licensed under IC 25-24.

Sec. 8.5. As used in this chapter, "price" means the negotiated rate between the:
(1) provider facility and practitioner; and
(2) covered individual's primary health carrier.

Sec. 9. As used in this chapter, "provider" means:
(1) a provider facility; or
(2) a practitioner.

Sec. 10. (a) As used in this chapter, "provider facility" means any of the following:
(1) A hospital licensed under IC 16-21-2.
(2) An ambulatory outpatient surgery center licensed under IC 16-21-2.
(3) An abortion clinic licensed under IC 16-21-2.
(4) A birthing center licensed under IC 16-21-2.
(5) Except for an urgent care facility (as defined by IC 27-1-46-10.5), a facility that provides diagnostic services to the medical profession or the general public.
(6) A laboratory where clinical pathology tests are carried out on specimens to obtain information about the health of a patient.
(7) A facility where radiologic and electromagnetic images are made to obtain information about the health of a patient.
(8) An infusion center that administers intravenous medications.

(b) The term does not include the following:
(1) A private mental health institution licensed under IC 12-25.
(2) A Medicare certified, freestanding rehabilitation hospital.

Sec. 11. (a) This section does not apply to an individual who is a Medicaid recipient.

(b) An individual for whom a nonemergency health care service has been ordered, scheduled, or referred may request from the practitioner who may provide the nonemergency health care service a good faith estimate of the total price the practitioner will charge for providing the nonemergency health care service.

(c) A practitioner who receives a request from a patient under subsection (b) shall, not more than five (5) business days after receiving relevant information from the individual, provide to the individual a good faith estimate of the price that the practitioner will charge for providing the nonemergency health care service.

(d) A practitioner must ensure that a good faith estimate provided to an individual under this section is accompanied by a notice stating that:
(1) an estimate provided under this section is not binding on the practitioner;
(2) the price the practitioner charges the individual may vary from the estimate based on the individual's medical needs; and
(3) the estimate provided under this section is only valid for thirty (30) days.

(e) A practitioner may not charge an individual for information provided under this section.

Sec. 12. (a) If:
(1) the individual who requests a good faith estimate from a practitioner under this chapter is a covered individual with respect to a network plan; and
(2) the practitioner from which the individual requests the good faith estimate is in network with respect to the same network plan;
the good faith estimate that the practitioner provides to the individual under this chapter must be based on the negotiated price to which the practitioner has agreed as an in network provider.

(b) If the individual who requests a good faith estimate from a practitioner under this chapter:
(1) is not a covered individual with respect to any network plan; or
(2) is not a covered individual with respect to a network plan with respect to which the practitioner is in network;
the good faith estimate that the practitioner provides to the individual under this chapter must be based on the price that the practitioner charges for the nonemergency health care service in the absence of any network plan.

Sec. 13. A practitioner may provide a good faith estimate to an individual under this chapter:
(1) in a writing delivered to the individual;
(2) by electronic mail; or
(3) through a mobile application or other Internet web based method, if available;
according to the preference expressed by the individual.

Sec. 14. (a) A good faith estimate provided by a practitioner to an individual under this chapter must meet the following requirements:
(1) Provide a summary of the services and material items that the good faith estimate is based on.
(2) Include:
(A) the price charged for the services and material items that the practitioner will provide and charge the individual; and
(B) the price that the provider facility in which the health care service will be performed charged for:
(i) the use of the provider facility to care for the individual for the nonemergency health care service;
(ii) the services rendered by the staff of the provider facility in connection with the

nonemergency health care service; and

(iii) medication, supplies, equipment, and material items to be provided to or used by the individual while the individual is present in the provider facility in connection with the nonemergency health care service;

for imaging, laboratory services, diagnostic services, therapy, observation services, and other services expected to be provided to the individual for the episode of care.

(3) Include a total figure that is a sum of the estimated prices referred to in subdivisions (1) and (2).

(b) Subsection (a) does not prohibit a practitioner from providing to an individual a good faith estimate that indicates how much of the total figure stated under subsection (a)(2) will be the individual's out-of-pocket expense after the health carrier's payment of charges.

(c) A health carrier and a provider facility must provide a practitioner with the information needed by the practitioner to comply with the requirements under this chapter not more than two (2) business days after receiving the request. The provider facility shall provide the practitioner with all relevant information for services and costs for the good faith estimate that are to be provided by the provider facility for inclusion in a good faith estimate by the practitioner.

(d) A practitioner is not subject to the penalties under section 19 of this chapter if:

(1) a health carrier or provider facility fails to provide the practitioner with the information as required under subsection (c);

(2) the practitioner provides the individual with a good faith estimate based on any information that the practitioner has; and

(3) the practitioner provides the individual with an updated good faith estimate after the health carrier or provider facility has provided the information required under subsection (c).

Sec. 15. If:

(1) a practitioner is expected to provide a nonemergency health care service to an individual in a provider facility; and

(2) the provider facility receives a request from an individual for a good faith estimate under IC 27-1-46;

the practitioner, upon request from the provider facility, shall provide to the provider facility a good faith estimate of the practitioner's price for providing the nonemergency health care service to enable the provider facility to comply with IC 27-1-46-11.

Sec. 16. (a) A practitioner that has ordered the individual for a nonemergency health care service shall provide to the individual an electronic or paper copy of a written notice that states the following, or words to the same effect: "A patient may at any time ask a health care provider for an estimate of the price the health care providers and health facility will charge for providing a nonemergency medical service. The law requires that the estimate be provided within 5 business days.".

(b) The appropriate board (as defined in IC 25-1-9-1) may adopt rules under IC 4-22-2 to establish requirements for practitioners to provide additional charging information under this section.

Sec. 17. If:

(1) a practitioner receives a request for a good faith estimate under this chapter; and

(2) the patient is eligible for Medicare coverage;

the practitioner shall provide a good faith estimate to the patient within five (5) business days based on available Medicare rates.

Sec. 18. (a) As used in this section, "waiting room" means a space in a building used by a practitioner in which people check in or register to:

(1) be seen by practitioners; or

(2) meet with members of the staff of a practitioner's office.

(b) A practitioner shall ensure that each waiting room of the practitioner's office includes at least one (1) printed notice that:

(1) is designed, lettered, and positioned within the waiting room so as to be conspicuous to and readable by any individual with normal vision who visits the waiting room; and

(2) states the following, or words to the same effect: "A patient may ask for an estimate of the amount the patient will be charged for a nonemergency medical service provided in this practitioner office. The law requires that an estimate be provided within 5 business days.".

(c) If a practitioner maintains an Internet web site, the practitioner shall ensure that the Internet web site includes at least one (1) printed notice that:

(1) is designed, lettered, and featured on the Internet web site so as to be conspicuous to and readable by any individual with normal vision who visits the Internet web site; and

(2) states the following, or words to the same effect: "A patient may ask for an estimate of the amount the patient will be charged for a nonemergency medical service provided in our office. The law requires that an estimate be provided within 5 business days.".

Sec. 19. The appropriate board (as defined in IC 25-1-9-1) may take action against a practitioner:

(1) under IC 25-1-9-9(a)(3) or IC 25-1-9-9(a)(4) for an initial violation or isolated violations of this chapter; or

(2) under IC 25-1-9-9(a)(6) for repeated or persistent violations of this chapter;

concerning the providing of a good faith estimate to an individual for whom a nonemergency health care service has been ordered or the providing of notice in the practitioner's waiting room or on the practitioner's Internet web site that a patient may at any time ask for an estimate of the price that the patient will be charged for a medical service.

SECTION 8. IC 25-22.5-5.5 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 5.5. Physician Noncompete Agreements

Sec. 1. This chapter applies to physician noncompete agreements originally entered into on or after July 1, 2020.

Sec. 2. To be enforceable, a physician noncompete agreement must include all of the following provisions:

(1) A provision that requires the employer of the physician to provide the physician with a copy of any notice that:

(A) concerns the physician's departure from the employer; and

(B) was sent to any patient seen or treated by the physician during the two (2) year period preceding the termination of the physician's employment or the expiration of the physician's contract. Provided, however, the patient names and contact information be redacted from the copy of the notice provided from the employer of the physician to the physician.

(2) A provision that requires the physician's employer to, in good faith, provide the physician's last known or current contact and location information to a patient who:

(A) requests updated contact and location information for the physician; and

(B) was seen or treated by the physician during the two (2) year period preceding the termination of the physician's employment or the expiration of the physician's contract.

(3) A provision that provides the physician with:

(A) access to; or

(B) copies of;

any medical record associated with a patient described in subdivision (1) or (2) upon receipt of the patient's consent.

(4) A provision that provides the physician whose employment has terminated or whose contract has expired with the option to purchase a complete and final release from the terms of the enforceable physician noncompete agreement at a reasonable price. However, in the event the physician elects not to exercise the purchase option, then the option to purchase provision may not be used in any manner to restrict, bar, or otherwise limit the employer's equitable remedies, including the employer's enforcement of the physician noncompete agreement.

(5) A provision that prohibits the providing of patient medical records to a requesting physician in a format that materially differs from the format used to create or store the medical record during the routine or ordinary course of business, unless a different format is mutually agreed upon by the parties. Paper or portable document format copies of the medical records satisfy the formatting provisions of this chapter.

Sec. 3. A person or entity required to create, copy, or transfer a patient medical record for a reason specified in this chapter may charge a reasonable fee for the service as permitted under applicable state or federal law.

Sec. 4. Nothing in this chapter shall be construed to prohibit, limit, impair, or abrogate:

(1) the ability of the parties to negotiate any other term not specified under this chapter; or

(2) any other right, remedy, or relief permitted by law or in equity.

SECTION 9. IC 25-22.5-17 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 17. Physician's Patient Information

Sec. 1. If a physician licensed under this article leaves the employment of an employer, the following apply:

(1) The employer of the physician must provide the physician with a copy of any notice that:

(A) concerns the physician's departure from the employer; and

(B) was sent to any patient seen or treated by the physician during the two (2) year period preceding the termination of the physician's employment or the expiration of the physician's contract. However, the patient names and contact information must be redacted from the copy of the notice provided from the employer of the physician to the physician.

(2) The physician's employer must, in good faith, provide the physician's last known or current contact and location information to a patient who:

(A) requests updated contact and location information for the physician; and

(B) was seen or treated by the physician during the two (2) year period preceding the termination of the physician's employment or the expiration of the physician's contract.

(3) The physician's employer must provide the physician with:

(A) access to; or

(B) copies of;

any medical record associated with a patient described in subdivision (1) or (2) upon receipt of the patient's consent.

(4) The physician's employer may not provide patient medical records to a requesting physician in a format that materially differs from the format used to create or store the medical record during the routine or ordinary course of business, unless a different format is mutually agreed upon by the parties. Paper or portable document format copies of the medical records satisfy the formatting provisions of this chapter.

Sec. 2. A person or entity required to create, copy, or transfer a patient medical record for a reason specified in this chapter may charge a reasonable fee for the service as permitted under applicable state or federal law.

SECTION 10. IC 27-1-37-7, AS ADDED BY SEA 5-2020, SECTION 5, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]: Sec. 7. (a) This section applies to health provider contracts ~~beginning July 1, 2020.~~ **entered into or renewed after June 30, 2020.**

(b) A health provider contract, including a contract with a pharmacy benefit manager or a health facility, may not contain a provision that prohibits the disclosure of health care service claims data to employers providing the coverage. However, any disclosure of claims data must comply with health privacy laws,

including the federal Health Insurance Portability and Accountability Act (HIPAA) (P.L. 104-191).

(c) A violation of this section constitutes an unfair or deceptive act or practice in the business of insurance under IC 27-4-1-4.

SECTION 11. IC 27-1-45 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 45. Health Facility Compensation

Sec. 0.5. This chapter does not apply to emergency services.

Sec. 1. As used in this chapter, "covered individual" means an individual who is entitled to be provided health care services at a cost established according to a network plan.

Sec. 1.5. As used in this chapter, "emergency services" means services that are:

(1) furnished by a provider qualified to furnish emergency services; and

(2) needed to evaluate or stabilize an emergency medical condition.

Sec. 2. (a) As used in this chapter, "facility" means an institution in which health care services are provided to individuals. The term includes:

(1) hospitals and other licensed ambulatory surgical centers; and

(2) ambulatory outpatient surgical centers.

(b) The term does not include the following:

(1) A private mental health institution licensed under IC 12-25.

(2) A Medicare certified, freestanding rehabilitation hospital.

Sec. 3. As used in this chapter, "in network provider" means a provider that is required under a network plan to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

Sec. 4. As used in this chapter, "network plan" means a plan under which providers are required by contract to provide health care services to covered individuals at not more than a preestablished rate or amount of compensation.

Sec. 5. As used in this chapter, "practitioner" means the following:

(1) An individual licensed under IC 25 who provides professional health care services to individuals in a facility.

(2) An organization:

(A) that consists of practitioners described in subdivision (1); and

(B) through which practitioners described in subdivision (1) provide health care services.

(3) An entity that:

(A) is not a facility; and

(B) employs practitioners described in subdivision (1) to provide health care services.

Sec. 6. As used in this chapter, "provider" means:

(1) a facility; or

(2) a practitioner.

Sec. 7. (a) This section is effective beginning July 1, 2021.

(b) Except as provided in subsection (c), a:

(1) facility; and

(2) practitioner;

shall provide to a covered individual, at least five (5) days before a health care service is scheduled to be provided by the facility or practitioner to the covered individual, a good faith estimate of the amount that the facility or practitioner intends to charge for each health care service to be provided to the covered individual and in compliance with IC 27-1-46-11(c).

(c) A facility or a practitioner is not required to provide the good faith estimate required in subsection (b) if the health care service to be provided to the covered individual is scheduled to be performed within five (5) business days after the health care service is ordered.

Sec. 8. (a) An out of network practitioner who provides health care services at an in network facility to a covered individual may not be reimbursed more for the health care services than allowed according to the rate or amount of compensation established by the covered individual's network plan as described in subsection (b) unless all of the following conditions are met:

(1) At least five (5) days before the health care services are scheduled to be provided to the covered individual, the facility or practitioner provides to the covered individual, on a form separate from any other form provided to the covered individual by the facility or practitioner, a statement in conspicuous type at least as large as 14 point type that meets the following requirements:

(A) Includes a notice reading substantially as follows: "[Name of facility or practitioner] intends to charge you more for [name or description of health care services] than allowed according to the rate or amount of compensation established by the network plan applying to your coverage. [Name of facility or practitioner] is not entitled to charge this much for [name or description of health care services] unless you give your written consent to the charge.".

(B) Sets forth the facility's or practitioner's good faith estimate of the amount that the facility or practitioner intends to charge for the health care services provided to the covered individual.

(C) Includes a notice reading substantially as follows concerning the good faith estimate set forth under clause (B): "The estimate of our intended charge for [name or description of health care services] set forth in this statement is provided in good faith and is our best estimate of the amount we will charge. If our actual charge for [name or description of health care services] exceeds our estimate, we will explain to you why the charge exceeds the estimate.".

(2) The covered individual signs the statement provided under subdivision (1), signifying the covered individual's consent to the charge for the health care services being greater than allowed according to the rate or amount of compensation established by the network plan.

(b) If an out of network practitioner does not meet the requirements of subsection (a), the out of network practitioner shall include on any bill remitted to a covered individual a written statement in 14 point type stating that the covered individual is not responsible for more than the rate or amount of compensation established by the covered individual's network plan plus any required copayment, deductible, or coinsurance.

(c) If a covered individual's network plan remits reimbursement to the covered individual for health care services subject to the reimbursement limitation of subsection (a), the network plan shall provide with the reimbursement a written statement in 14 point type that states that the covered individual is not responsible for more than the rate or amount of compensation established by the covered individual's network plan and that is included in the reimbursement plus any required copayment, deductible, or coinsurance.

(d) If the charge of a facility or practitioner for health care services provided to a covered individual exceeds the estimate provided to the covered individual under subsection (a)(1)(B), the facility or practitioner shall explain in a writing provided to the covered individual why the charge exceeds the estimate.

(e) The department shall adopt emergency rules under IC 4-22-2-37.1 to specify the requirements of the notifications set forth in:

(1) subsections (b) and (c); and

(2) IC 25-1-9-23(j) and IC 25-1-9-23(k).

Sec. 9. (a) The insurance commissioner may, after notice and hearing under IC 4-21.5, impose on the provider facility a civil penalty of not more than one thousand dollars ($1,000) for each violation of this chapter.

(b) A civil penalty collected under this section shall be deposited in the department of insurance fund established by IC 27-1-3-28.

SECTION 12. IC 27-1-46 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 46. Provider Facility Good Faith Estimates

Sec. 0.5. Nothing in this chapter prohibits:

(1) a self-funded health benefit plan that complies with the federal Employee Retirement Income Security Act (ERISA) of 1974 (29 U.S.C. 1001 et seq.); or

(2) a:

(A) self-insurance program established to provide group health coverage as described in IC 5-10-8-7(b); or

(B) a contract for health services as described in IC 5-10-8-7(c);

from providing information requested by a practitioner or provider facility under this chapter.

Sec. 1. As used in this chapter, "covered individual" means an individual who is entitled to be provided health care services according to a health carrier's network plan.

Sec. 1.5. As used in this chapter, "episode of care" means the medical care ordered to be provided for a specific medical procedure, condition, or illness.

Sec. 2. As used in this chapter, "good faith estimate" means a reasonable estimate of the price a provider anticipates charging for an episode of care for nonemergency health care services that:

(1) is made by a provider under this chapter upon the request of the individual for whom the nonemergency health care service has been ordered; and

(2) is not binding upon the provider.

Sec. 3. (a) As used in this chapter, "health carrier" means an entity:

(1) that is subject to IC 27 and the administrative rules adopted under IC 27; and

(2) that enters into a contract to:

(A) provide health care services;

(B) deliver health care services;

(C) arrange for health care services; or

(D) pay for or reimburse any of the costs of health care services.

(b) The term includes the following:

(1) An insurer, as defined in IC 27-1-2-3(x), that issues a policy of accident and sickness insurance, as defined in IC 27-8-5-1(a).

(2) A health maintenance organization, as defined in IC 27-13-1-19.

(3) An administrator (as defined in IC 27-1-25-1(a)) that is licensed under IC 27-1-25.

(4) A state employee health plan offered under IC 5-10-8.

(5) A short term insurance plan (as defined by IC 27-8-5.9-3).

(6) Any other entity that provides a plan of health insurance, health benefits, or health care services.

(c) The term does not include:

(1) an insurer that issues a policy of accident and sickness insurance;

(2) a limited service health maintenance organization (as defined in IC 27-13-34-4); or

(3) an administrator;

that only provides coverage for, or processes claims for, dental or vision care services.

Sec. 4. As used in this chapter, "in network", when used in reference to a provider, means that the health care services provided by the provider are subject to a health carrier's network plan.

Sec. 5. (a) As used in this chapter, "network" means a group of provider facilities and practitioners that:

(1) provide health care services to covered individuals; and

(2) have agreed to, or are otherwise subject to, maximum limits on the prices for the health care services to be provided to the covered individuals.

(b) The term includes the following:

(1) A network described in subsection (a) that is established pursuant to a contract between an insurer providing coverage under a group health policy and:

(A) individual provider facilities and practitioners;

(B) a preferred provider organization; or

(C) an entity that employs or represents providers,

including:
(i) an independent practice association; and
(ii) a physician-hospital organization.
(2) A health maintenance organization, as defined in IC 27-13-1-19.

Sec. 6. As used in this chapter, "network plan" means a plan of a health carrier that:
(1) requires a covered individual to receive; or
(2) creates incentives, including financial incentives, for a covered individual to receive;
health care services from one (1) or more providers that are under contract with, managed by, or owned by the health carrier.

Sec. 7. As used in this chapter, "nonemergency health care service" means a discrete service or series of services ordered by a practitioner for an episode of care for the purpose of:
(1) diagnosis;
(2) prevention;
(3) treatment;
(4) cure; or
(5) relief;
of a physical, mental, or behavioral health condition, illness, injury, or disease that is not provided on an emergency or urgent care basis.

Sec. 8. (a) As used in this chapter, "practitioner" means an individual or entity duly licensed or legally authorized to provide health care services.
(b) The term does not include the following:
(1) A dentist licensed under IC 25-14.
(2) An optometrist licensed under IC 25-24.

Sec. 8.5. As used in this chapter, "price" means the negotiated rate between the:
(1) provider facility and practitioner; and
(2) covered individual's primary health carrier.

Sec. 9. As used in this chapter, "provider" means:
(1) a provider facility; or
(2) a practitioner.

Sec. 10. (a) As used in this chapter, "provider facility"means any of the following:
(1) A hospital licensed under IC 16-21-2.
(2) An ambulatory outpatient surgery center licensed under IC 16-21-2.
(3) An abortion clinic licensed under IC 16-21-2.
(4) A birthing center licensed under IC 16-21-2.
(5) Except for an urgent care facility, a facility that provides diagnostic services to the medical profession or the general public, including outpatient facilities.
(6) A laboratory where clinical pathology tests are carried out on specimens to obtain information about the health of a patient.
(7) A facility where radiologic and electromagnetic images are made to obtain information about the health of a patient.
(8) An infusion center that administers intravenous medications.
(b) The term does not include the following:
(1) A private mental health institution licensed under IC 12-25.
(2) A Medicare certified, freestanding rehabilitation hospital.

Sec. 10.5. (a) As used in this chapter, "urgent care facility" means a freestanding health care facility that offers episodic, walk-in care for the treatment of acute, but not life threatening, health conditions.
(b) The term does not include an emergency department of a hospital or a nonprofit or government operated health clinic.

Sec. 11. (a) This section does not:
(1) apply to a individual who is a Medicaid recipient; or
(2) limit the authority of a legal representative of the patient.
(b) An individual for whom a nonemergency health care service has been ordered, scheduled, or referred may request from the provider facility in which the nonemergency health care service will be provided a good faith estimate of the price that will be charged for the nonemergency health care service.
(c) A provider facility that receives a request from an individual under subsection (b) shall, not more than five (5) business days after receiving relevant information from the individual, provide to the individual a good faith estimate of:
(1) the price that the provider facility in which the health care service will be performed will charge for:
(A) the use of the provider facility to care for the individual for the nonemergency health care service;
(B) the services rendered by the staff of the provider facility in connection with the nonemergency health care service; and
(C) medication, supplies, equipment, and material items to be provided to or used by the individual while the individual is present in the provider facility in connection with the nonemergency health care service; and
(2) the price charged for the services of all practitioners, support staff, and other persons who provide professional health services:
(A) who may provide services to or for the individual during the individual's presence in the provider facility for the nonemergency health care service; and
(B) for whose services the individual will be charged separately from the charge of the provider facility.
(d) The price that must be included in a good faith estimate under this section includes all services under subsection (c)(1) or (c)(2) for imaging, laboratory services, diagnostic services, therapy, observation services, and other services expected to be provided to the individual for the episode of care.
(e) A provider facility shall ensure that a good faith estimate states that:
(1) an estimate provided under this section is not binding on the provider facility;
(2) the price the provider facility charges the individual may vary from the estimate based on the individual's medical needs; and
(3) the estimate provided under this section is only valid

for thirty (30) days.

(f) A provider facility may not charge a patient for information provided under this section.

Sec. 12. (a) If:

(1) the individual who requests a good faith estimate from a provider facility under this chapter and has been verified as a covered individual with respect to a network plan; and

(2) the provider facility from which the individual requests the good faith estimate is in network with respect to the same network plan;

the good faith estimate that the provider facility provides to the individual under this chapter must be based on the price to which the provider facility and any practitioners referred to in section 11(c)(2) of this chapter have agreed as in network providers.

(b) If the individual who requests a good faith estimate from a provider facility under this chapter:

(1) is not a covered individual with respect to any network plan; or

(2) is not a covered individual with respect to a network plan with respect to which the provider facility is in network;

the good faith estimate that the provider facility provides to the individual under this chapter must be based on the price that the provider facility and any practitioners referred to in section 11(c)(2) of this chapter charge for the nonemergency health care services in the absence of any network plan.

Sec. 13. A provider facility may provide a good faith estimate to an individual under this chapter:

(1) in a writing delivered to the individual;

(2) by electronic mail; or

(3) through a mobile application or other Internet web based method, if available;

according to the preference expressed by the individual.

Sec. 14. (a) A good faith estimate provided by a provider facility to an individual under this chapter must:

(1) provide a summary of the services and material items that the good faith estimate is based on; and

(2) include a total figure that is a sum of the estimated prices referred to in subdivision (1).

(b) Subsection (a) does not prohibit a provider facility from providing to an individual a good faith estimate that indicates how much of the total figure stated under subsection (a)(2) will be the individual's out-of-pocket expense after the health carrier's payment of charges.

(c) A health carrier or practitioner must provide a provider facility with the information needed by the provider facility to comply with the requirements under this chapter not more than two (2) business days after receiving the request.

(d) A provider facility is not subject to the penalties under section 17 of this chapter if:

(1) a health carrier or practitioner fails to provide the provider facility with the information as required under subsection (c);

(2) the provider facility provides the individual with a good faith estimate based on any information that the provider facility has; and

(3) the provider facility provides the individual with an updated good faith estimate after the health carrier or practitioner has provided the information required under subsection (c).

Sec. 15. (a) As used in this section, "waiting room" means a space in a building used by a provider facility in which people check in or register to:

(1) be seen by practitioners; or

(2) meet with members of the staff of the provider facility.

(b) A provider facility shall ensure that each waiting room of the provider facility includes at least one (1) printed notice that:

(1) is designed, lettered, and positioned within the waiting room so as to be conspicuous to and readable by any individual with normal vision who visits the waiting room; and

(2) states the following, or words to the same effect: "A patient may ask for an estimate of the amount the patient will be charged for a nonemergency medical service provided in this facility. The law requires that an estimate be provided within 5 business days.".

(c) If a provider facility maintains an Internet web site, the provider facility shall ensure that the Internet web site includes at least one (1) printed notice that:

(1) is designed, lettered, and featured on the Internet web site so as to be conspicuous to and readable by any individual with normal vision who visits the Internet web site; and

(2) states the following, or words to the same effect: "A patient may ask for an estimate of the amount the patient will be charged for a nonemergency medical service provided in our facility. The law requires that an estimate be provided within 5 business days.".

Sec. 16. If:

(1) a provider facility receives a request for a good faith estimate under this chapter; and

(2) the patient is eligible for Medicare coverage;

the provider facility shall provide a good faith estimate to the patient within five (5) business days based on available Medicare rates.

Sec. 17. (a) If a provider facility fails or refuses:

(1) to provide a good faith estimate as required by this chapter; or

(2) to provide notice on the provider facility's Internet web site as required under this chapter;

the insurance commissioner may, after notice and hearing under IC 4-21.5, impose on the provider facility a civil penalty of not more than one thousand dollars ($1,000) for each violation.

(b) A civil penalty collected under this section shall be deposited in the department of insurance fund established by IC 27-1-3-28.

SECTION 13. IC 27-2-25 IS ADDED TO THE INDIANA CODE AS A **NEW** CHAPTER TO READ AS FOLLOWS [EFFECTIVE JULY 1, 2020]:

Chapter 25. Health Carrier Good Faith Estimates

Sec. 0.5. Nothing in this chapter prohibits:
(1) a self-funded health benefit plan that complies with the federal Employee Retirement Income Security Act (ERISA) of 1974 (29 U.S.C. 1001 et seq.); or
(2) a:
(A) self-insurance program established to provide group health coverage as described in IC 5-10-8-7(b); or
(B) contract for health services, as described in IC 5-10-8-7(c);
from providing information requested by a practitioner or provider facility under this chapter.

Sec. 1. As used in this chapter, "coverage" means the right of an individual to receive:
(1) health care services; or
(2) payment or reimbursement for health care services;
from a health carrier.

Sec. 2. As used in this chapter, "covered individual" means an individual who is entitled to coverage from a health carrier.

Sec. 2.5. As used in this chapter, "episode of care" means the medical care ordered to be provided for a specific medical procedure, condition, or illness.

Sec. 3. As used in this chapter, "good faith estimate" means a health carrier's reasonable estimate of:
(1) the amount of the cost of a nonemergency health care service that the health carrier will:
(A) pay for; or
(B) reimburse to;
a covered individual; or
(2) the applicable benefit limitations of the nonemergency health care service a covered individual is entitled to receive;
that a health carrier provides upon request to a covered individual for whom a nonemergency health care service has been ordered.

Sec. 4. (a) As used in this chapter, "health carrier" means an entity:
(1) that is subject to this title and the administrative rules adopted under this title; and
(2) that enters into a contract to:
(A) provide health care services;
(B) deliver health care services;
(C) arrange for health care services; or
(D) pay for or reimburse any of the costs of health care services.
(b) The term includes the following:
(1) An insurer, as defined in IC 27-1-2-3(x), that issues a policy of accident and sickness insurance, as defined in IC 27-8-5-1(a).
(2) A health maintenance organization, as defined in IC 27-13-1-19.
(3) An administrator (as defined in IC 27-1-25-1(a)) that is licensed under IC 27-1-25.
(4) A state employee health plan offered under IC 5-10-8.
(5) A short term insurance plan (as defined by IC 27-8-5.9-3).
(6) Any other entity that provides a plan of health insurance, health benefits, or health care services.
(c) The term does not include:
(1) an insurer that issues a policy of accident and sickness insurance;
(2) a limited service health maintenance organization (as defined in IC 27-13-34-4); or
(3) an administrator;
that only provides coverage for, or processes claims for, dental or vision care services.

Sec. 5. As used in this chapter, "in network", when used in reference to a practitioner, means that the health care services provided by the practitioner are subject to a health carrier's network plan.

Sec. 6. (a) As used in this chapter, "network" means a group of provider facilities and practitioners that:
(1) provide health care services to covered individuals; and
(2) have agreed to, or are otherwise subject to, maximum limits on the prices for the health care services to be provided to the covered individuals.
(b) The term includes the following:
(1) A network described in subsection (a) that is established pursuant to a contract between an insurer providing coverage under a group health policy and:
(A) individual provider facilities and practitioners;
(B) a preferred provider organization; or
(C) an entity that employs or represents providers, including:
(i) an independent practice association; and
(ii) a physician-hospital organization.
(2) A health maintenance organization, as defined in IC 27-13-1-19.

Sec. 7. As used in this chapter, "network plan" means a plan of a health carrier that:
(1) requires a covered individual to receive; or
(2) creates incentives, including financial incentives, for a covered individual to receive;
health care services from one (1) or more providers that are under contract with, managed by, or owned by the health carrier.

Sec. 8. As used in this chapter, "nonemergency health care service" means a discrete service or series of services ordered by a practitioner for an episode of care for the:
(1) diagnosis;
(2) prevention;
(3) treatment;
(4) cure; or
(5) relief;
of a physical, mental, or behavioral health condition, illness, injury, or disease that is not provided on an emergency or urgent care basis.

Sec. 9. (a) As used in this chapter, "practitioner" means an individual or entity duly licensed or legally authorized to provide health care services.
(b) The term does not include the following:
(1) A dentist licensed under IC 25-14.
(2) An optometrist licensed under IC 25-24.

Sec. 9.5. As used in this chapter, "price" means the negotiated rate between the:

(1) provider facility and practitioner; and

(2) covered individual's primary health carrier;

minus the amount that the health carrier will pay.

Sec. 10. As used in this chapter, "provider" means:

(1) a provider facility; or

(2) a practitioner.

Sec. 11. As used in this chapter, "provider facility"means any of the following:

(1) A hospital licensed under IC 16-21-2.

(2) An ambulatory outpatient surgery center licensed under IC 16-21-2.

(3) An abortion clinic licensed under IC 16-21-2.

(4) A birthing center licensed under IC 16-21-2.

(5) Except for an urgent care facility (as defined by IC 27-1-46-10.5), a facility that provides diagnostic services to the medical profession or the general public.

(6) A laboratory where clinical pathology tests are carried out on specimens to obtain information about the health of a patient.

(7) A facility where radiologic and electromagnetic images are made to obtain information about the health of a patient.

(8) An infusion center that administers intravenous medications.

Sec. 12. (a) A covered individual may request from the health carrier a good faith estimate of:

(1) the amount of the cost of the nonemergency health care service that the health carrier will:

(A) pay for; or

(B) reimburse to;

the covered individual; or

(2) the applicable benefit limitations of the ordered nonemergency health care service a covered individual is entitled to receive from the health carrier.

(b) If:

(1) a health carrier provides coverage to a covered individual through a network plan; and

(2) the health carrier receives a request for a good faith estimate from a covered individual for whom a nonemergency health care service has been ordered;

the health carrier shall inform the covered individual whether the provider facility in which the nonemergency health care service will be provided is in network and whether each scheduled practitioner who may provide the nonemergency health care service is in network.

(c) A health carrier that receives a request from a covered individual patient under subsection (b) shall, not more than five (5) business days after receiving relevant information, provide to the individual a good faith estimate as described in section 14 of this chapter.

(d) A health carrier must ensure that a good faith estimate states that the estimate provided under this section is only valid for thirty (30) days and that:

(1) the amount that the health carrier will:

(A) pay; or

(B) reimburse;

for or to the covered individual for the nonemergency health care services the individual receives; and

(2) the applicable benefit limitations of the nonemergency health care services the individual will receive;

may vary from the health carrier's good faith estimate based on the individual's medical needs.

(e) A health carrier may not charge an individual for information provided under this section.

(f) A practitioner and provider facility shall provide a health carrier with the information needed by the health carrier to comply with the requirements under this chapter not more than two (2) business days after receiving the request.

Sec. 13. A health carrier may provide a good faith estimate to an individual under this chapter:

(1) in a writing delivered to the individual;

(2) by electronic mail; or

(3) through a mobile application or other Internet web based method, if available;

according to the preference expressed by the individual.

Sec. 14. (a) A good faith estimate provided by a health carrier to an individual under this chapter must:

(1) in the case of an insurer or another health carrier that pays or reimburses the cost of health care services:

(A) provide a summary of the services and material items that the good faith estimate is based on;

(B) include a total figure that is a sum of the amounts referred to in clause (A); and

(C) state the out-of-pocket costs the covered individual will incur, if any, beyond the amount that the health carrier will pay or reimburse; and

(2) in the case of a health maintenance organization or another health carrier that provides health care services:

(A) provide a summary of the applicable benefit limitations of the health care services to which the covered individual is entitled; and

(B) state the out-of-pocket costs the covered individual will incur, if any, beyond being provided the health care services referred to in clause (A).

(b) A practitioner and provider facility shall provide a health carrier with the information needed by the health carrier to comply with the requirements under this chapter not more than two (2) business days after receiving the request.

(c) A health carrier is not subject to the penalties under section 16 of this chapter if:

(1) a provider facility or practitioner fails to provide the health carrier with the information as required under subsection (b);

(2) the health carrier provides the individual with a good faith estimate based on any information that the health carrier has; and

(3) the health carrier provides the individual with an updated good faith estimate after the provider facility or practitioner has provided the information required under subsection (b).

Sec. 15. A health carrier that provides an Internet web site for the use of its covered individuals shall ensure that the Internet web site includes a printed notice that:

(1) is designed, lettered, and featured on the Internet web site so as to be conspicuous to and readable by any individual with normal vision who visits the Internet web site; and

(2) states the following, or words to the same effect: "A covered individual may at any time ask the health carrier for an estimate of the amount the health carrier will pay for or reimburse to a covered individual for nonemergency health care services that have been ordered for the covered individual or the applicable benefit limitations of the ordered nonemergency health care services a covered individual is entitled to receive from the health carrier. The law requires that an estimate be provided within 5 business days.".

Sec. 16. (a) If a health carrier fails or refuses:

(1) to provide a good faith estimate as required by this chapter; or

(2) to provide notice on the health carrier's Internet web site as required by section 15 of this chapter;

the insurance commissioner may, after notice and hearing under IC 4-21.5, impose on the health carrier a civil penalty of not more than one thousand dollars ($1,000) for each day of noncompliance.

(b) A civil penalty collected under this section shall be deposited in the department of insurance fund established by IC 27-1-3-28.

(Reference is to EHB 1004 as reprinted March 3, 2020.)

Smaltz, Chair	Charbonneau
Schaibley	Breaux
House Conferees	Senate Conferees

Roll Call 401: yeas 46, nays 2. Report adopted.

SENATE MOTION

Madam President: I move that all requests for interim studies, including those made by concurrent resolutions, bills which failed to pass both Houses of the General Assembly, or written or oral requests to the President Pro Tempore of the Senate, are hereby referred to the Legislative Council for further consideration as it deems necessary or appropriate.

BRAY

Motion prevailed.

SENATE MOTION

Madam President: I move that Senators Glick, Buchanan, Tallian, and Breaux be appointed as a committee of four members of the Senate to confer with the House of Representatives for the purpose of ascertaining if the House of Representatives has any further legislative business to transact with the Senate.

Senator Glick shall serve as chair of the committe.

BRAY

Motion prevailed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: Your Committee appointed to ascertain whether the House of Representatives has any further legislative business to transact hereby reports that your Committee has conferred with the House of Representatives and the House of Representatives has no further business to transact with the Senate.

GLICK, Chair
BUCHANAN
TALLIAN
BREAUX

Report adopted.

SENATE MOTION

Madam President: I move that Senators Garten, Spartz, Stoops, and Melton be appointed as a committee of four members of the Senate to confer with the Governor for the purpose of ascertaining if the Governor has any further communications to make to the Senate.

Senator Garten shall serve as chair of the Committee.

BRAY

Motion prevailed.

REPORTS FROM COMMITTEES

COMMITTEE REPORT

Madam President: Your committee appointed to confer with the Governor to ascertain whether or not he has any further communications to make to the Senate hereby reports that your committee has waited upon the Governor and that the Governor has no further communications to make to the Senate.

GARTEN, Chair
SPARTZ
STOOPS
MELTON

Report adopted.

SENATE MOTION

Madam President: I move that at 10:47 p.m., March 11, 2020, the Senate do now adjourn *sine die*.

BRAY

Motion prevailed. The Senate adjourned *sine die*.

JENNIFER L. MERTZ	SUZANNE CROUCH
Secretary of the Senate	President of the Senate

MESSAGES RECEIVED AFTER ADJOURNMENT SINE DIE

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed Senate Bill 335.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed House Bills 1006, 1065, 1108, 1235, and 1372.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed House Bills 1004 and 1207.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted conference committee report 1 on Engrossed Senate Bills 241 and 367.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted the following motion:

"I move that the Speaker of the House of Representatives appoint a committee of four members of the House of Representatives to confer with the Senate for the purpose of ascertaining if the Senate has any further legislative business to transact with the House of Representatives."

The Speaker has appointed Representatives Sherman, Vermilion, Pfaff, and Pryor.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted the following motion:

"I move that the Speaker of the House of Representatives appoint a committee of four members of the House of Representatives to confer with the Governor for the purpose of ascertaining if the Governor has any further communication to make to the House of Representatives."

The Speaker has appointed Representatives Abbott, Hostettler, Austin, and Pierce.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted the following motion:

"I move that the Speaker of the House of Representatives appoint a committee of four members of the House of Representatives to inform the Senate that the House of Representatives has completed its business and is ready to adjourn."

The Speaker has appointed Representatives Prescott, Burton, Klinker, and V. Smith.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House has adopted the following motion:

"I move that the Speaker of the House of Representatives appoint a committee of four members of the House of Representatives to inform the Governor that the House of Representatives has completed its business and is ready to adjourn."

The Speaker has appointed Representatives Wolkins, Bacon, Candelaria-Reardon, and Macer.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE HOUSE

Madam President: I am directed by the House to inform the Senate that the House of Representatives has adjourned for the Second Regular Session of the 121st General Assembly *sine die* at 12:13 a.m. on March 12, 2020.

M. CAROLINE SPOTTS
Principal Clerk of the House

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Thursday, March 12, 2020, signed Senate Enrolled Acts: 5, 10, 132, 148, 179, 184, 190, 216, 229, 237, 241, 246, 256, 258, 299, 319, 335, 340, 346, 350, 367, 383, 395, 398, 408, 433, and 438 and House Enrolled Acts 1003, 1004, 1014, 1022, 1045, 1049, 1059, 1063, 1066, 1070, 1077, 1092, 1099, 1108, 1111, 1113, 1120, 1131, 1148, 1153, 1157, 1165, 1176, 1182, 1207, 1209 ,1225, 1235, 1244, 1246, 1264, 1265, 1283, 1305, 1309, 1313, 1326, 1341, 1343, 1353, 1372, 1385, 1392, 1414, 1419.

RODRIC D. BRAY
President Pro Tempore

MESSAGE FROM THE PRESIDENT PRO TEMPORE

Madam President and Members of the Senate: I have on Thursday, March 12, 2020, signed Senate Enrolled Acts: 1, 47, 80, 295, and 334 and House Enrolled Acts 1006 and 1065.

RODRIC D. BRAY
President Pro Tempore

MESSAGE FROM THE GOVERNOR

Madam President and Members of the Senate: On Saturday, March 14, 2020, I signed the following Senate Enrolled Acts into law: SEA 21, 39, 78, 109, and 358.

ERIC J. HOLCOMB
Governor

MESSAGE FROM THE PRESIDENT OF THE SENATE

Members of the Senate: I have on the 18th day of March, 2020, signed Senate Enrolled Acts: 1, 5, 10, 19, 20, 25, 47, 50, 80, 100, 132, 146, 148, 177, 179, 184, 190, 194, 206, 209, 216, 229, 230, 237, 239, 241, 246, 249, 254, 256, 257, 258, 267, 269, 272, 273, 295, 299, 302, 319, 331, 334, 335, 340, 343, 346, 350, 365, 367, 383, 395, 398, 405, 406, 408, 409, 410, 424, 427, 430, 433, and 438, and House Enrolled Acts 1002, 1003, 1004, 1006, 1014, 1022, 1032, 1043, 1045, 1049, 1052, 1059, 1063, 1065, 1066, 1070, 1077, 1090, 1092, 1096, 1099, 1108, 1109, 1111, 1113, 1120, 1131, 1147, 1148, 1153, 1157, 1165, 1176, 1182, 1198, 1207, 1209, 1225, 1235, 1243, 1244, 1246, 1264, 1265, 1267, 1283, 1305, 1309, 1313, 1326, 1341, 1343, 1353, 1372, 1385, 1392, 1414, and 1419.

SUZANNE CROUCH
Lieutenant Governor

MESSAGE FROM THE GOVERNOR

Madam President and Members of the Senate: On Wednesday, March 18, 2020, I signed the following Senate Enrolled Acts into law: SEA 1, 5, 10, 19, 20, 25, 47, 50, 132, 146, 177, 190, 194, 206, 209, 216, 230, 237, 239, 241, 246, 249, 257, 258, 267, 272, 273, 295, 299, 319, 331, 340, 343, 346, 350, 383, 395, 398, 405, 410, 427, 433, and 438.

ERIC J. HOLCOMB
Governor

MESSAGE FROM THE GOVERNOR

Madam President and Members of the Senate: On Saturday, March 21, 2020, I signed the following Senate Enrolled Acts into law: SEA 80, 100, 179, 184, 254, 256, 269, 302, 334, 335, 365, 367, 406, 408, 409, 430, and 424.

ERIC J. HOLCOMB
Governor

MESSAGE FROM THE GOVERNOR

Madam President and Members of the Senate: On Wednesday, March 25, 2020, I signed the following Senate Enrolled Acts into law: SEA 229.

ERIC J. HOLCOMB
Governor

MESSAGE FROM THE GOVERNOR

By the authority vested in me as Governor of Indiana, under the provisions of Article 5, Section 14, of the Constitution of the State of Indiana, I do hereby veto Senate Enrolled Act No. 148, enacted during the second regular session of the 121st General Assembly and related to zoning and housing matters.

While I understand the bill was intended to create uniformity between state and local law governing the relationship between landlords and tenants, I believe this is not the right time for such language to become law. Since the Indiana General Assembly adjourned just two weeks ago, circumstances have changed dramatically and I have taken numerous steps to protect Hoosiers from the spread and effects of COVID-19. As part of our response, I signed Executive Order 20-06 prohibiting eviction or foreclosure actions involving residential real estate or property to protect Hoosiers during this public health emergency.

Further, I believe the language in the bill is overly broad. If enacted it would prevent almost any type of local control over landlord-tenant relationships. It even contains a particularly broad provision pre-empting local governments from regulating "any other aspect of the landlord-tenant relationship."

While I appreciate the attempt to create retaliatory protections, I vetoed Senate Enrolled Act No. 148 for the reasons above. I took no issue with the provisions regarding manufactured homes and industrialized residential structures.

Date: March 25, 2020.

ERIC J. HOLCOMB
Governor

Roll Calls
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INDIANA SENATE
121ST GENERAL ASSEMBLY
SECOND REGULAR SESSION
2020

Senate

Roll Call 2: Resolution Adopted

HCR 1

To allow the House of Representatives and the Senate of the 121st General Assembly to adjourn and recess separately throughout the Second Regular Session for periods in excess of three (3) consecutive.

Yea	47
Nay	0
Excused	3
Not Voting	0

Presiding: President

Yea - 47

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Stoops
Brown	Garten	Mishler	Taylor
Buchanan	Gaskill	Mrvan	Walker
Buck	Glick	Niemeyer	Young
Busch	Grooms	Niezgodski	Zay
Charbonneau	Holdman	Perfect	

Nay - 0

Excused - 3

Kruse	Tallian	Tomes

Not Voting - 0

Senate

Roll Call 6: Amendment Failed

SB 2 - Raatz - 2nd Reading

School accountability.
Amendment #1 - Melton

Yea	8
Nay	37
Excused	3
Not Voting	2

Presiding: President

Yea - 8

Ford J.D.	Melton	Niezgodski	Tallian
Lanane	Mrvan	Stoops	Taylor

Nay - 37

Bassler	Crane	Koch	Ruckelshaus
Becker	Crider	Kruse	Sandlin
Bohacek	Donato	Leising	Spartz
Boots	Doriot	Merritt	Tomes
Bray	Freeman	Messmer	Walker
Brown	Garten	Mishler	Young
Buchanan	Gaskill	Niemeyer	Zay
Buck	Glick	Perfect	
Busch	Holdman	Raatz	
Charbonneau	Houchin	Rogers	

Excused - 3

Ford Jon	Grooms	Randolph

Not Voting - 2

Alting	Breaux

Senate

Roll Call 8: Bill Passed

SB 2 - Raatz - 3rd Reading

School accountability.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	
Crider	Kruse	Rogers	

Nay - 0

Excused - 1

Alting

Not Voting - 0

Senate

Roll Call 10: Bill Passed

SB 10 - Boots - 3rd Reading

Pension matters.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Tallian
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Stoops

Not Voting - 0

Senate

Roll Call 11: Bill Passed

SB 16 - Bohacek - 3rd Reading

Juvenile delinquents and firearms.

Yea	43
Nay	6
Excused	1
Not Voting	0

Presiding: President

Yea - 43

Alting	Charbonneau	Koch	Raatz
Bassler	Crane	Kruse	Randolph
Becker	Crider	Lanane	Rogers
Bohacek	Donato	Leising	Ruckelshaus
Boots	Doriot	Melton	Sandlin
Bray	Ford J.D.	Merritt	Tallian
Breaux	Ford Jon	Messmer	Taylor
Brown	Freeman	Mishler	Walker
Buchanan	Grooms	Mrvan	Young
Buck	Holdman	Niemeyer	Zay
Busch	Houchin	Niezgodski	

Nay - 6

Garten	Glick	Perfect	Spartz
Gaskill			Tomes

Excused - 1

Stoops

Not Voting - 0

Senate

Roll Call 12: Bill Passed

SB 21 - Rogers - 3rd Reading

Prescriptions by out-of-state physician assistants.

Yea	46
Nay	3
Excused	1
Not Voting	0

Presiding: President

Yea - 46

Alting	Crane	Koch	Raatz
Bassler	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Taylor
Buchanan	Gaskill	Mrvan	Tomes
Buck	Glick	Niemeyer	Walker
Busch	Grooms	Niezgodski	
Charbonneau	Holdman	Perfect	

Nay - 3

Houchin	Young	Zay

Excused - 1

Stoops

Not Voting - 0

Senate

Roll Call 13: Bill Passed

SB 25 - Boots - 3rd Reading

Mental health disability review panels.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Tallian
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Stoops

Not Voting - 0

Senate

Roll Call 14: Bill Passed

SB 39 - Freeman - 3rd Reading

Specialized driving privileges.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Tallian
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Stoops

Not Voting - 0

Senate

Roll Call 15: Bill Passed

SB 69 - Sandlin - 3rd Reading

Possession of firearms on school property.

Yea	42
Nay	7
Excused	1
Not Voting	0

Presiding: President

Yea - 42

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Rogers
Becker	Donato	Kruse	Ruckelshaus
Bohacek	Doriot	Leising	Sandlin
Boots	Ford Jon	Merritt	Spartz
Bray	Freeman	Messmer	Tomes
Brown	Garten	Mishler	Walker
Buchanan	Gaskill	Mrvan	Young
Buck	Glick	Niemeyer	Zay
Busch	Grooms	Niezgodski	
Charbonneau	Holdman	Perfect	

Nay - 7

Breaux	Lanane	Randolph	Taylor
Ford J.D.	Melton	Tallian	

Excused - 1

Stoops

Not Voting - 0

Senate

Roll Call 16: Bill Passed

SB 72 - Tomes - 3rd Reading

Hyperbaric oxygen treatment pilot program.

Yea	47
Nay	1
Excused	1
Not Voting	1

Presiding: President

Yea - 47

Alting	Crane	Koch	Raatz
Bassler	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Tomes
Buchanan	Gaskill	Mrvan	Walker
Buck	Glick	Niemeyer	Young
Busch	Grooms	Niezgodski	Zay
Charbonneau	Houchin	Perfect	

Nay - 1

Holdman

Excused - 1

Stoops

Not Voting - 1

Taylor

Senate

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Roll Call 17: Bill Passed

SB 80 - Young M - 3rd Reading

Indiana Code publication bill.

Yea	48
Nay	0
Excused	1
Not Voting	1

Presiding: President

Yea - 48

Alting	Crane	Houchin	Perfect
Bassler	Crider	Koch	Raatz
Becker	Donato	Kruse	Randolph
Bohacek	Doriot	Lanane	Rogers
Boots	Ford J.D.	Leising	Ruckelshaus
Bray	Ford Jon	Melton	Sandlin
Breaux	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mishler	Tomes
Buck	Glick	Mrvan	Walker
Busch	Grooms	Niemeyer	Young
Charbonneau	Holdman	Niezgodski	Zay

Nay - 0

Excused - 1

Stoops

Not Voting - 1

Taylor

Senate

Roll Call 18: Bill Passed

SB 187 - Doriot - 3rd Reading

Elkhart County courts.

Yea	48
Nay	1
Excused	1
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Perfect
Bassler	Crider	Koch	Raatz
Becker	Donato	Kruse	Randolph
Bohacek	Doriot	Lanane	Rogers
Boots	Ford J.D.	Leising	Ruckelshaus
Bray	Ford Jon	Melton	Sandlin
Breaux	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mishler	Tomes
Buck	Glick	Mrvan	Walker
Busch	Grooms	Niemeyer	Young
Charbonneau	Holdman	Niezgodski	Zay

Nay - 1

Taylor

Excused - 1

Stoops

Not Voting - 0

Senate

Roll Call 19: Bill Passed

SB 194 - Young M - 3rd Reading

Drug scheduling.

Yea	48
Nay	1
Excused	1
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Perfect
Bassler	Crider	Koch	Raatz
Becker	Donato	Kruse	Randolph
Bohacek	Doriot	Lanane	Rogers
Boots	Ford J.D.	Leising	Ruckelshaus
Bray	Ford Jon	Melton	Sandlin
Breaux	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mishler	Tomes
Buck	Glick	Mrvan	Walker
Busch	Grooms	Niemeyer	Young
Charbonneau	Holdman	Niezgodski	Zay

Nay - 1

Taylor

Excused - 1

Stoops

Not Voting - 0

Senate

Roll Call 22: Resolution Adopted

HCR 8

Commemorating the centennial anniversary of Indiana ratifying the 19th Amendment.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	
Crider	Kruse	Rogers	

Nay - 0

Excused - 1

Bassler

Not Voting - 0

Senate

Roll Call 24: Bill Passed

SB 61 - Charbonneau - 3rd Reading

EMS personnel licensure interstate compact.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 25: Bill Passed

SB 67 - Sandlin - 3rd Reading

Township homeless assistance.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 26: Bill Passed

SB 78 - Messmer - 3rd Reading

Shovel ready site development center.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 27: Bill Passed

SB 132 - Crider - 3rd Reading

Department of homeland security.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 28: Bill Passed

SB 144 - Zay - 3rd Reading

Kids first trust fund board subsidiary corporation.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 29: Bill Passed

SB 192 - Grooms - 3rd Reading

Inpatient mental health care for Medicaid children.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 30: Bill Passed

SB 226 - Boots - 3rd Reading

Equine dentistry.

Yea	40
Nay	10
Excused	0
Not Voting	0

Presiding: President

Yea - 40

Bassler	Crider	Koch	Rogers
Becker	Donato	Lanane	Ruckelshaus
Bohacek	Doriot	Leising	Sandlin
Boots	Ford Jon	Messmer	Spartz
Brown	Freeman	Mishler	Stoops
Buchanan	Garten	Mrvan	Tallian
Buck	Gaskill	Niezgodski	Tomes
Busch	Glick	Perfect	Walker
Charbonneau	Grooms	Raatz	Young
Crane	Holdman	Randolph	Zay

Nay - 10

Alting	Ford J.D.	Melton	Taylor
Bray	Houchin	Merritt	
Breaux	Kruse	Niemeyer	

Excused - 0

Not Voting - 0

Senate

Roll Call 31: Bill Passed

SB 229 - Spartz - 3rd Reading

Maintenance of regulated drains.

Yea	32
Nay	18
Excused	0
Not Voting	0

Presiding: President

Yea - 32

Boots	Doriot	Koch	Raatz
Bray	Ford Jon	Kruse	Randolph
Brown	Freeman	Leising	Rogers
Buchanan	Garten	Messmer	Sandlin
Buck	Gaskill	Mishler	Spartz
Busch	Grooms	Mrvan	Taylor
Crane	Holdman	Niemeyer	Walker
Donato	Houchin	Perfect	Zay

Nay - 18

Alting	Charbonneau	Melton	Tallian
Bassler	Crider	Merritt	Tomes
Becker	Ford J.D.	Niezgodski	Young
Bohacek	Glick	Ruckelshaus	
Breaux	Lanane	Stoops	

Excused - 0

Not Voting - 0

Senate

Roll Call 32: Bill Passed

SB 246 - Crider - 3rd Reading

Mental health services.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 33: Bill Passed

SB 267 - Bohacek - 3rd Reading

Administration of 211 services.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 34: Amendment Failed

HB 1007 - Mishler - 2nd Reading

Fiscal matters.
Amendment #3 - Tallian

Yea	10
Nay	40
Excused	0
Not Voting	0

Presiding: Bray

Yea - 10

Breaux	Melton	Randolph	Taylor
Ford J.D.	Mrvan	Stoops	
Lanane	Niezgodski	Tallian	

Nay - 40

Alting	Charbonneau	Grooms	Perfect
Bassler	Crane	Holdman	Raatz
Becker	Crider	Houchin	Rogers
Bohacek	Donato	Koch	Ruckelshaus
Boots	Doriot	Kruse	Sandlin
Bray	Ford Jon	Leising	Spartz
Brown	Freeman	Merritt	Tomes
Buchanan	Garten	Messmer	Walker
Buck	Gaskill	Mishler	Young
Busch	Glick	Niemeyer	Zay

Excused - 0

Not Voting - 0

Senate

Roll Call 35: Amendment Failed

HB 1007 - Mishler - 2nd Reading

Fiscal matters.
Amendment #2 - Breaux

Yea	10
Nay	40
Excused	0
Not Voting	0

Presiding: Bray

Yea - 10

Breaux	Melton	Randolph	Taylor
Ford J.D.	Mrvan	Stoops	
Lanane	Niezgodski	Tallian	

Nay - 40

Alting	Charbonneau	Grooms	Perfect
Bassler	Crane	Holdman	Raatz
Becker	Crider	Houchin	Rogers
Bohacek	Donato	Koch	Ruckelshaus
Boots	Doriot	Kruse	Sandlin
Bray	Ford Jon	Leising	Spartz
Brown	Freeman	Merritt	Tomes
Buchanan	Garten	Messmer	Walker
Buck	Gaskill	Mishler	Young
Busch	Glick	Niemeyer	Zay

Excused - 0

Not Voting - 0

Senate

Roll Call 36: Amendment Failed

HB 1007 - Mishler - 2nd Reading

Fiscal matters.
Amendment #1 - Tallian

Yea	10
Nay	40
Excused	0
Not Voting	0

Presiding: Bray

Yea - 10

Breaux	Melton	Randolph	Taylor
Ford J.D.	Mrvan	Stoops	
Lanane	Niezgodski	Tallian	

Nay - 40

Alting	Charbonneau	Grooms	Perfect
Bassler	Crane	Holdman	Raatz
Becker	Crider	Houchin	Rogers
Bohacek	Donato	Koch	Ruckelshaus
Boots	Doriot	Kruse	Sandlin
Bray	Ford Jon	Leising	Spartz
Brown	Freeman	Merritt	Tomes
Buchanan	Garten	Messmer	Walker
Buck	Gaskill	Mishler	Young
Busch	Glick	Niemeyer	Zay

Excused - 0

Not Voting - 0

Senate

Roll Call 38: Bill Passed

SB 1 - Charbonneau - 3rd Reading

Tobacco and vaping smoking age.

Yea	38
Nay	9
Excused	3
Not Voting	0

Presiding: President

Yea - 38

Alting	Crider	Leising	Ruckelshaus
Becker	Donato	Melton	Sandlin
Bohacek	Doriot	Merritt	Spartz
Bray	Ford J.D.	Messmer	Stoops
Breaux	Ford Jon	Mishler	Tallian
Brown	Glick	Mrvan	Taylor
Buchanan	Grooms	Niezgodski	Walker
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Lanane	Rogers	

Nay - 9

Bassler	Freeman	Koch	Tomes
Boots	Gaskill	Niemeyer	Young
Buck			

Excused - 3

Garten	Kruse	Randolph

Not Voting - 0

Senate

Roll Call 39: Bill Passed

SB 12 - Boots - 3rd Reading

Resident tuition rate for active duty personnel.

Yea	47
Nay	0
Excused	3
Not Voting	0

Presiding: President

Yea - 47

Alting	Crane	Koch	Rogers
Bassler	Crider	Lanane	Ruckelshaus
Becker	Donato	Leising	Sandlin
Bohacek	Doriot	Melton	Spartz
Boots	Ford J.D.	Merritt	Stoops
Bray	Ford Jon	Messmer	Tallian
Breaux	Freeman	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	

Nay - 0

Excused - 3

Garten	Kruse	Randolph

Not Voting - 0

Senate

Roll Call 40: Bill Passed

SB 20 - Gaskill - 3rd Reading

County plan commissions.

Yea	46
Nay	1
Excused	3
Not Voting	0

Presiding: President

Yea - 46

Alting	Crider	Lanane	Ruckelshaus
Bassler	Donato	Leising	Sandlin
Becker	Doriot	Melton	Spartz
Bohacek	Ford J.D.	Merritt	Stoops
Bray	Ford Jon	Messmer	Tallian
Breaux	Freeman	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Rogers	

Nay - 1

Boots

Excused - 3

Garten	Kruse	Randolph

Not Voting - 0

Senate

Roll Call 41: Bill Passed

SB 68 - Sandlin - 3rd Reading

Whistleblower reports.

Yea	47
Nay	0
Excused	3
Not Voting	0

Presiding: President

Yea - 47

Alting	Crane	Koch	Rogers
Bassler	Crider	Lanane	Ruckelshaus
Becker	Donato	Leising	Sandlin
Bohacek	Doriot	Melton	Spartz
Boots	Ford J.D.	Merritt	Stoops
Bray	Ford Jon	Messmer	Tallian
Breaux	Freeman	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	

Nay - 0

Excused - 3

Garten	Kruse	Randolph

Not Voting - 0

Senate

Roll Call 42: Bill Passed

SB 100 - Doriot - 3rd Reading

Nonconforming structures.

Yea	47
Nay	0
Excused	3
Not Voting	0

Presiding: President

Yea - 47

Alting	Crane	Koch	Rogers
Bassler	Crider	Lanane	Ruckelshaus
Becker	Donato	Leising	Sandlin
Bohacek	Doriot	Melton	Spartz
Boots	Ford J.D.	Merritt	Stoops
Bray	Ford Jon	Messmer	Tallian
Breaux	Freeman	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	

Nay - 0

Excused - 3

Garten	Kruse	Randolph

Not Voting - 0

Senate

Roll Call 43: Bill Passed

SB 102 - Ruckelshaus - 3rd Reading

Interim study committee on utility taxes and fees.

Yea	46
Nay	0
Excused	4
Not Voting	0

Presiding: President

Yea - 46

Alting	Crane	Koch	Ruckelshaus
Bassler	Crider	Lanane	Sandlin
Becker	Donato	Leising	Spartz
Bohacek	Doriot	Merritt	Stoops
Boots	Ford J.D.	Messmer	Tallian
Bray	Ford Jon	Mishler	Taylor
Breaux	Freeman	Mrvan	Tomes
Brown	Gaskill	Niemeyer	Walker
Buchanan	Glick	Niezgodski	Young
Buck	Grooms	Perfect	Zay
Busch	Holdman	Raatz	
Charbonneau	Houchin	Rogers	

Nay - 0

Excused - 4

Garten	Kruse	Melton	Randolph

Not Voting - 0

Senate

Roll Call 44: Bill Passed

SB 180 - Walker - 3rd Reading

Public employees deferred compensation plan.

Yea	46
Nay	0
Excused	3
Not Voting	1

Presiding: President

Yea - 46

Alting	Crane	Koch	Ruckelshaus
Bassler	Crider	Lanane	Sandlin
Becker	Donato	Leising	Spartz
Bohacek	Doriot	Melton	Stoops
Boots	Ford J.D.	Merritt	Tallian
Bray	Ford Jon	Messmer	Taylor
Breaux	Freeman	Mishler	Tomes
Brown	Gaskill	Niemeyer	Walker
Buchanan	Glick	Niezgodski	Young
Buck	Grooms	Perfect	Zay
Busch	Holdman	Raatz	
Charbonneau	Houchin	Rogers	

Nay - 0

Excused - 3

Garten	Kruse	Randolph

Not Voting - 1

Mrvan

Senate

Roll Call 45: Bill Passed

SB 195 - Koch - 3rd Reading

Career and technical education clusters.

Yea	40
Nay	5
Excused	4
Not Voting	1

Presiding: President

Yea - 40

Alting	Busch	Grooms	Niezgodski
Bassler	Charbonneau	Holdman	Perfect
Becker	Crane	Houchin	Raatz
Bohacek	Crider	Koch	Rogers
Boots	Donato	Lanane	Ruckelshaus
Bray	Doriot	Leising	Sandlin
Breaux	Ford J.D.	Merritt	Taylor
Brown	Ford Jon	Messmer	Tomes
Buchanan	Gaskill	Mishler	Walker
Buck	Glick	Niemeyer	Zay

Nay - 5

Freeman	Stoops	Tallian	Young
Spartz			

Excused - 4

Garten	Kruse	Melton	Randolph

Not Voting - 1

Mrvan

Senate

Roll Call 46: Bill Passed

SB 237 - Brown L - 3rd Reading

Care of city police officers and firefighters.

Yea	46
Nay	0
Excused	3
Not Voting	1

Presiding: President

Yea - 46

Alting	Crane	Koch	Ruckelshaus
Bassler	Crider	Lanane	Sandlin
Becker	Donato	Leising	Spartz
Bohacek	Doriot	Melton	Stoops
Boots	Ford J.D.	Merritt	Tallian
Bray	Ford Jon	Messmer	Taylor
Breaux	Freeman	Mishler	Tomes
Brown	Gaskill	Niemeyer	Walker
Buchanan	Glick	Niezgodski	Young
Buck	Grooms	Perfect	Zay
Busch	Holdman	Raatz	
Charbonneau	Houchin	Rogers	

Nay - 0

Excused - 3

Garten	Kruse	Randolph

Not Voting - 1

Mrvan

Senate

Roll Call 47: Bill Passed

SB 254 - Charbonneau - 3rd Reading

Water and wastewater utilities.

Yea	45
Nay	1
Excused	3
Not Voting	1

Presiding: President

Yea - 45

Alting	Crane	Lanane	Sandlin
Bassler	Crider	Leising	Spartz
Becker	Donato	Melton	Stoops
Bohacek	Doriot	Merritt	Tallian
Boots	Ford J.D.	Messmer	Taylor
Bray	Ford Jon	Mishler	Tomes
Breaux	Gaskill	Niemeyer	Walker
Brown	Glick	Niezgodski	Young
Buchanan	Grooms	Perfect	Zay
Buck	Holdman	Raatz	
Busch	Houchin	Rogers	
Charbonneau	Koch	Ruckelshaus	

Nay - 1

Freeman

Excused - 3

Garten, Kruse, Randolph

Not Voting - 1

Mrvan

Senate

Roll Call 48: Bill Passed

HB 1007 - Mishler - 3rd Reading

Fiscal matters.

Yea	38
Nay	8
Excused	3
Not Voting	1

Presiding: Bray

Yea - 38

Alting	Charbonneau	Holdman	Raatz
Bassler	Crane	Houchin	Rogers
Becker	Crider	Koch	Ruckelshaus
Bohacek	Donato	Leising	Sandlin
Boots	Doriot	Merritt	Tomes
Bray	Ford Jon	Messmer	Walker
Brown	Freeman	Mishler	Young
Buchanan	Gaskill	Niemeyer	Zay
Buck	Glick	Niezgodski	
Busch	Grooms	Perfect	

Nay - 8

Breaux	Lanane	Spartz	Tallian
Ford J.D.	Melton	Stoops	Taylor

Excused - 3

Garten	Kruse	Randolph

Not Voting - 1

Mrvan

Senate

Roll Call 50: Amendment Failed

SB 256 - Koch - 2nd Reading

Courts and judicial officers.
Amendment #1 - Taylor G

Yea	18
Nay	32
Excused	0
Not Voting	0

Presiding: President

Yea - 18

Bassler	Ford Jon	Mrvan	Stoops
Becker	Glick	Niezgodski	Tallian
Bohacek	Houchin	Perfect	Taylor
Breaux	Lanane	Randolph	
Ford J.D.	Melton	Ruckelshaus	

Nay - 32

Alting	Crane	Holdman	Raatz
Boots	Crider	Koch	Rogers
Bray	Donato	Kruse	Sandlin
Brown	Doriot	Leising	Spartz
Buchanan	Freeman	Merritt	Tomes
Buck	Garten	Messmer	Walker
Busch	Gaskill	Mishler	Young
Charbonneau	Grooms	Niemeyer	Zay

Excused - 0

Not Voting - 0

Senate

Roll Call 51: Bill Passed

SB 8 - Bohacek - 3rd Reading

911 dispatchers.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 52: Bill Passed

SB 9 - Tomes - 3rd Reading

Target shooting.

Yea	41
Nay	9
Excused	0
Not Voting	0

Presiding: President

Yea - 41

Alting	Crane	Houchin	Rogers
Bassler	Crider	Koch	Ruckelshaus
Becker	Donato	Kruse	Sandlin
Bohacek	Doriot	Leising	Spartz
Boots	Ford Jon	Merritt	Tomes
Bray	Freeman	Messmer	Walker
Brown	Garten	Mishler	Young
Buchanan	Gaskill	Niemeyer	Zay
Buck	Glick	Niezgodski	
Busch	Grooms	Perfect	
Charbonneau	Holdman	Raatz	

Nay - 9

Breaux	Melton	Randolph	Tallian
Ford J.D.	Mrvan	Stoops	Taylor
Lanane			

Excused - 0

Not Voting - 0

Senate

Roll Call 53: Bill Passed

SB 23 - Boots - 3rd Reading

Annexation.

Yea	37
Nay	12
Excused	0
Not Voting	1

Presiding: President

Yea - 37

Bassler	Crider	Houchin	Rogers
Bohacek	Donato	Koch	Sandlin
Boots	Doriot	Kruse	Spartz
Bray	Ford Jon	Leising	Tomes
Brown	Freeman	Merritt	Walker
Buchanan	Garten	Messmer	Young
Buck	Gaskill	Mishler	Zay
Busch	Glick	Niemeyer	
Charbonneau	Grooms	Perfect	
Crane	Holdman	Raatz	

Nay - 12

Alting	Ford J.D.	Mrvan	Ruckelshaus
Becker	Lanane	Niezgodski	Stoops
Breaux	Melton	Randolph	Tallian

Excused - 0

Not Voting - 1

Taylor

Senate

Roll Call 54: Bill Passed

SB 47 - Freeman - 3rd Reading

Expungement issues.

Yea	47
Nay	3
Excused	0
Not Voting	0

Presiding: President

Yea - 47

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Sandlin
Bray	Ford Jon	Melton	Spartz
Breaux	Freeman	Merritt	Tallian
Brown	Garten	Messmer	Tomes
Buchanan	Gaskill	Mishler	Walker
Buck	Glick	Niemeyer	Young
Busch	Grooms	Niezgodski	Zay
Charbonneau	Holdman	Perfect	

Nay - 3

Mrvan	Stoops	Taylor

Excused - 0

Not Voting - 0

Senate

Roll Call 55: Bill Passed

SB 50 - Freeman - 3rd Reading

Various trust and probate issues.

Yea	49
Nay	0
Excused	0
Not Voting	1

Presiding: President

Yea - 49

Alting	Donato	Lanane	Ruckelshaus
Bassler	Doriot	Leising	Sandlin
Becker	Ford J.D.	Melton	Spartz
Bohacek	Ford Jon	Merritt	Stoops
Boots	Freeman	Messmer	Tallian
Bray	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	
Crider	Kruse	Rogers	

Nay - 0

Excused - 0

Not Voting - 1

Breaux

Senate

Roll Call 56: Bill Passed

SB 66 - Ford Jon - 3rd Reading

Donation of income tax refund for cancer research.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 57: Bill Passed

SB 83 - Niemeyer - 3rd Reading

Various property tax matters.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 58: Bill Passed

SB 115 - Crider - 3rd Reading

Deduction for certain residential property.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 59: Bill Passed

SB 197 - Koch - 3rd Reading

Prohibited technology purchases.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 60: Bill Passed

SB 200 - Young M - 3rd Reading

Driver's license suspensions.

Yea	44
Nay	6
Excused	0
Not Voting	0

Presiding: President

Yea - 44

Alting	Charbonneau	Kruse	Randolph
Bassler	Crane	Lanane	Rogers
Becker	Crider	Leising	Ruckelshaus
Bohacek	Donato	Melton	Spartz
Boots	Doriot	Merritt	Stoops
Bray	Ford J.D.	Messmer	Tallian
Breaux	Ford Jon	Mishler	Taylor
Brown	Freeman	Mrvan	Tomes
Buchanan	Garten	Niezgodski	Walker
Buck	Glick	Perfect	Young
Busch	Grooms	Raatz	Zay

Nay - 6

Gaskill	Houchin	Koch	Niemeyer
Holdman			Sandlin

Excused - 0

Not Voting - 0

Senate

Roll Call 61: Bill Passed

SB 249 - Young M - 3rd Reading

Exploitation of dependents and endangered adults.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 62: Bill Passed

SB 257 - Koch - 3rd Reading

Military aviation.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 63: Bill Passed

SB 307 - Tomes - 3rd Reading

National guard life insurance program.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 64: Bill Passed

SB 366 - Niemeyer - 3rd Reading

Kankakee River and Yellow River development.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 66: Bill Passed

SB 64 - Ruckelshaus - 3rd Reading

Indiana youth service program.

Yea	40
Nay	10
Excused	0
Not Voting	0

Presiding: President

Yea - 40

Alting	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Stoops
Buchanan	Glick	Mishler	Tallian
Buck	Grooms	Mrvan	Taylor
Busch	Holdman	Niemeyer	Tomes
Charbonneau	Koch	Niezgodski	Zay

Nay - 10

Bassler	Garten	Perfect	Young
Brown	Gaskill	Raatz	
Crane	Houchin	Walker	

Excused - 0

Not Voting - 0

Senate

Roll Call 67: Bill Passed

SB 101 - Bohacek - 3rd Reading

Wrongful death damages.

Yea	31
Nay	18
Excused	0
Not Voting	1

Presiding: President

Yea - 31

Alting	Crider	Holdman	Randolph
Bassler	Donato	Koch	Ruckelshaus
Becker	Doriot	Lanane	Sandlin
Bohacek	Ford J.D.	Leising	Spartz
Bray	Ford Jon	Melton	Stoops
Breaux	Freeman	Messmer	Tallian
Charbonneau	Garten	Mrvan	Taylor
Crane	Grooms	Niezgodski	

Nay - 18

Boots	Gaskill	Mishler	Tomes
Brown	Glick	Niemeyer	Walker
Buchanan	Houchin	Perfect	Zay
Buck	Kruse	Raatz	
Busch	Merritt	Rogers	

Excused - 0

Not Voting - 1

Young

Senate

Roll Call 68: Bill Passed

SB 131 - Kruse - 3rd Reading

National motto in schools.

Yea	42
Nay	8
Excused	0
Not Voting	0

Presiding: President

Yea - 42

Alting	Donato	Kruse	Rogers
Becker	Doriot	Lanane	Ruckelshaus
Bohacek	Ford Jon	Leising	Sandlin
Boots	Freeman	Merritt	Spartz
Bray	Garten	Messmer	Taylor
Buchanan	Gaskill	Mishler	Tomes
Buck	Glick	Mrvan	Walker
Busch	Grooms	Niemeyer	Young
Charbonneau	Holdman	Niezgodski	Zay
Crane	Houchin	Raatz	
Crider	Koch	Randolph	

Nay - 8

Bassler	Brown	Melton	Stoops
Breaux	Ford J.D.	Perfect	Tallian

Excused - 0

Not Voting - 0

Senate

Roll Call 69: Bill Passed

SB 142 - Zay - 3rd Reading

Medicaid reimbursement for schools.

Yea	45
Nay	5
Excused	0
Not Voting	0

Presiding: President

Yea - 45

Alting	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Stoops
Boots	Ford Jon	Merritt	Tallian
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Buchanan	Glick	Mrvan	Walker
Buck	Grooms	Niemeyer	Young
Busch	Holdman	Niezgodski	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	
Crider	Kruse	Rogers	

Nay - 5

Bassler	Gaskill	Perfect	Spartz
Brown			

Excused - 0

Not Voting - 0

Senate

Roll Call 70: Bill Passed

SB 177 - Donato - 3rd Reading

Administration of the broadband ready program.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 71: Bill Passed

SB 181 - Sandlin - 3rd Reading

Survivors' benefits.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 72: Bill Passed

SB 185 - Alting - 3rd Reading

Sale of companion animals.

Yea	43
Nay	7
Excused	0
Not Voting	0

Presiding: President

Yea - 43

Alting	Crider	Kruse	Randolph
Bassler	Donato	Lanane	Rogers
Becker	Doriot	Leising	Ruckelshaus
Bohacek	Ford J.D.	Melton	Sandlin
Boots	Ford Jon	Merritt	Stoops
Bray	Garten	Messmer	Tallian
Breaux	Glick	Mishler	Taylor
Buchanan	Grooms	Mrvan	Tomes
Buck	Holdman	Niezgodski	Walker
Busch	Houchin	Perfect	Zay
Charbonneau	Koch	Raatz	

Nay - 7

Brown	Freeman	Niemeyer	Young
Crane	Gaskill	Spartz	

Excused - 0

Not Voting - 0

Senate

Roll Call 73: Bill Passed

SB 190 - Holdman - 3rd Reading

Controlled projects.

Yea	39
Nay	11
Excused	0
Not Voting	0

Presiding: President

Yea - 39

Alting	Crider	Leising	Ruckelshaus
Becker	Doriot	Melton	Sandlin
Bohacek	Ford J.D.	Merritt	Stoops
Boots	Ford Jon	Messmer	Tallian
Bray	Glick	Mishler	Taylor
Breaux	Grooms	Mrvan	Tomes
Buchanan	Holdman	Niemeyer	Walker
Buck	Houchin	Niezgodski	Young
Busch	Kruse	Randolph	Zay
Charbonneau	Lanane	Rogers	

Nay - 11

Bassler	Donato	Gaskill	Raatz
Brown	Freeman	Koch	Spartz
Crane	Garten	Perfect	

Excused - 0

Not Voting - 0

Senate

Roll Call 74: Bill Passed

SB 202 - Tallian - 3rd Reading

Worker's compensation.

Yea	44
Nay	6
Excused	0
Not Voting	0

Presiding: President

Yea - 44

Alting	Crane	Kruse	Raatz
Becker	Crider	Lanane	Randolph
Bohacek	Donato	Leising	Ruckelshaus
Boots	Doriot	Melton	Sandlin
Bray	Ford J.D.	Merritt	Stoops
Breaux	Ford Jon	Messmer	Tallian
Brown	Freeman	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Koch	Perfect	Zay

Nay - 6

Bassler	Gaskill	Houchin	Rogers
Garten			Spartz

Excused - 0

Not Voting - 0

Senate

Roll Call 75: Bill Passed

SB 205 - Messmer - 3rd Reading

Medical payment coverage.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 76: Bill Passed

SB 206 - Messmer - 3rd Reading

Depositions of children.

Yea	49
Nay	1
Excused	0
Not Voting	0

Presiding: Bray

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 1

Tallian

Excused - 0

Not Voting - 0

Senate

Roll Call 77: Bill Passed

SB 223 - Leising - 3rd Reading

Free Application for Federal Student Aid (FAFSA) requirements.

Yea	38
Nay	12
Excused	0
Not Voting	0

Presiding: Bray

Yea - 38

Alting	Crane	Kruse	Raatz
Becker	Crider	Lanane	Randolph
Bohacek	Donato	Leising	Rogers
Boots	Doriot	Melton	Ruckelshaus
Bray	Ford J.D.	Merritt	Sandlin
Breaux	Ford Jon	Messmer	Stoops
Buchanan	Freeman	Mishler	Taylor
Buck	Garten	Mrvan	Tomes
Busch	Glick	Niezgodski	
Charbonneau	Grooms	Perfect	

Nay - 12

Bassler	Holdman	Niemeyer	Walker
Brown	Houchin	Spartz	Young
Gaskill	Koch	Tallian	Zay

Excused - 0

Not Voting - 0

Senate

Roll Call 78: Bill Passed

SB 230 - Sandlin - 3rd Reading

Leasing of local unit property.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 79: Bill Passed

SB 255 - Charbonneau - 3rd Reading

Insulin drugs.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 80: Bill Passed

SB 256 - Koch - 3rd Reading

Courts and judicial officers.

Yea	47
Nay	3
Excused	0
Not Voting	0

Presiding: Bray

Yea - 47

Alting	Crane	Kruse	Randolph
Bassler	Crider	Lanane	Rogers
Becker	Donato	Leising	Ruckelshaus
Bohacek	Doriot	Melton	Sandlin
Boots	Ford J.D.	Merritt	Spartz
Bray	Ford Jon	Messmer	Stoops
Breaux	Freeman	Mishler	Tallian
Brown	Garten	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Koch	Raatz	

Nay - 3

Gaskill	Houchin	Taylor

Excused - 0

Not Voting - 0

Senate

Roll Call 81: Bill Passed

SB 266 - Donato - 3rd Reading

Teacher training.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 82: Bill Passed

SB 269 - Ford Jon - 3rd Reading

Worker's compensation.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 83: Bill Passed

SB 302 - Tallian - 3rd Reading

Indigency determinations.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 84: Bill Passed

SB 316 - Kruse - 3rd Reading

Collection of veteran status information.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 85: Bill Passed

SB 340 - Spartz - 3rd Reading

Private property protection matters.

Yea	43
Nay	7
Excused	0
Not Voting	0

Presiding: Bray

Yea - 43

Alting	Charbonneau	Houchin	Raatz
Bassler	Crane	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford Jon	Merritt	Sandlin
Bray	Freeman	Messmer	Spartz
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	

Nay - 7

Crider	Lanane	Stoops	Taylor
Ford J.D.	Melton	Tallian	

Excused - 0

Not Voting - 0

Senate

Roll Call 86: Bill Passed

SB 355 - Becker - 3rd Reading

Psychology interjurisdictional compact.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 87: Bill Passed

SB 356 - Merritt - 3rd Reading

Healthy food finance.

Yea	46
Nay	4
Excused	0
Not Voting	0

Presiding: Bray

Yea - 46

Alting	Donato	Leising	Ruckelshaus
Becker	Doriot	Melton	Sandlin
Bohacek	Ford J.D.	Merritt	Spartz
Boots	Ford Jon	Messmer	Stoops
Bray	Freeman	Mishler	Tallian
Breaux	Garten	Mrvan	Taylor
Buchanan	Gaskill	Niemeyer	Tomes
Buck	Glick	Niezgodski	Walker
Busch	Grooms	Perfect	Young
Charbonneau	Holdman	Raatz	Zay
Crane	Kruse	Randolph	
Crider	Lanane	Rogers	

Nay - 4

Bassler	Brown	Houchin	Koch

Excused - 0

Not Voting - 0

Senate

Roll Call 88: Bill Passed

SB 358 - Merritt - 3rd Reading

Business associations of real estate agents.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 89: Bill Passed

SB 367 - Niemeyer - 3rd Reading

Regional development authorities.

Yea	49
Nay	0
Excused	0
Not Voting	1

Presiding: Bray

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 1

Taylor

Senate

Roll Call 90: Bill Passed

SB 384 - Freeman - 3rd Reading

Filling vacancies.

Yea	43
Nay	7
Excused	0
Not Voting	0

Presiding: Bray

Yea - 43

Alting	Donato	Leising	Rogers
Bassler	Ford J.D.	Melton	Ruckelshaus
Becker	Ford Jon	Merritt	Sandlin
Bohacek	Freeman	Messmer	Spartz
Boots	Garten	Mishler	Stoops
Brown	Gaskill	Mrvan	Taylor
Buck	Glick	Niemeyer	Tomes
Busch	Grooms	Niezgodski	Walker
Charbonneau	Holdman	Perfect	Young
Crane	Koch	Raatz	Zay
Crider	Kruse	Randolph	

Nay - 7

Bray	Buchanan	Houchin	Tallian
Breaux	Doriot	Lanane	

Excused - 0

Not Voting - 0

Senate

Roll Call 91: Bill Passed

SB 402 - Buchanan - 3rd Reading

Seasonal employment.

Yea	49
Nay	1
Excused	0
Not Voting	0

Presiding: Bray

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 1

Tallian

Excused - 0

Not Voting - 0

Senate

Roll Call 92: Bill Passed

SB 411 - Koch - 3rd Reading

Leasing of broadband capacity infrastructure.

Yea	49
Nay	0
Excused	0
Not Voting	1

Presiding: Bray

Yea - 49

Alting	Crider	Kruse	Ruckelshaus
Bassler	Donato	Lanane	Sandlin
Becker	Doriot	Leising	Spartz
Bohacek	Ford J.D.	Merritt	Stoops
Boots	Ford Jon	Messmer	Tallian
Bray	Freeman	Mishler	Taylor
Breaux	Garten	Mrvan	Tomes
Brown	Gaskill	Niemeyer	Walker
Buchanan	Glick	Niezgodski	Young
Buck	Grooms	Perfect	Zay
Busch	Holdman	Raatz	
Charbonneau	Houchin	Randolph	
Crane	Koch	Rogers	

Nay - 0

Excused - 0

Not Voting - 1

Melton

Senate

Roll Call 93: Bill Passed

SB 443 - Zay - 3rd Reading

Traffic control.

Yea	41
Nay	9
Excused	0
Not Voting	0

Presiding: Bray

Yea - 41

Alting	Crane	Houchin	Rogers
Bassler	Crider	Koch	Ruckelshaus
Becker	Donato	Kruse	Sandlin
Bohacek	Doriot	Leising	Spartz
Boots	Ford Jon	Merritt	Tomes
Bray	Freeman	Messmer	Walker
Brown	Garten	Mishler	Young
Buchanan	Gaskill	Niemeyer	Zay
Buck	Glick	Niezgodski	
Busch	Grooms	Perfect	
Charbonneau	Holdman	Raatz	

Nay - 9

Breaux	Melton	Randolph	Tallian
Ford J.D.	Mrvan	Stoops	Taylor
Lanane			

Excused - 0

Not Voting - 0

Senate

Roll Call 94: Bill Passed

SB 4 - Charbonneau - 3rd Reading

All payer claims data base.

Yea	47
Nay	3
Excused	0
Not Voting	0

Presiding: Bray

Yea - 47

Alting	Crider	Kruse	Randolph
Bassler	Donato	Lanane	Rogers
Becker	Ford J.D.	Leising	Ruckelshaus
Bohacek	Ford Jon	Melton	Sandlin
Bray	Freeman	Merritt	Stoops
Breaux	Garten	Messmer	Tallian
Brown	Gaskill	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay
Crane	Koch	Raatz	

Nay - 3

Boots	Doriot	Spartz

Excused - 0

Not Voting - 0

Senate

Roll Call 96: Amendment Failed

SB 179 - Walker - 2nd Reading

Election cybersecurity.
Amendment #2 - Ford J.D.

Yea	10
Nay	40
Excused	0
Not Voting	0

Presiding: President

Yea - 10

Breaux	Melton	Randolph	Taylor
Ford J.D.	Mrvan	Stoops	
Lanane	Niezgodski	Tallian	

Nay - 40

Alting	Charbonneau	Grooms	Perfect
Bassler	Crane	Holdman	Raatz
Becker	Crider	Houchin	Rogers
Bohacek	Donato	Koch	Ruckelshaus
Boots	Doriot	Kruse	Sandlin
Bray	Ford Jon	Leising	Spartz
Brown	Freeman	Merritt	Tomes
Buchanan	Garten	Messmer	Walker
Buck	Gaskill	Mishler	Young
Busch	Glick	Niemeyer	Zay

Excused - 0

Not Voting - 0

Senate

Roll Call 97: Amendment Failed

SB 334 - Walker - 2nd Reading

Election matters.
Amendment #2 - Ford J.D.

Yea	10
Nay	40
Excused	0
Not Voting	0

Presiding: President

Yea - 10

Breaux	Melton	Randolph	Taylor
Ford J.D.	Mrvan	Stoops	
Lanane	Niezgodski	Tallian	

Nay - 40

Alting	Charbonneau	Grooms	Perfect
Bassler	Crane	Holdman	Raatz
Becker	Crider	Houchin	Rogers
Bohacek	Donato	Koch	Ruckelshaus
Boots	Doriot	Kruse	Sandlin
Bray	Ford Jon	Leising	Spartz
Brown	Freeman	Merritt	Tomes
Buchanan	Garten	Messmer	Walker
Buck	Gaskill	Mishler	Young
Busch	Glick	Niemeyer	Zay

Excused - 0

Not Voting - 0

Senate

Roll Call 98: Bill Passed

SB 71 - Doriot - 3rd Reading

Adverse possession statute of limitations.

Yea	49
Nay	1
Excused	0
Not Voting	0

Presiding: President

Yea - 49

Alting	Donato	Lanane	Ruckelshaus
Bassler	Doriot	Leising	Sandlin
Becker	Ford J.D.	Melton	Spartz
Bohacek	Ford Jon	Merritt	Stoops
Boots	Freeman	Messmer	Tallian
Bray	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	
Crider	Kruse	Rogers	

Nay - 1

Breaux

Excused - 0

Not Voting - 0

Senate

Roll Call 99: Bill Passed

SB 98 - Becker - 3rd Reading

Certified registered nurse anesthetists.

Yea	30
Nay	18
Excused	0
Not Voting	2

Presiding: President

Yea - 30

Alting	Crider	Kruse	Stoops
Becker	Donato	Leising	Tallian
Bohacek	Ford Jon	Melton	Taylor
Boots	Freeman	Messmer	Tomes
Bray	Glick	Niezgodski	Walker
Buck	Grooms	Randolph	Zay
Busch	Houchin	Sandlin	
Charbonneau	Koch	Spartz	

Nay - 18

Bassler	Ford J.D.	Merritt	Rogers
Breaux	Garten	Mrvan	Ruckelshaus
Brown	Gaskill	Niemeyer	Young
Buchanan	Holdman	Perfect	
Crane	Lanane	Raatz	

Excused - 0

Not Voting - 2

Doriot	Mishler

Senate

Roll Call 100: Bill Passed

SB 241 - Brown L - 3rd Reading

Pharmacy benefit managers regulation.

Yea	46
Nay	2
Excused	0
Not Voting	2

Presiding: President

Yea - 46

Alting	Crane	Kruse	Rogers
Bassler	Crider	Lanane	Ruckelshaus
Becker	Donato	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Stoops
Boots	Ford Jon	Merritt	Tallian
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mrvan	Tomes
Brown	Glick	Niemeyer	Walker
Buchanan	Grooms	Niezgodski	Young
Buck	Holdman	Perfect	Zay
Busch	Houchin	Raatz	
Charbonneau	Koch	Randolph	

Nay - 2

Gaskill	Spartz

Excused - 0

Not Voting - 2

Doriot	Mishler

Senate

Roll Call 101: Bill Passed

SB 272 - Ford Jon - 3rd Reading

Indiana economic development corporation.

Yea	48
Nay	0
Excused	0
Not Voting	2

Presiding: President

Yea - 48

Alting	Crane	Koch	Randolph
Bassler	Crider	Kruse	Rogers
Becker	Donato	Lanane	Ruckelshaus
Bohacek	Ford J.D.	Leising	Sandlin
Boots	Ford Jon	Melton	Spartz
Bray	Freeman	Merritt	Stoops
Breaux	Garten	Messmer	Tallian
Brown	Gaskill	Mrvan	Taylor
Buchanan	Glick	Niemeyer	Tomes
Buck	Grooms	Niezgodski	Walker
Busch	Holdman	Perfect	Young
Charbonneau	Houchin	Raatz	Zay

Nay - 0

Excused - 0

Not Voting - 2

Doriot	Mishler

Senate

Roll Call 102: Bill Passed

SB 424 - Rogers - 3rd Reading

Address confidentiality program.

Yea	48
Nay	0
Excused	0
Not Voting	2

Presiding: President

Yea - 48

Alting	Crane	Koch	Randolph
Bassler	Crider	Kruse	Rogers
Becker	Donato	Lanane	Ruckelshaus
Bohacek	Ford J.D.	Leising	Sandlin
Boots	Ford Jon	Melton	Spartz
Bray	Freeman	Merritt	Stoops
Breaux	Garten	Messmer	Tallian
Brown	Gaskill	Mrvan	Taylor
Buchanan	Glick	Niemeyer	Tomes
Buck	Grooms	Niezgodski	Walker
Busch	Holdman	Perfect	Young
Charbonneau	Houchin	Raatz	Zay

Nay - 0

Excused - 0

Not Voting - 2

Doriot	Mishler

Senate

Roll Call 104: Amendment Failed

SB 263 - Holdman - 2nd Reading

Specialized weapons training for school employees and staff members.
Amendment #3 - Taylor G

Yea	14
Nay	35
Excused	1
Not Voting	0

Presiding: President

Yea - 14

Alting	Ford J.D.	Niezgodski	Tallian
Becker	Lanane	Randolph	Taylor
Bohacek	Melton	Ruckelshaus	
Breaux	Mrvan	Stoops	

Nay - 35

Bassler	Crider	Houchin	Raatz
Boots	Donato	Koch	Rogers
Bray	Doriot	Kruse	Sandlin
Brown	Ford Jon	Leising	Spartz
Buchanan	Freeman	Merritt	Tomes
Buck	Gaskill	Messmer	Walker
Busch	Glick	Mishler	Young
Charbonneau	Grooms	Niemeyer	Zay
Crane	Holdman	Perfect	

Excused - 1

Garten

Not Voting - 0

Senate

Roll Call 105: Amendment Failed

SB 337 - Spartz - 2nd Reading

Various insurance and health care matters.
Amendment #1 - Ford J.D.

Yea	15
Nay	34
Excused	1
Not Voting	0

Presiding: President

Yea - 15

Alting	Ford J.D.	Mrvan	Stoops
Becker	Ford Jon	Niezgodski	Tallian
Bohacek	Lanane	Randolph	Taylor
Breaux	Melton	Ruckelshaus	

Nay - 34

Bassler	Crider	Koch	Rogers
Boots	Donato	Kruse	Sandlin
Bray	Doriot	Leising	Spartz
Brown	Freeman	Merritt	Tomes
Buchanan	Gaskill	Messmer	Walker
Buck	Glick	Mishler	Young
Busch	Grooms	Niemeyer	Zay
Charbonneau	Holdman	Perfect	
Crane	Houchin	Raatz	

Excused - 1

Garten

Not Voting - 0

Senate

Roll Call 106: Amendment Prevailed

SB 342 - Alting - 2nd Reading

Pregnancy accommodation.
Amendment #2 - Zay

Yea	34
Nay	15
Excused	1
Not Voting	0

Presiding: President

Yea - 34

Bassler	Donato	Koch	Rogers
Boots	Doriot	Kruse	Sandlin
Bray	Ford Jon	Leising	Spartz
Brown	Freeman	Merritt	Tomes
Buchanan	Gaskill	Messmer	Walker
Buck	Glick	Mishler	Young
Busch	Grooms	Niemeyer	Zay
Charbonneau	Holdman	Perfect	
Crane	Houchin	Raatz	

Nay - 15

Alting	Crider	Mrvan	Stoops
Becker	Ford J.D.	Niezgodski	Tallian
Bohacek	Lanane	Randolph	Taylor
Breaux	Melton	Ruckelshaus	

Excused - 1

Garten

Not Voting - 0

Senate

Roll Call 107: Bill Passed

SB 5 - Charbonneau - 3rd Reading

Health provider contracts.

Yea	47
Nay	0
Excused	1
Not Voting	2

Presiding: President

YEA - 47

Alting	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Stoops
Brown	Gaskill	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay
Crane	Koch	Raatz	

NAY - 0

EXCUSED - 1

Garten

NOT VOTING - 2

Bassler Tallian

Senate

Roll Call 108: Bill Passed

SB 6 - Bohacek - 3rd Reading

Electric vehicle supplemental fee.

Yea	47
Nay	0
Excused	1
Not Voting	2

Presiding: President

Yea - 47

Alting	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Stoops
Brown	Gaskill	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay
Crane	Koch	Raatz	

Nay - 0

Excused - 1

Garten

Not Voting - 2

Bassler
Tallian

Senate

Roll Call 109: Bill Passed

SB 54 - Doriot - 3rd Reading

Railroad crossings.

Yea	45
Nay	1
Excused	1
Not Voting	3

Presiding: President

Yea - 45

Alting	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Bray	Ford Jon	Messmer	Stoops
Breaux	Freeman	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	
Crider	Kruse	Rogers	

Nay - 1

Boots

Excused - 1

Garten

Not Voting - 3

Bassler	Merritt	Tallian

Senate

Roll Call 110: Bill Passed

SB 62 - Grooms - 3rd Reading

Psychotropic medication in foster care study committee topic.

Yea	47
Nay	0
Excused	1
Not Voting	2

Presiding: President

Yea - 47

Alting	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Stoops
Brown	Gaskill	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay
Crane	Koch	Raatz	

Nay - 0

Excused - 1

Garten

Not Voting - 2

Bassler
Tallian

Senate

Roll Call 111: Bill Passed

SB 99 - Glick - 3rd Reading

Study committee on invasive species.

Yea	46
Nay	1
Excused	1
Not Voting	2

Presiding: President

Yea - 46

Alting	Crider	Lanane	Rogers
Becker	Donato	Leising	Ruckelshaus
Bohacek	Doriot	Melton	Sandlin
Boots	Ford J.D.	Merritt	Spartz
Bray	Ford Jon	Messmer	Stoops
Breaux	Gaskill	Mishler	Taylor
Brown	Glick	Mrvan	Tomes
Buchanan	Grooms	Niemeyer	Walker
Buck	Holdman	Niezgodski	Young
Busch	Houchin	Perfect	Zay
Charbonneau	Koch	Raatz	
Crane	Kruse	Randolph	

Nay - 1

Freeman

Excused - 1

Garten

Not Voting - 2

Bassler
Tallian

Senate

Roll Call 112: Bill Passed

SB 109 - Crider - 3rd Reading

Statute of limitations.

Yea	44
Nay	2
Excused	2
Not Voting	2

Presiding: President

Yea - 44

Alting	Crider	Lanane	Randolph
Becker	Donato	Leising	Rogers
Bohacek	Doriot	Melton	Ruckelshaus
Boots	Ford J.D.	Merritt	Sandlin
Bray	Ford Jon	Messmer	Spartz
Breaux	Freeman	Mishler	Stoops
Buchanan	Glick	Mrvan	Taylor
Buck	Grooms	Niemeyer	Tomes
Busch	Holdman	Niezgodski	Walker
Charbonneau	Houchin	Perfect	Young
Crane	Kruse	Raatz	Zay

Nay - 2

Brown	Gaskill

Excused - 2

Garten	Koch

Not Voting - 2

Bassler	Tallian

Senate

Roll Call 113: Bill Passed

SB 148 - Doriot - 3rd Reading

Zoning and manufactured homes.

Yea	32
Nay	15
Excused	1
Not Voting	2

Presiding: President

Yea - 32

Alting	Donato	Leising	Randolph
Bray	Doriot	Melton	Rogers
Brown	Gaskill	Merritt	Ruckelshaus
Buchanan	Glick	Messmer	Sandlin
Buck	Grooms	Mishler	Spartz
Busch	Houchin	Mrvan	Taylor
Charbonneau	Koch	Niezgodski	Tomes
Crider	Kruse	Raatz	Young

Nay - 15

Becker	Crane	Holdman	Stoops
Bohacek	Ford J.D.	Lanane	Walker
Boots	Ford Jon	Niemeyer	Zay
Breaux	Freeman	Perfect	

Excused - 1

Garten

Not Voting - 2

Bassler	Tallian

Senate

Roll Call 114: Bill Passed

SB 170 - Messmer - 3rd Reading

Mine reclamation tax credit.

Yea	46
Nay	0
Excused	1
Not Voting	3

Presiding: President

Yea - 46

Alting	Crider	Kruse	Rogers
Becker	Donato	Lanane	Ruckelshaus
Bohacek	Doriot	Leising	Sandlin
Boots	Ford J.D.	Merritt	Spartz
Bray	Ford Jon	Messmer	Stoops
Breaux	Freeman	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Garten

Not Voting - 3

Bassler	Melton	Tallian

Senate

Roll Call 115: Bill Passed

SB 171 - Grooms - 3rd Reading

Clarksville food and beverage tax.

Yea	35
Nay	12
Excused	1
Not Voting	2

Presiding: President

Yea - 35

Alting	Charbonneau	Kruse	Niezgodski
Becker	Crider	Lanane	Raatz
Bohacek	Donato	Leising	Randolph
Boots	Doriot	Melton	Ruckelshaus
Bray	Ford J.D.	Merritt	Sandlin
Breaux	Ford Jon	Messmer	Stoops
Brown	Glick	Mishler	Taylor
Buchanan	Grooms	Mrvan	Walker
Buck	Holdman	Niemeyer	

Nay - 12

Busch	Gaskill	Perfect	Tomes
Crane	Houchin	Rogers	Young
Freeman	Koch	Spartz	Zay

Excused - 1

Garten

Not Voting - 2

Bassler | Tallian

Senate

Roll Call 116: Bill Passed

SB 178 - Walker - 3rd Reading

Various election matters.

Yea	47
Nay	0
Excused	1
Not Voting	2

Presiding: President

Yea - 47

Alting	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Stoops
Brown	Gaskill	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay
Crane	Koch	Raatz	

Nay - 0

Excused - 1

Garten

Not Voting - 2

Bassler
Tallian

Senate

Roll Call 117: Bill Passed

SB 179 - Walker - 3rd Reading

Election cybersecurity.

Yea	46
Nay	1
Excused	1
Not Voting	2

Presiding: President

Yea - 46

Alting	Crider	Kruse	Rogers
Becker	Donato	Lanane	Ruckelshaus
Bohacek	Doriot	Leising	Sandlin
Boots	Ford J.D.	Melton	Spartz
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Taylor
Brown	Gaskill	Mishler	Tomes
Buchanan	Glick	Mrvan	Walker
Buck	Grooms	Niemeyer	Young
Busch	Holdman	Niezgodski	Zay
Charbonneau	Houchin	Perfect	
Crane	Koch	Raatz	

Nay - 1

Randolph

Excused - 1

Garten

Not Voting - 2

Bassler
Tallian

Senate

Roll Call 118: Bill Passed

SB 214 - Randolph - 3rd Reading

Testing of school drinking water for lead.

Yea	46
Nay	1
Excused	1
Not Voting	2

Presiding: President

Yea - 46

Alting	Crider	Lanane	Rogers
Becker	Donato	Leising	Ruckelshaus
Bohacek	Doriot	Melton	Sandlin
Boots	Ford J.D.	Merritt	Spartz
Bray	Ford Jon	Messmer	Stoops
Breaux	Freeman	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Houchin	Perfect	Zay
Charbonneau	Koch	Raatz	
Crane	Kruse	Randolph	

Nay - 1

Holdman

Excused - 1

Garten

Not Voting - 2

Bassler
Tallian

Senate

Roll Call 119: Bill Passed

SB 238 - Brown L - 3rd Reading

Various human services matters.

Yea	46
Nay	1
Excused	1
Not Voting	2

Presiding: President

Yea - 46

Alting	Crider	Lanane	Rogers
Becker	Donato	Leising	Ruckelshaus
Bohacek	Doriot	Melton	Sandlin
Boots	Ford J.D.	Merritt	Spartz
Bray	Ford Jon	Messmer	Stoops
Breaux	Gaskill	Mishler	Taylor
Brown	Glick	Mrvan	Tomes
Buchanan	Grooms	Niemeyer	Walker
Buck	Holdman	Niezgodski	Young
Busch	Houchin	Perfect	Zay
Charbonneau	Koch	Raatz	
Crane	Kruse	Randolph	

Nay - 1

Freeman

Excused - 1

Garten

Not Voting - 2

Bassler
Tallian

Senate

Roll Call 120: Bill Passed

SB 258 - Koch - 3rd Reading

Firefighter safety.

Yea	47
Nay	0
Excused	1
Not Voting	2

Presiding: President

Yea - 47

Alting	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Stoops
Brown	Gaskill	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay
Crane	Koch	Raatz	

Nay - 0

Excused - 1

Garten

Not Voting - 2

Bassler
Tallian

Senate

Roll Call 121: Bill Passed

SB 259 - Spartz - 3rd Reading

Child services reports.

Yea	47
Nay	0
Excused	1
Not Voting	2

Presiding: President

Yea - 47

Alting	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Stoops
Brown	Gaskill	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay
Crane	Koch	Raatz	

Nay - 0

Excused - 1

Garten

Not Voting - 2

Bassler
Tallian

Senate

Roll Call 122: Bill Passed

SB 288 - Doriot - 3rd Reading

Anatomical gift through hunting, fishing or trapping license.

Yea	47
Nay	0
Excused	1
Not Voting	2

Presiding: President

Yea - 47

Alting	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Stoops
Brown	Gaskill	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay
Crane	Koch	Raatz	

Nay - 0

Excused - 1

Garten

Not Voting - 2

Bassler
Tallian

Senate

Roll Call 123: Bill Passed

SB 292 - Sandlin - 3rd Reading

County option circuit breaker tax credit.

Yea	39
Nay	8
Excused	1
Not Voting	2

Presiding: President

Yea - 39

Alting	Crane	Houchin	Raatz
Becker	Crider	Koch	Rogers
Bohacek	Donato	Kruse	Ruckelshaus
Boots	Doriot	Leising	Sandlin
Bray	Ford Jon	Merritt	Spartz
Brown	Freeman	Messmer	Tomes
Buchanan	Gaskill	Mishler	Walker
Buck	Glick	Niemeyer	Young
Busch	Grooms	Niezgodski	Zay
Charbonneau	Holdman	Perfect	

Nay - 8

Breaux	Lanane	Mrvan	Stoops
Ford J.D.	Melton	Randolph	Taylor

Excused - 1

Garten

Not Voting - 2

Bassler	Tallian

Senate

Roll Call 124: Bill Passed

SB 312 - Niezgodski - 3rd Reading

Parents with a disability.

Yea	47
Nay	0
Excused	1
Not Voting	2

Presiding: President

Yea - 47

Alting	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Stoops
Brown	Gaskill	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay
Crane	Koch	Raatz	

Nay - 0

Excused - 1

Garten

Not Voting - 2

Bassler
Tallian

Senate

Roll Call 125: Bill Passed

SB 317 - Sandlin - 3rd Reading

Interstate commission transportation fund.

Yea	47
Nay	0
Excused	1
Not Voting	2

Presiding: President

Yea - 47

Alting	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Stoops
Brown	Gaskill	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay
Crane	Koch	Raatz	

Nay - 0

Excused - 1

Garten

Not Voting - 2

Bassler
Tallian

Senate

Roll Call 126: Bill Passed

SB 330 - Zay - 3rd Reading

Mediation for state agencies and vendors.

Yea	41
Nay	6
Excused	1
Not Voting	2

Presiding: President

Yea - 41

Alting	Doriot	Leising	Ruckelshaus
Bohacek	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Gaskill	Mishler	Stoops
Brown	Glick	Mrvan	Taylor
Buchanan	Grooms	Niemeyer	Tomes
Buck	Holdman	Niezgodski	Walker
Busch	Houchin	Perfect	Zay
Charbonneau	Koch	Raatz	
Crane	Kruse	Randolph	
Donato	Lanane	Rogers	

Nay - 6

Becker	Crider	Freeman	Messmer
Boots			Young

Excused - 1

Garten

Not Voting - 2

Bassler	Tallian

Senate

Roll Call 127: Bill Passed

SB 331 - Zay - 3rd Reading

National guard license plates.

Yea	47
Nay	0
Excused	1
Not Voting	2

Presiding: President

Yea - 47

Alting	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Stoops
Brown	Gaskill	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay
Crane	Koch	Raatz	

Nay - 0

Excused - 1

Garten

Not Voting - 2

Bassler
Tallian

Senate

Roll Call 128: Bill Passed

SB 334 - Walker - 3rd Reading

Election matters.

Yea	40
Nay	7
Excused	1
Not Voting	2

Presiding: President

Yea - 40

Alting	Crane	Houchin	Perfect
Becker	Crider	Koch	Raatz
Bohacek	Donato	Kruse	Rogers
Boots	Doriot	Leising	Ruckelshaus
Bray	Ford Jon	Merritt	Sandlin
Brown	Freeman	Messmer	Spartz
Buchanan	Gaskill	Mishler	Tomes
Buck	Glick	Mrvan	Walker
Busch	Grooms	Niemeyer	Young
Charbonneau	Holdman	Niezgodski	Zay

Nay - 7

Breaux	Lanane	Randolph	Taylor
Ford J.D.	Melton	Stoops	

Excused - 1

Garten

Not Voting - 2

Bassler	Tallian

Senate

Roll Call 129: Bill Passed

SB 345 - Houchin - 3rd Reading

Child services oversight.

Yea	47
Nay	0
Excused	1
Not Voting	2

Presiding: President

Yea - 47

Alting	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Stoops
Brown	Gaskill	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay
Crane	Koch	Raatz	

Nay - 0

Excused - 1

Garten

Not Voting - 2

Bassler Tallian

Senate

Roll Call 130: Bill Passed

SB 368 - Stoops - 3rd Reading

Study of carbon sequestration.

Yea	38
Nay	9
Excused	1
Not Voting	2

Presiding: President

Yea - 38

Alting	Crider	Lanane	Randolph
Becker	Donato	Leising	Rogers
Bohacek	Doriot	Melton	Ruckelshaus
Bray	Ford J.D.	Merritt	Sandlin
Breaux	Ford Jon	Messmer	Spartz
Brown	Glick	Mishler	Stoops
Buchanan	Grooms	Niemeyer	Taylor
Buck	Holdman	Niezgodski	Walker
Busch	Koch	Perfect	
Charbonneau	Kruse	Raatz	

Nay - 9

Boots	Gaskill	Mrvan	Young
Crane	Houchin	Tomes	Zay
Freeman			

Excused - 1

Garten

Not Voting - 2

Bassler
Tallian

Senate

Roll Call 131: Bill Passed

SB 438 - Leising - 3rd Reading

Regulation of pesticide use and application.

Yea	38
Nay	9
Excused	1
Not Voting	2

Presiding: President

Yea - 38

Becker	Donato	Lanane	Raatz
Bohacek	Doriot	Leising	Randolph
Boots	Ford J.D.	Melton	Rogers
Bray	Ford Jon	Merritt	Ruckelshaus
Breaux	Glick	Messmer	Sandlin
Buchanan	Grooms	Mishler	Stoops
Buck	Holdman	Mrvan	Taylor
Busch	Houchin	Niemeyer	Tomes
Charbonneau	Koch	Niezgodski	
Crider	Kruse	Perfect	

Nay - 9

Alting	Freeman	Spartz	Young
Brown	Gaskill	Walker	Zay
Crane			

Excused - 1

Garten

Not Voting - 2

Bassler	Tallian

Senate

Roll Call 133: Bill Passed

SB 3 - Charbonneau - 3rd Reading

Health care provider billing.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

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Roll Call 134: Bill Passed

SB 19 - Charbonneau - 3rd Reading

Telemedicine and ophthalmic matters.

Yea	48
Nay	0
Excused	1
Not Voting	1

Presiding: President

Yea - 48

Alting	Crane	Houchin	Perfect
Bassler	Crider	Koch	Raatz
Becker	Donato	Kruse	Randolph
Bohacek	Doriot	Lanane	Rogers
Boots	Ford J.D.	Leising	Ruckelshaus
Bray	Ford Jon	Melton	Sandlin
Breaux	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Taylor
Buchanan	Gaskill	Mishler	Tomes
Buck	Glick	Mrvan	Walker
Busch	Grooms	Niemeyer	Young
Charbonneau	Holdman	Niezgodski	Zay

Nay - 0

Excused - 1

Tallian

Not Voting - 1

Stoops

Senate

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Roll Call 135: Bill Passed

SB 27 - Walker - 3rd Reading

Native American Indian affairs commission.

Yea	48
Nay	0
Excused	1
Not Voting	1

Presiding: President

Yea - 48

Alting	Crane	Houchin	Perfect
Bassler	Crider	Koch	Raatz
Becker	Donato	Kruse	Randolph
Bohacek	Doriot	Lanane	Rogers
Boots	Ford J.D.	Leising	Ruckelshaus
Bray	Ford Jon	Melton	Sandlin
Breaux	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Taylor
Buchanan	Gaskill	Mishler	Tomes
Buck	Glick	Mrvan	Walker
Busch	Grooms	Niemeyer	Young
Charbonneau	Holdman	Niezgodski	Zay

Nay - 0

Excused - 1

Tallian

Not Voting - 1

Stoops

Senate

Roll Call 136: Bill Passed

SB 43 - Young M - 3rd Reading

Fraud consolidation.

Yea	27
Nay	22
Excused	1
Not Voting	0

Presiding: President

Yea - 27

Alting	Buchanan	Grooms	Perfect
Bassler	Buck	Lanane	Randolph
Bohacek	Busch	Melton	Ruckelshaus
Boots	Charbonneau	Messmer	Stoops
Bray	Crider	Mishler	Taylor
Breaux	Doriot	Mrvan	Young
Brown	Ford Jon	Niezgodski	

Nay - 22

Becker	Gaskill	Leising	Spartz
Crane	Glick	Merritt	Tomes
Donato	Holdman	Niemeyer	Walker
Ford J.D.	Houchin	Raatz	Zay
Freeman	Koch	Rogers	
Garten	Kruse	Sandlin	

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 137: Bill Passed

SB 46 - Freeman - 3rd Reading

Interim study committee.

Yea	47
Nay	2
Excused	1
Not Voting	0

Presiding: President

Yea - 47

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Sandlin
Bray	Ford Jon	Melton	Spartz
Breaux	Freeman	Merritt	Stoops
Brown	Garten	Messmer	Tomes
Buchanan	Gaskill	Mishler	Walker
Buck	Glick	Mrvan	Young
Busch	Grooms	Niezgodski	Zay
Charbonneau	Holdman	Perfect	

Nay - 2

Niemeyer	Taylor

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 138: Bill Passed

SB 123 - Holdman - 3rd Reading

Affordable and workforce housing incentives.

Yea	48
Nay	1
Excused	1
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Perfect
Bassler	Crider	Koch	Raatz
Becker	Donato	Kruse	Randolph
Bohacek	Doriot	Lanane	Rogers
Boots	Ford J.D.	Leising	Ruckelshaus
Bray	Ford Jon	Melton	Sandlin
Breaux	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Stoops
Buchanan	Gaskill	Mishler	Tomes
Buck	Glick	Mrvan	Walker
Busch	Grooms	Niemeyer	Young
Charbonneau	Holdman	Niezgodski	Zay

Nay - 1

Taylor

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 139: Bill Passed

SB 139 - Lanane - 3rd Reading

Adult guardianship services.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 140: Bill Passed

SB 146 - Doriot - 3rd Reading

Sexual assault victims' rights.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 141: Bill Passed

SB 183 - Gaskill - 3rd Reading

Study committee review of food and beverage taxes.

Yea	44
Nay	5
Excused	1
Not Voting	0

Presiding: President

Yea - 44

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford Jon	Merritt	Sandlin
Bray	Freeman	Messmer	Spartz
Brown	Garten	Mishler	Stoops
Buchanan	Gaskill	Mrvan	Tomes
Buck	Glick	Niemeyer	Walker
Busch	Grooms	Niezgodski	Young
Charbonneau	Holdman	Perfect	Zay

Nay - 5

Breaux	Lanane	Melton	Taylor
Ford J.D.			

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 142: Bill Passed

SB 184 - Charbonneau - 3rd Reading

Nonprofit agricultural organization coverage.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 143: Bill Passed

SB 199 - Koch - 3rd Reading

Recovery of litigation expenses.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 144: Bill Defeated

SB 207 - Merritt - 3rd Reading

Syringe exchange program.

Yea	22
Nay	27
Excused	1
Not Voting	0

Presiding: President

Yea - 22

Alting	Crider	Melton	Ruckelshaus
Bassler	Doriot	Merritt	Stoops
Becker	Ford J.D.	Mrvan	Taylor
Bohacek	Ford Jon	Niezgodski	Walker
Breaux	Glick	Perfect	
Charbonneau	Lanane	Randolph	

Nay - 27

Boots	Donato	Koch	Rogers
Bray	Freeman	Kruse	Sandlin
Brown	Garten	Leising	Spartz
Buchanan	Gaskill	Messmer	Tomes
Buck	Grooms	Mishler	Young
Busch	Holdman	Niemeyer	Zay
Crane	Houchin	Raatz	

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 145: Bill Passed

SB 208 - Crider - 3rd Reading

Compliance with coverage parity requirements.

Yea	47
Nay	1
Excused	1
Not Voting	1

Presiding: President

Yea - 47

Alting	Crider	Kruse	Randolph
Bassler	Donato	Lanane	Rogers
Becker	Doriot	Leising	Ruckelshaus
Bohacek	Ford J.D.	Melton	Sandlin
Boots	Ford Jon	Merritt	Spartz
Bray	Freeman	Messmer	Stoops
Brown	Garten	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay
Crane	Koch	Raatz	

Nay - 1

Gaskill

Excused - 1

Tallian

Not Voting - 1

Breaux

Senate

Roll Call 146: Bill Passed

SB 209 - Crider - 3rd Reading

Search warrants.

Yea	48
Nay	0
Excused	1
Not Voting	1

Presiding: President

Yea - 48

Alting	Crider	Koch	Raatz
Bassler	Donato	Kruse	Randolph
Becker	Doriot	Lanane	Rogers
Bohacek	Ford J.D.	Leising	Ruckelshaus
Boots	Ford Jon	Melton	Sandlin
Bray	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Stoops
Buchanan	Gaskill	Mishler	Taylor
Buck	Glick	Mrvan	Tomes
Busch	Grooms	Niemeyer	Walker
Charbonneau	Holdman	Niezgodski	Young
Crane	Houchin	Perfect	Zay

Nay - 0

Excused - 1

Tallian

Not Voting - 1

Breaux

Senate

Roll Call 147: Bill Passed

SB 216 - Sandlin - 3rd Reading

Disclosure of personal information to offender.

Yea	47
Nay	0
Excused	1
Not Voting	2

Presiding: President

Yea - 47

Alting	Crider	Koch	Raatz
Bassler	Donato	Kruse	Rogers
Becker	Doriot	Lanane	Ruckelshaus
Bohacek	Ford J.D.	Leising	Sandlin
Boots	Ford Jon	Melton	Spartz
Bray	Freeman	Merritt	Stoops
Brown	Garten	Messmer	Taylor
Buchanan	Gaskill	Mishler	Tomes
Buck	Glick	Mrvan	Walker
Busch	Grooms	Niemeyer	Young
Charbonneau	Holdman	Niezgodski	Zay
Crane	Houchin	Perfect	

Nay - 0

Excused - 1

Tallian

Not Voting - 2

Breaux | Randolph

Senate

Roll Call 148: Bill Defeated

SB 236 - Young M - 3rd Reading

THC.

Yea	19
Nay	30
Excused	1
Not Voting	0

Presiding: President

Yea - 19

Alting	Busch	Messmer	Spartz
Becker	Ford J.D.	Mrvan	Stoops
Bohacek	Lanane	Perfect	Taylor
Bray	Melton	Randolph	Young
Breaux	Merritt	Ruckelshaus	

Nay - 30

Bassler	Donato	Holdman	Raatz
Boots	Doriot	Houchin	Rogers
Brown	Ford Jon	Koch	Sandlin
Buchanan	Freeman	Kruse	Tomes
Buck	Garten	Leising	Walker
Charbonneau	Gaskill	Mishler	Zay
Crane	Glick	Niemeyer	
Crider	Grooms	Niezgodski	

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 149: Bill Passed

SB 239 - Brown L - 3rd Reading

Coverage for breast prostheses.

Yea	48
Nay	1
Excused	1
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Koch	Raatz
Bassler	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Stoops
Brown	Garten	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay

Nay - 1

Gaskill

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 150: Bill Passed

SB 243 - Brown L - 3rd Reading

Credentialing, billing, and employment contracts.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 151: Bill Passed

SB 244 - Brown L - 3rd Reading

Teacher supplemental pay.

Yea	48
Nay	1
Excused	1
Not Voting	0

Presiding: President

Yea - 48

Alting	Crider	Koch	Raatz
Bassler	Donato	Kruse	Randolph
Becker	Doriot	Lanane	Rogers
Bohacek	Ford J.D.	Leising	Ruckelshaus
Bray	Ford Jon	Melton	Sandlin
Breaux	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Stoops
Buchanan	Gaskill	Mishler	Taylor
Buck	Glick	Mrvan	Tomes
Busch	Grooms	Niemeyer	Walker
Charbonneau	Holdman	Niezgodski	Young
Crane	Houchin	Perfect	Zay

Nay - 1

Boots

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 152: Bill Passed

SB 262 - Busch - 3rd Reading

Film and media production incentives.

Yea	47
Nay	2
Excused	1
Not Voting	0

Presiding: President

Yea - 47

Alting	Donato	Kruse	Randolph
Bassler	Doriot	Lanane	Rogers
Becker	Ford J.D.	Leising	Ruckelshaus
Bohacek	Ford Jon	Melton	Sandlin
Bray	Freeman	Merritt	Spartz
Breaux	Garten	Messmer	Stoops
Buchanan	Gaskill	Mishler	Taylor
Buck	Glick	Mrvan	Tomes
Busch	Grooms	Niemeyer	Walker
Charbonneau	Holdman	Niezgodski	Young
Crane	Houchin	Perfect	Zay
Crider	Koch	Raatz	

Nay - 2

Boots	Brown

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 153: Bill Passed

SB 263 - Holdman - 3rd Reading

Specialized weapons training.

Yea	42
Nay	7
Excused	1
Not Voting	0

Presiding: President

Yea - 42

Bassler	Crider	Koch	Raatz
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Leising	Sandlin
Boots	Ford Jon	Melton	Spartz
Bray	Freeman	Merritt	Taylor
Brown	Garten	Messmer	Tomes
Buchanan	Gaskill	Mishler	Walker
Buck	Glick	Mrvan	Young
Busch	Grooms	Niemeyer	Zay
Charbonneau	Holdman	Niezgodski	
Crane	Houchin	Perfect	

Nay - 7

Alting	Ford J.D.	Randolph	Stoops
Breaux	Lanane	Ruckelshaus	

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 154: Bill Passed

SB 264 - Holdman - 3rd Reading

Certified technology parks.

Yea	43
Nay	6
Excused	1
Not Voting	0

Presiding: President

Yea - 43

Alting	Crider	Kruse	Raatz
Becker	Donato	Lanane	Randolph
Bohacek	Doriot	Leising	Rogers
Boots	Ford J.D.	Melton	Ruckelshaus
Bray	Ford Jon	Merritt	Sandlin
Breaux	Garten	Messmer	Stoops
Buchanan	Glick	Mishler	Taylor
Buck	Grooms	Mrvan	Tomes
Busch	Holdman	Niemeyer	Young
Charbonneau	Houchin	Niezgodski	Zay
Crane	Koch	Perfect	

Nay - 6

Bassler	Freeman	Gaskill	Spartz
Brown			Walker

Excused - 1

Tallian

Not Voting - 0

Senate

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Roll Call 155: Bill Passed

SB 273 - Crider - 3rd Reading

Indiana behavioral health commission.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 156: Bill Passed

SB 289 - Grooms - 3rd Reading

Criminal history check of child service providers.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: Bray

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 157: Bill Passed

SB 291 - Grooms - 3rd Reading

Law enforcement officers and handguns in a casino.

Yea	40
Nay	9
Excused	1
Not Voting	0

Presiding: Bray

Yea - 40

Alting	Crane	Holdman	Niezgodski
Becker	Crider	Houchin	Raatz
Bohacek	Donato	Koch	Rogers
Boots	Doriot	Kruse	Ruckelshaus
Bray	Ford Jon	Leising	Sandlin
Brown	Freeman	Merritt	Spartz
Buchanan	Garten	Messmer	Tomes
Buck	Gaskill	Mishler	Walker
Busch	Glick	Mrvan	Young
Charbonneau	Grooms	Niemeyer	Zay

Nay - 9

Bassler	Lanane	Perfect	Stoops
Breaux	Melton	Randolph	Taylor
Ford J.D.			

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 158: Bill Passed

SB 295 - Raatz - 3rd Reading

Various education matters.

Yea	48
Nay	1
Excused	1
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Koch	Raatz
Bassler	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Garten	Messmer	Stoops
Brown	Gaskill	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay

Nay - 1

Freeman

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 159: Bill Passed

SB 299 - Brown L - 3rd Reading

Fetal remains.

Yea	40
Nay	9
Excused	1
Not Voting	0

Presiding: President

Yea - 40

Alting	Crane	Holdman	Perfect
Bassler	Crider	Houchin	Raatz
Becker	Donato	Koch	Rogers
Bohacek	Doriot	Kruse	Ruckelshaus
Bray	Ford Jon	Leising	Sandlin
Brown	Freeman	Merritt	Spartz
Buchanan	Garten	Messmer	Tomes
Buck	Gaskill	Mishler	Walker
Busch	Glick	Mrvan	Young
Charbonneau	Grooms	Niemeyer	Zay

Nay - 9

Boots	Lanane	Niezgodski	Stoops
Breaux	Melton	Randolph	Taylor
Ford J.D.			

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 160: Bill Passed

SB 309 - Niezgodski - 3rd Reading

Employee misclassification.

Yea	29
Nay	20
Excused	1
Not Voting	0

Presiding: President

Yea - 29

Alting	Doriot	Melton	Ruckelshaus
Bassler	Ford J.D.	Merritt	Sandlin
Becker	Ford Jon	Messmer	Stoops
Bohacek	Grooms	Mishler	Taylor
Bray	Holdman	Mrvan	Tomes
Breaux	Koch	Niezgodski	
Charbonneau	Kruse	Raatz	
Crider	Lanane	Randolph	

Nay - 20

Boots	Crane	Glick	Rogers
Brown	Donato	Houchin	Spartz
Buchanan	Freeman	Leising	Walker
Buck	Garten	Niemeyer	Young
Busch	Gaskill	Perfect	Zay

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 161: Bill Passed

SB 311 - Niezgodski - 3rd Reading

Coverage for PANDAS and PANS.

Yea	40
Nay	9
Excused	1
Not Voting	0

Presiding: President

Yea - 40

Alting	Charbonneau	Koch	Niezgodski
Bassler	Crane	Kruse	Randolph
Becker	Crider	Lanane	Rogers
Bohacek	Donato	Leising	Ruckelshaus
Bray	Doriot	Melton	Sandlin
Breaux	Ford J.D.	Merritt	Stoops
Brown	Ford Jon	Messmer	Taylor
Buchanan	Freeman	Mishler	Tomes
Buck	Grooms	Mrvan	Young
Busch	Holdman	Niemeyer	Zay

Nay - 9

Boots	Glick	Perfect	Spartz
Garten	Houchin	Raatz	Walker
Gaskill			

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 162: Bill Passed

SB 319 - Rogers - 3rd Reading

Practitioner or accomplished practitioner license.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 163: Bill Passed

SB 320 - Rogers - 3rd Reading

Withholding tax remittance.

Yea	48
Nay	1
Excused	1
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Perfect
Bassler	Crider	Koch	Raatz
Becker	Donato	Kruse	Randolph
Bohacek	Doriot	Lanane	Rogers
Boots	Ford J.D.	Leising	Ruckelshaus
Bray	Ford Jon	Melton	Sandlin
Breaux	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Stoops
Buchanan	Gaskill	Mishler	Taylor
Buck	Glick	Mrvan	Tomes
Busch	Grooms	Niemeyer	Walker
Charbonneau	Holdman	Niezgodski	Young

Nay - 1

Zay

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 164: Bill Passed

SB 324 - Glick - 3rd Reading

Micro market and vending machine fees.

Yea	32
Nay	16
Excused	1
Not Voting	1

Presiding: President

Yea - 32

Alting	Donato	Houchin	Perfect
Becker	Doriot	Koch	Randolph
Bohacek	Freeman	Kruse	Rogers
Buchanan	Garten	Leising	Ruckelshaus
Buck	Gaskill	Merritt	Sandlin
Busch	Glick	Messmer	Spartz
Charbonneau	Grooms	Mishler	Tomes
Crider	Holdman	Niezgodski	Zay

Nay - 16

Bassler	Brown	Melton	Stoops
Boots	Crane	Mrvan	Taylor
Bray	Ford J.D.	Niemeyer	Walker
Breaux	Lanane	Raatz	Young

Excused - 1

Tallian

Not Voting - 1

Ford Jon

Senate

Roll Call 165: Bill Passed

SB 327 - Zay - 3rd Reading

Reporting of consumer loans by unlicensed lenders.

Yea	47
Nay	2
Excused	1
Not Voting	0

Presiding: President

Yea - 47

Alting	Crane	Koch	Raatz
Bassler	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Taylor
Brown	Garten	Mishler	Tomes
Buchanan	Glick	Mrvan	Walker
Buck	Grooms	Niemeyer	Young
Busch	Holdman	Niezgodski	Zay
Charbonneau	Houchin	Perfect	

Nay - 2

Gaskill	Spartz

Excused - 1

Tallian

Not Voting - 0

Senate

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3:02:53 PM

Roll Call 166: Bill Passed

SB 335 - Young M - 3rd Reading

Criminal law issues.

Yea	40
Nay	9
Excused	1
Not Voting	0

Presiding: President

Yea - 40

Alting	Charbonneau	Grooms	Perfect
Bassler	Crane	Holdman	Raatz
Becker	Crider	Houchin	Rogers
Bohacek	Donato	Koch	Ruckelshaus
Boots	Doriot	Kruse	Sandlin
Bray	Ford Jon	Leising	Spartz
Brown	Freeman	Merritt	Tomes
Buchanan	Garten	Messmer	Walker
Buck	Gaskill	Mishler	Young
Busch	Glick	Niemeyer	Zay

Nay - 9

Breaux	Melton	Niezgodski	Stoops
Ford J.D.	Mrvan	Randolph	Taylor
Lanane			

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 167: Bill Passed

SB 337 - Spartz - 3rd Reading

Various insurance and health care matters.

Yea	43
Nay	6
Excused	1
Not Voting	0

Presiding: President

Yea - 43

Alting	Crider	Koch	Perfect
Bassler	Donato	Kruse	Raatz
Bohacek	Doriot	Lanane	Rogers
Boots	Ford Jon	Leising	Ruckelshaus
Bray	Freeman	Melton	Sandlin
Brown	Garten	Merritt	Spartz
Buchanan	Gaskill	Messmer	Tomes
Buck	Glick	Mishler	Walker
Busch	Grooms	Mrvan	Young
Charbonneau	Holdman	Niemeyer	Zay
Crane	Houchin	Niezgodski	

Nay - 6

Becker	Ford J.D.	Randolph	Stoops
Breaux			Taylor

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 168: Bill Passed

SB 342 - Alting - 3rd Reading

Pregnancy accommodation.

Yea	41
Nay	8
Excused	1
Not Voting	0

Presiding: President

Yea - 41

Alting	Crider	Koch	Rogers
Bassler	Donato	Kruse	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford Jon	Merritt	Spartz
Bray	Freeman	Messmer	Tomes
Brown	Garten	Mishler	Walker
Buchanan	Gaskill	Mrvan	Young
Buck	Glick	Niemeyer	Zay
Busch	Grooms	Perfect	
Charbonneau	Holdman	Raatz	
Crane	Houchin	Randolph	

Nay - 8

Boots	Ford J.D.	Melton	Stoops
Breaux	Lanane	Niezgodski	Taylor

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 169: Bill Passed

SB 343 - Houchin - 3rd Reading

Rural communications cooperatives.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 170: Bill Passed

SB 346 - Houchin - 3rd Reading

Students with disabilities.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 171: Bill Passed

SB 350 - Holdman - 3rd Reading

Central Indiana regional development authority.

Yea	48
Nay	1
Excused	1
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Perfect
Bassler	Crider	Koch	Raatz
Becker	Donato	Kruse	Randolph
Bohacek	Doriot	Lanane	Rogers
Boots	Ford J.D.	Leising	Ruckelshaus
Bray	Ford Jon	Melton	Sandlin
Breaux	Freeman	Merritt	Stoops
Brown	Garten	Messmer	Taylor
Buchanan	Gaskill	Mishler	Tomes
Buck	Glick	Mrvan	Walker
Busch	Grooms	Niemeyer	Young
Charbonneau	Holdman	Niezgodski	Zay

Nay - 1

Spartz

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 172: Bill Passed

SB 363 - Donato - 3rd Reading

Interim study committee.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 173: Bill Passed

SB 364 - Spartz - 3rd Reading

Regulatory impact matters.

Yea	45
Nay	4
Excused	1
Not Voting	0

Presiding: President

Yea - 45

Alting	Crider	Kruse	Rogers
Bassler	Donato	Leising	Ruckelshaus
Becker	Doriot	Melton	Sandlin
Bohacek	Ford Jon	Merritt	Spartz
Boots	Freeman	Messmer	Taylor
Bray	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 4

Breaux	Ford J.D.	Lanane	Stoops

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 174: Bill Passed

SB 365 - Niemeyer - 3rd Reading

Town of Griffith.

Yea	40
Nay	9
Excused	1
Not Voting	0

Presiding: President

Yea - 40

Alting	Charbonneau	Grooms	Perfect
Bassler	Crane	Holdman	Raatz
Becker	Crider	Houchin	Rogers
Bohacek	Donato	Koch	Ruckelshaus
Boots	Doriot	Kruse	Sandlin
Bray	Ford Jon	Leising	Spartz
Brown	Freeman	Merritt	Tomes
Buchanan	Garten	Messmer	Walker
Buck	Gaskill	Mishler	Young
Busch	Glick	Niemeyer	Zay

Nay - 9

Breaux	Melton	Niezgodski	Stoops
Ford J.D.	Mrvan	Randolph	Taylor
Lanane			

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 175: Bill Defeated

SB 369 - Alting - 3rd Reading

Regional transit expansion.

Yea	22
Nay	27
Excused	1
Not Voting	0

Presiding: President

Yea - 22

Alting	Crider	Holdman	Randolph
Becker	Ford J.D.	Lanane	Ruckelshaus
Bohacek	Ford Jon	Melton	Stoops
Bray	Garten	Mrvan	Taylor
Breaux	Glick	Niezgodski	
Buchanan	Grooms	Raatz	

Nay - 27

Bassler	Donato	Leising	Sandlin
Boots	Doriot	Merritt	Spartz
Brown	Freeman	Messmer	Tomes
Buck	Gaskill	Mishler	Walker
Busch	Houchin	Niemeyer	Young
Charbonneau	Koch	Perfect	Zay
Crane	Kruse	Rogers	

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 176: Bill Passed

SB 383 - Taylor G - 3rd Reading

Reporting on MBE and WBE contracting goals.

Yea	40
Nay	9
Excused	1
Not Voting	0

Presiding: President

Yea - 40

Alting	Charbonneau	Kruse	Randolph
Bassler	Crider	Lanane	Rogers
Becker	Donato	Leising	Ruckelshaus
Bohacek	Ford J.D.	Melton	Sandlin
Boots	Ford Jon	Merritt	Spartz
Bray	Freeman	Messmer	Stoops
Breaux	Glick	Mishler	Taylor
Buchanan	Grooms	Mrvan	Tomes
Buck	Holdman	Niemeyer	Walker
Busch	Houchin	Niezgodski	Young

Nay - 9

Brown	Garten	Koch	Raatz
Crane	Gaskill	Perfect	Zay
Doriot			

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 177: Bill Passed

SB 385 - Freeman - 3rd Reading

Assessment of business personal property taxes.

Yea	40
Nay	9
Excused	1
Not Voting	0

Presiding: President

Yea - 40

Alting	Charbonneau	Holdman	Perfect
Bassler	Crane	Houchin	Raatz
Becker	Donato	Koch	Rogers
Bohacek	Doriot	Kruse	Ruckelshaus
Boots	Ford Jon	Leising	Sandlin
Bray	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Tomes
Buchanan	Gaskill	Mishler	Walker
Buck	Glick	Mrvan	Young
Busch	Grooms	Niemeyer	Zay

Nay - 9

Breaux	Lanane	Niezgodski	Stoops
Crider	Melton	Randolph	Taylor
Ford J.D.			

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 178: Bill Passed

SB 395 - Bassler - 3rd Reading

Uniform Consumer Credit Code.

Yea	40
Nay	9
Excused	1
Not Voting	0

Presiding: President

Yea - 40

Alting	Charbonneau	Grooms	Perfect
Bassler	Crane	Holdman	Raatz
Becker	Crider	Houchin	Rogers
Bohacek	Donato	Koch	Ruckelshaus
Boots	Doriot	Kruse	Sandlin
Bray	Ford Jon	Leising	Spartz
Brown	Freeman	Merritt	Taylor
Buchanan	Garten	Messmer	Tomes
Buck	Gaskill	Mishler	Walker
Busch	Glick	Niemeyer	Young

Nay - 9

Breaux	Melton	Niezgodski	Stoops
Ford J.D.	Mrvan	Randolph	Zay
Lanane			

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 179: Bill Passed

SB 398 - Raatz - 3rd Reading

Various education matters.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: Bray

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 180: Bill Passed

SB 400 - Buchanan - 3rd Reading

Assessment and taxation of golf courses.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 181: Bill Passed

SB 401 - Buchanan - 3rd Reading

Deduction for rehabilitation of residential property.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 182: Bill Passed

SB 403 - Buchanan - 3rd Reading

Property tax appeals.

Yea	48
Nay	0
Excused	1
Not Voting	1

Presiding: President

Yea - 48

Alting	Crane	Houchin	Perfect
Bassler	Crider	Koch	Raatz
Becker	Donato	Kruse	Randolph
Bohacek	Doriot	Lanane	Rogers
Boots	Ford J.D.	Leising	Ruckelshaus
Bray	Ford Jon	Melton	Sandlin
Breaux	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Stoops
Buchanan	Gaskill	Mishler	Tomes
Buck	Glick	Mrvan	Walker
Busch	Grooms	Niemeyer	Young
Charbonneau	Holdman	Niezgodski	Zay

Nay - 0

Excused - 1

Tallian

Not Voting - 1

Taylor

Senate

Roll Call 183: Bill Passed

SB 405 - Garten - 3rd Reading

Exemptions from design release requirements.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 184: Bill Passed

SB 406 - Garten - 3rd Reading

Survivor benefits.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 185: Bill Passed

SB 408 - Holdman - 3rd Reading

Various tax matters.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 186: Bill Passed

SB 409 - Messmer - 3rd Reading

Employment of minors.

Yea	48
Nay	1
Excused	1
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Sandlin
Bray	Ford Jon	Melton	Spartz
Breaux	Freeman	Merritt	Stoops
Brown	Garten	Messmer	Taylor
Buchanan	Gaskill	Mishler	Tomes
Buck	Glick	Mrvan	Walker
Busch	Grooms	Niemeyer	Young
Charbonneau	Holdman	Perfect	Zay

Nay - 1

Niezgodski

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 187: Bill Passed

SB 410 - Glick - 3rd Reading

Libraries.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 188: Bill Passed

SB 416 - Melton - 3rd Reading

Gary Community School Corporation.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 189: Bill Passed

SB 425 - Bohacek - 3rd Reading

School corporation disannexation.

Yea	30
Nay	19
Excused	1
Not Voting	0

Presiding: President

Yea - 30

Bassler	Garten	Messmer	Rogers
Bohacek	Gaskill	Mishler	Sandlin
Bray	Glick	Mrvan	Spartz
Brown	Grooms	Niemeyer	Stoops
Buck	Holdman	Niezgodski	Walker
Charbonneau	Houchin	Perfect	Young
Doriot	Leising	Raatz	
Freeman	Merritt	Randolph	

Nay - 19

Alting	Busch	Ford Jon	Ruckelshaus
Becker	Crane	Koch	Taylor
Boots	Crider	Kruse	Tomes
Breaux	Donato	Lanane	Zay
Buchanan	Ford J.D.	Melton	

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 190: Bill Passed

SB 427 - Buchanan - 3rd Reading

Provisional occupational license.

Yea	47
Nay	2
Excused	1
Not Voting	0

Presiding: President

Yea - 47

Alting	Crane	Houchin	Randolph
Bassler	Crider	Koch	Rogers
Becker	Donato	Kruse	Ruckelshaus
Bohacek	Doriot	Lanane	Sandlin
Boots	Ford J.D.	Melton	Spartz
Bray	Ford Jon	Messmer	Stoops
Breaux	Freeman	Mishler	Taylor
Brown	Garten	Mrvan	Tomes
Buchanan	Gaskill	Niemeyer	Walker
Buck	Glick	Niezgodski	Young
Busch	Grooms	Perfect	Zay
Charbonneau	Holdman	Raatz	

Nay - 2

Leising	Merritt

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 191: Bill Passed

SB 430 - Merritt - 3rd Reading

Reservoir conservancy districts.

Yea	46
Nay	2
Excused	1
Not Voting	1

Presiding: President

Yea - 46

Alting	Crane	Kruse	Rogers
Bassler	Crider	Lanane	Ruckelshaus
Becker	Donato	Leising	Sandlin
Bohacek	Doriot	Melton	Spartz
Boots	Ford J.D.	Merritt	Stoops
Bray	Ford Jon	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Niemeyer	Walker
Buchanan	Glick	Niezgodski	Young
Buck	Grooms	Perfect	Zay
Busch	Holdman	Raatz	
Charbonneau	Koch	Randolph	

Nay - 2

Freeman	Houchin

Excused - 1

Tallian

Not Voting - 1

Mrvan

Senate

Roll Call 192: Bill Passed

SB 433 - Bassler - 3rd Reading

Removal of residences from certain flood plains.

Yea	48
Nay	1
Excused	1
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Perfect
Bassler	Crider	Koch	Raatz
Becker	Donato	Kruse	Randolph
Bohacek	Doriot	Lanane	Rogers
Boots	Ford J.D.	Leising	Ruckelshaus
Bray	Ford Jon	Melton	Sandlin
Breaux	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Taylor
Buchanan	Gaskill	Mishler	Tomes
Buck	Glick	Mrvan	Walker
Busch	Grooms	Niemeyer	Young
Charbonneau	Holdman	Niezgodski	Zay

Nay - 1

Stoops

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 193: Bill Passed

SB 434 - Young M - 3rd Reading

Private card games.

Yea	33
Nay	16
Excused	1
Not Voting	0

Presiding: President

Yea - 33

Alting	Doriot	Melton	Ruckelshaus
Becker	Ford J.D.	Merritt	Stoops
Bohacek	Freeman	Messmer	Taylor
Boots	Garten	Mishler	Tomes
Breaux	Glick	Mrvan	Young
Buchanan	Grooms	Niezgodski	Zay
Busch	Houchin	Perfect	
Charbonneau	Lanane	Randolph	
Crider	Leising	Rogers	

Nay - 16

Bassler	Crane	Holdman	Raatz
Bray	Donato	Koch	Sandlin
Brown	Ford Jon	Kruse	Spartz
Buck	Gaskill	Niemeyer	Walker

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 194: Bill Passed

SB 435 - Melton - 3rd Reading

Waiver of penalties and interest.

Yea	47
Nay	2
Excused	1
Not Voting	0

Presiding: President

Yea - 47

Alting	Crane	Koch	Randolph
Bassler	Crider	Kruse	Rogers
Becker	Donato	Lanane	Ruckelshaus
Bohacek	Doriot	Leising	Sandlin
Boots	Ford J.D.	Melton	Spartz
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Taylor
Brown	Garten	Mishler	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	

Nay - 2

Gaskill	Mrvan

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 195: Bill Passed

SB 437 - Busch - 3rd Reading

Credit card payments for charity gaming.

Yea	47
Nay	2
Excused	1
Not Voting	0

Presiding: President

Yea - 47

Alting	Crider	Koch	Randolph
Bassler	Donato	Lanane	Rogers
Becker	Doriot	Leising	Ruckelshaus
Bohacek	Ford J.D.	Melton	Sandlin
Boots	Ford Jon	Merritt	Spartz
Bray	Freeman	Messmer	Stoops
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	

Nay - 2

Crane	Kruse

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 196: Bill Passed

SB 448 - Holdman - 3rd Reading

Nonprofit hospital report.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 197: Bill Passed

SB 449 - Houchin - 3rd Reading

Juveniles.

Yea	31
Nay	18
Excused	1
Not Voting	0

Presiding: President

Yea - 31

Boots	Crider	Houchin	Rogers
Bray	Donato	Koch	Sandlin
Brown	Doriot	Kruse	Spartz
Buchanan	Freeman	Leising	Tomes
Buck	Garten	Messmer	Walker
Busch	Gaskill	Mishler	Young
Charbonneau	Grooms	Mrvan	Zay
Crane	Holdman	Niemeyer	

Nay - 18

Alting	Ford J.D.	Merritt	Ruckelshaus
Bassler	Ford Jon	Niezgodski	Stoops
Becker	Glick	Perfect	Taylor
Bohacek	Lanane	Raatz	
Breaux	Melton	Randolph	

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 198: Bill Passed

SB 450 - Busch - 3rd Reading

Low head dams.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 199: Bill Passed

SB 451 - Busch - 3rd Reading

Crime stoppers and restitution.

Yea	46
Nay	3
Excused	1
Not Voting	0

Presiding: President

Yea - 46

Alting	Crider	Koch	Raatz
Bassler	Donato	Kruse	Rogers
Becker	Doriot	Lanane	Ruckelshaus
Bohacek	Ford J.D.	Leising	Sandlin
Boots	Ford Jon	Melton	Spartz
Bray	Freeman	Merritt	Stoops
Breaux	Garten	Messmer	Tomes
Buchanan	Gaskill	Mishler	Walker
Buck	Glick	Mrvan	Young
Busch	Grooms	Niemeyer	Zay
Charbonneau	Holdman	Niezgodski	
Crane	Houchin	Perfect	

Nay - 3

Brown	Randolph	Taylor

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 200: Bill Passed

SB 455 - Buchanan - 3rd Reading

School accreditation.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Tallian

Not Voting - 0

Senate

Roll Call 205: Bill Passed

HB 1095 - Garten - 3rd Reading

Contracts for emergency road repairs.

Yea	49
Nay	0
Excused	0
Not Voting	1

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 1

Tallian

Senate

Roll Call 206: Bill Passed

HB 1198 - Glick - 3rd Reading

Public safety matters.

Yea	49
Nay	0
Excused	0
Not Voting	1

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 1

Tallian

Senate

Roll Call 208: Bill Passed

HB 1077 - Perfect - 3rd Reading

Professional licensing agency.

Yea	48
Nay	0
Excused	1
Not Voting	1

Presiding: President

Yea - 48

Alting	Crane	Koch	Raatz
Bassler	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford Jon	Melton	Sandlin
Bray	Freeman	Merritt	Spartz
Breaux	Garten	Messmer	Tallian
Brown	Gaskill	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay

Nay - 0

Excused - 1

Stoops

Not Voting - 1

Ford J.D.

Senate

Roll Call 209: Bill Passed

HB 1080 - Ruckelshaus - 3rd Reading

Colorectal cancer testing.

Yea	44
Nay	5
Excused	1
Not Voting	0

Presiding: President

Yea - 44

Alting	Crane	Houchin	Niezgodski
Bassler	Crider	Koch	Perfect
Becker	Donato	Kruse	Raatz
Bohacek	Doriot	Lanane	Randolph
Bray	Ford J.D.	Leising	Rogers
Breaux	Ford Jon	Melton	Ruckelshaus
Brown	Freeman	Merritt	Sandlin
Buchanan	Garten	Messmer	Tallian
Buck	Glick	Mishler	Taylor
Busch	Grooms	Mrvan	Walker
Charbonneau	Holdman	Niemeyer	Zay

Nay - 5

Boots	Spartz	Tomes	Young
Gaskill			

Excused - 1

Stoops

Not Voting - 0

Senate

Roll Call 210: Bill Passed

HB 1092 - Charbonneau - 3rd Reading

State Medicaid plan amendments.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Tallian
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Stoops

Not Voting - 0

Senate

Roll Call 211: Bill Passed

HB 1096 - Young M - 3rd Reading

Technical corrections.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Tallian
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Stoops

Not Voting - 0

Senate

Roll Call 212: Bill Passed

HB 1129 - Brown L - 3rd Reading

Infant screening.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Tallian
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Stoops

Not Voting - 0

Senate

Roll Call 213: Bill Passed

HB 1143 - Ford Jon - 3rd Reading

Device implantation as a condition of employment.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Tallian
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 1

Stoops

Not Voting - 0

Senate

Roll Call 215: Bill Passed

HB 1022 - Messmer - 3rd Reading

Legislative notaries.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Ruckelshaus
Bassler	Donato	Leising	Sandlin
Becker	Doriot	Melton	Spartz
Bohacek	Ford J.D.	Merritt	Stoops
Boots	Ford Jon	Messmer	Tallian
Bray	Freeman	Mishler	Taylor
Breaux	Garten	Mrvan	Tomes
Brown	Gaskill	Niemeyer	Walker
Buchanan	Glick	Niezgodski	Young
Buck	Grooms	Perfect	Zay
Busch	Holdman	Raatz	
Charbonneau	Houchin	Randolph	
Crane	Koch	Rogers	

Nay - 0

Excused - 1

Lanane

Not Voting - 0

Senate

Roll Call 216: Bill Passed

HB 1067 - Leising - 3rd Reading

Dental hygienists.

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Ruckelshaus
Bassler	Donato	Leising	Sandlin
Becker	Doriot	Melton	Spartz
Bohacek	Ford J.D.	Merritt	Stoops
Boots	Ford Jon	Messmer	Tallian
Bray	Freeman	Mishler	Taylor
Breaux	Garten	Mrvan	Tomes
Brown	Gaskill	Niemeyer	Walker
Buchanan	Glick	Niezgodski	Young
Buck	Grooms	Perfect	Zay
Busch	Holdman	Raatz	
Charbonneau	Houchin	Randolph	
Crane	Koch	Rogers	

Nay - 0

Excused - 1

Lanane

Not Voting - 0

Senate

Roll Call 217: Bill Passed

HB 1210 - Charbonneau - 3rd Reading

Various health matters.

Yea	48
Nay	1
Excused	1
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Taylor
Buchanan	Gaskill	Mrvan	Tomes
Buck	Glick	Niemeyer	Walker
Busch	Grooms	Niezgodski	Young
Charbonneau	Holdman	Perfect	Zay

Nay - 1

Spartz

Excused - 1

Lanane

Not Voting - 0

Senate

Roll Call 219: Bill Passed

HB 1009 - Messmer - 3rd Reading

Various welfare matters.

Yea	47
Nay	0
Excused	2
Not Voting	1

Presiding: President

Yea - 47

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Rogers
Becker	Donato	Kruse	Ruckelshaus
Bohacek	Doriot	Lanane	Spartz
Boots	Ford J.D.	Leising	Stoops
Bray	Ford Jon	Merritt	Tallian
Breaux	Freeman	Messmer	Taylor
Brown	Garten	Mishler	Tomes
Buchanan	Gaskill	Mrvan	Walker
Buck	Glick	Niemeyer	Young
Busch	Grooms	Niezgodski	Zay
Charbonneau	Holdman	Perfect	

Nay - 0

Excused - 2

Melton	Sandlin

Not Voting - 1

Randolph

Senate

Roll Call 220: Bill Passed

HB 1047 - Young M - 3rd Reading

Justice reinvestment advisory council.

Yea	48
Nay	0
Excused	2
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Spartz
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Taylor
Buchanan	Gaskill	Mrvan	Tomes
Buck	Glick	Niemeyer	Walker
Busch	Grooms	Niezgodski	Young
Charbonneau	Holdman	Perfect	Zay

Nay - 0

Excused - 2

Melton	Sandlin

Not Voting - 0

Senate

Roll Call 221: Bill Passed

HB 1099 - Busch - 3rd Reading

Low head dams.

Yea	48
Nay	0
Excused	2
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Spartz
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Taylor
Buchanan	Gaskill	Mrvan	Tomes
Buck	Glick	Niemeyer	Walker
Busch	Grooms	Niezgodski	Young
Charbonneau	Holdman	Perfect	Zay

Nay - 0

Excused - 2

Melton	Sandlin

Not Voting - 0

Senate

Roll Call 222: Bill Passed

HB 1104 - Garten - 3rd Reading

Housing and community development authority.

Yea	48
Nay	0
Excused	2
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Spartz
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Taylor
Buchanan	Gaskill	Mrvan	Tomes
Buck	Glick	Niemeyer	Walker
Busch	Grooms	Niezgodski	Young
Charbonneau	Holdman	Perfect	Zay

Nay - 0

Excused - 2

Melton	Sandlin

Not Voting - 0

Senate

Roll Call 223: Bill Passed

HB 1109 - Walker - 3rd Reading

Telephone solicitation and consumer credit.

Yea	48
Nay	0
Excused	2
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Spartz
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Taylor
Buchanan	Gaskill	Mrvan	Tomes
Buck	Glick	Niemeyer	Walker
Busch	Grooms	Niezgodski	Young
Charbonneau	Holdman	Perfect	Zay

Nay - 0

Excused - 2

Melton	Sandlin

Not Voting - 0

Senate

Roll Call 224: Bill Passed

HB 1147 - Boots - 3rd Reading

Municipal elections.

Yea	42
Nay	6
Excused	2
Not Voting	0

Presiding: President

Yea - 42

Alting	Crane	Houchin	Rogers
Bassler	Crider	Koch	Ruckelshaus
Becker	Donato	Kruse	Spartz
Bohacek	Doriot	Leising	Stoops
Boots	Ford Jon	Merritt	Tallian
Bray	Freeman	Messmer	Tomes
Brown	Garten	Mishler	Walker
Buchanan	Gaskill	Niemeyer	Young
Buck	Glick	Perfect	Zay
Busch	Grooms	Raatz	
Charbonneau	Holdman	Randolph	

Nay - 6

Breaux	Lanane	Mrvan	Niezgodski
Ford J.D.			Taylor

Excused - 2

Melton	Sandlin

Not Voting - 0

Senate

Roll Call 225: Bill Passed

HB 1189 - Crider - 3rd Reading

Use of firefighting foam containing PFAS.

Yea	48
Nay	0
Excused	2
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Spartz
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Taylor
Buchanan	Gaskill	Mrvan	Tomes
Buck	Glick	Niemeyer	Walker
Busch	Grooms	Niezgodski	Young
Charbonneau	Holdman	Perfect	Zay

Nay - 0

Excused - 2

Melton	Sandlin

Not Voting - 0

Senate

Roll Call 226: Bill Passed

HB 1218 - Donato - 3rd Reading

Locating underground utility infrastructure.

Yea	48
Nay	0
Excused	2
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Spartz
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Taylor
Buchanan	Gaskill	Mrvan	Tomes
Buck	Glick	Niemeyer	Walker
Busch	Grooms	Niezgodski	Young
Charbonneau	Holdman	Perfect	Zay

Nay - 0

Excused - 2

Melton	Sandlin

Not Voting - 0

Senate

Roll Call 227: Bill Passed

HB 1224 - Crider - 3rd Reading

Council on impaired and dangerous driving.

Yea	48
Nay	0
Excused	2
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Spartz
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Taylor
Buchanan	Gaskill	Mrvan	Tomes
Buck	Glick	Niemeyer	Walker
Busch	Grooms	Niezgodski	Young
Charbonneau	Holdman	Perfect	Zay

Nay - 0

Excused - 2

Melton	Sandlin

Not Voting - 0

Senate

Roll Call 228: Bill Passed

HB 1267 - Messmer - 3rd Reading

Withdrawal of candidates.

Yea	48
Nay	0
Excused	2
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Spartz
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Taylor
Buchanan	Gaskill	Mrvan	Tomes
Buck	Glick	Niemeyer	Walker
Busch	Grooms	Niezgodski	Young
Charbonneau	Holdman	Perfect	Zay

Nay - 0

Excused - 2

Melton	Sandlin

Not Voting - 0

Senate

Roll Call 229: Bill Passed

HB 1288 - Walker - 3rd Reading

Local office campaign finance reports.

Yea	46
Nay	2
Excused	2
Not Voting	0

Presiding: President

Yea - 46

Alting	Crane	Houchin	Randolph
Bassler	Crider	Koch	Rogers
Becker	Donato	Kruse	Ruckelshaus
Bohacek	Doriot	Lanane	Spartz
Boots	Ford J.D.	Leising	Stoops
Bray	Ford Jon	Merritt	Tallian
Breaux	Freeman	Messmer	Tomes
Brown	Garten	Mishler	Walker
Buchanan	Gaskill	Mrvan	Young
Buck	Glick	Niemeyer	Zay
Busch	Grooms	Niezgodski	
Charbonneau	Holdman	Raatz	

Nay - 2

Perfect	Taylor

Excused - 2

Melton	Sandlin

Not Voting - 0

Senate

Roll Call 230: Bill Passed

HB 1334 - Niemeyer - 3rd Reading

Radon mitigation.

Yea	48
Nay	0
Excused	2
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Spartz
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Taylor
Buchanan	Gaskill	Mrvan	Tomes
Buck	Glick	Niemeyer	Walker
Busch	Grooms	Niezgodski	Young
Charbonneau	Holdman	Perfect	Zay

Nay - 0

Excused - 2

Melton	Sandlin

Not Voting - 0

Senate

Roll Call 231: Bill Passed

HB 1343 - Tomes - 3rd Reading

New Harmony and Wabash River bridge authority.

Yea	48
Nay	0
Excused	2
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Spartz
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Taylor
Buchanan	Gaskill	Mrvan	Tomes
Buck	Glick	Niemeyer	Walker
Busch	Grooms	Niezgodski	Young
Charbonneau	Holdman	Perfect	Zay

Nay - 0

Excused - 2

Melton	Sandlin

Not Voting - 0

Senate

Roll Call 232: Bill Passed

HB 1403 - Messmer - 3rd Reading

Waste tires.

Yea	48
Nay	0
Excused	2
Not Voting	0

Presiding: President

Yea - 48

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Spartz
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Taylor
Buchanan	Gaskill	Mrvan	Tomes
Buck	Glick	Niemeyer	Walker
Busch	Grooms	Niezgodski	Young
Charbonneau	Holdman	Perfect	Zay

Nay - 0

Excused - 2

Melton	Sandlin

Not Voting - 0

Senate

Roll Call 234: Amendment Failed

HB 1165 - Sandlin - 2nd Reading

Municipally owned utilities.
Amendment #1 - Ford J.D.

Yea	10
Nay	36
Excused	2
Not Voting	2

Presiding: President

Yea - 10

Breaux	Mrvan	Ruckelshaus	Taylor
Ford J.D.	Niezgodski	Stoops	
Lanane	Randolph	Tallian	

Nay - 36

Alting	Busch	Glick	Niemeyer
Bassler	Charbonneau	Grooms	Perfect
Becker	Crane	Holdman	Raatz
Bohacek	Crider	Houchin	Rogers
Boots	Donato	Koch	Sandlin
Bray	Doriot	Kruse	Spartz
Brown	Ford Jon	Leising	Tomes
Buchanan	Garten	Merritt	Walker
Buck	Gaskill	Messmer	Young

Excused - 2

Melton	Mishler

Not Voting - 2

Freeman	Zay

Senate

Roll Call 235: Bill Passed

HB 1014 - Gaskill - 3rd Reading

Plan commissions.

Yea	45
Nay	1
Excused	2
Not Voting	2

Presiding: President

Yea - 45

Alting	Crider	Kruse	Ruckelshaus
Bassler	Donato	Lanane	Sandlin
Becker	Doriot	Leising	Spartz
Bohacek	Ford J.D.	Merritt	Stoops
Bray	Ford Jon	Messmer	Tallian
Breaux	Garten	Mrvan	Taylor
Brown	Gaskill	Niemeyer	Tomes
Buchanan	Glick	Niezgodski	Walker
Buck	Grooms	Perfect	Young
Busch	Holdman	Raatz	
Charbonneau	Houchin	Randolph	
Crane	Koch	Rogers	

Nay - 1

Boots

Excused - 2

Melton
Mishler

Not Voting - 2

Freeman
Zay

Senate

Roll Call 236: Bill Passed

HB 1032 - Rogers - 3rd Reading

Interfering with public safety.

Yea	43
Nay	4
Excused	2
Not Voting	1

Presiding: President

Yea - 43

Alting	Charbonneau	Houchin	Randolph
Bassler	Crane	Koch	Rogers
Becker	Crider	Kruse	Ruckelshaus
Bohacek	Donato	Lanane	Sandlin
Boots	Doriot	Leising	Spartz
Bray	Ford Jon	Merritt	Tallian
Breaux	Garten	Messmer	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Raatz	

Nay - 4

Ford J.D.	Perfect	Stoops	Taylor

Excused - 2

Melton	Mishler

Not Voting - 1

Freeman

Senate

Roll Call 237: Bill Passed

HB 1070 - Crider - 3rd Reading

Distracted driving.

Yea	43
Nay	4
Excused	2
Not Voting	1

Presiding: President

Yea - 43

Alting	Crane	Houchin	Rogers
Bassler	Crider	Koch	Ruckelshaus
Becker	Donato	Kruse	Sandlin
Bohacek	Doriot	Lanane	Spartz
Bray	Ford J.D.	Merritt	Stoops
Breaux	Ford Jon	Messmer	Tallian
Brown	Garten	Mrvan	Taylor
Buchanan	Gaskill	Niemeyer	Tomes
Buck	Glick	Niezgodski	Walker
Busch	Grooms	Raatz	Zay
Charbonneau	Holdman	Randolph	

Nay - 4

Boots	Leising	Perfect	Young

Excused - 2

Melton	Mishler

Not Voting - 1

Freeman

Senate

Roll Call 238: Bill Passed

HB 1081 - Houchin - 3rd Reading

Commission for supplier diversity.

Yea	47
Nay	0
Excused	2
Not Voting	1

Presiding: President

Yea - 47

Alting	Crane	Koch	Rogers
Bassler	Crider	Kruse	Ruckelshaus
Becker	Donato	Lanane	Sandlin
Bohacek	Doriot	Leising	Spartz
Boots	Ford J.D.	Merritt	Stoops
Bray	Ford Jon	Messmer	Tallian
Breaux	Garten	Mrvan	Taylor
Brown	Gaskill	Niemeyer	Tomes
Buchanan	Glick	Niezgodski	Walker
Buck	Grooms	Perfect	Young
Busch	Holdman	Raatz	Zay
Charbonneau	Houchin	Randolph	

Nay - 0

Excused - 2

Melton	Mishler

Not Voting - 1

Freeman

Senate

Roll Call 239: Bill Passed

HB 1082 - Ford Jon - 3rd Reading

Various higher education matters.

Yea	46
Nay	0
Excused	2
Not Voting	2

Presiding: President

Yea - 46

Alting	Crane	Kruse	Ruckelshaus
Bassler	Crider	Lanane	Sandlin
Becker	Donato	Leising	Spartz
Bohacek	Doriot	Merritt	Stoops
Boots	Ford J.D.	Messmer	Tallian
Bray	Ford Jon	Mrvan	Taylor
Breaux	Garten	Niemeyer	Tomes
Brown	Gaskill	Niezgodski	Walker
Buchanan	Glick	Perfect	Young
Buck	Grooms	Raatz	Zay
Busch	Houchin	Randolph	
Charbonneau	Koch	Rogers	

Nay - 0

Excused - 2

Melton	Mishler

Not Voting - 2

Freeman	Holdman

Senate

Roll Call 240: Bill Passed

HB 1090 - Koch - 3rd Reading

Assumption of care of cemeteries.

Yea	46
Nay	0
Excused	2
Not Voting	2

Presiding: President

Yea - 46

Alting	Crane	Kruse	Ruckelshaus
Bassler	Crider	Lanane	Sandlin
Becker	Donato	Leising	Spartz
Bohacek	Doriot	Merritt	Stoops
Boots	Ford J.D.	Messmer	Tallian
Bray	Ford Jon	Mrvan	Taylor
Breaux	Garten	Niemeyer	Tomes
Brown	Gaskill	Niezgodski	Walker
Buchanan	Glick	Perfect	Young
Buck	Grooms	Raatz	Zay
Busch	Houchin	Randolph	
Charbonneau	Koch	Rogers	

Nay - 0

Excused - 2

Melton	Mishler

Not Voting - 2

Freeman	Holdman

Senate

Roll Call 241: Bill Passed

HB 1093 - Perfect - 3rd Reading

Electronic document filing.

Yea	45
Nay	0
Excused	2
Not Voting	3

Presiding: President

Yea - 45

Alting	Crane	Kruse	Ruckelshaus
Bassler	Crider	Lanane	Sandlin
Becker	Donato	Leising	Spartz
Bohacek	Doriot	Merritt	Stoops
Boots	Ford J.D.	Messmer	Taylor
Bray	Ford Jon	Mrvan	Tomes
Breaux	Garten	Niemeyer	Walker
Brown	Gaskill	Niezgodski	Young
Buchanan	Glick	Perfect	Zay
Buck	Grooms	Raatz	
Busch	Houchin	Randolph	
Charbonneau	Koch	Rogers	

Nay - 0

Excused - 2

Melton	Mishler

Not Voting - 3

Freeman	Holdman	Tallian

Senate

Roll Call 242: Bill Passed

HB 1112 - Koch - 3rd Reading

Skills enhancement fund grants.

Yea	44
Nay	0
Excused	2
Not Voting	4

Presiding: President

Yea - 44

Bassler	Crane	Koch	Randolph
Becker	Crider	Kruse	Rogers
Bohacek	Donato	Lanane	Ruckelshaus
Boots	Doriot	Leising	Sandlin
Bray	Ford J.D.	Merritt	Spartz
Breaux	Ford Jon	Messmer	Stoops
Brown	Garten	Mrvan	Taylor
Buchanan	Gaskill	Niemeyer	Tomes
Buck	Glick	Niezgodski	Walker
Busch	Grooms	Perfect	Young
Charbonneau	Houchin	Raatz	Zay

Nay - 0

Excused - 2

Melton	Mishler

Not Voting - 4

Alting	Freeman	Holdman	Tallian

Senate

Roll Call 243: Bill Passed

HB 1166 - Niemeyer - 3rd Reading

State commission and board meetings.

Yea	42
Nay	2
Excused	2
Not Voting	4

Presiding: President

Yea - 42

Bassler	Crane	Koch	Randolph
Becker	Crider	Kruse	Rogers
Bohacek	Donato	Lanane	Ruckelshaus
Boots	Doriot	Leising	Sandlin
Bray	Ford J.D.	Merritt	Spartz
Breaux	Ford Jon	Messmer	Stoops
Brown	Garten	Mrvan	Tomes
Buchanan	Gaskill	Niemeyer	Walker
Buck	Glick	Niezgodski	Zay
Busch	Grooms	Perfect	
Charbonneau	Houchin	Raatz	

Nay - 2

Taylor	Young

Excused - 2

Melton	Mishler

Not Voting - 4

Alting	Freeman	Holdman	Tallian

Senate

Roll Call 244: Bill Passed

HB 1173 - Tomes - 3rd Reading

Indiana department of veterans' affairs.

Yea	44
Nay	0
Excused	2
Not Voting	4

Presiding: President

Yea - 44

Bassler	Crane	Koch	Randolph
Becker	Crider	Kruse	Rogers
Bohacek	Donato	Lanane	Ruckelshaus
Boots	Doriot	Leising	Sandlin
Bray	Ford J.D.	Merritt	Spartz
Breaux	Ford Jon	Messmer	Stoops
Brown	Garten	Mrvan	Taylor
Buchanan	Gaskill	Niemeyer	Tomes
Buck	Glick	Niezgodski	Walker
Busch	Grooms	Perfect	Young
Charbonneau	Houchin	Raatz	Zay

Nay - 0

Excused - 2

Melton	Mishler

Not Voting - 4

Alting	Freeman	Holdman	Tallian

Senate

Roll Call 245: Bill Passed

HB 1199 - Grooms - 3rd Reading

Palliative care.

Yea	42
Nay	2
Excused	2
Not Voting	4

Presiding: President

Yea - 42

Bassler	Crane	Kruse	Rogers
Becker	Crider	Lanane	Ruckelshaus
Bohacek	Donato	Leising	Sandlin
Boots	Doriot	Merritt	Stoops
Bray	Ford J.D.	Messmer	Taylor
Breaux	Ford Jon	Mrvan	Tomes
Brown	Garten	Niemeyer	Walker
Buchanan	Glick	Niezgodski	Young
Buck	Grooms	Perfect	Zay
Busch	Houchin	Raatz	
Charbonneau	Koch	Randolph	

Nay - 2

Gaskill	Spartz

Excused - 2

Melton	Mishler

Not Voting - 4

Alting	Freeman	Holdman	Tallian

Senate

Roll Call 246: Bill Passed

HB 1243 - Becker - 3rd Reading

Genetic counselors.

Yea	42
Nay	3
Excused	2
Not Voting	3

Presiding: President

Yea - 42

Bassler	Crane	Kruse	Rogers
Becker	Crider	Lanane	Ruckelshaus
Bohacek	Donato	Leising	Sandlin
Boots	Doriot	Merritt	Stoops
Bray	Ford Jon	Messmer	Taylor
Breaux	Garten	Mrvan	Tomes
Brown	Gaskill	Niemeyer	Walker
Buchanan	Glick	Niezgodski	Young
Buck	Grooms	Perfect	Zay
Busch	Houchin	Raatz	
Charbonneau	Koch	Randolph	

Nay - 3

Ford J.D.	Spartz	Tallian

Excused - 2

Melton	Mishler

Not Voting - 3

Alting	Freeman	Holdman

Senate

Roll Call 247: Bill Passed

HB 1301 - Crider - 3rd Reading

Deployment of truck safety technology.

Yea	45
Nay	0
Excused	2
Not Voting	3

Presiding: President

Yea - 45

Bassler	Crider	Lanane	Sandlin
Becker	Donato	Leising	Spartz
Bohacek	Doriot	Merritt	Stoops
Boots	Ford J.D.	Messmer	Tallian
Bray	Ford Jon	Mrvan	Taylor
Breaux	Garten	Niemeyer	Tomes
Brown	Gaskill	Niezgodski	Walker
Buchanan	Glick	Perfect	Young
Buck	Grooms	Raatz	Zay
Busch	Houchin	Randolph	
Charbonneau	Koch	Rogers	
Crane	Kruse	Ruckelshaus	

Nay - 0

Excused - 2

Melton	Mishler

Not Voting - 3

Alting	Freeman	Holdman

Senate

Roll Call 248: Bill Passed

HB 1346 - Koch - 3rd Reading

Jail overcrowding.

Yea	45
Nay	0
Excused	2
Not Voting	3

Presiding: President

Yea - 45

Bassler	Crider	Lanane	Sandlin
Becker	Donato	Leising	Spartz
Bohacek	Doriot	Merritt	Stoops
Boots	Ford J.D.	Messmer	Tallian
Bray	Ford Jon	Mrvan	Taylor
Breaux	Garten	Niemeyer	Tomes
Brown	Gaskill	Niezgodski	Walker
Buchanan	Glick	Perfect	Young
Buck	Grooms	Raatz	Zay
Busch	Houchin	Randolph	
Charbonneau	Koch	Rogers	
Crane	Kruse	Ruckelshaus	

Nay - 0

Excused - 2

Melton	Mishler

Not Voting - 3

Alting	Freeman	Holdman

Senate

Roll Call 249: Bill Passed

HB 1370 - Messmer - 3rd Reading

Regional redevelopment.

Yea	45
Nay	0
Excused	2
Not Voting	3

Presiding: President

Yea - 45

Bassler	Crider	Lanane	Sandlin
Becker	Donato	Leising	Spartz
Bohacek	Doriot	Merritt	Stoops
Boots	Ford J.D.	Messmer	Tallian
Bray	Ford Jon	Mrvan	Taylor
Breaux	Garten	Niemeyer	Tomes
Brown	Gaskill	Niezgodski	Walker
Buchanan	Glick	Perfect	Young
Buck	Grooms	Raatz	Zay
Busch	Houchin	Randolph	
Charbonneau	Koch	Rogers	
Crane	Kruse	Ruckelshaus	

Nay - 0

Excused - 2

Melton	Mishler

Not Voting - 3

Alting	Freeman	Holdman

Senate

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3:35:43 PM

Roll Call 251: Amendment Prevailed

HB 1279 - Mishler - 2nd Reading

Transit development districts.
Amendment #6 - Freeman

Yea	35
Nay	12
Excused	2
Not Voting	1

Presiding: President

Yea - 35

Alting	Crane	Holdman	Raatz
Bohacek	Crider	Houchin	Rogers
Boots	Donato	Koch	Sandlin
Bray	Doriot	Kruse	Spartz
Brown	Freeman	Leising	Tomes
Buchanan	Garten	Messmer	Walker
Buck	Gaskill	Mishler	Young
Busch	Glick	Niemeyer	Zay
Charbonneau	Grooms	Perfect	

Nay - 12

Becker	Lanane	Mrvan	Stoops
Breaux	Melton	Niezgodski	Tallian
Ford J.D.	Merritt	Ruckelshaus	Taylor

Excused - 2

Ford Jon	Randolph

Not Voting - 1

Bassler

Senate

Roll Call 252: Amendment Prevailed

HB 1372 - Bassler - 2nd Reading

Various insurance matters.
Amendment #6 - Niezgodski

Yea	32
Nay	14
Excused	2
Not Voting	2

Presiding: President

Yea - 32

Alting	Buck	Lanane	Rogers
Bassler	Charbonneau	Leising	Ruckelshaus
Becker	Crider	Melton	Sandlin
Bohacek	Doriot	Merritt	Stoops
Bray	Ford J.D.	Messmer	Taylor
Breaux	Grooms	Mrvan	Tomes
Brown	Holdman	Niemeyer	Young
Buchanan	Koch	Niezgodski	Zay

Nay - 14

Boots	Freeman	Houchin	Spartz
Busch	Garten	Kruse	Walker
Crane	Gaskill	Perfect	
Donato	Glick	Raatz	

Excused - 2

Ford Jon	Randolph

Not Voting - 2

Mishler	Tallian

Senate

Roll Call 253: Bill Passed

HB 1091 - Kruse - 3rd Reading

Education benefits relating to military service.

Yea	46
Nay	0
Excused	2
Not Voting	2

Presiding: President

Yea - 46

Alting	Crane	Koch	Rogers
Bassler	Crider	Kruse	Ruckelshaus
Becker	Donato	Lanane	Sandlin
Bohacek	Doriot	Leising	Spartz
Boots	Ford J.D.	Melton	Stoops
Bray	Freeman	Merritt	Taylor
Breaux	Garten	Messmer	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	

Nay - 0

Excused - 2

Ford Jon	Randolph

Not Voting - 2

Mishler	Tallian

Senate

Roll Call 254: Bill Passed

HB 1165 - Sandlin - 3rd Reading

Municipally owned utilities.

Yea	28
Nay	18
Excused	2
Not Voting	2

Presiding: President

Yea - 28

Boots	Ford J.D.	Leising	Ruckelshaus
Bray	Freeman	Merritt	Sandlin
Brown	Garten	Messmer	Spartz
Buck	Gaskill	Niezgodski	Tomes
Charbonneau	Houchin	Perfect	Walker
Donato	Koch	Raatz	Young
Doriot	Kruse	Rogers	Zay

Nay - 18

Alting	Buchanan	Grooms	Niemeyer
Bassler	Busch	Holdman	Stoops
Becker	Crane	Lanane	Taylor
Bohacek	Crider	Melton	
Breaux	Glick	Mrvan	

Excused - 2

Ford Jon	Randolph

Not Voting - 2

Mishler	Tallian

Senate

Roll Call 255: Bill Passed

HB 1348 - Busch - 3rd Reading

State and local administration.

Yea	45
Nay	0
Excused	3
Not Voting	2

Presiding: President

Yea - 45

Alting	Crane	Kruse	Ruckelshaus
Bassler	Crider	Lanane	Sandlin
Becker	Donato	Leising	Spartz
Bohacek	Doriot	Melton	Stoops
Boots	Ford J.D.	Merritt	Taylor
Bray	Freeman	Messmer	Tomes
Breaux	Garten	Mrvan	Walker
Brown	Gaskill	Niemeyer	Young
Buchanan	Glick	Niezgodski	Zay
Buck	Grooms	Perfect	
Busch	Holdman	Raatz	
Charbonneau	Koch	Rogers	

Nay - 0

Excused - 3

Ford Jon	Houchin	Randolph

Not Voting - 2

Mishler	Tallian

Senate

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3:21:26 PM

Roll Call 257: Amendment Prevailed

HB 1003 - Raatz - 2nd Reading

Education matters.
Amendment #3 - Chris Garten

Yea	32
Nay	18
Excused	0
Not Voting	0

Presiding: President

YEA - 32

Bassler	Charbonneau	Koch	Raatz
Becker	Ford Jon	Kruse	Rogers
Boots	Garten	Leising	Ruckelshaus
Bray	Gaskill	Merritt	Sandlin
Brown	Glick	Messmer	Spartz
Buchanan	Grooms	Mishler	Tomes
Buck	Holdman	Niemeyer	Young
Busch	Houchin	Perfect	Zay

NAY - 18

Alting	Donato	Melton	Tallian
Bohacek	Doriot	Mrvan	Taylor
Breaux	Ford J.D.	Niezgodski	Walker
Crane	Freeman	Randolph	
Crider	Lanane	Stoops	

EXCUSED - 0

NOT VOTING - 0

Senate

Roll Call 258: Amendment Failed

HB 1003 - Raatz - 2nd Reading

Education matters.
Amendment #4 - Melton

Yea	16
Nay	34
Excused	0
Not Voting	0

Presiding: President

Yea - 16

Alting	Crider	Melton	Stoops
Becker	Ford J.D.	Mrvan	Tallian
Bohacek	Glick	Niezgodski	Taylor
Breaux	Lanane	Randolph	Tomes

Nay - 34

Bassler	Donato	Koch	Rogers
Boots	Doriot	Kruse	Ruckelshaus
Bray	Ford Jon	Leising	Sandlin
Brown	Freeman	Merritt	Spartz
Buchanan	Garten	Messmer	Walker
Buck	Gaskill	Mishler	Young
Busch	Grooms	Niemeyer	Zay
Charbonneau	Holdman	Perfect	
Crane	Houchin	Raatz	

Excused - 0

Not Voting - 0

Senate

Roll Call 259: Amendment Prevailed

HB 1065 - Holdman - 2nd Reading

Various tax matters.
Amendment #1 - Freeman

Yea	37
Nay	11
Excused	0
Not Voting	2

Presiding: President

Yea - 37

Alting	Crane	Koch	Ruckelshaus
Bassler	Donato	Kruse	Sandlin
Becker	Doriot	Leising	Spartz
Bohacek	Freeman	Merritt	Tomes
Boots	Garten	Messmer	Walker
Bray	Gaskill	Mishler	Young
Brown	Glick	Niemeyer	Zay
Buchanan	Grooms	Perfect	
Buck	Holdman	Raatz	
Busch	Houchin	Rogers	

Nay - 11

Breaux	Lanane	Niezgodski	Tallian
Crider	Melton	Randolph	Taylor
Ford J.D.	Mrvan	Stoops	

Excused - 0

Not Voting - 2

Charbonneau	Ford Jon

Senate

Roll Call 260: Amendment Prevailed

HB 1065 - Holdman - 2nd Reading

Various tax matters.
Amendment #6 - Rogers

Yea	26
Nay	25
Excused	0
Not Voting	0

Presiding: President

Yea - 26

Bassler	Doriot	Leising	Sandlin
Bray	Ford Jon	Merritt	Spartz
Brown	Garten	Messmer	Tallian
Buck	Gaskill	Mishler	Zay
Busch	Holdman	Perfect	Lt. Governor
Charbonneau	Houchin	Raatz	
Crane	Kruse	Rogers	

Nay - 25

Alting	Donato	Melton	Taylor
Becker	Ford J.D.	Mrvan	Tomes
Bohacek	Freeman	Niemeyer	Walker
Boots	Glick	Niezgodski	Young
Breaux	Grooms	Randolph	
Buchanan	Koch	Ruckelshaus	
Crider	Lanane	Stoops	

Excused - 0

Not Voting - 0

Senate

Roll Call 261: Amendment Prevailed

HB 1066 - Raatz - 2nd Reading

Various education matters.
Amendment #5 - Tallian

Yea	42
Nay	8
Excused	0
Not Voting	0

Presiding: President

Yea - 42

Alting	Crider	Lanane	Randolph
Becker	Doriot	Leising	Rogers
Bohacek	Ford J.D.	Melton	Ruckelshaus
Boots	Ford Jon	Merritt	Spartz
Bray	Garten	Messmer	Stoops
Breaux	Glick	Mishler	Tallian
Brown	Grooms	Mrvan	Taylor
Buchanan	Holdman	Niemeyer	Tomes
Buck	Houchin	Niezgodski	Walker
Busch	Koch	Perfect	
Charbonneau	Kruse	Raatz	

Nay - 8

Bassler	Donato	Gaskill	Young
Crane	Freeman	Sandlin	Zay

Excused - 0

Not Voting - 0

Senate

Roll Call 262: Amendment Failed

HB 1066 - Raatz - 2nd Reading

Various education matters.
Amendment #3 - Lanane

Yea	15
Nay	34
Excused	0
Not Voting	1

Presiding: President

Yea - 15

Alting	Ford J.D.	Niezgodski	Tallian
Becker	Lanane	Randolph	Taylor
Bohacek	Melton	Ruckelshaus	Tomes
Breaux	Mrvan	Stoops	

Nay - 34

Bassler	Crider	Houchin	Raatz
Boots	Donato	Koch	Rogers
Bray	Doriot	Kruse	Sandlin
Brown	Ford Jon	Leising	Spartz
Buchanan	Freeman	Merritt	Walker
Buck	Garten	Messmer	Young
Busch	Gaskill	Mishler	Zay
Charbonneau	Glick	Niemeyer	
Crane	Grooms	Perfect	

Excused - 0

Not Voting - 1

Holdman

Senate

Roll Call 263: Amendment Failed

HB 1066 - Raatz - 2nd Reading

Various education matters.
Amendment #4 - Lanane

Yea	20
Nay	30
Excused	0
Not Voting	0

Presiding: President

Yea - 20

Alting	Ford J.D.	Mrvan	Stoops
Becker	Ford Jon	Niezgodski	Tallian
Bohacek	Glick	Randolph	Taylor
Breaux	Lanane	Rogers	Tomes
Crider	Melton	Ruckelshaus	Walker

Nay - 30

Bassler	Crane	Houchin	Perfect
Boots	Donato	Koch	Raatz
Bray	Doriot	Kruse	Sandlin
Brown	Freeman	Leising	Spartz
Buchanan	Garten	Merritt	Young
Buck	Gaskill	Messmer	Zay
Busch	Grooms	Mishler	
Charbonneau	Holdman	Niemeyer	

Excused - 0

Not Voting - 0

Senate

Roll Call 264: Amendment Failed

HB 1207 - Grooms - 2nd Reading

Pharmacy matters.
Amendment #1 - Ford J.D.

Yea	10
Nay	38
Excused	0
Not Voting	2

Presiding: President

Yea - 10

Breaux	Melton	Randolph	Taylor
Ford J.D.	Mrvan	Stoops	
Lanane	Niezgodski	Tallian	

Nay - 38

Alting	Crane	Houchin	Rogers
Bassler	Crider	Koch	Ruckelshaus
Bohacek	Donato	Kruse	Sandlin
Boots	Doriot	Leising	Spartz
Bray	Ford Jon	Merritt	Tomes
Brown	Freeman	Messmer	Walker
Buchanan	Garten	Mishler	Young
Buck	Gaskill	Niemeyer	Zay
Busch	Glick	Perfect	
Charbonneau	Grooms	Raatz	

Excused - 0

Not Voting - 2

Becker	Holdman

Senate

Roll Call 265: Amendment Failed

HB 1207 - Grooms - 2nd Reading

Pharmacy matters.
Amendment #2 - Ford J.D.

Yea	13
Nay	36
Excused	0
Not Voting	1

Presiding: President

Yea - 13

Alting	Lanane	Randolph	Taylor
Breaux	Melton	Ruckelshaus	
Ford J.D.	Mrvan	Stoops	
Ford Jon	Niezgodski	Tallian	

Nay - 36

Bassler	Charbonneau	Grooms	Perfect
Becker	Crane	Houchin	Raatz
Bohacek	Crider	Koch	Rogers
Boots	Donato	Kruse	Sandlin
Bray	Doriot	Leising	Spartz
Brown	Freeman	Merritt	Tomes
Buchanan	Garten	Messmer	Walker
Buck	Gaskill	Mishler	Young
Busch	Glick	Niemeyer	Zay

Excused - 0

Not Voting - 1

Holdman

Senate

Roll Call 266: Amendment Failed

HB 1265 - Randolph - 2nd Reading

Drinking water testing.
Amendment #1 - Stoops

Yea	15
Nay	34
Excused	0
Not Voting	1

Presiding: President

Yea - 15

Alting	Ford J.D.	Mrvan	Stoops
Becker	Glick	Niezgodski	Tallian
Bohacek	Lanane	Randolph	Taylor
Breaux	Melton	Ruckelshaus	

Nay - 34

Bassler	Crider	Koch	Rogers
Boots	Donato	Kruse	Sandlin
Bray	Doriot	Leising	Spartz
Brown	Ford Jon	Merritt	Tomes
Buchanan	Freeman	Messmer	Walker
Buck	Garten	Mishler	Young
Busch	Gaskill	Niemeyer	Zay
Charbonneau	Grooms	Perfect	
Crane	Houchin	Raatz	

Excused - 0

Not Voting - 1

Holdman

Senate

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6:49:51 PM

Roll Call 267: Amendment Failed

HB 1414 - Messmer - 2nd Reading

Electric generation.
Amendment #1 - Ford J.D.

Yea	10
Nay	38
Excused	0
Not Voting	2

Presiding: President

Yea - 10

Breaux	Melton	Ruckelshaus	Taylor
Ford J.D.	Mrvan	Stoops	
Lanane	Randolph	Tallian	

Nay - 38

Alting	Charbonneau	Grooms	Raatz
Bassler	Crane	Houchin	Rogers
Becker	Crider	Koch	Sandlin
Bohacek	Donato	Kruse	Spartz
Boots	Doriot	Leising	Tomes
Bray	Ford Jon	Merritt	Walker
Brown	Freeman	Messmer	Young
Buchanan	Garten	Mishler	Zay
Buck	Gaskill	Niemeyer	
Busch	Glick	Perfect	

Excused - 0

Not Voting - 2

Holdman	Niezgodski

Senate

Roll Call 269: Bill Passed

HB 1002 - Raatz - 3rd Reading

Teacher evaluations.

Yea	49
Nay	1
Excused	0
Not Voting	0

Presiding: Bray

Yea - 49

Alting	Crider	Lanane	Ruckelshaus
Bassler	Donato	Leising	Sandlin
Becker	Doriot	Melton	Spartz
Bohacek	Ford J.D.	Merritt	Stoops
Boots	Ford Jon	Messmer	Tallian
Bray	Freeman	Mishler	Taylor
Breaux	Garten	Mrvan	Tomes
Brown	Gaskill	Niemeyer	Walker
Buchanan	Glick	Niezgodski	Young
Buck	Grooms	Perfect	Zay
Busch	Holdman	Raatz	
Charbonneau	Houchin	Randolph	
Crane	Koch	Rogers	

Nay - 1

Kruse

Excused - 0

Not Voting - 0

Senate

Roll Call 270: Bill Passed

HB 1003 - Raatz - 3rd Reading

Education matters.

Yea	39
Nay	11
Excused	0
Not Voting	0

Presiding: Bray

Yea - 39

Bassler	Crider	Houchin	Randolph
Bohacek	Donato	Koch	Rogers
Boots	Doriot	Kruse	Ruckelshaus
Bray	Ford Jon	Leising	Sandlin
Brown	Freeman	Merritt	Spartz
Buchanan	Garten	Messmer	Taylor
Buck	Gaskill	Mishler	Walker
Busch	Glick	Niemeyer	Young
Charbonneau	Grooms	Perfect	Zay
Crane	Holdman	Raatz	

Nay - 11

Alting	Ford J.D.	Mrvan	Tallian
Becker	Lanane	Niezgodski	Tomes
Breaux	Melton	Stoops	

Excused - 0

Not Voting - 0

Senate

Roll Call 271: Bill Passed

HB 1004 - Charbonneau - 3rd Reading

Health matters.

Yea	49
Nay	1
Excused	0
Not Voting	0

Presiding: Bray

Yea - 49

Alting	Crider	Lanane	Ruckelshaus
Bassler	Donato	Leising	Sandlin
Becker	Doriot	Melton	Spartz
Bohacek	Ford J.D.	Merritt	Stoops
Boots	Ford Jon	Messmer	Tallian
Bray	Freeman	Mishler	Taylor
Breaux	Garten	Mrvan	Tomes
Brown	Gaskill	Niemeyer	Walker
Buchanan	Glick	Niezgodski	Young
Buck	Grooms	Perfect	Zay
Busch	Holdman	Raatz	
Charbonneau	Koch	Randolph	
Crane	Kruse	Rogers	

Nay - 1

Houchin

Excused - 0

Not Voting - 0

Senate

Roll Call 272: Bill Passed

HB 1006 - Charbonneau - 3rd Reading

Regulation of tobacco and vaping.

Yea	39
Nay	11
Excused	0
Not Voting	0

Presiding: Bray

Yea - 39

Alting	Crane	Kruse	Randolph
Becker	Crider	Lanane	Rogers
Bohacek	Donato	Melton	Ruckelshaus
Bray	Doriot	Merritt	Sandlin
Breaux	Ford J.D.	Messmer	Stoops
Brown	Ford Jon	Mishler	Tallian
Buchanan	Garten	Mrvan	Taylor
Buck	Glick	Niezgodski	Walker
Busch	Grooms	Perfect	Zay
Charbonneau	Holdman	Raatz	

Nay - 11

Bassler	Gaskill	Leising	Tomes
Boots	Houchin	Niemeyer	Young
Freeman	Koch	Spartz	

Excused - 0

Not Voting - 0

Senate

Roll Call 273: Bill Passed

HB 1008 - Messmer - 3rd Reading

Occupational license endorsement.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 274: Bill Passed

HB 1015 - Sandlin - 3rd Reading

Rights of professional firefighters.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 275: Bill Passed

HB 1042 - Brown L - 3rd Reading

Pharmacy benefit managers.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 276: Bill Passed

HB 1043 - Boots - 3rd Reading

Firefighters and police officers.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 277: Bill Passed

HB 1045 - Glick - 3rd Reading

Display of flag.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 278: Bill Passed

HB 1049 - Holdman - 3rd Reading

Business associations.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

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10:55:02 AM

Roll Call 279: Bill Passed

HB 1052 - Charbonneau - 3rd Reading

Pulaski County local income tax.

Yea	41
Nay	9
Excused	0
Not Voting	0

Presiding: Bray

Yea - 41

Alting	Charbonneau	Lanane	Randolph
Bassler	Crider	Leising	Rogers
Becker	Doriot	Melton	Ruckelshaus
Bohacek	Ford J.D.	Merritt	Sandlin
Boots	Ford Jon	Messmer	Stoops
Bray	Garten	Mishler	Tallian
Breaux	Glick	Mrvan	Taylor
Brown	Grooms	Niemeyer	Zay
Buchanan	Holdman	Niezgodski	
Buck	Koch	Perfect	
Busch	Kruse	Raatz	

Nay - 9

Crane	Gaskill	Spartz	Walker
Donato	Houchin	Tomes	Young
Freeman			

Excused - 0

Not Voting - 0

Senate

Roll Call 280: Bill Passed

HB 1059 - Doriot - 3rd Reading

Sales tax on recreational vehicles.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 281: Bill Passed

HB 1063 - Doriot - 3rd Reading

Public safety officer death benefits.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 282: Bill Passed

HB 1065 - Holdman - 3rd Reading

Various tax matters.

Yea	31
Nay	19
Excused	0
Not Voting	0

Presiding: Bray

Yea - 31

Bohacek	Crane	Grooms	Perfect
Boots	Crider	Holdman	Raatz
Bray	Donato	Kruse	Rogers
Brown	Doriot	Leising	Sandlin
Buchanan	Ford Jon	Merritt	Spartz
Buck	Garten	Messmer	Walker
Busch	Gaskill	Mishler	Zay
Charbonneau	Glick	Niemeyer	

Nay - 19

Alting	Freeman	Mrvan	Tallian
Bassler	Houchin	Niezgodski	Taylor
Becker	Koch	Randolph	Tomes
Breaux	Lanane	Ruckelshaus	Young
Ford J.D.	Melton	Stoops	

Excused - 0

Not Voting - 0

Senate

Roll Call 283: Bill Passed

HB 1066 - Raatz - 3rd Reading

Various education matters.

Yea	42
Nay	8
Excused	0
Not Voting	0

Presiding: Bray

Yea - 42

Alting	Crane	Houchin	Rogers
Bassler	Crider	Koch	Ruckelshaus
Becker	Donato	Kruse	Sandlin
Bohacek	Doriot	Leising	Spartz
Boots	Ford Jon	Merritt	Tallian
Bray	Freeman	Messmer	Tomes
Brown	Garten	Mishler	Walker
Buchanan	Gaskill	Niemeyer	Young
Buck	Glick	Niezgodski	Zay
Busch	Grooms	Perfect	
Charbonneau	Holdman	Raatz	

Nay - 8

Breaux	Lanane	Mrvan	Stoops
Ford J.D.	Melton	Randolph	Taylor

Excused - 0

Not Voting - 0

Senate

Roll Call 284: Bill Passed

HB 1094 - Glick - 3rd Reading

Substance use prevention and recovery.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 285: Bill Passed

HB 1108 - Bassler - 3rd Reading

State board of accounts.

Yea	47
Nay	3
Excused	0
Not Voting	0

Presiding: Bray

Yea - 47

Alting	Crane	Koch	Raatz
Bassler	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Tallian
Breaux	Freeman	Messmer	Taylor
Brown	Garten	Mishler	Tomes
Buchanan	Glick	Mrvan	Walker
Buck	Grooms	Niemeyer	Young
Busch	Holdman	Niezgodski	Zay
Charbonneau	Houchin	Perfect	

Nay - 3

Gaskill	Spartz	Stoops

Excused - 0

Not Voting - 0

Senate

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11:51:30 AM

Roll Call 286: Bill Passed

HB 1111 - Ruckelshaus - 3rd Reading

Unemployment.

Yea	48
Nay	2
Excused	0
Not Voting	0

Presiding: Bray

Yea - 48

Alting	Crane	Koch	Raatz
Bassler	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay

Nay - 2

Gaskill	Spartz

Excused - 0

Not Voting - 0

Senate

Roll Call 287: Bill Passed

HB 1113 - Bassler - 3rd Reading

Department of local government finance.

Yea	45
Nay	5
Excused	0
Not Voting	0

Presiding: Bray

Yea - 45

Alting	Crane	Lanane	Sandlin
Bassler	Crider	Melton	Spartz
Becker	Donato	Merritt	Stoops
Bohacek	Ford J.D.	Mishler	Tallian
Boots	Ford Jon	Mrvan	Taylor
Bray	Freeman	Niemeyer	Tomes
Breaux	Garten	Niezgodski	Walker
Brown	Grooms	Perfect	Young
Buchanan	Holdman	Raatz	Zay
Buck	Houchin	Randolph	
Busch	Koch	Rogers	
Charbonneau	Kruse	Ruckelshaus	

Nay - 5

Doriot	Glick	Leising	Messmer
Gaskill			

Excused - 0

Not Voting - 0

Senate

Roll Call 288: Bill Passed

HB 1120 - Koch - 3rd Reading

Community corrections and credit time.

Yea	49
Nay	1
Excused	0
Not Voting	0

Presiding: Bray

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 1

Taylor

Excused - 0

Not Voting - 0

Senate

Roll Call 289: Bill Passed

HB 1131 - Garten - 3rd Reading

Utility matters.

Yea	49
Nay	1
Excused	0
Not Voting	0

Presiding: Bray

Yea - 49

Alting	Crider	Lanane	Ruckelshaus
Bassler	Donato	Leising	Sandlin
Becker	Doriot	Melton	Spartz
Bohacek	Ford J.D.	Merritt	Stoops
Boots	Ford Jon	Messmer	Tallian
Bray	Freeman	Mishler	Taylor
Breaux	Garten	Mrvan	Tomes
Brown	Glick	Niemeyer	Walker
Buchanan	Grooms	Niezgodski	Young
Buck	Holdman	Perfect	Zay
Busch	Houchin	Raatz	
Charbonneau	Koch	Randolph	
Crane	Kruse	Rogers	

Nay - 1

Gaskill

Excused - 0

Not Voting - 0

Senate

Roll Call 290: Bill Passed

HB 1132 - Freeman - 3rd Reading

Criminal and juvenile law matters.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 291: Bill Passed

HB 1148 - Ford Jon - 3rd Reading

Board of accountancy.

Yea	48
Nay	2
Excused	0
Not Voting	0

Presiding: Bray

Yea - 48

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Stoops
Brown	Garten	Mishler	Tallian
Buchanan	Gaskill	Mrvan	Taylor
Buck	Glick	Niemeyer	Tomes
Busch	Grooms	Niezgodski	Walker
Charbonneau	Holdman	Perfect	Zay

Nay - 2

Melton	Young

Excused - 0

Not Voting - 0

Senate

Roll Call 292: Bill Passed

HB 1151 - Boots - 3rd Reading

School resource officers.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 293: Bill Passed

HB 1153 - Raatz - 3rd Reading

Education matters.

Yea	44
Nay	6
Excused	0
Not Voting	0

Presiding: Bray

Yea - 44

Alting	Charbonneau	Holdman	Niezgodski
Bassler	Crane	Houchin	Perfect
Becker	Crider	Koch	Raatz
Bohacek	Donato	Kruse	Rogers
Boots	Doriot	Lanane	Ruckelshaus
Bray	Ford Jon	Leising	Sandlin
Breaux	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Tomes
Buchanan	Gaskill	Mishler	Walker
Buck	Glick	Mrvan	Young
Busch	Grooms	Niemeyer	Zay

Nay - 6

Ford J.D.	Randolph	Stoops	Tallian
Melton			Taylor

Excused - 0

Not Voting - 0

Senate

Roll Call 294: Bill Passed

HB 1157 - Freeman - 3rd Reading

Driving privileges.

Yea	37
Nay	13
Excused	0
Not Voting	0

Presiding: Bray

Yea - 37

Alting	Charbonneau	Melton	Stoops
Bassler	Crane	Merritt	Tallian
Becker	Donato	Mishler	Taylor
Bohacek	Doriot	Mrvan	Tomes
Boots	Ford J.D.	Niezgodski	Walker
Bray	Freeman	Perfect	Young
Breaux	Gaskill	Randolph	Zay
Brown	Kruse	Rogers	
Buchanan	Lanane	Ruckelshaus	
Buck	Leising	Spartz	

Nay - 13

Busch	Glick	Koch	Sandlin
Crider	Grooms	Messmer	
Ford Jon	Holdman	Niemeyer	
Garten	Houchin	Raatz	

Excused - 0

Not Voting - 0

Senate

Roll Call 295: Bill Passed

HB 1174 - Crider - 3rd Reading

Youth helmet safety.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 296: Bill Passed

HB 1176 - Ruckelshaus - 3rd Reading

First steps program.

Yea	47
Nay	3
Excused	0
Not Voting	0

Presiding: Bray

Yea - 47

Alting	Crider	Kruse	Randolph
Bassler	Donato	Lanane	Rogers
Becker	Doriot	Leising	Ruckelshaus
Bohacek	Ford J.D.	Melton	Sandlin
Boots	Ford Jon	Merritt	Spartz
Bray	Freeman	Messmer	Stoops
Breaux	Garten	Mishler	Tallian
Brown	Glick	Mrvan	Taylor
Buchanan	Grooms	Niemeyer	Tomes
Buck	Holdman	Niezgodski	Young
Busch	Houchin	Perfect	Zay
Charbonneau	Koch	Raatz	

Nay - 3

Crane	Gaskill	Walker

Excused - 0

Not Voting - 0

Senate

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1:33:28 PM

Roll Call 297: Bill Passed

HB 1182 - Becker - 3rd Reading

HIV, fatality reviews, and syringe exchange programs.

Yea	36
Nay	14
Excused	0
Not Voting	0

Presiding: Bray

Yea - 36

Alting	Buck	Holdman	Raatz
Bassler	Busch	Lanane	Randolph
Becker	Charbonneau	Leising	Rogers
Bohacek	Crider	Melton	Ruckelshaus
Boots	Doriot	Merritt	Stoops
Bray	Ford J.D.	Mishler	Tallian
Breaux	Garten	Mrvan	Taylor
Brown	Glick	Niezgodski	Tomes
Buchanan	Grooms	Perfect	Walker

Nay - 14

Crane	Gaskill	Messmer	Young
Donato	Houchin	Niemeyer	Zay
Ford Jon	Koch	Sandlin	
Freeman	Kruse	Spartz	

Excused - 0

Not Voting - 0

Senate

Roll Call 298: Bill Passed

HB 1207 - Grooms - 3rd Reading

Pharmacy matters.

Yea	49
Nay	1
Excused	0
Not Voting	0

Presiding: Bray

Yea - 49

Alting	Crider	Lanane	Ruckelshaus
Bassler	Donato	Leising	Sandlin
Becker	Doriot	Melton	Spartz
Bohacek	Ford J.D.	Merritt	Stoops
Boots	Ford Jon	Messmer	Tallian
Bray	Freeman	Mishler	Taylor
Breaux	Garten	Mrvan	Tomes
Brown	Glick	Niemeyer	Walker
Buchanan	Grooms	Niezgodski	Young
Buck	Holdman	Perfect	Zay
Busch	Houchin	Raatz	
Charbonneau	Koch	Randolph	
Crane	Kruse	Rogers	

Nay - 1

Gaskill

Excused - 0

Not Voting - 0

Senate

SECOND REGULAR SESSION | 121ST GENERAL ASSEMBLY | MAR 03, 2020

1:38:27 PM

Roll Call 299: Bill Passed

HB 1209 - Crider - 3rd Reading

Reimbursement for emergency medical services.

Yea	49
Nay	1
Excused	0
Not Voting	0

Presiding: Bray

YEA - 49

Alting	Crider	Lanane	Ruckelshaus
Bassler	Donato	Leising	Sandlin
Becker	Doriot	Melton	Spartz
Bohacek	Ford J.D.	Merritt	Stoops
Boots	Ford Jon	Messmer	Tallian
Bray	Freeman	Mishler	Taylor
Breaux	Garten	Mrvan	Tomes
Brown	Glick	Niemeyer	Walker
Buchanan	Grooms	Niezgodski	Young
Buck	Holdman	Perfect	Zay
Busch	Houchin	Raatz	
Charbonneau	Koch	Randolph	
Crane	Kruse	Rogers	

NAY - 1

Gaskill

EXCUSED - 0

NOT VOTING - 0

Senate

Roll Call 300: Bill Passed

HB 1222 - Walker - 3rd Reading

Miscellaneous election law matters.

Yea	37
Nay	13
Excused	0
Not Voting	0

Presiding: Bray

Yea - 37

Bassler	Donato	Koch	Ruckelshaus
Bohacek	Doriot	Kruse	Sandlin
Boots	Ford Jon	Leising	Spartz
Bray	Freeman	Merritt	Tallian
Breaux	Garten	Messmer	Walker
Brown	Gaskill	Mishler	Young
Buck	Glick	Niemeyer	Zay
Charbonneau	Grooms	Perfect	
Crane	Holdman	Raatz	
Crider	Houchin	Rogers	

Nay - 13

Alting	Ford J.D.	Niezgodski	Tomes
Becker	Lanane	Randolph	
Buchanan	Melton	Stoops	
Busch	Mrvan	Taylor	

Excused - 0

Not Voting - 0

Senate

Roll Call 301: Bill Passed

HB 1225 - Messmer - 3rd Reading

Public safety.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 302: Bill Passed

HB 1235 - Crider - 3rd Reading

911 fees.

Yea	39
Nay	11
Excused	0
Not Voting	0

Presiding: Bray

Yea - 39

Alting	Charbonneau	Houchin	Perfect
Bassler	Crider	Kruse	Raatz
Becker	Donato	Lanane	Randolph
Bohacek	Doriot	Leising	Rogers
Bray	Ford J.D.	Melton	Stoops
Breaux	Ford Jon	Merritt	Tallian
Brown	Freeman	Messmer	Taylor
Buchanan	Glick	Mishler	Tomes
Buck	Grooms	Mrvan	Walker
Busch	Holdman	Niezgodski	

Nay - 11

Boots	Gaskill	Ruckelshaus	Young
Crane	Koch	Sandlin	Zay
Garten	Niemeyer	Spartz	

Excused - 0

Not Voting - 0

Senate

Roll Call 303: Bill Passed

HB 1244 - Boots - 3rd Reading

Unemployment hearings and appeals.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 304: Bill Passed

HB 1246 - Crider - 3rd Reading

Automotive dealer services.

Yea	44
Nay	6
Excused	0
Not Voting	0

Presiding: Bray

Yea - 44

Alting	Crane	Koch	Raatz
Becker	Crider	Kruse	Randolph
Bohacek	Donato	Lanane	Rogers
Boots	Doriot	Leising	Ruckelshaus
Bray	Ford J.D.	Melton	Sandlin
Breaux	Ford Jon	Merritt	Stoops
Brown	Garten	Messmer	Tallian
Buchanan	Glick	Mishler	Taylor
Buck	Grooms	Mrvan	Tomes
Busch	Holdman	Niemeyer	Walker
Charbonneau	Houchin	Niezgodski	Zay

Nay - 6

Bassler	Gaskill	Perfect	Spartz
Freeman			Young

Excused - 0

Not Voting - 0

Senate

Roll Call 305: Bill Passed

HB 1264 - Houchin - 3rd Reading

Child care background checks.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 306: Bill Passed

HB 1265 - Randolph - 3rd Reading

Drinking water testing.

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: Bray

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 307: Bill Passed

HB 1279 - Mishler - 3rd Reading

Local transportation projects.

Yea	43
Nay	7
Excused	0
Not Voting	0

Presiding: Bray

Yea - 43

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Rogers
Becker	Donato	Kruse	Ruckelshaus
Bohacek	Doriot	Leising	Sandlin
Boots	Ford Jon	Melton	Spartz
Bray	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Tomes
Buchanan	Gaskill	Mrvan	Walker
Buck	Glick	Niemeyer	Young
Busch	Grooms	Niezgodski	Zay
Charbonneau	Holdman	Perfect	

Nay - 7

Breaux	Lanane	Randolph	Taylor
Ford J.D.	Merritt	Stoops	

Excused - 0

Not Voting - 0

Senate

Roll Call 308: Bill Passed

HB 1283 - Rogers - 3rd Reading

Teacher preparation program curriculum.

Yea	42
Nay	6
Excused	0
Not Voting	2

Presiding: Bray

Yea - 42

Alting	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Bray	Ford J.D.	Leising	Sandlin
Breaux	Ford Jon	Melton	Stoops
Brown	Freeman	Merritt	Tallian
Buchanan	Garten	Messmer	Taylor
Buck	Glick	Mrvan	Tomes
Busch	Grooms	Niemeyer	Zay
Charbonneau	Holdman	Niezgodski	
Crane	Houchin	Raatz	

Nay - 6

Boots	Perfect	Spartz	Walker
Gaskill			Young

Excused - 0

Not Voting - 2

Bassler	Mishler

Senate

Roll Call 309: Bill Passed

HB 1305 - Doriot - 3rd Reading

Graduation rate calculation.

Yea	42
Nay	6
Excused	0
Not Voting	2

Presiding: Bray

Yea - 42

Alting	Crane	Houchin	Randolph
Becker	Crider	Koch	Rogers
Bohacek	Donato	Kruse	Ruckelshaus
Boots	Doriot	Leising	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Tomes
Brown	Garten	Mrvan	Walker
Buchanan	Gaskill	Niemeyer	Young
Buck	Glick	Niezgodski	Zay
Busch	Grooms	Perfect	
Charbonneau	Holdman	Raatz	

Nay - 6

Ford J.D.	Melton	Stoops	Tallian
Lanane			Taylor

Excused - 0

Not Voting - 2

Bassler	Mishler

Senate

Roll Call 310: Bill Passed

HB 1309 - Messmer - 3rd Reading

Department of environmental management.

Yea	48
Nay	0
Excused	0
Not Voting	2

Presiding: Bray

Yea - 48

Alting	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Sandlin
Bray	Ford Jon	Melton	Spartz
Breaux	Freeman	Merritt	Stoops
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mrvan	Taylor
Buck	Glick	Niemeyer	Tomes
Busch	Grooms	Niezgodski	Walker
Charbonneau	Holdman	Perfect	Young
Crane	Houchin	Raatz	Zay

Nay - 0

Excused - 0

Not Voting - 2

Bassler	Mishler

Senate

Roll Call 311: Bill Passed

HB 1313 - Koch - 3rd Reading

Courts and family law matters.

Yea	48
Nay	0
Excused	0
Not Voting	2

Presiding: Bray

Yea - 48

Alting	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Sandlin
Bray	Ford Jon	Melton	Spartz
Breaux	Freeman	Merritt	Stoops
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mrvan	Taylor
Buck	Glick	Niemeyer	Tomes
Busch	Grooms	Niezgodski	Walker
Charbonneau	Holdman	Perfect	Young
Crane	Houchin	Raatz	Zay

Nay - 0

Excused - 0

Not Voting - 2

Bassler	Mishler

Senate

Roll Call 312: Bill Passed

HB 1326 - Crider - 3rd Reading

Community mental health centers.

Yea	48
Nay	0
Excused	0
Not Voting	2

Presiding: Bray

Yea - 48

Alting	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Sandlin
Bray	Ford Jon	Melton	Spartz
Breaux	Freeman	Merritt	Stoops
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mrvan	Taylor
Buck	Glick	Niemeyer	Tomes
Busch	Grooms	Niezgodski	Walker
Charbonneau	Holdman	Perfect	Young
Crane	Houchin	Raatz	Zay

Nay - 0

Excused - 0

Not Voting - 2

Bassler	Mishler

Senate

Roll Call 313: Bill Passed

HB 1332 - Boots - 3rd Reading

Ambulatory outpatient surgical centers.

Yea	48
Nay	0
Excused	0
Not Voting	2

Presiding: Bray

Yea - 48

Alting	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Sandlin
Bray	Ford Jon	Melton	Spartz
Breaux	Freeman	Merritt	Stoops
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mrvan	Taylor
Buck	Glick	Niemeyer	Tomes
Busch	Grooms	Niezgodski	Walker
Charbonneau	Holdman	Perfect	Young
Crane	Houchin	Raatz	Zay

Nay - 0

Excused - 0

Not Voting - 2

Bassler	Mishler

Senate

Roll Call 314: Bill Passed

HB 1341 - Kruse - 3rd Reading

Students with disabilities.

Yea	48
Nay	0
Excused	0
Not Voting	2

Presiding: Bray

Yea - 48

Alting	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Sandlin
Bray	Ford Jon	Melton	Spartz
Breaux	Freeman	Merritt	Stoops
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mrvan	Taylor
Buck	Glick	Niemeyer	Tomes
Busch	Grooms	Niezgodski	Walker
Charbonneau	Holdman	Perfect	Young
Crane	Houchin	Raatz	Zay

Nay - 0

Excused - 0

Not Voting - 2

Bassler	Mishler

Senate

Roll Call 315: Bill Passed

HB 1353 - Bassler - 3rd Reading

Financial institutions and consumer credit.

Yea	48
Nay	0
Excused	0
Not Voting	2

Presiding: Bray

Yea - 48

Alting	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Sandlin
Bray	Ford Jon	Melton	Spartz
Breaux	Freeman	Merritt	Stoops
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mrvan	Taylor
Buck	Glick	Niemeyer	Tomes
Busch	Grooms	Niezgodski	Walker
Charbonneau	Holdman	Perfect	Young
Crane	Houchin	Raatz	Zay

Nay - 0

Excused - 0

Not Voting - 2

Bassler	Mishler

Senate

Roll Call 316: Bill Passed

HB 1372 - Bassler - 3rd Reading

Various insurance matters.

Yea	45
Nay	3
Excused	0
Not Voting	2

Presiding: Bray

Yea - 45

Alting	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Stoops
Bray	Ford Jon	Merritt	Tallian
Breaux	Freeman	Messmer	Taylor
Brown	Garten	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	
Crider	Kruse	Rogers	

Nay - 3

Boots	Gaskill	Spartz

Excused - 0

Not Voting - 2

Bassler	Mishler

Senate

Roll Call 317: Bill Passed

HB 1385 - Glick - 3rd Reading

Natural resources.

Yea	48
Nay	0
Excused	0
Not Voting	2

Presiding: Bray

Yea - 48

Alting	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Sandlin
Bray	Ford Jon	Melton	Spartz
Breaux	Freeman	Merritt	Stoops
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mrvan	Taylor
Buck	Glick	Niemeyer	Tomes
Busch	Grooms	Niezgodski	Walker
Charbonneau	Holdman	Perfect	Young
Crane	Houchin	Raatz	Zay

Nay - 0

Excused - 0

Not Voting - 2

Bassler	Mishler

Senate

Roll Call 318: Bill Passed

HB 1392 - Charbonneau - 3rd Reading

Physician assistants and nurses.

Yea	48
Nay	0
Excused	0
Not Voting	2

Presiding: Bray

Yea - 48

Alting	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Sandlin
Bray	Ford Jon	Melton	Spartz
Breaux	Freeman	Merritt	Stoops
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mrvan	Taylor
Buck	Glick	Niemeyer	Tomes
Busch	Grooms	Niezgodski	Walker
Charbonneau	Holdman	Perfect	Young
Crane	Houchin	Raatz	Zay

Nay - 0

Excused - 0

Not Voting - 2

Bassler	Mishler

Senate

Roll Call 319: Bill Passed

HB 1414 - Messmer - 3rd Reading

Electric generation.

Yea	37
Nay	11
Excused	0
Not Voting	2

Presiding: Bray

Yea - 37

Becker	Donato	Koch	Rogers
Boots	Doriot	Kruse	Sandlin
Bray	Ford Jon	Leising	Spartz
Brown	Freeman	Merritt	Tomes
Buchanan	Garten	Messmer	Walker
Buck	Gaskill	Mrvan	Young
Busch	Glick	Niemeyer	Zay
Charbonneau	Grooms	Niezgodski	
Crane	Holdman	Perfect	
Crider	Houchin	Raatz	

Nay - 11

Alting	Ford J.D.	Randolph	Tallian
Bohacek	Lanane	Ruckelshaus	Taylor
Breaux	Melton	Stoops	

Excused - 0

Not Voting - 2

Bassler	Mishler

Senate

Roll Call 320: Bill Passed

HB 1419 - Raatz - 3rd Reading

Governor's workforce cabinet.

Yea	37
Nay	9
Excused	0
Not Voting	4

Presiding: Bray

Yea - 37

Alting	Crane	Houchin	Rogers
Becker	Crider	Koch	Ruckelshaus
Bohacek	Donato	Kruse	Spartz
Boots	Doriot	Leising	Tomes
Bray	Ford Jon	Merritt	Walker
Brown	Garten	Messmer	Young
Buchanan	Gaskill	Mrvan	Zay
Buck	Glick	Niemeyer	
Busch	Grooms	Perfect	
Charbonneau	Holdman	Raatz	

Nay - 9

Breaux	Melton	Randolph	Tallian
Ford J.D.	Niezgodski	Stoops	Taylor
Lanane			

Excused - 0

Not Voting - 4

Bassler	Freeman	Mishler	Sandlin

Senate

Roll Call 322: Motion Passed

SB 19 - Charbonneau

Electronic technology for ophthalmic prescriptions.
Concurrence Eligible for Action

Yea	49
Nay	0
Excused	0
Not Voting	1

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Tallian
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 1

Stoops

Senate

Roll Call 323: Motion Passed

SB 20 - Gaskill

Plan commissions.
Concurrence Eligible for Action

Yea	47
Nay	2
Excused	0
Not Voting	1

Presiding: President

Yea - 47

Bassler	Donato	Kruse	Randolph
Becker	Doriot	Lanane	Rogers
Bohacek	Ford J.D.	Leising	Ruckelshaus
Bray	Ford Jon	Melton	Sandlin
Breaux	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mishler	Taylor
Buck	Glick	Mrvan	Tomes
Busch	Grooms	Niemeyer	Walker
Charbonneau	Holdman	Niezgodski	Young
Crane	Houchin	Perfect	Zay
Crider	Koch	Raatz	

Nay - 2

Alting	Boots

Excused - 0

Not Voting - 1

Stoops

Senate

Roll Call 324: Motion Passed

SB 25 - Boots

Mental health disability review panels.
Concurrence Eligible for Action

Yea	48
Nay	0
Excused	0
Not Voting	2

Presiding: President

Yea - 48

Alting	Crane	Houchin	Perfect
Bassler	Crider	Koch	Raatz
Becker	Donato	Kruse	Randolph
Bohacek	Doriot	Lanane	Rogers
Boots	Ford J.D.	Leising	Ruckelshaus
Bray	Ford Jon	Melton	Sandlin
Breaux	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mishler	Tomes
Buck	Glick	Mrvan	Walker
Busch	Grooms	Niemeyer	Young
Charbonneau	Holdman	Niezgodski	Zay

Nay - 0

Excused - 0

Not Voting - 2

Stoops	Taylor

Senate

Roll Call 325: Motion Passed

SB 39 - Freeman

Specialized driving privileges.
Concurrence Eligible for Action

Yea	48
Nay	1
Excused	0
Not Voting	1

Presiding: President

Yea - 48

Alting	Crane	Koch	Raatz
Bassler	Crider	Kruse	Randolph
Becker	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Taylor
Buchanan	Gaskill	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay

Nay - 1

Glick

Excused - 0

Not Voting - 1

Stoops

Senate

SECOND REGULAR SESSION | 121ST GENERAL ASSEMBLY | MAR 04, 2020

2:34:33 PM

Roll Call 326: Motion Passed

SB 109 - Crider

Statute of limitations.
Concurrence Eligible for Action

Yea	48
Nay	0
Excused	0
Not Voting	2

Presiding: President

YEA - 48

Alting	Crane	Houchin	Perfect
Bassler	Crider	Koch	Raatz
Becker	Donato	Kruse	Randolph
Bohacek	Doriot	Lanane	Rogers
Boots	Ford J.D.	Leising	Ruckelshaus
Bray	Ford Jon	Melton	Sandlin
Breaux	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mishler	Tomes
Buck	Glick	Mrvan	Walker
Busch	Grooms	Niemeyer	Young
Charbonneau	Holdman	Niezgodski	Zay

NAY - 0

EXCUSED - 0

NOT VOTING - 2

Stoops	Taylor

Senate

Roll Call 327: Motion Passed

SB 194 - Young M
Drug scheduling.
Concurrence Eligible for Action

Yea	49
Nay	0
Excused	0
Not Voting	1

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Tallian
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 1

Stoops

Senate

Roll Call 328: Motion Passed

SB 206 - Messmer

Deposition of a child victim.
Concurrence Eligible for Action

Yea	49
Nay	0
Excused	0
Not Voting	1

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Tallian
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 1

Stoops

Senate

Roll Call 329: Motion Passed

SB 239 - Brown L

Coverage for breast prostheses.
Concurrence Eligible for Action

Yea	46
Nay	3
Excused	0
Not Voting	1

Presiding: President

Yea - 46

Alting	Crider	Kruse	Randolph
Bassler	Donato	Lanane	Rogers
Becker	Doriot	Leising	Ruckelshaus
Bohacek	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Tallian
Breaux	Freeman	Messmer	Taylor
Brown	Garten	Mishler	Tomes
Buchanan	Glick	Mrvan	Walker
Buck	Grooms	Niemeyer	Young
Busch	Holdman	Niezgodski	Zay
Charbonneau	Houchin	Perfect	
Crane	Koch	Raatz	

Nay - 3

Boots	Gaskill	Spartz

Excused - 0

Not Voting - 1

Stoops

Senate

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2:42:41 PM

Roll Call 330: Motion Passed

SB 273 - Crider

Indiana behavioral health commission.
Concurrence Eligible for Action

Yea	49
Nay	0
Excused	0
Not Voting	1

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Tallian
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 1

Stoops

Senate

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2:44:38 PM

Roll Call 331: Motion Passed

SB 424 - Rogers

Address confidentiality program.
Concurrence Eligible for Action

Yea	49
Nay	0
Excused	0
Not Voting	1

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Tallian
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 1

Stoops

Senate

Roll Call 332: Motion Passed

SB 427 - Buchanan

Provisional occupational license.
Concurrence Eligible for Action

Yea	49
Nay	0
Excused	0
Not Voting	1

Presiding: President

Yea - 49

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Tallian
Bray	Freeman	Messmer	Taylor
Breaux	Garten	Mishler	Tomes
Brown	Gaskill	Mrvan	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 1

Stoops

Senate

Roll Call 333: Motion Passed

SB 430 - Merritt

Reservoir conservancy districts.
Concurrence Eligible for Action

Yea	46
Nay	3
Excused	1
Not Voting	0

Presiding: President

Yea - 46

Alting	Crane	Kruse	Randolph
Bassler	Crider	Lanane	Rogers
Becker	Donato	Leising	Ruckelshaus
Bohacek	Doriot	Melton	Sandlin
Boots	Ford J.D.	Merritt	Spartz
Bray	Ford Jon	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Grooms	Niemeyer	Walker
Buck	Holdman	Niezgodski	Zay
Busch	Houchin	Perfect	
Charbonneau	Koch	Raatz	

Nay - 3

Freeman	Glick	Young

Excused - 1

Stoops

Not Voting - 0

Senate

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3:33:29 PM

Roll Call 335: Motion Passed

SB 21 - Rogers

Out-of-state prescriptions.
Concurrence Eligible for Action

Yea	41
Nay	0
Excused	1
Not Voting	8

Presiding: Bray

Yea - 41

Alting	Donato	Lanane	Ruckelshaus
Bassler	Doriot	Leising	Sandlin
Becker	Ford J.D.	Merritt	Spartz
Bohacek	Freeman	Messmer	Stoops
Boots	Garten	Mishler	Taylor
Bray	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Zay
Busch	Houchin	Perfect	
Crane	Koch	Raatz	
Crider	Kruse	Rogers	

Nay - 0

Excused - 1

Randolph

Not Voting - 8

Breaux	Charbonneau	Holdman	Tallian
Brown	Ford Jon	Melton	Young

Senate

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3:35:40 PM

Roll Call 336: Motion Passed

SB 50 - Freeman

Various trust and probate issues.
Concurrence Eligible for Action

Yea	41
Nay	0
Excused	1
Not Voting	8

Presiding: Bray

Yea - 41

Alting	Donato	Lanane	Ruckelshaus
Bassler	Doriot	Leising	Sandlin
Becker	Ford J.D.	Merritt	Spartz
Bohacek	Freeman	Messmer	Stoops
Boots	Garten	Mishler	Taylor
Bray	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Zay
Busch	Houchin	Perfect	
Crane	Koch	Raatz	
Crider	Kruse	Rogers	

Nay - 0

Excused - 1

Randolph

Not Voting - 8

Breaux	Charbonneau	Holdman	Tallian
Brown	Ford Jon	Melton	Young

Senate

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3:37:45 PM

Roll Call 337: Motion Passed

SB 100 - Doriot

Nonconforming structures.
Concurrence Eligible for Action

Yea	41
Nay	0
Excused	1
Not Voting	8

Presiding: Bray

Yea - 41

Alting	Donato	Lanane	Ruckelshaus
Bassler	Doriot	Leising	Sandlin
Becker	Ford J.D.	Merritt	Spartz
Bohacek	Freeman	Messmer	Stoops
Boots	Garten	Mishler	Taylor
Bray	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Zay
Busch	Houchin	Perfect	
Crane	Koch	Raatz	
Crider	Kruse	Rogers	

Nay - 0

Excused - 1

Randolph

Not Voting - 8

Breaux	Charbonneau	Holdman	Tallian
Brown	Ford Jon	Melton	Young

Senate

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3:47:21 PM

Roll Call 338: Motion Passed

SB 146 - Doriot

Sexual assault victims' rights.
Concurrence Eligible for Action

Yea	40
Nay	2
Excused	1
Not Voting	7

Presiding: Bray

Yea - 40

Alting	Crider	Koch	Raatz
Bassler	Donato	Kruse	Rogers
Becker	Doriot	Leising	Ruckelshaus
Bohacek	Ford Jon	Merritt	Sandlin
Boots	Freeman	Messmer	Spartz
Bray	Garten	Mishler	Stoops
Buchanan	Gaskill	Mrvan	Taylor
Buck	Glick	Niemeyer	Tomes
Busch	Grooms	Niezgodski	Walker
Crane	Houchin	Perfect	Zay

Nay - 2

Ford J.D.	Lanane

Excused - 1

Randolph

Not Voting - 7

Breaux	Charbonneau	Melton	Young
Brown	Holdman	Tallian	

Senate

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3:49:33 PM

Roll Call 339: Motion Passed

SB 257 - Koch

Aviation safety.
Concurrence Eligible for Action

Yea	41
Nay	0
Excused	1
Not Voting	8

Presiding: Bray

Yea - 41

Alting	Donato	Lanane	Ruckelshaus
Bassler	Doriot	Leising	Sandlin
Becker	Ford J.D.	Merritt	Spartz
Bohacek	Ford Jon	Messmer	Stoops
Boots	Freeman	Mishler	Taylor
Bray	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Zay
Busch	Houchin	Perfect	
Crane	Koch	Raatz	
Crider	Kruse	Rogers	

Nay - 0

Excused - 1

Randolph

Not Voting - 8

Breaux	Charbonneau	Holdman	Tallian
Brown	Garten	Melton	Young

Senate

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3:51:35 PM

Roll Call 340: Motion Passed

SB 272 - Ford Jon

Indiana economic development corporation.
Concurrence Eligible for Action

Yea	41
Nay	0
Excused	1
Not Voting	8

Presiding: Bray

Yea - 41

Alting	Donato	Kruse	Ruckelshaus
Bassler	Doriot	Lanane	Sandlin
Becker	Ford J.D.	Leising	Spartz
Bohacek	Ford Jon	Merritt	Stoops
Boots	Freeman	Messmer	Taylor
Bray	Garten	Mrvan	Tomes
Buchanan	Gaskill	Niemeyer	Walker
Buck	Glick	Niezgodski	Zay
Busch	Grooms	Perfect	
Crane	Houchin	Raatz	
Crider	Koch	Rogers	

Nay - 0

Excused - 1

Randolph

Not Voting - 8

Breaux	Charbonneau	Melton	Tallian
Brown	Holdman	Mishler	Young

Senate

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4:28:32 PM

Roll Call 341: Motion Passed

SB 365 - Niemeyer

Town of Griffith.
Concurrence Eligible for Action

Yea	32
Nay	8
Excused	1
Not Voting	9

Presiding: Bray

Yea - 32

Alting	Busch	Grooms	Perfect
Bassler	Crider	Houchin	Rogers
Becker	Donato	Koch	Ruckelshaus
Bohacek	Doriot	Kruse	Sandlin
Boots	Freeman	Leising	Spartz
Bray	Garten	Merritt	Tomes
Buchanan	Gaskill	Messmer	Walker
Buck	Glick	Niemeyer	Zay

Nay - 8

Ford J.D.	Melton	Niezgodski	Tallian
Lanane	Mrvan	Stoops	Taylor

Excused - 1

Randolph

Not Voting - 9

Breaux	Crane	Holdman	Raatz
Brown	Ford Jon	Mishler	Young
Charbonneau			

Senate

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4:30:27 PM

Roll Call 342: Motion Passed

SB 405 - Garten

Exemptions from design release requirements.
Concurrence Eligible for Action

Yea	40
Nay	0
Excused	1
Not Voting	9

Presiding: Bray

Yea - 40

Alting	Donato	Kruse	Raatz
Bassler	Doriot	Lanane	Rogers
Becker	Ford J.D.	Leising	Ruckelshaus
Bohacek	Freeman	Melton	Sandlin
Boots	Garten	Merritt	Spartz
Bray	Gaskill	Messmer	Stoops
Buchanan	Glick	Mrvan	Tallian
Buck	Grooms	Niemeyer	Tomes
Busch	Houchin	Niezgodski	Walker
Crider	Koch	Perfect	Zay

Nay - 0

Excused - 1

Randolph

Not Voting - 9

Breaux	Crane	Holdman	Taylor
Brown	Ford Jon	Mishler	Young
Charbonneau			

Senate

Roll Call 343: Motion Passed

SB 409 - Messmer

Employment of minors.
Concurrence Eligible for Action

Yea	39
Nay	3
Excused	1
Not Voting	7

Presiding: Bray

Yea - 39

Alting	Donato	Leising	Ruckelshaus
Bassler	Doriot	Melton	Sandlin
Becker	Freeman	Merritt	Spartz
Bohacek	Garten	Messmer	Stoops
Boots	Gaskill	Mrvan	Tallian
Bray	Glick	Niemeyer	Tomes
Buchanan	Grooms	Niezgodski	Walker
Buck	Houchin	Perfect	Young
Busch	Koch	Raatz	Zay
Crider	Kruse	Rogers	

Nay - 3

Ford J.D.	Lanane	Taylor

Excused - 1

Randolph

Not Voting - 7

Breaux	Charbonneau	Ford Jon	Mishler
Brown	Crane	Holdman	

Senate

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4:42:52 PM

Roll Call 344: Motion Passed

SB 267 - Bohacek

Administration of 211 services.
Concurrence Eligible for Action

Yea	41
Nay	0
Excused	1
Not Voting	8

Presiding: Bray

Yea - 41

Bassler	Ford J.D.	Melton	Spartz
Becker	Freeman	Merritt	Stoops
Bohacek	Garten	Messmer	Tallian
Boots	Gaskill	Mrvan	Taylor
Bray	Glick	Niemeyer	Tomes
Buchanan	Grooms	Niezgodski	Walker
Buck	Houchin	Perfect	Young
Busch	Koch	Raatz	Zay
Crider	Kruse	Rogers	
Donato	Lanane	Ruckelshaus	
Doriot	Leising	Sandlin	

Nay - 0

Excused - 1

Randolph

Not Voting - 8

Alting	Brown	Crane	Holdman
Breaux	Charbonneau	Ford Jon	Mishler

Senate

Roll Call 346: Motion Passed

SB 5 - Charbonneau

Health provider contracts.
Concurrence Eligible for Action

Yea	48
Nay	0
Excused	0
Not Voting	2

Presiding: President

Yea - 48

Alting	Crane	Houchin	Raatz
Bassler	Crider	Koch	Randolph
Becker	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Stoops
Brown	Garten	Mishler	Tallian
Buchanan	Gaskill	Mrvan	Taylor
Buck	Glick	Niemeyer	Tomes
Busch	Grooms	Niezgodski	Walker
Charbonneau	Holdman	Perfect	Zay

Nay - 0

Excused - 0

Not Voting - 2

Melton	Young

Senate

Roll Call 347: Motion Passed

SB 216 - Sandlin

Disclosure of personal information to offender.
Concurrence Eligible for Action

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Ruckelshaus
Bassler	Donato	Lanane	Sandlin
Becker	Doriot	Leising	Spartz
Bohacek	Ford J.D.	Merritt	Stoops
Boots	Ford Jon	Messmer	Tallian
Bray	Freeman	Mishler	Taylor
Breaux	Garten	Mrvan	Tomes
Brown	Gaskill	Niemeyer	Walker
Buchanan	Glick	Niezgodski	Young
Buck	Grooms	Perfect	Zay
Busch	Holdman	Raatz	
Charbonneau	Houchin	Randolph	
Crane	Koch	Rogers	

Nay - 0

Excused - 1

Melton

Not Voting - 0

Senate

2:12:38 PM

Roll Call 349: Motion Passed

SB 179 - Walker

Election cybersecurity.
Concurrence Eligible for Action

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 350: Motion Passed

SB 383 - Taylor G

Reporting on MBE and WBE contracting goals.
Concurrence Eligible for Action

Yea	45
Nay	5
Excused	0
Not Voting	0

Presiding: President

Yea - 45

Alting	Donato	Leising	Ruckelshaus
Bassler	Doriot	Melton	Sandlin
Becker	Ford J.D.	Merritt	Spartz
Bohacek	Ford Jon	Messmer	Stoops
Boots	Freeman	Mishler	Tallian
Bray	Garten	Mrvan	Taylor
Breaux	Glick	Niemeyer	Tomes
Brown	Grooms	Niezgodski	Walker
Buchanan	Holdman	Perfect	Young
Buck	Houchin	Raatz	
Busch	Kruse	Randolph	
Charbonneau	Lanane	Rogers	

Nay - 5

Crane	Gaskill	Koch	Zay
Crider			

Excused - 0

Not Voting - 0

Senate

Roll Call 351: Conference Committee Report Passed

SB 10 - Boots

Pension matters.
Conference Committee Report #1

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 352: Conference Committee Report Passed

SB 237 - Brown L

Care of police officers and firefighters.
Conference Committee Report #1

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 353: Conference Committee Report Passed

SB 258 - Koch

Firefighter safety.
Conference Committee Report #1

Yea	50
Nay	0
Excused	0
Not Voting	0

Presiding: President

Yea - 50

Alting	Crider	Kruse	Rogers
Bassler	Donato	Lanane	Ruckelshaus
Becker	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	

Nay - 0

Excused - 0

Not Voting - 0

Senate

Roll Call 354: Conference Committee Report Passed

HB 1070 - Crider

Distracted driving.
Conference Committee Report #1

Yea	49
Nay	1
Excused	0
Not Voting	0

Presiding: President

Yea - 49

Alting	Crider	Kruse	Ruckelshaus
Bassler	Donato	Lanane	Sandlin
Becker	Doriot	Melton	Spartz
Bohacek	Ford J.D.	Merritt	Stoops
Boots	Ford Jon	Messmer	Tallian
Bray	Freeman	Mishler	Taylor
Breaux	Garten	Mrvan	Tomes
Brown	Gaskill	Niemeyer	Walker
Buchanan	Glick	Niezgodski	Young
Buck	Grooms	Perfect	Zay
Busch	Holdman	Raatz	
Charbonneau	Houchin	Randolph	
Crane	Koch	Rogers	

Nay - 1

Leising

Excused - 0

Not Voting - 0

Senate

Roll Call 355: Motion Passed

SB 395 - Bassler
Uniform Consumer Credit Code.
Concurrence Eligible for Action

Yea	40
Nay	7
Excused	0
Not Voting	3

Presiding: President

Yea - 40

Alting	Crane	Holdman	Raatz
Bassler	Crider	Houchin	Randolph
Bohacek	Donato	Koch	Rogers
Boots	Doriot	Kruse	Ruckelshaus
Bray	Ford Jon	Leising	Sandlin
Brown	Freeman	Merritt	Spartz
Buchanan	Garten	Messmer	Tomes
Buck	Gaskill	Mishler	Walker
Busch	Glick	Niezgodski	Young
Charbonneau	Grooms	Perfect	Zay

Nay - 7

Breaux	Lanane	Stoops	Taylor
Ford J.D.	Melton	Tallian	

Excused - 0

Not Voting - 3

Becker	Mrvan	Niemeyer

Senate

Roll Call 356: Conference Committee Report Passed

SB 132 - Crider

Department of homeland security.
Conference Committee Report #1

Yea	48
Nay	0
Excused	0
Not Voting	2

Presiding: President

Yea - 48

Alting	Crider	Koch	Randolph
Bassler	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Sandlin
Bray	Ford Jon	Melton	Spartz
Breaux	Freeman	Merritt	Stoops
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mishler	Taylor
Buck	Glick	Niemeyer	Tomes
Busch	Grooms	Niezgodski	Walker
Charbonneau	Holdman	Perfect	Young
Crane	Houchin	Raatz	Zay

Nay - 0

Excused - 0

Not Voting - 2

Becker	Mrvan

Senate

Roll Call 357: Conference Committee Report Passed

SB 190 - Holdman

Controlled projects.
Conference Committee Report #1

Yea	29
Nay	19
Excused	0
Not Voting	2

Presiding: President

Yea - 29

Alting	Ford J.D.	Messmer	Stoops
Bohacek	Ford Jon	Mishler	Tallian
Bray	Grooms	Niemeyer	Taylor
Breaux	Holdman	Niezgodski	Walker
Buchanan	Kruse	Randolph	Zay
Busch	Lanane	Rogers	
Charbonneau	Melton	Ruckelshaus	
Crider	Merritt	Sandlin	

Nay - 19

Bassler	Donato	Glick	Raatz
Boots	Doriot	Houchin	Spartz
Brown	Freeman	Koch	Tomes
Buck	Garten	Leising	Young
Crane	Gaskill	Perfect	

Excused - 0

Not Voting - 2

Becker	Mrvan

Senate

Roll Call 358: Conference Committee Report Passed

SB 246 - Crider

Mental health services.
Conference Committee Report #1

Yea	48
Nay	0
Excused	0
Not Voting	2

Presiding: President

Yea - 48

Alting	Crider	Koch	Randolph
Bassler	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Sandlin
Bray	Ford Jon	Melton	Spartz
Breaux	Freeman	Merritt	Stoops
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mishler	Taylor
Buck	Glick	Niemeyer	Tomes
Busch	Grooms	Niezgodski	Walker
Charbonneau	Holdman	Perfect	Young
Crane	Houchin	Raatz	Zay

Nay - 0

Excused - 0

Not Voting - 2

Becker	Mrvan

Senate

Roll Call 359: Conference Committee Report Passed

SB 340 - Spartz

Private property matters.
Conference Committee Report #1

Yea	41
Nay	7
Excused	0
Not Voting	2

Presiding: President

Yea - 41

Alting	Donato	Kruse	Ruckelshaus
Bassler	Doriot	Leising	Sandlin
Bohacek	Ford Jon	Melton	Spartz
Boots	Freeman	Merritt	Taylor
Bray	Garten	Messmer	Tomes
Brown	Gaskill	Mishler	Walker
Buchanan	Glick	Niemeyer	Young
Buck	Grooms	Niezgodski	Zay
Busch	Holdman	Perfect	
Charbonneau	Houchin	Raatz	
Crane	Koch	Rogers	

Nay - 7

Breaux	Ford J.D.	Randolph	Tallian
Crider	Lanane	Stoops	

Excused - 0

Not Voting - 2

Becker	Mrvan

Senate

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5:30:12 PM

Roll Call 360: Conference Committee Report Passed

SB 433 - Bassler

Structures in floodways.
Conference Committee Report #1

Yea	40
Nay	8
Excused	1
Not Voting	1

Presiding: President

Yea - 40

Alting	Crane	Holdman	Perfect
Bassler	Crider	Houchin	Raatz
Bohacek	Donato	Koch	Rogers
Boots	Doriot	Kruse	Ruckelshaus
Bray	Ford Jon	Leising	Sandlin
Brown	Freeman	Merritt	Spartz
Buchanan	Garten	Messmer	Tomes
Buck	Gaskill	Mishler	Walker
Busch	Glick	Niemeyer	Young
Charbonneau	Grooms	Niezgodski	Zay

Nay - 8

Breaux	Lanane	Randolph	Tallian
Ford J.D.	Melton	Stoops	Taylor

Excused - 1

Becker

Not Voting - 1

Mrvan

Senate

Roll Call 361: Conference Committee Report Passed

HB 1414 - Messmer

Electric generation.
Conference Committee Report #1

Yea	28
Nay	21
Excused	1
Not Voting	0

Presiding: President

Yea - 28

Bassler	Crane	Koch	Niezgodski
Boots	Donato	Kruse	Raatz
Bray	Ford Jon	Leising	Rogers
Brown	Freeman	Messmer	Sandlin
Buchanan	Garten	Mishler	Spartz
Busch	Grooms	Mrvan	Young
Charbonneau	Houchin	Niemeyer	Zay

Nay - 21

Alting	Ford J.D.	Merritt	Taylor
Bohacek	Gaskill	Perfect	Tomes
Breaux	Glick	Randolph	Walker
Buck	Holdman	Ruckelshaus	
Crider	Lanane	Stoops	
Doriot	Melton	Tallian	

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 362: Conference Committee Report Passed

SB 256 - Koch

Courts and judicial officers.
Conference Committee Report #1

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Donato	Lanane	Ruckelshaus
Bassler	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	
Crider	Kruse	Rogers	

Nay - 0

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 363: Conference Committee Report Passed

SB 299 - Brown L

Fetal remains.
Conference Committee Report #1

Yea	39
Nay	10
Excused	1
Not Voting	0

Presiding: President

Yea - 39

Alting	Crider	Houchin	Raatz
Bassler	Donato	Koch	Rogers
Bohacek	Doriot	Kruse	Ruckelshaus
Bray	Ford Jon	Leising	Sandlin
Brown	Freeman	Merritt	Spartz
Buchanan	Garten	Messmer	Tomes
Buck	Gaskill	Mishler	Walker
Busch	Glick	Mrvan	Young
Charbonneau	Grooms	Niemeyer	Zay
Crane	Holdman	Perfect	

Nay - 10

Boots	Lanane	Randolph	Taylor
Breaux	Melton	Stoops	
Ford J.D.	Niezgodski	Tallian	

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 364: Conference Committee Report Passed

SB 346 - Houchin

Students with disabilities.
Conference Committee Report #1

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Donato	Lanane	Ruckelshaus
Bassler	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	
Crider	Kruse	Rogers	

Nay - 0

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 365: Conference Committee Report Passed

SB 438 - Leising

Regulation of pesticide use and application.
Conference Committee Report #1

Yea	48
Nay	1
Excused	1
Not Voting	0

Presiding: President

Yea - 48

Alting	Crider	Koch	Raatz
Bassler	Donato	Kruse	Randolph
Bohacek	Doriot	Lanane	Rogers
Boots	Ford J.D.	Leising	Ruckelshaus
Bray	Ford Jon	Melton	Sandlin
Breaux	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Stoops
Buchanan	Gaskill	Mishler	Tallian
Buck	Glick	Mrvan	Tomes
Busch	Grooms	Niemeyer	Walker
Charbonneau	Holdman	Niezgodski	Young
Crane	Houchin	Perfect	Zay

Nay - 1

Taylor

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 366: Conference Committee Report Passed

HB 1014 - Gaskill

State museum and historic sites corporation.
Conference Committee Report #1

Yea	44
Nay	5
Excused	1
Not Voting	0

Presiding: President

Yea - 44

Alting	Crider	Koch	Randolph
Bassler	Donato	Kruse	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford Jon	Merritt	Sandlin
Bray	Freeman	Messmer	Spartz
Brown	Garten	Mishler	Stoops
Buchanan	Gaskill	Mrvan	Tallian
Buck	Glick	Niemeyer	Tomes
Busch	Grooms	Niezgodski	Walker
Charbonneau	Holdman	Perfect	Young
Crane	Houchin	Raatz	Zay

Nay - 5

Breaux	Lanane	Melton	Taylor
Ford J.D.			

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 367: Conference Committee Report Passed

HB 1022 - Messmer

Panhandling.
Conference Committee Report #1

Yea	35
Nay	14
Excused	1
Not Voting	0

Presiding: President

Yea - 35

Bray	Doriot	Koch	Raatz
Brown	Ford Jon	Kruse	Rogers
Buchanan	Freeman	Leising	Sandlin
Buck	Garten	Merritt	Spartz
Busch	Gaskill	Messmer	Tomes
Charbonneau	Glick	Mishler	Walker
Crane	Grooms	Mrvan	Young
Crider	Holdman	Niemeyer	Zay
Donato	Houchin	Niezgodski	

Nay - 14

Alting	Breaux	Perfect	Tallian
Bassler	Ford J.D.	Randolph	Taylor
Bohacek	Lanane	Ruckelshaus	
Boots	Melton	Stoops	

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 368: Conference Committee Report Passed

HB 1092 - Charbonneau

State Medicaid amendments.
Conference Committee Report #1

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Donato	Lanane	Ruckelshaus
Bassler	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	
Crider	Kruse	Rogers	

Nay - 0

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 369: Conference Committee Report Passed

HB 1153 - Raatz

Governor's workforce cabinet.
Conference Committee Report #1

Yea	41
Nay	8
Excused	1
Not Voting	0

Presiding: President

Yea - 41

Alting	Crider	Koch	Raatz
Bassler	Donato	Kruse	Randolph
Bohacek	Doriot	Leising	Rogers
Boots	Ford Jon	Melton	Ruckelshaus
Bray	Freeman	Merritt	Sandlin
Brown	Garten	Messmer	Taylor
Buchanan	Gaskill	Mishler	Tomes
Buck	Glick	Mrvan	Young
Busch	Grooms	Niemeyer	
Charbonneau	Holdman	Niezgodski	
Crane	Houchin	Perfect	

Nay - 8

Breaux	Lanane	Stoops	Walker
Ford J.D.	Spartz	Tallian	Zay

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 370: Conference Committee Report Passed

HB 1157 - Freeman

Motor vehicle and criminal law issues.
Conference Committee Report #1

Yea	44
Nay	4
Excused	1
Not Voting	1

Presiding: President

Yea - 44

Alting	Crane	Koch	Perfect
Bassler	Crider	Kruse	Raatz
Bohacek	Donato	Lanane	Randolph
Boots	Doriot	Leising	Rogers
Bray	Ford J.D.	Melton	Ruckelshaus
Breaux	Ford Jon	Merritt	Spartz
Brown	Freeman	Messmer	Stoops
Buchanan	Garten	Mishler	Tallian
Buck	Gaskill	Mrvan	Walker
Busch	Grooms	Niemeyer	Young
Charbonneau	Holdman	Niezgodski	Zay

Nay - 4

Glick	Houchin	Sandlin	Tomes

Excused - 1

Becker

Not Voting - 1

Taylor

Senate

Roll Call 371: Conference Committee Report Passed

HB 1385 - Glick

Natural resources.
Conference Committee Report #1

Yea	36
Nay	13
Excused	1
Not Voting	0

Presiding: President

Yea - 36

Alting	Ford J.D.	Melton	Sandlin
Bohacek	Ford Jon	Merritt	Spartz
Boots	Glick	Messmer	Stoops
Bray	Grooms	Mishler	Tallian
Breaux	Holdman	Mrvan	Taylor
Busch	Koch	Niemeyer	Tomes
Charbonneau	Kruse	Niezgodski	Walker
Crider	Lanane	Randolph	Young
Donato	Leising	Ruckelshaus	Zay

Nay - 13

Bassler	Crane	Gaskill	Rogers
Brown	Doriot	Houchin	
Buchanan	Freeman	Perfect	
Buck	Garten	Raatz	

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 372: Conference Committee Report Passed

HB 1419 - Raatz

Governor's workforce cabinet.
Conference Committee Report #1

Yea	39
Nay	10
Excused	1
Not Voting	0

Presiding: President

Yea - 39

Alting	Crider	Holdman	Niezgodski
Bassler	Donato	Houchin	Perfect
Bohacek	Doriot	Koch	Raatz
Bray	Ford J.D.	Kruse	Rogers
Brown	Ford Jon	Leising	Ruckelshaus
Buchanan	Freeman	Merritt	Sandlin
Buck	Garten	Messmer	Tomes
Busch	Gaskill	Mishler	Walker
Charbonneau	Glick	Mrvan	Young
Crane	Grooms	Niemeyer	

Nay - 10

Boots	Melton	Stoops	Zay
Breaux	Randolph	Tallian	
Lanane	Spartz	Taylor	

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 374: Conference Committee Report Passed

SB 148 - Doriot

Zoning and housing matters.
Conference Committee Report #1

Yea	29
Nay	19
Excused	2
Not Voting	0

Presiding: President

Yea - 29

Bohacek	Freeman	Leising	Sandlin
Bray	Garten	Merritt	Spartz
Buck	Gaskill	Messmer	Walker
Charbonneau	Grooms	Mishler	Young
Crane	Holdman	Niemeyer	Zay
Donato	Houchin	Perfect	
Doriot	Koch	Raatz	
Ford Jon	Kruse	Rogers	

Nay - 19

Alting	Busch	Melton	Stoops
Bassler	Crider	Mrvan	Tallian
Boots	Ford J.D.	Niezgodski	Taylor
Breaux	Glick	Randolph	Tomes
Brown	Lanane	Ruckelshaus	

Excused - 2

Becker	Buchanan

Not Voting - 0

Senate

Roll Call 375: Conference Committee Report Passed

SB 319 - Rogers

Practitioner or accomplished practitioner license.
Conference Committee Report #1

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Donato	Lanane	Ruckelshaus
Bassler	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	
Crider	Kruse	Rogers	

Nay - 0

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 376: Conference Committee Report Passed

SB 398 - Raatz

Various education matters.
Conference Committee Report #1

Yea	47
Nay	1
Excused	1
Not Voting	1

Presiding: President

Yea - 47

Alting	Crider	Kruse	Randolph
Bassler	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Garten	Messmer	Stoops
Brown	Gaskill	Mishler	Tallian
Buchanan	Glick	Mrvan	Taylor
Buck	Grooms	Niemeyer	Tomes
Busch	Holdman	Niezgodski	Walker
Charbonneau	Houchin	Perfect	Young
Crane	Koch	Raatz	

Nay - 1

Zay

Excused - 1

Becker

Not Voting - 1

Freeman

Senate

Roll Call 377: Conference Committee Report Passed

SB 408 - Holdman

Various tax matters.
Conference Committee Report #1

Yea	47
Nay	0
Excused	1
Not Voting	2

Presiding: President

Yea - 47

Alting	Crider	Kruse	Randolph
Bassler	Donato	Lanane	Rogers
Bohacek	Doriot	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Garten	Messmer	Stoops
Brown	Gaskill	Mishler	Tallian
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay
Crane	Koch	Raatz	

Nay - 0

Excused - 1

Becker

Not Voting - 2

Freeman Taylor

Senate

Roll Call 378: Conference Committee Report Passed

HB 1131 - Garten

Utility matters.
Conference Committee Report #1

Yea	41
Nay	6
Excused	1
Not Voting	2

Presiding: President

Yea - 41

Alting	Crider	Houchin	Rogers
Bassler	Donato	Koch	Ruckelshaus
Bohacek	Doriot	Kruse	Sandlin
Boots	Ford J.D.	Leising	Spartz
Bray	Ford Jon	Merritt	Tomes
Brown	Freeman	Messmer	Walker
Buchanan	Garten	Mishler	Young
Buck	Gaskill	Niemeyer	Zay
Busch	Glick	Niezgodski	
Charbonneau	Grooms	Perfect	
Crane	Holdman	Raatz	

Nay - 6

Lanane	Randolph	Stoops	Tallian
Melton			Taylor

Excused - 1

Becker

Not Voting - 2

Breaux	Mrvan

Senate

Roll Call 379: Motion Passed

SB 184 - Charbonneau

Nonprofit agricultural organization coverage.
Concurrence Eligible for Action

Yea	47
Nay	1
Excused	1
Not Voting	1

Presiding: President

Yea - 47

Alting	Crider	Koch	Randolph
Bassler	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Boots	Ford J.D.	Leising	Sandlin
Bray	Ford Jon	Melton	Spartz
Breaux	Freeman	Merritt	Stoops
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mishler	Tomes
Buck	Glick	Niemeyer	Walker
Busch	Grooms	Niezgodski	Young
Charbonneau	Holdman	Perfect	Zay
Crane	Houchin	Raatz	

Nay - 1

Taylor

Excused - 1

Becker

Not Voting - 1

Mrvan

Senate

Roll Call 380: Conference Committee Report Passed

SB 1 - Charbonneau

Tobacco and vaping.
Conference Committee Report #1

Yea	37
Nay	11
Excused	1
Not Voting	1

Presiding: President

Yea - 37

Alting	Donato	Kruse	Rogers
Bohacek	Doriot	Lanane	Ruckelshaus
Bray	Ford J.D.	Melton	Sandlin
Breaux	Ford Jon	Merritt	Stoops
Brown	Freeman	Messmer	Tallian
Buchanan	Garten	Mishler	Walker
Buck	Glick	Niezgodski	Zay
Busch	Grooms	Perfect	
Charbonneau	Holdman	Raatz	
Crider	Houchin	Randolph	

Nay - 11

Bassler	Gaskill	Niemeyer	Tomes
Boots	Koch	Spartz	Young
Crane	Leising	Taylor	

Excused - 1

Becker

Not Voting - 1

Mrvan

Senate

Roll Call 381: Conference Committee Report Passed

SB 47 - Freeman

Expungement.
Conference Committee Report #1

Yea	41
Nay	8
Excused	1
Not Voting	0

Presiding: President

Yea - 41

Alting	Crider	Koch	Rogers
Bassler	Donato	Kruse	Ruckelshaus
Bohacek	Doriot	Leising	Sandlin
Boots	Ford Jon	Merritt	Spartz
Bray	Freeman	Messmer	Tomes
Brown	Garten	Mishler	Walker
Buchanan	Gaskill	Mrvan	Young
Buck	Glick	Niemeyer	Zay
Busch	Grooms	Perfect	
Charbonneau	Holdman	Raatz	
Crane	Houchin	Randolph	

Nay - 8

Breaux	Lanane	Niezgodski	Tallian
Ford J.D.	Melton	Stoops	Taylor

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 382: Conference Committee Report Passed

SB 80 - Young M

Code Revision Corrections.
Conference Committee Report #1

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Donato	Lanane	Ruckelshaus
Bassler	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	
Crider	Kruse	Rogers	

Nay - 0

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 383: Conference Committee Report Passed

SB 229 - Spartz

Maintenance of regulated drains.
Conference Committee Report #1

Yea	32
Nay	17
Excused	1
Not Voting	0

Presiding: President

Yea - 32

Boots	Donato	Houchin	Raatz
Bray	Doriot	Koch	Rogers
Brown	Ford Jon	Kruse	Sandlin
Buchanan	Freeman	Leising	Spartz
Buck	Garten	Messmer	Tomes
Busch	Gaskill	Mishler	Walker
Charbonneau	Grooms	Niemeyer	Young
Crane	Holdman	Perfect	Zay

Nay - 17

Alting	Ford J.D.	Mrvan	Tallian
Bassler	Glick	Niezgodski	Taylor
Bohacek	Lanane	Randolph	
Breaux	Melton	Ruckelshaus	
Crider	Merritt	Stoops	

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 384: Conference Committee Report Passed

SB 295 - Raatz

Various education matters.
Conference Committee Report #1

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Donato	Lanane	Ruckelshaus
Bassler	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	
Crider	Kruse	Rogers	

Nay - 0

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 385: Conference Committee Report Passed

SB 350 - Holdman

Central Indiana regional development authority.
Conference Committee Report #1

Yea	34
Nay	15
Excused	1
Not Voting	0

Presiding: President

Yea - 34

Alting	Crider	Melton	Rogers
Bohacek	Doriot	Merritt	Ruckelshaus
Boots	Ford J.D.	Messmer	Stoops
Bray	Glick	Mishler	Tallian
Breaux	Grooms	Mrvan	Taylor
Brown	Holdman	Niemeyer	Tomes
Buchanan	Houchin	Niezgodski	Young
Busch	Kruse	Raatz	
Charbonneau	Lanane	Randolph	

Nay - 15

Bassler	Ford Jon	Koch	Spartz
Buck	Freeman	Leising	Walker
Crane	Garten	Perfect	Zay
Donato	Gaskill	Sandlin	

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 386: Conference Committee Report Passed

HB 1003 - Raatz

Education matters.
Conference Committee Report #1

Yea	40
Nay	9
Excused	1
Not Voting	0

Presiding: President

Yea - 40

Alting	Crane	Holdman	Perfect
Bassler	Crider	Houchin	Raatz
Bohacek	Donato	Koch	Rogers
Boots	Doriot	Kruse	Ruckelshaus
Bray	Ford Jon	Leising	Sandlin
Brown	Freeman	Merritt	Spartz
Buchanan	Garten	Messmer	Tomes
Buck	Gaskill	Mishler	Walker
Busch	Glick	Mrvan	Young
Charbonneau	Grooms	Niemeyer	Zay

Nay - 9

Breaux	Melton	Randolph	Tallian
Ford J.D.	Niezgodski	Stoops	Taylor
Lanane			

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 387: Conference Committee Report Passed

HB 1045 - Glick

Honor and Remember flag.
Conference Committee Report #1

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Donato	Lanane	Ruckelshaus
Bassler	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	
Crider	Kruse	Rogers	

Nay - 0

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 388: Conference Committee Report Passed

HB 1066 - Raatz

Various education matters.
Conference Committee Report #1

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Donato	Lanane	Ruckelshaus
Bassler	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	
Crider	Kruse	Rogers	

Nay - 0

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 389: Conference Committee Report Passed

HB 1113 - Bassler

Local government finance.
Conference Committee Report #1

Yea	48
Nay	1
Excused	1
Not Voting	0

Presiding: President

Yea - 48

Alting	Crider	Koch	Raatz
Bassler	Donato	Kruse	Randolph
Bohacek	Doriot	Lanane	Rogers
Boots	Ford J.D.	Leising	Ruckelshaus
Bray	Ford Jon	Melton	Spartz
Breaux	Freeman	Merritt	Stoops
Brown	Garten	Messmer	Tallian
Buchanan	Gaskill	Mishler	Taylor
Buck	Glick	Mrvan	Tomes
Busch	Grooms	Niemeyer	Walker
Charbonneau	Holdman	Niezgodski	Young
Crane	Houchin	Perfect	Zay

Nay - 1

Sandlin

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 390: Conference Committee Report Passed

HB 1235 - Crider

Public safety.
Conference Committee Report #1

Yea	28
Nay	21
Excused	1
Not Voting	0

Presiding: President

Yea - 28

Alting	Charbonneau	Holdman	Perfect
Bassler	Crider	Kruse	Raatz
Bohacek	Donato	Merritt	Rogers
Boots	Ford J.D.	Messmer	Ruckelshaus
Bray	Ford Jon	Mishler	Spartz
Brown	Glick	Mrvan	Tallian
Buchanan	Grooms	Niezgodski	Walker

Nay - 21

Breaux	Garten	Melton	Tomes
Buck	Gaskill	Niemeyer	Young
Busch	Houchin	Randolph	Zay
Crane	Koch	Sandlin	
Doriot	Lanane	Stoops	
Freeman	Leising	Taylor	

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 391: Motion Passed

SB 334 - Walker

Election matters.
Concurrence Eligible for Action

Yea	39
Nay	10
Excused	1
Not Voting	0

Presiding: President

Yea - 39

Alting	Crane	Holdman	Raatz
Bassler	Crider	Houchin	Rogers
Bohacek	Donato	Koch	Ruckelshaus
Boots	Doriot	Kruse	Sandlin
Bray	Ford Jon	Leising	Spartz
Brown	Freeman	Merritt	Tomes
Buchanan	Garten	Messmer	Walker
Buck	Gaskill	Mishler	Young
Busch	Glick	Niemeyer	Zay
Charbonneau	Grooms	Perfect	

Nay - 10

Breaux	Melton	Randolph	Taylor
Ford J.D.	Mrvan	Stoops	
Lanane	Niezgodski	Tallian	

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 392: Conference Committee Report Passed

SB 335 - Young M

Criminal law issues.
Conference Committee Report #1

Yea	48
Nay	1
Excused	1
Not Voting	0

Presiding: President

Yea - 48

Alting	Crider	Koch	Raatz
Bassler	Donato	Kruse	Randolph
Bohacek	Doriot	Lanane	Rogers
Boots	Ford J.D.	Leising	Ruckelshaus
Bray	Ford Jon	Melton	Sandlin
Breaux	Freeman	Merritt	Spartz
Brown	Garten	Messmer	Stoops
Buchanan	Gaskill	Mishler	Tallian
Buck	Glick	Mrvan	Tomes
Busch	Grooms	Niemeyer	Walker
Charbonneau	Holdman	Niezgodski	Young
Crane	Houchin	Perfect	Zay

Nay - 1

Taylor

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 393: Conference Committee Report Passed

SB 367 - Niemeyer

Regional development authorities.
Conference Committee Report #1

Yea	40
Nay	9
Excused	1
Not Voting	0

Presiding: President

Yea - 40

Alting	Crane	Holdman	Perfect
Bassler	Crider	Houchin	Raatz
Bohacek	Donato	Koch	Rogers
Boots	Doriot	Kruse	Ruckelshaus
Bray	Ford Jon	Leising	Sandlin
Brown	Freeman	Merritt	Spartz
Buchanan	Garten	Messmer	Tomes
Buck	Gaskill	Mishler	Walker
Busch	Glick	Mrvan	Young
Charbonneau	Grooms	Niemeyer	Zay

Nay - 9

Breaux	Melton	Randolph	Tallian
Ford J.D.	Niezgodski	Stoops	Taylor
Lanane			

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 394: Conference Committee Report Passed

HB 1006 - Charbonneau

Minimum age to marry and emancipation of minors.
Conference Committee Report #1

Yea	47
Nay	2
Excused	1
Not Voting	0

Presiding: President

Yea - 47

Alting	Donato	Kruse	Rogers
Bassler	Doriot	Lanane	Ruckelshaus
Bohacek	Ford J.D.	Leising	Sandlin
Boots	Ford Jon	Melton	Spartz
Bray	Freeman	Merritt	Stoops
Breaux	Garten	Messmer	Tallian
Brown	Gaskill	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Walker
Busch	Holdman	Niezgodski	Young
Charbonneau	Houchin	Perfect	Zay
Crider	Koch	Raatz	

Nay - 2

Crane	Randolph

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 395: Conference Committee Report Passed

HB 1108 - Bassler

State board of accounts.
Conference Committee Report #1

Yea	43
Nay	6
Excused	1
Not Voting	0

Presiding: President

Yea - 43

Alting	Crane	Kruse	Raatz
Bassler	Crider	Lanane	Randolph
Bohacek	Donato	Leising	Ruckelshaus
Boots	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Young
Busch	Holdman	Niezgodski	Zay
Charbonneau	Koch	Perfect	

Nay - 6

Doriot	Houchin	Rogers	Spartz
Gaskill			Walker

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 396: Conference Committee Report Passed

HB 1372 - Bassler

Various insurance matters.
Conference Committee Report #1

Yea	45
Nay	4
Excused	1
Not Voting	0

Presiding: President

Yea - 45

Alting	Donato	Lanane	Rogers
Bassler	Doriot	Leising	Ruckelshaus
Bohacek	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Stoops
Breaux	Freeman	Messmer	Tallian
Brown	Garten	Mishler	Taylor
Buchanan	Glick	Mrvan	Tomes
Buck	Grooms	Niemeyer	Young
Busch	Holdman	Niezgodski	Zay
Charbonneau	Houchin	Perfect	
Crane	Koch	Raatz	
Crider	Kruse	Randolph	

Nay - 4

Boots	Gaskill	Spartz	Walker

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 397: Conference Committee Report Passed

HB 1065 - Holdman

Various tax matters.
Conference Committee Report #1

Yea	31
Nay	18
Excused	1
Not Voting	0

Presiding: President

Yea - 31

Bassler	Crane	Holdman	Niemeyer
Boots	Crider	Houchin	Perfect
Bray	Donato	Koch	Raatz
Brown	Doriot	Kruse	Rogers
Buchanan	Ford Jon	Leising	Sandlin
Buck	Garten	Merritt	Walker
Busch	Glick	Messmer	Zay
Charbonneau	Grooms	Mishler	

Nay - 18

Alting	Gaskill	Randolph	Taylor
Bohacek	Lanane	Ruckelshaus	Tomes
Breaux	Melton	Spartz	Young
Ford J.D.	Mrvan	Stoops	
Freeman	Niezgodski	Tallian	

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 398: Conference Committee Report Passed

SB 241 - Brown L

Pharmacy benefit managers.
Conference Committee Report #1

Yea	49
Nay	0
Excused	1
Not Voting	0

Presiding: President

Yea - 49

Alting	Donato	Lanane	Ruckelshaus
Bassler	Doriot	Leising	Sandlin
Bohacek	Ford J.D.	Melton	Spartz
Boots	Ford Jon	Merritt	Stoops
Bray	Freeman	Messmer	Tallian
Breaux	Garten	Mishler	Taylor
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Houchin	Raatz	
Crane	Koch	Randolph	
Crider	Kruse	Rogers	

Nay - 0

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 399: Conference Committee Report Passed

HB 1207 - Grooms

Pharmacy matters.
Conference Committee Report #1

Yea	47
Nay	2
Excused	1
Not Voting	0

Presiding: President

Yea - 47

Alting	Donato	Lanane	Rogers
Bassler	Doriot	Leising	Ruckelshaus
Bohacek	Ford J.D.	Melton	Sandlin
Bray	Ford Jon	Merritt	Spartz
Breaux	Freeman	Messmer	Stoops
Brown	Garten	Mishler	Tallian
Buchanan	Glick	Mrvan	Taylor
Buck	Grooms	Niemeyer	Tomes
Busch	Holdman	Niezgodski	Walker
Charbonneau	Houchin	Perfect	Young
Crane	Koch	Raatz	Zay
Crider	Kruse	Randolph	

Nay - 2

Boots	Gaskill

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 400: Conference Committee Report Passed

HB 1279 - Mishler

Local transportation projects.
Conference Committee Report #1

Yea	46
Nay	3
Excused	1
Not Voting	0

Presiding: President

Yea - 46

Alting	Crider	Koch	Rogers
Bassler	Donato	Kruse	Ruckelshaus
Bohacek	Doriot	Lanane	Sandlin
Boots	Ford J.D.	Leising	Spartz
Bray	Ford Jon	Merritt	Tallian
Breaux	Freeman	Messmer	Taylor
Brown	Garten	Mishler	Tomes
Buchanan	Gaskill	Mrvan	Walker
Buck	Glick	Niemeyer	Young
Busch	Grooms	Niezgodski	Zay
Charbonneau	Holdman	Perfect	
Crane	Houchin	Raatz	

Nay - 3

Melton	Randolph	Stoops

Excused - 1

Becker

Not Voting - 0

Senate

Roll Call 401: Conference Committee Report Passed

HB 1004 - Charbonneau

Health matters.
Conference Committee Report #1

Yea	46
Nay	2
Excused	1
Not Voting	1

Presiding: President

Yea - 46

Alting	Crider	Lanane	Rogers
Bassler	Donato	Leising	Ruckelshaus
Bohacek	Doriot	Melton	Sandlin
Boots	Ford Jon	Merritt	Spartz
Bray	Freeman	Messmer	Stoops
Breaux	Garten	Mishler	Tallian
Brown	Gaskill	Mrvan	Tomes
Buchanan	Glick	Niemeyer	Walker
Buck	Grooms	Niezgodski	Young
Busch	Holdman	Perfect	Zay
Charbonneau	Koch	Raatz	
Crane	Kruse	Randolph	

Nay - 2

Ford J.D.	Houchin

Excused - 1

Becker

Not Voting - 1

Taylor

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Membership of the Indiana Senate

121ST GENERAL ASSEMBLY

SECOND REGULAR SESSION

2020

MEMBERS OF THE SENATE—2020

(R) Ron J. Alting (District 22, Tippecanoe). 3600 Cedar Lane, Lafayette 47905. Business Development Manager.

(R) Eric S. Bassler (District 39, Clay, Daviess, Greene, Knox, Martin, Owen, Sullivan). 12 North East 7th Street, Washington 47501. Financial Advisor, Edward Jones.

(R) Vaneta G. Becker (District 50, Vanderburgh, Warrick). 4017 Cobble Field Drive, Evansville 47711. Real Estate Broker, FC Tucker/Emge Realtors.

(R) Michael L. Bohacek (District 8, LaPorte, St. Joseph, Starke). 220 Pokagon Drive, Michiana Shores 46360. Enterprise Consultant, Echo Global Logistics Owner, MSL Services, Inc.

(R) Philip L. Boots (District 23, Boone, Fountain, Montgomery, Parke, Vermillion, Warren). Post Office Box 793, Crawfordsville 47933. Owner, Boots Brothers Oil Company.

(R) Rodric D. Bray (District 37, Johnson, Morgan, Owen, Putnam). 489 North Jefferson Street, Martinsville 46151. Attorney.

(D) Jean D. Breaux (District 34, Marion). Post Office Box 26267, Indianapolis 46226. Community Economic Development Consultant.

(R) Elizabeth M. Brown (District 15, Allen). 5701 Reed Road, Fort Wayne 46835. Attorney/Mediator.

(R) Brian W. Buchanan (District 7, Boone, Carroll, Clinton, Jasper, Tippecanoe, White). 200 West Washington Street, Indianapolis 46204. Buchanan Hauling and Rigging Inc.

(R) James R. Buck (District 21, Clinton, Grant, Hamilton, Howard, Tipton). 4407 McKibben Drive, Kokomo 46902. Retired.

(R) Justin T. Busch (District 16, Allen, Whitley). 200 West Washington Street, Indianapolis 46204. Northeast Indiana Director for U.S. Senator Todd Young.

(R) Edward E. Charbonneau (District 5, Jasper, LaPorte, Porter, Pulaski, Starke). 2503 Sherwood Drive, Valparaiso 46385. Ed Charbonneau and Associates, LLC.

(R) John B. Crane (District 24, Hendricks, Putnam). 200 West Washington Street, Indianapolis 46204. Founder and CEO, Sagamore Leadership Initiative, Inc; Adjunct Professor, Grace College: Indianapolis.

(R) Michael R. Crider (District 28, Hancock, Marion, Shelby). 716 North 800 East, Greenfield 46140. Retired Indiana Conservation Officer.

(R) Stacey S. Donato (District 18, Carroll, Cass, Fulton, Kosciusko, Marshall, Miami). 200 West Washington Street, Indianapolis 46204. Head Registrar of Vintage Sports Car Drivers Association.

(R) Charles B. "Blake" Doriot (District 12, Elkhart, Kosciusko). Post Office Box 465, New Paris 46553. Owner, B Doriot & Associates Land Surveying.

(D) James D. Ford (District 29, Boone, Hamilton, Marion). 200 West Washington Street, Indianapolis 46204. Full-time legislator.

(R) Jonathan Ford (District 38, Clay, Vigo). 48 Greenhaven Court, Terre Haute 47802. Entrepreneur.

(R) Aaron M. Freeman (District 32, Marion). 8925 Southeastern Avenue, Indianapolis 46239. Attorney/Owner, Aaron Freeman Law Office, LLC.

(R) Christopher P. Garten (District 45, Clark, Jackson, Jefferson, Scott, Switzerland). 1611 Fabricon Boulevard, Jeffersonville 47130. Founder and President of Signature Countertops, Inc.

(R) Michael R. Gaskill (District 26, Delaware, Henry, Madison). Post Office Box 207, Anderson 46015. Insurance and Financial Services, Business Owner.

(R) C. Susan Glick (District 13, DeKalb, LaGrange, Noble, Steuben). 113 West Spring Street, LaGrange 46761. Attorney.

(R) Ronald T. Grooms (District 46, Clark, Floyd). 3104 Autumn Green Way, Jeffersonville 47130. Retired Pharmacist.

(R) Travis L. Holdman (District 19, Adams, Blackford, Grant, Huntington, Jay, Wells). 2467 West 1000 North - 90, Markle 46770. Attorney/Consultant.

(R) Erin M. Houchin (District 47, Crawford, Dubois, Harrison, Orange, Perry, Washington). Post Office Box 234, Salem 47167. Founder and President, Contend Communications and Development, LLC.

(R) Eric A. Koch (District 44, Bartholomew, Brown, Jackson, Lawrence, Monroe). 2013 Circle Court, Bedford 47421. Attorney.

(R) Dennis K. Kruse (District 14, Allen, DeKalb). 6704 County Road 31, Auburn 46706. Dennis Kruse & Associates.

(D) Timothy S. Lanane (District 25, Delaware, Madison). 22 West 8th Street, Anderson 46016. Attorney.

(R) Jean A. Leising (District 42, Decatur, Fayette, Franklin, Henry, Ripley, Rush, Shelby). 5268 Stockpile Road, Oldenburg 47036. Farm owner; Travel Agent at Adventures In Travel; Retired Registered Nurse.

(D) Eddie D. Melton (District 3, Lake). 200 West Washington Street, Indianapolis 46204. Manager of Corporate Citizenship and Employee Engagement, Northern Indiana Public Service Company (NIPSCO).

(R) James W. Merritt, Jr. (District 31, Hamilton, Marion). 9801 Fall Creek Road, #242, Indianapolis 46256. JWM Consulting Corp.

(R) Mark B. Messmer (District 48, Dubois, Gibson, Knox, Pike, Spencer, Warrick). 402 3rd Avenue, Jasper 47546. Vice President, Messmer Mechanical, Inc.

MEMBERS OF THE SENATE—2020

(R) Ryan D. Mishler (District 9, Elkhart, Kosciusko, Marshall, St. Joseph). Post Office Box 202, Bremen 46506. President, Mishler Funeral Homes; President, Bremen Monument Company.

(D) Frank Mrvan, Jr. (District 1, Lake). 6732 Maryland Avenue, Hammond 46323. Retired Bank Financial Officer.

(R) Ricky N. Niemeyer (District 6, Benton, Lake, Newton). 13304 West 181st Avenue, Lowell 46356. Auctioneer.

(D) David L. Niezgodski (District 10, St. Joseph). 4942 Scenic Drive, South Bend 46619. President and Owner of Niezgodski Plumbing, Inc.

(R) Clyde A. "Chip" Perfect, Jr. (District 43, Bartholomew, Dearborn, Decatur, Jackson, Jennings, Ohio, Ripley). 20760 Mount Pleasant Road, Lawrenceburg 47025. Entrepreneur.

(R) Jeffery S. Raatz (District 27, Dearborn, Fayette, Franklin, Randolph, Union, Wayne). Post Office Box 362, Richmond 47375. Business Coach.

(D) Lonnie M. Randolph (District 2, Lake). 1919 East Columbus Drive, East Chicago 46312. Attorney-at-Law.

(R) Linda L. Rogers (District 11, Elkhart, St. Joseph). 14770 Lindy Drive, Granger 46530. Owner, Juday Creek Golf Course; President, Nugent Builders.

(R) John C. Ruckelshaus (District 30, Hamilton, Marion). 8080 Hollybrook Court, Indianapolis 46250. Director of Business Development, Van Ausdall & Farrar/American Health & Wellness.

(R) Jack E. Sandlin (District 36, Johnson, Marion). 1310 East Southport Road, Indianapolis 46227. President, Jack Sandlin & Associates Fraud Examination.

(R) Victoria K. Spartz (District 20, Hamilton). 200 West Washington Street, Indianapolis 46204. CPA; Management Consultant; Commercial Farmer; Real Estate Business Owner.

(D) Mark A. Stoops (District 40, Monroe). 4425 North Old State Road 37, Bloomington 47408. Graphic design and marketing.

(D) Karen R. Tallian (District 4, LaPorte, Porter). 6195 Central Avenue, Portage 46368. Attorney.

(D) Gregory G. Taylor (District 33, Marion). 3855 North Delaware Street, Indianapolis 46205. Senior Counsel, MWH Law Group LLP.

(R) James A. Tomes (District 49, Gibson, Posey, Vanderburgh). 9412 Highway 66, Wadesville 47638. Retired.

(R) Greggory F. Walker (District 41, Bartholomew, Johnson). 3465 Duffer Drive, Columbus 47203. Senior Consultant, Proffer Brainchild Analytics Innovation; Deacon, Trustee & Treasurer, Church of Christ Columbus.

(R) R. Michael Young (District 35, Hendricks, Marion). 3102 Columbine Circle, Indianapolis 46224. Attorney.

(R) Andrew R. Zay (District 17, Grant, Huntington, Wabash, Whitley). 4957 North Broadway, Huntington 46750. Small Business Owner, Zay Leasing & Rentals, Inc.

MEMBERS OF THE SENATE BY COUNTIES—2020

Adams – Holdman
Allen – L. Brown, Busch, Kruse
Bartholomew – Koch, Perfect, Walker
Benton – Niemeyer
Blackford – Holdman
Boone – Boots, Buchanan, J.D. Ford
Brown – Koch
Carroll – Buchanan, Donato
Cass – Donato
Clark – Garten, Grooms
Clay – Bassler, Jon Ford
Clinton – Buchanan, Buck
Crawford – Houchin
Daviess – Bassler
Dearborn – Perfect, Raatz
Decatur – Leising, Perfect
DeKalb – Glick, Kruse
Delaware – Gaskill, Lanane
Dubois – Houchin, Messmer
Elkhart – Doriot, Mishler, Rogers
Fayette – Leising, Raatz
Floyd – Grooms
Fountain – Boots
Franklin – Leising, Raatz
Fulton – Donato
Gibson – Messmer, Tomes
Grant – Buck, Holdman, Zay
Greene – Bassler
Hamilton – Buck, J.D. Ford, Merritt, Ruckelshaus, Spartz
Hancock – Crider
Harrison – Houchin
Hendricks – Crane, M. Young
Henry – Gaskill, Leising
Howard – Buck
Huntington – Holdman, Zay
Jackson – Garten, Koch, Perfect
Jasper – Buchanan, Charbonneau
Jay – Holdman
Jefferson – Garten
Jennings – Perfect
Johnson – Bray, Sandlin, Walker
Knox – Bassler, Messmer
Kosciusko – Donato, Doriot, Mishler
LaGrange – Glick
Lake – Melton, Mrvan, Niemeyer, Randolph
LaPorte – Bohacek, Charbonneau, Tallian
Lawrence – Koch
Madison – Gaskill, Lanane
Marion – Breaux, Crider, J.D. Ford, Freeman, Merritt, Ruckelshaus, Sandlin, G. Taylor, M. Young
Marshall – Donato, Mishler
Martin – Bassler
Miami – Donato
Monroe – Koch, Stoops
Montgomery – Boots
Morgan – Bray
Newton – Niemeyer
Noble – Glick
Ohio – Perfect
Orange – Houchin
Owen – Bassler, Bray
Parke – Boots
Perry – Houchin
Pike – Messmer
Porter – Charbonneau, Tallian
Posey – Tomes
Pulaski – Charbonneau
Putnam – Bray, Crane
Randolph – Raatz
Ripley – Leising, Perfect
Rush – Leising
St. Joseph – Bohacek, Mishler, Niezgodski, Rogers
Scott – Garten
Shelby – Crider, Leising
Spencer – Messmer
Starke – Bohacek, Charbonneau
Steuben – Glick
Sullivan – Bassler
Switzerland – Garten
Tippecanoe – Alting, Buchanan
Tipton – Buck
Union – Raatz
Vanderburgh – Becker, Tomes
Vermillion – Boots
Vigo – Jon Ford
Wabash – Zay
Warren – Boots
Warrick – Becker, Messmer
Washington – Houchin
Wayne – Raatz
Wells – Holdman
White – Buchanan
Whitley – Busch, Zay

MEMBERS OF THE SENATE BY DISTRICTS—2020

District 1 – Frank Mrvan, Jr.

District 2 – Lonnie M. Randolph

District 3 – Eddie D. Melton

District 4 – Karen R. Tallian

District 5 – Edward E. Charbonneau

District 6 – Ricky N. Niemeyer

District 7 – Brian W. Buchanan

District 8 – Michael L. Bohacek

District 9 – Ryan D. Mishler

District 10 – David L. Niezgodski

District 11 – Linda L. Rogers

District 12 – Charles B. "Blake" Doriot

District 13 – C. Susan Glick

District 14 – Dennis K. Kruse

District 15 – Elizabeth M. Brown

District 16 – Justin T. Busch

District 17 – Andrew R. Zay

District 18 – Stacey S. Donato

District 19 – Travis L. Holdman

District 20 – Victoria K. Spartz

District 21 – James R. Buck

District 22 – Ron J. Alting

District 23 – Philip L. Boots

District 24 – John B. Crane

District 25 – Timothy S. Lanane

District 26 – Michael R. Gaskill

District 27 – Jeffery S. Raatz

District 28 – Michael R. Crider

District 29 – James D. Ford

District 30 – John C. Ruckelshaus

District 31 – James W. Merritt, Jr.

District 32 – Aaron M. Freeman

District 33 – Gregory G. Taylor

District 34 – Jean D. Breaux

District 35 – R. Michael Young

District 36 – Jack E. Sandlin

District 37 – Rodric D. Bray

District 38 – Jonathan Ford

District 39 – Eric S. Bassler

District 40 – Mark A. Stoops

District 41 – Greggory F. Walker

District 42 – Jean A. Leising

District 43 – Clyde A. "Chip" Perfect, Jr.

District 44 – Eric A. Koch

District 45 – Christopher P. Garten

District 46 – Ronald T. Grooms

District 47 – Erin M. Houchin

District 48 – Mark B. Messmer

District 49 – James A. Tomes

District 50 – Vaneta G. Becker

SENATE STANDING COMMITTEES—2020

(RMM: ranking minority member. Republican majority members listed first.)

Agriculture

Leising, Chair; Glick, Ranking Member; Buchanan, Busch, Doriot, Perfect, Tomes. Democrats: Lanane, RMM; G. Taylor.

Appropriations

Mishler, Chair; Bassler, Ranking Member; Boots, L. Brown, Charbonneau, Crider, Jon Ford, Holdman, Zay. Democrats: Tallian, RMM; Breaux, Melton, Niezgodski.

- School Funding Subcommittee: Bassler, Chair; L. Brown, Charbonneau, Raatz. Democrats: Melton, Tallian.

Commerce and Technology

Perfect, Chair; Merritt, Ranking Member; Donato, Doriot, Garten, Houchin, Koch, Leising. Democrats: J.D. Ford, RMM; Randolph, Stoops.

Corrections and Criminal Law

M. Young, Chair; Glick, Ranking Member; Bohacek, Busch, Freeman, Koch, Sandlin. Democrats: Tallian, RMM; Randolph.

Education and Career Development

Raatz, Chair; Crane, Ranking Member; Buchanan, Donato, Freeman, Kruse, Leising, Rogers, Spartz. Democrats: Melton, RMM; Mrvan, Niezgodski, Stoops.

Elections

Walker, Chair; Grooms, Ranking Member; Crane, Donato, Jon Ford, Gaskill, Houchin. Democrats: J.D. Ford, RMM; Breaux.

Environmental Affairs

Messmer, Chair; Niemeyer, Ranking Member; Buck, Raatz, Ruckelshaus, Sandlin, Spartz, Zay. Democrats: Stoops, RMM; Niezgodski, Tallian.

Ethics

L. Brown, Chair; Charbonneau, Ranking Member; Walker. Democrats: Breaux, Vice Chair; Mrvan, Randolph.

Family and Children Services

Grooms, Chair; Walker, Ranking Member; Crane, Donato, Jon Ford, Gaskill, Houchin. Democrats: J.D. Ford, RMM; Breaux.

Health and Provider Services

Charbonneau, Chair; Ruckelshaus, Ranking Member; Becker, L. Brown, Busch, Crider, Grooms, Leising, Mishler. Democrats: Breaux, RMM; Melton, Mrvan.

Homeland Security and Transportation

Crider, Chair; Tomes, Ranking Member; Boots, Doriot, Garten, Merritt, Niemeyer. Democrats: Mrvan, RMM; Melton.

Insurance and Financial Institutions

Bassler, Chair; Zay, Ranking Member; Bohacek, Gaskill, Ruckelshaus, Sandlin, Walker. Democrats: Breaux, RMM; J.D. Ford.

Judiciary

Koch, Chair; M. Young, Ranking Member; Bohacek, Buck, Jon Ford, Freeman, Glick, Rogers. Democrats: Randolph, RMM; Lanane, G. Taylor.

Local Government

Buck, Chair; Niemeyer, Ranking Member; Bohacek, Grooms, Kruse, Rogers, Tomes. Democrats: Mrvan, RMM; Lanane, G. Taylor.

Natural Resources

Glick, Chair; Leising, Ranking Member; Buchanan, Busch, Doriot, Perfect, Tomes. Democrats: Lanane, RMM; G. Taylor.

Pensions and Labor

Boots, Chair; Doriot, Ranking Member; Crane, Garten, Kruse, Perfect, Spartz, Walker. Democrats: Niezgodski, RMM; J.D. Ford, Tallian.

Public Policy

Alting, Chair; Becker, Ranking Member; Boots, Jon Ford, Grooms, Merritt, Messmer. Democrats: Randolph, RMM; Lanane, G. Taylor.

Tax and Fiscal Policy

Holdman, Chair; Houchin, Ranking Member; Buchanan, Buck, Charbonneau, Messmer, Mishler, Perfect, Raatz, Walker. Democrats: G. Taylor, RMM; J.D. Ford, Niezgodski, Stoops.

Utilities

Merritt, Chair; Perfect, Ranking Member; Donato, Doriot, Garten, Houchin, Koch, Leising. Democrats: J.D. Ford, RMM; Randolph, Stoops.

Veterans Affairs and The Military

Tomes, Chair; Crider, Ranking Member; Boots, Doriot, Garten, Merritt, Niemeyer. Democrats: Mrvan, RMM; Melton.

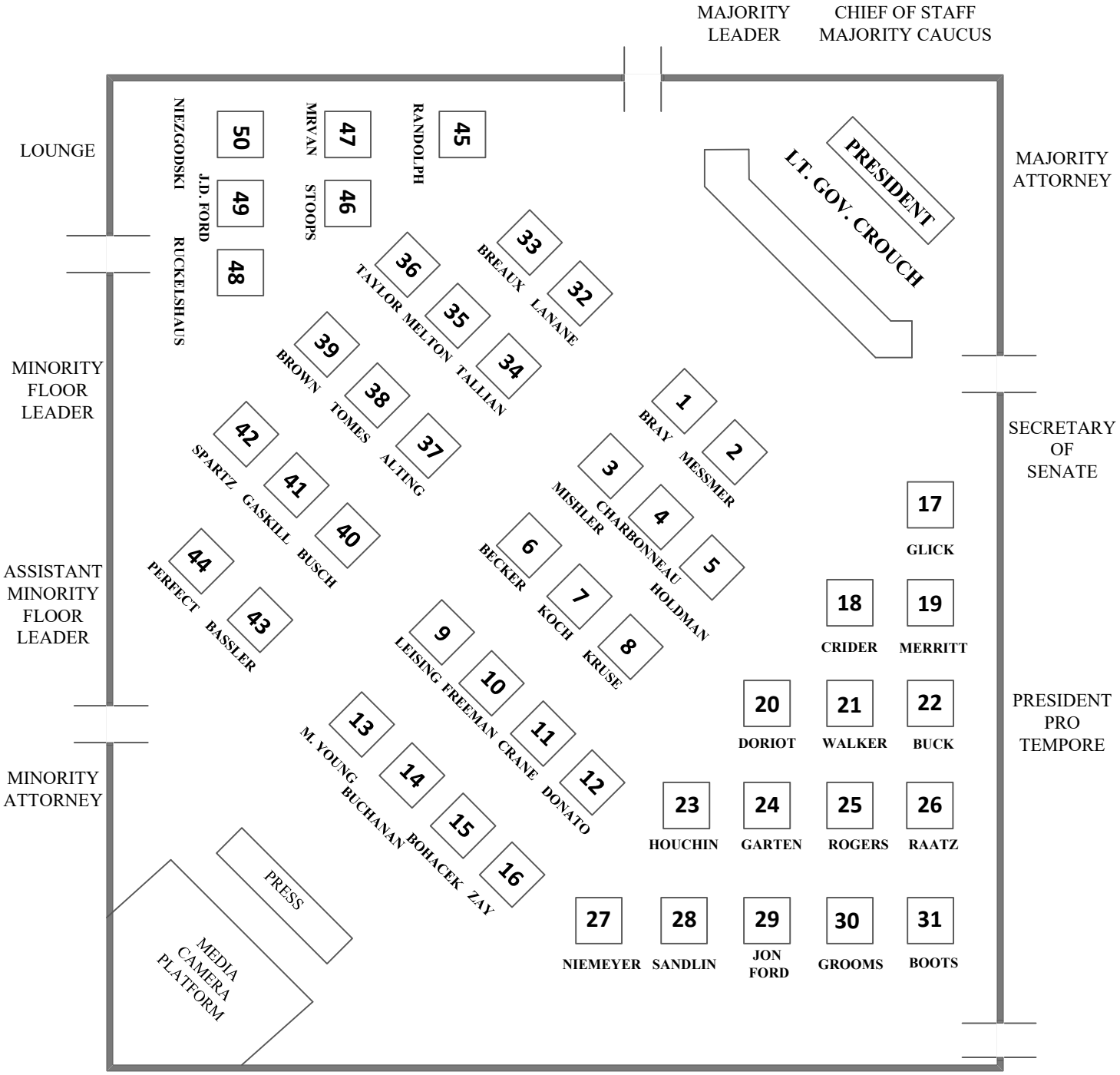
Rules and Legislative Procedure

Bray, Chair; Messmer, Ranking Member; Charbonneau, Crider, Glick, Holdman, Kruse, Merritt. Democrats: Lanane, RMM; Breaux, Niezgodski, Tallian.

Joint Rules

Bray (ex officio), Messmer, Chair; Merritt. Democrats: Breaux, Lanane.

SENATE SEATING ARRANGEMENT—2020



ALTING	37 (R)	BUSCH	40 (R)	GASKILL	41 (R)	MERRITT	19 (R)	RUCKELSHAUS	48 (R)
BASSLER	43 (R)	CHARBONNEAU	4 (R)	GLICK	17 (R)	MESSMER	2 (R)	SANDLIN	28 (R)
BECKER	6 (R)	CRANE	11 (R)	GROOMS	30 (R)	MISHLER	3 (R)	SPARTZ	42 (R)
BOHACEK	15 (R)	CRIDER	18 (R)	HOLDMAN	5 (R)	MRVAN	47 (D)	STOOPS	46 (D)
BOOTS	31 (R)	DONATO	12 (R)	HOUCHIN	23 (R)	NIEMEYER	27 (R)	TALLIAN	34 (D)
BRAY	1 (R)	DORIOT	20 (R)	KOCH	7 (R)	NIEZGODSKI	50 (D)	TAYLOR	36 (D)
BREAUX	33 (D)	J.D. FORD	49 (D)	KRUSE	8 (R)	PERFECT	44 (R)	TOMES	38 (R)
BROWN	39 (R)	JON FORD	29 (R)	LANANE	32 (D)	RAATZ	26 (R)	WALKER	21 (R)
BUCHANAN	14 (R)	FREEMAN	10 (R)	LEISING	9 (R)	RANDOLPH	45 (D)	M. YOUNG	13 (R)
BUCK	22 (R)	GARTEN	24 (R)	MELTON	35 (D)	ROGERS	25 (R)	ZAY	16 (R)

LEGISLATION BY MEMBER—2020

SECOND REGULAR SESSION

(Those marked with ■ became law; those marked with ▣ were vetoed by the Governor.)

SENATE

Alting, Ron

Authored

SB 6 Electric vehicle supplemental fee.
SB 8 911 dispatchers.
SB 16 Juvenile delinquents and firearms.
SB 93 Jumbo boats.
SB 94 Tax credit for education donations.
SB 95 Lowering age of alcoholic beverage servers.
SB 185 Sale of companion animals.
SB 186 Escrow periods for alcoholic beverage permits.
SB 219 School bus stop arm.
SB 220 School employee safety.
SB 221 Student assessments and accountability.
SB 235 Teacher salary increases.
■ SB 267 Administration of 211 services.
SB 281 Fair pay in employment.
SB 342 Pregnancy accommodation.
SB 354 Additional revenue for bargaining teacher salary.
SB 369 Regional transit expansion.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 43 Congratulating the Lafayette Jefferson H.S. Marching Band.
SCR 44 Honoring Hoosier Basketball Magazine.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SCR 52 Recognizing Virgil L. Beckerman.
SR 25 Urging the legislative council to assign the issue of innkeeper's tax distributions in Tippecanoe County.
SR 47 Congratulating Doonyah Alucozai.

Coauthored

SB 72 Hyperbaric oxygen treatment pilot program.
SB 105 Redistricting commission.
SB 262 Film and media production incentives.
SB 407 Consumer credit transactions.
SB 437 Credit card payments for charity gaming.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored

HCR 9 Recognizing Abby Mills as the 2019 All-American Soap Box Derby world champion in the rally Masters division.
HCR 23 Congratulating the 2019 Lafayette Central Catholic H.S. football team.
HCR 38 Urging the U.S. Forest Service to establish an off-road vehicles (ORVs) trail system.

Cosponsored

■ HB 1009 Various welfare matters.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Bassler, Eric

Authored

SB 63 State forest commission and management plan.
SB 227 Session adjournment deadlines.
SB 228 Study committee on teacher salary grid.
SB 392 Work sharing unemployment benefits program.
SB 393 Religious exemption from worker's compensation.
SB 394 UCCC delinquency charges.
■ SB 395 Uniform Consumer Credit Code.
■ SB 433 Structures in floodways.
SB 440 Dissolution of township government.
SCR 19 Urging INDOT to name the bridge crossing Doans Creek on SR 45/58 the "Major Emerson Y. Barker Memorial Bridge".

LEGISLATION BY MEMBER—2020

SCR 20 Urging INDOT to honor First Lt. Clayton Robert Cullen by naming a portion of SR 67 the "Lt. Clayton Robert Cullen Memorial Highway".
SR 22 Honoring the Monday Afternoon Club.

Coauthored
SB 69 Possession of firearms on school property.
■ SB 184 Nonprofit agricultural organization coverage.
SB 205 Medical payment coverage.
SB 266 Teacher training.
SB 368 Study of carbon sequestration.
SB 384 Filling vacancies.
SB 416 Gary Community School Corporation.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 21 Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1004 Health matters.
HB 1027 Township assessors.
■ HB 1093 Electronic document filing.
■ HB 1108 State board of accounts.
■ HB 1113 Local government finance.
HB 1204 Education matters.
■ HB 1353 Financial institutions and consumer credit.
■ HB 1372 Various insurance matters.
HCR 10 Honoring Angus J. Nicoson.
HCR 50 Congratulating the Linton-Stockton H.S. girls basketball team for its Class 2A IHSAA championship win.

Cosponsored
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Becker, Vaneta

Authored
SB 44 Professional growth experience points.
SB 59 Teacher evaluations.
SB 89 Resisting or interfering with law enforcement.
SB 94 Tax credit for education donations.
SB 97 Insurance drug coverage.
SB 98 Certified registered nurse anesthetists.
SB 137 Prohibited discrimination in civil rights statutes.
■ SB 139 Adult guardianship services.
■ SB 319 Practitioner or accomplished practitioner license.
SB 353 Prohibition on risk based managed care programs.
SB 354 Additional revenue for bargaining teacher salary.
SB 355 Psychology interjurisdictional compact.
SB 446 Prohibition against euthanasia.
SCR 8 Congratulating the Evansville Reitz Memorial H.S. football team.
SCR 9 Congratulating the Evansville Reitz Memorial H.S. boys soccer team.
SCR 33 Honoring Hoosier long-term care professionals.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SCR 68 Recognizing Judge Robert J. Tornatta.
SR 68 Memorializing Beth Van Vorst (Greene) Gray.

Coauthored
■ SB 21 Out-of-state prescriptions.
SB 66 Donation of income tax refund for cancer research.
SB 105 Redistricting commission.
SB 142 Medicaid reimbursement for schools.
SB 160 Health insurance.
SB 192 Inpatient mental health care for Medicaid children.
■ SB 246 Mental health services.
■ SB 249 Exploitation of dependents and endangered adults.
SB 262 Film and media production incentives.
■ SB 273 Indiana behavioral health commission.
SB 293 Redistricting.
SB 294 Direct support professional registry.

LEGISLATION BY MEMBER—2020

SB 342 Pregnancy accommodation.
SB 369 Regional transit expansion.
SB 399 Property tax matters.
SB 407 Consumer credit transactions.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 27 Recognizing Perinatal Palliative Care personnel in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1182 HIV, fatality reviews, and syringe exchange programs.
■ HB 1225 Public safety.
■ HB 1243 Genetic counselors.
HB 1249 Kinship care oversight committee.
■ HB 1326 Community mental health centers.
■ HB 1343 New Harmony and Wabash River bridge authority.
HCR 19 Recognizing the 2019 Castle H.S. archery team for winning their twelfth state championship and second consecutive national championship.

Cosponsored
■ HB 1129 Infant screening.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Bohacek, Mike

Authored
SB 6 Electric vehicle supplemental fee.
SB 7 Curricular material rental.
SB 8 911 dispatchers.
SB 16 Juvenile delinquents and firearms.
SB 17 Credit for work completed during suspension.
SB 18 Virtual charter school enrollment.
SB 26 Small loan finance charges.
■ SB 47 Expungement issues.
SB 64 Indiana youth service program.
SB 94 Tax credit for education donations.
■ SB 100 Nonconforming structures.
SB 101 Wrongful death damages.
SB 105 Redistricting commission.
SB 160 Health insurance.
SB 185 Sale of companion animals.
SB 235 Teacher salary increases.
■ SB 237 Care of city police officers and firefighters.
■ SB 267 Administration of 211 services.
SB 282 Health insurance reimbursement rates.
SB 293 Redistricting.
SB 311 Coverage for PANDAS and PANS.
SB 337 Various insurance and health care matters.
SB 342 Pregnancy accommodation.
■ SB 367 Regional development authorities.
SB 391 Property matters.
SB 407 Consumer credit transactions.
SB 425 School corporation disannexation.
SB 443 Traffic control.
SCR 34 Memorializing William "Bill" Hager.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SCR 50 Congratulating Emily Graves.

Coauthored
■ SB 39 Specialized driving privileges.
SB 69 Possession of firearms on school property.
■ SB 109 Statute of limitations.
■ SB 190 Controlled projects.
■ SB 209 Search warrants.
SB 214 Testing of school drinking water for lead.
SB 320 Withholding tax remittance.
■ SB 331 National guard license plates.
■ SB 343 Rural communications cooperatives.
■ SB 346 Students with disabilities.
SB 369 Regional transit expansion.
SB 435 Waiver of penalties and interest.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.

SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1015 Rights of professional firefighters.
■ HB 1129 Infant screening.
■ HB 1370 Regional redevelopment.
HCR 20 Urging the study of constructing an inn at Potato Creek State Park.

Cosponsored
■ HB 1207 Pharmacy matters.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Boots, Philip

Authored
■ SB 10 Pension matters.
SB 11 Direct wine seller's permit.
SB 12 Resident tuition rate for active duty personnel.
SB 22 Expungement and law enforcement employment.
SB 23 Annexation.
SB 24 Overweight divisible loads.
■ SB 25 Mental health disability review panels.
SB 37 Grocery and drug store cold beer sales.
■ SB 181 Survivors' benefits.
SB 202 Worker's compensation.
SB 226 Equine dentistry.
■ SB 269 Worker's compensation.
SB 399 Property tax matters.
■ SB 406 Survivor benefits.
SB 434 Private card games.
SJR 9 Prohibiting certain mandates by courts.
SCR 10 Congratulating the Western Boone H.S. football team.
SCR 26 Memorializing Sandy Woolwine and honoring the heroic actions of North Central Parke Community School Corporation students.
SR 8 Congratulating Zionsville Fire Chief James VanGorder and Zionsville paramedic Abdullakh "Dully" Abamislimov.
SR 18 Honoring Chief Robert Knox.

Coauthored
■ SB 47 Expungement issues.
SB 72 Hyperbaric oxygen treatment pilot program.
■ SB 331 National guard license plates.
SB 416 Gary Community School Corporation.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 28 Urging INDOT to rename the bridge at SR 28 (Walnut Avenue) in Frankfort the "Staff Sgt. Jamie Jarboe Memorial Bridge".
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SCR 52 Recognizing Virgil L. Beckerman.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 57 Urging INDOT to rename the bridge at SR 28 (Walnut Avenue) in Frankfort the "Staff Sgt. Jamie Jarboe Memorial Bridge".
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1043 Firefighters and police officers.
■ HB 1063 Public safety officer death benefits.
■ HB 1111 Unemployment.
■ HB 1112 Skills enhancement fund grants.
■ HB 1147 Municipal elections.
■ HB 1151 School resource officers.
■ HB 1244 Unemployment hearings and appeals.
HB 1332 Ambulatory surgical centers.
HCR 38 Urging the U.S. Forest Service to establish an off-road vehicles (ORVs) trail system.

Cosponsored
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.

LEGISLATION BY MEMBER—2020

HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Bray, Rodric

Authored

■ SB 1 Tobacco and vaping smoking age.
■ SB 2 School accountability.
SB 14 Review of criminal penalties during the interim.
SB 149 Vehicle bill.
SB 150 Vehicle bill.
SB 151 Vehicle bill.
SB 152 Vehicle bill.
SB 153 Vehicle bill.
SB 154 Vehicle bill.
SB 155 Vehicle bill.
SB 156 Vehicle bill.
SB 157 Vehicle bill.
SB 158 Vehicle bill.
SB 159 Vehicle bill.
SB 161 Vehicle bill.
SB 162 Vehicle bill.
SB 163 Vehicle bill.
SB 164 Vehicle bill.
SB 165 Vehicle bill.
SB 166 Vehicle bill.
SB 168 Vehicle bill.
SB 169 Vehicle bill.
SB 173 Vehicle bill.
SJR 2 Vehicle joint resolution.
SJR 3 Vehicle joint resolution.
SJR 4 Vehicle joint resolution.
SJR 5 Vehicle joint resolution.
SJR 6 Vehicle joint resolution.
SJR 7 Vehicle joint resolution.
SJR 8 Vehicle joint resolution.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 44 Honoring Hoosier Basketball Magazine.
SCR 51 Honoring Judge John G. Baker.
SCR 54 Fixing the date for the Second Regular Technical Session of the One Hundred Twenty First General Assembly.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 2 Authorizing the Postmaster of the Indiana Senate to receive from the Postmaster of the City of Indianapolis all mail belonging to the Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 16 Recognizing the Martinsville Candy Kitchen.
SR 51 Recognizing the exceptional work and dedication of the Indiana State Senate employees.
SR 52 Expressing the sincere gratitude and appreciation of the Indiana Senate to the Indiana Legislative Services Agency.
SR 53 Expressing the Indiana State Senate's sincere appreciation to the Indiana State Medical Association and the Indiana Academy of Family Physicians for the "Doctor of the Day" program.
SR 54 Expressing appreciation to the Indiana State Chiropractic Association for the "Chiropractor of the Day" program.
SR 55 Expressing gratitude to Verizon Communications.

Coauthored

SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SR 24 Supporting Taiwan's signing of a Bilateral Trade Agreement with the U.S.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored

HB 1001 School accountability.
HCR 1 Allowing the House and Senate to adjourn and recess separately throughout the Second Regular Session.
HCR 5 To convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.
HCR 6 To convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.

Cosponsored

HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.

LEGISLATION BY MEMBER—2020

HCR 42 Honoring Indiana's women veterans.

Breaux, Jean

Authored

■ SB 80 Code Revision Corrections.
SB 127 Handgun training.
SB 280 Voting hours.
SB 281 Fair pay in employment.
SB 282 Health insurance reimbursement rates.
SB 283 Medicaid treatment for pregnant women.
SB 284 Coverage of living organ donors.
SB 285 Lead testing of Medicaid covered children.
SB 286 Lead poisoning prevention.
SB 287 Scholarship in health care for minority students.
SB 313 Eligibility for public programs.
SB 336 Pretrial detention of juveniles.
SB 356 Healthy food finance.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 29 Congratulating Cathedral High School's "We the People: The Citizen and the Constitution" team.
SCR 30 Recognizing the Indiana Legislative Youth Advisory Council.
SCR 57 Honoring State Superintendent of Public Instruction, Dr. Jennifer McCormick.
SR 20 Urging the legislative council to assign the topic of scholarships for minority students pursuing higher education in the field of health care.
SR 26 Urging the legislative council to assign the topic of elevated blood lead level testing of children ages 0-6 who have Medicaid coverage.
SR 31 Recognizing March 12, 2020 as World Kidney Day.
SR 41 Recognizing February 25, 2020 as Doula Day at the Statehouse.
SR 58 To recognize and honor the Senate Democratic Caucus Interns.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.

Coauthored

SB 67 Township homeless assistance.
SB 99 Study committee on invasive species.
SB 123 Affordable and workforce housing incentives.
SB 142 Medicaid reimbursement for schools.
■ SB 181 Survivors' benefits.
■ SB 184 Nonprofit agricultural organization coverage.
SB 192 Inpatient mental health care for Medicaid children.
SB 208 Compliance with coverage parity requirements.
SB 306 Teachers' retirement fund appropriation.
SB 342 Pregnancy accommodation.
SB 345 Interim study committee on child services.
SB 413 Teacher compensation.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 27 Recognizing Perinatal Palliative Care personnel in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 5 Urging the IN Attorney General to withdraw Indiana from a lawsuit which is attempting to nullify the ACA and end federal funding for HIP 2.0.
SR 36 To recognize the week of February 24-28, 2020 as Public Schools Week.
SR 46 Honoring Bob Vollmer.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored

HB 1249 Kinship care oversight committee.

Cosponsored

■ HB 1004 Health matters.
■ HB 1009 Various welfare matters.
■ HB 1081 Commission for supplier diversity.
■ HB 1176 First steps program.
■ HB 1182 HIV, fatality reviews, and syringe exchange programs.
■ HB 1199 Palliative care.
■ HB 1243 Genetic counselors.
HCR 2 Recognizing Prom Genie, Incorporated.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Brown, Liz

Authored

SB 123 Affordable and workforce housing incentives.

LEGISLATION BY MEMBER—2020

■ SB 237 Care of city police officers and firefighters.
■ SB 238 Various human services matters.
■ SB 239 Coverage for breast prostheses.
SB 240 Cybersecurity requirements for insurers.
■ SB 241 Pharmacy benefit managers.
SB 242 Deceptive lead generation.
SB 243 Physicians who leave an employer.
SB 244 Teacher supplemental pay.
■ SB 299 Fetal remains.
SB 300 Conscience protection for mental health providers.
■ SB 335 Criminal law issues.
SCR 12 Congratulating the Fort Wayne Carroll H.S. girls cross country team.
SCR 17 Congratulating Erin Strzelecki.
SCR 18 Congratulating the Fort Wayne Bishop Dwenger H.S. cheerleading team.
SCR 21 Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
SCR 35 Congratulating the Fort Wayne Concordia Lutheran H.S. boys cross country team.
SCR 53 Recognizing the significance of the construction of the Vietnam Memorial Wall at the Veterans National Memorial Shrine and Museum in Fort Wayne, Indiana.
SCR 56 Honoring Dr. Wendy Robinson.
SCR 58 Honoring Sister M. Elise Kriss.
SR 21 Congratulating Allen County Commissioner Therese Brown.
SR 23 Congratulating Allen County Assessor Stacey O'Day.
SR 64 Recognizing the AAA School Safety Patrol Program.
SR 65 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.

Coauthored
■ SB 21 Out-of-state prescriptions.
■ SB 181 Survivors' benefits.
■ SB 346 Students with disabilities.
■ SB 406 Survivor benefits.
SB 416 Gary Community School Corporation.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 27 Recognizing Perinatal Palliative Care personnel in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1022 Panhandling.
HB 1042 Pharmacy benefit managers.
HB 1115 Physician noncompete agreements.
■ HB 1129 Infant screening.

Cosponsored
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Buchanan, Brian

Authored
SB 292 County option circuit breaker tax credit.
SB 320 Withholding tax remittance.
SB 399 Property tax matters.
SB 400 Assessment and taxation of golf courses.
SB 401 Deduction for rehabilitation of residential property.
SB 402 Seasonal employment.
SB 403 Property tax appeals.
SB 426 Traffic enforcement in residential complexes.
■ SB 427 Provisional occupational license.
SB 445 Micro-credentialing.
SB 455 Various education matters.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 10 Congratulating the Western Boone H.S. football team.
SCR 28 Urging INDOT to rename the bridge at SR 28 (Walnut Avenue) in Frankfort the "Staff Sgt. Jamie Jarboe Memorial Bridge".
SR 8 Congratulating Zionsville Fire Chief James VanGorder and Zionsville paramedic Abdullakh "Dully" Abamislimov.
SR 18 Honoring Chief Robert Knox.

LEGISLATION BY MEMBER—2020

SR 25 Urging the legislative council to assign the issue of innkeeper's tax distributions in Tippecanoe County.
SR 57 Urging INDOT to rename the bridge at SR 28 (Walnut Avenue) in Frankfort the "Staff Sgt. Jamie Jarboe Memorial Bridge".

Coauthored
SB 262 Film and media production incentives.
SB 264 Certified technology parks.
SB 266 Teacher training.
■ SB 319 Practitioner or accomplished practitioner license.
SB 330 Mediation for state agencies and vendors.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1002 Teacher evaluations.
■ HB 1003 Education matters.
■ HB 1066 Various education matters.

Cosponsored
■ HB 1091 Education benefits relating to military service.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Buck, James

Authored
SB 9 Target shooting.
SB 42 Sessions of the general assembly.
SB 75 Nomination of candidates.
SB 76 State and local audit examinations.
SB 199 Recovery of litigation expenses.
SB 217 Inspection of petroleum products.
SB 218 Chicken hens.
■ SB 230 Leasing of local unit property.
SB 316 Collection of veteran status information.
■ SB 365 Town of Griffith.
SB 372 Taxes for public safety in allocation areas.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 28 Urging INDOT to rename the bridge at SR 28 (Walnut Avenue) in Frankfort the "Staff Sgt. Jamie Jarboe Memorial Bridge".
SR 57 Urging INDOT to rename the bridge at SR 28 (Walnut Avenue) in Frankfort the "Staff Sgt. Jamie Jarboe Memorial Bridge".

Coauthored
SB 23 Annexation.
SB 55 Piping materials for public works projects.
SB 69 Possession of firearms on school property.
■ SB 109 Statute of limitations.
SB 115 Deduction for certain residential property.
■ SB 139 Adult guardianship services.
SB 192 Inpatient mental health care for Medicaid children.
■ SB 197 Prohibited technology purchases.
■ SB 216 Disclosure of personal information to offender.
■ SB 246 Mental health services.
■ SB 256 Courts and judicial officers.
SB 264 Certified technology parks.
■ SB 307 National guard life insurance program.
■ SB 319 Practitioner or accomplished practitioner license.
SB 320 Withholding tax remittance.
■ SB 340 Private property matters.
SB 399 Property tax matters.
■ SB 427 Provisional occupational license.
SB 435 Waiver of penalties and interest.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 24 Supporting Taiwan's signing of a Bilateral Trade Agreement with the U.S.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.

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SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1090 Assumption of care of cemeteries.
HB 1181 Gift certificates and store gift cards.

Cosponsored
■ HB 1002 Teacher evaluations.
HB 1042 Pharmacy benefit managers.
■ HB 1059 Sales tax on recreational vehicles.
■ HB 1063 Public safety officer death benefits.
■ HB 1111 Unemployment.
■ HB 1153 Governor's workforce cabinet.
■ HB 1207 Pharmacy matters.
■ HB 1265 Drinking water testing.
HB 1279 Local transportation projects.
■ HB 1392 Physician assistants and nurses.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Busch, Justin

Authored
SB 262 Film and media production incentives.
SB 437 Credit card payments for charity gaming.
SB 450 Low head dams.
SB 451 Crime stoppers and restitution.
SCR 12 Congratulating the Fort Wayne Carroll H.S. girls cross country team.
SCR 53 Recognizing the significance of the construction of the Vietnam Memorial Wall at the Veterans National Memorial Shrine and Museum in Fort Wayne, Indiana.
SCR 56 Honoring Dr. Wendy Robinson.
SCR 58 Honoring Sister M. Elise Kriss.
SR 21 Congratulating Allen County Commissioner Therese Brown.
SR 23 Congratulating Allen County Assessor Stacey O'Day.
SR 65 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.

Coauthored
■ SB 21 Out-of-state prescriptions.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 15 Urging the establishment of the Office of Outdoor Recreation Development.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 21 Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
HB 1008 Occupational license endorsement.
■ HB 1099 Low head dams.
HB 1115 Physician noncompete agreements.
HB 1330 Return of lost pets to owners.
HB 1348 State and local administration.
■ HB 1392 Physician assistants and nurses.
HCR 21 Recognizing the Whitley County Chamber of Commerce for 100 years of service.

Cosponsored
■ HB 1301 Deployment of truck safety technology.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Charbonneau, Ed

Authored
■ SB 1 Tobacco and vaping smoking age.
SB 3 Health care provider billing.
SB 4 Health programs.
■ SB 5 Health provider contracts.

LEGISLATION BY MEMBER—2020

■ SB 19 Electronic technology for ophthalmic prescriptions.
■ SB 21 Out-of-state prescriptions.
SB 38 Reporting by pharmacy benefit managers.
■ SB 61 EMS personnel licensure interstate compact.
SB 66 Donation of income tax refund for cancer research.
SB 72 Hyperbaric oxygen treatment pilot program.
SB 97 Insurance drug coverage.
SB 98 Certified registered nurse anesthetists.
SB 141 School based health clinics and Medicaid.
SB 142 Medicaid reimbursement for schools.
SB 172 Licensure of behavior analysts.
■ SB 184 Nonprofit agricultural organization coverage.
■ SB 241 Pharmacy benefit managers.
SB 243 Physicians who leave an employer.
■ SB 254 Water and wastewater utilities.
■ SB 255 Insulin drugs.
SB 294 Direct support professional registry.
SB 353 Prohibition on risk based managed care programs.
SB 416 Gary Community School Corporation.
SB 448 Nonprofit hospital report.
SCR 4 Memorializing Deputy Shadron K. Bassett and urging INDOT to name a mile of SR 39 the "Deputy Shadron K. Bassett Memorial Mile".
SCR 11 Memorializing Thelma Dickey.
SCR 33 Honoring Hoosier long-term care professionals.
SR 3 Congratulating Boone Grove H.S.

Coauthored
SB 144 Kids first trust fund board subsidiary corporation.
SB 264 Certified technology parks.
SB 320 Withholding tax remittance.
SB 399 Property tax matters.
SB 435 Waiver of penalties and interest.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 21 Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SCR 52 Recognizing Virgil L. Beckerman.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 24 Supporting Taiwan's signing of a Bilateral Trade Agreement with the U.S.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1004 Health matters.
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1007 Fiscal matters.
■ HB 1052 Pulaski County local income tax.
■ HB 1065 Various tax matters.
■ HB 1077 Professional licensing agency.
■ HB 1092 State Medicaid plan amendments.
■ HB 1210 Various health matters.
HB 1279 Local transportation projects.
HB 1317 Health care advance directive.
HB 1336 Telemedicine.
■ HB 1392 Physician assistants and nurses.

Cosponsored
HB 1042 Pharmacy benefit managers.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Crane, John

Authored
SB 40 State sport.
SB 74 Gender on driver's licenses.
■ SB 179 Election cybersecurity.
SB 263 Specialized weapons training.
■ SB 295 Various education matters.
SB 412 21st century scholars program.
SCR 25 Congratulating Adam Ferguson.
SR 16 Recognizing the Martinsville Candy Kitchen.

Coauthored
SB 9 Target shooting.
SB 12 Resident tuition rate for active duty personnel.

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SB 144 Kids first trust fund board subsidiary corporation.
■ SB 181 Survivors' benefits.
■ SB 249 Exploitation of dependents and endangered adults.
SB 262 Film and media production incentives.
SB 266 Teacher training.
■ SB 273 Indiana behavioral health commission.
■ SB 299 Fetal remains.
SB 316 Collection of veteran status information.
■ SB 331 National guard license plates.
■ SB 334 Election matters.
■ SB 343 Rural communications cooperatives.
SB 384 Filling vacancies.
SB 385 Assessment of business personal property taxes.
SB 411 Leasing of broadband capacity infrastructure.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 21 Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 13 Urging the legislative council to assign the topic of the potential dangers of cyber-hacking in state government, specifically the use of ransomware.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1091 Education benefits relating to military service.
HB 1222 Miscellaneous election law matters.
■ HB 1267 Withdrawal of candidates.
HCR 41 Recognizing Katie Pourcho, 2020 Indiana Teacher of the Year.

Cosponsored
■ HB 1015 Rights of professional firefighters.
■ HB 1045 Honor and Remember flag.
■ HB 1143 Device implantation as a condition of employment.
■ HB 1283 Teacher preparation program curriculum.
■ HB 1341 Students with disabilities.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Crider, Michael

Authored
SB 48 Cruelty to a law enforcement animal.
SB 54 Railroad crossings.
SB 108 Income tax credit for rail improvements.
■ SB 109 Statute of limitations.
SB 110 Law enforcement and search and rescue animals.
SB 115 Deduction for certain residential property.
SB 116 Human trafficking.
■ SB 132 Department of homeland security.
SB 207 Syringe exchange program.
SB 208 Compliance with coverage parity requirements.
■ SB 209 Search warrants.
■ SB 246 Mental health services.
■ SB 258 Firefighter safety.
■ SB 273 Indiana behavioral health commission.
■ SB 307 National guard life insurance program.
SB 325 Public trust ownership of Lake Michigan.
SB 355 Psychology interjurisdictional compact.
SCR 42 Congratulating the Greenfield Central Cougar Pride Marching Band.
SCR 67 Congratulating the Mt. Vernon H.S. (Fortville) girls soccer team.

Coauthored
■ SB 21 Out-of-state prescriptions.
SB 72 Hyperbaric oxygen treatment pilot program.
SB 142 Medicaid reimbursement for schools.
■ SB 146 Sexual assault victims' rights.
■ SB 179 Election cybersecurity.
■ SB 331 National guard license plates.
SB 342 Pregnancy accommodation.
■ SB 343 Rural communications cooperatives.
SB 416 Gary Community School Corporation.
■ SB 424 Address confidentiality program.
SCR 5 Recognizing the 21st Century Scholars Program.

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SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 21 Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1032 Interfering with public safety.
■ HB 1070 Distracted driving.
■ HB 1092 State Medicaid plan amendments.
■ HB 1173 Indiana department of veterans' affairs.
■ HB 1174 Youth helmet safety.
■ HB 1182 HIV, fatality reviews, and syringe exchange programs.
■ HB 1189 Use of firefighting foam containing PFAS.
■ HB 1198 Public safety matters.
HB 1204 Education matters.
■ HB 1209 Reimbursement for emergency medical services.
■ HB 1210 Various health matters.
■ HB 1224 Council on impaired and dangerous driving.
■ HB 1235 Public safety.
■ HB 1246 Automotive dealer services.
■ HB 1301 Deployment of truck safety technology.
■ HB 1326 Community mental health centers.
■ HB 1385 Natural resources.
HCR 24 Congratulating the New Palestine H.S. football team.
HCR 26 Congratulating the New Palestine H.S. softball team.
HCR 27 Recognizing Charlie Spegal.
HCR 43 Recognizing and honoring volunteer firefighters.

Cosponsored
■ HB 1225 Public safety.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Donato, Stacey

Authored
■ SB 177 Administration of the broadband ready program.
SB 265 Medicaid advisory committee member.
SB 266 Teacher training.
SB 360 Human trafficking.
SB 361 Municipal electric utilities.
SB 362 Repeal of youth offender boot camp program.
SB 363 Interim study committee.
SB 447 Underground utility facilities.
SR 9 Congratulating the Argos H.S. boys soccer team.

Coauthored
SB 129 Protection of privacy rights of students.
SB 244 Teacher supplemental pay.
SB 289 Family and juvenile law matters.
SB 312 Parents with a disability.
SB 316 Collection of veteran status information.
■ SB 319 Practitioner or accomplished practitioner license.
■ SB 331 National guard license plates.
SB 342 Pregnancy accommodation.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 27 Recognizing Perinatal Palliative Care personnel in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 13 Urging the legislative council to assign the topic of the potential dangers of cyber-hacking in state government, specifically the use of ransomware.
SR 46 Honoring Bob Vollmer.

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SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1148 Board of accountancy.
■ HB 1218 Locating underground utility infrastructure.

Cosponsored
■ HB 1091 Education benefits relating to military service.
■ HB 1283 Teacher preparation program curriculum.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Doriot, Blake

Authored
■ SB 10 Pension matters.
SB 24 Overweight divisible loads.
SB 46 Interim study committee.
SB 54 Railroad crossings.
SB 55 Piping materials for public works projects.
SB 71 Adverse possession statute of limitations.
■ SB 100 Nonconforming structures.
SB 145 Office of outdoor recreation development.
■ SB 146 Sexual assault victims' rights.
SB 147 Campground matters.
▣ SB 148 Zoning and housing matters.
SB 185 Sale of companion animals.
■ SB 187 Elkhart County courts.
■ SB 197 Prohibited technology purchases.
■ SB 229 Maintenance of regulated drains.
SB 232 Nonprofit hospitals.
■ SB 257 Aviation safety.
SB 268 Automated traffic control in construction zones.
■ SB 288 Anatomical gift through hunting, fishing or trapping license.
SB 294 Direct support professional registry.
■ SB 409 Employment of minors.
■ SB 433 Structures in floodways.
SB 450 Low head dams.
SCR 15 Urging the establishment of the Office of Outdoor Recreation Development.

Coauthored
■ SB 2 School accountability.
■ SB 21 Out-of-state prescriptions.
■ SB 25 Mental health disability review panels.
■ SB 181 Survivors' benefits.
■ SB 184 Nonprofit agricultural organization coverage.
SB 231 Competitive teacher pay initiative review.
■ SB 299 Fetal remains.
■ SB 307 National guard life insurance program.
SB 320 Withholding tax remittance.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1059 Sales tax on recreational vehicles.
■ HB 1063 Public safety officer death benefits.
■ HB 1095 Contracts for emergency road repairs.
■ HB 1131 Utility matters.
■ HB 1143 Device implantation as a condition of employment.
■ HB 1235 Public safety.
■ HB 1305 Graduation rate calculation.
HCR 3 Recognizing the Boys and Girls Clubs of Elkhart County.
HCR 42 Honoring Indiana's women veterans.

Cosponsored
■ HB 1032 Interfering with public safety.
■ HB 1111 Unemployment.
■ HB 1301 Deployment of truck safety technology.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.

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HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.

Ford, J.D.

Authored

SB 45 Teacher licensing.
SB 111 TANF eligibility.
SB 250 Prohibited discrimination.
SB 251 Standby guardians.
SB 252 Information on student identification cards.
SB 253 Principal dwelling land contracts.
SB 308 Unemployment benefits.
SB 380 Election board incident response plan.
SB 381 Removable media use by election officials.
SB 382 Election security.
SB 387 Internet connection prohibited for voting devices.
SB 388 Disposal of election equipment.
SCR 39 Congratulating the Bishop Chatard H.S. Trojans football team.
SR 6 Congratulating Dr. Tom Harmas.
SR 7 Congratulating David L. Shank and Marilyn Shank.
SR 8 Congratulating Zionsville Fire Chief James VanGorder and Zionsville paramedic Abdullakh "Dully" Abamislimov.
SR 10 Congratulating Robert Goodman Jewelers.
SR 11 Urging the legislative council to assign the topic of student loan lending and servicing.
SR 12 Celebrating Ben Davis University H.S.
SR 13 Urging the legislative council to assign the topic of the potential dangers of cyber-hacking in state government, specifically the use of ransomware.
SR 14 Congratulating Ben Yoder.
SR 17 Congratulating Dr. Carrie Foote.
SR 18 Honoring Chief Robert Knox.
SR 39 Recognizing Girls Inc. of Greater Indianapolis.
SR 40 Recognizing Margaret Dimmett.
SR 44 Congratulating Fireman Michael Pruitt.
SR 49 To honor the Shalom Health Care Center.
SR 59 Standing in solidarity with Indiana's Jewish community.

Coauthored

SB 8 911 dispatchers.
■ SB 10 Pension matters.
SB 12 Resident tuition rate for active duty personnel.
SB 16 Juvenile delinquents and firearms.
■ SB 21 Out-of-state prescriptions.
■ SB 25 Mental health disability review panels.
SB 26 Small loan finance charges.
SB 27 Native American Indian affairs commission.
SB 28 Universal background checks for firearms.
SB 29 Storage of firearms.
SB 63 State forest commission and management plan.
SB 64 Indiana youth service program.
SB 66 Donation of income tax refund for cancer research.
SB 72 Hyperbaric oxygen treatment pilot program.
SB 97 Insurance drug coverage.
SB 102 Interim study committee on utility taxes and fees.
SB 103 Medical marijuana for the terminally ill.
SB 105 Redistricting commission.
SB 115 Deduction for certain residential property.
SB 142 Medicaid reimbursement for schools.
■ SB 180 Public employees deferred compensation plan.
■ SB 181 Survivors' benefits.
■ SB 184 Nonprofit agricultural organization coverage.
SB 208 Compliance with coverage parity requirements.
■ SB 246 Mental health services.
■ SB 249 Exploitation of dependents and endangered adults.
■ SB 254 Water and wastewater utilities.
■ SB 256 Courts and judicial officers.
SB 262 Film and media production incentives.
SB 265 Medicaid advisory committee member.
■ SB 267 Administration of 211 services.
■ SB 273 Indiana behavioral health commission.
SB 293 Redistricting.
SB 306 Teachers' retirement fund appropriation.
SB 309 Employee misclassification.
SB 316 Collection of veteran status information.
SB 320 Withholding tax remittance.
■ SB 331 National guard license plates.
SB 342 Pregnancy accommodation.
SB 345 Interim study committee on child services.
■ SB 350 Central Indiana regional development authority.
SB 356 Healthy food finance.
SB 413 Teacher compensation.
SB 416 Gary Community School Corporation.
SB 421 Restrictions on copayments.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SCR 57 Honoring State Superintendent of Public Instruction, Dr. Jennifer McCormick.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.

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SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 5 Urging the IN Attorney General to withdraw Indiana from a lawsuit which is attempting to nullify the ACA and end federal funding for HIP 2.0.
SR 36 To recognize the week of February 24-28, 2020 as Public Schools Week.
SR 46 Honoring Bob Vollmer.
SR 58 To recognize and honor the Senate Democratic Caucus Interns.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1148 Board of accountancy.
HB 1191 Land contracts.
HCR 35 Honoring school counselors during National School Counseling Week.
HCR 44 Recognizing teachers and the work they do.

Cosponsored
■ HB 1009 Various welfare matters.
■ HB 1063 Public safety officer death benefits.
■ HB 1070 Distracted driving.
■ HB 1080 Colorectal cancer testing.
■ HB 1151 School resource officers.
■ HB 1176 First steps program.
■ HB 1182 HIV, fatality reviews, and syringe exchange programs.
■ HB 1264 Child care background checks.
■ HB 1265 Drinking water testing.
■ HB 1341 Students with disabilities.
■ HB 1353 Financial institutions and consumer credit.
■ HB 1392 Physician assistants and nurses.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Ford, Jon

Authored
SB 3 Health care provider billing.
SB 27 Native American Indian affairs commission.
SB 59 Teacher evaluations.
SB 62 Psychotropic medication in foster care study committee topic.
SB 65 Misdemeanor reimbursement.
SB 66 Donation of income tax refund for cancer research.
SB 67 Township homeless assistance.
■ SB 109 Statute of limitations.
SB 111 TANF eligibility.
SB 116 Human trafficking.
SB 142 Medicaid reimbursement for schools.
SB 167 Microbrewery location near school or church.
■ SB 179 Election cybersecurity.
SB 192 Inpatient mental health care for Medicaid children.
SB 228 Study committee on teacher salary grid.
■ SB 255 Insulin drugs.
SB 259 Child services reports.
SB 268 Automated traffic control in construction zones.
■ SB 269 Worker's compensation.
SB 270 Collective bargaining.
SB 271 Vehicle weight.
■ SB 272 Indiana economic development corporation.
SB 310 Adoption subsidies.
SB 312 Parents with a disability.
SB 333 Straight ticket voting.
SB 345 Interim study committee on child services.
SB 417 Insurance proceeds held by a mortgagee.
SB 418 Medicaid provider contracts.
SB 437 Credit card payments for charity gaming.
SR 24 Supporting Taiwan's signing of a Bilateral Trade Agreement with the U.S.
SR 34 Recognizing Indiana State University for 150 years of African American education and achievement.
SR 69 Recognizing The Helping Hands thrift store.

Coauthored
SB 69 Possession of firearms on school property.
SB 115 Deduction for certain residential property.
SB 144 Kids first trust fund board subsidiary corporation.
SB 171 Clarksville food and beverage tax.
SB 200 Driver's license suspensions.
■ SB 216 Disclosure of personal information to offender.
■ SB 237 Care of city police officers and firefighters.
SB 311 Coverage for PANDAS and PANS.
SB 342 Pregnancy accommodation.
SB 369 Regional transit expansion.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

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SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1009 Various welfare matters.
■ HB 1082 Various higher education matters.
■ HB 1143 Device implantation as a condition of employment.
■ HB 1148 Board of accountancy.
HB 1191 Land contracts.
HB 1306 Full faith and credit for tribal court orders.
■ HB 1341 Students with disabilities.

Cosponsored
■ HB 1015 Rights of professional firefighters.
■ HB 1063 Public safety officer death benefits.
■ HB 1070 Distracted driving.
■ HB 1414 Electric generation.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Freeman, Aaron

Authored
■ SB 39 Specialized driving privileges.
SB 46 Interim study committee.
■ SB 47 Expungement issues.
■ SB 50 Various trust and probate issues.
SB 68 Whistleblower reports.
■ SB 80 Code Revision Corrections.
SB 101 Wrongful death damages.
■ SB 181 Survivors' benefits.
SB 199 Recovery of litigation expenses.
■ SB 216 Disclosure of personal information to offender.
SB 236 THC.
SB 327 Reporting of consumer loans by unlicensed lenders.
SB 384 Filling vacancies.
SB 385 Assessment of business personal property taxes.
SB 386 Civil statutes of limitations.
SB 449 Juveniles.
SB 451 Crime stoppers and restitution.
SCR 49 Recognizing Gus Adams.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.
SR 63 Memorializing Danny Masters.

Coauthored
SB 69 Possession of firearms on school property.
SB 72 Hyperbaric oxygen treatment pilot program.
■ SB 109 Statute of limitations.
■ SB 139 Adult guardianship services.
SB 144 Kids first trust fund board subsidiary corporation.
■ SB 302 Indigency determinations.
SB 316 Collection of veteran status information.
■ SB 331 National guard license plates.
■ SB 346 Students with disabilities.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 21 Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.

Sponsored
HB 1021 Liens.
■ HB 1096 Technical corrections.
HB 1132 Criminal and juvenile law matters.
■ HB 1157 Motor vehicle and criminal law issues.
HCR 36 Recognizing the Indiana State Bar Association Leadership Development Academy.

Cosponsored
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.

LEGISLATION BY MEMBER—2020

HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Garten, Chris

Authored

SB 3 Health care provider billing.
■ SB 25 Mental health disability review panels.
SB 48 Cruelty to a law enforcement animal.
■ SB 61 EMS personnel licensure interstate compact.
SB 72 Hyperbaric oxygen treatment pilot program.
■ SB 132 Department of homeland security.
SB 144 Kids first trust fund board subsidiary corporation.
■ SB 197 Prohibited technology purchases.
■ SB 257 Aviation safety.
SB 263 Specialized weapons training.
■ SB 331 National guard license plates.
SB 385 Assessment of business personal property taxes.
SB 404 Clark County circuit court.
■ SB 405 Exemptions from design release requirements.
■ SB 406 Survivor benefits.
SB 457 Custody and parenting time.
SCR 28 Urging INDOT to rename the bridge at SR 28 (Walnut Avenue) in Frankfort the "Staff Sgt. Jamie Jarboe Memorial Bridge".
SCR 47 Congratulating Michael Cleveland.
SCR 55 Congratulating Michael Cleveland.
SR 57 Urging INDOT to rename the bridge at SR 28 (Walnut Avenue) in Frankfort the "Staff Sgt. Jamie Jarboe Memorial Bridge".

Coauthored

■ SB 10 Pension matters.
■ SB 256 Courts and judicial officers.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SCR 52 Recognizing Virgil L. Beckerman.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored

■ HB 1081 Commission for supplier diversity.
■ HB 1095 Contracts for emergency road repairs.
■ HB 1104 Housing and community development authority.
HB 1115 Physician noncompete agreements.
■ HB 1131 Utility matters.
■ HB 1209 Reimbursement for emergency medical services.
■ HB 1246 Automotive dealer services.
HB 1347 Bureau of motor vehicles.
HCR 12 Honoring the inductees of the Indiana Military Veterans Hall of Fame.

Cosponsored

■ HB 1063 Public safety officer death benefits.
■ HB 1414 Electric generation.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Gaskill, Mike

Authored

■ SB 20 Plan commissions.
SB 23 Annexation.
SB 183 Study committee review of food and beverage taxes.
SB 205 Medical payment coverage.
■ SB 238 Various human services matters.
SB 292 County option circuit breaker tax credit.
SB 317 Interstate commission transportation fund.
SB 384 Filling vacancies.
SCR 36 Honoring John Thomas Shettle.

Coauthored

SB 74 Gender on driver's licenses.
■ SB 184 Nonprofit agricultural organization coverage.

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SB 320 Withholding tax remittance.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1014 State museum and historic sites corporation.
■ HB 1120 Community corrections and credit time.
HB 1222 Miscellaneous election law matters.
HB 1348 State and local administration.

Cosponsored
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Glick, Susan

Authored
SB 99 Study committee on invasive species.
SB 195 Career and technical education clusters.
SB 200 Driver's license suspensions.
■ SB 254 Water and wastewater utilities.
SB 324 Micro market and vending machine fees.
SB 325 Public trust ownership of Lake Michigan.
SB 368 Study of carbon sequestration.
■ SB 410 Libraries.
■ SB 424 Address confidentiality program.
■ SB 438 Regulation of pesticide use and application.
SCR 61 Memorializing former State Representative Richard Dodge.
SR 30 Honoring the DNR Division of Forestry and the Classified Forest and Wildlands Program and urging increased state funding for the Division of Forestry.

Coauthored
SB 3 Health care provider billing.
SB 4 Health programs.
■ SB 5 Health provider contracts.
SB 8 911 dispatchers.
SB 12 Resident tuition rate for active duty personnel.
SB 69 Possession of firearms on school property.
SB 94 Tax credit for education donations.
■ SB 139 Adult guardianship services.
■ SB 184 Nonprofit agricultural organization coverage.
■ SB 209 Search warrants.
■ SB 216 Disclosure of personal information to offender.
SB 266 Teacher training.
■ SB 302 Indigency determinations.
■ SB 307 National guard life insurance program.
SB 316 Collection of veteran status information.
■ SB 343 Rural communications cooperatives.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 15 Urging the establishment of the Office of Outdoor Recreation Development.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 27 Recognizing Perinatal Palliative Care personnel in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SCR 56 Honoring Dr. Wendy Robinson.
SCR 58 Honoring Sister M. Elise Kriss.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1045 Honor and Remember flag.
■ HB 1094 Substance use prevention and recovery.
■ HB 1099 Low head dams.
■ HB 1198 Public safety matters.

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■ HB 1385 Natural resources.
HCR 8 Commemorating the centennial anniversary of Indiana ratifying the 19th Amendment.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 14 Honoring and recognizing the 2018 to 2019 winners of the Student Soybean Product Innovation Competition.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.

Cosponsored
■ HB 1043 Firefighters and police officers.
■ HB 1343 New Harmony and Wabash River bridge authority.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 42 Honoring Indiana's women veterans.

Grooms, Ronald

Authored
SB 15 Pharmacy benefit managers.
■ SB 21 Out-of-state prescriptions.
SB 62 Psychotropic medication in foster care study committee topic.
SB 111 TANF eligibility.
SB 171 Clarksville food and beverage tax.
SB 192 Inpatient mental health care for Medicaid children.
SB 193 Prohibition of flavored e-liquids.
■ SB 269 Worker's compensation.
■ SB 272 Indiana economic development corporation.
SB 289 Family and juvenile law matters.
SB 290 Patient health information.
SB 291 Law enforcement officers and handguns in a casino.
■ SB 334 Election matters.
SB 342 Pregnancy accommodation.
SB 423 Smoking age.
SB 439 Licensure of art therapists.
SCR 14 Memorializing J. Robert Shine and urging INDOT to rename a portion of SR 64 the "J. Robert Shine Highway".
SCR 47 Congratulating Michael Cleveland.
SCR 55 Congratulating Michael Cleveland.

Coauthored
SB 12 Resident tuition rate for active duty personnel.
SB 67 Township homeless assistance.
SB 142 Medicaid reimbursement for schools.
SB 144 Kids first trust fund board subsidiary corporation.
SB 178 Various election matters.
■ SB 179 Election cybersecurity.
SB 226 Equine dentistry.
■ SB 241 Pharmacy benefit managers.
■ SB 246 Mental health services.
■ SB 255 Insulin drugs.
SB 262 Film and media production incentives.
■ SB 273 Indiana behavioral health commission.
■ SB 295 Various education matters.
SB 345 Interim study committee on child services.
SB 369 Regional transit expansion.
SB 450 Low head dams.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1067 Dental hygienists.
■ HB 1070 Distracted driving.
■ HB 1082 Various higher education matters.
■ HB 1176 First steps program.
■ HB 1182 HIV, fatality reviews, and syringe exchange programs.
■ HB 1199 Palliative care.
■ HB 1207 Pharmacy matters.
■ HB 1243 Genetic counselors.
■ HB 1264 Child care background checks.
HCR 51 Honoring the 250th anniversary of William Clark's birth.

Cosponsored
■ HB 1090 Assumption of care of cemeteries.
■ HB 1099 Low head dams.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.

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HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Holdman, Travis

Authored
SB 123 Affordable and workforce housing incentives.
SB 170 Mine reclamation tax credit.
SB 188 Political subdivision controlled projects.
SB 189 Golf carts.
■ SB 190 Controlled projects.
SB 191 EDGE tax credits.
SB 262 Film and media production incentives.
SB 263 Specialized weapons training.
SB 264 Certified technology parks.
SB 309 Employee misclassification.
SB 317 Interstate commission transportation fund.
SB 320 Withholding tax remittance.
SB 330 Mediation for state agencies and vendors.
■ SB 350 Central Indiana regional development authority.
SB 369 Regional transit expansion.
■ SB 408 Various tax matters.
SB 448 Nonprofit hospital report.
SCR 21 Encouraging education and the use of Safe Haven Baby Boxes in Indiana.

Coauthored
SB 115 Deduction for certain residential property.
SB 416 Gary Community School Corporation.
SB 435 Waiver of penalties and interest.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SCR 56 Honoring Dr. Wendy Robinson.
SCR 58 Honoring Sister M. Elise Kriss.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1007 Fiscal matters.
HB 1042 Pharmacy benefit managers.
■ HB 1049 Business associations.
■ HB 1065 Various tax matters.
■ HB 1112 Skills enhancement fund grants.
HCR 47 Honoring students from Norwell Middle School in Ossian, Indiana, as the National Champions of the Future City Competition.

Cosponsored
HB 1115 Physician noncompete agreements.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Houchin, Erin

Authored
SB 43 Fraud consolidation.
■ SB 78 Shovel ready site development center.
SB 81 Straight ticket voting for at-large candidates.
■ SB 109 Statute of limitations.
SB 115 Deduction for certain residential property.
SB 172 Licensure of behavior analysts.
■ SB 177 Administration of the broadband ready program.
■ SB 190 Controlled projects.
SB 264 Certified technology parks.
■ SB 343 Rural communications cooperatives.
SB 344 School board member training.
SB 345 Interim study committee on child services.
■ SB 346 Students with disabilities.
SB 347 Drug testing of recipients of assistance.
SB 348 Grandparent visitation.
SB 349 Broadband grant program.
■ SB 350 Central Indiana regional development authority.
SB 360 Human trafficking.
SB 361 Municipal electric utilities.
SB 362 Repeal of youth offender boot camp program.
SB 363 Interim study committee.
SB 364 Regulatory impact matters.
■ SB 383 Reporting on MBE and WBE contracting goals.
SB 396 Value added growth and projection analytics.

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SB 397 Tobacco, e-liquids, and CBD.
■ SB 406 Survivor benefits.
SB 449 Juveniles.
SB 450 Low head dams.
SCR 59 Recognizing the French Lick Springs Hotel.
SR 19 Memorializing Tammy Kemp and urging continued recognition of Tammy's Law.
SR 35 Congratulating the 2019 Salem H.S. Marching Band.
SR 38 Recognizing dyslexia in Hoosier youth.
SR 66 Honoring Greg McCurdy.

Coauthored
SB 69 Possession of firearms on school property.
SB 144 Kids first trust fund board subsidiary corporation.
■ SB 181 Survivors' benefits.
■ SB 216 Disclosure of personal information to offender.
SB 289 Family and juvenile law matters.
■ SB 299 Fetal remains.
SB 312 Parents with a disability.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 21 Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
SCR 27 Recognizing Perinatal Palliative Care personnel in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1043 Firefighters and police officers.
■ HB 1081 Commission for supplier diversity.
HB 1132 Criminal and juvenile law matters.
■ HB 1176 First steps program.
■ HB 1264 Child care background checks.
HB 1278 Grandparent visitation.
■ HB 1414 Electric generation.
HCR 33 Recognizing the 2019 Salem H.S. marching band.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 46 Honoring Greg McCurdy on his selection as the 2019 Indiana Small and Rural Schools Teacher of the Year.

Cosponsored
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Koch, Eric

Authored
SB 9 Target shooting.
■ SB 47 Expungement issues.
■ SB 50 Various trust and probate issues.
SB 67 Township homeless assistance.
SB 69 Possession of firearms on school property.
SB 71 Adverse possession statute of limitations.
SB 89 Resisting or interfering with law enforcement.
■ SB 139 Adult guardianship services.
SB 183 Study committee review of food and beverage taxes.
SB 195 Career and technical education clusters.
SB 196 Residency status of prisoners.
■ SB 197 Prohibited technology purchases.
SB 198 Administrative rules oversight committee.
SB 199 Recovery of litigation expenses.
■ SB 209 Search warrants.
■ SB 216 Disclosure of personal information to offender.
■ SB 249 Exploitation of dependents and endangered adults.
■ SB 254 Water and wastewater utilities.
■ SB 256 Courts and judicial officers.
■ SB 257 Aviation safety.
■ SB 258 Firefighter safety.
SB 291 Law enforcement officers and handguns in a casino.
SB 330 Mediation for state agencies and vendors.
■ SB 335 Criminal law issues.
■ SB 340 Private property matters.
■ SB 343 Rural communications cooperatives.
SB 411 Leasing of broadband capacity infrastructure.
SB 453 Direct primary care services pilot programs.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

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SCR 51 Honoring Judge John G. Baker.
SR 32 Recognizing the Mitchell Persimmon Festival and urging the Governor to declare September 22, 2020, Persimmon Day in Indiana.
SR 46 Honoring Bob Vollmer.

Coauthored
SB 131 National motto in schools.
SB 144 Kids first trust fund board subsidiary corporation.
■ SB 184 Nonprofit agricultural organization coverage.
SB 312 Parents with a disability.
SB 345 Interim study committee on child services.
■ SB 424 Address confidentiality program.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 21 Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 13 Urging the legislative council to assign the topic of the potential dangers of cyber-hacking in state government, specifically the use of ransomware.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1047 Justice reinvestment advisory council.
■ HB 1090 Assumption of care of cemeteries.
■ HB 1112 Skills enhancement fund grants.
■ HB 1120 Community corrections and credit time.
■ HB 1153 Governor's workforce cabinet.
■ HB 1165 Municipally owned utilities.
HB 1181 Gift certificates and store gift cards.
■ HB 1218 Locating underground utility infrastructure.
HB 1306 Full faith and credit for tribal court orders.
■ HB 1313 Courts and family law matters.
HB 1317 Health care advance directive.
■ HB 1346 Jail overcrowding.
■ HB 1414 Electric generation.
HCR 17 Urging INDOT to rename the SR 45 and 2nd Street bridge over I-69 the "Sarah Irene Haylett-Jones Memorial Bridge".
HCR 38 Urging the U.S. Forest Service to establish an off-road vehicles (ORVs) trail system.

Cosponsored
■ HB 1032 Interfering with public safety.
■ HB 1419 Governor's workforce cabinet.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Kruse, Dennis

Authored
■ SB 2 School accountability.
SB 57 School curriculum.
SB 74 Gender on driver's licenses.
SB 129 Protection of privacy rights of students.
SB 130 Residential sewage discharging disposal systems.
SB 131 National motto in schools.
■ SB 180 Public employees deferred compensation plan.
SB 223 Free Application for Federal Student Aid (FAFSA) requirements.
SB 244 Teacher supplemental pay.
SB 315 Interviewing, statement, or recording of a student.
SB 316 Collection of veteran status information.
SB 324 Micro market and vending machine fees.
SB 326 Civics test passage rate report.
■ SB 346 Students with disabilities.
■ SB 398 Various education matters.
SB 455 Various education matters.
SCR 61 Memorializing former State Representative Richard Dodge.
SR 21 Congratulating Allen County Commissioner Therese Brown.
SR 23 Congratulating Allen County Assessor Stacey O'Day.
SR 33 Memorializing Ralph Michel.
SR 65 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SR 67 Recognizing landscape architects and recognizing April 2020 as "World Landscape Architecture Month".

Coauthored
SB 3 Health care provider billing.
■ SB 20 Plan commissions.

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SB 26 Small loan finance charges.
SB 69 Possession of firearms on school property.
■ SB 139 Adult guardianship services.
SB 143 State board of education.
SB 144 Kids first trust fund board subsidiary corporation.
■ SB 181 Survivors' benefits.
■ SB 184 Nonprofit agricultural organization coverage.
SB 199 Recovery of litigation expenses.
■ SB 256 Courts and judicial officers.
■ SB 257 Aviation safety.
SB 264 Certified technology parks.
SB 266 Teacher training.
SB 289 Family and juvenile law matters.
■ SB 299 Fetal remains.
■ SB 307 National guard life insurance program.
■ SB 319 Practitioner or accomplished practitioner license.
SB 320 Withholding tax remittance.
■ SB 343 Rural communications cooperatives.
SB 385 Assessment of business personal property taxes.
SB 403 Property tax appeals.
■ SB 406 Survivor benefits.
SB 407 Consumer credit transactions.
■ SB 408 Various tax matters.
■ SB 410 Libraries.
SB 450 Low head dams.
SB 451 Crime stoppers and restitution.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 21 Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SCR 56 Honoring Dr. Wendy Robinson.
SCR 58 Honoring Sister M. Elise Kriss.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
HB 1001 School accountability.
■ HB 1090 Assumption of care of cemeteries.
■ HB 1091 Education benefits relating to military service.
■ HB 1153 Governor's workforce cabinet.
■ HB 1341 Students with disabilities.
HCR 18 Urging INDOT to rename a portion of SR 930 in honor of service members who fought and served during Operation Enduring Freedom.
HCR 39 Recognizing the importance of career and technical education during Career and Technical Education Month.
HCR 48 Recognizing landscape architects.

Cosponsored
■ HB 1070 Distracted driving.
■ HB 1112 Skills enhancement fund grants.
■ HB 1283 Teacher preparation program curriculum.
■ HB 1301 Deployment of truck safety technology.
■ HB 1305 Graduation rate calculation.
■ HB 1370 Regional redevelopment.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Lanane, Timothy

Authored
SB 14 Review of criminal penalties during the interim.
SB 117 Vehicle bill.
SB 118 Vehicle bill.
SB 119 Vehicle bill.
SB 120 Vehicle bill.
SB 121 Vehicle bill.
SB 122 Vehicle bill.
SB 124 Vehicle bill.
SB 125 Vehicle bill.
SB 126 Vehicle bill.
SB 128 Vehicle bill.
SB 133 Vehicle bill.
SB 134 Vehicle bill.
SB 135 Vehicle bill.
SB 136 Vehicle bill.
SB 137 Prohibited discrimination in civil rights statutes.
SB 138 Redistricting commission.
■ SB 139 Adult guardianship services.
SB 274 Delaware circuit court.
SB 275 School concussion recovery protocol.

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SB 276 SPEA study of low-carbon and green industries.
SB 277 Traumatic brain injury information.
SB 278 Representation of the indigent at initial hearing.
SB 279 Rule of lenity.
SB 422 Treatment of Lyme disease.
■ SB 424 Address confidentiality program.
SJR 10 Vehicle joint resolution.
SJR 11 Vehicle joint resolution.
SJR 12 Vehicle joint resolution.
SCR 22 Congratulating Deborah Stapleton.
SCR 36 Honoring John Thomas Shettle.
SCR 57 Honoring State Superintendent of Public Instruction, Dr. Jennifer McCormick.
SR 58 To recognize and honor the Senate Democratic Caucus Interns.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.

Coauthored
SB 26 Small loan finance charges.
SB 66 Donation of income tax refund for cancer research.
SB 72 Hyperbaric oxygen treatment pilot program.
■ SB 206 Deposition of a child victim.
SB 214 Testing of school drinking water for lead.
■ SB 237 Care of city police officers and firefighters.
■ SB 256 Courts and judicial officers.
SB 342 Pregnancy accommodation.
SB 369 Regional transit expansion.
SB 401 Deduction for rehabilitation of residential property.
■ SB 410 Libraries.
SB 450 Low head dams.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 15 Urging the establishment of the Office of Outdoor Recreation Development.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 5 Urging the IN Attorney General to withdraw Indiana from a lawsuit which is attempting to nullify the ACA and end federal funding for HIP 2.0.
SR 30 Honoring the DNR Division of Forestry and the Classified Forest and Wildlands Program and urging increased state funding for the Division of Forestry.
SR 36 To recognize the week of February 24-28, 2020 as Public Schools Week.
SR 46 Honoring Bob Vollmer.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
HB 1278 Grandparent visitation.
HCR 1 Allowing the House and Senate to adjourn and recess separately throughout the Second Regular Session.
HCR 5 To convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.
HCR 6 To convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.
HCR 31 Recognizing the Anderson H.S. Marching Highlanders for their achievements at the 2019 Indiana State Fair.

Cosponsored
■ HB 1080 Colorectal cancer testing.
■ HB 1090 Assumption of care of cemeteries.
■ HB 1099 Low head dams.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 38 Urging the U.S. Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 42 Honoring Indiana's women veterans.

Leising, Jean

Authored
SB 44 Professional growth experience points.
SB 57 School curriculum.
SB 58 Student assessment.
SB 59 Teacher evaluations.
SB 60 Management performance hub employees.
SB 99 Study committee on invasive species.
SB 182 Health practitioner advertising and identification.
■ SB 184 Nonprofit agricultural organization coverage.
SB 223 Free Application for Federal Student Aid (FAFSA) requirements.
SB 297 Dual credit teacher education requirements.

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SB 298 Drug testing of unemployment insurance claimants.
SB 364 Regulatory impact matters.
SB 368 Study of carbon sequestration.
SB 428 Report on child fatalities.
■ SB 438 Regulation of pesticide use and application.
SCR 49 Recognizing Gus Adams.
SCR 65 Recognizing Matthew Clifford.

Coauthored
■ SB 21 Out-of-state prescriptions.
SB 66 Donation of income tax refund for cancer research.
SB 94 Tax credit for education donations.
SB 98 Certified registered nurse anesthetists.
SB 142 Medicaid reimbursement for schools.
■ SB 249 Exploitation of dependents and endangered adults.
SB 291 Law enforcement officers and handguns in a casino.
■ SB 319 Practitioner or accomplished practitioner license.
■ SB 343 Rural communications cooperatives.
SB 355 Psychology interjurisdictional compact.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 21 Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
SCR 27 Recognizing Perinatal Palliative Care personnel in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 13 Urging the legislative council to assign the topic of the potential dangers of cyber-hacking in state government, specifically the use of ransomware.
SR 30 Honoring the DNR Division of Forestry and the Classified Forest and Wildlands Program and urging increased state funding for the Division of Forestry.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1066 Various education matters.
■ HB 1067 Dental hygienists.
■ HB 1094 Substance use prevention and recovery.
HB 1119 Regulation of pesticide use and application.
■ HB 1147 Municipal elections.
HCR 25 Recognizing Honda Manufacturing of Indiana for its contributions to the community.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.

Cosponsored
■ HB 1091 Education benefits relating to military service.
■ HB 1207 Pharmacy matters.
■ HB 1392 Physician assistants and nurses.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 42 Honoring Indiana's women veterans.

Melton, Eddie

Authored
SB 356 Healthy food finance.
SB 413 Teacher compensation.
SB 414 Maximum contaminant levels for pollutants in water.
SB 415 Small loan finance charges.
SB 416 Gary Community School Corporation.
SB 420 School accountability.
SB 421 Restrictions on copayments.
SB 435 Waiver of penalties and interest.
SB 441 Various education matters.
SB 442 Residential landlord-tenant matters.
SCR 24 Honoring the Kappa Alpha Psi fraternity.
SCR 41 Urging the legislative council to assign the topic of the achievement gap within the education system regarding race and socioeconomic status.
SCR 48 Honoring the Kappa Alpha Psi fraternity.
SCR 57 Honoring State Superintendent of Public Instruction, Dr. Jennifer McCormick.
SCR 62 Honoring Haywood and Fleming Associates.
SR 15 Urging the Governor to proclaim May 2020 as Indiana Motherhood Month.
SR 48 Urging FSSA to study the accessibility of prenatal and postnatal care for Hoosiers on Medicaid living in Lake County.

Coauthored
■ SB 2 School accountability.

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SB 3 Health care provider billing.
SB 4 Health programs.
SB 98 Certified registered nurse anesthetists.
SB 114 Marijuana and THC.
SB 142 Medicaid reimbursement for schools.
SB 160 Health insurance.
SB 214 Testing of school drinking water for lead.
■ SB 246 Mental health services.
■ SB 255 Insulin drugs.
SB 325 Public trust ownership of Lake Michigan.
SB 342 Pregnancy accommodation.
■ SB 408 Various tax matters.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 5 Urging the IN Attorney General to withdraw Indiana from a lawsuit which is attempting to nullify the ACA and end federal funding for HIP 2.0.
SR 36 To recognize the week of February 24-28, 2020 as Public Schools Week.
SR 46 Honoring Bob Vollmer.
SR 58 To recognize and honor the Senate Democratic Caucus Interns.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
HCR 2 Recognizing Prom Genie, Incorporated.
HCR 29 Remembering Dr. Walter "Jerry" Watkins.

Cosponsored
■ HB 1003 Education matters.
■ HB 1082 Various higher education matters.
■ HB 1091 Education benefits relating to military service.
■ HB 1113 Local government finance.
HB 1279 Local transportation projects.
■ HB 1283 Teacher preparation program curriculum.
■ HB 1392 Physician assistants and nurses.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Merritt, James

Authored
■ SB 39 Specialized driving privileges.
SB 41 Practice of dentistry.
SB 44 Professional growth experience points.
SB 48 Cruelty to a law enforcement animal.
SB 49 Immunity under the lifeline law.
■ SB 61 EMS personnel licensure interstate compact.
SB 102 Interim study committee on utility taxes and fees.
■ SB 146 Sexual assault victims' rights.
SB 200 Driver's license suspensions.
SB 207 Syringe exchange program.
SB 208 Compliance with coverage parity requirements.
■ SB 241 Pharmacy benefit managers.
■ SB 246 Mental health services.
■ SB 256 Courts and judicial officers.
SB 265 Medicaid advisory committee member.
■ SB 267 Administration of 211 services.
SB 356 Healthy food finance.
SB 357 Twenty-first century scholars program eligibility.
■ SB 358 Business associations of real estate agents.
SB 359 Landlord-tenant relations.
SB 411 Leasing of broadband capacity infrastructure.
■ SB 430 Reservoir conservancy districts.
SCR 63 Recognizing ATT Indiana.
SCR 64 Honoring Lisa H. Kobe.
SR 29 Urging the legislative council to study the impacts and results of Indiana's criminal code reforms.
SR 45 Honoring the 2020 Senate Majority Caucus interns.
SR 60 Urging the legislative council to assign the task of analyzing changes to local governments and the criminal justice system resulting from HEA 1006-2013 and HEA 1006-2014.

Coauthored
SB 67 Township homeless assistance.
■ SB 109 Statute of limitations.
SB 111 TANF eligibility.
SB 144 Kids first trust fund board subsidiary corporation.
■ SB 254 Water and wastewater utilities.

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SB 407 Consumer credit transactions.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 13 Urging the legislative council to assign the topic of the potential dangers of cyber-hacking in state government, specifically the use of ransomware.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1094 Substance use prevention and recovery.
■ HB 1174 Youth helmet safety.
■ HB 1224 Council on impaired and dangerous driving.

Cosponsored
■ HB 1182 HIV, fatality reviews, and syringe exchange programs.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Messmer, Mark

Authored
■ SB 19 Electronic technology for ophthalmic prescriptions.
SB 77 Gibson County magistrate.
■ SB 78 Shovel ready site development center.
SB 79 Theft.
SB 81 Straight ticket voting for at-large candidates.
SB 170 Mine reclamation tax credit.
SB 204 Notice of lease termination for failure to pay rent.
SB 205 Medical payment coverage.
■ SB 206 Deposition of a child victim.
SB 217 Inspection of petroleum products.
■ SB 272 Indiana economic development corporation.
■ SB 343 Rural communications cooperatives.
SB 344 School board member training.
SB 345 Interim study committee on child services.
■ SB 409 Employment of minors.
■ SB 427 Provisional occupational license.
SB 429 Local gaming distributions.
■ SB 430 Reservoir conservancy districts.
SB 444 Public deposits with credit unions.
SB 454 Excess liability trust fund.
SCR 52 Recognizing Virgil L. Beckerman.
SR 33 Memorializing Ralph Michel.
SR 45 Honoring the 2020 Senate Majority Caucus interns.
SR 50 Memorializing Shelby Jacob Schafer.

Coauthored
SB 3 Health care provider billing.
SB 144 Kids first trust fund board subsidiary corporation.
■ SB 184 Nonprofit agricultural organization coverage.
■ SB 256 Courts and judicial officers.
SB 264 Certified technology parks.
■ SB 346 Students with disabilities.
SB 368 Study of carbon sequestration.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 21 Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
HB 1008 Occupational license endorsement.

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■ HB 1009 Various welfare matters.
■ HB 1022 Panhandling.
■ HB 1059 Sales tax on recreational vehicles.
■ HB 1104 Housing and community development authority.
■ HB 1109 Telephone solicitation and consumer credit.
HB 1145 Gibson and Hamilton County courts.
■ HB 1199 Palliative care.
■ HB 1225 Public safety.
■ HB 1267 Withdrawal of candidates.
■ HB 1309 Department of environmental management.
■ HB 1343 New Harmony and Wabash River bridge authority.
■ HB 1370 Regional redevelopment.
■ HB 1403 Waste tires.
■ HB 1414 Electric generation.
HCR 12 Honoring the inductees of the Indiana Military Veterans Hall of Fame.

Cosponsored
■ HB 1265 Drinking water testing.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 38 Urging the U.S. Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 42 Honoring Indiana's women veterans.

Mishler, Ryan

Authored
■ SB 187 Elkhart County courts.
■ SB 256 Courts and judicial officers.
■ SB 408 Various tax matters.
SB 416 Gary Community School Corporation.
SB 443 Traffic control.
SCR 31 Congratulating the Bremen H.S. softball team.
SCR 37 Honoring Bobby Cox.

Coauthored
■ SB 21 Out-of-state prescriptions.
■ SB 241 Pharmacy benefit managers.
SB 435 Waiver of penalties and interest.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1007 Fiscal matters.
HB 1279 Local transportation projects.

Cosponsored
HB 1204 Education matters.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Mrvan, Frank

Authored
SB 174 Absentee voting.
SB 175 Prevention of sexual violence, domestic violence, and stalking.
SB 176 Minimum wage.
SB 373 Vaping and tobacco.
SB 374 E-liquid and electronic cigarette crimes.
SB 375 Prohibition on e-liquids and electronic cigarettes.
SB 376 Flavored e-liquids.
SB 377 Temporary exception to residency requirements.
SB 378 Mental health education and screenings.
SB 379 Autism information on state issued identification.

Coauthored
■ SB 1 Tobacco and vaping smoking age.
SB 12 Resident tuition rate for active duty personnel.

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■ SB 21 Out-of-state prescriptions.
SB 214 Testing of school drinking water for lead.
■ SB 237 Care of city police officers and firefighters.
■ SB 246 Mental health services.
SB 268 Automated traffic control in construction zones.
SB 306 Teachers' retirement fund appropriation.
SB 413 Teacher compensation.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SCR 52 Recognizing Virgil L. Beckerman.
SCR 57 Honoring State Superintendent of Public Instruction, Dr. Jennifer McCormick.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 5 Urging the IN Attorney General to withdraw Indiana from a lawsuit which is attempting to nullify the ACA and end federal funding for HIP 2.0.
SR 36 To recognize the week of February 24-28, 2020 as Public Schools Week.
SR 46 Honoring Bob Vollmer.
SR 58 To recognize and honor the Senate Democratic Caucus Interns.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
HCR 29 Remembering Dr. Walter "Jerry" Watkins.

Cosponsored
■ HB 1070 Distracted driving.
■ HB 1091 Education benefits relating to military service.
■ HB 1264 Child care background checks.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Niemeyer, Rick

Authored
■ SB 20 Plan commissions.
SB 23 Annexation.
SB 82 Polling locations in schools.
SB 83 Various property tax matters.
SB 84 County vehicle excise and wheel tax exemption.
SB 214 Testing of school drinking water for lead.
SB 247 Distributions of public safety income tax revenue.
SB 248 Annual inspections of CAFOs.
■ SB 307 National guard life insurance program.
■ SB 365 Town of Griffith.
■ SB 366 Kankakee River and Yellow River development.
■ SB 367 Regional development authorities.
SB 452 Regional transportation authorities.

Coauthored
SB 69 Possession of firearms on school property.
■ SB 184 Nonprofit agricultural organization coverage.
SB 262 Film and media production incentives.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1014 State museum and historic sites corporation.
■ HB 1166 State commission and board meetings.
■ HB 1189 Use of firefighting foam containing PFAS.
■ HB 1265 Drinking water testing.
■ HB 1309 Department of environmental management.
■ HB 1334 Radon mitigation.

LEGISLATION BY MEMBER—2020

HCR 29 Remembering Dr. Walter "Jerry" Watkins.

Cosponsored

HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Niezgodski, David

Authored

SB 51 Call center worker and consumer protection.
SB 52 Prevailing wage.
SB 53 Proof of identification.
SB 107 Eligibility for resident tuition rate.
■ SB 180 Public employees deferred compensation plan.
SB 223 Free Application for Federal Student Aid (FAFSA) requirements.
SB 308 Unemployment benefits.
SB 309 Employee misclassification.
SB 310 Adoption subsidies.
SB 311 Coverage for PANDAS and PANS.
SB 312 Parents with a disability.
■ SB 366 Kankakee River and Yellow River development.
SB 419 Driving cards.
SB 425 School corporation disannexation.
SCR 23 Recognizing "Farmworkers Awareness Week", Cesar Chavez, and the work of Proteus, Inc.
SR 27 Honoring Indiana's Hispanic/Latino entrepreneurs.
SR 36 To recognize the week of February 24-28, 2020 as Public Schools Week.
SR 37 Urging the legislative council to assign the topic of issuing driver's licenses to residents of Indiana who cannot provide proof of identity and lawful status in the U.S.
SR 67 Recognizing landscape architects and recognizing April 2020 as "World Landscape Architecture Month".

Coauthored

■ SB 10 Pension matters.
SB 12 Resident tuition rate for active duty personnel.
SB 16 Juvenile delinquents and firearms.
■ SB 21 Out-of-state prescriptions.
■ SB 25 Mental health disability review panels.
SB 64 Indiana youth service program.
■ SB 181 Survivors' benefits.
SB 214 Testing of school drinking water for lead.
■ SB 254 Water and wastewater utilities.
SB 262 Film and media production incentives.
SB 268 Automated traffic control in construction zones.
SB 320 Withholding tax remittance.
SB 345 Interim study committee on child services.
SB 369 Regional transit expansion.
SB 435 Waiver of penalties and interest.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 28 Urging INDOT to rename the bridge at SR 28 (Walnut Avenue) in Frankfort the "Staff Sgt. Jamie Jarboe Memorial Bridge".
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SCR 57 Honoring State Superintendent of Public Instruction, Dr. Jennifer McCormick.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 5 Urging the IN Attorney General to withdraw Indiana from a lawsuit which is attempting to nullify the ACA and end federal funding for HIP 2.0.
SR 46 Honoring Bob Vollmer.
SR 57 Urging INDOT to rename the bridge at SR 28 (Walnut Avenue) in Frankfort the "Staff Sgt. Jamie Jarboe Memorial Bridge".
SR 58 To recognize and honor the Senate Democratic Caucus Interns.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored

■ HB 1301 Deployment of truck safety technology.
HB 1306 Full faith and credit for tribal court orders.
■ HB 1334 Radon mitigation.
■ HB 1419 Governor's workforce cabinet.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 48 Recognizing landscape architects.

Cosponsored

■ HB 1015 Rights of professional firefighters.

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■ HB 1032 Interfering with public safety.
■ HB 1043 Firefighters and police officers.
■ HB 1059 Sales tax on recreational vehicles.
■ HB 1063 Public safety officer death benefits.
■ HB 1070 Distracted driving.
■ HB 1143 Device implantation as a condition of employment.
■ HB 1148 Board of accountancy.
■ HB 1151 School resource officers.
■ HB 1265 Drinking water testing.
HB 1279 Local transportation projects.
■ HB 1341 Students with disabilities.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Perfect, Chip

Authored
SB 210 Disposal of land by local government.
SB 211 Jennings County magistrate.
SB 262 Film and media production incentives.
■ SB 358 Business associations of real estate agents.
■ SB 405 Exemptions from design release requirements.
SB 429 Local gaming distributions.
SB 444 Public deposits with credit unions.
SCR 65 Recognizing Matthew Clifford.

Coauthored
■ SB 256 Courts and judicial officers.
SB 264 Certified technology parks.
SB 320 Withholding tax remittance.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 21 Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 13 Urging the legislative council to assign the topic of the potential dangers of cyber-hacking in state government, specifically the use of ransomware.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1052 Pulaski County local income tax.
■ HB 1077 Professional licensing agency.
■ HB 1093 Electronic document filing.
■ HB 1113 Local government finance.
■ HB 1151 School resource officers.
■ HB 1244 Unemployment hearings and appeals.
HCR 25 Recognizing Honda Manufacturing of Indiana for its contributions to the community.
HCR 34 Memorializing Lance Cpl. Jacky Ray Koenig Jr., U.S. Marine Corps.

Cosponsored
■ HB 1419 Governor's workforce cabinet.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Raatz, Jeff

Authored
■ SB 2 School accountability.
SB 12 Resident tuition rate for active duty personnel.
SB 195 Career and technical education clusters.
SB 234 High school equivalency pilot program.
SB 266 Teacher training.
■ SB 295 Various education matters.
SB 296 Teacher training program curriculum.
SB 315 Interviewing, statement, or recording of a student.
■ SB 319 Practitioner or accomplished practitioner license.
SB 326 Civics test passage rate report.
■ SB 398 Various education matters.
SB 400 Assessment and taxation of golf courses.

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SB 435 Waiver of penalties and interest.
SB 456 Indiana career explorer program.
SCR 49 Recognizing Gus Adams.
SR 33 Memorializing Ralph Michel.

Coauthored
■ SB 19 Electronic technology for ophthalmic prescriptions.
SB 183 Study committee review of food and beverage taxes.
■ SB 184 Nonprofit agricultural organization coverage.
SB 244 Teacher supplemental pay.
■ SB 246 Mental health services.
SB 262 Film and media production incentives.
SB 263 Specialized weapons training.
SB 264 Certified technology parks.
■ SB 299 Fetal remains.
SB 320 Withholding tax remittance.
■ SB 340 Private property matters.
■ SB 346 Students with disabilities.
■ SB 409 Employment of minors.
SB 455 Various education matters.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 21 Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SCR 52 Recognizing Virgil L. Beckerman.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
HB 1001 School accountability.
■ HB 1002 Teacher evaluations.
■ HB 1003 Education matters.
■ HB 1049 Business associations.
■ HB 1066 Various education matters.
■ HB 1091 Education benefits relating to military service.
■ HB 1153 Governor's workforce cabinet.
HB 1204 Education matters.
■ HB 1283 Teacher preparation program curriculum.
■ HB 1419 Governor's workforce cabinet.
HCR 22 Recognizing Mr. Philip Stevenson and his retirement as superintendent of Centerville-Abington Community Schools.

Cosponsored
■ HB 1082 Various higher education matters.
■ HB 1143 Device implantation as a condition of employment.
■ HB 1305 Graduation rate calculation.
■ HB 1341 Students with disabilities.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Randolph, Lonnie

Authored
SB 30 Tax credit for teacher classroom supplies.
SB 31 Limits on expulsions and long term suspensions.
SB 32 Use of consumer reports for employment purposes.
SB 33 School City of East Chicago loan.
SB 34 Paid employee leave.
SB 35 Protective orders and employment.
SB 36 Driver instructions of law enforcement procedures.
SB 212 Magistrates of Lake and St. Joseph counties.
SB 213 Lake County judicial nominating commission.
SB 214 Testing of school drinking water for lead.

Coauthored
■ SB 1 Tobacco and vaping smoking age.
SB 3 Health care provider billing.
SB 4 Health programs.
■ SB 5 Health provider contracts.
■ SB 10 Pension matters.
SB 12 Resident tuition rate for active duty personnel.
SB 14 Review of criminal penalties during the interim.
SB 16 Juvenile delinquents and firearms.
■ SB 21 Out-of-state prescriptions.
■ SB 25 Mental health disability review panels.
SB 28 Universal background checks for firearms.
■ SB 39 Specialized driving privileges.
SB 43 Fraud consolidation.

LEGISLATION BY MEMBER—2020

SB 46 Interim study committee.
■ SB 47 Expungement issues.
■ SB 50 Various trust and probate issues.
SB 54 Railroad crossings.
■ SB 61 EMS personnel licensure interstate compact.
SB 62 Psychotropic medication in foster care study committee topic.
SB 66 Donation of income tax refund for cancer research.
SB 67 Township homeless assistance.
SB 68 Whistleblower reports.
SB 72 Hyperbaric oxygen treatment pilot program.
■ SB 78 Shovel ready site development center.
■ SB 80 Code Revision Corrections.
SB 98 Certified registered nurse anesthetists.
SB 101 Wrongful death damages.
SB 102 Interim study committee on utility taxes and fees.
■ SB 109 Statute of limitations.
SB 115 Deduction for certain residential property.
SB 123 Affordable and workforce housing incentives.
■ SB 132 Department of homeland security.
■ SB 139 Adult guardianship services.
SB 144 Kids first trust fund board subsidiary corporation.
SB 172 Licensure of behavior analysts.
■ SB 177 Administration of the broadband ready program.
SB 183 Study committee review of food and beverage taxes.
■ SB 187 Elkhart County courts.
SB 192 Inpatient mental health care for Medicaid children.
■ SB 194 Drug scheduling.
SB 195 Career and technical education clusters.
SB 199 Recovery of litigation expenses.
SB 200 Driver's license suspensions.
SB 202 Worker's compensation.
SB 205 Medical payment coverage.
■ SB 206 Deposition of a child victim.
SB 207 Syringe exchange program.
■ SB 209 Search warrants.
■ SB 216 Disclosure of personal information to offender.
■ SB 237 Care of city police officers and firefighters.
SB 244 Teacher supplemental pay.
■ SB 246 Mental health services.
■ SB 249 Exploitation of dependents and endangered adults.
■ SB 254 Water and wastewater utilities.
■ SB 256 Courts and judicial officers.
■ SB 258 Firefighter safety.
SB 259 Child services reports.
SB 262 Film and media production incentives.
■ SB 267 Administration of 211 services.
■ SB 273 Indiana behavioral health commission.
■ SB 288 Anatomical gift through hunting, fishing or trapping license.
SB 289 Family and juvenile law matters.
■ SB 295 Various education matters.
SB 306 Teachers' retirement fund appropriation.
SB 309 Employee misclassification.
SB 311 Coverage for PANDAS and PANS.
SB 312 Parents with a disability.
SB 320 Withholding tax remittance.
SB 324 Micro market and vending machine fees.
■ SB 340 Private property matters.
SB 342 Pregnancy accommodation.
SB 345 Interim study committee on child services.
■ SB 346 Students with disabilities.
SB 354 Additional revenue for bargaining teacher salary.
■ SB 358 Business associations of real estate agents.
SB 363 Interim study committee.
■ SB 367 Regional development authorities.
■ SB 383 Reporting on MBE and WBE contracting goals.
SB 401 Deduction for rehabilitation of residential property.
SB 402 Seasonal employment.
SB 403 Property tax appeals.
■ SB 406 Survivor benefits.
■ SB 408 Various tax matters.
■ SB 410 Libraries.
SB 413 Teacher compensation.
SB 416 Gary Community School Corporation.
■ SB 424 Address confidentiality program.
■ SB 427 Provisional occupational license.
SB 434 Private card games.
SB 435 Waiver of penalties and interest.
SB 437 Credit card payments for charity gaming.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SCR 57 Honoring State Superintendent of Public Instruction, Dr. Jennifer McCormick.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 5 Urging the IN Attorney General to withdraw Indiana from a lawsuit which is attempting to nullify the ACA and end federal funding for HIP 2.0.
SR 24 Supporting Taiwan's signing of a Bilateral Trade Agreement with the U.S.
SR 36 To recognize the week of February 24-28, 2020 as Public Schools Week.

LEGISLATION BY MEMBER—2020

SR 46 Honoring Bob Vollmer.
SR 58 To recognize and honor the Senate Democratic Caucus Interns.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1045 Honor and Remember flag.
■ HB 1265 Drinking water testing.
HCR 2 Recognizing Prom Genie, Incorporated.

Cosponsored
■ HB 1002 Teacher evaluations.
■ HB 1003 Education matters.
■ HB 1004 Health matters.
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1009 Various welfare matters.
■ HB 1014 State museum and historic sites corporation.
■ HB 1015 Rights of professional firefighters.
■ HB 1022 Panhandling.
■ HB 1032 Interfering with public safety.
HB 1042 Pharmacy benefit managers.
■ HB 1043 Firefighters and police officers.
■ HB 1047 Justice reinvestment advisory council.
■ HB 1063 Public safety officer death benefits.
■ HB 1067 Dental hygienists.
■ HB 1070 Distracted driving.
■ HB 1077 Professional licensing agency.
■ HB 1080 Colorectal cancer testing.
■ HB 1081 Commission for supplier diversity.
■ HB 1090 Assumption of care of cemeteries.
■ HB 1091 Education benefits relating to military service.
■ HB 1092 State Medicaid plan amendments.
■ HB 1093 Electronic document filing.
■ HB 1094 Substance use prevention and recovery.
■ HB 1096 Technical corrections.
■ HB 1108 State board of accounts.
■ HB 1109 Telephone solicitation and consumer credit.
■ HB 1111 Unemployment.
■ HB 1112 Skills enhancement fund grants.
■ HB 1120 Community corrections and credit time.
■ HB 1143 Device implantation as a condition of employment.
■ HB 1151 School resource officers.
■ HB 1153 Governor's workforce cabinet.
■ HB 1157 Motor vehicle and criminal law issues.
■ HB 1166 State commission and board meetings.
■ HB 1173 Indiana department of veterans' affairs.
■ HB 1182 HIV, fatality reviews, and syringe exchange programs.
■ HB 1189 Use of firefighting foam containing PFAS.
■ HB 1198 Public safety matters.
■ HB 1199 Palliative care.
■ HB 1209 Reimbursement for emergency medical services.
■ HB 1210 Various health matters.
■ HB 1218 Locating underground utility infrastructure.
■ HB 1224 Council on impaired and dangerous driving.
■ HB 1225 Public safety.
■ HB 1244 Unemployment hearings and appeals.
■ HB 1246 Automotive dealer services.
■ HB 1283 Teacher preparation program curriculum.
■ HB 1305 Graduation rate calculation.
■ HB 1313 Courts and family law matters.
■ HB 1326 Community mental health centers.
HB 1332 Ambulatory surgical centers.
■ HB 1341 Students with disabilities.
■ HB 1346 Jail overcrowding.
HB 1348 State and local administration.
■ HB 1419 Governor's workforce cabinet.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 28 Urging the Indiana Senate and the Indiana House of Representatives to adopt the practice of recommitting all bills creating or amending a criminal penalty to the Senate Corrections and Criminal Law Committee.
HCR 29 Remembering Dr. Walter "Jerry" Watkins.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Rogers, Linda

Authored
■ SB 21 Out-of-state prescriptions.
SB 54 Railroad crossings.
SB 55 Piping materials for public works projects.
SB 56 Homeowners associations.
SB 71 Adverse possession statute of limitations.
SB 83 Various property tax matters.
■ SB 100 Nonconforming structures.
▣ SB 148 Zoning and housing matters.
SB 183 Study committee review of food and beverage taxes.
■ SB 187 Elkhart County courts.
■ SB 206 Deposition of a child victim.
■ SB 229 Maintenance of regulated drains.
■ SB 239 Coverage for breast prostheses.
■ SB 255 Insulin drugs.
SB 259 Child services reports.
■ SB 295 Various education matters.

LEGISLATION BY MEMBER—2020

■ SB 299 Fetal remains.
SB 318 Computer science curriculum reporting.
■ SB 319 Practitioner or accomplished practitioner license.
SB 320 Withholding tax remittance.
SB 321 The Lake Michigan shore.
SB 322 School robotics programs.
SB 323 Education studies.
■ SB 346 Students with disabilities.
■ SB 398 Various education matters.
SB 403 Property tax appeals.
■ SB 410 Libraries.
■ SB 424 Address confidentiality program.
SCR 15 Urging the establishment of the Office of Outdoor Recreation Development.
SCR 27 Recognizing Perinatal Palliative Care personnel in Indiana.

Coauthored
■ SB 2 School accountability.
SB 3 Health care provider billing.
■ SB 20 Plan commissions.
SB 69 Possession of firearms on school property.
SB 72 Hyperbaric oxygen treatment pilot program.
■ SB 139 Adult guardianship services.
SB 142 Medicaid reimbursement for schools.
■ SB 184 Nonprofit agricultural organization coverage.
SB 199 Recovery of litigation expenses.
■ SB 209 Search warrants.
■ SB 216 Disclosure of personal information to offender.
■ SB 237 Care of city police officers and firefighters.
SB 244 Teacher supplemental pay.
■ SB 246 Mental health services.
SB 262 Film and media production incentives.
SB 266 Teacher training.
■ SB 340 Private property matters.
SB 401 Deduction for rehabilitation of residential property.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1032 Interfering with public safety.
■ HB 1059 Sales tax on recreational vehicles.
■ HB 1104 Housing and community development authority.
■ HB 1207 Pharmacy matters.
■ HB 1283 Teacher preparation program curriculum.
■ HB 1305 Graduation rate calculation.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversary.

Cosponsored
HB 1001 School accountability.
■ HB 1003 Education matters.
■ HB 1070 Distracted driving.
■ HB 1091 Education benefits relating to military service.
■ HB 1093 Electronic document filing.
■ HB 1131 Utility matters.
■ HB 1341 Students with disabilities.
■ HB 1392 Physician assistants and nurses.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Ruckelshaus, John

Authored
■ SB 1 Tobacco and vaping smoking age.
SB 4 Health programs.
■ SB 5 Health provider contracts.
SB 45 Teacher licensing.
SB 63 State forest commission and management plan.
SB 64 Indiana youth service program.
SB 102 Interim study committee on utility taxes and fees.
SB 105 Redistricting commission.
SB 144 Kids first trust fund board subsidiary corporation.
■ SB 146 Sexual assault victims' rights.
SB 205 Medical payment coverage.

LEGISLATION BY MEMBER—2020

SB 231 Competitive teacher pay initiative review.
SB 232 Nonprofit hospitals.
■ SB 273 Indiana behavioral health commission.
SB 293 Redistricting.
SB 294 Direct support professional registry.
SB 326 Civics test passage rate report.
SB 389 Hospital construction project disclosure.
SB 390 Education matters.
■ SB 395 Uniform Consumer Credit Code.
SB 402 Seasonal employment.
SCR 39 Congratulating the Bishop Chatard H.S. Trojans football team.
SCR 45 Recognizing Indiana Arts Education Day at the Statehouse.
SCR 60 Honoring Grant Monahan.
SR 59 Standing in solidarity with Indiana's Jewish community.
SR 68 Memorializing Beth Van Vorst (Greene) Gray.

Coauthored
■ SB 2 School accountability.
SB 16 Juvenile delinquents and firearms.
SB 72 Hyperbaric oxygen treatment pilot program.
SB 111 TANF eligibility.
SB 142 Medicaid reimbursement for schools.
■ SB 181 Survivors' benefits.
■ SB 241 Pharmacy benefit managers.
■ SB 254 Water and wastewater utilities.
■ SB 256 Courts and judicial officers.
SB 262 Film and media production incentives.
■ SB 267 Administration of 211 services.
SB 311 Coverage for PANDAS and PANS.
SB 315 Interviewing, statement, or recording of a student.
SB 354 Additional revenue for bargaining teacher salary.
SB 368 Study of carbon sequestration.
SB 407 Consumer credit transactions.
SB 416 Gary Community School Corporation.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 6 Congratulating Dr. Tom Harmas.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1009 Various welfare matters.
■ HB 1080 Colorectal cancer testing.
■ HB 1111 Unemployment.
■ HB 1176 First steps program.
■ HB 1199 Palliative care.
■ HB 1207 Pharmacy matters.
HB 1337 Notification of water utilities and water treatment plants.
HCR 49 Honoring Futsum Zienasellassie.

Cosponsored
■ HB 1265 Drinking water testing.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Sandlin, Jack

Authored
SB 67 Township homeless assistance.
SB 68 Whistleblower reports.
SB 69 Possession of firearms on school property.
SB 171 Clarksville food and beverage tax.
■ SB 181 Survivors' benefits.
■ SB 194 Drug scheduling.
SB 215 Marion County fairgrounds.
■ SB 216 Disclosure of personal information to offender.
■ SB 230 Leasing of local unit property.
SB 245 Possession of firearms.
SB 268 Automated traffic control in construction zones.
SB 292 County option circuit breaker tax credit.
SB 317 Interstate commission transportation fund.
SB 384 Filling vacancies.
SB 436 Authority of the attorney general to appoint a special prosecutor.
SCR 39 Congratulating the Bishop Chatard H.S. Trojans football team.
SR 63 Memorializing Danny Masters.

LEGISLATION BY MEMBER—2020

Coauthored

	SB 72	Hyperbaric oxygen treatment pilot program.
■	SB 109	Statute of limitations.
■	SB 146	Sexual assault victims' rights.
■	SB 184	Nonprofit agricultural organization coverage.
	SB 291	Law enforcement officers and handguns in a casino.
	SB 320	Withholding tax remittance.
	SCR 5	Recognizing the 21st Century Scholars Program.
	SCR 6	Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
	SCR 7	Honoring Indiana University in recognition of its Bicentennial Anniversary.
	SCR 16	Honoring Beverly Brown upon her retirement from the Indiana Senate.
	SCR 21	Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
	SCR 40	Honoring the League of Women Voters.
	SCR 51	Honoring Judge John G. Baker.
	SCR 52	Recognizing Virgil L. Beckerman.
	SR 1	Honoring Senator Randy Head upon his retirement from the Indiana Senate.
	SR 4	Honoring Bill Hart upon his retirement from the Indiana Senate.
	SR 46	Honoring Bob Vollmer.
	SR 61	To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
	SR 62	Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored

■	HB 1015	Rights of professional firefighters.
■	HB 1080	Colorectal cancer testing.
■	HB 1165	Municipally owned utilities.
■	HB 1403	Waste tires.
	HCR 30	Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.

Cosponsored

■	HB 1063	Public safety officer death benefits.
■	HB 1091	Education benefits relating to military service.
■	HB 1265	Drinking water testing.
	HCR 4	Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
	HCR 11	Urging the creation of a Medal of Honor Memorial Highway in Indiana.
	HCR 32	Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
	HCR 42	Honoring Indiana's women veterans.

Spartz, Victoria

Authored

	SB 12	Resident tuition rate for active duty personnel.
■	SB 229	Maintenance of regulated drains.
	SB 244	Teacher supplemental pay.
	SB 259	Child services reports.
	SB 260	Education funding.
	SB 261	School deregulation.
	SB 337	Various insurance and health care matters.
	SB 338	Conservancy district restrictions.
	SB 339	Education governance framework.
■	SB 340	Private property matters.
	SB 341	Audit and fraud reporting matters.
	SB 364	Regulatory impact matters.
	SCR 13	Congratulating the Noblesville H.S. girls soccer team.
	SR 28	Congratulating the Fishers Jr. H.S. "We the People" team.
	SR 42	Concerning taxes, fees, and eminent domain.
	SR 43	Concerning "advice and consent" for executive appointments.

Coauthored

■	SB 5	Health provider contracts.
	SB 46	Interim study committee.
	SB 102	Interim study committee on utility taxes and fees.
■	SB 179	Election cybersecurity.
	SB 183	Study committee review of food and beverage taxes.
■	SB 184	Nonprofit agricultural organization coverage.
■	SB 241	Pharmacy benefit managers.
■	SB 256	Courts and judicial officers.
	SB 266	Teacher training.
■	SB 299	Fetal remains.
■	SB 319	Practitioner or accomplished practitioner license.
■	SB 331	National guard license plates.
■	SB 405	Exemptions from design release requirements.
■	SB 406	Survivor benefits.
■	SB 409	Employment of minors.
■	SB 427	Provisional occupational license.
	SCR 5	Recognizing the 21st Century Scholars Program.
	SCR 6	Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
	SCR 7	Honoring Indiana University in recognition of its Bicentennial Anniversary.
	SCR 16	Honoring Beverly Brown upon her retirement from the Indiana Senate.
	SCR 27	Recognizing Perinatal Palliative Care personnel in Indiana.
	SCR 39	Congratulating the Bishop Chatard H.S. Trojans football team.

LEGISLATION BY MEMBER—2020

SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 6 Congratulating Dr. Tom Harmas.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.

Sponsored
■ HB 1108 State board of accounts.
■ HB 1419 Governor's workforce cabinet.

Cosponsored
■ HB 1004 Health matters.
HB 1008 Occupational license endorsement.
■ HB 1009 Various welfare matters.
HB 1042 Pharmacy benefit managers.
■ HB 1045 Honor and Remember flag.
■ HB 1063 Public safety officer death benefits.
■ HB 1091 Education benefits relating to military service.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Stoops, Mark

Authored
SB 28 Universal background checks for firearms.
SB 29 Storage of firearms.
SB 30 Tax credit for teacher classroom supplies.
SB 31 Limits on expulsions and long term suspensions.
SB 32 Use of consumer reports for employment purposes.
SB 34 Paid employee leave.
SB 35 Protective orders and employment.
SB 103 Medical marijuana for the terminally ill.
SB 104 Designated wild areas in state forests.
SB 214 Testing of school drinking water for lead.
SB 368 Study of carbon sequestration.
SB 369 Regional transit expansion.
SB 370 Ranked choice voting.
SB 371 Local regulation of packaging preemption repeal.
SB 431 Charter schools.
SB 432 Producer recycling of waste packaging and paper.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 51 Honoring Judge John G. Baker.
SR 56 Honoring Indiana University Dance Marathon.

Coauthored
■ SB 1 Tobacco and vaping smoking age.
SB 3 Health care provider billing.
SB 4 Health programs.
■ SB 5 Health provider contracts.
SB 8 911 dispatchers.
SB 14 Review of criminal penalties during the interim.
SB 27 Native American Indian affairs commission.
SB 38 Reporting by pharmacy benefit managers.
SB 45 Teacher licensing.
SB 52 Prevailing wage.
SB 63 State forest commission and management plan.
SB 66 Donation of income tax refund for cancer research.
SB 67 Township homeless assistance.
SB 85 Racial profiling and pretextual stops.
SB 86 Possession of medical marijuana or paraphernalia.
SB 87 Redistricting standards.
SB 88 Charter school organizer contracts.
SB 97 Insurance drug coverage.
SB 105 Redistricting commission.
SB 107 Eligibility for resident tuition rate.
■ SB 109 Statute of limitations.
SB 111 TANF eligibility.
SB 112 Cannabis compliance commission.
SB 113 Smokable hemp.
SB 114 Marijuana and THC.
SB 137 Prohibited discrimination in civil rights statutes.
■ SB 139 Adult guardianship services.
SB 141 School based health clinics and Medicaid.
SB 143 State board of education.
SB 144 Kids first trust fund board subsidiary corporation.
SB 176 Minimum wage.
SB 185 Sale of companion animals.
SB 192 Inpatient mental health care for Medicaid children.
SB 203 Firearms.
SB 224 Financial guarantees for charter schools.
SB 233 School resource officers.
■ SB 241 Pharmacy benefit managers.
SB 244 Teacher supplemental pay.
■ SB 246 Mental health services.
SB 252 Information on student identification cards.
■ SB 254 Water and wastewater utilities.
SB 275 School concussion recovery protocol.

LEGISLATION BY MEMBER—2020

SB 276 SPEA study of low-carbon and green industries.
SB 277 Traumatic brain injury information.
SB 281 Fair pay in employment.
SB 282 Health insurance reimbursement rates.
SB 283 Medicaid treatment for pregnant women.
SB 285 Lead testing of Medicaid covered children.
SB 286 Lead poisoning prevention.
SB 287 Scholarship in health care for minority students.
SB 293 Redistricting.
SB 303 Money bail.
SB 304 Vote by mail municipal elections.
SB 305 Contraceptive coverage.
SB 306 Teachers' retirement fund appropriation.
SB 310 Adoption subsidies.
SB 311 Coverage for PANDAS and PANS.
SB 312 Parents with a disability.
SB 320 Withholding tax remittance.
SB 342 Pregnancy accommodation.
■ SB 346 Students with disabilities.
SB 356 Healthy food finance.
SB 380 Election board incident response plan.
SB 381 Removable media use by election officials.
SB 382 Election security.
SB 385 Assessment of business personal property taxes.
SB 407 Consumer credit transactions.
SB 413 Teacher compensation.
SB 414 Maximum contaminant levels for pollutants in water.
SB 415 Small loan finance charges.
SB 420 School accountability.
SB 421 Restrictions on copayments.
SB 422 Treatment of Lyme disease.
SB 441 Various education matters.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 57 Honoring State Superintendent of Public Instruction, Dr. Jennifer McCormick.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 5 Urging the IN Attorney General to withdraw Indiana from a lawsuit which is attempting to nullify the ACA and end federal funding for HIP 2.0.
SR 13 Urging the legislative council to assign the topic of the potential dangers of cyber-hacking in state government, specifically the use of ransomware.
SR 36 To recognize the week of February 24-28, 2020 as Public Schools Week.
SR 46 Honoring Bob Vollmer.
SR 58 To recognize and honor the Senate Democratic Caucus Interns.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1265 Drinking water testing.
■ HB 1341 Students with disabilities.
HCR 17 Urging INDOT to rename the SR 45 and 2nd Street bridge over I-69 the "Sarah Irene Haylett-Jones Memorial Bridge".
HCR 51 Honoring the 250th anniversary of William Clark's birth.

Cosponsored
■ HB 1002 Teacher evaluations.
■ HB 1176 First steps program.
■ HB 1189 Use of firefighting foam containing PFAS.
■ HB 1334 Radon mitigation.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Tallian, Karen

Authored
SB 70 Fire department merit system.
SB 112 Cannabis compliance commission.
SB 113 Smokable hemp.
SB 114 Marijuana and THC.
SB 201 Worker misclassification.
SB 202 Worker's compensation.
SB 236 THC.
SB 301 Lookback periods.
■ SB 302 Indigency determinations.
SB 303 Money bail.
SB 304 Vote by mail municipal elections.
SB 305 Contraceptive coverage.
SB 306 Teachers' retirement fund appropriation.
SCR 40 Honoring the League of Women Voters.
SR 5 Urging the IN Attorney General to withdraw Indiana from a lawsuit which is attempting to nullify the ACA and end federal funding for HIP 2.0.
SR 58 To recognize and honor the Senate Democratic Caucus Interns.

LEGISLATION BY MEMBER—2020

SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.

Coauthored
■ SB 10 Pension matters.
SB 14 Review of criminal penalties during the interim.
■ SB 25 Mental health disability review panels.
■ SB 61 EMS personnel licensure interstate compact.
SB 68 Whistleblower reports.
■ SB 181 Survivors' benefits.
SB 205 Medical payment coverage.
SB 214 Testing of school drinking water for lead.
■ SB 237 Care of city police officers and firefighters.
■ SB 269 Worker's compensation.
SB 325 Public trust ownership of Lake Michigan.
■ SB 335 Criminal law issues.
SB 342 Pregnancy accommodation.
SB 397 Tobacco, e-liquids, and CBD.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 51 Honoring Judge John G. Baker.
SCR 57 Honoring State Superintendent of Public Instruction, Dr. Jennifer McCormick.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 36 To recognize the week of February 24-28, 2020 as Public Schools Week.
SR 46 Honoring Bob Vollmer.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1157 Motor vehicle and criminal law issues.
■ HB 1288 Local office campaign finance reports.
HB 1332 Ambulatory surgical centers.

Cosponsored
■ HB 1015 Rights of professional firefighters.
■ HB 1111 Unemployment.
HB 1279 Local transportation projects.
■ HB 1385 Natural resources.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Taylor, Greg

Authored
SB 85 Racial profiling and pretextual stops.
SB 86 Possession of medical marijuana or paraphernalia.
SB 87 Redistricting standards.
SB 88 Charter school organizer contracts.
SB 203 Firearms.
SB 224 Financial guarantees for charter schools.
SB 225 Bonding procedures.
SB 351 Juvenile law matters.
SB 352 Age for compulsory school attendance.
■ SB 383 Reporting on MBE and WBE contracting goals.
SCR 2 Congratulating Sigma Gamma Rho Sorority.
SR 12 Celebrating Ben Davis University H.S.

Coauthored
■ SB 39 Specialized driving privileges.
SB 67 Township homeless assistance.
■ SB 80 Code Revision Corrections.
SB 98 Certified registered nurse anesthetists.
■ SB 190 Controlled projects.
SB 199 Recovery of litigation expenses.
■ SB 241 Pharmacy benefit managers.
SB 262 Film and media production incentives.
■ SB 307 National guard life insurance program.
SB 342 Pregnancy accommodation.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 39 Congratulating the Bishop Chatard H.S. Trojans football team.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SCR 57 Honoring State Superintendent of Public Instruction, Dr. Jennifer McCormick.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.

SR 5 Urging the IN Attorney General to withdraw Indiana from a lawsuit which is attempting to nullify the ACA and end federal funding for HIP 2.0.
SR 36 To recognize the week of February 24-28, 2020 as Public Schools Week.
SR 46 Honoring Bob Vollmer.
SR 58 To recognize and honor the Senate Democratic Caucus Interns.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
HB 1076 Summons to appear for a misdemeanor.
HCR 2 Recognizing Prom Genie, Incorporated.
HCR 13 Recognizing Alpha Kappa Alpha Day at the Capitol.

Cosponsored
■ HB 1104 Housing and community development authority.
■ HB 1120 Community corrections and credit time.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Tomes, James

Authored
SB 9 Target shooting.
SB 72 Hyperbaric oxygen treatment pilot program.
SB 73 Reports of potential violations to IDEM.
SB 74 Gender on driver's licenses.
SB 91 Adrenoleukodystrophy (ALD) screening.
SB 92 Private sector retirement savings program.
SB 131 National motto in schools.
SB 226 Equine dentistry.
■ SB 237 Care of city police officers and firefighters.
■ SB 258 Firefighter safety.
■ SB 307 National guard life insurance program.
SB 354 Additional revenue for bargaining teacher salary.
SCR 8 Congratulating the Evansville Reitz Memorial H.S. football team.
SCR 9 Congratulating the Evansville Reitz Memorial H.S. boys soccer team.
SCR 38 Urging INDOT to place a memorial sign where the 38th Parallel crosses SR 69 in Posey County, entitled "Veterans of the Korean War Memorial - 38th Parallel".
SCR 68 Recognizing Judge Robert J. Tornatta.
SR 30 Honoring the DNR Division of Forestry and the Classified Forest and Wildlands Program and urging increased state funding for the Division of Forestry.
SR 63 Memorializing Danny Masters.

Coauthored
SB 44 Professional growth experience points.
SB 63 State forest commission and management plan.
SB 205 Medical payment coverage.
■ SB 241 Pharmacy benefit managers.
■ SB 255 Insulin drugs.
■ SB 302 Indigency determinations.
SB 316 Collection of veteran status information.
SB 320 Withholding tax remittance.
■ SB 331 National guard license plates.
SB 407 Consumer credit transactions.
■ SB 410 Libraries.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 28 Urging INDOT to rename the bridge at SR 28 (Walnut Avenue) in Frankfort the "Staff Sgt. Jamie Jarboe Memorial Bridge".
SCR 40 Honoring the League of Women Voters.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SCR 51 Honoring Judge John G. Baker.
SCR 52 Recognizing Virgil L. Beckerman.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 57 Urging INDOT to rename the bridge at SR 28 (Walnut Avenue) in Frankfort the "Staff Sgt. Jamie Jarboe Memorial Bridge".
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
HB 1145 Gibson and Hamilton County courts.
■ HB 1166 State commission and board meetings.
■ HB 1173 Indiana department of veterans' affairs.

LEGISLATION BY MEMBER—2020

■ HB 1343 New Harmony and Wabash River bridge authority.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.

Cosponsored
■ HB 1090 Assumption of care of cemeteries.
■ HB 1129 Infant screening.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Walker, Greg

Authored
SB 26 Small loan finance charges.
SB 27 Native American Indian affairs commission.
SB 63 State forest commission and management plan.
SB 106 Political parties and ballot access.
SB 178 Various election matters.
■ SB 179 Election cybersecurity.
■ SB 180 Public employees deferred compensation plan.
SB 289 Family and juvenile law matters.
SB 333 Straight ticket voting.
■ SB 334 Election matters.
SB 407 Consumer credit transactions.

Coauthored
■ SB 184 Nonprofit agricultural organization coverage.
SB 192 Inpatient mental health care for Medicaid children.
SB 342 Pregnancy accommodation.
SB 399 Property tax matters.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1109 Telephone solicitation and consumer credit.
■ HB 1129 Infant screening.
HB 1222 Miscellaneous election law matters.
■ HB 1288 Local office campaign finance reports.

Cosponsored
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Young, Michael

Authored
SB 14 Review of criminal penalties during the interim.
SB 16 Juvenile delinquents and firearms.
■ SB 39 Specialized driving privileges.
SB 43 Fraud consolidation.
SB 69 Possession of firearms on school property.
■ SB 80 Code Revision Corrections.
■ SB 194 Drug scheduling.
SB 200 Driver's license suspensions.
■ SB 206 Deposition of a child victim.
SB 233 School resource officers.
SB 236 THC.
■ SB 249 Exploitation of dependents and endangered adults.
■ SB 302 Indigency determinations.
■ SB 335 Criminal law issues.
SB 434 Private card games.
SB 436 Authority of the attorney general to appoint a special prosecutor.
SB 449 Juveniles.
SB 451 Crime stoppers and restitution.
SCR 3 Memorializing Decatur Township Firefighter Lt. Tracy Hayden.
SCR 25 Congratulating Adam Ferguson.
SR 24 Supporting Taiwan's signing of a Bilateral Trade Agreement with the U.S.

LEGISLATION BY MEMBER—2020

SR 70 Recognizing Steve Hale.

Coauthored
SB 72 Hyperbaric oxygen treatment pilot program.
■ SB 109 Statute of limitations.
SB 131 National motto in schools.
■ SB 146 Sexual assault victims' rights.
▣ SB 148 Zoning and housing matters.
■ SB 209 Search warrants.
SB 262 Film and media production incentives.
SB 435 Waiver of penalties and interest.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR 40 Honoring the League of Women Voters.
SCR 51 Honoring Judge John G. Baker.
SR 1 Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR 4 Honoring Bill Hart upon his retirement from the Indiana Senate.
SR 46 Honoring Bob Vollmer.
SR 61 To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR 62 Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored
■ HB 1047 Justice reinvestment advisory council.
HB 1076 Summons to appear for a misdemeanor.
■ HB 1096 Technical corrections.
■ HB 1120 Community corrections and credit time.
HB 1132 Criminal and juvenile law matters.
■ HB 1143 Device implantation as a condition of employment.
■ HB 1313 Courts and family law matters.
■ HB 1346 Jail overcrowding.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 28 Urging the Indiana Senate and the Indiana House of Representatives to adopt the practice of recommitting all bills creating or amending a criminal penalty to the Senate Corrections and Criminal Law Committee.

Cosponsored
■ HB 1032 Interfering with public safety.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 42 Honoring Indiana's women veterans.

Zay, Andy

Authored
SB 141 School based health clinics and Medicaid.
SB 142 Medicaid reimbursement for schools.
SB 143 State board of education.
SB 144 Kids first trust fund board subsidiary corporation.
■ SB 184 Nonprofit agricultural organization coverage.
■ SB 239 Coverage for breast prostheses.
■ SB 288 Anatomical gift through hunting, fishing or trapping license.
■ SB 299 Fetal remains.
SB 327 Reporting of consumer loans by unlicensed lenders.
SB 328 Financial responsibility training and instruction.
SB 329 Supervised loans.
SB 330 Mediation for state agencies and vendors.
■ SB 331 National guard license plates.
SB 332 Education matters.
SB 337 Various insurance and health care matters.
SB 401 Deduction for rehabilitation of residential property.
■ SB 410 Libraries.
SB 412 21st century scholars program.
SB 443 Traffic control.
SCR 32 Recognizing the home of the Charley Creek Inn.
SCR 56 Honoring Dr. Wendy Robinson.
SCR 58 Honoring Sister M. Elise Kriss.

Coauthored
SB 3 Health care provider billing.
SB 8 911 dispatchers.
SB 12 Resident tuition rate for active duty personnel.
SB 24 Overweight divisible loads.
■ SB 61 EMS personnel licensure interstate compact.
SB 66 Donation of income tax refund for cancer research.
■ SB 255 Insulin drugs.
SB 259 Child services reports.
SB 262 Film and media production incentives.
■ SB 295 Various education matters.
SB 385 Assessment of business personal property taxes.
■ SB 409 Employment of minors.
SCR 5 Recognizing the 21st Century Scholars Program.

LEGISLATION BY MEMBER—2020

SCR	6	Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
SCR	7	Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR	16	Honoring Beverly Brown upon her retirement from the Indiana Senate.
SCR	21	Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
SCR	40	Honoring the League of Women Voters.
SCR	51	Honoring Judge John G. Baker.
SR	1	Honoring Senator Randy Head upon his retirement from the Indiana Senate.
SR	4	Honoring Bill Hart upon his retirement from the Indiana Senate.
SR	33	Memorializing Ralph Michel.
SR	46	Honoring Bob Vollmer.
SR	61	To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
SR	62	Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.

Sponsored

■	HB 1353	Financial institutions and consumer credit.
■	HB 1372	Various insurance matters.
	HCR 21	Recognizing the Whitley County Chamber of Commerce for 100 years of service.
	HCR 45	Honoring Eugene Heckman.

Cosponsored

■	HB 1419	Governor's workforce cabinet.
	HCR 4	Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
	HCR 11	Urging the creation of a Medal of Honor Memorial Highway in Indiana.
	HCR 30	Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
	HCR 32	Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
	HCR 42	Honoring Indiana's women veterans.

SENATE FINANCIAL STATEMENT
MILEAGE PAID TO SENATORS—2020

	Miles	Amount
Alting, Ron J	1430	$822.90
Bassler, Eric S	2420	1,392.60
Becker, Vaneta G	3949	2,272.47
Bohacek, Michael L	3652	2,101.56
Boots, Philip L	1199	689.97
Bray, Rodric D	770	443.10
Breaux, Jean D	----	--------
Brown, Elizabeth M	2794	1,607.82
Buchanan, Brian W	836	481.08
Buck, James R	1122	645.66
Busch, Justin T	2310	1,329.30
Charbonneau, Edward E	3300	1,899.00
Crane, John B	330	189.90
Crider, Michael R	704	405.12
Donato, Stacey S	1716	987.48
Doriot, Charles B. "Blake"	3520	2,025.60
Ford, James D	----	--------
Ford, Jonathan	1430	822.90
Freeman, Aaron M	----	--------
Garten, Christopher P	2024	1,164.72
Gaskill, Michael R.	880	506.40
Glick, C. Susan	3762	2,164.86
Grooms, Ronald T	2420	1,392.60
Holdman, Travis L	2376	1,367.28
Houchin, Erin M	2310	1,329.30
Koch, Eric A	1650	949.50
Kruse, Dennis K	2780	$1,598.50
Lanane, Timothy S	990	569.70
Leising, Jean A	1628	936.84
Melton, Eddie D	3410	1,962.30
Merritt, James W. Jr	----	--------
Messmer, Mark B	2728	1,569.84
Mishler, Ryan D	2860	1,645.80
Mrvan, Frank Jr	3696	2,126.88
Niemeyer, Ricky N	3080	1,772.40
Niezgodski, David L	3168	1,823.04
Perfect, Clyde A. “Chip” Jr	1936	1,114.08
Raatz, Jeffery S	1650	949.50
Randolph, Lonnie M	3586	2,063.58
Rogers, Linda L.	3300	1,899.00
Ruckelshaus, John C	----	--------
Sandlin, Jack E	----	--------
Spartz, Victoria K	638	367.14
Stoops, Mark A	1122	645.66
Tallian, Karen R	3200	1,840.00
Taylor, Gregory G	----	--------
Tomes, James A	3500	2,012.50
Walker, Greggory F.	1012	582.36
Young, R. Michael	----	--------
Zay, Andrew R	2376	1,367.28
TOTAL		$53,837.52

SENATORS' PER DIEM—2020

	Amount Per Day	No. of Days	Amount of Warrant
Alting, Ron J.	$184.00	67	$12,328.00
Bassler, Eric S.	184.00	67	12,328.00
Becker, Vaneta G.	184.00	67	12,328.00
Bohacek, Michael L.	184.00	67	12,328.00
Boots, Philip L.	184.00	67	12,328.00
Bray, Rodric D.	184.00	67	12,328.00
Breaux, Jean D.	184.00	67	12,328.00
Brown, Elizabeth M.	184.00	67	12,328.00
Buchanan, Brian W.	184.00	67	12,328.00
Buck, James R.	184.00	67	12,328.00
Busch, Justin T.	184.00	67	12,328.00
Charbonneau, Edward E.	184.00	67	12,328.00
Crane, John B.	184.00	67	12,328.00
Crider, Michael R.	184.00	67	12,328.00
Donato, Stacey S.	184.00	67	12,328.00
Doriot, Charles B. “Blake”	184.00	67	12,328.00
Ford, James D.	184.00	67	12,328.00
Ford, Jonathan	184.00	67	12,328.00
Freeman, Aaron M.	184.00	67	12,328.00
Garten, Christopher P.	184.00	67	12,328.00
Gaskill, Michael R.	184.00	67	12,328.00
Glick, C. Susan	184.00	67	12,328.00
Grooms, Ronald T.	184.00	67	12,328.00
Holdman, Travis L.	184.00	67	12,328.00
Houchin, Erin M.	184.00	67	12,328.00
Koch, Eric A.	184.00	67	12,328.00
Kruse, Dennis K.	$184.00	66	$12,144.00
Lanane, Timothy S.	184.00	67	12,328.00
Leising, Jean A.	184.00	67	12,328.00
Melton, Eddie D.	184.00	67	12,328.00
Merritt, James W. Jr.	184.00	67	12,328.00
Messmer, Mark B.	184.00	67	12,328.00
Mishler, Ryan D.	184.00	67	12,328.00
Mrvan, Frank Jr.	184.00	67	12,328.00
Niemeyer, Ricky N.	184.00	67	12,328.00
Niezgodski, David L.	184.00	67	12,328.00
Perfect, Clyde A. “Chip” Jr.	184.00	67	12,328.00
Raatz, Jeffery S.	184.00	67	12,328.00
Randolph, Lonnie M.	184.00	67	12,328.00
Rogers, Linda L.	184.00	67	12,328.00
Ruckelshaus, John C.	184.00	67	12,328.00
Sandlin, Jack E.	184.00	67	12,328.00
Spartz, Victoria K.	184.00	67	12,328.00
Stoops, Mark A.	184.00	67	12,328.00
Tallian, Karen R.	184.00	66	12,144.00
Taylor, Gregory G.	184.00	67	12,328.00
Tomes, James A.	184.00	66	12,144.00
Walker, Greggory F.	184.00	67	12,328.00
Young, R. Michael	184.00	67	12,328.00
Zay, Andrew R.	184.00	67	12,328.00
TOTAL			$615,848.00

SENATE FINANCIAL STATEMENT—2020

Office Supplies	$ 5,952.31
Office Expenses.	563,307.83
Office Equipment-Rental.	8,833.70
Printing	273,325.46
SUBTOTAL	851,419.30
Senators' Mileage	53,837.52
Senators' Per Diem	615,848.00
Employee Salaries	1,984,513.18
SUBTOTAL	2,654,198.70
TOTAL	$3,505,618.00

EMPLOYEES OF THE SENATE—2020

OFFICERS AND ASSISTANTS OF THE SENATE

Jennifer Mertz	Principal Secretary of the Senate
Candace Blackburn	Assistant Secretary of the Senate
Atlantis Richter	Deputy Secretary of the Senate for Operations
Adam Jones	Minority Secretary of the Senate
Brett James	Postmaster
Stuart Purcell	Controller and Reading Clerk
Thomas Hogan	Journal Clerk
Alexandria Burch	Enrolling and Engrossing Clerk
Laura Brown	Parliamentarian

ATTORNEYS AND ASSISTANTS

Jeff Papa	General Counsel
Jennifer Mertz	Chief Legal Counsel
Shelley Myers	Majority Attorney
Alex Zimmerman	Majority Legal Assistant and Intern Recruiter
Zachary Stock	Majority Session Attorney
Jordan Seeder	Minority Attorney
Danielle Sheff	Minority Session Attorney
Andrew Merkley	Minority Legal Assistant

MAJORITY LEADERSHIP ASSISTANTS

Jeff Papa	Chief of Staff
Skip Brown	Deputy Chief of Staff for Communications and Policy
Jennifer Carlton	Deputy Chief of Staff for Operations
Kayla Caviness	Executive Assistant to President Pro Tempore
Christian Clase	Legislative Assistant to Assistant President Pro Tempore
Dawna Smith	Legislative Assistant to Majority Floor Leader
Kaitlyn Gomez	Legislative Assistant to Assistant Majority Floor Leader-Communications
Samuel Charron	Legislative Assistant to Assistant Majority Floor Leader-Parliamentary Affairs
Lawrence Hemphill	Legislative Assistant to Majority Floor Leader Emeritus
Jordan Rose	Legislative Assistant to Majority Caucus Chair
Lucas Carlson	Legislative Assistant to Assistant Majority Caucus Chair
Ryan Ritchie	Legislative Assistant to Assistant Majority Caucus Chair
Sarah Potter	Legislative Assistant to Majority Whip

MINORITY LEADERSHIP ASSISTANTS

LeNée Carroll	Minority Chief of Staff
Jordan Seeder	Minority Deputy Chief of Staff
Adam Jones	Legislative Director and Executive Assistant to Minority Floor Leader
Nathaniel Massy	Legislative Assistant to Assistant Minority Floor Leader
Tyler Hempfling	Legislative Assistant to Minority Caucus Chair
Ethan Hudson	Legislative Assistant to Assistant Minority Caucus Chair
Michelle Moody	Legislative Assistant to Minority Whip

FINANCE

Krista Rivera	Senior Majority Fiscal Analyst
Seth Hinshaw	Majority Fiscal Analyst
Molly McMath	Legislative Assistant to Appropriations Chair
Debby McCarty	Legislative Assistant to Tax & Fiscal Policy Chair
Susan Preble	Minority Fiscal Analyst

MAJORITY LEGISLATIVE ASSISTANTS

Lucas Carlson	Supervisor
Debby McCarty	Supervisor
Cassie Anderson	
David Boyer	
Kayla Caviness	
Samuel Charron	
Christian Clase	
Madalynn Conner	
Michael Conway	
Kaitlyn Gomez	
Lawrence Hemphill	
Shelby Huff	
Sarah King	
Molly McMath	
Sarah Potter	
Ryan Ritchie	
Jordan Rose	
Micha Sabec	
Zack Sand	
Dawna Smith	
Courtney Thompson	

EMPLOYEES OF THE SENATE—2020

MAJORITY LEGISLATIVE ASSISTANTS (Continued)
Alexa Walden

MINORITY LEGISLATIVE ASSISTANTS
Shaneé Francher-Donald
Tyler Hempfling
Ethan Hudson
Adam Jones
Nathaniel Massy
Andrew Merkley
Michelle Moody

RECEPTIONISTS

Kara Teipen	Majority
Donna Holloway	Minority

MAJORITY COMMUNICATIONS DEPARTMENT

Molly Fishell	Majority Communications Director
Andrew Bruner	Policy Director
Christopher Bandy	Policy Analyst
Julie McGuire	Policy Analyst
Jesse Cordray	Press Secretary
Laura Hauersperger	Press Secretary
Ryan Kommes	Press Secretary
Paige Pearson	Press Secretary
Charlie Tinkle	Press Secretary
Elizabeth Vos	Press Secretary and Digital Communications Specialist
Deb Mohr	Technology Specialist
Jillian Warner	Communications Assistant

MINORITY COMMUNICATIONS DEPARTMENT

Andrew Dezelan	Policy Director
Gabby Brock	Communications Director
Matthew Parr	Deputy Communications Director and Press Secretary
Paul Smith	Publication and Web Coordinator
Shenetha Shepherd	Press Secretary

INFORMATION TECHNOLOGY

Zachary Maier	Director of Information Technology
Vanessa Snyder	System Administrator

DOORKEEPERS

Donald Horton	Principal Doorkeeper
Larry Corey	
Martha Day	
C. William Hart	
John Herron	
Sheila Jackson-Taylor	
Mary Lemieux	
Melody Payne	
Merrill Simmerman	

BILL DISTRIBUTION AND DUPLICATING

Greg Gordon	Director
Richard Gutierrez	Deputy Director
Mark Huggler	
Gary Halcomb	

TELEPHONE CENTER

Wilma Hart	Supervisor
Nancy Ashcraft	
Larice Montgomery	

HOUSEKEEPING

Greg Gordon	Supervisor
Thomas Bartkowiak	
Ashley Blakely	
William Burnett	
Eddie Langford	
Damon Thomas	

STUDENT SERVICES

Terri Souders	Director
Hannah Vos	Deputy Director

MAJORITY INTERNS

Jennifer Carlton	Majority Intern Director
Willy Ariste	
Logan Bachelder	
Amber Bennett	
Lee Breece	
Alexandria Burch	
Francis Collins	
Allyson Davis	
Josh DeFonce	
Joshua Everetts	
Taylor Fox	
Kristen Gorski	
Jared Green	
Kyle Harmening	
Quinton Hayes	
Cheyenne Hodges	
Jared Huber	
Matthew Jelenek	

EMPLOYEES OF THE SENATE—2020

MAJORITY INTERNS (Continued)
Reagan Johanson
Veda Keep
Cameron Kelley
John Kristof
Gabrielle Leavitt
Robert Miller
Ramadhan Mulamula
Eric Perry
Kegan Prentice
Bret Runyon
Abigail Schmidter
Kate Semmler
Brent Smith
Ian Songer
Daniel Stevens
Morgan Torres
Jake Torrie
Quinn Weikel
Katherine Winchester
Jordan Zakery

MINORITY INTERNS
Andrew Merkley Minority Intern Director
Paige Bragg
La'Kendra Deitche
Marihelen Gallagher
Robin Graber
Kelly Hansen
Blake Hesch
Jalen Jones
Tiffany Keown
Ashley Lopez Gonzalez
Julianne Miller
Madeline Richmond
Evan Robbins
Lucille Uffelman

SENATE ROLL CALL INDEX—2020
SECOND REGULAR SESSION

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2020

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(R)Republicans, 67 (D) Democrats, 33

(R) David H. Abbott (District 82, Allen, Elkhart, LaGrange, Noble, and Whitley Counties). Committee memberships: Vice Chair, Government and Regulatory Reform; Employment, Labor and Pensions; Natural Resources. House 2019-present.

(D) Terri Jo Austin (District 36, Madison County). Leadership position: Minority Whip; Committee memberships: Ranking Minority Member, Insurance; Public Policy; Rules and Legislative Procedures; Statutory Committee on Ethics. House 2002-present.

(R) Mike Aylesworth (District 11, Lake and Porter Counties). Committee memberships: Vice Chair, Environmental Affairs; Local Government; Natural Resources. House 2014-present.

(R) Ronald A. Bacon (District 75, Pike, Spencer, and Warrick Counties). Committee memberships: Chair, Statutory Committee on Interstate and International Cooperation; Commerce, Small Business and Economic Development; Public Health. House 2010-present.

(R) Jason "Beau" Baird (District 44, Clay, Morgan, Owen, Parke, Putnam Counties). Committee memberships: Agriculture and Rural Development; Commerce, Small Business and Economic Development; Environmental Affairs. House 2019-present.

(R) Bradford J. Barrett (District 56, Wayne County). Committee memberships: Vice Chair, Government and Reglatory Reform, Agriculture and Rural Development; Natural Resources; Public Health; Ways and Means. House 2019-present.

(R) Stephen Bartels (District 74, Crawford, Dubois, Orange, Perry, Spencer Counties). Committee memberships: Vice Chair, Agriculture and Rural Development; Courts and Criminal Code; Veterans Affairs and Public Safety. House 2017-present.

(D) John L. Bartlett (District 95, Marion County). Committee memberships: Employment, Labor and Pensions; Government and Regulatory Reform; Statutory Committee on Interstate and International Cooperation. House 2007-present.

(D) B. Patrick Bauer (District 6, St. Joseph County). Committee memberships: Ranking Minority Member, Judiciary; Environmental Affairs; Insurance. House 1970-present.

(D) Lisa Beck (District 19, Lake and Porter Counties). Committee memberships: Ranking Minority Member, Employment, Labor and Pensions; Commerce, Small Business and Economic Development; Courts and Criminal Code. House 2019-present.

(R) Robert W. Behning (District 91, Hendricks and Marion Counties). Committee memberships: Chair, Education; Family, Children and Human Affairs; Utilities, Energy and Telecommunications. House 1992-present.

(R) Bruce Borders (District 45, Daviess, Greene, Knox, Sullivan, and Vigo Counties). Committee memberships: Vice Chair, Insurance; Local Government; Veterans Affairs and Public Safety. House 2004-2012, 2014-present.

(R) Brian C. Bosma (District 88, Hamilton, Hancock, and Marion Counties). Leadership position: Speaker of the House; Committee memberships: Chair, Committee on Joint Rules. House 1986-present.

(D) Patricia A. (Pat) Boy (District 9, LaPorte and Porter Counties). Committee memberships: Elections and Apportionment; Family, Children and Human Affairs; Statutory Committee on Interstate and International Cooperation. House 2019-present.

(R) Timothy N. Brown (District 41, Boone, Montgomery, and Tippecanoe Counties). Committee memberships: Chair, Ways and Means. House 1994-present.

(R) Charles W. "Woody" Burton (District 58, Johnson County). Committee memberships: Chair, Financial Institutions; Education; Judiciary. House 1988-present.

(D) Chris Campbell (District 26, Tippecanoe County). Committee memberships: Ranking Minority Member, Government and Regulatory Reform; Insurance; Ways and Means. House 2019-present.

(D) Mara Candelaria Reardon (District 12, Lake County). Leadership position: Minority Caucus Chair. Committee memberships: Ranking Minority Member, Statutory Committee on Interstate and International Cooperation; Roads and Transportation; Utilities, Energy and Telecommunications. House 2006-2014; 2016-present.

(R) Martin J. Carbaugh (District 81, Allen County). Committee memberships: Chair, Insurance; Commerce, Small Business and Economic Development; Employment, Labor and Pensions. House 2012-present.

(R) Robert W. Cherry (District 53, Hancock and Madison Counties). Committee memberships: Vice Chair, Ways and Means; Elections and Apportionment; Rules and Legislative Procedures; Select Committee on Government Reduction. House 1998-present.

(D) Chris Chyung (District 15, Lake County). Committee memberships: Ranking Minority Member, Local Government; Financial Institutions; Roads and Transportation; Veterans Affairs and Public Safety. House 2019-present.

MEMBERS OF THE HOUSE OF REPRESENTATIVES—2020

(R)Republicans, 67 (D) Democrats, 33

(R) Edward D. Clere (District 72, Floyd County). Committee memberships: Education; Public Policy; Ways and Means. House 2008-present.

(R) Tony J. Cook (District 32, Delaware, Grant, Hamilton, Howard, Madison, and Tipton Counties). Committee memberships: Vice Chair, Education; Family, Children and Human Affairs; Judiciary. House December 2014-present..

(R) Steven J. Davisson (District 73, Clark, Harrison, Jackson, Lawrence, Orange, and Washington Counties). Committee memberships: Chair, Health and Medicaid Subcommittee, Ways and Means; Commerce, Small Business and Economic Development; Public Health. House 2010-present.

(D) Ross J. Deal (District 7, St. Joseph County). Committee memberships: Agriculture and Rural Development; Employment, Labor and Pensions; Roads and Transportation. House 2019-present.

(D) Edward O. DeLaney (District 86, Marion County). Leadership position: Assistant Minority Caucus Chair; Committee memberships: Education; Judiciary; Ways and Means. House 2008-present.

(R) Dale R. DeVon (District 5, St. Joseph County). Leadership position, Assistant Majority Whip; Committee memberships: Chair, Family, Children and Human Services; Education; Utilities, Energy and Telecommunications. House 2012-present.

(D) Ryan M. Dvorak (District 8, LaPorte and St. Joseph Counties). Committee memberships: Ranking Minority Member, Rules and Legislative Procedures; Courts and Criminal Code; Judiciary; Natural Resources; Committee on Joint Rules. House 2002-present.

(R) Sean R. Eberhart (District 57, Bartholomew, Hancock and Shelby Counties). Committee memberships: Chair, Natural Resources; Environmental Affairs; Financial Institutions; Public Policy. House 2006-present.

(R) Jeff Ellington (District 62, Daviess, Greene, Martin, and Monroe Counties). Committee memberships: Vice Chair, Natural Resources; Financial Institutions; Local Government. House 2015-present.

(R) Karen Engleman (District 70, Clark, Floyd, and Harrison Counties). Leadership position, Assistant Majority Caucus Chair; Committee memberships: Government and Regulatory Reform; Judiciary; Local Government; Select Committee on Government Reduction; Select Committee on Ethics. House 2016-present.

(D) Sue E. Errington (District 34, Delaware County). Committee memberships: Ranking Minority Member, Environmental Affairs; Vice Chair, Statutory Committee on Ethics; Natural Resources; Senate 2006-2010; House 2012-present.

(D) Rita Fleming (District 71, Clark County). Committee memberships: Ranking Minority Member, Commerce, Small Business and Economic Development; Natural Resources; Public Health. House 2019-present.

(D) Dan P. Forestal (District 100, Marion County). Committee memberships: Ranking Minority Member, Roads and Transportation; Elections and Apportionment; Financial Institutions; Public Policy. House 2012-present.

(R) Randall L. Frye (District 67, Dearborn, Decatur, Jefferson, Jennings, Ohio, Ripley, and Switzerland Counties). Committee memberships: Chair, Veterans Affairs and Public Safety; Roads and Transportation; Utilities, Energy and Telecommunications. House 2010-present.

(D) Philip K. GiaQuinta (District 80, Allen County). Leadership position: Minority Leader; Committee memberships: Ranking Minority Member, Committee on Joint Rules. House 2006-present.

(D) Terry A. Goodin (District 66, Clark, Jefferson, and Scott Counties). Committee memberships: Agriculture and Rural Development. House 2000-present.

(R) Chuck Goodrich (District 29, Hamilton County). Leadership position: Majority Caucus Chair; Committee memberships: Vice Chair, Elections and Apportionment; Education; Employment, Labor and Pensions; Veterans Affairs and Public Safety. House 2019-present.

(R) Douglas L. Gutwein (District 16, Fulton, Jasper, Newton, Pulaski, and Starke Counties). Committee memberships: Chair, Select Committee on Government Reduction; Agriculture and Rural Development; Environmental Affairs; Veterans Affairs and Public Safety. House 2008-present.

(D) Carey Hamilton (District 87, Marion County). Leadership position: Assistant Minority Whip. Committee memberships: Ranking Minority Member, Financial Institutions; Environmental Affairs; Ways and Means. House 2016-present.

(D) Earl Harris (District 2, Lake County). Leadership position, Minority Assistant Whip. Committee memberships: Government and Regulatory Reform; Select Committee on Government Reduction; Ways and Means. House 2016-present.

(D) Ragen H. Hatcher (District 3, Lake County). Committee memberships: Ranking Minority Member, Courts and Criminal Code; Commerce, Small Business and Economic Development; Statutory Committee on Interstate and International Cooperation. House 2019-present.

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(R)Republicans, 67 (D) Democrats, 33

(D) Ryan D. Hatfield (District 77, Vanderburgh County). Leadership position: Assistant Minority Floor Leader. Committee memberships: Judiciary; Public Health; Utilities, Energy and Telecommunications. House 2016-present.

(R) Bob A. Heaton (District 46, Clay, Monroe, Owen, and Vigo Counties). Leadership Position: Majority Whip; Committee memberships: Chair, Higher Education Subcommittee, Ways and Means; Vice Chair, Financial Institutions; Insurance. House 2010-present.

(R) Dave Heine (District 85, Allen County). Committee memberships: Agriculture and Rural Development; Financial Institutions; Ways and Means. House 2016-present.

(R) Matt Hostettler (District 64, Gibson, Knox, Pike, Posey, and Vanderburgh Counties). Committee memberships: Local Government; Public Policy; Select Committee on Government Reduction. House 2012-present.

(R) Todd M. Huston (District 37, Hamilton County).Leadership position, Deputy Speaker Pro Tempore. Committee memberships: Co-Chair Ways and Means; Rules and Legislative Procedures; House 2012-present.

(D) Carolyn B. Jackson (District 1, Lake County). Committee memberships: Ranking Minority Member, Select Committee on Government Reduction; Environmental Affairs. House 2019-present.

(R) Jack Jordan (District 17, Fulton and Marshall Counties). Committee memberships: Education; Select Committee on Government Reduction; Ways and Means. House 2016-present.

(R) Christopher N. Judy (District 83, Allen and Whitley Counties). Committee memberships: Vice Chair, Veterans Affairs and Public Safety; Elections and Apportionment; Insurance. House 2014-present.

(R) Michael H. Karickhoff (District 30, Grant and Howard Counties). Leadership position: Speaker Pro Tempore; Committee memberships: Chair of Budget Subcommittee of Ways and Means; Natural Resources; Select Committee on Government Reduction; Statutory Committee on Interstate and International Cooperation. House 2010-present.

(R) Cynthia L. Kirchhofer (District 89, Marion County).Leadership position: Assistant Majority Floor Leader; Committee memberships: Chair, Public Health; Courts and Criminal Code; Insurance. House 2010-present.

(D) Sheila A. Klinker (District 27, Tippecanoe County). Committee memberships: Education; Veterans Affairs and Public Safety; Ways and Means. House 1982-present.

(R) Ryan Lauer (District 59, Bartholomew County). Committee memberships: Family, Children and Human Affairs; Government and Regulatory Reform; Veterans Affairs and Public Policy; Statutory Committee on Interstate and International Cooperation. House 2019-present.

(R) Donald J. Lehe (District 25, Carroll, Cass, Clinton, Tippecanoe, and White Counties). Committee memberships: Chair, Agriculture and Rural Development; Environmental Affairs; Public Health. House 2002-present.

(R) Matthew S. Lehman (District 79, Adams, Allen, and Wells Counties). Leadership position: Majority Floor Leader; Committee memberships: Financial Institutions; Insurance; Public Policy; Statutory Committee on Interstate and International Cooperation. House 2008-present.

(R) Daniel J. Leonard (District 50, Allen, Huntington and Wells Counties). Committee memberships: Chair, Rules and Legislative Procedures; Chair of Local Government Finance Subcommittee of Ways and Means; Employment, Labor and Pensions; Judiciary. House 2002-present.

(R) Shane Lindauer (District 63, Daviess, Dubois, Martin, and Pike Counties). Committee memberships: Vice Chair, Public Health; Family, Children and Human Affairs; Natural Resources; Roads and Transportation. House 2017-present.

(R) Jim T. Lucas (District 69, Bartholomew, Jackson, Jefferson, and Jennings) Committee memberships: Vice Chair, Select Committee on Government Reduction; Education; Elections and Apportionment; Public Policy. House 2012-present.

(R) Randy Lyness (District 68, Dearborn, Franklin, and Union Counties). Committee memberships: Vice Chair, Employment, Labor and Pensions; Commerce, Small Business and Economic Development; Government and Regulatory Reform; Local Government. House 2015-present.

(D) Karlee D. Macer (District 92, Marion County). Leadership position: Assistant Minority Leader; Committee memberships: Ranking Minority Member, Veterans Affairs and Public Safety; Commerce, Small Business and Economic Development; Utilities, Energy and Telecommunications. House 2012-present.

(R) Ethan Manning (District 23, Cass, Fulton, and Miami Counties). Committee memberships: Vice Chair, Utilities, Energy and Telecommunications; Agriculture and Rural Development; Public Health. House 2019-present.

(R) Chris D. May (District 65, Brown, Jackson, Johnson, Lawrence, and Monroe Counties). Committee memberships: Vice Chair, Local Government; Vice Chair; Statutory Committee on Interstate and International Cooperation Judiciary; Veterans Affairs and Public Safety. House 2016-present.

(R) Peggy M. Mayfield (District 60, Monroe and Morgan

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(R)Republicans, 67 (D) Democrats, 33

Counties). Leadership Position: Assistant Majority Floor Leader; Committee memberships: Insurance; Public Policy; Ways and Means. House 2012-present.

(R) Wendy M. McNamara (District 76, Posey and Vanderburgh Counties). Committee memberships: Chair, Courts and Criminal Code; Government and Regulatory Reform; Judiciary. House 2010-present.

(R) Doug Miller (District 48, Elkhart County). Leadership position: Assistant Majority Whip. Committee memberships: Vice Chair, Commerce, Small Business and Economic Development; Environmental Affairs; Government and Regulatory Reform; Local Government. House 2014-present.

(D) Justin W. Moed (District 97, Marion County). Leadership position: Minority Whip. Committee memberships: Ranking Minority Member, Public Policy; Agriculture and Rural Development; Local Government. House 2012-present.

(R) Robert D. Morris (District 84, Allen County). Committee memberships: Chair, Commerce, Small Business and Economic Development; Employment, Labor and Pensions; Roads and Transportation. House 2010-present.

(R) Alan P. Morrison (District 42, Clay, Fountain, Parke, Vermillion, Vigo, and Warren Counties). Committee memberships: Vice Chair, Elections and Apportionment; Natural Resources; Utilities, Energy and Telecommunications. House 2012-present.

(D) Charles "Chuck" A. Moseley (District 10, Porter County). Committee memberships: Ranking Minority Member, Elections and Apportionment; Employment, Labor and Pensions; Veterans Affairs and Public Safety. House 2008-present.

(R) Sharon K. Negele (District 13, Benton, Fountain, Jasper, Montgomery, Newton, Tippecanoe, Warren, and White Counties). Leadership position: Assistant Majority Whip; Committee memberships: Chair, Statutory Committee on Ethics; Courts and Criminal Code; Ways and Means. House 2012-present.

(R) Curt Nisly (District 22, Elkhart and Kosciusko Counties). Committee memberships: Government and Regulatory Reform; Select Committee on Government Reduction; Statutory Committee on Interstate and International Cooperation. House 2014-present.

(D) Tonya Pfaff (District 43, Vigo County). Committee memberships: Ranking Minority Member, Natural Resources; Education; Elections and Apportionment. House 2019-present.

(D) Matt Pierce (District 61, Monroe County). Committee memberships: Ranking Minority Member, Utilities, Energy and Telecommunications; Courts and Criminal Code; Rules and Legislative Procedures; Statutory Committee on Ethics. House 2002-present.

(D) Gregory W. Porter (District 96, Marion County). Leadership and Committee memberships: Ranking Minority Member, Ways and Means; Insurance; Public Health. House 1992-present.

(R) John "J.D." Prescott (District 33, Blackford, Delaware, Jay, and Randolph Counties). Committee memberships: Agriculture and Rural Development; Environmental Affairs; Natural Resources. House 2019-present.

(R) Jim Pressel (District 20, LaPorte and Starke Counties). Committee memberships: Chair, Government and Regulatory Reform; Elections and Apportionment; Roads and Transportation; Utilities, Energy and Telecommunications. House 2016-present.

(D) Cherrish S. Pryor (District 94, Marion County). Leadership position: Minority Floor Leader. Committee memberships: Ranking Minority Member, Local Government; Ways and Means. House 2008-present.

(R) Thomas E. Saunders (District 54, Henry, Rush, and Wayne Counties). Leadership position: Assistant Majority Caucus Chair; Committee memberships: Vice Chair, Family, Children and Human Affairs; Local Government; Roads and Transportation; Statutory Committee on Interstate and International Cooperation. House 1996-present.

(R) Donna Schaibley (District 24, Boone and Hamilton Counties). Committee memberships: Vice Chair, Courts and Criminal Code; Financial Institutions; Insurance. House December 2014-present.

(D) Robin C. Shackleford (District 98, Marion County). Committee memberships: Ranking Minority Member, Public Health; Financial Institutions; Government and Regulatory Reform. House 2012-present.

(R) Dollyne Sherman (District 93, Johnson and Marion Counties). Committee memberships: Family, Children and Human Affairs; Public Health; Utilities, Energy and Telecommunications. House 2019-present.

(R) Benjamin C. Smaltz (District 52, Allen, Dekalb, and Steuben Counties). Committee memberships: Chair, Public Policy; Commerce, Small Business and Economic Development; Roads and Transportation; Rules and Legislative Procedures; Committee on Joint Rules. House 2012-present.

(D) Vernon G. Smith (District 14, Lake County). Committee memberships: Ranking Minority Member, Education; Local Government; Select Committee on Government Reduction. House 1990-present.

MEMBERS OF THE HOUSE OF REPRESENTATIVES—2020

(R)Republicans, 67 (D) Democrats, 33

(R) Edmond L. Soliday (District 4, Porter County). Leadership position: Assistant Majority Floor Leader; Committee memberships: Chair, Utilities, Energy and Telecommunications; Elections and Apportionment; Roads and Transportation. House 2006-present.

(R) Michael R. Speedy (District 90, Marion County). Committee memberships: Vice Chair, Roads and Transportation; Financial Institutions; Utilities, Energy and Telecommunications. House 2010-present.

(R) Gregory E. Steuerwald (District 40, Hendricks County). Leadership position: Majority Caucus Chair; Committee memberships: Courts and Criminal Code; Judiciary; Statutory Committee on Ethics; Rules and Legislative Procedures. House 2007-present.

(R) Christy Stutzman (District 49, Elkhart County). Committee memberships: Vice Chair, Public Policy; Agriculture and Rural Development; Commerce, Small Business and Economic Development; Statutory Committee on Interstate and International Cooperation. House 2019-present

(R) Holli Anne Sullivan (District 78, Vanderburgh and Warrick Counties). Committee memberships: Chair, Roads and Transportation; Rules and Legislative Procedures; Ways and Means. House January 2014-present.

(D) Vanessa J. Summers (District 99, Marion County). Committee memberships: Ranking Minority Member, Family, Children and Human Affairs; Public Policy; Select Committee on Government Reduction. House 1991-present.

(R) Jeffrey A. Thompson (District 28, Boone and Hendricks Counties). Committee memberships: Chair of K-12 Subcommittee of Ways and Means; Education; Elections and Apportionment. House 1998-present.

(R) Jerry Torr (District 39, Hamilton County). Committee memberships: Chair, Judiciary; Vice Chair, Rules and Legislative Procedures; Vice Chair, Committee on Joint Rules; Elections and Apportionment; Employment, Labor and Pensions. House 1996-present.

(R) Heath R. VanNatter (District 38, Carroll, Cass, Clinton, and Howard Counties). Committee memberships: Chair, Employment, Labor and Pensions; Environmental Affairs; Financial Institutions. House 2010-present.

(R) Ann Vermilion (District 31, Blackford, Delaware, Grant, and Wells Counties). Committee memberships: Courts and Criminal Code; Government and Regulatory Reform; Insurance. House 2019-present.

(R) Timothy C. Wesco (District 21, Elkhart and St. Joseph Counties). Committee memberships: Chair, Elections and Apportionment; Employment, Labor and Pensions; Public Policy. House 2010-present.

(R) David A. Wolkins (District 18, Grant, Kosciusko, Miami, and Wabash Counties). Committee memberships: Chair, Environmental Affairs; Natural Resources; Select Committee on Government Reduction. House 1988-present.

(D) Melanie Wright (District 35, Delaware and Madison Counties). Committee memberships: Ranking Minority Member, Agriculture and Rural Development; Family, Children and Human Affairs; Ways and Means. House 2014-present.

(R) John T. Young (District 47, Johnson and Morgan Counties). Committee memberships: Vice Chair, Judiciary; Courts and Criminal Code; Family, Children and Human Affairs; Statutory Committee on Interstate and International Cooperation. House 2016-present.

(R) Dennis J. Zent (District 51, LaGrange and Steuben Counties). Committee memberships: Chair, Local Government; Public Health; Veterans Affairs and Public Safety. House 2012-present.

(R) Cindy M. Ziemke (District 55, Decatur, Fayette, Franklin, Ripley, and Rush Counties). Committee memberships: Chair, Courts and Criminal Code; Family, Children and Human Affairs; Ways and Means. House 2012-present.

MEMBERS OF THE HOUSE BY COUNTIES—2020

Adams–Matthew S. Lehman
Allen–David Abbott, Martin J. Carbaugh, David Heine, Philip K. GiaQuinta, Christopher N. Judy, Matthew S. Lehman, Daniel J. Leonard, Robert D. Morris, Benjamin C. Smaltz
Bartholomew–Sean R. Eberhart, Ryan Lauer, Jim Lucas
Benton–Sharon K. Negele
Blackford–Ann Vermilion
Boone–Timothy N. Brown, Donna Schaibley, Jeffrey A. Thompson
Brown–Chris D. May
Carroll–Donald J. Lehe, Heath R. VanNatter
Cass– Donald J. Lehe, Ethan Manning, Heath R. VanNatter
Clark–Steven J. Davisson, Karen Engleman, Rita Fleming, Terry A. Goodin.
Clay–Beau Baird, Bob A. Heaton, Alan P. Morrison
Clinton–Donald J. Lehe, Heath R. VanNatter
Crawford–Stephen Bartels
Daviess–Bruce Borders, Jeff Ellington, Shane Lindauer
Dearborn–Randall L. Frye, Randy Lyness
Decatur–Randall L. Frye, Cindy Ziemke
Dekalb–Benjamin C. Smaltz,
Delaware–Tony J. Cook, Sue E. Errington, Ann Vermilion, J. D. Prescott, Melanie Wright
Dubois–Stephen Bartels, Shane Lindauer
Elkhart–David Abbott, Doug Miller, Curt Nisly, Christy Stutzman, Timothy C. Wesco
Fayette–Cindy Ziemke
Floyd–Edward D. Clere, Karen Engleman
Fountain–Alan P. Morrison, Sharon K. Negele
Franklin–Randy Lyness, Cindy Ziemke
Fulton–Douglas L. Gutwein, Jack Jordan, Ethan Manning
Gibson–Matthew D. Hostettler
Grant–Tony J. Cook, Michael H. Karickhoff, Ann Vermilion, David A. Wolkins
Greene–Bruce Borders, Jeff Ellington
Hamilton–Brian C. Bosma, Tony J. Cook, Charles D. Goodrich, Todd M. Huston, Donna Schaibley, Jerry Torr
Hancock–Brian, C. Bosma, Robert W. Cherry, Sean R. Eberhart
Harrison–Steven J. Davisson, Karen Engleman
Hendricks–Robert W. Behning, Gregory E. Steuerwald, Jeffrey A. Thompson
Henry–Thomas E. Saunders
Howard–Tony J. Cook, Michael H. Karickhoff, Heath R. VanNatter
Huntington–Daniel J. Leonard
Jackson–Steven J. Davisson, Jim Lucas, Chris D. May
Jasper–Douglas L. Gutwein, Sharon K. Negele
Jay–J. D. Prescott
Jefferson–Randall L. Frye, Terry A. Goodin, Jim Lucas
Jennings–Randall L. Frye, Jim Lucas
Johnson–Woody Burton, Chris D. May, Dollyne Sherman, John T. Young
Knox–Bruce Borders, Matthew D. Hostettler
Kosciusko–Curt Nisly, David A. Wolkins
LaGrange–David Abbott, Dennis J. Zent
Lake–Mike Aylesworth, Lisa Beck, Chris Chyung, Earl Harris, Ryan H. Hatcher, Carolyn Jackson Mara Candelaria Reardon, Vernon G. Smith
LaPorte–Pat Boy, Ryan M. Dvorak, Jim Pressel
Lawrence–Steven J. Davisson, Chris D. May
Madison–Terri Jo Austin, Robert W. Cherry, Tony J. Cook, Melanie Wright
Marion–John L. Bartlett, Robert W. Behning, Brian C. Bosma, Edward O. DeLaney, Dan P. Forestal, Carey Hamilton, Cynthia L. Kirchhofer, Karlee D. Macer, Justin W. Moed, Gregory W. Porter, Cherrish S. Pryor, Robin C. Shackleford, Dollyne Sherman, Michael R. Speedy, Vanessa J. Summers
Marshall–Jack Jordan
Martin–Jeff Ellington, Shane Lindauer
Miami–Ethan E Manning, David A. Wolkins
Monroe–Jeff Ellington, Bob A. Heaton, Chris D. May, Peggy M. Mayfield, Matt Pierce
Montgomery–Timothy N. Brown, Sharon K. Negele
Morgan–Beau Baird, Peggy M. Mayfield, John T. Young
Newton–Douglas L. Gutwein, Sharon K. Negele
Noble–David Abbott
Ohio–Randall L. Frye
Orange–Stephen Bartels, Steven J. Davisson
Owen–Beau Baird, Bob A. Heaton
Parke–Beau Baird, Alan P. Morrison
Perry–Stephen Bartels
Pike–Ronald A. Bacon, Matthew D. Hostettler, Shane Lindauer
Porter–Mike Aylesworth, Lisa Beck, Pat Boy, Charles E. Moseley, Edmond L. Soliday
Posey–Matthew D. Hostettler, Wendy M. McNamara
Pulaski–Douglas L. Gutwein
Putnam–Beau Baird
Randolph–J. D. Prescott
Ripley–Randall L. Frye, Cindy Ziemke
Rush–Thomas E. Saunders, Cindy Ziemke
Scott–Terry A. Goodin
Shelby–Sean R. Eberhart
Spencer–Ronald A. Bacon, Stephen Bartels
St. Joseph–B. Patrick Bauer, Ross J. Deal, Dale R. DeVon, Ryan M. Dvorak, Timothy C. Wesco
Starke–Douglas L. Gutwein, Jim Pressel
Steuben–Benjamin C. Smaltz, Dennis J. Zent
Sullivan–Bruce Borders
Switzerland–Randall L. Frye
Tippecanoe–Timothy N. Brown, Chris Campbell, Sheila A. Klinker, Donald J. Lehe, Sharon K. Negele
Tipton–Tony J. Cook
Union–Randy Lyness
Vanderburgh–Ryan D. Hatfield, Matthew D. Hostettler, Wendy M. McNamara, Holli Ann Sullivan
Vermillion–Alan P. Morrison
Vigo–Bruce Borders, Bob A. Heaton, Alan P. Morrison, Tonya Pfaff
Wabash–David A. Wolkins
Warren–Alan P. Morrison, Sharon K. Negele
Warrick–Ronald A. Bacon, Holli Anne Sullivan
Washington–Steven J. Davisson
Wayne–Bardford J. Barrett, Thomas E. Saunders
Wells–Matt Lehman, Daniel J. Leonard, Ann Vermilion
White–Donald J. Lehe, Sharon K. Negele
Whitley–David Abbott, Christopher N. Judy

MEMBERS OF THE HOUSE BY DISTRICTS—2020

District 1–Carolyn Jackson
District 2–Earl Harris
District 3–Ragen H. Hatcher
District 4–Edmond L. Soliday
District 5–Dale R. DeVon
District 6–B. Patrick Bauer
District 7–Ross Deal
District 8–Ryan M. Dvorak
District 9–Pat Boy
District 10–Charles A. Moseley
District 11–Mike Aylesworth
District 12–Mara Candelaria Reardon
District 13–Sharon K. Negele
District 14–Vernon G. Smith
District 15–Chris Chyung
District 16–Douglas L. Gutwein
District 17–Jack Jordan
District 18–David A. Wolkins
District 19–Lisa Beck
District 20–Jim Pressel
District 21–Timothy C. Wesco
District 22–Curt Nisly
District 23–Ethan Manning
District 24–Donna Schaibley
District 25–Donald J. Lehe
District 26–Chris Campbell
District 27–Sheila A. Klinker
District 28–Jeffrey A. Thompson
District 29–Chuck Goodrich
District 30–Michael H. Karickhoff
District 31–Ann Vermilion
District 32–Tony J. Cook
District 33–J.D. Prescott
District 34–Sue E. Errington
District 35–Melanie Wright
District 36–Terri Jo Austin
District 37–Todd M. Huston
District 38–Heath R. VanNatter
District 39–Jerry Torr
District 40–Gregory E. Steuerwald
District 41–Timothy N. Brown
District 42–Alan P. Morrison
District 43–Tonya Pfaff
District 44–Beau Baird
District 45–Bruce Borders
District 46–Bob A. Heaton
District 47–John T. Young
District 48–Doug Miller
District 49–Christy Stutzman
District 50–Daniel J. Leonard
District 51–Dennis J. Zent
District 52–Benjamin C. Smaltz
District 53–Robert W. Cherry
District 54–Thomas E. Saunders
District 55–Cindy L. Ziemke
District 56–Brad Barrett
District 57–Sean R. Eberhart
District 58–Woody Burton
District 59–Ryan Lauer
District 60–Peggy M. Mayfield
District 61–Matt Pierce
District 62–Jeff Ellington
District 63–Shane Lindauer
District 64–Matthew D. Hostettler
District 65–Christopher D. May
District 66–Terry A. Goodin
District 67–Randall L. Frye
District 68–Randy Lyness
District 69–Jim Lucas
District 70–Karen Engleman
District 71–Rita Fleming
District 72–Edward D. Clere
District 73–Steven J. Davisson
District 74–Stephen Bartels
District 75–Ronald A. Bacon
District 76–Wendy M. McNamara
District 77–Ryan D. Hatfield
District 78–Holli Anne Sullivan
District 79–Matt Lehman
District 80–Philip K. GiaQuinta
District 81–Martin J. Carbaugh
District 82–David Abbott
District 83–Christopher N. Judy
District 84–Robert D. Morris
District 85–Dave Heine
District 86–Edward O. DeLaney
District 87–Carey Hamilton
District 88–Brian C. Bosma
District 89–Cynthia L. Kirchhofer
District 90–Michael R. Speedy
District 91–Robert W. Behning
District 92–Karlee D. Macer
District 93–Dollyne Sherman
District 94–Cherrish S. Pryor
District 95–John L. Bartlett
District 96–Gregory W. Porter
District 97–Justin W. Moed
District 98–Robin C. Shackleford
District 99–Vanessa J. Summers
District 100–Dan P. Forestal

HOUSE STANDING COMMITTEES—2020

Agriculture and Rural Development

Lehe, Chair; Bartels, Vice Chair;

Republicans: Baird, Barrett, Gutwein, Heine, Manning, Prescott, Stutzman.

Democrats: Wright, Ranking Minority Member;

Deal, Goodin, Moed.

Commerce, Small Business and Economic Development

Morris, Chair; Miller, Vice Chair

Republicans: Bacon, Baird, Carbaugh, Davisson, Lyness, Smaltz, Stutzman.

Democrats: Fleming, Ranking Minority Member;

Beck, Hatcher, Macer.

Courts and Criminal Code

McNamara, Chair; Schaibley, Vice Chair;

Republicans: Bartels, Kirchhofer, Negele, Steuerwald, Vermilion, Young, Ziemke.

Democrats: Hatcher, Ranking Minority Member;

Beck, Dvorak, Pierce.

Education

Behning, Chair; Cook, Vice Chair;

Republicans: Burton, Clere, DeVon, Goodrich, Jordan, Lucas, Thompson.

Democrats: V. Smith, Ranking Minority Member;

DeLaney, Klinker, Pfaff.

Elections and Apportionment

Wesco, Chair; Morrison, Vice Chair;

Republicans: Cherry, Judy, Lucas, Pressel, Soliday, Thompson, Torr.

Democrats: Moseley, Ranking Minority Member;

Boy, Forestal, Pfaff.

Employment, Labor and Pensions

VanNatter, Chair; Lyness, Vice Chair;

Republicans: Abbott, Carbaugh, Goodrich, Leonard, Morris, Torr, Wesco.

Democrats: Beck, Ranking Minority Member;

Bartlett, Deal, Moseley.

Environmental Affairs

Wolkins, Chair; Aylesworth, Vice Chair;

Republicans: Baird, Eberhart, Gutwein, Lehe, Miller, Prescott, VanNatter.

Democrats: Errington, Ranking Minority Member;

Bauer, Hamilton, Jackson.

Family, Children and Human Affairs

DeVon, Chair; Saunders, Vice Chair;

Republicans: Behning, Cook, Lauer, Lindauer, Sherman, Young, Ziemke

Democrats: Summers, Ranking Minority Member;

Boy, Jackson, Wright.

Financial Institutions

Burton, Chair; Heaton, Vice Chair;

Republicans: Eberhart, Ellington, Heine, Lehman, Schaibley, Speedy,VanNatter.

Democrats: Hamilton, Ranking Minority Member;

Chyung, Forestal, Shackleford.

Government and Regulatory Reform

Pressell, Chair; Abbott, Vice Chair;

Republicans: Engleman, Lauer, Lyness, McNamara, Miller, Nisly, Vermilion.

Democrats: Campbell, Ranking Minority Member;

Bartlett, Harris, Shackleford.

Insurance

Carbaugh, Chair; Borders, Vice Chair;

Republicans: Heaton, Judy, Kirchhofer, Lehman, Mayfield, Schaibley, Vermilion.

Democrats: Austin, Ranking Minority Member;

Bauer, Campbell, Porter.

Judiciary

Torr, Chair; Young, Vice Chair;

Republicans: Burton, Cook, Engleman, Leonard, May, McNamara, Steuerwald.

Democrats: Bauer, Ranking Minority Member;

DeLaney, Dvorak, Hatfield.

HOUSE STANDING COMMITTEES—2020

Local Government

Zent, Chair; May, Vice Chair;

Republicans: Aylesworth, Borders, Ellington, Engleman, Hostettler, Lyness, Saunders.

Democrats: Chyung, Ranking Minority Member;

Moed, Pryor, V. Smith.

Natural Resources

Eberhart, Chair; Ellington, Vice Chair;

Republicans: Abbott, Aylesworth, Karickhoff, Lindauer, Morrison, Prescott, Wolkins.

Democrats: Pfaff, Ranking Minority Member;

Dvorak, Errington, Fleming.

Public Health

Kirchhofer, Chair; Lindauer, Vice Chair;

Republicans: Bacon, Barrett, Davisson, Lehe, Manning, Sherman, Zent.

Democrats: Shackleford, Ranking Minority Member;

Fleming, Hatfield, Porter.

Public Policy

Smaltz, Chair; Stutzman, Vice Chair;

Republicans: Clere, Eberhart, Hostettler, Lehman, Lucas, Mayfield, Wesco.

Democrats: Moed, Ranking Minority Member;

Austin, Forestal, Summers.

Roads and Transportation

Sullivan, Chair; Speedy, Vice Chair;

Republicans: Frye, Lindauer, Morris, Pressel, Saunders, Smaltz, Soliday.

Democrats: Forestal, Ranking Minority Member;

Candelaria Reardon, Chyung, Deal.

Rules and Legislative Procedures

Leonard, Chair; Torr, Vice Chair;

Republicans: Cherry, Huston, Smaltz, Steuerwald, Sullivan.

Democrats: Dvorak, Ranking Minority Member;

Austin, Pierce.

Select Committee on Government Reduction

Gutwein, Chair; Lucas, Vice Chair;

Republicans: Cherry, Engleman, Hostettler, Jordan, Karickhoff, Nisly, Wolkins.

Democrats: Jackson, Ranking Minority Member;

Harris, V. Smith, Summers.

Utilities, Energy and Telecommunications

Soliday, Chair; Manning, Vice Chair;

Republicans: Behning, Frye, DeVon, Morrison, Pressel, Sherman, Speedy

Democrats: Pierce, Ranking Minority Member;

Candelaria Reardon, Hatfield, Macer.

Veterans Affairs and Public Safety

Frye, Chair; Judy, Vice Chair;

Republicans: Bartels, Borders, Goodrich, Gutwein, Lauer, May, Zent.

Democrats: Macer, Ranking Minority Member;

Chyung, Klinker, Moseley.

Ways and Means

T. Brown, Chair; Co-Chair, Huston; Cherry, Vice Chair;

Republicans: Karickhoff, Chair of Budget Subcommittee;

Heaton, Chair of Higher Education Subcommittee;

Davisson, Chair of Health and Medicaid Subcommittee;

Leonard, Chair of Local Government Finance Subcommittee;

Thompson, Chair of K-12 Subcommittee;

Barrett, Clere, Heine, Jordan, Mayfield, Negele, Sullivan, Ziemke.

Democrats: Porter, Ranking Minority Member;

Campbell, DeLaney, Hamilton, Harris, Klinker, Pryor, Wright.

STATUTORY COMMITTEE ON ETHICS

Negele, Chair; Errington, Vice Chair;

Republicans: Engleman, Steuerwald.

Democrats: Austin, Pierce.

STATUTORY COMMITTEE ON INTERSTATE AND INTERNATIONAL COOPERATION

Bacon, Chair; May, Vice Chair;

Republicans: Karickhoff, Lehe, Lehman, Nisly, Saunders, Stutzman, Young.

Democrats: Candelaria Reardon, Ranking Minority Member; Bartlett, Boy, Hatcher.

COMMITTEE ON JOINT RULES

Speaker Bosma (ex officio), Chair; Torr, Vice Chair;

Republicans: Smaltz.

Democrats: GiaQuinta, Ranking Minority Member; Dvorak.

121st Indiana General Assembly

Burton 3	Karickhoff 2	Lehman 1

Behning 7	Sherman 6	Soliday 5	T. Brown 4

Torr 12	Frye 11	Wesco 10	Huston 9	Clere 8

Cherry 19	Gutwein 18	Negele 17	Sullivan 16	Ziemke 15	Vermilion 14	Steuerwald 13

Speedy 26	Thompson 25	Morrison 24	Cook 23	Schaibley 22	Miller 21	Eberhart 20

Morris 33	Carbaugh 32	Baird 31	Jordan 30	Young 29	Ellington 28	VanNatter 27

Borders 40	Heine 39	Pressel 38	Prescott 37	Lindauer 36	May 35	Davisson 34

Lehe 47	Aylesworth 46	Lauer 45	Speaker 44	Barrett 43	Judy 42	Bacon 41

McNamara 50	Kirchhofer 49	Heaton 48

GiaQuinta 51	Pryor 52	Pierce 53

Porter 54	Austin 55	DeLaney 56	Bauer 57

Macer 58	Goodin 59	Summers 60	Forestal 61	Dvorak 62

Smith 63	Wright 64	Beck 65	Klinker 66	Errington 67	Campbell 68	Hamilton 69

Reardon 70	Chyung 71	Hatcher 72	Harris 73	Deal 74	Fleming 75	Moed 76

Shackleford 77	Boy 78	Bartlett 79	Jackson 80	Moseley 81	Pfaff 82	Hatfield 83

Saunders 84	Engleman 85	Manning 86	Abbott 87	Goodrich 88	Nisly 89	Lyness 90

DeVon 91	Smaltz 92	Lucas 93	Hostettler 94	Bartels 95	Stutzman 96	Mayfield 97

Wolkins 98	Zent 99	Leonard 100

LEGISLATION BY MEMBER—2020

SECOND REGULAR SESSION

(Those marked with ■ became law; those marked with ▣ were vetoed by the Governor.)

HOUSE

Abbott, David

Authored

■ HB 1045 Honor and Remember flag.
HB 1197 Wake boating.
■ HB 1198 Public safety matters.
HB 1200 Exotic or dangerous wild animals.
HB 1291 Redevelopment commissions.
HCR 14 Honoring and recognizing the 2018 to 2019 winners of the Student Soybean Product Innovation Competition.

Coauthored

■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1099 Low head dams.
HB 1128 Tobacco issues.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 15 Urging the Indiana Department of Transportation to rename a bridge on U.S. Route 27 in Fort Wayne as the "Fort Wayne Veterans Memorial Bridge".
HCR 21 Recognizing the Whitley County Chamber of Commerce for 100 years of service.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored

SB 8 911 dispatchers.
SB 99 Study committee on invasive species.
SB 324 Micro market and vending machine fees.
■ SB 410 Libraries.

Cosponsored

SB 6 Electric vehicle supplemental fee.
■ SB 367 Regional development authorities.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 53 Recognizing the significance of the construction of the Vietnam Memorial Wall at the Veterans National Memorial Shrine and Museum in Fort Wayne, Indiana.
SCR 56 Honoring Dr. Wendy Robinson.
SCR 58 Honoring Sister M. Elise Kriss.

Austin, Terri Jo

Authored

HB 1396 Hazing.
HB 1397 Disposal of motor vehicles.
HCR 31 Recognizing the Anderson High School Marching Highlanders for their achievements at the 2019 Indiana State Fair.

Coauthored

■ HB 1093 Electronic document filing.
HB 1116 Drug information reporting.
HB 1141 Birth control prescriptions.
HB 1219 Health insurance.
HB 1231 Prescription price.
HB 1311 Gift package permit.
HB 1347 Bureau of motor vehicles.
■ HB 1372 Various insurance matters.
HB 1418 Minimum age to marry.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 38 Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 9 Honoring Ann Naughton.
HR 20 Urging the pursuit of policy that increases organ donor supply.
HR 30 Recognizing Workers Memorial Day.

LEGISLATION BY MEMBER—2020

Sponsored
SCR 22 Congratulating Deborah Stapleton.

Cosponsored
■ SB 184 Nonprofit agricultural organization coverage.
■ SB 239 Coverage for breast prostheses.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Aylesworth, Mike

Authored
HB 1035 Removal of a county elected officer.
HB 1128 Tobacco issues.
HB 1154 Septic system inspection before property transfer.
HB 1208 Elimination of lower speed limit for trucks.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
HB 1033 Railroad crossings.
HB 1228 Net metering.
■ HB 1265 Drinking water testing.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 29 Remembering Dr. Walter "Jerry" Watkins.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 11 Recognizing Strack and Van Til on the occasion of their 91st Anniversary.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
SB 83 Various property tax matters.
■ SB 367 Regional development authorities.

Cosponsored
■ SB 365 Town of Griffith.
■ SB 366 Kankakee River and Yellow River development.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SCR 52 Recognizing Virgil L. Beckerman.

Bacon, Ronald

Authored
HB 1011 Meningococcal disease information for students.
HB 1064 Medicaid reimbursement of DME.
HB 1087 Organ donation.
HB 1142 Uniform county innkeeper's tax revenue.
HB 1292 Township trustees and board members.
HCR 19 Recognizing the 2019 Castle High School archery team for winning their twelfth state championship and second consecutive national championship.
HR 3 Congratulating Maggie Speicher on her retirement.
HR 14 Honoring Certified Registered Nurse Anesthetists (CRNAs).
HR 20 Urging the pursuit of policy that increases organ donor supply.
HR 49 Congratulating Sherri Rector on her retirement.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1090 Assumption of care of cemeteries.
HB 1128 Tobacco issues.
HB 1145 Gibson and Hamilton County courts.
HB 1185 Prescription drug donation repositories.
■ HB 1198 Public safety matters.
■ HB 1199 Palliative care.
■ HB 1243 Genetic counselors.
HB 1245 Pigeon Creek.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 38 Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HCR 51 Honoring the 250th anniversary of William Clark's birth.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 22 Remembering Dr. David L. Rice.
HR 23 Recognizing the 2019 Mater Dei High School varsity girls soccer team.

Sponsored
■ SB 61 EMS personnel licensure interstate compact.
SB 98 Certified registered nurse anesthetists.
■ SB 288 Anatomical gift through hunting, fishing or trapping license.

Cosponsored
SB 72 Hyperbaric oxygen treatment pilot program.
SB 171 Clarksville food and beverage tax.
■ SB 299 Fetal remains.
SB 355 Psychology interjurisdictional compact.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.

Baird, Beau

Authored
HB 1230 Health care provider billing requirements.
HB 1231 Prescription price.
HB 1232 Interstate compact on curing diseases.
HB 1233 Deceptive lead generation.

Coauthored
HB 1195 Regulation of hemp production.
HB 1304 Broadband development.
■ HB 1309 Department of environmental management.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.

Sponsored
SB 226 Equine dentistry.
SCR 26 Memorializing Sandy Woolwine and honoring the heroic actions of North Central Parke Community School Corporation students.

Cosponsored
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Barrett, Brad

Authored
HB 1079 Microbrewery location near school or church.
■ HB 1080 Colorectal cancer testing.
HB 1136 Medicaid managed care.
HB 1137 Addiction treatment medications.
HB 1300 Administration of auto-injectable epinephrine.
HCR 22 Recognizing Mr. Philip Stevenson and his retirement as superintendent of Centerville-Abington Community Schools.
HCR 52 Honoring Kevin Handley Jr., Jayden Shipp, and Derrick Lamb.
HR 70 Honoring Kevin Handley, Jr., Jayden Shipp, and Derrick Lamb.

Coauthored
■ HB 1004 Health matters.
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1045 Honor and Remember flag.
■ HB 1077 Professional licensing agency.
HB 1084 Newborn screening for cytomegalovirus.
■ HB 1129 Infant screening.
HB 1141 Birth control prescriptions.
■ HB 1174 Youth helmet safety.
■ HB 1182 HIV, fatality reviews, and syringe exchange programs.
■ HB 1207 Pharmacy matters.
■ HB 1209 Reimbursement for emergency medical services.
■ HB 1210 Various health matters.
HB 1317 Health care advance directive.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Cosponsored
SB 3 Health care provider billing.
■ SB 5 Health provider contracts.
■ SB 19 Electronic technology for ophthalmic prescriptions.
SB 142 Medicaid reimbursement for schools.
■ SB 184 Nonprofit agricultural organization coverage.
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.

Bartels, Steve

Authored
HB 1184 Public safety officer benefits.
HB 1185 Prescription drug donation repositories.
HB 1186 Blue Star family member license plate.
HB 1187 Veteran service officers.
HB 1188 Education savings plan tax credit.

LEGISLATION BY MEMBER—2020

Coauthored
■ HB 1002 Teacher evaluations.
■ HB 1032 Interfering with public safety.
■ HB 1043 Firefighters and police officers.
■ HB 1091 Education benefits relating to military service.
■ HB 1157 Motor vehicle and criminal law issues.
HB 1318 Levee repair and agency wetland coordination.
HB 1384 Craft hemp flower.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 38 Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 43 Recognizing and honoring volunteer firefighters.
HCR 44 Recognizing teachers and the work they do.
HCR 51 Honoring the 250th anniversary of William Clark's birth.

Sponsored
■ SB 406 Survivor benefits.
SCR 59 Recognizing the French Lick Springs Hotel.

Cosponsored
SB 170 Mine reclamation tax credit.
■ SB 258 Firefighter safety.
SB 316 Collection of veteran status information.
■ SB 331 National guard license plates.
■ SB 343 Rural communications cooperatives.
■ SB 427 Provisional occupational license.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 52 Recognizing Virgil L. Beckerman.

Bartlett, John

Authored
HB 1138 Unlawful slating.
HB 1139 Pilot program to fund educational attainment.
HB 1140 Criminal justice study committee.
HB 1192 Seat belts on school buses.
HCR 12 Honoring the inductees of the Indiana Military Veterans Hall of Fame.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1104 Housing and community development authority.
■ HB 1143 Device implantation as a condition of employment.
HCR 2 Recognizing Prom Genie, Incorporated.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 29 Remembering Dr. Walter "Jerry" Watkins.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 4 Commemorating Dr. Martin Luther King Jr. Day.
HR 10 Celebrating Black History Month.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 29 To honor and congratulate the ladies of Zeta Phi Beta Sorority on the organization's 100th Anniversary.
HR 30 Recognizing Workers Memorial Day.
HR 40 Congratulating Bernice Bohannon on her 110th birthday.

Sponsored
SCR 29 Congratulating Cathedral High School's "We the People: The Citizen and the Constitution" team.

Cosponsored
SB 8 911 dispatchers.
■ SB 424 Address confidentiality program.
■ SB 427 Provisional occupational license.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Bauer, B Patrick

Authored
HB 1101 Ban on single use Styrofoam carryout containers.
HB 1102 Sales tax exemption for children's diapers.
HB 1105 Agricultural conservation easements.
HB 1278 Grandparent visitation.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1403 Waste tires.HCR11Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.

HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 41 Recognizing Katie Pourcho, 2020 Indiana Teacher of the Year.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 9 Honoring Ann Naughton.
HR 20 Urging the pursuit of policy that increases organ donor supply.
HR 30 Recognizing Workers Memorial Day.

Sponsored
SB 311 Coverage for PANDAS and PANS.

Cosponsored
■ SB 139 Adult guardianship services.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Beck, Lisa

Authored
HB 1213 Occupational health and safety.
HB 1214 Assistance for the payment of property tax refunds.
HB 1215 Education foundation tax credit.
HB 1216 Cannabis regulation.
HB 1354 School mental health funding.
HR 11 Recognizing Strack and Van Til on the occasion of their 91st Anniversary.
HR 30 Recognizing Workers Memorial Day.
HR 39 Recognizing Angel Millsap for winning the Mental Attitude and Leadership Award.
HR 51 Congratulating and honoring the Merrillville High School Choir.
HR 56 Memorializing Lake County Magistrate Nanette K. Raduenz.
HR 58 Congratulating Peoples Bank on the occasion of their 110th anniversary.
HR 59 Congratulating Mr. Jesse Mendez on his 2020 state championship title in wrestling.
HR 60 Honoring Jacob Maldonado.
HR 61 Urging the governor to proclaim May 2020 as Indiana Motherhood Month.
HR 68 Congratulating Crown Point Varsity hockey team.
HR 72 Congratulating Hobart Police Department Corporal Kevin Garber Jr. and K-9 Butch.

Coauthored
HB 1128 Tobacco issues.
HB 1332 Ambulatory surgical centers.
HCR 2 Recognizing Prom Genie, Incorporated.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 29 Remembering Dr. Walter "Jerry" Watkins.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 38 Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 16 Honoring the National Association of Women Business Owners of Indianapolis.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
SB 309 Employee misclassification.

Cosponsored
SB 202 Worker's compensation.
■ SB 302 Indigency determinations.
SB 435 Waiver of penalties and interest.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Behning, Robert

Authored
HB 1367 Teacher vacancy information.
HB 1368 Restrictions on smoking and vaping.
HB 1369 School resource officers.
■ HB 1419 Governor's workforce cabinet.
HB 1428 High school graduation requirements.
HR 12 Honoring Representative Dave Frizzell.
HR 31 Honoring State Representative Woody Burton.

Coauthored
■ HB 1066 Various education matters.
■ HB 1153 Governor's workforce cabinet.
■ HB 1341 Students with disabilities.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 40 Recognizing dyslexia in Hoosier youth.

Sponsored
SB 223 Free Application for Federal Student Aid (FAFSA) requirements.

LEGISLATION BY MEMBER—2020

■ SB 295 Various education matters.
■ SB 346 Students with disabilities.
SB 455 Various education matters.
SCR 3 Memorializing Decatur Township Firefighter Lieutenant Tracy Hayden.
SCR 25 Congratulating Adam Ferguson.

Cosponsored
■ SB 319 Practitioner or accomplished practitioner license.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Borders, Bruce

Authored
HB 1323 Grandparent and great-grandparent rights.
HB 1324 Ordinance enforcement.
HB 1416 Religious freedom restoration.
HB 1417 Individual adjusted gross income tax rates.
HB 1421 Information or performances harmful to minors.

Coauthored
■ HB 1267 Withdrawal of candidates.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 9 Honoring Ann Naughton.

Bosma, Brian

Authored
■ HB 1022 Panhandling.
HCR 1 Allowing the House and Senate to adjourn and recess separately throughout the Second Regular Session.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 47 Honoring students from Norwell Middle School in Ossian, Indiana, as the National Champions of the Future City Competition.
HR 12 Honoring Representative Dave Frizzell.
HR 27 Honoring State Representative Ronald Bacon.
HR 31 Honoring State Representative Woody Burton.
HR 34 Honoring State Representative David Wolkins.
HR 43 Honoring State Representative B. Patrick Bauer.

Sponsored
SCR 5 Recognizing the 21st Century Scholars Program.
SCR 39 Congratulating the Bishop Chatard H.S. Trojans football team.
SCR 54 Fixing the date for the Second Regular Technical Session of the One Hundred Twenty First General Assembly.

Cosponsored
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 51 Honoring Judge John G. Baker.

Boy, Pat

Authored
HB 1056 Parental notice of juvenile arrest at school.
HB 1057 Detention of juveniles charged as adults.
HB 1058 Voting preregistration for 16 and 17 year olds.
HB 1257 Notice of environmental contamination.
HB 1320 Definition of "bias crime".

Coauthored
■ HB 1015 Rights of professional firefighters.
HB 1051 Straight ticket voting.
■ HB 1096 Technical corrections.
■ HB 1099 Low head dams.
HB 1162 Wage history and wage range inquiries.
HB 1222 Miscellaneous election law matters.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 11 Recognizing Strack and Van Til on the occasion of their 91st Anniversary.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.

HR 30 Recognizing Workers Memorial Day.

Cosponsored
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 40 Honoring the League of Women Voters.

Brown, Timothy

Authored
■ HB 1007 Fiscal matters.
HR 55 Honoring Speaker Brian C. Bosma upon his retirement from the Indiana House of Representatives.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 40 Recognizing dyslexia in Hoosier youth.

Sponsored
SB 292 County option circuit breaker tax credit.
■ SB 350 Central Indiana regional development authority.
■ SB 383 Reporting on MBE and WBE contracting goals.
■ SB 408 Various tax matters.
SCR 10 Congratulating the Western Boone H.S. football team.

Cosponsored
SB 170 Mine reclamation tax credit.
SB 416 Gary Community School Corporation.
■ SB 427 Provisional occupational license.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Burton, Woody

Authored
HB 1029 Secure firearms storage for dealers.
HB 1030 Membership in the 1977 fund.
HB 1149 Dental screenings and services in schools.
■ HB 1165 Municipally owned utilities.
■ HB 1353 Financial institutions and consumer credit.
HCR 40 Recognizing dyslexia in Hoosier youth.

Coauthored
HB 1019 Special death benefit for police and firefighters.
HB 1085 Delinquent sewer fees.
HB 1088 School athletics.
HB 1191 Land contracts.
■ HB 1341 Students with disabilities.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HR 20 Urging the pursuit of policy that increases organ donor supply.
HR 57 Congratulating Richard A. Arkanoff, the second.

Sponsored
■ SB 10 Pension matters.
SB 12 Resident tuition rate for active duty personnel.
SB 131 National motto in schools.
■ SB 181 Survivors' benefits.
■ SB 216 Disclosure of personal information to offender.
■ SB 230 Leasing of local unit property.
■ SB 395 Uniform Consumer Credit Code.

Cosponsored
SB 263 Specialized weapons training.
SB 327 Reporting of consumer loans by unlicensed lenders.
■ SB 346 Students with disabilities.
■ SB 358 Business associations of real estate agents.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Campbell, Chris

Authored
HB 1083 Driving cards.
HB 1084 Newborn screening for cytomegalovirus.
HB 1155 Transportation for Medicaid presumptive eligible.
HB 1156 Sales tax holiday.
HB 1427 Paid family and medical leave program.
HCR 9 Recognizing Abby Mills as the 2019 All-American Soap Box Derby world champion in the rally Masters division.
HCR 48 Recognizing landscape architects.
HR 8 Recognizing the month of April each year as Genocide Awareness and Prevention Month.
HR 13 Congratulating Mr. Joe Micon on the occasion of his retirement.
HR 24 Remembering Ernest Vernon Beck.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1045 Honor and Remember flag.
HB 1160 Consent.
HB 1161 Sexual battery.
HB 1192 Seat belts on school buses.
HB 1200 Exotic or dangerous wild animals.
HB 1228 Net metering.
HB 1390 Epilepsy foundation trust license plate.

HB 1391 Retired law enforcement officers and firearms.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 23 Congratulating the 2019 Lafayette Central Catholic High School football team.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 9 Honoring Ann Naughton.
HR 16 Honoring the National Association of Women Business Owners of Indianapolis.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 30 Recognizing Workers Memorial Day.

Cosponsored
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Candelaria Reardon, Mara

Authored
HB 1268 Animal abuse registry.
HB 1269 Lottery game for veteran programs.
HB 1270 Lewd touching.
HB 1271 Removal of elected officials.
HB 1272 Coverage for ectodermal dysplasia treatment.
HR 25 Recognizing and honoring Mr. Richard Morrisroe.
HR 62 Recognizing the Munster High School boys swim team.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
HB 1020 End of life options.
■ HB 1070 Distracted driving.
■ HB 1095 Contracts for emergency road repairs.
■ HB 1218 Locating underground utility infrastructure.
HCR 2 Recognizing Prom Genie, Incorporated.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 29 Remembering Dr. Walter "Jerry" Watkins.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 11 Recognizing Strack and Van Til on the occasion of their 91st Anniversary.
HR 16 Honoring the National Association of Women Business Owners of Indianapolis.
HR 28 Honoring State Representative Karlee D. Macer.
HR 30 Recognizing Workers Memorial Day.
HR 32 Honoring State Representative Dan Forestal.
HR 43 Honoring State Representative B. Patrick Bauer.

Cosponsored
■ SB 257 Aviation safety.

Carbaugh, Martin

Authored
HB 1008 Occupational license endorsement.
HB 1281 Small claims court jurisdictional limits.
■ HB 1301 Deployment of truck safety technology.
HB 1331 Ticket sales.
■ HB 1372 Various insurance matters.
HR 9 Honoring Ann Naughton.
HR 71 Recognizing the Vietnam Wall Memorial.

Coauthored
HB 1001 School accountability.
■ HB 1004 Health matters.
HB 1005 Health and insurance matters.
HB 1019 Special death benefit for police and firefighters.
HB 1115 Physician noncompete agreements.
HB 1130 Leave for miscarriages.
HB 1332 Ambulatory surgical centers.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 15 Urging the Indiana Department of Transportation to rename a bridge on U.S. Route 27 in Fort Wayne as the "Fort Wayne Veterans Memorial Bridge".
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 20 Urging the pursuit of policy that increases organ donor supply.
HR 30 Recognizing Workers Memorial Day.

Sponsored
■ SB 180 Public employees deferred compensation plan.

SB 327 Reporting of consumer loans by unlicensed lenders.
SB 437 Credit card payments for charity gaming.
SCR 21 Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
SCR 35 Congratulating the Fort Wayne Concordia Lutheran H.S. boys cross country team.
SCR 45 Recognizing Indiana Arts Education Day at the Statehouse.
SCR 53 Recognizing the significance of the construction of the Vietnam Memorial Wall at the Veterans National Memorial Shrine and Museum in Fort Wayne, Indiana.

Cosponsored
■ SB 2 School accountability.
■ SB 184 Nonprofit agricultural organization coverage.
■ SB 237 Care of city police officers and firefighters.
SB 244 Teacher supplemental pay.
SB 324 Micro market and vending machine fees.
SB 337 Various insurance and health care matters.
SCR 17 Congratulating Erin Strzelecki.
SCR 18 Congratulating the Ft. Wayne Bishop Dwenger H.S. cheerleading team.
SCR 56 Honoring Dr. Wendy Robinson.
SCR 58 Honoring Sister M. Elise Kriss.

Cherry, Robert

Authored
HB 1202 Fire and emergency medical service levies.
HB 1203 Veteran property tax matters.
HB 1204 Education matters.
HB 1205 Smoking and vaping restrictions.
HB 1206 Donation of income tax refund for cancer research.
HCR 24 Congratulating the New Palestine High School football team.
HCR 26 Congratulating the New Palestine High School softball team.
HCR 27 Recognizing Charlie Spegal.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1007 Fiscal matters.
■ HB 1014 State museum and historic sites corporation.
■ HB 1045 Honor and Remember flag.
■ HB 1052 Pulaski County local income tax.
■ HB 1059 Sales tax on recreational vehicles.
HB 1194 Railroad track crossings.
HB 1347 Bureau of motor vehicles.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
SB 66 Donation of income tax refund for cancer research.
SB 115 Deduction for certain residential property.
SCR 42 Congratulating the Greenfield Central Cougar Pride Marching Band.
SCR 67 Congratulating the Mt. Vernon H.S. (Fortville) girls soccer team.

Cosponsored
■ SB 109 Statute of limitations.
■ SB 229 Maintenance of regulated drains.
■ SB 273 Indiana behavioral health commission.
SB 320 Withholding tax remittance.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Chyung, Chris

Authored
HB 1012 Repeal of housing restriction on local government.
HB 1238 Surveillance technology impact and use policy.
HB 1239 Territorial application of the UCCC.
HB 1240 Cybersecurity training program.
HJR 1 Minimum age requirements for legislators.
HR 33 Congratulating Munster High School on placing second in the IHSAA doubles final in 2019.
HR 38 Congratulating Lake Central's boys soccer team for winning class 3A semistate.
HR 46 Honoring Chief Dennis Zagrocki of the Schererville Police Department for four decades of service.
HR 48 Memorializing Young-Hee Yedinak.
HR 52 Recognizing the Korean American Association of Indiana.
HR 53 Recognizing the Sasakawa Peace Foundation and the US-Japan Council.
HR 54 Recognizing the Consulate General of the Republic of Korea in Chicago.
HR 67 Congratulating Lake Central White hockey team.

Coauthored
■ HB 1353 Financial institutions and consumer credit.
■ HB 1370 Regional redevelopment.

HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 29 Remembering Dr. Walter "Jerry" Watkins.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 11 Recognizing Strack and Van Til on the occasion of their 91st Anniversary.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 30 Recognizing Workers Memorial Day.

Cosponsored
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Clere, Edward

Authored
■ HB 1104 Housing and community development authority.
■ HB 1176 First steps program.
■ HB 1182 HIV, fatality reviews, and syringe exchange programs.
HB 1191 Land contracts.
■ HB 1199 Palliative care.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
HB 1042 Pharmacy benefit managers.
■ HB 1045 Honor and Remember flag.
HB 1060 Regulation of building materials.
■ HB 1065 Various tax matters.
■ HB 1067 Dental hygienists.
HB 1116 Drug information reporting.
HB 1126 School board member training.
HB 1311 Gift package permit.
■ HB 1341 Students with disabilities.
HB 1368 Restrictions on smoking and vaping.
HB 1369 School resource officers.
HB 1373 Veterans service officers and video gaming.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HCR 51 Honoring the 250th anniversary of William Clark's birth.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
SB 62 Psychotropic medication in foster care study committee topic.
SB 291 Law enforcement officers and handguns in a casino.
SB 355 Psychology interjurisdictional compact.

Cosponsored
SB 4 Health programs.
SB 123 Affordable and workforce housing incentives.
SB 192 Inpatient mental health care for Medicaid children.
SB 223 Free Application for Federal Student Aid (FAFSA) requirements.
■ SB 241 Pharmacy benefit managers.
■ SB 295 Various education matters.
SB 312 Parents with a disability.
■ SB 335 Criminal law issues.
■ SB 346 Students with disabilities.
■ SB 358 Business associations of real estate agents.
SB 425 School corporation disannexation.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Cook, Anthony

Authored
■ HB 1002 Teacher evaluations.
HB 1069 Judicial officers and public safety officials.
■ HB 1090 Assumption of care of cemeteries.
■ HB 1091 Education benefits relating to military service.
HB 1181 Gift certificates and store gift cards.
HR 6 Urging a study of the taxes on retirement funds for World War II veterans.
HR 15 Honoring John Bundy.

Coauthored
■ HB 1003 Education matters.
■ HB 1006 Minimum age to marry and emancipation of minors.
HB 1175 Common school fund advances.
■ HB 1182 HIV, fatality reviews, and syringe exchange programs.
HB 1192 Seat belts on school buses.
HB 1204 Education matters.
HB 1321 Twenty-first century scholars program.
HB 1322 Mental and behavioral health matters.
HB 1330 Return of lost pets to owners.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.

HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 41 Recognizing Katie Pourcho, 2020 Indiana Teacher of the Year.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
SB 64 Indiana youth service program.
■ SB 139 Adult guardianship services.
SB 183 Study committee review of food and beverage taxes.
■ SB 246 Mental health services.
SB 425 School corporation disannexation.
SCR 37 Honoring Bobby Cox.

Cosponsored
SB 69 Possession of firearms on school property.
SB 289 Family and juvenile law matters.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 13 Congratulating the Noblesville H.S. girls soccer team.

Davisson, Steven

Authored
HB 1042 Pharmacy benefit managers.
■ HB 1043 Firefighters and police officers.
HB 1125 Community use of school kitchens.
HB 1126 School board member training.
■ HB 1207 Pharmacy matters.
HCR 33 Recognizing the 2019 Salem High School marching band.
HCR 46 Honoring Greg McCurdy on his selection as the 2019 Indiana Small and Rural Schools Teacher of the Year.

Coauthored
■ HB 1090 Assumption of care of cemeteries.
HB 1116 Drug information reporting.
HB 1141 Birth control prescriptions.
HB 1318 Levee repair and agency wetland coordination.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
■ SB 21 Out-of-state prescriptions.

Cosponsored
SB 62 Psychotropic medication in foster care study committee topic.
SB 142 Medicaid reimbursement for schools.
SB 192 Inpatient mental health care for Medicaid children.
■ SB 241 Pharmacy benefit managers.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SCR 47 Congratulating Michael Cleveland.
SCR 55 Congratulating Michael Cleveland.
SCR 59 Recognizing the French Lick Springs Hotel.

DeLaney, Edward

Authored
HB 1306 Full faith and credit for tribal court orders.
HB 1328 Elimination of net metering phase out.
HB 1329 Veterans educational costs exemption.
HB 1363 Bicycle safety.
HCR 36 Recognizing the Indiana State Bar Association Leadership Development Academy.
HR 7 Urging Congress to repeal the federal requirement on standardized testing under the Every Student Succeeds Act.

Coauthored
■ HB 1003 Education matters.
HB 1021 Liens.
■ HB 1045 Honor and Remember flag.
■ HB 1091 Education benefits relating to military service.
■ HB 1096 Technical corrections.
HB 1121 Wholesale pricing of nonalcoholic beverages.
■ HB 1346 Jail overcrowding.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.

HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 30 Recognizing Workers Memorial Day.

Sponsored
SCR 60 Honoring Grant Monahan.

Cosponsored
■ SB 80 Code Revision Corrections.
■ SB 206 Deposition of a child victim.
■ SB 302 Indigency determinations.
■ SB 346 Students with disabilities.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 39 Congratulating the Bishop Chatard H.S. Trojans football team.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SCR 51 Honoring Judge John G. Baker.
SCR 52 Recognizing Virgil L. Beckerman.

DeVon, Dale

Authored
HB 1001 School accountability.
■ HB 1283 Teacher preparation program curriculum.
HB 1284 Modification of utility facilities.
HB 1295 Fire and building safety matters.
HB 1395 Tutoring for foster children and interim study.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1009 Various welfare matters.
■ HB 1045 Honor and Remember flag.
■ HB 1082 Various higher education matters.
■ HB 1176 First steps program.
■ HB 1218 Locating underground utility infrastructure.
HB 1249 Kinship care oversight committee.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
■ SB 2 School accountability.
SB 144 Kids first trust fund board subsidiary corporation.
SB 192 Inpatient mental health care for Medicaid children.
■ SB 238 Various human services matters.
SB 244 Teacher supplemental pay.
SB 259 Child services reports.

Cosponsored
■ SB 146 Sexual assault victims' rights.
■ SB 288 Anatomical gift through hunting, fishing or trapping license.
SB 289 Family and juvenile law matters.
■ SB 319 Practitioner or accomplished practitioner license.
SB 345 Interim study committee on child services.
SB 363 Interim study committee.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Deal, Ross

Authored
HB 1016 Special municipality recognition license plates.
HB 1258 Green alert for at-risk veterans.
HB 1259 Firearms and medical facilities.
HB 1260 Commission on migrant farmworkers.
HCR 20 Urging the study of constructing an inn at Potato Creek State Park.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 11 Recognizing Strack and Van Til on the occasion of their 91st Anniversary.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 30 Recognizing Workers Memorial Day.

Cosponsored
SB 309 Employee misclassification.
SB 425 School corporation disannexation.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

SCR 52 Recognizing Virgil L. Beckerman.

Dvorak, Ryan

Authored
HB 1338 PFAS in public water systems.
HB 1339 Redevelopment commission land purchases.
HB 1340 Repayment of federal student loans.
HJR 2 Indiana permanent fund.
HJR 3 Membership of the general assembly.

Coauthored
HB 1306 Full faith and credit for tribal court orders.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 30 Recognizing Workers Memorial Day.

Cosponsored
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Eberhart, Sean

Authored
HB 1282 Excess liability trust fund.
■ HB 1334 Radon mitigation.
HB 1384 Craft hemp flower.
■ HB 1385 Natural resources.
HB 1413 Assisted reproduction and gestational surrogacy.
HR 69 Honoring former State Representative Edmund M. Mahern.

Coauthored
■ HB 1099 Low head dams.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 24 Congratulating the New Palestine High School football team.
HCR 26 Congratulating the New Palestine High School softball team.
HCR 27 Recognizing Charlie Spegal.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.

Sponsored
SB 434 Private card games.
SB 435 Waiver of penalties and interest.

Cosponsored
SB 99 Study committee on invasive species.
SB 101 Wrongful death damages.
■ SB 288 Anatomical gift through hunting, fishing or trapping license.
SB 291 Law enforcement officers and handguns in a casino.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Ellington, Jeff

Authored
HB 1061 Subdividing land.
HB 1068 Certificates of title.
■ HB 1148 Board of accountancy.
HB 1266 Telephone solicitation.
HB 1325 Caller ID authentication.
HCR 50 Congratulating the Linton-Stockton High School girls basketball team for its Class 2A IHSAA championship win.

Coauthored
■ HB 1049 Business associations.
■ HB 1095 Contracts for emergency road repairs.
■ HB 1109 Telephone solicitation and consumer credit.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 17 Urging the Indiana Department of Transportation to rename the State Road 45 and 2nd Street bridge over I-69 the "Sarah Irene Haylett-Jones Memorial Bridge".
HCR 38 Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 20 Urging the pursuit of policy that increases organ donor supply.
HR 66 Congratulating the Loogootee High School girls basketball team.

Cosponsored
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 51 Honoring Judge John G. Baker.

Engleman, Karen

Authored
■ HB 1006 Minimum age to marry and emancipation of minors.

HB 1027 Township assessors.
HB 1294 Pregnancy and childbirth discrimination.
HB 1418 Minimum age to marry.

Coauthored
■ HB 1045 Honor and Remember flag.
■ HB 1096 Technical corrections.
HB 1348 State and local administration.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 51 Honoring the 250th anniversary of William Clark's birth.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
■ SB 424 Address confidentiality program.

Cosponsored
SB 62 Psychotropic medication in foster care study committee topic.
■ SB 109 Statute of limitations.
SB 291 Law enforcement officers and handguns in a casino.
SB 342 Pregnancy accommodation.
SB 363 Interim study committee.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Errington, Sue

Authored
HB 1160 Consent.
HB 1161 Sexual battery.
HB 1162 Wage history and wage range inquiries.
HB 1163 Medical marijuana.
HB 1164 Disclosure of child abuse and neglect reports.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1045 Honor and Remember flag.
HB 1226 Sales tax exemption for feminine hygiene products.
HB 1257 Notice of environmental contamination.
■ HB 1309 Department of environmental management.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 30 Recognizing Workers Memorial Day.

Sponsored
SCR 40 Honoring the League of Women Voters.

Cosponsored
■ SB 146 Sexual assault victims' rights.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Fleming, Rita

Authored
HB 1141 Birth control prescriptions.
HB 1311 Gift package permit.

Coauthored
■ HB 1067 Dental hygienists.
■ HB 1077 Professional licensing agency.
HB 1084 Newborn screening for cytomegalovirus.
■ HB 1094 Substance use prevention and recovery.
■ HB 1129 Infant screening.
HB 1130 Leave for miscarriages.
■ HB 1174 Youth helmet safety.
■ HB 1182 HIV, fatality reviews, and syringe exchange programs.
HB 1185 Prescription drug donation repositories.
HB 1191 Land contracts.
■ HB 1199 Palliative care.
■ HB 1209 Reimbursement for emergency medical services.
■ HB 1210 Various health matters.
HB 1227 Supplemental fee on electric and hybrid vehicles.
HB 1232 Interstate compact on curing diseases.
HB 1294 Pregnancy and childbirth discrimination.
■ HB 1326 Community mental health centers.
HB 1427 Paid family and medical leave program.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.

HCR 44 Recognizing teachers and the work they do.
HCR 51 Honoring the 250th anniversary of William Clark's birth.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 16 Honoring the National Association of Women Business Owners of Indianapolis.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 20 Urging the pursuit of policy that increases organ donor supply.
HR 30 Recognizing Workers Memorial Day.

Cosponsored
SB 62 Psychotropic medication in foster care study committee topic.
■ SB 78 Shovel ready site development center.
SB 171 Clarksville food and beverage tax.
SB 192 Inpatient mental health care for Medicaid children.
■ SB 239 Coverage for breast prostheses.
■ SB 288 Anatomical gift through hunting, fishing or trapping license.
■ SB 410 Libraries.
SCR 33 Honoring Hoosier long-term care professionals.
SCR 47 Congratulating Michael Cleveland.
SCR 55 Congratulating Michael Cleveland.

Forestal, Dan

Authored
HB 1407 Farm winery sale of beer.
HB 1408 Government fraud hotline.
HB 1409 Credit reporting for consumers under medical care.
HB 1410 Natural resources foundation.

Coauthored
HB 1013 Disposal of property acquired by tax default.
■ HB 1094 Substance use prevention and recovery.
■ HB 1189 Use of firefighting foam containing PFAS.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.

Frye, Randall

Authored
HB 1172 Income tax exemption for military pay.
■ HB 1173 Indiana department of veterans' affairs.
■ HB 1174 Youth helmet safety.
HB 1175 Common school fund advances.
■ HB 1346 Jail overcrowding.
HCR 16 Memorializing Marine Corporal John C. Bishop.
HCR 43 Recognizing and honoring volunteer firefighters.
HR 21 Honoring Mr. William Rowlett.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1015 Rights of professional firefighters.
■ HB 1032 Interfering with public safety.
■ HB 1043 Firefighters and police officers.
■ HB 1045 Honor and Remember flag.
■ HB 1063 Public safety officer death benefits.
■ HB 1120 Community corrections and credit time.
■ HB 1151 School resource officers.
■ HB 1189 Use of firefighting foam containing PFAS.
HB 1193 Marion County fire consolidation.
■ HB 1198 Public safety matters.
■ HB 1246 Automotive dealer services.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 34 Memorializing Lance Corporal Jacky Ray Koenig Jr., United States Marine Corps.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 42 Honoring Indiana's women veterans.
HCR 51 Honoring the 250th anniversary of William Clark's birth.

Sponsored
■ SB 25 Mental health disability review panels.
SB 72 Hyperbaric oxygen treatment pilot program.
■ SB 132 Department of homeland security.
■ SB 258 Firefighter safety.
■ SB 307 National guard life insurance program.
SCR 65 Recognizing Matthew Clifford.

Cosponsored
■ SB 257 Aviation safety.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

LEGISLATION BY MEMBER—2020

GiaQuinta, Philip

Authored

HB 1425	Absentee voting.
HB 1426	Secured school fund grants.
HCR 15	Urging the Indiana Department of Transportation to rename a bridge on U.S. Route 27 in Fort Wayne as the "Fort Wayne Veterans Memorial Bridge".
HR 26	Honoring State Representative Mara Candelaria Reardon.
HR 28	Honoring State Representative Karlee D. Macer.
HR 32	Honoring State Representative Dan Forestal.
HR 43	Honoring State Representative B. Patrick Bauer.

Coauthored

■ HB 1045	Honor and Remember flag.
HB 1197	Wake boating.
HCR 1	Allowing the House and Senate to adjourn and recess separately throughout the Second Regular Session.
HCR 5	To convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.
HCR 6	To convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.
HCR 11	Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30	Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37	Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40	Recognizing dyslexia in Hoosier youth.
HCR 44	Recognizing teachers and the work they do.
HR 1	Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 18	Concerning the protection and conservation of Indiana's natural heritage.
HR 20	Urging the pursuit of policy that increases organ donor supply.
HR 27	Honoring State Representative Ronald Bacon.
HR 30	Recognizing Workers Memorial Day.
HR 34	Honoring State Representative David Wolkins.
HR 36	Honoring those who have served as legislative interns for the House of Representatives during the Second Regular Session of the 121st Indiana General Assembly.

Sponsored

SCR 56	Honoring Dr. Wendy Robinson.

Cosponsored

SCR 7	Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 53	Recognizing the significance of the construction of the Vietnam Memorial Wall at the Veterans National Memorial Shrine and Museum in Fort Wayne, Indiana.
SCR 58	Honoring Sister M. Elise Kriss.

Goodin, Terry

Authored

HB 1253	Violations of wildlife protection laws.
HB 1303	Clark County courts.
HB 1350	Meat, poultry, and dairy labeling.

Coauthored

HB 1175	Common school fund advances.
HB 1204	Education matters.
HB 1318	Levee repair and agency wetland coordination.
HB 1367	Teacher vacancy information.
HB 1397	Disposal of motor vehicles.
HCR 11	Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30	Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 38	Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 40	Recognizing dyslexia in Hoosier youth.
HCR 44	Recognizing teachers and the work they do.
HCR 51	Honoring the 250th anniversary of William Clark's birth.
HR 4	Commemorating Dr. Martin Luther King Jr. Day.
HR 10	Celebrating Black History Month.
HR 18	Concerning the protection and conservation of Indiana's natural heritage.
HR 30	Recognizing Workers Memorial Day.

Sponsored

SCR 47	Congratulating Michael Cleveland.
SCR 55	Congratulating Michael Cleveland.

Cosponsored

■ SB 80	Code Revision Corrections.
■ SB 273	Indiana behavioral health commission.
SB 291	Law enforcement officers and handguns in a casino.
■ SB 307	National guard life insurance program.
SCR 7	Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 37	Honoring Bobby Cox.

LEGISLATION BY MEMBER—2020

Goodrich, Chuck

Authored

■ HB 1009 Various welfare matters.
■ HB 1063 Public safety officer death benefits.
HB 1074 Fair and open competition for public works projects.
HB 1086 Reservist tuition supplement program.
■ HB 1153 Governor's workforce cabinet.
HCR 42 Honoring Indiana's women veterans.

Coauthored

HB 1038 Hamilton County magistrate.
HB 1175 Common school fund advances.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 20 Urging the pursuit of policy that increases organ donor supply.
HR 30 Recognizing Workers Memorial Day.

Sponsored

SCR 13 Congratulating the Noblesville H.S. girls soccer team.

Cosponsored

SB 183 Study committee review of food and beverage taxes.
■ SB 307 National guard life insurance program.
■ SB 409 Employment of minors.

Gutwein, Doug

Authored

■ HB 1052 Pulaski County local income tax.
■ HB 1081 Commission for supplier diversity.
HB 1347 Bureau of motor vehicles.
HB 1348 State and local administration.
HB 1373 Veterans service officers and video gaming.
HR 34 Honoring State Representative David Wolkins.

Coauthored

■ HB 1045 Honor and Remember flag.
■ HB 1129 Infant screening.
HB 1142 Uniform county innkeeper's tax revenue.
HB 1203 Veteran property tax matters.
HB 1366 Industrial waste.
HB 1404 Golden Hoosier passports for disabled veterans.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 38 Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 40 Recognizing dyslexia in Hoosier youth.

Sponsored

■ SB 366 Kankakee River and Yellow River development.
SCR 4 Memorializing Deputy Shadron K. Bassett and urging INDOT to name a mile of SR 39 the "Deputy Shadron K. Bassett Memorial Mile".

Cosponsored

SCR 52 Recognizing Virgil L. Beckerman.

Hamilton, Carey

Authored

HB 1226 Sales tax exemption for feminine hygiene products.
HB 1227 Supplemental fee on electric and hybrid vehicles.
HB 1228 Net metering.
HB 1330 Return of lost pets to owners.
HB 1415 Regulated drains and environmental concerns.
HCR 49 Honoring Futsum Zienasellassie.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 65 Standing in solidarity with Indiana's Jewish community.

Coauthored

■ HB 1049 Business associations.
HB 1215 Education foundation tax credit.
■ HB 1309 Department of environmental management.
HB 1337 Notification of water utilities and water treatment plants.
HB 1338 PFAS in public water systems.
■ HB 1353 Financial institutions and consumer credit.
HB 1425 Absentee voting.
HB 1427 Paid family and medical leave program.
HB 1429 Work sharing.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 30 Recognizing Workers Memorial Day.

LEGISLATION BY MEMBER—2020

Cosponsored
■ SB 139 Adult guardianship services.
SB 144 Kids first trust fund board subsidiary corporation.
■ SB 358 Business associations of real estate agents.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 40 Honoring the League of Women Voters.

Harris, Earl

Authored
HB 1018 Student hunger and homelessness.
HB 1019 Special death benefit for police and firefighters.
HB 1025 Resident tuition for eligible individuals.
HB 1026 Tuition caps.
HB 1044 Municipal lakefront development projects.
HR 64 Recognizing "Farmworkers Awareness Week", Cesar Chavez, and the work of Proteus, Inc.

Coauthored
HB 1030 Membership in the 1977 fund.
■ HB 1063 Public safety officer death benefits.
HB 1071 Property tax refunds.
■ HB 1081 Commission for supplier diversity.
HB 1083 Driving cards.
■ HB 1166 State commission and board meetings.
■ HB 1265 Drinking water testing.
HB 1279 Local transportation projects.
HCR 2 Recognizing Prom Genie, Incorporated.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 29 Remembering Dr. Walter "Jerry" Watkins.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 4 Commemorating Dr. Martin Luther King Jr. Day.
HR 10 Celebrating Black History Month.
HR 11 Recognizing Strack and Van Til on the occasion of their 91st Anniversary.
HR 29 To honor and congratulate the ladies of Zeta Phi Beta Sorority on the organization's 100th Anniversary.
HR 30 Recognizing Workers Memorial Day.
HR 40 Congratulating Bernice Bohannon on her 110th birthday.

Sponsored
SB 416 Gary Community School Corporation.

Cosponsored
SB 214 Testing of school drinking water for lead.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Hatcher, Ragen

Authored
HB 1355 Marital violence victims.
HB 1356 Student assessment and accountability.
HB 1357 Independent testing of Lake Michigan water.
HB 1358 Residency of public safety officers.
HB 1359 Medical cannabis pilot program.

Coauthored
HCR 2 Recognizing Prom Genie, Incorporated.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 29 Remembering Dr. Walter "Jerry" Watkins.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 4 Commemorating Dr. Martin Luther King Jr. Day.
HR 10 Celebrating Black History Month.
HR 11 Recognizing Strack and Van Til on the occasion of their 91st Anniversary.
HR 29 To honor and congratulate the ladies of Zeta Phi Beta Sorority on the organization's 100th Anniversary.
HR 30 Recognizing Workers Memorial Day.
HR 40 Congratulating Bernice Bohannon on her 110th birthday.

Sponsored
SCR 62 Honoring Haywood and Fleming Associates.

Cosponsored
SB 416 Gary Community School Corporation.
SB 435 Waiver of penalties and interest.
SCR 51 Honoring Judge John G. Baker.

Hatfield, Ryan

Authored
■ HB 1157 Motor vehicle and criminal law issues.
HB 1158 Minimum teacher salary.
HB 1337 Notification of water utilities and water treatment plants.
HB 1429 Work sharing.
HB 1430 Elimination of textbook fees.

Coauthored
HB 1076 Summons to appear for a misdemeanor.
■ HB 1109 Telephone solicitation and consumer credit.
HB 1132 Criminal and juvenile law matters.
■ HB 1148 Board of accountancy.
HB 1186 Blue Star family member license plate.
HB 1234 Film and media production rebate.
HB 1317 Health care advance directive.
■ HB 1346 Jail overcrowding.
HCR 11 Urging the creation of a Medal of Honor

Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HCR 51 Honoring the 250th anniversary of William Clark's birth.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 22 Remembering Dr. David L. Rice.
HR 30 Recognizing Workers Memorial Day.

Sponsored
SCR 8 Congratulating the Evansville Reitz Memorial H.S. football team.
SCR 9 Congratulating the Evansville Reitz Memorial H.S. boys soccer team.
SCR 68 Recognizing Judge Robert J. Tornatta.

Cosponsored
■ SB 246 Mental health services.
■ SB 254 Water and wastewater utilities.
■ SB 255 Insulin drugs.
SB 262 Film and media production incentives.
■ SB 273 Indiana behavioral health commission.
SCR 51 Honoring Judge John G. Baker.

Heaton, Robert

Authored
■ HB 1049 Business associations.
■ HB 1082 Various higher education matters.
HCR 10 Honoring Angus J. Nicoson.

Coauthored
■ HB 1045 Honor and Remember flag.
■ HB 1353 Financial institutions and consumer credit.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 17 Urging the Indiana Department of Transportation to rename the State Road 45 and 2nd Street bridge over I-69 the "Sarah Irene Haylett-Jones Memorial Bridge".
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 9 Honoring Ann Naughton.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
SB 205 Medical payment coverage.

Cosponsored
SB 66 Donation of income tax refund for cancer research.
SB 327 Reporting of consumer loans by unlicensed lenders.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Heine, Dave

Authored
HB 1273 Carrying firearms on school property.
HB 1274 Heritage commerce district.
HB 1275 Child services funding.
HB 1276 Sentencing.
HB 1277 Local income tax council procedures.
HCR 18 Urging the Indiana Department of Transportation to rename a portion of State Road 930 in honor of service members who fought and served during Operation Enduring Freedom.

Coauthored
■ HB 1065 Various tax matters.
■ HB 1131 Utility matters.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 15 Urging the Indiana Department of Transportation to rename a bridge on U.S. Route 27 in Fort Wayne as the "Fort Wayne Veterans Memorial Bridge".
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HR 30 Recognizing Workers Memorial Day.

Sponsored
SB 264 Certified technology parks.
SB 443 Traffic control.

Cosponsored
■ SB 267 Administration of 211 services.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 56 Honoring Dr. Wendy Robinson.
SCR 58 Honoring Sister M. Elise Kriss.

Hostettler, Matt

Authored
HB 1145 Gibson and Hamilton County courts.
HB 1146 Health care service cost.

■ HB 1267 Withdrawal of candidates.
■ HB 1343 New Harmony and Wabash River bridge authority.

Coauthored
HB 1171 IREAD 3.
■ HB 1414 Electric generation.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 23 Recognizing the 2019 Mater Dei High School varsity girls soccer team.

Sponsored
SB 170 Mine reclamation tax credit.
SCR 52 Recognizing Virgil L. Beckerman.

Huston, Todd

Authored
HB 1412 Local income tax distributions.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1007 Fiscal matters.
■ HB 1009 Various welfare matters.
HB 1121 Wholesale pricing of nonalcoholic beverages.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 55 Honoring Speaker Brian C. Bosma upon his retirement from the Indiana House of Representatives.

Cosponsored
■ SB 1 Tobacco and vaping smoking age.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Jackson, Carolyn

Authored
HB 1033 Railroad crossings.
HB 1034 Equal pay; wage disclosure protection.
HB 1123 Short term rentals.
HB 1124 Ban on sale of flavored tobacco.
■ HB 1265 Drinking water testing.
HCR 2 Recognizing Prom Genie, Incorporated.
HCR 29 Remembering Dr. Walter "Jerry" Watkins.

Coauthored
HB 1027 Township assessors.
HB 1031 The Lake Michigan shore.
HB 1035 Removal of a county elected officer.
HB 1061 Subdividing land.
HB 1076 Summons to appear for a misdemeanor.
HB 1249 Kinship care oversight committee.
■ HB 1392 Physician assistants and nurses.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 4 Commemorating Dr. Martin Luther King Jr. Day.
HR 10 Celebrating Black History Month.
HR 11 Recognizing Strack and Van Til on the occasion of their 91st Anniversary.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 29 To honor and congratulate the ladies of Zeta Phi Beta Sorority on the organization's 100th Anniversary.
HR 30 Recognizing Workers Memorial Day.
HR 40 Congratulating Bernice Bohannon on her 110th birthday.

Sponsored
SB 214 Testing of school drinking water for lead.

Cosponsored
■ SB 267 Administration of 211 services.
■ SB 430 Reservoir conservancy districts.

Jordan, Jack

Authored
■ HB 1003 Education matters.
HB 1179 Unlawful surveillance of another's dwelling.

Coauthored
■ HB 1059 Sales tax on recreational vehicles.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.

Sponsored
SB 266 Teacher training.
■ SB 319 Practitioner or accomplished practitioner license.
■ SB 398 Various education matters.

SCR 31 Congratulating the Bremen H.S. softball team.

Cosponsored
SB 54 Railroad crossings.
■ SB 256 Courts and judicial officers.
SB 425 School corporation disannexation.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 15 Urging the establishment of the Office of Outdoor Recreation Development.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.

Judy, Chris

Authored
HB 1195 Regulation of hemp production.
HB 1196 Child custody and parenting time.
HB 1361 Education matters.
HB 1362 Various military and veterans matters.
HCR 21 Recognizing the Whitley County Chamber of Commerce for 100 years of service.
HCR 45 Honoring Eugene Heckman.
HR 5 Urging the legislative council to assign to the appropriate committee the topic of Fair Tax at the state level.
HR 50 Recognizing and congratulating Whitko High School artists.

Coauthored
■ HB 1080 Colorectal cancer testing.
HB 1088 School athletics.
■ HB 1091 Education benefits relating to military service.
HB 1115 Physician noncompete agreements.
■ HB 1143 Device implantation as a condition of employment.
■ HB 1173 Indiana department of veterans' affairs.
HB 1187 Veteran service officers.
HB 1247 Business residency requirements.
HB 1388 Education benefits related to military service.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 15 Urging the Indiana Department of Transportation to rename a bridge on U.S. Route 27 in Fort Wayne as the "Fort Wayne Veterans Memorial Bridge".
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 42 Honoring Indiana's women veterans.
HR 6 Urging a study of the taxes on retirement funds for World War II veterans.
HR 9 Honoring Ann Naughton.

Sponsored
SB 263 Specialized weapons training.
■ SB 331 National guard license plates.
SCR 58 Honoring Sister M. Elise Kriss.

Cosponsored
■ SB 132 Department of homeland security.
■ SB 237 Care of city police officers and firefighters.
■ SB 307 National guard life insurance program.
SB 316 Collection of veteran status information.
■ SB 334 Election matters.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SCR 52 Recognizing Virgil L. Beckerman.
SCR 53 Recognizing the significance of the construction of the Vietnam Memorial Wall at the Veterans National Memorial Shrine and Museum in Fort Wayne, Indiana.

Karickhoff, Michael

Authored
HB 1234 Film and media production rebate.
■ HB 1235 Public safety.
HB 1236 Prohibition on risk based managed care programs.
HB 1237 Medicaid reimbursement for schools.
HCR 38 Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HR 42 Urging the Legislative Council to assign to an appropriate study committee the topic of the potential dangers of cyber hacking and ransomware attacks on state and local governments as well as the crea

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
HB 1042 Pharmacy benefit managers.
■ HB 1070 Distracted driving.
HB 1100 Local government matters.
HB 1232 Interstate compact on curing diseases.
HB 1311 Gift package permit.
HB 1330 Return of lost pets to owners.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.

Sponsored
SB 67 Township homeless assistance.
SB 142 Medicaid reimbursement for schools.
SB 171 Clarksville food and beverage tax.
SB 262 Film and media production incentives.

Cosponsored
SB 309 Employee misclassification.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Kirchhofer, Cindy

Authored
HB 1193 Marion County fire consolidation.
■ HB 1209 Reimbursement for emergency medical services.
HB 1317 Health care advance directive.
■ HB 1326 Community mental health centers.

Coauthored
HB 1001 School accountability.
■ HB 1243 Genetic counselors.
HB 1336 Telemedicine.
HB 1368 Restrictions on smoking and vaping.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 9 Honoring Ann Naughton.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
■ SB 1 Tobacco and vaping smoking age.
SB 4 Health programs.
■ SB 19 Electronic technology for ophthalmic prescriptions.
SB 208 Compliance with coverage parity requirements.
■ SB 255 Insulin drugs.
■ SB 273 Indiana behavioral health commission.
SB 342 Pregnancy accommodation.

Cosponsored
■ SB 2 School accountability.
SB 3 Health care provider billing.
■ SB 5 Health provider contracts.
■ SB 21 Out-of-state prescriptions.
■ SB 61 EMS personnel licensure interstate compact.
■ SB 206 Deposition of a child victim.
SB 311 Coverage for PANDAS and PANS.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.

Klinker, Sheila

Authored
HB 1387 Tax credit for medical school clinical faculty.
HB 1388 Education benefits related to military service.
HB 1389 Taxation of military personnel deployed overseas.
HB 1390 Epilepsy foundation trust license plate.
HB 1391 Retired law enforcement officers and firearms.
HCR 23 Congratulating the 2019 Lafayette Central Catholic High School football team.

Coauthored
■ HB 1014 State museum and historic sites corporation.
■ HB 1052 Pulaski County local income tax.
■ HB 1151 School resource officers.
■ HB 1153 Governor's workforce cabinet.
■ HB 1174 Youth helmet safety.
■ HB 1198 Public safety matters.
■ HB 1264 Child care background checks.
■ HB 1305 Graduation rate calculation.
■ HB 1403 Waste tires.
■ HB 1419 Governor's workforce cabinet.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 38 Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 41 Recognizing Katie Pourcho, 2020 Indiana Teacher of the Year.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 13 Congratulating Mr. Joe Micon on the occasion of his retirement.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 30 Recognizing Workers Memorial Day.
HR 43 Honoring State Representative B. Patrick Bauer.

Sponsored
SCR 43 Congratulating the Lafayette Jefferson H.S. Marching Band.

Cosponsored
■ SB 132 Department of homeland security.
SB 185 Sale of companion animals.
■ SB 256 Courts and judicial officers.
■ SB 258 Firefighter safety.
■ SB 319 Practitioner or accomplished practitioner license.
SB 342 Pregnancy accommodation.
■ SB 398 Various education matters.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.

Lauer, Ryan

Authored
■ HB 1129 Infant screening.
HB 1217 Emergency evictions.
HB 1333 Educational costs exemption.
HB 1345 Adoption for abandoned infants.
HB 1405 School employee communications.

Coauthored
HB 1027 Township assessors.
■ HB 1045 Honor and Remember flag.
■ HB 1109 Telephone solicitation and consumer credit.
HB 1181 Gift certificates and store gift cards.
HCR 8 Commemorating the centennial anniversary of Indiana ratifying the 19th Amendment.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 12 Honoring the inductees of the Indiana Military Veterans Hall of Fame.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 42 Honoring Indiana's women veterans.
HCR 43 Recognizing and honoring volunteer firefighters.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 4 Commemorating Dr. Martin Luther King Jr. Day.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
SB 363 Interim study committee.

Cosponsored
■ SB 132 Department of homeland security.
■ SB 197 Prohibited technology purchases.
■ SB 258 Firefighter safety.
SB 345 Interim study committee on child services.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 40 Honoring the League of Women Voters.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SCR 47 Congratulating Michael Cleveland.
SCR 55 Congratulating Michael Cleveland.

Lehe, Don

Authored
HB 1106 Resident tuition rate for nonresident veterans.
HB 1107 State fair board officer elections.
HB 1119 Regulation of pesticide use and application.
HB 1293 Hemp.
HB 1366 Industrial waste.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 39 Recognizing the importance of career and technical education during Career and Technical Education Month.

Coauthored
HB 1194 Railroad track crossings.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 38 Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 20 Urging the pursuit of policy that increases organ donor supply.
HR 30 Recognizing Workers Memorial Day.

Sponsored
SB 402 Seasonal employment.
■ SB 438 Regulation of pesticide use and application.
SCR 6 Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".

Cosponsored
SB 185 Sale of companion animals.
SB 226 Equine dentistry.
SB 368 Study of carbon sequestration.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SCR 52 Recognizing Virgil L. Beckerman.

LEGISLATION BY MEMBER—2020

Lehman, Matt

Authored

■ HB 1108 State board of accounts.
■ HB 1109 Telephone solicitation and consumer credit.
HB 1190 Municipally owned utilities.
HB 1332 Ambulatory surgical centers.
HCR 5 To convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.
HCR 6 To convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.
HCR 47 Honoring students from Norwell Middle School in Ossian, Indiana, as the National Champions of the Future City Competition.

Coauthored

■ HB 1004 Health matters.
HB 1005 Health and insurance matters.
■ HB 1049 Business associations.
HB 1280 Overweight truck permits.
HB 1348 State and local administration.
■ HB 1372 Various insurance matters.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 15 Urging the Indiana Department of Transportation to rename a bridge on U.S. Route 27 in Fort Wayne as the "Fort Wayne Veterans Memorial Bridge".
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 38 Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 51 Honoring the 250th anniversary of William Clark's birth.
HR 9 Honoring Ann Naughton.
HR 55 Honoring Speaker Brian C. Bosma upon his retirement from the Indiana House of Representatives.

Sponsored

SB 202 Worker's compensation.
■ SB 241 Pharmacy benefit managers.
SB 243 Physicians who leave an employer.
■ SB 269 Worker's compensation.
SB 337 Various insurance and health care matters.
SB 448 Nonprofit hospital report.

Cosponsored

■ SB 249 Exploitation of dependents and endangered adults.
■ SB 257 Aviation safety.
SB 437 Credit card payments for charity gaming.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 21 Encouraging education and the use of Safe Haven Baby Boxes in Indiana.
SCR 36 Honoring John Thomas Shettle.
SCR 56 Honoring Dr. Wendy Robinson.
SCR 58 Honoring Sister M. Elise Kriss.

Leonard, Daniel

Authored

HB 1040 Attorney fees.
■ HB 1111 Unemployment.
■ HB 1112 Skills enhancement fund grants.
■ HB 1113 Local government finance.
HB 1135 Costs.

Coauthored

■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1244 Unemployment hearings and appeals.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 15 Urging the Indiana Department of Transportation to rename a bridge on U.S. Route 27 in Fort Wayne as the "Fort Wayne Veterans Memorial Bridge".
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 39 Recognizing the importance of career and technical education during Career and Technical Education Month.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 45 Honoring Eugene Heckman.
HCR 47 Honoring students from Norwell Middle School in Ossian, Indiana, as the National Champions of the Future City Competition.
HR 71 Recognizing the Vietnam Wall Memorial.

Sponsored

SB 27 Native American Indian affairs commission.

Cosponsored

SB 450 Low head dams.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 56 Honoring Dr. Wendy Robinson.
SCR 58 Honoring Sister M. Elise Kriss.

SCR 59 Recognizing the French Lick Springs Hotel.

Lindauer, Shane

Authored
- HB 1072 Resident tuition rate for military spouses and dependents.
- HB 1122 Temporary exception to residency requirements.
- HB 1318 Levee repair and agency wetland coordination.
- HB 1319 Public utility use of off-road vehicles.
- HB 1342 Removal of residence from floodway.
- HR 66 Congratulating the Loogootee High School girls basketball team.

Coauthored
- ■ HB 1091 Education benefits relating to military service.
- HB 1185 Prescription drug donation repositories.
- HB 1196 Child custody and parenting time.
- ■ HB 1199 Palliative care.
- ■ HB 1305 Graduation rate calculation.
- HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
- HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
- HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
- HCR 40 Recognizing dyslexia in Hoosier youth.
- HCR 43 Recognizing and honoring volunteer firefighters.
- HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
- SB 289 Family and juvenile law matters.
- SB 345 Interim study committee on child services.
- ■ SB 433 Structures in floodways.

Cosponsored
- SB 170 Mine reclamation tax credit.
- SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
- SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
- SCR 52 Recognizing Virgil L. Beckerman.

Lucas, Jim

Authored
- HB 1028 Firearm training for teachers.
- HB 1036 Cannabis.
- HB 1041 Medical cannabis.
- HB 1152 False informing and red flag law orders.
- HB 1229 Education matters.
- HCR 34 Memorializing Lance Corporal Jacky Ray Koenig Jr., United States Marine Corps.
- HR 19 Honoring Hunter Wart.
- HR 44 Honoring Seymour Police Officer Tim Toborg.

Coauthored
- ■ HB 1153 Governor's workforce cabinet.
- HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
- HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
- HCR 40 Recognizing dyslexia in Hoosier youth.
- HR 20 Urging the pursuit of policy that increases organ donor supply.

Cosponsored
- ■ SB 334 Election matters.
- SB 364 Regulatory impact matters.
- SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
- SCR 52 Recognizing Virgil L. Beckerman.

Lyness, Randy

Authored
- HB 1344 Employment of minors.

Coauthored
- HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
- HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
- HCR 40 Recognizing dyslexia in Hoosier youth.
- HCR 44 Recognizing teachers and the work they do.
- HCR 51 Honoring the 250th anniversary of William Clark's birth.

Sponsored
- ■ SB 409 Employment of minors.
- SCR 49 Recognizing Gus Adams.

Macer, Karlee

Authored
- HB 1398 Veterans educational costs exemption.
- HB 1399 License plate for women veterans.

LEGISLATION BY MEMBER—2020

HB 1400 Emergency medical services for counties.
HB 1401 Health care for incarcerated women.
HB 1402 Construction worker infection control program.
HR 2 Remembering Joseph Dean Breedlove.

Coauthored
HB 1011 Meningococcal disease information for students.
HB 1018 Student hunger and homelessness.
■ HB 1032 Interfering with public safety.
HB 1033 Railroad crossings.
■ HB 1043 Firefighters and police officers.
HB 1086 Reservist tuition supplement program.
■ HB 1094 Substance use prevention and recovery.
HB 1133 Required notices to mobile home communities.
HB 1134 Residential housing development program.
■ HB 1173 Indiana department of veterans' affairs.
HB 1181 Gift certificates and store gift cards.
■ HB 1198 Public safety matters.
HB 1278 Grandparent visitation.
HB 1286 Automated traffic control in construction zones.
HB 1289 Employee misclassification.
HB 1340 Repayment of federal student loans.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 39 Recognizing the importance of career and technical education during Career and Technical Education Month.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 42 Honoring Indiana's women veterans.
HCR 43 Recognizing and honoring volunteer firefighters.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 30 Recognizing Workers Memorial Day.

Sponsored
SCR 33 Honoring Hoosier long-term care professionals.

Cosponsored
■ SB 61 EMS personnel licensure interstate compact.
■ SB 331 National guard license plates.

Manning, Ethan

Authored
■ HB 1099 Low head dams.
HB 1100 Local government matters.
HB 1110 Health workforce student loan repayment program.
■ HB 1218 Locating underground utility infrastructure.
HB 1404 Golden Hoosier passports for disabled veterans.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1045 Honor and Remember flag.
HB 1217 Emergency evictions.
HB 1226 Sales tax exemption for feminine hygiene products.
HB 1397 Disposal of motor vehicles.
■ HB 1414 Electric generation.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
■ SB 78 Shovel ready site development center.
■ SB 177 Administration of the broadband ready program.
■ SB 184 Nonprofit agricultural organization coverage.
SB 195 Career and technical education clusters.
SB 317 Interstate commission transportation fund.
■ SB 343 Rural communications cooperatives.
■ SB 358 Business associations of real estate agents.
SB 450 Low head dams.
SCR 63 Recognizing ATT Indiana.

Cosponsored
SB 71 Adverse possession statute of limitations.
SB 178 Various election matters.
■ SB 181 Survivors' benefits.
■ SB 254 Water and wastewater utilities.
SB 292 County option circuit breaker tax credit.
■ SB 340 Private property matters.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

May, Chris

Authored
HB 1261 Child placement.
HB 1262 Children in need of services.
HB 1263 Professional development for teachers.

■ HB 1264 Child care background checks.
■ HB 1370 Regional redevelopment.
HR 37 Celebrating IU Health Bedford Hospital on its 50th anniversary.

Coauthored
HB 1060 Regulation of building materials.
■ HB 1080 Colorectal cancer testing.
■ HB 1082 Various higher education matters.
■ HB 1147 Municipal elections.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 17 Urging the Indiana Department of Transportation to rename the State Road 45 and 2nd Street bridge over I-69 the "Sarah Irene Haylett-Jones Memorial Bridge".
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversary
HCR 38 Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 40 Recognizing dyslexia in Hoosier youth.

Sponsored
SB 9 Target shooting.
SCR 30 Recognizing the Indiana Legislative Youth Advisory Council.

Cosponsored
SB 101 Wrongful death damages.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SCR 51 Honoring Judge John G. Baker.

Mayfield, Peggy

Authored
HB 1150 Indiana state board of nursing.
■ HB 1151 School resource officers.
■ HB 1166 State commission and board meetings.
■ HB 1189 Use of firefighting foam containing PFAS.
HB 1302 Fire protection territories.
HCR 17 Urging the Indiana Department of Transportation to rename the State Road 45 and 2nd Street bridge over I-69 the "Sarah Irene Haylett-Jones Memorial Bridge".

Coauthored
■ HB 1392 Physician assistants and nurses.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 9 Honoring Ann Naughton.

Sponsored
■ SB 239 Coverage for breast prostheses.
SCR 44 Honoring Hoosier Basketball Magazine.

Cosponsored
SB 289 Family and juvenile law matters.
■ SB 299 Fetal remains.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 51 Honoring Judge John G. Baker.

McNamara, Wendy

Authored
■ HB 1224 Council on impaired and dangerous driving.
■ HB 1225 Public safety.
HB 1321 Twenty-first century scholars program.
HB 1322 Mental and behavioral health matters.
HCR 28 Urging the Indiana Senate and the Indiana House of Representatives to adopt the practice of recommitting all bills creating or amending a criminal penalty to the Senate Corrections and Criminal Law Co
HR 22 Remembering Dr. David L. Rice.
HR 23 Recognizing the 2019 Mater Dei High School varsity girls soccer team.
HR 27 Honoring State Representative Ronald Bacon.

Coauthored
■ HB 1002 Teacher evaluations.
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1045 Honor and Remember flag.
■ HB 1047 Justice reinvestment advisory council.
HB 1076 Summons to appear for a misdemeanor.
■ HB 1120 Community corrections and credit time.
HB 1132 Criminal and juvenile law matters.
HB 1145 Gibson and Hamilton County courts.
■ HB 1157 Motor vehicle and criminal law issues.
HB 1186 Blue Star family member license plate.

HB 1245 Pigeon Creek.
■ HB 1283 Teacher preparation program curriculum.
HB 1303 Clark County courts.
HB 1310 Public notice requirements.
■ HB 1343 New Harmony and Wabash River bridge authority.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 38 Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HCR 51 Honoring the 250th anniversary of William Clark's birth.
HR 16 Honoring the National Association of Women Business Owners of Indianapolis.
HR 30 Recognizing Workers Memorial Day.

Sponsored
SB 200 Driver's license suspensions.
■ SB 209 Search warrants.
■ SB 249 Exploitation of dependents and endangered adults.
■ SB 256 Courts and judicial officers.
■ SB 335 Criminal law issues.

Cosponsored
■ SB 146 Sexual assault victims' rights.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 8 Congratulating the Evansville Reitz Memorial H.S. football team.
SCR 9 Congratulating the Evansville Reitz Memorial H.S. boys soccer team.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SCR 51 Honoring Judge John G. Baker.
SCR 68 Recognizing Judge Robert J. Tornatta.

Miller, Doug

Authored
HB 1031 The Lake Michigan shore.
■ HB 1032 Interfering with public safety.
■ HB 1059 Sales tax on recreational vehicles.
HB 1060 Regulation of building materials.
HB 1379 Eminent domain.

Coauthored
HB 1061 Subdividing land.
■ HB 1093 Electronic document filing.
■ HB 1104 Housing and community development authority.
■ HB 1111 Unemployment.
HB 1139 Pilot program to fund educational attainment.
HB 1188 Education savings plan tax credit.
HB 1337 Notification of water utilities and water treatment plants.
HCR 3 Recognizing the Boys and Girls Clubs of Elkhart County.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
■ SB 100 Nonconforming structures.
▣ SB 148 Zoning and housing matters.
■ SB 187 Elkhart County courts.
SB 320 Withholding tax remittance.
SB 400 Assessment and taxation of golf courses.

Cosponsored
SB 54 Railroad crossings.
SB 71 Adverse possession statute of limitations.
■ SB 78 Shovel ready site development center.
■ SB 146 Sexual assault victims' rights.
■ SB 410 Libraries.
SCR 15 Urging the establishment of the Office of Outdoor Recreation Development.

Moed, Justin

Authored
HB 1133 Required notices to mobile home communities.
HB 1134 Residential housing development program.
HB 1254 Flood control improvement district projects.
HB 1255 Road funding.
HB 1256 Marion County housing trust fund.

Coauthored
HB 1044 Municipal lakefront development projects.
■ HB 1113 Local government finance.
HB 1194 Railroad track crossings.

HB 1195 Regulation of hemp production.
HB 1331 Ticket sales.
■ HB 1334 Radon mitigation.
HB 1384 Craft hemp flower.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 20 Urging the pursuit of policy that increases organ donor supply.
HR 30 Recognizing Workers Memorial Day.
HR 43 Honoring State Representative B. Patrick Bauer.

Morris, Robert

Authored
HB 1115 Physician noncompete agreements.
HB 1201 Vehicle right of use subscription programs.
HB 1247 Business residency requirements.
HB 1335 Health care costs.
HB 1386 Parole.

Coauthored
HB 1008 Occupational license endorsement.
HB 1088 School athletics.
HB 1133 Required notices to mobile home communities.
■ HB 1143 Device implantation as a condition of employment.
HB 1181 Gift certificates and store gift cards.
HB 1195 Regulation of hemp production.
■ HB 1301 Deployment of truck safety technology.
HB 1331 Ticket sales.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 15 Urging the Indiana Department of Transportation to rename a bridge on U.S. Route 27 in Fort Wayne as the "Fort Wayne Veterans Memorial Bridge".
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
■ SB 237 Care of city police officers and firefighters.
SB 451 Crime stoppers and restitution.
SCR 17 Congratulating Erin Strzelecki.
SCR 18 Congratulating the Ft. Wayne Bishop Dwenger H.S. cheerleading team.

Cosponsored
■ SB 78 Shovel ready site development center.
SB 243 Physicians who leave an employer.
SB 263 Specialized weapons training.
■ SB 299 Fetal remains.
SB 320 Withholding tax remittance.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 12 Congratulating the Fort Wayne Carroll H.S. girls cross country team.
SCR 53 Recognizing the significance of the construction of the Vietnam Memorial Wall at the Veterans National Memorial Shrine and Museum in Fort Wayne, Indiana.
SCR 56 Honoring Dr. Wendy Robinson.
SCR 58 Honoring Sister M. Elise Kriss.

Morrison, Alan

Authored
■ HB 1143 Device implantation as a condition of employment.
HB 1144 Hold harmless payments.
■ HB 1147 Municipal elections.

Coauthored
■ HB 1288 Local office campaign finance reports.
■ HB 1414 Electric generation.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 40 Recognizing dyslexia in Hoosier youth.

Cosponsored
SB 66 Donation of income tax refund for cancer research.
SB 324 Micro market and vending machine fees.
SCR 26 Memorializing Sandy Woolwine and honoring the heroic actions of North Central Parke Community School Corporation students.

Moseley, Chuck

Authored
HB 1286 Automated traffic control in construction zones.
HB 1287 Student ID card.
■ HB 1288 Local office campaign finance reports.
HB 1289 Employee misclassification.
HB 1290 Absentee voting.

Coauthored
HB 1019 Special death benefit for police and firefighters.
■ HB 1112 Skills enhancement fund grants.
■ HB 1151 School resource officers.
■ HB 1267 Withdrawal of candidates.

HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 11 Recognizing Strack and Van Til on the occasion of their 91st Anniversary.
HR 30 Recognizing Workers Memorial Day.

Cosponsored
■ SB 10 Pension matters.
■ SB 25 Mental health disability review panels.
■ SB 197 Prohibited technology purchases.
■ SB 405 Exemptions from design release requirements.
SCR 52 Recognizing Virgil L. Beckerman.

Negele, Sharon

Authored
HB 1380 Right to a victim advocate.
HB 1381 Affordable housing tax credit.
HB 1382 Uniform partition of heirs property act.
HB 1383 Information concerning seizure of firearms.
HCR 7 Commemorating the centennial anniversary of Indiana ratifying the 19th Amendment.
HCR 8 Commemorating the centennial anniversary of Indiana ratifying the 19th Amendment.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1045 Honor and Remember flag.
■ HB 1081 Commission for supplier diversity.
HB 1160 Consent.
HB 1161 Sexual battery.
HB 1294 Pregnancy and childbirth discrimination.
HB 1304 Broadband development.
HB 1366 Industrial waste.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 38 Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HCR 51 Honoring the 250th anniversary of William Clark's birth.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 16 Honoring the National Association of Women Business Owners of Indianapolis.
HR 30 Recognizing Workers Memorial Day.

Sponsored
SB 185 Sale of companion animals.
SB 449 Juveniles.

Cosponsored
SB 16 Juvenile delinquents and firearms.
SB 123 Affordable and workforce housing incentives.
■ SB 146 Sexual assault victims' rights.
SB 342 Pregnancy accommodation.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Nisly, Curt

Authored
HB 1089 Protection of life.
HB 1211 Constitutional carry of firearms.

Coauthored
HB 1416 Religious freedom restoration.
HB 1417 Individual adjusted gross income tax rates.
HB 1421 Information or performances harmful to minors.
HCR 3 Recognizing the Boys and Girls Clubs of Elkhart County.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 4 Commemorating Dr. Martin Luther King Jr. Day.

Pfaff, Tonya

Authored
■ HB 1341 Students with disabilities.
HB 1349 Poll hours; same day registration.
HCR 35 Honoring school counselors during National School Counseling Week.
HCR 44 Recognizing teachers and the work they do.

Coauthored
■ HB 1082 Various higher education matters.

LEGISLATION BY MEMBER—2020

HB 1144 Hold harmless payments.
■ HB 1147 Municipal elections.
■ HB 1283 Teacher preparation program curriculum.
■ HB 1385 Natural resources.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 42 Honoring Indiana's women veterans.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 30 Recognizing Workers Memorial Day.

Cosponsored
SB 66 Donation of income tax refund for cancer research.
SCR 15 Urging the establishment of the Office of Outdoor Recreation Development.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SCR 52 Recognizing Virgil L. Beckerman.

Pierce, Matt

Authored
HB 1020 End of life options.
HCR 51 Honoring the 250th anniversary of William Clark's birth.

Coauthored
■ HB 1047 Justice reinvestment advisory council.
■ HB 1120 Community corrections and credit time.
HB 1234 Film and media production rebate.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 17 Urging the Indiana Department of Transportation to rename the State Road 45 and 2nd Street bridge over I-69 the "Sarah Irene Haylett-Jones Memorial Bridge".
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 30 Recognizing Workers Memorial Day.

Sponsored
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Cosponsored
■ SB 177 Administration of the broadband ready program.
■ SB 216 Disclosure of personal information to offender.
SB 262 Film and media production incentives.
■ SB 343 Rural communications cooperatives.
SB 368 Study of carbon sequestration.
SCR 51 Honoring Judge John G. Baker.

Porter, Gregory

Authored
HB 1167 Bullying.
HB 1168 Maintaining a common nuisance.
HB 1241 Bed bug abatement.
HB 1242 Parents with a disability.
HB 1420 Advance payment to human services vendors.

Coauthored
■ HB 1080 Colorectal cancer testing.
■ HB 1108 State board of accounts.
■ HB 1235 Public safety.
HB 1368 Restrictions on smoking and vaping.
■ HB 1419 Governor's workforce cabinet.
HCR 2 Recognizing Prom Genie, Incorporated.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 29 Remembering Dr. Walter "Jerry" Watkins.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 4 Commemorating Dr. Martin Luther King Jr. Day.
HR 9 Honoring Ann Naughton.
HR 10 Celebrating Black History Month.
HR 29 To honor and congratulate the ladies of Zeta Phi Beta Sorority on the organization's 100th Anniversary.
HR 30 Recognizing Workers Memorial Day.
HR 40 Congratulating Bernice Bohannon on her 110th birthday.

Cosponsored
SB 312 Parents with a disability.
■ SB 350 Central Indiana regional development authority.
■ SB 383 Reporting on MBE and WBE contracting goals.
■ SB 408 Various tax matters.

LEGISLATION BY MEMBER—2020

Prescott, J.D.

Authored
- HB 1017 529 college savings distributions.
- HB 1170 Historic bridges.
- HB 1171 IREAD 3.
- HB 1304 Broadband development.

Coauthored
- ■ HB 1015 Rights of professional firefighters.
- ■ HB 1045 Honor and Remember flag.
- ■ HB 1385 Natural resources.
- HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
- HCR 14 Honoring and recognizing the 2018 to 2019 winners of the Student Soybean Product Innovation Competition.
- HCR 40 Recognizing dyslexia in Hoosier youth.
- HCR 44 Recognizing teachers and the work they do.
- HR 20 Urging the pursuit of policy that increases organ donor supply.

Cosponsored
- ■ SB 184 Nonprofit agricultural organization coverage.
- ■ SB 438 Regulation of pesticide use and application.
- SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
- SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.

Pressel, Jim

Authored
- ■ HB 1015 Rights of professional firefighters.
- HB 1085 Delinquent sewer fees.
- ■ HB 1131 Utility matters.
- HB 1169 Highway worksite safety.

Coauthored
- HB 1027 Township assessors.
- HB 1058 Voting preregistration for 16 and 17 year olds.
- ■ HB 1070 Distracted driving.
- ■ HB 1093 Electronic document filing.
- ■ HB 1104 Housing and community development authority.
- HB 1134 Residential housing development program.
- ■ HB 1165 Municipally owned utilities.
- ■ HB 1189 Use of firefighting foam containing PFAS.
- ■ HB 1246 Automotive dealer services.
- HB 1279 Local transportation projects.
- HB 1286 Automated traffic control in construction zones.
- HB 1292 Township trustees and board members.
- ■ HB 1301 Deployment of truck safety technology.
- ■ HB 1419 Governor's workforce cabinet.
- HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
- HCR 20 Urging the study of constructing an inn at Potato Creek State Park.
- HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
- HCR 40 Recognizing dyslexia in Hoosier youth.
- HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
- SB 16 Juvenile delinquents and firearms.
- SB 123 Affordable and workforce housing incentives.
- ■ SB 267 Administration of 211 services.
- ■ SB 405 Exemptions from design release requirements.
- SCR 34 Memorializing William "Bill" Hager.
- SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
- SCR 50 Congratulating Emily Graves.

Cosponsored
- ■ SB 100 Nonconforming structures.
- ▣ SB 148 Zoning and housing matters.
- ■ SB 197 Prohibited technology purchases.
- ■ SB 257 Aviation safety.
- ■ SB 410 Libraries.

Pryor, Cherrish

Authored
- HB 1075 Minimum age for juvenile detention.
- HB 1076 Summons to appear for a misdemeanor.
- HB 1177 Property tax relief.
- HB 1178 Racial profiling and pretextual stops.
- HB 1316 Constables.
- HR 10 Celebrating Black History Month.
- HR 47 Honoring the 100 Black Men of Indianapolis, Inc. and their annual Beautillion Militaire Scholarship Program.
- HR 63 Celebrating women in public office.

Coauthored
- ■ HB 1009 Various welfare matters.
- HB 1013 Disposal of property acquired by tax default.
- HB 1100 Local government matters.
- ■ HB 1113 Local government finance.
- HB 1191 Land contracts.
- ■ HB 1246 Automotive dealer services.
- HCR 2 Recognizing Prom Genie, Incorporated.
- HCR 7 Commemorating the centennial anniversary of Indiana ratifying the 19th Amendment.
- HCR 8 Commemorating the centennial anniversary of Indiana ratifying the 19th Amendment.

HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 13 Recognizing Alpha Kappa Alpha Day at the Capitol.
HCR 29 Remembering Dr. Walter "Jerry" Watkins.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 4 Commemorating Dr. Martin Luther King Jr. Day.
HR 18 Concerning the protection and conservation of Indiana's natural heritage.
HR 26 Honoring State Representative Mara Candelaria Reardon.
HR 28 Honoring State Representative Karlee D. Macer.
HR 29 To honor and congratulate the ladies of Zeta Phi Beta Sorority on the organization's 100th Anniversary.
HR 30 Recognizing Workers Memorial Day.
HR 32 Honoring State Representative Dan Forestal.
HR 40 Congratulating Bernice Bohannon on her 110th birthday.
HR 43 Honoring State Representative B. Patrick Bauer.

Cosponsored
SB 292 County option circuit breaker tax credit.
■ SB 383 Reporting on MBE and WBE contracting goals.

Saunders, Thomas

Authored
HB 1013 Disposal of property acquired by tax default.
■ HB 1014 State museum and historic sites corporation.
HB 1050 Service charges.
HB 1051 Straight ticket voting.
HB 1053 Municipal elections.

Coauthored
■ HB 1045 Honor and Remember flag.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 22 Recognizing Mr. Philip Stevenson and his retirement as superintendent of Centerville-Abington Community Schools.
HCR 38 Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 51 Honoring the 250th anniversary of William Clark's birth.

Sponsored
■ SB 20 Plan commissions.

Schaibley, Donna

Authored
HB 1005 Health and insurance matters.
HB 1038 Hamilton County magistrate.
HB 1071 Property tax refunds.
HB 1127 Local regulation of fireworks.
HB 1159 Juvenile expungements and firearms matters.
HR 41 Congratulates Saint Maria Goretti Catholic School as the 2019 National Blue Ribbon Awardee.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1070 Distracted driving.
■ HB 1090 Assumption of care of cemeteries.
HB 1145 Gibson and Hamilton County courts.
HB 1160 Consent.
HB 1192 Seat belts on school buses.
HB 1228 Net metering.
HB 1418 Minimum age to marry.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 9 Honoring Ann Naughton.
HR 16 Honoring the National Association of Women Business Owners of Indianapolis.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
■ SB 5 Health provider contracts.
■ SB 146 Sexual assault victims' rights.

Cosponsored
SB 4 Health programs.
SB 205 Medical payment coverage.
■ SB 206 Deposition of a child victim.
SB 243 Physicians who leave an employer.
■ SB 246 Mental health services.
■ SB 335 Criminal law issues.
SB 337 Various insurance and health care matters.
■ SB 424 Address confidentiality program.
SB 448 Nonprofit hospital report.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

SCR 51 Honoring Judge John G. Baker.

Shackleford, Robin

Authored
- HB 1103 Tenant's rights.
- HB 1116 Drug information reporting.
- HB 1117 Eminent domain.
- HB 1219 Health insurance.
- HB 1406 Expungement of juvenile records.
- HR 16 Honoring the National Association of Women Business Owners of Indianapolis.

Coauthored
- HB 1005 Health and insurance matters.
- ■ HB 1006 Minimum age to marry and emancipation of minors.
- HB 1042 Pharmacy benefit managers.
- ■ HB 1067 Dental hygienists.
- ■ HB 1077 Professional licensing agency.
- HB 1084 Newborn screening for cytomegalovirus.
- ■ HB 1157 Motor vehicle and criminal law issues.
- ■ HB 1209 Reimbursement for emergency medical services.
- ■ HB 1210 Various health matters.
- ■ HB 1243 Genetic counselors.
- HB 1294 Pregnancy and childbirth discrimination.
- HB 1336 Telemedicine.
- HCR 2 Recognizing Prom Genie, Incorporated.
- HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
- HCR 13 Recognizing Alpha Kappa Alpha Day at the Capitol.
- HCR 29 Remembering Dr. Walter "Jerry" Watkins.
- HCR 40 Recognizing dyslexia in Hoosier youth.
- HCR 44 Recognizing teachers and the work they do.
- HR 4 Commemorating Dr. Martin Luther King Jr. Day.
- HR 10 Celebrating Black History Month.
- HR 20 Urging the pursuit of policy that increases organ donor supply.
- HR 29 To honor and congratulate the ladies of Zeta Phi Beta Sorority on the organization's 100th Anniversary.
- HR 30 Recognizing Workers Memorial Day.
- HR 40 Congratulating Bernice Bohannon on her 110th birthday.

Sponsored
- SB 356 Healthy food finance.

Cosponsored
- SB 4 Health programs.
- ■ SB 5 Health provider contracts.
- SB 67 Township homeless assistance.
- ■ SB 241 Pharmacy benefit managers.
- ■ SB 246 Mental health services.
- ■ SB 255 Insulin drugs.

Sherman, Dollyne

Authored
- HB 1364 Funding survivor health coverage.
- HB 1365 Medicaid advisory committee member.

Coauthored
- ■ HB 1095 Contracts for emergency road repairs.
- HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
- HCR 40 Recognizing dyslexia in Hoosier youth.
- HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
- HR 16 Honoring the National Association of Women Business Owners of Indianapolis.
- HR 20 Urging the pursuit of policy that increases organ donor supply.
- HR 57 Congratulating Richard A. Arkanoff, the second.

Sponsored
- SB 68 Whistleblower reports.
- SCR 64 Honoring Lisa H. Kobe.

Cosponsored
- ■ SB 181 Survivors' benefits.
- ■ SB 216 Disclosure of personal information to offender.
- ■ SB 254 Water and wastewater utilities.
- SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Smaltz, Ben

Authored
- ■ HB 1004 Health matters.
- ■ HB 1392 Physician assistants and nurses.
- HB 1393 Teacher training.
- HB 1394 Tax credit for teachers.
- HB 1431 Alcoholic beverage dealer residency.

Coauthored
- ■ HB 1045 Honor and Remember flag.
- ■ HB 1165 Municipally owned utilities.
- HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
- HCR 15 Urging the Indiana Department of Transportation to rename a bridge on U.S. Route 27 in Fort Wayne as the "Fort Wayne Veterans Memorial Bridge".
- HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
- HCR 40 Recognizing dyslexia in Hoosier youth.

Sponsored
- SB 3 Health care provider billing.
- SB 364 Regulatory impact matters.

SCR 12 Congratulating the Fort Wayne Carroll H.S. girls cross country team.

Cosponsored
■ SB 25 Mental health disability review panels.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 58 Honoring Sister M. Elise Kriss.

Smith, Vernon

Authored
HB 1296 Additional teacher salary.
HB 1297 Surrender of firearms for domestic violence crimes.
HB 1298 Tobacco offenses.
HB 1299 Loan forgiveness for distressed schools.
HB 1371 Distressed unit appeal board.
HR 4 Commemorating Dr. Martin Luther King Jr. Day.
HR 17 Recognizing the Ninth Annual Bill Johnson Black Film Festival.
HR 35 Recognizing Omega Psi Phi.
HR 45 Welcoming members of the Omega Psi Phi fraternity to the 83rd Tenth District Convention.

Coauthored
HB 1001 School accountability.
■ HB 1002 Teacher evaluations.
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1066 Various education matters.
HB 1369 School resource officers.
HCR 2 Recognizing Prom Genie, Incorporated.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 29 Remembering Dr. Walter "Jerry" Watkins.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 10 Celebrating Black History Month.
HR 11 Recognizing Strack and Van Til on the occasion of their 91st Anniversary.
HR 29 To honor and congratulate the ladies of Zeta Phi Beta Sorority on the organization's 100th Anniversary.
HR 30 Recognizing Workers Memorial Day.
HR 40 Congratulating Bernice Bohannon on her 110th birthday.

Sponsored
SCR 16 Honoring Beverly Brown upon her retirement from the Indiana Senate.

Cosponsored
■ SB 2 School accountability.
SB 223 Free Application for Federal Student Aid (FAFSA) requirements.
SB 416 Gary Community School Corporation.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.

Soliday, Edmond

Authored
HB 1121 Wholesale pricing of nonalcoholic beverages.
HB 1279 Local transportation projects.
HB 1280 Overweight truck permits.
HB 1327 Power charge indifference adjustment.
■ HB 1414 Electric generation.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1131 Utility matters.
■ HB 1165 Municipally owned utilities.
HB 1169 Highway worksite safety.
HB 1201 Vehicle right of use subscription programs.
■ HB 1218 Locating underground utility infrastructure.
HB 1286 Automated traffic control in construction zones.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversary
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 11 Recognizing Strack and Van Til on the occasion of their 91st Anniversary.
HR 30 Recognizing Workers Memorial Day.

Sponsored
■ SB 197 Prohibited technology purchases.
■ SB 254 Water and wastewater utilities.
■ SB 257 Aviation safety.
■ SB 365 Town of Griffith.
SB 411 Leasing of broadband capacity infrastructure.
SCR 11 Memorializing Thelma Dickey.

Cosponsored
■ SB 177 Administration of the broadband ready program.
■ SB 343 Rural communications cooperatives.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 52 Recognizing Virgil L. Beckerman.

Speedy, Mike

Authored
HB 1375 Homeowners associations and solar power.
HB 1376 Collection of veteran status information.
HB 1377 Appropriation for aviation education.
HB 1378 Appropriation for first responder monument.

Coauthored
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 38 Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HR 65 Standing in solidarity with Indiana's Jewish community.

Sponsored
SB 46 Interim study committee.
SB 69 Possession of firearms on school property.

Cosponsored
SB 54 Railroad crossings.
■ SB 249 Exploitation of dependents and endangered adults.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 51 Honoring Judge John G. Baker.

Steuerwald, Gregory

Authored
HB 1046 Duties of motorboat operators.
■ HB 1047 Justice reinvestment advisory council.
HB 1098 Punitive damages.
■ HB 1120 Community corrections and credit time.
HB 1132 Criminal and juvenile law matters.
HR 36 Honoring those who have served as legislative interns for the House of Representatives during the Second Regular Session of the 121st Indiana General Assembly.

Coauthored
HB 1121 Wholesale pricing of nonalcoholic beverages.
HB 1306 Full faith and credit for tribal court orders.
■ HB 1313 Courts and family law matters.
■ HB 1346 Jail overcrowding.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 20 Urging the pursuit of policy that increases organ donor supply.
HR 27 Honoring State Representative Ronald Bacon.
HR 34 Honoring State Representative David Wolkins.
HR 55 Honoring Speaker Brian C. Bosma upon his retirement from the Indiana House of Representatives.

Sponsored
SB 43 Fraud consolidation.
SB 101 Wrongful death damages.
■ SB 109 Statute of limitations.
■ SB 194 Drug scheduling.
SB 199 Recovery of litigation expenses.
■ SB 302 Indigency determinations.

Cosponsored
■ SB 25 Mental health disability review panels.
■ SB 209 Search warrants.
■ SB 256 Courts and judicial officers.
■ SB 335 Criminal law issues.
SCR 51 Honoring Judge John G. Baker.

Stutzman, Christy

Authored
HB 1088 School athletics.
HB 1130 Leave for miscarriages.
HB 1180 Student testing.
■ HB 1305 Graduation rate calculation.
HCR 3 Recognizing the Boys and Girls Clubs of Elkhart County.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa

Coauthored
■ HB 1045 Honor and Remember flag.
■ HB 1059 Sales tax on recreational vehicles.
HB 1234 Film and media production rebate.
HB 1388 Education benefits related to military service.
HB 1391 Retired law enforcement officers and firearms.

HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.

Sponsored
■ SB 299 Fetal remains.
SCR 15 Urging the establishment of the Office of Outdoor Recreation Development.
SCR 27 Recognizing Perinatal Palliative Care personnel in Indiana.

Cosponsored
■ SB 21 Out-of-state prescriptions.
■ SB 100 Nonconforming structures.
▣ SB 148 Zoning and housing matters.
■ SB 187 Elkhart County courts.
SB 262 Film and media production incentives.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Sullivan, Holli

Authored
■ HB 1070 Distracted driving.
■ HB 1095 Contracts for emergency road repairs.
HB 1245 Pigeon Creek.
■ HB 1246 Automotive dealer services.
HB 1352 Bureau of motor vehicles.

Coauthored
HB 1347 Bureau of motor vehicles.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 19 Recognizing the 2019 Castle High School archery team for winning their twelfth state championship and second consecutive national championship.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HCR 51 Honoring the 250th anniversary of William Clark's birth.
HR 22 Remembering Dr. David L. Rice.

Sponsored
SB 6 Electric vehicle supplemental fee.
■ SB 179 Election cybersecurity.

Cosponsored
SB 264 Certified technology parks.
■ SB 331 National guard license plates.
SCR 8 Congratulating the Evansville Reitz Memorial H.S. football team.
SCR 9 Congratulating the Evansville Reitz Memorial H.S. boys soccer team.

Summers, Vanessa

Authored
HB 1248 Postpartum Medicaid for pregnant women.
HB 1249 Kinship care oversight committee.
HB 1250 Implicit bias in medicine.
HB 1251 Study impact of violent crime on public health.
HB 1252 Interim study on implicit bias in medicine.
HCR 13 Recognizing Alpha Kappa Alpha Day at the Capitol.
HR 29 To honor and congratulate the ladies of Zeta Phi Beta Sorority on the organization's 100th Anniversary.
HR 40 Congratulating Bernice Bohannon on her 110th birthday.

Coauthored
HB 1130 Leave for miscarriages.
■ HB 1176 First steps program.
HCR 2 Recognizing Prom Genie, Incorporated.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 29 Remembering Dr. Walter "Jerry" Watkins.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 4 Commemorating Dr. Martin Luther King Jr. Day.
HR 10 Celebrating Black History Month.
HR 16 Honoring the National Association of Women Business Owners of Indianapolis.
HR 30 Recognizing Workers Memorial Day.

Sponsored
SCR 2 Congratulating Sigma Gamma Rho Sorority.
SCR 24 Honoring the Kappa Alpha Psi fraternity.
SCR 48 Honoring the Kappa Alpha Psi fraternity.

Thompson, Jeffrey

Authored
HB 1054 Political subdivision controlled projects and debt.
HB 1055 Civil government property tax controls.
■ HB 1065 Various tax matters.
■ HB 1066 Various education matters.
HB 1114 Local income taxes.
HCR 41 Recognizing Katie Pourcho, 2020 Indiana Teacher of the Year.

Coauthored
■ HB 1003 Education matters.
■ HB 1045 Honor and Remember flag.
HB 1071 Property tax refunds.

HB 1204 Education matters.
■ HB 1283 Teacher preparation program curriculum.
HB 1397 Disposal of motor vehicles.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.

Sponsored
SB 23 Annexation.
■ SB 190 Controlled projects.
SB 401 Deduction for rehabilitation of residential property.
SB 403 Property tax appeals.

Cosponsored
SB 171 Clarksville food and beverage tax.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Torr, Jerry

Authored
HB 1021 Liens.
HB 1023 Admissibility of coverage limits.
HB 1024 Redistricting commission.
HB 1039 Inspection of petroleum products.

Coauthored
■ HB 1022 Panhandling.
HB 1038 Hamilton County magistrate.
HB 1159 Juvenile expungements and firearms matters.
HB 1278 Grandparent visitation.
■ HB 1343 New Harmony and Wabash River bridge authority.
■ HB 1370 Regional redevelopment.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.

Sponsored
■ SB 50 Various trust and probate issues.
SB 71 Adverse possession statute of limitations.
■ SB 206 Deposition of a child victim.
■ SB 272 Indiana economic development corporation.
SB 330 Mediation for state agencies and vendors.
SCR 51 Honoring Judge John G. Baker.

Cosponsored
■ SB 80 Code Revision Corrections.
■ SB 256 Courts and judicial officers.
SB 449 Juveniles.

VanNatter, Heath

Authored
HB 1048 Decriminalization of marijuana.
HB 1073 Veterans property tax deduction.
HB 1285 Utility consumer counselor advisory council.
HB 1314 Physical custody and parenting time.
HB 1315 Impaired driving standards.

Coauthored
■ HB 1063 Public safety officer death benefits.
HB 1115 Physician noncompete agreements.
■ HB 1148 Board of accountancy.
HB 1196 Child custody and parenting time.
HB 1337 Notification of water utilities and water treatment plants.
HB 1384 Craft hemp flower.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 38 Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
SB 385 Assessment of business personal property taxes.

Cosponsored
■ SB 10 Pension matters.
SB 69 Possession of firearms on school property.
■ SB 109 Statute of limitations.
■ SB 180 Public employees deferred compensation plan.
SB 202 Worker's compensation.
■ SB 269 Worker's compensation.
■ SB 405 Exemptions from design release requirements.

■ SB 406 Survivor benefits.
■ SB 409 Employment of minors.

Vermilion, Ann

Authored
■ HB 1243 Genetic counselors.
■ HB 1244 Unemployment hearings and appeals.
HB 1336 Telemedicine.
HB 1351 Tobacco and vaping.

Coauthored
■ HB 1094 Substance use prevention and recovery.
■ HB 1176 First steps program.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 48 Recognizing landscape architects.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 9 Honoring Ann Naughton.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Cosponsored
■ SB 19 Electronic technology for ophthalmic prescriptions.
■ SB 61 EMS personnel licensure interstate compact.
■ SB 239 Coverage for breast prostheses.
■ SB 255 Insulin drugs.
■ SB 383 Reporting on MBE and WBE contracting goals.
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.

Wesco, Timothy

Authored
HB 1220 Nonpublic secondary schools.
HB 1221 Poll hours; vote centers.
HB 1222 Miscellaneous election law matters.
HB 1223 Local public questions.
HB 1411 School corporation disannexation.

Coauthored
HB 1008 Occupational license endorsement.
HB 1060 Regulation of building materials.
■ HB 1147 Municipal elections.
■ HB 1267 Withdrawal of candidates.
HCR 3 Recognizing the Boys and Girls Clubs of Elkhart County.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.

Sponsored
SB 178 Various election matters.
■ SB 334 Election matters.
SB 384 Filling vacancies.

Cosponsored
SB 131 National motto in schools.
■ SB 179 Election cybersecurity.
■ SB 180 Public employees deferred compensation plan.
■ SB 187 Elkhart County courts.

Wolkins, David

Authored
HB 1307 Motor vehicle highway account.
HB 1308 Training requirements for certain local officials.
■ HB 1309 Department of environmental management.
HB 1310 Public notice requirements.
■ HB 1403 Waste tires.

Coauthored
■ HB 1265 Drinking water testing.
HB 1387 Tax credit for medical school clinical faculty.
HB 1389 Taxation of military personnel deployed overseas.
HB 1390 Epilepsy foundation trust license plate.
HB 1391 Retired law enforcement officers and firearms.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 38 Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
HCR 40 Recognizing dyslexia in Hoosier youth.

Sponsored
■ SB 229 Maintenance of regulated drains.
■ SB 340 Private property matters.
SB 368 Study of carbon sequestration.
■ SB 430 Reservoir conservancy districts.
SCR 32 Recognizing the home of the Charley Creek Inn.

Cosponsored
SB 214 Testing of school drinking water for lead.
SCR 58 Honoring Sister M. Elise Kriss.

Wright, Melanie

Authored
HB 1422 Licensure of art therapists.

HB 1423 Service animal exclusion from marital property.
HB 1424 Flashing lights for lane painting vehicles.

Coauthored
■ HB 1264 Child care background checks.
HB 1330 Return of lost pets to owners.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 30 Recognizing Workers Memorial Day.

Sponsored
SCR 36 Honoring John Thomas Shettle.
SCR 57 Honoring State Superintendent of Public Instruction, Dr. Jennifer McCormick.

Cosponsored
SB 311 Coverage for PANDAS and PANS.
SB 312 Parents with a disability.

Young, John

Authored
■ HB 1096 Technical corrections.
HB 1097 Sentence modification.
HB 1194 Railroad track crossings.
HB 1312 Driving.
■ HB 1313 Courts and family law matters.
HR 57 Congratulating Richard A. Arkanoff, the second.

Coauthored
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 40 Recognizing dyslexia in Hoosier youth.

Sponsored
■ SB 39 Specialized driving privileges.
■ SB 47 Expungement issues.
SB 54 Railroad crossings.
■ SB 80 Code Revision Corrections.

Cosponsored
SB 101 Wrongful death damages.
SB 205 Medical payment coverage.
■ SB 216 Disclosure of personal information to offender.
SCR 51 Honoring Judge John G. Baker.

Zent, Dennis

Authored
HB 1062 Safety belt and child restraint systems.
■ HB 1067 Dental hygienists.
■ HB 1077 Professional licensing agency.
HB 1078 Standard deductions.
■ HB 1210 Various health matters.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.
■ HB 1045 Honor and Remember flag.
■ HB 1173 Indiana department of veterans' affairs.
HB 1292 Township trustees and board members.
HCR 12 Honoring the inductees of the Indiana Military Veterans Hall of Fame.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
SB 316 Collection of veteran status information.
■ SB 427 Provisional occupational license.
SCR 61 Memorializing former State Representative Richard Dodge.

Cosponsored
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 52 Recognizing Virgil L. Beckerman.
SCR 56 Honoring Dr. Wendy Robinson.
SCR 58 Honoring Sister M. Elise Kriss.

Ziemke, Cindy

Authored
■ HB 1092 State Medicaid plan amendments.
■ HB 1093 Electronic document filing.
■ HB 1094 Substance use prevention and recovery.
HB 1118 Restrictions on SNAP benefit purchases.
HB 1183 Mental health diagnosis.
HCR 25 Recognizing Honda Manufacturing of Indiana for its contributions to the community.

Coauthored
■ HB 1006 Minimum age to marry and emancipation of minors.

LEGISLATION BY MEMBER—2020

HB 1159 Juvenile expungements and firearms matters.
HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 37 Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversa
HCR 40 Recognizing dyslexia in Hoosier youth.
HCR 44 Recognizing teachers and the work they do.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 20 Urging the pursuit of policy that increases organ donor supply.

Sponsored
SB 312 Parents with a disability.

Cosponsored
SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SCR 65 Recognizing Matthew Clifford.

FINANCIAL STATEMENT FOR THE HOUSE OF REPRESENTATIVES—2020 SECOND REGULAR SESSION

Representative	*Per Diem*	Miles	Mileage Reimbursement
Abbott David	12,328.00	3454	1987.62
Austin, Terri J.	12,328.00	990	569.70
Aylesworth, Michael	12,328.00	2860	1645.80
Bacon, Ronald	12,328.00	4026	2316.78
Baird, Jason	12,328.00	1260	725.13
Barrett, Bradford	12,328.00	1650	949.50
Bartels, Stephen	12,328.00	3366	1936.98
Bartlett, John	12,328.00		
Bauer, B. Patrick	12,328.00	3036	1747.08
Beck, Lisa	12,328.00	3014	1734.42
Behning, Robert	12,328.00		
Borders, Bruce	12,328.00	1881	1082.38
Bosma, Brian	12,328.00		
Boy, Patricia	12,328.00	3256	1873.68
Brown, Timothy	12,328.00	1100	633.00
Burton, Charles	12,328.00	484	278.52
Campbell, Christine	12,328.00	1320	759.66
Candelaria Reardon, Mara	12,328.00	3597	2069.86
Carbaugh, Martin	12,328.00	2970	1709.10
Cherry, Robert	12,328.00	572	329.16
Chyung, Christopher K.	12,328.00	3322	1911.66
Clere, Edward	12,328.00	2486	1430.58
Cook, Anthony	12,328.00	682	392.46
Davisson, Steven	12,328.00	2200	1266.10
Deal, Ross J.	12,328.00	2950	1697.70
DeLaney, Edward	12,328.00		
DeVon, Dale	12,328.00	3179	1829.32
Dvorak, Ryan M.	12,328.00	3410	1962.30
Eberhart, Sean	12,328.00	770	443.10
Ellington, Jeff	12,328.00	1166	670.98
Engleman, Karen	12,328.00	2750	1582.50
Errington, Sue	12,328.00	1364	784.92
Fleming, Rita A.	12,328.00	2772	1595.16
Forestal, Dan	12,328.00		
Frye, Randall	12,328.00	1352	778.00
GiaQuinta, Phil	12,328.00	2640	1519.20
Goodin, Terry	12,328.00	1716	987.48
Goodrich, Charles	12,328.00	792	455.76
Gutwein, Douglas	12,328.00	2211	1272.28
Hamilton, Carey	12,328.00		
Harris Jr., Earl	12,328.00	3542	2038.26
Hatcher, Ragen	12,328.00	3410	1962.30
Hatfield, Ryan	12,328.00	3894	2240.82
Heaton, Robert	12,328.00	1749	1006.42
Heine, Dave	12,328.00	1560	898.30
Hostettler, Matthew	12,328.00	3520	2025.60
Huston, Todd	12,328.00	550	316.50
Jackson, Carolyn	12,328.00	3520	2025.60
Jordan, Jack	12,328.00	2915	1677.40
Judy, Christopher	12,328.00	2651	1525.48
Karickhoff, Michael	12,328.00	1166	670.98
Kirchhofer, Cynthia	12,328.00		
Klinker, Sheila	12,328.00	1386	797.58

FINANCIAL STATEMENT FOR THE HOUSE OF REPRESENTATIVES—2020 SECOND REGULAR SESSION

Representative	*Per Diem*	Miles	Mileage Reimbursement
Lauer, Ryan	12,328.00	1001	575.98
Lehe, Donald J.	12,328.00	1650	949.50
Lehman, Matthew	12,328.00	2442	1405.26
Leonard, Daniel J.	12,328.00	2299	1322.92
Lindauer, Shane	12,328.00	2772	1595.16
Lucas, Jim	12,328.00	1428	821.80
Lyness, Randall	12,328.00	1870	1076.10
Macer, Karlee	12,328.00		
Manning, Ethan	12,328.00	2024	1164.72
May, Christopher	12,328.00	1760	1012.80
Mayfield, Marguerite	12,328.00	737	424.06
McNamara, Wendy	12,328.00	4114	2367.42
Miller, Douglas	12,328.00	3608	2076.24
Moed, Justin	12,328.00		
Morris, Robert	12,328.00	3190	1835.70
Morrison, Alan	12,328.00	1360	761.98
Moseley, Charles	12,328.00	3476	2000.28
Negele, Sharon	12,328.00	1716	987.48
Nisly, Curt	12,328.00	3124	1797.72
Pfaff, Tonya	12,328.00	1782	1025.46
Pierce, Matthew	12,328.00	1166	670.98
Porter, Gregory	12,328.00		
Prescott, John	12,328.00	2222	1278.66
Pressel Jr., James	12,328.00	3509	2019.22
Pryor, Cherrish	12,328.00		
Saunders, Thomas	12,328.00	1056	607.68
Schaibley, Donna	12,328.00	473	272.14
Shackleford, Robin	12,328.00		
Sherman, Dollyne	12,328.00		
Smaltz, Benjamin	12,328.00	3256	1873.68
Smith, Vernon	12,328.00	3366	1936.98
Soliday, Edmond	12,328.00	3278	1886.34
Speedy, Michael	12,328.00		
Steuerwald, Gregory	12,328.00	341	196.18
Stutzman, Christy	12,328.00	3872	2228.16
Sullivan, Holli	12,328.00	4004	2304.12
Summers, Vanessa	12,328.00		
Thompson, Jeffrey	12,328.00	572	329.16
Torr, Gerald	12,328.00	352	202.56
VanNatter, Heath	12,328.00	1518	873.54
Vermilion, Ann	12,328.00	1958	1126.74
Wesco, Timothy	12,328.00	3190	1835.70
Wolkins, David	12,328.00	2706	1557.18
Wright, Melanie	12,328.00	1276	734.28
Young, John	12,328.00	638	367.14
Zent, Dennis	12,328.00	3740	2152.20
Ziemke, Cindy	12,328.00	1518	873.54
TOTALS	**1,232,800.00**	**188,825**	**108,639.87**

FINANCIAL STATEMENT FOR THE HOUSE OF REPRESENTATIVES—2020

Ending June 30, 2020

* NOTE: *In an effort to provide full and accurate information, this statement includes House expenditures for the fiscal year (July 1, 2019-June 30, 2020) rather than just expenses incurred during the regular legislative session.*

Legislators' Salaries, Session *per diem*, and Voucher *per diem*		$ 6,718,143.83
Legislators' Mileage Reimbursement, Leadership Pay, Interim Expenses		3,039,986.83
Operating Expenses:		
Staff Salaries and Benefits, Contract Labor	6,465,928.19	
General Expenses		
Postage and Mailing, Copiers, Printers, Contract Printing, Photography, Computers and Technology, Office Furniture and Supplies, Housekeeping Supplies, Staff Travel, Unemployment Compensation	3,170,942.50	
Total Operating Expenses		9,636,870.69
Total Expenditures		**$ 19,395,001.35**

EMPLOYEES OF THE HOUSE OF REPRESENTATIVES—2020

OFFICERS AND ASSISTANTS OF THE HOUSE

	Tyler Campbell	Chief of Staff to the Speaker of the House
	M. Caroline Spotts	Principal Clerk
	Pam Kirkpatrick	Deputy Clerk
	Trent Glass	Deputy Clerk
*	Mary Kate Jaworowski	Reading Clerk/Policy Intern
*	John Cochran	Parliamentarian
	Graham Fishell	Chief of Staff to Minority Leader

WAYS AND MEANS

	Ben Tooley	Majority Fiscal Policy Director
	Matt Butler	Majority Fiscal Analyst
*	Ryan Cinnante	Majority Fiscal Intern
	Erik Gonzalez	Minority Fiscal Analyst
	Peter Okeafor	Minority Legislative Assistant
*	Eric Virden	Minority Fiscal Intern

ATTORNEYS AND ASSISTANTS

	Noelle Sykes	Majority Chief Counsel
*	Jessica Dickinson	Majority Attorney
*	James Harry	Majority Attorney
*	Cass Lawson	Majority Attorney Assistant
	Patrick Cunningham	Minority Chief Counsel
*	Greg Ullrich	Minority Attorney
*	Derek Morris	Minority Attorney
*	Carol Rowe	Minority Attorney Assistant

LEADERSHIP ASSISTANTS

	Christi Egenolf	Leadership Assistant to the Speaker
*	Rachel Ely	Intern to the Speaker
	Cheryl Bruns	Leadership Assistant to Majority Caucus Chair
*	BJ Schmidt	Session Assistant
*	Lucas Smith	Intern to Majority Floor Leader
	Kim Charles	Executive Assistant to Minority Leader
*	Christina DeSanto	Intern to Minority Leader
	Anne Hancock	Director of Legislative Affairs
	Julian Winborn	Leadership Assistant to Minority Floor Leader
*	Andrew Donaldson	Intern to Minority Floor Leader
	Samantha Lozano	Leadership Assistant to Minority Caucus Chair
*	Elisa Liggins	Intern to Minority Caucus Chair

MAJORITY CAUCUS STAFF

	Brittany Jenkins	Director of Legislative Operations
	Tyler Murrell	Deputy Director of Legislative Operations & Intern Director
	Danny Kelley	Director of Policy
	David Buyze	Policy Analyst
	Victoria Szczechowski	Policy Analyst
	Luke Wilson	Policy Analyst
*	Aaron Wainscott	Policy Intern
	Erin Wittern	Director of Communications
	Courtney Heiden	Deputy Communications Director & Intern Director
	Sam Holifield	Senior Press Secretary
	Allison Vanatsky	Digital Media Specialist & Press Secretary
	Adam Kern	Press Secretary & Webmaster
	Jessica Bruder	Press Secretary
	Wade Coggeshall	Press Secretary
	Lydia Kirschner	Press Secretary
	Randy Spieth	Press Secretary
	Andrea TenBarge	Press Secretary
	Jake Thompson	Press Secretary
*	Erika Adams	Communications Intern
*	Alex Bastnagel	Communications Intern
*	Amy Cordill	Communications Intern
*	Mariah Dragonette	Communications Intern
*	Garkhor Kulia	Communications Intern
*	Cameron Michaels	Communications Intern
*	Chantz Morris	Communications Intern
*	Jordan Wallace	Communications Intern
	Andrew Alvarez	Senior Legislative Assistant
	Elias Arnett	Senior Legislative Assistant
	Evan Eagleson	Senior Legislative Assistant
	Cody Eckert	Senior Legislative Assistant
	Rachel Swartwood	Senior Legislative Assistant
	Hannah Joy Alte	Legislative Assistant
	Josh Bain	Legislative Assistant
	Jon Brunnemer	Legislative Assistant
	Emilee Gates	Legislative Assistant
	Mason Hamilton	Legislative Assistant
	Matt Jaworowski	Legislative Assistant
	Matthew LoPrete	Legislative Assistant
	Rachel Massey	Legislative Assistant
	Connor McCarthy	Legislative Assistant
	Lewis Ostermeyer	Legislative Assistant
	Brock Patterson	Legislative Assistant
	Evan Petty	Legislative Assistant
	Bethany Schrock	Legislative Assistant
	Emily Skooglund	Legislative Assistant
	Jackson Thomas	Legislative Assistant
	Andrea Zimmerman	Legislative Assistant
*	Kayla Balfour	Intern
*	David Bradley	Intern
*	Kristina Breckenridge	Intern
*	Tanner Brown	Intern
*	Jacob Carrico	Intern
*	Madeline Clabaugh	Intern
*	Alex Clark	Intern
*	Alexander Conrad	Intern

EMPLOYEES OF THE HOUSE OF REPRESENTATIVES—2020

*	Mike Critchfield	Intern
*	Rachel Ely	Intern
*	Hannah Gregory	Intern
*	Ellen Kizik	Intern
*	Austin Macy	Intern
*	Nathan Marciniec	Intern
*	Jasmine Noel	Intern
*	Alec Policka	Intern
*	Daniel Silliman	Intern
*	William Smeltzer	Intern
*	Lucas Smith	Intern
*	Zachary Smith	Intern
*	Erica Szczechowski	Intern
*	Tori Thatcher-Milton	Intern
*	Mauricio Villacres	Intern
*	Caitlin Way	Intern

MINORITY CAUCUS STAFF

	Chris Campaniolo	Minority Policy Director
	Kate Oehl	Communications Director
	Anna Bowman	Communications Assistant
	Bailey Hayes	Communications Assistant & Social Media Specialist
	Judson Kring	Online Content Facilitator
	Lauren Coon	Director of Publications
	Julian Winborn	Intern Director
	RaeVen Ridgell	Indiana Black Legislative Caucus Director and Legislative Assistant
	Anne Hancock	Legislative Assistant
	Shelby Baumgartner	Legislative Assistant
	Kyle Donohue	Legislative Assistant
	Lafayette Jordan	Legislative Assistant
	Samantha Lozano	Leadership Assistant
	Ian McDaniel	Legislative Assistant
	Luis Nino	Legislative Assistant
	Julian Winborn	Legislative Assistant
*	Samantha Abbott	Intern
*	Thad Boone	Graphic Design & Video Intern
*	Christian DeSanto	Intern
*	Andrew Donaldson	Intern
*	Blair Earnest	Intern
*	Claire Ellis	Intern
*	Riccardo Johnson	Intern
*	Joe Killion	Policy Intern
*	Elisa Liggins	Intern
*	Lauren Neal	IBLC Intern
*	Florence Ngun Tin Dim	Intern
*	Hannah Smith	Media Relations Intern
*	Jacob Stefaniak	Inerrn
*	Eric Virden	Ways & Mean Intern
*	Troi Watts	Caucus Intern
*	Angela Williams	Intern
*	Elizabeth Wilson	Intern

JOURNAL OFFICE

	Amy Elifritz	Journal Clerk
*	Carol Lee	Resolution Clerk, Engrossing/Enrolling Clerk

DUPLICATING AND BILL DISTRIBUTION

	Ryan Mangus	Supervisor
	Rick Bond	Assistant Supervisor
*	Norm Craig	Session Assistant

POST OFFICE/FACILITIES MANAGEMENT

	Trent Glass	Facilities Manager/ Director of Security
	Jose Webb	Postmaster

HOUSEKEEPING

	Jonita McNeeley	Supervisor of Housekeeping
	Steven Mack	Housekeeping
	Donald Mosley	Housekeeping
	Geneva Shaw	Housekeeping
	Kathy Watson	Housekeeping
	Mindy Weaver	Housekeeping

DOORKEEPERS

*	Phil Byers	Doorkeeper
*	Yvonne Conniff	Gallery Doorkeeper
*	Tom Lee	Doorkeeper
*	Elaine Wall	Doorkeeper
*	Harold L. Whitney, Sr.	Doorkeeper

PAGE OFFICE

*	Karla Mosley	Director of Student Services
*	Josh Nosie	Assistant Director of Student Services
*	Connie Essex	Facilitator
*	Janet Maric	Facilitator

RECEPTIONISTS AND TELEPHONE CENTER

	Bea White	House Receptionist
*	Pat Bails	336 Receptionist
*	Jean Ham	Supervisor Telephone Center
*	Stephen Ham	Operator
*	Stella Mae Carley	Operator
*	Sean Fulton	Operator
*	Pam Jones	Operator

PHOTOGRAPHY

*	Jonathan Hawkins	Photographer

* denotes session employees who worked only during the regular session.

HOUSE ROLL CALL INDEX–2020
SECOND REGULAR SESSION

Bill No.	Action	Roll Call No.
HOUSE BILLS		
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SECOND REGULAR SESSION

2020

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Sent to the Governor 89
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Vetoed 0
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In 2020, 3 House Joint Resolutions were introduced. None were reported out of committee.

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Introduced and referred to committee 451
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Not called for third reading. 2
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Defeated. 3
Failed. 0
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Concur adopted . . . . . (29)
Conference committee report adopted. . . . . (25)
Sent to the Governor 79
Signed 78
Filed without signature 0
Vetoed 1
Law enacted. 78

In 2020, 11 Senate Joint Resolutions were introduced. None were reported out of committee.

* Numbers in parentheses are explanatory.

HISTORIES OF BILLS AND RESOLUTIONS—2020

SECOND REGULAR SESSION

(Those marked with ■ became law; those marked with ▣ were vetoed by the Governor.)

SENATE BILLS

	House	Senate
■ SB 1 Authors Senators Charbonneau, Bray, Ruckelshaus		
Sponsor Representative Kirchhofer		
Tobacco and vaping smoking age.		
Authored by Senator Charbonneau		8
First reading: referred to Committee on Health and Provider Services		
Senator Bray added as second author		65
Senator Ruckelshaus added as third author		
Committee report: amend do pass, adopted		74
Senator Stoops added as coauthor		108
Second reading: amended, ordered engrossed		120
Amendment #1 (Leising) prevailed; voice vote		120
Senator Mrvan added as coauthor		125
Senator Randolph added as coauthor		
Third reading: passed;		
Roll Call 38: yeas 38, nays 9		149
House sponsor: Representative Kirchhofer		
Cosponsor: Representative Huston		
Referred to the House		
First reading: referred to Committee on Public Health	242	
Committee report: amend do pass, adopted	345	
Second reading: amended, ordered engrossed	387	
Amendment #1 (Kirchhofer) prevailed; voice vote	387	
Third reading: passed;		
Roll Call 264: yeas 78, nays 16	410	
Returned to the Senate with amendments		
Senate dissented from House amendments		673
Senate conferees appointed: Charbonneau and Stoops		684
Senate advisors appointed: Ruckelshaus and Randolph		
House conferees appointed: Kirchhofer and Shackleford	448	
House advisors appointed: Bacon, Davisson, Zent, Fleming and Hatfield		
Rules suspended;		
Conference committee report 1: adopted by the Senate;		
Roll Call 380: yeas 37, nays 11		791
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 385: yeas 77, nays 16	631	
Signed by the President Pro Tempore		1051
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 49		
■ SB 2 Authors Senators Raatz, Bray, Kruse		
Sponsor Representative DeVon		
School accountability.		
Authored by Senator Raatz		8
First reading: referred to Committee on Education and Career Development		
Committee report: amend do pass, adopted		23
Senator Bray added as second author		23
Senator Kruse added as third author		
Senator Rogers added as coauthor		
Second reading: ordered engrossed		40
Amendment #1 (Melton) failed;		
Roll Call 6: yeas 8, nays 37		40
Senator Melton added as coauthor		46
Third reading: passed;		
Roll Call 8: yeas 49, nays 0		55
House sponsor: Representative DeVon		
Senator Doriot added as coauthor		56
Referred to the House		
First reading: referred to Committee on Education	146	
Committee report: do pass, adopted	174	
Second reading: ordered engrossed	234	
Representatives Carbaugh, Kirchhofer, V. Smith added as cosponsors	234	
Third reading: passed;		
Roll Call 151: yeas 90, nays 0	239	
Returned to the Senate without amendments		
Senator Ruckelshaus added as coauthor		324
Signed by the President Pro Tempore		333
Signed by the Speaker	251	
Signed by the President of the Senate		338
Signed by the Governor		357
Public Law 2		
SB 3 Authors Senators Charbonneau, Garten, Jon Ford		
Sponsor Representative Smaltz		
Health care provider billing.		
Authored by Senators Charbonneau and Garten		8
First reading: referred to Committee on Health and Provider Services		
Senator Jon Ford added as third author		46
Senator Melton added as coauthor		108
Senator Stoops added as coauthor		
Committee report: amend do pass, adopted		133
Senator Glick added as coauthor		171
Senator Randolph added as coauthor		
Second reading: ordered engrossed		279
Senator Zay added as coauthor		306
Third reading: passed;		
Roll Call 133: yeas 49, nays 0		316
House sponsor: Representative Smaltz		
Cosponsors: Representatives Kirchhofer and Barrett		
Senators Kruse and Messmer added as coauthors		324
Senator Rogers added as coauthor		
Referred to the House		
First reading: referred to Committee on Insurance	248	
SB 4 Authors Senators Charbonneau, Ruckelshaus		
Sponsor Representative Kirchhofer		
Health programs.		
Authored by Senator Charbonneau		8
First reading: referred to Committee on Health and Provider Services		
Committee report: amend do pass adopted; reassigned to Committee on Appropriations		76
Senator Melton added as coauthor		108
Senator Stoops added as coauthor		

HISTORIES OF BILLS AND RESOLUTIONS—2020

	House	Senate
Committee report: amend do pass, adopted		134
Senator Ruckelshaus added as second author		151
Second reading: ordered engrossed		165
Senator Glick added as coauthor		171
Senator Randolph added as coauthor		
Third reading: passed;		
Roll Call 94: yeas 47, nays 3		210
House sponsor: Representative Schaibley		
Cosponsor: Representative Kirchhofer		
Referred to the House		
First reading: referred to Committee on Public Health	242	
Committee report: amend do pass, adopted	345	
Representative Schaibley removed as sponsor	382	
Representative Kirchhofer added as sponsor	382	
Representative Kirchhofer removed as cosponsor	382	
Representative Schaibley added as cosponsor	382	
Second reading: ordered engrossed	387	
Representative Clere added as cosponsor	406	
Representative Shackleford added as cosponsor	406	
Third reading: passed;		
Roll Call 265: yeas 82, nays 12	411	
Returned to the Senate with amendments		
Senate dissented from House amendments		657
Senate conferees appointed: Charbonneau and Melton		670
Senate advisors appointed: Zay, Randolph, Breaux and Ruckelshaus		
House conferees appointed: Kirchhofer and Shackleford	433	
House advisors appointed: Barrett, Schaibley and Fleming		

■ SB 5 Authors Senators Charbonneau, Ruckelshaus
Sponsor Representative Schaibley

	House	Senate
Health provider contracts.		
Authored by Senator Charbonneau		25
First reading: referred to Committee on Health and Provider Services		
Senator Stoops added as coauthor		108
Committee report: do pass, adopted		134
Senator Ruckelshaus added as second author		151
Senator Glick added as coauthor		171
Senator Randolph added as coauthor		172
Second reading: amended, ordered engrossed		266
Amendment #1 (Charbonneau) prevailed; voice vote		266
Third reading: passed;		
Roll Call 107: yeas 47, nays 0		311
House sponsor: Representative Schaibley		
Cosponsors: Representatives Barrett and Kirchhofer		
Referred to the House		
First reading: referred to Committee on Public Health	248	
Representative Shackleford added as cosponsor	264	
Committee report: amend do pass, adopted	346	
Second reading: amended, ordered engrossed	387	
Amendment #4 (Schaibley) prevailed; voice vote	387	
Third reading: passed;		
Roll Call 266: yeas 94, nays 0	411	
Returned to the Senate with amendments		
Motion to concur filed		
Senator Spartz added as coauthor		681
Senate concurred in House amendments;		
Roll Call 346: yeas 48, nays 0		681
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 50		

SB 6 Authors Senators Bohacek, Alting
Sponsor Representative Sullivan

	House	Senate
Electric vehicle supplemental fee.		
Authored by Senator Bohacek		8
First reading: referred to Committee on Homeland Security and Transportation		
Committee report: amend do pass, adopted		178
Second reading: ordered engrossed		267
Senator Alting added as second author		272
Third reading: passed;		
Roll Call 108: yeas 47, nays 0		311
House sponsor: Representative Sullivan		
Cosponsor: Representative Abbott		
Referred to the House		
First reading: referred to Committee on Roads and Transportation	249	

SB 7 Author Senator Bohacek

	House	Senate
Curricular material rental.		
Authored by Senator Bohacek		8
First reading: referred to Committee on Education and Career Development		

SB 8 Authors Senators Bohacek, Alting
Sponsor Representative Abbott

	House	Senate
911 dispatchers.		
Authored by Senator Bohacek		8
First reading: referred to Committee on Homeland Security and Transportation		
Senator J.D. Ford added as coauthor		65
Committee report: do pass, adopted		116
Senator Zay added as coauthor		125
Second reading: ordered engrossed		148
Senator Alting added as second author		151
Senator Stoops added as coauthor		
Third reading: passed;		
Roll Call 51: yeas 50, nays 0		169
House sponsor: Representative Abbott		
Cosponsor: Representative Bartlett		
Senator Glick added as coauthor		172
Referred to the House		
First reading: referred to Committee on Veterans Affairs and Public Safety	242	

SB 9 Authors Senators Tomes, Koch, Buck
Sponsor Representative May

	House	Senate
Target shooting.		
Authored by Senator Tomes		8
First reading: referred to Committee on Judiciary		
Senator Koch added as second author		65
Committee report: amend do pass, adopted		76
Second reading: amended, ordered engrossed		120
Amendment #1 (Tomes) prevailed; voice vote		120
Third reading: passed;		
Roll Call 52: yeas 41, nays 9		169
House sponsor: Representative May		
Senator Buck added as third author		172
Senator Crane added as coauthor		

	House	Senate
Referred to the House		
First reading: referred to Committee on Judiciary	242	

■ SB 10 Authors Senators Boots, Doriot
Sponsor Representative Burton

	House	Senate
Pension matters.		
Authored by Senator Boots		8
First reading: referred to Committee on Pensions and Labor		
Committee report: do pass, adopted		28
Senator Doriot added as second author		46
Senators Garten, J.D. Ford, Niezgodski added as coauthors		47
Second reading: ordered engrossed		55
Third reading: passed;		
Roll Call 10: yeas 49, nays 0		63
House sponsor: Representative Burton		
Senator Randolph added as coauthor		65
Senator Tallian added as coauthor		
Referred to the House		
First reading: referred to Committee on Employment, Labor and Pensions	242	
Committee report: amend do pass, adopted	284	
Representative VanNatter added as cosponsor	314	
Second reading: amended, ordered engrossed	339	
Amendment #2 (Burton) prevailed; voice vote	339	
Third reading: passed;		
Roll Call 219: yeas 91, nays 0	344	
Representative Moseley added as cosponsor	382	
Returned to the Senate with amendments		
Senate dissented from House amendments		631
Senate conferees appointed: Boots and Tallian		642
Senate advisors appointed: Doriot, Niezgodski and Garten		
House conferees appointed: Burton and Moseley	418	
House advisors appointed: VanNatter, Lyness, Beck and Deal		
Conference committee report 1: adopted by the Senate;		
Roll Call 351: yeas 50, nays 0		687
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 342: yeas 93, nays 0	452	
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 51		

SB 11 Author Senator Boots

	House	Senate
Direct wine seller's permit.		
Authored by Senator Boots		8
First reading: referred to Committee on Public Policy		

SB 12 Authors Senators Boots, Spartz, Raatz
Sponsor Representative Burton

	House	Senate
Resident tuition rate for active duty personnel.		
Authored by Senator Boots		8
First reading: referred to Committee on Education and Career Development		
Senator Spartz added as second author		47
Senator Mrvan added as coauthor		
Senator J.D. Ford added as coauthor		65
Committee report: amend do pass, adopted		76
Senator Niezgodski added as coauthor		108
Second reading: amended, ordered engrossed		120
Amendment #1 (M. Young) prevailed; voice vote		120
Senator Raatz added as third author		125
Senator Glick added as coauthor		
Senator Randolph added as coauthor		126
Senator Zay added as coauthor		
Third reading: passed;		
Roll Call 39: yeas 47, nays 0		149
House sponsor: Representative Burton		
Senator Crane added as coauthor		151
Senator Grooms added as coauthor		
Referred to the House		
First reading: referred to Committee on Education	242	

SB 13 Bill Withdrawn

SB 14 Authors Senators M. Young, Bray, Lanane

	House	Senate
Review of criminal penalties during the interim.		
Authored by Senators M. Young, Bray, Lanane		8
Coauthored by Senator Tallian		
First reading: referred to Committee on Corrections and Criminal Law		
Senator Randolph added as coauthor		56
Committee report: amend do pass, adopted		77
Senator Stoops added as coauthor		108
Second reading: ordered engrossed		120

SB 15 Author Senator Grooms

	House	Senate
Pharmacy benefit managers.		
Authored by Senator Grooms		8
First reading: referred to Committee on Health and Provider Services		

SB 16 Authors Senators Bohacek, M. Young, Alting
Sponsor Representative Pressel

	House	Senate
Juvenile delinquents and firearms.		
Authored by Senator Bohacek		8
First reading: referred to Committee on Corrections and Criminal Law		
Committee report: amend do pass, adopted		28
Senator Alting added as second author		47
Senator Ruckelshaus added as third author		
Second reading: amended, ordered engrossed		55
Amendment #2 (Bohacek) prevailed; voice vote		55
Senator Randolph added as coauthor		56
Third reading: passed;		
Roll Call 11: yeas 43, nays 6		63
House sponsor: Representative Pressel		
Cosponsor: Representative Negele		
Senator Alting removed as second author		65
Senator Ruckelshaus removed as third author		
Senator M. Young added as second author		
Senator Alting added as third author		
Senator Niezgodski added as coauthor		
Senators Ruckelshaus and J.D. Ford added as coauthors		
Referred to the House		
First reading: referred to Committee on Courts and Criminal Code	242	

HISTORIES OF BILLS AND RESOLUTIONS—2020

	House	Senate
SB 17 Author Senator Bohacek		
Credit for work completed during suspension.		
Authored by Senator Bohacek		8
First reading: referred to Committee on Education and Career Development		
SB 18 Author Senator Bohacek		
Virtual charter school enrollment.		
Authored by Senator Bohacek		8
First reading: referred to Committee on Education and Career Development		
■ SB 19 Authors Senators Charbonneau, Messmer		
Sponsor Representative Kirchhofer		
Electronic technology for ophthalmic prescriptions.		
Authored by Senator Charbonneau		8
First reading: referred to Committee on Health and Provider Services		
Senator Messmer added as second author		20
Committee report: amend do pass, adopted		215
Second reading: amended, ordered engrossed		279
Amendment #2 (Leising) prevailed; voice vote		279
Third reading: passed;		
Roll Call 134: yeas 48, nays 0		317
House sponsor: Representative Kirchhofer		
Cosponsors: Representatives Vermilion and Barrett		
Senator Raatz added as coauthor		324
Referred to the House		
First reading: referred to Committee on Public Health	249	
Committee report: amend do pass, adopted	258	
Second reading: ordered engrossed	274	
Third reading: passed;		
Roll Call 184: yeas 96, nays 0	289	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 322: yeas 49, nays 0		655
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 52		
■ SB 20 Authors Senators Gaskill, Niemeyer		
Sponsor Representative Saunders		
Plan commissions.		
Authored by Senator Gaskill		8
First reading: referred to Committee on Local Government		
Senator Niemeyer added as second author		47
Committee report: amend do pass, adopted		78
Second reading: ordered engrossed		120
Senators Rogers and Kruse added as coauthors		126
Third reading: passed;		
Roll Call 40: yeas 46, nays 1		150
House sponsor: Representative Saunders		
Referred to the House		
First reading: referred to Committee on Local Government	242	
Committee report: amend do pass, adopted	266	
Second reading: ordered engrossed	300	
Amendment #1 (Goodin) motion withdrawn	300	
Third reading: passed;		
Roll Call 194: yeas 93, nays 0	312	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 323: yeas 47, nays 2		655
Signed by the President Pro Tempore		684
Signed by the Speaker	784	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 53		
■ SB 21 Authors Senators Rogers, Grooms, Charbonneau		
Sponsor Representative Davisson		
Out-of-state prescriptions.		
Authored by Senators Rogers, Grooms, Charbonneau		8
First reading: referred to Committee on Health and Provider Services		
Committee report: amend do pass, adopted		28
Second reading: ordered engrossed		55
Third reading: passed;		
Roll Call 12: yeas 46, nays 3		64
House sponsor: Representative Davisson		
Cosponsors: Representatives Kirchhofer and Stutzman		
Senators L. Brown, Leising, Becker, Busch, Mrvan, Niezgodski, Crider added as coauthors		65
Senator Doriot added as coauthor		
Senator J.D. Ford added as coauthor		
Senator Mishler added as coauthor		66
Senator Randolph added as coauthor		
Referred to the House		
First reading: referred to Committee on Public Health	243	
Committee report: amend do pass, adopted	348	
Second reading: ordered engrossed	385	
Third reading: passed;		
Roll Call 267: yeas 94, nays 0	411	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 335: yeas 41, nays 0		670
Signed by the President Pro Tempore		684
Signed by the Speaker	784	
Signed by the President of the Senate		903
Signed by the Governor		1051
Public Law 28		
SB 22 Author Senator Boots		
Expungement and law enforcement employment.		
Authored by Senator Boots		8
First reading: referred to Committee on Corrections and Criminal Law		
SB 23 Authors Senators Boots, Gaskill, Niemeyer		
Sponsor Representative Thompson		
Annexation.		
Authored by Senator Boots		8
First reading: referred to Committee on Local Government		
Committee report: amend do pass, adopted		78
Senator Gaskill added as second author		108
Second reading: ordered engrossed		121

	House	Senate
Senator Niemeyer added as third author		126
Third reading: passed;		
Roll Call 53: yeas 37, nays 12		169
House sponsor: Representative Thompson		
Senator Buck added as coauthor		172
Referred to the House		
First reading: referred to Committee on Local Government	243	

SB 24 Authors Senators Boots, Doriot

Overweight divisible loads.

	House	Senate
Authored by Senators Boots and Doriot		8
First reading: referred to Committee on Homeland Security and Transportation		
Senator Zay added as coauthor		126

■ SB 25 Authors Senators Boots, Garten Sponsor Representative Frye

Mental health disability review panels.

	House	Senate
Authored by Senator Boots		8
First reading: referred to Committee on Pensions and Labor		
Senator Tallian added as coauthor		23
Committee report: amend do pass, adopted		28
Senator Garten added as second author		47
Senators Doriot and Niezgodski added as coauthors		
Senator J.D. Ford added as coauthor		
Second reading: ordered engrossed		55
Third reading: passed;		
Roll Call 13: yeas 49, nays 0		64
House sponsor: Representative Frye		
Cosponsors: Representatives Smaltz and Steuerwald		
Senator Randolph added as coauthor		66
Referred to the House		
First reading: referred to Committee on Employment, Labor and Pensions	243	
Committee report: amend do pass, adopted	316	
Second reading: ordered engrossed	342	
Representative Moseley added as cosponsor	382	
Third reading: passed;		
Roll Call 233: yeas 89, nays 0	385	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 324: yeas 48, nays 0		655
Signed by the President Pro Tempore		684
Signed by the Speaker	784	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 54		

SB 26 Authors Senators Walker, Bohacek

Small loan finance charges.

	House	Senate
Authored by Senator Walker		8
First reading: referred to Committee on Insurance and Financial Institutions		
Senators J.D. Ford and Kruse added as coauthors		66
Senator Bohacek added as second author		126
Senator Lanane added as coauthor		

SB 27 Authors Senators Walker, Jon Ford Sponsor Representative Leonard

Native American Indian affairs commission.

	House	Senate
Authored by Senator Walker		8
First reading: referred to Committee on Public Policy		
Committee report: do pass, adopted		215
Senator Stoops added as coauthor		272
Second reading: ordered engrossed		280
Senator Jon Ford added as second author		306
Third reading: passed;		
Roll Call 135: yeas 48, nays 0		317
House sponsor: Representative Leonard		
Senator J.D. Ford added as coauthor		324
Referred to the House		
First reading: referred to Committee on Government and Regulatory Reform	249	

SB 28 Author Senator Stoops

Universal background checks for firearms.

	House	Senate
Authored by Senator Stoops		8
First reading: referred to Committee on Corrections and Criminal Law		
Senator J.D. Ford added as coauthor		47
Senator Randolph added as coauthor		126

SB 29 Author Senator Stoops

Storage of firearms.

	House	Senate
Authored by Senator Stoops		8
First reading: referred to Committee on Corrections and Criminal Law		
Senator J.D. Ford added as coauthor		20

SB 30 Authors Senators Randolph, Stoops

Tax credit for teacher classroom supplies.

	House	Senate
Authored by Senator Randolph		9
First reading: referred to Committee on Tax and Fiscal Policy		
Senator Stoops added as second author		108

SB 31 Authors Senators Randolph, Stoops

Limits on expulsions and long term suspensions.

	House	Senate
Authored by Senator Randolph		9
First reading: referred to Committee on Education and Career Development		
Senator Stoops added as second author		108

SB 32 Authors Senators Randolph, Stoops

Use of consumer reports for employment purposes.

	House	Senate
Authored by Senator Randolph		9
First reading: referred to Committee on Judiciary		
Senator Stoops added as second author		108

SB 33 Author Senator Randolph

School City of East Chicago loan.

	House	Senate
Authored by Senator Randolph		9
First reading: referred to Committee on Appropriations		

SB 34 Authors Senators Randolph, Stoops

Paid employee leave.

	House	Senate
Authored by Senator Randolph		9
First reading: referred to Committee on Pensions and Labor		
Senator Stoops added as second author		108

HISTORIES OF BILLS AND RESOLUTIONS—2020

	House	Senate
SB 35 Authors Senators Randolph, Stoops		
Protective orders and employment.		
Authored by Senator Randolph		9
First reading: referred to Committee on Pensions and Labor		
Senator Stoops added as second author		109
SB 36 Author Senator Randolph		
Driver instructions of law enforcement procedures.		
Authored by Senator Randolph		9
First reading: referred to Committee on Homeland Security and Transportation		
SB 37 Author Senator Boots		
Grocery and drug store cold beer sales.		
Authored by Senator Boots		9
First reading: referred to Committee on Public Policy		
SB 38 Author Senator Charbonneau		
Reporting by pharmacy benefit managers.		
Authored by Senator Charbonneau		9
First reading: referred to Committee on Health and Provider Services		
Senator Stoops added as coauthor		109
■ SB 39 Authors Senators Freeman, M. Young, Merritt Sponsor Representative J. Young		
Specialized driving privileges.		
Authored by Senator Freeman		9
First reading: referred to Committee on Corrections and Criminal Law		
Committee report: amend do pass, adopted		29
Senator M. Young added as second author		47
Second reading: ordered engrossed		55
Senator Randolph added as coauthor		56
Third reading: passed;		
Roll Call 14: yeas 49, nays 0		64
House sponsor: Representative J. Young		
Senator Merritt added as third author		66
Referred to the House		
First reading: referred to Committee on Courts and Criminal Code	243	
Committee report: amend do pass, adopted	258	
Second reading: ordered engrossed	274	
Third reading: passed;		
Roll Call 185: yeas 93, nays 2	289	
Returned to the Senate with amendments		
Senators Bohacek and G. Taylor added as coauthors		456
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 325: yeas 48, nays 1		655
Signed by the President Pro Tempore		684
Signed by the Speaker	784	
Signed by the President of the Senate		903
Signed by the Governor		1051
Public Law 29		
SB 40 Author Senator Crane		
State sport.		
Authored by Senator Crane		9
First reading: referred to Committee on Public Policy		
SB 41 Author Senator Merritt		
Practice of dentistry.		
Authored by Senator Merritt		9
First reading: referred to Committee on Health and Provider Services		
SB 42 Author Senator Buck		
Sessions of the general assembly.		
Authored by Senator Buck		9
First reading: referred to Committee on Rules and Legislative Procedure		
SB 43 Authors Senators M. Young, Houchin Sponsor Representative Steuerwald		
Fraud consolidation.		
Authored by Senator M. Young		9
First reading: referred to Committee on Corrections and Criminal Law		
Committee report: amend do pass, adopted		216
Second reading: amended, ordered engrossed		280
Amendment #1 (M. Young) prevailed; voice vote		280
Senator Freeman added as second author		306
Senator Randolph added as coauthor		
Third reading: passed;		
Roll Call 136: yeas 27, nays 22		317
House sponsor: Representative Steuerwald		
Senator Freeman removed as second author		324
Senator Houchin added as second author		
Referred to the House		
First reading: referred to Committee on Courts and Criminal Code	249	
SB 44 Authors Senators Becker, Merritt, Leising		
Professional growth experience points.		
Authored by Senators Becker and Merritt		9
First reading: referred to Committee on Education and Career Development		
Senator Leising added as third author		47
Senator Tomes added as coauthor		
SB 45 Authors Senators J.D. Ford, Ruckelshaus		
Teacher licensing.		
Authored by Senator J.D. Ford		9
First reading: referred to Committee on Education and Career Development		
Senator Ruckelshaus added as second author		47
Senator Stoops added as coauthor		109
SB 46 Authors Senators Freeman, Doriot Sponsor Representative Speedy		
Interim study committee.		
Authored by Senator Freeman		9
First reading: referred to Committee on Local Government		
Senator Doriot added as second author		47
Committee report: amend do pass, adopted		217
Second reading: ordered engrossed		280
Senator Randolph added as coauthor		306
Third reading: passed;		
Roll Call 137: yeas 47, nays 2		317
House sponsor: Representative Speedy		

	House	Senate
Senator Spartz added as coauthor		325
Referred to the House		
First reading: referred to Committee on Rules and Legislative Procedures	250	

■ SB 47 Authors Senators Freeman, Koch, Bohacek
Sponsor Representative J. Young

	House	Senate
Expungement issues.		
Authored by Senator Freeman		9
First reading: referred to Committee on Corrections and Criminal Law		
Senator Koch added as second author		66
Senator Bohacek added as third author		
Senator Randolph added as coauthor		
Committee report: amend do pass, adopted		94
Senator Boots added as coauthor		109
Second reading: ordered engrossed		148
Third reading: passed;		
Roll Call 54: yeas 47, nays 3		170
House sponsor: Representative J. Young		
Referred to the House		
First reading: referred to Committee on Courts and Criminal Code	243	
Committee report: amend do pass, adopted	348	
Second reading: ordered engrossed	385	
Third reading: passed;		
Roll Call 268: yeas 88, nays 5	411	
Returned to the Senate with amendments		
Motion to concur filed		
Concurrence withdrawn		657
Senate dissented from House amendments		670
Senate conferees appointed: Freeman and Tallian		680
Senate advisors appointed: Koch and G. Taylor		
House conferees appointed: J. Young and Pierce	448	
House advisors appointed: McNamara, May, Beck and Hatcher		
Senator Tallian removed as conferee		692
Senator M. Young added as conferee		
Rules suspended;		
Conference committee report 1: adopted by the Senate;		
Roll Call 381: yeas 41, nays 8		801
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 386: yeas 89, nays 4	641	
Signed by the President Pro Tempore		1051
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 55		

SB 48 Authors Senators Merritt, Crider, Garten

	House	Senate
Cruelty to a law enforcement animal.		
Authored by Senator Merritt		9
First reading: referred to Committee on Corrections and Criminal Law		
Senator Crider added as second author		47
Senator Garten added as third author		

SB 49 Author Senator Merritt

	House	Senate
Immunity under the lifeline law.		
Authored by Senator Merritt		9
First reading: referred to Committee on Corrections and Criminal Law		

■ SB 50 Authors Senators Freeman, Koch
Sponsor Representative Torr

	House	Senate
Various trust and probate issues.		
Authored by Senators Freeman and Koch		9
First reading: referred to Committee on Judiciary		
Senator Randolph added as coauthor		66
Committee report: amend do pass, adopted		97
Second reading: ordered engrossed		148
Third reading: passed;		
Roll Call 55: yeas 49, nays 0		170
House sponsor: Representative Torr		
Referred to the House		
First reading: referred to Committee on Judiciary	243	
Committee report: amend do pass, adopted	267	
Second reading: ordered engrossed	298	
Third reading: passed;		
Roll Call 205: yeas 92, nays 0	339	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 336: yeas 41, nays 0		670
Signed by the President Pro Tempore		684
Signed by the Speaker	784	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 56		

SB 51 Author Senator Niezgodski

	House	Senate
Call center worker and consumer protection.		
Authored by Senator Niezgodski		9
First reading: referred to Committee on Pensions and Labor		

SB 52 Author Senator Niezgodski

	House	Senate
Prevailing wage.		
Authored by Senator Niezgodski		9
First reading: referred to Committee on Pensions and Labor		
Senator Stoops added as coauthor		109

SB 53 Author Senator Niezgodski

	House	Senate
Proof of identification.		
Authored by Senator Niezgodski		9
First reading: referred to Committee on Elections		

SB 54 Authors Senators Doriot, Crider, Rogers
Sponsor Representative J. Young

	House	Senate
Railroad crossings.		
Authored by Senator Doriot		9
First reading: referred to Committee on Homeland Security and Transportation		
Committee report: do pass, adopted		178
Senator Crider added as second author		264
Second reading: ordered engrossed		267
Senator Randolph added as coauthor		272
Third reading: passed;		
Roll Call 109: yeas 45, nays 1		311
House sponsor: Representative J. Young		
Cosponsors: Representatives Speedy, Miller, Jordan		

	House	Senate
Senator Rogers added as third author		314
Referred to the House		
First reading: referred to Committee on Roads and Transportation	250	

SB 55 Authors Senators Doriot, Rogers

Piping materials for public works projects.

	House	Senate
Authored by Senator Doriot		9
First reading: referred to Committee on Commerce and Technology		
Senator Rogers added as second author		47
Senator Buck added as coauthor		

SB 56 Author Senator Rogers

Homeowners associations.

	House	Senate
Authored by Senator Rogers		9
First reading: referred to Committee on Judiciary		

SB 57 Authors Senators Leising, Kruse

School curriculum.

	House	Senate
Authored by Senator Leising		9
First reading: referred to Committee on Education and Career Development		
Senator Kruse added as second author		47

SB 58 Author Senator Leising

Student assessment.

	House	Senate
Authored by Senator Leising		9
First reading: referred to Committee on Education and Career Development		

SB 59 Authors Senators Leising, Jon Ford, Becker

Teacher evaluations.

	House	Senate
Authored by Senator Leising		9
First reading: referred to Committee on Education and Career Development		
Senator Jon Ford added as second author		47
Senator Becker added as third author		

SB 60 Author Senator Leising

Management performance hub employees.

	House	Senate
Authored by Senator Leising		9
First reading: referred to Committee on Homeland Security and Transportation		

■ SB 61 Authors Senators Charbonneau, Merritt, Garten
Sponsor Representative Bacon

EMS personnel licensure interstate compact.

	House	Senate
Authored by Senator Charbonneau		10
First reading: referred to Committee on Homeland Security and Transportation		
Senator Merritt added as second author		47
Senator Garten added as third author		
Committee report: do pass, adopted		60
Second reading: ordered engrossed		106
Third reading: passed;		
Roll Call 24: yeas 50, nays 0		121
House sponsor: Representative Bacon		
Cosponsor: Representative Vermilion		
Senator Randolph added as coauthor		126
Senator Tallian added as coauthor		
Senator Zay added as coauthor		
Referred to the House		
First reading: referred to Statutory Committee on Interstate and International Cooperation	243	
Committee report: do pass, adopted	259	
Representative Kirchhofer added as cosponsor	264	
Second reading: ordered engrossed	274	
Representative Macer added as cosponsor	282	
Third reading: passed;		
Roll Call 186: yeas 94, nays 0	289	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		451
Signed by the Speaker	415	
Signed by the President of the Senate		684
Signed by the Governor		746
Public Law 3		

SB 62 Authors Senators Grooms, Jon Ford
Sponsor Representative Clere

Psychotropic medication in foster care study committee topic.

	House	Senate
Authored by Senator Grooms		10
First reading: referred to Committee on Family and Children Services		
Committee report: amend do pass, adopted		179
Second reading: ordered engrossed		267
Senator Jon Ford added as second author		272
Senator Randolph added as coauthor		
Third reading: passed;		
Roll Call 110: yeas 47, nays 0		311
House sponsor: Representative Clere		
Cosponsors: Representatives Davisson, Engleman, Fleming		
Referred to the House		
First reading: referred to Committee on Rules and Legislative Procedures	250	

SB 63 Authors Senators Ruckelshaus, Bassler, Walker

State forest commission and management plan.

	House	Senate
Authored by Senators Ruckelshaus, Bassler, Walker		10
First reading: referred to Committee on Natural Resources		
Senator J.D. Ford added as coauthor		23
Senator Tomes added as coauthor		48
Senator Stoops added as coauthor		109

SB 64 Authors Senators Ruckelshaus, Bohacek
Sponsor Representative Cook

Indiana youth service program.

	House	Senate
Authored by Senator Ruckelshaus		10
First reading: referred to Committee on Education and Career Development		
Senator J.D. Ford added as coauthor		23
Pursuant to Senate Rule 68(b); reassigned to Committee on Pensions and Labor		
Committee report: amend do pass, adopted		134
Second reading: amended, ordered engrossed		165
Amendment #1 (Ruckelshaus) prevailed; voice vote		165
Senator Bohacek added as second author		172
Senator Niezgodski added as coauthor		
Third reading: passed;		
Roll Call 66: yeas 40, nays 10		206

	House	Senate
House sponsor: Representative Cook		
Referred to the House		
First reading: referred to Committee on Education	243	

SB 65 Author Senator Jon Ford

	House	Senate
Misdemeanor reimbursement.		
Authored by Senator Jon Ford		10
First reading: referred to Committee on Corrections and Criminal Law		

SB 66 Authors Senators Jon Ford, Charbonneau
Sponsor Representative Cherry

	House	Senate
Donation of income tax refund for cancer research.		
Authored by Senator Jon Ford		10
First reading: referred to Committee on Tax and Fiscal Policy		
Committee report: amend do pass, adopted		116
Senator Charbonneau added as second author		126
Senator Zay added as coauthor		
Senator J.D. Ford added as coauthor		
Senator Stoops added as coauthor		
Second reading: ordered engrossed		148
Senator Becker added as coauthor		151
Senator Leising added as coauthor		
Third reading: passed;		
Roll Call 56: yeas 50, nays 0		170
House sponsor: Representative Morrison		
Cosponsors: Representatives Pfaff and Heaton		
Senators Lanane and Randolph added as coauthors		172
Referred to the House		
First reading: referred to Committee on Ways and Means	243	
Representative Morrison removed as sponsor	282	
Representative Cherry added as sponsor	282	
Representatives Pfaff and Heaton removed as cosponsors	282	
Representatives Morrison, Pfaff, Heaton added as cosponsors	290	

SB 67 Authors Senators Sandlin, Jon Ford, Koch
Sponsor Representative Karickhoff

	House	Senate
Township homeless assistance.		
Authored by Senator Sandlin		10
First reading: referred to Committee on Local Government		
Senator Jon Ford added as second author		24
Committee report: do pass, adopted		54
Second reading: amended, ordered engrossed		106
Amendment #1 (Sandlin) prevailed; voice vote		106
Third reading: passed;		
Roll Call 25: yeas 50, nays 0		121
House sponsor: Representative Karickhoff		
Senator Koch added as third author		126
Senator Grooms added as coauthor		
Senator Merritt added as coauthor		
Senator Breaux added as coauthor		127
Senator Randolph added as coauthor		
Senator Stoops added as coauthor		
Senator G. Taylor added as coauthor		
Referred to the House		
First reading: referred to Committee on Government and Regulatory Reform	243	
Representative Shackleford added as cosponsor	282	

SB 68 Authors Senators Sandlin, Freeman
Sponsor Representative Sherman

	House	Senate
Whistleblower reports.		
Authored by Senator Sandlin		10
First reading: referred to Committee on Pensions and Labor		
Committee report: do pass, adopted		97
Second reading: amended, ordered engrossed		121
Amendment #1 (Tallian) prevailed; voice vote		121
Senator Randolph added as coauthor		127
Senator Tallian added as coauthor		
Third reading: passed;		
Roll Call 41: yeas 47, nays 0		150
House sponsor: Representative Sherman		
Senator Freeman added as second author		151
Referred to the House		
First reading: referred to Committee on Employment, Labor and Pensions	243	

SB 69 Authors Senators Sandlin, Koch, M. Young
Sponsor Representative Speedy

	House	Senate
Possession of firearms on school property.		
Authored by Senator Sandlin		10
First reading: referred to Committee on Judiciary		
Committee report: amend do pass, adopted		29
Senator Koch added as second author		48
Second reading: ordered engrossed		55
Senator M. Young added as third author		56
Senators Jon Ford, Freeman, Buck, Rogers, Bohacek added as coauthors		
Third reading: passed;		
Roll Call 15: yeas 42, nays 7		64
House sponsor: Representative Speedy		
Senator Bassler added as coauthor		66
Senators Kruse, Niemeyer, Houchin, Glick added as coauthors		
Referred to the House		
First reading: referred to Committee on Public Policy	243	
Representatives VanNatter and Cook added as cosponsors	264	

SB 70 Author Senator Tallian

	House	Senate
Fire department merit system.		
Authored by Senator Tallian		10
First reading: referred to Committee on Local Government		

SB 71 Authors Senators Doriot, Rogers, Koch
Sponsor Representative Torr

	House	Senate
Adverse possession statute of limitations.		
Authored by Senator Doriot		10
First reading: referred to Committee on Judiciary		
Committee report: do pass, adopted		134
Senator Rogers added as second author		172
Second reading: amended, ordered engrossed		206
Amendment #2 (Doriot) prevailed; voice vote		206
Senator Koch added as third author		210

	House	Senate
Third reading: passed;		
Roll Call 98: yeas 49, nays 1		271
House sponsor: Representative Torr		
Cosponsors: Representatives Manning and Miller		
Referred to the House		
First reading: referred to Committee on Judiciary	243	

SB 72 Authors Senators Tomes, Charbonneau, Garten
Sponsor Representative Frye

Hyperbaric oxygen treatment pilot program.		
Authored by Senator Tomes		10
First reading: referred to Committee on Health and Provider Services		
Committee report: do pass, adopted		30
Senator Charbonneau added as coauthor		48
Second reading: ordered engrossed		55
Senator Charbonneau removed as coauthor		56
Third reading: passed;		
Roll Call 16: yeas 47, nays 1		64
House sponsor: Representative Frye		
Cosponsor: Representative Bacon		
Senator Charbonneau added as second author		66
Senator Garten added as third author		
Senators Crider, Boots, Ruckelshaus, M. Young added as coauthors		
Senator J.D. Ford added as coauthor		
Senators Freeman, Alting, Rogers added as coauthors		
Senator Lanane added as coauthor		
Senator Randolph added as coauthor		
Senator Sandlin added as coauthor		67
Referred to the House		
First reading: referred to Committee on Ways and Means	243	

SB 73 Author Senator Tomes

Reports of potential violations to IDEM.		
Authored by Senator Tomes		10
First reading: referred to Committee on Environmental Affairs		

SB 74 Authors Senators Tomes, Kruse, Crane

Gender on driver's licenses.		
Authored by Senator Tomes		25
First reading: referred to Committee on Public Policy		
Senator Kruse added as second author		48
Senator Crane added as third author		
Senator Gaskill added as coauthor		

SB 75 Author Senator Buck

Nomination of candidates.		
Authored by Senator Buck		10
First reading: referred to Committee on Elections		

SB 76 Author Senator Buck

State and local audit examinations.		
Authored by Senator Buck		10
First reading: referred to Committee on Tax and Fiscal Policy		

SB 77 Author Senator Messmer

Gibson County magistrate.		
Authored by Senator Messmer		10
First reading: referred to Committee on Judiciary		
Withdrawn		46

■ SB 78 Authors Senators Messmer, Houchin
Sponsor Representative Manning

Shovel ready site development center.		
Authored by Senator Messmer		10
First reading: referred to Committee on Commerce and Technology		
Senator Houchin added as second author		24
Committee report: do pass, adopted		54
Second reading: ordered engrossed		106
Third reading: passed;		
Roll Call 26: yeas 50, nays 0		121
House sponsor: Representative Manning		
Senator Randolph added as coauthor		127
Referred to the House		
First reading: referred to Committee on Commerce, Small Business and Economic Development	243	
Representatives Morris, Fleming, Miller added as cosponsors	301	
Committee report: do pass, adopted	349	
Second reading: ordered engrossed	385	
Third reading: passed;		
Roll Call 269: yeas 93, nays 0	411	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		684
Signed by the Speaker	784	
Signed by the President of the Senate		903
Signed by the Governor		1051
Public Law 30		

SB 79 Author Senator Messmer

Theft.		
Authored by Senator Messmer		10
First reading: referred to Committee on Corrections and Criminal Law		

■ SB 80 Authors Senators M. Young, Freeman, Breaux
Sponsor Representative J. Young

Code Revision Corrections.		
Authored by Senators M. Young, Freeman, Breaux		10
Coauthored by Senator G. Taylor		
First reading: referred to Committee on Judiciary		
Committee report: do pass, adopted		30
Second reading: ordered engrossed		55
Third reading: passed;		
Roll Call 17: yeas 48, nays 0		64
House sponsor: Representative J. Young		
Senator Randolph added as coauthor		67
Referred to the House		
First reading: referred to Committee on Judiciary	243	
Committee report: amend do pass, adopted	245	
Second reading: ordered engrossed	264	
Representatives Torr and DeLaney added as cosponsors	264	
Third reading: passed;		
Roll Call 181: yeas 94, nays 0	282	
Representative Goodin added as cosponsor	282	
Returned to the Senate with amendments		
Senate dissented from House amendments		631
Senate conferees appointed: M. Young and G. Taylor		642

	House	Senate
Senate advisors appointed: Freeman and Randolph		
House conferees appointed: J. Young and DeLaney	418	
House advisors appointed: Steuerwald, Boy and Goodin		
Rules suspended;		
Conference committee report 1: adopted by the Senate; Roll Call 382: yeas 49, nays 0		803
Rules suspended;		
Conference committee report 1: adopted by the House; Roll Call 387: yeas 91, nays 0	643	
Signed by the President Pro Tempore		1051
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 133		

SB 81 Authors Senators Messmer, Houchin

Straight ticket voting for at-large candidates.

	House	Senate
Authored by Senator Messmer		10
First reading: referred to Committee on Elections		
Senator Houchin added as second author		24

SB 82 Author Senator Niemeyer

Polling locations in schools.

	House	Senate
Authored by Senator Niemeyer		10
First reading: referred to Committee on Elections		

SB 83 Authors Senators Niemeyer, Rogers Sponsor Representative Aylesworth

Various property tax matters.

	House	Senate
Authored by Senator Niemeyer		10
First reading: referred to Committee on Local Government		
Committee report: do pass, adopted		54
Senator Rogers added as second author		127
Second reading: amended, ordered engrossed		148
Amendment #2 (Niemeyer) prevailed; voice vote		148
Third reading: passed;		
Roll Call 57: yeas 50, nays 0		170
House sponsor: Representative Aylesworth		
Referred to the House		
First reading: referred to Committee on Ways and Means	243	

SB 84 Author Senator Niemeyer

County vehicle excise and wheel tax exemption.

	House	Senate
Authored by Senator Niemeyer		10
First reading: referred to Committee on Tax and Fiscal Policy		

SB 85 Author Senator G. Taylor

Racial profiling and pretextual stops.

	House	Senate
Authored by Senator G. Taylor		10
First reading: referred to Committee on Corrections and Criminal Law		
Senator Stoops added as coauthor		109

SB 86 Author Senator G. Taylor

Possession of medical marijuana or paraphernalia.

	House	Senate
Authored by Senator G. Taylor		10
First reading: referred to Committee on Corrections and Criminal Law		
Senator Stoops added as coauthor		109

SB 87 Author Senator G. Taylor

Redistricting standards.

	House	Senate
Authored by Senator G. Taylor		10
First reading: referred to Committee on Elections		
Senator Stoops added as coauthor		109

SB 88 Author Senator G. Taylor

Charter school organizer contracts.

	House	Senate
Authored by Senator G. Taylor		10
First reading: referred to Committee on Judiciary		
Senator Stoops added as coauthor		109

SB 89 Authors Senators Becker, Koch

Resisting or interfering with law enforcement.

	House	Senate
Authored by Senators Becker and Koch		10
First reading: referred to Committee on Corrections and Criminal Law		

SB 90 Bill Withdrawn

SB 91 Author Senator Tomes

Adrenoleukodystrophy (ALD) screening.

	House	Senate
Authored by Senator Tomes		10
First reading: referred to Committee on Health and Provider Services		

SB 92 Author Senator Tomes

Private sector retirement savings program.

	House	Senate
Authored by Senator Tomes		10
First reading: referred to Committee on Pensions and Labor		

SB 93 Author Senator Alting

Jumbo boats.

	House	Senate
Authored by Senator Alting		11
First reading: referred to Committee on Public Policy		

SB 94 Authors Senators Alting, Bohacek, Becker

Tax credit for education donations.

	House	Senate
Authored by Senator Alting		11
First reading: referred to Committee on Education and Career Development		
Senator Bohacek added as second author		48
Senator Becker added as third author		
Senators Leising and Glick added as coauthors		

SB 95 Author Senator Alting

Lowering age of alcoholic beverage servers.

	House	Senate
Authored by Senator Alting		11
First reading: referred to Committee on Public Policy		

SB 96 Bill Withdrawn

SB 97 Authors Senators Becker, Charbonneau

Insurance drug coverage.

	House	Senate
Authored by Senators Becker and Charbonneau		11
First reading: referred to Committee on Health and Provider Services		
Senator Stoops added as coauthor		109
Committee report: amend do pass adopted; reassigned to Committee on Appropriations		218
Senator J.D. Ford added as coauthor		272

HISTORIES OF BILLS AND RESOLUTIONS—2020

	House	Senate
SB 98 Authors Senators Becker, Charbonneau Sponsor Representative Bacon		
Certified registered nurse anesthetists.		
Authored by Senators Becker and Charbonneau		11
First reading: referred to Committee on Health and Provider Services		
Committee report: amend do pass, adopted		134
Senator Leising added as coauthor		151
Second reading: ordered engrossed		205
Senator Randolph added as coauthor		210
Third reading: passed;		
Roll Call 99: yeas 30, nays 18		272
House sponsor: Representative Bacon		
Senators Melton and G. Taylor added as coauthors		272
Referred to the House		
First reading: referred to Committee on Public Health	260	
SB 99 Authors Senators Glick, Leising Sponsor Representative Abbott		
Study Committee on invasive species.		
Authored by Senator Glick		11
First reading: referred to Committee on Natural Resources		
Committee report: do pass, adopted		179
Second reading: ordered engrossed		271
Senator Leising added as second author		273
Senator Breaux added as coauthor		307
Third reading: passed;		
Roll Call 111: yeas 46, nays 1		311
House sponsor: Representative Abbott		
Cosponsor: Representative Eberhart		
Referred to the House		
First reading: referred to Committee on Rules and Legislative Procedures	250	
■ SB 100 Authors Senators Doriot, Bohacek, Rogers Sponsor Representative Miller		
Nonconforming structures.		
Authored by Senator Doriot		11
First reading: referred to Committee on Local Government		
Senator Bohacek added as second author		48
Senator Rogers added as third author		
Committee report: amend do pass, adopted		97
Second reading: ordered engrossed		121
Third reading: passed;		
Roll Call 42: yeas 47, nays 0		150
House sponsor: Representative Miller		
Cosponsors: Representatives Stutzman and Pressel		
Referred to the House		
First reading: referred to Committee on Local Government	243	
Committee report: amend do pass, adopted	349	
Second reading: ordered engrossed	385	
Third reading: passed;		
Roll Call 270: yeas 74, nays 19	411	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 337: yeas 41, nays 0		670
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 134		
SB 101 Authors Senators Bohacek, Freeman Sponsor Representative Steuerwald		
Wrongful death damages.		
Authored by Senator Bohacek		11
First reading: referred to Committee on Judiciary		
Senator Randolph added as coauthor		109
Committee report: do pass, adopted		135
Senator Freeman added as second author		151
Second reading: ordered engrossed		166
Third reading: passed;		
Roll Call 67: yeas 31, nays 18		207
House sponsor: Representative Steuerwald		
Cosponsors: Representatives J. Young, Eberhart, May		
Referred to the House		
First reading: referred to Committee on Judiciary	243	
SB 102 Authors Senators Ruckelshaus, Merritt		
Interim study Committee on utility taxes and fees.		
Authored by Senator Ruckelshaus		11
First reading: referred to Committee on Utilities		
Senator J.D. Ford added as coauthor		24
Committee report: amend do pass, adopted		98
Second reading: ordered engrossed		121
Senator Randolph added as coauthor		127
Third reading: passed;		
Roll Call 43: yeas 46, nays 0		150
Senator Merritt added as second author		152
Senator Spartz added as coauthor		
SB 103 Author Senator Stoops		
Medical marijuana for the terminally ill.		
Authored by Senator Stoops		11
First reading: referred to Committee on Corrections and Criminal Law		
Senator J.D. Ford added as coauthor		48
SB 104 Author Senator Stoops		
Designated wild areas in state forests.		
Authored by Senator Stoops		11
First reading: referred to Committee on Natural Resources		
SB 105 Authors Senators Ruckelshaus, Bohacek		
Redistricting commission.		
Authored by Senator Ruckelshaus		73
Coauthored by Senators Bohacek and Alting		
First reading: referred to Committee on Elections		
Senator Bohacek removed as coauthor		109
Senator Bohacek added as second author		
Senator J.D. Ford added as coauthor		
Senator Stoops added as coauthor		
Senator Becker added as coauthor		152
SB 106 Author Senator Walker		
Political parties and ballot access.		
Authored by Senator Walker		50
First reading: referred to Committee on Elections		

HISTORIES OF BILLS AND RESOLUTIONS—2020

	House	Senate
SB 107 Author Senator Niezgodski		
Eligibility for resident tuition rate.		
Authored by Senator Niezgodski		11
First reading: referred to Committee on Education and Career Development		
Senator Stoops added as coauthor		110
SB 108 Author Senator Crider		
Income tax credit for rail improvements.		
Authored by Senator Crider		11
First reading: referred to Committee on Tax and Fiscal Policy		
■ SB 109 Authors Senators Crider, Houchin, Jon Ford		
Sponsor Representative Steuerwald		
Statute of limitations.		
Authored by Senator Crider		11
First reading: referred to Committee on Corrections and Criminal Law		
Senator Houchin added as second author		20
Senator Jon Ford added as third author		
Senators Freeman, Randolph, Sandlin, M. Young added as coauthors		127
Committee report: amend do pass, adopted		135
Senators Buck, Bohacek, Merritt added as coauthors		152
Second reading: amended, ordered engrossed		166
Amendment #2 (Freeman) prevailed; voice vote		166
Senator Stoops added as coauthor		172
Placed back on second reading		205
Reread second time: amended, ordered engrossed		267
Amendment #3 (Freeman) prevailed; voice vote		267
Third reading: passed;		
Roll Call 112: yeas 44, nays 2		312
House sponsor: Representative Steuerwald		
Cosponsors: Representatives Cherry, VanNatter, Engleman		
Referred to the House		
First reading: referred to Committee on Courts and Criminal Code	250	
Committee report: amend do pass, adopted	292	
Second reading: ordered engrossed	312	
Third reading: passed;		
Roll Call 206: yeas 94, nays 0	339	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 326: yeas 48, nays 0		655
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		903
Signed by the Governor		1051
Public Law 31		
SB 110 Author Senator Crider		
Law enforcement and search and rescue animals.		
Authored by Senator Crider		11
First reading: referred to Committee on Corrections and Criminal Law		
SB 111 Authors Senators Jon Ford, Grooms, J.D. Ford		
TANF eligibility.		
Authored by Senator Jon Ford		11
First reading: referred to Committee on Family and Children Services		
Senator Grooms added as second author		56
Senator J.D. Ford added as third author		
Senator Ruckelshaus added as coauthor		
Senator Merritt added as coauthor		67
Senator Stoops added as coauthor		110
SB 112 Author Senator Tallian		
Cannabis compliance commission.		
Authored by Senator Tallian		11
First reading: referred to Committee on Public Policy		
Senator Stoops added as coauthor		110
SB 113 Author Senator Tallian		
Smokable hemp.		
Authored by Senator Tallian		11
First reading: referred to Committee on Corrections and Criminal Law		
Senator Stoops added as coauthor		110
SB 114 Author Senator Tallian		
Marijuana and THC.		
Authored by Senator Tallian		11
First reading: referred to Committee on Corrections and Criminal Law		
Senator Melton added as coauthor		48
Senator Stoops added as coauthor		110
SB 115 Authors Senators Crider, Houchin		
Sponsor Representative Cherry		
Deduction for certain residential property.		
Authored by Senator Crider		11
First reading: referred to Committee on Tax and Fiscal Policy		
Committee report: amend do pass, adopted		117
Senator J.D. Ford added as coauthor		127
Second reading: amended, ordered engrossed		148
Amendment #1 (Perfect) prevailed; voice vote		148
Senator Houchin added as second author		152
Senator Jon Ford added as coauthor		
Senator Buck added as coauthor		
Third reading: passed;		
Roll Call 58: yeas 50, nays 0		170
House sponsor: Representative Cherry		
Senators Holdman and Randolph added as coauthors		172
Referred to the House		
First reading: referred to Committee on Ways and Means	243	
SB 116 Authors Senators Crider, Jon Ford		
Human trafficking.		
Authored by Senator Crider		11
First reading: referred to Committee on Corrections and Criminal Law		
Senator Jon Ford added as second author		20
SB 117 Author Senator Lanane		
Vehicle bill.		
Authored by Senator Lanane		11
First reading: referred to Committee on Rules and Legislative Procedure		

HISTORIES OF BILLS AND RESOLUTIONS—2020

	House	Senate
SB 118 Author Senator Lanane		
Vehicle bill.		
Authored by Senator Lanane		11
First reading: referred to Committee on Rules and Legislative Procedure		
SB 119 Author Senator Lanane		
Vehicle bill.		
Authored by Senator Lanane		11
First reading: referred to Committee on Rules and Legislative Procedure		
SB 120 Author Senator Lanane		
Vehicle bill.		
Authored by Senator Lanane		11
First reading: referred to Committee on Rules and Legislative Procedure		
SB 121 Author Senator Lanane		
Vehicle bill.		
Authored by Senator Lanane		11
First reading: referred to Committee on Rules and Legislative Procedure		
SB 122 Author Senator Lanane		
Vehicle bill.		
Authored by Senator Lanane		11
First reading: referred to Committee on Rules and Legislative Procedure		
SB 123 Authors Senators Holdman, L. Brown Sponsor Representative Pressel		
Affordable and workforce housing incentives.		
Authored by Senator Holdman		50
First reading: referred to Committee on Appropriations		
Committee report: amend do pass, adopted		219
Second reading: ordered engrossed		280
Senator L. Brown added as second author		307
Senator Breaux added as coauthor		
Senator Randolph added as coauthor		
Third reading: passed;		
Roll Call 138: yeas 48, nays 1		317
House sponsor: Representative Pressel		
Cosponsor: Representative Negele		
Referred to the House		
First reading: referred to Committee on Ways and Means	250	
Representative Clere added as cosponsor	382	
SB 124 Author Senator Lanane		
Vehicle bill.		
Authored by Senator Lanane		11
First reading: referred to Committee on Rules and Legislative Procedure		
SB 125 Author Senator Lanane		
Vehicle bill.		
Authored by Senator Lanane		11
First reading: referred to Committee on Rules and Legislative Procedure		
SB 126 Author Senator Lanane		
Vehicle bill.		
Authored by Senator Lanane		11
First reading: referred to Committee on Rules and Legislative Procedure		
SB 127 Author Senator Breaux		
Handgun training.		
Authored by Senator Lanane		11
First reading: referred to Committee on Rules and Legislative Procedure		
Committee report: amend do pass adopted; reassigned to Committee on Judiciary		30
Senator Lanane removed as author		48
Senator Breaux added as author		
SB 128 Author Senator Lanane		
Vehicle bill.		
Authored by Senator Lanane		12
First reading: referred to Committee on Rules and Legislative Procedure		
SB 129 Author Senator Kruse		
Protection of privacy rights of students.		
Authored by Senator Kruse		50
First reading: referred to Committee on Judiciary		
Senator Donato added as coauthor		56
SB 130 Author Senator Kruse		
Residential sewage discharging disposal systems.		
Authored by Senator Kruse		12
First reading: referred to Committee on Environmental Affairs		
SB 131 Authors Senators Kruse, Tomes Sponsor Representative Burton		
National motto in schools.		
Authored by Senator Kruse		12
First reading: referred to Committee on Education and Career Development		
Committee report: amend do pass, adopted		135
Second reading: ordered engrossed		166
Senator Tomes added as second author		172
Third reading: passed;		
Roll Call 68: yeas 42, nays 8		207
House sponsor: Representative Burton		
Cosponsor: Representative Wesco		
Senators Koch and M. Young added as coauthors		211
Referred to the House		
First reading: referred to Committee on Education	260	
■ SB 132 Authors Senators Crider, Garten Sponsor Representative Frye		
Department of homeland security.		
Authored by Senator Crider		12
First reading: referred to Committee on Homeland Security and Transportation		
Committee report: amend do pass, adopted		60
Second reading: ordered engrossed		106
Third reading: passed;		
Roll Call 27: yeas 50, nays 0		122
House sponsor: Representative Frye		
Senator Garten added as second author		127

HISTORIES OF BILLS AND RESOLUTIONS—2020

	House	Senate
Senator Randolph added as coauthor		
Referred to the House		
First reading: referred to Committee on Veterans Affairs and Public Safety	243	
Representative Klinker added as cosponsor	290	
Committee report: amend do pass, adopted	293	
Referred to the Ways and Means pursuant to House Rule 127	301	
Committee report: do pass, adopted	349	
Second reading: ordered engrossed	388	
Third reading: passed; Roll Call 271: yeas 94, nays 0	411	
Representatives Judy and Lauer added as cosponsors	415	
Returned to the Senate with amendments		
Senate dissented from House amendments		648
House conferees appointed: Frye and Klinker	426	
House advisors appointed: Sullivan, May, Macer and Moseley		
Senate conferees appointed: Crider and Mrvan		662
Senate advisors appointed: Garten and Randolph		
Rules suspended; Conference committee report 1: adopted by the Senate; Roll Call 356: yeas 48, nays 0		692
Rules suspended; Conference committee report 1: adopted by the House; Roll Call 349: yeas 81, nays 0	459	
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 57		

SB 133 Author Senator Lanane

	House	Senate
Vehicle bill.		
Authored by Senator Lanane		12
First reading: referred to Committee on Rules and Legislative Procedure		

SB 134 Author Senator Lanane

	House	Senate
Vehicle bill.		
Authored by Senator Lanane		12
First reading: referred to Committee on Rules and Legislative Procedure		

SB 135 Author Senator Lanane

	House	Senate
Vehicle bill.		
Authored by Senator Lanane		12
First reading: referred to Committee on Rules and Legislative Procedure		

SB 136 Author Senator Lanane

	House	Senate
Vehicle bill.		
Authored by Senator Lanane		12
First reading: referred to Committee on Rules and Legislative Procedure		

SB 137 Authors Senators Lanane, Becker

	House	Senate
Prohibited discrimination in civil rights statutes.		
Authored by Senator Lanane		25
First reading: referred to Committee on Judiciary		
Senator Becker added as second author		56
Senator Stoops added as coauthor		110

SB 138 Author Senator Lanane

	House	Senate
Redistricting commission.		
Authored by Senator Lanane		73
First reading: referred to Committee on Elections		

■ SB 139 Authors Senators Lanane, Becker, Koch
Sponsor Representative Cook

	House	Senate
Adult guardianship services.		
Authored by Senator Lanane		12
First reading: referred to Committee on Judiciary		
Senator Stoops added as coauthor		110
Senator Becker added as second author		172
Senator Koch added as third author		
Committee report: amend do pass, adopted		219
Senators Buck, Freeman, Rogers, Glick added as coauthors		273
Senator Randolph added as coauthor		
Second reading: ordered engrossed		280
Third reading: passed; Roll Call 139: yeas 49, nays 0		317
House sponsor: Representative Cook		
Cosponsors: Representatives Bauer and Hamilton		
Senator Kruse added as coauthor		325
Referred to the House		
First reading: referred to Committee on Judiciary	250	
Committee report: do pass, adopted	267	
Second reading: ordered engrossed	298	
Third reading: passed; Roll Call 195: yeas 95, nays 0	312	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		632
Signed by the Speaker	415	
Signed by the President of the Senate		684
Signed by the Governor		746
Public Law 4		

SB 140 Bill Withdrawn

SB 141 Authors Senators Zay, Charbonneau

	House	Senate
School based health clinics and Medicaid.		
Authored by Senator Zay		12
First reading: referred to Committee on Health and Provider Services		
Senator Charbonneau added as second author		20
Senator Stoops added as coauthor		110

SB 142 Authors Senators Zay, Charbonneau, Jon Ford
Sponsor Representative Karickhoff

	House	Senate
Medicaid reimbursement for schools.		
Authored by Senator Zay		12
First reading: referred to Committee on Health and Provider Services		
Senator Charbonneau added as second author		21
Senator J.D. Ford added as coauthor		24
Senator Jon Ford added as third author		56
Senator Grooms added as coauthor		
Senators Becker, Breaux, Ruckelshaus added as coauthors		67
Committee report: amend do pass, adopted		136
Senators Crider and Leising added as coauthors		152
Senator Melton added as coauthor		

	House	Senate
Second reading: ordered engrossed		166
Third reading: passed;		
Roll Call 69: yeas 45, nays 5		207
House sponsor: Representative Karickhoff		
Cosponsors: Representatives Barrett and Davisson		
Senator Rogers added as coauthor		211
Referred to the House		
First reading: referred to Committee on Ways and Means	243	

SB 143 Author Senator Zay

State board of education.

	House	Senate
Authored by Senator Zay		12
First reading: referred to Committee on Education and Career Development		
Senator Kruse added as coauthor		48
Senator Stoops added as coauthor		110

SB 144 Authors Senators Zay, Ruckelshaus, Garten
Sponsor Representative DeVon

Kids first trust fund board subsidiary corporation.

	House	Senate
Authored by Senator Zay		12
First reading: referred to Committee on Family and Children Services		
Senator Ruckelshaus added as second author		21
Senator Garten added as third author		48
Senators Messmer and Merritt added as coauthors		
Senators Grooms, Jon Ford, Koch, Kruse, Freeman added as coauthors		
Committee report: do pass, adopted		54
Senator Charbonneau added as coauthor		67
Second reading: amended, ordered engrossed		106
Amendment #1 (Zay) prevailed; voice vote		106
Senator Crane added as coauthor		110
Senator Stoops added as coauthor		
Third reading: passed;		
Roll Call 28: yeas 50, nays 0		122
House sponsor: Representative DeVon		
Senator Houchin added as coauthor		127
Senator Randolph added as coauthor		
Referred to the House		
First reading: referred to Committee on Ways and Means	248	
Representative Hamilton added as cosponsor	282	

SB 145 Author Senator Doriot

Office of outdoor recreation development.

	House	Senate
Authored by Senator Doriot		12
First reading: referred to Committee on Natural Resources		

■ SB 146 Authors Senators Doriot, Ruckelshaus, Merritt
Sponsor Representative Schaibley

Sexual assault victims' rights.

	House	Senate
Authored by Senator Doriot		12
First reading: referred to Committee on Corrections and Criminal Law		
Senator Ruckelshaus added as second author		24
Senator Merritt added as third author		211
Senator Sandlin added as coauthor		
Senator M. Young added as coauthor		
Committee report: amend do pass, adopted		220
Second reading: amended, ordered engrossed		280
Amendment #1 (Doriot) prevailed; voice vote		280
Third reading: passed;		
Roll Call 140: yeas 49, nays 0		317
House sponsor: Representative Schaibley		
Cosponsors: Representatives DeVon, McNamara, Miller		
Senator Crider added as coauthor		325
Referred to the House		
First reading: referred to Committee on Courts and Criminal Code	250	
Committee report: amend do pass, adopted	349	
Rule 105.1 suspended	383	
Representative Errington added as cosponsor	383	
Second reading: amended, ordered engrossed	388	
Amendment #3 (Schaibley) prevailed; voice vote	388	
Third reading: passed;		
Roll Call 272: yeas 95, nays 0	411	
Rule 105.1 suspended	415	
Representative Negele added as cosponsor	415	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 338: yeas 40, nays 2		671
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 58		

SB 147 Author Senator Doriot

Campground matters.

	House	Senate
Authored by Senator Doriot		12
First reading: referred to Committee on Judiciary		

▣ SB 148 Authors Senators Doriot, Rogers
Sponsor Representative Miller

Zoning and housing matters.

	House	Senate
Authored by Senator Doriot		12
First reading: referred to Committee on Local Government		
Committee report: do pass, adopted		157
Senator Rogers added as second author		264
Second reading: amended, ordered engrossed		267
Amendment #1 (Doriot) prevailed; voice vote		267
Third reading: passed;		
Roll Call 113: yeas 32, nays 15		312
House sponsor: Representative Miller		
Cosponsors: Representatives Pressel and Stutzman		
Referred to the House		
First reading: referred to Committee on Local Government	250	
Committee report: amend do pass, adopted	351	
Second reading: ordered engrossed	385	
Third reading: passed;		
Roll Call 273: yeas 92, nays 3	411	
Representative Moed added as cosponsor	415	
Returned to the Senate with amendments		
Senate dissented from House amendments		648
House conferees appointed: Miller and Shackleford	426	
House advisors appointed: Torr, Zent and Porter		
Senate conferees appointed: Doriot and Lanane		658

	House	Senate
Senate advisors appointed: Rogers, G. Taylor and Zay		
Senator Freeman added as advisor		660
Senator M. Young added as coauthor		691
Representative Moed removed as cosponsor	480	
Senator Lanane removed as conferee		703
Senator M. Young added as conferee		
Representative Shackleford removed as conferee	480	
Representative Manning added as conferee	480	
Rules suspended;		
Conference committee report 1: adopted by the Senate; Roll Call 374: yeas 29, nays 19		747
Rules suspended;		
Conference committee report 1: adopted by the House; Roll Call 379: yeas 64, nays 32	541	
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Vetoed by the Governor		1051

SB 149 Author Senator Bray

	House	Senate
Vehicle bill.		
Authored by Senator Bray		12
First reading: referred to Committee on Rules and Legislative Procedure		

SB 150 Author Senator Bray

	House	Senate
Vehicle bill.		
Authored by Senator Bray		12
First reading: referred to Committee on Rules and Legislative Procedure		

SB 151 Author Senator Bray

	House	Senate
Vehicle bill.		
Authored by Senator Bray		12
First reading: referred to Committee on Rules and Legislative Procedure		

SB 152 Author Senator Bray

	House	Senate
Vehicle bill.		
Authored by Senator Bray		12
First reading: referred to Committee on Rules and Legislative Procedure		

SB 153 Author Senator Bray

	House	Senate
Vehicle bill.		
Authored by Senator Bray		12
First reading: referred to Committee on Rules and Legislative Procedure		

SB 154 Author Senator Bray

	House	Senate
Vehicle bill.		
Authored by Senator Bray		12
First reading: referred to Committee on Rules and Legislative Procedure		

SB 155 Author Senator Bray

	House	Senate
Vehicle bill.		
Authored by Senator Bray		12
First reading: referred to Committee on Rules and Legislative Procedure		

SB 156 Author Senator Bray

	House	Senate
Vehicle bill.		
Authored by Senator Bray		12
First reading: referred to Committee on Rules and Legislative Procedure		

SB 157 Author Senator Bray

	House	Senate
Vehicle bill.		
Authored by Senator Bray		12
First reading: referred to Committee on Rules and Legislative Procedure		

SB 158 Author Senator Bray

	House	Senate
Vehicle bill.		
Authored by Senator Bray		12
First reading: referred to Committee on Rules and Legislative Procedure		

SB 159 Author Senator Bray

	House	Senate
Vehicle bill.		
Authored by Senator Bray		12
First reading: referred to Committee on Rules and Legislative Procedure		

SB 160 Author Senator Bohacek

	House	Senate
Health insurance.		
Authored by Senator Bray		12
First reading: referred to Committee on Rules and Legislative Procedure		
Committee report: amend do pass adopted; reassigned to Committee on Health and Provider Services		35
Senator Bray removed as author		48
Senator Bohacek added as author		
Senator Becker added as coauthor		152
Senator Melton added as coauthor		

SB 161 Author Senator Bray

	House	Senate
Vehicle bill.		
Authored by Senator Bray		12
First reading: referred to Committee on Rules and Legislative Procedure		

SB 162 Author Senator Bray

	House	Senate
Vehicle bill.		
Authored by Senator Bray		12
First reading: referred to Committee on Rules and Legislative Procedure		

SB 163 Author Senator Bray

	House	Senate
Vehicle bill.		
Authored by Senator Bray		13
First reading: referred to Committee on Rules and Legislative Procedure		

SB 164 Author Senator Bray

	House	Senate
Vehicle bill.		
Authored by Senator Bray		13
First reading: referred to Committee on Rules and Legislative Procedure		

SB 165 Author Senator Bray

	House	Senate
Vehicle bill.		
Authored by Senator Bray		13
First reading: referred to Committee on Rules and Legislative Procedure		

HISTORIES OF BILLS AND RESOLUTIONS—2020

	House	Senate
SB 166 Author Senator Bray		
Vehicle bill.		
Authored by Senator Bray		13
First reading: referred to Committee on Rules and Legislative Procedure		
SB 167 Author Senator Jon Ford		
Microbrewery location near school or church.		
Authored by Senator Bray		13
First reading: referred to Committee on Rules and Legislative Procedure		
Committee report: amend do pass adopted; reassigned to Committee on Public Policy		60
Senator Bray removed as author		67
Senator Jon Ford added as author		
SB 168 Author Senator Bray		
Vehicle bill.		
Authored by Senator Bray		13
First reading: referred to Committee on Rules and Legislative Procedure		
SB 169 Author Senator Bray		
Vehicle bill.		
Authored by Senator Bray		13
First reading: referred to Committee on Rules and Legislative Procedure		
SB 170 Authors Senators Messmer, Holdman Sponsor Representative Hostettler		
Mine reclamation tax credit.		
Authored by Senator Bray		13
First reading: referred to Committee on Rules and Legislative Procedure		
Committee report: amend do pass adopted; reassigned to Committee on Tax and Fiscal Policy		136
Senator Bray removed as author		152
Senator Messmer added as author		
Committee report: do pass, adopted		179
Second reading: ordered engrossed		267
Senator Holdman added as second author		273
Third reading: passed;		
Roll Call 114: yeas 46, nays 0		312
House sponsor: Representative Hostettler		
Cosponsors: Representatives T. Brown, Lindauer, Bartels		
Referred to the House		
First reading: referred to Committee on Ways and Means	250	
SB 171 Authors Senators Grooms, Sandlin Sponsor Representative Karickhoff		
Clarksville food and beverage tax.		
Authored by Senator Bray		13
First reading: referred to Committee on Rules and Legislative Procedure		
Committee report: amend do pass adopted; reassigned to Committee on Tax and Fiscal Policy		60
Senator Bray removed as author		67
Senator Grooms added as author		
Senator Jon Ford added as coauthor		127
Committee report: amend do pass, adopted		179
Second reading: ordered engrossed		267
Senator Sandlin added as second author		273
Third reading: passed;		
Roll Call 115: yeas 35, nays 12		312
House sponsor: Representative Bacon		
Cosponsors: Representatives Karickhoff, Fleming, Thompson		
Referred to the House		
First reading: referred to Committee on Ways and Means	250	
Representative Bacon removed as sponsor	256	
Representative Karickhoff added as sponsor	256	
Representative Karickhoff removed as cosponsor	256	
Representative Bacon added as cosponsor	256	
SB 172 Authors Senators Charbonneau, Houchin		
Licensure of behavior analysts.		
Authored by Senator Bray		13
First reading: referred to Committee on Rules and Legislative Procedure		
Committee report: amend do pass adopted; reassigned to Committee on Commerce and Technology		15
Senator Bray removed as author		21
Senator Charbonneau added as author		
Senator Randolph added as coauthor		110
Senator Houchin added as second author		128
SB 173 Author Senator Bray		
Vehicle bill.		
Authored by Senator Bray		13
First reading: referred to Committee on Rules and Legislative Procedure		
SB 174 Author Senator Mrvan		
Absentee voting.		
Authored by Senator Mrvan		50
First reading: referred to Committee on Elections		
SB 175 Author Senator Mrvan		
Prevention of sexual violence, domestic violence, and stalking.		
Authored by Senator Mrvan		13
First reading: referred to Committee on Education and Career Development		
SB 176 Author Senator Mrvan		
Minimum wage.		
Authored by Senator Mrvan		13
First reading: referred to Committee on Pensions and Labor		
Senator Stoops added as coauthor		110
■ SB 177 Authors Senators Donato, Houchin Sponsor Representative Manning		
Administration of the broadband ready program.		
Authored by Senator Donato		13
First reading: referred to Committee on Utilities		
Senator Randolph added as coauthor		110
Committee report: do pass, adopted		137
Second reading: ordered engrossed		166
Senator Houchin added as second author		172

	House	Senate
Third reading: passed;		
Roll Call 70: yeas 50, nays 0		207
House sponsor: Representative Manning		
Referred to the House		
First reading: referred to Committee on Utilities, Energy and Telecommunications	248	
Representative Pierce added as cosponsor	301	
Committee report: do pass, adopted	351	
Representative Soliday added as cosponsor	383	
Second reading: ordered engrossed	385	
Third reading: passed;		
Roll Call 274: yeas 92, nays 0	412	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 59		

SB 178 Author Senator Walker
Sponsor Representative Wesco

	House	Senate
Various election matters.		
Authored by Senator Walker		13
First reading: referred to Committee on Elections		
Committee report: amend do pass, adopted		157
Second reading: ordered engrossed		267
Senator Jon Ford added as second author		273
Senator Crane added as third author		
Senator Grooms added as coauthor		
Third reading: passed;		
Roll Call 116: yeas 47, nays 0		312
House sponsor: Representative Wesco		
Cosponsor: Representative Judy		
Referred to the House		
First reading: referred to Committee on Elections and Apportionment	250	
Committee report: amend do pass, adopted	268	
Referred to Committee on Rules and Legislative Procedures pursuant to House Rule 84	282	
Committee report: amend do pass, adopted	351	
Second reading: amended, ordered engrossed	388	
Amendment #1 (Wesco) prevailed;		
Roll Call 244: yeas 84, nays 9	388	
Representative Judy removed as cosponsor	407	
Representative Manning added as cosponsor	407	
Third reading: passed;		
Roll Call 285: yeas 83, nays 13	413	
Returned to the Senate with amendments		
Senate dissented from House amendments		671
Senate conferees appointed: Messmer and Randolph		685
Senate advisors appointed: Jon Ford and Breaux		
Senator Jon Ford removed as second author		691
Senator Crane removed as third author		
House conferees appointed: Wesco and Dvorak	482	
House advisors appointed: Bosma, Lehman, Steuerwald, Boy, Moseley and Pfaff		

■ SB 179 Authors Senators Walker, Crane, Jon Ford
Sponsor Representative Sullivan

	House	Senate
Election cybersecurity.		
Authored by Senator Walker		13
First reading: referred to Committee on Elections		
Committee report: amend do pass, adopted		159
Second reading: ordered engrossed		267
Amendment #1 (J.D. Ford) failed; voice vote		268
Amendment #2 (J.D. Ford) failed;		
Roll Call 96: yeas 10, nays 40		268
Amendment #3 (J.D. Ford) failed; voice vote		268
Senator Crane added as second author		273
Senator Jon Ford added as third author		
Senator Grooms added as coauthor		
Third reading: passed;		
Roll Call 117: yeas 46, nays 1		312
House sponsor: Representative Sullivan		
Cosponsor: Representative Wesco		
Senator Crider added as coauthor		314
Senator Spartz added as coauthor		
Referred to the House		
First reading: referred to Committee on Elections and Apportionment	250	
Committee report: amend do pass, adopted	303	
Second reading: ordered engrossed	379	
Amendment #2 (Moseley) failed;		
Roll Call 223: yeas 28, nays 62	379	
Amendment #3 (Moseley) failed;		
Roll Call 224: yeas 28, nays 63	380	
Amendment #1 (Hamilton) failed;		
Roll Call 225: yeas 29, nays 63	380	
Third reading: passed;		
Roll Call 260: yeas 90, nays 2	406	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 349: yeas 50, nays 0		687
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 135		

■ SB 180 Authors Senators Walker, Kruse, Niezgodski
Sponsor Representative Carbaugh

	House	Senate
Public employees deferred compensation plan.		
Authored by Senator Walker		13
First reading: referred to Committee on Pensions and Labor		
Committee report: do pass, adopted		98
Second reading: ordered engrossed		121
Senator Kruse added as second author		128
Senator Niezgodski added as third author		
Senator J.D. Ford added as coauthor		
Third reading: passed;		
Roll Call 44: yeas 46, nays 0		150
House sponsor: Representative Carbaugh		
Cosponsor: Representative Wesco		
Referred to the House		
First reading: referred to Committee on Employment, Labor and Pensions	248	
Committee report: do pass, adopted	285	
Representative VanNatter added as cosponsor	290	
Second reading: ordered engrossed	298	
Third reading: passed;		
Roll Call 196: yeas 95, nays 0	312	

	House	Senate
Returned to the Senate without amendments		
Signed by the President Pro Tempore		632
Signed by the Speaker	415	
Signed by the President of the Senate		684
Signed by the Governor		746
Public Law 5		
■ SB 181 Authors Senators Sandlin, Boots, Freeman		
Sponsor Representative Burton		
Survivors' benefits.		
Authored by Senator Sandlin		13
Coauthored by Senator Boots		
First reading: referred to Committee on Pensions and Labor		
Senator Freeman added as second author		48
Senator Houchin added as coauthor		67
Committee report: amend do pass adopted; reassigned to Committee on Appropriations		98
Senator Freeman removed as second author		110
Senator Boots removed as coauthor		
Senator Boots added as second author		128
Senator Freeman added as third author		
Senators Tallian, Niezgodski, J.D. Ford, Doriot, Crane, Kruse added as coauthors		
Committee report: do pass, adopted		138
Senators L. Brown, Breaux, Ruckelshaus added as coauthors		152
Second reading: ordered engrossed		166
Third reading: passed;		
Roll Call 71: yeas 50, nays 0		207
House sponsor: Representative Burton		
Cosponsors: Representatives Sherman and Manning		
Referred to the House		
First reading: referred to Committee on Ways and Means	248	
Committee report: do pass, adopted	293	
Second reading: ordered engrossed	312	
Third reading: passed;		
Roll Call 207: yeas 94, nays 0	339	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		632
Signed by the Speaker	415	
Signed by the President of the Senate		684
Signed by the Governor		746
Public Law 6		
SB 182 Author Senator Leising		
Health practitioner advertising and identification.		
Authored by Senator Leising		13
First reading: referred to Committee on Health and Provider Services		
SB 183 Authors Senators Gaskill, Rogers, Koch		
Sponsor Representative Cook		
Study committee review of food and beverage taxes.		
Authored by Senator Gaskill		13
First reading: referred to Committee on Tax and Fiscal Policy		
Committee report: amend do pass, adopted		179
Senator Rogers added as second author		211
Senator Randolph added as coauthor		273
Second reading: amended, ordered engrossed		280
Amendment #1 (Gaskill) prevailed; voice vote		280
Senator Koch added as third author		307
Senator Spartz added as coauthor		
Senator Raatz added as coauthor		
Third reading: passed;		
Roll Call 141: yeas 44, nays 5		317
House sponsor: Representative Cook		
Cosponsor: Representative Goodrich		
Referred to the House		
First reading: referred to Committee on Ways and Means	250	
■ SB 184 Authors Senators Charbonneau, Zay, Leising		
Sponsor Representative Manning		
Nonprofit agricultural organization coverage.		
Authored by Senator Charbonneau		50
First reading: referred to Committee on Insurance and Financial Institutions		
Senator Zay added as second author		56
Senator Leising added as third author		
Senator Niemeyer added as coauthor		
Senator Walker added as coauthor		152
Committee report: amend do pass, adopted		221
Senators Bassler, Gaskill, Sandlin added as coauthors		273
Second reading: amended, ordered engrossed		281
Amendment #1 (J.D. Ford) prevailed; voice vote		281
Senator Rogers added as coauthor		307
Senator J.D. Ford added as coauthor		
Third reading: passed;		
Roll Call 142: yeas 49, nays 0		318
House sponsor: Representative Manning		
Cosponsors: Representatives Carbaugh, Barrett, Prescott		
Senator Bassler removed as coauthor		318
Senator J.D. Ford removed as coauthor		
Senator Gaskill removed as coauthor		
Senator Niemeyer removed as coauthor		
Senator Rogers removed as coauthor		
Senator Sandlin removed as coauthor		
Senator Walker removed as coauthor		
Senators Messmer, Niemeyer, Walker, Bassler, Gaskill, Sandlin, Rogers, J.D. Ford, Kruse, Raatz, Glick, Spartz, Doriot, Koch, Breaux added as coauthors		325
Referred to the House		
First reading: referred to Committee on Insurance	250	
Committee report: amend do pass, adopted	352	
Second reading: ordered engrossed	385	
Third reading: passed;		
Roll Call 275: yeas 94, nays 2	412	
Rule 105.1 suspended	415	
Representative Austin added as cosponsor	415	
Returned to the Senate with amendments		
Motion to concur filed		
Concurrence withdrawn		657
Senate dissented from House amendments		670
Senate conferees appointed: Charbonneau and J.D. Ford		671
Senate advisors appointed: Zay, Breaux and Leising		
House conferees appointed: Manning and Wright	448	

House Senate

House advisors appointed: Prescott, Carbaugh, Barrett, Austin, Bauer and Campbell
Dissent rescinded. 752
Motion to concur filed
Rules suspended;
Senate concurred in House amendments;
Roll Call 379: yeas 47, nays 1. 791
Signed by the President Pro Tempore 1050
Signed by the Speaker 788
Signed by the President of the Senate 1051
Signed by the Governor. 1051
Public Law 136

SB 185 Authors Senators Alting, Bohacek, Doriot
Sponsor Representative Negele
Sale of companion animals.
Authored by Senator Alting. 50
First reading: referred to Committee on Agriculture
Committee report: do pass, adopted 117
Senator Bohacek added as second author 152
Senator Doriot added as third author
Senator Stoops added as coauthor
Second reading: amended, ordered engrossed. 166
Amendment #2 (Alting) prevailed; voice vote 166
Third reading: passed;
Roll Call 72: yeas 43, nays 7. 207
House sponsor: Representative Negele
Cosponsors: Representatives Lehe and Klinker
Referred to the House
First reading: referred to Committee on Agriculture and Rural Development 248

SB 186 Author Senator Alting
Escrow periods for alcoholic beverage permits.
Authored by Senator Alting. 13
First reading: referred to Committee on Public Policy

■ SB 187 Authors Senators Doriot, Mishler, Rogers
Sponsor Representative Miller
Elkhart County courts.
Authored by Senator Doriot 13
First reading: referred to Committee on Judiciary
Committee report: do pass, adopted 37
Senator Mishler added as second author 49
Senator Rogers added as third author
Second reading: ordered engrossed. 55
Third reading: passed;
Roll Call 18: yeas 48, nays 1. 64
House sponsor: Representative Miller
Cosponsor: Representative Stutzman
Senator Randolph added as coauthor 67
Referred to the House
First reading: referred to Committee on Courts and Criminal Code 248
Representative Wesco added as cosponsor 256
Committee report: do pass, adopted 259
Second reading: ordered engrossed. 274
Third reading: passed;
Roll Call 187: yeas 95, nays 0. 289
Returned to the Senate without amendments
Signed by the President Pro Tempore 451
Signed by the Speaker 415
Signed by the President of the Senate 684
Signed by the Governor. 746
Public Law 7

SB 188 Author Senator Holdman
Political subdivision controlled projects.
Authored by Senator Holdman 13
First reading: referred to Committee on Tax and Fiscal Policy

SB 189 Author Senator Holdman
Golf carts.
Authored by Senator Holdman 13
First reading: referred to Committee on Homeland Security and Transportation

■ SB 190 Authors Senators Holdman, Houchin
Sponsor Representative Thompson
Controlled projects.
Authored by Senator Holdman 13
First reading: referred to Committee on Tax and Fiscal Policy
Committee report: do pass, adopted 117
Second reading: ordered engrossed. 148
Senator Houchin added as second author 153
Third reading: passed;
Roll Call 73: yeas 39, nays 11. 207
House sponsor: Representative Thompson
Senator Bohacek added as coauthor 211
Senator G. Taylor added as coauthor
Referred to the House
First reading: referred to Committee on Ways and Means. 248
Committee report: amend do pass, adopted. 353
Second reading: amended, ordered engrossed. 390
Amendment #2 (Thompson) prevailed; voice vote 390
Amendment #1 (Thompson) prevailed; voice vote 390
Third reading: passed;
Roll Call 276: yeas 94, nays 0. 412
Returned to the Senate with amendments
Senate dissented from House amendments 648
House conferees appointed: Thompson and Pryor 426
House advisors appointed: Goodrich, Karickhoff, Hamilton and Wright
Senate conferees appointed: Holdman and G. Taylor . . . 658
Senate advisors appointed: Houchin and J.D. Ford
Rules suspended;
Conference committee report 1: adopted by the Senate;
Roll Call 357: yeas 29, nays 19. 695
Rules suspended;
Conference committee report 1: adopted by the House;
Roll Call 343: yeas 93, nays 0. 454
Signed by the President Pro Tempore 1050
Signed by the Speaker 788
Signed by the President of the Senate 1051
Signed by the Governor. 1051
Public Law 60

SB 191 Author Senator Holdman
EDGE tax credits.
Authored by Senator Holdman 13

	House	Senate
First reading: referred to Committee on Tax and Fiscal Policy		
SB 192 Authors Senators Grooms, Jon Ford Sponsor Representative DeVon		
Inpatient mental health care for Medicaid children.		
Authored by Senator Grooms		13
First reading: referred to Committee on Family and Children Services		
Senator Jon Ford added as second author		49
Committee report: amend do pass, adopted		62
Senators Breaux and Walker added as coauthors		67
Second reading: ordered engrossed		107
Third reading: passed;		
Roll Call 29: yeas 50, nays 0		122
House sponsor: Representative DeVon		
Cosponsors: Representatives Davisson, Fleming, Clere		
Senator Becker added as coauthor		128
Senator Buck added as coauthor		
Senator Randolph added as coauthor		
Senator Stoops added as coauthor		
Referred to the House		
First reading: referred to Committee on Public Health	248	
SB 193 Author Senator Grooms		
Prohibition of flavored e-liquids.		
Authored by Senator Grooms		13
First reading: referred to Committee on Health and Provider Services		
■ SB 194 Authors Senators M. Young, Sandlin Sponsor Representative Steuerwald		
Drug scheduling.		
Authored by Senator M. Young		13
First reading: referred to Committee on Corrections and Criminal Law		
Committee report: do pass, adopted		37
Second reading: ordered engrossed		55
Senator Randolph added as coauthor		57
Third reading: passed;		
Roll Call 19: yeas 48, nays 1		64
House sponsor: Representative Steuerwald		
Senator Sandlin added as second author		67
Referred to the House		
First reading: referred to Committee on Courts and Criminal Code	248	
Committee report: do pass, adopted	293	
Second reading: amended, ordered engrossed	313	
Amendment #1 (Pierce) prevailed; voice vote	313	
Amendment #2 (Errington) ruled out of order	314	
Appeal the ruling of the chair (Errington); ruling of the chair sustained		
Roll Call 203: yeas 59, nays 29		
Third reading: passed;		
Roll Call 218: yeas 90, nays 0	344	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 327: yeas 49, nays 0		655
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 61		
SB 195 Authors Senators Koch, Raatz, Glick Sponsor Representative Manning		
Career and technical education clusters.		
Authored by Senator Koch		13
First reading: referred to Committee on Education and Career Development		
Committee report: amend do pass, adopted		98
Second reading: amended, ordered engrossed		121
Amendment #1 (Koch) prevailed; voice vote		121
Senator Randolph added as coauthor		128
Third reading: passed;		
Roll Call 45: yeas 40, nays 5		150
House sponsor: Representative Manning		
Senator Raatz added as second author		153
Senator Glick added as third author		
Referred to the House		
First reading: referred to Committee on Education	248	
SB 196 Author Senator Koch		
Residency status of prisoners.		
Authored by Senator Koch		13
First reading: referred to Committee on Homeland Security and Transportation		
■ SB 197 Authors Senators Koch, Garten, Doriot Sponsor Representative Soliday		
Prohibited technology purchases.		
Authored by Senator Koch		13
First reading: referred to Committee on Homeland Security and Transportation		
Committee report: amend do pass, adopted		117
Senator Garten added as second author		128
Senator Doriot added as third author		
Second reading: ordered engrossed		148
Third reading: passed;		
Roll Call 59: yeas 50, nays 0		170
House sponsor: Representative Soliday		
Senator Buck added as coauthor		172
Referred to the House		
First reading: referred to Committee on Government and Regulatory Reform	248	
Representatives Pressel, Lauer, Moseley added as cosponsors	290	
Committee report: do pass, adopted	293	
Second reading: ordered engrossed	312	
Third reading: passed;		
Roll Call 208: yeas 94, nays 0	339	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		632
Signed by the Speaker	415	
Signed by the President of the Senate		684
Signed by the Governor		746
Public Law 8		
SB 198 Author Senator Koch		
Administrative rules oversight committee.		
Authored by Senator Koch		50
First reading: referred to Committee on Judiciary		

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	House	Senate
SB 199 Authors Senators Koch, Buck, Freeman		
Sponsor Representative Steuerwald		
Recovery of litigation expenses.		
Authored by Senator Koch		14
First reading: referred to Committee on Judiciary		
Senator Randolph added as coauthor		67
Committee report: amend do pass, adopted		99
Pursuant to Senate Rule 68(b); reassigned to Committee on Appropriations		
Senator Buck added as second author		128
Senator Freeman added as third author		
Senators Rogers and G. Taylor added as coauthors		
Committee report: amend do pass, adopted		221
Second reading: ordered engrossed		281
Senator Kruse added as coauthor		307
Third reading: passed;		
Roll Call 143: yeas 49, nays 0		318
House sponsor: Representative Steuerwald		
Referred to the House		
First reading: referred to Committee on Judiciary	250	
Committee report: do pass, adopted	316	
Referred to the Ways and Means pursuant to House Rule 127	340	
SB 200 Authors Senators M. Young, Merritt, Glick		
Sponsor Representative McNamara		
Driver's license suspensions.		
Authored by Senator M. Young		14
First reading: referred to Committee on Corrections and Criminal Law		
Senator Randolph added as coauthor		67
Committee report: do pass, adopted		99
Second reading: ordered engrossed		121
Senator Merritt added as second author		153
Third reading: passed;		
Roll Call 60: yeas 44, nays 6		170
House sponsor: Representative McNamara		
Senator Glick added as third author		173
Senator Jon Ford added as coauthor		
Referred to the House		
First reading: referred to Committee on Roads and Transportation	248	
SB 201 Author Senator Tallian		
Worker misclassification.		
Authored by Senator Tallian		50
First reading: referred to Committee on Tax and Fiscal Policy		
SB 202 Authors Senators Tallian, Boots		
Sponsor Representative Lehman		
Worker's compensation.		
Authored by Senator Tallian		14
First reading: referred to Committee on Pensions and Labor		
Committee report: do pass, adopted		138
Senator Boots added as coauthor		153
Second reading: ordered engrossed		166
Senator Boots removed as coauthor		173
Senator Boots added as second author		
Senator Randolph added as coauthor		
Third reading: passed;		
Roll Call 74: yeas 44, nays 6		208
House sponsor: Representative Lehman		
Cosponsors: Representatives VanNatter and Beck		
Referred to the House		
First reading: referred to Committee on Employment, Labor and Pensions	248	
SB 203 Author Senator G. Taylor		
Firearms.		
Authored by Senator G. Taylor		14
First reading: referred to Committee on Corrections and Criminal Law		
Senator Stoops added as coauthor		111
SB 204 Author Senator Messmer		
Notice of lease termination for failure to pay rent.		
Authored by Senator Messmer		14
First reading: referred to Committee on Judiciary		
SB 205 Authors Senators Messmer, Gaskill, Ruckelshaus		
Sponsor Representative Heaton		
Medical payment coverage.		
Authored by Senator Messmer		14
First reading: referred to Committee on Insurance and Financial Institutions		
Senator Randolph added as coauthor		111
Committee report: amend do pass, adopted		138
Second reading: ordered engrossed		166
Senator Gaskill added as second author		173
Senator Ruckelshaus added as third author		
Third reading: passed;		
Roll Call 75: yeas 50, nays 0		208
House sponsor: Representative Heaton		
Cosponsors: Representatives Schaibley and J. Young		
Senator Bassler added as coauthor		211
Senators Tomes and Tallian added as coauthors		
Referred to the House		
First reading: referred to Committee on Insurance	248	
■ SB 206 Authors Senators Messmer, M. Young, Rogers		
Sponsor Representative Torr		
Deposition of a child victim.		
Authored by Senator Messmer		14
First reading: referred to Committee on Judiciary		
Senator M. Young added as second author		111
Senator Rogers added as third author		
Senator Randolph added as coauthor		
Committee report: amend do pass, adopted		138
Second reading: amended, ordered engrossed		166
Amendment #1 (Messmer) prevailed; voice vote		166
Third reading: passed;		
Roll Call 76: yeas 49, nays 1		208
House sponsor: Representative Torr		
Senator Lanane added as coauthor		211
Referred to the House		
Representatives Schaibley, Kirchhofer, DeLaney added as cosponsors	234	
First reading: referred to Committee on Judiciary	243	
Committee report: amend do pass, adopted	317	
Second reading: ordered engrossed	381	

	House	Senate
Third reading: passed;		
Roll Call 234: yeas 87, nays 0	385	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 328: yeas 49, nays 0		655
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 62		

SB 207 Authors Senators Merritt, Crider

Syringe exchange program.		
Authored by Senator Merritt		14
First reading: referred to Committee on Health and Provider Services		
Committee report: amend do pass, adopted		221
Second reading: ordered engrossed		281
Senator Crider added as second author		307
Senator Randolph added as coauthor		
Third reading: defeated;		
Roll Call 144: yeas 22, nays 27		318

SB 208 Authors Senators Crider, Merritt
Sponsor Representative Kirchhofer

Compliance with coverage parity requirements.		
Authored by Senator Crider		14
First reading: referred to Committee on Insurance and Financial Institutions		
Committee report: do pass, adopted		221
Second reading: ordered engrossed		281
Senator Merritt added as second author		307
Senator Breaux added as coauthor		
Third reading: passed;		
Roll Call 145: yeas 47, nays 1		318
House sponsor: Representative Kirchhofer		
Senator J.D. Ford added as coauthor		325
Referred to the House		
First reading: referred to Committee on Insurance	250	

■ SB 209 Authors Senators Crider, Koch
Sponsor Representative McNamara

Search warrants.		
Authored by Senator Crider		14
First reading: referred to Committee on Judiciary		
Committee report: amend do pass, adopted		221
Senator Koch added as second author		273
Senators M. Young and Bohacek added as coauthors		
Senators Rogers and Glick added as coauthors		
Senator Randolph added as coauthor		
Second reading: ordered engrossed		281
Third reading: passed;		
Roll Call 146: yeas 48, nays 0		319
House sponsor: Representative McNamara		
Cosponsor: Representative Steuerwald		
Referred to the House		
First reading: referred to Committee on Courts and Criminal Code	250	
Committee report: do pass, adopted	355	
Second reading: ordered engrossed	385	
Third reading: passed;		
Roll Call 277: yeas 94, nays 0	412	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 63		

SB 210 Author Senator Perfect

Disposal of land by local government.		
Authored by Senator Perfect		14
First reading: referred to Committee on Local Government		

SB 211 Author Senator Perfect

Jennings County magistrate.		
Authored by Senator Perfect		14
First reading: referred to Committee on Judiciary		

SB 212 Author Senator Randolph

Magistrates of Lake and St. Joseph counties.		
Authored by Senator Randolph		14
First reading: referred to Committee on Judiciary		

SB 213 Author Senator Randolph

Lake County judicial nominating commission.		
Authored by Senator Randolph		14
First reading: referred to Committee on Judiciary		

SB 214 Authors Senators Randolph, Niemeyer, Stoops
Sponsor Representative Jackson

Testing of school drinking water for lead.		
Authored by Senators Randolph and Niemeyer		14
First reading: referred to Committee on Environmental Affairs		
Senator Stoops added as third author		111
Senator Mrvan added as coauthor		
Senator Lanane added as coauthor		128
Committee report: do pass, adopted		159
Senator Niezgodski added as coauthor		173
Senator Tallian added as coauthor		
Second reading: ordered engrossed		269
Senator Melton added as coauthor		273
Third reading: passed;		
Roll Call 118: yeas 46, nays 1		312
House sponsor: Representative Jackson		
Cosponsors: Representatives Wolkins and Harris		
Senator Bohacek added as coauthor		314
Referred to the House		
First reading: referred to Committee on Environmental Affairs	250	

SB 215 Author Senator Sandlin

Marion County fairgrounds.		
Authored by Senator Sandlin		14
First reading: referred to Committee on Local Government		

■ SB 216 Authors Senators Sandlin, Koch, Freeman
Sponsor Representative Burton

Disclosure of personal information to offender.		
Authored by Senator Sandlin		14

	House	Senate
First reading: referred to Committee on Judiciary		
Senator Freeman added as second author		128
Senator Freeman removed as second author		153
Senator Koch added as second author		
Senator Freeman added as third author		
Senators Jon Ford, Glick, Rogers added as coauthors		
Committee report: do pass, adopted		221
Senator Buck added as coauthor		273
Senator Randolph added as coauthor		
Second reading: amended, ordered engrossed		281
Amendment #1 (Sandlin) prevailed; voice vote		281
Senator Houchin added as coauthor		307
Third reading: passed;		
Roll Call 147: yeas 47, nays 0		319
House sponsor: Representative Burton		
Cosponsor: Representative Sherman		
Referred to the House		
First reading: referred to Committee on Courts and Criminal Code	250	
Committee report: amend do pass, adopted	355	
Representatives Pierce and J. Young added as cosponsors	383	
Second reading: amended, ordered engrossed	390	
Amendment #2 (Burton) prevailed; voice vote	390	
Third reading: passed;		
Roll Call 278: yeas 94, nays 0	412	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 347: yeas 49, nays 0		681
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 64		

SB 217 Authors Senators Messmer, Buck

Inspection of petroleum products.

	House	Senate
Authored by Senator Buck		14
First reading: referred to Committee on Environmental Affairs		
Senator Buck removed as author		24
Senator Messmer added as author		
Senator Buck added as second author		49

SB 218 Author Senator Buck

Chicken hens.

	House	Senate
Authored by Senator Buck		50
First reading: referred to Committee on Agriculture		

SB 219 Author Senator Alting

School bus stop arm.

	House	Senate
Authored by Senator Alting		14
First reading: referred to Committee on Judiciary		

SB 220 Author Senator Alting

School employee safety.

	House	Senate
Authored by Senator Alting		14
First reading: referred to Committee on Education and Career Development		

SB 221 Author Senator Alting

Student assessments and accountability.

	House	Senate
Authored by Senator Alting		14
First reading: referred to Committee on Education and Career Development		

SB 222 Bill Withdrawn

SB 223 Authors Senators Leising, Kruse, Niezgodski
Sponsor Representative Behning

Free Application for Federal Student Aid (FAFSA) requirements.

	House	Senate
Authored by Senator Leising		14
First reading: referred to Committee on Education and Career Development		
Senator Kruse added as second author		24
Senator Niezgodski added as third author		128
Committee report: amend do pass, adopted		138
Second reading: ordered engrossed		167
Third reading: passed;		
Roll Call 77: yeas 38, nays 12		208
House sponsor: Representative Behning		
Referred to the House		
First reading: referred to Committee on Education	248	
Representatives Clere and V. Smith added as cosponsors	282	

SB 224 Author Senator G. Taylor

Financial guarantees for charter schools.

	House	Senate
Authored by Senator G. Taylor		14
First reading: referred to Committee on Education and Career Development		
Senator Stoops added as coauthor		111

SB 225 Author Senator G. Taylor

Bonding procedures.

	House	Senate
Authored by Senator G. Taylor		14
First reading: referred to Committee on Tax and Fiscal Policy		

SB 226 Authors Senators Boots, Tomes
Sponsor Representative Baird

Equine dentistry.

	House	Senate
Authored by Senator Boots		14
First reading: referred to Committee on Agriculture		
Committee report: do pass, adopted		54
Second reading: ordered engrossed		107
Senator Tomes added as second author		111
Third reading: passed;		
Roll Call 30: yeas 40, nays 10		122
House sponsor: Representative Baird		
Cosponsor: Representative Lehe		
Senator Grooms added as coauthor		128
Referred to the House		
First reading: referred to Committee on Agriculture and Rural Development	248	

SB 227 Author Senator Bassler

Session adjournment deadlines.

	House	Senate
Authored by Senator Bassler		73
First reading: referred to Committee on Rules and Legislative Procedure		

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	House	Senate
SB 228 Authors Senators Bassler, Jon Ford		
Study Committee on teacher salary grid.		
Authored by Senator Bassler		73
First reading: referred to Committee on Education and Career Development		
Senator Jon Ford added as second author		111
■ SB 229 Authors Senators Spartz, Doriot, Rogers		
Sponsor Representative Wolkins		
Maintenance of regulated drains.		
Authored by Senator Spartz		14
First reading: referred to Committee on Environmental Affairs		
Committee report: do pass, adopted		54
Senator Doriot added as second author		67
Second reading: ordered engrossed		107
Third reading: passed;		
Roll Call 31: yeas 32, nays 18		122
House sponsor: Representative Wolkins		
Senator Rogers added as third author		128
Referred to the House		
First reading: referred to Committee on Local Government	248	
Reassigned to Committee on Environmental Affairs	340	
Committee report: amend do pass, adopted	355	
Second reading: amended, ordered engrossed	390	
Amendment #2 (Wesco) prevailed; voice vote	390	
Amendment #5 (Errington) failed; Roll Call 245: yeas 33, nays 59	390	
Representative Cherry added as cosponsor	407	
Third reading: passed;		
Roll Call 286: yeas 58, nays 37	413	
Returned to the Senate with amendments		
Senate dissented from House amendments		648
House conferees appointed: Wolkins and Errington	426	
House advisors appointed: Prescott, Abbott, Steuerwald, Bauer and Deal		
Senate conferees appointed: Spartz and Stoops		658
Senate advisors appointed: Doriot, Tallian and Rogers		
Senator Doriot removed as advisor		692
Senator Stoops removed as conferee		
Senator Doriot added as conferee		
Representative Prescott removed as advisor	480	
Representative Errington removed as conferee	480	
Representative Prescott added as conferee	480	
Rules suspended;		
Conference committee report 1: adopted by the Senate; Roll Call 383: yeas 32, nays 17		807
Rules suspended;		
Conference committee report 1: adopted by the House; Roll Call 377: yeas 55, nays 29	539	
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 166		
■ SB 230 Authors Senators Sandlin, Buck		
Sponsor Representative Burton		
Leasing of local unit property.		
Authored by Senator Sandlin		14
First reading: referred to Committee on Local Government		
Committee report: amend do pass, adopted		139
Second reading: amended, ordered engrossed		167
Amendment #1 (Sandlin) prevailed; voice vote		167
Senator Buck added as second author		173
Third reading: passed;		
Roll Call 78: yeas 50, nays 0		208
House sponsor: Representative Burton		
Referred to the House		
First reading: referred to Committee on Local Government	248	
Committee report: do pass, adopted	304	
Second reading: ordered engrossed	342	
Third reading: passed;		
Roll Call 235: yeas 87, nays 0	385	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 65		
SB 231 Author Senator Ruckelshaus		
Competitive teacher pay initiative review.		
Authored by Senator Ruckelshaus		50
First reading: referred to Committee on Education and Career Development		
Senator Doriot added as coauthor		57
SB 232 Authors Senators Ruckelshaus, Doriot		
Nonprofit hospitals.		
Authored by Senator Ruckelshaus		14
First reading: referred to Committee on Tax and Fiscal Policy		
Senator Doriot added as second author		21
SB 233 Author Senator M. Young		
School resource officers.		
Authored by Senator M. Young		14
First reading: referred to Committee on Education and Career Development		
Senator Stoops added as coauthor		111
SB 234 Author Senator Raatz		
High school equivalency pilot program.		
Authored by Senator Raatz		25
First reading: referred to Committee on Education and Career Development		
SB 235 Authors Senators Alting, Bohacek		
Teacher salary increases.		
Authored by Senator Alting		25
First reading: referred to Committee on Appropriations		
Senator Bohacek added as second author		67
SB 236 Authors Senators M. Young, Freeman, Tallian		
THC.		
Authored by Senator M. Young		25
First reading: referred to Committee on Corrections and Criminal Law		

	House	Senate
Committee report: amend do pass, adopted		222
Second reading: ordered engrossed		285
Senator Freeman added as second author		307
Senator Tallian added as third author		
Third reading: defeated;		
Roll Call 148: yeas 19, nays 30		319

■ SB 237 Authors Senators L. Brown, Bohacek, Tomes
Sponsor Representative Morris

	House	Senate
Care of city police officers and firefighters.		
Authored by Senator L. Brown		25
First reading: referred to Committee on Local Government		
Committee report: do pass, adopted		100
Second reading: ordered engrossed		121
Senator Bohacek added as second author		129
Senator Tomes added as third author		
Senators Mrvan and Rogers added as coauthors		
Senator Randolph added as coauthor		
Senator Tallian added as coauthor		
Third reading: passed;		
Roll Call 46: yeas 46, nays 0		150
House sponsor: Representative Morris		
Cosponsor: Representative Carbaugh		
Senator Jon Ford added as coauthor		153
Senator Lanane added as coauthor		
Referred to the House		
First reading: referred to Committee on Veterans Affairs and Public Safety	248	
Representative Judy added as cosponsor	290	
Committee report: amend do pass, adopted	293	
Second reading: ordered engrossed	312	
Third reading: passed;		
Roll Call 209: yeas 94, nays 0	339	
Returned to the Senate with amendments		
Senate dissented from House amendments		638
Senate conferees appointed: L. Brown and Lanane		644
Senate advisors appointed: Bohacek, Tallian and Tomes		
House conferees appointed: Morris and Macer	418	
House advisors appointed: Frye, Carbaugh, Klinker and Moseley		
Conference committee report 1: adopted by the Senate;		
Roll Call 352: yeas 50, nays 0		690
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 356: yeas 93, nays 0	468	
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 66		

■ SB 238 Authors Senators L. Brown, Gaskill
Sponsor Representative DeVon

	House	Senate
Various human services matters.		
Authored by Senator L. Brown		25
First reading: referred to Committee on Family and Children Services		
Committee report: do pass, adopted		180
Second reading: ordered engrossed		269
Senator Gaskill added as second author		307
Third reading: passed;		
Roll Call 119: yeas 46, nays 1		312
House sponsor: Representative DeVon		
Referred to the House		
First reading: referred to Committee on Family, Children and Human Affairs	250	
Committee report: do pass, adopted	285	
Second reading: ordered engrossed	298	
Third reading: passed;		
Roll Call 197: yeas 95, nays 0	312	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		632
Signed by the Speaker	415	
Signed by the President of the Senate		684
Signed by the Governor		746
Public Law 9		

■ SB 239 Authors Senators L. Brown, Rogers, Zay
Sponsor Representative Mayfield

	House	Senate
Coverage for breast prostheses.		
Authored by Senator L. Brown		25
First reading: referred to Committee on Insurance and Financial Institutions		
Senator Rogers added as second author		153
Senator Zay added as third author		
Committee report: do pass, adopted		222
Second reading: ordered engrossed		285
Third reading: passed;		
Roll Call 149: yeas 48, nays 1		319
House sponsor: Representative Mayfield		
Cosponsor: Representative Fleming		
Referred to the House		
First reading: referred to Committee on Insurance	250	
Representative Carbaugh added as cosponsor	283	
Committee report: amend do pass, adopted	294	
Representative Carbaugh removed as cosponsor	301	
Representative Vermilion added as cosponsor	301	
Second reading: ordered engrossed	312	
Third reading: passed;		
Roll Call 210: yeas 95, nays 0	340	
Representative Austin added as cosponsor	340	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 329: yeas 46, nays 3		655
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 67		

SB 240 Author Senator L. Brown

	House	Senate
Cybersecurity requirements for insurers.		
Authored by Senator L. Brown		25
First reading: referred to Committee on Insurance and Financial Institutions		

■ SB 241 Authors Senators L. Brown, Charbonneau, Merritt
Sponsor Representative Lehman

	House	Senate
Pharmacy benefit managers.		
Authored by Senator L. Brown		25

	House	Senate
First reading: referred to Committee on Health and Provider Services		
Senator Charbonneau added as second author		67
Senator Merritt added as third author		68
Senator Stoops added as coauthor		111
Senator Tomes added as coauthor		129
Committee report: amend do pass, adopted		139
Senator Mishler added as coauthor		153
Senators Ruckelshaus and Grooms added as coauthors		
Second reading: amended, ordered engrossed		205
Amendment #1 (L. Brown) prevailed; voice vote		205
Third reading: passed;		
Roll Call 100: yeas 46, nays 2		272
House sponsor: Representative Lehman		
Senator G. Taylor added as coauthor		273
Referred to the House		
First reading: referred to Committee on Insurance	248	
Representatives Davisson, Clere, Shackleford added as cosponsors	264	
Committee report: amend do pass, adopted	355	
Second reading: amended, ordered engrossed	390	
Amendment #4 (Austin) prevailed; Roll Call 246: yeas 92, nays 0	391	
Amendment #3 (Austin) prevailed; Roll Call 247: yeas 93, nays 0	391	
Amendment #1 (Austin) prevailed; Roll Call 248: yeas 94, nays 0	391	
Amendment #2 (Austin) prevailed; Roll Call 249: yeas 94, nays 0	392	
Third reading: passed;		
Roll Call 287: yeas 96, nays 0	414	
Returned to the Senate with amendments		
Senate dissented from House amendments		648
House conferees appointed: Lehman and Austin	426	
House advisors appointed: Davisson, Carbaugh, Clere, Morris, Hatfield, Fleming and Shackleford		
Senate conferees appointed: L. Brown and Breaux		658
Senate advisors appointed: Charbonneau, Stoops and Ruckelshaus		
Senator Spartz added as coauthor		785
Rules suspended;		
Conference committee report 1: adopted by the Senate; Roll Call 398: yeas 49, nays 0		1018
Rules suspended;		
Conference committee report 1: adopted by the House; Roll Call 400: yeas 91, nays 0	780	
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 68		

SB 242 Author Senator L. Brown

Deceptive lead generation.

	House	Senate
Authored by Senator L. Brown		25
First reading: referred to Committee on Judiciary		

SB 243 Authors Senators L. Brown, Charbonneau
Sponsor Representative Lehman

Physicians who leave an employer.

	House	Senate
Authored by Senator L. Brown		25
First reading: referred to Committee on Health and Provider Services		
Committee report: amend do pass, adopted		222
Senator Charbonneau added as second author		274
Second reading: amended, ordered engrossed		285
Amendment #1 (L. Brown) prevailed; voice vote		285
Third reading: passed;		
Roll Call 150: yeas 49, nays 0		319
House sponsor: Representative Lehman		
Cosponsors: Representatives Morris and Schaibley		
Referred to the House		
First reading: referred to Committee on Public Health	250	
Reassigned to Committee on Insurance	256	
Committee report: amend do pass, adopted	355	
Second reading: amended, ordered engrossed	392	
Amendment #1 (Judy) prevailed; voice vote	392	
Third reading: passed;		
Roll Call 288: yeas 96, nays 0	414	
Returned to the Senate with amendments		
Senate dissented from House amendments		648
House conferees appointed: Carbaugh and Austin	426	
House advisors appointed: Morris, Lehman, Campbell and Fleming		
Senate conferees appointed: L. Brown and Mrvan		658
Senate advisors appointed: Charbonneau and Breaux		

SB 244 Authors Senators L. Brown, Kruse, Spartz
Sponsor Representative DeVon

Teacher supplemental pay.

	House	Senate
Authored by Senator L. Brown		25
First reading: referred to Committee on Education and Career Development		
Committee report: amend do pass, adopted		222
Senator Kruse added as second author		274
Senator Spartz added as third author		
Senators Donato and Rogers added as coauthors		
Senator Stoops added as coauthor		
Second reading: amended, ordered engrossed		288
Amendment #2 (L. Brown) prevailed; voice vote		288
Senator Randolph added as coauthor		308
Third reading: passed;		
Roll Call 151: yeas 48, nays 1		319
House sponsor: Representative DeVon		
Cosponsor: Representative Carbaugh		
Senator Raatz added as coauthor		325
Referred to the House		
First reading: referred to Committee on Education	250	

SB 245 Author Senator Sandlin

Possession of firearms.

	House	Senate
Authored by Senator Sandlin		25
First reading: referred to Committee on Judiciary		

■ SB 246 Authors Senators Crider, Merritt
Sponsor Representative Cook

Mental health services.

	House	Senate
Authored by Senator Crider		25
First reading: referred to Committee on Homeland Security and Transportation		
Committee report: amend do pass, adopted		62
Second reading: amended, ordered engrossed		107
Amendment #1 (Crider) prevailed; voice vote		107

	House	Senate
Senator Becker added as coauthor		111
Third reading: passed;		
Roll Call 32: yeas 50, nays 0		122
House sponsor: Representative Cook		
Senator Merritt added as second author		129
Senator Mrvan added as coauthor		
Senator Buck added as coauthor		
Senator Raatz added as coauthor		
Senator Rogers added as coauthor		
Senator J.D. Ford added as coauthor		
Senator Melton added as coauthor		
Senator Randolph added as coauthor		
Senator Stoops added as coauthor		
Referred to the House		
First reading: referred to Committee on Public Health	249	
Representative Schaibley added as cosponsor	256	
Committee report: amend do pass, adopted	259	
Representative Shackleford added as cosponsor	264	
Second reading: amended, ordered engrossed	282	
Amendment #1 (Austin) prevailed;		
Roll Call 179: yeas 95, nays 0	282	
Representative Hatfield added as cosponsor	283	
Third reading: passed;		
Roll Call 188: yeas 95, nays 2	289	
Returned to the Senate with amendments		
Senator Grooms added as coauthor		456
Senate dissented from House amendments		639
Senate conferees appointed: Crider and Mrvan		645
Senate advisors appointed: Merritt, Randolph, Becker and J.D. Ford		
House conferees appointed: Cook and Austin	418	
House advisors appointed: Schaibley, Sherman, Hatfield and Shackleford		
Rules suspended;		
Conference committee report 1: adopted by the Senate;		
Roll Call 358: yeas 48, nays 0		698
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 350: yeas 83, nays 2	462	
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 69		

SB 247 Author Senator Niemeyer

Distributions of public safety income tax revenue.

	House	Senate
Authored by Senator Niemeyer		25
First reading: referred to Committee on Tax and Fiscal Policy		

SB 248 Author Senator Niemeyer

Annual inspections of CAFOs.

	House	Senate
Authored by Senator Niemeyer		25
First reading: referred to Committee on Environmental Affairs		

■ SB 249 Authors Senators M. Young, Koch
Sponsor Representative McNamara

Exploitation of dependents and endangered adults.

	House	Senate
Authored by Senator M. Young		25
First reading: referred to Committee on Corrections and Criminal Law		
Senator J.D. Ford added as coauthor		68
Senator Randolph added as coauthor		
Committee report: do pass, adopted		100
Senator Koch added as second author		111
Second reading: call withdrawn		121
Second reading: amended, ordered engrossed		148
Amendment #1 (Tallian) prevailed; voice vote		148
Third reading: passed;		
Roll Call 61: yeas 50, nays 0		171
House sponsor: Representative McNamara		
Senators Becker and Leising added as coauthors		173
Senator Crane added as coauthor		
Referred to the House		
First reading: referred to Committee on Courts and Criminal Code	249	
Representatives Lehman and Speedy added as cosponsors	256	
Committee report: do pass, adopted	294	
Second reading: ordered engrossed	312	
Third reading: passed;		
Roll Call 211: yeas 95, nays 0	340	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		632
Signed by the Speaker	415	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 70		

SB 250 Author Senator J.D. Ford

Prohibited discrimination.

	House	Senate
Authored by Senator J.D. Ford		73
First reading: referred to Committee on Education and Career Development		

SB 251 Author Senator J.D. Ford

Standby guardians.

	House	Senate
Authored by Senator J.D. Ford		25
First reading: referred to Committee on Judiciary		

SB 252 Author Senator J.D. Ford

Information on student identification cards.

	House	Senate
Authored by Senator J.D. Ford		25
First reading: referred to Committee on Education and Career Development		
Senator Stoops added as coauthor		111

SB 253 Author Senator J.D. Ford

Principal dwelling land contracts.

	House	Senate
Authored by Senator J.D. Ford		25
First reading: referred to Committee on Judiciary		

■ SB 254 Authors Senators Charbonneau, Koch, Glick
Sponsor Representative Soliday

Water and wastewater utilities.

	House	Senate
Authored by Senators Charbonneau, Koch, Glick		25
First reading: referred to Committee on Utilities		
Senator Niezgodski added as coauthor		68
Committee report: amend do pass, adopted		100
Senator Stoops added as coauthor		111
Second reading: ordered engrossed		121
Senators J.D. Ford and Randolph added as coauthors		129
Third reading: passed;		
Roll Call 47: yeas 45, nays 1		150
House sponsor: Representative Soliday		

	House	Senate
Senator Merritt added as coauthor		153
Senator Ruckelshaus added as coauthor		
Referred to the House		
First reading: referred to Committee on Utilities, Energy and Telecommunications	249	
Representative Manning added as cosponsor	264	
Representative Hatfield added as cosponsor	301	
Representative Sherman added as cosponsor	301	
Committee report: do pass, adopted	304	
Second reading: ordered engrossed	382	
Third reading: passed;		
Roll Call 236: yeas 87, nays 0	385	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 137		

■ SB 255 Authors Senators Charbonneau, Jon Ford, Rogers
Sponsor Representative Kirchhofer

	House	Senate
Insulin drugs.		
Authored by Senator Charbonneau		25
First reading: referred to Committee on Health and Provider Services		
Senator Jon Ford added as second author		129
Senator Zay added as coauthor		
Committee report: amend do pass, adopted		139
Senator Rogers added as third author		153
Senator Grooms added as coauthor		154
Senator Melton added as coauthor		
Second reading: ordered engrossed		167
Third reading: passed;		
Roll Call 79: yeas 50, nays 0		208
House sponsor: Representative Vermilion		
Cosponsor: Representative Kirchhofer		
Senator Tomes added as coauthor		211
Referred to the House		
First reading: referred to Committee on Public Health	249	
Representative Vermilion removed as sponsor	256	
Representative Kirchhofer added as sponsor	256	
Representative Kirchhofer removed as cosponsor	256	
Representative Vermilion added as cosponsor	256	
Committee report: do pass, adopted	260	
Representative Shackleford added as cosponsor	283	
Representative Hatfield added as cosponsor	283	
Second reading: ordered engrossed	290	
Amendment #1 (Shackleford) ruled out of order	290	
Third reading: passed;		
Roll Call 192: yeas 88, nays 0	301	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		482
Signed by the Speaker	415	
Signed by the President of the Senate		684
Signed by the Governor		746
Public Law 10		

■ SB 256 Authors Senators Koch, Mishler, Merritt
Sponsor Representative McNamara

	House	Senate
Courts and judicial officers.		
Authored by Senator Koch		25
First reading: referred to Committee on Judiciary		
Committee report: amend do pass adopted; reassigned to Committee on Appropriations		100
Senator Randolph added as coauthor		111
Senator Mishler added as second author		129
Senator Merritt added as third author		
Senators Garten, Ruckelshaus, Perfect, Spartz, J.D. Ford added as coauthors		
Senator Messmer added as coauthor		130
Committee report: amend do pass, adopted		139
Senator Buck added as coauthor		154
Second reading: ordered engrossed		167
Amendment #1 (G. Taylor) failed;		
Roll Call 50: yeas 18, nays 32		167
Senator Kruse added as coauthor		173
Senator Lanane added as coauthor		
Third reading: passed;		
Roll Call 80: yeas 47, nays 3		208
House sponsor: Representative McNamara		
Cosponsors: Representatives Steuerwald and Torr		
Referred to the House		
First reading: referred to Committee on Courts and Criminal Code	249	
Committee report: amend do pass, adopted	294	
Referred to the Ways and Means pursuant to House Rule 127	301	
Committee report: amend do pass, adopted	356	
Representative Klinker added as cosponsor	383	
Rule 105.1 suspended	383	
Representative Jordan added as cosponsor	383	
Second reading: ordered engrossed	385	
Third reading: passed;		
Roll Call 283: yeas 91, nays 0	413	
Returned to the Senate with amendments		
Senate dissented from House amendments		648
House conferees appointed: McNamara and DeLaney	426	
House advisors appointed: Hostettler, Mayfield, Engleman, Steuerwald and Klinker		
Senate conferees appointed: Koch and G. Taylor		661
Senate advisors appointed: Garten, Lanane, and Mishler		
Rules suspended;		
Conference committee report 1: adopted by the Senate;		
Roll Call 362: yeas 49, nays 0		704
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 363: yeas 66, nays 28	475	
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 138		

■ SB 257 Authors Senators Koch, Garten, Doriot
Sponsor Representative Soliday

	House	Senate
Aviation safety.		
Authored by Senator Koch		25
First reading: referred to Committee on Homeland Security and Transportation		
Committee report: amend do pass, adopted		117
Senator Garten added as second author		130
Senator Doriot added as third author		

	House	Senate
Second reading: ordered engrossed		148
Third reading: passed;		
Roll Call 62: yeas 50, nays 0		171
House sponsor: Representative Soliday		
Senator Kruse added as coauthor		173
Referred to the House		
First reading: referred to Committee on Roads and Transportation	249	
Representative Lehman added as cosponsor	290	
Committee report: amend do pass, adopted	356	
Second reading: ordered engrossed	386	
Third reading: passed;		
Roll Call 280: yeas 80, nays 0	413	
Rule 105.1 suspended	415	
Representatives Pressel, Frye, Candelaria Reardon added as cosponsors	415	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 339: yeas 41, nays 0		671
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 71		

■ SB 258 Authors Senators Koch, Crider, Tomes
Sponsor Representative Frye

	House	Senate
Firefighter safety.		
Authored by Senator Koch		25
First reading: referred to Committee on Homeland Security and Transportation		
Committee report: do pass, adopted		180
Senator Crider added as second author		211
Senator Tomes added as third author		
Second reading: ordered engrossed		269
Senator Randolph added as coauthor		274
Third reading: passed;		
Roll Call 120: yeas 47, nays 0		313
House sponsor: Representative Frye		
Referred to the House		
First reading: referred to Committee on Veterans Affairs and Public Safety	250	
Committee report: do pass, adopted	285	
Representative Bartels added as cosponsor	290	
Representative Klinker added as cosponsor	290	
Second reading: amended, ordered engrossed	300	
Amendment #1 (Frye) prevailed; voice vote	300	
Representative Lauer added as cosponsor	301	
Third reading: passed;		
Roll Call 198: yeas 95, nays 0	312	
Returned to the Senate with amendments		
Senate dissented from House amendments		638
Senate conferees appointed: Koch and Mrvan		644
Senate advisors appointed: Crider and Melton		
House conferees appointed: Frye and Klinker	418	
House advisors appointed: Bartels, Barrett and Chyung		
Conference committee report 1: adopted by the Senate;		
Roll Call 353: yeas 50, nays 0		690
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 351: yeas 89, nays 0	462	
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 72		

SB 259 Authors Senators Spartz, Jon Ford, Rogers
Sponsor Representative DeVon

	House	Senate
Child services reports.		
Authored by Senator Spartz		25
First reading: referred to Committee on Family and Children Services		
Committee report: do pass, adopted		180
Senator Jon Ford added as second author		211
Second reading: amended, ordered engrossed		269
Amendment #1 (L. Brown) prevailed; voice vote		269
Senator Randolph added as coauthor		274
Senator Rogers added as third author		308
Senator Zay added as coauthor		
Third reading: passed;		
Roll Call 121: yeas 47, nays 0		313
House sponsor: Representative DeVon		
Referred to the House		
First reading: referred to Committee on Ways and Means	250	

SB 260 Author Senator Spartz

	House	Senate
Education funding.		
Authored by Senator Spartz		25
First reading: referred to Committee on Tax and Fiscal Policy		

SB 261 Author Senator Spartz

	House	Senate
School deregulation.		
Authored by Senator Spartz		25
First reading: referred to Committee on Education and Career Development		

SB 262 Authors Senators Busch, Holdman, Perfect
Sponsor Representative Karickhoff

	House	Senate
Film and media production incentives.		
Authored by Senator Busch		25
First reading: referred to Committee on Tax and Fiscal Policy		
Senator Holdman added as second author		49
Senator Perfect added as third author		
Senator Ruckelshaus added as coauthor		
Senators M. Young and Buchanan added as coauthors		130
Senator Zay added as coauthor		
Committee report: amend do pass, adopted		180
Senator Niezgodski added as coauthor		211
Second reading: ordered engrossed		269
Senators Raatz, Rogers, J.D. Ford, Grooms, Becker, Randolph, G. Taylor added as coauthors		274
Senators Alting and Niemeyer added as coauthors		314
Third reading: passed;		
Roll Call 152: yeas 47, nays 2		319
House sponsor: Representative Karickhoff		
Cosponsors: Representatives Stutzman, Hatfield, Pierce		

HISTORIES OF BILLS AND RESOLUTIONS—2020

	House	Senate
Senator Crane added as coauthor		325
Referred to the House		
First reading: referred to Committee on Ways and Means	250	

SB 263 Authors Senators Holdman, Garten, Crane
Sponsor Representative Judy

	House	Senate
Specialized weapons training.		
Authored by Senator Holdman		50
First reading: referred to Committee on Education and Career Development		
Senator Garten added as second author		57
Committee report: amend do pass, adopted		222
Senator Crane added as third author		274
Second reading: amended, ordered engrossed		288
Amendment #4 (Holdman) prevailed; voice vote		288
Amendment #5 (Holdman) prevailed; voice vote		288
Amendment #1 (Stoops) failed; voice vote		288
Amendment #3 (G. Taylor) failed; Roll Call 104: yeas 14, nays 35		289
Senator Busch added as coauthor		308
Third reading: passed; Roll Call 153: yeas 42, nays 7		319
House sponsor: Representative Judy		
Cosponsor: Representative Morris		
Senator Busch removed as coauthor		325
Senator Raatz added as coauthor		
Referred to the House		
First reading: referred to Committee on Education	250	
Representative Burton added as cosponsor	265	

SB 264 Authors Senators Holdman, Houchin
Sponsor Representative Heine

	House	Senate
Certified technology parks.		
Authored by Senator Holdman		50
First reading: referred to Committee on Tax and Fiscal Policy		
Committee report: amend do pass, adopted		181
Senators Houchin, Messmer, Buck, Perfect, Charbonneau, Raatz, Buchanan added as coauthors		211
Second reading: ordered engrossed		269
Senator Houchin removed as coauthor		274
Senator Houchin added as second author		
Third reading: passed; Roll Call 154: yeas 43, nays 6		320
House sponsor: Representative Heine		
Cosponsor: Representative Sullivan		
Senator Kruse added as coauthor		325
Referred to the House		
First reading: referred to Committee on Ways and Means	251	

SB 265 Authors Senators Donato, Merritt

	House	Senate
Medicaid advisory committee member.		
Authored by Senator Donato		25
First reading: referred to Committee on Health and Provider Services		
Senator Merritt added as second author		68
Senator J.D. Ford added as coauthor		

SB 266 Authors Senators Donato, Raatz
Sponsor Representative Jordan

	House	Senate
Teacher training.		
Authored by Senator Donato		25
First reading: referred to Committee on Education and Career Development		
Senator Raatz added as second author		130
Senators Rogers, Crane, Kruse, Buchanan added as coauthors		
Committee report: do pass, adopted		140
Second reading: ordered engrossed		167
Senator Glick added as coauthor		173
Senator Spartz added as coauthor		
Third reading: passed; Roll Call 81: yeas 50, nays 0		208
House sponsor: Representative Jordan		
Senator Bassler added as coauthor		211
Referred to the House		
First reading: referred to Committee on Education	249	

■ SB 267 Authors Senators Bohacek, Alting, Merritt
Sponsor Representative Pressel

	House	Senate
Administration of 211 services.		
Authored by Senator Bohacek		25
First reading: referred to Committee on Family and Children Services		
Senator Alting added as second author		49
Senator Ruckelshaus added as third author		
Committee report: amend do pass, adopted		54
Senator Ruckelshaus removed as third author		68
Senator Merritt added as third author		
Senator Ruckelshaus added as coauthor		
Second reading: ordered engrossed		107
Third reading: passed; Roll Call 33: yeas 50, nays 0		122
House sponsor: Representative Pressel		
Cosponsor: Representative Heine		
Senator J.D. Ford added as coauthor		130
Senator Randolph added as coauthor		
Referred to the House		
First reading: referred to Committee on Family, Children and Human Affairs	249	
Committee report: amend do pass, adopted	318	
Representative Jackson added as cosponsor	383	
Second reading: amended, ordered engrossed	393	
Amendment #1 (Jackson) prevailed; voice vote	393	
Third reading: passed; Roll Call 281: yeas 84, nays 0	413	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments; Roll Call 344: yeas 41, nays 0		672
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 73		

SB 268 Authors Senators Jon Ford, Doriot, Sandlin

	House	Senate
Automated traffic control in construction zones.		
Authored by Senator Jon Ford		26

	House	Senate
First reading: referred to Committee on Homeland Security and Transportation		
Committee report: amend do pass, adopted		182
Second reading: ordered engrossed		269
Senator Doriot added as second author		274
Senator Mrvan added as coauthor		
Senator Sandlin added as third author		
Senator Niezgodski added as coauthor		325

■ SB 269 Authors Senators Jon Ford, Boots, Grooms
Sponsor Representative Lehman

	House	Senate
Worker's compensation.		
Authored by Senator Jon Ford		26
First reading: referred to Committee on Pensions and Labor		
Committee report: do pass, adopted		140
Second reading: ordered engrossed		167
Third reading: passed;		
Roll Call 82: yeas 50, nays 0		209
House sponsor: Representative Lehman		
Cosponsor: Representative VanNatter		
Senator Boots added as second author		212
Senator Grooms added as third author		
Senator Tallian added as coauthor		
Referred to the House		
First reading: referred to Committee on Employment, Labor and Pensions	249	
Committee report: do pass, adopted	286	
Second reading: ordered engrossed	298	
Third reading: passed;		
Roll Call 199: yeas 95, nays 0	312	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		653
Signed by the Speaker	433	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 139		

SB 270 Author Senator Jon Ford

	House	Senate
Collective bargaining.		
Authored by Senator Jon Ford		26
First reading: referred to Committee on Education and Career Development		

SB 271 Author Senator Jon Ford

	House	Senate
Vehicle weight.		
Authored by Senator Jon Ford		26
First reading: referred to Committee on Homeland Security and Transportation		

■ SB 272 Authors Senators Jon Ford, Messmer, Grooms
Sponsor Representative Torr

	House	Senate
Indiana economic development corporation.		
Authored by Senator Jon Ford		26
First reading: referred to Committee on Commerce and Technology		
Committee report: do pass, adopted		140
Second reading: ordered engrossed		206
Senator Messmer added as second author		212
Senator Grooms added as third author		
Third reading: passed;		
Roll Call 101: yeas 48, nays 0		272
House sponsor: Representative Torr		
Referred to the House		
First reading: referred to Committee on Ways and Means	249	
Committee report: do pass, adopted	294	
Second reading: amended, ordered engrossed	393	
Amendment #6 (Lehman) prevailed; voice vote	393	
Amendment #2 (Pryor) ruled out of order	393	
Amendment #1 (Chyung) failed;		
Roll Call 250: yeas 30, nays 63	394	
Amendment #3 (Pryor) ruled out of order	395	
Appeal the ruling of the chair (Pryor);		
ruling of the chair sustained		
Roll Call 251: yeas 63, nays 30		
Third reading: passed;		
Roll Call 289: yeas 95, nays 0	414	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 340: yeas 41, nays 0		671
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 74		

■ SB 273 Authors Senators Crider, Ruckelshaus
Sponsor Representative Kirchhofer

	House	Senate
Indiana behavioral health commission.		
Authored by Senator Crider		26
First reading: referred to Committee on Health and Provider Services		
Committee report: amend do pass, adopted		224
Senator Ruckelshaus added as second author		274
Senators Becker and Grooms added as coauthors		
Second reading: ordered engrossed		289
Senator Randolph added as coauthor		308
Third reading: passed;		
Roll Call 155: yeas 49, nays 0		320
House sponsor: Representative Kirchhofer		
Cosponsor: Representative Cherry		
Senator Crane added as coauthor		325
Senator J.D. Ford added as coauthor		
Referred to the House		
First reading: referred to Committee on Public Health	251	
Committee report: amend do pass, adopted	260	
Second reading: ordered engrossed	274	
Representative Hatfield added as cosponsor	283	
Third reading: passed;		
Roll Call 189: yeas 92, nays 3	290	
Representative Goodin added as cosponsor	273	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 330: yeas 49, nays 0		655
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 75		

HISTORIES OF BILLS AND RESOLUTIONS—2020

	House	Senate
SB 274 Author Senator Lanane		
Delaware circuit court.		
Authored by Senator Lanane		26
First reading: referred to Committee on Judiciary		
SB 275 Author Senator Lanane		
School concussion recovery protocol.		
Authored by Senator Lanane		26
First reading: referred to Committee on Education and Career Development		
Senator Stoops added as coauthor		112
SB 276 Author Senator Lanane		
SPEA study of low-carbon and green industries.		
Authored by Senator Lanane		26
First reading: referred to Committee on Environmental Affairs		
Senator Stoops added as coauthor		112
SB 277 Author Senator Lanane		
Traumatic brain injury information.		
Authored by Senator Lanane		26
First reading: referred to Committee on Corrections and Criminal Law		
Senator Stoops added as coauthor		112
SB 278 Author Senator Lanane		
Representation of the indigent at initial hearing.		
Authored by Senator Lanane		26
First reading: referred to Committee on Judiciary		
SB 279 Author Senator Lanane		
Rule of lenity.		
Authored by Senator Lanane		26
First reading: referred to Committee on Judiciary		
SB 280 Author Senator Breaux		
Voting hours.		
Authored by Senator Breaux		26
First reading: referred to Committee on Elections		
SB 281 Authors Senators Breaux, Alting		
Fair pay in employment.		
Authored by Senator Breaux		27
First reading: referred to Committee on Pensions and Labor		
Senator Alting added as second author		57
Senator Stoops added as coauthor		112
SB 282 Authors Senators Breaux, Bohacek		
Health insurance reimbursement rates.		
Authored by Senator Breaux		27
First reading: referred to Committee on Insurance and Financial Institutions		
Senator Stoops added as coauthor		112
Senator Bohacek added as second author		154
SB 283 Author Senator Breaux		
Medicaid treatment for pregnant women.		
Authored by Senator Breaux		27
First reading: referred to Committee on Health and Provider Services		
Senator Stoops added as coauthor		112
SB 284 Author Senator Breaux		
Coverage of living organ donors.		
Authored by Senator Breaux		27
First reading: referred to Committee on Insurance and Financial Institutions		
SB 285 Author Senator Breaux		
Lead testing of Medicaid covered children.		
Authored by Senator Breaux		27
First reading: referred to Committee on Health and Provider Services		
Senator Stoops added as coauthor		112
SB 286 Author Senator Breaux		
Lead poisoning prevention.		
Authored by Senator Breaux		27
First reading: referred to Committee on Environmental Affairs		
Senator Stoops added as coauthor		112
SB 287 Author Senator Breaux		
Scholarship in health care for minority students.		
Authored by Senator Breaux		27
First reading: referred to Committee on Education and Career Development		
Senator Stoops added as coauthor		112
■ SB 288 Authors Senators Doriot, Zay Sponsor Representative Bacon		
Anatomical gift through hunting, fishing or trapping license.		
Authored by Senator Doriot		27
First reading: referred to Committee on Natural Resources		
Senator Zay added as second author		154
Committee report: amend do pass, adopted		189
Second reading: ordered engrossed		269
Senator Randolph added as coauthor		274
Third reading: passed;		
Roll Call 122: yeas 47, nays 0		313
House sponsor: Representative DeVon		
Cosponsor: Representative Eberhart		
Referred to the House		
First reading: referred to Committee on Public Health	251	
Representative DeVon removed as sponsor	256	
Representative Bacon added as sponsor	256	
Representative DeVon added as cosponsor	256	
Committee report: do pass, adopted	294	
Second reading: ordered engrossed	312	
Third reading: passed;		
Roll Call 212: yeas 94, nays 0	340	
Representative Fleming added as cosponsor	340	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		632
Signed by the Speaker	415	
Signed by the President of the Senate		684
Signed by the Governor		746
Public Law 11		
SB 289 Authors Senators Grooms, Walker Sponsor Representative Lindauer		
Family and juvenile law matters.		
Authored by Senator Grooms		27

	House	Senate
First reading: referred to Committee on Family and Children Services		
Committee report: amend do pass, adopted		189
Senator Walker added as second author		274
Senators Houchin and Donato added as coauthors		
Senator Randolph added as coauthor		
Second reading: amended, ordered engrossed		289
Amendment #1 (Grooms) prevailed; voice vote		289
Third reading: passed;		
Roll Call 156: yeas 49, nays 0		320
House sponsor: Representative Lindauer		
Cosponsors: Representatives Mayfield, Cook, DeVon		
Senator Kruse added as coauthor		325
Referred to the House		
First reading: referred to Committee on Family, Children and Human Affairs	251	
Committee report: amend do pass, adopted	318	
Second reading: amended, ordered engrossed	396	
Amendment #3 (Engleman) prevailed; voice vote	396	
Third reading: passed;		
Roll Call 284: yeas 94, nays 0	413	
Returned to the Senate with amendments		
Senate dissented from House amendments		657
Senate conferees appointed: Grooms and J.D. Ford		670
Senate advisors appointed: Walker, Lanane and Houchin		
House conferees appointed: Lindauer and Wright	433	
House advisors appointed: Engleman, Lauer, J. Young, Boy, Jackson and Summers		

SB 290 Author Senator Grooms

	House	Senate
Patient health information.		
Authored by Senator Grooms		27
First reading: referred to Committee on Health and Provider Services		

SB 291 Authors Senators Grooms, Koch
Sponsor Representative Clere

	House	Senate
Law enforcement officers and handguns in a casino.		
Authored by Senator Grooms		27
First reading: referred to Committee on Judiciary		
Senator Koch added as second author		130
Committee report: do pass, adopted		140
Senator Sandlin added as coauthor		154
Second reading: amended, ordered engrossed		167
Amendment #1 (Grooms) prevailed; Division of the Senate: yeas 39, nays 9		167
Placed back on second reading		205
Reread second time: amended, ordered engrossed		290
Amendment #2 (Grooms) prevailed; voice vote		290
Third reading: passed;		
Roll Call 157: yeas 40, nays 9		320
House sponsor: Representative Clere		
Cosponsors: Representatives Engleman, Eberhart, Goodin		
Senator Leising added as coauthor		325
Referred to the House		
First reading: referred to Committee on Public Policy	252	

SB 292 Authors Senators Sandlin, Buchanan, Gaskill
Sponsor Representative T. Brown

	House	Senate
County option circuit breaker tax credit.		
Authored by Senator Sandlin		27
First reading: referred to Committee on Tax and Fiscal Policy		
Senator Buchanan added as second author		112
Committee report: amend do pass, adopted		190
Second reading: ordered engrossed		269
Senator Gaskill added as third author		274
Third reading: passed;		
Roll Call 123: yeas 39, nays 8		313
House sponsor: Representative T. Brown		
Cosponsors: Representatives Manning and Pryor		
Referred to the House		
First reading: referred to Committee on Ways and Means	252	

SB 293 Authors Senators Ruckelshaus, Bohacek

	House	Senate
Redistricting.		
Authored by Senator Ruckelshaus		73
First reading: referred to Committee on Elections		
Senator Bohacek added as second author		112
Senator J.D. Ford added as coauthor		
Senator Stoops added as coauthor		
Senator Becker added as coauthor		154

SB 294 Authors Senators Ruckelshaus, Doriot, Charbonneau

	House	Senate
Direct support professional registry.		
Authored by Senator Ruckelshaus		27
First reading: referred to Committee on Health and Provider Services		
Senator Charbonneau added as third author		57
Senator Doriot added as second author		68
Senator Becker added as coauthor		

■ SB 295 Authors Senators Raatz, Rogers, Crane
Sponsor Representative Behning

	House	Senate
Various education matters.		
Authored by Senator Raatz		27
First reading: referred to Committee on Education and Career Development		
Senator Crane added as second author		130
Senator Zay added as coauthor		
Committee report: amend do pass, adopted		224
Senator Crane removed as second author		264
Senator Rogers added as second author		265
Senator Crane added as third author		
Second reading: ordered engrossed		291
Senator Randolph added as coauthor		308
Third reading: passed;		
Roll Call 158: yeas 48, nays 1		320
House sponsor: Representative Behning		
Senator Grooms added as coauthor		329
Referred to the House		
First reading: referred to Committee on Education	252	
Committee report: amend do pass, adopted	323	
Second reading: ordered engrossed	381	
Amendment #3 (Dvorak) failed; voice vote	381	
Third reading: passed;		
Roll Call 237: yeas 88, nays 0	385	
Representative Clere added as cosponsor	407	
Returned to the Senate with amendments		

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	House	Senate
Senate dissented from House amendments		638
Senate conferees appointed: Raatz and Melton		644
Senate advisors appointed: Rogers, Stoops and Crane		
House conferees appointed: Behning and Goodin	418	
House advisors appointed: DeVon, Jordan, Clere, DeLaney, Pfaff and V. Smith		
Rules suspended;		
Conference committee report 1: adopted by the Senate; Roll Call 384: yeas 49, nays 0		808
Rules suspended;		
Conference committee report 1: adopted by the House; Roll Call 388: yeas 92, nays 0	647	
Signed by the President Pro Tempore		1051
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 76		

SB 296 Author Senator Raatz

	House	Senate
Teacher training program curriculum.		
Authored by Senator Raatz		27
First reading: referred to Committee on Education and Career Development		

SB 297 Author Senator Leising

	House	Senate
Dual credit teacher education requirements.		
Authored by Senator Leising		27
First reading: referred to Committee on Education and Career Development		

SB 298 Author Senator Leising

	House	Senate
Drug testing of unemployment insurance claimants.		
Authored by Senator Leising		27
First reading: referred to Committee on Pensions and Labor		

■ SB 299 Authors Senators L. Brown, Rogers, Zay
Sponsor Representative Stutzman

	House	Senate
Fetal remains.		
Authored by Senator L. Brown		27
First reading: referred to Committee on Health and Provider Services		
Senator Rogers added as second author		154
Senator Zay added as third author		
Committee report: amend do pass, adopted		227
Senator Crane added as coauthor		275
Second reading: ordered engrossed		291
Amendment #1 (Breaux) failed; voice vote		291
Amendment #2 (Breaux) failed; voice vote		291
Amendment #3 (Breaux) failed; voice vote		291
Senator Doriot added as coauthor		308
Senator Houchin added as coauthor		
Senator Kruse added as coauthor		
Senator Spartz added as coauthor		
Third reading: passed;		
Roll Call 159: yeas 40, nays 9		320
House sponsor: Representative Stutzman		
Cosponsors: Representatives Bacon, Mayfield, Morris		
Senator Raatz added as coauthor		325
Referred to the House		
First reading: referred to Committee on Public Health	260	
Committee report: do pass, adopted	294	
Second reading: amended, ordered engrossed	313	
Amendment #1 (Bacon) prevailed; voice vote	313	
Third reading: passed;		
Roll Call 220: yeas 78, nays 13	344	
Returned to the Senate with amendments		
Senate dissented from House amendments		638
Senate conferees appointed: L. Brown and Breaux		644
Senate advisors appointed: Rogers, Tallian, Zay and J.D. Ford		
House conferees appointed: Stutzman and Errington	426	
House advisors appointed: Bacon, Lehman, Fleming, Porter and Shackleford		
Senator Breaux removed as conferee		685
Senator Kruse added as conferee		
Representative Bacon removed as advisor	463	
Representative Errington removed as conferee	463	
Representative Bacon added as conferee	463	
Rules suspended;		
Conference committee report 1: adopted by the Senate; Roll Call 363: yeas 39, nays 10		708
Rules suspended;		
Conference committee report 1: adopted by the House; Roll Call 369: yeas 81, nays 15	496	
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 77		

SB 300 Author Senator L. Brown

	House	Senate
Conscience protection for mental health providers.		
Authored by Senator L. Brown		27
First reading: referred to Committee on Health and Provider Services		

SB 301 Author Senator Tallian

	House	Senate
Lookback periods.		
Authored by Senator Tallian		27
First reading: referred to Committee on Corrections and Criminal Law		

■ SB 302 Authors Senators Tallian, M. Young
Sponsor Representative Steuerwald

	House	Senate
Indigency determinations.		
Authored by Senator Tallian		27
First reading: referred to Committee on Corrections and Criminal Law		
Senator Randolph added as second author		68
Senator M. Young added as third author		130
Senators Freeman and Glick added as coauthors		
Committee report: amend do pass, adopted		140
Second reading: ordered engrossed		168
Senator Randolph removed as second author		174
Senator M. Young removed as third author		
Senator M. Young added as second author		
Third reading: passed;		
Roll Call 83: yeas 50, nays 0		209
House sponsor: Representative Steuerwald		
Cosponsors: Representatives DeLaney and Beck		
Senator Tomes added as coauthor		212
Referred to the House		
First reading: referred to Committee on Courts and Criminal Code	249	

	House	Senate
Committee report: do pass, adopted	260	
Second reading: ordered engrossed	298	
Third reading: passed;		
Roll Call 200: yeas 94, nays 0	312	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		653
Signed by the Speaker	426	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 140		

SB 303 Author Senator Tallian

Money bail.

	House	Senate
Authored by Senator Tallian		27
First reading: referred to Committee on Corrections and Criminal Law		
Senator Stoops added as coauthor		112

SB 304 Author Senator Tallian

Vote by mail municipal elections.

	House	Senate
Authored by Senator Tallian		27
First reading: referred to Committee on Elections		
Senator Stoops added as coauthor		112

SB 305 Author Senator Tallian

Contraceptive coverage.

	House	Senate
Authored by Senator Tallian		27
First reading: referred to Committee on Insurance and Financial Institutions		
Senator Stoops added as coauthor		112

SB 306 Author Senator Tallian

Teachers' retirement fund appropriation.

	House	Senate
Authored by Senator Tallian		27
First reading: referred to Committee on Appropriations		
Senator Stoops added as coauthor		113
Senators Randolph, Breaux, J.D. Ford, Mrvan added as coauthors		130

■ SB 307 Authors Senators Tomes, Crider, Niemeyer
Sponsor Representative Frye

National guard life insurance program.

	House	Senate
Authored by Senator Tomes		27
First reading: referred to Committee on Veterans Affairs and The Military		
Committee report: do pass, adopted		119
Second reading: ordered engrossed		149
Senator Doriot added as coauthor		154
Third reading: passed;		
Roll Call 63: yeas 50, nays 0		171
House sponsor: Representative Frye		
Senator Crider added as second author		174
Senator Niemeyer added as third author		
Senator Kruse added as coauthor		
Senator Buck added as coauthor		
Senators Glick and G. Taylor added as coauthors		212
Referred to the House		
First reading: referred to Committee on Veterans Affairs and Public Safety	249	
Committee report: do pass, adopted	252	
Representatives Judy and Goodrich added as cosponsors	256	
Second reading: ordered engrossed	264	
Third reading: passed;		
Roll Call 180: yeas 96, nays 0	282	
Representative Goodin added as cosponsor	283	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		451
Signed by the Speaker	415	
Signed by the President of the Senate		684
Signed by the Governor		746
Public Law 12		

SB 308 Authors Senators Niezgodski, J.D. Ford

Unemployment benefits.

	House	Senate
Authored by Senator Niezgodski		27
First reading: referred to Committee on Pensions and Labor		
Senator J.D. Ford added as second author		154

SB 309 Authors Senators Niezgodski, Holdman
Sponsor Representative Beck

Employee misclassification.

	House	Senate
Authored by Senator Niezgodski		50
First reading: referred to Committee on Tax and Fiscal Policy		
Committee report: amend do pass, adopted		191
Second reading: ordered engrossed		269
Senator Holdman added as second author		275
Senator J.D. Ford added as coauthor		
Senator Randolph added as coauthor		
Third reading: passed;		
Roll Call 160: yeas 29, nays 20		320
House sponsor: Representative Beck		
Cosponsors: Representatives Karickhoff and Deal		
Referred to the House		
First reading: referred to Committee on Rules and Legislative Procedures	252	

SB 310 Authors Senators Niezgodski, Jon Ford

Adoption subsidies.

	House	Senate
Authored by Senators Niezgodski and Jon Ford		50
First reading: referred to Committee on Health and Provider Services		
Senator Stoops added as coauthor		113

SB 311 Authors Senators Niezgodski, Bohacek
Sponsor Representative Bauer

Coverage for PANDAS and PANS.

	House	Senate
Authored by Senator Niezgodski		50
First reading: referred to Committee on Insurance and Financial Institutions		
Senator Bohacek added as coauthor		57
Senator Stoops added as coauthor		113
Senator Bohacek removed as coauthor		154
Senator Bohacek added as second author		
Senator Ruckelshaus added as coauthor		
Senator Jon Ford added as coauthor		212
Committee report: do pass, adopted		227
Second reading: ordered engrossed		291
Senator Randolph added as coauthor		308
Third reading: passed;		
Roll Call 161: yeas 40, nays 9		321

House Senate

House sponsor: Representative Bauer
Cosponsors: Representatives Kirchhofer and Wright
Referred to the House
First reading: referred to Committee on Insurance 252

SB 312 Authors Senators Niezgodski, Jon Ford
Sponsor Representative Ziemke
Parents with a disability.
Authored by Senator Niezgodski. 50
First reading: referred to Committee on
Family and Children Services
Senator Stoops added as coauthor. 113
Senator Jon Ford added as coauthor 174
Committee report: do pass, adopted 192
Senators Donato and Houchin added as coauthors 212
Second reading: ordered engrossed. 270
Senator Jon Ford removed as coauthor 275
Senator Jon Ford added as second author
Senator Randolph added as coauthor
Third reading: passed;
Roll Call 124: yeas 47, nays 0. 313
House sponsor: Representative Ziemke
Cosponsors: Representatives Clere, Porter, Wright
Senator Koch added as coauthor. 314
Referred to the House
First reading: referred to Committee on
Family, Children and Human Affairs 260

SB 313 Author Senator Breaux
Eligibility for public programs.
Authored by Senator Breaux. 51
First reading: referred to Committee on
Family and Children Services

SB 314 Bill Withdrawn

SB 315 Authors Senators Kruse, Raatz
Interviewing, statement, or recording of a student.
Authored by Senators Kruse and Raatz. 51
First reading: referred to Committee on
Education and Career Development
Senator Ruckelshaus added as coauthor 174

SB 316 Authors Senators Kruse, Buck
Sponsor Representative Zent
Collection of veteran status information.
Authored by Senators Kruse and Buck 51
First reading: referred to Committee on
Veterans Affairs and The Military
Senator J.D. Ford added as coauthor. 68
Committee report: amend do pass, adopted. 119
Second reading: ordered engrossed. 168
Senator Glick added as coauthor. 174
Senator Tomes added as coauthor
Third reading: passed;
Roll Call 84: yeas 50, nays 0. 209
House sponsor: Representative Zent
Senators Crane, Donato, Freeman added as coauthors . . 212
Referred to the House
First reading: referred to Committee on
Veterans Affairs and Public Safety. 249
Representative Judy added as cosponsor. 283
Representative Bartels added as cosponsor. 290

House Senate

SB 317 Authors Senators Sandlin, Holdman, Gaskill
Sponsor Representative Manning
Interstate commission transportation fund.
Authored by Senator Sandlin 51
First reading: referred to Committee on
Tax and Fiscal Policy
Committee report: do pass, adopted 192
Second reading: ordered engrossed. 270
Senator Holdman added as second author. 308
Senator Gaskill added as third author
Third reading: passed;
Roll Call 125: yeas 47, nays 0. 313
House sponsor: Representative Manning
Referred to the House
First reading: referred to Committee on
Courts and Criminal Code 253

SB 318 Author Senator Rogers
Computer science curriculum reporting.
Authored by Senator Rogers 51
First reading: referred to Committee on
Education and Career Development

■ SB 319 Authors Senators Rogers, Becker, Raatz
Sponsor Representative Jordan
Practitioner or accomplished practitioner license.
Authored by Senator Rogers 51
First reading: referred to Committee on
Education and Career Development
Senator Raatz added as second author. 57
Senator Buchanan added as third author
Senator Raatz removed as second author 130
Senator Buchanan removed as third author
Senator Becker added as second author
Senator Raatz added as third author
Senator Buchanan added as coauthor
Committee report: amend do pass, adopted. 227
Senators Leising, Donato, Spartz added as coauthors . . . 275
Second reading: amended, ordered engrossed. 291
Amendment #1 (Spartz) prevailed; voice vote 291
Third reading: passed;
Roll Call 162: yeas 49, nays 0. 321
House sponsor: Representative Jordan
Cosponsors: Representatives Behning and DeVon
Senator Buck added as coauthor 326
Senator Kruse added as coauthor
Referred to the House
First reading: referred to Committee on Education 253
Representative Klinker added as cosponsor 314
Committee report: amend do pass, adopted. 357
Second reading: ordered engrossed. 385
Third reading: passed;
Roll Call 290: yeas 96, nays 0. 414
Returned to the Senate with amendments
Senate dissented from House amendments 657
Senate conferees appointed: Rogers and Melton. 671
Senate advisors appointed: Becker,
Stoops and Buchanan
House conferees appointed: Behning and Klinker 433
House advisors appointed: Jordan, Goodrich,
DeLaney, Pfaff and V. Smith

	House	Senate
Rules suspended;		
Conference committee report 1: adopted by the Senate;		
Roll Call 375: yeas 49, nays 0		752
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 373: yeas 83, nays 0	507	
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 78		
SB 320 Authors Senators Rogers, Holdman, Buchanan		
Sponsor Representative Miller		
Withholding tax remittance.		
Authored by Senator Rogers		51
First reading: referred to Committee on Tax and Fiscal Policy		
Senator Holdman added as second author		68
Senator Buchanan added as third author		
Senators Buck, Charbonneau, Niezgodski added as coauthors		131
Senators Bohacek and J.D. Ford added as coauthors		154
Senators Tomes and Doriot added as coauthors		174
Senator Stoops added as coauthor		
Senator Gaskill added as coauthor		212
Committee report: amend do pass, adopted		228
Second reading: amended, ordered engrossed		292
Amendment #1 (Rogers) prevailed; voice vote		292
Senators Perfect and Raatz added as coauthors		308
Senator Sandlin added as coauthor		
Senator Randolph added as coauthor		
Third reading: passed;		
Roll Call 163: yeas 48, nays 1		321
House sponsor: Representative Miller		
Cosponsors: Representatives Morris and Cherry		
Senator Kruse added as coauthor		326
Referred to the House		
First reading: referred to Committee on Ways and Means	253	
SB 321 Author Senator Rogers		
The Lake Michigan shore.		
Authored by Senator Rogers		51
First reading: referred to Committee on Natural Resources		
SB 322 Author Senator Rogers		
School robotics programs.		
Authored by Senator Rogers		51
First reading: referred to Committee on Education and Career Development		
SB 323 Author Senator Rogers		
Education studies.		
Authored by Senator Rogers		51
First reading: referred to Committee on Education and Career Development		
SB 324 Authors Senators Glick, Kruse		
Sponsor Representative Abbott		
Micro market and vending machine fees.		
Authored by Senator Glick		51
First reading: referred to Committee on Local Government		
Senator Kruse added as coauthor		174
Committee report: do pass, adopted		228
Second reading: ordered engrossed		292
Senator Kruse removed as coauthor		308
Senator Kruse added as second author		
Senator Randolph added as coauthor		309
Third reading: passed;		
Roll Call 164: yeas 32, nays 16		321
House sponsor: Representative Abbott		
Referred to the House		
First reading: referred to Committee on Local Government	253	
Representative Morrison added as cosponsor	301	
Representative Carbaugh added as cosponsor	340	
SB 325 Authors Senators Glick, Crider		
Public trust ownership of Lake Michigan.		
Authored by Senator Glick		51
First reading: referred to Committee on Natural Resources		
Senator Tallian added as coauthor		68
Committee report: amend do pass, adopted		192
Senator Crider added as second author		275
Senator Melton added as coauthor		309
SB 326 Authors Senators Kruse, Raatz, Ruckelshaus		
Civics test passage rate report.		
Authored by Senators Kruse, Raatz, Ruckelshaus		51
First reading: referred to Committee on Education and Career Development		
SB 327 Authors Senators Zay, Freeman		
Sponsor Representative Carbaugh		
Reporting of consumer loans by unlicensed lenders.		
Authored by Senator Zay		51
First reading: referred to Committee on Insurance and Financial Institutions		
Committee report: amend do pass, adopted		228
Second reading: ordered engrossed		292
Senator Freeman added as second author		309
Third reading: passed;		
Roll Call 165: yeas 47, nays 2		321
House sponsor: Representative Carbaugh		
Cosponsors: Representatives Heaton and Burton		
Referred to the House		
First reading: referred to Committee on Financial Institutions	253	
SB 328 Author Senator Zay		
Financial responsibility training and instruction.		
Authored by Senator Zay		51
First reading: referred to Committee on Education and Career Development		
SB 329 Author Senator Zay		
Supervised loans.		
Authored by Senator Zay		51
First reading: referred to Committee on Insurance and Financial Institutions		

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	House	Senate
SB 330 Authors Senators Zay, Holdman, Koch		
Sponsor Representative Torr		
Mediation for state agencies and vendors.		
Authored by Senator Zay		51
First reading: referred to Committee on Tax and Fiscal Policy		
Senator Holdman added as second author		57
Senator Koch added as third author		
Committee report: do pass, adopted		192
Second reading: ordered engrossed		270
Senator Buchanan added as coauthor		309
Third reading: passed;		
Roll Call 126: yeas 41, nays 6		313
House sponsor: Representative Torr		
Referred to the House		
First reading: referred to Committee on Rules and Legislative Procedures	253	
■ SB 331 Authors Senators Zay, Garten		
Sponsor Representative Judy		
National guard license plates.		
Authored by Senator Zay		51
First reading: referred to Committee on Homeland Security and Transportation		
Senator J.D. Ford added as coauthor		68
Senator Garten added as second author		174
Committee report: amend do pass, adopted		192
Senators Tomes, Crider, Boots added as coauthors		212
Second reading: ordered engrossed		270
Third reading: passed;		
Roll Call 127: yeas 47, nays 0		314
House sponsor: Representative Judy		
Cosponsor: Representative Bartels		
Senators Bohacek, Crane, Freeman, Spartz, Donato added as coauthors		315
Referred to the House		
First reading: referred to Committee on Roads and Transportation	253	
Representatives Sullivan and Macer added as cosponsors	283	
Committee report: do pass, adopted	357	
Second reading: ordered engrossed	385	
Third reading: passed;		
Roll Call 282: yeas 86, nays 0	413	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 79		
SB 332 Author Senator Zay		
Education matters.		
Authored by Senator Zay		51
First reading: referred to Committee on Education and Career Development		
SB 333 Authors Senators Walker, Jon Ford		
Straight ticket voting.		
Authored by Senator Walker		51
First reading: referred to Committee on Elections		
Senator Jon Ford added as second author		68
■ SB 334 Authors Senators Walker, Grooms		
Sponsor Representative Wesco		
Election matters.		
Authored by Senator Walker		51
First reading: referred to Committee on Elections		
Committee report: amend do pass, adopted		160
Second reading: ordered engrossed		270
Amendment #2 (J.D. Ford) failed; Roll Call 97: yeas 10, nays 40		270
Amendment #1 (J.D. Ford) failed; voice vote		270
Senator Grooms added as second author		275
Senator Jon Ford added as third author		
Senator Crane added as coauthor		
Third reading: passed;		
Roll Call 128: yeas 40, nays 7		314
House sponsor: Representative Wesco		
Cosponsors: Representatives Judy and Lucas		
Referred to the House		
First reading: referred to Committee on Elections and Apportionment	253	
Committee report: amend do pass, adopted	304	
Second reading: ordered engrossed	381	
Amendment #6 (Moseley) failed; Roll Call 226: yeas 29, nays 62	381	
Amendment #1 (Moseley) failed; Roll Call 227: yeas 28, nays 62	381	
Amendment #4 (Boy) failed; Roll Call 228: yeas 29, nays 63	381	
Amendment #5 (Boy) failed; Roll Call 229: yeas 28, nays 63	381	
Third reading: passed;		
Roll Call 261: yeas 63, nays 29	406	
Returned to the Senate with amendments		
Senate dissented from House amendments		671
Senator Jon Ford removed as third author		672
Senate conferees appointed: Walker and Breaux		684
Senate advisors appointed: Grooms, Jon Ford and J.D. Ford		
House conferees appointed: Wesco and Moseley	448	
House advisors appointed: Lucas, Torr, Boy and Pfaff		
Representative Pfaff removed as advisor	457	
Representative Moseley removed as conferee	457	
Representative Pfaff added as conferee	457	
Senator Jon Ford removed as advisor		752
Senator Breaux removed as conferee		
Senator Jon Ford added as conferee		
Dissent rescinded		811
Motion to concur filed		
Rules suspended;		
Senate concurred in House amendments; Roll Call 391: yeas 39, nays 10		904
Signed by the President Pro Tempore		1051
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 141		
■ SB 335 Authors Senators M. Young, L. Brown, Koch		
Sponsor Representative McNamara		
Criminal law issues.		
Authored by Senator M. Young		51

	House	Senate
First reading: referred to Committee on Corrections and Criminal Law		
Senator L. Brown added as second author		69
Committee report: amend do pass, adopted		229
Second reading: amended, ordered engrossed		292
Amendment #4 (M. Young) prevailed; voice vote		292
Amendment #3 (Messmer) prevailed; voice vote		292
Amendment #5 (Freeman) prevailed; voice vote		293
Amendment #1 (Tallian) failed; voice vote		293
Senator Koch added as third author		309
Senator Tallian added as coauthor		
Third reading: passed;		
Roll Call 166: yeas 40, nays 9		321
House sponsor: Representative Steuerwald		
Referred to the House		
First reading: referred to Committee on Courts and Criminal Code	253	
Representative Steuerwald removed as sponsor	314	
Representative McNamara added as sponsor	314	
Representative Steuerwald added as cosponsor	314	
Committee report: amend do pass, adopted	357	
Second reading: amended, ordered engrossed	396	
Amendment #1 (McNamara) prevailed; voice vote	396	
Amendment #2 (J. Young) prevailed; voice vote	397	
Amendment #3 (Errington) ruled out of order	397	
Representative Schaibley added as cosponsor	407	
Representative Clere added as cosponsor	407	
Third reading: passed;		
Roll Call 291: yeas 84, nays 11	414	
Returned to the Senate with amendments		
Senate dissented from House amendments		649
House conferees appointed: McNamara and Pierce	426	
House advisors appointed: Sherman, Clere, J. Young, Steuerwald and Errington		
Senate conferees appointed: M. Young and Tallian		658
Senate advisors appointed: L. Brown, Randolph and Koch		
Senator Tallian removed as conferee		785
Senator Freeman added as conferee		
Rules suspended;		
Conference committee report 1: adopted by the Senate;		
Roll Call 392: yeas 48, nays 1		904
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 394: yeas 89, nays 2	711	
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 142		

SB 336 Author Senator Breaux

Pretrial detention of juveniles.

	House	Senate
Authored by Senator Breaux		51
First reading: referred to Committee on Corrections and Criminal Law		

SB 337 Authors Senators Spartz, Zay, Bohacek Sponsor Representative Lehman

Various insurance and health care matters.

	House	Senate
Authored by Senator Spartz		51
First reading: referred to Committee on Insurance and Financial Institutions		
Senator Zay added as second author		174
Senator Bohacek added as third author		
Committee report: amend do pass, adopted		230
Second reading: ordered engrossed		294
Amendment #1 (J.D. Ford) failed;		
Roll Call 105: yeas 15, nays 34		294
Amendment #2 (J.D. Ford) failed; voice vote		294
Amendment #3 (J.D. Ford) failed; voice vote		295
Third reading: passed;		
Roll Call 167: yeas 43, nays 6		321
House sponsor: Representative Lehman		
Cosponsors: Representatives Schaibley and Carbaugh		
Referred to the House		
First reading: referred to Committee on Insurance	253	
Reassigned to Committee on Rules and Legislative Procedures	256	

SB 338 Author Senator Spartz

Conservancy district restrictions.

	House	Senate
Authored by Senator Spartz		51
First reading: referred to Committee on Environmental Affairs		

SB 339 Author Senator Spartz

Education governance framework.

	House	Senate
Authored by Senator Spartz		51
First reading: referred to Committee on Education and Career Development		

■ SB 340 Authors Senators Spartz, Koch Sponsor Representative Wolkins

Private property matters.

	House	Senate
Authored by Senator Spartz		51
First reading: referred to Committee on Judiciary		
Committee report: amend do pass, adopted		140
Second reading: amended, ordered engrossed		168
Amendment #1 (Spartz) prevailed; voice vote		168
Senator Koch added as second author		174
Third reading: passed;		
Roll Call 85: yeas 43, nays 7		210
House sponsor: Representative Wolkins		
Senator Buck added as coauthor		212
Senator Raatz added as coauthor		
Senator Rogers added as coauthor		
Senator Randolph added as coauthor		
Referred to the House		
First reading: referred to Committee on Judiciary	249	
Committee report: amend do pass, adopted	325	
Second reading: ordered engrossed	382	
Amendment #1 (Shackleford) failed;		
Roll Call 230: yeas 28, nays 62	382	
Representative Manning added as cosponsor	383	
Third reading: passed;		
Roll Call 262: yeas 62, nays 31	406	
Returned to the Senate with amendments		
Senate dissented from House amendments		638
Senate conferees appointed: Spartz and G. Taylor		644
Senate advisors appointed: Koch, Randolph, Buck and Mrvan		
House conferees appointed: Wolkins and Bauer	418	
House advisors appointed: Sherman, Manning, DeLaney and Pierce		

House Senate

Rules suspended;
Conference committee report 1: adopted by the Senate;
Roll Call 359: yeas 41, nays 7. 699
Rules suspended;
Conference committee report 1: adopted by the House;
Roll Call 364: yeas 94, nays 0. 477
Signed by the President Pro Tempore 1050
Signed by the Speaker 788
Signed by the President of the Senate 1051
Signed by the Governor. 1051
Public Law 80

SB 341 Author Senator Spartz
Audit and fraud reporting matters.
Authored by Senator Spartz 51
First reading: referred to Committee on
Tax and Fiscal Policy

SB 342 Authors Senators Alting, Bohacek, Grooms
Sponsor Representative Kirchhofer
Pregnancy accommodation.
Authored by Senator Alting. 51
First reading: referred to Committee on
Family and Children Services
Senator Bohacek added as second author 57
Senator Grooms added as third author 69
Senator J.D. Ford added as coauthor
Senator Becker added as coauthor. 131
Senator Crider added as coauthor
Senator Jon Ford added as coauthor
Senator Walker added as coauthor
Senators Donato, Melton, G. Taylor
added as coauthors 154
Senator Lanane added as coauthor
Senator Tallian added as coauthor. 155
Senator Randolph added as coauthor 175
Committee report: amend do pass, adopted. 193
Senator Stoops added as coauthor. 275
Second reading: amended, ordered engrossed. 295
Amendment #2 (Zay) prevailed;
Roll Call 106: yeas 34, nays 15 295
Senator Breaux added as coauthor 309
Third reading: passed;
Roll Call 168: yeas 41, nays 8. 322
House sponsor: Representative Kirchhofer
Cosponsors: Representatives Engleman,
Klinker, Negele
Referred to the House
First reading: referred to Committee on
Rules and Legislative Procedures 253

■ SB 343 Authors Senators Houchin, Messmer, Koch
Sponsor Representative Manning
Rural communications cooperatives.
Authored by Senators Houchin and Messmer 51
First reading: referred to Committee on Utilities
Committee report: do pass, adopted 231
Senator Koch added as third author 275
Senator Leising added as coauthor
Second reading: ordered engrossed. 295
Senator Kruse added as coauthor 309

House Senate

Third reading: passed;
Roll Call 169: yeas 49, nays 0. 322
House sponsor: Representative Manning
Senators Crider, Crane, Bohacek added as coauthors . . . 326
Senator Glick added as coauthor
Referred to the House
First reading: referred to Committee on
Utilities, Energy and Telecommunications 253
Representative Bartels added as cosponsor. 291
Representative Pierce added as cosponsor 301
Committee report: do pass, adopted 307
Second reading: ordered engrossed. 342
Representative Soliday added as cosponsor 383
Third reading: passed;
Roll Call 238: yeas 87, nays 0. 385
Returned to the Senate without amendments
Signed by the President Pro Tempore 684
Signed by the Speaker 788
Signed by the President of the Senate 1051
Signed by the Governor. 1051
Public Law 81

SB 344 Authors Senators Houchin, Messmer
School board member training.
Authored by Senators Houchin and Messmer 51
First reading: referred to Committee on
Education and Career Development

SB 345 Authors Senators Houchin, Jon Ford, Messmer
Sponsor Representative Lindauer
Interim study Committee on child services.
Authored by Senator Houchin. 52
First reading: referred to Committee on
Family and Children Services
Senator Jon Ford added as second author 175
Senator Messmer added as third author
Committee report: do pass, adopted 193
Second reading: ordered engrossed. 270
Senators Breaux and J.D. Ford added as coauthors. 275
Senator Niezgodski added as coauthor
Senator Randolph added as coauthor
Third reading: passed;
Roll Call 129: yeas 47, nays 0. 314
House sponsor: Representative Lindauer
Cosponsor: Representative DeVon
Senators Koch and Grooms added as coauthors 315
Referred to the House
First reading: referred to Committee on
Family, Children and Human Affairs 253
Representative Lauer added as cosponsor. 341
Committee report: amend do pass, adopted. 367

■ SB 346 Authors Senators Houchin, Rogers, Kruse
Sponsor Representative Behning
Students with disabilities.
Authored by Senator Houchin. 52
First reading: referred to Committee on
Education and Career Development
Committee report: amend do pass, adopted. 231
Senator Rogers added as second author 276
Senator Stoops added as coauthor

	House	Senate
Senator Freeman added as coauthor		278
Second reading: amended, ordered engrossed		295
Amendment #1 (Houchin) prevailed; voice vote		295
Senator Kruse added as third author		309
Senator Randolph added as coauthor		
Third reading: passed;		
Roll Call 170: yeas 49, nays 0		322
House sponsor: Representative Behning		
Cosponsors: Representatives Burton and Clere		
Senators Bohacek and Messmer added as coauthors		326
Senator L. Brown added as coauthor		
Senator Raatz added as coauthor		
Referred to the House		
First reading: referred to Committee on Education	253	
Representative DeLaney added as cosponsor	314	
Committee report: amend do pass, adopted	327	
Second reading: amended, ordered engrossed	382	
Amendment #1 (Behning) prevailed; voice vote	382	
Third reading: passed;		
Roll Call 239: yeas 89, nays 0	385	
Returned to the Senate with amendments		
Senate dissented from House amendments		639
Senate conferees appointed: Houchin and Stoops		644
Senate advisors appointed: Rogers and Mrvan		
House conferees appointed: Behning and DeLaney	418	
House advisors appointed: Cook, Clere, Klinker and Pfaff		
Rules suspended;		
Conference committee report 1: adopted by the Senate;		
Roll Call 364: yeas 49, nays 0		711
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 370: yeas 96, nays 0	498	
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 82		

SB 347 Author Senator Houchin

Drug testing of recipients of assistance.

Authored by Senator Houchin		52
First reading: referred to Committee on Health and Provider Services		

SB 348 Author Senator Houchin

Grandparent visitation.

Authored by Senator Houchin		52
First reading: referred to Committee on Judiciary		

SB 349 Author Senator Houchin

Broadband grant program.

Authored by Senator Houchin		52
First reading: referred to Committee on Utilities		

■ SB 350 Authors Senators Holdman, Houchin Sponsor Representative T. Brown

Central Indiana regional development authority.

Authored by Senator Holdman		52
First reading: referred to Committee on Tax and Fiscal Policy		
Committee report: amend do pass, adopted		193
Senator Houchin added as second author		213
Senator J.D. Ford added as coauthor		
Second reading: ordered engrossed		270
Third reading: passed;		
Roll Call 171: yeas 48, nays 1		322
House sponsor: Representative T. Brown		
Referred to the House		
First reading: referred to Committee on Ways and Means	253	
Committee report: amend do pass, adopted	368	
Second reading: amended, ordered engrossed	398	
Amendment #2 (T. Brown) prevailed; voice vote	398	
Amendment #1 (Porter) failed;		
Roll Call 252: yeas 31, nays 61	398	
Representative Porter added as cosponsor	407	
Third reading: passed;		
Roll Call 292: yeas 94, nays 0	414	
Returned to the Senate with amendments		
Senate dissented from House amendments		649
House conferees appointed: T. Brown and Porter	426	
House advisors appointed: Barrett, Jordan, Schaibley, DeLaney, Hamilton and Pryor		
Senate conferees appointed: Holdman and J.D. Ford		659
Senate advisors appointed: Houchin and G. Taylor		
Rules suspended;		
Conference committee report 1: adopted by the Senate;		
Roll Call 385: yeas 34, nays 15		811
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 374: yeas 80, nays 0	508	
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 83		

SB 351 Author Senator G. Taylor

Juvenile law matters.

Authored by Senator G. Taylor		52
First reading: referred to Committee on Corrections and Criminal Law		

SB 352 Author Senator G. Taylor

Age for compulsory school attendance.

Authored by Senator G. Taylor		52
First reading: referred to Committee on Education and Career Development		

SB 353 Authors Senators Becker, Charbonneau

Prohibition on risk based managed care programs.

Authored by Senators Becker and Charbonneau		52
First reading: referred to Committee on Health and Provider Services		
Committee report: do pass adopted;		
reassigned to Committee on Appropriations		232

SB 354 Authors Senators Becker, Tomes, Alting

Additional revenue for bargaining teacher salary.

Authored by Senators Becker, Tomes, Alting		52
First reading: referred to Committee on Appropriations		
Senator Ruckelshaus added as coauthor		175
Senator Randolph added as coauthor		

HISTORIES OF BILLS AND RESOLUTIONS—2020

	House	Senate
SB 355 Authors Senators Becker, Crider		
Sponsor Representative Clere		
Psychology interjurisdictional compact.		
Authored by Senators Becker and Crider		52
First reading: referred to Committee on Health and Provider Services		
Committee report: do pass, adopted		141
Senator Leising added as coauthor		155
Second reading: ordered engrossed		168
Third reading: passed;		
Roll Call 86: yeas 50, nays 0		209
House sponsor: Representative Clere		
Cosponsor: Representative Bacon		
Referred to the House		
First reading: referred to Committee on Public Health	249	
Reassigned to Statutory Committee on Interstate and International Cooperation	290	
Committee report: amend do pass, adopted	369	
Referred to the Ways and Means pursuant to House Rule 127	382	
SB 356 Authors Senators Merritt, Breaux, Melton		
Sponsor Representative Shackleford		
Healthy food finance.		
Authored by Senator Merritt		52
First reading: referred to Committee on Appropriations		
Committee report: do pass, adopted		141
Senator Breaux added as second author		155
Senator Melton added as third author		
Second reading: ordered engrossed		168
Senator Stoops added as coauthor		175
Third reading: passed;		
Roll Call 87: yeas 46, nays 4		209
House sponsor: Representative Shackleford		
Senator J.D. Ford added as coauthor		213
Referred to the House		
First reading: referred to Committee on Ways and Means	249	
SB 357 Author Senator Merritt		
Twenty-first century scholars program eligibility.		
Authored by Senator Merritt		52
First reading: referred to Committee on Education and Career Development		
■ SB 358 Authors Senators Merritt, Perfect		
Sponsor Representative Manning		
Business associations of real estate agents.		
Authored by Senator Merritt		52
First reading: referred to Committee on Commerce and Technology		
Committee report: amend do pass, adopted		141
Second reading: ordered engrossed		168
Senator Perfect added as second author		175
Third reading: passed;		
Roll Call 88: yeas 50, nays 0		209
House sponsor: Representative Manning		
Cosponsor: Representative Clere		
Senator Randolph added as coauthor		213
Referred to the House		
First reading: referred to Committee on Financial Institutions	249	
Committee report: do pass, adopted	294	
Representatives Burton and Hamilton added as cosponsors	301	
Second reading: ordered engrossed	312	
Third reading: passed;		
Roll Call 213: yeas 92, nays 0	340	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		632
Signed by the Speaker	415	
Signed by the President of the Senate		903
Signed by the Governor		1051
Public Law 32		
SB 359 Author Senator Merritt		
Landlord-tenant relations.		
Authored by Senator Merritt		52
First reading: referred to Committee on Judiciary		
SB 360 Authors Senators Donato, Houchin		
Human trafficking.		
Authored by Senators Donato and Houchin		52
First reading: referred to Committee on Judiciary		
SB 361 Authors Senators Donato, Houchin		
Municipal electric utilities.		
Authored by Senators Donato and Houchin		52
First reading: referred to Committee on Utilities		
SB 362 Authors Senators Donato, Houchin		
Repeal of youth offender boot camp program.		
Authored by Senators Donato and Houchin		52
First reading: referred to Committee on Corrections and Criminal Law		
SB 363 Authors Senators Donato, Houchin		
Sponsor Representative Lauer		
Interim study committee.		
Authored by Senators Donato and Houchin		52
First reading: referred to Committee on Judiciary		
Committee report: amend do pass, adopted		232
Senator Randolph added as coauthor		276
Second reading: ordered engrossed		295
Third reading: passed;		
Roll Call 172: yeas 49, nays 0		322
House sponsor: Representative Lauer		
Cosponsors: Representatives DeVon and Engleman		
Referred to the House		
First reading: referred to Committee on Rules and Legislative Procedures	253	
SB 364 Authors Senators Spartz, Houchin, Leising		
Sponsor Representative Smaltz		
Regulatory impact matters.		
Authored by Senator Spartz		52
First reading: referred to Committee on Commerce and Technology		
Senator Houchin added as second author		175
Senator Leising added as third author		
Committee report: amend do pass, adopted		232
Second reading: amended, ordered engrossed		295
Amendment #1 (Freeman) prevailed; voice vote		295
Third reading: passed;		
Roll Call 173: yeas 45, nays 4		322

House Senate

House sponsor: Representative Smaltz
Cosponsor: Representative Lucas
Referred to the House
First reading: referred to Committee on
Rules and Legislative Procedures 253

■ SB 365 Authors Senators Niemeyer, Buck
Sponsor Representative Soliday
Town of Griffith.
Authored by Senator Niemeyer 52
First reading: referred to Committee on
Local Government
Committee report: amend do pass adopted;
reassigned to Committee on Tax and Fiscal Policy. . . . 141
Committee report: do pass, adopted 199
Second reading: ordered engrossed. 270
Senator Buck added as second author 309
Third reading: passed;
Roll Call 174: yeas 40, nays 9. 322
House sponsor: Representative Soliday
Cosponsor: Representative Aylesworth
Referred to the House
First reading: referred to Committee on
Ways and Means 253
Committee report: amend do pass, adopted. 369
Second reading: ordered engrossed. 400
Amendment #1 (Porter) failed; voice vote 400
Amendment #3 (Porter) failed; voice vote 400
Third reading: passed;
Roll Call 293: yeas 63, nays 31. 414
Returned to the Senate with amendments
Motion to concur filed
Senate concurred in House amendments;
Roll Call 341: yeas 32, nays 8. 671
Signed by the President Pro Tempore 684
Signed by the Speaker 788
Signed by the President of the Senate 1051
Signed by the Governor. 1051
Public Law 143

■ SB 366 Authors Senators Niemeyer, Niezgodski
Sponsor Representative Gutwein
Kankakee River and Yellow River development.
Authored by Senator Niemeyer 52
First reading: referred to Committee on
Tax and Fiscal Policy
Committee report: amend do pass, adopted. 119
Second reading: ordered engrossed. 149
Senator Niezgodski added as second author 155
Third reading: passed;
Roll Call 64: yeas 50, nays 0. 171
House sponsor: Representative Gutwein
Cosponsor: Representative Aylesworth
Referred to the House
First reading: referred to Committee on
Ways and Means 249
Committee report: do pass, adopted 260
Second reading: ordered engrossed. 282
Third reading: passed;
Roll Call 190: yeas 95, nays 0. 290
Returned to the Senate without amendments
Signed by the President Pro Tempore 451
Signed by the Speaker 415
Signed by the President of the Senate 684
Signed by the Governor. 746
Public Law 13

■ SB 367 Authors Senators Niemeyer, Bohacek
Sponsor Representative Aylesworth
Regional development authorities.
Authored by Senator Niemeyer 52
First reading: referred to Committee on
Local Government
Committee report: do pass, adopted 142
Senator Bohacek added as second author 155
Second reading: ordered engrossed. 168
Senator Randolph added as coauthor 175
Third reading: passed;
Roll Call 89: yeas 49, nays 0. 210
House sponsor: Representative Aylesworth
Referred to the House
First reading: referred to Committee on
Government and Regulatory Reform 249
Committee report: amend do pass, adopted. 369
Second reading: amended, ordered engrossed. 401
Amendment #1 (Lehman) prevailed; voice vote 401
Representative Abbott added as cosponsor 407
Third reading: passed;
Roll Call 294: yeas 65, nays 28. 414
Returned to the Senate with amendments
Senate dissented from House amendments 649
House conferees appointed: Aylesworth and Harris 426
House advisors appointed: Soliday,
Pressel and Campbell
Senate conferees appointed: Niemeyer and Mrvan 659
Senate advisors appointed: Bohacek and Randolph
Senator Bohacek removed as advisor 752
Senator Mrvan removed as conferee
Senator Bohacek added as conferee
Representative Pressel removed as advisor 540
Representative Harris removed as conferee 540
Representative Pressel added as conferee 540
Rules suspended;
Conference committee report 1: adopted by the Senate;
Roll Call 393: yeas 40, nays 9. 953
Rules suspended;
Conference committee report 1: adopted by the House;
Roll Call 399: yeas 62, nays 27. 778
Signed by the President Pro Tempore 1050
Signed by the Speaker 788
Signed by the President of the Senate 1051
Signed by the Governor. 1051
Public Law 144

SB 368 Authors Senators Stoops, Glick, Leising
Sponsor Representative Wolkins
Study of carbon sequestration.
Authored by Senator Stoops 52
First reading: referred to Committee on
Environmental Affairs
Senator Glick added as second author. 155
Senator Leising added as third author
Committee report: do pass, adopted 160

	House	Senate
Senator Bassler added as coauthor		175
Senator Ruckelshaus added as coauthor		
Second reading: amended, ordered engrossed		270
Amendment #1 (Stoops) prevailed; voice vote		270
Senator Messmer added as coauthor		276
Third reading: passed;		
Roll Call 130: yeas 38, nays 9		314
House sponsor: Representative Wolkins		
Cosponsors: Representatives Lehe and Pierce		
Referred to the House		
First reading: referred to Committee on Rules and Legislative Procedures	253	

SB 369 Authors Senators Alting, Holdman, Stoops

	House	Senate
Regional transit expansion.		
Authored by Senator Stoops		52
First reading: referred to Committee on Tax and Fiscal Policy		
Senator Alting added as second author		113
Senator Alting removed as second author		131
Senator Stoops removed as author		
Senator Alting added as author		
Senator Holdman added as second author		
Senator Stoops added as third author		
Senator Becker added as coauthor		
Senator Lanane added as coauthor		155
Committee report: amend do pass, adopted		199
Senator Grooms added as coauthor		213
Second reading: ordered engrossed		270
Senator Jon Ford added as coauthor		276
Senator Niezgodski added as coauthor		
Senator Bohacek added as coauthor		309
Third reading: defeated;		
Roll Call 175: yeas 22, nays 27		322

SB 370 Author Senator Stoops

	House	Senate
Ranked choice voting.		
Authored by Senator Stoops		52
First reading: referred to Committee on Elections		

SB 371 Author Senator Stoops

	House	Senate
Local regulation of packaging preemption repeal.		
Authored by Senator Stoops		52
First reading: referred to Committee on Local Government		

SB 372 Author Senator Buck

	House	Senate
Taxes for public safety in allocation areas.		
Authored by Senator Buck		52
First reading: referred to Committee on Tax and Fiscal Policy		

SB 373 Author Senator Mrvan

	House	Senate
Vaping and tobacco.		
Authored by Senator Mrvan		52
First reading: referred to Committee on Health and Provider Services		

SB 374 Author Senator Mrvan

	House	Senate
E-liquid and electronic cigarette crimes.		
Authored by Senator Mrvan		52
First reading: referred to Committee on Corrections and Criminal Law		

SB 375 Author Senator Mrvan

	House	Senate
Prohibition on e-liquids and electronic cigarettes.		
Authored by Senator Mrvan		52
First reading: referred to Committee on Corrections and Criminal Law		

SB 376 Author Senator Mrvan

	House	Senate
Flavored e-liquids.		
Authored by Senator Mrvan		53
First reading: referred to Committee on Health and Provider Services		

SB 377 Author Senator Mrvan

	House	Senate
Temporary exception to residency requirements.		
Authored by Senator Mrvan		53
First reading: referred to Committee on Education and Career Development		

SB 378 Author Senator Mrvan

	House	Senate
Mental health education and screenings.		
Authored by Senator Mrvan		53
First reading: referred to Committee on Education and Career Development		

SB 379 Author Senator Mrvan

	House	Senate
Autism information on state issued identification.		
Authored by Senator Mrvan		53
First reading: referred to Committee on Homeland Security and Transportation		

SB 380 Author Senator J.D. Ford

	House	Senate
Election board incident response plan.		
Authored by Senator J.D. Ford		53
First reading: referred to Committee on Elections		
Senator Stoops added as coauthor		113
Pursuant to Senate Rule 68(b); reassigned to Committee on Homeland Security and Transportation		

SB 381 Author Senator J.D. Ford

	House	Senate
Removable media use by election officials.		
Authored by Senator J.D. Ford		53
First reading: referred to Committee on Elections		
Senator Stoops added as coauthor		113

SB 382 Author Senator J.D. Ford

	House	Senate
Election security.		
Authored by Senator J.D. Ford		53
First reading: referred to Committee on Elections		
Senator Stoops added as coauthor		113

■ SB 383 Authors Senators G. Taylor, Houchin
Sponsor Representative T. Brown

	House	Senate
Reporting on MBE and WBE contracting goals.		
Authored by Senator G. Taylor		53
First reading: referred to Committee on Appropriations		
Committee report: amend do pass, adopted		234
Senator Houchin added as second author		276
Second reading: ordered engrossed		295

	House	Senate
Senator Randolph added as coauthor		309
Third reading: passed;		
Roll Call 176: yeas 40, nays 9		323
House sponsor: Representative T. Brown		
Cosponsors: Representatives Vermilion, Porter, Pryor		
Referred to the House		
First reading: referred to Committee on		
Ways and Means	253	
Committee report: amend do pass, adopted	295	
Second reading: ordered engrossed	312	
Third reading: passed;		
Roll Call 214: yeas 94, nays 0	340	
Returned to the Senate with amendments		
Senate dissented from House amendments		639
Senate conferees appointed: Houchin and G. Taylor		644
Senate advisors appointed: Crane and Melton		
House conferees appointed: T. Brown and Porter	418	
House advisors appointed: Vermilion, Cherry, Harris and Pryor		
Dissent rescinded		680
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 350: yeas 45, nays 5		687
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 84		

SB 384 Authors Senators Freeman, Sandlin, Gaskill
Sponsor Representative Wesco

	House	Senate
Filling vacancies.		
Authored by Senator Freeman		53
First reading: referred to Committee on Elections		
Committee report: do pass, adopted		119
Senator Sandlin added as second author		131
Senator Gaskill added as third author		
Senator Crane added as coauthor		
Second reading: ordered engrossed		149
Senator Bassler added as coauthor		175
Third reading: passed;		
Roll Call 90: yeas 43, nays 7		210
House sponsor: Representative Wesco		
Referred to the House		
First reading: referred to Committee on		
Elections and Apportionment	249	

SB 385 Authors Senators Freeman, Garten
Sponsor Representative VanNatter

	House	Senate
Assessment of business personal property taxes.		
Authored by Senator Freeman		53
First reading: referred to Committee on		
Tax and Fiscal Policy		
Senator Stoops added as coauthor		113
Senator Zay added as coauthor		131
Senator Garten added as second author		175
Committee report: do pass, adopted		200
Second reading: amended, ordered engrossed		270
Amendment #2 (Freeman) prevailed; voice vote		270
Amendment #1 (G. Taylor) failed; voice vote		271
Third reading: passed;		
Roll Call 177: yeas 40, nays 9		323
House sponsor: Representative VanNatter		
Senators Kruse and Crane added as coauthors		326
Referred to the House		
First reading: referred to Committee on		
Ways and Means	253	

SB 386 Author Senator Freeman

	House	Senate
Civil statutes of limitations.		
Authored by Senator Freeman		53
First reading: referred to Committee on Judiciary		
Pursuant to Senate Rule 68(b); reassigned to Committee on Corrections and Criminal Law		

SB 387 Author Senator J.D. Ford

	House	Senate
Internet connection prohibited for voting devices.		
Authored by Senator J.D. Ford		53
First reading: referred to Committee on Elections		

SB 388 Author Senator J.D. Ford

	House	Senate
Disposal of election equipment.		
Authored by Senator J.D. Ford		53
First reading: referred to Committee on Elections		

SB 389 Author Senator Ruckelshaus

	House	Senate
Hospital construction project disclosure.		
Authored by Senator Ruckelshaus		70
First reading: referred to Committee on		
Health and Provider Services		

SB 390 Author Senator Ruckelshaus

	House	Senate
Education matters.		
Authored by Senator Ruckelshaus		53
First reading: referred to Committee on		
Education and Career Development		

SB 391 Author Senator Bohacek

	House	Senate
Property matters.		
Authored by Senator Bohacek		70
First reading: referred to Committee on Judiciary		

SB 392 Author Senator Bassler

	House	Senate
Work sharing unemployment benefits program.		
Authored by Senator Bassler		53
First reading: referred to Committee on		
Pensions and Labor		

SB 393 Author Senator Bassler

	House	Senate
Religious exemption from worker's compensation.		
Authored by Senator Bassler		53
First reading: referred to Committee on		
Pensions and Labor		

SB 394 Author Senator Bassler

	House	Senate
UCCC delinquency charges.		
Authored by Senator Bassler		58
First reading: referred to Committee on		
Insurance and Financial Institutions		

■ SB 395 Authors Senators Bassler, Ruckelshaus
Sponsor Representative Burton

	House	Senate
Uniform Consumer Credit Code.		
Authored by Senator Bassler		58

	House	Senate
First reading: referred to Committee on Insurance and Financial Institutions		
Committee report: amend do pass, adopted		234
Senator Ruckelshaus added as second author		278
Second reading: ordered engrossed		295
Third reading: passed;		
Roll Call 178: yeas 40, nays 9		323
House sponsor: Representative Burton		
Referred to the House		
First reading: referred to Committee on Financial Institutions	253	
Committee report: amend do pass, adopted	329	
Second reading: ordered engrossed	401	
Third reading: passed;		
Roll Call 295: yeas 77, nays 17	414	
Returned to the Senate with amendments		
Senate dissented from House amendments		671
Senate conferees appointed: Bassler and Breaux		684
Senate advisors appointed: Ruckelshaus and J.D. Ford		
House conferees appointed: Burton and Hamilton	448	
House advisors appointed: Heaton, Lehman, VanNatter, Chyung and Shackleford		
Dissent rescinded		682
Motion to concur filed		
Rules suspended;		
Senate concurred in House amendments;		
Roll Call 355: yeas 40, nays 7		692
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 85		

SB 396 Author Senator Houchin

	House	Senate
Value added growth and projection analytics.		
Authored by Senator Houchin		58
First reading: referred to Committee on Education and Career Development		

SB 397 Author Senator Houchin

	House	Senate
Tobacco, e-liquids, and CBD.		
Authored by Senator Houchin		58
First reading: referred to Committee on Public Policy		
Senator Tallian added as coauthor		175

■ SB 398 Authors Senators Raatz, Rogers, Kruse
Sponsor Representative Jordan

	House	Senate
Various education matters.		
Authored by Senator Raatz		58
First reading: referred to Committee on Education and Career Development		
Committee report: amend do pass, adopted		238
Senator Rogers added as second author		265
Senator Kruse added as third author		276
Second reading: ordered engrossed		295
Third reading: passed;		
Roll Call 179: yeas 49, nays 0		323
House sponsor: Representative Sullivan		
Cosponsors: Representatives Jordan and Klinker		
Referred to the House		
First reading: referred to Committee on Education	253	
Representative Sullivan removed as sponsor	283	
Representative Jordan added as sponsor	283	
Representative Jordan removed as cosponsor	283	
Committee report: amend do pass, adopted	334	
Second reading: amended, ordered engrossed	382	
Amendment #2 (Thompson) prevailed;		
Roll Call 231: yeas 62, nays 27	382	
Third reading: passed;		
Roll Call 240: yeas 80, nays 8	385	
Returned to the Senate with amendments		
Senate dissented from House amendments		638
Senate conferees appointed: Raatz and Stoops		644
Senate advisors appointed: Rogers and Mrvan		
House conferees appointed: Jordan and DeLaney	418	
House advisors appointed: Behning, Thompson and Klinker		
Rules suspended;		
Conference committee report 1: adopted by the Senate;		
Roll Call 376: yeas 47, nays 1		753
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 375: yeas 81, nays 0	512	
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 86		

SB 399 Authors Senators Buchanan, Boots

	House	Senate
Property tax matters.		
Authored by Senators Buchanan and Boots		58
Coauthored by Senators Walker, Charbonneau, Becker, Buck		
First reading: referred to Committee on Tax and Fiscal Policy		

SB 400 Authors Senators Buchanan, Raatz
Sponsor Representative Miller

	House	Senate
Assessment and taxation of golf courses.		
Authored by Senator Buchanan		58
First reading: referred to Committee on Tax and Fiscal Policy		
Committee report: amend do pass, adopted		241
Second reading: ordered engrossed		296
Senator Raatz added as second author		309
Third reading: passed;		
Roll Call 180: yeas 49, nays 0		323
House sponsor: Representative Miller		
Referred to the House		
First reading: referred to Committee on Ways and Means	253	

SB 401 Authors Senators Buchanan, Zay
Sponsor Representative Thompson

	House	Senate
Deduction for rehabilitation of residential property.		
Authored by Senator Buchanan		58
First reading: referred to Committee on Tax and Fiscal Policy		
Committee report: amend do pass, adopted		241
Second reading: amended, ordered engrossed		296
Amendment #1 (Buchanan) prevailed; voice vote		296
Senator Zay added as second author		309
Senator Randolph added as coauthor		

	House	Senate
Third reading: passed;		
Roll Call 181: yeas 49, nays 0		323
House sponsor: Representative Thompson		
Senator Rogers added as coauthor		329
Senator Lanane added as coauthor		
Referred to the House		
First reading: referred to Committee on Ways and Means	253	
SB 402 Authors Senators Buchanan, Ruckelshaus		
Sponsor Representative Lehe		
Seasonal employment.		
Authored by Senator Buchanan		58
First reading: referred to Committee on Pensions and Labor		
Committee report: amend do pass, adopted		142
Second reading: ordered engrossed		168
Third reading: passed;		
Roll Call 91: yeas 49, nays 1		210
House sponsor: Representative Lehe		
Senator Ruckelshaus added as second author		213
Senator Randolph added as coauthor		
Referred to the House		
First reading: referred to Committee on Rules and Legislative Procedures	249	
SB 403 Authors Senators Buchanan, Rogers		
Sponsor Representative Thompson		
Property tax appeals.		
Authored by Senator Buchanan		58
First reading: referred to Committee on Tax and Fiscal Policy		
Committee report: amend do pass, adopted		241
Second reading: amended, ordered engrossed		296
Amendment #1 (Buchanan) prevailed; voice vote		296
Senator Rogers added as second author		309
Senator Kruse added as coauthor		310
Senator Randolph added as coauthor		
Third reading: passed;		
Roll Call 182: yeas 48, nays 0		323
House sponsor: Representative Thompson		
Referred to the House		
First reading: referred to Committee on Ways and Means	253	
SB 404 Author Senator Garten		
Clark County circuit court.		
Authored by Senator Garten		53
First reading: referred to Committee on Judiciary		
■ SB 405 Authors Senators Garten, Perfect		
Sponsor Representative Pressel		
Exemptions from design release requirements.		
Authored by Senator Garten		53
First reading: referred to Committee on Commerce and Technology		
Senator Perfect added as second author		131
Committee report: do pass, adopted		241
Second reading: ordered engrossed		296
Third reading: passed;		
Roll Call 183: yeas 49, nays 0		323
House sponsor: Representative Pressel		
Senator Spartz added as coauthor		329
Referred to the House		
First reading: referred to Committee on Employment, Labor and Pensions	253	
Committee report: amend do pass, adopted	286	
Second reading: ordered engrossed	298	
Representatives VanNatter and Moseley added as cosponsors	301	
Third reading: passed;		
Roll Call 201: yeas 93, nays 1	312	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 342: yeas 40, nays 0		671
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 87		
■ SB 406 Authors Senators Garten, Boots, Houchin		
Sponsor Representative Bartels		
Survivor benefits.		
Authored by Senators Garten and Boots		53
First reading: referred to Committee on Pensions and Labor		
Committee report: amend do pass, adopted		241
Second reading: ordered engrossed		296
Third reading: passed;		
Roll Call 184: yeas 49, nays 0		324
House sponsor: Representative Bartels		
Senator Houchin added as third author		326
Senator L. Brown added as coauthor		
Senator Randolph added as coauthor		
Senators Spartz and Kruse added as coauthors		329
Referred to the House		
First reading: referred to Committee on Employment, Labor and Pensions	253	
Representative VanNatter added as cosponsor	291	
Committee report: do pass, adopted	334	
Second reading: ordered engrossed	342	
Third reading: passed;		
Roll Call 241: yeas 89, nays 0	386	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 145		
SB 407 Authors Senators Walker, Bohacek		
Consumer credit transactions.		
Authored by Senator Walker		58
First reading: referred to Committee on Insurance and Financial Institutions		
Senator Bohacek added as second author		113
Senators Kruse and Stoops added as coauthors		131
Senators Merritt and Alting added as coauthors		
Senator Tomes added as coauthor		
Senator Becker added as coauthor		155
Senator Ruckelshaus added as coauthor		175

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	House	Senate
■ SB 408 Authors Senators Holdman, Mishler Sponsor Representative T. Brown		
Various tax matters.		
Authored by Senator Holdman		58
First reading: referred to Committee on Tax and Fiscal Policy		
Committee report: amend do pass, adopted		241
Second reading: amended, ordered engrossed		296
Amendment #1 (J.D. Ford) prevailed; voice vote		296
Amendment #3 (Holdman) prevailed; voice vote		298
Senator Mishler added as second author		310
Senator Randolph added as coauthor		
Third reading: passed;		
Roll Call 185: yeas 49, nays 0		324
House sponsor: Representative T. Brown		
Senator Kruse added as coauthor		329
Referred to the House		
First reading: referred to Committee on Ways and Means	249	
Committee report: amend do pass, adopted	371	
Second reading: amended, ordered engrossed	401	
Amendment #1 (Hamilton) failed;		
Roll Call 253: yeas 31, nays 61	401	
Amendment #2 (Harris) prevailed;		
Roll Call 254: yeas 92, nays 0	402	
Amendment #4 (Porter) failed;		
Roll Call 255: yeas 29, nays 61	402	
Amendment #5 (Porter) failed;		
Roll Call 256: yeas 30, nays 62	402	
Amendment #8 (Porter) failed;		
Roll Call 257: yeas 29, nays 62	402	
Representative Porter added as cosponsor	407	
Third reading: passed;		
Roll Call 296: yeas 91, nays 2	414	
Returned to the Senate with amendments		
Senator Melton added as coauthor		672
Senate dissented from House amendments		673
Senate conferees appointed: Holdman and Melton		684
Senate advisors appointed: Mishler and G. Taylor		
House conferees appointed: T. Brown and Porter	448	
House advisors appointed: Cherry, Negele, Ziemke, DeLaney, Hamilton, Klinker and Pryor		
Rules suspended;		
Conference committee report 1: adopted by the Senate;		
Roll Call 377: yeas 47, nays 0		756
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 376: yeas 83, nays 0	516	
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 146		
■ SB 409 Authors Senators Messmer, Doriot Sponsor Representative Lyness		
Employment of minors.		
Authored by Senator Messmer		58
First reading: referred to Committee on Pensions and Labor		
Senator Zay added as coauthor		131
Senator Doriot added as second author		175
Committee report: amend do pass, adopted		246
Second reading: amended, ordered engrossed		298
Amendment #1 (Tallian) prevailed; voice vote		298
Amendment #2 (Tallian) prevailed; voice vote		301
Amendment #3 (Tallian) prevailed; voice vote		301
Amendment #5 (Tallian) prevailed; voice vote		301
Amendment #6 (J.D. Ford) prevailed; voice vote		302
Senator Raatz added as coauthor		310
Third reading: passed;		
Roll Call 186: yeas 48, nays 1		324
House sponsor: Representative Lyness		
Cosponsor: Representative Goodrich		
Senator J.D. Ford added as coauthor		326
Senator Spartz added as coauthor		329
Referred to the House		
First reading: referred to Committee on Employment, Labor and Pensions	254	
Representative VanNatter added as cosponsor	301	
Committee report: amend do pass, adopted	335	
Second reading: amended, ordered engrossed	404	
Amendment #6 (Huston) prevailed; voice vote	404	
Amendment #5 (Pryor) failed;		
Roll Call 258: yeas 29, nays 62	404	
Amendment #7 (Negele) prevailed; voice vote	405	
Amendment #2 (Deal) failed; voice vote	405	
Amendment #8 (Errington) failed;		
Roll Call 259: yeas 33, nays 58	405	
Third reading: passed;		
Roll Call 297: yeas 89, nays 4	415	
Returned to the Senate with amendments		
Motion to concur filed		
Senator J.D. Ford removed as coauthor		672
Senate concurred in House amendments;		
Roll Call 343: yeas 39, nays 3		671
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 147		
■ SB 410 Authors Senators Glick, Zay, Rogers Sponsor Representative Abbott		
Libraries.		
Authored by Senator Glick		58
First reading: referred to Committee on Local Government		
Senator Zay added as second author		155
Senator Lanane added as coauthor		175
Senator Rogers added as third author		213
Committee report: amend do pass, adopted		250
Senator Tomes added as coauthor		276
Second reading: ordered engrossed		303
Senator Kruse added as coauthor		310
Senator Randolph added as coauthor		
Third reading: passed;		
Roll Call 187: yeas 49, nays 0		324
House sponsor: Representative Abbott		
Cosponsor: Representative Pressel		
Referred to the House		
First reading: referred to Committee on Local Government	254	
Representatives Miller and Fleming added as cosponsors	283	
Committee report: do pass, adopted	307	

	House	Senate
Second reading: ordered engrossed	342	
Third reading: passed;		
Roll Call 242: yeas 89, nays 0	386	
Returned to the Senate without amendments		
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 88		

SB 411 Authors Senators Koch, Merritt
Sponsor Representative Soliday

	House	Senate
Leasing of broadband capacity infrastructure.		
Authored by Senator Koch		73
First reading: referred to Committee on Utilities		
Committee report: amend do pass, adopted		142
Senator Merritt added as second author		155
Second reading: ordered engrossed		168
Third reading: passed;		
Roll Call 92: yeas 49, nays 0		210
House sponsor: Representative Soliday		
Senator Crane added as coauthor		213
Referred to the House		
First reading: referred to Committee on Rules and Legislative Procedures	249	

SB 412 Authors Senators Crane, Zay

	House	Senate
21st century scholars program.		
Authored by Senator Crane		59
First reading: referred to Committee on Education and Career Development		
Senator Zay added as second author		132

SB 413 Author Senator Melton

	House	Senate
Teacher compensation.		
Authored by Senator Melton		59
First reading: referred to Committee on Appropriations		
Senator Stoops added as coauthor		113
Senators Randolph, Breaux, J.D. Ford, Mrvan added as coauthors		132

SB 414 Author Senator Melton

	House	Senate
Maximum contaminant levels for pollutants in water.		
Authored by Senator Melton		70
First reading: referred to Committee on Health and Provider Services		
Senator Stoops added as coauthor		113

SB 415 Author Senator Melton

	House	Senate
Small loan finance charges.		
Authored by Senator Melton		59
First reading: referred to Committee on Insurance and Financial Institutions		
Senator Stoops added as coauthor		113

SB 416 Authors Senators Melton, Charbonneau, Mishler
Sponsor Representative Harris

	House	Senate
Gary Community School Corporation.		
Authored by Senator Melton		59
First reading: referred to Committee on Appropriations		
Committee report: amend do pass, adopted		251
Senators J.D. Ford and Randolph added as coauthors		278
Second reading: ordered engrossed		306
Senator Charbonneau added as second author		310
Senator Mishler added as third author		
Senator Bassler added as coauthor		
Senator Ruckelshaus added as coauthor		
Senators Holdman, Crider, Boots added as coauthors		326
Third reading: passed;		
Roll Call 188: yeas 49, nays 0		327
House sponsor: Representative Harris		
Cosponsors: Representatives T. Brown, Hatcher, V. Smith		
Senator L. Brown added as coauthor		329
Referred to the House		
First reading: referred to Committee on Ways and Means	254	

SB 417 Author Senator Jon Ford

	House	Senate
Insurance proceeds held by a mortgagee.		
Authored by Senator Jon Ford		59
First reading: referred to Committee on Insurance and Financial Institutions		

SB 418 Author Senator Jon Ford

	House	Senate
Medicaid provider contracts.		
Authored by Senator Jon Ford		59
First reading: referred to Committee on Health and Provider Services		

SB 419 Author Senator Niezgodski

	House	Senate
Driving cards.		
Authored by Senator Niezgodski		59
First reading: referred to Committee on Homeland Security and Transportation		

SB 420 Author Senator Melton

	House	Senate
School accountability.		
Authored by Senator Melton		59
First reading: referred to Committee on Education and Career Development		
Senator Stoops added as coauthor		113

SB 421 Author Senator Melton

	House	Senate
Restrictions on copayments.		
Authored by Senator Melton		70
First reading: referred to Committee on Insurance and Financial Institutions		
Senator Stoops added as coauthor		113
Senator J.D. Ford added as coauthor		176

SB 422 Author Senator Lanane

	House	Senate
Treatment of Lyme disease.		
Authored by Senator Lanane		70
First reading: referred to Committee on Insurance and Financial Institutions		
Senator Stoops added as coauthor		113

SB 423 Author Senator Grooms

	House	Senate
Smoking age.		
Authored by Senator Grooms		70
First reading: referred to Committee on Health and Provider Services		

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House Senate

■ **SB 424 Authors Senators Rogers, Glick, Lanane**
Sponsor Representative Engleman
Address confidentiality program.
Authored by Senator Rogers 70
First reading: referred to Committee on Judiciary
Committee report: amend do pass, adopted. 142
Senator Lanane added as third author 155
Senator Koch added as coauthor
Senator Glick added as second author. 176
Senator Randolph added as coauthor
Second reading: amended, ordered engrossed. 206
Amendment #1 (Rogers) prevailed; voice vote. 206
Senator Crider added as coauthor 213
Third reading: passed;
Roll Call 102: yeas 48, nays 0. 272
House sponsor: Representative Engleman
Referred to the House
First reading: referred to Committee on
Courts and Criminal Code 249
Representative Bartlett added as cosponsor 283
Representative Schaibley added as cosponsor. 291
Committee report: do pass, adopted 295
Second reading: amended, ordered engrossed. 313
Amendment #1 (Engleman) prevailed; voice vote 313
Third reading: passed;
Roll Call 215: yeas 94, nays 0. 340
Returned to the Senate with amendments
Motion to concur filed
Senate concurred in House amendments;
Roll Call 331: yeas 49, nays 0. 655
Signed by the President Pro Tempore 684
Signed by the Speaker 788
Signed by the President of the Senate 1051
Signed by the Governor. 1051
Public Law 149

SB 425 Authors Senators Bohacek, Niezgodski
Sponsor Representative Cook
School corporation disannexation.
Authored by Senator Bohacek. 70
First reading: referred to Committee on
Education and Career Development
Pursuant to Senate Rule 68(b); reassigned to
Committee on Tax and Fiscal Policy
Committee report: do pass, adopted 256
Second reading: ordered engrossed. 303
Senator Niezgodski added as second author 310
Third reading: passed;
Roll Call 189: yeas 30, nays 19. 327
House sponsor: Representative Cook
Cosponsors: Representatives Jordan, Clere, Deal
Referred to the House
First reading: referred to Committee on Education 254

SB 426 Author Senator Buchanan
Traffic enforcement in residential complexes.
Authored by Senator Buchanan. 70
First reading: referred to Committee on Judiciary

■ **SB 427 Authors Senators Buchanan, Messmer**
Sponsor Representative Zent
Provisional occupational license.
Authored by Senator Buchanan. 70
First reading: referred to Committee on
Commerce and Technology
Senator Messmer added as second author 155
Committee report: amend do pass, adopted. 256
Second reading: amended, ordered engrossed. 303
Amendment #1 (Buchanan) prevailed; voice vote 303
Senator Randolph added as coauthor 310
Senator Spartz added as coauthor 326
Third reading: passed;
Roll Call 190: yeas 47, nays 2. 327
House sponsor: Representative Zent
Cosponsor: Representative T. Brown
Senator Buck added as coauthor 329
Referred to the House
First reading: referred to Committee on
Employment, Labor and Pensions. 254
Committee report: amend do pass, adopted. 335
Representatives Bartlett and Bartels
added as cosponsors 341
Second reading: ordered engrossed. 382
Third reading: passed;
Roll Call 243: yeas 89, nays 0. 386
Returned to the Senate with amendments
Motion to concur filed
Senate concurred in House amendments;
Roll Call 332: yeas 49, nays 0. 655
Signed by the President Pro Tempore 684
Signed by the Speaker 788
Signed by the President of the Senate 1051
Signed by the Governor. 1051
Public Law 89

SB 428 Author Senator Leising
Report on child fatalities.
Authored by Senator Leising. 70
First reading: referred to Committee on
Family and Children Services

SB 429 Authors Senators Perfect, Messmer
Local gaming distributions.
Authored by Senator Perfect 73
First reading: referred to Committee on
Appropriations
Senator Messmer added as second author 114

■ **SB 430 Authors Senators Merritt, Messmer**
Sponsor Representative Wolkins
Reservoir conservancy districts.
Authored by Senator Merritt 73
First reading: referred to Committee on
Environmental Affairs
Committee report: amend do pass, adopted. 200
Senator Messmer added as second author 276
Second reading: amended, ordered engrossed. 303
Amendment #3 (Messmer) prevailed; voice vote 303
Amendment #6 (Spartz) prevailed; voice vote 304
Third reading: passed;
Roll Call 191: yeas 46, nays 2. 327
House sponsor: Representative Wolkins
Referred to the House
First reading: referred to Committee on
Environmental Affairs. 254
Committee report: amend do pass, adopted. 295

	House	Senate
Second reading: ordered engrossed	340	
Representative Jackson added as cosponsor	341	
Third reading: passed;		
Roll Call 221: yeas 92, nays 0	344	
Returned to the Senate with amendments		
Motion to concur filed		
Senate concurred in House amendments;		
Roll Call 333: yeas 46, nays 3		655
Signed by the President Pro Tempore		684
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 148		

SB 431 Author Senator Stoops

Charter schools.

	House	Senate
Authored by Senator Stoops		70
First reading: referred to Committee on Education and Career Development		

SB 432 Author Senator Stoops

Producer recycling of waste packaging and paper.

	House	Senate
Authored by Senator Stoops		70
First reading: referred to Committee on Environmental Affairs		

■ SB 433 Authors Senators Bassler, Doriot
Sponsor Representative Lindauer

Structures in floodways.

	House	Senate
Authored by Senator Bassler		70
First reading: referred to Committee on Natural Resources		
Committee report: do pass, adopted		160
Senator Doriot added as second author		176
Second reading: amended, ordered engrossed		271
Amendment #1 (Bassler) prevailed; voice vote		271
Third reading: passed;		
Roll Call 192: yeas 48, nays 1		327
House sponsor: Representative Lindauer		
Referred to the House		
First reading: referred to Committee on Natural Resources	254	
Committee report: amend do pass, adopted	376	
Second reading: amended, ordered engrossed	406	
Amendment #1 (Miller) prevailed; voice vote	406	
Third reading: passed;		
Roll Call 298: yeas 91, nays 0	415	
Returned to the Senate with amendments		
Senate dissented from House amendments		657
Senate conferees appointed: Bassler and Tallian		670
Senate advisors appointed: Rogers, G. Taylor and Doriot		
House conferees appointed: Lindauer and Pfaff	433	
House advisors appointed: Torr, Miller, Lehman, Errington and Fleming		
Rules suspended;		
Conference committee report 1: adopted by the Senate;		
Roll Call 360: yeas 40, nays 8		701
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 365: yeas 93, nays 1	479	
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor		1051
Public Law 90		

SB 434 Authors Senators M. Young, Boots
Sponsor Representative Eberhart

Private card games.

	House	Senate
Authored by Senator M. Young		71
First reading: referred to Committee on Public Policy		
Committee report: do pass, adopted		256
Senator Boots added as second author		276
Second reading: ordered engrossed		304
Senator Randolph added as coauthor		315
Third reading: passed;		
Roll Call 193: yeas 33, nays 16		328
House sponsor: Representative Eberhart		
Referred to the House		
First reading: referred to Committee on Public Policy	254	

SB 435 Authors Senators Melton, Raatz
Sponsor Representative Eberhart

Waiver of penalties and interest.

	House	Senate
Authored by Senator Melton		71
First reading: referred to Committee on Tax and Fiscal Policy		
Committee report: amend do pass, adopted		257
Senator Raatz added as second author		276
Second reading: ordered engrossed		304
Senator Randolph added as coauthor		310
Senator Holdman added as coauthor		326
Senators Mishler, Buck, Charbonneau added as coauthors		327
Senators M. Young and Bohacek added as coauthors		
Senator Niezgodski added as coauthor		
Third reading: passed;		
Roll Call 194: yeas 47, nays 2		328
House sponsor: Representative Eberhart		
Cosponsors: Representatives Hatcher and Beck		
Referred to the House		
First reading: referred to Committee on Ways and Means	260	

SB 436 Authors Senators M. Young, Sandlin

Authority of the attorney general to appoint a special prosecutor.

	House	Senate
Authored by Senator M. Young		71
First reading: referred to Committee on Corrections and Criminal Law		
Committee report: amend do pass, adopted		257
Senator Sandlin added as second author		276

SB 437 Authors Senators Busch, Jon Ford
Sponsor Representative Carbaugh

Credit card payments for charity gaming.

	House	Senate
Authored by Senator Busch		71
First reading: referred to Committee on Public Policy		
Committee report: do pass, adopted		259
Senator Jon Ford added as second author		276
Second reading: ordered engrossed		304
Senator Alting added as coauthor		310
Senator Randolph added as coauthor		
Third reading: passed;		
Roll Call 195: yeas 47, nays 2		328

House Senate

House sponsor: Representative Carbaugh
Referred to the House
Representative Lehman added as cosponsor 256
First reading: referred to Committee on Public Policy . . 260

■ SB 438 Authors Senators Leising, Glick
Sponsor Representative Lehe
Regulation of pesticide use and application.
Authored by Senator Leising. 71
First reading: referred to Committee on Agriculture
Committee report: amend do pass, adopted. 160
Second reading: amended, ordered engrossed. 271
Amendment #1 (Leising) prevailed; voice vote 271
Senator Glick added as second author. 276
Third reading: passed;
Roll Call 131: yeas 38, nays 9. 314
House sponsor: Representative Lehe
Cosponsor: Representative Prescott
Referred to the House
First reading: referred to Committee on
Agriculture and Rural Development 254
Committee report: amend do pass, adopted. 295
Second reading: ordered engrossed. 312
Third reading: passed;
Roll Call 216: yeas 84, nays 10. 340
Returned to the Senate with amendments
Senate dissented from House amendments 631
Senate conferees appointed: Leising and Lanane 641
Senate advisors appointed: Glick and G. Taylor
House conferees appointed: Lehe and Wright. 418
House advisors appointed: Prescott, Baird,
Steuerwald, Deal and Moed
Rules suspended;
Conference committee report 1: adopted by the Senate;
Roll Call 365: yeas 48, nays 1. 713
Rules suspended;
Conference committee report 1: adopted by the House;
Roll Call 371: yeas 92, nays 4. 500
Signed by the President Pro Tempore 1050
Signed by the Speaker. 788
Signed by the President of the Senate 1051
Signed by the Governor. 1051
Public Law 91

SB 439 Author Senator Grooms
Licensure of art therapists.
Authored by Senator Grooms 71
First reading: referred to Committee on
Health and Provider Services

SB 440 Author Senator Bassler
Dissolution of township government.
Authored by Senator Bassler. 71
First reading: referred to Committee on
Local Government

SB 441 Author Senator Melton
Various education matters.
Authored by Senator Melton. 71
First reading: referred to Committee on
Education and Career Development
Senator Stoops added as coauthor. 114

SB 442 Author Senator Melton
Residential landlord-tenant matters.
Authored by Senator Melton. 71
First reading: referred to Committee on Judiciary

SB 443 Authors Senators Zay, Bohacek, Mishler
Sponsor Representative Heine
Traffic control.
Authored by Senator Garten 71
First reading: referred to Committee on
Corrections and Criminal Law
Senator Garten removed as author. 132
Senator Zay added as author
Senator Bohacek added as second author
Committee report: amend do pass, adopted. 143
Senator Mishler added as third author. 155
Second reading: amended, ordered engrossed. 168
Amendment #1 (Bohacek) prevailed; voice vote 168
Third reading: passed;
Roll Call 93: yeas 41, nays 9. 210
House sponsor: Representative Heine
Referred to the House
First reading: referred to Committee on
Roads and Transportation 249

SB 444 Authors Senators Messmer, Perfect
Public deposits with credit unions.
Authored by Senators Perfect and Messmer 73
First reading: referred to Committee on
Tax and Fiscal Policy
Senator Messmer removed as second author. 114
Senator Perfect removed as author
Senator Messmer added as author
Senator Perfect added as second author

SB 445 Author Senator Buchanan
Micro-credentialing.
Authored by Senator Buchanan. 74
First reading: referred to Committee on
Education and Career Development

SB 446 Author Senator Becker
Prohibition against euthanasia.
Authored by Senator Becker 71
First reading: referred to Committee on
Health and Provider Services

SB 447 Author Senator Donato
Underground utility facilities.
Authored by Senator Donato. 71
First reading: referred to Committee on Utilities

SB 448 Authors Senators Holdman, Charbonneau
Sponsor Representative Lehman
Nonprofit hospital report.
Authored by Senator Holdman 71
First reading: referred to Committee on
Tax and Fiscal Policy
Committee report: amend do pass, adopted. 259
Second reading: amended, ordered engrossed. 304
Amendment #1 (Holdman) prevailed; voice vote 304

	House	Senate
Senator Charbonneau added as second author		310
Third reading: passed;		
Roll Call 196: yeas 49, nays 0		328
House sponsor: Representative Lehman		
Cosponsor: Representative Schaibley		
Referred to the House		
First reading: referred to Committee on Public Health	260	

SB 449 Authors Senators Houchin, M. Young, Freeman
Sponsor Representative Negele
Juveniles.

	House	Senate
Authored by Senator Houchin		74
First reading: referred to Committee on Corrections and Criminal Law		
Committee report: amend do pass, adopted		260
Second reading: amended, ordered engrossed		305
Amendment #2 (Houchin) prevailed; voice vote		305
Amendment #1 (G. Taylor) failed; voice vote		306
Senator M. Young added as second author		310
Senator Freeman added as third author		
Third reading: passed;		
Roll Call 197: yeas 31, nays 18		328
House sponsor: Representative Negele		
Cosponsor: Representative Torr		
Referred to the House		
First reading: referred to Committee on Courts and Criminal Code	254	

SB 450 Authors Senators Busch, Doriot, Houchin
Sponsor Representative Manning
Low head dams.

	House	Senate
Authored by Senator Busch		74
First reading: referred to Committee on Natural Resources		
Committee report: amend do pass, adopted		261
Senator Doriot added as second author		276
Second reading: ordered engrossed		306
Senator Houchin added as third author		311
Senator Grooms added as coauthor		315
Senator Lanane added as coauthor		327
Third reading: passed;		
Roll Call 198: yeas 49, nays 0		328
House sponsor: Representative Manning		
Senator Kruse added as coauthor		329
Referred to the House		
First reading: referred to Committee on Natural Resources	260	
Representative Leonard added as cosponsor	301	

SB 451 Authors Senators Busch, M. Young, Freeman
Sponsor Representative Morris
Crime stoppers and restitution.

	House	Senate
Authored by Senator Busch		74
First reading: referred to Committee on Corrections and Criminal Law		
Committee report: amend do pass, adopted		261
Second reading: ordered engrossed		306
Senator M. Young added as second author		311
Senator Freeman added as third author		
Third reading: passed;		
Roll Call 199: yeas 46, nays 3		328
House sponsor: Representative Morris		
Senator Kruse added as coauthor		329
Referred to the House		
First reading: referred to Committee on Courts and Criminal Code	260	

SB 452 Author Senator Niemeyer
Regional transportation authorities.

	House	Senate
Authored by Senator Niemeyer		74
First reading: referred to Committee on Tax and Fiscal Policy		

SB 453 Author Senator Koch
Direct primary care services pilot programs.

	House	Senate
Authored by Senator Koch		74
First reading: referred to Committee on Health and Provider Services		

SB 454 Author Senator Messmer
Excess liability trust fund.

	House	Senate
Authored by Senator Messmer		74
First reading: referred to Committee on Rules and Legislative Procedure		

SB 455 Authors Senators Buchanan, Kruse
Sponsor Representative Behning
Various education matters.

	House	Senate
Authored by Senator Buchanan		74
First reading: referred to Committee on Education and Career Development		
Committee report: amend do pass, adopted		262
Senator Kruse added as second author		277
Second reading: amended, ordered engrossed		306
Amendment #1 (Buchanan) prevailed; voice vote		306
Senator Raatz added as coauthor		311
Third reading: passed;		
Roll Call 200: yeas 49, nays 0		328
House sponsor: Representative Behning		
Referred to the House		
First reading: referred to Committee on Education	260	
Committee report: amend do pass, adopted	378	

SB 456 Author Senator Raatz
Indiana career explorer program.

	House	Senate
Authored by Senator Raatz		74
First reading: referred to Committee on Education and Career Development		

SB 457 Author Senator Garten
Custody and parenting time.

	House	Senate
Authored by Senator Garten		74
First reading: referred to Committee on Judiciary		

House Senate

SENATE JOINT RESOLUTIONS

SJR 2 Author Senator Bray
Vehicle joint resolution.
Authored by Senator Bray 14
First reading: referred to Committee on
Rules and Legislative Procedure

SJR 3 Author Senator Bray
Vehicle joint resolution.
Authored by Senator Bray 15
First reading: referred to Committee on
Rules and Legislative Procedure

SJR 4 Author Senator Bray
Vehicle joint resolution.
Authored by Senator Bray 15
First reading: referred to Committee on
Rules and Legislative Procedure

SJR 5 Author Senator Bray
Vehicle joint resolution.
Authored by Senator Bray 15
First reading: referred to Committee on
Rules and Legislative Procedure

SJR 6 Author Senator Bray
Vehicle joint resolution.
Authored by Senator Bray 15
First reading: referred to Committee on
Rules and Legislative Procedure

SJR 7 Author Senator Bray
Vehicle joint resolution.
Authored by Senator Bray 15
First reading: referred to Committee on
Rules and Legislative Procedure

SJR 8 Author Senator Bray
Vehicle joint resolution.
Authored by Senator Bray 15
First reading: referred to Committee on
Rules and Legislative Procedure

SJR 9 Author Senator Boots
Prohibiting certain mandates by courts.
Authored by Senator Boots 15
First reading: referred to Committee on Judiciary

SJR 10 Author Senator Lanane
Vehicle joint resolution.
Authored by Senator Lanane 53
First reading: referred to Committee on
Rules and Legislative Procedure

SJR 11 Author Senator Lanane
Vehicle joint resolution.
Authored by Senator Lanane 53
First reading: referred to Committee on
Rules and Legislative Procedure

SJR 12 Author Senator Lanane
Vehicle joint resolution.
Authored by Senator Lanane 53
First reading: referred to Committee on
Rules and Legislative Procedure

SENATE CONCURRENT RESOLUTIONS

SCR 2 Author Senator G. Taylor
Sponsor Representative Summers
Congratulating Sigma Gamma Rho Sorority.
Authored by Senator G. Taylor 366
First reading: adopted voice vote
House sponsor: Representative Summers
Referred to the House
First reading: adopted voice vote 281
Returned to the Senate

SCR 3 Author Senator M. Young
Sponsor Representative Behning
Memorializing Decatur Township Firefighter Lieutenant
Tracy Hayden.
Authored by Senator M. Young 19
First reading: adopted standing vote
House sponsor: Representative Behning
Referred to the House
First reading: adopted voice vote 20
Returned to the Senate

SCR 4 Author Senator Charbonneau
Sponsor Representative Gutwein
Memorializing Deputy Shadron K. Bassett and urging
INDOT to name a mile of SR 39 the "Deputy Shadron
K. Bassett Memorial Mile".
Authored by Senator Charbonneau 15
First reading: referred to Committee on
Homeland Security and Transportation
Committee report: do pass, adopted 23
Pursuant to Senate Rule 35(c); technical correction
committee report adopted 74
Second reading: adopted standing vote 105
House sponsor: Representative Gutwein
Referred to the House
First reading: referred to the Committee on
Roads and Transportation
Committee report: do pass, adopted 212
Second reading: adopted;
Roll Call 183: yeas 95, nays 0. 286
Returned to the Senate

SCR 5 Author Senator Bray
Sponsor Representative Bosma
Recognizing the 21st Century Scholars Program.
Authored by Senator Bray 343
First reading: adopted voice vote
House sponsor: Representative Bosma

House Senate

Senators Alting, Bassler, Becker, Bohacek, Boots, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young, Zay added as coauthors 346
Referred to the House
First reading: adopted voice vote 255
Returned to the Senate
Representative Barrett added as cosponsor 291

SCR 6 Authors Senators Buchanan, Alting, Buck
Sponsor Representative Lehe
Memorializing Trooper Peter "Bo" Stephan and urging INDOT to name a portion of SR 25 the "Trooper Peter "Bo" Stephan Memorial Highway".
Authored by Senator Buchanan. 53
First reading: referred to Committee on Homeland Security and Transportation
Committee report: do pass, adopted 60
Senator Alting added as second author 107
Senator Buck added as third author
Second reading: adopted standing vote 120
House sponsor: Representative Lehe
Senators Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young, Zay added as coauthors. 125
Referred to the House
First reading: referred to the Committee on Roads and Transportation
Committee report: do pass, adopted 212
Second reading: adopted;
Roll Call 222: yeas 90, nays 0. 344
Returned to the Senate

SCR 7 Authors Senators Koch, Stoops
Sponsor Representative Pierce
Honoring Indiana University in recognition of its Bicentennial Anniversary.
Authored by Senators Koch and Stoops 104
First reading: adopted voice vote
House sponsor: Representative Pierce
Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Tallian, G. Taylor, Tomes, Walker, M. Young, Zay added as coauthors . . 107
Referred to the House
First reading: adopted voice vote 73
Returned to the Senate

House Senate

Representatives Bosma, Abbott, Austin, Aylesworth, Baird, Bartels, Bartlett, Bauer, Beck, Behning, Boy, T. Brown, Burton, Campbell, Cherry, Chyung, Clere, Cook, Davisson, Deal, DeLaney, DeVon, Dvorak, Eberhart, Ellington, Engleman, Errington, Frye, GiaQuinta, Goodin, Hamilton, Harris, Heaton, Heine, Huston, Jordan, Karickhoff, Lauer, Lehman, Leonard, Lindauer, Lucas, Manning, May, Mayfield, McNamara, Morris, Negele, Prescott, Schaibley, Sherman, Smaltz, Soliday, Speedy, Stutzman, Thompson, Vermilion, Zent, Ziemke added as cosponsors 192

SCR 8 Authors Senators Becker, Tomes
Sponsor Representative Hatfield
Congratulating the Evansville Reitz Memorial H.S. football team.
Authored by Senator Becker 103
First reading: adopted voice vote
House sponsor: Representative Hatfield
Cosponsors: Representatives McNamara and Sullivan
Senator Tomes added as second author. 108
Referred to the House
First reading: adopted voice vote 90
Returned to the Senate

SCR 9 Authors Senators Becker, Tomes
Sponsor Representative Hatfield
Congratulating the Evansville Reitz Memorial H.S. boys soccer team.
Authored by Senator Becker 103
First reading: adopted voice vote
House sponsor: Representative Hatfield
Cosponsors: Representatives McNamara and Sullivan
Senator Tomes added as second author. 108
Referred to the House
First reading: adopted voice vote 91
Returned to the Senate

SCR 10 Authors Senators Buchanan, Boots
Sponsor Representative T. Brown
Congratulating the Western Boone H.S. football team.
Authored by Senators Buchanan and Boots 146
First reading: adopted voice vote
House sponsor: Representative T. Brown
Referred to the House
First reading: adopted voice vote 185
Returned to the Senate

SCR 11 Author Senator Charbonneau
Sponsor Representative Soliday
Memorializing Thelma Dickey.
Authored by Senator Charbonneau 63
First reading: adopted standing vote
House sponsor: Representative Soliday
Referred to the House
First reading: adopted voice vote 74
Returned to the Senate

SCR 12 Authors Senators L. Brown, Busch
Sponsor Representative Smaltz
Congratulating the Fort Wayne Carroll H.S. girls cross country team.
Authored by Senators L. Brown and Busch 119
First reading: adopted voice vote
House sponsor: Representative Smaltz

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	House	Senate
Cosponsor: Representative Morris		
Referred to the House		
First reading: adopted voice vote	91	
Returned to the Senate		

SCR 13 Author Senator Spartz
Sponsor Representative Goodrich
Congratulating the Noblesville H.S. girls soccer team.

	House	Senate
Authored by Senator Spartz		394
First reading: adopted voice vote		
House sponsor: Representative Goodrich		
Referred to the House		
First reading: adopted voice vote	299	
Representative Cook added as cosponsor	301	
Returned to the Senate		

SCR 14 Author Senator Grooms
Memorializing J. Robert Shine and urging INDOT to rename a portion of SR 64 the "J. Robert Shine Highway".

	House	Senate
Authored by Senator Grooms		115
First reading: referred to Committee on Homeland Security and Transportation		

SCR 15 Authors Senators Doriot, Rogers
Sponsor Representative Stutzman
Urging the establishment of the Office of Outdoor Recreation Development.

	House	Senate
Authored by Senators Doriot and Rogers		116
First reading: referred to Committee on Natural Resources		
Senator Busch added as coauthor		171
Committee report: do pass, adopted		215
Second reading: adopted voice vote		279
House sponsor: Representative Stutzman		
Cosponsors: Representatives Miller and Jordan		
Senators Glick and Lanane added as coauthors		306
Referred to the House		
First reading: referred to the Committee on Natural Resources	260	
Committee report: do pass, adopted	344	
Representative Pfaff added as cosponsor	383	
Second reading: adopted; Roll Call 317: yeas 87, nays 0	432	
Returned to the Senate		

SCR 16 Author Senator Breaux
Sponsor Representative V. Smith
Honoring Beverly Brown upon her retirement from the Indiana Senate.

	House	Senate
Authored by Senator Breaux		204
First reading: adopted voice vote		
House sponsor: Representative V. Smith		
Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young, Zay added as coauthors		210
Referred to the House		
First reading: adopted voice vote	185	
Returned to the Senate		

SCR 17 Author Senator L. Brown
Sponsor Representative Morris
Congratulating Erin Strzelecki.

	House	Senate
Authored by Senator L. Brown		164
First reading: adopted voice vote		
House sponsor: Representative Morris		
Cosponsor: Representative Carbaugh		
Referred to the House		
First reading: adopted voice vote	145	
Returned to the Senate		

SCR 18 Author Senator L. Brown
Sponsor Representative Morris
Congratulating the Ft. Wayne Bishop Dwenger H.S. cheerleading team.

	House	Senate
Authored by Senator L. Brown		164
First reading: adopted voice vote		
House sponsor: Representative Morris		
Cosponsor: Representative Carbaugh		
Referred to the House		
First reading: adopted voice vote	146	
Returned to the Senate		

SCR 19 Author Senator Bassler
Urging INDOT to name the bridge crossing Doans Creek on SR 45/58 the "Major Emerson Y. Barker Memorial Bridge".

	House	Senate
Authored by Senator Bassler		156
First reading: referred to Committee on Homeland Security and Transportation		

SCR 20 Author Senator Bassler
Urging INDOT to honor First Lt. Clayton Robert Cullen by naming a portion of SR 67 the "Lt. Clayton Robert Cullen Memorial Highway".

	House	Senate
Authored by Senator Bassler		157
First reading: referred to Committee on Homeland Security and Transportation		

SCR 21 Authors Senators Holdman, L. Brown
Sponsor Representative Carbaugh
Encouraging education and the use of Safe Haven Baby Boxes in Indiana.

	House	Senate
Authored by Senators Holdman and L. Brown		203
Coauthored by Senators Kruse, Zay, Busch, Crane, Sandlin, Raatz, Houchin, Leising, Koch, Crider, Messmer, Charbonneau, Freeman, Bassler, Perfect		
First reading: adopted voice vote		
House sponsor: Representative Carbaugh		
Cosponsor: Representative Lehman		
Referred to the House		
First reading: adopted voice vote	193	
Returned to the Senate		

SCR 22 Author Senator Lanane
Sponsor Representative Austin
Congratulating Deborah Stapleton.

	House	Senate
Authored by Senator Lanane		203
First reading: adopted voice vote		
House sponsor: Representative Austin		
Referred to the House		

House Senate

First reading: adopted voice vote 194
Returned to the Senate

SCR 23 Author Senator Niezgodski
Recognizing "Farmworkers Awareness Week", Cesar Chavez, and the work of Proteus, Inc.
Authored by Senator Niezgodski. 214
First reading: referred to Committee on Pensions and Labor

SCR 24 Author Senator Melton
Sponsor Representative Summers
Honoring the Kappa Alpha Psi fraternity.
Authored by Senator Melton 265
First reading: adopted voice vote
House sponsor: Representative Summers
Referred to the House
First reading: adopted voice vote 261
Returned to the Senate

SCR 25 Authors Senators M. Young, Crane
Sponsor Representative Behning
Congratulating Adam Ferguson.
Authored by Senator M. Young 344
First reading: adopted voice vote
House sponsor: Representative Behning
Senator Crane added as second author 346
Referred to the House
First reading: adopted voice vote 255
Returned to the Senate

SCR 26 Author Senator Boots
Sponsor Representative Baird
Memorializing Sandy Woolwine and honoring the heroic actions of North Central Parke Community School Corporation students.
Authored by Senator Boots 337
First reading: adopted standing vote
House sponsor: Representative Baird
Cosponsor: Representative Morrison
Referred to the House
First reading: adopted voice vote 247
Returned to the Senate

SCR 27 Author Senator Rogers
Sponsor Representative Stutzman
Recognizing Perinatal Palliative Care personnel in Indiana.
Authored by Senator Rogers 337
Coauthored by Senators Becker, Breaux, L. Brown, Donato, Glick, Houchin, Leising, Spartz
First reading: adopted voice vote
House sponsor: Representative Stutzman
Referred to the House
First reading: adopted voice vote 247
Returned to the Senate

SCR 28 Authors Senators Buck, Buchanan, Garten
Urging INDOT to rename the bridge at SR 28 (Walnut Avenue) in Frankfort the "Staff Sergeant Jamie Jarboe Memorial Bridge".
Authored by Senators Buck, Buchanan, Garten 360
Coauthored by Senator Niezgodski
First reading: referred to Committee on Homeland Security and Transportation
Senators Tomes and Boots added as coauthors 485
Committee report: do pass, adopted 489
Pursuant to Senate Rule 68(b); reassigned to Committee on Homeland Security and Transportation

SCR 29 Author Senator Breaux
Sponsor Representative Bartlett
Congratulating Cathedral High School's "We the People: The Citizen and the Constitution" team.
Authored by Senator Breaux 449
First reading: adopted voice vote
House sponsor: Representative Bartlett
Referred to the House
First reading: adopted voice vote 307
Returned to the Senate

SCR 30 Author Senator Breaux
Sponsor Representative May
Recognizing the Indiana Legislative Youth Advisory Council.
Authored by Senator Breaux 344
First reading: adopted voice vote
House sponsor: Representative May
Referred to the House
First reading: adopted voice vote 261
Returned to the Senate

SCR 31 Author Senator Mishler
Sponsor Representative Jordan
Congratulating the Bremen H.S. softball team.
Authored by Senator Mishler 366
First reading: adopted voice vote
House sponsor: Representative Jordan
Referred to the House
First reading: adopted voice vote 281
Returned to the Senate

SCR 32 Author Senator Zay
Sponsor Representative Wolkins
Recognizing the home of the Charley Creek Inn.
Authored by Senator Zay. 342
First reading: adopted voice vote
House sponsor: Representative Wolkins
Referred to the House
First reading: adopted voice vote 262
Returned to the Senate

SCR 33 Authors Senators Becker, Charbonneau
Sponsor Representative Macer
Honoring Hoosier long-term care professionals.
Authored by Senators Becker and Charbonneau 398
First reading: adopted voice vote
House sponsor: Representative Macer
Cosponsor: Representative Fleming
Referred to the House
First reading: adopted voice vote 287
Returned to the Senate

SCR 34 Author Senator Bohacek
Sponsor Representative Pressel
Memorializing William "Bill" Hager.

HISTORIES OF BILLS AND RESOLUTIONS—2020

	House	Senate
Authored by Senator Bohacek		356
First reading: adopted standing vote		
House sponsor: Representative Pressel		
Referred to the House		
First reading: adopted voice vote	287	
Returned to the Senate		
SCR 35 Author Senator L. Brown		
Sponsor Representative Carbaugh		
Congratulating the Fort Wayne Concordia Lutheran H.S. boys cross country team.		
Authored by Senator L. Brown		397
First reading: adopted voice vote		
House sponsor: Representative Carbaugh		
Referred to the House		
First reading: adopted voice vote	288	
Returned to the Senate		
SCR 36 Authors Senators Lanane, Gaskill		
Sponsor Representative Wright		
Honoring John Thomas Shettle.		
Authored by Senators Lanane and Gaskill		347
First reading: adopted voice vote		
House sponsor: Representative Wright		
Referred to the House		
First reading: adopted voice vote	256	
Returned to the Senate		
Representative Lehman added as cosponsor	283	
SCR 37 Author Senator Mishler		
Sponsor Representative Cook		
Honoring Bobby Cox.		
Authored by Senator Mishler		450
First reading: adopted voice vote		
House sponsor: Representative Cook		
Referred to the House		
First reading: adopted voice vote	307	
Representative Goodin added as cosponsor	315	
Returned to the Senate		
SCR 38 Author Senator Tomes		
Urging INDOT to place a memorial sign where the 38th Parallel crosses SR 69 in Posey County, entitled "Veterans of the Korean War Memorial - 38th Parallel".		
Authored by Senator Tomes		361
First reading: referred to Committee on Homeland Security and Transportation		
SCR 39 Authors Senators Ruckelshaus, J.D. Ford, Sandlin		
Sponsor Representative Bosma		
Congratulating the Bishop Chatard H.S. Trojans football team.		
Authored by Senators Ruckelshaus, J.D. Ford, Sandlin		364
Coauthored by Senators G. Taylor and Spartz		
First reading: adopted voice vote		
House sponsor: Representative Bosma		
Cosponsor: Representative DeLaney		
Referred to the House		
First reading: adopted voice vote	308	
Returned to the Senate		
SCR 40 Author Senator Tallian		
Sponsor Representative Errington		
Honoring the League of Women Voters.		
Authored by Senator Tallian		357
First reading: adopted voice vote		
House sponsor: Representative Errington		
Cosponsors: Representatives Boy and Hamilton		
Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, G. Taylor, Tomes, Walker, M. Young, Zay added as coauthors		358
Referred to the House		
First reading: adopted voice vote	264	
Returned to the Senate		
Representative Lauer added as cosponsor	283	
SCR 41 Author Senator Melton		
Urging the legislative council to assign the topic of the achievement gap within the education system regarding race and socioeconomic status.		
Authored by Senator Melton		348
First reading: referred to Committee on Education and Career Development		
SCR 42 Author Senator Crider		
Sponsor Representative Cherry		
Congratulating the Greenfield Central Cougar Pride Marching Band.		
Authored by Senator Crider		354
First reading: adopted voice vote		
House sponsor: Representative Cherry		
Referred to the House		
First reading: adopted voice vote	288	
Returned to the Senate		
SCR 43 Author Senator Alting		
Sponsor Representative Klinker		
Congratulating the Lafayette Jefferson H.S. Marching Band.		
Authored by Senator Alting		395
First reading: adopted voice vote		
House sponsor: Representative Klinker		
Referred to the House		
First reading: adopted voice vote	308	
Returned to the Senate		
SCR 44 Authors Senators Alting, Bray		
Sponsor Representative Mayfield		
Honoring Hoosier Basketball Magazine.		
Authored by Senators Alting and Bray		366
First reading: adopted voice vote		
House sponsor: Representative Mayfield		
Referred to the House		
First reading: adopted voice vote	309	
Returned to the Senate		
SCR 45 Author Senator Ruckelshaus		
Sponsor Representative Carbaugh		
Recognizing Indiana Arts Education Day at the Statehouse.		
Authored by Senator Ruckelshaus		395
First reading: adopted voice vote		
House sponsor: Representative Carbaugh		
Referred to the House		

House Senate

First reading: adopted voice vote 309
Returned to the Senate

SCR 46 Authors Senators Alting, Bohacek, Becker
Sponsor Representative Pressel
Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
Authored by Senators Alting, Bohacek, Becker 396
Coauthored by Senators Koch, Ruckelshaus, Tomes
First reading: adopted voice vote
House sponsor: Representative Pressel
Referred to the House
First reading: adopted voice vote 309
Representatives McNamara and Kirchhofer added as cosponsors 315
Returned to the Senate
Representatives Jordan, Prescott, Lindauer, May, Davisson, Bacon, Judy, Barrett, Lauer, Aylesworth, Lehe, DeLaney, Klinker, Pfaff, V. Smith added as cosponsors 407

SCR 47 Authors Senators Grooms, Garten
Sponsor Representative Goodin
Congratulating Michael Cleveland.
Authored by Senators Grooms and Garten 398
First reading: adopted voice vote
House sponsor: Representative Goodin
Referred to the House
First reading: adopted voice vote 289
Representatives Fleming and Davisson added as cosponsors 291
Representative Lauer added as cosponsor 291
Returned to the Senate

SCR 48 Author Senator Melton
Sponsor Representative Summers
Honoring the Kappa Alpha Psi fraternity.
Authored by Senator Melton 421
First reading: adopted voice vote
House sponsor: Representative Summers
Referred to the House
First reading: adopted voice vote 312
Returned to the Senate

SCR 49 Authors Senators Freeman, Leising, Raatz
Sponsor Representative Lyness
Recognizing Gus Adams.
Authored by Senators Freeman, Leising, Raatz. 444
First reading: adopted voice vote
House sponsor: Representative Lyness
Referred to the House
First reading: adopted voice vote 386
Returned to the Senate

SCR 50 Author Senator Bohacek
Sponsor Representative Pressel
Congratulating Emily Graves.
Authored by Senator Bohacek. 445
First reading: adopted voice vote
House sponsor: Representative Pressel
Referred to the House
First reading: adopted voice vote 386
Returned to the Senate

House Senate

SCR 51 Authors Senators Koch, Stoops, Bray
Sponsor Representative Torr
Honoring Judge John G. Baker.
Authored by Senators Koch, Stoops, Bray 449
Coauthored by Senators L. Brown, Charbonneau, Freeman, Glick, Holdman, Lanane, Randolph, Tallian, G. Taylor, M. Young, J.D. Ford
First reading: adopted voice vote
House sponsor: Representative Torr
Cosponsors: Representatives McNamara, May, Mayfield, Ellington, Pierce, Bosma, DeLaney, Hatfield, Hatcher, Speedy, Steuerwald, J. Young, Schaibley
Senators Alting, Bassler, Becker, Bohacek, Boots, Breaux, Buchanan, Buck, Busch, Crane, Crider, Donato, Doriot, Jon Ford, Garten, Gaskill, Grooms, Houchin, Kruse, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Rogers, Ruckelshaus, Sandlin, Spartz, Tomes, Walker, Zay added as coauthors. 456
Referred to the House
First reading: adopted voice vote 310
Returned to the Senate

SCR 52 Authors Senators Messmer, Alting
Sponsor Representative Hostettler
Recognizing Virgil L. Beckerman.
Authored by Senators Messmer and Alting. 481
Coauthored by Senators Boots, Charbonneau, Garten, Mrvan, Raatz, Sandlin, Tomes
First reading: adopted voice vote
House sponsor: Representative Hostettler
Cosponsors: Representatives Aylesworth, Bartels, Deal, DeLaney, Gutwein, Judy, Lehe, Lindauer, Lucas, Moseley, Pfaff, Soliday, Zent
Referred to the House
First reading: adopted voice vote 408
Returned to the Senate

SCR 53 Authors Senators L. Brown, Busch
Sponsor Representative Carbaugh
Recognizing the significance of the construction of the Vietnam Memorial Wall at the Veterans National Memorial Shrine and Museum in Fort Wayne, Indiana.
Authored by Senators L. Brown and Busch 564
First reading: adopted voice vote
House sponsor: Representative Carbaugh
Cosponsors: Representatives Judy, Morris, GiaQuinta, Abbott
Referred to the House
First reading: adopted voice vote 412
Returned to the Senate

SCR 54 Author Senator Bray
Sponsor Representative Bosma
Fixing the date for the Second Regular Technical Session of the One Hundred Twenty First General Assembly.
Authored by Senator Bray. 564
First reading: adopted voice vote
House sponsor: Representative Bosma
Referred to the House
First reading: adopted voice vote 413
Returned to the Senate

HISTORIES OF BILLS AND RESOLUTIONS—2020

House Senate

SCR 55 Authors Senators Grooms, Garten
Sponsor Representative Goodin
Congratulating Michael Cleveland.
Authored by Senators Grooms and Garten 583
First reading: adopted voice vote
House sponsor: Representative Goodin
Cosponsors: Representatives Fleming, Davisson, Lauer
Referred to the House
First reading: adopted voice vote 440
Returned to the Senate

SCR 56 Authors Senators Zay, L. Brown, Busch
Sponsor Representative GiaQuinta
Honoring Dr. Wendy Robinson.
Authored by Senators Zay, L. Brown, Busch 584
Coauthored by Senators Glick, Holdman, Kruse
First reading: adopted voice vote
House sponsor: Representative GiaQuinta
Cosponsors: Representatives Abbott, Carbaugh, Heine, Lehman, Leonard, Morris, Zent
Referred to the House
First reading: adopted voice vote 421
Returned to the Senate

SCR 57 Authors Senators Melton, Lanane, Breaux
Sponsor Representative Wright
Honoring State Superintendent of Public Instruction, Dr. Jennifer McCormick.
Authored by Senators Melton, Lanane, Breaux. 585
Coauthored by Senators Tallian, J.D. Ford, Mrvan, Niezgodski, Randolph, Stoops, G. Taylor
First reading: adopted voice vote
House sponsor: Representative Wright
Referred to the House

SCR 58 Authors Senators Zay, L. Brown, Busch
Sponsor Representative Judy
Honoring Sister M. Elise Kriss.
Authored by Senators Zay, L. Brown, Busch 585
Coauthored by Senators Glick, Holdman, Kruse
First reading: adopted voice vote
House sponsor: Representative Judy
Cosponsors: Representatives Abbott, Carbaugh, GiaQuinta, Heine, Lehman, Leonard, Morris, Smaltz, Wolkins, Zent
Referred to the House
First reading: adopted voice vote 441
Returned to the Senate

SCR 59 Author Senator Houchin
Sponsor Representative Bartels
Recognizing the French Lick Springs Hotel.
Authored by Senator Houchin. 586
First reading: adopted voice vote
House sponsor: Representative Bartels
Cosponsor: Representative Davisson
Referred to the House
First reading: adopted voice vote 421
Representative Leonard added as cosponsor. 427
Returned to the Senate

House Senate

SCR 60 Author Senator Ruckelshaus
Sponsor Representative DeLaney
Honoring Grant Monahan.
Authored by Senator Ruckelshaus. 587
First reading: adopted voice vote
House sponsor: Representative DeLaney
Referred to the House
First reading: adopted voice vote 422
Returned to the Senate

SCR 61 Authors Senators Glick, Kruse
Sponsor Representative Zent
Memorializing former State Representative Richard Dodge.
Authored by Senators Glick and Kruse 588
First reading: adopted standing vote
House sponsor: Representative Zent
Referred to the House
First reading: adopted voice vote 422
Returned to the Senate

SCR 62 Author Senator Melton
Sponsor Representative Hatcher
Honoring Haywood and Fleming Associates.
Authored by Senator Melton 587
First reading: adopted voice vote
House sponsor: Representative Hatcher
Referred to the House
First reading: adopted voice vote 423
Returned to the Senate

SCR 63 Author Senator Merritt
Sponsor Representative Manning
Recognizing ATT Indiana.
Authored by Senator Merritt 635
First reading: adopted voice vote
House sponsor: Representative Manning
Referred to the House
First reading: adopted voice vote 423
Returned to the Senate

SCR 64 Author Senator Merritt
Sponsor Representative Sherman
Honoring Lisa H. Kobe.
Authored by Senator Merritt 649
First reading: adopted voice vote
House sponsor: Representative Sherman
Referred to the House
First reading: adopted voice vote 441
Returned to the Senate

SCR 65 Authors Senators Perfect, Leising
Sponsor Representative Frye
Recognizing Matthew Clifford.
Authored by Senators Perfect and Leising 674
First reading: adopted voice vote
House sponsor: Representative Frye
Cosponsor: Representative Ziemke
Referred to the House
First reading: adopted voice vote 505
Returned to the Senate

HISTORIES OF BILLS AND RESOLUTIONS—2020

House Senate

SCR 67 Author Senator Crider
Sponsor Representative Cherry
Congratulating the Mt. Vernon H.S. (Fortville) girls soccer team.
Authored by Senator Crider 674
First reading: adopted voice vote
House sponsor: Representative Cherry
Referred to the House
First reading: adopted voice vote 457
Returned to the Senate

SCR 68 Authors Senators Becker, Tomes
Sponsor Representative Hatfield
Recognizing Judge Robert J. Tornatta.
Authored by Senators Becker and Tomes 675
First reading: adopted voice vote
House sponsor: Representative Hatfield
Cosponsor: Representative McNamara
Referred to the House
First reading: adopted voice vote 458
Returned to the Senate

SENATE RESOLUTIONS

SR 1 Author Senator Bray
Honoring Senator Randy Head upon his retirement from the Indiana Senate.
Authored by Senator Bray 39
First reading: adopted voice vote
Senators Alting, Bassler, Becker, Bohacek, Boots, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young, Zay added as coauthors 46

SR 2 Author Senator Bray
Authorizing the Postmaster of the Indiana Senate to receive from the Postmaster of the City of Indianapolis all mail belonging to the Senate.
Authored by Senator Bray 4
First reading: adopted voice vote

SR 3 Author Senator Charbonneau
Congratulating Boone Grove H.S.
Authored by Senator Charbonneau 18
First reading: adopted voice vote

SR 4 Author Senator Bray
Honoring Bill Hart upon his retirement from the Indiana Senate.
Authored by Senator Bray 4
First reading: adopted voice vote
Senators Alting, Bassler, Becker, Bohacek, Boots, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young, Zay added as coauthors 5

SR 5 Author Senator Tallian
Urging the IN Attorney General to withdraw Indiana from a lawsuit which is attempting to nullify the ACA and end federal funding for HIP 2.0.
Authored by Senator Tallian 28
Coauthored by Senators Breaux, J.D. Ford, Lanane, Melton, Mrvan, Niezgodski, Randolph, Stoops, G. Taylor
First reading: referred to Committee on Judiciary

SR 6 Author Senator J.D. Ford
Congratulating Dr. Tom Harmas.
Authored by Senator J.D. Ford 104
Coauthored by Senators Ruckelshaus and Spartz
First reading: adopted voice vote

SR 7 Author Senator J.D. Ford
Congratulating David L. Shank and Marilyn Shank.
Authored by Senator J.D. Ford 62
First reading: adopted voice vote

SR 8 Authors Senators J.D. Ford, Boots, Buchanan
Congratulating Zionsville Fire Chief James VanGorder and Zionsville paramedic Abdullakh "Dully" Abamislimov.
Authored by Senators J.D. Ford, Boots, Buchanan 163
First reading: adopted voice vote

SR 9 Author Senator Donato
Congratulating the Argos H.S. boys soccer team.
Authored by Senator Donato 424
First reading: adopted voice vote

SR 10 Author Senator J.D. Ford
Congratulating Robert Goodman Jewelers.
Authored by Senator J.D. Ford 62
First reading: adopted voice vote

SR 11 Author Senator J.D. Ford
Urging the legislative council to assign the topic of student loan lending and servicing.
Authored by Senator J.D. Ford 59
First reading: referred to Committee on Education and Career Development

SR 12 Authors Senators J.D. Ford, G. Taylor
Celebrating Ben Davis University H.S.
Authored by Senators J.D. Ford and G. Taylor 71
First reading: adopted voice vote

SR 13 Author Senator J.D. Ford
Urging the legislative council to assign the topic of the potential dangers of cyber-hacking in state government, specifically the use of ransomware.

HISTORIES OF BILLS AND RESOLUTIONS—2020

	House	Senate
Authored by Senator J.D. Ford		59
First reading: referred to Committee on Commerce and Technology		
Committee report: do pass, adopted		133
Senators Donato, Koch, Leising added as coauthors		151
Senators Merritt, Perfect, Stoops added as coauthors		
Second reading: adopted voice vote		165
Senator Crane added as coauthor		171
SR 14 Author Senator J.D. Ford		
Congratulating Ben Yoder.		
Authored by Senator J.D. Ford		145
First reading: adopted voice vote		
SR 15 Author Senator Melton		
Urging the Governor to proclaim May 2020 as Indiana Motherhood Month.		
Authored by Senator Melton		145
First reading: adopted voice vote		
SR 16 Authors Senators Bray, Crane		
Recognizing the Martinsville Candy Kitchen.		
Authored by Senator Bray		399
First reading: adopted voice vote		
Senator Crane added as second author		402
SR 17 Author Senator J.D. Ford		
Congratulating Dr. Carrie Foote.		
Authored by Senator J.D. Ford		163
First reading: adopted voice vote		
SR 18 Authors Senators J.D. Ford, Boots, Buchanan		
Honoring Chief Robert Knox.		
Authored by Senators J.D. Ford, Boots, Buchanan		204
First reading: adopted voice vote		
SR 19 Author Senator Houchin		
Memorializing Tammy Kemp and urging continued recognition of Tammy's Law.		
Authored by Senator Houchin		338
First reading: adopted standing vote		
SR 20 Author Senator Breaux		
Urging the legislative council to assign the topic of scholarships for minority students pursuing higher education in the field of health care.		
Authored by Senator Breaux		265
First reading: adopted voice vote		
SR 21 Authors Senators Kruse, L. Brown, Busch		
Congratulating Allen County Commissioner Therese Brown.		
Authored by Senators Kruse, L. Brown, Busch		479
First reading: adopted voice vote		
SR 22 Author Senator Bassler		
Honoring the Monday Afternoon Club.		
Authored by Senator Bassler		338
First reading: adopted voice vote		
SR 23 Authors Senators Kruse, L. Brown, Busch		
Congratulating Allen County Assessor Stacey O'Day.		
Authored by Senators Kruse, L. Brown, Busch		479
First reading: adopted voice vote		
SR 24 Authors Senators M. Young, Jon Ford		
Supporting Taiwan's signing of a Bilateral Trade Agreement with the U.S.		
Authored by Senators M. Young and Jon Ford		331
First reading: referred to Committee on Public Policy		
Committee report: do pass, adopted		404
Senator Randolph added as coauthor		427
Second reading: adopted voice vote		451
Senator Bray added as coauthor		455
Senator Buck added as coauthor		456
Senator Charbonneau added as coauthor		
SR 25 Authors Senators Buchanan, Alting		
Urging the legislative council to assign the issue of innkeeper's tax distributions in Tippecanoe County.		
Authored by Senators Buchanan and Alting		332
First reading: referred to Committee on Tax and Fiscal Policy		
Committee report: do pass, adopted		373
Second reading: adopted voice vote		426
SR 26 Author Senator Breaux		
Urging the legislative council to assign the topic of elevated blood lead level testing of children ages 0-6 who have Medicaid coverage.		
Authored by Senator Breaux		332
First reading: referred to Committee on Health and Provider Services		
SR 27 Author Senator Niezgodski		
Honoring Indiana's Hispanic/Latino entrepreneurs.		
Authored by Senator Niezgodski		336
First reading: adopted voice vote		
SR 28 Author Senator Spartz		
Congratulating the Fishers Jr. H.S. "We the People" team.		
Authored by Senator Spartz		342
First reading: adopted voice vote		
SR 29 Author Senator Merritt		
Urging the legislative council to study the impacts and results of Indiana's criminal code reforms.		
Authored by Senator Merritt		372
First reading: referred to Committee on Corrections and Criminal Law		
SR 30 Authors Senators Tomes, Glick		
Honoring the DNR Division of Forestry and the Classified Forest and Wildlands Program and urging increased state funding for the Division of Forestry.		
Authored by Senator Tomes		349
First reading: referred to Committee on Natural Resources		
Committee report: do pass, adopted		362
Senator Glick added as second author		369
Senators Leising and Lanane added as coauthors		
Second reading: adopted voice vote		400
SR 31 Author Senator Breaux		
Recognizing March 12, 2020 as World Kidney Day.		

HISTORIES OF BILLS AND RESOLUTIONS—2020

House Senate

Authored by Senator Breaux 355
First reading: adopted voice vote

SR 32 Author Senator Koch
Recognizing the Mitchell Persimmon Festival and urging the Governor to declare September 22, 2020, Persimmon Day in Indiana.
Authored by Senator Koch 355
First reading: adopted voice vote

SR 33 Authors Senators Messmer, Kruse, Raatz
Memorializing Ralph Michel.
Authored by Senators Messmer, Kruse, Raatz 356
Coauthored by Senator Zay
First reading: adopted standing vote

SR 34 Author Senator Jon Ford
Recognizing Indiana State University for 150 years of African American education and achievement.
Authored by Senator Jon Ford. 355
First reading: adopted voice vote

SR 35 Author Senator Houchin
Congratulating the 2019 Salem H.S. Marching Band.
Authored by Senator Houchin. 356
First reading: adopted voice vote

SR 36 Author Senator Niezgodski
To recognize the week of February 24-28, 2020 as Public Schools Week.
Authored by Senator Niezgodski. 365
Coauthored by Senators Lanane, Breaux, Tallian, J.D. Ford, Melton, Stoops, Mrvan, Randolph, G. Taylor
First reading: adopted voice vote

SR 37 Author Senator Niezgodski
Urging the legislative council to assign the topic of issuing driver's licenses to residents of Indiana who cannot provide proof of identity and lawful status in the U.S.
Authored by Senator Niezgodski. 373
First reading: referred to Committee on Public Policy

SR 38 Author Senator Houchin
Recognizing dyslexia in Hoosier youth.
Authored by Senator Houchin. 421
First reading: adopted voice vote

SR 39 Author Senator J.D. Ford
Recognizing Girls Inc. of Greater Indianapolis.
Authored by Senator J.D. Ford 422
First reading: adopted voice vote

SR 40 Author Senator J.D. Ford
Recognizing Margaret Dimmett.
Authored by Senator J.D. Ford 445
First reading: adopted voice vote

SR 41 Author Senator Breaux
Recognizing February 25, 2020 as Doula Day at the Statehouse.
Authored by Senator Breaux 446
First reading: adopted voice vote

SR 42 Author Senator Spartz
Concerning taxes, fees, and eminent domain.
Authored by Senator Spartz 429
First reading: referred to Committee on Tax and Fiscal Policy

SR 43 Author Senator Spartz
Concerning "advice and consent" for executive appointments.
Authored by Senator Spartz 429
First reading: referred to Committee on Judiciary

SR 44 Author Senator J.D. Ford
Congratulating Fireman Michael Pruitt.
Authored by Senator J.D. Ford 446
First reading: adopted voice vote

SR 45 Authors Senators Merritt, Messmer
Honoring the 2020 Senate Majority Caucus interns.
Authored by Senators Merritt and Messmer 652
First reading: adopted voice vote

SR 46 Author Senator Koch
Honoring Bob Vollmer.
Authored by Senator Koch 479
First reading: adopted voice vote
Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young, Zay added as coauthors. 486

SR 47 Author Senator Alting
Congratulating Doonyah Alucozai.
Authored by Senator Alting. 447
First reading: adopted voice vote

SR 48 Author Senator Melton
Urging FSSA to study the accessibility of prenatal and postnatal care for Hoosiers on Medicaid living in Lake County.
Authored by Senator Melton 430
First reading: referred to Committee on Family and Children Services

SR 49 Author Senator J.D. Ford
To honor the Shalom Health Care Center.
Authored by Senator J.D. Ford 447
First reading: adopted voice vote

SR 50 Author Senator Messmer
Memorializing Shelby Jacob Schafer.
Authored by Senator Messmer 482
First reading: adopted standing vote

HISTORIES OF BILLS AND RESOLUTIONS—2020

House Senate

SR 51 Author Senator Bray
Recognizing the exceptional work and dedication of the Indiana State Senate employees.
Authored by Senator Bray 677
First reading: adopted voice vote

SR 52 Author Senator Bray
Expressing the sincere gratitude and appreciation of the Indiana Senate to the Indiana Legislative Services Agency.
Authored by Senator Bray 677
First reading: adopted voice vote

SR 53 Author Senator Bray
Expressing the Indiana State Senate's sincere appreciation to the Indiana State Medical Association and the Indiana Academy of Family Physicians for the "Doctor of the Day" program.
Authored by Senator Bray 677
First reading: adopted voice vote

SR 54 Author Senator Bray
Expressing appreciation to the Indiana State Chiropractic Association for the "Chiropractor of the Day" program.
Authored by Senator Bray 678
First reading: adopted voice vote

SR 55 Author Senator Bray
Expressing gratitude to Verizon Communications.
Authored by Senator Bray 678
First reading: adopted voice vote

SR 56 Author Senator Stoops
Honoring Indiana University Dance Marathon.
Authored by Senator Stoops 564
First reading: adopted voice vote

SR 57 Authors Senators Buck, Buchanan, Garten
Urging INDOT to rename the bridge at SR 28 (Walnut Avenue) in Frankfort the "Staff Sergeant Jamie Jarboe Memorial Bridge".
Authored by Senators Buck, Buchanan, Garten 488
Coauthored by Senator Niezgodski
First reading: referred to Committee on Rules and Legislative Procedure
Committee report: do pass, adopted 673
Second reading: adopted standing vote 687
Senators Boots and Tomes added as coauthors 691

SR 58 Authors Senators Tallian, Lanane, Breaux
To recognize and honor the Senate Democratic Caucus Interns.
Authored by Senators Tallian, Lanane, Breaux 652
Coauthored by Senators J.D. Ford, Melton, Mrvan, Niezgodski, Randolph, Stoops, G. Taylor
First reading: adopted voice vote

SR 59 Authors Senators Ruckelshaus, J.D. Ford
Standing in solidarity with Indiana's Jewish community.
Authored by Senators Ruckelshaus and J.D. Ford 588
First reading: adopted voice vote

House Senate

SR 60 Author Senator Merritt
Urging the legislative council to assign the task of analyzing changes to local governments and the criminal justice system resulting from HEA 1006-2013 and HEA 1006-2014.
Authored by Senator Merritt 631
First reading: referred to Committee on Corrections and Criminal Law

SR 61 Authors Senators Lanane, Tallian, Breaux
To honor Senator Mark Stoops upon his retirement from the Indiana Senate.
Authored by Senators Lanane, Tallian, Breaux 668
Coauthored by Senators J.D. Ford, Melton, Mrvan, Niezgodski, Randolph, G. Taylor
First reading: adopted voice vote
Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Leising, Merritt, Messmer, Mishler, Niemeyer, Perfect, Raatz, Rogers, Ruckelshaus, Sandlin, Spartz, Tomes, Walker, M. Young, Zay added as coauthors 672

SR 62 Author Senator Freeman
Honoring Senator Victoria Spartz upon her retirement from the Indiana Senate.
Authored by Senator Freeman 669
First reading: adopted voice vote
Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Randolph, Rogers, Ruckelshaus, Sandlin, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young, Zay added as coauthors . . 672

SR 63 Authors Senators Sandlin, Tomes, Freeman
Memorializing Danny Masters.
Authored by Senators Sandlin, Tomes, Freeman. 651
First reading: adopted standing vote

SR 64 Author Senator L. Brown
Recognizing the AAA School Safety Patrol Program.
Authored by Senator L. Brown 650
First reading: adopted voice vote

SR 65 Authors Senators Kruse, L. Brown, Busch
Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
Authored by Senators Kruse, L. Brown, Busch. 668
First reading: adopted voice vote

SR 66 Author Senator Houchin
Honoring Greg McCurdy.
Authored by Senator Houchin 678
First reading: adopted voice vote

HISTORIES OF BILLS AND RESOLUTIONS—2020

	House	Senate
SR 67 Authors Senators Niezgodski, Kruse		
Recognizing landscape architects and recognizing April 2020 as "World Landscape Architecture Month".		
Authored by Senators Niezgodski and Kruse		679
First reading: adopted voice vote		
SR 68 Authors Senators Becker, Ruckelshaus		
Memorializing Beth Van Vorst (Greene) Gray.		
Authored by Senators Becker and Ruckelshaus		680
First reading: adopted standing vote		
SR 69 Author Senator Jon Ford		
Recognizing The Helping Hands thrift store.		
Authored by Senator Jon Ford.		679
First reading: adopted voice vote		
SR 70 Author Senator M. Young		
Recognizing Steve Hale.		
Authored by Senator M. Young		684
First reading: adopted voice vote		

HISTORIES OF BILLS AND RESOLUTIONS—2020

SECOND REGULAR SESSION

(Those marked with ■ became law; those marked with ▣ were vetoed by the Governor.)

HOUSE BILLS

	House	Senate
HB 1001 Author Representative DeVon		
Sponsors Senators Raatz, Bray, Kruse		
School accountability.		
Authored by Representative DeVon	13	
Coauthored by Representative Carbaugh		
First reading: referred to Committee on Education		
Committee report: amend do pass, adopted	20	
Second reading: ordered engrossed	29	
Representatives Kirchhofer and V. Smith added as coauthors	37	
Third reading: passed;		
Roll Call 16: yeas 100, nays 0	42	
Senate sponsors: Senators Raatz, Bray, Kruse		
Cosponsor: Senator Rogers		
Referred to the Senate		
First reading: referred to Committee on Education and Career Development		70
■ HB 1002 Author Representative Cook		
Sponsors Senators Raatz, Buchanan		
Teacher evaluations.		
Authored by Representative Cook	13	
First reading: referred to Committee on Education		
Representative McNamara added as coauthor	15	
Committee report: do pass, adopted	17	
Representative Bartels added as coauthor	25	
Second reading: ordered engrossed	29	
Amendment #2 (V. Smith) failed;		
Roll Call 7: yeas 30, nays 61	29	
Third reading: passed;		
Roll Call 17: yeas 100, nays 0	43	
Senate sponsor: Senator Raatz		
Representative V. Smith added as coauthor	46	
Referred to the Senate		
First reading: referred to Committee on Education and Career Development		329
Senator Stoops added as cosponsor		427
Committee report: do pass, adopted		489
Second reading: ordered engrossed		589
Senator Buchanan added as second sponsor		632
Senator Randolph added as cosponsor		
Third reading: passed;		
Roll Call 269: yeas 49, nays 1		636
Senator Buck added as cosponsor		639
Returned to the House without amendments		
Signed by the Speaker	426	
Signed by the President Pro Tempore		684
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 150		
■ HB 1003 Author Representative Jordan		
Sponsors Senators Raatz, Buchanan		
Education matters.		
Authored by Representative Jordan	13	
First reading: referred to Committee on Education		
Representatives Thompson and Cook added as coauthors	98	
Committee report: amend do pass, adopted	100	
Representative DeLaney added as coauthor	139	
Second reading: ordered engrossed	160	
Amendment #1 (Wright) failed;		
Roll Call 65: yeas 31, nays 62	160	
Amendment #2 (Chyung) ruled out of order	160	
Appeal the ruling of the chair (Chyung);		
ruling of the chair sustained		
Roll Call 66: yeas 63, nays 31		
Third reading: passed;		
Roll Call 74: yeas 98, nays 0	186	
Senate sponsors: Senators Raatz and Buchanan		
Referred to the Senate		
First reading: referred to Committee on Education and Career Development		329
Senator Rogers added as cosponsor		369
Senator Melton added as cosponsor		
Committee report: amend do pass adopted; reassigned to Committee on Appropriations		404
Committee report: amend do pass, adopted		489
Second reading: amended, ordered engrossed		589
Amendment #2 (Raatz) prevailed; voice vote		589
Amendment #3 (Garten) prevailed;		
Roll Call 257: yeas 32, nays 18		591
Amendment #5 (Melton) failed; voice vote		592
Amendment #4 (Melton) failed;		
Roll Call 258: yeas 16, nays 34		592
Senator Randolph added as cosponsor		632
Third reading: passed;		
Roll Call 270: yeas 39, nays 11		636
Returned to the House with amendments		
House dissented from Senate amendments	419	
House conferees appointed: Jordan and V. Smith	425	
House advisors appointed: Behning, Lauer, DeLaney, Klinker and Pfaff		
Senate conferees appointed: Raatz and Melton		659
Senate advisors appointed: Buchanan, Niezgodski and Rogers		
Senator Melton removed as conferee		745
Senator Kruse added as conferee		
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 380: yeas 95, nays 0	545	
Rules suspended;		
Conference committee report 1: adopted by the Senate;		
Roll Call 386: yeas 40, nays 9		816
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 92		
■ HB 1004 Author Representative Smaltz		
Sponsors Senators Charbonneau, Bassler		
Health matters.		
Authored by Representative Smaltz	13	
First reading: referred to Committee on Insurance		
Committee report: amend do pass, adopted	101	

House Senate

Second reading: ordered engrossed 164
Amendment #1 (Shackleford) failed;
Roll Call 67: yeas 31, nays 62 164
Amendment #3 (Austin) motion withdrawn 166
Third reading: passed;
Roll Call 75: yeas 99, nays 0. 186
Senate sponsors: Senators Charbonneau and Bassler
Representative Barrett added as coauthor 190
Representatives Lehman and Carbaugh
added as coauthors 190
Referred to the Senate
First reading: referred to Committee on
Health and Provider Services 329
Committee report: amend do pass, adopted. 492
Senator Breaux added as cosponsor 581
Second reading: amended, ordered engrossed. 592
Amendment #4 (Charbonneau) prevailed; voice vote. . 592
Amendment #5 (Charbonneau) prevailed; voice vote. . 593
Senator Randolph added as cosponsor 632
Third reading: passed;
Roll Call 271: yeas 49, nays 1. 636
Senator Spartz added as cosponsor 639
Returned to the House with amendments
House dissented from Senate amendments 424
House conferees appointed: Smaltz and Fleming 426
House advisors appointed: Carbaugh, Schaibley,
Lehman, Judy, Shackleford, Bauer and Campbell
Representative Fleming removed as conferee 432
Representative Austin added as conferee 432
Representative Fleming added as advisor 432
Senate conferees appointed: Charbonneau and Breaux. . 661
Senate advisors appointed: L. Brown and Melton
Senator Jon Ford added as advisor 670
Representative Schaibley removed as advisor. 653
Representative Austin removed as conferee 653
Representative Schaibley added as conferee. 653
Rules suspended;
Conference committee report 1: adopted by the House;
Roll Call 397: yeas 59, nays 32. 761
Rules suspended;
Conference committee report 1: adopted by the Senate;
Roll Call 401: yeas 46, nays 2. 1037
Signed by the President Pro Tempore 1050
Signed by the Speaker. 788
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 93

HB 1005 Author Representative Schaibley

Health and insurance matters.
Authored by Representative Schaibley 13
First reading: referred to Committee on Public Health
Representatives Lehman, Carbaugh, Shackleford
added as coauthors 58
Committee report: amend do pass, adopted. 103
Second reading: amended, ordered engrossed. 194
Amendment #5 (Lehman) prevailed; voice vote 194
Amendment #1 (Hatfield) prevailed;
Roll Call 115: yeas 49, nays 44 195

■ HB 1006 Author Representative Engleman
Sponsors Senators Charbonneau, Crider

Minimum age to marry and emancipation of minors.
Authored by Representative Kirchhofer 13
First reading: referred to Committee on Public Health
Committee report: do pass, adopted 27
Second reading: amended, ordered engrossed. 75
Amendment #4 (Prescott) prevailed; voice vote 75
Amendment #10 (Kirchhofer) prevailed; voice vote. . . 76
Amendment #8 (Austin) failed;
Roll Call 28: yeas 40, nays 57 77
Amendment #9 (Austin) motion withdrawn 77
Third reading: passed;
Roll Call 30: yeas 84, nays 14. 96
Senate sponsor: Senator Charbonneau
Rule 105.1 suspended 98
Representatives Bosma, Huston, Bacon, T. Brown,
Cherry, Aylesworth, Abbott, Baird, Barrett, Bartlett,
Bauer, Campbell, Candelaria Reardon, Clere, Cook,
Deal, Engleman, Errington, Frye, Karickhoff,
Leonard, Manning, McNamara, Negele, Schaibley,
Shackleford, V. Smith, Soliday, Vermilion, Zent,
Ziemke added as coauthors
Referred to the Senate
First reading: referred to Committee on
Health and Provider Services 330
Committee report: amend do pass, adopted. 504
Second reading: amended, ordered engrossed. 593
Amendment #1 (Charbonneau) prevailed; voice vote. . 593
Senator Crider added as second sponsor 632
Senator Randolph added as cosponsor
Third reading: passed;
Roll Call 272: yeas 39, nays 11. 637
Returned to the House with amendments
House dissented from Senate amendments 469
House conferees appointed: Engleman and Wright. 479
House advisors appointed: Schaibley, Bartlett
and Hatfield
Representative Engleman removed as coauthor 480
Representative Kirchhofer removed as author. 480
Representative Engleman added as author 480
Senate conferees appointed: Charbonneau and Stoops . . 703
Senate advisors appointed: Crider and Randolph
Rules suspended;
Conference committee report 1: adopted by the House;
Roll Call 390: yeas 93, nays 0. 650
Representative Vermilion removed as coauthor 784
Rule 105.1 suspended 784
Representative DeVon added as coauthor. 784
Representative Baird removed as coauthor 784
Rules suspended;
Conference committee report 1: adopted by the Senate;
Roll Call 394: yeas 47, nays 2. 956
Signed by the President Pro Tempore 1051
Signed by the Speaker. 788
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 94

■ HB 1007 Author Representative T. Brown
Sponsors Senators Mishler, Holdman, Charbonneau

Fiscal matters.
Authored by Representative T. Brown 13
First reading: referred to Committee on
Ways and Means
Committee report: do pass, adopted 17

	House	Senate
Second reading: ordered engrossed	30	
Amendment #12 (Porter) failed;		
Roll Call 8: yeas 29, nays 61	30	
Amendment #11 (Porter) failed;		
Roll Call 9: yeas 30, nays 60	30	
Amendment #1 (DeLaney) motion withdrawn	31	
Amendment #16 (Campbell) failed;		
Roll Call 10: yeas 28, nays 60	31	
Amendment #14 (Porter) failed;		
Roll Call 11: yeas 30, nays 58	34	
Amendment #3 (Porter) failed;		
Roll Call 12: yeas 29, nays 60	35	
Amendment #6 (DeLaney) failed;		
Roll Call 13: yeas 30, nays 58	36	
Amendment #7 (DeLaney) failed;		
Roll Call 14: yeas 30, nays 58	36	
Third reading: passed;		
Roll Call 18: yeas 76, nays 22	43	
Senate sponsor: Senator Mishler		
Representatives Huston and Cherry		
added as coauthors	46	
Referred to the Senate		
First reading: referred to Committee on		
Appropriations		58
Committee report: do pass, adopted		74
Senator Charbonneau added as third sponsor		114
Second reading: ordered engrossed		123
Amendment #3 (Tallian) failed;		
Roll Call 34: yeas 10, nays 40		123
Amendment #2 (Breaux) failed;		
Roll Call 35: yeas 10, nays 40		124
Amendment #1 (Tallian) failed;		
Roll Call 36: yeas 10, nays 40		125
Senator Holdman added as second sponsor		132
Third reading: passed;		
Roll Call 48: yeas 38, nays 8		151
Returned to the House without amendments		
Signed by the Speaker	172	
Signed by the President Pro Tempore		165
Signed by the President of the Senate		165
Signed by the Governor	212	
Public Law 1		

HB 1008 Author Representative Carbaugh
Sponsors Senators Messmer, Busch

	House	Senate
Occupational license endorsement.		
Authored by Representative Carbaugh	13	
First reading: referred to Committee on		
Employment, Labor and Pensions		
Representatives Morris and Wesco		
added as coauthors	98	
Committee report: amend do pass, adopted	146	
Second reading: ordered engrossed	193	
Third reading: passed;		
Roll Call 146: yeas 85, nays 6	234	
Senate sponsors: Senators Messmer and Busch		
Referred to the Senate		
First reading: referred to Committee on		
Commerce and Technology		341
Committee report: amend do pass, adopted		509
Second reading: amended, ordered engrossed		594
Amendment #1 (Messmer) prevailed; voice vote		594
Third reading: passed;		
Roll Call 273: yeas 50, nays 0		637
Senator Spartz added as cosponsor		640
Returned to the House with amendments		
House dissented from Senate amendments	419	
House conferees appointed: Carbaugh and Beck	425	
House advisors appointed: Morris, Leonard and Deal		
Senate conferees appointed: Messmer and Randolph		660
Senate advisors appointed: Busch and J.D. Ford		

■ HB 1009 Author Representative Goodrich
Sponsors Senators Messmer, Jon Ford, Ruckelshaus

	House	Senate
Various welfare matters.		
Authored by Representative Goodrich	13	
First reading: referred to Committee on		
Family, Children and Human Affairs		
Committee report: amend do pass, adopted	48	
Representatives Huston, DeVon, Pryor		
added as coauthors	58	
Second reading: amended, ordered engrossed	94	
Amendment #1 (Pryor) prevailed; voice vote	94	
Amendment #3 (Pryor) prevailed; voice vote	95	
Third reading: passed;		
Roll Call 41: yeas 94, nays 0	135	
Senate sponsor: Senator Messmer		
Referred to the Senate		
First reading: referred to Committee on		
Family and Children Services		330
Committee report: do pass, adopted		362
Senator Jon Ford added as second sponsor		369
Senator Ruckelshaus added as third sponsor		
Senator Breaux added as cosponsor		
Senator J.D. Ford added as cosponsor		
Second reading: ordered engrossed		426
Senator Randolph added as cosponsor		427
Third reading: passed;		
Roll Call 219: yeas 47, nays 0		454
Senators Alting and Spartz added as cosponsors		456
Returned to the House without amendments		
Signed by the Speaker	406	
Signed by the President Pro Tempore		653
Signed by the President of the Senate		684
Signed by the Governor	784	
Public Law 14		

HB 1011 Author Representative Bacon

	House	Senate
Meningococcal disease information for students.		
Authored by Representative Bacon	13	
First reading: referred to Committee on Education		
Representative Macer added as coauthor	58	

HB 1012 Author Representative Chyung

	House	Senate
Repeal of housing restriction on local government.		
Authored by Representative Chyung	17	
First reading: referred to Committee on		
Local Government		

HB 1013 Author Representative Saunders

	House	Senate
Disposal of property acquired by tax default.		
Authored by Representative Saunders	13	

House Senate

First reading: referred to Committee on Local Government
Representatives Forestal and Pryor added as coauthors 172

■ **HB 1014 Author Representative Saunders Sponsors Senators Gaskill, Niemeyer**
State museum and historic sites corporation.
Authored by Representative Saunders. 13
First reading: referred to Committee on Local Government
Committee report: do pass, adopted 27
Second reading: ordered engrossed. 42
Representatives Cherry and Klinker added as coauthors 46
Third reading: passed;
Roll Call 21: yeas 96, nays 0. 53
Senate sponsor: Senator Gaskill
Referred to the Senate
First reading: referred to Committee on Local Government. 330
Committee report: amend do pass, adopted. 362
Second reading: ordered engrossed. 426
Senator Niemeyer added as second sponsor 427
Senator Randolph added as cosponsor
Third reading: passed;
Roll Call 235: yeas 45, nays 1. 483
Returned to the House with amendments
House dissented from Senate amendments 415
House conferees appointed: Lehe and Klinker 418
House advisors appointed: Steuerwald, Saunders, Abbott, Chyung and Pryor
Senate conferees appointed: Gaskill and Lanane. 653
Senate advisors appointed: Buck and G. Taylor
Senator Buck removed as advisor 691
Senator Lanane removed as conferee
Senator Buck added as conferee
Rules suspended;
Conference committee report 1: adopted by the Senate;
Roll Call 366: yeas 44, nays 5. 719
Rules suspended;
Conference committee report 1: adopted by the House;
Roll Call 367: yeas 84, nays 5. 482
Signed by the President Pro Tempore 1050
Signed by the Speaker. 788
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 167

■ **HB 1015 Author Representative Pressel Sponsors Senators Sandlin, Bohacek**
Rights of professional firefighters.
Authored by Representative Pressel 74
First reading: referred to Committee on Veterans Affairs and Public Safety
Representative Frye added as coauthor 98
Committee report: do pass, adopted 174
Second reading: ordered engrossed. 214
Representatives Prescott and Boy added as coauthors . . 234
Third reading: passed;
Roll Call 152: yeas 90, nays 0. 239
Senate sponsors: Senators Sandlin and Bohacek
Referred to the Senate
First reading: referred to Committee on Pensions and Labor. 372
Committee report: do pass, adopted 510
Senator Niezgodski added as cosponsor 581
Senator Tallian added as cosponsor
Second reading: ordered engrossed. 594
Senator Randolph added as cosponsor 632
Third reading: passed;
Roll Call 274: yeas 50, nays 0. 637
Senator Crane added as cosponsor 640
Senator Jon Ford added as cosponsor
Returned to the House without amendments
Signed by the Speaker. 426
Signed by the President Pro Tempore 684
Signed by the President of the Senate 903
Signed by the Governor. 788
Public Law 33

HB 1016 Author Representative Deal
Special municipality recognition license plates.
Authored by Representative Deal 17
First reading: referred to Committee on Roads and Transportation

HB 1017 Author Representative Prescott
529 college savings distributions.
Authored by Representative Prescott 13
First reading: referred to Committee on Ways and Means

HB 1018 Author Representative Harris
Student hunger and homelessness.
Authored by Representative Harris 17
First reading: referred to Committee on Rules and Legislative Procedures
Representative Macer added as coauthor 46

HB 1019 Author Representative Harris
Special death benefit for police and firefighters.
Authored by Representative Harris 60
Coauthored by Representatives Burton, Carbaugh, Moseley
First reading: referred to Committee on Employment, Labor and Pensions

HB 1020 Author Representative Pierce
End of life options.
Authored by Representative Pierce 17
First reading: referred to Committee on Public Health
Representative Candelaria Reardon added as coauthor. . 46

HB 1021 Author Representative Torr Sponsor Senator Freeman
Liens.
Authored by Representative Torr 13
First reading: referred to Committee on Judiciary
Representative DeLaney added as coauthor 139
Committee report: amend do pass, adopted. 174
Second reading: ordered engrossed. 214
Third reading: passed;
Roll Call 153: yeas 60, nays 33. 239
Senate sponsor: Senator Freeman
Referred to the Senate

	House	Senate
First reading: referred to Committee on Rules and Legislative Procedure		359
■ HB 1022 Author Representative Bosma Sponsors Senators Messmer, L. Brown		
Panhandling.		
Authored by Representative Torr	13	
First reading: referred to Committee on Judiciary		
Committee report: do pass, adopted	39	
Second reading: ordered engrossed	79	
Third reading: passed;		
Roll Call 31: yeas 96, nays 0	96	
Senate sponsor: Senator Messmer		
Referred to the Senate		
Representative Porter added as coauthor	139	
First reading: referred to Committee on Judiciary		330
Committee report: do pass, adopted		350
Second reading: amended, ordered engrossed		400
Amendment #2 (L. Brown) prevailed; voice vote		400
Senator L. Brown added as second sponsor		402
Senator Randolph added as cosponsor		
Third reading: passed;		
Roll Call 215: yeas 49, nays 0		426
Returned to the House with amendments		
House dissented from Senate amendments	419	
House conferees appointed: Bosma and Porter	425	
House advisors appointed: Huston, Torr and Dvorak		
Representative Torr removed as author	426	
Representative Bosma added as author	426	
Representative Porter removed as coauthor	426	
Representative Torr added as coauthor	435	
Senate conferees appointed: Messmer and Randolph		659
Senate advisors appointed: L. Brown and G. Taylor		
Representative Torr removed as advisor	463	
Representative Porter removed as conferee	463	
Representative Torr added as conferee	463	
Senator L. Brown removed as advisor		691
Senator Randolph removed as conferee		
Senator L. Brown added as conferee		
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 359: yeas 84, nays 10	469	
Rules suspended;		
Conference committee report 1: adopted by the Senate;		
Roll Call 367: yeas 35, nays 14		720
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 151		
HB 1023 Author Representative Torr		
Admissibility of coverage limits.		
Authored by Representative Torr	13	
First reading: referred to Committee on Judiciary		
HB 1024 Author Representative Torr		
Redistricting commission.		
Authored by Representative Torr	74	
First reading: referred to Committee on Elections and Apportionment		
HB 1025 Author Representative Harris		
Resident tuition for eligible individuals.		
Authored by Representative Harris	74	
First reading: referred to Committee on Education		
HB 1026 Author Representative Harris		
Tuition caps.		
Authored by Representative Harris	74	
First reading: referred to Committee on Education		
HB 1027 Author Representative Engleman Sponsor Senator Bassler		
Township assessors.		
Authored by Representative Engleman	13	
Coauthored by Representative Pressel		
First reading: referred to Committee on Government and Regulatory Reform		
Committee report: do pass, adopted	27	
Representatives Lauer and Jackson added as coauthors	37	
Second reading: ordered engrossed	43	
Amendment #3 (Moseley) failed; voice vote	43	
Amendment #1 (Campbell) failed;		
Roll Call 19: yeas 38, nays 59	44	
Third reading: passed;		
Roll Call 22: yeas 53, nays 44	53	
Senate sponsor: Senator Bassler		
Referred to the Senate		
First reading: referred to Committee on Local Government		330
HB 1028 Author Representative Lucas		
Firearm training for teachers.		
Authored by Representative Lucas	74	
First reading: referred to Committee on Education		
HB 1029 Author Representative Burton		
Secure firearms storage for dealers.		
Authored by Representative Burton	13	
First reading: referred to Committee on Public Policy		
HB 1030 Author Representative Burton		
Membership in the 1977 fund.		
Authored by Representative Burton	74	
First reading: referred to Committee on Employment, Labor and Pensions		
Representative Harris added as coauthor	172	
HB 1031 Author Representative Miller		
The Lake Michigan shore.		
Authored by Representative Miller	13	
First reading: referred to Committee on Judiciary		
Committee report: amend do pass, adopted	175	
Representative Jackson added as coauthor	190	
Second reading: amended, ordered engrossed	233	
Amendment #2 (Miller) failed; voice vote	233	
Amendment #1 (Torr) prevailed; voice vote	233	
■ HB 1032 Author Representative Miller Sponsors Senators Rogers, Crider		
Interfering with public safety.		
Authored by Representative Miller	14	

	House	Senate
Coauthored by Representatives Frye and Bartels		
First reading: referred to Committee on Veterans Affairs and Public Safety		
Representative Macer added as coauthor	37	
Committee report: do pass, adopted	48	
Second reading: ordered engrossed	79	
Third reading: passed;		
Roll Call 32: yeas 94, nays 0	96	
Senate sponsors: Senators Rogers and Crider		
Referred to the Senate		
First reading: referred to Committee on Corrections and Criminal Law		330
Committee report: do pass, adopted		374
Senator Koch added as cosponsor		402
Senator Randolph added as cosponsor		
Second reading: amended, ordered engrossed		453
Amendment #2 (M. Young) prevailed; voice vote		453
Third reading: passed;		
Roll Call 236: yeas 43, nays 4		484
Senators M. Young and Doriot added as cosponsors		486
Senator Niezgodski added as cosponsor		
Returned to the House with amendments		
House concurred in Senate amendments;		
Roll Call 300: yeas 88, nays 3	419	
Signed by the Speaker	426	
Signed by the President Pro Tempore		684
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 95		

HB 1033 Author Representative Jackson

	House	Senate
Railroad crossings.		
Authored by Representative Jackson	17	
First reading: referred to Committee on Roads and Transportation		
Representative Aylesworth added as coauthor	25	
Representative Macer added as coauthor	46	

HB 1034 Author Representative Jackson

	House	Senate
Equal pay; wage disclosure protection.		
Authored by Representative Jackson	74	
First reading: referred to Committee on Employment, Labor and Pensions		

HB 1035 Author Representative Aylesworth

	House	Senate
Removal of a county elected officer.		
Authored by Representative Aylesworth	74	
First reading: referred to Committee on Government and Regulatory Reform		
Representative Jackson added as coauthor	98	

HB 1036 Author Representative Lucas

	House	Senate
Cannabis.		
Authored by Representative Lucas	17	
First reading: referred to Committee on Courts and Criminal Code		

HB 1037 - withdrawn

HB 1038 Author Representative Schaibley

	House	Senate
Hamilton County magistrate.		
Authored by Representative Schaibley	14	
First reading: referred to Committee on Courts and Criminal Code		
Committee report: do pass, adopted	23	
Referred to the Ways and Means pursuant to House Rule 127	25	
Representatives Goodrich and Torr added as coauthors	37	

HB 1039 Author Representative Torr

	House	Senate
Inspection of petroleum products.		
Authored by Representative Torr	14	
First reading: referred to Committee on Utilities, Energy and Telecommunications		

HB 1040 Author Representative Leonard

	House	Senate
Attorney fees.		
Authored by Representative Leonard	14	
First reading: referred to Committee on Judiciary		

HB 1041 Author Representative Lucas

	House	Senate
Medical cannabis.		
Authored by Representative Lucas	74	
First reading: referred to Committee on Public Health		

HB 1042 Author Representative Davisson Sponsors Senators L. Brown, Holdman

	House	Senate
Pharmacy benefit managers.		
Authored by Representative Davisson	14	
Coauthored by Representative Karickhoff		
First reading: referred to Committee on Public Health		
Representative Shackleford added as coauthor	37	
Representative Clere added as coauthor	139	
Committee report: amend do pass, adopted	175	
Second reading: ordered engrossed	232	
Amendment #1 (Hatfield) failed;		
Roll Call 145: yeas 30, nays 61	232	
Third reading: passed;		
Roll Call 154: yeas 94, nays 0	239	
Senate sponsors: Senators L. Brown and Holdman		
Referred to the Senate		
First reading: referred to Committee on Health and Provider Services		359
Senator Charbonneau added as cosponsor		369
Committee report: amend do pass, adopted		406
Senator Randolph added as cosponsor		456
Second reading: amended, ordered engrossed		594
Amendment #2 (L. Brown) prevailed; voice vote		594
Third reading: passed;		
Roll Call 275: yeas 50, nays 0		637
Senator Buck added as cosponsor		640
Senator Spartz added as cosponsor		
Returned to the House with amendments		
House dissented from Senate amendments	419	
House conferees appointed: Davisson and Hatfield	425	
House advisors appointed: Clere, Judy, Barrett, Lehman, Fleming and Shackleford		
Senate conferees appointed: L. Brown and Breaux		660
Senate advisors appointed: Charbonneau, Stoops and Holdman		
Representative Clere removed as advisor	482	
Representative Davisson removed as conferee	482	
Representative Clere added as conferee	482	

House Senate

■ **HB 1043 Author Representative Davisson**
Sponsors Senators Boots, Houchin
Firefighters and police officers.
Authored by Representative Davisson. 14
Coauthored by Representative Bartels
First reading: referred to Committee on Employment, Labor and Pensions
Representative Macer added as coauthor 86
Committee report: amend do pass, adopted. 146
Second reading: amended, ordered engrossed. 200
Amendment #1 (Bartels) prevailed; voice vote. 200
Third reading: passed;
Roll Call 147: yeas 87, nays 3. 234
Senate sponsors: Senators Boots and Houchin
Representative Frye added as coauthor 234
Referred to the Senate
First reading: referred to Committee on Pensions and Labor. 359
Committee report: do pass, adopted 510
Senator Niezgodski added as cosponsor 581
Second reading: ordered engrossed. 595
Senator Glick added as cosponsor. 632
Senator Randolph added as cosponsor
Third reading: passed;
Roll Call 276: yeas 50, nays 0. 637
Returned to the House without amendments
Signed by the Speaker. 433
Signed by the President Pro Tempore 684
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 96

HB 1044 Author Representative Harris
Municipal lakefront development projects.
Authored by Representative Harris 14
First reading: referred to Committee on Public Policy
Representative Moed added as coauthor 86

■ **HB 1045 Author Representative Abbott**
Sponsors Senators Glick, Randolph
Honor and Remember flag.
Authored by Representative Abbott 75
Coauthored by Representatives Frye, Stutzman, GiaQuinta 75
First reading: referred to Committee on Veterans Affairs and Public Safety
Committee report: do pass, adopted 175
Rule 105.1 suspended 190
Representative Zent added as coauthor 190
Second reading: ordered engrossed. 214
Third reading: passed;
Roll Call 155: yeas 94, nays 0. 239
Senate sponsor: Senator Glick
Rule 105.1 suspended 241
Representatives Barrett, Campbell, Cherry, Clere, DeLaney, DeVon, Engleman, Errington, Gutwein, Heaton, Lauer, Manning, McNamara, Negele, Prescott, Saunders, Smaltz, Thompson added as coauthors 241
Referred to the Senate
First reading: referred to Committee on Appropriations 359
Committee report: amend do pass, adopted. 510
Second reading: ordered engrossed. 595
Senator Randolph added as second sponsor 632
Third reading: passed;
Roll Call 277: yeas 50, nays 0. 637
Senators Crane and Spartz added as cosponsors 640
Returned to the House with amendments
House dissented from Senate amendments 419
House conferees appointed: Abbott and Macer. 425
House advisors appointed: Judy, Frye, Chyung and Moseley
Senate conferees appointed: Glick and Mrvan 660
Senate advisors appointed: Donato and Niezgodski
Rules suspended;
Conference committee report 1: adopted by the House;
Roll Call 381: yeas 94, nays 0. 574
Rules suspended;
Conference committee report 1: adopted by the Senate;
Roll Call 387: yeas 49, nays 0. 847
Signed by the President Pro Tempore 1050
Signed by the Speaker. 788
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 97

HB 1046 Author Representative Steuerwald
Duties of motorboat operators.
Authored by Representative Steuerwald 14
First reading: referred to Committee on Natural Resources

■ **HB 1047 Author Representative Steuerwald**
Sponsors Senators M. Young, Koch
Justice reinvestment advisory council.
Authored by Representative Steuerwald 14
First reading: referred to Committee on Courts and Criminal Code
Committee report: amend do pass, adopted. 28
Representatives McNamara and Pierce added as coauthors 37
Second reading: ordered engrossed. 42
Third reading: passed;
Roll Call 23: yeas 93, nays 0. 53
Senate sponsors: Senators M. Young and Koch
Referred to the Senate
First reading: referred to Committee on Corrections and Criminal Law 330
Committee report: amend do pass, adopted. 374
Senator Randolph added as cosponsor 402
Second reading: ordered engrossed. 426
Third reading: passed;
Roll Call 220: yeas 48, nays 0. 454
Returned to the House with amendments
House concurred in Senate amendments;
Roll Call 301: yeas 91, nays 0. 419
Signed by the Speaker. 426
Signed by the President Pro Tempore 684
Signed by the President of the Senate 903
Signed by the Governor. 788
Public Law 34

	House	Senate
HB 1048 Author Representative VanNatter		
Decriminalization of marijuana.		
Authored by Representative VanNatter	75	
First reading: referred to Committee on Courts and Criminal Code		
■ HB 1049 Author Representative Heaton Sponsors Senators Holdman, Raatz		
Business associations.		
Authored by Representative Heaton	14	
First reading: referred to Committee on Financial Institutions		
Representative Lehman added as coauthor	37	
Committee report: do pass, adopted	48	
Second reading: ordered engrossed	79	
Representatives Ellington and Hamilton added as coauthors	86	
Third reading: passed;		
Roll Call 33: yeas 97, nays 0	96	
Senate sponsor: Senator Holdman		
Referred to the Senate		
First reading: referred to Committee on Judiciary		330
Committee report: amend do pass, adopted		409
Senator Raatz added as second sponsor		486
Second reading: ordered engrossed		578
Third reading: passed;		
Roll Call 278: yeas 50, nays 0		637
Returned to the House with amendments		
House concurred in Senate amendments;		
Roll Call 328: yeas 69, nays 0	442	
Signed by the Speaker	480	
Signed by the President Pro Tempore		1050
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 152		
HB 1050 Author Representative Saunders		
Service charges.		
Authored by Representative Saunders	75	
First reading: referred to Committee on Insurance		
HB 1051 Author Representative Saunders		
Straight ticket voting.		
Authored by Representative Saunders	14	
First reading: referred to Committee on Elections and Apportionment		
Representative Boy added as coauthor	46	
■ HB 1052 Author Representative Gutwein Sponsors Senators Charbonneau, Perfect		
Pulaski County local income tax.		
Authored by Representative Gutwein	50	
First reading: referred to Committee on Ways and Means		
Representatives Cherry and Klinker added as coauthors	139	
Committee report: amend do pass, adopted	148	
Second reading: ordered engrossed	193	
Third reading: passed;		
Roll Call 141: yeas 88, nays 4	215	
Senate sponsor: Senator Charbonneau		
Referred to the Senate		
First reading: referred to Committee on Tax and Fiscal Policy		359
Committee report: do pass, adopted		458
Senator Perfect added as second sponsor		486
Second reading: ordered engrossed		566
Third reading: passed;		
Roll Call 279: yeas 41, nays 9		637
Returned to the House without amendments		
Signed by the Speaker	426	
Signed by the President Pro Tempore		684
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 153		
HB 1053 Author Representative Saunders		
Municipal elections.		
Authored by Representative Saunders	75	
First reading: referred to Committee on Elections and Apportionment		
HB 1054 Author Representative Thompson		
Political subdivision controlled projects and debt.		
Authored by Representative Thompson	75	
First reading: referred to Committee on Ways and Means		
HB 1055 Author Representative Thompson		
Civil government property tax controls.		
Authored by Representative Thompson	14	
First reading: referred to Committee on Ways and Means		
HB 1056 Author Representative Boy		
Parental notice of juvenile arrest at school.		
Authored by Representative Boy	14	
First reading: referred to Committee on Family, Children and Human Affairs		
HB 1057 Author Representative Boy		
Detention of juveniles charged as adults.		
Authored by Representative Boy	14	
First reading: referred to Committee on Courts and Criminal Code		
HB 1058 Author Representative Boy		
Voting preregistration for 16 and 17 year olds.		
Authored by Representative Boy	17	
First reading: referred to Committee on Elections and Apportionment		
Representative Pressel added as coauthor	26	
■ HB 1059 Author Representative Miller Sponsors Senators Doriot, Messmer, Rogers		
Sales tax on recreational vehicles.		
Authored by Representative Miller	14	
First reading: referred to Committee on Ways and Means		
Representative Cherry added as coauthor	37	
Committee report: do pass, adopted	89	
Second reading: ordered engrossed	134	
Amendment #1 (Porter) failed; voice vote	134	
Amendment #2 (Porter) ruled out of order	134	
Amendment #3 (Macer) failed;		
Roll Call 40: yeas 41, nays 51	135	

House Senate

Representative Jordan added as coauthor 139
Third reading: passed;
Roll Call 71: yeas 70, nays 24. 171
Senate sponsors: Senators Doriot, Messmer, Rogers
Cosponsor: Senator Buck
Representative Stutzman added as coauthor 172
Referred to the Senate
First reading: referred to Committee on
Tax and Fiscal Policy 341
Senator Niezgodski added as cosponsor 402
Committee report: amend do pass, adopted. 458
Second reading: ordered engrossed. 566
Third reading: passed;
Roll Call 280: yeas 50, nays 0. 638
Returned to the House with amendments
House concurred in Senate amendments;
Roll Call 329: yeas 62, nays 8. 442
Signed by the Speaker. 480
Signed by the President Pro Tempore 1050
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 98

HB 1060 Author Representative Miller
Regulation of building materials.
Authored by Representative Miller 50
First reading: referred to Committee on
Local Government
Committee report: amend do pass, adopted. 137
Representative Wesco added as coauthor 172
Representatives Clere and May added as coauthors 190

HB 1061 Author Representative Ellington
Subdividing land.
Authored by Representative Ellington 14
First reading: referred to Committee on
Local Government
Representative Miller added as coauthor. 37
Reassigned to Committee on Commerce,
Small Business and Economic Development 98
Committee report: amend do pass, adopted. 175
Second reading: ordered engrossed. 214
Representative Jackson added as coauthor 241

HB 1062 Author Representative Zent
Safety belt and child restraint systems.
Authored by Representative Zent 75
First reading: referred to Committee on
Roads and Transportation

■ HB 1063 Author Representative Goodrich
Sponsors Senators Doriot, Boots
Public safety officer death benefits.
Authored by Representative Goodrich 75
First reading: referred to Committee on
Employment, Labor and Pensions
Representatives VanNatter and Harris
added as coauthors 139
Committee report: amend do pass, adopted. 148
Representative Frye added as coauthor 172
Second reading: ordered engrossed. 201
Amendment #1 (Goodin) failed;
Roll Call 116: yeas 37, nays 57 201

House Senate

Third reading: passed;
Roll Call 148: yeas 90, nays 0. 234
Senate sponsor: Senator Doriot
Referred to the Senate
First reading: referred to Committee on
Pensions and Labor. 359
Senator Boots added as second sponsor 456
Committee report: amend do pass, adopted. 510
Senators Spartz, Garten, J.D. Ford
added as cosponsors 581
Senator Niezgodski added as cosponsor
Second reading: ordered engrossed. 595
Senator Randolph added as cosponsor 632
Third reading: passed;
Roll Call 281: yeas 50, nays 0. 638
Senator Buck added as cosponsor. 640
Senator Jon Ford added as cosponsor
Senator Sandlin added as cosponsor
Returned to the House with amendments
House concurred in Senate amendments;
Roll Call 318: yeas 82, nays 0. 432
Signed by the Speaker. 480
Signed by the President Pro Tempore 1050
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 99

HB 1064 Author Representative Bacon
Medicaid reimbursement of DME.
Authored by Representative Bacon 75
First reading: referred to Committee on Public Health

■ HB 1065 Author Representative Thompson
Sponsors Senators Holdman, Charbonneau
Various tax matters.
Authored by Representative Thompson 14
First reading: referred to Committee on
Ways and Means
Representative Heine added as coauthor. 98
Representative Clere added as coauthor 139
Minority report (DeLaney) not substituted for
majority report 159
Committee report: amend do pass, adopted;
Roll Call 64: yeas 63, nays 31. 160
Second reading: ordered engrossed. 202
Amendment #1 (Porter) failed;
Roll Call 117: yeas 33, nays 60 202
Amendment #2 (Porter) failed; voice vote 202
Third reading: passed;
Roll Call 149: yeas 59, nays 28. 234
Senate sponsor: Senator Holdman
Referred to the Senate
First reading: referred to Committee on
Tax and Fiscal Policy 330
Committee report: amend do pass, adopted. 459
Senator Charbonneau added as second sponsor 581
Second reading: amended, ordered engrossed. 595
Amendment #1 (Freeman) prevailed;
Roll Call 259: yeas 37, nays 11 595
Amendment #2 (Raatz) prevailed; voice vote. 596
Amendment #3 (Holdman) prevailed; voice vote 596
Amendment #5 (Holdman) prevailed; voice vote 596

	House	Senate
Amendment #6 (Rogers) prevailed;		
Roll Call 260: yeas 26, nays 25		597
Amendment #7 (Holdman) prevailed; voice vote		598
Amendment #8 (Mishler) prevailed; voice vote		600
Amendment #9 (Holdman) prevailed; voice vote		600
Amendment #10 (Niezgodski) failed; voice vote		604
Third reading: passed;		
Roll Call 282: yeas 31, nays 19		638
Returned to the House with amendments		
House dissented from Senate amendments	420	
House conferees appointed: Thompson and Porter	425	
House advisors appointed: T. Brown, Mayfield, Cherry, Jordan, DeLaney, Hamilton, Pierce and Pryor		
Senate conferees appointed: Holdman and Melton		658
Senate advisors appointed: Bohacek and Niezgodski		
Senator Rogers added as advisor		660
Representative Jordan removed as advisor	540	
Representative Porter removed as conferee	540	
Representative Jordan added as conferee	540	
Senator Melton removed as conferee		785
Senator Charbonneau added as conferee		
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 391: yeas 52, nays 40	654	
Rules suspended;		
Conference committee report 1: adopted by the Senate;		
Roll Call 397: yeas 31, nays 18		1000
Signed by the President Pro Tempore		1051
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 154		

■ HB 1066 Author Representative Thompson
Sponsors Senators Raatz, Buchanan, Leising

	House	Senate
Various education matters.		
Authored by Representative Thompson	75	
First reading: referred to Committee on Education		
Committee report: amend do pass, adopted	106	
Second reading: amended, ordered engrossed	168	
Amendment #1 (DeLaney) prevailed;		
Roll Call 68: yeas 94, nays 0	168	
Third reading: passed;		
Roll Call 76: yeas 97, nays 2	186	
Senate sponsor: Senator Raatz		
Representatives Behning and V. Smith added as coauthors	190	
Referred to the Senate		
First reading: referred to Committee on Education and Career Development		330
Committee report: amend do pass adopted; reassigned to Committee on Appropriations		410
Committee report: amend do pass, adopted		512
Second reading: amended, ordered engrossed		605
Amendment #1 (Raatz) prevailed; voice vote		605
Amendment #6 (Freeman) prevailed; voice vote		605
Amendment #2 (Raatz) prevailed; voice vote		605
Amendment #5 (Tallian) prevailed;		
Roll Call 261: yeas 42, nays 8		605
Amendment #3 (Lanane) failed;		
Roll Call 262: yeas 15, nays 34		606
Amendment #4 (Lanane) failed;		
Roll Call 263: yeas 20, nays 30		612
Senator Buchanan added as second sponsor		633
Third reading: passed;		
Roll Call 283: yeas 42, nays 8		638
Senator Leising added as third sponsor		640
Returned to the House with amendments		
House dissented from Senate amendments	420	
House conferees appointed: Thompson and V. Smith	425	
House advisors appointed: Behning, Bacon, DeLaney, Klinker and Pfaff		
Senate conferees appointed: Raatz and Stoops		660
Senate advisors appointed: Buchanan and Melton		
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 382: yeas 93, nays 0	575	
Rules suspended;		
Conference committee report 1: adopted by the Senate;		
Roll Call 388: yeas 49, nays 0		848
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 155		

■ HB 1067 Author Representative Zent
Sponsors Senators Leising, Grooms

	House	Senate
Dental hygienists.		
Authored by Representative Zent	14	
First reading: referred to Committee on Public Health		
Committee report: amend do pass, adopted	28	
Representative Clere added as coauthor	37	
Second reading: ordered engrossed	42	
Third reading: passed;		
Roll Call 24: yeas 95, nays 0	53	
Senate sponsor: Senator Leising		
Representatives Fleming and Shackleford added as coauthors	58	
Referred to the Senate		
First reading: referred to Committee on Health and Provider Services		330
Senator Grooms added as second sponsor		346
Committee report: amend do pass, adopted		350
Second reading: amended, ordered engrossed		401
Amendment #2 (Leising) prevailed; voice vote		401
Senator Randolph added as cosponsor		402
Third reading: passed;		
Roll Call 216: yeas 49, nays 0		427
Returned to the House with amendments		
House concurred in Senate amendments;		
Roll Call 312: yeas 85, nays 0	426	
Signed by the Speaker	433	
Signed by the President Pro Tempore		684
Signed by the President of the Senate		903
Signed by the Governor	788	
Public Law 35		

HB 1068 Author Representative Ellington

	House	Senate
Certificates of title.		
Authored by Representative Ellington	17	
First reading: referred to Committee on Roads and Transportation		

House Senate

HB 1069 Author Representative Cook
Judicial officers and public safety officials.
Authored by Representative Cook 14
First reading: referred to Committee on
Courts and Criminal Code

■ HB 1070 Author Representative Sullivan
Sponsors Senators Crider, Grooms
Distracted driving.
Authored by Representative Sullivan 39
Coauthored by Representative Pressel
First reading: referred to Committee on
Roads and Transportation
Representative Karickhoff added as coauthor 86
Committee report: do pass, adopted 108
Second reading: ordered engrossed 168
Representative Schaibley added as coauthor 190
Third reading: passed;
Roll Call 128: yeas 86, nays 10 211
Senate sponsor: Senator Crider
Rule 105.1 suspended 212
Representative Candelaria Reardon
added as coauthor 212
Referred to the Senate
First reading: referred to Committee on
Homeland Security and Transportation 330
Senator Grooms added as second sponsor 340
Senators Mrvan and J.D. Ford added as cosponsors 346
Senator Jon Ford added as cosponsor 369
Committee report: amend do pass, adopted 410
Senators Rogers and Niezgodski
added as cosponsors 427
Second reading: ordered engrossed 452
Senator Randolph added as cosponsor 456
Third reading: passed;
Roll Call 237: yeas 43, nays 4 484
Senator Kruse added as cosponsor 486
Returned to the House with amendments
House dissented from Senate amendments 426
House conferees appointed: Sullivan
and Candelaria Reardon 426
House advisors appointed: Morris, Pressel,
Vermilion, Goodrich, Lauer, Chyung and Deal
Senate conferees appointed: Crider and Niezgodski 670
Senate advisors appointed: Grooms, J.D. Ford,
Jon Ford and Mrvan
Rules suspended;
Conference committee report 1: adopted by the House;
Roll Call 341: yeas 81, nays 11 452
Conference committee report 1: adopted by the Senate;
Roll Call 354: yeas 49, nays 1 691
Signed by the Speaker 784
Signed by the President Pro Tempore 1050
Signed by the President of the Senate 1051
Signed by the Governor 788
Public Law 100

HB 1071 Author Representative Schaibley
Property tax refunds.
Authored by Representative Schaibley 14
First reading: referred to Committee on
Ways and Means
Representatives Thompson and Harris
added as coauthors 58

HB 1072 Author Representative Lindauer
Resident tuition rate for military spouses and dependents.
Authored by Representative Lindauer 14
First reading: referred to Committee on Education

HB 1073 Author Representative VanNatter
Veterans property tax deduction.
Authored by Representative VanNatter 18
First reading: referred to Committee on
Ways and Means

HB 1074 Author Representative Goodrich
Fair and open competition for public works projects.
Authored by Representative Goodrich 18
First reading: referred to Committee on
Employment, Labor and Pensions

HB 1075 Author Representative Pryor
Minimum age for juvenile detention.
Authored by Representative Pryor 18
First reading: referred to Committee on
Courts and Criminal Code

HB 1076 Author Representative Pryor
Sponsors Senators M. Young, G. Taylor
Summons to appear for a misdemeanor.
Authored by Representative Pryor 18
First reading: referred to Committee on
Courts and Criminal Code
Representative McNamara added as coauthor 58
Representative Hatfield added as coauthor 86
Committee report: amend do pass, adopted 108
Second reading: ordered engrossed 159
Representative Jackson added as coauthor 172
Third reading: passed;
Roll Call 77: yeas 97, nays 1 186
Senate sponsors: Senators M. Young and G. Taylor
Referred to the Senate
First reading: referred to Committee on
Corrections and Criminal Law 330

■ HB 1077 Author Representative Zent
Sponsors Senators Perfect, Charbonneau
Professional licensing agency.
Authored by Representative Zent 18
First reading: referred to Committee on Public Health
Committee report: do pass, adopted 68
Second reading: ordered engrossed 94
Third reading: passed;
Roll Call 42: yeas 92, nays 0 135
Senate sponsor: Senator Perfect
Representatives Barrett, Fleming, Shackleford
added as coauthors 139
Referred to the Senate
First reading: referred to Committee on
Health and Provider Services 330
Committee report: amend do pass, adopted 350
Second reading: ordered engrossed 368
Senator Randolph added as cosponsor 369

	House	Senate
Third reading: passed;		
Roll Call 208: yeas 48, nays 0		401
Senator Charbonneau added as second sponsor		402
Returned to the House with amendments		
House concurred in Senate amendments;		
Roll Call 348: yeas 79, nays 0	459	
Signed by the Speaker	784	
Signed by the President Pro Tempore		1050
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 101		

HB 1078 Author Representative Zent

Standard deductions.

	House	Senate
Authored by Representative Zent	18	
First reading: referred to Committee on Ways and Means		

HB 1079 Author Representative Barrett

Microbrewery location near school or church.

	House	Senate
Authored by Representative Barrett	19	
First reading: referred to Committee on Public Policy		

■ HB 1080 Author Representative Barrett
Sponsors Senators Ruckelshaus, Sandlin

Colorectal cancer testing.

	House	Senate
Authored by Representative Barrett	19	
First reading: referred to Committee on Insurance		
Representative May added as coauthor	58	
Committee report: amend do pass, adopted	109	
Second reading: ordered engrossed	168	
Amendment #1 (Shackleford) ruled out of order	168	
Appeal the ruling of the chair (Shackleford); ruling of the chair sustained		
Roll Call 69: yeas 62, nays 32		
Representatives Porter and Judy added as coauthors	172	
Third reading: passed;		
Roll Call 78: yeas 98, nays 0	186	
Senate sponsor: Senator Ruckelshaus		
Referred to the Senate		
First reading: referred to Committee on Insurance and Financial Institutions		330
Senator Lanane added as cosponsor		346
Committee report: amend do pass, adopted		350
Second reading: ordered engrossed		368
Senator Sandlin added as second sponsor		369
Senator J.D. Ford added as cosponsor		
Senator Randolph added as cosponsor		370
Third reading: passed;		
Roll Call 209: yeas 44, nays 5		401
Returned to the House with amendments		
House concurred in Senate amendments;		
Roll Call 302: yeas 89, nays 3	419	
Signed by the Speaker	426	
Signed by the President Pro Tempore		684
Signed by the President of the Senate		903
Signed by the Governor	788	
Public Law 36		

■ HB 1081 Author Representative Gutwein
Sponsors Senators Houchin, Garten

Commission for supplier diversity.

	House	Senate
Authored by Representative Gutwein	19	
First reading: referred to Committee on Government and Regulatory Reform		
Committee report: do pass, adopted	109	
Representative Negele added as coauthor	140	
Second reading: amended, ordered engrossed	168	
Amendment #1 (Bartlett) prevailed; voice vote	168	
Third reading: passed;		
Roll Call 79: yeas 98, nays 0	186	
Senate sponsor: Senator Houchin		
Representative Harris added as coauthor	190	
Referred to the Senate		
First reading: referred to Committee on Public Policy		330
Senator Breaux added as cosponsor		403
Committee report: do pass, adopted		411
Senator Randolph added as cosponsor		427
Second reading: ordered engrossed		452
Third reading: passed;		
Roll Call 238: yeas 47, nays 0		484
Senator Garten added as second sponsor		486
Returned to the House without amendments		
Signed by the Speaker	406	
Signed by the President Pro Tempore		653
Signed by the President of the Senate		684
Signed by the Governor	784	
Public Law 15		

■ HB 1082 Author Representative Heaton
Sponsors Senators Jon Ford, Grooms

Various higher education matters.

	House	Senate
Authored by Representative Heaton	19	
First reading: referred to Committee on Education		
Representative DeVon added as coauthor	37	
Representative May added as coauthor	58	
Representative Pfaff added as coauthor	86	
Committee report: amend do pass, adopted	109	
Second reading: ordered engrossed	168	
Amendment #1 (Porter) failed;		
Roll Call 70: yeas 31, nays 60	168	
Third reading: passed;		
Roll Call 80: yeas 97, nays 0	186	
Senate sponsor: Senator Jon Ford		
Referred to the Senate		
First reading: referred to Committee on Education and Career Development		330
Senator Melton added as cosponsor		370
Committee report: amend do pass, adopted		411
Second reading: ordered engrossed		454
Senator Raatz added as cosponsor		456
Third reading: passed;		
Roll Call 239: yeas 46, nays 0		484
Senator Grooms added as second sponsor		486
Returned to the House with amendments		
House concurred in Senate amendments;		
Roll Call 303: yeas 91, nays 0	419	
Signed by the Speaker	426	
Signed by the President Pro Tempore		684
Signed by the President of the Senate		903
Signed by the Governor	788	
Public Law 37		

HB 1083 Author Representative Campbell

Driving cards.

	House	Senate
Authored by Representative Campbell	17	

	House	Senate
First reading: referred to Committee on Roads and Transportation		
Representative Harris added as coauthor	47	
HB 1084 Author Representative Campbell		
Newborn screening for cytomegalovirus.		
Authored by Representative Campbell	19	
First reading: referred to Committee on Public Health		
Representatives Barrett, Shackleford, Fleming added as coauthors	37	
HB 1085 Author Representative Pressel		
Delinquent sewer fees.		
Authored by Representative Pressel	19	
Coauthored by Representative Burton		
First reading: referred to Committee on Judiciary		
HB 1086 Author Representative Goodrich		
Reservist tuition supplement program.		
Authored by Representative Goodrich	19	
First reading: referred to Committee on Ways and Means		
Representative Macer added as coauthor	58	
HB 1087 Author Representative Bacon		
Organ donation.		
Authored by Representative Bacon	19	
First reading: referred to Committee on Public Health		
HB 1088 Author Representative Stutzman		
School athletics.		
Authored by Representative Stutzman	75	
First reading: referred to Committee on Education		
Representatives Burton and Morris added as coauthors	86	
Representative Judy added as coauthor	86	
HB 1089 Author Representative Nisly		
Protection of life.		
Authored by Representative Nisly	75	
First reading: referred to Committee on Public Policy		
■ HB 1090 Author Representative Cook Sponsors Senators Koch, Buck, Kruse		
Assumption of care of cemeteries.		
Authored by Representative Cook	19	
First reading: referred to Committee on Local Government		
Representative Bacon added as coauthor	47	
Committee report: amend do pass, adopted	79	
Representative Davisson added as coauthor	87	
Representative Schaibley added as coauthor	87	
Second reading: amended, ordered engrossed	95	
Amendment #1 (Clere) prevailed; voice vote	95	
Third reading: passed;		
Roll Call 72: yeas 63, nays 29	172	
Senate sponsor: Senator Koch		
Referred to the Senate		
First reading: referred to Committee on Local Government		330
Committee report: amend do pass, adopted		411
Second reading: ordered engrossed		452
Senator Buck added as second sponsor		456
Senator Kruse added as third sponsor		
Senators Lanane, Grooms, Tomes added as cosponsors		
Senator Randolph added as cosponsor		
Third reading: passed;		
Roll Call 240: yeas 46, nays 0		484
Returned to the House with amendments		
House concurred in Senate amendments;		
Roll Call 304: yeas 83, nays 8	419	
Signed by the Speaker	426	
Signed by the President Pro Tempore		684
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 102		
■ HB 1091 Author Representative Cook Sponsors Senators Kruse, Raatz, Crane		
Education benefits relating to military service.		
Authored by Representative Cook	19	
First reading: referred to Committee on Education		
Representative Ellington added as coauthor	37	
Representative Ellington removed as coauthor	47	
Representatives Lindauer, Judy, Bartels added as coauthors		
Committee report: amend do pass, adopted	68	
Second reading: ordered engrossed	94	
Third reading: passed;		
Roll Call 43: yeas 96, nays 0	135	
Senate sponsor: Senator Kruse		
Rule 105.1 suspended	140	
Representative DeLaney added as coauthor	140	
Referred to the Senate		
First reading: referred to Committee on Education and Career Development		330
Senator Raatz added as second sponsor		370
Senator Crane added as third sponsor		
Senators Mrvan, Donato, Leising, Rogers, Buchanan, Sandlin added as cosponsors		
Senator Melton added as cosponsor		
Committee report: do pass, adopted		411
Senator Spartz added as cosponsor		427
Senator Randolph added as cosponsor		456
Second reading: amended, ordered engrossed		483
Amendment #1 (M. Young) prevailed; voice vote		483
Amendment #2 (M. Young) prevailed; voice vote		483
Third reading: passed;		
Roll Call 253: yeas 46, nays 0		581
Returned to the House with amendments		
House concurred in Senate amendments;		
Roll Call 305: yeas 91, nays 0	419	
Signed by the Speaker	426	
Signed by the President Pro Tempore		684
Signed by the President of the Senate		903
Signed by the Governor	788	
Public Law 38		
■ HB 1092 Author Representative Ziemke Sponsors Senators Charbonneau, Crider		
State Medicaid plan amendments.		
Authored by Representative Ziemke	19	
First reading: referred to Committee on Public Health		
Committee report: do pass, adopted	109	
Second reading: ordered engrossed	159	

	House	Senate
Third reading: passed;		
Roll Call 81: yeas 94, nays 0	186	
Senate sponsor: Senator Charbonneau		
Referred to the Senate		
First reading: referred to Committee on		
Health and Provider Services		330
Committee report: amend do pass, adopted		351
Second reading: ordered engrossed		368
Senator Crider added as second sponsor		370
Third reading: passed;		
Roll Call 210: yeas 49, nays 0		401
Senator Randolph added as cosponsor		403
Returned to the House with amendments		
House dissented from Senate amendments	432	
House conferees appointed: Ziemke and Fleming	433	
House advisors appointed: Kirchhofer,		
Karickhoff and Shackleford		
Senate conferees appointed: Charbonneau and Breaux		669
Senate advisors appointed: Ruckelshaus and Mrvan		
Rules suspended;		
Conference committee report 1: adopted by the House;		
Roll Call 360: yeas 94, nays 0	470	
Rules suspended;		
Conference committee report 1: adopted by the Senate;		
Roll Call 368: yeas 49, nays 0		721
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 103		

■ HB 1093 Author Representative Ziemke Sponsors Senators Perfect, Bassler

	House	Senate
Electronic document filing.		
Authored by Representative Ziemke	19	
Coauthored by Representative Pressel		
First reading: referred to Committee on		
Government and Regulatory Reform		
Representative Miller added as coauthor	87	
Committee report: amend do pass, adopted	110	
Second reading: ordered engrossed	159	
Representative Austin added as coauthor	172	
Third reading: passed;		
Roll Call 82: yeas 95, nays 0	187	
Senate sponsor: Senator Perfect		
Referred to the Senate		
First reading: referred to Committee on		
Commerce and Technology		330
Senator Randolph added as cosponsor		370
Committee report: do pass, adopted		375
Second reading: amended, ordered engrossed		452
Amendment #1 (Perfect) prevailed; voice vote		452
Third reading: passed;		
Roll Call 241: yeas 45, nays 0		484
Senator Bassler added as second sponsor		486
Senator Rogers added as cosponsor		
Returned to the House with amendments		
House concurred in Senate amendments;		
Roll Call 306: yeas 91, nays 0	419	
Signed by the Speaker	426	
Signed by the President Pro Tempore		684
Signed by the President of the Senate		903
Signed by the Governor	788	
Public Law 39		

■ HB 1094 Author Representative Ziemke Sponsors Senators Glick, Merritt, Leising

	House	Senate
Substance use prevention and recovery.		
Authored by Representative Ziemke	19	
First reading: referred to Committee on		
Courts and Criminal Code		
Committee report: do pass, adopted	68	
Second reading: ordered engrossed	94	
Representatives Macer and Vermilion		
added as coauthors	98	
Third reading: passed;		
Roll Call 44: yeas 94, nays 0	136	
Senate sponsor: Senator Glick		
Rule 105.1 suspended	140	
Representative Fleming added as coauthor	140	
Representative Forestal added as coauthor	140	
Referred to the Senate		
First reading: referred to Committee on		
Corrections and Criminal Law		330
Committee report: do pass, adopted		465
Second reading: ordered engrossed		566
Senator Merritt added as second sponsor		633
Senator Randolph added as cosponsor		
Third reading: passed;		
Roll Call 284: yeas 50, nays 0		639
Senator Leising added as third sponsor		640
Returned to the House without amendments		
Signed by the Speaker	426	
Signed by the President Pro Tempore		684
Signed by the President of the Senate		903
Signed by the Governor	788	
Public Law 40		

■ HB 1095 Author Representative Sullivan Sponsors Senators Garten, Doriot

	House	Senate
Contracts for emergency road repairs.		
Authored by Representative Sullivan	19	
First reading: referred to Committee on		
Roads and Transportation		
Representatives Sherman, Candelaria Reardon,		
Ellington added as coauthors	47	
Committee report: do pass, adopted	60	
Second reading: ordered engrossed	94	
Third reading: passed;		
Roll Call 59: yeas 95, nays 1	159	
Senate sponsor: Senator Garten		
Referred to the Senate		
First reading: referred to Committee on		
Homeland Security and Transportation		330
Senator Doriot added as second sponsor		340
Committee report: do pass, adopted		342
Second reading: ordered engrossed		358
Third reading: passed;		
Roll Call 205: yeas 49, nays 0		368
Returned to the House without amendments		
Signed by the Speaker	415	
Signed by the President Pro Tempore		653
Signed by the President of the Senate		684
Signed by the Governor	784	
Public Law 16		

House Senate

■ **HB 1096 Author Representative J. Young**
Sponsors Senators M. Young, Freeman
Technical corrections.
Authored by Representative J. Young 19
Coauthored by Representatives Boy, DeLaney, Engleman
First reading: referred to Committee on Judiciary
Committee report: do pass, adopted 39
Second reading: ordered engrossed 79
Third reading: passed;
Roll Call 34: yes 97, nays 0 96
Senate sponsor: Senator M. Young
Referred to the Senate
First reading: referred to Committee on Judiciary 330
Committee report: do pass, adopted 351
Second reading: ordered engrossed 368
Senator Freeman added as second sponsor 370
Third reading: passed;
Roll Call 211: yes 49, nays 0 401
Senator Randolph added as cosponsor 403
Returned to the House without amendments
Signed by the Speaker 415
Signed by the President Pro Tempore 653
Signed by the President of the Senate 1051
Signed by the Governor 788
Public Law 156

HB 1097 Author Representative J. Young
Sentence modification.
Authored by Representative J. Young 19
First reading: referred to Committee on Courts and Criminal Code

HB 1098 Author Representative Steuerwald
Punitive damages.
Authored by Representative Steuerwald 19
First reading: referred to Committee on Judiciary

■ **HB 1099 Author Representative Manning**
Sponsors Senators Busch, Glick
Low head dams.
Authored by Representative Manning 19
First reading: referred to Committee on Natural Resources
Representatives Eberhart and Abbott added as coauthors 37
Representative Boy added as coauthor 87
Committee report: amend do pass, adopted 110
Second reading: ordered engrossed 159
Third reading: passed;
Roll Call 83: yes 97, nays 1 187
Senate sponsors: Senators Busch and Glick
Referred to the Senate
First reading: referred to Committee on Natural Resources 330
Committee report: amend do pass, adopted 363
Senator Lanane added as cosponsor 370
Second reading: ordered engrossed 426
Third reading: passed;
Roll Call 221: yes 48, nays 0 454
Senator Grooms added as cosponsor 486
Returned to the House with amendments
House concurred in Senate amendments;
Roll Call 319: yes 81, nays 0 432
Signed by the Speaker 480
Signed by the President Pro Tempore 1050
Signed by the President of the Senate 1051
Signed by the Governor 788
Public Law 104

HB 1100 Author Representative Manning
Local government matters.
Authored by Representative Manning 19
First reading: referred to Committee on Local Government
Committee report: amend do pass, adopted 28
Representatives Karickhoff and Pryor added as coauthors 37
Referred to the Ways and Means pursuant to House Rule 127 37

HB 1101 Author Representative Bauer
Ban on single use Styrofoam carryout containers.
Authored by Representative Bauer 75
First reading: referred to Committee on Commerce, Small Business and Economic Development

HB 1102 Author Representative Bauer
Sales tax exemption for children's diapers.
Authored by Representative Bauer 75
First reading: referred to Committee on Ways and Means

HB 1103 Author Representative Shackleford
Tenant's rights.
Authored by Representative Shackleford 19
First reading: referred to Committee on Judiciary

■ **HB 1104 Author Representative Clere**
Sponsors Senators Garten, Messmer, Rogers
Housing and community development authority.
Authored by Representative Clere 19
First reading: referred to Committee on Government and Regulatory Reform
Committee report: do pass, adopted 68
Second reading: ordered engrossed 94
Third reading: passed;
Roll Call 45: yes 95, nays 0 136
Senate sponsors: Senators Garten, Messmer, Rogers
Cosponsor: Senator G. Taylor
Representatives Pressel, Miller, Bartlett added as coauthors 140
Referred to the Senate
First reading: referred to Committee on Commerce and Technology 330
Committee report: do pass, adopted 363
Second reading: ordered engrossed 426
Third reading: passed;
Roll Call 222: yes 48, nays 0 454
Returned to the House without amendments
Signed by the Speaker 406
Signed by the President Pro Tempore 653
Signed by the President of the Senate 684
Signed by the Governor 784
Public Law 17

House Senate

HB 1105 Author Representative Bauer
Agricultural conservation easements.
Authored by Representative Bauer 22
First reading: referred to Committee on Agriculture and Rural Development

HB 1106 Author Representative Lehe
Resident tuition rate for nonresident veterans.
Authored by Representative Lehe 22
First reading: referred to Committee on Education

HB 1107 Author Representative Lehe
State fair board officer elections.
Authored by Representative Lehe 23
First reading: referred to Committee on Agriculture and Rural Development

■ HB 1108 Author Representative Lehman
Sponsors Senators Bassler, Spartz
State board of accounts.
Authored by Representative Lehman 23
First reading: referred to Committee on Ways and Means
Representative Porter added as coauthor. 37
Committee report: amend do pass, adopted. 149
Second reading: ordered engrossed. 204
Amendment #1 (Porter) failed;
Roll Call 118: yes 32, nays 61 204
Third reading: passed;
Roll Call 140: yes 94, nays 0. 215
Senate sponsors: Senators Bassler and Spartz
Referred to the Senate
First reading: referred to Committee on Appropriations 330
Committee report: amend do pass, adopted. 411
Senator Randolph added as cosponsor 456
Second reading: amended, ordered engrossed. 566
Amendment #8 (Bassler) prevailed; voice vote 566
Amendment #4 (Stoops) failed; voice vote. 566
Third reading: passed;
Roll Call 285: yes 47, nays 3. 639
Returned to the House with amendments
House dissented from Senate amendments 420
House conferees appointed: Lehman and Porter 425
House advisors appointed: Barrett, Negele, Campbell and Hamilton
Senate conferees appointed: Bassler and Niezgodski . . . 659
Senate advisors appointed: Spartz and Tallian
Rules suspended;
Conference committee report 1: adopted by the House;
Roll Call 392: yes 92, nays 0. 670
Rules suspended;
Conference committee report 1: adopted by the Senate;
Roll Call 395: yes 43, nays 6. 960
Signed by the President Pro Tempore 1050
Signed by the Speaker. 788
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 157

■ HB 1109 Author Representative Lehman
Sponsors Senators Walker, Messmer
Telephone solicitation and consumer credit.
Authored by Representative Lehman 23
First reading: referred to Committee on Utilities, Energy and Telecommunications
Committee report: amend do pass, adopted. 69
Representatives Ellington, Lauer, Hatfield added as coauthors 87
Second reading: ordered engrossed. 94
Third reading: passed;
Roll Call 46: yes 95, nays 0. 136
Senate sponsor: Senator Walker
Referred to the Senate
First reading: referred to Committee on Utilities. 330
Senator Messmer added as second sponsor. 333
Committee report: do pass, adopted 363
Senator Randolph added as cosponsor 370
Second reading: ordered engrossed. 426
Third reading: passed;
Roll Call 223: yes 48, nays 0. 454
Returned to the House without amendments
Signed by the Speaker. 415
Signed by the President Pro Tempore 653
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 105

HB 1110 Author Representative Manning
Health workforce student loan repayment program.
Authored by Representative Manning. 23
First reading: referred to Committee on Public Health

■ HB 1111 Author Representative Leonard
Sponsors Senators Ruckelshaus, Boots
Unemployment.
Authored by Representative Leonard 14
First reading: referred to Committee on Employment, Labor and Pensions
Representative Miller added as coauthor. 26
Committee report: do pass, adopted 49
Referred to the Ways and Means pursuant to House Rule 127 57
Committee report: do pass, adopted 149
Second reading: ordered engrossed. 205
Amendment #1 (Beck) failed;
Roll Call 119: yes 33, nays 63 205
Amendment #2 (Moseley) failed;
Roll Call 120: yes 33, nays 63 205
Third reading: passed;
Roll Call 139: yes 90, nays 3. 215
Senate sponsors: Senators Ruckelshaus and Boots
Referred to the Senate
First reading: referred to Committee on Pensions and Labor. 330
Senator Doriot added as cosponsor 346
Senator Tallian added as cosponsor 358
Committee report: amend do pass adopted; reassigned to Committee on Appropriations. 413
Committee report: do pass, adopted 515
Second reading: ordered engrossed. 613
Senator Randolph added as cosponsor 633
Third reading: passed;
Roll Call 286: yes 48, nays 2. 639
Senator Buck added as cosponsor 646
Returned to the House with amendments

House concurred in Senate amendments;
Roll Call 330: yeas 73, nays 0. 442
Signed by the Speaker. 480
Signed by the President Pro Tempore 1050
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 158

■ HB 1112 Author Representative Leonard
Sponsors Senators Koch, Holdman, Boots
Skills enhancement fund grants.
Authored by Representative Leonard 23
First reading: referred to Committee on
Employment, Labor and Pensions
Committee report: do pass, adopted 175
Representative Moseley added as coauthor. 190
Second reading: ordered engrossed. 214
Third reading: passed;
Roll Call 156: yeas 93, nays 0. 239
Senate sponsors: Senators Koch and Holdman
Referred to the Senate
First reading: referred to Committee on
Pensions and Labor. 334
Committee report: do pass, adopted 413
Senator Boots added as third sponsor 427
Senator Kruse added as cosponsor
Second reading: ordered engrossed. 452
Senator Randolph added as cosponsor 457
Third reading: passed;
Roll Call 242: yeas 44, nays 0. 484
Returned to the House without amendments
Signed by the Speaker. 406
Signed by the President Pro Tempore 653
Signed by the President of the Senate 684
Signed by the Governor. 784
Public Law 18

■ HB 1113 Author Representative Leonard
Sponsors Senators Bassler, Perfect
Local government finance.
Authored by Representative Leonard 23
First reading: referred to Committee on
Ways and Means
Representative Pryor added as coauthor 140
Committee report: amend do pass, adopted. 149
Second reading: amended, ordered engrossed. 206
Amendment #3 (Leonard) prevailed; voice vote. 206
Amendment #2 (Pryor) prevailed;
Roll Call 121: yeas 95, nays 0 206
Amendment #1 (DeLaney) prevailed;
Roll Call 122: yeas 86, nays 7 208
Representative Moed added as coauthor 212
Third reading: passed;
Roll Call 138: yeas 94, nays 0. 215
Senate sponsor: Senator Bassler
Referred to the Senate
First reading: referred to Committee on
Tax and Fiscal Policy 330
Committee report: amend do pass, adopted. 466
Second reading: amended, ordered engrossed. 566
Amendment #2 (Niemeyer) prevailed; voice vote. 566
Senator Perfect added as second sponsor 581
Senator Melton added as cosponsor 582

Third reading: passed;
Roll Call 287: yeas 45, nays 5. 639
Returned to the House with amendments
House dissented from Senate amendments 420
House conferees appointed: Leonard and Pryor 425
House advisors appointed: T. Brown, Sherman,
Cherry, Beck, Hamilton and Moed
Senate conferees appointed: Bassler and Melton 659
Senate advisors appointed: Perfect and G. Taylor
Rules suspended;
Conference committee report 1: adopted by the House;
Roll Call 383: yeas 90, nays 3. 582
Rules suspended;
Conference committee report 1: adopted by the Senate;
Roll Call 389: yeas 48, nays 1. 855
Signed by the President Pro Tempore 1050
Signed by the Speaker. 788
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 159

HB 1114 Author Representative Thompson
Local income taxes.
Authored by Representative Thompson 23
First reading: referred to Committee on
Ways and Means

HB 1115 Author Representative Morris
Sponsors Senators L. Brown, Garten, Busch
Physician noncompete agreements.
Authored by Representative Morris 23
First reading: referred to Committee on Public Health
Reassigned to Committee on Employment,
Labor and Pensions. 46
Representatives VanNatter and Judy
added as coauthors 87
Committee report: amend do pass, adopted. 175
Representative Carbaugh added as coauthor. 190
Second reading: ordered engrossed. 231
Amendment #1 (Chyung) failed;
Roll Call 144: yeas 28, nays 63 231
Third reading: passed;
Roll Call 157: yeas 94, nays 0. 239
Senate sponsors: Senators L. Brown, Garten, Busch
Cosponsor: Senator Holdman
Referred to the Senate
First reading: referred to Committee on
Health and Provider Services 359

HB 1116 Author Representative Shackleford
Drug information reporting.
Authored by Representative Shackleford 23
First reading: referred to Committee on Insurance
Representative Austin added as coauthor 47
Representatives Clere and Davisson
added as coauthors 140

HB 1117 Author Representative Shackleford
Eminent domain.
Authored by Representative Shackleford 23
First reading: referred to Committee on Judiciary

House Senate

HB 1118 Author Representative Ziemke
Restrictions on SNAP benefit purchases.
Authored by Representative Ziemke 23
First reading: referred to Committee on Family, Children and Human Affairs

HB 1119 Author Representative Lehe
Sponsor Senator Leising
Regulation of pesticide use and application.
Authored by Representative Lehe 23
First reading: referred to Committee on Agriculture and Rural Development
Committee report: amend do pass, adopted. 79
Second reading: ordered engrossed. 94
Third reading: passed;
Roll Call 47: yes 95, nays 0. 136
Senate sponsor: Senator Leising
Referred to the Senate
First reading: referred to Committee on Agriculture 331

■ HB 1120 Author Representative Steuerwald
Sponsors Senators Koch, M. Young, Gaskill
Community corrections and credit time.
Authored by Representative Steuerwald 14
First reading: referred to Committee on Courts and Criminal Code
Representative McNamara added as coauthor. 37
Committee report: amend do pass, adopted. 69
Second reading: ordered engrossed. 94
Representatives Frye and Pierce added as coauthors. . . . 98
Third reading: passed;
Roll Call 48: yes 94, nays 0. 136
Senate sponsors: Senators Koch, M. Young, Gaskill
Cosponsor: Senator G. Taylor
Referred to the Senate
First reading: referred to Committee on Corrections and Criminal Law 331
Committee report: amend do pass, adopted. 515
Second reading: amended, ordered engrossed. 613
Amendment #1 (Sandlin) prevailed; voice vote 613
Senator Randolph added as cosponsor 633
Third reading: passed;
Roll Call 288: yes 49, nays 1. 640
Returned to the House with amendments
House concurred in Senate amendments;
Roll Call 338: yes 88, nays 0. 443
Signed by the Speaker. 480
Signed by the President Pro Tempore 1050
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 106

HB 1121 Author Representative Soliday
Wholesale pricing of nonalcoholic beverages.
Authored by Representative Soliday. 23
Coauthored by Representatives Huston, Steuerwald, DeLaney
First reading: referred to Committee on Commerce, Small Business and Economic Development

HB 1122 Author Representative Lindauer
Temporary exception to residency requirements.
Authored by Representative Lindauer. 23
First reading: referred to Committee on Education

HB 1123 Author Representative Jackson
Short term rentals.
Authored by Representative Jackson. 23
First reading: referred to Committee on Local Government

HB 1124 Author Representative Jackson
Ban on sale of flavored tobacco.
Authored by Representative Jackson. 23
First reading: referred to Committee on Public Health

HB 1125 Author Representative Davisson
Community use of school kitchens.
Authored by Representative Davisson. 23
First reading: referred to Committee on Education

HB 1126 Author Representative Davisson
School board member training.
Authored by Representative Davisson. 23
First reading: referred to Committee on Education
Representative Clere added as coauthor 47

HB 1127 Author Representative Schaibley
Local regulation of fireworks.
Authored by Representative Schaibley 23
First reading: referred to Committee on Public Policy

HB 1128 Author Representative Aylesworth
Tobacco issues.
Authored by Representative Aylesworth. 23
First reading: referred to Committee on Public Health
Representatives Abbott, Bacon, Beck added as coauthors 140

■ HB 1129 Author Representative Lauer
Sponsors Senators L. Brown, Walker, Bohacek
Infant screening.
Authored by Representative Lauer 23
First reading: referred to Committee on Public Health
Representatives Barrett and Fleming added as coauthors 58
Committee report: amend do pass, adopted. 71
Representative Gutwein added as coauthor. 87
Second reading: ordered engrossed. 94
Third reading: passed;
Roll Call 49: yes 95, nays 0. 136
Senate sponsors: Senators L. Brown, Walker, Bohacek
Cosponsor: Senator Tomes
Referred to the Senate
First reading: referred to Committee on Health and Provider Services 331
Committee report: do pass, adopted 351
Senator Becker added as cosponsor 358
Second reading: ordered engrossed. 368
Third reading: passed;
Roll Call 212: yes 49, nays 0. 402
Returned to the House without amendments
Signed by the Speaker. 415
Signed by the President Pro Tempore 653
Signed by the President of the Senate 684

House Senate

Signed by the Governor. 784
Public Law 19

HB 1130 Author Representative Stutzman
Leave for miscarriages.
Authored by Representative Stutzman 23
First reading: referred to Committee on Employment, Labor and Pensions
Representative Carbaugh added as coauthor 38
Representatives Summers and Fleming added as coauthors 58

■ HB 1131 Author Representative Pressel
Sponsors Senators Garten, Doriot
Utility matters.
Authored by Representative Pressel 23
Coauthored by Representative Soliday
First reading: referred to Committee on Utilities, Energy and Telecommunications
Committee report: amend do pass, adopted. 71
Second reading: amended, ordered engrossed. 170
Amendment #1 (Pressel) prevailed; 170
Third reading: passed;
Roll Call 84: yeas 97, nays 0. 187
Senate sponsor: Senator Garten
Representative Heine added as coauthor 191
Referred to the Senate
First reading: referred to Committee on Utilities. 331
Committee report: amend do pass, adopted. 430
Second reading: amended, ordered engrossed. 567
Amendment #2 (J.D. Ford) prevailed; voice vote 567
Amendment #3 (Garten) prevailed; voice vote 568
Senator Doriot added as second sponsor. 582
Senator Rogers added as cosponsor 640
Third reading: passed;
Roll Call 289: yeas 49, nays 1. 640
Returned to the House with amendments
House dissented from Senate amendments 420
House conferees appointed: Pressel and Pierce. 425
House advisors appointed: Schaibley, DeVon and Hatfield
Senate conferees appointed: Boots and J.D. Ford 660
Senate advisors appointed: Garten and Randolph
Senator Garten removed as advisor. 745
Senator J.D. Ford removed as conferee
Senator Garten added as conferee
Rules suspended;
Conference committee report 1: adopted by the House;
Roll Call 384: yeas 92, nays 0. 626
Rules suspended;
Conference committee report 1: adopted by the Senate;
Roll Call 378: yeas 41, nays 6. 786
Signed by the President Pro Tempore 1050
Signed by the Speaker. 788
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 160

HB 1132 Author Representative Steuerwald
Sponsors Senators Freeman, M. Young, Houchin
Criminal and juvenile law matters.
Authored by Representative Steuerwald 23
First reading: referred to Committee on Courts and Criminal Code
Committee report: amend do pass, adopted. 110
Representatives McNamara and Hatfield added as coauthors 140
Second reading: ordered engrossed. 159
Third reading: passed;
Roll Call 85: yeas 96, nays 2. 187
Senate sponsors: Senators Freeman, M. Young, Houchin
Referred to the Senate
First reading: referred to Committee on Corrections and Criminal Law 331
Committee report: amend do pass, adopted. 515
Second reading: amended, ordered engrossed. 613
Amendment #1 (Bohacek) prevailed; voice vote 613
Third reading: passed;
Roll Call 290: yeas 50, nays 0. 641
Returned to the House with amendments
House dissented from Senate amendments 432
House conferees appointed: Steuerwald and Hatfield . . . 433
House advisors appointed: McNamara, J. Young, Beck and Pierce
Senate conferees appointed: Freeman and Tallian. 669
Senate advisors appointed: M. Young, Randolph and Houchin

HB 1133 Author Representative Moed
Required notices to mobile home communities.
Authored by Representative Moed 23
Coauthored by Representative Morris
First reading: referred to Committee on Roads and Transportation
Representative Macer added as coauthor 87

HB 1134 Author Representative Moed
Residential housing development program.
Authored by Representative Moed 23
Coauthored by Representative Pressel
First reading: referred to Committee on Ways and Means
Representative Macer added as coauthor 87

HB 1135 Author Representative Leonard
Costs.
Authored by Representative Leonard 23
First reading: referred to Committee on Judiciary

HB 1136 Author Representative Barrett
Medicaid managed care.
Authored by Representative Barrett 23
First reading: referred to Committee on Public Health

HB 1137 Author Representative Barrett
Addiction treatment medications.
Authored by Representative Barrett 24
First reading: referred to Committee on Public Health

HB 1138 Author Representative Bartlett
Unlawful slating.
Authored by Representative Bartlett 17
First reading: referred to Committee on Elections and Apportionment

House Senate

HB 1139 Author Representative Bartlett
Pilot program to fund educational attainment.
Authored by Representative Bartlett 24
Coauthored by Representative Miller
First reading: referred to Committee on Ways and Means

HB 1140 Author Representative Bartlett
Criminal justice study committee.
Authored by Representative Bartlett 24
First reading: referred to Committee on Rules and Legislative Procedures

HB 1141 Author Representative Fleming
Birth control prescriptions.
Authored by Representative Fleming 17
First reading: referred to Committee on Public Health
Representatives Barrett, Austin, Davisson added as coauthors 38

HB 1142 Author Representative Bacon
Uniform county innkeeper's tax revenue.
Authored by Representative Bacon 24
Coauthored by Representative Gutwein
First reading: referred to Committee on Ways and Means

■ HB 1143 Author Representative Morrison Sponsors Senators Jon Ford, Doriot, M. Young
Device implantation as a condition of employment.
Authored by Representative Morrison 24
First reading: referred to Committee on Employment, Labor and Pensions
Committee report: do pass, adopted 49
Representatives Morris, Judy, Bartlett added as coauthors 58
Second reading: ordered engrossed 79
Third reading: passed;
Roll Call 35: yeas 97, nays 0 97
Senate sponsor: Senator Jon Ford
Referred to the Senate
First reading: referred to Committee on Pensions and Labor 331
Senator Doriot added as second sponsor 346
Committee report: do pass, adopted 351
Second reading: ordered engrossed 368
Senator M. Young added as third sponsor 370
Senators Crane and Niezgodski added as cosponsors
Senator Randolph added as cosponsor
Third reading: passed;
Roll Call 213: yeas 49, nays 0 402
Senator Raatz added as cosponsor 403
Returned to the House without amendments
Signed by the Speaker 415
Signed by the President Pro Tempore 653
Signed by the President of the Senate 684
Signed by the Governor 784
Public Law 20

HB 1144 Author Representative Morrison
Hold harmless payments.
Authored by Representative Morrison 24
First reading: referred to Committee on Public Policy
Representative Pfaff added as coauthor 38

HB 1145 Author Representative Hostettler Sponsors Senators Messmer, Tomes
Gibson and Hamilton County courts.
Authored by Representative Hostettler 19
First reading: referred to Committee on Courts and Criminal Code
Committee report: do pass, adopted 22
Referred to the Ways and Means pursuant to House Rule 127 25
Representative Bacon added as coauthor 38
Committee report: amend do pass, adopted 110
Second reading: ordered engrossed 159
Representatives Schaibley and McNamara added as coauthors 172
Third reading: passed;
Roll Call 86: yeas 99, nays 0 187
Senate sponsors: Senators Messmer and Tomes
Referred to the Senate
First reading: referred to Committee on Judiciary 331

HB 1146 Author Representative Hostettler
Health care service cost.
Authored by Representative Hostettler 24
First reading: referred to Committee on Public Health

■ HB 1147 Author Representative Morrison Sponsors Senators Boots, Leising
Municipal elections.
Authored by Representative Morrison 24
Coauthored by Representative Wesco
First reading: referred to Committee on Elections and Apportionment
Representative Pfaff added as coauthor 38
Representative May added as coauthor 58
Committee report: amend do pass, adopted 137
Second reading: ordered engrossed 159
Third reading: passed;
Roll Call 87: yeas 93, nays 5 187
Senate sponsor: Senator Boots
Referred to the Senate
First reading: referred to Committee on Elections 331
Committee report: do pass, adopted 363
Second reading: ordered engrossed 426
Third reading: passed;
Roll Call 224: yeas 42, nays 6 454
Senator Leising added as second sponsor 457
Returned to the House without amendments
Signed by the Speaker 406
Signed by the President Pro Tempore 653
Signed by the President of the Senate 1051
Signed by the Governor 788
Public Law 107

■ HB 1148 Author Representative Ellington Sponsors Senators Jon Ford, J.D. Ford, Donato
Board of accountancy.
Authored by Representative Ellington 24
Coauthored by Representative VanNatter
First reading: referred to Committee on Employment, Labor and Pensions
Committee report: amend do pass, adopted 49

House Senate

Second reading: ordered engrossed 79
Third reading: passed;
Roll Call 36: yeas 96, nays 0. 97
Senate sponsors: Senators Jon Ford, J.D. Ford, Donato
Representative Hatfield added as coauthor 98
Referred to the Senate
First reading: referred to Committee on Pensions and Labor. 331
Committee report: amend do pass, adopted. 520
Second reading: ordered engrossed. 613
Senator Niezgodski added as cosponsor 633
Third reading: passed;
Roll Call 291: yeas 48, nays 2. 641
Returned to the House with amendments
House concurred in Senate amendments;
Roll Call 320: yeas 80, nays 0. 433
Signed by the Speaker. 480
Signed by the President Pro Tempore 1050
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 108

HB 1149 Author Representative Burton
Dental screenings and services in schools.
Authored by Representative Burton 24
First reading: referred to Committee on Education

HB 1150 Author Representative Mayfield
Indiana state board of nursing.
Authored by Representative Mayfield. 24
First reading: referred to Committee on Public Health

■ HB 1151 Author Representative Mayfield
Sponsors Senators Boots, Perfect
School resource officers.
Authored by Representative Mayfield. 24
First reading: referred to Committee on Veterans Affairs and Public Safety
Representative Frye added as coauthor 38
Committee report: do pass, adopted 49
Second reading: ordered engrossed. 79
Amendment #2 (Wright) motion withdrawn. 79
Representatives Klinker and Moseley added as coauthors 87
Third reading: passed;
Roll Call 37: yeas 96, nays 0. 97
Senate sponsor: Senator Boots
Referred to the Senate
First reading: referred to Committee on Pensions and Labor. 359
Committee report: do pass, adopted 520
Senator J.D. Ford added as cosponsor. 582
Senator Niezgodski added as cosponsor
Second reading: ordered engrossed. 613
Senator Perfect added as second sponsor 633
Senator Randolph added as cosponsor
Third reading: passed;
Roll Call 292: yeas 50, nays 0. 641
Returned to the House without amendments
Signed by the Speaker. 426
Signed by the President Pro Tempore 684
Signed by the President of the Senate 903
Signed by the Governor. 788
Public Law 41

HB 1152 Author Representative Lucas
False informing and red flag law orders.
Authored by Representative Lucas 24
First reading: referred to Committee on Courts and Criminal Code

■ HB 1153 Author Representative Goodrich
Sponsors Senators Raatz, Kruse, Koch
Governor's workforce cabinet.
Authored by Representative Goodrich 24
First reading: referred to Committee on Education
Representative Behning added as coauthor. 66
Representative Klinker added as coauthor 98
Committee report: amend do pass, adopted. 110
Representative Lucas added as coauthor. 140
Second reading: ordered engrossed. 159
Third reading: passed;
Roll Call 88: yeas 96, nays 1. 187
Senate sponsor: Senator Raatz
Referred to the Senate
First reading: referred to Committee on Education and Career Development 331
Senator Kruse added as second sponsor 427
Committee report: amend do pass, adopted. 520
Senator Koch added as third sponsor 582
Second reading: ordered engrossed. 613
Senator Randolph added as cosponsor 633
Third reading: passed;
Roll Call 293: yeas 44, nays 6. 641
Senator Buck added as cosponsor. 646
Returned to the House with amendments
House dissented from Senate amendments 420
House conferees appointed: Goodrich and Klinker. 425
House advisors appointed: Behning, Cook, Pfaff and V. Smith
Senate conferees appointed: Raatz and Melton. 660
Senate advisors appointed: Koch, Mrvan and Kruse
Rules suspended;
Conference committee report 1: adopted by the House;
Roll Call 361: yeas 93, nays 1. 472
Rules suspended;
Conference committee report 1: adopted by the Senate;
Roll Call 369: yeas 41, nays 8. 723
Signed by the President Pro Tempore 1050
Signed by the Speaker. 788
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 109

HB 1154 Author Representative Aylesworth
Septic system inspection before property transfer.
Authored by Representative Aylesworth. 24
First reading: referred to Committee on Environmental Affairs

HB 1155 Author Representative Campbell
Transportation for Medicaid presumptive eligible.
Authored by Representative Campbell 24
First reading: referred to Committee on Ways and Means

House Senate

HB 1156 Author Representative Campbell
Sales tax holiday.
Authored by Representative Campbell 24
First reading: referred to Committee on Ways and Means

■ HB 1157 Author Representative Hatfield
Sponsors Senators Freeman, Tallian
Motor vehicle and criminal law issues.
Authored by Representative Hatfield 24
First reading: referred to Committee on Courts and Criminal Code
Committee report: amend do pass, adopted. 71
Second reading: ordered engrossed. 94
Representatives McNamara, Bartels, Shackleford added as coauthors 98
Third reading: passed;
Roll Call 50: yeas 93, nays 1. 136
Senate sponsors: Senators Tallian and Freeman
Referred to the Senate
First reading: referred to Committee on Corrections and Criminal Law 331
Senator Freeman removed as second sponsor 346
Senator Tallian removed as sponsor
Senator Freeman added as sponsor
Senator Tallian added as second sponsor
Committee report: amend do pass, adopted. 523
Second reading: amended, ordered engrossed. 613
Amendment #1 (Buchanan) failed; voice vote 613
Amendment #2 (M. Young) prevailed; voice vote 614
Senator Randolph added as cosponsor 633
Third reading: passed;
Roll Call 294: yeas 37, nays 13. 641
Returned to the House with amendments
House dissented from Senate amendments 420
House conferees appointed: McNamara and Hatfield . . . 425
House advisors appointed: Sullivan, J. Young, Hatcher and Shackleford
Senate conferees appointed: Freeman and Tallian. 659
Senate advisors appointed: M. Young, Randolph and Zay
Rules suspended;
Conference committee report 1: adopted by the House;
Roll Call 354: yeas 92, nays 0. 463
Rules suspended;
Conference committee report 1: adopted by the Senate;
Roll Call 370: yeas 44, nays 4. 724
Signed by the President Pro Tempore 1050
Signed by the Speaker. 788
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 110

HB 1158 Author Representative Hatfield
Minimum teacher salary.
Authored by Representative Hatfield 24
First reading: referred to Committee on Ways and Means

HB 1159 Author Representative Schaibley
Juvenile expungements and firearms matters.
Authored by Representative Schaibley 24
Coauthored by Representative Torr
First reading: referred to Committee on Courts and Criminal Code
Committee report: amend do pass, adopted. 110
Representative Ziemke added as coauthor. 172

HB 1160 Author Representative Errington
Consent.
Authored by Representative Errington 24
Coauthored by Representatives Negele, Campbell, Schaibley
First reading: referred to Committee on Courts and Criminal Code

HB 1161 Author Representative Errington
Sexual battery.
Authored by Representative Errington 24
Coauthored by Representatives Negele and Campbell
First reading: referred to Committee on Courts and Criminal Code

HB 1162 Author Representative Errington
Wage history and wage range inquiries.
Authored by Representative Errington 18
Coauthored by Representative Boy. 18
First reading: referred to Committee on Employment, Labor and Pensions

HB 1163 Author Representative Errington
Medical marijuana.
Authored by Representative Errington 24
First reading: referred to Committee on Public Health

HB 1164 Author Representative Errington
Disclosure of child abuse and neglect reports.
Authored by Representative Errington 24
First reading: referred to Committee on Judiciary

■ HB 1165 Author Representative Burton
Sponsors Senators Sandlin, Koch
Municipally owned utilities.
Authored by Representative Burton 24
First reading: referred to Committee on Utilities, Energy and Telecommunications
Committee report: amend do pass, adopted. 114
Second reading: ordered engrossed. 171
Representatives Pressel, Smaltz, Soliday added as coauthors 191
Third reading: passed;
Roll Call 129: yeas 64, nays 31. 212
Senate sponsor: Senator Sandlin
Referred to the Senate
First reading: referred to Committee on Utilities. 331
Committee report: amend do pass, adopted. 413
Second reading: ordered engrossed. 483
Amendment #1 (J.D. Ford) failed;
Roll Call 234: yeas 10, nays 36 483
Senator Koch added as second sponsor. 486
Third reading: passed;
Roll Call 254: yeas 28, nays 18. 581
Returned to the House with amendments
Concurrence defeated;
Roll Call 307: yeas 33, nays 59. 419

House concurred in Senate amendments;
Roll Call 352: yeas 61, nays 34. 463
Signed by the Speaker 784
Signed by the President Pro Tempore 1050
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 161

■ HB 1166 Author Representative Mayfield
Sponsors Senators Niemeyer, Tomes
State commission and board meetings.
Authored by Representative Mayfield. 24
First reading: referred to Committee on
Government and Regulatory Reform
Representative Harris added as coauthor. 38
Committee report: do pass, adopted 72
Second reading: ordered engrossed. 96
Third reading: passed;
Roll Call 51: yeas 93, nays 0. 136
Senate sponsors: Senators Niemeyer and Tomes
Referred to the Senate
First reading: referred to Committee on Public Policy . . 331
Committee report: do pass, adopted 415
Senator Randolph added as cosponsor 427
Second reading: ordered engrossed. 452
Third reading: passed;
Roll Call 243: yeas 42, nays 2. 484
Returned to the House without amendments
Signed by the Speaker 406
Signed by the President Pro Tempore 653
Signed by the President of the Senate 684
Signed by the Governor. 784
Public Law 21

HB 1167 Author Representative Porter
Bullying.
Authored by Representative Porter 24
First reading: referred to Committee on Education

HB 1168 Author Representative Porter
Maintaining a common nuisance.
Authored by Representative Porter 24
First reading: referred to Committee on
Courts and Criminal Code

HB 1169 Author Representative Pressel
Highway worksite safety.
Authored by Representative Pressel 25
First reading: referred to Committee on
Roads and Transportation
Representative Soliday added as coauthor 58

HB 1170 Author Representative Prescott
Historic bridges.
Authored by Representative Prescott 25
First reading: referred to Committee on
Natural Resources

HB 1171 Author Representative Prescott
IREAD 3.
Authored by Representative Prescott 25
First reading: referred to Committee on Education
Representative Hostettler added as coauthor. 140

HB 1172 Author Representative Frye
Income tax exemption for military pay.
Authored by Representative Frye 25
First reading: referred to Committee on
Ways and Means

■ HB 1173 Author Representative Frye
Sponsors Senators Tomes, Crider
Indiana department of veterans' affairs.
Authored by Representative Frye 25
First reading: referred to Committee on
Veterans Affairs and Public Safety
Committee report: amend do pass, adopted. 50
Representatives Judy, Zent, Macer
added as coauthors 58
Second reading: ordered engrossed. 79
Third reading: passed;
Roll Call 38: yeas 97, nays 0. 97
Senate sponsor: Senator Tomes
Referred to the Senate
First reading: referred to Committee on
Veterans Affairs and The Military 331
Committee report: amend do pass, adopted. 375
Senator Crider added as second sponsor 427
Senator Randolph added as cosponsor 428
Second reading: amended, ordered engrossed. 452
Amendment #2 (Tomes) prevailed; voice vote 452
Third reading: passed;
Roll Call 244: yeas 44, nays 0. 485
Returned to the House with amendments
House concurred in Senate amendments;
Roll Call 311: yeas 59, nays 28. 426
Signed by the Speaker 433
Signed by the President Pro Tempore 684
Signed by the President of the Senate 903
Signed by the Governor. 788
Public Law 42

■ HB 1174 Author Representative Frye
Sponsors Senators Crider, Merritt
Youth helmet safety.
Authored by Representative Frye 25
First reading: referred to Committee on
Veterans Affairs and Public Safety
Representatives Barrett and Fleming
added as coauthors 38
Committee report: amend do pass, adopted. 176
Representative Klinker added as coauthor 212
Second reading: ordered engrossed. 214
Third reading: passed;
Roll Call 158: yeas 92, nays 1. 239
Senate sponsor: Senator Crider
Referred to the Senate
First reading: referred to Committee on
Homeland Security and Transportation. 334
Committee report: do pass, adopted 478
Senator Merritt added as second sponsor 486
Second reading: ordered engrossed. 569
Third reading: passed;
Roll Call 295: yeas 50, nays 0. 641
Returned to the House without amendments
Signed by the Speaker 426
Signed by the President Pro Tempore 684

	House	Senate
Signed by the President of the Senate		903
Signed by the Governor	788	
Public Law 43		

HB 1175 Author Representative Frye

Common school fund advances.

	House	Senate
Authored by Representative Frye	25	
First reading: referred to Committee on Ways and Means		
Representatives Goodrich, Cook, Goodin added as coauthors	140	

■ HB 1176 Author Representative Clere
Sponsors Senators Ruckelshaus, Grooms, Houchin

First steps program.

	House	Senate
Authored by Representative Clere	25	
First reading: referred to Committee on Family, Children and Human Affairs		
Representatives DeVon, Vermilion, Summers added as coauthors	58	
Committee report: amend do pass, adopted	89	
Second reading: ordered engrossed	135	
Third reading: passed;		
Roll Call 60: yeas 96, nays 0	159	
Senate sponsors: Senators Ruckelshaus, Grooms, Houchin		
Cosponsor: Senator Breaux		
Referred to the Senate		
First reading: referred to Committee on Family and Children Services		359
Committee report: amend do pass, adopted		433
Senator J.D. Ford added as cosponsor		457
Second reading: amended, ordered engrossed		569
Amendment #1 (Ruckelshaus) prevailed; voice vote		569
Amendment #2 (Ruckelshaus) prevailed; voice vote		570
Senator Stoops added as cosponsor		582
Third reading: passed;		
Roll Call 296: yeas 47, nays 3		642
Returned to the House with amendments		
House concurred in Senate amendments;		
Roll Call 339: yeas 89, nays 0	443	
Signed by the Speaker	480	
Signed by the President Pro Tempore		1050
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 111		

HB 1177 Author Representative Pryor

Property tax relief.

	House	Senate
Authored by Representative Pryor	25	
First reading: referred to Committee on Ways and Means		

HB 1178 Author Representative Pryor

Racial profiling and pretextual stops.

	House	Senate
Authored by Representative Pryor	18	
First reading: referred to Committee on Veterans Affairs and Public Safety		

HB 1179 Author Representative Jordan

Unlawful surveillance of another's dwelling.

	House	Senate
Authored by Representative Jordan	25	
First reading: referred to Committee on Courts and Criminal Code		

HB 1180 Author Representative Stutzman

Student testing.

	House	Senate
Authored by Representative Stutzman	25	
First reading: referred to Committee on Education		

HB 1181 Author Representative Cook
Sponsors Senators Koch, Buck

Gift certificates and store gift cards.

	House	Senate
Authored by Representative Cook	39	
First reading: referred to Committee on Commerce, Small Business and Economic Development		
Representative Morris added as coauthor	98	
Committee report: amend do pass, adopted	115	
Second reading: amended, ordered engrossed	171	
Amendment #1 (Cook) prevailed; voice vote	171	
Third reading: passed;		
Roll Call 89: yeas 96, nays 1	187	
Senate sponsors: Senators Koch and Buck		
Representatives Macer and Lauer added as coauthors	191	
Referred to the Senate		
First reading: referred to Committee on Commerce and Technology		331
Pursuant to Senate Rule 68(b); reassigned to Committee on Insurance and Financial Institutions		

■ HB 1182 Author Representative Clere
Sponsors Senators Becker, Grooms, Crider

HIV, fatality reviews, and syringe exchange programs.

	House	Senate
Authored by Representative Clere	40	
First reading: referred to Committee on Public Health		
Committee report: amend do pass, adopted	116	
Representatives Cook, Barrett, Fleming added as coauthors	140	
Second reading: amended, ordered engrossed	171	
Amendment #1 (Clere) prevailed; voice vote	171	
Third reading: passed;		
Roll Call 90: yeas 98, nays 0	187	
Senate sponsors: Senators Becker, Grooms, Crider		
Cosponsor: Senator Breaux		
Referred to the Senate		
First reading: referred to Committee on Health and Provider Services		331
Senator J.D. Ford added as cosponsor		346
Committee report: amend do pass, adopted		528
Second reading: ordered engrossed		615
Senator Randolph added as cosponsor		633
Third reading: passed;		
Roll Call 297: yeas 36, nays 14		642
Senator Merritt added as cosponsor		646
Returned to the House with amendments		
House concurred in Senate amendments;		
Roll Call 321: yeas 78, nays 7	433	
Signed by the Speaker	480	
Signed by the President Pro Tempore		1050
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 112		

HB 1183 Author Representative Ziemke

Mental health diagnosis.

	House	Senate
Authored by Representative Ziemke	40	
First reading: referred to Committee on Public Health		
HB 1184 Author Representative Bartels		
Public safety officer benefits.		
Authored by Representative Bartels	40	
First reading: referred to Committee on Employment, Labor and Pensions		
HB 1185 Author Representative Bartels		
Prescription drug donation repositories.		
Authored by Representative Bartels	40	
First reading: referred to Committee on Public Health		
Representatives Lindauer, Fleming, Bacon added as coauthors	58	
HB 1186 Author Representative Bartels		
Blue Star family member license plate.		
Authored by Representative Bartels	40	
First reading: referred to Committee on Roads and Transportation		
Representatives McNamara and Hatfield added as coauthors	58	
HB 1187 Author Representative Bartels		
Veteran service officers.		
Authored by Representative Bartels	40	
First reading: referred to Committee on Veterans Affairs and Public Safety		
Representative Judy added as coauthor	58	
HB 1188 Author Representative Bartels		
Education savings plan tax credit.		
Authored by Representative Bartels	40	
First reading: referred to Committee on Ways and Means		
Representative Miller added as coauthor	87	
■ HB 1189 Author Representative Mayfield Sponsors Senators Crider, Niemeyer		
Use of firefighting foam containing PFAS.		
Authored by Representative Mayfield	40	
First reading: referred to Committee on Veterans Affairs and Public Safety		
Representatives Frye, Pressel, Forestal added as coauthors	58	
Committee report: amend do pass, adopted	119	
Second reading: ordered engrossed	159	
Third reading: passed;		
Roll Call 91: yeas 98, nays 0	188	
Senate sponsor: Senator Niemeyer		
Referred to the Senate		
First reading: referred to Committee on Environmental Affairs		331
Senator Niemeyer removed as sponsor		333
Senator Crider added as sponsor		
Senator Niemeyer added as second sponsor		
Committee report: do pass, adopted		363
Senator Stoops added as cosponsor		370
Second reading: ordered engrossed		426
Senator Randolph added as cosponsor		428
Third reading: passed;		
Roll Call 225: yeas 48, nays 0		454
Returned to the House without amendments		
Signed by the Speaker	406	
Signed by the President Pro Tempore		653
Signed by the President of the Senate		684
Signed by the Governor	784	
Public Law 22		
HB 1190 Author Representative Lehman		
Municipally owned utilities.		
Authored by Representative Lehman	40	
First reading: referred to Committee on Utilities, Energy and Telecommunications		
HB 1191 Author Representative Clere Sponsors Senators Jon Ford, J.D. Ford		
Land contracts.		
Authored by Representative Clere	40	
First reading: referred to Committee on Judiciary		
Committee report: amend do pass, adopted	177	
Second reading: amended, ordered engrossed	231	
Amendment #1 (Clere) prevailed; voice vote	231	
Representatives Burton, Fleming, Pryor added as coauthors	234	
Third reading: passed;		
Roll Call 159: yeas 84, nays 9	239	
Senate sponsors: Senators Jon Ford and J.D. Ford		
Referred to the Senate		
First reading: referred to Committee on Judiciary		359
HB 1192 Author Representative Bartlett		
Seat belts on school buses.		
Authored by Representative Bartlett	40	
Coauthored by Representatives Cook, Schaibley and Campbell		
First reading: referred to Committee on Ways and Means		
HB 1193 Author Representative Kirchhofer		
Marion County fire consolidation.		
Authored by Representative Kirchhofer	75	
Coauthored by Representative Frye		
First reading: referred to Committee on Ways and Means		
HB 1194 Author Representative J. Young		
Railroad track crossings.		
Authored by Representative J. Young	40	
Coauthored by Representatives Lehe, Cherry, Moed		
First reading: referred to Committee on Roads and Transportation		
HB 1195 Author Representative Judy		
Regulation of hemp production.		
Authored by Representative Judy	75	
First reading: referred to Committee on Agriculture and Rural Development		
Representatives Morris and Baird added as coauthors	87	
Representative Moed added as coauthor	140	
HB 1196 Author Representative Judy		
Child custody and parenting time.		
Authored by Representative Judy	40	
First reading: referred to Committee on Judiciary		

	House	Senate
Representatives Lindauer and VanNatter added as coauthors	58	
HB 1197 Author Representative Abbott		
Wake boating.		
Authored by Representative Abbott	40	
First reading: referred to Committee on Natural Resources		
Representative GiaQuinta added as coauthor	59	
■ HB 1198 Author Representative Abbott Sponsors Senators Glick, Crider		
Public safety matters.		
Authored by Representative Abbott	40	
Coauthored by Representatives Frye and Bacon		
First reading: referred to Committee on Veterans Affairs and Public Safety		
Committee report: amend do pass, adopted	119	
Representative Macer added as coauthor	140	
Second reading: ordered engrossed	159	
Third reading: passed;		
Roll Call 92: yeas 98, nays 0	188	
Senate sponsor: Senator Glick		
Rule 105.1 suspended	191	
Representative Klinker added as coauthor	191	
Referred to the Senate		
First reading: referred to Committee on Homeland Security and Transportation		331
Committee report: do pass, adopted		342
Second reading: ordered engrossed		358
Third reading: passed;		
Roll Call 206: yeas 49, nays 0		368
Senator Crider added as second sponsor		370
Senator Randolph added as cosponsor		
Returned to the House without amendments		
Signed by the Speaker	415	
Signed by the President Pro Tempore		653
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 113		
■ HB 1199 Author Representative Clere Sponsors Senators Grooms, Messmer, Ruckelshaus		
Palliative care.		
Authored by Representative Clere	40	
First reading: referred to Committee on Public Health		
Committee report: amend do pass, adopted	120	
Representatives Lindauer, Bacon, Fleming added as coauthors	140	
Second reading: ordered engrossed	159	
Third reading: passed;		
Roll Call 93: yeas 97, nays 0	188	
Senate sponsors: Senators Grooms, Messmer, Ruckelshaus		
Cosponsor: Senator Breaux		
Referred to the Senate		
First reading: referred to Committee on Health and Provider Services		331
Committee report: amend do pass, adopted		415
Second reading: ordered engrossed		453
Senator Randolph added as cosponsor		457
Third reading: passed;		
Roll Call 245: yeas 42, nays 2		485
Returned to the House with amendments		
House concurred in Senate amendments; Roll Call 308: yeas 92, nays 0	419	
Signed by the Speaker	426	
Signed by the President Pro Tempore		684
Signed by the President of the Senate		903
Signed by the Governor	788	
Public Law 44		
HB 1200 Author Representative Abbott		
Exotic or dangerous wild animals.		
Authored by Representative Abbott	40	
Coauthored by Representative Campbell		
First reading: referred to Committee on Natural Resources		
HB 1201 Author Representative Morris		
Vehicle right of use subscription programs.		
Authored by Representative Morris	60	
Coauthored by Representative Soliday		
First reading: referred to Committee on Roads and Transportation		
HB 1202 Author Representative Cherry		
Fire and emergency medical service levies.		
Authored by Representative Cherry	40	
First reading: referred to Committee on Ways and Means		
HB 1203 Author Representative Cherry		
Veteran property tax matters.		
Authored by Representative Cherry	40	
First reading: referred to Committee on Ways and Means		
Representative Gutwein added as coauthor	87	
HB 1204 Author Representative Cherry Sponsors Senators Raatz, Crider, Bassler		
Education matters.		
Authored by Representative Cherry	40	
First reading: referred to Committee on Ways and Means		
Committee report: amend do pass, adopted	157	
Representatives Cook, Thompson, Goodin added as coauthors	191	
Second reading: amended, ordered engrossed	208	
Amendment #1 (Porter) ruled out of order	208	
Appeal the ruling of the chair (Porter); ruling of the chair sustained		
Roll Call 123: yeas 62, nays 32		
Amendment #2 (Porter) ruled out of order	208	
Appeal the ruling of the chair (Porter); ling of the chair sustained		
Roll Call 124: yeas 61, nays 33		
Amendment #3 (Porter) ruled out of order	209	
Amendment #6 (Beck) ruled out of order	210	
Amendment #7 (DeLaney) prevailed;		
Roll Call 125: yeas 93, nays 0	210	
Third reading: passed;		
Roll Call 137: yeas 94, nays 0	215	
Senate sponsors: Senators Raatz, Crider, Bassler		
Cosponsor: Senator Mishler		
Referred to the Senate		

	House	Senate
First reading: referred to Committee on Appropriations		331

HB 1205 Author Representative Cherry
Smoking and vaping restrictions.

	House	Senate
Authored by Representative Cherry	40	
First reading: referred to Committee on Public Health		

HB 1206 Author Representative Cherry
Donation of income tax refund for cancer research.

	House	Senate
Authored by Representative Cherry	40	
First reading: referred to Committee on Ways and Means		

■ HB 1207 Author Representative Davisson
Sponsors Senators Grooms, Ruckelshaus, Rogers
Pharmacy matters.

	House	Senate
Authored by Representative Davisson	75	
First reading: referred to Committee on Public Health		
Committee report: amend do pass, adopted	120	
Representative Barrett added as coauthor	140	
Second reading: ordered engrossed	171	
Third reading: passed;		
Roll Call 94: yes 98, nays 0	188	
Senate sponsors: Senators Grooms, Ruckelshaus, Rogers		
Referred to the Senate		
First reading: referred to Committee on Health and Provider Services		331
Pursuant to Senate Rule 68(b); reassigned to Committee on Insurance and Financial Institutions		
Senator Bohacek added as cosponsor		428
Committee report: amend do pass, adopted		530
Second reading: amended, ordered engrossed		615
Amendment #3 (Bohacek) prevailed; voice vote		615
Amendment #1 (J.D. Ford) failed; Roll Call 264: yes 10, nays 38		615
Amendment #2 (J.D. Ford) failed; Roll Call 265: yes 13, nays 36		616
Third reading: passed; Roll Call 298: yes 49, nays 1		642
Senator Buck added as cosponsor		646
Senator Leising added as cosponsor		
Returned to the House with amendments		
House dissented from Senate amendments	420	
House conferees appointed: Davisson and Hatfield	425	
House advisors appointed: Barrett, Lehman, Fleming and Shackleford		
Senate conferees appointed: Bohacek and Mrvan		660
Senate advisors appointed: Ruckelshaus, Breaux, Grooms and Zay		
Representative Davisson removed as conferee	482	
Representative Clere added as conferee	482	
Rules suspended; Conference committee report 1: adopted by the House; Roll Call 398: yes 91, nays 0	772	
Rules suspended; Conference committee report 1: adopted by the Senate; Roll Call 399: yes 47, nays 2		1022
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 114		

HB 1208 Author Representative Aylesworth
Elimination of lower speed limit for trucks.

	House	Senate
Authored by Representative Aylesworth	40	
First reading: referred to Committee on Roads and Transportation		

■ HB 1209 Author Representative Kirchhofer
Sponsors Senators Crider, Garten
Reimbursement for emergency medical services.

	House	Senate
Authored by Representative Kirchhofer	40	
First reading: referred to Committee on Public Health		
Committee report: amend do pass, adopted	72	
Second reading: ordered engrossed	94	
Third reading: passed;		
Roll Call 52: yes 93, nays 0	136	
Senate sponsor: Senator Crider		
Representatives Fleming, Shackleford, Barrett added as coauthors	140	
Referred to the Senate		
First reading: referred to Committee on Health and Provider Services		331
Committee report: amend do pass adopted; reassigned to Committee on Appropriations		415
Committee report: amend do pass, adopted		533
Second reading: ordered engrossed		616
Senator Garten added as second sponsor		633
Senator Randolph added as cosponsor		
Third reading: passed;		
Roll Call 299: yes 49, nays 1		642
Returned to the House with amendments		
House concurred in Senate amendments;		
Roll Call 334: yes 74, nays 0	442	
Signed by the Speaker	480	
Signed by the President Pro Tempore		1050
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 115		

■ HB 1210 Author Representative Zent
Sponsors Senators Charbonneau, Crider
Various health matters.

	House	Senate
Authored by Representative Zent	40	
First reading: referred to Committee on Public Health		
Committee report: do pass, adopted	72	
Second reading: ordered engrossed	94	
Third reading: passed;		
Roll Call 53: yes 92, nays 0	136	
Senate sponsor: Senator Charbonneau		
Representatives Fleming, Barrett, Shackleford added as coauthors	140	
Referred to the Senate		
First reading: referred to Committee on Health and Provider Services		331
Committee report: amend do pass, adopted		351
Second reading: ordered engrossed		368
Senator Crider added as second sponsor		370
Senator Randolph added as cosponsor		403
Third reading: passed;		
Roll Call 217: yes 48, nays 1		427
Returned to the House with amendments		

House concurred in Senate amendments;
Roll Call 313: yeas 87, nays 0. 426
Signed by the Speaker 433
Signed by the President Pro Tempore 684
Signed by the President of the Senate 903
Signed by the Governor. 788
Public Law 45

HB 1211 Author Representative Nisly
Constitutional carry of firearms.
Authored by Representative Nisly. 75
First reading: referred to Committee on Public Policy

HB 1212 - withdrawn

HB 1213 Author Representative Beck
Occupational health and safety.
Authored by Representative Beck 40
First reading: referred to Committee on
Courts and Criminal Code

HB 1214 Author Representative Beck
Assistance for the payment of property tax refunds.
Authored by Representative Beck 41
First reading: referred to Committee on
Ways and Means

HB 1215 Author Representative Beck
Education foundation tax credit.
Authored by Representative Beck 41
First reading: referred to Committee on
Ways and Means
Representative Hamilton added as coauthor 172

HB 1216 Author Representative Beck
Cannabis regulation.
Authored by Representative Beck 41
First reading: referred to Committee on Public Health

HB 1217 Author Representative Lauer
Emergency evictions.
Authored by Representative Lauer 41
First reading: referred to Committee on Judiciary
Representative Manning added as coauthor 98

■ HB 1218 Author Representative Manning
Sponsors Senators Donato, Koch
Locating underground utility infrastructure.
Authored by Representative Manning. 40
First reading: referred to Committee on Utilities,
Energy and Telecommunications
Committee report: amend do pass, adopted. 122
Second reading: ordered engrossed. 159
Third reading: passed;
Roll Call 95: yeas 98, nays 0. 188
Senate sponsors: Senators Donato and Koch
Representatives Soliday, DeVon, Candelaria Reardon
added as coauthors 191
Referred to the Senate
First reading: referred to Committee on Utilities. 331
Committee report: amend do pass, adopted. 364
Senator Randolph added as cosponsor 371
Second reading: ordered engrossed. 426

Third reading: passed;
Roll Call 226: yeas 48, nays 0. 455
Returned to the House with amendments
House concurred in Senate amendments;
Roll Call 314: yeas 87, nays 0. 426
Signed by the Speaker 433
Signed by the President Pro Tempore 684
Signed by the President of the Senate 903
Signed by the Governor. 788
Public Law 46

HB 1219 Author Representative Shackleford
Health insurance.
Authored by Representative Shackleford 41
First reading: referred to Committee on Insurance
Representative Austin added as coauthor 87

HB 1220 Author Representative Wesco
Nonpublic secondary schools.
Authored by Representative Wesco. 41
First reading: referred to Committee on Education

HB 1221 Author Representative Wesco
Poll hours; vote centers.
Authored by Representative Wesco. 19
First reading: referred to Committee on
Elections and Apportionment

HB 1222 Author Representative Wesco
Sponsors Senators Walker, Gaskill, Crane
Miscellaneous election law matters.
Authored by Representative Wesco. 41
First reading: referred to Committee on
Elections and Apportionment
Committee report: amend do pass, adopted. 137
Second reading: ordered engrossed. 159
Third reading: passed;
Roll Call 96: yeas 71, nays 27. 188
Senate sponsor: Senator Walker
Representative Boy added as coauthor 191
Referred to the Senate
First reading: referred to Committee on Elections. 341
Committee report: amend do pass, adopted. 376
Senator Gaskill added as second sponsor 428
Senator Crane added as third sponsor
Second reading: amended, ordered engrossed. 570
Amendment #1 (Niemeyer) prevailed; voice vote. 570
Amendment #13 (Walker) prevailed; voice vote. 571
Amendment #4 (J.D. Ford) prevailed; voice vote 575
Placed back on second reading 581
Reread second time: amended, ordered engrossed 616
Amendment #14 (Walker) prevailed; voice vote. 616
Third reading: passed;
Roll Call 300: yeas 37, nays 13. 642
Returned to the House with amendments
House dissented from Senate amendments 432
House conferees appointed: Wesco and Moseley 433
House advisors appointed: Manning, Vermilion,
Steuerwald, Austin, Boy and Pfaff
Senate conferees appointed: Walker and J.D. Ford. 669
Senate advisors appointed: Gaskill and Breaux
Representative Boy removed as advisor 457
Representative Moseley removed as conferee. 457

	House	Senate
Representative Boy added as conferee	457	

HB 1223 Author Representative Wesco
Local public questions.

	House	Senate
Authored by Representative Wesco	41	
First reading: referred to Committee on Elections and Apportionment		

■ HB 1224 Author Representative McNamara Sponsors Senators Crider, Merritt
Council on impaired and dangerous driving.

	House	Senate
Authored by Representative McNamara	40	
First reading: referred to Committee on Courts and Criminal Code		
Committee report: do pass, adopted	72	
Second reading: ordered engrossed	94	
Third reading: passed;		
Roll Call 54: yeas 91, nays 0	137	
Senate sponsor: Senator Crider		
Referred to the Senate		
First reading: referred to Committee on Corrections and Criminal Law		331
Committee report: do pass, adopted		394
Senator Randolph added as cosponsor		403
Second reading: ordered engrossed		426
Senator Merritt added as second sponsor		428
Third reading: passed;		
Roll Call 227: yeas 48, nays 0		455
Returned to the House without amendments		
Signed by the Speaker	406	
Signed by the President Pro Tempore		653
Signed by the President of the Senate		684
Signed by the Governor	784	
Public Law 23		

■ HB 1225 Author Representative McNamara Sponsors Senators Messmer, Becker
Public safety.

	House	Senate
Authored by Representative McNamara	41	
First reading: referred to Committee on Courts and Criminal Code		
Committee report: do pass, adopted	122	
Second reading: amended, ordered engrossed	171	
Amendment #2 (DeLaney) prevailed; voice vote	171	
Third reading: passed;		
Roll Call 130: yeas 85, nays 10	212	
Senate sponsors: Senators Messmer and Becker		
Referred to the Senate		
First reading: referred to Committee on Corrections and Criminal Law		341
Committee report: amend do pass, adopted		533
Second reading: ordered engrossed		616
Senator Crider added as cosponsor		633
Senator Randolph added as cosponsor		
Third reading: passed;		
Roll Call 301: yeas 50, nays 0		642
Returned to the House with amendments		
House concurred in Senate amendments;		
Roll Call 322: yeas 70, nays 15	433	
Signed by the Speaker	480	
Signed by the President Pro Tempore		1050
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 116		

HB 1226 Author Representative Hamilton
Sales tax exemption for feminine hygiene products.

	House	Senate
Authored by Representative Hamilton	41	
Coauthored by Representative Manning		
First reading: referred to Committee on Ways and Means		
Representative Errington added as coauthor	87	

HB 1227 Author Representative Hamilton
Supplemental fee on electric and hybrid vehicles.

	House	Senate
Authored by Representative Hamilton	18	
First reading: referred to Committee on Roads and Transportation		
Representative Fleming added as coauthor	47	

HB 1228 Author Representative Hamilton
Net metering.

	House	Senate
Authored by Representative Hamilton	41	
First reading: referred to Committee on Utilities, Energy and Telecommunications		
Representative Campbell added as coauthor	47	
Representatives Schaibley and Aylesworth added as coauthors	87	

HB 1229 Author Representative Lucas
Education matters.

	House	Senate
Authored by Representative Lucas	75	
First reading: referred to Committee on Education		

HB 1230 Author Representative Baird
Health care provider billing requirements.

	House	Senate
Authored by Representative Baird	41	
First reading: referred to Committee on Public Health		

HB 1231 Author Representative Baird
Prescription price.

	House	Senate
Authored by Representative Baird	41	
Coauthored by Representative Austin		
First reading: referred to Committee on Public Health		

HB 1232 Author Representative Baird
Interstate compact on curing diseases.

	House	Senate
Authored by Representative Baird	41	
First reading: referred to Statutory Committee on Interstate and International Cooperation		
Representative Karickhoff added as coauthor	59	
Representative Fleming added as coauthor	87	

HB 1233 Author Representative Baird
Deceptive lead generation.

	House	Senate
Authored by Representative Baird	41	
First reading: referred to Committee on Judiciary		

HB 1234 Author Representative Karickhoff
Film and media production rebate.

	House	Senate
Authored by Representative Karickhoff	41	
First reading: referred to Committee on Ways and Means		
Representatives Stutzman, Pierce, Hatfield added as coauthors	87	

House Senate

■ **HB 1235 Author Representative Karickhoff Sponsors Senators Crider, Doriot**
Public safety.
Authored by Representative Karickhoff 41
First reading: referred to Committee on Ways and Means
Committee report: do pass, adopted 158
Representative Porter added as coauthor. 172
Second reading: ordered engrossed. 193
Third reading: passed;
Roll Call 136: yeas 88, nays 2. 215
Senate sponsor: Senator Crider
Referred to the Senate
First reading: referred to Committee on Tax and Fiscal Policy 341
Committee report: amend do pass, adopted. 478
Second reading: ordered engrossed. 577
Senator Doriot added as second sponsor. 582
Third reading: passed;
Roll Call 302: yeas 39, nays 11. 643
Returned to the House with amendments
House dissented from Senate amendments 424
House conferees appointed: Karickhoff and Porter. 425
House advisors appointed: Thompson, Mayfield, Campbell and Wright
Senate conferees appointed: Crider and Niezgodski 661
Senate advisors appointed: Garten, Stoops and Niemeyer
Senator Niezgodski removed as conferee 746
Senator Messmer added as conferee
Rules suspended;
Conference committee report 1: adopted by the House;
Roll Call 395: yeas 79, nays 12. 759
Rules suspended;
Conference committee report 1: adopted by the Senate;
Roll Call 390: yeas 28, nays 21. 901
Signed by the President Pro Tempore 1050
Signed by the Speaker. 788
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 117

HB 1236 Author Representative Karickhoff
Prohibition on risk based managed care programs.
Authored by Representative Karickhoff 41
First reading: referred to Committee on Public Health

HB 1237 Author Representative Karickhoff
Medicaid reimbursement for schools.
Authored by Representative Karickhoff 41
First reading: referred to Committee on Ways and Means

HB 1238 Author Representative Chyung
Surveillance technology impact and use policy.
Authored by Representative Chyung. 18
First reading: referred to Committee on Veterans Affairs and Public Safety

HB 1239 Author Representative Chyung
Territorial application of the UCCC.
Authored by Representative Chyung. 18
First reading: referred to Committee on Financial Institutions

HB 1240 Author Representative Chyung
Cybersecurity training program.
Authored by Representative Chyung. 18
First reading: referred to Committee on Veterans Affairs and Public Safety

HB 1241 Author Representative Porter
Bed bug abatement.
Authored by Representative Porter 18
First reading: referred to Committee on Public Health

HB 1242 Author Representative Porter
Parents with a disability.
Authored by Representative Porter 41
First reading: referred to Committee on Family, Children and Human Affairs

■ **HB 1243 Author Representative Vermilion Sponsors Senators Becker, Grooms**
Genetic counselors.
Authored by Representative Vermilion. 41
Coauthored by Representative Kirchhofer
First reading: referred to Committee on Public Health
Committee report: do pass, adopted 122
Second reading: ordered engrossed. 159
Representatives Shackleford and Bacon added as coauthors 172
Third reading: passed;
Roll Call 97: yeas 96, nays 2. 188
Senate sponsor: Senator Becker
Referred to the Senate
First reading: referred to Committee on Health and Provider Services 341
Committee report: do pass, adopted 416
Second reading: amended, ordered engrossed. 453
Amendment #1 (L. Brown) prevailed; voice vote. 453
Senator Grooms added as second sponsor. 457
Senator Breaux added as cosponsor
Third reading: passed;
Roll Call 246: yeas 42, nays 3. 485
Returned to the House with amendments
House concurred in Senate amendments;
Roll Call 315: yeas 58, nays 26. 426
Signed by the Speaker. 433
Signed by the President Pro Tempore 684
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 118

■ **HB 1244 Author Representative Vermilion Sponsors Senators Boots, Perfect**
Unemployment hearings and appeals.
Authored by Representative Vermilion. 41
Coauthored by Representative Leonard
First reading: referred to Committee on Employment, Labor and Pensions
Committee report: do pass, adopted 177
Second reading: ordered engrossed. 231
Third reading: passed;
Roll Call 166: yeas 89, nays 0. 240

House Senate

Senate sponsor: Senator Boots
Referred to the Senate
First reading: referred to Committee on
Pensions and Labor 359
Committee report: amend do pass, adopted. 534
Second reading: amended, ordered engrossed. 616
Amendment #2 (Boots) prevailed; voice vote. 616
Amendment #4 (Boots) prevailed; voice vote. 616
Senator Perfect added as second sponsor 633
Senator Randolph added as cosponsor 634
Third reading: passed;
Roll Call 303: yeas 50, nays 0. 643
Returned to the House with amendments
House concurred in Senate amendments;
Roll Call 323: yeas 87, nays 0. 433
Signed by the Speaker. 480
Signed by the President Pro Tempore 1050
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 119

HB 1245 Author Representative Sullivan
Pigeon Creek.
Authored by Representative Sullivan 42
Coauthored by Representatives Bacon and McNamara
First reading: referred to Committee on
Natural Resources

■ HB 1246 Author Representative Sullivan
Sponsors Senators Crider, Garten
Automotive dealer services.
Authored by Representative Sullivan 41
First reading: referred to Committee on
Roads and Transportation
Committee report: do pass, adopted 122
Second reading: ordered engrossed. 159
Representatives Frye, Pryor, Pressel
added as coauthors 172
Third reading: passed;
Roll Call 98: yeas 97, nays 0. 188
Senate sponsor: Senator Crider
Referred to the Senate
First reading: referred to Committee on
Homeland Security and Transportation. 341
Senator Garten added as second sponsor. 486
Committee report: amend do pass, adopted. 534
Second reading: ordered engrossed. 618
Senator Randolph added as cosponsor 634
Third reading: passed;
Roll Call 304: yeas 44, nays 6. 643
Returned to the House with amendments
House concurred in Senate amendments;
Roll Call 335: yeas 77, nays 0. 442
Signed by the Speaker. 480
Signed by the President Pro Tempore 1050
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 120

HB 1247 Author Representative Morris
Business residency requirements.
Authored by Representative Morris 42
Coauthored by Representative Judy
First reading: referred to Committee on Public Policy

HB 1248 Author Representative Summers
Postpartum Medicaid for pregnant women.
Authored by Representative Summers 18
First reading: referred to Committee on Public Health

HB 1249 Author Representative Summers
Sponsors Senators Becker, Breaux
Kinship care oversight committee.
Authored by Representative Summers 18
First reading: referred to Committee on
Rules and Legislative Procedures
Reassigned to Committee on Family, Children
and Human Affairs 25
Committee report: amend do pass, adopted. 90
Representatives DeVon and Jackson
added as coauthors 98
Second reading: ordered engrossed. 135
Third reading: passed;
Roll Call 61: yeas 94, nays 3. 159
Senate sponsors: Senators Becker and Breaux
Referred to the Senate
First reading: referred to Committee on Judiciary. 359

HB 1250 Author Representative Summers
Implicit bias in medicine.
Authored by Representative Summers 18
First reading: referred to Committee on Public Health

HB 1251 Author Representative Summers
Study impact of violent crime on public health.
Authored by Representative Summers 18
First reading: referred to Committee on
Rules and Legislative Procedures

HB 1252 Author Representative Summers
Interim study on implicit bias in medicine.
Authored by Representative Summers 18
First reading: referred to Committee on
Rules and Legislative Procedures

HB 1253 Author Representative Goodin
Violations of wildlife protection laws.
Authored by Representative Goodin 42
First reading: referred to Committee on
Natural Resources

HB 1254 Author Representative Moed
Flood control improvement district projects.
Authored by Representative Moed 42
First reading: referred to Committee on
Natural Resources

HB 1255 Author Representative Moed
Road funding.
Authored by Representative Moed 42
First reading: referred to Committee on
Roads and Transportation

HB 1256 Author Representative Moed
Marion County housing trust fund.
Authored by Representative Moed 42

House Senate

First reading: referred to Committee on
Ways and Means

HB 1257 Author Representative Boy
Notice of environmental contamination.
Authored by Representative Boy. 18
Coauthored by Representative Errington
First reading: referred to Committee on
Environmental Affairs

HB 1258 Author Representative Deal
Green alert for at-risk veterans.
Authored by Representative Deal 42
First reading: referred to Committee on
Veterans Affairs and Public Safety

HB 1259 Author Representative Deal
Firearms and medical facilities.
Authored by Representative Deal 18
First reading: referred to Committee on Public Policy

HB 1260 Author Representative Deal
Commission on migrant farmworkers.
Authored by Representative Deal 18
First reading: referred to Committee on
Rules and Legislative Procedures

HB 1261 Author Representative May
Child placement.
Authored by Representative May 42
First reading: referred to Committee on Judiciary

HB 1262 Author Representative May
Children in need of services.
Authored by Representative May 42
First reading: referred to Committee on Judiciary

HB 1263 Author Representative May
Professional development for teachers.
Authored by Representative May 50
First reading: referred to Committee on Education

■ HB 1264 Author Representative May
Sponsors Senators Houchin, Grooms
Child care background checks.
Authored by Representative May 50
First reading: referred to Committee on
Family, Children and Human Affairs
Committee report: do pass, adopted 177
Second reading: ordered engrossed. 231
Third reading: passed;
Roll Call 160: yes 93, nays 0. 239
Senate sponsor: Senator Houchin
Representative Wright added as coauthor 241
Representative Klinker added as coauthor 241
Referred to the Senate
First reading: referred to Committee on
Family and Children Services 348
Committee report: amend do pass, adopted. 433
Senator Mrvan added as cosponsor. 457
Senator J.D. Ford added as cosponsor. 486
Second reading: ordered engrossed. 577
Senator Grooms added as second sponsor. 582

House Senate

Third reading: passed;
Roll Call 305: yes 50, nays 0. 643
Returned to the House with amendments
House concurred in Senate amendments;
Roll Call 331: yes 75, nays 0. 442
Signed by the Speaker 480
Signed by the President Pro Tempore 1050
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 121

■ HB 1265 Author Representative Jackson
Sponsors Senators Randolph, Niemeyer, Stoops
Drinking water testing.
Authored by Representative Jackson. 41
First reading: referred to Committee on
Environmental Affairs
Representative Wolkins added as coauthor. 59
Representative Harris added as coauthor. 87
Representative Aylesworth added as coauthor 98
Committee report: amend do pass, adopted. 122
Second reading: amended, ordered engrossed. 211
Amendment #1 (Errington) prevailed;
Roll Call 126: yes 96, nays 0 211
Amendment #8 (Jackson) prevailed;
Roll Call 127: yes 93, nays 0 211
Third reading: passed;
Roll Call 135: yes 90, nays 2. 215
Senate sponsors: Senators Randolph and Niemeyer
Referred to the Senate
First reading: referred to Committee on
Environmental Affairs. 341
Senator Stoops added as third sponsor 346
Senator Ruckelshaus added as cosponsor
Committee report: amend do pass, adopted. 434
Senator Buck added as cosponsor 457
Senator J.D. Ford added as cosponsor
Senator Niezgodski added as cosponsor
Senators Messmer and Sandlin added as cosponsors . . . 487
Second reading: amended, ordered engrossed. 618
Amendment #4 (Messmer) prevailed; voice vote 618
Amendment #2 (Randolph) prevailed; voice vote. 618
Amendment #1 (Stoops) failed;
Roll Call 266: yes 15, nays 34 618
Third reading: passed;
Roll Call 306: yes 50, nays 0. 643
Returned to the House with amendments
House concurred in Senate amendments;
Roll Call 344: yes 93, nays 0. 457
Signed by the Speaker 480
Signed by the President Pro Tempore 1050
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 122

HB 1266 Author Representative Ellington
Telephone solicitation.
Authored by Representative Ellington 50
First reading: referred to Committee on Utilities,
Energy and Telecommunications

House Senate

■ **HB 1267 Author Representative Hostettler**
Sponsors Senators Messmer, Crane
Withdrawal of candidates.
Authored by Representative Hostettler 50
First reading: referred to Committee on
Elections and Apportionment
Representatives Wesco, Borders, Moseley
added as coauthors 87
Committee report: amend do pass, adopted. 138
Second reading: ordered engrossed. 159
Third reading: passed;
Roll Call 99: yeas 97, nays 0. 188
Senate sponsor: Senator Messmer
Referred to the Senate
First reading: referred to Committee on Elections. 348
Committee report: do pass, adopted 364
Second reading: ordered engrossed. 426
Senator Crane added as second sponsor 428
Third reading: passed;
Roll Call 228: yeas 48, nays 0. 455
Returned to the House without amendments
Signed by the Speaker. 406
Signed by the President Pro Tempore 653
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 123

HB 1268 Author Representative Candelaria Reardon
Animal abuse registry.
Authored by Representative Candelaria Reardon 18
First reading: referred to Committee on
Courts and Criminal Code

HB 1269 Author Representative Candelaria Reardon
Lottery game for veteran programs.
Authored by Representative Candelaria Reardon 50
First reading: referred to Committee on Public Policy

HB 1270 Author Representative Candelaria Reardon
Lewd touching.
Authored by Representative Candelaria Reardon 18
First reading: referred to Committee on
Courts and Criminal Code

HB 1271 Author Representative Candelaria Reardon
Removal of elected officials.
Authored by Representative Candelaria Reardon 18
First reading: referred to Committee on
Government and Regulatory Reform

HB 1272 Author Representative Candelaria Reardon
Coverage for ectodermal dysplasia treatment.
Authored by Representative Candelaria Reardon 50
First reading: referred to Committee on Insurance

HB 1273 Author Representative Heine
Carrying firearms on school property.
Authored by Representative Heine 50
First reading: referred to Committee on Public Policy

HB 1274 Author Representative Heine
Heritage commerce district.
Authored by Representative Heine 50
First reading: referred to Committee on
Ways and Means

HB 1275 Author Representative Heine
Child services funding.
Authored by Representative Heine 50
First reading: referred to Committee on
Ways and Means

HB 1276 Author Representative Heine
Sentencing.
Authored by Representative Heine 50
First reading: referred to Committee on
Courts and Criminal Code

HB 1277 Author Representative Heine
Local income tax council procedures.
Authored by Representative Heine 50
First reading: referred to Committee on
Ways and Means

HB 1278 Author Representative Bauer
Sponsors Senators Houchin, Lanane
Grandparent visitation.
Authored by Representative Bauer 50
Coauthored by Representative Torr
First reading: referred to Committee on Judiciary
Representative Macer added as coauthor 140
Committee report: amend do pass, adopted. 177
Second reading: amended, ordered engrossed. 230
Amendment #2 (J. Young) prevailed; voice vote 230
Third reading: passed;
Roll Call 161: yeas 92, nays 1. 240
Senate sponsors: Senators Houchin and Lanane
Referred to the Senate
First reading: referred to Committee on Judiciary. 359

HB 1279 Author Representative Soliday
Sponsors Senators Mishler, Charbonneau
Local transportation projects.
Authored by Representative Soliday. 50
First reading: referred to Committee on
Government and Regulatory Reform
Committee report: amend do pass, adopted. 122
Second reading: ordered engrossed. 159
Third reading: passed;
Roll Call 100: yeas 96, nays 0. 188
Senate sponsors: Senators Mishler and Charbonneau
Representatives Pressel and Harris
added as coauthors 191
Referred to the Senate
First reading: referred to Committee on
Appropriations 348
Committee report: amend do pass, adopted. 416
Second reading: amended, ordered engrossed. 577
Amendment #5 (Mishler) prevailed; voice vote 577
Amendment #6 (Freeman) prevailed;
Roll Call 251: yeas 35, nays 12 577
Senator Melton added as cosponsor 582
Senator Tallian added as cosponsor 634
Senator Niezgodski added as cosponsor 640
Third reading: passed;
Roll Call 307: yeas 43, nays 7. 643

	House	Senate
Senator Buck added as cosponsor		646
Returned to the House with amendments		
House dissented from Senate amendments	420	
House conferees appointed: Soliday and Macer	426	
House advisors appointed: Sherman, Sullivan, Behning, Steuerwald, Harris, Porter, Shackleford, DeLaney, Pryor, Hamilton and Summers		
Senate conferees appointed: Mishler and Tallian		661
Senate advisors appointed: Ruckelshaus, Melton, Freeman and G. Taylor		
Rules suspended;		
Conference committee report 1: adopted by the Senate; Roll Call 400: yeas 46, nays 3		1028

HB 1280 Author Representative Soliday

	House	Senate
Overweight truck permits.		
Authored by Representative Soliday	50	
First reading: referred to Committee on Roads and Transportation		
Representative Lehman added as coauthor	59	

HB 1281 Author Representative Carbaugh

	House	Senate
Small claims court jurisdictional limits.		
Authored by Representative Carbaugh	50	
First reading: referred to Committee on Courts and Criminal Code		

HB 1282 Author Representative Eberhart

	House	Senate
Excess liability trust fund.		
Authored by Representative Eberhart	50	
First reading: referred to Committee on Environmental Affairs		
Committee report: do pass, adopted	125	
Referred to the Ways and Means pursuant to House Rule 127	139	

■ HB 1283 Author Representative DeVon
Sponsors Senators Rogers, Raatz

	House	Senate
Teacher preparation program curriculum.		
Authored by Representative DeVon	50	
First reading: referred to Committee on Education		
Representative McNamara added as coauthor	98	
Committee report: amend do pass, adopted	125	
Representatives Thompson and Pfaff added as coauthors	141	
Second reading: ordered engrossed	159	
Third reading: passed;		
Roll Call 101: yeas 98, nays 0	189	
Senate sponsors: Senators Rogers and Raatz		
Referred to the Senate		
First reading: referred to Committee on Education and Career Development		341
Senator Kruse added as cosponsor		428
Committee report: amend do pass, adopted		541
Senator Donato added as cosponsor		582
Senator Melton added as cosponsor		
Second reading: ordered engrossed		618
Senator Randolph added as cosponsor		634
Third reading: passed;		
Roll Call 308: yeas 42, nays 6		643
Senator Crane added as cosponsor		647
Returned to the House with amendments		
House concurred in Senate amendments;		
Roll Call 324: yeas 85, nays 2	433	
Signed by the Speaker	480	
Signed by the President Pro Tempore		1050
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 124		

HB 1284 Author Representative DeVon

	House	Senate
Modification of utility facilities.		
Authored by Representative DeVon	50	
First reading: referred to Committee on Utilities, Energy and Telecommunications		

HB 1285 Author Representative VanNatter

	House	Senate
Utility consumer counselor advisory council.		
Authored by Representative VanNatter	50	
First reading: referred to Committee on Utilities, Energy and Telecommunications		

HB 1286 Author Representative Moseley

	House	Senate
Automated traffic control in construction zones.		
Authored by Representative Moseley	50	
First reading: referred to Committee on Roads and Transportation		
Representatives Pressel and Soliday added as coauthors	87	
Representative Macer added as coauthor	141	

HB 1287 Author Representative Moseley

	House	Senate
Student ID card.		
Authored by Representative Moseley	51	
First reading: referred to Committee on Education		

■ HB 1288 Author Representative Moseley
Sponsors Senators Walker, Tallian

	House	Senate
Local office campaign finance reports.		
Authored by Representative Moseley	51	
First reading: referred to Committee on Elections and Apportionment		
Representative Morrison added as coauthor	88	
Committee report: do pass, adopted	139	
Second reading: ordered engrossed	159	
Third reading: passed;		
Roll Call 102: yeas 97, nays 0	189	
Senate sponsors: Senators Walker and Tallian		
Referred to the Senate		
First reading: referred to Committee on Elections		341
Committee report: do pass, adopted		364
Second reading: ordered engrossed		426
Third reading: passed;		
Roll Call 229: yeas 46, nays 2		455
Returned to the House without amendments		
Signed by the Speaker	406	
Signed by the President Pro Tempore		653
Signed by the President of the Senate		684
Signed by the Governor	784	
Public Law 24		

HB 1289 Author Representative Moseley

	House	Senate
Employee misclassification.		
Authored by Representative Moseley	51	

House Senate

First reading: referred to Committee on
Employment, Labor and Pensions
Representative Macer added as coauthor 141

HB 1290 Author Representative Moseley
Absentee voting.
Authored by Representative Moseley 51
First reading: referred to Committee on
Elections and Apportionment

HB 1291 Author Representative Abbott
Redevelopment commissions.
Authored by Representative Abbott 51
First reading: referred to Committee on
Ways and Means

HB 1292 Author Representative Bacon
Township trustees and board members.
Authored by Representative Bacon 51
Coauthored by Representatives Pressel and Zent
First reading: referred to Committee on
Elections and Apportionment

HB 1293 Author Representative Lehe
Hemp.
Authored by Representative Lehe 75
First reading: referred to Committee on Judiciary
Committee report: amend do pass, adopted. 177

HB 1294 Author Representative Engleman
Pregnancy and childbirth discrimination.
Authored by Representative Engleman 51
First reading: referred to Committee on
Employment, Labor and Pensions
Representatives Negele, Fleming, Shackleford
added as coauthors 172

HB 1295 Author Representative DeVon
Fire and building safety matters.
Authored by Representative DeVon 51
First reading: referred to Committee on
Veterans Affairs and Public Safety

HB 1296 Author Representative V. Smith
Additional teacher salary.
Authored by Representative V. Smith. 51
First reading: referred to Committee on Education

HB 1297 Author Representative V. Smith
Surrender of firearms for domestic violence crimes.
Authored by Representative V. Smith. 51
First reading: referred to Committee on
Courts and Criminal Code

HB 1298 Author Representative V. Smith
Tobacco offenses.
Authored by Representative V. Smith. 18
First reading: referred to Committee on
Courts and Criminal Code

HB 1299 Author Representative V. Smith
Loan forgiveness for distressed schools.
Authored by Representative V. Smith. 18

House Senate

First reading: referred to Committee on
Ways and Means

HB 1300 Author Representative Barrett
Administration of auto-injectable epinephrine.
Authored by Representative Barrett 51
First reading: referred to Committee on Public Health

■ HB 1301 Author Representative Carbaugh
Sponsors Senators Crider, Niezgodski
Deployment of truck safety technology.
Authored by Representative Carbaugh 51
First reading: referred to Committee on
Roads and Transportation
Committee report: amend do pass, adopted. 125
Second reading: amended, ordered engrossed. 171
Amendment #1 (Carbaugh) prevailed; voice vote. 171
Third reading: passed;
Roll Call 103: yeas 87, nays 6. 189
Senate sponsors: Senators Crider and Niezgodski
Representatives Morris and Pressel
added as coauthors 191
Referred to the Senate
First reading: referred to Committee on
Pensions and Labor. 341
Committee report: do pass, adopted 417
Senators Doriot and Kruse added as cosponsors. 428
Second reading: ordered engrossed. 453
Third reading: passed;
Roll Call 247: yeas 45, nays 0. 485
Senator Busch added as cosponsor 487
Returned to the House without amendments
Signed by the Speaker. 406
Signed by the President Pro Tempore 653
Signed by the President of the Senate 903
Signed by the Governor. 788
Public Law 47

HB 1302 Author Representative Mayfield
Fire protection territories.
Authored by Representative Mayfield. 75
First reading: referred to Committee on
Local Government

HB 1303 Author Representative Goodin
Clark County courts.
Authored by Representative Goodin 51
Coauthored by Representative McNamara
First reading: referred to Committee on
Courts and Criminal Code

HB 1304 Author Representative Prescott
Broadband development.
Authored by Representative Prescott 51
Coauthored by Representatives Negele and Baird
First reading: referred to Committee on Utilities,
Energy and Telecommunications

■ HB 1305 Author Representative Stutzman
Sponsors Senators Doriot, Rogers
Graduation rate calculation.
Authored by Representative Stutzman 51
First reading: referred to Committee on Education

House Senate

Representative Lindauer added as coauthor 59
Committee report: amend do pass, adopted. 125
Second reading: ordered engrossed. 159
Representative Klinker added as coauthor 172
Third reading: passed;
Roll Call 104: yes 97, nays 1. 189
Senate sponsors: Senators Doriot and Rogers
Referred to the Senate
First reading: referred to Committee on
Education and Career Development 341
Senator Kruse added as cosponsor 428
Senator Raatz added as cosponsor. 457
Committee report: do pass, adopted 542
Second reading: ordered engrossed. 619
Senator Randolph added as cosponsor 634
Third reading: passed;
Roll Call 309: yes 42, nays 6. 645
Returned to the House without amendments
Signed by the Speaker. 433
Signed by the President Pro Tempore 1050
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 125

HB 1306 Author Representative DeLaney
Sponsors Senators Koch, Jon Ford, Niezgodski
Full faith and credit for tribal court orders.
Authored by Representative DeLaney. 51
First reading: referred to Committee on Judiciary
Representative Steuerwald added as coauthor. 98
Representative Dvorak added as coauthor. 141
Committee report: amend do pass, adopted. 178
Second reading: ordered engrossed. 214
Third reading: passed;
Roll Call 162: yes 92, nays 0. 240
Senate sponsors: Senators Koch, Jon Ford, Niezgodski
Referred to the Senate
First reading: referred to Committee on Judiciary. 359

HB 1307 Author Representative Wolkins
Motor vehicle highway account.
Authored by Representative Wolkins 51
First reading: referred to Committee on
Roads and Transportation

HB 1308 Author Representative Wolkins
Training requirements for certain local officials.
Authored by Representative Wolkins 51
First reading: referred to Committee on
Local Government
Committee report: amend do pass, adopted. 139

■ HB 1309 Author Representative Wolkins
Sponsors Senators Messmer, Niemeyer
Department of environmental management.
Authored by Representative Wolkins 41
First reading: referred to Committee on
Environmental Affairs
Committee report: amend do pass, adopted. 72
Second reading: ordered engrossed. 94
Third reading: passed;
Roll Call 55: yes 91, nays 1. 137
Senate sponsor: Senator Messmer

House Senate

Representatives Baird, Errington, Hamilton
added as coauthors 141
Referred to the Senate
First reading: referred to Committee on
Environmental Affairs. 331
Committee report: amend do pass, adopted. 434
Senator Niemeyer added as second sponsor 457
Second reading: ordered engrossed. 578
Third reading: passed;
Roll Call 310: yes 48, nays 0. 645
Returned to the House with amendments
House concurred in Senate amendments;
Roll Call 345: yes 90, nays 1. 457
Signed by the Speaker. 480
Signed by the President Pro Tempore 1050
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 126

HB 1310 Author Representative Wolkins
Public notice requirements.
Authored by Representative Wolkins 51
Coauthored by Representative McNamara
First reading: referred to Committee on
Local Government

HB 1311 Author Representative Fleming
Gift package permit.
Authored by Representative Fleming 51
First reading: referred to Committee on Public Policy
Representatives Clere, Karickhoff, Austin
added as coauthors 99

HB 1312 Author Representative J. Young
Driving.
Authored by Representative J. Young. 51
First reading: referred to Committee on
Courts and Criminal Code

■ HB 1313 Author Representative J. Young
Sponsors Senators Koch, M. Young
Courts and family law matters.
Authored by Representative J. Young. 51
Coauthored by Representative Steuerwald
First reading: referred to Committee on
Courts and Criminal Code
Committee report: amend do pass, adopted. 125
Second reading: ordered engrossed. 159
Third reading: passed;
Roll Call 105: yes 97, nays 0. 189
Senate sponsor: Senator Koch
Referred to the Senate
First reading: referred to Committee on Judiciary. 360
Committee report: amend do pass, adopted. 542
Second reading: ordered engrossed. 619
Senator M. Young added as second sponsor. 634
Senator Randolph added as cosponsor
Third reading: passed;
Roll Call 311: yes 48, nays 0. 645
Returned to the House with amendments
House concurred in Senate amendments;
Roll Call 332: yes 76, nays 0. 442
Signed by the Speaker. 480

House Senate

Signed by the President Pro Tempore 1050
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 162

HB 1314 Author Representative VanNatter
Physical custody and parenting time.
Authored by Representative VanNatter. 51
First reading: referred to Committee on Judiciary

HB 1315 Author Representative VanNatter
Impaired driving standards.
Authored by Representative VanNatter. 51
First reading: referred to Committee on
Courts and Criminal Code

HB 1316 Author Representative Pryor
Constables.
Authored by Representative Pryor 51
First reading: referred to Committee on
Courts and Criminal Code

HB 1317 Author Representative Kirchhofer
Sponsors Senators Koch, Charbonneau
Health care advance directive.
Authored by Representative Kirchhofer 51
First reading: referred to Committee on Public Health
Representative Hatfield added as coauthor 141
Committee report: amend do pass, adopted. 158
Second reading: amended, ordered engrossed. 211
Amendment #1 (Kirchhofer) prevailed; voice vote. . . . 211
Third reading: passed;
Roll Call 134: yeas 94, nays 0. 214
Senate sponsor: Senator Koch
Representative Barrett added as coauthor 234
Referred to the Senate
First reading: referred to Committee on Judiciary. 334
Senator Charbonneau added as second sponsor 339

HB 1318 Author Representative Lindauer
Levee repair and agency wetland coordination.
Authored by Representative Lindauer. 51
Coauthored by Representatives Bartels, Davisson,
Goodin
First reading: referred to Committee on
Natural Resources

HB 1319 Author Representative Lindauer
Public utility use of off-road vehicles.
Authored by Representative Lindauer. 51
First reading: referred to Committee on
Roads and Transportation

HB 1320 Author Representative Boy
Definition of "bias crime".
Authored by Representative Boy. 52
First reading: referred to Committee on
Courts and Criminal Code

HB 1321 Author Representative McNamara
Twenty-first century scholars program.
Authored by Representative McNamara 52
Coauthored by Representative Cook
First reading: referred to Committee on Education

HB 1322 Author Representative McNamara
Mental and behavioral health matters.
Authored by Representative McNamara 52
Coauthored by Representative Cook
First reading: referred to Committee on Public Health

HB 1323 Author Representative Borders
Grandparent and great-grandparent rights.
Authored by Representative Borders. 52
First reading: referred to Committee on Judiciary

HB 1324 Author Representative Borders
Ordinance enforcement.
Authored by Representative Borders. 52
First reading: referred to Committee on
Courts and Criminal Code

HB 1325 Author Representative Ellington
Caller ID authentication.
Authored by Representative Ellington 52
First reading: referred to Committee on Utilities,
Energy and Telecommunications

■ HB 1326 Author Representative Kirchhofer
Sponsors Senators Crider, Becker
Community mental health centers.
Authored by Representative Kirchhofer 52
First reading: referred to Committee on Public Health
Committee report: amend do pass, adopted. 158
Second reading: ordered engrossed. 193
Representative Fleming added as coauthor 213
Third reading: passed;
Roll Call 133: yeas 94, nays 0. 214
Senate sponsor: Senator Crider
Referred to the Senate
First reading: referred to Committee on
Health and Provider Services 348
Committee report: amend do pass, adopted. 543
Senator Becker added as second sponsor 582
Second reading: amended, ordered engrossed. 619
Amendment #2 (Crider) prevailed; voice vote 619
Amendment #3 (Crider) prevailed; voice vote 619
Senator Randolph added as cosponsor 634
Third reading: passed;
Roll Call 312: yeas 48, nays 0. 645
Returned to the House with amendments
House dissented from Senate amendments 420
House conferees appointed: Kirchhofer and Fleming . . . 425
House advisors appointed: Lindauer, Vermilion,
Porter and Shackleford
Senate conferees appointed: Crider and Breaux 661
Senate advisors appointed: Becker and Mrvan
House concurred in Senate amendments;
Roll Call 358: yeas 87, nays 0. 468
Signed by the President Pro Tempore 1050
Signed by the Speaker. 788
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 127

House Senate

HB 1327 Author Representative Soliday
Power charge indifference adjustment.
Authored by Representative Soliday 52
First reading: referred to Committee on Utilities, Energy and Telecommunications

HB 1328 Author Representative DeLaney
Elimination of net metering phase out.
Authored by Representative DeLaney 52
First reading: referred to Committee on Utilities, Energy and Telecommunications

HB 1329 Author Representative DeLaney
Veterans educational costs exemption.
Authored by Representative DeLaney 52
First reading: referred to Committee on Education

HB 1330 Author Representative Hamilton
Sponsor Senator Busch
Return of lost pets to owners.
Authored by Representative Hamilton 52
Coauthored by Representative Karickhoff
First reading: referred to Committee on Agriculture and Rural Development
Committee report: amend do pass, adopted 86
Representatives Moed and Cook added as coauthors . . . 88
Second reading: ordered engrossed 96
Third reading: passed;
Roll Call 56: yeas 91, nays 1 137
Senate sponsor: Senator Busch
Representative Moed removed as coauthor 141
Representative Wright added as coauthor
Referred to the Senate
First reading: referred to Committee on Commerce and Technology 360

HB 1331 Author Representative Carbaugh
Ticket sales.
Authored by Representative Carbaugh 75
First reading: referred to Committee on Commerce, Small Business and Economic Development
Committee report: do pass, adopted 126
Representatives Morris and Moed added as coauthors . . 172

HB 1332 Author Representative Lehman
Sponsors Senators Boots, Tallian
Ambulatory surgical centers.
Authored by Representative Lehman 41
First reading: referred to Committee on Employment, Labor and Pensions
Committee report: amend do pass, adopted 178
Representative Carbaugh added as coauthor 191
Second reading: amended, ordered engrossed 217
Amendment #2 (Barrett) prevailed; voice vote 217
Amendment #1 (Beck) failed; voice vote 217
Third reading: passed;
Roll Call 163: yeas 91, nays 1 240
Senate sponsors: Senators Boots and Tallian
Representative Beck added as coauthor 241
Referred to the Senate
First reading: referred to Committee on Pensions and Labor 360
Committee report: amend do pass, adopted 544
Second reading: amended, ordered engrossed 619
Amendment #2 (Boots) prevailed; voice vote 619
Senator Randolph added as cosponsor 634
Third reading: passed;
Roll Call 313: yeas 48, nays 0 645
Returned to the House with amendments
House dissented from Senate amendments 420
House conferees appointed: Lehman and Beck 425
House advisors appointed: Carbaugh, Borders, Deal and Moseley
Senate conferees appointed: Boots and Tallian 661
Senate advisors appointed: Walker and Niezgodski

HB 1333 Author Representative Lauer
Educational costs exemption.
Authored by Representative Lauer 52
First reading: referred to Committee on Education

■ HB 1334 Author Representative Eberhart
Sponsors Senators Niemeyer, Niezgodski
Radon mitigation.
Authored by Representative Eberhart 75
Coauthored by Representative Moed
First reading: referred to Committee on Environmental Affairs
Committee report: do pass, adopted 126
Second reading: ordered engrossed 159
Third reading: passed;
Roll Call 106: yeas 98, nays 0 189
Senate sponsors: Senators Niemeyer and Niezgodski
Referred to the Senate
First reading: referred to Committee on Environmental Affairs 348
Committee report: do pass, adopted 364
Senator Stoops added as cosponsor 371
Second reading: ordered engrossed 426
Third reading: passed;
Roll Call 230: yeas 48, nays 0 455
Returned to the House without amendments
Signed by the Speaker 415
Signed by the President Pro Tempore 653
Signed by the President of the Senate 684
Signed by the Governor 784
Public Law 25

HB 1335 Author Representative Morris
Health care costs.
Authored by Representative Morris 52
First reading: referred to Committee on Public Health

HB 1336 Author Representative Vermilion
Sponsor Senator Charbonneau
Telemedicine.
Authored by Representative Vermilion 52
Coauthored by Representative Kirchhofer
First reading: referred to Committee on Public Health
Committee report: amend do pass, adopted 126
Second reading: ordered engrossed 159
Third reading: passed;
Roll Call 107: yeas 98, nays 0 189
Senate sponsor: Senator Charbonneau
Representative Shackleford added as coauthor 191
Referred to the Senate

	House	Senate
First reading: referred to Committee on Health and Provider Services		360
HB 1337 Author Representative Hatfield Sponsor Senator Ruckelshaus		
Notification of water utilities and water treatment plants.		
Authored by Representative Hatfield	52	
First reading: referred to Committee on Environmental Affairs		
Representatives Hamilton, Miller, VanNatter added as coauthors	99	
Committee report: amend do pass, adopted	126	
Second reading: ordered engrossed	159	
Third reading: passed;		
Roll Call 108: yeas 98, nays 0	189	
Senate sponsor: Senator Ruckelshaus		
Referred to the Senate		
First reading: referred to Committee on Environmental Affairs		360
HB 1338 Author Representative Dvorak		
PFAS in public water systems.		
Authored by Representative Dvorak	52	
First reading: referred to Committee on Public Health		
Representative Hamilton added as coauthor	141	
HB 1339 Author Representative Dvorak		
Redevelopment commission land purchases.		
Authored by Representative Dvorak	52	
First reading: referred to Committee on Local Government		
HB 1340 Author Representative Dvorak		
Repayment of federal student loans.		
Authored by Representative Dvorak	52	
First reading: referred to Committee on Ways and Means		
Representative Macer added as coauthor	141	
■ HB 1341 Author Representative Pfaff Sponsors Senators Kruse, Jon Ford, Stoops		
Students with disabilities.		
Authored by Representative Pfaff	52	
Coauthored by Representative Clere		
First reading: referred to Committee on Education		
Representatives Behning and Burton added as coauthors	88	
Committee report: amend do pass, adopted	127	
Second reading: ordered engrossed	159	
Third reading: passed;		
Roll Call 109: yeas 97, nays 0	189	
Senate sponsors: Senators Kruse, Jon Ford, Stoops		
Cosponsor: Senator J.D. Ford		
Referred to the Senate		
First reading: referred to Committee on Education and Career Development		360
Senator Raatz added as cosponsor		457
Senator Niezgodski added as cosponsor		487
Committee report: amend do pass, adopted		560
Senator Rogers added as cosponsor		582
Second reading: ordered engrossed		630
Senator Randolph added as cosponsor		634
Third reading: passed;		
Roll Call 314: yeas 48, nays 0		645
Senator Crane added as cosponsor		647
Returned to the House with amendments		
House concurred in Senate amendments;		
Roll Call 325: yeas 89, nays 0	433	
Signed by the Speaker	480	
Signed by the President Pro Tempore		1050
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 128		
HB 1342 Author Representative Lindauer		
Removal of residence from floodway.		
Authored by Representative Lindauer	52	
First reading: referred to Committee on Natural Resources		
■ HB 1343 Author Representative Hostettler Sponsors Senators Tomes, Messmer, Becker		
New Harmony and Wabash River bridge authority.		
Authored by Representative Hostettler	52	
Coauthored by Representative McNamara		
First reading: referred to Committee on Judiciary		
Representative Torr added as coauthor	88	
Committee report: amend do pass, adopted	180	
Second reading: ordered engrossed	214	
Third reading: passed;		
Roll Call 164: yeas 93, nays 0	240	
Senate sponsor: Senator Tomes		
Referred to the Senate		
First reading: referred to Committee on Commerce and Technology		341
Committee report: amend do pass, adopted		394
Second reading: ordered engrossed		426
Senator Messmer added as second sponsor		428
Senator Becker added as third sponsor		
Third reading: passed;		
Roll Call 231: yeas 48, nays 0		455
Senator Glick added as cosponsor		457
Returned to the House with amendments		
House concurred in Senate amendments;		
Roll Call 326: yeas 90, nays 0	433	
Signed by the Speaker	480	
Signed by the President Pro Tempore		1050
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 163		
HB 1344 Author Representative Lyness		
Employment of minors.		
Authored by Representative Lyness	52	
First reading: referred to Committee on Employment, Labor and Pensions		
HB 1345 Author Representative Lauer		
Adoption for abandoned infants.		
Authored by Representative Lauer	52	
First reading: referred to Committee on Family, Children and Human Affairs		
■ HB 1346 Author Representative Frye Sponsors Senators Koch, M. Young		
Jail overcrowding.		

	House	Senate
Authored by Representative Frye	25	
First reading: referred to Committee on Courts and Criminal Code		
Representatives Steuerwald, DeLaney, Hatfield added as coauthors	47	
Committee report: amend do pass, adopted	127	
Second reading: ordered engrossed	159	
Third reading: passed; Roll Call 110: yeas 99, nays 0	190	
Senate sponsor: Senator Koch		
Referred to the Senate		
First reading: referred to Committee on Corrections and Criminal Law		348
Senator Randolph added as cosponsor		403
Committee report: amend do pass, adopted		418
Second reading: ordered engrossed		453
Third reading: passed; Roll Call 248: yeas 45, nays 0		485
Senator M. Young added as second sponsor		487
Returned to the House with amendments		
House concurred in Senate amendments; Roll Call 309: yeas 93, nays 0	419	
Signed by the Speaker	426	
Signed by the President Pro Tempore		684
Signed by the President of the Senate		903
Signed by the Governor	788	
Public Law 48		

HB 1347 Author Representative Gutwein
Sponsor Senator Garten

	House	Senate
Bureau of motor vehicles.		
Authored by Representative Gutwein	41	
First reading: referred to Committee on Roads and Transportation		
Representatives Cherry and Sullivan added as coauthors	88	
Committee report: amend do pass, adopted	128	
Second reading: ordered engrossed	171	
Third reading: passed; Roll Call 111: yeas 97, nays 1	190	
Senate sponsor: Senator Garten		
Representative Austin added as coauthor	191	
Referred to the Senate		
First reading: referred to Committee on Homeland Security and Transportation		360

HB 1348 Author Representative Gutwein
Sponsors Senators Busch, Gaskill

	House	Senate
State and local administration.		
Authored by Representative Gutwein	52	
First reading: referred to Select Committee on Government Reduction		
Committee report: amend do pass, adopted	180	
Representatives Lehman and Engleman added as coauthors	191	
Second reading: ordered engrossed	214	
Third reading: passed; Roll Call 168: yeas 91, nays 1	241	
Senate sponsor: Senator Busch		
Referred to the Senate		
First reading: referred to Committee on Public Policy		360
Committee report: amend do pass, adopted		419
Senator Randolph added as cosponsor		428
Second reading: ordered engrossed		453
Senator Gaskill added as second sponsor		487
Third reading: passed; Roll Call 255: yeas 45, nays 0		581
Returned to the House with amendments		
House dissented from Senate amendments	415	
House conferees appointed: Gutwein and Austin	418	
House advisors appointed: Cherry, Lehman, Harris and Jackson		
Senate conferees appointed: Crider and Melton		656
Senate advisors appointed: Busch and Lanane		

HB 1349 Author Representative Pfaff

	House	Senate
Poll hours; same day registration.		
Authored by Representative Pfaff	52	
First reading: referred to Committee on Elections and Apportionment		

HB 1350 Author Representative Goodin

	House	Senate
Meat, poultry, and dairy labeling.		
Authored by Representative Goodin	52	
First reading: referred to Committee on Agriculture and Rural Development		

HB 1351 Author Representative Vermilion

	House	Senate
Tobacco and vaping.		
Authored by Representative Vermilion	52	
First reading: referred to Committee on Public Health		

HB 1352 Author Representative Sullivan

	House	Senate
Bureau of motor vehicles.		
Authored by Representative Sullivan	52	
First reading: referred to Committee on Roads and Transportation		

■ HB 1353 Author Representative Burton
Sponsors Senators Bassler, Zay

	House	Senate
Financial institutions and consumer credit.		
Authored by Representative Burton	60	
First reading: referred to Committee on Financial Institutions		
Committee report: amend do pass, adopted	180	
Representative Chyung added as coauthor	213	
Second reading: ordered engrossed	214	
Representatives Hamilton and Heaton added as coauthors	234	
Third reading: passed; Roll Call 167: yeas 92, nays 0	240	
Senate sponsor: Senator Bassler		
Referred to the Senate		
First reading: referred to Committee on Insurance and Financial Institutions		360
Senator Zay added as second sponsor		371
Senator J.D. Ford added as cosponsor		
Committee report: amend do pass, adopted		560
Second reading: ordered engrossed		630
Third reading: passed; Roll Call 315: yeas 48, nays 0		645
Returned to the House with amendments		
Senate conferees appointed: Bassler and J.D. Ford		671
Senate advisors appointed: Zay and Breaux		
House concurred in Senate amendments; Roll Call 346: yeas 92, nays 0	457	

House Senate

Signed by the Speaker 480
Signed by the President Pro Tempore 1050
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 129

HB 1354 Author Representative Beck
School mental health funding.
Authored by Representative Beck 60
First reading: referred to Committee on
Ways and Means

HB 1355 Author Representative Hatcher
Marital violence victims.
Authored by Representative Hatcher. 60
First reading: referred to Committee on Judiciary

HB 1356 Author Representative Hatcher
Student assessment and accountability.
Authored by Representative Hatcher. 61
First reading: referred to Committee on Education

HB 1357 Author Representative Hatcher
Independent testing of Lake Michigan water.
Authored by Representative Hatcher. 61
First reading: referred to Committee on
Environmental Affairs

HB 1358 Author Representative Hatcher
Residency of public safety officers.
Authored by Representative Hatcher. 61
First reading: referred to Committee on
Veterans Affairs and Public Safety

HB 1359 Author Representative Hatcher
Medical cannabis pilot program.
Authored by Representative Hatcher. 61
First reading: referred to Committee on Public Health

HB 1360 - withdrawn

HB 1361 Author Representative Judy
Education matters.
Authored by Representative Judy 61
First reading: referred to Committee on Education

HB 1362 Author Representative Judy
Various military and veterans matters.
Authored by Representative Judy 61
First reading: referred to Committee on
Veterans Affairs and Public Safety

HB 1363 Author Representative DeLaney
Bicycle safety.
Authored by Representative DeLaney. 61
First reading: referred to Committee on
Roads and Transportation

HB 1364 Author Representative Sherman
Funding survivor health coverage.
Authored by Representative Sherman 61
First reading: referred to Committee on
Ways and Means

House Senate

HB 1365 Author Representative Sherman
Medicaid advisory committee member.
Authored by Representative Sherman 61
First reading: referred to Committee on Public Health

HB 1366 Author Representative Lehe
Industrial waste.
Authored by Representative Lehe 61
First reading: referred to Committee on
Environmental Affairs
Representatives Gutwein and Negele
added as coauthors 88

HB 1367 Author Representative Behning
Teacher vacancy information.
Authored by Representative Behning 61
Coauthored by Representative Goodin
First reading: referred to Committee on Education

HB 1368 Author Representative Behning
Restrictions on smoking and vaping.
Authored by Representative Behning 61
Coauthored by Representatives Porter, Kirchhofer,
Clere
First reading: referred to Committee on Public Health

HB 1369 Author Representative Behning
School resource officers.
Authored by Representative Behning 61
Coauthored by Representatives V. Smith and Clere
First reading: referred to Committee on Education

■ HB 1370 Author Representative May
Sponsors Senators Messmer, Bohacek
Regional redevelopment.
Authored by Representative May 61
First reading: referred to Committee on
Local Government
Committee report: do pass, adopted 139
Second reading: ordered engrossed. 171
Third reading: passed;
Roll Call 112: yeas 98, nays 0. 190
Senate sponsor: Senator Messmer
Representative Chyung added as coauthor 191
Representative Torr added as coauthor 191
Referred to the Senate
First reading: referred to Committee on
Local Government. 360
Committee report: do pass, adopted 420
Senator Bohacek added as second sponsor 428
Senator Kruse added as cosponsor
Second reading: ordered engrossed. 453
Third reading: passed;
Roll Call 249: yeas 45, nays 0. 485
Returned to the House without amendments
Signed by the Speaker 406
Signed by the President Pro Tempore 653
Signed by the President of the Senate 684
Signed by the Governor. 784
Public Law 26

HB 1371 Author Representative V. Smith
Distressed unit appeal board.

	House	Senate
Authored by Representative V. Smith	61	
First reading: referred to Committee on Government and Regulatory Reform		

■ HB 1372 Author Representative Carbaugh Sponsors Senators Bassler, Zay

Various insurance matters.

	House	Senate
Authored by Representative Carbaugh	41	
First reading: referred to Committee on Insurance		
Committee report: amend do pass, adopted	128	
Second reading: ordered engrossed	159	
Third reading: passed;		
Roll Call 113: yeas 98, nays 0	190	
Senate sponsor: Senator Bassler		
Representatives Lehman and Austin added as coauthors	191	
Referred to the Senate		
First reading: referred to Committee on Insurance and Financial Institutions		334
Committee report: amend do pass, adopted		420
Senator Zay added as second sponsor		487
Second reading: amended, ordered engrossed		578
Amendment #4 (Bassler) prevailed; voice vote		578
Amendment #3 (L. Brown) prevailed; voice vote		579
Amendment #5 (Bohacek) prevailed; voice vote		579
Amendment #7 (Bassler) prevailed; voice vote		580
Amendment #6 (Niezgodski) prevailed; Roll Call 252: yeas 32, nays 14		580
Third reading: passed;		
Roll Call 316: yeas 45, nays 3		646
Returned to the House with amendments		
House dissented from Senate amendments	420	
House conferees appointed: Carbaugh and Austin	425	
House advisors appointed: Judy, Lehman, Borders, Heaton and Campbell		
Senate conferees appointed: Bassler and Niezgodski		661
Senate advisors appointed: Zay and Breaux		
Rules suspended;		
Conference committee report 1: adopted by the House; Roll Call 393: yeas 88, nays 3	677	
Rules suspended;		
Conference committee report 1: adopted by the Senate; Roll Call 396: yeas 45, nays 4		968
Signed by the President Pro Tempore		1050
Signed by the Speaker	788	
Signed by the President of the Senate		1051
Signed by the Governor	788	
Public Law 130		

HB 1373 Author Representative Gutwein

Veterans service officers and video gaming.

	House	Senate
Authored by Representative Gutwein	61	
First reading: referred to Committee on Public Policy		
Representative Clere added as coauthor	141	

HB 1374 - withdrawn

HB 1375 Author Representative Speedy

Homeowners associations and solar power.

	House	Senate
Authored by Representative Speedy	61	
First reading: referred to Committee on Judiciary		

HB 1376 Author Representative Speedy

Collection of veteran status information.

	House	Senate
Authored by Representative Speedy	61	
First reading: referred to Committee on Veterans Affairs and Public Safety		

HB 1377 Author Representative Speedy

Appropriation for aviation education.

	House	Senate
Authored by Representative Speedy	61	
First reading: referred to Committee on Ways and Means		

HB 1378 Author Representative Speedy

Appropriation for first responder monument.

	House	Senate
Authored by Representative Speedy	61	
First reading: referred to Committee on Ways and Means		

HB 1379 Author Representative Miller

Eminent domain.

	House	Senate
Authored by Representative Miller	61	
First reading: referred to Committee on Judiciary		

HB 1380 Author Representative Negele

Right to a victim advocate.

	House	Senate
Authored by Representative Negele	61	
First reading: referred to Committee on Courts and Criminal Code		

HB 1381 Author Representative Negele

Affordable housing tax credit.

	House	Senate
Authored by Representative Negele	61	
First reading: referred to Committee on Ways and Means		

HB 1382 Author Representative Negele

Uniform partition of heirs property act.

	House	Senate
Authored by Representative Negele	61	
First reading: referred to Committee on Judiciary		

HB 1383 Author Representative Negele

Information concerning seizure of firearms.

	House	Senate
Authored by Representative Negele	61	
First reading: referred to Committee on Courts and Criminal Code		

HB 1384 Author Representative Eberhart

Craft hemp flower.

	House	Senate
Authored by Representative Eberhart	75	
Coauthored by Representatives Moed, VanNatter, Bartels		
First reading: referred to Committee on Public Health		

■ HB 1385 Author Representative Eberhart Sponsors Senators Glick, Crider

Natural resources.

	House	Senate
Authored by Representative Eberhart	61	
Coauthored by Representatives Pfaff and Prescott		
First reading: referred to Committee on Natural Resources		
Committee report: amend do pass, adopted	180	
Second reading: ordered engrossed	214	

House Senate

Third reading: passed;
Roll Call 165: yeas 93, nays 0. 240
Senate sponsor: Senator Glick
Referred to the Senate
First reading: referred to Committee on
Natural Resources 360
Committee report: amend do pass, adopted. 434
Second reading: ordered engrossed 630
Senator Crider added as second sponsor 634
Senator Tallian added as cosponsor
Third reading: passed;
Roll Call 317: yeas 48, nays 0. 646
Returned to the House with amendments
House dissented from Senate amendments 420
House conferees appointed: Eberhart and Pfaff 425
House advisors appointed: Prescott, Karickhoff
and Errington
Senate conferees appointed: Glick and Tallian 661
Senate advisors appointed: Rogers, Lanane
and Mishler
Rules suspended;
Conference committee report 1: adopted by the Senate;
Roll Call 371: yeas 36, nays 13. 728
Rules suspended;
Conference committee report 1: adopted by the House;
Roll Call 368: yeas 70, nays 22. 483
Signed by the President Pro Tempore 1050
Signed by the Speaker 788
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 164

HB 1386 Author Representative Morris
Parole.
Authored by Representative Morris 61
First reading: referred to Committee on
Courts and Criminal Code

HB 1387 Author Representative Klinker
Tax credit for medical school clinical faculty.
Authored by Representative Klinker 62
Coauthored by Representative Wolkins
First reading: referred to Committee on
Ways and Means

HB 1388 Author Representative Klinker
Education benefits related to military service.
Authored by Representative Klinker 62
Coauthored by Representative Stutzman
First reading: referred to Committee on Education
Representative Judy added as coauthor 99

HB 1389 Author Representative Klinker
Taxation of military personnel deployed overseas.
Authored by Representative Klinker 62
Coauthored by Representative Wolkins
First reading: referred to Committee on
Ways and Means

HB 1390 Author Representative Klinker
Epilepsy foundation trust license plate.
Authored by Representative Klinker 62
Coauthored by Representatives Wolkins and Campbell
First reading: referred to Committee on
Roads and Transportation

HB 1391 Author Representative Klinker
Retired law enforcement officers and firearms.
Authored by Representative Klinker 62
Coauthored by Representatives Stutzman, Wolkins,
Campbell
First reading: referred to Committee on Education

■ HB 1392 Author Representative Smaltz
Sponsors Senators Charbonneau, Busch
Physician assistants and nurses.
Authored by Representative Smaltz 62
First reading: referred to Committee on Public Health
Representative Mayfield added as coauthor 173
Committee report: amend do pass, adopted. 182
Second reading: ordered engrossed 214
Representative Jackson added as coauthor 234
Third reading: passed;
Roll Call 170: yeas 92, nays 0. 241
Senate sponsors: Senators Charbonneau and Busch
Referred to the Senate
First reading: referred to Committee on
Health and Provider Services 360
Senator Melton added as cosponsor 371
Senator J.D. Ford added as cosponsor. 403
Committee report: amend do pass, adopted. 561
Second reading: amended, ordered engrossed. 630
Amendment #1 (Charbonneau) prevailed; voice vote. . 630
Third reading: passed;
Roll Call 318: yeas 48, nays 0. 646
Senators Leising, Buck, Rogers added as cosponsors . . . 647
Returned to the House with amendments
House concurred in Senate amendments;
Roll Call 336: yeas 79, nays 0. 442
Signed by the Speaker 480
Signed by the President Pro Tempore 1050
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 131

HB 1393 Author Representative Smaltz
Teacher training.
Authored by Representative Smaltz 62
First reading: referred to Committee on Education

HB 1394 Author Representative Smaltz
Tax credit for teachers.
Authored by Representative Smaltz 62
First reading: referred to Committee on
Ways and Means

HB 1395 Author Representative DeVon
Tutoring for foster children and interim study.
Authored by Representative DeVon 62
First reading: referred to Committee on Education

HB 1396 Author Representative Austin
Hazing.
Authored by Representative Austin. 62
First reading: referred to Committee on Education

House Senate

HB 1397 Author Representative Austin
Disposal of motor vehicles.
Authored by Representative Austin 62
Coauthored by Representatives Goodin, Manning, Thompson
First reading: referred to Committee on Roads and Transportation

HB 1398 Author Representative Macer
Veterans educational costs exemption.
Authored by Representative Macer 62
First reading: referred to Committee on Education

HB 1399 Author Representative Macer
License plate for women veterans.
Authored by Representative Macer 62
First reading: referred to Committee on Roads and Transportation

HB 1400 Author Representative Macer
Emergency medical services for counties.
Authored by Representative Macer 62
First reading: referred to Committee on Local Government

HB 1401 Author Representative Macer
Health care for incarcerated women.
Authored by Representative Macer 62
First reading: referred to Committee on Courts and Criminal Code

HB 1402 Author Representative Macer
Construction worker infection control program.
Authored by Representative Macer 62
First reading: referred to Committee on Employment, Labor and Pensions

■ HB 1403 Author Representative Wolkins
Sponsors Senators Messmer, Sandlin
Waste tires.
Authored by Representative Wolkins 62
First reading: referred to Committee on Environmental Affairs
Committee report: amend do pass, adopted. 132
Second reading: ordered engrossed 190
Representative Klinker added as coauthor 191
Third reading: passed;
Roll Call 131: yeas 94, nays 0. 212
Senate sponsor: Senator Messmer
Representative Bauer added as coauthor 213
Referred to the Senate
First reading: referred to Committee on Environmental Affairs. 334
Committee report: do pass, adopted 364
Second reading: ordered engrossed 426
Senator Sandlin added as second sponsor 428
Third reading: passed;
Roll Call 232: yeas 48, nays 0. 455
Returned to the House without amendments
Signed by the Speaker 406
Signed by the President Pro Tempore 653
Signed by the President of the Senate 684
Signed by the Governor. 784
Public Law 27

HB 1404 Author Representative Manning
Golden Hoosier passports for disabled veterans.
Authored by Representative Manning 62
First reading: referred to Committee on Natural Resources
Representative Gutwein added as coauthor 99

HB 1405 Author Representative Lauer
School employee communications.
Authored by Representative Lauer 62
First reading: referred to Committee on Education

HB 1406 Author Representative Shackleford
Expungement of juvenile records.
Authored by Representative Shackleford 62
First reading: referred to Committee on Courts and Criminal Code

HB 1407 Author Representative Forestal
Farm winery sale of beer.
Authored by Representative Forestal. 62
First reading: referred to Committee on Public Policy

HB 1408 Author Representative Forestal
Government fraud hotline.
Authored by Representative Forestal. 62
First reading: referred to Committee on Local Government

HB 1409 Author Representative Forestal
Credit reporting for consumers under medical care.
Authored by Representative Forestal. 62
First reading: referred to Committee on Financial Institutions

HB 1410 Author Representative Forestal
Natural resources foundation.
Authored by Representative Forestal. 62
First reading: referred to Committee on Natural Resources

HB 1411 Author Representative Wesco
School corporation disannexation.
Authored by Representative Wesco. 62
First reading: referred to Committee on Elections and Apportionment

HB 1412 Author Representative Huston
Local income tax distributions.
Authored by Representative Huston 62
First reading: referred to Committee on Ways and Means

HB 1413 Author Representative Eberhart
Assisted reproduction and gestational surrogacy.
Authored by Representative Eberhart 62
First reading: referred to Committee on Judiciary

■ HB 1414 Author Representative Soliday
Sponsors Senators Messmer, Koch, Houchin
Electric generation.

House Senate

Authored by Representative Soliday 62
First reading: referred to Committee on Utilities, Energy and Telecommunications
Committee report: amend do pass, adopted. 133
Representatives Morrison and Hostettler added as coauthors 191
Representative Manning added as coauthor 191
Second reading: amended, ordered engrossed. 216
Amendment #8 (Soliday) prevailed; voice vote 216
Amendment #7 (Dvorak) failed; Roll Call 142: yes 11, nays 83 216
Amendment #1 (DeLaney) ruled out of order. 216
Amendment #6 (Morrison) prevailed; Roll Call 143: yes 94, nays 0 217
Third reading: passed; Roll Call 169: yes 52, nays 41. 241
Senate sponsors: Senators Messmer, Koch, Houchin
Cosponsor: Senator Garten
Referred to the Senate
First reading: referred to Committee on Utilities. 360
Senator Jon Ford added as cosponsor 371
Committee report: amend do pass, adopted. 562
Second reading: amended, ordered engrossed. 631
Amendment #2 (Messmer) prevailed; voice vote 631
Amendment #1 (J.D. Ford) failed; Roll Call 267: yes 10, nays 38 631
Third reading: passed; Roll Call 319: yes 37, nays 11. 646
Returned to the House with amendments
House dissented from Senate amendments 420
House conferees appointed: Soliday and Pierce 425
House advisors appointed: Hostettler, Morrison, Manning, Hatfield and Macer
Senate conferees appointed: Messmer and J.D. Ford . . . 658
Senate advisors appointed: Jon Ford, Stoops, Koch and Niezgodski
Senator Koch removed as advisor 685
Senator J.D. Ford removed as conferee
Senator Koch added as conferee
Representative Morrison removed as advisor 457
Representative Pierce removed as conferee 457
Representative Morrison added as conferee 457
Rules suspended; Conference committee report 1: adopted by the House; Roll Call 355: yes 56, nays 37. 467
Rules suspended; Conference committee report 1: adopted by the Senate; Roll Call 361: yes 28, nays 21. 702
Signed by the President Pro Tempore 1050
Signed by the Speaker 788
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 165

HB 1415 Author Representative Hamilton
Regulated drains and environmental concerns.
Authored by Representative Hamilton 63
First reading: referred to Committee on Local Government

HB 1416 Author Representative Borders
Religious freedom restoration.
Authored by Representative Borders. 63
Coauthored by Representative Nisly
First reading: referred to Committee on Judiciary

HB 1417 Author Representative Borders
Individual adjusted gross income tax rates.
Authored by Representative Borders. 63
Coauthored by Representative Nisly
First reading: referred to Committee on Ways and Means

HB 1418 Author Representative Engleman
Minimum age to marry.
Authored by Representative Engleman 63
First reading: referred to Committee on Judiciary
Committee report: amend do pass, adopted. 183
Representative Austin added as coauthor 191
Representative Schaibley added as coauthor. 191

■ HB 1419 Author Representative Behning Sponsors Senators Raatz, Spartz, Niezgodski
Governor's workforce cabinet.
Authored by Representative Behning 63
Coauthored by Representative Porter
First reading: referred to Committee on Government and Regulatory Reform
Committee report: amend do pass, adopted. 133
Representative Pressel added as coauthor 173
Representative Klinker added as coauthor 191
Second reading: amended, ordered engrossed. 215
Amendment #2 (Behning) prevailed; voice vote. 215
Third reading: passed; Roll Call 171: yes 92, nays 1. 241
Senate sponsors: Senators Raatz, Spartz, Niezgodski
Cosponsor: Senator Zay
Referred to the Senate
First reading: referred to Committee on Commerce and Technology 372
Committee report: amend do pass, adopted. 562
Senator Koch added as cosponsor. 582
Second reading: ordered engrossed. 631
Senator Randolph added as cosponsor 634
Third reading: passed; Roll Call 320: yes 37, nays 9. 646
Senator Perfect added as cosponsor 647
Returned to the House with amendments
House dissented from Senate amendments 420
House conferees appointed: Behning and Porter. 425
House advisors appointed: Goodrich, Pressel and Klinker
Senate conferees appointed: Raatz and J.D. Ford 659
Senate advisors appointed: Zay, Stoops and Koch
Rules suspended; Conference committee report 1: adopted by the House; Roll Call 362: yes 91, nays 3. 473
Rules suspended; Conference committee report 1: adopted by the Senate; Roll Call 372: yes 39, nays 10. 743
Signed by the President Pro Tempore 1050
Signed by the Speaker 788
Signed by the President of the Senate 1051
Signed by the Governor. 788
Public Law 132

House Senate

HB 1420 Author Representative Porter
Advance payment to human services vendors.
Authored by Representative Porter 63
First reading: referred to Committee on
Ways and Means

HB 1421 Author Representative Borders
Information or performances harmful to minors.
Authored by Representative Borders. 63
Coauthored by Representative Nisly
First reading: referred to Committee on
Courts and Criminal Code

HB 1422 Author Representative Wright
Licensure of art therapists.
Authored by Representative Wright 63
First reading: referred to Committee on Public Health

HB 1423 Author Representative Wright
Service animal exclusion from marital property.
Authored by Representative Wright 63
First reading: referred to Committee on Judiciary

HB 1424 Author Representative Wright
Flashing lights for lane painting vehicles.
Authored by Representative Wright 63
First reading: referred to Committee on
Roads and Transportation

HB 1425 Author Representative GiaQuinta
Absentee voting.
Authored by Representative GiaQuinta. 63
First reading: referred to Committee on
Elections and Apportionment
Representative Hamilton added as coauthor 141

HB 1426 Author Representative GiaQuinta
Secured school fund grants.
Authored by Representative GiaQuinta. 63
First reading: referred to Committee on
Ways and Means

HB 1427 Author Representative Campbell
Paid family and medical leave program.
Authored by Representative Campbell 63
Coauthored by Representatives Hamilton and Fleming
First reading: referred to Committee on
Employment, Labor and Pensions

HB 1428 Author Representative Behning
High school graduation requirements.
Authored by Representative Behning 63
First reading: referred to Committee on Education

HB 1429 Author Representative Hatfield
Work sharing.
Authored by Representative Hatfield 63
First reading: referred to Committee on
Employment, Labor and Pensions
Representative Hamilton added as coauthor 234

HB 1430 Author Representative Hatfield
Elimination of textbook fees.
Authored by Representative Hatfield 63
First reading: referred to Committee on Education

HB 1431 Author Representative Smaltz
Alcoholic beverage dealer residency.
Authored by Representative Smaltz 63
First reading: referred to Committee on Public Policy

HB 1432 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 75

HB 1433 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 75

HB 1434 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 75

HB 1435 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 75

HB 1436 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 75

HB 1437 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1438 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1439 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1440 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1441 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1442 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1443 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1444 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1445 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

House Senate

HB 1446 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1447 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1448 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1449 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1450 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1451 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1452 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1453 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1454 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1455 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HB 1456 Vehicle bill.
First reading: referred to Committee on
Rules and Legislative Procedures 76

HJR 1 Author Representative Chyung
Minimum age requirements for legislators.
Authored by Representative Chyung. 18
First reading: referred to Committee on Judiciary

HJR 2 Author Representative Dvorak
Indiana permanent fund.
Authored by Representative Dvorak 63
First reading: referred to Committee on
Ways and Means

HJR 3 Author Representative Dvorak
Membership of the general assembly.
Authored by Representative Dvorak 63
First reading: referred to Committee on
Rules and Legislative Procedures

House Senate

HCR 1 Author Representative Bosma
Sponsors Senators Bray, Lanane
Allowing the House and Senate to adjourn and
recess separately throughout the
Second Regular Session.
Authored by Representative Bosma 10
Coauthored by Representative GiaQuinta
First reading: adopted voice vote
Senate sponsors: Senators Bray and Lanane
Referred to the Senate
First reading: adopted;
Roll Call 2: yeas 47, nays 0. 5
Returned to the House

HCR 2 Author Representative Jackson
Sponsors Senators Randolph, Melton, G. Taylor
Recognizing Prom Genie, Incorporated.
Authored by Representative Jackson. 14
Coauthored by Representatives Shackleford,
Harris, Hatcher, Bartlett, Porter, Pryor, V. Smith,
Summers, Candelaria Reardon, Beck
First reading: adopted voice vote
Senate sponsors: Senators Randolph, Melton,
G. Taylor
Cosponsor: Senator Breaux
Referred to the Senate
First reading: adopted voice vote 20
Returned to the House

HCR 3 Author Representative Stutzman
Sponsor Senator Doriot
Recognizing the Boys and Girls Clubs of
Elkhart County.
Authored by Representative Stutzman 19
Coauthored by Representatives Wesco, Miller, Nisly
First reading: adopted voice vote
Senate sponsor: Senator Doriot
Referred to the Senate
First reading: adopted voice vote 38
Returned to the House

HCR 4 Author Representative Bosma
Sponsor Senator M. Young
Honoring the legacy of the Hulman-George
family and celebrating the incoming leadership
of Roger Penske and the Penske Corporation at the
Indianapolis Motor Speedway and INDYCAR.
Authored by Representative Bosma 16
Coauthored by Representatives Macer and Frye
First reading: adopted voice vote
Senate sponsor: Senator M. Young
Referred to the Senate
First reading: adopted voice vote 22
Senators Alting, Bassler, Becker, Bohacek, Boots,
Bray, Breaux, L. Brown, Buchanan, Buck, Busch,
Charbonneau, Crane, Crider, Donato, Doriot,
J.D. Ford, Jon Ford, Freeman, Garten, Gaskill,
Glick, Grooms, Holdman, Houchin, Koch, Kruse,
Lanane, Leising, Melton, Merritt, Messmer, Mishler,
Mrvan, Niemeyer, Niezgodski, Perfect, Raatz,
Randolph, Rogers, Ruckelshaus, Sandlin, Spartz,
Stoops, Tallian, G. Taylor, Tomes, Walker, Zay
added as cosponsors 23

House Senate

Returned to the House

HCR 5 Author Representative Lehman
Sponsors Senators Bray, Lanane
To convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.
Authored by Representative Lehman 25
Coauthored by Representative GiaQuinta
First reading: adopted voice vote
Senate sponsors: Senators Bray and Lanane
Referred to the Senate
First reading: adopted voice vote 38
Returned to the House

HCR 6 Author Representative Lehman
Sponsors Senators Bray, Lanane
To convene a Joint Session of the One Hundred Twenty-First General Assembly of the State of Indiana.
Authored by Representative Lehman 25
Coauthored by Representative GiaQuinta
First reading: adopted voice voice vote
Senate sponsors: Senators Bray and Lanane
Referred to the Senate
First reading: adopted voice vote 38
Returned to the House

HCR 8 Author Representative Negele
Sponsor Senator Glick
Commemorating the centennial anniversary of Indiana ratifying the 19th Amendment.
Authored by Representative Negele 72
Coauthored by Representative Pryor
First reading: adopted;
Roll Call 27: yeas 100, nays 0
Senate sponsor: Senator Glick
Referred to the Senate
First reading: adopted;
Roll Call 22: yeas 49, nays 0. 104
Returned to the House
Representative Lauer added as coauthor 99

HCR 9 Author Representative Campbell
Sponsor Senator Alting
Recognizing Abby Mills as the 2019 All-American Soap Box Derby world champion in the rally Masters division.
Authored by Representative Campbell 93
First reading: adopted voice vote
Senate sponsor: Senator Alting
Referred to the Senate
First reading: adopted voice vote 145
Returned to the House

HCR 10 Author Representative Heaton
Sponsor Senator Bassler
Honoring Angus J. Nicoson.
Authored by Representative Heaton 94
First reading: adopted voice vote
Senate sponsor: Senator Bassler
Referred to the Senate
First reading: adopted standing vote 146
Returned to the House

HCR 11 Author Representative Zent
Sponsors Senators Glick, Tomes, Niezgodski
Urging the creation of a Medal of Honor Memorial Highway in Indiana.
Authored by Representative Zent 97
First reading: referred to Committee on Roads and Transportation
Committee report: do pass, adopted 100
Second reading: adopted;
Roll Call 58: yeas 93, nays 0. 142
Senate sponsors: Senators Glick, Tomes, Niezgodski
Representative Lauer added as coauthor 195
Referred to the Senate
First reading: referred to Committee on Homeland Security and Transportation. 177
Representative Lauer removed as coauthor. 234
Representatives Abbott, Austin, Aylesworth, Bacon, Baird, Barrett, Bartels, Bartlett, Bauer, Beck, Behning, Borders, Bosma, Boy, T. Brown, Burton, Campbell, Candelaria Reardon, Carbaugh, Cherry, Chyung, Clere, Cook, Davisson, DeLaney, DeVon, Deal, Dvorak, Eberhart, Ellington, Engleman, Errington, Fleming, Forestal, Frye, GiaQuinta, Goodin, Goodrich, Gutwein, Hamilton, Harris, Hatcher, Hatfield, Heaton, Heine, Hostettler, Huston, Jackson, Jordan, Judy, Karickhoff, Kirchhofer, Klinker, Lauer, Lehe, Lehman, Leonard, Lindauer, Lucas, Lyness, Macer, Manning, May, Mayfield, McNamara, Miller, Moed, Morris, Morrison, Moseley, Negele, Nisly, Pfaff, Pierce, Porter, Prescott, Pressel, Pryor, Saunders, Schaibley, Shackleford, Sherman, Smaltz, V. Smith, Soliday, Speedy, Steuerwald, Stutzman, Sullivan, Summers, Thompson, Torr, VanNatter, Vermilion, Wesco, Wolkins, Wright, J. Young, Ziemke added as coauthors 251
Senator Garten added as cosponsor. 339
Senator Mrvan added as cosponsor
Committee report: do pass, adopted 342
Second reading: adopted standing vote. 358
Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Gaskill, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Niemeyer, Perfect, Raatz, Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Walker, M. Young, Zay added as cosponsors 358
Returned to the House

HCR 12 Author Representative Bartlett
Sponsors Senators Messmer, Garten
Honoring the inductees of the Indiana Military Veterans Hall of Fame.
Authored by Representative Bartlett 142
Coauthored by Representative Zent
First reading: adopted voice vote
Senate sponsors: Senators Messmer and Garten

House Senate

Referred to the Senate
First reading: adopted voice vote 202
Returned to the House
Representative Lauer added as coauthor 213

HCR 13 Author Representative Summers
Sponsor Senator G. Taylor
Recognizing Alpha Kappa Alpha Day at the Capitol.
Authored by Representative Summers 278
Coauthored by Representatives Shackleford and Pryor
First reading: adopted voice vote
Senate sponsor: Senator G. Taylor
Referred to the Senate
First reading: adopted voice vote 368
Returned to the House

HCR 14 Author Representative Abbott
Sponsor Senator Glick
Honoring and recognizing the 2018 to 2019 winners of the Student Soybean Product Innovation Competition.
Authored by Representative Abbott 134
Coauthored by Representative Prescott
First reading: adopted voice vote
Senate sponsor: Senator Glick
Referred to the Senate
First reading: adopted voice vote 147
Returned to the House

HCR 15 Author Representative GiaQuinta
Urging the Indiana Department of Transportation to rename a bridge on U.S. Route 27 in Fort Wayne as the "Fort Wayne Veterans Memorial Bridge".
Authored by Representative GiaQuinta. 143
Coauthored by Representatives Leonard, Judy, Lehman, Morris, Heine, Carbaugh, Abbott, Smaltz
First reading: referred to Committee on Roads and Transportation

HCR 16 Author Representative Frye
Memorializing Marine Corporal John C. Bishop.
Authored by Representative Frye 143
First reading: referred to Committee on Roads and Transportation

HCR 17 Author Representative Mayfield
Sponsors Senators Koch, Stoops
Urging the Indiana Department of Transportation to rename the State Road 45 and 2nd Street bridge over I-69 the "Sarah Irene Haylett-Jones Memorial Bridge".
Authored by Representative Mayfield. 143
Coauthored by Representatives Ellington, Heaton, May, Pierce
First reading: referred to Committee on Roads and Transportation
Committee report: do pass, adopted 212
Second reading: adopted;
Roll Call 177: yeas 85, nays 0. 264
Senate sponsors: Senators Koch and Stoops
Referred to the Senate
First reading: referred to Committee on Homeland Security and Transportation. 361
Committee report: do pass, adopted 373
Second reading: adopted standing vote 426
Returned to the House

HCR 18 Author Representative Heine
Sponsor Senator Kruse
Urging the Indiana Department of Transportation to rename a portion of State Road 930 in honor of service members who fought and served during Operation Enduring Freedom.
Authored by Representative Heine 144
First reading: referred to Committee on Roads and Transportation
Committee report: do pass, adopted 212
Second reading: adopted;
Roll Call 175: yeas 97, nays 0. 255
Senate sponsor: Senator Kruse
Referred to the Senate
First reading: referred to Committee on Homeland Security and Transportation. 349
Committee report: do pass, adopted 458
Second reading: adopted standing vote 566
Returned to the House

HCR 19 Author Representative Bacon
Sponsor Senator Becker
Recognizing the 2019 Castle High School archery team for winning their twelfth state championship and second consecutive national championship.
Authored by Representative Bacon 144
First reading: adopted voice vote
Senate sponsor: Senator Becker
Referred to the Senate
Representative Sullivan added as coauthor 192
First reading: adopted voice vote 203
Returned to the House

HCR 20 Author Representative Deal
Sponsor Senator Bohacek
Urging the study of constructing an inn at Potato Creek State Park.
Authored by Representative Deal 185
Coauthored by Representative Pressel
First reading: adopted voice vote
Senate sponsor: Senator Bohacek
Referred to the Senate
First reading: referred to Committee on Natural Resources 215
Committee report: do pass, adopted 362
Second reading: adopted voice vote 400
Returned to the House

HCR 21 Author Representative Judy
Sponsors Senators Busch, Zay
Recognizing the Whitley County Chamber of Commerce for 100 years of service.
Authored by Representative Judy 299
Coauthored by Representative Abbott
First reading: adopted voice vote
Senate sponsors: Senators Busch and Zay
Referred to the Senate
First reading: adopted voice vote 425
Returned to the House

House Senate

HCR 22 Author Representative Barrett
Sponsor Senator Raatz
Recognizing Mr. Philip Stevenson and his retirement as superintendent of Centerville-Abington Community Schools.
Authored by Representative Barrett 246
First reading: adopted voice vote
Senate sponsor: Senator Raatz
Referred to the Senate
First reading: adopted voice vote 339
Returned to the House
Representative Saunders added as coauthor 257

HCR 23 Author Representative Klinker
Sponsor Senator Alting
Congratulating the 2019 Lafayette Central Catholic High School football team.
Authored by Representative Klinker 263
Coauthored by Representative Campbell
First reading: adopted voice vote
Senate sponsor: Senator Alting
Referred to the Senate
First reading: adopted voice vote 396
Returned to the House

HCR 24 Author Representative Cherry
Sponsor Senator Crider
Congratulating the New Palestine High School football team.
Authored by Representative Cherry 338
Coauthored by Representative Eberhart
First reading: adopted voice vote
Senate sponsor: Senator Crider
Referred to the Senate
First reading: adopted voice vote 480
Returned to the House

HCR 25 Author Representative Ziemke
Sponsors Senators Perfect, Leising
Recognizing Honda Manufacturing of Indiana for its contributions to the community.
Authored by Representative Ziemke 254
First reading: adopted voice vote
Senate sponsor: Senator Perfect
Referred to the Senate
First reading: adopted voice vote 344
Senator Leising added as second sponsor 346
Returned to the House

HCR 26 Author Representative Cherry
Sponsor Senator Crider
Congratulating the New Palestine High School softball team.
Authored by Representative Cherry 237
Coauthored by Representative Eberhart
First reading: adopted voice vote
Senate sponsor: Senator Crider
Referred to the Senate
First reading: adopted voice vote 335
Returned to the House

HCR 27 Author Representative Cherry
Sponsor Senator Crider
Recognizing Charlie Spegal.
Authored by Representative Cherry 237
Coauthored by Representative Eberhart
First reading: adopted voice vote
Senate sponsor: Senator Crider
Referred to the Senate
First reading: adopted voice vote 335
Returned to the House

HCR 28 Author Representative McNamara
Sponsor Senator M. Young
Urging the Indiana Senate and the Indiana House of Representatives to adopt the practice of recommitting all bills creating or amending a criminal penalty to the Senate Corrections and Criminal Law Co
Authored by Representative McNamara 238
First reading: adopted voice vote
Senate sponsor: Senator Tomes
Referred to the Senate
First reading: referred to Committee on Corrections and Criminal Law 334
Senator Tomes removed as sponsor 358
Senator M. Young added as sponsor
Committee report: do pass, adopted 373
Senator Randolph added as cosponsor 402
Second reading: failed
Division of the Senate: yeas 18, nays 28. 426

HCR 29 Author Representative Jackson
Sponsors Senators Melton, Mrvan, Niemeyer
Remembering Dr. Walter "Jerry" Watkins.
Authored by Representative Jackson. 238
Coauthored by Representatives Shackleford, Harris, Hatcher, Bartlett, Porter, Pryor, V. Smith, Summers, Aylesworth, Beck, Candelaria Reardon, Chyung
First reading: adopted voice vote
Senate sponsors: Senators Melton, Mrvan, Niemeyer
Cosponsor: Senator Randolph
Referred to the Senate
First reading: adopted standing vote 336
Returned to the House

HCR 30 Author Representative Zent
Sponsor Senator Sandlin
Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
Authored by Representative Zent 246
Coauthored by Representatives Steuerwald, Pressel, Lyness, Austin, Bartlett, Macer, Bauer, Dvorak, Goodrich, Morris, Sullivan, Ziemke, Lauer, Abbott, Wright, Hamilton, Boy, Schaibley, Clere, Miller, Bacon, Kirchhofer, VanNatter, Klinker, Porter, Jackson, Aylesworth, Burton, Deal, Campbell, May, Eberhart, Thompson, Cherry, Engleman, Cook, Speedy, Mayfield, Manning, Candelaria Reardon, McNamara, Moed, Smaltz, Bosma, GiaQuinta, Moseley, DeLaney, Pfaff, Gutwein, Soliday, Judy, Lindauer, Frye, Leonard, Lehe, Lucas, Lehman, Bartels, V. Smith, Pierce, Hatfield, Chyung, Davisson, Fleming, Goodin, Harris, Beck, Heine, Errington
First reading: adopted voice vote
Senate sponsor: Senator Sandlin
Referred to the Senate

House Senate

First reading: adopted voice vote 339
Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Randolph, Rogers, Ruckelshaus, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young, Zay added as cosponsors. 340
Returned to the House
Representative Vermilion added as coauthor 283
Representative Barrett added as coauthor 283

HCR 31 Author Representative Austin
Sponsor Senator Lanane
Recognizing the Anderson High School Marching Highlanders for their achievements at the 2019 Indiana State Fair.
Authored by Representative Austin. 254
First reading: adopted voice vote
Senate sponsor: Senator Lanane
Referred to the Senate
First reading: adopted voice vote 345
Returned to the House

HCR 32 Author Representative Lehe
Sponsors Senators Glick, Leising
Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
Authored by Representative Lehe 263
First reading: adopted voice vote
Senate sponsors: Senators Glick and Leising
Referred to the Senate
First reading: adopted voice vote 367
Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, Doriot, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young, Zay added as cosponsors 369
Returned to the House

HCR 33 Author Representative Davisson
Sponsor Senator Houchin
Recognizing the 2019 Salem High School marching band.
Authored by Representative Davisson. 299
First reading: adopted voice vote
Senate sponsor: Senator Houchin
Referred to the Senate
First reading: adopted voice vote 424
Returned to the House

HCR 34 Author Representative Lucas
Sponsor Senator Perfect
Memorializing Lance Corporal Jacky Ray Koenig Jr., United States Marine Corps.
Authored by Representative Lucas 278
Coauthored by Representative Frye
First reading: adopted voice vote
Senate sponsor: Senator Perfect
Referred to the Senate
First reading: adopted standing vote 397
Returned to the House

HCR 35 Author Representative Pfaff
Sponsor Senator J.D. Ford
Honoring school counselors during National School Counseling Week.
Authored by Representative Pfaff 279
First reading: adopted voice vote
Senate sponsor: Senator J.D. Ford
Referred to the Senate
First reading: adopted voice vote 422
Returned to the House

HCR 36 Author Representative DeLaney
Sponsor Senator Freeman
Recognizing the Indiana State Bar Association Leadership Development Academy.
Authored by Representative DeLaney. 279
First reading: adopted voice vote
Senate sponsor: Senator Freeman
Referred to the Senate
First reading: adopted voice vote 423
Returned to the House

HCR 37 Author Representative Stutzman
Sponsor Senator Rogers
Urging Congress to display the portrait monument of Lucretia Mott, Elizabeth Cady Stanton, and Susan B. Anthony on U.S. currency recognizing women's fight for suffrage and honoring the 100th anniversary
Authored by Representative Stutzman 280
Coauthored by Representatives Klinker, Jackson, Porter, V. Smith, Deal, Campbell, DeLaney, Nisly, Zent, Ziemke, Thompson, Torr, Goodrich, Mayfield, Davisson, Schaibley, Beck, Hatfield, Chyung, GiaQuinta, DeVon, Soliday, Leonard, Frye, Barrett, Miller, Errington, Abbott, May, Baird, Fleming, Eberhart, Austin, Bartlett, Bauer, Cherry, Moseley, McNamara, Boy, Heine, Negele, Lehman, Carbaugh, Lindauer
First reading: adopted voice vote
Senate sponsor: Senator Rogers
Referred to the Senate
First reading: adopted voice vote 448
Returned to the House

HCR 38 Author Representative Karickhoff
Sponsors Senators Alting, Boots, Koch
Urging the United States Forest Service to establish an off-road vehicles (ORVs) trail system.
Authored by Representative Karickhoff 280
Coauthored by Representatives Austin, Bacon, Bartels, Beck, Ellington, Goodin, Gutwein, Klinker, Lehe, Lehman, May, McNamara, Negele, Saunders, Speedy, VanNatter, Wolkins
First reading: adopted voice vote

House Senate

Senate sponsors: Senators Alting, Boots, Koch
Cosponsors: Senators Lanane and Messmer
Referred to the Senate
First reading: adopted voice vote 448
Returned to the House

HCR 39 Author Representative Lehe
Sponsor Senator Kruse
Recognizing the importance of career and technical education during Career and Technical Education Month.
Authored by Representative Lehe 280
Coauthored by Representatives Leonard and Macer
First reading: adopted voice vote
Senate sponsor: Senator Kruse
Referred to the Senate
First reading: adopted voice vote 423
Returned to the House

HCR 40 Author Representative Burton
Sponsor Senator Houchin
Recognizing dyslexia in Hoosier youth.
Authored by Representative Burton 310
First reading: adopted voice vote
Senate sponsor: Senator Houchin
Referred to the Senate
First reading: adopted voice vote 451
Returned to the House
Representatives Abbott, Baird, Barrett, Cherry, Clere, Cook, Davisson, DeVon, Eberhart, Ellington, Engleman, Goodrich, Heaton, Lyness, Macer, McNamara, Miller, Negele, Prescott, Pressel, Schaibley, Sherman, Steuerwald, Thompson, Torr, Vermilion, Zent added as coauthors 415
Representatives Austin, Aylesworth, Bacon, Bartels, Bartlett, Bauer, Beck, Behning, Borders, Bosma, Boy, T. Brown, Campbell, Candelaria Reardon, Carbaugh, Chyung, DeLaney, Deal, Dvorak, Errington, Fleming, Forestal, Frye, GiaQuinta, Goodin, Gutwein, Hamilton, Harris, Hatcher, Hatfield, Hostettler, Huston, Jackson, Jordan, Judy, Karickhoff, Kirchhofer, Klinker, Lauer, Lehe, Lehman, Leonard, Lindauer, Lucas, Manning, May, Mayfield, Moed, Morris, Morrison, Moseley, Nisly, Pfaff, Pierce, Porter, Pryor, Saunders, Shackleford, Smaltz, V. Smith, Soliday, Stutzman, Sullivan, Summers, VanNatter, Wesco, Wolkins, Wright, J. Young, Ziemke added as coauthors. 435

HCR 41 Author Representative Thompson
Sponsor Senator Crane
Recognizing Katie Pourcho, 2020 Indiana Teacher of the Year.
Authored by Representative Thompson 287
Coauthored by Representatives Bauer, Cook, Klinker
First reading: adopted voice vote
Senate sponsor: Senator Crane
Referred to the Senate
First reading: adopted voice vote 399
Returned to the House

HCR 42 Author Representative Goodrich
Sponsor Senator Doriot
Honoring Indiana's women veterans.
Authored by Representative Goodrich 338
Coauthored by Representatives Frye, Judy, Macer
First reading: adopted voice vote
Senate sponsor: Senator Doriot
Referred to the Senate
First reading: adopted voice vote 480
Senators Alting, Bassler, Becker, Bohacek, Boots, Bray, Breaux, L. Brown, Buchanan, Buck, Busch, Charbonneau, Crane, Crider, Donato, J.D. Ford, Jon Ford, Freeman, Garten, Gaskill, Glick, Grooms, Holdman, Houchin, Koch, Kruse, Lanane, Leising, Melton, Merritt, Messmer, Mishler, Mrvan, Niemeyer, Niezgodski, Perfect, Raatz, Randolph, Rogers, Ruckelshaus, Sandlin, Spartz, Stoops, Tallian, G. Taylor, Tomes, Walker, M. Young, Zay added as cosponsors 485
Returned to the House
Representative Pfaff added as coauthor. 383
Representative Lauer added as coauthor 383

HCR 43 Author Representative Frye
Sponsor Senator Crider
Recognizing and honoring volunteer firefighters.
Authored by Representative Frye 342
Coauthored by Representative Macer
First reading: adopted voice vote
Representative Lauer added as coauthor 383
Representatives Bartels and Lindauer added as coauthors 383
Senate sponsor: Senator Crider
Referred to the Senate
First reading: adopted voice vote 564
Returned to the House

HCR 44 Author Representative Pfaff
Sponsor Senator J.D. Ford
Recognizing teachers and the work they do.
Authored by Representative Pfaff 384
First reading: adopted voice vote
Senate sponsor: Senator J.D. Ford
Representatives GiaQuinta, Abbott, Austin, Bacon, Bartels, Bartlett, Bauer, Beck, Boy, Campbell, Candelaria Reardon, Cherry, Chyung, Clere, Davisson, DeLaney, Deal, Dvorak, Errington, Fleming, Goodin, Hamilton, Harris, Hatcher, Hatfield, Hostettler, Jackson, Karickhoff, Kirchhofer, Klinker, Lauer, Lehe, Lyness, Macer, McNamara, Mayfield, Manning, Moed, Moseley, Negele, Pierce, Porter, Prescott, Pryor, Schaibley, Shackleford, V. Smith, Sullivan, Summers, Torr, Thompson, Wright, VanNatter, Ziemke added as coauthors 415
Referred to the Senate
First reading: adopted voice vote 649
Returned to the House

HCR 45 Author Representative Judy
Sponsor Senator Zay
Honoring Eugene Heckman.
Authored by Representative Judy 410
Coauthored by Representative Leonard
First reading: adopted voice vote
Senate sponsor: Senator Zay
Referred to the Senate
First reading: adopted standing vote 650

House Senate

Returned to the House

HCR 46 Author Representative Davisson
Sponsor Senator Houchin
Honoring Greg McCurdy on his selection as the 2019 Indiana Small and Rural Schools Teacher of the Year.
Authored by Representative Davisson. 418
First reading: adopted voice vote
Senate sponsor: Senator Houchin
Referred to the Senate
First reading: adopted voice vote 667
Returned to the House

HCR 47 Author Representative Lehman
Sponsor Senator Holdman
Honoring students from Norwell Middle School in Ossian, Indiana, as the National Champions of the Future City Competition.
Authored by Representative Lehman 425
Coauthored by Representatives Bosma and Leonard
First reading: adopted voice vote
Senate sponsor: Senator Holdman
Referred to the Senate
First reading: adopted voice vote 667
Returned to the House

HCR 48 Author Representative Campbell
Sponsors Senators Kruse, Niezgodski
Recognizing landscape architects.
Authored by Representative Campbell 431
Coauthored by Representative Vermilion
First reading: adopted voice vote
Senate sponsors: Senators Kruse and Niezgodski
Referred to the Senate
First reading: adopted voice vote 675
Returned to the House

HCR 49 Author Representative Hamilton
Sponsor Senator Ruckelshaus
Honoring Futsum Zienasellassie.
Authored by Representative Hamilton 432
First reading: adopted voice vote
Senate sponsor: Senator Ruckelshaus
Referred to the Senate
First reading: adopted voice vote 676
Returned to the House

HCR 50 Author Representative Ellington
Sponsor Senator Bassler
Congratulating the Linton-Stockton High School girls basketball team for its Class 2A IHSAA championship win.
Authored by Representative Ellington 447
First reading: adopted voice vote
Senate sponsor: Senator Bassler
Referred to the Senate
First reading: adopted voice vote 683
Returned to the House

HCR 51 Author Representative Pierce
Sponsors Senators Grooms, Stoops
Honoring the 250th anniversary of William Clark's birth.
Authored by Representative Pierce 447
Coauthored by Representatives Clere, Saunders, Lehman, Bartels, Bacon, Hatfield, Sullivan, McNamara, Lyness, Frye, Goodin, Fleming, Engleman, Negele
First reading: adopted voice vote
Senate sponsors: Senators Grooms and Stoops
Referred to the Senate
First reading: adopted voice vote 683
Returned to the House

HR 1 Author Representative Errington
Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
Authored by Representative Errington 28
Coauthored by Representatives DeVon, Campbell, GiaQuinta, Karickhoff, Schaibley, Ziemke, Zent, Vermilion, Sherman, Wesco, Stutzman, Jordan, Borders, Fleming, VanNatter, Bacon, Kirchhofer, Boy, Beck, DeLaney, Mayfield, Chyung, Negele, Morris, Candelaria Reardon, Bauer, Austin, Jackson, Pfaff, Klinker, Macer, Hatfield, Bartlett
First reading: adopted voice vote
Representative Lauer added as coauthor 38

HR 2 Author Representative Macer
Remembering Joseph Dean Breedlove.
Authored by Representative Macer 42
First reading: adopted voice vote

HR 3 Author Representative Bacon
Congratulating Maggie Speicher on her retirement.
Authored by Representative Bacon 53
First reading: adopted voice vote

HR 4 Author Representative V. Smith
Commemorating Dr. Martin Luther King Jr. Day.
Authored by Representative V. Smith 73
Coauthored by Representatives Shackleford, Bartlett, Harris, Hatcher, Jackson, Porter, Pryor, Summers, Nisly, Goodin
First reading: adopted voice vote
Representative Lauer added as coauthor 141

HR 5 Author Representative Judy
Urging the legislative council to assign to the appropriate committee the topic of Fair Tax at the state level.
Authored by Representative Judy 92
First reading: referred to Committee on Ways and Means voice vote

HR 6 Author Representative Cook
Urging a study of the taxes on retirement funds for World War II veterans.
Authored by Representative Cook. 92
Coauthored by Representative Judy
First reading: referred to Committee on Ways and Means voice vote

HR 7 Author Representative DeLaney
Urging Congress to repeal the federal requirement on standardized testing under the Every Student Succeeds Act.
Authored by Representative DeLaney. 92

House Senate

First reading: referred to Committee on Education voice vote

HR 8 Author Representative Campbell
Recognizing the month of April each year as Genocide Awareness and Prevention Month.
Authored by Representative Campbell 92
First reading: adopted voice vote

HR 9 Author Representative Carbaugh
Honoring Ann Naughton.
Authored by Representative Carbaugh 93
Coauthored by Representatives Borders, Heaton, Judy, Kirchhofer, Lehman, Mayfield, Schaibley, Vermilion, Austin, Bauer, Campbell, Porter
First reading: adopted voice vote

HR 10 Author Representative Pryor
Celebrating Black History Month.
Authored by Representative Pryor 286
Coauthored by Representatives V. Smith, Shackleford, Bartlett, Harris, Hatcher, Jackson, Porter, Summers
First reading: adopted voice vote
Representative Goodin added as coauthor. 291

HR 11 Author Representative Beck
Recognizing Strack and Van Til on the occasion of their 91st Anniversary.
Authored by Representative Beck 184
Coauthored by Representatives Jackson, Harris, Hatcher, Deal, Moseley, Aylesworth, Candelaria Reardon, V. Smith, Chyung, Boy, Soliday
First reading: adopted voice vote

HR 12 Author Representative Behning
Honoring Representative Dave Frizzell.
Authored by Representative Behning 184
First reading: adopted voice vote
Representative Bosma added as coauthor 184

HR 13 Author Representative Campbell
Congratulating Mr. Joe Micon on the occasion of his retirement.
Authored by Representative Campbell 236
Coauthored by Representative Klinker
First reading: adopted voice vote

HR 14 Author Representative Bacon
Honoring Certified Registered Nurse Anesthetists (CRNAs).
Authored by Representative Bacon 237
First reading: adopted voice vote

HR 15 Author Representative Cook
Honoring John Bundy.
Authored by Representative Cook. 243
First reading: adopted voice vote

HR 16 Author Representative Shackleford
Honoring the National Association of Women Business Owners of Indianapolis.
Authored by Representative Shackleford 246
First reading: adopted voice vote
Representatives McNamara, Campbell, Beck, Sherman, Fleming, Negele, Summers, Candelaria Reardon added as coauthors 301
Representative Schaibley added as coauthor. 301

HR 17 Author Representative V. Smith
Recognizing the Ninth Annual Bill Johnson Black Film Festival.
Authored by Representative V. Smith. 262
First reading: adopted voice vote

HR 18 Author Representative Hamilton
Concerning the protection and conservation of Indiana's natural heritage.
Authored by Representative Hamilton 275
Coauthored by Representatives GiaQuinta, Chyung, Bartlett, DeLaney, Macer, Beck, Jackson, Hatfield, Deal, Pfaff, Pryor, Goodin, Boy, Pierce, Klinker, Aylesworth
First reading: referred to Committee on Environmental Affairs

HR 19 Author Representative Lucas
Honoring Hunter Wart.
Authored by Representative Lucas 276
First reading: adopted voice vote

HR 20 Author Representative Bacon
Urging the pursuit of policy that increases organ donor supply.
Authored by Representative Bacon 276
First reading: referred to Committee on Public Health
Committee report: do pass, adopted 344
Representatives Barrett, Fleming, Manning added as coauthors 383
Second reading: adopted;
Roll Call 310: yeas 86, nays 0. 420
Representatives Abbott, Austin, Aylesworth, Bauer, Beck, Burton, Carbaugh, Cherry, Clere, Cook, Davisson, DeVon, Ellington, Engleman, GiaQuinta, Goodrich, Heaton, Kirchhofer, Lauer, Lehe, Lindauer, Lucas, Miller, Moed, Morris, rescott, Pressel, Schaibley, Shackleford, Sherman, Steuerwald, VanNatter, Vermilion, Zent, Ziemke added as coauthors 435

HR 21 Author Representative Frye
Honoring Mr. William Rowlett.
Authored by Representative Frye 276
First reading: adopted voice vote

HR 22 Author Representative McNamara
Remembering Dr. David L. Rice.
Authored by Representative McNamara 277
Coauthored by Representatives Bacon, Hatfield, Sullivan
First reading: adopted voice vote

HR 23 Author Representative McNamara
Recognizing the 2019 Mater Dei High School varsity girls soccer team.

House Senate

Authored by Representative McNamara 336
Coauthored by Representatives Bacon and Hostettler
First reading: adopted voice vote

HR 24 Author Representative Campbell
Remembering Ernest Vernon Beck.
Authored by Representative Campbell 277
First reading: adopted voice vote

HR 25 Author Representative Candelaria Reardon
Recognizing and honoring Mr. Richard Morrisroe.
Authored by Representative Candelaria Reardon 343
First reading: adopted voice vote

HR 26 Author Representative GiaQuinta
Honoring State Representative Mara Candelaria Reardon.
Authored by Representative GiaQuinta. 277
Coauthored by Representative Pryor
First reading: adopted voice vote

HR 27 Author Representative McNamara
Honoring State Representative Ronald Bacon.
Authored by Representative McNamara 286
Coauthored by Representative Bosma
First reading: adopted voice vote
Representatives GiaQuinta and Steuerwald added as coauthors 286

HR 28 Author Representative GiaQuinta
Honoring State Representative Karlee D. Macer.
Authored by Representative GiaQuinta. 298
Coauthored by Representatives Pryor and Candelaria Reardon
First reading: adopted voice vote

HR 29 Author Representative Summers
To honor and congratulate the ladies of Zeta Phi Beta Sorority on the organization's 100th Anniversary.
Authored by Representative Summers 298
Coauthored by Representatives Shackleford, Harris, Hatcher, Bartlett, Jackson, Porter, Pryor, V. Smith
First reading: adopted voice vote

HR 30 Author Representative Beck
Recognizing Workers Memorial Day.
Authored by Representative Beck 311
First reading: adopted voice vote
Representative Soliday added as coauthor 314
Representative Carbaugh added as coauthor 314
Representatives Goodrich, Austin, Bartlett, Bauer, Boy, Campbell, Candelaria Reardon, McNamara, Chyung, DeLaney, Deal, Dvorak, Errington, Fleming, Negele, GiaQuinta, Goodin, Hamilton, Harris, Hatcher, Hatfield, Lehe, Jackson, Klinker, Macer, Moed, Moseley, Heine, Pfaff, Pierce, Porter, Pryor, Shackleford, V. Smith, Summers, Wright added as coauthors 314

HR 31 Author Representative Behning
Honoring State Representative Woody Burton.
Authored by Representative Behning 311
Coauthored by Representative Bosma
First reading: adopted voice vote

HR 32 Author Representative GiaQuinta
Honoring State Representative Dan Forestal.
Authored by Representative GiaQuinta. 336
Coauthored by Representatives Pryor and Candelaria Reardon
First reading: adopted voice vote

HR 33 Author Representative Chyung
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Authored by Representative Chyung. 337
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HR 34 Author Representative Gutwein
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Coauthored by Representatives Bosma, GiaQuinta, Steuerwald
First reading: adopted voice vote

HR 35 Author Representative V. Smith
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HR 36 Author Representative Steuerwald
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Authored by Representative Steuerwald 343
Coauthored by Representative GiaQuinta
First reading: adopted voice vote

HR 37 Author Representative May
Celebrating IU Health Bedford Hospital on its 50th anniversary.
Authored by Representative May 409
First reading: adopted voice vote

HR 38 Author Representative Chyung
Congratulating Lake Central's boys soccer team for winning class 3A semistate.
Authored by Representative Chyung. 409
First reading: adopted voice vote

HR 39 Author Representative Beck
Recognizing Angel Millsap for winning the Mental Attitude and Leadership Award.
Authored by Representative Beck 409
First reading: adopted voice vote

HR 40 Author Representative Summers
Congratulating Bernice Bohannon on her 110th birthday.
Authored by Representative Summers 409
Coauthored by Representatives Shackleford, Harris, Hatcher, Bartlett, Jackson, Porter, Pryor, V. Smith
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HR 41 Author Representative Schaibley
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Authored by Representative Schaibley 417
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HR 42 Author Representative Karickhoff
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Authored by Representative Karickhoff 417
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HR 43 Author Representative GiaQuinta
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HR 44 Author Representative Lucas
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HR 45 Author Representative V. Smith
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Authored by Representative V. Smith. 429
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HR 46 Author Representative Chyung
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Authored by Representative Chyung. 430
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HR 47 Author Representative Pryor
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Authored by Representative Pryor 430
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HR 48 Author Representative Chyung
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HR 49 Author Representative Bacon
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Authored by Representative Bacon 443
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HR 50 Author Representative Judy
Recognizing and congratulating Whitko High School artists.
Authored by Representative Judy 444
First reading: adopted voice vote

HR 51 Author Representative Beck
Congratulating and honoring the Merrillville High School Choir.
Authored by Representative Beck 444
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HR 52 Author Representative Chyung
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First reading: adopted voice vote

HR 53 Author Representative Chyung
Recognizing the Sasakawa Peace Foundation and the US-Japan Council.
Authored by Representative Chyung. 445
First reading: adopted voice vote

HR 54 Author Representative Chyung
Recognizing the Consulate General of the Republic of Korea in Chicago.
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First reading: adopted voice vote

HR 55 Author Representative T. Brown
Honoring Speaker Brian C. Bosma upon his retirement from the Indiana House of Representatives.
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HR 56 Author Representative Beck
Memorializing Lake County Magistrate Nanette K. Raduenz.
Authored by Representative Beck 445
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HR 57 Author Representative J. Young
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HR 58 Author Representative Beck
Congratulating Peoples Bank on the occasion of their 110th anniversary.
Authored by Representative Beck 446
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HR 59 Author Representative Beck
Congratulating Mr. Jesse Mendez on his 2020 state championship title in wrestling.
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HR 60 Author Representative Beck
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HR 61 Author Representative Beck
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HR 62 Author Representative Candelaria Reardon
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HR 63 Author Representative Pryor
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HR 64 Author Representative Harris
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Cesar Chavez, and the work of Proteus, Inc.
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HR 65 Author Representative Hamilton
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Authored by Representative Hamilton 451
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HR 66 Author Representative Lindauer
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HR 67 Author Representative Chyung
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HR 68 Author Representative Beck
Congratulating Crown Point Varsity hockey team.
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HR 69 Author Representative Eberhart
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Edmund M. Mahern.
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HR 70 Author Representative Barrett
Honoring Kevin Handley, Jr., Jayden Shipp,
and Derrick Lamb.
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HR 71 Author Representative Carbaugh
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Authored by Representative Carbaugh 507
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HR 72 Author Representative Beck
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Kevin Garber Jr. and K-9 Butch.
Authored by Representative Beck 540
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▣ SB 148 Authors Senators Doriot, Rogers
Sponsor Representative Miller
Zoning and housing matters.
Vetoed by Governor Holcomb on March 25, 2020

CONSTITUTIONAL AMENDMENTS PROPOSED*

* ARTICLE 16 of the Constitution of Indiana provides: "SECTION 1. (a) An amendment to this Constitution may be proposed in either branch of the General Assembly. If the amendment is agreed to by a majority of the members elected to each of the two houses, the proposed amendment shall, with the yeas and nays thereon, be entered on their journals, and referred to the General Assembly to be chosen at the next general election.

(b) If, in the General Assembly so next chosen, the proposed amendment is agreed to by a majority of all the members elected to each House, then the General Assembly shall submit the amendment to the electors of the State at the next general election.

(c) If a majority of the electors voting on the amendment ratify the amendment, the amendment becomes a part of this Constitution."

When amendments are acted upon by the first general assembly, SECTION 1 of the joint resolution notes the Assembly which is proposing the amendment and then refers the topic to the next Assembly for agreement. When an amendment is reconsidered by a second Assembly, SECTION 1 notes the Assembly which initially proposed the change and states the agreement of the second Assembly.

No Constitutional amendments were passed during the Second Regular Session of the 121st General Assembly (2020).

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2020

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BIRTHDAYS, ANNIVERSARIES, AND SPECIAL EVENTS CELEBRATED

HCR 7 Commemorating the centennial anniversary of Indiana ratifying the 19th Amendment.
HCR 8 Commemorating the centennial anniversary of Indiana ratifying the 19th Amendment.
HCR 51 Honoring the 250th anniversary of William Clark's birth.
SCR 23 Recognizing "Farmworkers Awareness Week", Cesar Chavez, and the work of Proteus, Inc.
SCR 40 Honoring the League of Women Voters.
SCR 46 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SCR 52 Recognizing Virgil L. Beckerman.
SCR 66 Recognizing landscape architects and recognizing April 2020 as "World Landscape Architecture Month".
HR 4 Commemorating Dr. Martin Luther King Jr. Day.
HR 10 Celebrating Black History Month.
HR 40 Congratulating Bernice Bohannon on her 110th birthday.
SR 31 Recognizing March 12, 2020 as World Kidney Day.
SR 32 Recognizing the Mitchell Persimmon Festival and urging the Governor to declare September 22, 2020, Persimmon Day in Indiana.
SR 36 To recognize the week of February 24-28, 2020 as Public Schools Week.
SR 41 Recognizing February 25, 2020 as Doula Day at the Statehouse.
SR 65 Recognizing Indiana public schools and the week of February 24-28, 2020, as National Public Schools Week.
SR 67 Recognizing landscape architects and recognizing April 2020 as "World Landscape Architecture Month".

COLLEGES AND UNIVERSITIES CONGRATULATED

SCR 7 Honoring Indiana University in recognition of its Bicentennial Anniversary.
SR 34 Recognizing Indiana State University for 150 years of African American education and achievement.

GROUPS, ORGANIZATIONS, AND COMPANIES CONGRATULATED

HCR 2 Recognizing Prom Genie, Incorporated.
HCR 3 Recognizing the Boys and Girls Clubs of Elkhart County.
HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HCR 13 Recognizing Alpha Kappa Alpha Day at the Capitol.
HCR 21 Recognizing the Whitley County Chamber of Commerce for 100 years of service.
HCR 25 Recognizing Honda Manufacturing of Indiana for its contributions to the community.
HCR 32 Recognizing FFA and all of its work to advance the quality of agricultural education both locally and nationally.
HCR 36 Recognizing the Indiana State Bar Association Leadership Development Academy.
HCR 43 Recognizing and honoring volunteer firefighters.
HCR 48 Recognizing landscape architects.
SCR 2 Congratulating Sigma Gamma Rho Sorority.
SCR 24 Honoring the Kappa Alpha Psi fraternity.
SCR 27 Recognizing Perinatal Palliative Care personnel in Indiana.
SCR 33 Honoring Hoosier long-term care professionals.
SCR 44 Honoring Hoosier Basketball Magazine.
SCR 45 Recognizing Indiana Arts Education Day at the Statehouse.
SCR 48 Honoring the Kappa Alpha Psi fraternity.
SCR 53 Recognizing the significance of the construction of the Vietnam Memorial Wall at the Veterans National Memorial Shrine and Museum in Fort Wayne, Indiana.
SCR 59 Recognizing the French Lick Springs Hotel.
SCR 62 Honoring Haywood and Fleming Associates.
SCR 63 Recognizing ATT Indiana.
HR 11 Recognizing Strack and Van Til on the occasion of their 91st Anniversary.
HR 14 Honoring Certified Registered Nurse Anesthetists (CRNAs).
HR 16 Honoring the National Association of Women Business Owners of Indianapolis.
HR 17 Recognizing the Ninth Annual Bill Johnson Black Film Festival.
HR 29 To honor and congratulate the ladies of Zeta Phi Beta Sorority on the organization's 100th Anniversary.

SUBJECT INDEX OF RESOLUTIONS—2020

HR 35 Recognizing Omega Psi Phi.
HR 37 Celebrating IU Health Bedford Hospital on its 50th anniversary.
HR 45 Welcoming members of the Omega Psi Phi fraternity to the 83rd Tenth District Convention.
HR 47 Honoring the 100 Black Men of Indianapolis, Inc. and their annual Beautillion Militaire Scholarship Program.
HR 52 Recognizing the Korean American Association of Indiana.
HR 53 Recognizing the Sasakawa Peace Foundation and the US-Japan Council.
HR 58 Congratulating Peoples Bank on the occasion of their 110th anniversary.
HR 63 Celebrating women in public office.
HR 65 Standing in solidarity with Indiana's Jewish community.
HR 72 Congratulating Hobart Police Department Corporal Kevin Garber Jr. and K-9 Butch.
SR 10 Congratulating Robert Goodman Jewelers.
SR 16 Recognizing the Martinsville Candy Kitchen.
SR 22 Honoring the Monday Afternoon Club.
SR 32 Recognizing the Mitchell Persimmon Festival and urging the Governor to declare September 22, 2020, Persimmon Day in Indiana.
SR 38 Recognizing dyslexia in Hoosier youth.
SR 39 Recognizing Girls Inc. of Greater Indianapolis.
SR 49 To honor the Shalom Health Care Center.
SR 64 Recognizing the AAA School Safety Patrol Program.
SR 69 Recognizing The Helping Hands thrift store.

INDIVIDUALS COMMUNITY SERVICE RECOGNIZED

HCR 4 Honoring the legacy of the Hulman-George family and celebrating the incoming leadership of Roger Penske and the Penske Corporation at the Indianapolis Motor Speedway and INDYCAR.
HR 9 Honoring Ann Naughton.
HR 13 Congratulating Mr. Joe Micon on the occasion of his retirement.
HR 15 Honoring John Bundy.
HR 19 Honoring Hunter Wart.
HR 21 Honoring Mr. William Rowlett.
HR 25 Recognizing and honoring Mr. Richard Morrisroe.
HR 46 Honoring Chief Dennis Zagrocki of the Schererville Police Department for four decades of service.
HR 49 Congratulating Sherri Rector on her retirement.
HR 54 Recognizing the Consulate General of the Republic of Korea in Chicago.
HR 57 Congratulating Richard A. Arkanoff, the second.
SR 44 Congratulating Fireman Michael Pruitt.

INDIVIDUALS HONORS AND SPECIAL ACHIEVEMENTS RECOGNIZED

HCR 9 Recognizing Abby Mills as the 2019 All-American Soap Box Derby world champion in the rally Masters division.
HCR 49 Honoring Futsum Zienasellassie.
SCR 22 Congratulating Deborah Stapleton.
SCR 36 Honoring John Thomas Shettle.
SCR 37 Honoring Bobby Cox.
SCR 47 Congratulating Michael Cleveland.
SCR 50 Congratulating Emily Graves.
SCR 55 Congratulating Michael Cleveland.
SCR 58 Honoring Sister M. Elise Kriss.
SCR 60 Honoring Grant Monahan.
SCR 64 Honoring Lisa H. Kobe.
HR 3 Congratulating Maggie Speicher on her retirement.
HR 44 Honoring Seymour Police Officer Tim Toborg.
HR 70 Honoring Kevin Handley, Jr., Jayden Shipp, and Derrick Lamb.
SR 6 Congratulating Dr. Tom Harmas.
SR 7 Congratulating David L. Shank and Marilyn Shank.
SR 14 Congratulating Ben Yoder.
SR 17 Congratulating Dr. Carrie Foote.
SR 18 Honoring Chief Robert Knox.
SR 40 Recognizing Margaret Dimmett.
SR 46 Honoring Bob Vollmer.
SR 47 Congratulating Doonyah Alucozai.

INDIVIDUALS MEMORIALIZED

HCR 16 Memorializing Marine Corporal John C. Bishop.
HCR 29 Remembering Dr. Walter "Jerry" Watkins.
HCR 45 Honoring Eugene Heckman.
SCR 3 Memorializing Decatur Township Firefighter Lieutenant Tracy Hayden.
SCR 11 Memorializing Thelma Dickey.
SCR 26 Memorializing Sandy Woolwine and honoring the heroic actions of North Central Parke Community School Corporation students.
SCR 34 Memorializing William "Bill" Hager.
HR 2 Remembering Joseph Dean Breedlove.
HR 22 Remembering Dr. David L. Rice.
HR 24 Remembering Ernest Vernon Beck.
HR 30 Recognizing Workers Memorial Day.
HR 48 Memorializing Young-Hee Yedinak.
HR 56 Memorializing Lake County Magistrate Nanette K. Raduenz.
SR 19 Memorializing Tammy Kemp and urging continued recognition of Tammy's Law.
SR 33 Memorializing Ralph Michel.
SR 50 Memorializing Shelby Jacob Schafer.
SR 63 Memorializing Danny Masters.
SR 68 Memorializing Beth Van Vorst (Greene) Gray.

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SCHOOL ACADEMIC TEAMS, MUSICIANS, AND OUTSTANDING STUDENTS CONGRATULATED

HCR 14 Honoring and recognizing the 2018 to 2019 winners of the Student Soybean Product Innovation Competition.
HCR 31 Recognizing the Anderson High School Marching Highlanders for their achievements at the 2019 Indiana State Fair.
HCR 33 Recognizing the 2019 Salem High School marching band.
HCR 47 Honoring students from Norwell Middle School in Ossian, Indiana, as the National Champions of the Future City Competition.
SCR 29 Congratulating Cathedral High School's "We the People: The Citizen and the Constitution" team.
SCR 42 Congratulating the Greenfield Central Cougar Pride Marching Band.
SCR 43 Congratulating the Lafayette Jefferson H.S. Marching Band.
HR 1 Recognizing FIRST Indiana Robotics and FIRST Indiana Robotics teams.
HR 50 Recognizing and congratulating Whitko High School artists.
HR 51 Congratulating and honoring the Merrillville High School Choir.
SR 28 Congratulating the Fishers Jr. H.S. "We the People" team.
SR 35 Congratulating the 2019 Salem H.S. Marching Band.

SCHOOL ATHLETES AND TEAMS CONGRATULATED

HCR 19 Recognizing the 2019 Castle High School archery team for winning their twelfth state championship and second consecutive national championship.
HCR 23 Congratulating the 2019 Lafayette Central Catholic High School football team.
HCR 24 Congratulating the New Palestine High School football team.
HCR 26 Congratulating the New Palestine High School softball team.
HCR 27 Recognizing Charlie Spegal.
HCR 50 Congratulating the Linton-Stockton High School girls basketball team for its Class 2A IHSAA championship win.
SCR 8 Congratulating the Evansville Reitz Memorial H.S. football team.
SCR 9 Congratulating the Evansville Reitz Memorial H.S. boys soccer team.
SCR 10 Congratulating the Western Boone H.S. football team.
SCR 12 Congratulating the Fort Wayne Carroll H.S. girls cross country team.
SCR 13 Congratulating the Noblesville H.S. girls soccer team.
SCR 17 Congratulating Erin Strzelecki.
SCR 18 Congratulating the Ft. Wayne Bishop Dwenger H.S. cheerleading team.
SCR 31 Congratulating the Bremen H.S. softball team.
SCR 35 Congratulating the Fort Wayne Concordia Lutheran H.S. boys cross country team.
SCR 37 Honoring Bobby Cox.
SCR 39 Congratulating the Bishop Chatard H.S. Trojans football team.
SCR 67 Congratulating the Mt. Vernon H.S. (Fortville) girls soccer team.
HR 23 Recognizing the 2019 Mater Dei High School varsity girls soccer team.
HR 33 Congratulating Munster High School on placing second in the IHSAA doubles final in 2019.
HR 38 Congratulating Lake Central's boys soccer team for winning class 3A semistate.
HR 39 Recognizing Angel Millsap for winning the Mental Attitude and Leadership Award.
HR 59 Congratulating Mr. Jesse Mendez on his 2020 state championship title in wrestling.
HR 60 Honoring Jacob Maldonado.
HR 62 Recognizing the Munster High School boys swim team.
HR 66 Congratulating the Loogootee High School girls basketball team.
HR 67 Congratulating Lake Central White hockey team.
HR 68 Congratulating Crown Point Varsity hockey team.
SR 9 Congratulating the Argos H.S. boys soccer team.

SCHOOL TEACHERS, OFFICIALS, AND PROGRAMS CONGRATULATED

HCR 22 Recognizing Mr. Philip Stevenson and his retirement as superintendent of Centerville-Abington Community Schools.
HCR 35 Honoring school counselors during National School Counseling Week.
HCR 39 Recognizing the importance of career and technical education during Career and Technical Education Month.
HCR 41 Recognizing Katie Pourcho, 2020 Indiana Teacher of the Year.
HCR 44 Recognizing teachers and the work they do.
HCR 46 Honoring Greg McCurdy on his selection as the 2019 Indiana Small and Rural Schools Teacher of the Year.
SCR 25 Congratulating Adam Ferguson.
SCR 42 Congratulating the Greenfield Central Cougar Pride Marching Band.
SCR 43 Congratulating the Lafayette Jefferson H.S. Marching Band.
SCR 49 Recognizing Gus Adams.
SCR 56 Honoring Dr. Wendy Robinson.
SCR 65 Recognizing Matthew Clifford.
HR 41 Congratulates Saint Maria Goretti Catholic School as the 2019 National Blue Ribbon Awardee.
SR 3 Congratulating Boone Grove H.S.
SR 12 Celebrating Ben Davis University H.S.

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SR 28 Congratulating the Fishers Jr. H.S. "We the People" team.
SR 35 Congratulating the 2019 Salem H.S. Marching Band.
SR 56 Honoring Indiana University Dance Marathon.
SR 66 Honoring Greg McCurdy.

VETERANS AND MEMBERS OF THE ARMED FORCES HONORED OR MEMORIALIZED

HCR 11 Urging the creation of a Medal of Honor Memorial Highway in Indiana.
HCR 12 Honoring the inductees of the Indiana Military Veterans Hall of Fame.
HCR 15 Urging the Indiana Department of Transportation to rename a bridge on U.S. Route 27 in Fort Wayne as the "Fort Wayne Veterans Memorial Bridge".
HCR 16 Memorializing Marine Corporal John C. Bishop.
HCR 18 Urging the Indiana Department of Transportation to rename a portion of State Road 930 in honor of service members who fought and served during Operation Enduring Freedom.
HCR 30 Recognizing the Indiana Rangers, Company D of the 151st Infantry Regiment of the Indiana National Guard.
HCR 34 Memorializing Lance Corporal Jacky Ray Koenig Jr., United States Marine Corps.
HCR 42 Honoring Indiana's women veterans.